CHAPTER - VIII

IMPLEMENTATION OF CHILD RIGHTS IN AREAS OF CIVIL UNREST:
THE FIELD STUDY

Community based interventions are limited in civil unrest movements due to the highly polarized environment which poses an inherent risk to such interventions not only by the armed groups but also the State. The armed groups view such initiatives as an effort of the State to establish her writ threatening their cause. The State is skeptical when such interventions receive popular support from within the community and are able to cut across to areas which are under the *de facto* control of the armed groups. The other reason of limited intervention is the inevitable linking of child protection with the prevailing security situation. The affected State is also reluctant to recognize child victimization/involvement in localized civil unrest situations since it poses a risk to State sovereignty (See Chapter V, The Complexity of defining Civil Unrest and Child Involvement: Review of International and National Policy).

The study has dovetailed the data available through the ‘Bal Bandhu Scheme for the Protection of Child Rights in Areas of Civil Unrest’ which was launched as a pilot project by the National Commission for the Protection of Child Rights, New Delhi (NCPCR). The intervention was originally conceived by Dr Shantha Sinha, Former Chairperson National Commission for the Protection of Child Rights, New Delhi. The study has dovetailed the data available through the ‘Bal Bandhu Scheme for the Protection of Child Rights in Areas of Civil Unrest’ which was launched as a pilot project by the National Commission for the Protection of Child Rights, New Delhi (NCPCR). The intervention was originally conceived by Dr Shantha Sinha, Former Chairperson National Commission for the Protection of Child Rights, New Delhi.

The researcher later presented the study findings to the Planning Commission of India in April 2013 (NCPCR letter No. CP/NCPCR/2013/27786 dt 15 April 2013).  

---

800 The study has dovetailed the data available through the ‘Bal Bandhu Scheme for the Protection of Child Rights in Areas of Civil Unrest.’ In June 2012, Colonel Mukul Saxena (Researcher) was asked by the NCPCR, New Delhi to examine the extent of implementation of the Scheme and forward independent recommendations as to whether the project should become recognized programme of the Government of India or the pilot project be terminated after its due term. Towards this end, the researcher undertook an extensive field study to examine the impact of the Scheme. The researcher later presented the study findings to the Planning Commission of India in April 2013 (NCPCR letter No. CP/NCPCR/2013/27786 dt 15 April 2013).

801 NCPCR(2010), See Guidelines for Implementation of Bal Bandhu Scheme for the Protection of Child Rights in Areas of Civil Unrest, at 1. The Commission Scheme has three key objectives for the Bal Bandhu Scheme:-
(a) To intervene in ten Districts in five States in areas of civil unrest with the mandate to protect child rights, focusing attention on mobilization of communities through trained local volunteers or ‘Bal Bandhus’ who will act as child defenders.
(b) To bring stability in the lives of children in the process of ensuring that all their entitlements to protection, health, nutrition, sanitation, education and safety, are fulfilled through Government action.
(c) To enhance democracy through community participation and action and renew hope in harmonizing the society and stabilizing lives while a child’s well-being becomes the focus of all action in the area.
The researcher was an integral part of the field study. The study strengthens the State’s affirmative obligation towards the protection of child rights in civil unrest areas as a humanitarian accountability of the State and unequivocally recognizes that children have been worst affected in the Disturbed Areas under the AFSPA and areas adversely affected by LWE.

**Field Study**

The field study examines the viability of community based interventions if such interventions are de linked with the prevailing civil unrest scenario (LWE affected and Disturbed Areas reeling under the AFSPA). The de linking has the potential of creating a neutral operability space for communities to intervene and recognize health and education as a necessity within the areas under State control and those under *de facto* control of the armed groups.

The study also examines the sustainability of such interventions by creating a Community-State interface (C&S) wherein the community itself formulates a model of self governance towards the protection of child right and dovetails its interventions with State sponsored programmes. The C&S is contextualized in a manner that each of the constituents (Community and State) strengthens the competing limitations of the other. NGOs/community based interventions have tremendous capacity to create a moral and physical space for intervention but are limited by the financial and institutional resources to ensure universal reach. The State, on the other hand has the financial and institutional supports but lack in its capacity to create a space of acceptance in the fractured society witnessing wide scale violence and abuse of human rights at the hands of both parties to the civil unrest.

The key issues examined in the field study include:-

The extent of infrastructure deficit in the study Blocks as a pre cursor to the study by examining rural road connectivity, availability of schools and infrastructure, AWCs

---

802 In June 2012, Colonel Mukul Saxena (Researcher) was asked by the NCPCR, New Delhi to examine the extent of implementation of the Bal Bandhu project and forward its independent recommendations as to whether the project should become recognized programme of the Government of India or the pilot project be terminated after its due term. Towards this end, the researcher undertook an extensive field study to examine the impact of the Scheme. The researcher later presented the study findings to the Planning Commission of India in April 2013 (NCPCR letter No. CP/NCPCR/2013/27786 dt 15 April 2013).
and PDS. Each of these indicators will help establish the reach of the State in remote areas in each of the Blocks by plotting the data of the Block against their availability in the Remote GPs.

The extent of community engagement of through the creation of Bal Mitr Samitis (BMS) in every village if the intervention is de-linked to the security concerns emanating from the civil unrest.

Can the de-linking of the situation with the security and the creation of the Community –State interface (C&S) improve State's capacity to limitedly intervene in remote areas despite infrastructure deficit?

Has the C&S interface been able to effectuate the process of child rights through health and education? This includes the removal of children from child labour, mainstreaming non school going children and drop outs, universal reach of health Schemes, etc.

The field study also examines the capacity of the C&S interface characterized by the human capital intervention in limitedly offsetting the infrastructure deficit to include the lack of rural road connectivity, schools, AWCs, Public delivery system, etc.

Part I examines the pre-intervention process by examining institutional access in terms of availability of rural road connectivity, schools, AWC.

Part II examines the process of creation of BMS, its acceptance by analysing the socio economic profile of the BMS and the creation of the C&S.

Part III examines the intervention outcomes through the BMS capacity to effectively mainstream children, remove children from child labour and effectuate self governance through a process of petitioning towards the protection of child rights.

Part IV examines State's approach and intervention concerns

Part V gives out the findings.
PRE-INTERVENTION: SELECTION OF AREAS FOR THE FIELD STUDY

Geographical Area of Study

**LWE Districts**

Sukma Block, Sukma District, Chhattisgarh.

Cherla Block, Khamam District, Andhra Pradesh.

Dhanora Block, Gadchiroli District, Maharashtra.

**Disturbed Area Districts under the AFSPA**

Sidli Block, Chirang District, Assam.

Kuchugaon, Block, Kokrajahar, Assam.

<table>
<thead>
<tr>
<th>Blocks</th>
<th>GPs</th>
<th>Villages</th>
<th>Schools</th>
<th>Anganwari Centres</th>
<th>Children</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>LWE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sukma</td>
<td>19</td>
<td>119</td>
<td>134</td>
<td>105</td>
<td>7493</td>
<td></td>
</tr>
<tr>
<td>Cherla</td>
<td>14</td>
<td>100</td>
<td>92</td>
<td>100</td>
<td>9167</td>
<td></td>
</tr>
<tr>
<td>Dhanora</td>
<td>20</td>
<td>76</td>
<td>58</td>
<td>81</td>
<td>9424</td>
<td></td>
</tr>
<tr>
<td>Disturbed Areas under the AFSPA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidli</td>
<td>17</td>
<td>320</td>
<td>244</td>
<td>320</td>
<td>24219</td>
<td></td>
</tr>
<tr>
<td>Kuchugaon</td>
<td>20</td>
<td>181</td>
<td>225</td>
<td>181</td>
<td>31382</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>90</td>
<td>796</td>
<td>752</td>
<td>787</td>
<td>81685</td>
<td></td>
</tr>
</tbody>
</table>

**Sampling Size**

**Structure of the Field Study**

**BMS**

A BMS is a group 8-10 volunteers sensitive towards the well being of children. Ideally, the BMS is a cross sectoral representation of women, elders, across employment and literacy lines. The BMS is primary unit of the community intervention constituted at the village level. It is further supported by the local
volunteers (Bal Bandhus) and two Resource Persons per Block. One Bal Bandhu is a member of 4-5 BMS.

Sarpanches/Mukhiyas are integral to the BMS and constitute the founding Block of the Community (BMS) - State Interface since they establish the common link as a BMS member and equally a State recognized office bearer.

#### Resource Person

Resource Persons are specialist child rights defenders centrally selected by the NCPCR to head the Bal Bandhu Scheme\(^{803}\) in the respective Blocks. These are persons with experience of working on child rights issues, have capacity towards social mobilization and experience of working with the Governments as well as the community and Gram Panchayat. The additional qualifications include:-

- Experience in carrying out training and orientation programmes for all the stakeholders at all levels.

- Experience as a team builder and team leader with a capacity to coordinate and guide all activities up to District level.

- The primary activities undertaken by the Resource Persons include:-

- Community mobilization and engagement.

Identify youths who have potential for becoming child defenders and impart them on-the-job as well as structured training for community mobilization.

Prepare community through child defenders to constantly interact with the schools, Aganwadi Centres at the local level and take up unresolved issues at the Block level.

Build institutional capacities to respond to the needs of children.

**Bal Bandhus**

They are locally selected child rights defenders who work in coordination with the Resource Person. They are twenty Bal Bandhus in each Block responsible to engage with the local communities to mobilize community commitment towards child rights. Their role includes:

- Survey and identification of all children in a Gram Panchayat in the 0-18 years age group with their names.
- Involvement of Gram Panchayats and the community in getting every child into schools in their respective Gram Panchayats.
- Encouraging the community to hold meeting in an open and transparent fashion without being threatened by the militant groups, Naxals and/or the armed forces/Police.
- Community participation in establishing and repairing of schools, cleaning premises and also in reviving schools that have been closed.
- Enrolment of children in 0-6 age group in Anganwadi Centres and monitoring their nutrition and developmental needs.
- Preparing local bodies such as Gram Panchayats to monitor status of children as well as schools and Anganwadi centres.\(^{804}\)

**Remote GPs.**

Five GPs in each of the study Blocks have been identified as Remote GPs. Remote GPs are a group of five remote and sensitive GPs with extremely high infrastructure deficit and extremely poor accessibility. This categorization is intended to assess the

extent of human capital reach/community despite infrastructure deficit in the remote areas.

Community-State Interface

The C&S model aims to integrate the BMS/community along the organization of the State till the District level. The Sarpanch is the common thread that unites the interface at the village level while the Bal Bandhu and the Resource Persons establish the interface at the Block and District level respectively.

The creation of the C&S interface intends to expand its reach by capitalizing on the strength of each of the entity. While the community has the advantage of acceptance and reach, the State has enormous resource capacity. This in turn helps in dovetailing the community based intervention with the State sponsored programmes.

The C&S has also helped in the creation of horizontal and vertical overlap structure between the community and the State with the Bal Bandhu forming an interface between the two entities. The vertical structures are primarily institutional machineries connecting the programme at the grass root level with the district, state and national programmes.

The horizontal structures on the other hand are non-institutional committees which strengthen community engagement through the homogenous groups like parents, women groups, youth and children, opinion makers help in agenda based intervention and address culturally sensitive practices which are in conflict with the universally accepted norms of the society like child marriages child labour, etc. The Bal Bandhus

---

805 The Bal Bandhu Scheme integrates the C&S till the national level with the NCPCR interfacing with the Union Ministry and the Project Coordinator (NCPCR) interacting with the Chief Secretary of the State.
form the common building block which creates an active interface between the two structures.

Community meetings at the village, Block, Cluster and District level strengthen the vertical level top-down or down-up response and capacity of the community to initiate measures to ensure services delivery.

C&S overall response can be understood when examined across the social spectrum of the actors engaged. These include the number of meeting held, participation at the village, cluster, Block and District level.
INFRASTRUCTURE AVAILABILITY AS A PROCESS TO THE ENJOYMENT OF RIGHTS

Infrastructure availability is one of the best tools to examine the extent of State obligation to ensure the enjoyment of rights by ensuring universal access. Community based interventions are integrally linked infrastructure. Table 6.1 shows causative linkages between infrastructure availability and it impact on the community. If infrastructure deficit exists. There is a clear pattern of uneven development, urban clustering, poor connectivity, weak PDS, inadequate health and educational infrastructure. The corresponding impact on the community is limited government penetration, marginalization, limited intervention space for State sponsored programmes, decrease in school going children with corresponding increase in non-school going children, negligible removal of children from child labour practices.

Table 6.5. Causative Linkages between Infrastructure Deficit & Human Capital Intervention

The study examines infrastructure development in remote areas as a pre cursor to the field work by assessing three indices: Health through the availability of AWCs, Education via the availability of schools and communication for rural road connectivity. Each of three indicators are inextricably linked to each other. The lack of roads/ connectivity is capable of impact infrastructure growth in remote areas.
Infrastructure Access.

Health. The availability of AWCs and delivery of essential commodities (rations and medicines) through PDS are the two key issues examined to access the reach of State sponsored health projects. The Anganwadi or the village courtyard is the backbone to deliver the Non-formal Pre-school Education (PSE) component of the ICDS as well as to providing and ensuring a natural, joyful and stimulating environment, with emphasis on necessary inputs for optimal growth and development. It also contributes to the universalisation of primary education, by providing to the child the necessary preparation for primary schooling and offering substitute care to younger siblings, thus freeing the older ones – especially girls – to attend school. The services include, supplementary nutrition, immunization, health check-up, referral services, pre-school non-formal education and nutrition & health education. It is the basic health unit of the State.

Education. The Right to education consists of two obligations: the right to education as a Civil and Political right requires to permit the establishment of schools and the right to education as an Economic Social and Cultural right requires the government to ensure free and compulsory education is available to all school going children. Accordingly, it refers to guaranteeing access to existing educational institutions free for all on the basis of equality and non-discrimination. The State’s affirmative obligation is to ensure physical and constructive access to educational resources.

The availability of school buildings, electricity, Pupil Teacher Ratio (PTR) boundary walls and Gender Parity Index are a few indices examined to assess State’s affirmation towards guaranteeing the minimum core towards the right to education.

Rural Road Connectivity. Road connectivity is the key to infrastructure access, government penetration and mainstreaming communities. It is the second important sector after agriculture that has helped in poverty alleviation. For each Rs.1 million increase in investment in roads, 165 poor people would be enabled to cross the

806 Government of India, Integrated Child Development Services (ICDS) Scheme. Available at http://wcd.nic.in/icds.htm
poverty line. Its impact on poverty was nearly twice as large as that the next best poverty reducer- Government investment in agricultural R&D. Road connectivity assumes particular importance in the intervention Blocks since it directly impacts PDS, and infrastructure development. Ration delivery and other essential commodities in the AWCs/schools, infrastructure development in schools, AWCs and government penetration are critical indicators towards the realization of child rights. The lack thereof is one of the single most factors that risk community alienation and violation of child rights. The IAP too identifies roads as an important sector and has sought to prioritize roads that will accrue maximum benefits: roads which connect schools, health centres and mandis.

Health: AWCs and PDS

AWC. Child care in the AWC is principally dictated by certain key components of functioning. These include, availability of infrastructure, staff regularity, identification and documentation of children in the community and the delivery of rations and other essential commodities. No data on the formal monitoring of staff and children was available.

Table 6.6: Infrastructure and Ration Delivery in AWCs

<table>
<thead>
<tr>
<th>Block</th>
<th>Villages</th>
<th>AWC</th>
<th>Building</th>
<th>Delivery</th>
<th>Collection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cherla Block, Khammam District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Devarpal</td>
<td>100</td>
<td>101</td>
<td>48</td>
<td>37</td>
<td>63</td>
</tr>
<tr>
<td>Kurnapally</td>
<td>7</td>
<td>4</td>
<td>3</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Pediddunda</td>
<td>14</td>
<td>15</td>
<td>4</td>
<td>5</td>
<td>11</td>
</tr>
<tr>
<td>Pusapoppa</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Upurapill</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>39</td>
<td>35</td>
<td>8</td>
<td>10</td>
<td>29</td>
</tr>
<tr>
<td>Sukma Block, Sukma District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gudide</td>
<td>12</td>
<td>13</td>
<td>6</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>Gondpalli</td>
<td>5</td>
<td>5</td>
<td>1</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Chingav</td>
<td>4</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Pogaboj</td>
<td>4</td>
<td>5</td>
<td>1</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Korra</td>
<td>10</td>
<td>11</td>
<td>8</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>36</td>
<td>38</td>
<td>20</td>
<td>8</td>
<td>30</td>
</tr>
<tr>
<td>Dharora Block, Gadchiroli District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawargi</td>
<td>5</td>
<td>7</td>
<td>1</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Kudidant</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Murund</td>
<td>6</td>
<td>7</td>
<td>4</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Peraduri</td>
<td>4</td>
<td>5</td>
<td>5</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Gatta</td>
<td>2</td>
<td>5</td>
<td>2</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>19</td>
<td>28</td>
<td>13</td>
<td>5</td>
<td>23</td>
</tr>
<tr>
<td>Sidli Block, Chirang District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dadgiri</td>
<td>320</td>
<td>320</td>
<td>Nil</td>
<td>67</td>
<td>253</td>
</tr>
<tr>
<td>Deosri</td>
<td>24</td>
<td>24</td>
<td>1</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>Desuri</td>
<td>12</td>
<td>12</td>
<td>1</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>Shantimp</td>
<td>34</td>
<td>34</td>
<td>1</td>
<td>33</td>
<td></td>
</tr>
<tr>
<td>Ongur</td>
<td>13</td>
<td>13</td>
<td>1</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Patalbaj</td>
<td>32</td>
<td>32</td>
<td>Nil</td>
<td>2</td>
<td>30</td>
</tr>
<tr>
<td>Total</td>
<td>115</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kachinghong Block, Kokrajahar District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mojatiga</td>
<td>8</td>
<td>8</td>
<td>0</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Buruchar</td>
<td>9</td>
<td>9</td>
<td>1</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Nandipat</td>
<td>12</td>
<td>12</td>
<td>1</td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>Howargi</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Balagad</td>
<td>5</td>
<td>6</td>
<td>1</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>38</td>
<td>38</td>
<td>4</td>
<td>0</td>
<td>38</td>
</tr>
</tbody>
</table>

807 Linkages between public investment on rural connectivity, agricultural growth and poverty alleviation in the Indian context were investigated in a research report authored by Shengenn Fan, Peter Hazell and Sukhadeo Thorat (Research Paper No.110, IFPRI, 1999).
808 Linkages between public investment on rural connectivity, agricultural growth and poverty alleviation in the Indian context were investigated in a research report authored by Shengenn Fan, Peter Hazell and Sukhadeo Thorat (Research Paper No.110, IFPRI, 1999).
An Analysis of infrastructure availability and delivery of essential commodities raise concerns in the Bock, particularly in the remote GPs.

Cherla. 53% (53 of 101) AWCs do not have a building of their own. The situation further worsens in the remote GPs where 33 of the 35 (94%) AWCs do not have a building and 100% of the GP do not have electricity, kitchen or a boundary wall. In terms of delivery, 36% of the AWC are delivered rations and essential commodities while only 29% of the remote GPs are delivered rations.

Sukma. Of the total 105 AWCs, only 34% of the AWC have a building as against 42% (16% of 38) of the AWC in the remote GPs. The increase in the remote GPs is a consequence of petitioning by the community to the local administration.

Dhanora. Of the total of 81 AWCs, 56 have buildings. This constitutes to 69% AWC have their own buildings. In the remote GPs only 46% of the AWC have their own building. Since only the GPs are connected by a black top ration delivery has deteriorated. Only 35% (28 of 81) of the AWC in the Block are delivered rations while only 18% (5 of 28) of the AWCs in the remote GPs are delivered rations.

Sidli. There is no infrastructure to support the AWC. Of the total 320 AWCs none of them have a AWC building. Ration delivery too is abysmally poor with only 20%
of the AWCs in the Block being delivered rations while only 7% (2 of 32) in the remote GPs.

Kuchugaon. 32 of the 181 AWC have a building which is barely 20% and only 11% (4 of 34) AWC have a building in the remote VCDC. While only 19%(35 of 181) have rations being delivered to the AWC, no rations are being delivered to the remote VCDC.
Table 6.8: Overall Road Connectivity State till the Remote GPs

The impact of rural roads is summarized as the improvement in transportation services which leads to improved access, diversification of agricultural, and livelihood opportunities. Improved services *inter alia*, enhances access to education, health and financial services and increase in the outreach of the State better availability of public services and functionaries in rural areas.\(^{810}\) Critical flashpoints that highlight the importance of roads include:-

Rural roads is an enabling component towards livelihood development for people in rural areas. The poor and very poor primarily benefit through the indirect impact of road improvements, of better access to state services and improved provision of services to the villages and opportunities in alternative livelihood income stream.\(^{811}\)

Better rural infrastructure has primarily two effects – promotion of economic growth and decline in the incidence of poverty. A study pointed out that rural infrastructure investments benefit the rural poor through increased incomes and improved consumption patterns. Some empirical studies illustrate a strong relationship between infrastructure and economic growth.\(^{812}\)

According to World Bank, 1% increase in infrastructure stock is associated with a proportionate increase in GDP across all countries. A specific sectoral study by Deichman et al for Mexico shows that a 10% increase in market access leads to increase in labour productivity by 6%.\(^{813}\)

---


\(^{812}\) Jocelyn A Songco (Columbia University and the World Bank, 2002).

**Road Connectivity in Remote GPs**

**Cherla Block, Khamam District**

<table>
<thead>
<tr>
<th>GP</th>
<th>Total Villages</th>
<th>Road Black</th>
<th>Track</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block</td>
<td>100</td>
<td>44</td>
<td>56</td>
</tr>
<tr>
<td>Devarpalli</td>
<td>7</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Kurnapalli</td>
<td>7</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Pediddamisileru</td>
<td>14</td>
<td>3</td>
<td>11</td>
</tr>
<tr>
<td>Pusuguppa</td>
<td>5</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Upariguddam</td>
<td>6</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>39</td>
<td>9</td>
<td>30</td>
</tr>
</tbody>
</table>

**Sukma Block, Sukma District**

<table>
<thead>
<tr>
<th>GP</th>
<th>Total Villages</th>
<th>Road Black</th>
<th>Track</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block</td>
<td>119</td>
<td>30</td>
<td>87</td>
</tr>
<tr>
<td>Gadiraas</td>
<td>12</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>Gondpalli</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Chingawaram</td>
<td>5</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Pogabeji</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Korra</td>
<td>10</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>36</td>
<td>7</td>
<td>29</td>
</tr>
</tbody>
</table>

**Dhanora Block, Gadchiroli District**

<table>
<thead>
<tr>
<th>GP</th>
<th>Total Villages</th>
<th>Road Black</th>
<th>Track</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block</td>
<td>83</td>
<td>53</td>
<td>30</td>
</tr>
<tr>
<td>Sawargaon</td>
<td>6</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Kuibhatti</td>
<td>3</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Murunggaon</td>
<td>6</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Pendhari</td>
<td>4</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Sawanga</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>4</td>
<td>18</td>
</tr>
</tbody>
</table>

**Sidli Block, Chirang District**

<table>
<thead>
<tr>
<th>GP</th>
<th>Total Villages</th>
<th>Road Black</th>
<th>Track</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block</td>
<td>320</td>
<td>24</td>
<td>123</td>
</tr>
<tr>
<td>Dadgiri</td>
<td>24</td>
<td>1</td>
<td>23</td>
</tr>
<tr>
<td>Deosri</td>
<td>12</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>Shantipur</td>
<td>34</td>
<td>0</td>
<td>34</td>
</tr>
<tr>
<td>Ougury</td>
<td>13</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td>Patabary</td>
<td>32</td>
<td>0</td>
<td>32</td>
</tr>
<tr>
<td>Total</td>
<td>115</td>
<td>2</td>
<td>113</td>
</tr>
</tbody>
</table>

**Kuchugaon Block, Kokrajahar District**

<table>
<thead>
<tr>
<th>GP</th>
<th>Total Villages</th>
<th>Road Black</th>
<th>Track</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block</td>
<td>181</td>
<td>54</td>
<td>98</td>
</tr>
<tr>
<td>Mojatigaon</td>
<td>8</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>Burachara</td>
<td>9</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Nandipur</td>
<td>12</td>
<td>3</td>
<td>9</td>
</tr>
<tr>
<td>Howriapel</td>
<td>3</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Balagaon</td>
<td>6</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>38</td>
<td>12</td>
<td>26</td>
</tr>
</tbody>
</table>

**Intervention Blocks**

The rural road connectivity network in the Block is inadequate and it further detoriates where remote GPs are examined. Table 6.22 shows that the overall rural connectivity indicates a striking road connectivity deficit. All the intervention Blocks are below the average state connectivity and the situation further detoriates in the remote GPs.

**Cherla.** Of the 100 villages in the intervention Block, 44% of the villages are connected through roads while the rest 56% are connected through track. However, the remote GPs of Devarpalli, Upariguddam, Pusuguppa, Pediddamisileru and Kurnapalli with 23% (9 of 39) on roads heads and the balance 77% connected through tracks.

**Sukma.** The intervention Block has 119 villages. 30 villages (25% of 119) are on black top roads while the balance 75% (89 of 119) are connected through tracks. In the remote GPs of Gadiraas, Gondpalli, Pogabeji, Korra and Chingawaram, only 19% (7 of 36) villages are connected through roads while the rest of the 81% (29 of 36) villages are connected through mud tracks.

**Dhanora.** Only 18% of the villages in the remote GPs are on road heads while the balance 82% are poorly connected through tracks.
Sidli Block. Most of the 320 intervention villages are connected through tracks only. However, the road connectivity data of the remote GPs is abysmally poor with only 2% (2 of 115) villages connected through roads and the rest 98% is linked through tracks.

Kuchugaon. Kuchugaon is one of the only Blocks that has a comparatively better connectivity. 74 of the 181 villages (41%) are connected through roads while the balance 59% (107 of 181) are on tracks. Remote GPs are equally connected with 12 of the 38 villages connected through roads and the balance 69% (26 of 38) linked through tracks.

Infrastructure: Schools

Analysis of the 661 schools (except Cherla) in the four intervention Blocks indicate poor infrastructure availability. It is much lesser than the District average mentioned in the DISE reports. Some of the key indicators from the 661 schools (except Cherla) include:

- 390 schools have common toilets. Although this constitutes 59% of the 661 schools but since 171 are not in use it effectively reduces the effective toilets to 171 which is 25.8%. The District average as per DISE reports is 33%.

Electricity is only available in 15.5% (103) schools as against the District average of 84.3%

48.4% (320) of schools have kitchen as against the District average of 61%. The reduced figure of 61% only because Kokrajahar DISE reports indicate Kitchen sheds as nil. If this is discounted for the other two Districts of Sukma and Dhanora, the percentage is 92.5%.

Average PTR in the Districts is 19 while PTR in the 661 schools is 34.5.

---

814 DISE reports published by the National University of Educational Planning and Administration on behalf of the department of School Education, Ministry of Human Resources Development, Government of India.

815 Average of the DISE reports of the three Districts for the year 2010-11 has been taken to get an average of the Districts.
SCR as per the DISE reports is 19 while it is 60 in the 661 schools. This spike is there due to an extremely high SCR in Kokrajahar of 141.9. If however that is discounted then the average SCR is 33.6.

Sukma.

77% (101 of 134) of the schools have toilets but only 33 are functional (Table 3.4).

29% of the schools have electricity as against 85.7% mentioned in the DISE report of 2010-11.

Dhanora

5.7% (30) of the schools have a building. Other infrastructure requirements are comparably better than the rest of the Blocks but the available infrastructure is lower than the rest of the District.

Although there are 48 schools with toilets but with 18 toilets not functional it effectively reduces the strength to barely 55.1% (32) toilets.

Electricity similarly is in 42 schools of the 58 schools which is much lesser than the overall District average of 96.6.

Kuchugaon

While 67% (151) of the schools had buildings other key indicators emerged.

State of toilets too is marginally less than the overall District average of 68.6% while it is 53.7% (121 out of 225) in the Block.

72% (162) out of 225) school have playgrounds but only 5.3% (12 out of 225) have a boundary wall.

Electricity remains a concern in the Block with only 4.8% (11 out of 225) having electricity.

Sidli Block

10 out of the 244 school have electricity which amounts to only 4%.
153 schools out of 244 schools have toilets but of the 153 toilets 131 are not in use. This reduces total effective toilets to 22 which is barely 9%.

Only 27 schools of the 244 have a boundary wall.

An overall infrastructure assessment indicates that none of the three indices have attained sustainable standards to ensure the full realization of basic rights to education and health. A few critical findings emerge:

While each of the indices is marginally sustainable individually but their collateral impact further worsens the situation. Poor rural road connectivity directly impacts the availability of AWCs and the PDS. For example, Dhanora has the best rural road connectivity within the five Blocks and thus there are greater number of AWC evenly distributed and with better outreach in the remote GPs.

### Table 6.10: Details of Infrastructure Availability in Schools

<table>
<thead>
<tr>
<th>Ser No.</th>
<th>Indicator P+S/HS</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
<th>2010-11</th>
<th>Bal Bandhu Data</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sukma (134 Schools)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Schools with common toilets P+S/HS</td>
<td>57</td>
<td>0</td>
<td>28.6</td>
<td>14.3</td>
<td>101 (71%)</td>
</tr>
<tr>
<td>2.</td>
<td>Schools with Electricity P+S/HS</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>85.7</td>
<td>40 (29.8%)</td>
</tr>
<tr>
<td>3.</td>
<td>Kitchen Shed P+S/HS</td>
<td>53.1</td>
<td>O</td>
<td>35</td>
<td>100</td>
<td>11 (8.2%)</td>
</tr>
<tr>
<td><strong>Dhanora (58 Schools)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Schools with common toilets P+S/HS</td>
<td>89.5</td>
<td>86.8</td>
<td>22.6</td>
<td>18</td>
<td>48 (82.7%)</td>
</tr>
<tr>
<td>5.</td>
<td>Schools with Electricity P+S/HS</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>96.6</td>
<td>42 (72%)</td>
</tr>
<tr>
<td>6.</td>
<td>Kitchen Shed P+S/HS</td>
<td>73.8</td>
<td>81.8</td>
<td>82.4</td>
<td>85.5</td>
<td>50 (86%)</td>
</tr>
<tr>
<td><strong>Kuchugaon (225)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Schools with common toilets P+S/HS</td>
<td>60</td>
<td>66.7</td>
<td>61.1</td>
<td>68.6</td>
<td>88 (30.5%)</td>
</tr>
<tr>
<td>8.</td>
<td>Schools with Electricity P+S/HS</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>71.4</td>
<td>11(4.8%)</td>
</tr>
<tr>
<td>9.</td>
<td>Kitchen Shed P+S/HS</td>
<td>33.3</td>
<td>25</td>
<td>0</td>
<td>0</td>
<td>146(64%)</td>
</tr>
</tbody>
</table>
Rural road connectivity has similarly impacted the status of schools.

Each of these deficits has a cascading impact on the affected population. The lack of infrastructure and the lack of government penetration in turn undermines the writ of the State since it further deprives the aggrieved community of State sponsored entitlements.

Poor connectivity also risks relocation of infrastructure wherein the State removes the institution from the beneficiary population near urban centres or along lines of communication.

The compounding impact of the above is the risk of creating power dual spaces controlled by the State and the armed groups alike.

FIELD STUDY

The ground preparation for the intervention was established by the Resource Persons create capacity for the intervention. Two issues were highlighted to create capacity towards the formation of the BMS. First, promotion of child rights is a duty bound obligation of any society towards the well-being of children. Second, create a consensus amongst the parties to the conflict to de link security with the well-being of children since they do not have the capacity to protect themselves while are most affected.

The approach was initially met with skepticism and was referred to as 'just another project' with little response from the community. The security situation had an overbearing impact on the community and had allaying fears that any proactive engagement even on the issue of child rights was viewed with skepticism by the State and the armed groups alike. However, it was only after a few months of concerted efforts and launch of certain innovative drives (discussed later) that the community began to rally their support. The key breakthrough was when the panchayats recognized the Scheme leading to the subsequent creation of the BMS and the selection of the twenty Bal Bandhu in each of the Blocks took place.
Community Intervention: Creation of BMS

The BMS created an institutional capacity within the village in the first six months. It further gained momentum after the BMS undertook some innovative measures to raise awareness.

Sukma took the lead when on 14 November 2011, when the BMS conducted a large rally with the help of the village heads, community and the District Administration. The rally commenced from each of the GPs led by the Sarpanches which finally converged at Sukma where it was followed by folk dances and tribal folklore. The rally strength included representations from all political parties, 20 Sarpanches, 1000 BMS members, more than 750 women and locals. The event was aimed to raise awareness about child rights, the implementation of the RTE, child marriages and child labour. The agenda was intrinsically interwoven with the social and cultural traditions of the local community. The rally finally culminated in the community hall, Sukma Block where it was attended by the District officials of the respective departments, UNICEF and members of political parties All groups formally committed themselves towards the protection of child rights. This was the first such kind of rally for children in Sukma represented by all sections of the community without any law enforcement measures. Although, there was great skepticism amongst the District administration with respect to the security of such a large populations and likely attempts of the Maoists to hijack the rally.

Similar measures were undertaken in other Blocks too. In 2012, Cherla undertook a project of raising child labour awareness with key actors in the community engaging children in labour intensive employment. The Bal Bandhus took out pamphlets asking them to commit themselves towards the abolishment of child labour practices. These included approximately 350 farmers tilling approximately 1780 acres of land, 121 lorry contractors and parents. More than hundred church and temple priests were also part of the awareness drive. This resulted in the removal of 453 children from child labour.

On Ram Nauvmi the same year in 2012, the Bal Bandhu issued out a letter of appreciation to all the contractors publically recognizing their commitment towards the abolishment of child labour and publically recognized their efforts.
These innovative measures helped cement the acceptance of the BMS across the socio-economic profile of the community. An analysis of the spectrum spread of the BMS in terms of male/female ratio, literacy and occupation of each of the member provides a useful analysis in the manner in which the community responded.

**BMS Representation.**

Table 6.24 assesses the extent of acceptance of the BMS. Gender representation, literacy and employment spread amongst the members of the BMS best indicate community acceptance in the BMS. Four interrelated situations have been examined: the overall reach of the Scheme, Block wise analysis, LWE vis-a-vis Disturbed Area situations, Block viz. a viz Remote GPs. The five intervention Blocks consist of 796 villages and 90 GPs with a total of 7291 BMS members.

Certain key indicators include:-

The BMS has been able to successfully constitute BMS at the village level. The constitution has varied from 88% (260 of 295) in the LWE areas to 33% (163 of 501) in the Disturbed Areas. 53% (423) of the total 796 villages have a BMS.

<table>
<thead>
<tr>
<th>S. No</th>
<th>GP</th>
<th>Villages</th>
<th>Committees</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Farmer</th>
<th>Sarpanch</th>
<th>Sub-panch</th>
<th>Mukhia</th>
<th>Ward Member</th>
<th>Self Help Group</th>
<th>Others</th>
<th>Iliiterate</th>
<th>Up to CL V</th>
<th>Up to CL VI</th>
<th>Up to CL VII</th>
<th>Up to CL VIII</th>
<th>CL X</th>
<th>CL XII</th>
<th>Graduate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cherla</td>
<td>14</td>
<td>100</td>
<td>92</td>
<td>2126</td>
<td>1237</td>
<td>3363</td>
<td>1906</td>
<td>13</td>
<td>0</td>
<td>98</td>
<td>1137</td>
<td>209</td>
<td>1164</td>
<td>776</td>
<td>624</td>
<td>413</td>
<td>173</td>
<td>213</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sukma</td>
<td>19</td>
<td>119</td>
<td>109</td>
<td>1211</td>
<td>99</td>
<td>1310</td>
<td>1069</td>
<td>30</td>
<td>71</td>
<td>88</td>
<td>22</td>
<td>30</td>
<td>817</td>
<td>139</td>
<td>110</td>
<td>183</td>
<td>49</td>
<td>12</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dhanora</td>
<td>20</td>
<td>76</td>
<td>59</td>
<td>605</td>
<td>50</td>
<td>655</td>
<td>575</td>
<td>8</td>
<td>10</td>
<td>41</td>
<td>10</td>
<td>11</td>
<td>21</td>
<td>106</td>
<td>116</td>
<td>215</td>
<td>159</td>
<td>27</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>53</td>
<td>295</td>
<td>260</td>
<td>3942</td>
<td>1386</td>
<td>5328</td>
<td>3550</td>
<td>51</td>
<td>81</td>
<td>227</td>
<td>1169</td>
<td>250</td>
<td>2002</td>
<td>1021</td>
<td>850</td>
<td>811</td>
<td>382</td>
<td>252</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LWE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kachugaon</td>
<td>20</td>
<td>181</td>
<td>88</td>
<td>654</td>
<td>403</td>
<td>1057</td>
<td>562</td>
<td>12</td>
<td>47</td>
<td>56</td>
<td>122</td>
<td>258</td>
<td>116</td>
<td>229</td>
<td>232</td>
<td>275</td>
<td>167</td>
<td>38</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chirang</td>
<td>17</td>
<td>320</td>
<td>75</td>
<td>510</td>
<td>396</td>
<td>906</td>
<td>463</td>
<td>7</td>
<td>77</td>
<td>54</td>
<td>158</td>
<td>147</td>
<td>298</td>
<td>213</td>
<td>254</td>
<td>79</td>
<td>31</td>
<td>31</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>37</td>
<td>501</td>
<td>163</td>
<td>1164</td>
<td>799</td>
<td>1963</td>
<td>1025</td>
<td>19</td>
<td>124</td>
<td>110</td>
<td>280</td>
<td>405</td>
<td>414</td>
<td>442</td>
<td>486</td>
<td>354</td>
<td>198</td>
<td>69</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assam</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The reduced presence of the BMS in Assam is due to the correspondingly large number of villages (501) being addressed by 40 Bal Bandhu. On an average, the Bal...
Bandhu reach in both the situations constitute 4-5 villages per Bal Bandhu. The Bal Bandhu reach in the LWE villages is approximately 4 villages per Bal Bandhu while it is 4.3 in the Disturbed Areas in Assam.

Remote and sensitive GP (Remote GPs) have an equitable number of BMS. While 88% of the BMS in the LWE areas have a BMS, 84% of the Remote GPs have a BMS. Similarly, 29% of the Remote GPs in two Blocks in Assam have BMS against an overall average of 33%.

**Gender Representation**

In terms of gender representation, male: female percentage ratio in the BMS is 70:30% in the five intervention Blocks. Assam has a higher percentage of the women as part of the BMS with 41% (799 of 1963) of the total BMS members. Although, 1386 women are BMS members in the 260 BMS in LWE regions but their percentage is much lower as compared with their representation in Assam. Women BMS members in the LWE region constitute 26% of the total 5328 members.

**Employment**

4575 of the total 7291 BMS members are engaged in farming. This constitutes approximately 59% of the total BMS population with 3550 are from the LWE BMS while the rest 1025 from Assam.

Of the total 5328 BMS members in the LWE villages, 3550 are farmers. This constitutes to approximately 67% of the total BMS members. Block wise details too indicate a similar pattern with 81% and 87% of the total BMS members in Sukma and Dhanora are farmers. The percentage reduces in Cherla which has approximately 57% of the total BMS members as farmers. The decrease is essentially due to the participation of the IDP communities as BMS members.

The Block wise distribution is as under:-

82% in Sukma.

88% in Dhanora.

---

816 Remote GPs are a group five remote and sensitive GPs in each Block.
57% in Cherla
50% in Kuchugaon
51% in Sidli.

Assam on the other hand has a lesser percentage of BMS members as farmers as compared to the LWE villages. 52% of the total 1963 BMS members in Sidli and Kuchugaon are farmers. High labour demand in Bhutan is the reason for a comparatively lower percentage of BMS as farmers. Kuchugaon has 53% of the BMS members as farmers while Sidli has 51% BMS members as farmers.

The combination of the above: farmers and illiterates constitute a major representation of the of the BMS. Uneducated farmers are traditionally not sensitive towards child rights because poverty and unemployment. More than 60% of the BMS members are illiterate/part literate and/or employed in farming. Traditionally, poverty, illiteracy and labour forces families to put children into child labour at a very young age. The parents do not view education as an empowering right since it apparently presents little hope for them to come out of the cycle of poverty. Conversely, putting children into labour marginally improves their economic sustainability. Notwithstanding, they have committed themselves towards the protection of child rights.

**Elected Members (Sarpanch/Mukhia/Ward Members)**

Naxal threats have forced many Panchayat members resign their posts. For example, in Dhanora 77 Panchayat members resigned from their posts between May-July 2012. Notwithstanding, these elected members did not resign from the BMS. Similarly, elected BMS members have equally contributed in Sukma which averages at 1.73 despite the killing of a Sarpanch (Bima Dada) in 2012 who was an active BMS member.

All BMS have a representation of an elected member. There are a total of 612 elected members in the 423 BMS (LWE and Disturbed Areas, Assam). This averages out to approximately 1.44 member per BMS. This helped create an effective C&S interface of 1.44 members per BMS in the five intervention Blocks. The ratio of the elected member is more in the backward Blocks of Sidli and Sukma.
The ratio in the LWE region is approximately 1.38 members. This includes a total of 359 elected members in the 260 BMS. Block averages indicate that the best ratio is in Sukma with 1.73. The balance Blocks of Cherla and Dhanora having a ratio of 1.21 and 1 respectively.

253 elected members in Kuchugaon and Sidli Block are part of the 168 BMS. The ratio improves to 1.5 as against an overall average of 1.44. Chirang has the best elected member ratio

**Literacy**

High incidence of illiteracy exists amongst the BMS members. A total of 2416 of the total 7291 BMS members are illiterate which make it to 33% of the total BMS members. However, if illiterates and part literates (Up to class V) are combined, 53% of the BMS members illiterate/part illiterate. Very minimal percentage (4%) of the BMS are graduates which is barely about 1.84 per committee. Kuchugaon. Kuchugaon has a representation of 1.30 members as graduates.

Illiteracy is more prevalent in the LWE villages with about 38% (2002 of 5328) of the total BMS members being illiterate. A combination of illiterates and part literates increases the percentage to 57% (3022 of 5328). While only 3% (21 of 655) are illiterates in Dhanora, Sukma has the highest 62% (817 of 1310) illiteracy amongst the BMS members. The combination of illiterates and part literates constitute 72% of the total BMS members in Sukma.

Literacy in Assam is marginally better than the LWE districts with 21% (414 of 1963) of the BMS members illiterate and 44% (856 of 1963) of the total BMS members illiterate/part illiterate. Sidli has a high percentage of 33% (298 of 906) illiterates while Kuchugaon has 10.9% (116 of 1057) illiterates. Higher percentage of BMS members (53%) are between Class V and XII.

**BMS AND C&S : REACHING OUT**

*Meetings/Participation along Organizational Lines*

Innovative advocacy through proactive reach has been the key in the successful participation of the community despite security fears. A total of 5004 meetings have
been held in the five intervention blocks in the past two years from January 2011 to December 2012. These meeting have reached out to approximately 121095 people. In the LWE intervention Blocks 2877 meetings were held while 60925 people attended these meetings. At an average, a Bal Bandhu conducted a meeting in two weeks with an average 20 people per meeting.

In Assam, a total of 1414 meetings were held over two years with a total of 56294 people attending the meetings. The Bal Bandhu conducted a meeting in three weeks with an average attendance of 40 people per meeting. Due to the riots in Assam in the fourth six month period (July –December 2012), there are very little meetings recorded.

<table>
<thead>
<tr>
<th>District</th>
<th>January to June 2011</th>
<th>July to December 2011</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mtg</td>
<td>Pted</td>
<td>Mtg</td>
</tr>
<tr>
<td>LWE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sukma</td>
<td>596</td>
<td>10338</td>
<td>503</td>
</tr>
<tr>
<td>Cherla</td>
<td>105</td>
<td>2326</td>
<td>85</td>
</tr>
<tr>
<td>Ghadchiroli</td>
<td>278</td>
<td>4730</td>
<td>254</td>
</tr>
<tr>
<td>Total</td>
<td>979</td>
<td>17394</td>
<td>842</td>
</tr>
<tr>
<td>AFSPA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kachugaon</td>
<td>46</td>
<td>7424</td>
<td>187</td>
</tr>
<tr>
<td>Chirang</td>
<td>136</td>
<td>3255</td>
<td>325</td>
</tr>
<tr>
<td>Total</td>
<td>182</td>
<td>10679</td>
<td>512</td>
</tr>
</tbody>
</table>

Table 6.12 indicate an increase in number of meetings in the initial intervention phase (January – June 2011). The second period (July –December 2011) shows a drop in the
meeting within almost all segments/groups. This is primarily attributed to the consolidation period wherein the Bal Bandhus/BMS defined agendas for the intervention groups and developed the capacity of the programme. The third and the fourth intervention period has shown encouraging acceptance and participation of the community.

Frequency of meetings subsequent to the intervention period has shown an increase in the number of meetings between the second and the third period. The meetings have increased to 44% in Kuchugaon to 33% in Sidli Block.

Sukma has shown an increase by 8.5% but participation has decreased by 26%. The BMS in Sukma has opted to conduct small group interventions due to the security situation in the Block. The Maoist ambush on the CRPF column in 2010 and other security related incidents unbalanced the critical space for community engagement.

Ghadchiroli and Kuchugaon has seen a 21% increase in the meetings and 14% increase in the participation.

**Homogenous Groups.**

Engagement with small homogenous groups helped address specific child rights agendas closer to the identified group. For example, women groups, teachers and youths were encouraged to voice their denouncement towards child marriages in Kuchugaon and Sidli Block in Assam and encourage children to go to schools. Parents, village elders, Sarpanches, businessmen were encouraged to stop the practice of child labour. Awareness towards statutory provisions prohibiting such practices was also a key to mobilize community opinion.

---

**Table 6.13: Small group intervention**

[Chart showing participation and meetings by different groups]
Intervention through small homogenous groups is one of the most important challenges wherein the BMS had to negotiate with the specific community to stop the age old socio-cultural practices which confronted with the universally accepted norms towards the protection of child rights. Child marriages in Kuchugaon and Sidli Block in Assam are extremely prevalent and culturally accepted. Similarly, child labour is a culturally acceptable employment.

The challenge to intervene directly risked community withdrawal while its acceptance defeated the overall objective. Expanding the role of the community towards ownership equally risked the manifestation of such practices. The BMS while encouraging community ownership simultaneously engaged with the communities through dialogues, reflection and decision making in reducing the impact of such contradictory cultural practices. The process adopted themes that were contextually appropriate and adapted to the cultural, economic, social and historic specificities of the situation.

**Small Homogenous Group Interventions: Agendas for Engagement with Homogenous Groups**

**Parents.** School-going status of children, reasons for children’s dropout, importance of education, child rights, midday meal scheme, enrolment of children in Ashramshala, health, child labour, child marriage, migration, school building, buildings for Anganwadi Centre, substance abuse.

**Youths.** Health, children’s retention, school monitoring, midday meal scheme, Anganwadi Centres, identifying school problems, petitions, migration, child marriage, child labour
Teachers. Child attendance, midday meal scheme, motivation of out-of-school children, coordination with the SMC and the Balmitra Samiti, textbooks and notebooks, school uniform, RTE Act, school infrastructure, health checkups.

SMC. School problems, midday meal scheme, health checkup, teacher shortage, teacher regularity, child retention, supply of books, infrastructure development, motivating parents, RTE Act, scholarships for uniform.


Women’s groups. Child marriage, girl child education, migration, health, strengthening Anganwadi Centres, status of child labour.

Data Review

Of the overall total of 5004 meetings, 2315 meetings were organized within the homogenous groups. This includes 46% (2315 of 5004) of the total community meetings while 33% (40256 of 121095) of the total participation. An analysis of the overall pattern of homogenous group intervention indicates the following pattern:-

Parents and youth hold the key to small group interventions. This in turn has helped more girls being mainstreamed from domestic work (discussed later) and greater demand for opening schools for children between the age group of 15-18 years.

Women group intervention has been equitable with 15% (5890) representation in the total participation and 16% (374) of the total meetings.
Youths have shown capacity to mobilize in greater numbers. Child marriages in Dhanora stands out since it is not culturally accepted and the population is more open to allow girl child in education. However, it is a serious concern in Assam and interventions have been extremely challenging as compared to the LWE villages. For example, rampant child marriages are a serious concern. In February 2012, the BMS flagged the issue with that District administration Kuchugaon and followed it with a house to house survey of VCDC Ranikatta. The survey found 630 children married between the age of 6-18 years. A further break down of the age groups indicated 520 children between the age of 9-14 years. The marriages compounded the issue when 11 girls and 3 boys were refused admission in the school after marriage. The BMS through the community was able to get these children admitted. Increasing awareness through sustained small group intervention has helped reduce incidences of child marriages.

**Participation Average in each of the Homogenous group**

An average small group consists of approximately 12.76 persons per meetings. However, study suggests that these average groups are bigger in Assam with about 25.76 persons per homogenous group while in the LWE villages it constitutes to an average of 12.33 persons per homogenous group.

Parents and opinion makers are the major constituent population which has been involved in both the settings. Although women participation has been the key to motivate children to remove them from domestic work, there is lesser engagement meetings in Assam as compared to the LWE villages. Child marriages and domestic labour interventions have been extremely challenging in Assam as compared to the LWE villages. Dhanora in the LWE villages stands out since child marriage is not culturally accepted and the population is more open to allow girl child related interventions.

Youth and children have shown a universal increase in the frequency of meetings and participation in both the security situations. However, participation is more evident in Assam as compared to the LWE villages. With only two intervention Blocks Assam has about 276 meetings as compared to 279 meetings in the LWE villages.
Women group intervention indicate an average participation of 32 women in a meeting with correspondingly less number of meetings in Assam. Although there is marginal difference in the participation between the LWE to Assam villages (2689 and 32301 respectively) but there is three times increase in meetings in the LWE villages as compared to Assam(99 in Assam as against 275 in the LWE villages). The reviewed data also indicates that all homogeneous groups have engaged actively.

<table>
<thead>
<tr>
<th>Blocks</th>
<th>Parents</th>
<th>Youth</th>
<th>Women</th>
<th>Opinion Makers</th>
<th>Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td>LWE</td>
<td>11.6</td>
<td>18.7</td>
<td>9.77</td>
<td>9.23</td>
<td>12.33</td>
</tr>
<tr>
<td>Assam</td>
<td>24</td>
<td>20.5</td>
<td>32</td>
<td>16.26</td>
<td>23.19</td>
</tr>
</tbody>
</table>

**EDUCATION**

Education and health are nation builders, a soft power through which the State can ensure social transformation towards a meaningful existence. Protracted absence or the lack thereof of these two fundamental necessities create social inequalities and alienate the people. However, the progressive realization of both the rights is marred by numerous challenges. Schools lack infrastructure, the State is unable to track non-school going children or monitor attendance of school going children thereby putting children into risk of abuse and neglect, lack of teachers compounded by teachers absenteeism. Similarly, improper mapping of AWCs, poor staffing, little/negligible PDS in the remote areas are some of the key concerns affecting health.

**School Going/ Non Going Children**

The Right to Free and Compulsory Education Act 2009(*Act 35 of 2009*) is the primary instrument which helped the Bal Bandhu Scheme. An assessment of the infrastructure availability and access indicate limited reach of the State to ensure universal realization towards the right to education and health. Notwithstanding the above limitations, the field study has examined the capacity of human capital intervention through the BMS and the community to limitedly offset infrastructure deficiencies adn ensure universal reach to all children. The assessment is based on the ability of the BMS to mobilise the efforts through community engagement and create a moral capacity to act. The efforts include monitoring school going children and
reintegrating non-school going children in the educational mainstream, creation of School Management Committees through community engagement, delivery of services to include provision of mid-day meals and attendance of teachers. Non-discrimination and social inclusion has ensured the reach of the Scheme in the relief camps.

School going and non-school going children has been broken down into three categories. First, children between the age group of 6-8 years within the primary cycle. Second category includes children between the age of 9-14 years which constitutes the upper primary cycle and also the age limit covered under the RTE. The third category comprises of children between the age of 15-18 years not covered under the RTE but a major constituent child population extremely vulnerable to outside influences of civil unrest.

Primary research data has been collected by the BMS covering the intervention period. The data includes details of school going children, non-school going children. The increase/decrease in the school going children viz.a. viz. non-school going children cannot be directly templated so as to indicate that the increase/decrease in non-school going children will lead to an equal increase/decrease in school going children. There are other variables like enrolment, migrating families, temporary settlements in the respective Blocks.

*School Going Children.* An analysis of 752 schools in the five Blocks indicates an overall increase in the school going children. However, further analyses of the data within the different age groups indicate fluctuations in different Blocks. One of the striking features of this analysis is that the age group of children between 9-14 years continues to remain a challenge. A striking cultural bias towards entrenched traditional practices like child marriages continues to remain prevalent in Sidli Block, Chirang District resulting in the decrease in school going children between 6-8 and 9-14 years is in Sidli Block. Of the total 19214 children between the age of 6-14 years in January 2011 there is a 4.7% (898 children) decrease in school going children reducing the figures to 18316. However, there is an overall increase in the school going children in Sidli Block due to the overwhelming response from the 15-18 years category. The other Blocks have shown a substantial increase in the school going children.
Sukma. The Block has shown an increase in the school going children by 15.5%. There is an increase in the school going children from 6439 to 7493 increasing the numbers by 1054. The November 2011 rally (See. BMS reach out) was the key to mobilise public opinion.

Dhanora. The Block has shown a strong resurgence in the strength of school going children by 66% (3758). Strength of school going children has increased from 5666 to 9424. The spike is primarily attributed to three important interventions; Dhar Pati Chal Shala, special counselling of tribal appearing in Class X examinations and removal of children from child labour.

The Dhar Pati Chal Shala or ‘Take your slate and come to school’ was one of the key campaigns to enroll out of school children. It was initiated after a survey conducted to identify out of school children in 19 panchayats showed 591 children had dropped out and were working as agricultural labourers. Although 57 of these children were re-admitted into schools, a decision was taken to campaign for a larger enrolment drive.

As a part of this campaign, one day workshop was held at Dhanora. Sarpanchs, panchayat members, teachers, headmasters, SMC members, Education Extension Officers, Kendra Pramukhs and other key government officials were among the 150 people who participated in this workshop. Sarpanchs, SMCs and Headmasters agreed to take the lead in initiating the enrolment drive in their respective villages. A poster and pamphlet specially developed by the BB team in the local language on the importance of education and RTE was also officially released by the block level officials and distributed to all.

---

Counseling intervention for 112 Tribal children by the BMS under the Integrated Tribal Development Project to enable Class X dropouts to appear for the examination by making arrangements to boarding, lodging, coaching for three months was also the key drivers to help improve the status of school going children. This is the first time that this kind of support has been given to tribal children in Maharashtra.

Cherla similarly engaged effectively through the BMS to mainstream children residing in IDP pockets. The KGBV, GP Pedamisseleru, Cherla Block started in August 2011 with three girls now houses 313 girls (as in March 13).

It was initially housed in a self-Management Hostel in June 2011 and was about to be closed on the assumption that there were no out of school children. However, the Bal Bandhus requested for a door to door survey before closing down the school. In August 2011, the KGBV was shifted to an Ashram School in Pedimseleru. The same month three girls were admitted.

By October 2011, 84 girls were admitted and the Bal Bandhus requested the Administration to appoint a special officer and four members to look after the administration of the School. By June 2012, a total of 210 girls were in the school. On 20 June 2012, 20 additional children were brought to the school through a door to door campaign from the 9 IDP villages. There are presently (as in March 2013) 313 girls in the KGBV with 90 girls from the Guthi Koya IDP villages and 32 orphans.

Kuchugaon Block has similarly shown an increase by 12.2% (2699) from 21961 to 24660. Middle school Kasiputra, VCDC Kasiputra, District Kokrajahar. One of the key initiatives include the cessation of money collection from students on the pretext of festivals. The collection was approximately Rs. 67000/- per year in 2009-10. In 2010-11, this practice was stopped by the BB by intervening with the help of the village and orienting them about the RTE. The school had collected Rs.16000/- when the practice was stopped.

Sidli Block has shown a marginal increase of 1.55% (370) from 23852 to 24219. Age wise analysis indicates a decrease in the school going children between the age group of 6-8 and 9-14 years. The 1.55% increase is only due to the sudden increase in the

\[818\] NCPCR (2012), Majumdar Swapna, Bal Bandhu Report.
age group between 15-18 years by 21%. Similar practice on a larger scale was stopped by the BB in Sidli Block, Chirang District. A sum of Rs.5,86,835/- was collected from 35120 children studying in 17 ME schools and 134 LP Schools in Jun 11 on the pretext of Sarswati Puja. The school administration later justified the collection to meet the expenditure incurred on account of payment of electricity and water bill and for the maintenance of the school. The practice was immediately ceased by the Bal Bandhu through the community.

**Age wise Intervention**

Age wise analysis indicates a strong intervention response between 6-8 years and reasonable response between 15 -18 years. 9-14 years remain critical.

**6-8 Years.** This category has shown a strong response because of sustained efforts to enroll children and mainstream non-school going children into the folds of education. All the Blocks have shown an increase in the overall strength. Chirang is an exception where there is a decrease in the school going children from 8180 to 7939.

- Sukma has shown an increase by 17.1% (505) from 2944 to 3449 school going children. Of the total 505 children, 256 are girls and 249 boys.
- In Dhanora Block there is an increase by 21.4% (274) from 1276 to 1550 with an increase of 146 boys and 128 girls.
- There is an increase by 11.3% in Cherla. 255 children have been mainstreamed thereby increasing the strength from 2075 to 2310.
- Kuchugaon has similarly shown an increase of 3.6% (505) from 7591 to 7877 with 217 boys and 288 girls. Child marriages extensive employment of girls in domestic work is some of the cultural practices that indicate marginalization of the girl child.
- Chirang is the only Block that has shown decrease in school going children by 3%(241). From an initial strength of 8180, the strength in the fourth period has reduced to 7939.
**9-14 Years.** This is a critical age group where the increase in school going children has been marginal. Greater engagement with the community is required to mobilize public opinion. Children of this age are easily available as cheap labour but can work equally well as a grown up child.

- There is a marginal increase of 8.7% (235) in Sukma from 2689 to 2424 which includes 130 boys and 105 girls.
- In Dhanora there is only an increase of 2.4% (77) from an overall strength of 3093 to 3170 which includes 36 boys and 41 girls.
- In Kuchugaon, there is a similar increase of 7.7% (393). This includes 393 girls and 419 boys. The increase has been from 5079 to 5472.
- Chirang on the contrary has shown a decrease in the school going children during the reviewing period. This includes a decline by 5.8%(657) from an overall strength of 11034 to 10377.
- Cherla is the only exception in the age groups with 22.3% increase (795 of 3555) in the school going children. This primarily attributed to the mainstreaming of KGBV children.

**15-18 Years.** Traditionally susceptible to child labour, recruitment by Naxals and criminal activities due to their age and physical bearing these children have shown a greater resolve and willingness to mainstream back into education. Strong youth mobilization, youth centric interventions in Dhanora and active support from the student unions in Kuchugaon and Sidli have favoured their mainstreaming. With the exception of this age group Sidli has shown decrease in the school going children in the other two categories. Kuchugaon has shown an increase by 8.37%, while other Block have indicated a higher increase in the School going children.

- Sukma has shown an increase by 38.9 %(314) from an from 812 to 1120. The 314 children have a higher percentage of girls than boys comprising of 204 to 110 respectively do do.
In Dhanora there is an overwhelming increase by 72.4% (3407) from an initial strength of 1297 to 4704. This is primarily due to innovative interventions as discussed above.

### Table 3.1. Details of School Going Children in the Five Interventions Blocks

<table>
<thead>
<tr>
<th>District</th>
<th>Block</th>
<th>Period</th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solna District:</td>
<td>Solna Block</td>
<td>6-8</td>
<td>1510</td>
<td>1434</td>
<td>2944</td>
<td>1426</td>
<td>1263</td>
<td>2689</td>
<td>451</td>
<td>355</td>
<td>806</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9-14</td>
<td>1756</td>
<td>1690</td>
<td>3446</td>
<td>1556</td>
<td>1368</td>
<td>2924</td>
<td>561</td>
<td>559</td>
<td>1120</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15-18</td>
<td>240</td>
<td>256</td>
<td>596</td>
<td>130</td>
<td>110</td>
<td>255</td>
<td>314</td>
<td>289</td>
<td>503</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6-18</td>
<td>1716</td>
<td>1700</td>
<td>3416</td>
<td>1546</td>
<td>1414</td>
<td>2960</td>
<td>574</td>
<td>550</td>
<td>1124</td>
</tr>
<tr>
<td></td>
<td></td>
<td>%</td>
<td>16.40%</td>
<td>17.80%</td>
<td>17.10%</td>
<td>9.10%</td>
<td>8.30%</td>
<td>8.70%</td>
<td>24.30%</td>
<td>57.40%</td>
<td>38.90%</td>
</tr>
<tr>
<td>Ghadchiroli District:</td>
<td>Dhanora Block</td>
<td>6-8</td>
<td>634</td>
<td>642</td>
<td>1276</td>
<td>1520</td>
<td>1573</td>
<td>3093</td>
<td>682</td>
<td>615</td>
<td>1297</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9-14</td>
<td>780</td>
<td>770</td>
<td>1550</td>
<td>1556</td>
<td>1614</td>
<td>3170</td>
<td>561</td>
<td>559</td>
<td>1120</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15-18</td>
<td>146</td>
<td>128</td>
<td>274</td>
<td>36</td>
<td>41</td>
<td>77</td>
<td>1633</td>
<td>1774</td>
<td>3407</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6-18</td>
<td>1466</td>
<td>1508</td>
<td>2974</td>
<td>1576</td>
<td>1752</td>
<td>3328</td>
<td>547</td>
<td>534</td>
<td>1081</td>
</tr>
<tr>
<td></td>
<td></td>
<td>%</td>
<td>23%</td>
<td>19.90%</td>
<td>21.40%</td>
<td>2.30%</td>
<td>2.50%</td>
<td>2.40%</td>
<td>70%</td>
<td>74%</td>
<td>72.30%</td>
</tr>
<tr>
<td>Khamam District:</td>
<td>Cherla Block</td>
<td>6-8</td>
<td>1032</td>
<td>1043</td>
<td>2075</td>
<td>1729</td>
<td>1826</td>
<td>3555</td>
<td>809</td>
<td>838</td>
<td>1647</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9-14</td>
<td>1144</td>
<td>1166</td>
<td>2310</td>
<td>2035</td>
<td>2315</td>
<td>4350</td>
<td>814</td>
<td>829</td>
<td>1643</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15-18</td>
<td>112</td>
<td>123</td>
<td>235</td>
<td>36</td>
<td>41</td>
<td>77</td>
<td>1633</td>
<td>1774</td>
<td>3407</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6-18</td>
<td>1270</td>
<td>1275</td>
<td>2545</td>
<td>1756</td>
<td>1801</td>
<td>3557</td>
<td>820</td>
<td>842</td>
<td>1662</td>
</tr>
<tr>
<td></td>
<td></td>
<td>%</td>
<td>10.85%</td>
<td>11.79%</td>
<td>11.32%</td>
<td>17.69%</td>
<td>22.36%</td>
<td>51.54%</td>
<td>52.86%</td>
<td>52.21%</td>
<td>-10.60%</td>
</tr>
<tr>
<td>Chirang District:</td>
<td>Sidli Block</td>
<td>6-8</td>
<td>4194</td>
<td>3986</td>
<td>8180</td>
<td>5337</td>
<td>5079</td>
<td>10416</td>
<td>2171</td>
<td>2467</td>
<td>4638</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9-14</td>
<td>4069</td>
<td>3870</td>
<td>7939</td>
<td>5285</td>
<td>5465</td>
<td>10777</td>
<td>2262</td>
<td>2527</td>
<td>4836</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15-18</td>
<td>-125</td>
<td>-116</td>
<td>-241</td>
<td>-161</td>
<td>-657</td>
<td>897</td>
<td>681</td>
<td>668</td>
<td>1349</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6-18</td>
<td>-125</td>
<td>-116</td>
<td>-241</td>
<td>-161</td>
<td>-657</td>
<td>897</td>
<td>681</td>
<td>668</td>
<td>1349</td>
</tr>
<tr>
<td></td>
<td></td>
<td>%</td>
<td>-3%</td>
<td>-2.90%</td>
<td>-3%</td>
<td>-9.20%</td>
<td>-3.08%</td>
<td>-5.80%</td>
<td>19%</td>
<td>23.80%</td>
<td>21.40%</td>
</tr>
<tr>
<td>Kokrajahar District:</td>
<td>Kuchugaon Block</td>
<td>6-8</td>
<td>3787</td>
<td>3804</td>
<td>7591</td>
<td>5337</td>
<td>5079</td>
<td>10416</td>
<td>2171</td>
<td>2467</td>
<td>4638</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9-14</td>
<td>3968</td>
<td>3709</td>
<td>7677</td>
<td>5285</td>
<td>5405</td>
<td>10791</td>
<td>2260</td>
<td>2558</td>
<td>4824</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15-18</td>
<td>217</td>
<td>280</td>
<td>597</td>
<td>261</td>
<td>217</td>
<td>478</td>
<td>150</td>
<td>135</td>
<td>285</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6-18</td>
<td>3968</td>
<td>3709</td>
<td>7677</td>
<td>5285</td>
<td>5405</td>
<td>10791</td>
<td>2260</td>
<td>2558</td>
<td>4824</td>
</tr>
<tr>
<td></td>
<td></td>
<td>%</td>
<td>3.40%</td>
<td>1.55%</td>
<td>-0.20%</td>
<td>3.40%</td>
<td>1.55%</td>
<td>3.40%</td>
<td>1.55%</td>
<td>3.40%</td>
<td>1.55%</td>
</tr>
</tbody>
</table>
• Sidli Block has shown an increase in the school going children by 21.4 \%(1268) from 4638 to 5906. Active participation of the student unions in Assam has encouraged children to come back into the folds of education. This is the only age group in the Block that has shown greater number of girls(681) being mainstreamed as against boys(587).

• Kuchugaon is the only Block that has shown a marginal increase in the school going children in this category. The increase is only by 1.89 \%(30) which too has a higher number of girls(19) than boys(11).

**Non School Going Children**

Mainstreaming non-school going children back to schools has been successful. Non-school going children have decreased by 59.6\% in Sukma (3209 to 1914), 54.7\% in Dhanora(605 to 307), 86.2\% in Cherla (1645 to 227), 42.1\% in Sidli (3978 to 1641) and 57.3\% in Kuchugaon (3336 to 1914) Yet, the age group of 9-14 years remains critical. Age wise Intervention for Non School Going Children.

**6-8 Years.** Mainstreaming has been successful in this category.

• Sukma has shown a decrease in non-school going children by 52.7\% (1295) wherein the non-school going children have reduced from 3209 to 1914.

• In Dhanora, children have reduced by 70.3\% (19 of 27). However, it is very less in terms of the number of children identified.

• Cherla has shown a decrease of 15\% (24). Of the total of 154 children, 24 have been mainstreamed. Focused intervention of the Bal Bandhus have been in the 9-14 age group category.

• Kuchogaon has shown a decrease by 72.6\% (382). The initial number of non-school going children has reduced from 526 to 344.

• Sidli too has shown a drop in the strength of non-school going children by 86.6\% (172). Of the total of 430 children 367 have been mainstreamed. There is an apparent contradiction between school going children and non-school going children. There is a decrease in the non-school going children and
equally there is a decrease in the school going children. This highlights that the process of intervention is yet to stabilize. While at one end concerted efforts are being made to decrease the non-school going children there is a problem of retention of children in schools.

9-14 Years. As compared to the 6-8 years category intervention continues to remain weak in this age group. While there is a decrease in the non-school going children in each of the Blocks, it is marginal as compared to the other two age categories.

- **Sukma** shows a decrease of non-school going children by 20.8%(224) as compared to 52.7% in the 6-8 years age group. The non-school going children have reduced from 1076 to 852.

- **Dhanora** technically shows a decrease in non-school going children by 24.9%(45) but this percentage is also attributed to the fact that only 184 children have been identified and this has reduced to 139.

- **Cherla** is the only Block that has shown a decrease by 77% with 553 children being mainstreamed of the total 718 children.

- In **Kuchugaon** too there is a reduction of non-school going children by 25.1%(242) from 962 children to 720.

- **Sidli** has shown a decrease in the non-school going children by 17.5% by mainstreaming 266 children of the 1518.

15-18 Years. **Sukma** has shown a drop in the non-school going children by 50.5%(798). The children have decreased from 1615 to 817.

- **Dhanora** has shown a similar spike as in the case of decrease in non-school going children by 59.9%. The non-school going children have reduced from 392 to 160.

- **Cherla** has shown a decrease by 68.2% (384). The non-school going children have reduced from 563 to 179.
• Sidli too has reduced the strength of non-school going children in this age group by 83.3% (1704) from 2030 to 325. Kuchugaon remains critical for this age group too. Non-school going children have only reduced by 49.5% (898) from 1848 to 950.

### Table 4.5. Details of Non School Going Children in the Five Interventions Blocks

<table>
<thead>
<tr>
<th></th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
<th></th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
<th></th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sukma</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LWE</td>
<td>105</td>
<td>168</td>
<td>273</td>
<td>995</td>
<td>114</td>
<td>110</td>
<td>224</td>
<td>429</td>
<td>369</td>
<td>798</td>
<td>648</td>
<td>647</td>
</tr>
<tr>
<td></td>
<td>1295</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dhanora</td>
<td>18</td>
<td>1</td>
<td>19</td>
<td>30</td>
<td>45</td>
<td>127</td>
<td>105</td>
<td>232</td>
<td>160</td>
<td>138</td>
<td>298</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cherla</td>
<td>17</td>
<td>7</td>
<td>24</td>
<td>329</td>
<td>224</td>
<td>553</td>
<td>203</td>
<td>384</td>
<td>795</td>
<td>623</td>
<td>1418</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>140</td>
<td>176</td>
<td>316</td>
<td>458</td>
<td>364</td>
<td>822</td>
<td>759</td>
<td>655</td>
<td>1414</td>
<td>1603</td>
<td>1408</td>
<td>3011</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assam</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidi</td>
<td>195</td>
<td>172</td>
<td>367</td>
<td>151</td>
<td>115</td>
<td>266</td>
<td>989</td>
<td>715</td>
<td>1704</td>
<td>1335</td>
<td>1002</td>
<td>2337</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kuchugaon</td>
<td>195</td>
<td>187</td>
<td>382</td>
<td>58</td>
<td>84</td>
<td>242</td>
<td>499</td>
<td>399</td>
<td>898</td>
<td>752</td>
<td>670</td>
<td>1422</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>390</td>
<td>359</td>
<td>749</td>
<td>209</td>
<td>199</td>
<td>508</td>
<td>1488</td>
<td>1114</td>
<td>2602</td>
<td>2087</td>
<td>1672</td>
<td>3759</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overall</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LWE</td>
<td>140</td>
<td>176</td>
<td>316</td>
<td>458</td>
<td>364</td>
<td>822</td>
<td>759</td>
<td>655</td>
<td>1414</td>
<td>1603</td>
<td>1408</td>
<td>3011</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assam</td>
<td>390</td>
<td>359</td>
<td>749</td>
<td>209</td>
<td>199</td>
<td>508</td>
<td>1488</td>
<td>1114</td>
<td>2602</td>
<td>2087</td>
<td>1672</td>
<td>3759</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>530</td>
<td>535</td>
<td>1065</td>
<td>667</td>
<td>563</td>
<td>1330</td>
<td>2247</td>
<td>1769</td>
<td>4016</td>
<td>3690</td>
<td>3080</td>
<td>6770</td>
</tr>
</tbody>
</table>

### Table 3.4. Details of Infrastructure access in the 661 Government School

<table>
<thead>
<tr>
<th></th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
<th></th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
<th></th>
<th>Boys</th>
<th>Girls</th>
<th>Total</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sukma</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dhanora</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cherla</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>140</td>
<td>176</td>
<td>316</td>
<td></td>
<td>458</td>
<td>364</td>
<td>822</td>
<td></td>
<td>759</td>
<td>655</td>
<td>1414</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assam</td>
<td>390</td>
<td>359</td>
<td>749</td>
<td></td>
<td>209</td>
<td>199</td>
<td>508</td>
<td></td>
<td>1488</td>
<td>1114</td>
<td>2602</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>530</td>
<td>535</td>
<td>1065</td>
<td></td>
<td>667</td>
<td>563</td>
<td>1330</td>
<td></td>
<td>2247</td>
<td>1769</td>
<td>4016</td>
<td></td>
</tr>
</tbody>
</table>

### Table 6.20. Overall Intervention: Mainstreaming Non School Going Children

- **intervention**: 56% LWE, 44% Assam
- **Age wise**: 18% 6 to 8 years, 63% 9 to 14 years, 19% 15 to 18 years
- **Gender Wise**: 45% Boys, 55% Girls
Gender Parity

Mainstreaming of girls is a challenge in all the intervention Blocks except Sukma where there is a Gender Parity of .99. Overall Gender Parity intervention is at an average of .83 with .89 in the LWE areas while .80 in Assam. Intervention is the weakest intervention is Siddi Block at .75 closely followed by Cherla at .78. Agenda based engagement with small homogenous groups is the key to girls to be mainstreamed. Parents, women and youth groups have contributed effectively but strong cultural bias towards child marriages and girls being employed in domestic work are key challenges.

Other Indicators Affecting Education.

Physical and constructive access to education is the State’s affirmative obligation. Some of which include universal availability and accessibility to schools (formal and informal) like Ashram schools, KGBVs open schools. The other issue of constructive access include, toilets for girls, Pupil Teacher Ratio (PTR), Student Classroom Ratio (SCR), constitution of School Management Committee (SMC), availability of playgrounds, boundary walls, etc.

The data available of the last five DISE reports is the baseline data examined against the primary data of each Block. The analysis shows that while the DISE reports performance may be satisfactory, the respective Blocks fare poorly in terms of
physical access. Constructive access has improved due to the intervention of the BMS against the District average.

This sub part examines institutional access in the 752 school in the intervention Districts. DISE reports of the past five years of each District gives out a rough baseline data of the District. The interventions by the Bal Bandhu and the primary data collected by them.

Sukma Block

Data collected from 134 schools in Sukma Block indicate the following key gaps and strengths. DISE report is of Dantewada from which Sukma was bifurcated in 2011. The Table shows the DISE Reports of the last five years and Bal Bandhu Data.

<table>
<thead>
<tr>
<th>Table 6.21: DISE Reports from 2007-2011 of Sukma District</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ser No.</strong></td>
</tr>
<tr>
<td>-------------</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>5</td>
</tr>
<tr>
<td>6</td>
</tr>
<tr>
<td>7</td>
</tr>
<tr>
<td>8</td>
</tr>
<tr>
<td>9</td>
</tr>
</tbody>
</table>

DISE reports indicate that no SMC have been constituted since 2009-10. Community engagement of the Bal Bandhus have helped in the constitution of 103 SMCs of the total of 134 schools (76%).

As mentioned above, the increase in the school going and decrease in non-school going children has a gender bias towards girls. GPI of Sukma Block (.94) is higher than the District average.

---

Dhanora Block

Table 6.22: DISE Reports from 2007-2011 of Dhanora District

<table>
<thead>
<tr>
<th>Ser No.</th>
<th>Indicator P+S/HS</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
<th>2010-11</th>
<th>Bal Bandhu Data (58 schools)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Schools</td>
<td>1707</td>
<td>1935</td>
<td>1966</td>
<td>2004</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Overall Literacy</td>
<td>60.1</td>
<td>60.1</td>
<td>60.1</td>
<td>60.1</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Female Literacy</td>
<td>48.1</td>
<td>48.1</td>
<td>48.1</td>
<td>48.1</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Retention rate (P to UP)</td>
<td>85.9</td>
<td>85.5</td>
<td>82.5</td>
<td>85.2</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Enrolment (Rural) P+UP</td>
<td>61719</td>
<td>62085</td>
<td>61246</td>
<td>60911</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>SMC P+UP</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>81.2</td>
<td>58 (100%)</td>
</tr>
<tr>
<td>7</td>
<td>PTR</td>
<td>36</td>
<td>33</td>
<td>34</td>
<td>34</td>
<td>50.1</td>
</tr>
<tr>
<td>8</td>
<td>Student Classroom Ratio</td>
<td>31</td>
<td>29</td>
<td>29</td>
<td>28</td>
<td>40.9</td>
</tr>
<tr>
<td>9</td>
<td>GPI</td>
<td>0.93</td>
<td>0.93</td>
<td>0.93</td>
<td>0.93</td>
<td>1.02</td>
</tr>
</tbody>
</table>

Infrastructure data of the 58 schools reflect a marginal improvement as compared to the other Blocks. The DISE Reports of the last five years and Bal Bandhu Data\textsuperscript{820} indicate the following:-

- DISE indicates the constitution of SMCs in 81.2% schools in the District while in Dhanora 100% of the schools have constituted a SMC.

- Due to the increase in School going children and innovative interventions by the Bal Bandhus, more girls have been mainstreamed in education which has increased the GPI to 1.02 as against the District average of .93.

- SCR too has been higher in Dhanora to 40.9 as against the District average of 28.

Kuchugaon Block

225 Schools were examined in the Block towards infrastructure development. The DISE Reports of the last five years and Bal Bandhu Data\textsuperscript{821} indicate the following:-


SCR is abysmally low. Of the District average of 23, the average SCR in these schools is 14.9.

Most encouraging is that despite poor institutional access 100% of the school have an SMC as against nil in the DISE reports.

While the DISE reports show PTR as 22, the Block has a PTR of 36.5.

| Table 6.23: DISE Reports from 2007-2011 of Kuchugaon District |
|---|---|---|---|---|---|
| Ser No. | Indicator P+S/HS | 2007-08 | 2008-09 | 2009-10 | 2010-11 |
| 1 | Schools | 2503 | 2655 | 2239 | 2239 |
| 2 | Overall Literacy | 51.6 | 51.6 | 51.6 | 51.6 |
| 3 | Female Literacy | 42.4 | 42.4 | 42.4 | 42.4 |
| 4 | Retention rate (P to UP) | 95.7 | 100 | 54.4 | 62.1 |
| 5 | Enrolment (Rural) | 3637 | 3631 | 3731 | 2,947 |
| 6 | SMC P+UP | N.A. | N.A. | N.A. | 225 (100%) |
| 7 | PTR | 19 | 18 | 20 | 17 |
| 8 | Student Classroom Ratio | 21 | 21 | 22 | 23 |
| 9 | GPI | 0.98 | 0.96 | 0.96 | .95 |

**Sidli Block**

Chirang. DISE report cards are not present for Chirang District although chirang became a separate District on 2004. School infrastructure is comparatively less as compared to Kokrajahar. An analysis of the 224 identified schools include:-

- SCR is 30 while PTR is 29.6.
- 218 schools out of 244 schools have an SMC.

**CHILD LABOUR**

The BMS carried out a detailed mapping of children engaged in child labour in the respective Blocks. Mapping divided children into three age brackets and three employment categories. The age groups included children between 6-8 years, 9-14
years and 15-18 years. Employment included children engaged in farming, domestic work and other manual labour to include masonry work, road construction, cattle grazing, etc.

A total of 2473 children have been removed from child labour during the study period in the five Blocks. 1546 (727 boys and 819 girls) children have been removed from the LWE Districts while 891 (457 boys and 434 girls). Higher number of girls are engaged in child labour as against boys. However, it has been difficult to remove girls in Assam as compared to the LWE Blocks. This is due to the prevalent practices of child marriages, demand of labour in Bhutan and poor/non-existent lines of communication in the remote villages so as to help State intervention.

Employment wise breakdown shows that a 54% of the 2473 children removed were in labour intensive employment and farming. The 23% of children removed from domestic work were mainly girls with a dominant number of 198 of 891 (22%) in Assam while 218 of 1576 (13.8%) in the LWE villages.
Block wise indicators include:-

- Equal number of boys and girls are employed in child labour. With the exception of Sukma, boys average between 52-58%. In Sukma, 57% of the girls are engaged in child labour.

- 40-52% of the girls are engaged in domestic work. These include Dhanora (48%), Kuchugaon (50%), Chirang (52%) and Sukma (40%). Cherla indicated a different pattern. 52% of the girls were involved in farming and 39% were engaged in other forms of child labour, only 7% were involved in domestic work. This is primarily because of the 20 IDP villages in the Block inhabiting temporary mobile populations where girls have to go out for work to sustain the family.

- 64-65% of the boys are engaged in farming in Sukma (64%), Cherla (64%) and Dhanora (66%). However, in Kuchugaon and Sidli Block children are more engaged in other manual labour since most of them move to Bhutan and adjoining areas for work and are equally involved in domestic work. Sidli accounts for 47% of the children while Kuchugaon for 40%.

- Maximum concentration of children removed from child labour are in the 15-18 years age group. These include Sukma (41%), Dhanora (65%), Cherla (51%), Sidli (51%) and Kuchugaon (69%). The balance include children 9-14 years with 10% of the children between the age group of 6-8% evenly distributed across the employment category.

- Dhanora and Sidli indicate that it is extremely challenging to remove children engaged in farming. 16% of the total removed children accounted for those engaged in farming despite the fact that it accounts for 64% of children.

- 21% and 64% children were removed from manual labour in Dhanora and Sidli Blocks as against 16% and 31% engaged in such practices. Boys accounted for a major population. 14 of the 21 children removed in Dhanora accounted for boys while 66 of the 91 children in Sidli.

- A sizable number of children were removed from domestic work. 44% and 33% of the children in Dhanora and Sidli were removed from domestic work. Both
Blocks accounted for a higher number of girls. Dhanora accounted for 22 of the 31 children while Sidli accounted for 29 of the 50 children.

**Proactive Engagement of the BMS Towards Removal of Children from Labour and Trafficking: Key Interventions**

**BMS Rescue of Children from a Juice Factory.** Sukuldhav s/o Chitro, Santosh s/o Ganga and Somaru s/o Koina r/o GP Burdi, village Londipara in Sukma were aged between 12-13 years of age and were studying in class VII when they were taken away by Rajaram to work in a Juice factory in to Gangadharnagar. The Bal Bandhus, the BMS and the Panchayat held a meeting to get these children back. They collected money from the village. Ramesh Nag, a BMS member and a few others went to Gangadharnagar. They however could not go inside the factory and were coercively sent back.

Back in Burdi a meeting was again convened. It was again agreed that the team will once again go and try to save the children. Money was again collected and this time Ramesh changed his attire as a lungi clad person and managed to infiltrate inside the factory and was able to rescue the children. Sukuldhav, Santosh and Somaru are now happily studying. They now have a commitment to study and get back to serve the community. Raja Ram who took these children is now a BMS member.

**Stone Quarry.** A similar case came into light in 2009 when a group of fifteen children from Sukma District were taken to Kukral, Block Chingard, District Karimnagar District in Andhra Pradesh to work in a stone quarry. Sanjay r/o GP Burdi, village Londipara, a school going child in class VII was also one of the fifteen children. Unfortunately, Sanjay died in the accident when his body got entangled in a circulation system in the factory. The owner send the body back with a gratia payment of Rs. 25,000/- for the child’s cremation.

When the body arrived in the village, the atmosphere was charged and the villagers were about to resort to violence when the BB, BMS and the Panchayat intervened. It was decided that the child will first be paid his last rites and then further course of action will be taken. After the last rites were over, the villagers, Panchayat, BMS and BB sat down to decide the future course of action. The BMS decided to go
the factory investigate the exact circumstances of the death of the child. The BMS also agreed to negotiate the compensation entitled to the child as a consequence of his death while working in the factory. Initially, the BMS were subjected to immense coercion and threats and the owner refused to pay anything. The effective mobilization of the community and the assertion of the BMS member made the owner buckle under pressure and give the BMS Rs. 3,00,000/- as a compensation.

Apart from rescuing, both the above cases of Sukma exemplify the importance of community mobilization, local self-governance and being educated. Ramesh Nag is one of the few graduates in the village was the only person who could negotiate and charter out a course of action with the owners to rescue the children. His actions in both the incidents as a BMS highlighted the increasing importance of education. The community’s collective decision to plan the rescue the children presented themselves a formidable force against the powerful factory owners and the mafia. Yet, in both instances the BMS rescued children far away from their villages. The process was seamless with the child not having to undergo any traumatic experience as in the case of a rescue executed by the Police or the State wherein the child would have been sent to an observation home and thereby the process would have become institutionalized. On the contrary, the children in the juice factory were immediately given back to the parents/community without any institutional process. The cases also cemented the efforts of the BB which had formalized the BMS and gave impetus to the rescue process. Correspondingly, the process also sought to render faith and strength autonomy of the family within the community without Police interference where a grievance of an otherwise poor, powerless and weak family would have given up its fight against the powerful owners without effective community mobilization.

**Community Boycott.** In Sukma, Sodi Harma (class VI) s/o Joga r/o Mirriwara, Madkam Sewa (class VII) s/o Bundi r/o Mirriwara Kamlesh Markan (class VII) s/o Hunja r/o Mirriawa were appearing for their examinations where quietly were taken by a Muda of the same village to work in Mehboob Nagar, Hyderabad in a poultry farm. Six months later after Muda got married in Hyderabad and came to the village, the villagers refused to accept the family on the condition that the three children he had taken to Hyderabad be rescued back to the village. The pressure of the villagers
forces Muda to go back to Hyderabad and get the three children back. The three children are now studying and are back in the village.

** Trafficking **

Three traffickers were arrested with the help of the BB and the community between 2011-2012. Two were arrested by the Police in July 12 while one of them was arrested in March 12. In June 12, one more of the traffickers were arrested and FIR was lodged by the Bal Bandhu. However, the FIR was withdrawn on the intervention of the VCDC and the Gaon Burah. The apprehension of the four traffickers led to the rescue of nine of the sixteen trafficked children in 2011. All nine of them were handed to the CWC. The three traffickers are currently in Jail (as on 01 July 12).

A breakdown of age groups of the nine children showed that all of them were between the ages of 9-14 years. Of the total sixteen children 11 were trafficked without the knowledge of the parents while the balance five were being trafficked at the price Rs.1500-2000/- per child given to the respective parents.

In 2012, six children of the same age groups were rescued from Gosaingaon Railway station. Four were without the consent of the parents while for the balance two, the parent had received Rs. 2000/- each.

The third incident in which the trafficker was released in June 12, was apprehended when he was trying to traffic four children. Two of them were without consent while Rs. 3000/- each was offered to the parents of the balance two children.

** BMS EFFECTUATING LOCAL SELF GOVERNANCE THROUGH PETITIONING **

| Table 6.26: Petitioning by the Community |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Cherla Block Khammam District | Sukma Block Sukma District | Dhanora Block, Gadchiroli District | Sidi Block, Chirang District | Kuchugun Block, Kolagohar District |
| GP | Villages | Petitions | GP | Villages | Petitions | GP | Villages | Petitions | GP | Villages | Petitions |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Block/Total | 100 | 274 | 51 | Block/Total | 120 | 32 | 6 | Block/Total | 113 | 47 | Block/Total | 120 | 65 | 30 | Block/Total | 28 | 139 | 0 |
| Devarpalli | 7 | 12 | 4 | Gudiram | 12 | 3 | 0 | Sawargam | 8 | 2 | 0 | Dadri | 14 | 1 | 0 | Pogabaji | 13 | 0 | 0 |
| Kurnapalli | 7 | 12 | 1 | Gondpatti | 5 | 3 | 0 | Ambhuali | 7 | 3 | 2 | Desari | 12 | 3 | 0 | Pusupappa | 13 | 0 | 0 |
| Pediddamidisileru | 14 | 9 | 1 | Chingwaduw | 3 | 0 | Murumgong | 6 | 5 | 2 | Shantigupa | 34 | 10 | 0 | Upariguddam | 3 | 0 | 0 |
| Pusuguppa | 5 | 6 | 0 | Pogadi | 4 | 1 | 0 | Pindhi | 4 | 4 | 2 | Nandigupa | 3 | 5 | 1 | Korra | 10 | 3 | 0 |
| Upariguddam | 23 | 3 | 1 | Gatta | 2 | 9 | 4 | Patabari | 32 | 5 | 1 | Balaigaon | 6 | 14 | 0 | Total | 89 | 62 | 2 |
| Total | 39 | 62 | 2 | Total | 31 | 12 | Total | 115 | 25 | 12 | Total | 38 | 45 | 0 |
Petitioning is an enabling component of self-governance, the local communities asserting their rights to participation in the development process a show a platform of convergence between the State and the community. With the exception of Kachugaon Block, most of the blocks have shown encouraging advocacy towards this end. Petitioning has been weak in the remote GPs as against the Block average but overall this has helped stop relocation of schools/AWCs, vacation of schools by the security force and access to essential services. For example, the community GP R Kothakudam, village Danvipeta petitioned an application through the Panchayat for the furnishing of an unfinished Primary school in Danvipeta since 2009. The unfinished works included flooring, placing of door and windows and no water facility in the school. In 2010, a petition was submitted to the Mandal administration requesting for the completion of the project. The work commenced by the end of 2012 and flooring, doors and windows had been fitted in the school. Similarly, KGBV, GP Pedamisseleru, Cherla Block started the Ashram School building in GP Pedamisseleru in August 11.

LWE

The three LWE affected Blocks (Sukma, Cherla and Dhanora) consists of 56 GPs and 295 villages while the remote GPs in the three Blocks constitute 15 GPs and 100 villages. The remote GPs constitute 34% of the total villages in the three Blocks. Comparative data of the Block and the remote GPs indicate an equitable percentage of children removed from child labour, children mainstreamed and petitioning as process of rights engagement:-

- 88% (260 of 295) villages in the Block have a BMS while 84% (84 of 100) have BMS in the remote GPs.
- A total of 2806 children have been removed from child labour. Of the 2806 children, 910 have been removed from the remote GPs.
- 2146 children have been mainstreamed back into schools while 860 (36%) are from the remote GPs.
- Of the total 400 petitions submitted by the community with the help of the Bal Bandhus, 23% (93 of 400) constitute from the remote GPs.
The Bal Bandhu: government penetration ratio higher penetration of the Bal Bandhu in the remote GPs. For example, Cherla has 6 times higher penetration of the Bal Bandhus while the remote GPs have an eight times more penetration. In Dhanora the overall Bal Bandhu penetration is three times higher while in the remote Blocks it reduces to 1.94. No government penetration data exists for Sukma.

Disturbed Areas under the AFSPA. Sidli and Kuchugaon Blocks in BTAD/Assam are reeling under the under the AFSPA. A total of 501 villages in the two Blocks have been examined for infrastructure access and human capital interventions. Remote GPs constitute 153 villages in the five VCDCs. Intervention has been equally strong as compared to the LWE Districts. The data for the fourth period (July –December 2012) has shown a downward trend due to the riots in Assam during this period.\(^{822}\)

- 163 of the 501 villages (32%) have a BMS as against 29% (44 of 153) have a BMS constituted in the remote GPs.
- 15% of the total 4192 children engaged in labour have been removed from child labour practices.
- A total of 2146 children have been mainstreamed back into schools. 36% (860 of 2142) of these children area from the remote GPs.
- 94% (418 of 469) of the total schools have been constituted with an SMC while 82% (100 of 121) of the schools in the remote GPs have an SMC.
- A total of 204 petitions have been submitted by the community with the Bal Bandhus. 70 petitions of the 204 (34% of 204) are from the remote GPs.
- Cherla. 274 petitions were submitted by the community with the help of the BMS. Fifty one petitions (19%) were accepted. In the remote GPs 62 applications were filed and action was taken on two applications.

\(^{822}\) ACHR (2012), Assam Riots: Preventable but not prevented, Riots were triggered due to the killing of Muslims by the Bodos in July 2012 in the Bodoland Territorial Autonomous Districts (BTAD) consisting of Baksa, Chirang, Kokrajhar and Udalgiri districts, and neighbouring Dhubri district of Assam have claimed about more than 90 lives and displaced over 400,000 people at 1.
• Sukma. Thirteen applications have been submitted by community of which action was completed on six applications (46%). However, only one application has been submitted with respect to the remote GPs.

• Dhanora. Of the 113 applications submitted action has been taken on 47 applications (41%).

• Chirang. 65 applications were submitted of which 30 applications have been acted upon by the administration. Equally 48% (12 of 25) of the applications in the remote areas have been acted upon. One of the major reason has been the NCPCR intervention since the first visit of 2008.

Stopping relocations and repairing of Schools and AWCs has been a major contributor towards petitioning. Some of these examples include:-

- **Sukma.** The Government planned re-location of three Ashram schools to Kerlapal. These included the Ashram school for Pogabeji, Bodko and Chikpal. The community was against such a move since it risked increase in dropouts due to the distances involved. Pogabeji is approximately 20 Km from Kerlapal while Bodko is approximately 8 Km and Chikpal approximately 5 km. Strong community intervention against this move was followed by a public protest in 2011 which reversed the decision of the administration. The Ashram schools have now been shifted back to the original location in Pogabeji, Chikpal and Bodko. Pogabeji instituted greater measures to ensure the functioning of the Ashram school by collectively repairing a room for the teacher who had to commute 10Km from Kerlapal to come to the Ashram school.

- Ashram School of Bodko, GP Kerlapal was initially planned was being planned at GP Kerlapal (along the main road) but was later shifted to Bodko itself.

- Ashram school of GP Pogabeji (36 Km from Sukma but in the remote area and not connected road) was being shifted to village Manjipara, GP Kerlapal (on the main road) but was later moved back to Pogabeji.

- Primary school of Chikpal, Sukma too was being shifted to GP Kerlapal but was later moved back to Chikpal.
• Dhanora Block, Gadchiroi District. Relocation of the Ashram School at Kamangar, Dhanora was not shifted after community intervention (See Chapter III).

SECURITY CONCERNS AND LIMITATIONS OF COMMUNITY BASED INTERVENTION

State assessment of democratic control in the LWE and Disturbed Areas is primarily guided by the reduction of violence. Rarely, has normalcy been measured through indicators suggesting improvement in health indicators, access to education, Rural road connectivity, provisions of shelters/housing, etc. Two reasons suggest the approach. First, the former lends tangibility to the overall security assessment in terms of reduction of violence, decrease in civilian deaths and security forces killing with a corresponding increase in surrenders or neutralization of armed rebels. Second, the approach aligns to the traditional obligation of the State towards upholding civil and political rights which are characterized as ‘hard rights’, justicable in court, imposing negative duties on states of recognition, protection and non-interference as against economic social and cultural rights which are considered as ‘soft rights’ imposing positive duties on states which can best be realized progressively or to the maximum extent of available resources and policy planning than enforcement through courts.823

The approach *prima facie* establishes the writ of the State and strengthens its assertion towards upholding a constitutional democracy. However, the strategy risks alienation of the aggrieved communities and is vexed with inherent shortfalls which are directly impacting developmental activities for a variety of reasons. These include:-

• State Control. State’s affirmation towards controlling the situation by showing reduction in violence levels can be misleading when incidents are geographically plotted and state control is analysed. The pattern of violence, location of camps of the security forces are some of the key issues to the understanding of state control.

823 Civil and political rights are characterized as ‘hard rights’, justicable in court, imposing negative duties on states of recognition, protection and non-interference. Economic social and cultural rights are considered as ‘soft rights’ imposing positive duties on states which can best be realized progressively through allocation of resources and policy planning than enforcement through courts.
• Power Duality. The collateral fallouts of limited State control around District/Block Headquarters or along lines of communication and increasing grey zones dually controlled by the naxals and the State. As a result, the state has not been able to make developmental inroads in the remote GPs. This inertia has created secure pockets clustered around communication centres, Block/District Headquarters and around urban pockets leaving large territorial space under dual control of the rebels.

• Encroachment of Development Space. Security Forces occupying schools/other public institutions.

• Development. Poor connectivity, lack of infrastructure access and negligible government penetration for implementation and monitoring of state sponsored programmes in the remote areas.

State Control: Reduction in Security Related Incidents

<table>
<thead>
<tr>
<th>Year</th>
<th>Jan Adalats</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>153</td>
<td>21 executions</td>
</tr>
<tr>
<td>2004</td>
<td>155</td>
<td>15 executions</td>
</tr>
<tr>
<td>2005</td>
<td>114</td>
<td></td>
</tr>
<tr>
<td>2006</td>
<td>42</td>
<td></td>
</tr>
<tr>
<td>2007</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2008</td>
<td>71</td>
<td></td>
</tr>
<tr>
<td>2009</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>2010</td>
<td>75</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>97</td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td>62</td>
<td></td>
</tr>
</tbody>
</table>

Reduction in security related incidents between 2001-11 is one of the important benchmarks of the State’s affirmation towards controlling the situation. However, the patterns of incidents indicate that most of the incidents have occurred along communication lines on roads, on Police outpost or close to the District/Block Headquarters.

• An examination of the 17 major Naxal incidents mentioned in the MHA Annual Report 2004-05 indicate ten landmine incidents, four attacks on Police outposts three other incidents away from communication centres.824

Similarly, the 194 attacks in 2005-06, 210 in 2006-07 and 335 encounters in 2007-08 with the Police were mainly due to frequent use of Improvised Explosive Device (IED)/landmine blasts. This led to the death of 153 Policemen in 2006-07 and 157 in 2007-08.

A similar testimony has been given by the Central Military Commission, Communist Party Of India CPI (Maoist) during the 12th anniversary celebrations in November 2012 wherein most attacks against the State are directed against the security forces and along communication lines.  

The deployment too indicates a similar pattern. Most of the security forces deployment is concentrated along roads/tracks or in urban pockets/lines of communications.

Increasing Grey Zones: Risks of Power Duality and Limited Government Penetration

The above pattern of deployment has helped control localized pockets within the area of influence of the District/Block or along communication lines. This has resulted in larger grey zones dually controlled by the State and the rebel groups. Such power duality risks increasing territorial dominance of the rebels wherein they are able to wield greater control on the local communities. Absence of community interface with the State has further alienated these communities thereby helping the naxals to extend political control on the communities in the forms of establishing people’s courts (Jan Adalats), tax collections and assenting their consent to State sponsored programmes.

825 Press Release November 30, 2012 issued by the (Maoist), occasion of the PLGA 12th anniversary celebrations. A total of 114 police died and more than 191 were injured in several single actions, operations and ambushes such as – the ambush near Gorgonda (Sukma) on the vehicle of Koya Command commanders Kartam Surya and Kicha Nanda, the massive brave ambush conducted on the convoy of CRPF and CoBRA forces near Pusutola (Gadehirol), Irugutta ambush (Kanger), Kirandul night ambush (Dantewada), the ambush on butcher Mahendra Karma, the leader of Salwa Judum (Dantewada) – all in Dandakaranya; the valiant ambush on mine-proof vehicle near Bargah (Garhwa), Kharanji Tungi ambush (Latehar), the brave attack on the enemy helicopter in Labhar forest area (Latehar), the ambush on NH-2 (Latehar), the attack on the escort vehicle in Giridih town & release of eight Maoist prisoners – all in Jharkhand; the battles waged by PLGA on the CRPF and CoBRA forces on the same day in Balior and Dumaria forests in Gaya district of Bihar, the ambush on mine-proof vehicle near Sakarbandha; the Janniguda (Dyke 3) ambush (Chitrakonda-Balimela road), the single action in Sileru – in AOB; the Badarpanga ambush in Odisha (Kandhamal), the night ambush in North Telangana and the Gaoltor ambush in West Bengal (Lalgarh). PLGA seized 29 weapons from them Available at http://www.bannedthought.net/India/CPI-Maoist-Docs/Statements-2012/121130-CMC-PLGA-12thAnniv-Eng.pdf Last accessed on February 14, 2013.
The Naxals dominate community practices primarily through Jan Adalats (People’s Courts) dispensing justice and an arbitrator of community grievances in an attempt to supplant the State machinery. For example, In 2012, a young couple from Pogabeji married in court and fled to Andhra Pradesh. On their return, the boy was apprehended and beaten. Similarly, the girl was beaten and given back to her family in Pogabegi.

After a week, the boy retuned to show the marriage certificate to the girl’s family and the village but was not accepted. The villagers moved to the Jan Adalat to settle the dispute since they apprehended that the normal due process in the State run courts and Police interference is lengthy and plagued by corrupt practices. The Jan Adalat accepted them not on grounds of legality but on consideration that the boy and the girls were willing and happy to be with each other. Today, they continue to stay in the village happily. Similarly, the Naxals exercise a dominant control in the remote areas of GPs Pogabeji, Gondpalli, Phulbagdi and Koyabekur in Sukma Block. Similar other examples of power duality include:-

- **Resignation of the members of the Panchayat Bodies.** 71 members of the Panchayat body and two Zila members in Gadchiroli resigned abruptly in between January-July 2012 due to Naxal threats. Ramphant corruption and manipulation by the Panchayat bodies in the allocation of developmental projects was the reason of the naxal diktat arguing that if the members do not get funds they will not be corrupt.

- **School Banner by the Naxals in the Schools.** In December 2011, a banner was placed by the naxal in a primary school in village Europdotri, GP Sursundi, Block Dhanora, District Gadchiroli. The school stopped functioning due to fear and it was only after ten days when the banner was removed that children started coming to the school.

- **Marking on the Road.** On the night of 31 May/01 Jun12, a bundh call was given by the Naxals in Dhannora Block protesting against the State. Writings were

---


827 Interview(2012), Author’s interview with the local community in Dhanora (26 Jun 12).
found on the road Ghadchiroli- Dhannora which read “Janta par Jung mat Karo: sena ka Prashikshan Band Karo” (stop the war against the people: stop the military training in the area,” “Dil to manta nahi Dushman ko Dhekna, Maowadi sena rukna nahi” (The heart does not allow to see the enemy: Maoist don’t stop). An AK 47 was also drawn on the road with a caricature of the Prime Minister in protest. The marking on the road was not erased till 25 June 12 (the author last photographed the marking).

**Encroachment of Development Space**

Detioriating security situation and State’s emphasis on maintenance of law and order in the previous years resulted in the closure of schools. Abandoned schools thus became a common place for camping the security forces. This approach equally led to the destruction of schools by the naxals pre-empting the occupation by the security forces (Table 5.3. destruction of Ashram school in GP Gonpalli, Sukma Block in 2008) and/or the naxal tactics to destroy state runs schools in an attempt to establish their writ. As a result of which the development space was encroached by the State and the naxals leaving children to fend on their own.

Between 2001 -2012, 284 schools have been destroyed and 83% (237) of the 284 schools have been destroyed between 2006-10.\(^{828}\) In 2007, the Hon’ble Supreme Court [WP(Crl)No. 102/2007] in its judgment directed the State Governments to vacate educational institutions.

---

\(^{828}\) MHA, Government of India (2012), Naxal Management Division, FAQ. Available [Online] at
Re-location of Schools and AWCs and weakening of the PDS

Localized State control has led to the re-location of schools, AWCs and other public institutions affecting children. The problem is coupled due to the already weak infrastructure. While at places there is a concentration of public institutions, remote areas within the Block are sparsely concentrated. Locations of institutions and the reach of PDS is primarily guided by the contractors reach in the areas and State control. There are places where the number of institutions are technically adequate but due to the random locations their reach is limited. Public institutions have been unilaterally removed from the community and build along communication lines or well connected inhabitations. Some of these examples include:-

AWC

- In village Sathipur, VCDC Bilaspur, Kuchugaon Block four AWC being run in a radius of a 500m. An AWC meant for East Sathipur too is being run in a Sathipur. While there is a similar shortfall in the number of AWC meant for the village is concentrated at one place and affords limited reach to the children.

- AWC of village Sakrupara, Chikpal (5 Km from the State highway Sukma-Kanker and not connected by road) has been located at Kerlapal main road. The result is that the AWC now lies abandoned.

- Re-location of the Mondupara Primary school, GP Circetti at Kerlapal in 2007.

- Far flung villages pose problems of PDS. The AWC in village Bodnilli in GP Posuguppa had only five deliveries of ration in 2010 while in 2012 (till July 2012) there was only one delivery of rations. This has also started the practice of dumping rations in the AWC on the roads leaving the AWC in the remote village to collect the rations on their own.

- GP-Pedimseleru, Cherla Block has six AWCs which includes the main AWC at Pedimseleru. The contractor only delivers rations meant for all the AWC at Pedimseleru. The balance five AWCs have to collect the rations from the AWC. The relative distance of the rest of the AWCs is Gorkunda (12 Km), Barinapalli (11 Km and is also the main Centre), Tippapuri (10 Km), Battiguddan (12 km)
and Tralapuram (8 Km). On 20 June 12, during the Commission’s visit to the AWC Padimserleru, the AWC worker Ms. Ishwari briefed the team on the functioning of the Centre. The Commission found that the ration stock for the balance five AWC was stacked at the AWC Pedimeselru.

**Schools**

- Cherla Block, Khamam District. An Ashram School that was to come up in Pasuguppa has been re-located to Cherla. Pasuguppa is one of the farthest GPs in Cherla Block (20 Km) and is poorly connected by road. Of the five villages in the GP four of them are only connected by track. Sukma Block, Sukma District. (Refer Sketch of Sukma in Chapter II).
  - Model School of Murtonda (13 km from Block Headquaters) has been shifted to Sukma.
  - RBC school supposed to be in Nilawaram (12 km from Block Headquaters but connected by a black top road) has been shifted to Murtonda.
  - GP Bhavan supposed to be in village Kudmilpara, Gp Nilawaram has been re-located to Gollagura.
  - AWC of village Sakrupara, Chikpal (5 Km form the State highway Sukma- Kanker and not connected by road) has been located at Kerlapal main road). The result is that the AWC now lies abandoned.
  - Ashram School of Gondpalli (40 km from Sukma and partly connected by road) which was destroyed in 2008 has now been relocated in Ashram school in Gaadiraas GP(23 km from Sukma but on the main road).
  - Re Location of the Mondupara Primary school, GP Circetti at Kerlapal in 2007.
KEY FINDINGS

ACCEPTANCE OF THE COMMUNITY INTERVENTION MODEL BY DE-LINKING THE CIVIL UNREST WITH CHILD RIGHTS

Creation of BMS and other Community Groups

Strong community mobilization and acceptance across the complete social spectrum has enforced the study. These include:-

Creation of a C&S interface or the Bal Mitr Samitis (BMS). Extent of constitution of the BMS, their age, literacy and employment profile is one of the indicators of community acceptance indicate its overall acceptance across the socio-economic profile of the community.

Successful in reviving capacities of small homogenous groups like parents, women, youth, and opinion makers (teachers, panchayats, etc).

The intervention model has helped in the initiation of promising practices through awareness and reach.

Bal Mitr Samitis (BMS) (Community-State Interface)

The BMS and the Bal Bandhu has created an effective convergence between the community and District administration

Monitoring public institutions and reaching out to the community is the key measure to the success of the Scheme. Small efforts of the BMS towards the community has helped strengthen the Scheme.

Grass root advocacy has helped to constitute/rejuvenate small homogenous groups like the School management committees, Mahila groups, Parent groups, etc.

The successful de-linking of the situation with child rights concerns can be gauged by the fact that the Naxals themselves asked the community to recruit girl Bal Bandhu members in the remote areas in Cherla Block, Khamam District, Andhra Pradesh.

Initiation of promising practices has shown tremendous success towards the overall community acceptance: Children’s Day celebrations (Sukma), Child labour practices
(Cherla), educational projects (Dhar Pathi Chal Shala, and counseling and coaching to out of school children, etc).

**Community Meetings and Participation**

**Meetings.** The frequency of meetings within various groups and levels indicate increase in number of meetings in the initial intervention phase (January – June 2011). The second period (July –December 2011) shows a drop in the meeting within almost all segments/groups. This is primarily attributed to the consolidation period wherein the Bal Bandhus/BMS defined agendas for the intervention groups and developed the capacity of the programme. The third and the fourth intervention period has shown encouraging acceptance and participation of the community.

**Participation.** Community participation and intervention through small homogenous groups has been successful.

**Homogenous Groups.** Participation with homogenous groups like parents, women, youth, children and opinion makers has been equally encouraging. Parents and youths have unequivocally supported the Scheme. Engagement of Mahilas and elected heads in the Gram Panchayats indicate an initial bias due to the cultural impasse confronting child protection in terms of child labour, child marriages, etc or the security situation. This is latter is one of the most important and challenging interventions wherein the BMS has had to negotiate with the community on specific culturally specific but not universally accepted agendas like the prevalence of child marriages, child labour. Child marriages in Kuchugaon and Sidli Block in Assam are extremely prevalent and culturally accepted. Similarly, child labour is a culturally acceptable employment in all the intervention Blocks.

Parents and youth hold the key to small group interventions. This in turn has helped more girls being mainstreamed from domestic work and created greater demand for opening schools for children between the age group of 15-18 years.

Youths has shown capacity to mobilize in greater numbers.
KEY OUTCOMES: C&S INTERFACE AND IT IMPACT ON EDUCATION, HEALTH AND CHILD LABOUR

Education

The Bal Bandhus intervention in the 616 schools in the five Blocks spell out promising indicators. The field study has also helped in identifying areas where further opportunities which need to be capitalized and challenges that will define the future course of action. Low enrolment in 9-14 years, irregular attendance of children, poor institutional access which is much lower than the overall District profile of the particular Block remains a concern.

Despite the recent ethnic strife in Assam (June 12-December 2012), there is an overall increase of 11.1% (6450) school going children. If the two Blocks of Assam are counted separately from the rest of the intervention Districts there is an increase by 3.5% (1638) school going children. Out of the total of 45813 school going children in 469 schools, the strength has increased to 47451. Similarly, in the rest of the three intervention Districts, there is an increase of 28.4% (4812) from an initial strength of 12105 to 16917. Similarly, there is a strong response towards mainstreaming non-school going children back into the folds of education. There is an encouraging 31.7% (3444) decrease in school going children. The strength of the non-school going children has decreased from 10839 to 7395 children.

School Going and Non School Going Children

6-8 Years. This category has shown a strong response because of sustained efforts to enroll children and mainstream non-school going children into the folds of education. All the Blocks have shown an increase in the overall strength.

9-14 Years. This is a critical age group where the increase in school going children has been marginal. Greater engagement with the community is required to mobilize public opinion. Children of this age are easily available as cheap labour but can work equally well as a grown up child.

15-18 Years. This age group has shown resolve and willingness to mainstream despite being susceptible to child labour, recruitment and the risk of engaging into criminal activities. Strong youth mobilization, youth centric interventions in Dhanora
and active support from the student unions in Kuchugaon and Sidli have favoured their mainstreaming. Sidli too has improvement in this category.

Improving Institutional Infrastructure for Children in the 15-18 Years Age Group.

- Maximum mainstreaming of children has taken place of children of this age group. 5274 of the total 6540 increase in school going children has been attributed this category. The 80% (5274) spike in school going children is primarily attributed due to focused interventions in Dhanora (Counseling and Teaching of Tribal Children, Mainstreaming 268 girls in KGBV Pedmiseluru, Student Union Engagement in the two Blocks in Assam.

- Available infra-structure is not able to cope up to the increasing demands of education amongst these children. The lack of Ashram Schools, RBC, etc risk children falling back into the folds of the civil unrest. Two important interventions need to be addressed. First, reviving non-functional schools, hostels and Ashramshalas second measures to commission more schools.

- Efforts should be made to identify non-functional schools, Ashramshalas, hostels, orphanages and anganwadi centres and take immediate measures to make them functional. A non-functional school may be due to teacher absenteeism; lack of children; lack of school building or classrooms.

**Gender Parity**

Mainstreaming of girls is a challenge in all the intervention Blocks except Sukma where there is a Gender Parity of .99. Overall Gender Parity intervention is at an average of .83 with .89 in the LWE areas while .80 in Assam. Intervention is the weakest intervention is Siddi Block at .75 closely followed by Cherla at .78. Agenda based engagement with small homogenous groups is the key to ensuing mainstreaming of girls. Parents, women and youth groups have contributed effectively but strong cultural bias towards child marriages and girls being employed in domestic work are key challenges.

---

829 NCPCR 2012, Education as Emergency Relief, 3.4 at 5.
Infrastructure Access: Education

Analysis of the 661 schools (except Cherla) in the four intervention Blocks indicate poor infrastructure availability. It is much lesser than the District average mentioned in the DISE reports. Some of the key indicators from the 661 schools (except Cherla) include:

390 schools have common toilets. Although this constitutes 59% of the 661 schools but since 171 are not in use it effectively reduces the effective toilets to 171 which is 25.8%. The District average as per DISE reports is 33%.

Electricity is only available in 15.5% (103) schools as against the District average of 84.3%

48.4% (320) of schools have kitchen as against the District average of 61%. The reduced figure of 61% only because Kokrajahar DISE reports indicate Kitchen sheds as nil. If this is discounted for the other two Districts of Sukma and Dhanora, the percentage is 92.5%.

Average PTR in the Districts is 19 while PTR in the 661 schools is 34.5.

SCR as per the DISE reports is 19 while it is 60 in the 661 schools. This spike is there due to an extremely high SCR in Kokrajahar of 141.9. If however that is discounted then the average SCR is 33.6.

Considerable progress has been made in the constitution of the SMCs.

Infrastructure viz. a viz. BMS Intervention

Infrastructure assessment of the five Blocks fare poorly when compared to the respective DISE reports. While at the same time BMS intervention has shown promising indicators of human capital intervention characterized by improvement in gender parity, constitution of SMCs. Decrease in PTR or the SCR is indicative of better mainstreaming despite infrastructure deficits.

Deep rooted Cultural Practices Affecting Education.

---

830 Average of the DISE reports of the three Districts for the year 2010-11 has been taken to get an average of the Districts
Decrease in 898 school going children in the 6-14 years category in Sidli Block, Chirang District and marginal increase is in Kuchugaon Block is a concern. Despite proactive intervention, there is a need for innovative engagement of the Bal Bandhus with the community and small homogenous group to address deep rooted practices of child marriages and sending children to Bhutan for labour. Removal of these practices hinge on the manner in which the C&S is able to negotiate with the small homogenous groups.

**Proactive Measures for Out of School Children.**

Successful mainstreaming of out of school children has primarily been due to the proactive engagement of the BMS to address issues of child labour, child trafficking and migration. Fostering a child-friendly atmosphere in the area by enabling gram panchayats to review the status of children in the area; sensitizing school teachers to accept school dropouts and children who are irregular back into the school; and formation of local groups for protection of child rights.831

**Promising Practices: Key to Successful Interventions.**

Initiation of promising practices to raise awareness and commitment in the community about child rights is the key to successful intervention. Such initiatives strengthen capacities through local outreach within the socio-cultural context of the situation. Some of the successful interventions include:-

- Dhar Pathi Chal Shalala in Dhanora.
- Special counseling, tuitions and hostel facilities for drop out children to appear in Cl X examination in Dhanora
- Linking festivities like Ram Nauvmi in Cherla.
- Children’s Day celebrations in Sukma.
- Mainstreaming tribal IDP girls in the KGBV, Pedemiseleru, Cherla.

831 NCPCR 2012, Education as Emergency Relief,3.4 at 3.
The reach of the BMS intervention can best be examined by assessing universal reach of the community intervention model. The study examines each indicator by comparing the average impact of the intervention in each Block with the five remote GPs in the respective Blocks. The equitable pattern of reach will best indicate the universal reach, acceptance and recognition of the model. Table 6.35 indicates a summary comparison of the indicators between Block average and the Remote GPs.

The extent of implementation of the Bal Bandhu Scheme can best be analyzed by examining the extent of the Bal Bandhu reach the remote GPs where huge infrastructure deficit exists. The Bal Bandhu Scheme focuses mobilization of human capital in terms of community engagement, increasing participation of the community to assume responsible roles in matters affecting the rights of the child and disseminating best practices to innovate advocacy and outreach.
BMS Reach

<table>
<thead>
<tr>
<th>GP</th>
<th>GP</th>
<th>No of Villages</th>
<th>No of Committees</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cherla</td>
<td>14</td>
<td>100</td>
<td>92</td>
<td>92%</td>
</tr>
<tr>
<td>Cherla (R)</td>
<td>5</td>
<td>39</td>
<td>35</td>
<td>90%</td>
</tr>
<tr>
<td>Sukma</td>
<td>19</td>
<td>119</td>
<td>109</td>
<td>91%</td>
</tr>
<tr>
<td>Sukma (R )</td>
<td>5</td>
<td>36</td>
<td>33</td>
<td>91%</td>
</tr>
<tr>
<td>Dhanora</td>
<td>20</td>
<td>76</td>
<td>59</td>
<td>78%</td>
</tr>
<tr>
<td>Dhanora (R)</td>
<td>5</td>
<td>25</td>
<td>16</td>
<td>64%</td>
</tr>
<tr>
<td>Kuchugaon</td>
<td>181</td>
<td>88</td>
<td>57</td>
<td>49%</td>
</tr>
<tr>
<td>Kuchugaon (R)</td>
<td>5</td>
<td>38</td>
<td>22</td>
<td>57%</td>
</tr>
<tr>
<td>Sidli</td>
<td>17</td>
<td>320</td>
<td>75</td>
<td>23%</td>
</tr>
<tr>
<td>Sidli (R )</td>
<td>20</td>
<td>115</td>
<td>22</td>
<td>19%</td>
</tr>
</tbody>
</table>

Two critical indicators have been examined to analyse as to whether BB Scheme has been able to universally reach out in the entire intervention Block. First, reach of the project in the Remote GPs by mobilizing human capital to intervene universally across the Block. Second, effectiveness of the C&S.

Sensitive Gram Panchayats (See Table 4.7 to 4.9) remotely located in areas under dominant control of the Naxals has not deterred the Bal Bandhus in engaging with the community and encouraging them to form BMS in the respective village. Table 3.1 shows that despite the unstable security situation the BMS have engaged effectively with the community. Table 4.6 indicates that there is an equitable reach of the BMS in the remote GPs. Similarly cross sectoral analysis across the socio-economic spectrum indicate a similar pattern.

![Pie charts showing literacy levels in various villages]
Table 6.31 Employment wise breakdown of the BMS Block viz. a viz. Remote GP

<table>
<thead>
<tr>
<th>Village</th>
<th>Cherla</th>
<th>Sukma</th>
<th>Dhanora</th>
<th>Kuchugaon</th>
<th>Sidli</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farming</td>
<td>3%</td>
<td>12%</td>
<td>10%</td>
<td>13%</td>
<td>3%</td>
</tr>
<tr>
<td>Village head</td>
<td>42%</td>
<td>4%</td>
<td>2%</td>
<td>2%</td>
<td>20%</td>
</tr>
<tr>
<td>Other</td>
<td>57%</td>
<td>23%</td>
<td>90%</td>
<td>50%</td>
<td>51%</td>
</tr>
</tbody>
</table>

Table 6.32. Overall BMS Literacy in the Block viz. a viz. Remote GPs

<table>
<thead>
<tr>
<th>Village</th>
<th>Cherla</th>
<th>Sukma</th>
<th>Dhanora</th>
<th>Kuchugaon</th>
<th>Sidli</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiterate</td>
<td>6%</td>
<td>20%</td>
<td>4%</td>
<td>4%</td>
<td>8%</td>
</tr>
<tr>
<td>Up to Cl V</td>
<td>15%</td>
<td>64%</td>
<td>3%</td>
<td>9%</td>
<td>24%</td>
</tr>
<tr>
<td>Cl V to XII</td>
<td>22%</td>
<td>17%</td>
<td>90%</td>
<td>55%</td>
<td>33%</td>
</tr>
<tr>
<td>Graduate</td>
<td>55%</td>
<td>65%</td>
<td>5%</td>
<td>3%</td>
<td>21%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Village</th>
<th>Cherla (R)</th>
<th>Sukma (R)</th>
<th>Dhanora (R)</th>
<th>Kuchugaon (R)</th>
<th>Sidli (R)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiterate</td>
<td>4%</td>
<td>0%</td>
<td>0%</td>
<td>4%</td>
<td>3%</td>
</tr>
<tr>
<td>Up to Cl V</td>
<td>36%</td>
<td>10%</td>
<td>17%</td>
<td>22%</td>
<td>22%</td>
</tr>
<tr>
<td>Cl V to XII</td>
<td>22%</td>
<td>72%</td>
<td>90%</td>
<td>55%</td>
<td>33%</td>
</tr>
<tr>
<td>Graduate</td>
<td>55%</td>
<td>65%</td>
<td>5%</td>
<td>3%</td>
<td>21%</td>
</tr>
</tbody>
</table>
Government Penetration

Table 5.6 shows that Government penetration is weak in the intervention Blocks and it further weakens when penetration is examined in the remote GPs. The Bal Bandhu reach on the other hand is universal.

- **Cherla.** The C&S reach reach is six times more than the Government penetration in the Block. It further weakens to 16.71 and 7.7 times in the remote GPs of Kurnapalli and Pasuguppa. The gross disparity is primarily due to poor connectivity with Pasuguppa having only one out of the five villages connected with a Black top while none of the seven villages in Kurnapalli is connected with a black top road. Poor government penetration is impacting access to services.

- **Sukma.** No data is available of Government penetration but there is a health and education emergency in Sukma.

- **Dhanora.** Government penetration in Dhanora is marginally better than the rest of the Blocks. The C&S reach is three times more than the

---

**Table 6.34: BMS Penetration viz. a viz. Government Penetration**

<table>
<thead>
<tr>
<th>Govt GP</th>
<th>Block Total</th>
<th>Vllages</th>
<th>Govt Bal Bar Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Devarpalli</td>
<td>7</td>
<td>47</td>
<td>247</td>
</tr>
<tr>
<td>Kurnapalli</td>
<td>7</td>
<td>18</td>
<td>175</td>
</tr>
<tr>
<td>Pediddam</td>
<td>14</td>
<td>163</td>
<td>458</td>
</tr>
<tr>
<td>Pusuguppa</td>
<td>5</td>
<td>14</td>
<td>234</td>
</tr>
<tr>
<td>Upariguddu</td>
<td>6</td>
<td>50</td>
<td>345</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>39</td>
<td>292</td>
<td>1459</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Govt GP</th>
<th>Block Total</th>
<th>Vllages</th>
<th>Govt Bal Bar Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gadiraas</td>
<td>12</td>
<td>17479</td>
<td>1734</td>
</tr>
<tr>
<td>Gondpalli</td>
<td>8</td>
<td>657</td>
<td>611</td>
</tr>
<tr>
<td>Chingawaram</td>
<td>5</td>
<td>413</td>
<td>860</td>
</tr>
<tr>
<td>Pogahaji</td>
<td>4</td>
<td>310</td>
<td></td>
</tr>
<tr>
<td>Korra</td>
<td>10</td>
<td>3340</td>
<td>6652</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>120</td>
<td>N/A</td>
<td>17479</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Govt GP</th>
<th>Block Total</th>
<th>Vllages</th>
<th>Govt Bal Bar Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawargaon</td>
<td>12</td>
<td>17479</td>
<td>1734</td>
</tr>
<tr>
<td>Kubhhatti</td>
<td>2</td>
<td>1169</td>
<td>527</td>
</tr>
<tr>
<td>Murungao</td>
<td>6</td>
<td>860</td>
<td>413</td>
</tr>
<tr>
<td>Pendar</td>
<td>4</td>
<td>289</td>
<td>159</td>
</tr>
<tr>
<td>Gatta</td>
<td>2</td>
<td>109</td>
<td>113</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>120</td>
<td>N/A</td>
<td>17479</td>
</tr>
</tbody>
</table>

---

**Sidli Block, Chirang District**

<table>
<thead>
<tr>
<th>Govt GP</th>
<th>Block Total</th>
<th>Vllages</th>
<th>Govt Bal Bar Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dadgiri</td>
<td>24</td>
<td>1433</td>
<td>433</td>
</tr>
<tr>
<td>Deosri</td>
<td>12</td>
<td>246</td>
<td>14</td>
</tr>
<tr>
<td>Shantipur</td>
<td>34</td>
<td>264</td>
<td>34</td>
</tr>
<tr>
<td>Ongury</td>
<td>13</td>
<td>256</td>
<td>48</td>
</tr>
<tr>
<td>Patabary</td>
<td>32</td>
<td>237</td>
<td>64</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>115</td>
<td>1436</td>
<td>13.046</td>
</tr>
</tbody>
</table>

---

**Balagaon Block, Kokrajahar District**

<table>
<thead>
<tr>
<th>Govt GP</th>
<th>Block Total</th>
<th>Vllages</th>
<th>Govt Bal Bar Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Majitigaon</td>
<td>8</td>
<td>605</td>
<td>113</td>
</tr>
<tr>
<td>Burachara</td>
<td>9</td>
<td>440</td>
<td>129</td>
</tr>
<tr>
<td>Nandipur</td>
<td>12</td>
<td>884</td>
<td>336</td>
</tr>
<tr>
<td>Howriapet</td>
<td>3</td>
<td>593</td>
<td>120</td>
</tr>
<tr>
<td>Balagaon</td>
<td>6</td>
<td>303</td>
<td>48</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>38</td>
<td>2825</td>
<td>746</td>
</tr>
</tbody>
</table>

---

£ Covers the period from January 2011 to December 2012. The data has been collected through endorsement by government officials during the respective visits, community information and the Bal Bandhu primary data.
State. The situation improves in the remote GPs too. The overall road connectivity in the Block is 68.8% which is the best amongst all the intervention Blocks. The situation however detoriates in the remote GPs where road connectivity is reduced to 18% but all the GP are connected by road. This is with the exception of Sawanga.

- **Kuchugaon.** Improved road connectivity in Kuchugaon (21% in the Block and 34% in the remote GPs) has helped government intervene in the Blocks but it is still 3.8 times lesser than the C&S reach. Mahatigaon and Howaripet are the two remote GPs which is lesser than the average Bal Bandhu: Government ratio of 3.8. The lack of penetration has compounding concerns.

- **Sidli.** Remote GPs of Deosri and Dadgiri have the weakest government penetration. Deosri has 17.5 times lesser government reach than the Bal Bandhus while dadgiri has 30.9 times lesser reach than the C&S reach. Poor State intervention is severely affecting access to education and health. Government penetration to Bal Bandhu indicate a 3.8 and 4.5 times higher Bal

### Table 6.35: Details of Non School Going Children in the remote GPs

<table>
<thead>
<tr>
<th>Non School Going</th>
<th>Cherla Block, Khamam District</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block Total I</td>
<td>1645</td>
<td>1127</td>
<td>288</td>
<td>227</td>
<td>1418</td>
<td></td>
</tr>
<tr>
<td>Devarpalli</td>
<td>110</td>
<td>108</td>
<td>12</td>
<td>10</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Kurnapalli</td>
<td>72</td>
<td>59</td>
<td>13</td>
<td>23</td>
<td>49</td>
<td></td>
</tr>
<tr>
<td>Pediddamisileru</td>
<td>332</td>
<td>207</td>
<td>58</td>
<td>30</td>
<td>302</td>
<td></td>
</tr>
<tr>
<td>Pusuguppa</td>
<td>139</td>
<td>77</td>
<td>29</td>
<td>15</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>37</td>
<td>28</td>
<td>16</td>
<td>9</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td></td>
<td>690</td>
<td>479</td>
<td>128</td>
<td>87</td>
<td>603</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non School Going</th>
<th>Sukma Block, Sukma District</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block Total I</td>
<td>2987</td>
<td>2287</td>
<td>700</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gadiraas</td>
<td>195</td>
<td>199</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gondpalli</td>
<td>214</td>
<td>177</td>
<td>37</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chingawaram</td>
<td>155</td>
<td>109</td>
<td>46</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pogabaji</td>
<td>146</td>
<td>76</td>
<td>70</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Korra</td>
<td>177</td>
<td>142</td>
<td>35</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>887</td>
<td>703</td>
<td>184</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non School Going</th>
<th>Dhanora Block, Gadchiroli District</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block Total I</td>
<td>605</td>
<td>434</td>
<td>307</td>
<td>298</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawargaon</td>
<td>47</td>
<td>41</td>
<td>24</td>
<td>23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kulbhatti</td>
<td>31</td>
<td>25</td>
<td>14</td>
<td>17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murumgaon</td>
<td>33</td>
<td>19</td>
<td>19</td>
<td>14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pundhari</td>
<td>40</td>
<td>38</td>
<td>20</td>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawanga</td>
<td>17</td>
<td>12</td>
<td>12</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>168</td>
<td>135</td>
<td>89</td>
<td>79</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non School Going</th>
<th>Sidli Block, Chirang Block</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block Total I</td>
<td>3978</td>
<td>2881</td>
<td>1641</td>
<td>2337</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dadgiri</td>
<td>458</td>
<td>NA</td>
<td>NA</td>
<td>317</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deogiri</td>
<td>292</td>
<td>265</td>
<td>143</td>
<td>131</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shantipur</td>
<td>415</td>
<td>437</td>
<td>265</td>
<td>227</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ougury</td>
<td>29</td>
<td>76</td>
<td>55</td>
<td>39</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patalbari</td>
<td>218</td>
<td>198</td>
<td>122</td>
<td>120</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1412</td>
<td>976</td>
<td>578</td>
<td>834</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non School Going</th>
<th>Kuchugaon Block, Kokrajahar</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block total</td>
<td>3336</td>
<td>2657</td>
<td>2158</td>
<td>1914</td>
<td>1422</td>
<td></td>
</tr>
<tr>
<td>Mojati gaon</td>
<td>93</td>
<td>79</td>
<td>85</td>
<td>70</td>
<td>23</td>
<td></td>
</tr>
<tr>
<td>Burachara</td>
<td>98</td>
<td>84</td>
<td>77</td>
<td>21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nandipur</td>
<td>151</td>
<td>140</td>
<td>121</td>
<td>100</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>Howriapet</td>
<td>127</td>
<td>87</td>
<td>106</td>
<td>86</td>
<td>41</td>
<td></td>
</tr>
<tr>
<td>Balagang</td>
<td>141</td>
<td>138</td>
<td>NA</td>
<td>NA</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>610</td>
<td>525</td>
<td>396</td>
<td>333</td>
<td>139</td>
<td></td>
</tr>
</tbody>
</table>
Bandhu penetration in Kuchugaon and Sidli Block respectively while there is 4.5 and 13.46 times higher Bal Bandhu penetration in the remote GPs.

The lack of rural road connectivity is directly related to the Government's ability to intervene in remote areas. Although, there is no data available on the extent of government penetration in Sukma but there is a developing health and education emergency in the Block (Table ..) It has a direct impact on the community. For example, there. In Tigara No.2 VCDC Hathigarh, a survey was carried of 37 houses by the Bal Bandhus. Of the 73 children surveyed 44 did not have any birth certificates. Similarly, For example, a Primary school in vill Naganagar, Borobahda VCDC was constructed in Dec 10 but was not handed over by the contractor till the intervention of the Bal Bandhu and the community in Apr 11. Till then the school was running in a small shed. Similar is the case of the defunct AWC which is barely functional. The rations meant for 2010 were given in 2011 while no rations have been received in 2012. As per the AWC worker, an amount of Rs.15000/- was disbursed to the all the AWC but that too has not been given in 2012 (till July 2012).

**BMS Reach and Education**

**Non School Going Children**

Despite limited infrastructure in the remote GPs, the Bal Bandhus have universally intervened in the GPs. There has been an equitable increase in mainstreaming non school going children back to schools in the entire Block as well as in the remote GPs. Constitution of the SMCs and community engagement are the key indicators to successful intervention.

- **Cherla.** There is an overall decrease of 1418 non-school going children from 1654 to 227 which constitutes an overall decrease of 86%. The remote GPs too have shown a similar 87% decrease in the non-school going children in the remote GPs from 690 to 87. Issuing pamphlets to key persons engaging children in child labour intensive work, mainstreaming of tribal children from the IDP settlements and the KGBV, GP Pedamisseleru, Cherla Block initiative has helped extensive reach out in remote areas.
• **Sukma.** Data is not available of the two intervening periods of January 2011-June 2011(I) and July-December 2012(IV). However, an examination of the balance two periods indicates a similar trend. There is an overall decrease of 28%. Similarly, the remote areas have shown a 21% decrease in non-school going children from 887 to 703.

• **Dhanora.** The Block has been able to mainstream 49% non school going children in the Block as against 47% in the remote GPs. The overall reduction in the non-school going children in the Block has reduced from 605 to 298 while in the remote GPs has reduced from 298 to 79.

• **Chirang.** Intervention the remote VCDC have shown a decrease of 14% (976 to 834) while the overall Block average shows 57% (2881 to 1220) of children have been mainstreamed. This is directly related to the availability of school infrastructure and road connectivity.

• **Kuchugaon.** Remote GPs have shown better intervention to mainstream children as against the Block average. There is 77% (610 to 139) decrease in non-school going children in the remote GPs as against an overall decrease of 57% (3336 to 1422) in the Block.

**BMS Reach and Removal of Child Labour**

Examination of data with respect of the removal of children from child labour practices in the Block vis.. a vis. the remote GPs indicates a universal intervention pattern. Despite the majority of the community being illiterate and/or engaged in the labour intensive work. Community engagement has helped the Bal Bandhus intervention.

• **Cherla.** A total of 431 (233 boys and 198 girls) children have been removed from child labour practices. Of which 174 (40% of 431) children have been removed from the remote GPs. In term of gender parity, the remote GPs have a Gp of .79 as against the overall gender parity of .84.
• Sukma. 982 boys and 1300 girls have been removed. This constitutes a total of 2282 with an encouraging gender parity of 1.3 of the total 2232 children. 703 (31%) children have been removed from the remote GPs with the gender parities of 1.3.

• Dhanora. A reduced number of 93 children (50 boys and 43 girls) have been removed. The low figure is principally attributed to the cultural practices of encouraging children to attend schools and marry after adulthood. However, an equitable no of 33 children have been removed from the remote GPs, where the overall GP of the Block is .86, the remote GPs have a GPI of .94.

• Chirang. 1818 (962 boys and 856 girls) children have been mainstreamed from the child labour with a GP of .89. 29% (520 of 1818) of the children are from the remote GPs. The GPI of the both are same.

• Kuchugaon. A total of 2374 children have been removed. This contains 1431 boys and 943 girls with a GPI of .65. Less number of children has been removed from the remote GPs, only 455 (19% of 2374) have been
removed with an improved GPI of .83.

- With an exception of Kachugaon an equitable percentage of children have been removed from the remote GPs. Conversely, more girls are employed in the remote GPs as against the GPs closer to the Block/ District HQs.

Innovative advocacy is the key to this initiative. Distribution of leaflets (Cherla), mass rallies (Sukma) are some of the measures instituted by the BMS to mainstream children. Similar such good practices through governmental action include child labour drive with the labour inspector, the BMS and the community on 12 June 12 in Kuchugaon village market in VCDC Kuchugaon. Children between the ages from 9-14 years were found to be working in the shops. One such shop had 5 children and a total of 23 children were removed from child labour and a fine of Rs. 20,000/- was levied on the shopkeepers.

**OTHER IMPORTANT FINDINGS**

**Institutionalization versus seamless reintegration through C&S**

Mainstreaming children is an institutional process before the child is integrated back into society or re united with his/her family. Reintegration in conflict settings principally rely on the Disarmament, Demobilization and Reintegration Model (DDR) emphasizing on institutionalizing the child before reintegration. Similarly, the normal juvenile justice mechanism first categories the children as those in need of care and protection or in conflict with the law before institutionalizing the
child through the CWC or the JJB. In both situations, a child enters into institutionalization process.

The C&S model through the BMS creates a seamless interface between the child and the family/community without formally putting the children into the State run systems. The C&S model is particularly relevant in unrest settings due to the inherent risk of the coming in contact with the Police/armed forces and thereby manifestly increasing the chances of ill-treatment. If apprehended and remotely suspected to be associated with the armed groups, their apprehension is a national security rhetoric where a child perpetrator is allegedly waging war against the state.832

The C&S has reduced the risks for both categories of children through strong community mobilization and increasing rights engagement within the community. C&S is the collective guardian of the child and parents are recognized as the duty bearers to ensure their child’s well-being (rescuing children from child labour in Sukma).

**Petitioning Child Rights as a Process towards a Strong C&S Engagement**

Raising awareness and petitioning to the District officials is a strong capacity building initiative initiated by the programme. It has helped community participation in the decision making process, raising local issues and planning community governance. Equally, it has generated response from the State officials, encouraged convergence of different departments and initiated a process of rights advocacy and strong capacity building.

**Generation of Primary Data**

The programme has been able to generate important primary data to enable policy and intervention capacities for the administration with particular reference to education, health and child labour.

**Strengthened Government Reach of Flagship Programmes in Remote Areas**

All key interventions emphasize three important components in the process to development: education, health and infrastructure development. the BMS has

---

832 Ibid.
effectively dovetailed all the three issues of development and generated capacity for effective intervention and outreach:

- Generate capacity and reach for the flagship programmes through strong C&S engagement.
- Penetrate in remote areas marred with huge infrastructure deficit.
- Available priority data can help prioritize intervention of Flagship programmes in remote and unaddressed GPs/VCDs/villages.
- Primary base line data can also help in direct intervention in remote GPs/villages.
- Outreach to ensure access to entitlements in remote and inaccessible areas.

**Education Vigil**

The BMS has been effective to address interrelated issues affecting education. First, prevented schools from taking money from children at the behest of organizing festivals, sponsoring events in schools and even repair and maintenance of schools. Second, limitedly prevented children re-entering into child labour practices.

**Health-Education Interface**

Monitoring attendance is not the only responsibility of teachers. It extends to the general wellbeing and health of each child too. Long absence of a student from school can indicate ill health or a child dropping out of school for labour or other related issues. Monitoring basic health issues of the child is an equally shared responsibility of the teachers.

A boy was absent from school since the past four days since he was suffering from typhoid. Sodi Hunga s/o Sona, Cl VI, GP Korra Durvaraas was studying in Middle School, Durvaraas when he became absent from school on 18 February 12. He was ailing from typhoid and malaria since he last one month. The child was identified by the Bal Bandhu on 23 February 2012 when his parent were spoken that he needs to be shifted to the Hospital the next day. Unfortunately he did not survive. When the teacher was contacted by the Bal Bandhu, the school was not aware about
his health despite the face he was intermittently absent from school and physically too he was looking very unwell.

School going children are being made to work in schools which can only be stopped through community vigil and engagement with the SMCC. These include collection of firewood, preparation of MDM by the girls, etc.

**Convergence**

Convergence within Departments of the Block/District along with active community needs to be formalized. These include District Collectors, SDM and SPs, officers from Department of Rural Development, Education, SSA, Health, Water, and Sanitation, Women and Child Development Social Welfare and Panchayat Raj, Child Welfare, community members and locally committees and Bal Bandhus. The frequency of meetings at each level too needs to be formalized. These include meetings at the GP, Block, District and State level.

**Relocation of Schools**

This is one of the primary concerns which is adversely affecting school going children. There is a practice being followed by the State in certain instances of relocating schools designed to be constructed in remote GP on the road or near a communication link, near the Block/District Headquarters.

**Monitoring Attendance.**

No formal monitoring of school attendance has been carried out by the Bal Bandhus. The issue is critical since the average attendance is more important than mere enrolment. There in an increasing practice amongst within Government establishments to reflect high school going children data in the reports as against non-school going/ drop out children. The process benefits the administration in consistently maintaining their commitment towards the implementation of the RTE and increasing literacy levels. As a result of which children en-mass are registered in the school and the schools continue to maintain more than 90% attendance in schools. The system equally helps the school administration to demand mid-day meals as per the registered strength of the school by showing more than 90% attendance. The
process however undermines the concerns absenteeism and drop outs because in doing so the school will not be able to demand the scales of mid-day meals.

During the author’s visit to the Mandal Parishad Upper Primary school, GP R Kothakudam, vill Danvipeta, the headmaster attendance data reflected consistent 90% school attendance with maximum enrolment of children of the village in the school. As per the school records 2010-11 Cl X enrolment and retention figures were 149 and 141 while for class Cl XI and XII the enrolment and retention figures were 133 and 129.

The 12 children were referred to as continued absentees and not as drop outs. By qualifying these children as continued absentees, the school maintained that there were no dropouts and the village had only two non-school going children. However, an independent house to house survey conducted by the Bal Bandhus showed a different data. The vill with an approx. population of 720 school going children had approx. 94 out of school children. Most of these children are emp in agriculture, cattle grazing bonded labour and domestic wk.

The Bal Bandhus took the initial lead of monitoring the attendance of these children to school on a daily basis. Each day if a child was absent, the BB went to the house of the child and encouraged the parents of the child to send the child to school. After initial hesitation, the parents began to themselves ensure the child’s attendance and slowly the SMC and the community took the lead role in ensuring the attendance of these schools in children. Equally, when the BB carried out random attendance survey of the school, the average strength of the school does not exceed more than 50% at any point in time. Education as Emergency Relief and Rehabilitation.  

The right to education is non-negotiable and its realization if paramount in civil unrest, State of emergency or armed conflict. Equally de linking education and unrest is equally important. First, it provides space to the community to expand its capacities in such situations. Second, it provides for accountable governance towards the rights of children. Third, education as an empowering right is the best available tool for social reintegration of a child recruited by the armed groups.

---

833 NCPCR 2012, Education as Emergency Relief,3.4 at 3
Children in areas of unrest are often the first generation learners they are late starters and so are older for their class. Therefore protecting their right to education under the Right of Children to Free and Compulsory Education Act, 2009 (RTE) that covers children up to 14 years serves a limited purpose. They have to be given all encouragement until they are 18 years of age and reach secondary school.\textsuperscript{834} State needs to identify the right to education and health as an emergency in such situations of unrest. Some of the measures would include:-

- Allocation of additional funds for education and health.
- Improve infra-structure access.
- Readmission of older children to secondary School.\textsuperscript{835}
- Provision of Scholarships to children belonging to SC/ST or OBC and those living below poverty line.
- Extend RTE to children up to the age of 18 years as a special effort under IAP.

Strong indicators towards education al mainstreaming amongst children between 15-18 years calls for a specially designed programmes for this age group. This can be initiated under the IAP. The Integrated Action Plan (IAP) initiated by the Planning Commission is focusing on development in the 78 Districts adversely affected by civil unrest. However, the IAP has a limitation on repairing existing structures for educational services such as hostels, provision of scholarships, temporary hostels etc. Education and health need to be dovetailed intrinsically within the scope of the IAP funding. While flagship programmes like the ICDS, SSA, etc are also running in these affected areas but there is a requirement of strengthening the educational base through affirmative action. It can be done by making provisions for establishing institutes of learning, skill development, rehabilitation centres.

\textsuperscript{834} NCPCR 2012, Education as Emergency Relief, 3.4 at 4.
\textsuperscript{835} Ibid at 5.
BMS AND COMMUNITY
COMMUNITY AND STATE INTERFACE
OUTREACH THROUGH INNOVATIVE ADVOCACY

Children Day celebrations in Sukma

Children Day celebrations in Sukma

'Dhar Pathi Chal Shala', Dhanora
COMMUNITY ENGAGEMENT & REMOVAL FROM CHILD LABOUR

Contractor stopped working in Murtonda, Sukma as children were removed
SCHOOL CHILDREN EMPLOYED

CHILDREN RESCUED FROM CHILD LABOUR: ACTIVE COMMUNITY ENGAGEMENT
POWER DUALITY IN REMOTE AREAS

Writings on Ghadchiroli- Dhannora on night 31 May-01 June in protest of the PM visit which was photographed by the researcher on 25 June 2012.

Abandoned PDS enroute from Sukma to Gondpalli

RELOCATION OF DEVELOPMENT

AWC of village Sakrupara, Chikpal (5 Km from the State highway Sukma- Kanker re located to Kerlapal (main road). AWC now lies abandoned.

Destroyed Ashram School in Village Gondpalli, GP Gondpalli, Sukma

AWC in GP-Pedimseleru is stacked with rations of the other remote AWCs ( Gorkunda(12Km) Barinapall (11Km) Tippapuri (10 Km), Battiguddan (12 km) and Tralapuram (8 Km).
FIELD WORK BY THE RESEARCHER

Community Meeting GP R Kothakudam, village Danvipeta, District Khamam

Community meeting Village Londipara, Sukma

Community meeting Village Gondpalli, Sukma

Primary School for the IDP at GP R Kothakudam

Meetings with SMC GP R Kothakudam
GP Gondpalli is approx. 35 Km from Sukma. It consists of five main villages: Gondpalli, Sopiraas (7Km from Gondpalli), Matimpara (5 km from Gondpalli), Mosalpara (5 Km) and Patel Para (co located). There is a 20 Km black top road from Sukma to Gandiraa and thereafter a gravel/jungle track of 15 Km to Gondpalli via Kondre. The nearest Police Station is at Gaadiras. The GP hit the headlines in 2008 when the Ashram school at Gondpalli was destroyed by the Maoists as an alleged protest against the government decision to camp the CRPF in the Ashram School at Gondpalli. Before the destruction, there were more than 200 children studying in the Kanya Ashram and Balak Ashram. Both of them were destroyed by the Maoists in 2008.

The Administration immediately relocated the Gonpalli Ashram school to Gaadiras on the black top road and dramatically reduced the strength of children to with 31 children (18 boys and 13 girls) between the age of 6-14 years while six children (four boys and two girls) between the age of 15-18 years. The balance children dropped out of school. In a total population of approximately 199 children there are 158 non-school going children while barely 41 children going to school. These include 100 children (69 between 6-14 years and 31 children between 15-18 years) are going to school and an almost equal number of 99 children non going children (89 between 6-14 years and 10).

The AWCs in the GP are severely affected by the poor rural road connectivity. With the exception of a small AWC in Gondpalli, there are no buildings in any of the other villages. The AWC at Gondpalli too does not have any other mandated facility like water, boundary wall, toilets etc. The health and hygiene conditions are extremely poor. No updated records exists in terms of pre and ante natal care, malnourished and severely malnourished children. For example a case of severe nutrition of a 13 years old girl (in picture) from Gondpalli finds no mention in the AWC record. The contractors dump the rations of all the AWC of the GP in Matimpara thus leaving the AWC workers/villagers to collect the rations on their own. These included AWCs at Gondpalli (4 Km), Sopiraas (11 Km), Patelpara (4 Km) and Mosalpara. The dumping by the contractor in Matimpara too has been irregular with only four times in 2012 (till Jun12).

The emergency ambulance services (108) never came till the BB themselves began to accompany them. Villagers in the GP carry the patients in improvised stretchers and travel distances to reach to the nearest dispensary/PHC. The picture shown in the box is as late as Jul 11, 2011. Due to poor connectivity and permeation of rural health norms there is heavy reliance on delivery through midwives as against institutional delivery. This in turn has affected birth registration, vaccination and ante natal treatment.

This isolated GP is a classic example of negligible government penetration into these remote areas, poor PDS with little/no access to health and education. The author’s visit was only possible once permission was accorded by the Maoists to visit the area and a link up was organized 20 Km short of the GP. It was later confirmed that there was a substantive presence of the Maoists during the public meeting that was organized the by the BMS at Gondpalli. The power duality is clearly visible. The GP has a strong presence of the Maoist SangamSadsya which strongly opposed children studying beyond Class VIII and encourages them to join their cadre.
Vacation of Schools by the Security Forces

Seven Schools have been vacated by the security Forces since the intervention of the NCPCR in 2008. This is another measure to ensure the right to education is to protect educational institutions from occupation by security forces and police even if they are being occupied on a temporary basis. Three schools in Nangalbanga VCDC of Sidli block of Chirang district have been vacated from occupation of security forces with NCPCR taking up the matter with the State government and the Ministry of Home Affairs, Government of India. In this instance, Bal Bandhus mobilized communities to restore the confidence of children and enrolled them back to school.

The Hon’ble Supreme Court of India has directed the State Governments to vacate the educational institutions from occupation of security forces [in WP (Crl.) No.102/2007]. This must be complied with strictly and in an expeditious manner. Under no circumstances, educational institutions should be used for housing security forces or bear the signs of threat. Schools should be seen as zones for protecting child rights and not as potential locations for any use that can attract their very destruction.

Dovetailing Community Engagement with Other Government Projects

The Scheme has extended its reach as a facilitator for other government Projects. Although, this process has already begun due to extensive grass root reach of the Bal Bandhus but its further expansion is in the overall interest of the child. State/District administration must engage and involve with the Bal Bandhus and capitalize upon the community strength. For example, certain remote areas in Cherla Block were not covered for immunization and birth registration for more than six months. The Bal Bandhus initiated the drive by accompanying the officials to these affected areas and completed the process. Similarly, Phulbagdi, a remote Gram Panchayat had never been visited by any of the Block level officers. The Bal Bandhus convinced the officials to walk more than five kilometres inside the jungle and helped the community by organizing the interaction.

836 NCPCR 2012, Education as Emergency Relief,3.4 at 3
CHAPTER IX

RECOMMENDATIONS

Children’s vulnerabilities in these situations stem from an array of socio-economic and political disorders which has denied them the inherent right to live with basic dignity. Existing security situation has created development voids, increased governance gaps and limited the reach of child centric institutions. The findings of the study establish the ability of community based interventions to de-link with the law and order situation emanating from the civil unrest and exclusively focus on the rights of the children. Such interventions also help strengthen government capacity towards access to health and education as a key to the reconciliation process in areas of civil unrest through Community –State interface (C&S) by dovetailing the State's flagship programmes affecting children through community based interventions. It has also helped create a process of seamless transition for all categories of children (in need of care and protection and those in conflict with the law) without going through the traditional institutional process.

INTERNATIONAL LAW AND POLICY

De link the agenda of child protection with the existence of an internal armed conflict within the meaning of the Geneva Conventions.

International community should be selective in referring to localized situations as internal armed conflicts since localized situations in third world democracies pose different set of challenges as against international interventions in States which have witnessed a total collapse of the rule of law.

Direct reference to the existence of an internal armed conflict has led to many third world States not ratifying the relevant international Conventions referring to internal armed conflicts which risk a potential accountability and international intervention in the affected State like the ICC Statute or the Additional Protocols I or II to the Geneva Conventions (Afghanistan, Bangladesh, Bhutan, India, Indonesia, Iran, Iraq, Malaysia, Myanmar, Pakistan, Nepal, or Sri Lanka).

The international community has established high standards of accountability towards the protection of children by permitting international intervention when peace and security are at risk, under Chapter VII of the U.N. Charter, and the ability to declare
child recruitment a war crime under the Rome Statute of the ICC. In response, States are reluctant to recognize the problem.

Revisit the definition of a 'Child Associated with an Armed Force or Armed Group' in reference to civil unrest movements. The present definition not only refers to children directly taking part in hostilities but also those involved as cooks, porters, messengers, spies or for sexual purpose. The all inclusive definition of child participant in the Paris Principles in principally aimed to include most children with the child protection mandate during the reconstruction/post conflict stage particularly in failed state situations. While the scope of international intervention is limited by the customarily principle of State sovereignty but if the definition if applied mechanically it obscures the very intent of child rights intervention as it risks redefining the nature of violence and threatens the affected State's sovereignty.

Encourage states to address the issue of children associate with armed groups within their respective domestic laws and well-established principles of international law on the administration of juvenile justice.

THE AFFECTED STATE (INDIA)

India as a State Party

Formally recognize child victimization as a consequence of the prevailing civil unrest and launch specific child centric rehabilitation and reintegration measures without changing the legal status of the civil unrest.

De link child rights with the security situation in the civil unrest areas.

Recognize children as the victims of the civil unrest.

Make it binding up law enforcement officials to adhere to the 'Protocol for Police and Armed Forces in Contact with Children in Civil Unrest Areas' (http://ncpcr.gov.in/view_file.php?fid=464).

Formally launch the Bal Bandhu Scheme for the Protection of Child Rights in Areas of Civil Unrest.

Create methods of community based interventions without any reference to the civil unrest.

Increase domestic capacity to meaningfully address the issue of child soldiers while respecting each state’s unique geographical, linguistic, and cultural diversity.
Raising the minimum age of criminal responsibility.
Recruitment of children to be treated as a criminal offence with no amnesty for commanders who recruit them.
Define the State's minimum core obligation towards the protection of child rights with respect to the right to health and education.
Training of judicial professionals, including in the area of rehabilitation and reintegration.

NATIONAL LAW MAKING AND REFORMS

National Policy Guidelines

The recent Protocol for Police and Armed Forces in Contact with Children In Areas of Civil Unrest and NCPCR document on the protection of Children's Rights in Areas of Civil Unrest are some of the key documents issued by the State on the protection and victimization of children. There is now a need for framing statutory rules and regulations affixing responsibility of law enforcement officials towards children. A child centered approach based on restorative justice, diversion needs to be implemented which include guidelines for all actors in the juvenile justice process. The policy should include:

Treatment of children from the point of contact till the production of the child in front of the JJB.

Model rules for the law enforcement agencies including accountability guidelines (age determination, prohibition of ill treatment, no interrogation, no detention in Police station, explicit restrictions on the use of force, onus to inform the parents/guardians, etc). These guidelines should require the Police to attest compliance of these rules at the time of producing the child before the JJB.

Guidelines for compulsory information and explanation to be given to the child on his/her rights, and on procedures and rules at each stage of the process.

Alternates to institutional care.

Distinct categorization of a child in conflict with the law from those in need of care protection.
Mandatory birth registration.

Rehabilitation and reintegration through financial empowerment.

Powers to divert and examine traditional dispute resolution mechanisms to include panchayats, school teachers, peer educators etc.  

Good practices guidelines and partnership building initiatives for law enforcement agencies, judiciary, NGOs, village panchayats, teachers and care givers.

Functioning guidelines to JJB to reduce formality in procedures.

Coordinated reform strategies to include organization set up, functioning of JJB, juvenile police unit, financial capacity building initiatives closely integrated to rehabilitation and reintegration, monitoring and evaluation post release in such a manner that they are housed in once centre.

Capacity building initiatives to include advocacy, community sensitiveness and peer education through dialogue with media and civil society.

Guidelines for improvement in living conditions and maintenance of minimum standards of healthy living for all round development.

**Training and Accountability of Key Personnel.**

Children are most vulnerable to armed forces/Police apathy. Despite these legal protections and a strengthening consensus of states around the world, children continue to remain as the principal victims of war/ conflict. Be it as a consequence of their vulnerability as victims or as alleged perpetrators as part of armed groups. An estimated 2 million children have died and 6 million have been wounded as a direct result of armed conflict\(^838\). At any one time over 300,000 child soldiers, some as young as eight, are exploited in armed conflicts in over 30 countries around the world\(^839\). The Graca Machel Report on the Impact of Armed Conflict and Children also estimated that civilians made up for 90% of the war causalities and the largest portion of these victims was women and children. A century earlier this figure had been just 5%. \(^840\) Ironically, even while instituting accountability mechanisms in post


\(^839\) Ibid.

\(^840\) Rachel Harvey, Children and Armed Conflict, A guide to International Humanitarian and Human Rights Law, Children and Armed
conflict societies, atrocities against children and their recruitment have merely formed part of the crimes committed against civilian populations in general.

Training of key personnel involved in the juvenile justice process is the key for effective implementation. Police/armed forces, prosecutors, legal and other representatives of the child, judges, probation officers, social workers, peer educators and parent/guardians are important stakeholders towards an effective juvenile justice mechanism.

Accountability of the law enforcement agencies at the point of contact till the juvenile is produced in from of the JJB is most critical. Model rules towards accountability must enumerate the under mentioned issues:-

Caution at the point of arrest or apprehension with the onus to ensure subsequent detention is not arbitrary or illegal.
Age determination as a burden of proof on the Police/armed forces to establish that the individual is above the age of 21 years.
Direct obligation to inform the parents/guardians as soon as possible but not more than six hours.
Children not to be detained in police station under any circumstances. There will be a local elder/NGO representative or any responsible citizen like village panchayat, teachers, etc, during the time period when the juvenile is apprehended and is sent to an observation home.
Under no circumstances will the juvenile be ill treated, the onus of which is not limited to the juvenile police officer but to all personnel in the juvenile justice process.
The Police may dispose off the case against the juvenile without resort to judicial proceedings.
No interrogation, extraction of information, confessions/statements to be taken by the Police.

No illegal detention and arbitrary arrest of the child.

Special Legislations
Reinforce the supremacy of the Juvenile Justice (Care and Protection) Act 2000 viz. any special legislations in place in the country.
Recognize children as a special category as against extending protection within a category of 'women and children' or 'vulnerable groups.
Age of these victims should be treated as an aggravating factor and to be taken into account in sentencing.
Re-examine the AFSPA in the light of the State's international treaty obligations.

**Juvenile Justice (Care and Protection) Act 2000**


Deprivation of liberty as a measure of last resort, for the shortest possible time, and that appropriate conditions are provided.

Alternative measures to deprivation of liberty.

Children are separated from adults in all places of detention and have legal access to independent and effective complaint mechanism.

Review and where necessary, amend all judicial, legal and protection procedures to ensure that children under 18 years who have broken the law are fully guaranteed the rights of fair trial and to legal assistance.

No death penalty or life imprisonment without possibility of release.

**Examine the Compatibility and Contradictions between the UN CRC and the JJ(C&P) Act 2000 and incorporate provisions which universally recognized:**

Article 38 of the UN-CRC specifically refers to the rights for the Protection of Children affected by armed Conflict. The Convention Article obligates State parties to ‘respect and ensure’ respect for the rules of international humanitarian law applicable to children in armed conflict and to take all feasible measures to ensure protection and care of children. While the convention makes no reference children to child participants in conflict alleged to have, or accused of or recognized as having committed grave acts but imposes limits upon state towards ill treatment, recognize the child’s inherent right to life, unlawful/ arbitrary arrest or deprivation of liberty.
and the right to prompt access. The Convention also limits the age of direct participation in hostilities as above the age of fifteen.

The JJ(C&P) Act 2000, on the other side has no specific section dealing with children affected by armed conflict or on the question of their accountability. The only mention of children affected by armed conflict is in the preambular paragraph of the JJ(C&P) Act 2000 under the category of Children in need of Care and Protection. No substantive guarantees mentioned in the Act in terms Article 37 to 40 of the UN-CRC are in the JJ(C&P) Act 2000. The risk of coercion, ill treatment and the absence of substantive right and corresponding duties upon the law enforcement agencies manifestly risks the chances of abuse.

The UN-CRC obligates upon States that the deprivation of liberty will not be arbitrary, would be in conformity with the law and used as a matter of last resort for the shortest period of time. The child shall be treated with humanity and respect for the inherent dignity of the human person.

As per the JJ(C&P) Act 2000, a juvenile on apprehension shall be placed under the charge of the special juvenile police unit or the designated police officer who shall immediately report the matter to a member of the Juvenile Justice Board. The handling of the juvenile by the juvenile police unit in effect grants the custodian rights to the Police which manifestly dilutes the notion of the right not to be subjected to unlawful arrest and arbitrary deprivation of liberty. Section 11 of the JJ(C&P) Act, any person in whose charge a juvenile has been placed has the control over the juvenile ‘as if he were his parents.’ When such custodian rights are seen in the light of the section 13 of the JJ(C&P) Act, such a provision also denies a child the right to his family. The Police station or the juvenile police unit is obliged, as soon as may be after the arrest inform the parent or the guardian ‘if he can be found’. Without referring to the possibilities of arbitrary arrest or deprivation of liberty, once the children have been placed under custody, he is produced before the Juvenile Justice Board and during the pendency period he is kept in the Special Home.

Under Article 37(d) of the UN-CRC, the child has the right to prompt legal access and other appropriate assistance and, the right to challenge the legality of the deprivation of his or her liberty before the court or the other competent, independent and impartial authority. No such guarantees exist in the JJ(C&P) Act 2000, although the right to a legal counsel as to be represented in the court have been granted to the by the courts.
The right of the child not to be subjected to torture or other cruel, inhuman or degrading treatment or punished has been granted through Article 37(a) of the UN-CRC. There is no explicit guarantee in the JJ(C&P) Act 2000. Section 23 of the JJ(C&P) Act 2000 limits accountability upon the custodian having actual charge or control over the juvenile prohibiting any form of cruelty against the minor with punishment of a max of six months imprisonment, or fine or both. The absolute prohibition and sweeping state accountability prohibiting ill treatment, cruel inhuman degrading treatment is not there in the Act.

Administration of juvenile justice enshrined under Article 40 of the UN-CRC obligates upon State parties to ensure certain minimum guarantees like the presumption of innocence until proved guilty, to be promptly informed of the charges against him or her, the right to legal assistance for the preparation of defence, and the right not to be compelled to give testimony or confess guilt. It also obligates upon States to, wherever appropriate and desirable deal with children without resort to judicial proceedings and promote his/her effective rehabilitation into society through variety of dispositions. The JJ(C&P) Act 2000, on the other hand, addresses this issue in Chapter II while dealing with ‘Children in Conflict with the Law’. The right to be presumed as innocent is guaranteed in the JJ(C&P) Act 2000. The recourse to non judicial proceedings is also enshrined in the JJ (C&P) Act 2000, but there are no guarantees for the child in the preparation of his defence in front of the Juvenile Justice Board. However, once it is proved that the child has committed an offence, the Act gives out a variety of options. These include that a child can go home after advice or admonition with counseling to parent/ guardian, kept under protective custody if above the age of sixteen years, sent to special home, can be made to do community service, or group counseling.

Examine wide disposition options within the Act to include children as part of armed groups or those abused as a consequence of the civil unrest.

Truth and Reconciliation should be an integral part of the child’s integration process and this should be controlled under the JJ Act for children in need of care and protection.
Ministry of Home Affairs (POLICE and other CPMF).

Make it binding up law enforcement officials to adhere to the 'Protocol for Police and Armed Forces in Contact with Children in Civil Unrest Areas'.

Avoid security centric intervention since it risks alienation of communities and leads to the encroachment of development space.

No relocation of schools and AGWs.

Avoid deployment of CPMF along line of communication since it risk leaving large tracts of remote areas unaddressed.

MHA/Ministry of Social Justice and Women Empowerment New Delhi.

Create strong Community- State (C&S) interface to reach out to children in areas of civil unrest.

Create a compliance tool for the State till the Block level through such community based intervention.

C&S interface has tremendous capacity to impact the lives of children. If formally recognized, the C&S interface should be integrated at the national level and State sponsored programmes should be dovetailed for implementation through this interface.

A special rehabilitation package in terms of employment, soft loans, scholarships, teaching of life skills, etc for youth should be launched.

The respective intervention Blocks are barely able to ensure the most basic requirement of regular attendance. Respective states must address the challenges more holistically in terms of infrastructure, accessibility, teacher-student ratio, delivery of services to include mid-day meal, school books, uniform etc in order to increase school attendance and enrolment.

Intervene into health and education as a state of emergency.

State Child Rights Commission should monitor the progress of the Bal Bandhu Scheme.

Modalities of expansion of the Bal Bandhu Scheme should be examined.

Formalize the mandate of the Bal Bandhu Scheme after examining the outcomes of the pilot project.

**STATE GOVERNMENTS**

Inter departmental collaboration headed by the Chief Secretary should be undertaken to map children, requirement of essential services like AWCs, Schools, Residential Schools, orphanages, institutions under the JJ Act for children in need of care and protection, Residential Bridge Course Centres must be carried. The committee should give out its recommendations on a roll on plan basis to make up for the deficient services in the State.

Child Rights training should be initiated with particular reference to the RTE in the State from all sectors. Such initiative should encompass both governmental and NGO members including JJ functionaries, teachers, health workers, medical personnel, anganwadi workers, District officials and Panchayat members.

Residential Schools, orphanages, institutions under the JJ Act for children in need of care and protection, Residential Bridge Course Centres should be immediately used to host children who are in distress. The Education Department, the Women and Child Development Department, Social Welfare Department and Tribal Department should form a coordination committee to discuss safety, security and developmental rights of children, especially health and education. Quarterly report of the minutes of the committee should be sent by the respective District Magistrates to the NCPCR, New Delhi.

More residential schools, KGBVs, Hostels, Ashramshalas for boys and girls need to be planned in unrest areas as a special initiative to prevent children from migrating, being trafficked or being recruited.

Special employment drive should be planned for youths in unrest areas.
Grievance and redress committee must be instituted at the District level headed by the District Magistrate to directly address issues relating to children.

Strong monitoring and assessment of standards of care in the AWCs and schools must be ensured through mechanisms of transparency and interface with professional/specialized agencies.

Development disparities are disproportionately affecting children residing in remote areas. Special efforts must be launched by the respective State Governments to ensure rural reach through good road communications and provision of essential services in remote areas.

Examine education as Part of IAP under Planning Commission for children between the age of 15-18 Years

No allotment of schools to the security forces.

**DISTRICT AUTHORITIES**

The receiving State should ensure child rights to health and education are extended to children displaced by the civil unrest.

Do not permit child labour and the same should be unequivocally mentioned in Government contracts.

Undertake measures to ensure attendance of AWC workers, school teachers, PHC employees and other such health and educational institutions.

Governance accountability towards the functioning of the schools particularly in terms of provision of nutritional and regular mid-day meals, student and teacher attendance, student teacher ratio, reduction in the dropout cases and re-integrating of non-school going children.

Practice of relocation of schools, AWCs, etc along the main communication lines away from subscribing population residing in remote areas should not be done. It is not only against the statutory provisions but also negates the prospects of development and alienates the population. District/Block centric clustering should be not be undertaken.
Deliberate efforts must be launched to revive non-functional schools.

Special drive under the District Magistrate must be launched to track out of school children, repatriation of trafficked children must be undertaken.

Records of children in the AWCs are either not available or poorly maintained. The same needs to be completed.

Public delivery in the AWCs and for mid-day meals in schools needs to be strengthened.

Carry out extensive mapping of children with the help of the local community/BMS.

Encourage convergence between the community and the State through the creation of a C&S interface.

Ensure toilets are constructed in all school/AWCs since they are one of the important factors to ensure universal access.

Recognize petitioning by the community as a process to self governance.

Emergent need to strengthen the care for malnourished children and prevent further deterioration by building systemic convergence between health and ICDS staff at all levels.

Mapping of AWCs and sanction Centres irrespective of the population size of scattered hamlets for effective reach of health and related services.

Open schools and support teachers to return to schools.

Provide support to Panchayats for construction of incomplete school buildings.

RBCs are ill-equipped to satisfactorily transfer a majority of the children to ashram schools for effective mainstreaming them into the formal education system on completion of their Bridge courses. It is more beneficial to conduct RBCs in the premises of ashrams to ensure easy tracking of children.
Severe lack of basis needs to cater food, clothing and shelter which is often difficult for the families to provide due to extreme poverty in the tribal areas exacerbated by the vagaries of civil unrest.

Create child protection committees through strong community empowerment and identify interface with the local administration responsible to respond to child rights petitions.

Create schools as ‘Zones of Peace’ through the initiation of talks through neutral third-party agencies to engage all stakeholders including the government, Naxals, Salwa Judum, the community etc to initiate a ceasefire.

Monitor out-of-school children and the progress of those enrolled in formal education. This initiative should be supported by nodal officers at the block, district and state level to monitor, supervise and collate the data generated by the community.

Creation of a district level committee on child protection.

Create convergence not only between health and education but also between the community and the State by including select members of the community in the District level meetings.

Strengthen C&S interface to create a model for an education vigil with an education and health interface.

NGOs

Raise advocacy and awareness, strengthen international standards and norms, and increase monitoring and reporting.

Extensively interact with local communities to extend reach specially to those areas where State penetration is weak.

Dovetail where appropriate, the NGO activity with State sponsored projects.

Formalize means and methods to reintegrate and rehabilitate children who are part of the armed groups.
Create self sustaining community groups in the form of the BMS which can create capacity towards education and health vigil.

Revive capacity of homogenous groups like women, youth, teachers opinion makers, etc to address social practices which otherwise are in conflict with the universally accepted values towards the protection of child rights.

Encourage small group interventions.

COMMUNITIES

Create a demand for child rights within the community.

Create a moral space to act across parties to the civil unrest.

Extensively interact with the Block and District authorities to create a sustainable C&S interface.

Strengthen the process of petitioning to the State as a process to self governance.

Encourage small group interventions.
CHAPTER -X
CONCLUSION

The complexity of violence threatening national security ranges from acts of terror to a full blown internal armed conflict defined within the meaning of Geneva Conventions. Unlike the 1990s which witnessed a total collapse of the rule of law and the international community intervened under Chapter VII of the UN Charter, the present situations are mostly localized and represent problems very different from those in failed states. The scenario is particularly prevalent in third world States where the affected State is witnessing localized but protracted armed violence. The aggrieved communities justify violence against the State as a fight for their legitimate right to national self determination being ethnically/culturally different from the parent State. The protracted nature of armed violence has led to internationalization of such situations with the international community referring to such situations as internal armed conflicts within meaning of the Geneva Conventions.

The affected State formed out of the loose conglomeration diverse ethnic groups is unwilling to accede to the demands of the communities since the idea threatens her sovereignty and risks international accountability. The State has domesticated the nature of violence by enacting stringent special legislations within the constitutional framework arguing that such matter are internal law and order problem or at best a public order issue and falls within the margin of appreciation of the State. However, armed intervention by the affected State through special legislations over a protracted period of time and the de facto moral legitimacy accorded by the aggrieved communities to the armed groups allegedly fighting for self determination poses unique challenges to the State. On the other hand, Kosovo's unilateral independence, Scotland's option to exercise the independence referendum are a few emerging examples which has raised questions on the legitimacy of violence by the aggrieved communities demanding secession from the parent State on grounds of ethnicity, culture and tribal identity in the third world States.

For example, Rwanda, the Democratic Republic of Congo, Côte d'Ivoire, Colombia, Myanmar, Mozambique Angola, Burundi, Somalia, Liberia, Ethiopia, Kenya, Uganda, etc
These situations define the roadmap of future confrontations and children will continue to suffer if the affected State is not willing to intervene and the international community not recognizing the challenges witnessed by the affected State. The Machel Report has established a *de facto* precedent over the years linking children to internal armed conflict within the meaning of the Geneva Convention and has raised threshold of international accountability for the affected State. Community based interventions too are extremely challenging. Towards this end, the Bal Bandhu Scheme has made headway into certain fundamental debates surrounding the protection of children in such unrest situation. The programme has de-linked vulnerability of children with escalating violence or the security situation through strong community mobilization, generated primary data on children to strengthen Government’s flagship programme, provided a seamless transition for children who otherwise would have been categorized as children in conflict with the law or those in need of care and protection and thereafter risk institutionalization. The programme has also strengthened community’s interface with the Government bodies in decisions affecting their lives and have made inroads into remote areas where there is little/no government penetration.

The way forward is to de link the nature of violence with the protection of children and create a common platform of intervention well defined within local customs and socio-economic situations. Conceptually, delinking the two subjects of children and conflict/unrest is extremely important given its national and international manifestations. Nationally, the situation is perceived differently. These movements are interwoven with the history of decolonization, itself a complex internal struggle of accession and secession between newly independent sovereign states and their internal communities. These communities felt threatened by what they viewed as an oppressive, dominant regime occupying their territory, infringing on their ethnic and tribal identity, and hindering their progress toward self-determination. The communities’ collective grievances formed the basis of internal struggles, which in turn became protracted armed confrontations with the newly established dominant states. These state governments, established as a result of external decolonization and the internal choice of the people, do not recognize secession as a viable means for

---

communities to establish legitimate, democratic states.\footnote{State Party Report: India, supra note 4, ¶ 32.} Established states believed democratic legitimization of a government contained both the external component of decolonization and the internal component of citizens’ right to choose their own form of government.\footnote{State Party Report: India, supra note 4, ¶ 32.} The right to secede did not fit within this rubric.\footnote{State Party Report: India, supra note 4, ¶ 32.} The established states regarded the movements as issues either of law and order or public order, and sought to exercise sovereign discretion to eliminate the movements. The international community, on the other hand, saw the secessionist activities as internal armed conflicts.

This international characterization raises the possibility that the conflicts constituted humanitarian crises warranting international intervention.\footnote{William Pfaff, A New Colonialism: Europe Must Go Back into Africa, 74 FOREIGN AFF. 2, 2-6 (1995)(discussing humanitarian intervention by India in Bangladesh as a classical example of unilateral intervention on grounds of necessity of preventing Pakistan from engaging in human rights abuses against Bengalis (West Pakistan then) in south Asia).} The classification of the secessionist movements also affected regulations regarding child protection. After the

\begin{flushright}
\begin{footnotesize}

\textsuperscript{844} See State Party Report: India, supra note 4, ¶ 32.

\textsuperscript{845} See State Party Report: India, supra note 4, ¶ 32.

\textsuperscript{846} See \textit{State Party Report: India, supra note 4, ¶ 32.}

\end{footnotesize}
\end{flushright}
The 1996 publication of the Grac’a Machel Report (Machel Report), which examined child participation in internal armed conflicts in failed states (namely, states lacking any democratic governance or rule of law), the U.N. and various international non-governmental organizations (NGOs) introduced accountability mechanisms to stop the recruitment of children for participation in those armed conflicts. These mechanisms included the option to permit international intervention when peace and security are at risk, under Chapter VII of the U.N. Charter, and the ability to declare child recruitment a war crime under the Rome Statute of the ICC. However, if conflicts stemming from secessionist movements are only regarded as internal struggles to maintain public order, as the established states suggest, then international accountability mechanisms are not available to address child vulnerability. A state’s recognition of either self-determination or armed conflict is extremely risky. Acceptance of an intrastate-armed conflict invokes the application of Common Article 3, signaling that the state is no longer capable of maintaining order and that the armed group has achieved a degree of international legal status akin to that of belligerents. Recognition of self-determination imposes a requirement on states to comply with Article 1 of the Additional Protocol I to the Geneva Convention, which refers to “armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-


850 See Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), art. 3, Dec. 7, 1978, 1125 U.N.T.S. 3 [hereinafter Protocol I]; Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), art. 1(1), Dec. 7, 1978, 1125 U.N.T.S. 609 [hereinafter Protocol II], available at http://www.icrc.org/ihl.nsf/FULL/475?OpenDocument. This Protocol, which develops and supplements the Geneva Conventions Common Article 3 without modifying its existing conditions of application, shall apply to all armed conflicts which are not covered by Article 1 of the Protocol Additional to the Geneva Conventions of Aug. 12, 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol. (Organization and territorial control refers to the issue of belligerency). See also Moir Lindsay, The Law if Internal Conflict (Cambridge University Press 2004).
This uncertainty of labeling localized situations as armed conflicts has led many states facing secessionist movements to refuse to acknowledge the problem or ratify treaties that would label the violence as an armed conflict. The post-1990s era of internal conflict has introduced the challenge of labeling violent secessionist movements as armed conflicts in order to ensure the application of at least minimal humanitarian norms. Although the Geneva Conventions do not provide a definition of “armed conflict,” the International Criminal Tribunal for the former Yugoslavia (ICTY) decision in Prosecutor v. Tadić,\(^8\) the Prosecutor v. Akayesu decision out of the International Criminal Tribunal for Rwanda (ICTR),\(^9\) and the Rome Statute of the International Criminal Court,\(^10\) provide more detailed, comprehensive definitions of “armed conflict,” all recognizing the need to expand the reach of the accountability process under humanitarian law to cover internal conflicts.

The demands can only be met at the cost of sovereignty to which the affected State is unwilling to accede. Notwithstanding the ideological platform of confrontation ranging from national self determination to a mere civil unrest within the law and order mandate of the State, there are burning questions on the future of such societies and their children embroiled in violence for generations. The State has not been able to make substantial developmental inroads because of its security centric bias emphasizing on controlling violence and establishing the writ of the State. The State has pervasively increased the geographical reach of the legislations while maintaining her ability to restore the democratic order.

India is a classic example to understand the situation. The state has been involved in quelling civil unrest in the Northeastern States of Assam, Nagaland, Tripura and Manipur (intermittently since 1958) and Jammu and Kashmir (since 1990). There was also an intermittent period of civil unrest in Punjab since the 1980s spanning over

---

851 Protocol I, supra note 48, art.1(4). The situations referred to in the preceding paragraph include armed conflicts in which communities are fighting against colonial domination, alien occupation, and racist regimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.


854 Rome Statute, supra note 12, art. 8(2)(e).
more than a decade and the most recent problem of Left Wing Extremism. All these regions demand national self determination but the State has unequivocally rejected their demands. In response, the armed forces have been deployed in Jammu and Kashmir and the Northeastern region under the Armed Forces (Special Powers) Act 1991 and 1972 respectively.

India first recognized that the possible impact of the civil unrest situation on children in 1993 noting that the prevailing situations sometimes disrupts normal life and interferes with children’s access to education, health and other basic services often creating fear and psychological problems (UN. CRC/C/93/add.5 2003, Para 1085). The protection was couched within the ‘national disaster relief plan’ and the State but the State has not launched any special programmes for children in these affected areas except those which are ordinarily applicable across the country. The Bal Bandhu Scheme was a pilot project for three years. India has now been mentioned for the first time in the UN Security Council fifth Cross-Cutting Report on Children and Armed Conflict (2011)\textsuperscript{855} in States where children are being used by the armed groups. In response India has referred there is a need to check the tendency of “mandate creep.” Russia has extended support to India maintaining that there is no internal conflict.

The situation risks of a highly centralized core developed around administrative HQ(Block/District/State) or along lines of communication with weak peripheral control and the State in a disconnect with the people. State's claim of controlling the violence is limited to the reporting in these small pockets of State control. The consequential fallout is the reduction of democratic spaces, encroachment of development space by the State, limited/negligible government penetration and the increasing risks of further alienation due to the relocation of development institutions like schools, AWCs, etc.

The limited availability of security forces to effectively dominate the affected areas forces the State to employ its forces in/around key pockets/installations or along lines of communication (Sukma, Cherla, Kuchgoan). The national security rhetoric is so embalmed to the psyche of the common man residing outside the affected areas that State's attempt to infuse additional funds and forces to rein in violence easily fulfils

the criterion of legitimacy and necessity. This further leads to garrisoning pockets of State control, domestic intimidation by the security forces against the aggrieved communities which further alienates the population rather than to reach out.

The little/negligible domination by the security forces in the remote areas lends enough space to the armed groups to establish their writ against the State. The resultant risk is increasing power dual spaces wherein both parties claim control. The armed groups assert control by attempting to run a parallel administrative machinery to include tax collections, Jan Adalats for dispensing justice, etc.

The re-location of development projects poses the greatest risk of alienation. Remote areas which otherwise would have benefited from projects are in turn bereft of any such State benefits forcing only a few to travel to such re located institutions. GP Gondpalli, Sukma District (discussed earlier) is a classic example of negligible government penetration into these remote areas, poor PDS with little/no access to health and education. The destruction of the Kanya and Balak Ashram by the Maoists Ashram School in Gondpalli in 2008 was pre empted on information of their occupation by the CRPF. Later, the school was re located to Gadiraas, approximately 15 Km from Gondpalli. The earlier strength of approximately 150 children was reduced to 41 in the new school. Similarly PDS is severely affected since the contractor dump the rations and medicines meant for Gondpalli and four others villages at Matimpara which is approximately 15 Km away. The power duality is clearly visible. The Maoists control the areas in the absence of little or no Government even to provide basic access to health and education. The GP has a strong presence of the Maoist Sangam Sadsya.

Children are the invariable victims of this faux pas and the unwillingness of the State to focus on the needs of the children and protect their interest will have long term consequences (See Table 7.1). While they are most affected by the situation but the affected State's recognition of their victimization or participation thereof automatically triggers questions of State's inability/unwillingness to protect them and thereby categorizing such situations beyond the affected State's capacity to control the spiraling violence or the risk of descending into a civil war. On the other hand, non recognition/ non intervention by the State towards the protection of child has long term consequences for the society spiraling risks of unending violence, marginalization of society, abject poverty, widespread displacement and abuse. The absence of such sustainable child focused intervention strategies during the ongoing/transitional phases of conflict/unrest risks alienation of the local community. Even if peace was forthcoming, it is
just a buffer peace between two conflict time zones. The NGOs/community groups who volunteer to intervene fear the risk of intimidation by the security forces and/or the armed groups since each view such practices at the behest of the other party extending its authority. The intervention space therefore gets limited.

Targeting children for the purpose of recruitment or simply because of their increased vulnerabilities is a common denominator of the conflict. With the breakdown of family and community structures little are they able to foresee the consequences of the conflict. Because of their naivety and their limited capacity to comprehend, they suffer the most disparate treatment in the hands of the armed groups as well as the State. On the other hand even if international law is applies in letter and spirit, children still continue to suffer from trauma and physical and psychological damage. For example, studies undertaken by Raundalen and Melton in 1994 after the Gulf War crisis are particularly striking. “Iraqi children had no concept of the American and allied bombing as a limited “surgical” operation aiming at important technical installations. Instead, the Iraqi children experienced the war as a deadly door-to-door action, and they feared that the door to their house could be the next.”

More than that, the problem of child participation is country specific leaving it to each State to define and create a legal and political environment to address the issue. For example, in some countries like Sierra Lone, Uganda, Rwanda and Mozambique, there was a serious problem of child soldiers while in the Former Yugoslavia the magnitude of the problem was no much. Similarly, in the case of India where the problem cannot be compared as that of Sierra Lone, Uganda, Rwanda or Mozambique but it has certainly begun to manifest as a grim reality of the conflict in Northeast India and Kashmir. According to the report of the Coalition to Stop the Use of Child Soldiers, “Indian defence sources were quoted as saying that half the members of armed groups in Kashmir were aged between 14 and 18, and similarly the Police in the region has said that around a hundred cases of child abduction by armed groups were reported in 2002 and nearly 400 by mid-2003, and that hundreds of children were trained by Pakistan-based armed groups in the Kashmir valley.”

---


The effects of conflict are not limited by their assessment on the application under international humanitarian law. Irrespective of the recognized threshold of the conflict, almost all children in such situations suffer from acute anxiety and depression if not psychosis in a considerable number. Dr Mushtaq A. Margoob from the post Graduate Department of Psychiatry, Government Medical College Srinagar, Jammu and Kashmir undertook a study to examine the affect of stress disorder in girl children in Kashmir. The study found that PTSD was the commonest psychiatric disorders (40.62%), easily attributable to the prevailing mass trauma state of almost two decades. Next commonest diagnoses were MDD (25%) and conversion disorder (12.5%). He concluded, ‘In the conflict torn developing countries, where adoption and foster care are little practiced, orphanages remain one of the few means of survival of innumerable orphans. Critical research, however, has portrayed orphanages as a breeding ground for psychopathology.

As Christopher C. Joyner brings out, ‘The puzzle is how best to legally reconcile respect for the preeminent principle of state sovereignty with the critical human rights necessity of protecting municipal populations from their own governments. What is the solution to this legal incongruity?’ The answer lies in state’s recognition recognition of the problem and their commitment to ensure their obligation to protect and to guarantee children in their best interest is the best recourse towards an era of child friendly advocacy. With limited guarantees under international law, children are most affected by the conflict surroundings. National juvenile justice mechanisms are most suited to address the situation of children caught up in conflict situation. Towards this end, the law, the judiciary and the national armed forces including the Police play a fundamental role. Unless national legislations are willing accept the presence of children under any their appreciated qualifying threshold of conflict, children would continue to suffer physically and mentally. International safeguards only come into play when states reflect a will to abide by them inter alia have co

---

858 See McWhirter, “The Northern Ireland Conflict - Adjusting to Continuing Violence” in Kanhert, Pitt and Taipale (eds.) Children and War: Proceedings of Symposium at Siuntio Baths, Finland.


opted them into their domestic legislations. Secondly, the political will to recognize the problem and enact suitable legislations by enacting new ones or reviewing the existing ones, or reflect a political will to implement policies taking note of the special status of children.
BIBLIOGRAPHY

Books and Articles


Hogg Charu Lata (2004), Child Recruitment in South Asian Conflicts, A Comparative Analysis of Sri Lanka, Nepal And Bangladesh, Coalition to Stop the Use of Child Soldiers


Saxena Mukul Vimug (2010), 'Left Out By the Pied Piper: The U.N. Response to Children in Localized Conflict Settings at 64. 9 Nw. J. Int'l Hum.

Usha Ramanathan(2005), 'India and the ICC’ in the Journal of International Criminal Justice 3 (2005),627-634, ICJ 3.3(627).
Jo Boyden PhD(2002) 'Children Affected by Armed Conflict in South Asia' A discussion paper prepared for UNICEF Regional Office South Asia

Asian Centre for Human Rights (2003), 'The Status of Children in India A Submission to the UN Committee on the Rights of the Child at 81' The Status of Children in India 2003.


Harvey Lisa (2005), The Women And Children In Conflict Protection Act: An Urgent Call For Leadership And The Prevention Of Intentional Victimization Of Women And Children In War, Loyola Law Review, Spring 2005, 51 Loy. L. Rev. 103,


Smith Alison (2004), Child Recruitment And The Special Court For Sierra Leone J Int Criminal Justice,

Macmullin Colin (2000), Loughry Maryanne, Investigating Psychosocial Adjustment Of Former Child Soldiers In Sierra Leone And Uganda, 17 J. Refugee Stud. 460


Escobar Veronica (2002), *Reclaiming The "Little Bees" And The "Little Bells": Colombia's Failure To Adhere To And Enforce International And Domestic Laws In Preventing Recruitment Of Child Soldiers*, 26 Fordham Int'l L.J. 785.


Amnesty International(2000), *Child Soldiers Criminals or victims?* AI Index: IOR 50/02/00


Arturo Carrillo-Suarez(1999), *Hors de Logique: Contemporary Issues in International Humanitarian Law as Applied to Internal Armed Conflict*.


Charu Lata Hogg (2006). 'The Liberation Tigers of Tamil Eelam (LTTE) and Child Recruitment: Coalition to Stop the Use of Child Soldiers'.

Ilene Cohn (2001), 'The Protection of Children and the Quest for Truth and Justice in Sierra Leone'


McWhirter(2003), "*The Northern Ireland Conflict - Adjusting to Continuing Violence*" in Kanhert, Pitt and Taipale (eds.) Children and War: Proceedings of Symposium, Finland.


Joshua A. Romero(2000), *The Special Court For Sierra Leone And The Juvenile Soldier Dilemma*.


Ismene Zarifis(2002), *Sierra Leone’s Search for Justice and Accountability of Child Soldiers*, 9 No. 3 HUM. RTS. BRIEF 18.


Saxena Vimug Mukul(2009), *Left out by the Pied Piper: The UN response to Children in Localized Conflict Settings*, Northwestern Journal of International Human Rights,


