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Children: Issues & Challenges

(Child Labour and Human Rights Violation)

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INTRODUCTION

Children are a valuable asset to every Country because they are the future citizen of State. It is also the responsibilities of the Government to see that they grow up as responsible citizens. The people of India believe that children are a boon to God and no efforts should be made to oppose successfully his blessings. The economically weaker sections believe that more children they bear the more the helping hands there would be. But they do not realize the fact that there would also be an additional mouth to feed with every additional child, The result is that children lead a life of deprivation and are left to fend for themselves and sometimes even for their families. In the absence of proper childhood and education, they often take immoral ways to sustain themselves.

In Article 24 of the Constitution, it is provided that no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment. Such rules are never executed and exist only as official statement. We see children well below the prescribed age being employed in risky and extremely difficult Jobs. The employers find it profitable to employ children as they would work for longer hours at fewer wages than adults. At home, parents exploit them by taking away all the meager salary they earn after a month slavery. They find themselves helpless and defenseless.

According to the 1991 census, there were 11.28 Million child workers in India. Andhra Pradesh has the highest child labour population with 1.66 Million working children mainly in the Cotton seed belt to do cross pollination work for hybrid seed production. Girls aged 7-14 constitute about 95 percent of the workforce who slog for nine hours a day at one-third the adult male wage. Small scale industries manufacturing matches and fireworks, like the ones at Sivakasi in Tamilnadu, various gem-cutting and polishing units' geass manufacturers, Carpet-weaving Industries and lock making industries employ child labour. At all these units they are exposed to shocking conditions where none of the safety recommendations are adhered to. The unhygienic conditions take their diseases before their youth.

The reason for the thriving child labour in the country in illiteracy coupled with ignorance and country in illiteracy coupled with ignorance and poverty among the masses. Even after so decades of Independence, the Government has failed to provide even primary education to all its Citizens. According to the UNICEF report on education, "State of the world's Children-1999" States like Kerala have brought about a revolution by improving their educational system.

Poverty & ignorance are other reasons for the flourishing child child labour in the country the labour class in the urban areas feels that in order to sustain the family the children should also be employed. In the rural areas the situation beings worse. Because of lack of information about Government loans the poor turn to money lenders, who lend money but keep a member of the family as collateral. This is the member's initiation into bonded labour. The child is subjected to hard labour both in the field and at his master's House to pay off the debt of his father. But the Government is silent on about it. Accordingly, to the Government officers report right against exploitation has been working strictly. But India Government can step against child labour like western countries. The western countries have identified those industries which employ child labour and have decided to boy cott their products. The carpet industry in one of the large employers of child labour and is also the highest grosser of foreign exchange in the country. Mainly the Rights of against exploitation and Human Rights has been already Violated.

DISPLACEMENT AND ITS IMPACT ON THE CHILDREN

The Human Rights and against exploitation towards children has vastly violated in India. By which millions of children have been drawn towards destroying. According to the democracy, children are the future citizens of Nation. But according to the modern democracy, the children of to-day are the devil of the future state. Because lack of their defence they are depriving of their education. According to the UNICEF report, a majority of the children in the rural areas are employed in the agrarian sector. In the urban areas, the children are mostly employed in hazardous units. It has been also noticed that in the areas where the industries employ child labour where the rate of school drop-outs in high. India has the maximum number of school drop-outs and every third illiterate in the world is an India. Another weakness of Government is to control the liquor in rural areas. By which 80 percent adult in the respective areas is spending money for that purpose. So they are bound to depend on the earnings of their children. So if adults work more and do not spend money on liquor they will not be dependent on the earnings of their children who could return to school. And this could increase work opportunities as well as income for adults and the children also will not be drawn towards destroy and child labour.

RIGHT TO THE CHILD PRISONERS

The child is a national asset. It is the duty of the state to look after the child with a view to ensuring full development of its personality. That is the cause that a child should not be kept in jail. Even apart from this, it is an elementary that a jail is such hardly a place where a child should be kept. There can be no doubt that imprisons in jail would have the effect of decrease the development of the child exposing him to destroy influences, inferior his conscience and disconnect him from the society. It is a matter of regret that despite statutory provisions and a frequent request by social scientists still there is a large number of children in different jails in the country. Many time the answer of the state that it has not got enough number of remand homes or observation homes or other places where children can be kept and that the cause of the children is lodged in jail. But it is also a duty of the Government that the children ward must be far away from the word in which the other prisoners are detained. It is the atmosphere of the jail which has a highly injurious effect on the mind of the child discouraging him from the society and breeding him a version bordering on hatred against a system which keeps him in jail. So it should be impressed upon the state Government that they must set up necessary remand homes and observation homes where children should be imprisoned till investigation and trial. On no account should the children be kept in jail.

CHILDREN CRIMINAL TRIALS

Where a complaint is failed or first information report is lodged against any child who is under the age of 18 years for an offence punishable by imprisonment of not more than 7 years. It also provisions that the investigation shall be completed within a period of three months from the date of filing of the complaint. But it has also been noticed that there is so many children's case file has been laying in pending. So it is the duty of the Government that the submission of Charge-sheet and investigation report within the actual time duration.

CHILDREN AND RIGHT TO DEVELOPMENT

Children are the citizens of the future era. On the proper bringing up of children and giving them the proper training to turn out to be good citizens. It depends upon the future of the country. In a recent year, this position has been well realized. In 1959 the declaration of all the rights of the child adopted by the General Assembly of the United Nations and in Article 24 a the International covenant on civil and political rights 1966 the importance of the child has been appropriately recognized. India is a party of these international charters having rectified the declarations. It is an obligation of the Government of India as also the state machinery to implement the same in the proper way. The children act 1948 has made elaborate provisions to cover this and if these provisions are properly translated into action and the authorities created under the act became cognizant of their rule, duties, and obligation in the performance of the statutory mechanism created under the Act and they are properly motivated to meet the situations that arise in handing the problems the situation would certain be very much eased. A child problem as an indeed negative factor. Every society must, therefore, devote full attention to ensure that the children are properly cared for and brought up to a proper atmosphere where they would receive adequate training. Education and guidance in order that they may be able to have their rightful place in the society when they grow up.

The government of India in pursuance of constitutional provisions clauses (e) and (f) of Article-39 of the constitution evolved a national policy for the development of the children. In a civilized society, the importance of a child development cannot be over emphasized because of the development of the entire community. Its growth and development depend on the health and well-being of its children grow and develop. Children need special protection because of their tender age and physique, mental, immaturity and in capacity to look after themselves. There is a growing realization in every part of the world that children must be brought up in an atmosphere of love and affection and under that tender care and attention. So that they may be able to attain full emotional intellectual and spiritual stability and maturity and acquire self-confidence and self-respect and a balanced view of life-with full appreciation and realization of the role which they have to play in the nation- building process without the nation cannot develop and attain real propriety, because a large portion of the society would then be left out of the developmental process. Through the consciousness has been reflected in the constitution. But we are not more consciousness on about it.

CHILDREN AND HUMAN RIGHTS

The Human welfare and development is the ultimate end of all national organizations. The United Nations aspires to achieve informational place and prosperity and reaffirms faith in fundamental Human Rights for all development of Human personality and enrichment of human life. Human Right is peace and welfare in an undivided world. It is a positive expression of Human values. It is based on freedom, equality, security, territorial integrity, and sovereignty. It promises the establishment of an egalitarian, exploitation free society based on justice honorable relationship and well-regulated social life.

The more emphasis was laid on provisional covering the basic Human Rights. Article-1 of the UN Charter makes a specific reference to the fundamental freedoms of men. But these rights were not precisely defined nor was the question of enforcement touched. This issue was referred to the UN Commission on Human Rights. The commission drew up a declaration which was adopted by the UN General Assembly on 10th December 1948. The Assembly has approved the declaration of the Rights of the child (1959) and other things. The preamble of the constitution mentions the essential individual rights as freedom of thought, expression, belief, faith and worship and these are guaranteed against all authorities of state subject of course, to the implementation of the Directive Principles and fundamental duties.

The Human Rights provides for the protection of the child and people falling into these categories and promotion of their educational and economical condition. The principal safeguards are the abolition of untouchability, removal of all restrictions on the public places and protection against exploitation. The Directive Principle of State policy instructs the state to provide to all children, citizen, and women equally of livelihood and full enjoyment of leisure and social and cultural opportunities.

Children are a penetrable section of the modern society. The fundamental Rights and the Directive Principle of State policy are the Constitution give the due status of the children in the social structure of the society. Though the Government from time to time initiates various Acts for the welfare of the child. Yet they are subjected to physically and morally torture. Children in India still harassed and subjected to torture by landlords and factory honors for child labour. The judiciary has also interpreted some existing laws in favour of children. In the shah Bano case, the Supreme Court compelled the father to provide maintenance to his child. The position of Human Rights towards children Violation in India is highly visionable.

HUMAN RIGHTS APPROACHES TO PROTECT CHILD

The Human Rights of each individual would be meaningless unless all inequality is banished from the social structure and each individual is assured of equality of status and opportunity for the development of the best in him. The Human Rights not only approaches the citizens but also approaches to protect the child. Because the violation of Human Rights the child labour is increasing from day to day. By the violation of human Rights in India not only suffered the citizens but also indirectly suffered the children. Due to the illiteracy ignorance and poverty are the grass root of child labour. If the Human Rights functions in child ways the child labour must be decreased.

There is so many remedial measurements at the micro and macro levels should be taken on a priority basis for protecting child. These may include insulation of police from political control, improvement in the supervision of investigation prompt formalization of arrests, time bound completion of enquiries and adequate punishment to the guilty officers. The Government has made some efforts to put an end to the violation of Human Rights by the police. A number of the police commission, the Punjab Police Commission (1961-62). The U.P. Police Commission (1970-71), The National Police Commission have gone into the Human Rights issue relating to police and have stressed the need to make the police accountable to the public.

In this conclusion undoubtedly said that Human Rights only approaches to the protection of the child. If the human being both men and women saved from Violation of rights and socially exploitation and child labour.

CHILDREN AND NAXALISM /TERRORISM

During the British Rule, a group of young person inspired by patriotic feelings killed many officers who our countrymen. These patriotic young men were called terrorist by the British Government in India. But we do not call them terrorists. They had a noble idea of freeing India from British Rule. They are called Martyrs and held in great esteem by the Indian for their noble sacrifice.

Terrorism has prevailed for a long time in north-eastern India in Nagaland, Mizoram, and Tripura. In Nagaland, some Nagas under the leadership of Mr. Fizo wanted to have a separate independent Naga State. Mr. Fizo died in exile in England. His followers are causing trouble to the Government and peace loving people of Nagaland. It is said that these Nagas are being trained by the Chinese. They have killed many army personnel and innocent people of Nagaland our Government is trying its best to subdue the terrorists Nagas. The same in the case with Mizoram. The TNV Terrorists in Tripura also promised to join the main stream of Nationalist India.

At Present some young men of Punjab want Punjab to be an independent state, these misguided youths twice hijacked lanes to Pakistan to make the Government of India accede to their demand. They accumulated

hugs arms attacked in the sacred Golden Temple complex of Amritsore. Our Government was forced to flush out the terrorists and started a military operation called “operation Bluster”.

The Terrorist attack was master minded by a terrorist organization going by the name of “All Qaida”. Let by Osama Bin Laden and has its strong hold in Afganistan. India is also a victim of Terrorist attacks. They mounted an attack on parliament and the Red Fort in the recent past. The attack on Taz Hotel at Bombay on Dtd-26.11.2008 is also an unmemorable event. Then the attack on Sudam Marandi the Ex-M.P. of Mayurbhanj on 15.10.2009 is also an event.

It also noticed that due to the Terrorist the children are highly effected. By the by they are pulling towards them. The students of the Taliban have also been trained in fundamentalist Islamic School, in Pakistan and trained by the ISI to gain control over Afganistan and for supporting Violence in Kashmir. In this Muslim Terrorism, there is an absolute blind believe on the opinion of “Jehad” that you will be very nearer of the Alaha according to your majority of the Murder. By which more children are bound to flow themselves in it. Anoehr example in Tamil Terrorism who are used to children as their weapon at the time of war. Because they used to the children as their protector at the time of war. So the united Nation Human Rights Commission adopted a resolution on third March 1995 recognizing the fact that sponsored terrorism is emerging as a major threat to International Security.

CHILD PROSTITUTION/ SEXUAL EXPLOITATION OF THE CHILD

Child prostitution is a common sight in the modern society. It has been spread from rural to urban area and trade to educational institutions. Now the children are selling as if they are the vegetable market. There are so many children who are laboring inside the state and outside the state also. Mainly they are in more number prostituted by the antisocial being. It has been also noticed that there are so many under aged girl child outputted to different places for sexual exploitation on account of their poorness. Being deprived of education, and marriage they bound to wel-come to such nesty way. It has been also noticed that among the S.T. The cast, Urban illiteracy Girl children are being prostituted by the anti-social men. Early marriage and early widow are also another cause for it. Due to their simplicity and illiteracy, they are suffering from it.

The Government should deeply emphasize on any exploitation of children in any form which has a tendency to exploit them either physically, mentally or sexually. This tendency person should be highly punished. It may be that the problem would be taken care of some extent by insisting on compulsory education. So Government should keep attention towards compulsory primary education in backward areas. It also seems that the poverty is the basic reason for such exploitation.

CHILDREN AND THE RIGHT TO EDUCATION

Under the Directive Principles of the constitution free and compulsory elementary education was provided for all children up to the age of 14 years and most of the state Governments enacted legislation to that effect. The National institute of Basic education offered training and guidance to teachers and administrator of Basic Education. It has also arranged suitable materials and literature for pupils and teacher. Programmes of adult education were also under taken for the adult population. The policy of Government free and compulsory elementary education has not implemented in a proper way. Till now this policy remained on paper and proved in effective to transform Indian Society. By 1991 Census, 286 Million people in the Country did not know how to read and write. By 2008 academic session there is 35 percent school going children are dropped outs in Mayurbhanj District.

Article 29 laid down that no children shall be denied to take admission into educational institution maintained by the state or receiving aid out of state funds on grounds of religion, race, caste, language or any of them. The Right to establish and administrator educational Institution means that a minority community can impart education to children of its own community in its own languages. With supporting such constitutional facility children are being deprived of reading and write.

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