

National Commission for Protection of Child Rights (NCPCR)

No. NCPCR/Comp./2007/Guj.

Dated : 18.12.2007.

PRESS RELEASE

The National Commission for Protection of Child Rights, Government of India, New Delhi have received a complaint regarding death of 2 children : Dinesh Dhirubhai, aged of 10 years, on 29.11.2007 while working in a plastic factory, called 'Dhanabhai No Delo' in Kumbharwada Circle (near Naurang Plastic Factory) and also another child of about 16 years who died on 30.11.2007 due to a fatal accident in a plastic factory in the same Kumbharwada Circle in Gujarat.

The Commission has taken cognizance of the complaint and has decided to inquire into the matter.

Accordingly, the Commission has written to the Secretary to Government of Gujarat (Department of Labour & Employment) on 11.12.2007 for submitting a detailed report within 21 days on the facts and circumstances of both the cases, including the following issues :

- (i) Whether reporting to the local police and post mortem have been conducted in both the cases. If so, copy of such reports may also be sent.
- (ii) Whether the work place, where the accident took place, is a factory within the definition of Factories Act, 1948 and also whether it falls within the purview of State Shops and Establishments Act. If so, whether all statutory safety requirements were prevalent in the said factories at the time of accidents.
- (iii) Whether the plastic factories in question involve occupation/processes which are prohibited under the Child Labour (Prohibition and Regulation) Act, 1986. If so, how could the child : Dinesh Dhirubhai who is about 10 years of age, be engaged in such factory despite prohibition.
- (iv) Whether both the cases have been duly investigated under all applicable labour laws and appropriate penalties and necessary actions have been taken by the Department of Labour, Government of Gujarat. If so, what are the specific violations and the penalties imposed for the same.
- (v) Whether any compensation/ex-gratia has been paid to the families of the deceased.

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