

## Trafficking of children to cottonseed fields of Gujarat

An article by *India Committee of the Netherlands* based on the annual report 2014 of *Dakshini Rajasthan Mazdoor Union, Udaipur, India*.

Every year thousands of tribal children from South Rajasthan and North Gujarat are trafficked to cottonseed plots in North Gujarat for work in the cotton seed fields, in particular to do cross-pollination by hand. This work is done in the rainy season, from August to September. Since many years the trafficking of children for cottonseed cultivation is a serious human rights issue. The *Dakshini Rajasthan Mazdoor Union* aims to combat trafficking through the documentation of trafficking incidences, stopping trafficking of children where possible as well as advocacy with the media, the state government and other institutions. The Union also helped farmers to get paid in time – and not e.g. only after a year - for the seeds they produce for seed companies.



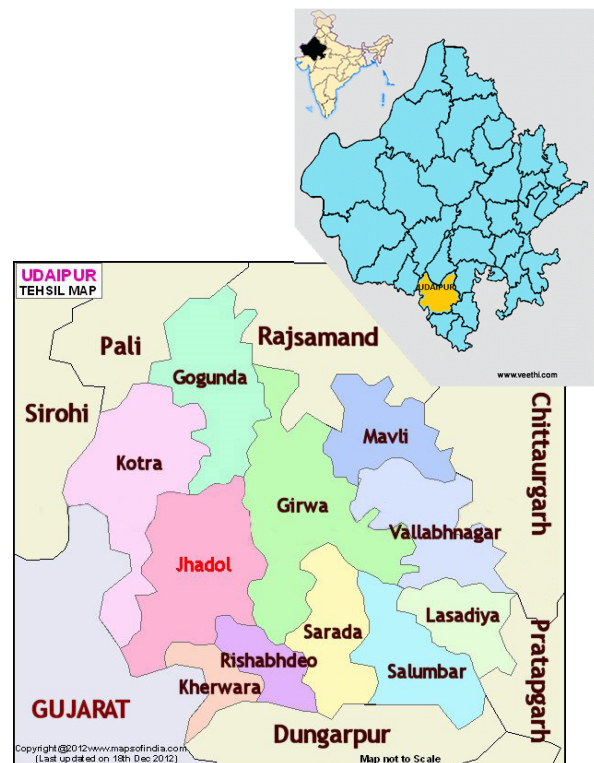
(photo: The Hans India)

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### Incidences of child trafficking in 2014

For their work on child trafficking the Union focused on one cluster of villages in 2014, the Maadri–Phalasia cluster in Jhadol *tehsil* (sub-district) in Udaipur district, Rajasthan. This is a rural area, mainly inhabited by tribals that are dependent on subsistence farming for their income. The Union estimates that 7.000 to 8.000 children were trafficked from this cluster alone. Many other areas were not covered by the union because of capacity constraints. Roughly 10% of the total catchment in child trafficking in 2014, was in the Maadri-Phalasia cluster.

To gain information on child trafficking Union volunteers conducted a household survey in two villages of Maadri–Phalasia cluster. Through the survey 14 child labourers were detected to have been trafficked to work on cottonseed plots. Also Union functionaries provided intelligence to the police about the trafficking of children. In 40 villages they watched over the occurrence of



child trafficking. Information was shared with the district administration and contact with the local police was maintained. The police control room was called about 10 times and informed about possible trafficking of children. As a result of the intelligence four vehicles transporting children were intercepted by the police. In some cases the police responded slowly or did not respond at all.

In spite of the high prevalence of child trafficking in Maadri–Phalasia cluster it was not easy to document incidences in detail. Through a network of labour contractors, locally called ‘mates’, children are trafficked. Mates have become smart in using all kind of methods to cover their tracks, including the transportation of children by night, taking children by public transport mixing up with other passengers, bribing the police of stations on the route and crossing interstate borders by foot through forest terrain. Furthermore parents who have send their children for work due to economic constraints, do not easily admit having send them. Also farmers do not allow outsiders to enter their cottonseed plots, which makes it difficult to investigate the prevalence of child trafficking and child labour in the Gujarati cottonseed industry.

The Union documented details of 4 trafficking cases that were filed with the police in 2014. One of these cases is the result of intelligence provided by the Union. In 2013 the trafficking for wage labour has been recognized as a crime and was included in the Indian Penal Code (IPC) as section 370. In 2014 for the first time section 370 was used. Out of the 4 cases, 2 cases have been brought into criminal jurisprudence through section 370 of the IPC. See the story about Reshma, one of the filed cases, below.

### **The case of Reshma, a lost childhood**

Reshma is a 12 year old tribal girl living in a village 10 kilometers away from Phalasia, a large village in Jhadol tehsil. Reshma attended the village school and passed class V in the second half of the year 2013. She then got admission into 6th standard. Her father, Shanti Lal, is a small farmer who is forced to migrate during the off season for wage labour. He is very keen on ensuring the continuation of Reshmas’ education and got her admitted to the upper primary school in class VI. Reshma is the 6th child of her parents. She has three married brothers and one married sister. None of her family members have ever been to Gujarat for work. The tradition in the tribal community is that after marriage the sons move out and start living separately from their parents.

In the month of July Shanti Lal went to Udaipur, which is about 100 kilometers away from their home town, for wage labour at construction sites. In absence of her father, Reshma was enticed by Ramesh, a labour contractor living nearby, to go for work in cottonseed plots in Gujarat. Ramesh told her that she could continue her schooling in Gujarat. She would have to work only for two hours a day. He did not tell her what wage she would receive in Gujarat. Reshma was also not paid any advance, a common practice while recruiting. Reshma went away with Ramesh without informing her family. She was taken to Gurajat by Ramesh and his mother along with a group of 8 to 10 other girls. Reshma was the only one from her village.

The reality in Gujarat turned out to be very different. Reshma had to get up early in the morning at 4:00 AM and she was forced to work through the day with only one break for having breakfast and doing morning duties. Reshma and the other girls got wheat flour from

the plot owner and were told that the cost would be deducted from their wages. They never got any advance payment and Reshma did not keep record of the number of days she worked. However worse was to come!

Almost three months after she began working, one day when she had gone out to relieve herself in the morning she was raped by Ramesh. Then after three days in the night Ramesh pulled her away from her sleeping place and raped her again. He also threatened her that he would sell her off in Gujarat or drown her in a well if she would tell anyone about the rape. Reshma was traumatized. She did not know what was happening to her. Due to the death threat she did not share her trauma or complain with anyone. She waited for a chance to run away. After 4 days, at 7:00 AM, she ran away without informing anyone. Her home town was hundreds of kilometers away and she had no money with her. She roamed around in the countryside for almost 10 days begging for food and shelter from people whom she met.

In the meantime her father, Shanti Lal, was informed by Ramesh that Reshma had run away. He asked his relatives whether Reshma has reached any of them. This was not the case. Then he approached the police, but the police did not file a report and asked him to wait instead. Since the police would not take any action, Shanti Lal organized a search mission himself. Together with some family members and friends he hired an experienced taxi driver who was familiar with the trafficking route to Gujarat. The group could not find Reshma and came back empty handed. After the first search they went back by motorcycles and searched for Reshma again. They reached the location where Reshma had worked. The workers at the plot said that Reshma worked with them, but that she left suddenly and none of them knew why.

Ten days after her disappearance, Shanti Lal got the news that his daughter returned back home. She was in a disheveled state. She had been living in the open air begging for food from strangers. Finally she was lucky to meet a group of workers from her village who were returning home. The group brought her back. Reshma was in a trauma. Three days after she came back, she told her father what happened to her. Shanti Lal went to the police office again. Still the police was not willing to file a report. Instead they brought both parties together and advised Shanti Lal to settle the case with the offender for money. Shanti Lal also got together with the village elders. The offenders father attended the meeting and said that there is nothing they could do for Reshma. Her wage for about 3 to 3.5 months of work remained due.

The matter came to light six months later in the month of June when a student, doing an internship for the Union, visited the village where Reshma and her family are living to conduct a survey about the trafficking of children. An activist of the *Dakshini Rajasthan Mazdoor Union* took the intern to the household of Shanti Lal for the survey. Once the case came to light, the Union arranged an appointment for Reshma and her father with the Inspector General of the Police in Udaipur. He ordered a case to be filed and Ramesh got arrested.

The Union facilitated the rehabilitation of Reshma by getting her enrolled in a school. Nevertheless her family came under constant pressure of Ramesh and his family to withdraw the case. The Union approached the District Authorities to enroll Reshma in a residential school to guarantee her safety. After this nothing really happened for three months. Then the Union got the case published in the local media. The media exposure resulted in immediate response by the government. Reshma is now enrolled in a residential school for tribal girls in Udaipur District.

### **Involvement of police personnel in trafficking operations**

The Union received reliable information that some police personnel were actively involved in trafficking operations. Police officials were taking a commission for letting the vehicles carrying children pass through the interstate border.

A case of a Union activist who received a threat to his life supports the information on the involvement of police personnel in trafficking operations. The Union activist was assisting the police with the anti-trafficking operations. He was involved in getting a vehicle intercepted. The driver got arrested but was released on bail. After his release the driver met the Union activist and said that the police told him to hit the activist with his vehicle for the reason the activist was troubling the police by constantly reporting complaints to the police control room about the possible trafficking of children.

In their annual report 2014 the Union states that not all police officials are corrupt. There are also police officers who actively assisted in anti-trafficking operations.

### **Tribal seed farmers not paid properly**

Over the past years there has been an increase in tribal farmers lured by unscrupulous agents to take up seed farming. The cultivation of cottonseed is a complicated business. Farmers are contracted by seed companies to cultivate seeds under close supervision of their company staff. The final produce is tested. If the germination rate of seeds falls beyond a certain level the whole batch is



*Cotton field, Jhadol (photo: Seva Mandir)*

rejected which leads to high losses for the farmer. Also tribal farmers often are not skilled enough to fully understand the process and pitfalls at each step of the production of cottonseed. The small size of their plot further led to an increase in number of intermediaries, each charging a commission.

Over the past two years the union has seen a large number of farmers being told by the companies that their harvest has failed. The failed share became very high. Even farmers whose sample had passed were still not paid one year after the harvest. After a large number of such complaints reached the Union, meetings were organized. The Union compiled the complaints and passed these on to the district administration. A sit-in was also organized at the district collector office in Udaipur to discuss the issue.

The Union also pursued the cases with the different seed companies, among them Nuziveedu Seeds, Ankur Seeds and Monsanto. A case was received against US-based multinational Monsanto. The Union wrote to the companies' human rights commission about the default in

payment to tribal farmers. The company responded. After protracted negotiations with the field officers and agents operating for Monsanto, the agent paid an amount of Rs. 150.000 to the seed farmers under pressure of Monsanto officials. However the agent came back on the agreement and tried to file a police complaint against the tribal farmers.

The Union has also tried to register a police complaint for the reason that farmers have been cheated by seed companies. After advice from the local police, the case was presented before the Criminal Investigation Department at state level. A high ranking enquiry has been ordered.

Read also: "Child labour rules Gujarat cotton fields" (*The Hans India, June 30, 2014*):

<http://www.thehansindia.com/posts/index/2014-06-30/Child-labour-rules-Gujarat-cotton-fields-100183>