

A Study about Violation of Human Rights of Child Labour in India



Social Science

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Dr. Paras Jain

Director, Silicobyte KDC Katni Degree College, Katni

Ruchee Singhai

Asst. Professor, Silicobyte KDC Katni Degree College, Katni

ABSTRACT

In India status of human rights of child labour is critical issue. It is not only exploitative but also endangers children's physical, cognitive, emotional, social, and moral development. It perpetuates poverty because a child labour, deprived of education or healthy physical development, is likely to become an adult with low earning prospects. This is a vicious cycle which apart from ruining the lives of many results in an overall backwardness in the masses. Children are right holders with the potential to make valuable contributions to their own present and future well being as well as to the social and economic development of the society and thus they should under no circumstances be perceived as passive and vulnerable.

Introduction:

Articles 23 and 26 of the United Nations Universal Declaration of Human Rights seek to guarantee "just and favorable conditions of work" and the "right to education," both of which are violated constantly and globally through the exercise of the worst forms of child labor. Child labour, as defined by ILO is work done by children under the age of 12; work by children under the age of 15 that prevents school attendance; and work by children under the age of 18 that is hazardous to their physical or mental health. It is an economic activity or work that interferes with the completion of a child's education or that is harmful to children in any way.

Children need to grow in an environment that enables them to lead a life of freedom and dignity. Opportunities for education and training are to be provided for them to enable them to grow into responsible and responsive citizens. Unfortunately a large proportion of children are deprived of their basic rights. They are found working in various sectors of the economy particularly in the unorganized sector. Some of them are confined and beaten, reduced to slavery or denied the guaranteed fundamental right of access to free and compulsory education thus making child labour a human rights issue and a developmental issue.

Poor children are engaged as labours in unorganized and informal sectors, which do not come within the purview of the law. Children work as migrant labours migrating from rural to urban area or as bonded labours pledged by the parent or guardian to the employer in lieu of debts or payments. Children work for long hours often in dangerous and unhealthy conditions and are exposed to lasting physical and psychological harm. They may have serious health problems like respiratory problems such as asthma, tuberculosis, general weakness, stunted growth, body ache and joint pains, poor eyesight and other eye problems such as watering, irritation and reddening of eyes, loss of appetite, tumors and burns, disability by working on looms, susceptibility to arthritis as they grow older, mental disabilities. They don't have appropriate place to live. Mostly child labours reside in slum area and some of them on roads.

The Government had prohibited employment of children as domestic servants or in dhabas (roadside eateries), restaurants, hotels, motels, teashops, resorts, recreational centers, construction sites. The ban has been imposed under the Child Labour Act, 1986 and affected from 10th October, 2006. Since children in 6-14 age group have to be in the school full time there is no scope for pushing them to work as labour. Elimination of child labour and access to free and compulsory education is important. It was found that through education the vicious cycle of poverty and child labour can be broken. Further, well-planned, poverty-focused alleviation, development and imposition of trade actions in employment of the children must be undertaken. Total banishment of employment may drive the children and mass them up into destitution and other mischievous environment, making them vagrant, hard criminals and

prone to social risks etc. Immediate ban of child labour would be both unrealistic and counter-productive. Ban of employment of children must begin from most hazardous and intolerable activities like slavery, bonded labour, trafficking, prostitution, pornography and dangerous forms of labour.

Methodology:

Katni district of MP is selected as research area. Many industries are working here. Survey method is adopted to find result. 200 child labour working in different industries are selected for study. Educational status, residential conditions were asked and collected data is tabulated and analysed. 2 tables are prepared and result is converted into percentage.

Finding and Analysis:

Table-1: Educational Status of Child Labour

Education Level	Number of Child Labours in %				
	Agriculture	Construction	Beedi Making	Stone Work	Restaurants
Class 1-5	68	56	59	55	61
Class 6-8	61	51	55	49	55
Class 9-10	56	47	50	46	51
Class 11-12	53	43	46	40	46

Table-2: Residential Status of Child Labour

Residence	Number of Child Labours in %				
	Agriculture	Construction	Beedi Making	Stone Work	Restaurants
Road	8	31	16	28	13
Slum	38	42	35	42	46
Cottage	52	24	47	23	38
Other Places	2	3	2	7	3

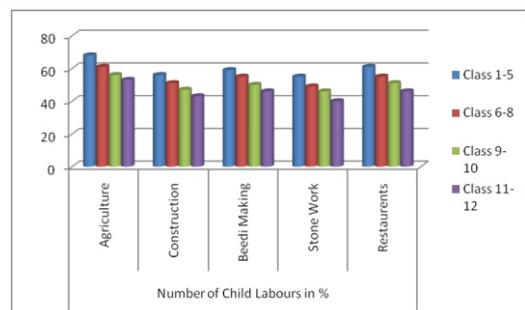


Chart-1: Educational Status of Child Labour

Conclusion:

Violation of human rights of child labours is a complex problem which cannot be eliminated without first attacking it at the roots. Thus, poverty, unemployment, lack of social security schemes, illiteracy and the attitude of society need to be tackled first before any

progress can be made. Child labour should be treated as a human rights problem and discouraging its manifestation in any form. All efforts by central and state govt., individual and collective must be channelized in the direction of achieving cent percent enrolment, retention, participation and learning of minimum levels of proficiency in language, mathematics, sciences, social sciences and environment. Child Labour Law should be repealed and replaced by a new law which should provide for universal prohibition of employment of children in all occupations and processes. It should be clearly recognized that elimination of child labour in any form is not negotiable and should be viewed as such by society. It should be recognized that education is the right way to development; it is most effective means of preventing child labour. Basic needs should be provided to them. Residential facilities should be improved.

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