

RAJASTHAN STATE HUMAN RIGHTS COMMISSION



Under the guidance of Hon'ble Mr.
Justice N.K. Jain.

(Former Chief justice of Madras and Karnataka High Court) Chariperson, RSHRC Prepared by:Internship students of various law university and colleges.

HUMAN RIGHTS COMMISSION

- Human Rights Commission is an autonomous body to protect and promote basic rights of citizens. Its primary aim is to help every deprived person to acquire equal status in society.
- By the Parliamentary act there is National Human Rights Commission at New Delhi and each state has State Human Rights Commission. This commission has power equivalent to a civil court. It has equivalent power to hear the plea of sufferer and give recommendation to concerned department to work on it. Its recommendation has a high stake and non performance on its recommendation can lead to questioning in the Legislative Assembly. Otherwise the government has to give reason for not compliance. The commission or the other party can file writ petition in the High Court.

RAJASTHAN STATE HUMAN RIGHTS COMMISSION

- The State Government of Rajasthan issued a Notification on January 18, 1999 for the constitution of the State Commission having one full time Chairperson and 4 Members in accordance with the provisions of The Protection of Human Rights Act, 1993. The Commission was fully constituted by appointment of the Chairperson along with the Members and became functional from March 2000. The main mandate of the State Commission is to function as a watch dog for human rights in the State. Under the 1993 Act, human rights are defined in Section 2 (d) and are those justiciable rights which can be enforced in a court of law in India.
- The Rajasthan State Human Rights Commission is reconstituted on 6th July 2005. One of the leading State Commissions in the country. In a short span of about four years it has achieved many milestones in its mission for the protection and promotion of Human Rights.

PRIMARY CATEGORIES OF HUMAN RIGHTS

- **Civil Rights**
- **■** Political Rights
- **Economic Rights**
- Social Rights
- **Cultural Rights**

ISSUES IN HUMAN RIGHTS

- RIGHTS PERSPECTIVE FOR GOOD GOVERNANCE
- CORRUPTION AS VIOLATOR OF HUMAN RIGHTS
- RIGHTS PERSPECTIVE AS CENTER STAGE TO DEVELOPMENT AGENDA

FUNCTIONS OF THE COMMISSION

- The Commission shall perform all or any of the following functions, namely:-
- (a) inquire, suo motto or on a petition presented to it by a victim or any person on his behalf (or on a direction or order of any Court), into complaint of
 - * (i) violation of human rights or abetment thereof; or
 - (ii) negligence in the prevention of such violation, by a public servant;
- (b) intervene in any proceeding involving any allegation of violation of human rights pending before a court with the approval of such court

functions contd....

- (c) to visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations thereon to the Government;
- (d) review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation;
- (e) review the factors, including acts of terrorism that inhibit the enjoyment of human rights and recommend appropriate remedial

NEED FOR HUMAN RIGHT COMMISSION

- To develop fully the human personality and the sense its dignity.
- To develop attitudes and behaviour to promote respect for the rights of others.
- To ensure genuine gender equality and equal opportunities for women in all spheres.
- To promote understanding and tolerance among diverse national, ethnic, religious, linguistic and other groups.
- To strengthen respect for rights of a human being and fundamental freedom.
- To empower people to participate actively in the life of a free society.
- To promote democracy, development, social justice and communal harmony among citizens.

About Justice N.K. Jain

- Born on 20.10.1942 at Alwar S/o Late Justice J.P. Jain. He pursued his LLB from Jodhpur University, Rajasthan.
- An accomplished sportsman during school and college days and recipient of best sportsman award from Rajasthan University.
- Justice Jain has been the State Badminton Champion and has represented the State at Nationals and International levels for 14 years 1955-1968, and in 1977.



Cont.

- He has been the former Chief Justice of Madras and Karnataka High Court for 5 **Years**. Before taking charge as Hon'ble Chairperson of Rajasthan State Human Rights Commission on 16th July 2005, he had been discharged his duties as Lokayukta & Chairperson of Himachal Pradesh Human Rights Commission in Shimla.
- He has been the member of bar council of Rajasthan for 19 years, till elevated.
- He has also been the member of Bar Council India and Bar Council Trust, NLS Bangalore.
- Justice Jain has created a lot of awareness about Human Rights with great proficiency and tireless efforts.
- Regarding awareness of human rights and many other legal issues, Justice Jain has written many booklets in Hindi as well as English. Some of these booklets are also available on Commission's Website-www.rshrc.nic.in, a German Website herenow4u.de. Some books are also available on his own website: justicenasgendrakjain.com
- Simultaneously, Justice Jain is also creating awareness of the duties mentioned in Article 51-A and made a Performa of these duties in simple language. About 100 educational institutions are taking pledge of these duties at the time of morning prayer. Many N.G.Os are also trying their best for the same awareness, with the inspiration from Justice Jain.
- He had also been Member with two Chief Justice in the Committee constituted by Chief Justice of India to examine the recommendations of Arrears Committee Report 1989-1990 (Justice Malimath Committee Report) and First National Judicial Pay Commission (Justice K. Jagannath Shetty Commission) Report.
- He was Chairman of Advisory Board and then Presiding Officer of the Tribunal Under the Criminal Law Amendment Act from 03-03-1998 to 08-01-1999.
- Executive Chairman of Tamilnadu State Legal Service Authority and patron-in-chief and also of Karnataka State Legal Authority.
- Attendent Chief Justice Conference of chief justice of different countries at colombo.

Hon'ble Chairperson and Members Of Rajasthan State Human Rights Commission are:

From 06-07-2005

Justice N K Jain, Chairperson

Members

Justice Jagat Singh

Shri D.S.Meena

Shri Pukhraj Seervi 12



Hon'ble Chief Minister Shri Ashok Gehlot

BOOKS PUBLISHED

- These books are kept in the Libraries of different schools and colleges for awareness of students as well as the teaching and ministerial staff. Some books are even kept in the UN-Congress Library at New Delhi.
- Teachers of various school are interacting with the students on these issues in zero hours.
- About legal aid committees, NGO's / Educational Institutions above 45, and some Newspapers have re-printed/Published these booklets as intimated and about 70,000 booklets titled on women, child rights, dalits, arrest, human rights and HIV have been published and distributed free of cost among the general public to create awareness.

Legal Awareness Programmes

- For the awareness of the human rights in public at large, Justice Jain has wrote about 31 booklets of various legal issues. Out of these booklets 18 booklets have been published by the R.S.H.R.C. Many other organizations, District Legal Aid Authorities, Departments, Schools, Colleges etc. has also published some booklets like Women, Children, Dalits, Arrest, HIV/AIDS, Human Rights etc. by the permission of the Commission. They have distributed these booklets in 70000 in numbers.
- Some of these booklets are available on Commission's website www.rshrc.nic.in and justicenagendrakjain.com. English translation of Some booklets are also available on a German website herenow4u.de.
- The books are:

31 booklet have been written by Justice Nagendra Jain(Chairperson RSHRC, Jaipur) on different legal and important issues



माननीय न्यायमूर्ति श्री एन.के. जैन, अध्यक्ष, राजस्थान राज्य मानव अधिकार आयोग, (पूर्व मुख्य न्यायाधिपति मद्रा एवं कर्नाटक उच्च न्यायालय)ने विविध विषयों पर लेख/लघु पुस्तिकाएँ आदि ल्लिखी हैं। जिनका प्रकाशन भी किया गया है। इन लेखों/लघु पुस्तिकाओं में से कुछ निम्न है:—

- 1. सन्थारा/सल्लेखना (हिन्दी व अंग्रेजी में) www.herenow4u.de (Eng.)
 - भारतीय संस्कृति में अहिंसा व मानव अधिकार (हिन्दी व अंग्रेजी में)
- 3. अणुव्रत व मानवाधिकार
 - 4. खेल, खिलाड़ी व खेल भावना
- बालकों के अधिकार। (पुनः प्रकाशित)
 - 6. अन्तर्राष्ट्रीय मानवाधिकार दिवस 10 दिसम्बर। *(पुनः प्रकाशित)*
- - 8. मानवाधिकार और जैन धर्म। (हिन्दी व अंग्रेजी में)
 - 9. आयोग की कार्यविधि, शक्तियां एवं परिवादों की निरस्तारण प्रक्रिया।
 - आयोग द्वारा जारी दिशा-निर्देश एवं अन्य गतिविधियाँ।
- ____ 11. भारतीय संविधान की अनुच्छेद-21 'प्राण और दैहिक स्वतंत्रता का संरक्षण'।
- 13. दलितों के अधिकार। *(पुनः प्रकाशित)*
 - मानव अधिकार और राज्य की जनोपयोगी योजनाएं।
- 🔁 15. गिरफ्तारी (ARREST) (पुनः प्रकाशित)
 - विधायक स्थानीय क्षेत्र विकास योजना ।
- जेल, कारावास से संबंधित प्रावधान व गतिविधियाँ।
 - 18. आयोग के महत्वपूर्ण कार्यकलाप दिशा-निर्देश एवं अन्य गतिविधियाँ 2007
 - आयोग के महत्वपूर्ण कार्यकलाप दिशा-निर्देश एवं अन्य गतिविधियाँ (पुनः प्रकाशित-2008)
 - 20. Judicial Values & Ethics for Judicial Officers, www.rshrc.nic.in
 - Advantage to Litigant Public by Brihat Lok Adalat.
 - 22. Alternative Dispute Resolution, Conciliation & Mediation (ADR).
 - 23. Institutional Arbitration Intellectual & Information Technology (IPR & IT).
 24. Cyber Law.
- 25. Copy-right Law.
 - 26. e-governance and Court Automation.
- 27. Article-14 Right to Equality.
 - 28. Gender Justice in Employment & in Profession, Empowerment of Women.
- 29. Law of Precedent, Reference to Art. 141.
- 30. Directive Principal of State Policies.
 - Public Interest Litigations & others.

Fundamental Duties Art 51-A

- The Commission under the guidance of the Hon'ble Chairperson is making the common people aware about the duties mentioned in Art. 51(A) of the Constitution.
- Justice N.K Jain has made the Performa of these duties and distributed. So many institutions have reprinted and distributed in public to create awareness as many people are not aware of their duties.
- He is motivating students of various schools, colleges and other institutions. Students of these institutions are reciting the oath of article 51(A) of Constitution of India under the guidance of R.S.H.R.C.

Reciting the Pledge — fundamental duties mentioned in Article 51-A, Constitution of India

"We are proud to be Indian"

It shall be the duty of every citizen of India:

- to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
- (b) to cherish and follow the noble ideals, which inspired our national struggle for freedom;
- (c) to uphold and protect the sovereignty, unity and integrity of India;
- (d) to defend the country and render national service when called upon to do so;
- (e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, and regional or sectional diversities; to renounce practices derogatory to the dignity of women;
- (f) to value and preserve the rich heritage of our composite culture;
- (g) to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion for living creatures;
- (h) to develop the scientific temper, humanism and the spirit of inquiry and reform;
- (i) to safeguard public property and to abjure violence;
- to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement.

"BE AWARE OF YOUR RIGHTS AND DISCHARGE DUTY WITH DEVOTION ."

Chairperson: Justice N.K. Jain (Former Chief Justice - Madras and Karnataka High Court)

For Legal awareness and in Public Interest published by :
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website : rshrc.nic.in, herenow4u.de http://justicenagendrakjain.com

Courtesy: Rajasthan State Co-operative Press Ltd., Jaipur
Phone: 0141-2751417, 2751352

- 1. World Vision India. Jaipur.
- 2. HEDCON.
- 3. Jain Anusheelan Kendra, Jaipur.
- 4. Navmangal Shiksha Samitee,jaipur.
- 5. Jaipur Child Line, Dial- 1098.
- 6. Bhartiya Chritra Nirman Sansthan, (NGO in tihar jail.)
- 7. Vidhya Trust, jaipur.
- 8. J.P.J. financial services, raja park, jaipur.
- 9. Prayas ,Center for special education and vocation training.
- 10. Shree Digamder Jain Nasia Udayalal Ji Trust, Jaipur.
- 11. PAHAL Peoples Trust, Jaipur
- 12. Director, Tagore group of Education, Jaipur.
- 13. Principal, D.A.V. Centenary School, Jaipur.
- 14. Shree Mahaveer Jain High School Alumini Association , Jaipur.
- 15. Jaipur Bal Shramik Priyajana Sanstha, jaipur.
- 16. Principalm Central Academy, Jaipur.
- 17. Rajasthan Chamber of Commerce and Industries, Jaipur.
- 18. District & Sessions Court, Rajsamand.

- 19. Indian UNESCO Club, Rajasthan Bhilwara.
- 20. President, Lions Club, Jaipur(District 323 E-1 Club no.026309)
- 21. Bhagwan Mahaveer Cancer Hospital and Research Center, jaipur.
- 22. Modi Institute of Technology and Science, Laxmangurh.
- 23. Principal., Aggrawal B.Ed. College, Jaipur.
- 24. Director, Biyani Girls College, Jaipur.
- 25. Principal, A.V.M., School, Ambawadi, Jaipur.
- 26. Principal, Subodh PublicSchool, Jaipur.
- 27. Jayeswal Kutir Udhyog, D-2, Raman marg, jaipur-4.
- 28. Surbhi Export, Laxminarayan mandir, gurunanak pura, Jaipur.
- 29. District Chairman, Rajasthan Pensioner Society, Jaipur.
- 30. Lokshikshak Patrika Prakshan, Jaipur
- 31. Jaipur Cancer Relief Society.
- 32. Koshish Sansthan, Jaipur
- 33.ZUNETECH CONSULTING PVT.LTD, DELHI/BANGLORE
- 34.Vimukti sansthan/vimukti girls school, Jaipur
- 35. Jaipur theosophofical lodge.

- 36. President Lions Club (District 323 E-1 Club No. 026309) & Jaina Printers, Jaipur
- 37. Rajasthan Rajya Shakari Mudranalaya Limited, Jaipur
- 38. Bharatvirshya Digamber Jain Tirthshatra committee Mumbai, Rajashthan Anchal.
- 39. Vidyasthali Group of Institutions Jaipur
- 40. Cosmic Yoga Combine, Kanti Nagar, Station Road, Jaipur
- 41. Jaipur Diabetes & Research Centre, Near Ridhi-Sidhi, Gopalpura Bypass, Jaipur
- 42. Vinayak Farma, D-74, Ghiya Marg, Banipark, Jaipur
- 43. Smt. Lalita Devi, Ramchandra Kasliwal Trust, Jaipur
- 44. District Jaipur Badminton Association, Jaipur
- 45. Helpage (India), Jaipur
- 46. Rajasthan polytechnic college, Ratangarh (churu) & Sambal Seva Sansthan, Jaipur
- 47. Dr. B. Lal Clinical Laboratory, Jaipur
- 48. Vashali Hitkari Sangthan, Jaipur
- 49. Secretary, Himachal Human Rights Commission, Shimla
- 50. Rajdhani Hospital and Rajdhani Hotel, Jaipur

And Many More...

Students reciting the oath of section 51(A) of Constitution of India under the guidelines of RSHRC.



■ In addition to that in legal literacy and awareness program, chairman motivated students and even general public to recite the pledge as mentioned in article 51(A) of Constitution of India. It is good sign that so many schools have started taking prayer as per instructions of different concerned authorities as per the request of the commission. Some of them are as follows:-



बियानी गर्ल्स कॉलेज विद्याधर नगर, जयपुर में राजस्थान राज्य मानवाधिकार आयोग के निर्देश पर छात्राओं को भारत के संविधान के अनुच्छेद 51ए का संकल्प दिलाते कॉलेज के वाइज प्रिंसीपल पी.सी. जांगिड़।





News

राजस्थान पत्रिका

जयपुर, रविवार, २० जुलाई २००८

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छात्रों को पिलाई जाएगी मूल कर्तव्यों की घुट्टी

मानवाधिकार आयोग की पहल पर शिक्षा विभाग से आदेश जारी जयपुर, 19 जुलाई (का.सं.)

छात्र जीवन से ही नागरिकों को मूल अधिकारों के साथ मूल कत्तंच्यों की पालना की घुट्टी पिलाई जाएगी। शिक्षा विभाग ने सभी शिक्षण संस्थाओं में छात्रों को संवैधानिक कर्त्तव्यों के पालन का संकल्प दिलवाने का आदेश दिया है।

राज्य मानवाधिकार आयोग ने नागरिकों को मूल कर्त्तव्यों की पालना का संकल्प दिलाने के लिए एक प्रारूप तैयार किया है, जिसकी प्रतियां आधा दर्जन से अधिक मंत्रियों, अधिकारियों तथा कई दर्जन स्कूलों में भिजवाई गई है। शिक्षा विभाग ने आयोग के सुझाव पर माध्यमिक, प्राथमिक और संस्कृत शिक्षा के निदेशकों को निदेशित किया है कि वे अपने क्षेत्राधिकार की शिक्षण संस्थाओं में छात्रों को संविधान के अनुच्छेद 51-ए में उक्लेखिट सन्तू कर्जलें स्विधानका का संकल्प दिलवाएं।

क्या हैं मूल कर्त्तव्य

संविधान में नागरिकों के मूल कर्तव्य इस प्रकार हैं
संविधान और उसके आदर्श, राष्ट्रगान ल राष्ट्रध्वज का आदर करें भ राष्ट्र भावना के लिए प्रेरित करने वाले आदर्शों का पालन करें

भ भारत की प्रभुता, एकता-अखंडता, सार्वजनिक सम्मत्ति, वन, झील, नदी य वन्य जीवों की रक्षा करें भ स्त्री सम्मान विरोधी प्रथाओं का त्याग करें भ हिंसा से दूर रहकर प्राणियों के प्रति दयाभाव रखें भ वैज्ञानिक दृष्टिकोण, मानववाद, सुधार की भावना का विकास करें भ सभी नागरिकों में समरसता व प्रातुत्व की भावना का निर्माण करें।

बंदियों ने लिया मानव अधिकार रक्षा का व्रत

भरतपुर भारतीय चरित्र निर्माण संस्थान नई दिल्ली द्वारा निकाली जा रही मीता संदेश यात्रा सोमवार को भरतपुर स्थित सेवर कारागार पहुँची। संस्थान द्वारा कारागार में बंदियों को मानव अधिकार रक्षा का संकल्प कराया गया।

कारागार में पहुंची गीता संदेश यात्रा के उपरांत एक कार्यक्रम का आयोजन किया गया। उसमें संस्थान के संस्थापक रामकृष्ण गोस्वामी, सचिव श्रीचंद साहू, भरतपुर के अधिवक्ता सरदार महेन्द्र सिंह मग्गो, उमेश शर्मा, जेलर श्रीराम शर्मा द्वारा कैदियों को चरित्र निर्माण सहित गीता के उपदेशों के बारे में विस्तार से जानकारी दी गयी।

इस अवसर पर कैदी भगवान सिंह, कांता प्रसाद शर्मा, तेजवीर गुर्जर, मुख्त्यार सिंह,मानवीर, सीताराम सिंहत अन्य बंदियों हारा संस्थान के संस्थापक रामकृष्ण गोस्वामी से परमात्मा, आत्मा, जन्म, मृत्यु, कर्म के संबंध में प्रश्न पूछे गये। इस दौरान जेल परिसर में गिर्राज महाराज की जय व श्री कृष्ण गोविन्द हरे मुरारी बोल गूंजते रहे। 25

PAR SER STREET

जेंल में बंदियों ने लिया रक्षा का संकल्प

भरतपुर, 25 अगस्त । श्रीकृष्ण जन्माष्ट्रमी पर 12 दिवसीय गीता संदेश · यात्रा के अन्तर्गत सेवर केन्द्रीय कारागार भरतपुर में बन्दियों ने मानव अधिकार रक्षा हेतु अपराध मक्त समाज निर्माण का संकल्प लिया। भारतीय चरित्र निर्माण संस्थान दिली के तत्वावधान में बिरला मंदिर दिली से प्रारंभ हुई यात्रा आज तीसरे दिन भरतपुर कारागार में पहुंची तो बंदियों ने बोल गिरांज महाराज की जय से जेल की दीवारों को गंजा दिया। संस्थान के संस्थापक रामकृष्ण गोस्वामी ने भगवान श्रीकष्ण के विराट रूप दर्शन के तत्वावधान से बन्दियों से अपील की अपराधों की रोकथामं और मानव अधिकारों की रक्षा के महायज्ञ में आहति देकर ही आप बंधन से मक्त होने का सीभाग्य प्राप्त कर सकते हो। श्रीचन्द साहू राष्ट्रीय सचिव भारतीय चरित्र निर्माण संस्थान ने कल मधरा की कारागार में बंदियों द्वारा पछे गए प्रश्नों को संदर्भित करते हुए कहा कि गीता ज्ञान ही मानव जीवन की सफलता का विज्ञान है इसके बिना परिवार और समाज की सुरक्षा संभव ही नहीं है। समाज सेवी एवं अधिवक्ता सरदार महेन्द्र सिंह मग्गों ने अपने विचार रखते हुए कहा कि ज्ञान ही भगवान है अज्ञान ही शैतान है इसलिये शैतान से मक्ति हेतु गीता ज्ञान की परम आवश्यकता है। सरदार तारा सिंह ने विश्वत्मा श्रीकृष्ण की तस्वीर पर दुपट्टा पहनाकर और पष्प अपिंत करके कहा कि भरतपुर कारागार बन्दी उद्धार और राष्ट्र कल्याण का अनुटा अभियान है । देवेन्द्र मित्तल ने बंदियों को गीता की पुस्तके भेंट की ओर जेल से बाहर कार्यक्रम करने की अपील भारतीय चरित्र निर्माण संस्थान से की। अधिवक्ता उमेश शर्मा ने भारतीय चरित्र निर्माण संस्था की पृष्ठ भूमि पर प्रकाश डालते हुए कहा कि सन् 2003 से ही संस्थान भरतपुर जेल में अपराध मुक्त समाज निर्माण अभियान में जुटा है। कारागार में जेलर श्रीराम शर्मा ने कृष्णा जन्माष्टमी पर गीता के कर्म विज्ञान में संदेश से मानव कल्याण निश्चित साधन बताते हुए कहा कि जेल सुधार और मानव अधिकार रक्षा का यह अद्वितिय अभियान है भरतपर कारागार प्रशासन का संस्थान को पूर्ण सहयोग सदैव मिलता रहेगा। बंदी भगवान सिंह गिल्ली, कान्ता प्रसाद शर्मा, तेजबीर गर्जर, पण्डित मुख्तियार, सीताराम प्रंव अन्य बन्दियों ने परमात्मा, जन्म- मृत्यु कमं और फल के संबंध में अनेक प्रश्न पंछे जिनका समाधान रामकृष्ण गोस्वामी जी द्वारा श्रीमद्भगवत गीता में संदर्भित करते हुए किया गया। राजस्थान मानवाधिकार आयोग के माननीय अध्यक्ष एनके जैन ने सझाव दिया कि भारतीय संविधान में अनुछेद 51 ए में वर्णित देश के नागरिक के मल कर्तव्य का संकल्प कराएं। उसी के अनुसार संस्थान, ने ਸੰਕਾਰਾ ਸਭ ਸਵਾਤ ਵਿਗਾ औਰ ਜੰਵਿਸ਼ੀ ਤੇ ਸੰਕਾਰਤ ਨਿੰਗ।

News

समाचार जगत >> जयपुर >> 10 दिसम्बर, 2007

अधिकारों के साथ-साथ कर्तव्य भी निभाएं

मानवाधिकार

सभी प्रदेशवासियों की हार्दिक शुभकामनाएँ। जहां तक मानवाधिकार संरक्षण की बात है, यह तभी संध्व है जब हर व्यक्ति अपने अधिकारों के साथ साथ कर्तव्य

निर्वहन के लिए भी जागरूक हो। हर वर्ष 10 दिसम्बर को विश्व मानवाधिकार दिवस तो पूरे विश्व में मनाया जाता है, परन्तु इसे मनाने के लिए लोगों में अभी भी उतनी जागरूकता पैदा नहीं हुई हैं। इस कार्यक्रम में सिर्फ संधात वर्ग का ही जड़ना काफी नहीं बल्कि हर युवा से लेकर स्कूली छात्रों एवं गांव ढांणी की

आम जनता तक को इससे जोडना होगा जिससे आगे चलकर वह दूसरों को भी मानव अधिकारों के प्रति सचेत कर सकें। इसी प्रयास को अंजाम देने के लिए द प्रोटेक्शन ऑफ ह्मन राइट्स एक्ट 1993 (एक्ट नं. 10 ऑफ 19994) की धारा 21 (1) में प्रदत्त शक्तियों के अनुसरण में राजस्थान राज्य में 18 जनवरी 1999 में आयोग का गठन हुआ तथा मार्च 2000 में अध्यक्ष एवं सदस्यों की नियुक्ति हुई और फिर दिनांक 6.7.2005 को पुर्नगठन हुआ। 16 जुलाई 2005 से राजस्थान राज्य मानव अधिकार आयोग का अध्यक्ष होने के नाते मेरी यही कोशिश रही है कि हर मामले में सोच समझकर निर्णय लिया जाए, जिससे पीडित के

अधिकारों का इनन रोका जा सकें। जागरूकता सिर्फ मानव अधिकार क्या है, यह समझने से नहीं आएगी। उसके लिए हमें मानव के गरिमापूर्ण जीवन की सुनिश्चितता को भी समझना होगा। हर वर्ग खासतीर पर पीडित, दलित उत्पीडित, कमजोर वर्ग, बच्चों एवं महिलाओं के संरक्षण की बात भी ध्यान में रखनी होगी और हमें अत्यधिक जागरूकता के साथ-साथ संवेदनशील भी बनना होगा, ताकि जिससे यदि सडक पर भी किसी व्यक्ति के

साथ कोई दुर्घटना हो, तो हम वहीं रूक कर उसकी मदद करें ना कि सीधे आगे चले जाएं और बहाना बनाएं कि कानूनी प्रक्रिया का झंझट है व समय नहीं हैं। यदि मानवता के लिए ही किसी के पास समय नहीं है तो फिर क्या खुद मानव बने रहने का उन्हें अधिकार होना चाहिए, यह तो आपको स्वयं को ही तय करना हैं। जहां तक मानवाधिकार आयोग की बात है, शिकायतों के अलावा अखबारों में आने वाले मामलों पर भी आयोग प्रसंज्ञान लेता है साथ ही यह सभी मानवृहित के लिए कार्यरत निजी स्वयंसेवी संस्थाओं के साथ मिलकर नागरिकों के कर्तव्यों व अधिकारों की रक्षा के साथ सामाजिक बुराइयों व कुरीतियों को सकारात्मक सोच देने का प्रयास भी कर रहा है। मानव अधिकार आयोग किसी पुलिस, कोर्ट या व्यक्ति खास के दायरे में नहीं सिमटा हुआ है, यहां ज़िस व्यक्ति के अधिकारों का हनन हो रहा है, उसके मामलें में वस्तुस्थिति मंगाकर व सुनकर दिशा निर्देश दिए जाते हैं। यह दुर्भाग्यपूर्ण बात यह है कि आज आजादी के 60 सालों बाद भी हमें मानवाधिकारों की बात लोगों को तब समझानी पड़ रही है, जबकि देश पूरी तरह से

न्तर्राष्ट्रीय मानव अधिकार दिवस पर स्वतंत्र हो चुका है परन्तु आज भी देश में गरीबी बेरोजगारी, अशिक्षा के साथ सामाजिक कुर्रातियाँ, अन्धविश्वास प्रचलित हैं। यह एकं जटिल समस्या है इसके अलावा कुल लोगों के द्वारा स्वतंत्रता का दुरूपयोग करने के कारण हमें आज भी मानवाधिकारों के लिए संघर्ष करना पड़ रहा है। यह आयोग

जागरूकता बढाने के लिए सरकारी विभागों, कॉलेज, विश्वविद्यालयों के अध्यापकों व जिला विधिक सेवा प्राधिकरण के अधिकारियों एवं स्वयं सेवी संस्थाओं के सहयोग से आमनागरिकों को उनके अधिकारों व कर्तव्यों को जानकारी देने का भरपुर

प्रयास कर रहा है कुछ निस्वार्थ व सेवाभावी संस्थाएं भी इस जागरूकता कार्यक्रम में सहयोग दे रहा है। जिसके फलस्वरूप एक दूसरे के अधिकारों की रक्षा व अपने कर्तव्यों का निष्ठापूर्वक पालन कर ामनव अधिकारों के संरक्षण के साथ उनके हनन को रोकने में भी मदद मिल रही हैं। यह सहयोग जितना अधिक मिलेगा, प्रदेश की जनता के मानव अधिकारों के लिएउतना ही अच्छा होगा। प्राय: यह भी देखने में आता है कि बड़ी बड़ी बातों की चर्चा तो हर कोई करता है परन्तु छोटी छोटो बाते, जो जीवन में महत्वपूर्ण होती है, उनको नजरअंदाज करते हुए आज इंसान हर कार्य की दूसरों से ही अपेक्षा करता है यह स्थिति ठीक नहीं कहीं जा

सकती। आयोग ने मानवाधिकार के प्रति जागरूकता व अधिकारों के संरक्षण के लिए लोक सेवकों एवं जनसाधारण में संवेदनशीलता से काम करने को बढावा दिया है। आयोग द्वारा दिनांक 6.7.2005 से 30.11.2007 तक 10110 प्राप्त परिवादों में से 9418 परिवादों का नरिस्तारण कर दिया गया है तथा 1046 परिवाद दिनांक 30.11.2007 को विचाराधीन हैं। मेरा यह भी मानना है कि केवल कानून बनने या उपदेश देने से मानवधिकारों

का संरक्षण नहीं होगा, इसके लिए बने हुए कानून को अमल में लाना व स्वयं को कर्तव्यों के प्रति जागरूक करना होगा व पारस्परिक हित की बात सोचनी होगी। मानव अधिकार जो सबके लिए है, कांगजी ना होकर सभी को मिलकर क्रियान्वित करना होगा। हां, आयोग मदद जरूर कर सकता है। इस सम्बन्ध में आयोग सिर्फ सामान्य जनेता को ही नहीं बल्कि अवेयरनेस व लीगल लिट्रेसी प्रोग्राम के तहत जिम्मेदारी तिभाने को बात करने वाले लोक सेवकों को भी समझाते हैं। अब जब राजस्थान में साक्षरता का प्रतिशत भी बढ़े गया है, उसी के साथ लोगों में अपने अधिकारों के प्रति सजगता भी बढ़ी हैं। ऐसे में कर्तव्यों के प्रति भी हमें ज्यादा ध्यान देना होगा। अन्त में विश्व मानवाधिकार दिवस पर मेरी लोगों से यही अपेक्षा है कि मानव अधिकारों का संरक्षण करें, यह किसी का अधिकार तो किसी का कर्तव्य हैं, दोनों की पालना समान रूप से करनी चाहिए। इसी से मानवाधिकारों के प्रति संवेदनशीलता जागृत होगी तथा आयोग अपने उद्देश्यों के प्रति अधिक सफलत हो पाएगा और हमारा देश फिर पहले जेसे सोने को चिडिया कहलाएगा।

जागरुकता की जरूरत

बाल उस में ही मानवीय संवेदनाओं को समझाकर अधिकारों के बारे में जानकारी ने का प्रयास किया जा रहा है। रानवाधिकार को पाठ्यक्रम का हिस्सा बनाने की पेशकश को कई स्कूलों ने माना है लेकिन अभी इस पर कार्य करने की आवश्यकता है। तभी इसको फलीभूत किया जा सकेगा।

अजमेर रिपोर्टर अजमेर, 18 सितम्बर

विद्यालयों में मानवाधिकार का पाठ पढाने के लिए एनजीओ को सरकार के साथ की जरूरत है। दोनों के सहयोग से ही इस कार्य को अंजाम दिया जा सकता है।

यह कहना है स्टेट ह्यमन सइटस कमीशन के चेयरमैन एन.के.जैन का। जैन गुरुवार को सोफिया कॉलेज में ह्यमन गइट्स एज्केशन इन स्कल ऑफ राजस्थान की स्टेट एडवाइजरी कमेटी की वार्षिक बैठक की अध्यक्षता कर रहे थे। ह्यमन राइट्स इंस्टीट्यूट ऑफ मदुरै व सोफिया कॉलेज के संयक्त तत्वावधान में

आयोजित कार्यक्रम की बैठक में रिटायर्ड चीफ जस्टिस एस.एन.भागव ने कहा कि मानवीय अधिकारों के प्रति जागरूकता लाने के लिए अभी बहुत कार्य करने की जरूरत है। सभी स्टेट्स में राइटस के प्रति लोगों की अवेयरनैस नहीं है। भागंव मणिपुर व असम के मानव अधिकार आयोग के चेयरमैन रह चुके हैं। कार्यक्रम में आर.के. सक्सेना रिटायर्ड आई जी. व कॉमनवैल्थ ह्यमन राइट्स एक्टिविस्ट ने कहा कि जेल में कैदियों के साथ मानवाधिकार किस प्रकार उल्लंघन होता है। इसका उन्हें काफी एक्सपीरियंस है।

वह इसको खत्म करने के लिए बच्चों को ही इसका पाठ पढ़ाने के हक में है। बैठक में पी.एल. निमरोद सेन्टर फॉर दलिस राइटस जयपुर, सिस्टर कैरल, पुलिस यातना की रोकथाम कार्यकर्ता का कहना है कि मानव अधिकारों को सांस्कृतिक प्रस्तृतियों के माध्यम से जन-जन तक पहुंचाया जा सकता है। ग्रास रूट के लिए नुक्कड़ व पपेट शो बेहतरीन ऑप्शन हैं। सोफिया की व्याख्याता सिस्टर मैरियोला, लॉरेन्स एंड मेयो के प्राचार्य संजय दत्ता, श्रमजीवी कॉलेज के प्राचार्य अनंत भटनागर, एडवोकेट किशन गर्जर, आर.पी.जैन, जयपर की दीपा जैन सोफ़िया कॉलेज की व्याख्याता संध्या रैना संगीता सामंत. निलनी बहुगुणा, ज्योति चंदेल मीडिया की मध्लिका सिंह, दीपक आदि ने विचार व्यक्त किए। कार्यक्रम के अंत में सोफिया कॉलेज की प्राचार्य सिस्टर सरीना ने आगन्तको को धन्यवाद दिया। कार्यक्रम की स्टेट कॉर्डिनेटर ने प्रोग्राम की कमान संभाली।



सोफिया कॉलेज में आयोजित बैठक में भाग लेते अतिथि।

जस्य अनमेर

News Reporting

अधिकारों के साथ कर्तव्य भी निभाएं

जागरूकता मानवाधिकार क्या है, यह समझने से ही नहीं आएगी, उसके लिए हमें मानव के गरिमापूर्ण जीवन की सुनिश्चितता को समझना होगा।

नवाधिकार संरक्षण तभी संभव है जब हर व्यक्ति अपने अधिकारों के साथ-साथ कर्तव्य निर्वहन के लिए भी जागरूक हो। हर वर्ष दस दिसंबर को 'विश्व मानवाधिकार दिवस' तो पूरे विश्व में मनाया जाता है, लेकिन इसकी जागरूकता के लिए हर युवा से लेकर स्कूली छात्रों एवं गांव-ढाणी की आम जनता को भी इससे जोड़ना होगा। जिससे आगे चलकर वह अन्य लोगों को भी मानवाधिकारों के प्रति सचेत रख सकें। इसी प्रयास को अंजाम देने के लिए ंदा प्रोटेक्शन ऑफ ह्यूमन राइट्स एक्ट, 1993' (एक्ट नं. 10 ऑफ 1994) की धारा 21 (1) में प्रदत्त शक्तियों के अनुसरण में, राजस्थान राज्य में 18 जनवरी 1998 में आयोग का गठन हआ।

जागरूकता सिर्फ मानवाधिकार क्या है, यह समझने से ही नहीं आएगीं, उसके लिए हमें मानव के गरिमापूर्ण जीवन

विश्व

की सुनिश्चितता को समझना होगा। समर्थ लोग अपने अधिकार व मानवाधिकारों के मानवाधिकार हनन को रोकने में सक्षम हैं, परंतु हर वर्ग खासतौर पर मीडिया, दलित, उत्पीड़ित, कमजोर वर्ग, बच्चों एवं महिलाओं के संरक्षण

की बात भी ध्यान में रखनी होगी और हमें अत्यधिक जागरूकता के साथ-साथ संवेदनशील भी बनना होगा. ताकि यदि सड़क पर भी किसी व्यक्ति के साथ कोई दुर्घटना हो, तो हम वहीं रुककर उसकी मदद करें न कि सीधे आगे चले जाएं। जहां तक मानवाधिकार आयोग की बात है, शिकायतों के अलावा अखबारों के आने वाले मामलों पर भी आयोग प्रसंज्ञान लेता है। साथ ही यह सभी मानवहित के लिए कार्यरत निजी स्वयंसेवी संस्थाओं के साथ मिलकर नागरिकों के कर्तव्यों व अधिकारों की रक्षा के साध-साथ सामाजिक बराइयों व करीतियों को सकारात्मक सोच देने का प्रयास भी कर रहा है। मानवाधिकार आयोग किसी पुलिस, कोर्ट या व्यक्ति विशेष के दायरे में सिमटा हुआ नहीं है, यहां जिस व्यक्ति के अधिकारों का हनन हो रहा है, उसके मामले में वस्तुस्थित मांगकर व सुनकर दिशा-निर्देश दिए जाते हैं। जिन आदेशों की पालना नहीं हुई उनके बारे में सरकार को विधानसभा में कारण बताने होते हैं।

- न्यायमूर्ति एन.के. जैनं

Human Rights and duties

Protection of Human Rights of all is possible only when everybody has a sense of duty towards this. "We celebrate the International Human Rights Day on December 10 every year, but it is a pity that even today not many know about the day's importance," State Human Rights Commission chairman Justice NK Jain said.

Speaking to HT Jaipur Live, he said that not only the elite section, but people from urban and rural areas including youth. need to be involved in the awareness drive, so that a larger section of the society could be benefited, he said

Awareness does not come merely by understanding human rights. For this, "we need to understand the meaning pf dignity of life. We have to be alert for protecting all sections of the society, the poor, Dalits, women, children and the deprived. Along with awareness we need to be sensitive.

The Human Rights Commission is concerned on all such issues. Apart from grievances addressed to the office, the Commission takes cognizance on the matters being reported in newspapers. It is not confined to any police, court or an inlividual.

Out of 22 law students of different Univ./Law college, 13 students have made Power Point Project and other have submitted reports on Internship with commission on different respective subjects including Human Rights Commission and Activities.

Sr.	Title of projects	Slide No	Student's Name
1.	About Commission and activities	01-28 29-30	Consolidated Index
2.	Women Rights	31-49	Ritushree
3.	Cancer	50-80	Rupendra
4.	Child Labour	81-133	Sandeep
5.	HIV AIDS	134-156	Bhanu pratap
6.	Child Rights	157-179	Vineet Sharma
7	Dalit	180-216	Chandraveer

Various Projects done by internship Students during April 09 to June 09:

Sr. no.	Title of project	Slide No.	Student's Name
8.	Arrest	217-242	Zeeshan
9.	Environment	243-276	Nikhil Sharma
10	Women's Right	277-291	Dr. Deepa Jain (S.I. RSHRC)
11	Working of commission	294-316	Namit saxena & Abhikalp
12	Juvenile justice	317-344	Tarpit Patni
13	Child Right	345-360	Sheetal Mishra
14	Fundamental Duties Art.51-A Compiled by Thanks to one and all	361-397 / 398 399-400	Trishal Jeet Singh Anand, Pradeep Secretary RSHRC

Under the guidance of Hon'ble Mr. Justice N.K. Jain. (Former Chief justice of Madras and Karnataka High Court)
Chairperson of RSHRC, SSO building Secretariat, Jaipur



RAJASTHAN STATE HUMAN RIGHTS COMMISSION JAIPUR



Project

on

CHILD LABOUR

Under the guidance of Hon'ble Mr. Justice N.K. Jain.

(Former Chief justice of Madras and Karnataka High Court) Chariperson, RSHRC

Prepared by:RUPENDRA SINGH
SANDEEP SINGH
(Students of BVP, NEW LAW COLLEGE
Pune, Maharashtra.)
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Some Sweet Ones



Some Bitter Ones



SOME WORST ONES...





INTRODUCTION...

- Child labour is done by any working child who is under the age specified by law. The word, "work" means full time commercial work to sustain self or add to the family income. Child labour is a hazard to a Child's mental, physical, social, educational, emotional and spiritual development. Broadly any child who is employed in activities to feed self and family is being subjected to "CHILD LABOUR".
- It is obligatory for all countries to set a minimum age for employment according to the rules of ILO written in Convention 138(C.138). The stipulated age for employment should not be below the age for finishing compulsory schooling, that is not below the age of 15. Developing countries like INDIA allowed to set the minimum age at 14 years in accordance with their socio- economic circumstances.
- The Indian constitution categorically states that child labour is a wrong practice, and standards should be set by law to eliminate it. **The CHILD LABOUR Act of 1986** implemented by the government of India makes child labour illegal in many regions and sets the minimum age of employment at fourteen years.

CONTINUE...

■ The Industrial revolution had ushered in the horrendous practice of employing children of 4 and 5 years in factories in environmental conditions, which were risky for their health and well being, often proving fatal. Developed countries have reacted sharply to this historical fact by equating "child labour" with human right violation. However poor countries are more accepting about child labour as a living necessity.

WHETHER ALL WORKS FOR CHILDREN ARE CHILD LABOUR...

- Work that does not obstruct with a child's education is considered light work and allowed from age 12 under the International Labour Organization (ILO Convention 138). It is because of this that many children employed in part time work like learning craft or other skills of a hereditary nature are not called child labours.
- The same work translates into child labour if a child is thrown into weaving carpets, working into factories or some other employment to earn money to sustain self, or augment his family's income without being given school education and allowed opportunities for normal social interactions.
- A child working part time (3-4 hours) to learn and earn for self and parents after school, is not considered 'child labour'.

Child Population in India....

- India has the highest number of children in the world.
- More than one third of country's population is below 18 years.
- Approximately 40% of the population (around 440 million) is children.

Status of Children in India....

India has

highest rate of neo-natal deaths (around 35%) in the world. 40% of child malnutrition in developing world.

50% of the child mortality.

Reducing number of girls in 0-6 age group- for every 1000 boys 927 girls.

46% children from ST and 38% SC out of school.

High rate of child marriage:

37% of literate & 51% of illiterate girls are married below 18 10% of literate & 15% of illiterate boys are married below 18

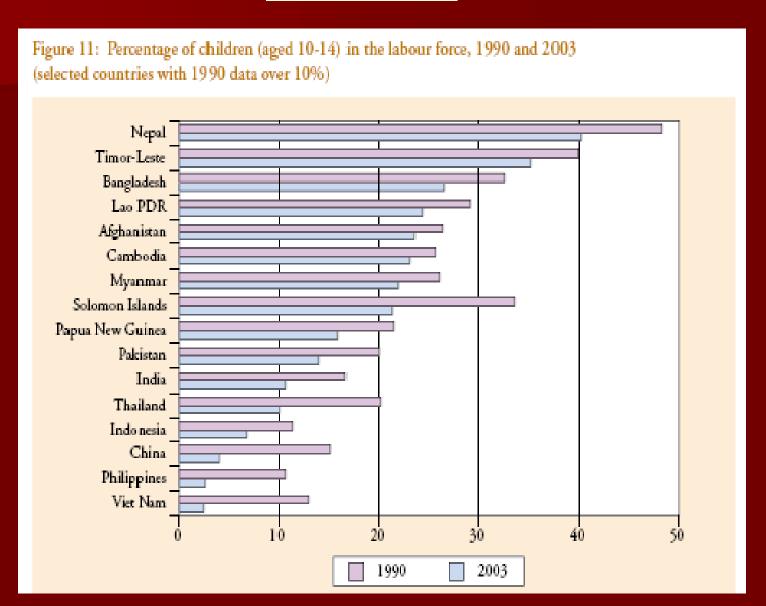
Large number of child labourers.

Large number of sexually abused children.

Child Labour Fact Sheet

- 73 million working children are less than 10 years old.
- While buffaloes may cost up to 15,000 rupees, children are sold at prices between 500 and 2,000 rupees.
- 47 out of 100 children in India enrolled in class I reach class VIII, putting the dropout rate at 52.79%.
- Approximately 16.64% of villages in the country do not have facilities for primary schooling. (UNICEF)
- 42 million children in the age-group 6-14 years do not attend school in India.
- In India 14.4 % children between 10 and 14 years of age are employed in child labor.

PERCENTAGE OF CHILDREN IN CHILD LABOUR...





Causes of Child Labour....

<u>ILLITERACY</u>: Illiterate parents do not realize the need for a proper physical, emotional and cognitive development of a child.

<u>POVERTY</u>: Many a time poverty forces parents to send their children to hazardous jobs.

<u>URBANIZATION</u>: MNC's and export industries in the developing world employ child workers, particularly in the garment industry.

<u>OVER POPULATION</u>: limited resources and more mouths to feed, Children are employed in various forms of work.



CONTINUE....

- ORPHANS: Children born out of wedlock, children with no parents and relatives, often do not find anyone to support them. Thus they are forced to work for their own living.

- WILLINGNESS TO EXPLOIT CHILDREN: This is at the root of the problem Even if a family is very poor, the incidence of child labour will be very low unless there are people willing to exploit these children.
- <u>UNEMPLOYMENT OF ELDERS</u>: Elders often find it difficult to get jobs. The industrialists and factory owners find it profitable to employ children. This is so because they can pay less and extract more work. They will also not create union problem.

Consequences For Children...

- <u>Physical injuries and mutilations</u> are caused by badly maintained machinery on farms and in factories, machete accidents in plantations, and any number of hazards encountered in industries such as mining, ceramics and fireworks manufacture
- <u>Pesticide poisoning</u> is one of the biggest killers of child labourers. In Sri Lanka, pesticides kill more children than diphtheria, malaria, polio and tetanus combined. The global death toll each year from pesticides is supposed to be approximately 40'000.
- <u>Growth deficiency</u> is prevalent among working children, who tend to be shorter and lighter than other children; these deficiencies also impact on their adult life.

CONTINUE....

<u>Long-term health problems</u>, such as respiratory disease, asbestosis and a variety of cancers, are common in countries where children are forced to work with dangerous chemicals.

<u>HIV/AIDS and other sexually transmitted</u> diseases are rife among the one million children forced into prostitution every year; pregnancy, drug addiction and mental illness are also common among child prostitutes.

<u>Exhaustion and malnutrition</u> are a result of underdeveloped children performing heavy manual labour, working long hours in unbearable conditions and not earning enough to feed themselves adequately.



CHID LABOUR

Child labour is both a cause and



consequence of poverty

CHILD LABOUR - IMPACT ON SOCIETY

- Backwardness
- Illiteracy
- Superstitions
- Child Marriages
- ■Poor Social Development
- ■Threat to Culture

FORMS OF CHILD LABOUR:



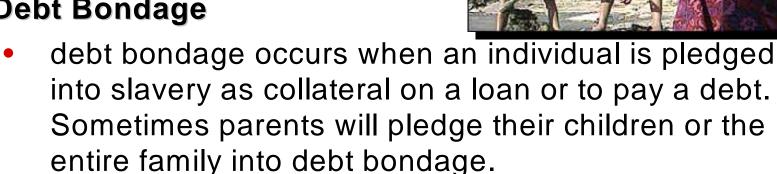
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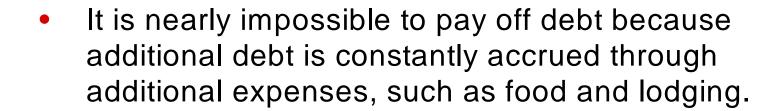
FORMS OF CHILD LABOUR

Forced Labour

to extract work or service from any person using the threat of penalties.











Child Labour

FORMS OF CHILD LABOUR

Chattel Slavery

- Chattel slavery is the most widely documented, historic form of slavery.
- Chattel slaves are legally viewed as personal property that can be sold and traded by their master.

Religious Slavery

- Religious slavery refers to when children are sold or given to temple gods and priests.
- This still occurs today in parts of Africa (such as Ghana) and India.





CHILD LABOUR

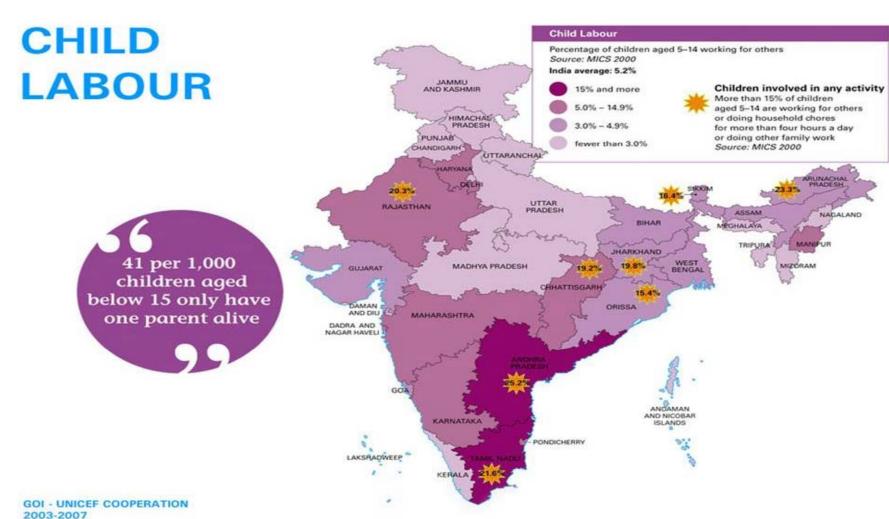
PARTICIPATION RATES IN SCHOOLING AND CHILD LABOUR

IN RURAL AND URBAN INDIA

	Rural					Urban				
	1983	87/88	93/94	99/00	198	3	87/88	93/94	99/00	
Attend School	48.5	55.1	66.8	72.8	73.	0	76.2	84.4	84.9	
Work	36.0	25.0	20.5	14.1	16.	9	12.3	9.5	7.3	
Work Only	35.5	24.5	20.1	13.6	16.	5	11.9	9.2	7.0	
Market Work	19.3	13.7	10.8	7.5	7.	5	6.0	4.8	3.7	
household ent.	11.9	8.2	6.3	4.0	3.	2	2.6	1.9	1.3	
wage work	7.1	5.5	4.5	3.5	4.	2	3.4	2.8	2.4	
begging	0.0	0.1	0.0	0.0	0.	0	0.0	0.0	0.0	
domestic work	16.7	11.2	9.6	6.6	9.	4	6.3	4.7	3.6	
									5 0	



Child Labour In India





Child Labour Industry...

	Industry (India)	%share
1	Pan, Bidi & Cigarettes	18
2	Construction	15
3	Domestic workers*	12
4	Spinning/ weaving	11
5	Brick-kilns, tiles	9.5
6	Dhabas/ Restaurants/ Hotels/ Motels*	7.7
7	Auto-workshop, vehicle repairs	7
8	Gem-cutting, Jewellery	6.2
9	Carpet-making	5.8
10	Ceramic	4.1
11	Agarbati, Dhoop & Detergent making	2.7
12	Others	2





Rights of Children

- The right to survival and to the resources necessary for survival such as food, water and shelter.
- To develop to the fullest of their potential, such as having access to education.
- To protection from harmful influences, abuse and exploitation of any kind.
- To participate fully in the family, cultural and social life of their communities.



LAWS

- National Policy on Child Labour was formulated in 1987.
- Prohibition of children being employed in hazardous occupations and processes.
- Poverty being the main root cause the govt has decided to generate the employment.
- Supplementary nutrition and regular health check ups so as to prepare them to join regular mainstream schools.

Initiatives towards Elimination of Child Labour

- The government has made efforts to prohibit child labor by enacting Child labor laws in India including the 1986 Child Labor (Prohibition and Regulation).
- Government has accordingly been taking proactive steps to tackle this problem through strict enforcement of legislative provisions along with simultaneous rehabilitative measures.
- State Governments, which are the appropriate implementing authorities, have been conducting regular inspections and raids to detect cases of violations.
- Government has been laying a lot of emphasis on the rehabilitation of these children and on improving the economic conditions of their families.

THE CHILD LABOUR (Prohibition and Regulation) ACT, 1986

- OBJECT: To prohibit the engagement of children in certain employment's and to regulate the conditions of work or children in certain other employment's
- **DEFINITION**: Child: Child means a person who has not completed his fourteen years of age.
- **APPLICABILITY:** In extends to the whole of India
- WEEKLY HOLIDAY: Every child shall be allowed in each week a holiday of one whole day.
- HOURS AND PERIOD OF WORK: The period of work on each day shall not exceed three hours and no child
- shall work for more than three hours before he has had an interval for rest for
- at least one hour. No child shall be permitted or required to work between 7
- P.m. and 8 a.m.
- No child shall be required or permitted to work overtime.

PROHIBITION OF EMPLOYMENT OF CHILDREN IN CERTAIN OCCUPATIONS AND PROCESSES

- 1. Transport of passengers, goods; or mails by railway.
- 2. Cinder picking, clearing of an ash pit or building operation in the railway premise.
- 3. Work in a catering establishment at a railway station, involving the movement of vendor or any other employee of the establishment from one platform to another or into or out of a moving train.
- 4. Work relating to the construction of railway station or with any other work where such work is done in close proximity to or between the railway lines.
- 5. The port authority within the limits of any port. 107.
- 6. Work relating to selling of crackers and fireworks in shops with temporary licenses.

CONTINUE...

- 7. Abattoirs/slaughter Houses.
- 8. Automobile workshops and garages.
- 9. Foundries.
- 10. Handling of taxies or inflammable substance or explosives.
- 11. Handlom and powerloom industry.
- 12. Mines (Under ground and under water) and collieries.
- 13. Plastic units and Fiber glass workship.

THE CHILD LABOUR (Prohibition and Regulation) ACT, 1986

PENALITIES:

- Section-3 shall be punishable with imprisonment which shall
- not be less than three months which may extend to one year or with fine
- which shall not be less than ten thousand rupees but which may Extend to twenty thousand rupees or with both.
- section3 (3) shall be punishable with imprisonment for a term which shall not be less than
- six months but which may extend to two years.
- Any other violations under the Act shall be punishable with simple imprisonment,
- which may extend to one month or with fine, which may extend to ten thousand
- rupees or with both.

Protection Issues...

- Protecting children in difficult circumstances including natural disasters:
 - Children in Need of Care and Protection.
 - Child in Conflict with Law.
- Elimination of child labour.
- Protecting children from being trafficked for commercial and sexual exploitation.
- Protecting children affected by HIV/AIDS.

Children in Need of Care & Protection...

- Orphans, abandoned & destitute children.
- Missing or run-away children.
- Street & working children.
- Children of sex workers.
- Abused, tortured and exploited children.
- Children indulging in substance abuse.
- Children affected by HIV/AIDS.
- Children affected by natural calamities, emergencies and man made disasters.
- Children with disabilities.
- Child beggars.
- Children suffering from terminal/incurable disease

Existing Programmes...

The existing schemes & programmes of GOI includes:

- A Programme for Juvenile Justice.
- Scheme for Working Children in need of care and protection.
- Integrated Programme for Street Children.
- Shishu Greha Scheme.
- General Grant-in-aid Scheme
- CHILDLINE-24 hour help line for children in distress.
- Rajiv Gandhi national crèche scheme for the children of working mothers.
- Pilot Project to Combat the Trafficking of Women and Children for Commercial Sexual Exploitation in Destination Areas.
- Scheme for assistance to institutions/VO's for care and support to children affected by HIV/AIDS.

Child Labour



Proposed Integrated Child Protection Scheme (ICPS)

- GOI has proposed to combine its existing different child protection schemes under one integrated scheme
- ❖ It aims to provide for care and protection of all the children in conflict with law and children in need of care and protection.
- It proposes to involve steps to:
 - Strengthen families and prevent them from breakup and children becoming homeless and without care and protection.
 - Provide support to children already outside the mainstream, beginning from emergency outreach services to final rehabilitation with their families/ society.

Gaps...

- Lack of qualitative and quantitative data on:
 - Children in need of care & protection.
 - Children in conflict with law.
 - Institutional Care system.
- Standards of care not established and implemented.
- Inadequate infrastructure under JJ system, like constitution of:
 - Juvenile Justice Boards.
 - Child Welfare Committees
 - Special Juvenile Police Units.
- Lack of non-institutional and family based care system for children.

Gaps....

- Skewed utilization of resources in terms of geographical spread;
- Lack of coordination and convergence of programmes/services;
- Inadequate emphasis for reintegration and restoration to families for rehabilitation;
- Inadequate budgetary allocation for child protection.
- Inadequate training and capacity building of functionaries under juvenile justice system.

Current Initiatives...

- Amendment of Juvenile Justice (Care and Protection of Children) Act, 2000.
- Comprehensive Scheme "Integrated Child Protection Programme."
- Adoption Scheme.

DIRECTIONS GIVEN BY RSHRC...

- In complaint no.07/17/2447, news published in daily news, "Bachche bhuke, hakim jeemne se nahi chuke" in the complaint commission had expected from commissioner, Primary Edu., Rajasthan, Bikaner that in the village "shankarpura" of Fagi Tehsil the incident of starving of the children should not be repeated in the future.
- In complaint no. 07/17/889 commissioner, primary edu. Bikaner had been expected that "teacher will be any where, should not behave cruely with the student." take a proper action the same.

PROBLEMS FACED IN ABOLISHMENT OF CHILD LABOUR

- •Migration of labour- inflow and out flow.
- •Inconsistencies in Survey data.
- •Agricultural season, local body elections.
- •Teachers not involved whole heartedly.
- •Employers demanded return of the amount paid as advance.
- Out of school children with "school-phobia" dodging the team and hiding from the team.

CONTINUE....

- Negative Attitude among parents.
 - •Commented on Education system& schools.
 - •Paucity of jobs for educated.
- •Parents not willing to send children to school.
- •Sibling care, cattle care, old age care, economic scare.
- •Reluctance to pay back advance taken from. employers & take back the child kept as mortgage.

It all changed...

SUGGESTIONS...

- Central Adoption Resource Agency (CARA) functions as the Central Authority for promoting Adoptions in India should be implemented.
- The Ministry recognizes that there are gaps in the existing Adoption system and must be removed.
- A draft Scheme has been prepared to streamline the Adoption System in the country.
- Child labour will only disappear when poverty disappears. Hazardous labour can, and should be eliminated by even the poorest countries.
- Child labour will reduce if Government applies pressure through sanctions and boycotts.

CONTINUE....

■ Economic development that raised family incomes and living standards.

■ Widespread, affordable, required and relevant education.

■ Enforcement of anti-child labour laws.

■ Changes in public attitudes toward children that elevated the importance of education.

Child Labour



How can we help?

Learn about the issue. Support organizations that are raising awareness, and providing direct help to individual children.

"People who know their rights are better able to claim them" - UNICEF

Get Involved





Child Labour

World Day against child labour

12th June



















Children are remarkably imaginative and resilient - but also heartbreakingly fragile and vulnerable.

"So let us share their dreams
And shape their future".



ACKNOWLEDGEMENT



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