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## Child Labour Issue and Human Rights Education

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### Introduction

Child labour is one of the burning issues currently confronting India along with many other South Asian countries. In India child labour is pervasive and is increasing at alarming rate. The US Department of labour in its 10th annual congressional mandated report has come down deeply on the prevalence of child labour in India. The report has exactly pointed out that children in the country are engaged in the worst forms of child labour and has asked the government in India to establish a minimum age for employment in hazardous and non-hazardous jobs in consistent with international standards. India has more than 12 million child labour in the age group of 5 to 14 years. In the North East too child labour is rampant. The mine owners in Meghalaya flouting all norms are employing the child workers while the authorities remain insensible to it. No one is sure about the number of children working in the rat-hole mines. The figures are very incompatible. NGOs estimate is that 70 thousand children are employed. The problem of child labour continues to pose a worldwide challenge and despite a range of legislations, guidelines, rules, action plans and Acts child labour still prevails in this modern world. Wordsworth rightly expressed in his famous lines "child is the father of the man" as the future of a community is in the well being of its children. In the majority of countries it is considered as an unlawful practice and international organizations make consistent attempts to protect kids from exploitation in some developing and deprived countries, where child labour is still a common practice. UNICEF organized a campaign called "End child labour" in the UK which emphasized that more than 10 million children around the globe are involved in labour relations.

### Child Labour in Assam:

As per the child rights charter a collective definition of child includes all persons under the age group of eighteen years. In India forty percent of total population are children. India has the largest number of children employed among all countries in the world. In Assam a maximum number of child labour are found working in various sectors like restaurants, Dhabas, garages and other commercial establishments and their working conditions seem ruthless and unhygienic. The children are made to work in dangerous conditions in the agriculture sector, carrying heavy loads, stone quarries, brick kilns production industries. As per the census Report of 2001 Assam has 3,51,406 child labour. According to the statistical data provided by the Government of India, around 90 million children out of 179 million children in the age groups of 6 to 14 do not go to schools and are engaged in different occupations and workings. It means that about 50% of children are deprived of their right to a free and happy childhood. Every nook and corner whether, it is in big cities, small towns or in urban areas children are strained to work and abused either as domestic servants, hawkers, tea boys, porters, prostitutes etc. A large number of children work in bidis, brassware, diamond, glass, embroidery, cottage industries producing carpets, matches, crackers, hand loamed cloth, hosiery, leather goods, plastic, bangles and sporting goods.

### Causes of Child Labour:

If we notice in global perspectives, the reasons which lead to child employment vary substantially with restricted conditions and local culture, but they may be divided into three broad categories

- (i) First is where a family is unable to keep a child at home, so he or she is put out to ear. It may be at a wage, or the father may be in employment and simply take along his family to help, in order to maximize his earnings. The income are then paid to the father. The employer then may have no record of an individual child, a situation which has advantages in the doubtful event of an inspector asking questions. But even if no records exist, a child who tries to escape may realize that is the employer's business No one is likely to enquire about the time-span of hours worked, or the safety environment, or the child's health, or whether the child has enough to it. Numerous children we are considering are within the Hindu community but of very low caste or of no caste in Muslim countries, they may be Christians or other non-believers. Often it never occurs to those in authority that the children issue. They are rather in the position of animals-you may not be intentionally cruel, but they cannot expect to be treated like native people.



- (ii) Secondly, there are countless children whose families cannot afford to keep them at home, so realize whatever financial value they may have on the market. It may be a blatant straight forward sale or it may be wrapped up. The parents may be convinced that the child can be adopted where it can have a better life. Daughters may be married off in childhood. A bride price is paid and the child then enters in the residence of the new family to do whatever work, in whatever condition they decide. It is a matter for the husband whether he treats the girls as a wife or as a labour. Generally she is likely to have problem of early pregnancy, at worst the husband family simply bought a slave.
- (iii) The third category which is very extensive falls within the system of boarded labour in many regions of Asia poor people earn just enough to keep themselves and their families. There is nothing over to put by for emergencies. Reasons of child labour might not be the same in all the countries of the world but the primary and the universal reason of the child labour lies in poverty. This apart population explosion, parental literacy, school drop-out, acts by vested interests to get inexpensive labour, the problem of unemployment lack of awareness, the problem of militants etc are treated as other reasons for the expansion of child labour

### **Acts and Laws to Prevent Child Labour:**

A number of legislations already exist for the prevention and regulation of child labour. Apart from the prohibitory provisions under the a mixture of labour laws the factory Act 1948, Mines Act 1952 and cigar workers (conditions of employment Act 1976), child labour is prohibited in listed occupations and processes under the child labour prohibition and regulation Act 1956 Factories Act 1831 is the first Act in India to regulate the employment of children and their working hours. Subsequently, the Indian factories Act 1948, Indian Mines Act 1948, the motor transport human resources Act 1951, the merchant shipping Act 1950 state shops and establishment act, the Juveniles justice (care and protection) of children Act 2000, the right of children to free and obligatory Education 2009 are the other important Acts passed in India to rule out the employment of child. Article 24 of the Indian constitution prohibits employment of children below the age of 14 years in any factory mine or other hazardous activity There are provisions in part iv of the constitution dealing with child rights Article 39 of the Indian constitution lays down that childhood and adolescent should be protected against moral and material abandonment. Article 39 (f) directs that the children are given opportunities and facilities to develop in a strong mindset and in conditions of freedom and dignity.

The child labour (prohibition and regulation Act 1988 is considered as significant law in India was enacted on recommendations of Gurupada Seramy committee formed in 1979. The committee observed that as long as poverty continued it would be thorny to totally eliminate child labour. A national policy on child labour was formulated in 1987 which adopted action plans with a vision to eliminate child labour by giving most priority on rehabilitation of children working in hazardous occupations in 1988. The National Child Labour Project (NCLP) scheme was initiated in districts which expanded to 100 districts in the 9th plan and 250 districts during the 10th plan. The NCLP scheme envisages running of unique schools for child labour. They are provided formal as well as non formal education along with professional training in these special schools. A stipend of Rs 100 per month supplementary nutrition and health care facilities are also provided. Presently, 7,328 special schools are functioning in 20 states in Assam also Nagaon Kokrajhar and Lakhimpur are the three districts covered under the NCLP scheme and likewise the number of districts has been increased since 1988.

### **The Role of Judiciary:**

The role of Judiciary is praiseworthy for the abolition of illegal child labour. In MC Mehta case (1996) the Supreme Court directed the central and state governments to identify all children working in hazardous occupations, to pull out them from work and to provide them with quality education. The apex court also directed that a child labour rehabilitation-cum-welfare fund be set up using assistance from employers who contravene the child labour Acts. The good information came on April lest on petition filed by an NGO, Bachpan Bachao Andolan that the Supreme Court intended for the central Government to issue notification prohibiting the employment of children on circuses.

### **Effects of child labour:**

Child Labour has appeared as an epidemic and curse to the humanity. It not only causes damage to a child's physical and mental health but also deprives him of his fundamental rights to education, development and freedom. There are many tribulations of child labour in our society. Some children resort to crimes like stealing of girl children and indulged in prostitution, the rising number of child labour in the organized sector is higher because it is easy for employers to circumvent laws. If we minutely observed then it appears that most of the children are deprived of their rights to own individuality.

### **Reasons of Challenges For Child Labour:**



However, it is discernable that be short of rehabilitation centre lack of awareness, insufficient number NGOs, lack of funds, lack of support of government and non-implementation of laws and acts are the major reasons of challenges in the process of total elimination of child labour which has become a worldwide concern even in this 21st century

#### **Measures for Eradication of Child Labour:**

Strong political and social efforts are desired for combating and eliminating this scourge in a phased manner. For achieving this goal government efforts have to be supplemented by a wide ranges of initiatives from the NGOs and strapping people's movement has to be build up against this outrageous system.

#### **Role of Human Rights Education:**

For this purpose Human rights as well as child's rights education is a sine-qua-non Human rights could be usually defined as those rights which are inherent in our nature without which we cannot live as human beings. Human rights advocate for the cause of the fundamental liberty to allow us to fully develop and use our human qualities our aptitude, natural talents to satisfy our spiritual and other needs. The General Assembly of the UN adopted on 10th Dec. 1948, a Universal Declaration of Human Rights, portions of which exclusively apply to minors. It was felt that the special needs of the children justified a separate document because children are mostly vulnerable to arbitrary deprivation of their Human rights. This led to the agreement of the declaration of the rights of the child in 1959.

Every child has the right to education which directs to the complete development of human personality and to the strengthening of respect for Human rights and fundamental freedom. Human rights education aim at providing pupils and students with the abilities to accompany and produce societal changes. Education is seen as a way to empower people, improve their quality of life and enhance their capacity to participate in the decision making processes leading to social, cultural and economic policies.

Human rights education implies the knowledge and practice of human rights. A holistic approach to human rights education means that human rights are implemented at all levels of the education system and that they are taught through both content communication and experiences. It helps people feel the importance of human rights, internalize human rights values and integrate them into the way they live.

##### **Why Human Rights?**

1. Brings about changes in morals and attitudes.
2. Brings about changes in behavior.
3. Produces empowerment for social justice.
4. Develops attitudes of solidarity across issues and nations.
5. Develops Knowledge and analytical skills.
6. Imparts participatory Education.

#### **Conclusion:**

Let us have Human rights education among us all to make people realize the rights of the children and raise our influence against child labour with united efforts in National and International perspectives ILD Director General Juam Somavia rightly remarked, "New and large scale efforts are needed. The situation reenergized operation against child labour: We must scale up action and move into higher gear

#### **Reference:**

1. The Assam Tribune 13th July 2011.
2. Child and Human Rights 4c.1 (Indian Institute of Human Right, New Delhi).