



## CHILD WORKERS IN ASIA

C/O PEACE TRUST Post Box No. 4 OII Police Colony, Trichy Road,  
Dindigul - 624 009. Tamilnadu, INDIA Tel/Fax : 0451 - 5021

6-9-93

Workshop on "Advocacy & Social Mobilisation"  
Confirmed participation:

Dear friend,

Greetings.

We are pleased to receive your nomination for the above workshop to be held at Madurai from September 20-25, 1993. We confirm your participation. Please arrive at the Youth Hostel, Race course road (near court complex) in Madurai by 20th forenoon without fail.

To enable the workshop interesting the educative, we would request you to:

\* Bring along resource materials that you could present as your experience while organising working children (e.g. educational campaign materials, innovative interventions among children)

\* The participants will have an exclusive session on 23rd to present their experiences. To participate in this session - on arrival - please contact the Programme coordinating team, and submit your idea to them in writing (e.g., briefly provide the sketch of your presentation). This team will decide - depending on the number of entries - time and venue for your presentation.

For the "Public Action Day" - please bring along banners, posters etc that you have (in your state language). This is important to make that day meaningful.

Please present this letter of confirmation of participation at the Workshop Secretariate Desk (on arrival at the Youth Hostel) for purposes of registration. This participation confirmation is transferable to any other member of your organisation.

We look forward to seeing you at Madurai on 20th September forenoon.

Best Wishes

*J. Paul Baskar*  
(J. PAUL BASKAR)

# COMMUNITY HEALTH CELL

No. 367 'Srinivasa Nilaya'

Jakkasandra, 1 Main

1 Block, Koramangala

Bangalore-560 034

Phone : 531518

Ref. No. CHC :

Date 21st July 1993

Dear

Greetings from Community Health Cell !

The two day workshop on Street Children which we conducted on the 6th and 7th July 1993 was the result of a request from REDS (Ragpickers Education and Development Society) for 'health input' to rag pickers of their programmes.

I felt the need to equip myself with some communication techniques and teaching methodology, resource persons were identified accordingly to teach. A suggestion from Mrs. Indira Swaminathan, educational psychologist who was one of the resource persons to include others who are involved with street children in learning some skills along with me, further led me to organize such a workshop.

A visit was made to the following agencies whose addresses were available with CWC to seek their suggestions and expectations for/from the workshop.

1. REDS (Rag Pickers Education and Development Society).
2. Bosco Yuvodhaya.
3. YMCA (Young Men Christian Association)
4. MAYA (Movement for Alternatives and Youth Awareness).
5. CWC (Concern for Working Children).

The aim of this workshop was to analyse the causes that force a child to become homeless and to provide some knowledge and skills in tackling their problems.

Since most of the participants have expressed the need to have regular follow-up programmes, it was decided that once a month, half a day programme will be organised and the focus will be on a particular issue/problem. Resource persons will be identified and invited according to the need. The follow up meetings will be hosted by turns in each one of the interested agencies working with street children regularly.

We are enclosing a copy of the workshop report for further details. Your comments, suggestions, ideas and your participation in strengthening the informal networking is highly appreciated. We look forward to your teams' ideas about this aspect as well.

With best wishes and regards.

Yours Sincerely,

S.J.CHANDER

Encl: A copy of the report of the workshop and list of participants and their addresses.

'Society for Community Health Awareness, Research and Action'

Registered under the Karnataka Societies Registration Act 17 of 1960, S. No. 44/91-92

Regd. Office: No. 328, V Main 1 Block, Koramangala, Bangalore - 560 034

Minutes of the Street Children workshop  
follow up programme.

Date: 14<sup>th</sup> sep 1993

Time: 2.30 pm.

Venue: Ashroad 30.58 mark Road - Blore.

No of Participants: 26 from all the agencies working  
for street children

a)

Dr. Shetkar Sheshadri of Nimrims briefed  
the report of the workshop in order to enable  
the participants who could not attend the  
workshop.

Mr Chander a CMC team member welcomed  
the participants and the guests. The following  
people had attended the meeting as guest  
Dr. Uma Sridharan, Dr. Sridharan & Bhoolkuma  
and Dr. Som.) followed by "self introductory  
session"

b)

Dr. Shetkar Meeting was handed over  
back to Dr. Shetkar, after the introductory  
session

~~Dr Shekar~~ ~~initiated discussion with the~~

- Case studies were asked to present by the participants and had discussion on the case studies. Dr Shekar ~~also~~ <sup>had</sup> focused on the approach methodology in eliciting information and conceptualising the problems from the case studies. Marianist Kendra and I were the organisations presented case studies. Due to time constraint others could not present their problems faced in handling the street children.

o There was a break for 15 minutes for tea.

o After the tea break there was a discussion to plan the future programme as planned. A suggestion was already made by CPE to the participants to host the future meetings in their respective organisations <sup>or the different ~~representations~~ identified for assistance</sup>. It was expected to arrive at this suggestion for the discussion



took on a different direction after Dr Shikar suggested it would be useful if one area is concentrated ~~in~~<sup>on</sup> at least ~~about~~ 6 meetings as as to be confident in handling that particular area. The suggestion was appreciated and accepted by all the participants. It was decided to meet regularly at Ashroad of St Marks road since it is very convenient to all the participants. Dr Shikar has agreed to ~~provide~~ provide the resource for the next 6 meets on psycho social problems and communication. It was further unanimously decided that each meeting will be divided into two sessions, one during the first session psycho social problem will be concentrated and case studies presented by the participants and the second session will be focused on specific problems listed by the participants.

c) Participants were asked to write to CMC their suggestions regarding the specific problems which they expect to be dealt in future. Based on the suggestions the future programmes will be planned by Dr. S. S. Khan and Mr. Chander of CMC and will be intimated to all the participants members.

d) Dr. S. S. Khan has voluntarily agreed to provide some study material to all the participants which will be circulated later.

Workshop came to an end by vote of thanks by Dr. S. S. Khan.

14 Sep 1993

S. No.	Name of the Organization	Signature.
	Organization	Persons present
1	REDS	Pushparaj.s
2	y.m.c.a	L. FRANCIS
3	Carmelite missionaries	Sr. Dorothy Dsouza
4	Carmelite missionaries	Dr. Selva
5	REDS	Madard.
6	Asha Deep	Vimala.
7	"	Angel
8	"	B.L. Jayar Sree
9	Bosco	Sheebathomas
10	"	Charles
11	"	Joseph Lajur
12	CWC	K.C. Venkatesh
13	"	K. Beema
14	"	K.N. Bhagyalakshmi
15	"	T.T. Hoonan Claff Hoonan
16	REDS	Abraham Valuedith
17	"	BRO. S. Victor Schepers sm
18	% WIMBONS	Dr. Bhoosri
19	% Threal 51/2-Lavide Rd Bangalore	Dr. Uma

20.	NIMHANS	Dr S. K. Som.	Amritha
21	CONSULTANT, Social Development 51/2 Lavelle Rd Bangalore-560 001	K. V. SRIDHARAN	K. Sridharan
22.	Nimhans -	Dr Sharan	
23.	C.W.C.	Chander	Chander
24	C. W. C.	Venaji	Vijet
25	"	P. Latha	P. Latha
26	"	Kachaner.	Kachaner





# Peace

8-10-93

Dear Sir/Madam,

Greetings.

We are happy to send you the participant list of Advocacy and Social Mobilisation workshop at Madurai between 20-25th September 1993.

Thank you for your participation in the workshop and the Public Action Day. Hope you could take up Advocacy as a part of your work. We would be happy if you could let us know how you are going to use the Advocacy methods in your activities to eliminate child labour. Public Action Day

Regards.

Yours sincerely  
J. PAUL BASKAR

On behalf of Organising Team

Off Police Colony,  
Trichy Road,  
DINDIGUL 624 009  
TAMIL NADU  
Grams : Peace  
Phone : 91-451-5021  
Fax : 91-451-5289

137C  
13/10/93  
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## CHILD WORKERS IN ASIA

South India Workshop on Advocacy and Social Mobilisation, Madurai  
September 20-25, 1993

Name	Organisation/Address	Tel/Fax No	Nature of Visit
1. S. Manmatha Devi	Child Relief & You 46, Poes Road, Tenampet, Madras-18	451548	Participant
2. G. Shantha	DAWN, 4B, Dharkar st Virudhunagar 626 001	5303	"
A. Aruldoss	Bosco Institute of Social Work, Tiruppattur 635 601	20788	"
4. K. Ananth C. Selvakumar	MNEC, 34-A Meyyappan II st, Madurai-16	34185	"
5. S.J. Chander	Community Health Cell 326, Vth Main I Block Koramangali, Blore-34	531518	"
6. S. Shunmugakani	PRESS Trust Shanmuga Sigamani nagar Kovilpatti 627 701		"
7. Muniyammal K. Ponnusamy	PAPER, R.S. Veliyampatti Trichy Dist-621 315		"
8. G. Mahalakshmi K. Naien	CSED, Muthuchettipalayam 33V2, Valluvar street Avinashi 638 654		"
9. S. Gnanaseelan	GUARDIAN, 2/92 Pudunagar (Po)Thirumangalam 626709		"
10. D. Deva Anbu	Action for Child labour 3A, CGE colony, Madras-41		"
11. Vinod Furtado	PRERANA 1-5-139 Himagiri complex T.B. Road, Raichur 584101, Andhra Pradesh	5125	"
12. D. Ganesan C. Amalraj	RECD, Chatrapatty, Sattur 626 203	884	"
13. M. Antony Durairaj	TSSS, Palayamkottai 627 002	72082	"

14. George	Presitha Service Society Pollachi, Coimbatore Dist	3983	"
15. Caroline Wesley Sreelatha Yegnaweswar	The concerned for Working Children, 26/1 Vanthappa Gardens, HAC II State Deopanahalli, Bangalore	572111/575258	"
16. P. Arasappan	30, Arunodhaya Arathoon Salai, Madras-13	552557	"
17. Basco Antony	Mythiri Serva Sava Samithi 94, Farm House 3rd Main st 7th cross Domlus Layout, Blore.	561647	"
18. K. Priya	HOPE, E-29 R.M.Colony, Dindigul		"
19. K. Francis	RECO, 44, Chola Real Estate Thrukokarnam Post, Pudukkottai-2		"
20. K. Muthukumar	CRESENT, P.O.Box 89, Pudukkottai		"
21. V. Antony Cruz	Trust for Social Justice, Santhi Nilayam, 9A Chairman Amirtharaj st, East Shanmuga- puram, Vilupuram 605602		"
22. K. Syed Mohideen	Society for Rural Service Kuddiyatham road Palamner Po Chittoor 517408	2409	"
23. S. Victor Sahayaraj	REDS, 62A Sacred Heart church compound, Bangalore 560 025	569209	"
24. P. Jeevagan V. Nandakumar	LEAD, B, I street, Sri rama puram, Royar thoppu, Srirangam Trichy-6	62521	"
25. P. Savarimuthu M. Mercy Rani R. Sukkiran	PEACE Trust, Near Police colony Trichy road, Dindigul-624 009	3021	"
26. R. Ramakrishnan D. John Lawrence	POWER Society, Kalpatty 605202		"
27. K. Asupathy raja	PEACE Trust, Anna nagar Tirunelveli 627 011		"
28. K. Babu	POLE, Periyar nagar Puthur Salem 10	55489	"
29. V. Selladurai K. Lakshmi	PARD, Plot No:522, Annanagar Madurai 20		"

30. M. Lourdusamy C. Pushpanathan	Dr.Ambedkar Service Society Ottumpattu, S.Arcot 604 205		"
32. K. Rajendran	CENTREDA, Nilakkottai	753	"
33. C. Selvin Theophlous S. Johsuva C. Jeyabalan K. Raman	BKN, Malligai cross st Thendral nagar, Gomathipuram Melamadai, Madurai		"
34. R. Padma mani	Progress Trust, 41 North Veli st, III Floor, Madurai-1		
35. M.G. Murugan	IRDT, 5D-1, Sudamani st Dharmapuri 636 701	82/208	"
36. E.H. Khanmajles	Under Previlage Children's Education Programm, Plot 2&3 Mirpur, Dhaka, Bangladesh	801014/801015	"
37. Bindu Abraham K. Kavitha	YUVA, 53/2 Narepark Municipal School, Opp.to Narepark garden Parel, Bombay	4143498,F:3889811	"
38. Madhavi Ashok	UNICEF, 20, Chitaranjan road Madras 18	450332/453437	"
39. L.C. Symon	ICCW, CLAP 182, North car st Srivilliputhur 626 125		"
40. S.R. Bharathadevi S. Logaguru	Women's wing, T.N.Consumer Protection Council, Madurai		"
41. Mrs. Karikalan	PREETHI 28, West Ponnagaram Madurai-10	24172	"
42. P. Ganapathi	206, Kasthuri Nagar, Melur		"
43. A. Perianayaga samy	Jeeva Jothi, 2/88 South st Poralur Post, Kallimandayam 624 616 Anna Dist		"
44. S. Chellapandian	Chetana Vikas, Madurai	44791	"
45. K. Aloyius Peter	Centre Radar, Arulanandar College, Karumathur	(871)208	"
46. K. Pushpa	Equations, 168, 8th Main Near Indiranagar club, Blore	582313	"
47. G. Vijaya Kumar	Peoples Action for Creative Jagadev Poor, Medak, A.P		"



48. R. Karthik	RATS Trust, 270-C Railway colony, Madurai-1		"
49. B.M. Kutty	Pakistan Institute of Labour	4557009 4552137 4548115	Observer
50. Bijaya Sainju	Child Workers in Nepal	270336	"
51. Rosaline Costa	Commission for Justice & Peace Box 5, Dhaka-1000 Bangladesh	417936 F.834993	"
52. Binu Thomas	Action Aid, 3 Rest House road Bangalore-1	586682	"
53. T. Anbukarasi Y. Sakila Banu	MISS, Madurai-2	41977	"
54. Asha Krishnakumar	Frontline, The Hindu Kasturi Bldgs, Mount road Madras-2	845435 835067	"
55. C. Abraham Renold	GKN, Madurai-20		"
56. Devaram John	SPEECH, 14, Jeyaraja Illam Thirupalai, Madurai-4	42855	"
57. E. Vellaichamy	CHERU, Vellabommanpatty Anna Dist	6536	"
58. J. Helen Manoharan P. Manoharan	34A, Meyyappan IIst Madurai-16	34185	"
59. P.S. Rengan	RECD, Chatrapatty, Satur	884	"
60. Jalaludin	CHILD No.17, Jalan Pjs 9/16 Banar Sunway 46150 Petaling Jaya, Selngor Malaysia	7363997	"
61. Thaneeya Runcharden	CWA Secretariat 10/68 Tawanna House, Viphavadiresit, Bangkok, Thailand	513-2498	"
62. Mohammed Farid	SAMIN Foundation PB 1230 Yogyakarta 55012, Indonesia		"
63. S. Aravalli	Gandhian Order Trust 1, New Pankajam Colony, Madurai		"
64. A. Rajagopal	41, North Veli st, Madurai-1		"
65. Dr.M. Udayakumar	Dept.of Eco.Tagore Arts Col Pondicherry 8		"

67. Fr.Kulandai Raj	Andheri Hilfe-S.I Office Sangiliandapuram, Trichy		"
68. Kailash Sathyarathi	SACCS, Mukti Ashram, Ibrahimpur, Delhi-36		"
69. A.Joseph Raj A.S.J. Aloysius	Socio Educational Trust 29B, Thattarmalai street, Chengalput.	27295	Resource person
70. Ansalem Rosario	Mythri Sarva Seva Samiti Bangalore	561657	"
71. Kavitha Rathna Lakshapathi	The Concerned for Working Children, Bangalore	572111 575258	"
72. S. Alexander	REDS, P.B.No:15, Sivagangai,	2449	"
73. V. Suresh	45B, 8th South Cross st Sri Kabaleeswarar nagar Neelankarai, Madras 600 041	4926324	"
74. Ossie Fernandes	Human Rights Advocacy & Research Foundation, 5 Morison IV st, Alandur, Madras 16	2349640	"
75. K.B. Gopinath	Equations, 16B, 8th Main, Near Indiranagar Club, Bangalore	582313	"
76. Suresh Dharma	Block Theatre, 177 TTK Road Madras	450931	"
77. Dr.Vidhyasagar	MIDS, 79, 11 Main Road, Gandhi nagar, Madras-20	412589 680044	"
78. Prof.Jeyaprakasam	Dept.of Gandhian Thought Madurai Kamaraj University Madurai		"
79. Dr.L.S. Gandhidoss	Dept.of Social Work, Bangalore University, P.K.Block, Palace road, Bangalore 560 009		"
80. Thavathiru. Kundrakudi Adigalar	Thiruvannamalai Adheenam Kundrakudi 623 206		Resource Guest
81. A. Ravi G. Amalraj P. Rengaraj	Peace Trust, Dindigul	5021	Volunteer
82. R. Jeyapandian V. Sundaranagavan	MNEC, Madurai 16	34185	"

83.	G. Mohammed Hussain Andrews Mrs. Marilyn L. Lawrence W. Albert	GKN, Madurai-20	"
84.	M. Muruga Periyar	M.I.S.S Madurai-2	"
85.	O. Nandakumar	Chetana Vikas, Kadachenandal Madurai	44791 "
86.	S. Thomas	Centre for Peoples Movement J 146 MMDA Colony Arumbakkam Madras 6	"
87.	V. Chinniah S. Thangavel	ROSE Lanthakottai, Vadugavur: Tk Anna Dt 624 420	"
88.	S. Sekar Alaghu Bharathi	RATS Trust 270/C Railway colony Madurai-1	"
89.	J. Paul Baskar	Peace Trust, Near Police Colony 5021 Trichy Road, Dindigul-624 009	Organising Team
90.	M.S. Shivakumar	Asian Institute of Technology 6PD Box 2754, Bangkok 10501, Thailand	"
91.	T. Rajkumar	The International Child care Trust, "Bidisha", Anandagiri 6th street, Kodaikanal.	"
92.	C. Kumaran	VENTURE, 1/19A, Anna Nagar Narthamalai 622 101 Pudukkottai Dist	"
93.	E. James Rajasekaran	PARD, P.B.87, Madurai 20	"

Advocacy and Social Mobilisation  
Towards  
Elimination of Child Labour

*A Brief Note on the  
Issues and Circumstances*

*Child Workers in Asia  
Madurai, September 20 - 25, 1993.*



- ⇒ *Nature of the Problem*
- ⇒ *Causes of Child Labour*
- ⇒ *The Logic of Employing Children*
- ⇒ *Magnitude of Child Labour Incidence*
- ⇒ *Working Children and Their Occupation*
- ⇒ *Some of the Main Points of Concern*
  - a. *Law on Employment of Children*
  - b. *Hazardous Employment*
  - c. *Wage Component*
  - d. *Universalising Education*
  - e. *Export - oriented Industrialisation and Competitive Devaluation of Labour*
  - f. *Children Paying for the National Debts*
- ⇒ *Workshop on Advocacy*

## Nature of the Problem

In the pre-industrial agricultural society of India, children worked as helpers and learners in hereditarily determined family occupations under the benign supervision of adult family members. The workplace was an extension of the home, and work was characterised by personal and informal relationships.

The social scenario, changed with the advent of industrialisation and urbanisation. The child had to work as an individual person either under an employer or independently without employing the benevolent protection of his/her guardian. His/her work place is different from his/her home. He/she is exposed to various kinds of health hazards emanating from the extensive use of chemicals and poisonous substances in industries and the pollutants discharged by them. His/her work hours of work stretched long but earnings were meagre. In most instances, employers maltreated and exploited him/her unscrupulously. His/her work environment thus endangered his/her physical health and mental growth. In our discussions we are largely concerned with the economic exploitation of children and the consequences thereof.

## Causes of Child Labour

Chronic poverty is responsible for the prevalence and perpetuation of child labour now. Nearly half of India's population subsists below poverty line. In the countryside, the distribution of land is iniquitous. The lower 50 per cent of the households own only 4 per cent of the land. As many as one-third of the rural households are agricultural tenants and another one-third are agricultural coolies. In the cities, more than 40 per cent of the population live in deplorable neighbourhood conditions and do not have access to regular income earning opportunities. In such situations many families "push" their children to earn some income. The income accruing from child labour may be a pittance but it plays a crucial role in saving the family from starvation or a shipwreck. The spiralling inflation and rocketing prices of essential commodities have exacerbated the struggle for survival to ultimate limits. Therefore, child labour amongst poor families is a part of the survival strategy evolved by them.

## The Logic of Employing Children

For a number of tasks, employers prefer children to adults. Children can be put on non-status, even demanding jobs without much difficulty. Children are more active, agile and quick and feel less tired in certain tasks. They can climb up and down staircases of multi-storeyed buildings several times during the day carrying tea and snacks for employees of offices located in these buildings. They are also better candidates for tasks of helpers in a grocer's shop or an auto-garage. Employers find children more amenable to discipline and control. Children are cheaper to buy. The adaptive capabilities of children are much superior to those of adults. Child workers are not organised on lines of trade unions which can militantly fight for their cause. Then there are crafts [zari/brocade work or carpet weaving] in which highest degree of sophistication and excellence cannot be achieved unless learning is initiated in childhood itself. Unless the fingers were trained at a very early age, their adaptation later would be difficult.

## Magnitude of Child Labour Incidence

A precise estimate of the overall magnitude of child labour in India is admittedly difficult on account of the predominance of the informal and unorganised nature of the labour market, and also due to multiplicity of concepts, methods of measures and the sources of data. However, it is conceded that India has the largest number of world's working children of which South India has substantial proportion of them.

Based on the 1991 Census, an estimated figure of working children in the age group of 14 years and below, is about 20.5 millions and it comprises about 2 per cent of the total population of the country. So many children labour despite the Constitutional prohibition of employment of children below the age of 14 years and the Constitutional mandate to have compulsory education of children upto 14 years. Thus, every third household in India has a working child, every fourth child in the age group of 5-14 is employed and over 20 per cent of the

country's GNP is contributed by child labour. Some of the actively involved agencies like NGOs or UNICEF claim that between 44 and 60 million children might be working in various sectors of the economy!

The incidence of child labour is reportedly highest in Andhra Pradesh where it accounts for about 9 per cent of the total labour force in the state. In fact, Andhra Pradesh accounts for about 16.2 per cent of the total child workers in the country. Working children were largely found in lime-quarrying and various other construction related activities and agriculture. Comparatively, less number of children were employed in the industrial enterprises.

Tamil Nadu occupies the second position wherein 5 per cent of the total labour force were children, and the incidence of child labour varies across districts of the state. In 1981, North Arcot, Salem and Madurai districts accounted for a higher proportion [about 10 per cent of the total labour force] of child workers in the state; the proportion was very low [less than 2 per cent] in Madras, Nilgiris and Pudukottai districts.

However, a recent study [1992] indicated that the incidence of child labour has grown substantially in all the districts of Tamil Nadu apart from "traditional child labour areas" like Madurai, Sivakasi, Salem and North Arcot. For instance the establishment of the "gem park" in Trichirapalli has proved to be attractive for many entrepreneurs in the region; now, artificial gem cutting units have lured about 12,000 children to go for work in artificial gem cutting units located in and around Trichirapalli and Pudukottai areas.

In Karnataka, the incidence of child labour is slowly becoming visible, and drawing the attention of the policy makers. Though comparatively modest incidence of child labour in the state, a recent survey (1990) indicated that contrary trend; it is now believed that about 4 per cent of labour force comprised of children below 14 years. These working children were largely found in the rapidly growing urban areas like Bangalore, Hubli-Dharwad and Mysore wherein they eke out living in occupations such as ragpicking, hotel/petrol station boys, zari/silk weaving [and sericulture] and various other manual labour tasks.

## **Working Children and Their Occupation**

To derive a better understanding of the dynamics of child labour a quick review of some of the occupations in which children are employed is discussed here. This section is only an example of the scenario and the circumstances that are steadily evolving around us.

In plantations, child employment is a part of the family labour as a group. Parents do the main field work and children mostly assist them, in plucking leaves, coffee berries or collecting latex or they do secondary jobs such as weeding, spreading fertiliser/pesticides, take of nurseries etc. With their nimble fingers, many children turn out as much work as adults.

A similar situation prevails in mining, quarrying and construction works where "family labour" is encouraged through piece-rate system.

One of the main industries in which child labour is prevalent is bidi manufacturing in which children roll bides and assist the adult workers by cleaning and cutting the leaf and closing the ends. Generally, bidi rolling is pursued as "home-based economic activity" in which women and children are engaged.

Employers do not pay adult wages to children arguing that the products do not come upto the required standard of quality. There was sufficient indication to suspect a high incidence of tuberculosis among the bidi workers and this, according to many medical studies, was starting at a tender age, very long hours of work, excessive overcrowding and the peculiar posture during work which was an impediment to the healthy development of the lungs of children.

In glass bangle industrial units children [mostly women and girls] are employed to join ends, sorting, heating, engraving and packing. The decoration of bangles using liquid gold is extremely strenuous as they have to work near a furnace. Cases of asthma and bronchitis or eye diseases are many.

The carpet weaving units utilise child workforce behind giant looms wherein they feverishly pick, warp up wool as chief craftsmen give instruction. The air is thick with particles of cotton fluffs and wool, and 40 per cent of the children are asthmatic or have primary tuberculosis.

The situation is similar in handloom or silk weaving industry wherein the looms are set in dark and dingy rooms. For long hours children sit in crouched positions thus affecting adversely their physical growth and development.

Mining, quarrying, stone polishing or gem cutting units of various precious stones employ about 60,000 children in South India, all of whom work in miserable hovels. The work is done through middle men who procure children for a pittance. The young gem cutters soon develop eye defects. Children are ruthlessly retrenched with the first early signs of eye fatigue. Many are jobless in their teens.

In several write ups in newspapers and periodicals the position of children employed in the match and fire works industry in Sivakasi and neighbourhood has been very much highlighted. It is estimated that about 60,000 children are employed in this area. There is an organised system to arrange for their transport from the neighbouring villages and to bring them to the factory sites. The children have to leave their homes in the early hours of the morning to catch the factory bus. An incredibly large number of them are jam-packed into ramshackle buses. Children actually start work from 7 in the morning and continue till 6 in the evening. In between there is a short noon break when most of them have their tiffins which they bring from home. Because the wages are determined on the basis of piece-rates they all work feverishly to maximise output. This results in a complete neglect of their own requirements and many of the children were found rather frail and anaemic in their looks. There is no medical assistance available to them. Despite their best efforts, the wages earned are low.

In recent times, we observe many children working in industrial units like machine tools, lathe/drilling units and repair shops. Quite a few of them had joined the units as informal apprentices without wages but were entitled to some "benefits" like lunch and tea/coffee. They also repair old batteries and electrical appliances or work in foundaries. Their service is generally procured by a contractor who obviously will not cover them under any of the labour welfare schemes or ESI facilities.

Countless number of children are working in the unorganised and self-employed sectors in urban areas as domestics, workers in hotels, restaurants, canteens, wayside tea stalls, shops and establishments, helpers in service stations and repair shops, vendors, hawkers, newspaper sellers, shoe-shiners, ragpickers, colliers and casual labourers. Children in construction work are often hired along with their parents. With changing worksites, families always have to be contented with make-shift housing structures. The work demands the hardest physical labour which stunts the growth of the child and holds no promise or prospects for him/her.

The condition of children working in tea stalls and wayside restaurants is mostly bad. Most of these small, improvised structures made of loose stones, bricks, mud, tin sheets, and gunny bags and cluttered with paraphernalia leaving hardly any space for movement. With long working hours and meagre wage, the child has most of the time to work and rest in the open, exposed to the vagaries of weather. He looks unclean, ill-clad and barefooted.

Perhaps the most dangerous, demeaning and destructive self-worth is the job of scrap collectors or ragpickers. The nature of their work and work environment is absolutely unhygienic. These children are largely from dalit families residing in slums or abandoned in the streets. They develop several kinds of skin diseases; while collecting rusted pieces, they may receive cuts on their on their bodies and become susceptible to tetanus. Their contribution to the "recycling industry" is fairly large.

Our quick survey of the circumstances in which child labour persists indicate that there were practically no enforcement of the legislations and no prosecutions in most parts of the country of existing laws pertaining to working children. We also observe that the present institutional frameworks that attempt to ensure collective bargaining in respect of working children are weak and inadequate. In areas where child labour is largely observed [i.e., Sivakasi] we are convinced that a few token prosecutions were made periodically only to assuage



the general sensitivity of the people to the situation. But in all such prosecutions, the accused were let off with very petty fines. This kind of situation clearly makes a mockery of law.

The recent incidences of "child trafficking" and "child bondage and slavery" remain new sources of economic exploitation of children. It is now well-known fact that all sorts of labour "scouts" have sprung up with the induction of increasing numbers of outside child labour. A number of children are "purchased/procured" by unscrupulous middlemen and sold as per official affirmation, to equally unscrupulous exploiters of children.

In recent times, we have also come across instances of child bondage and slavery. One of the basic condition of bondage is self-evident. Working children live in clusters and their parents had taken small loans that are recoverable out of the wages of the children. These are all obviously "survival loans" yet this transaction binds a child to the employer till the loan is "settled".

## **Some of the Main Points of Concern**

Over the years, our concern on "child labour" has varied from rehabilitation, education to total abolition of child labour through legislative measures. One finds supporters for legalisation of child labour as well as total elimination of it. No one position [without understanding the socio-economic realities] is tenable. Many now agree that a variety of intervention are necessary to challenge child labour practices. The proposed interventions vary from rehabilitation, giving adult wages [minimum wages] to children, universalising non-formal education for those non-schooling children, strengthening educational institutions, enrolment campaigns amongst the poor households, lobbying for a total abolition of child labour and providing more "teeth" to the implementation machinery of the state. These efforts require constant initiatives from all concerned and the NGOs have a substantial role in such advocacy and social mobilisation measures.

### **a Law on Employment of Children**

The legislative endeavours to regulate child labour in India were almost negligible. The earliest piece of legislation was the statutory protection of child worker in India was the Indian Factories Act, 1881. Probably the colonial rulers were familiar with dealing in child exploitation during the industrial revolution in their home country. They proceeded to prohibit children below 17 years to work in a factory employing 100 or more workers. It also prohibited the employment of children above 7 years not to work for more than 9 hours a day [with weekly holidays]. After about 10 years this legislation was revised allowing statutory protection to the children was made to advance by increasing the minimum age to 9 years, restricting the hours of work to maximum of 7 hours a day, and prohibiting night work between 8 pm and 5 am. Since then a number of legislations were specifically made to cover the rights of the children as workers.

Obviously the experience of the last fifty years convince us that the provisions contained in the Constitution as well as various Acts have not been complied with. Then we confront some of the issues : will total ban on child labour work - will that be progressive or retrogressive ? Is the unemployment or underemployment among adults result directly from such a large working child population ? with raising adult unemployment the family subsistence is very fragile, and therefore, children are forced to work and earn a livelihood ? why did we fail to implement universalisation of education despite a constitutional guarantee for it?

Instead of concentrating in the improvement of the situation in the area of payment of minimum wages and implementing the constitutional duty to universalise education, we see various agencies and organisations succumbing to the economic pressure and helplessness experienced in the enforcement of prohibitory provisions in the employment of children and lower the age of the child further down to 14 years - this move lacks any adequate justification!

### **b Hazardous Employment**

Whilst the legalistic arguments and preventive measures remain, one also observes the hazardous circumstances in which children are employed. The working conditions are not only hazardous but retard their growth and development, and highly susceptible to chronic diseases like tuberculosis, asthma, bronchitis etc.

Thus, there is an inherent risk involved with a particular kind of occupation and this is not known to the working child; as the tender age invites them to "play" and lead a normal life meant for a child - the working child cannot be prevented from playing with explosive chemicals, glass, electricity or gases.

Now a days, children are sold to be engaged in immoral occupations like prostitution [or even begging] or any other criminal activity. In such situations, the child learns to "survive" rather than picking up a skill.

### **c Wage Component**

One of the important reasons for the increasing employment of children in various occupations is that it is the cheapest. In the absence of any strict legislative provision for payment of full minimum wages to children and its implementation, their condition is becoming worse day by day. Most of the employers do not maintain proper rolls of the children employed in the establishment as required under the provisions of the Factories Act and the Employment of Children's Act. If they have, it is for the limited use to take note of the employees who have reported for the work and of the quantum of production for the day. There is no register of workers. Thus, enforcement of any legislation becomes totally difficult.

### **d Universalising Education**

The various pitfalls of the present educational system has tacitly supported the prevalence of child labour practices. A meaningful educational pattern that would allow families to take care of economic needs [to overcome the current poor conditions] and give functional education to the children is necessary. A fall in the enrolment of the children at the primary school level indicates our government's disinclination to invest in educational infrastructure and provisions.

### **e Export-oriented Industrialisation and Competitive Devaluation of Labour**

The restructuring of the state, the worsening effects of economic crisis e.g., emphasis on export-oriented industrialisation that would make Indian produces globally competitive; to achieve this manufacturers tend to reduce wages and prefer children for meeting export prices. This is commonly known as "competitive devaluation of labour". Many of the export commodities like carpets, silk, artificial precious stones require "nimble fingers" for production; therefore, children are enticed into the labour market.

### **f Children Paying for the National Debts**

Here are some points for further inquiry and analysis.

India is now paying huge sums to service its debts. One result is that state spending on health, nutrition and education has been cut back over the years. This means that the heaviest burden of debt crisis is falling on the bodies and shoulders of children - and this falls mostly on poor children. Children have also been paying in our country not only for the loss of opportunity to be educated - but also on nutrition, health and even in minimum wages when they work [as wages tend to decrease at times of economic crisis]. But faced with many short-term problems and pressures, governments are finding it difficult to find the resources.

The increasing military spending and expenses for purposes of "security" has risen multi-fold since early 1980s. These expenses together account more than the state budget for education, health and child development taken together!

In the long-term, no one seriously doubts the priority of investing in schools. It is well established, for example, that education is strongly associated with lower child death rates, lower birth rates, better health and nutrition, and higher income earning opportunities. In addition, economic returns from education are higher than from most other kinds of investment. Yet we find reluctance on the part of the government to consider universalising education as a priority.

The central thesis of our understanding is that children should be protected from the worst consequences of the adult world's excesses and mistakes, whether we are talking about violence or war or about the cumulative effects of economic mismanagement. Vulnerable sections like children should be protected by shifting the balance of spending in their favour. Politically this is not an easy task to engineer a shift from in priorities from urban to rural, elite facilities like airlines to rural bus routes, from prestigious educational institutes to humble primary schools ....

The prospects for progress will remain gloomy while more than a quarter of our GNP are spent in debt repayments instead of being invested in growth. There is also a growing recognition that more dramatic and decisive action on debt is in the interests of our nation.

Without such action the crisis of non-schooled children, working children [a direct consequence of non-schooling] will shadow over us in the future years to come !!

## **Workshop on Advocacy**

In the past decade NGOs have attempted to communicate effectively with other members of the society, state institutions and party organisations; however, they have experienced difficulties to initiate a dialogue and meaningful confrontation. This advocacy and communication skill needs to be developed to effectively challenge child labour issues at various levels of the society (e.g., policy-makers, industry, neighbourhood or household). After more than a decade of grassroot level initiatives NGOs now explicitly recognise the need for a larger advocacy to : (a) gain better insights into the macro issues that affect child labour situation; and (b) effectively strengthen advocacy efforts at local and regional levels.

It is in this context that the workshop on "advocacy and social mobilisation" is organised by the Thailand based group "Child Workers in Asia" (CWA) at Madurai from September 20-25, 1993. This workshop is organised after a series of preparatory meetings at sub-regional levels, and CWA will share its experiences in other nations.

### **What is Advocacy and Social Mobilisation ?**

It is about motivating people to achieve their goals or a series of common societal goals. It is to facilitate a large number of people to participate; this initiative is self-supporting. By analogy, it is a multi-level approach attempting to capture the attention and resources of an entire society and enlists its active support at all levels; the policy and decision-makers, the service providers, the media and education sectors, key non-government partners in the programme areas, the community and all other concern individuals.

It is believed that changes can be induced by : (a) compulsory forces (e.g., policy changes, effective implementation); (b) voluntary decisions stimulated by the provision of incentives, information, education and skill training; and through awareness campaign to facilitate people to see their own situation in new ways and make informed choices.

For CWA, this is the first workshop to be organised in India. Earlier it has organised a series of workshops, seminars and training sessions in the Philippines, Indonesia, Malaysia, Vietnam, Laos, Hong Kong, some parts of mainland China, Bangladesh, Nepal, Pakistan and Thailand. Over the years, CWA has developed a training module on advocacy and social mobilisation, and has consistently stressed on advocacy at the household levels as equal to government or policy makers.

At the Madurai Workshop, the first of its kind for those non-governmental organisations involved in challenging child labour practices in south India, about eighty participants from all states are expected to take part. This five day workshop is expected to provide a forum for exchange of information, experiences, skills in advocacy and social mobilisation, and act together on specific issues of common concern. This will be facilitated through an on-going process.

This workshop will focus on the tools, instruments and space that is available to bring about changes which will facilitate progress and access to information, management and power for the most disadvantaged, here grouped together as working children. These are working and action tools for all those who are required to use strategies, persuasion and "aggressive" tactics in order to obtain the desired objective. Each participant will be able to adapt them to the particular context and environment of his/her own activity - not only in the case of politicians but also in the case of public service sectors, enterprises or any other decision-making group.



6. 6. 1993

Rig Pickers training ProgrammeNeeds assessmentHealth problem

- |                  |         |
|------------------|---------|
| 1) Diarrhoea     | 8) Lice |
| 2) dog bite      | 9) Skin |
| 3) worms         |         |
| 4) Jaundice      |         |
| 5) ear discharge |         |
| 6) Scabies       |         |
| 7) STD           |         |

Social Problems

- 1) Drugs / alcohol
- 2) Battered labour
- 3) Broken families
- 4) gambling
- 5) ~~sex~~ riders
- 6) Sexual

→ Communication skills→ motivational skills→ Health knowledge inputs→ How to handle psycho social problems

Resource people: Mr. Indira Swaminathan -  
 Mr. Krishna Prasad -  
 Dr. Shree Shasthri -

## Organization visited

- CWC - Council for writing clinics.
- Bosco puwodaya.
- MAYA.
- YMCA -
- MARIANIST KENDRA -



No. 100/100/100

Problems

Conducted Program measures

- ① Swallow
- ② Dog bite
- ③ Stomach disorder - worms.
- ④ Fumicide.
- ⑤ Ear discharge. Sexual problems
- ⑥ Malnutrition.
- ⑦ Scabies.
- ⑧ Occupational (T.B. Beedi, Agabashi) children.

Made an attempt to make it public to problem.

Games, etc charts.

- discussion, finishes songs - Street plays.

Running away from home reason

- ① parents mess them to go to school.
  - ② force the child to bring money home.
  - ③ Broken families.
  - ④ Beaten lesson. (through parents)
  - ⑤ No love and affection, no enough food.
- (3 age group running below 15) - tendency of my picking disappears.
- (falls in the trap of the retailer)
- physical boundaries
- (after 15 ambulance)

Need

Conselling

- handling psycho social problem.
- preventive, alternative medicine
- providing teaching aids.

medicines required

~~Required~~ Kamrad

3 people are interested:

Forum for Street and working children

meet QWC in two weeks

# Rosco Yarodag

Problems

Age group - 12-18

- ③ Family atmosphere: Love & open.
- ④ Problems - Not exploitative situation
- ⑤ exploitation - police.
  - Collect money from vendors
  - Roudy gangs.
- ⑧ Motivation for self reliance - gambling
- ⑥ Drugs, petrol, gancho, Solution

Here 1) leaving } Child Psychology  
2) STB

- ③ Discipline ← freedom → regularity →
  - ① more -
  - ⑦ violence → Crisis → helps - 40,000.
    - 5 to 6. avg
    - (as measured)
- 15, new boys arrive every day.

~~Big Post~~ beyond  
~~Cell~~ ~~that post~~  
~~lane = Hal~~  
~~believe~~  
~~running~~  
~~the~~ ~~Sanitary~~ ~~form~~  
~~Risks~~ ~~Adm~~  
~~Railway~~ ~~cross~~  
~~Centre~~ ~~Right side~~  
~~Brina~~

15km checkpoint  
 15km checkpoint

Anita -  
 CMC - 27.3

Anita - 10<sup>3</sup> on  
 Nanna name  
 Annewandorally  
 the Sanitary Board

589379  
 Fed  
 57 3190

# RAG PICKERS TRAINING PROGRAMME

① - Mariamut Kendra - 569209  
Rachman Road

CILUS

② Concern for working children - 578628  
26/1 Vasanthapada Garden  
Doornahalli, HAL 5 Stage 579111  
R/R  
AIR put R  
BDA work  
2nd 1st floor  
II house pink col.

③ STREET CHILDREN & RAG PICKERS SOCIETY  
No. 1: Khader shery Garden (PETER ROSS) (Dunford)  
Lalbag Road, Bangalore 57

④ BASCO: Yandiyag - 91, B Street 6<sup>th</sup> Cross Gindharagar  
Bangalore Phone: 263392  
to meet on Monday  
Mr. Yandiyag - Mr. Jose - Doncho.

⑤ YMCA -  
113, Infantry Road - 572681 -  
Bangalore Mr. Joseph

⑥ MAYA  
208 Commerce House  
9/1 Cunningham Road, Solomon Phone 265400  
Bangalore  
Monday Contact call  
135 200



(7) To Ashu  
223 Tr main 6<sup>th</sup> Cross  
defence (change) Indranagar. (582572)  
Bangalore

(8) <sup>She</sup> Karnatah camee for Chid Wafan.  
135, 3rd Cross  
Nandimang Road 330846  
Jaya mata B. lora.  
meet - Secretary

(9) Anilkumar  
94 Farm house  
7<sup>th</sup> Cross 3rd Main 361642  
Dombur lay out  
B. lora.

Developmental Period  
→ Street kids

Steps  
↓

Reasons

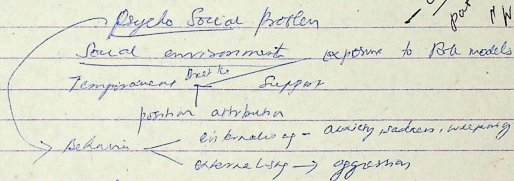
Pathological - (Social Path models) families  
Environment vs temporary

← Attribution → future  
Independence - (Survivors-position)

children day  
position in the process  
"Week"

"Poor  
Survivors  
Narrow  
Montessori  
Rach"

Intra behavioral  
indication.



- ① - unconditional positive regard (warmth empathy)
- ② Problem focused or Narrative - General problem focusing
- ③ spiritual or question - (avoid interrogative type of conversation)
- ④ Replacement /
- ⑤ If problem (method) are to handle → compare the results with other people

# Street children expose lacunae in Juvenile Justice Act

By ALLADI JAYASRI

BANGALORE, April 1:

A little boy who was unhappy at home ran away to the city to seek his fortune. Bowled over by the magnificence of the great buildings and fine people, optimism swelled his little heart, and he thought, soon he too would be as fine as they. Night fell, and meeting a small group of street children who were retiring for the night on the footpath, the little boy settled down with them.

Along came the two police constables, who rounded up the sleeping children, marched them off to the police station, where they were beaten soundly and locked up for the night.

The little boy was initiated into the lifestyle of the street child — illiterate, scrounging in the garbage for a meal, the living symbol of society's rejects, and worse still, a sitting target for "the action arm of the law" — the police. It would only be a matter of time before his dreams are buried under the mounds of garbage that would dominate the next few years of his life, as he runs for cover whenever a policeman is sighted.

This was a play staged by street children at a workshop to discuss the lacunae in the Juvenile Justice Act, 1986 (JJA), organised by the city forum of the

seven NGOs working for street children last week.

The theme of the workshop was to critically review the provisions of the Act, and to suggest changes to convert it from a welfare legislation into an instrument of empowerment of children, for the protection of their rights, since India has acceded to the UN convention on the rights of the child in December 1992.

It is estimated that about 4.2 lakh children live on the streets of Bombay, Madras, Calcutta, Hyderabad, Bangalore and Kanpur, and contrary to common belief, most of them are neither rootless nor unattached. Nearly 89 per cent of them live with parents or family. While about 58 per cent of the street children work for a living, 47 per cent of these are self-employed, as vendors, shoe-shines, newspaper hawkers, parking lot attendants and so on.

Nearly 90 per cent of the street children are exposed to dirt, smoke and other pollutants and health hazards. Those who are not exploited by parents and employers are, as demonstrated by the play, vulnerable to harassment by the police and occasionally, the municipal authorities. If the former round them up for crimes not committed by

them, on charges of vagrancy, gambling and street brawls, and pack them off to remand homes, the latter harass them by confiscating their shoe shine kits, or shooing them away from the streets.

At the workshop delegates, representatives of NGOs from Delhi, Bombay, Calcutta, Pune, Madras, Madurai and the city, besides lawyers and experts, were of unanimous in the view that the Act should make a clear distinction between a juvenile delinquent and a neglected child to bring about the changes in the Act.

Seeing a bigger role for NGOs in handling delinquents and buffering them from the brutal aspects of contact with the police, the participants recommended sensitisation of the police, particularly in the middle and lower ranks, since they deal directly with street children and crime. While most street children who commit crimes are not afraid of punishment, they dread being sent to remand homes without exception, they pointed out.

Ms Rita Panicker, of Butterflies, Delhi, who conceded that in recent years senior police officers were increasingly identifying themselves with the cause of street children in major cities

where their numbers was growing, however, felt that the compulsion to sensitise themselves to the circumstances of the street child was not evident down the line.

There has been an occasion when the street children in the jurisdiction of a particular police station were taken in on the pretext of giving them identity cards, and kept locked up all day without food or water, and then whisked away at night to be released about 25 km away from their "home" on the streets. Ms Panicker said.

The principle causes of child abandonment, neglect, abuse and exploitation, which are the main reasons for a child to turn to the streets, could be directly linked to the persistence of rural and urban poverty. Said UNICEF programme officer Mr Gerry Pinto: "A child left on the streets to fend for himself or herself may resort to thefts, other criminal acts and prostitution for subsistence. The child, thus, becomes an expert in the art of survival, and a growing anti-social stance is fostered in him or her, by resentment and distrust of the society, which has rejected it in the first place".

This is where, delegates said, the chasm between the legislation of the JJA and its imple-

mentation became obvious. Ms Ved Kumari, faculty of law, University of Delhi, who pointed out that since the delinquent actions of children were forced by circumstance rather than the result of a hardened deviant strain in their character, it was necessary to make the distinction between a delinquent child and a neglected child, regardless of whether a crime had been committed or not.

The Act covered the majority of poor children, but left the implementation of infrastructural obligations to the discretion of the state governments. Under the Act it was left to the state governments to establish the various agencies for implementing these obligations, and thus non-implementation was more the rule than the exception, she argued.

Most of the provisions focus on institutionalisation, projecting it as the prime measure for dealing with children. This is against the principles laid down in the UN standards minimum rules for administration of juvenile justice (also known as the Beijing rules), which gives this option as a last resort. Ms Ved Kumari said.

Another alarming fact is that a special chapter on treatment of

special offences against children, although included in the Act, remains unimplemented in the absence of an enforcement mechanism, she said.

According to Ms Indumathi Chiplunkar, member, juvenile welfare board, Pune, and representing Action for the Rights of the Child, the interface between the police and the NGOs, is laced with antagonism and conflict of interests, particularly since the police regard street child as illegal, requiring institutionalisation.

The JJA, on the other hand, operates on the premise that institutionalisation is the last resort, particularly in the case of a delinquent child, who might be guilty of crime. To sensitise the police to the needs and compulsions of street children, she suggested the involvement of NGOs as agencies creating the social and intellectual bridge, where the various facets of government policy and functioning could be examined to apply to the actual and assumed needs of the children.

Until the political process evolves a mechanism that directly relates to the marginalised groups, and responds directly, the NGO would remain a necessary intermediary presence, she pointed out.

REPORT OF THE TWO DAY WORKSHOP ON STREET CHILDREN

Dates : 6th and 7th July 1993

Venue : Community Health Cell, 367, Srinivasa Nilaya I Main, Jakkasandra, I Block, Koramangala, Bangalore 560 034.

Subjects dealt with : Psychosocial and health problems  
: Communication technics and approach methodology

Resource persons : Dr. Shekar Sheshadri (NIMHANS), Child Psychiatrist.  
  
Dr. Shirdi Prasad Tekur, Coordinator, Community Health Cell.  
  
Mrs. Indira Swaminathan (Educational Psychologist).

Organisations presents : 1. REDS (Ragpickers Education & Development Society).  
2. Bosco Yuwadaya.  
3. MAYA, (Movement for Alternative and Youth Awareness).  
4. Montford Sisters (Asha Deep) Street Children Programme.  
5. Carmalite Sisters.

No. of participants : 16 (list enclosed with addresses).

Mr. Chander, CHC team member welcomed the participants and the resource persons to the workshop. The introductory session was started with an affirmation game. Each participant should add an adjective to his or her name while introducing oneself. (example active Anthony). The next person should repeat the names with the adjective of as many people who have already finished introducing themselves. This is what all about the affirmation game. This helps in recollecting the names of the other participants as well as gives a positive image to oneself.

The first session of the workshop was handled by Dr. Shekar on psycho-social problems and the factors that influence during the developmental period of a kid from birth to the stage where a child actually becomes homeless or street child. The social role models in the families, social pathology of the families, social environment and the role of media were some of the factor discussed that influence during the developmental period of a child. Anxiety, weeping and sadness were some of the internal behavioural pattern that leads to aggression was described as an example of the psycho-social condition of these children.

22  
15/7/93



Approach in handling these children and methods of studying the case history of these children were some more of the areas discussed. Giving an unconditional positive regard to the children was discussed as an approach and problem focused or narrative with minimal questions as a method of inquiry was suggested.

Dr.Shirdi Prasad Tekur had a discussion on health problems and its causes during the afternoon session. Discussion on prevention of some of the health problems caused by poor personal hygiene and poor nutrition created an awareness in educating the children. Diarrhoea, scabies, intestinal worms, tuberculosis, leprosy, STD and cuts and wounds are some of the health problems which were dealt in specific.

The second day's programme focused on communication techniques and approach methodology by Mrs. Indira Swaminathan. She emphasised the need to move away from the usual predominance given to dialogue and conversation as a means of communication to one where there is more emphasis on rhythmic conversation, songs,dance and games were some of the communication methods applied and tested. Puppetry was introduced as a means of understanding, different role models in the community and to give them skills in the use of puppets.

The participants were asked to observe the application of communication techniques and approach methodology with the street children at REDS programme by Mrs. Indira Swaminathan during the afternoon session. There was a discussion about the practical session in order to identify the advantages of non-conventional methods in effective interaction with the children.

The following are some of the advantages identified by the participants on the non-conventional methods.

1. Learning non-conventional method eliminates the shy feeling with the facilitator.
2. It attracts the children very easily.
3. It helps team building in no time.

The following are some of the expectations by the participants to be met through the further follow up programmes. Communication skills, hygiene, introducing child-to-child programme, managing conflict, psycho-social problems, teaching methodology and importance of skill training.

The participants were asked to answer few questions before the workshop and the answers are as follows.

a) Regarding the definition of the children/people with whom they are working with.

1. Street Children
2. Unauthorised slum dwellers
3. Asteriks
4. Unshaped Diamonds
5. Thrown out of the society
6. Ragpickers
7. Unloved or uncared street children

b) Regarding the reasons that force a child to become homeless.

1. No family love
2. Irresponsible parents
3. More than one parent
4. Death of parents
5. Alcoholic parents
6. Quarrelsome family atmosphere
7. Forced to go to school
8. Want of freedom what the child wants to do
9. Unnecessary harassment

c) Regarding the methods which were already adopted by the organisations in handling the street children.

1. Counselling
2. Psychotherapy
3. Physical fitness training
4. Providing shelter
5. Fellowship gathering
6. Saving scheme
7. Education
8. Medical aid, and
9. Skill training.

The workshop concluded with the participants' feedback and further action to be taken regarding the follow up programmes.

The goal of post-independence elementary educational policy was to universalise elementary education on the basic pattern by the Constitution.<sup>8</sup> In quantitative terms, it meant radically increasing the number of schools and student enrolment to ensure that all children in the age-group 6-14 years were in school by 1960. In part, to meet some of the staggering costs involved in creating and maintaining the required facilities, and in order to provide a liberal, vocational, citizenship training, the goal was to transform the entire elementary school system to the Basic pattern as far as the qualitative side was concerned.

The herculean task that confronted those responsible for implementation was to ensure, within a decade, extraordinary quantitative and qualitative reforms. All of this was to be achieved within the limited resources that the nation could provide which was always far less than even the minimum educational requirements. The problem lay not merely in ensuring universal provision of schools, universal enrolment and retention of children in the age-group 6-14 years. What was especially unrealistic about this policy was that universal elementary education was expected to be achieved as early as 1960, and that too of the utopian qualitative order explicit in Basic education. Such a perspective on educational change ignored what was then widely known about the economic, social and political constraints on the educational system. These factors limited the capacity of the educational system to make a quantum leap on both quantitative and qualitative fronts simultaneously.

The realities, however, could not be avoided. By 1959, a year short of the Constitution's target date, the results of the First All India Educational Survey were available. It indicated that only 83.1 per cent had access to primary school facilities and 50.3 per cent of the rural habitations were served by a middle school or section. As in colonial India, the major problem was retention of children enrolled in Standard I. In 1950-51 for every 100 children enrolled in Standard I, there were 38 in Standard IV and 12 in Standard VII; in 1961, the situation had deteriorated in that the proportion in Class IV was down to 33. And consequently, only 42.2 per cent of all the children in the age-group 6-14 years were enrolled at the time when it was expected that all of them would be in elementary school.

The prospects of Basic education becoming the new elementary education pattern looked even bleaker (Table 3.1).

TABLE 3.1  
PROGRESS IN BASIC SCHOOLS BETWEEN 1950-1960

BASIC SCHOOLS/ENROLMENT	1950-51	1960-61
Junior Basic Schools (approx. I-V)	1,400	25,866
Proportion of Junior Basic Schools to the total number of primary schools-percentage	.7	7.8
Senior Basic schools (standard VI-VIII)	351	14,269
Proportion of senior basic schools to the total number of middle schools-percentage	2.6	28.7
Students in junior and senior Basic schools as percentage of all students in primary and middle schools	.9	15.5

SOURCES: India, Ministry of Education, Education in India 1950-51, India, Ministry of Education, Education in India, 1960 61, Primary schools in U.P. have not been included as Basic schools though they have been classified officially as Basic. At about the time of independence, the U.P. State Government overnight declared their primary schools to be Basic Schools a change of nomenclature was the only result.

Despite liberal financial grants from the Central government which took a keen interest in promoting Basic education, the results were not promising. Even by 1960, the majority of elementary students were being educated in traditional institutions. It was obvious that it would take many decades for Basic education to become the national pattern.

As far as the qualitative aspects were concerned, the results were more disappointing. The majority of new Basic schools or elementary institutions converted to the Basic patterns showed little qualitative difference from the numerically large but equally dismal traditional counterparts. The only striking difference was that the former spent one-third to one-half of the school day on craftwork, which was mostly limited to spinning. The disenchantment was complete when it was discovered soon after independence that in practice Basic schools were not only nowhere near the goal of self-sufficiency, but ironically were more expensive to set up and maintain than their literary counterparts.



It was clear that Basic education had failed to live up to expectations on both the quantitative and qualitative fronts. The problem that could no longer be avoided was whether the country could afford an education which was expected to be qualitatively superior and cheaper, but in practice turned out to be neither. And this too when the universal complaint of Union and State ministers of education was that elementary education was being starved of funds, and that even the bare minimum as far as bulding, equipment and teachers' salaries could not be provided.

Long before the 1964-66 Education Commission pronounced its terse epitaph on Basic education-"No single stage of education need be designated as Basic education"-it had been an open secret that it had been moribund for a long time.<sup>9</sup> In 1965, the Union Minister of Education, M.C. Chagla, stated in parliament that he agreed "as Dr. Zakir Husain said the other day, it has become a vast mockery."<sup>10</sup> This merely reflected what had long been the prevailing view but had hitherto been rarely acknowledged officially.

Why did Basic education fail to develop as the new system of mass elementary education? The overwhelming consensus of official and non-official opinion then, as even now, was that this great experiment failed due to inadequate implementation. The reasons forwarded include apathetic and agnorant administrators, poor quality of teachers and teacher training resulting in lifeless traditional classroom teaching, inefficient craft teaching in Basic training colleges and schools, inadequate resources for land, buildings, craft equipment and materials, truncation of the Basic course into

\*A major problem, and one which is even more serious today, was that government officials were constrained to discuss their views freely since it was considered heretical on their part to criticise government policy. A dim view was taken of the trenchant comments, submitted by R.Y. Singh, who was the Education Advisor to the Ministry of Community Development in the mid-fifties, on Basic education policy and its implementation. junior (primary) and senior (middle) stages, the absence of senior basic schools, and the lack of articulation with higher levels of education.<sup>11</sup> The more populist strain of criticism also perceived in its failure the successful machinations of the powerful elites of Indian society.<sup>12</sup> In some cases they were also held partly responsible for the rural masses' apathy and some times hostility towards Basic education. --3

Explicit or implicit in all these accounts with very few exception was that Basic education was if not "the peak point in the development of world educational thought," as one of its more

enthusiastic exponents claimed, at least in the beginning, and  
reproach.<sup>13</sup> What was rarely questioned-and when questioned not  
developed into a comprehensive radical critique-was whether  
the record of poor implementation resulted from attempting to  
implement the unimplementable. Inadequate implementation was  
merely the inevitable consequence of a misguided effort to insti-  
tutionalise a conceptually unsound model of mass elementary  
education.

At no time in the past thirty years or in the foreseeable  
future could the fundamental principles of Basic education be  
implemented on a mass scale.\* It was theoretically deficient as  
a model of mass elementary education in that it set out utopian  
objectives which were impossible to meet. Moreover, it could  
not respond to the national and constitutional imperatives to  
expand elementary education rapidly. Its structure precluded it  
from tackling creatively the problems confronting the traditional  
educational system, and in fact exacerbated the fight against  
illiteracy.

#### BASIC EDUCATION-THE INEVITABLE FAILURE OF A CONCEPTUALLY INAPPROPRIATE MODEL OF MASS ELEMENTARY EDUCATION

The following discussion delineates various aspects of this  
case. Each aspect begins with a brief statement, and the argu-  
ment is then developed and explained in detail.

1. The objectives and content of Basic Education could not  
be

\*It should be noted that prior to independence, there is  
documentary evidence to prove that at least in the state of Bom-  
bay, the educational establishment and those in charge of imple-  
menting Basic education knew that it was not possible, despite  
concerted and conscientious attempts, to implement it on a mass  
level.<sup>14</sup> This realisation was based on the poor record of the  
experimental Basic schools begun in the state.

reconciled with a high pupil-teacher ratio and a system of shift  
or part-time instruction, but was designed and could only be imple-  
mented with a low pupil-teacher ratio and full-time schooling  
This not only precluded lowering the costs of schooling when it  
was implemented, but effectively undercut the ability of the new  
model to tackle enrolment and dropout problems which were the  
major deficiencies of the existing traditional system.

Basic education was to provide the all-round training required  
for the new citizen of India. It was to inculcate a level of  
skill in the central handicraft chosen which would enable a pupil  
at the completion of the eight year course to pursue it as an  
occupation. The curriculum suggested by the Zakir Husain  
Committee Report for the seven years that it envisaged as neces-  
sary for meeting the objectives of Basic education, included  
among other subjects, mother-tongue, mathematics, social studies

and general science. These were to be correlated as much as possible to the central handicraft, and the physical and social environment, in order to establish the foundations in the nations' youth for the evolution of a new type of man-one who was non-violent, upheld the dignity of manual labour, had occupational skills in the craft, and was an aware and active citizen who would help in the reconstruction of the nation.

On short, the Basic curriculum was conceived to be a far richer curriculum than the traditional curriculum-and one which was not and could not be modified substantially by later reports on Basic education. This was not surprising given that its objectives were more ambitious-the creation of a new type of man. While in its implementation, practice varied from schools to school, the curriculum was richer if in nothing else in that the Basic school gave a central position to the teaching of craft, and emphasised community and other practical activities.

The implications of such a curriculum, as far as the number of students a teacher could possibly handle, were clear. The Zakir Husain Report suggested that the teacher-pupil ratio should not exceed 1:30 since a larger number of students would not make it possible for the "teacher to discharge his heavy and responsible duties efficiently."<sup>15</sup> Weighed by similar and other considerations as for example the necessity of specialist teachers at the middle schools stage, the 1944 Sargent Report suggested a 1:30 ratio in Junior Basic (primary) schools and 1:25 in Senior Basic (middle) schools. The 1950 Kher Committee on the ways and Means of Financing Educational Development in India while strongly advocating the quick change-over of the nation's academic schools to the Basic pattern, with "great reluctance" agreed that financial considerations necessitated that the teacher-pupil ratio should be 1:40 instead of 1:30 "though from the educational point of view the change would be most undesirable."<sup>16</sup> However, it recommended that this was to be reviewed at the end of five years, and that the 1:30 ratio was to be restored earlier if possible.

The low pupil-teacher ratio that was advocated was not merely a consequence of the enriched curriculum and craft which was central to the concept of Basic education. Such an uneconomic ratio was also the consequence of a superior pedagogy which was expected of Basic teachers than traditional pedagogues. For at the heart of Basic education was the notion that the craft and the natural and social environment, which formed the basis of the curriculum, were to be taught in an integrated manner as far as possible.



Moreover, the concept of an enriched curriculum precluded any notion of shortening the school-day, having part-time classes or using the shift system. This could not be done without affecting adversely the objectives of the Basic programme. And neither could the same teacher be used to teach two classes (double-shift system) without raising the working hours of elementary school teachers to an unacceptable level. The implications of the concept of Basic education for the length of the school-day and its fundamental incompatibility with the shift system was recognised by Basic educationists. For according to J.P. Naik:

Ever since 1937, the supporters of Basic Education had opposed the introduction of the shift system and the adoption of shorter school hours at the primary stage. The general opinion, therefore, was that the country had to choose between two mutually exclusive categories: Basic Education or the shift system.<sup>17</sup>

On this issue, the Basic educationists following the imperatives of the concept and objectives of Basic education were quite right in opposing any attempts to shorten the school-day. One must disagree with J.P. Naik who has observed that the shift system and Basic education were compatible. This was based on the fact that a scheme, inspired by Rajaji when he was the Chief Minister of Madras, attempted to reconcile the two. Though the committee which issued the report was headed by the leading exponent of a shorter duration of schooling and the shift system, R.V. Parulekar, it did not, in one's opinion, "reconcile the conflicting demands of the shift system and Basic Education by reducing formal instruction to three hours a day and by organizing an out of school programme of suitable activities to make up for this deficiency", as J.P. Naik has maintained.<sup>18</sup>

This scheme, however, was not implemented; neither did it seem feasible on a mass scale. For one, it did not reconcile the problem of shortening the school-day because for it to have been implemented, teachers (or some other paid employees) would have had to supervise the out-of-school activities of young children. Part of these activities including the teaching of crafts were relegated to parents or craftsmen in the village. This meant that correlating craft teaching with academic subjects would have had to be discarded. Moreover, in addition to the problems of administering and supervising the programme, parents or craftsmen in the village may not have been willing to take on the arduous responsibilities



of apprenticing the entire elementary school-going children of the village. And if the out-of-school activities were to be an integral part of the Basic curriculum, it would have had to be made compulsory, which would merely have disguised the problem of shortening the school-day.

In this connection, the Basic educationist, G. Ramanathan, while advocating the use of the shift system to achieve the objectives of expanding primary education and promoting universal literacy has pertinently observed that the principles of Basic education imply that "Basic education must be a full-time education. The programme of Basic education cannot be contained within the limits of shift system."<sup>19</sup>

Herein lay the problem. For the only areas in which elementary educational expenditures could have been substantially reduced were teachers' salaries. In 1950, teachers' salaries accounted for about 80 per cent of the total direct costs of elementary education and have steadily risen, and at present constitute more than 90 per cent of direct expenditures. Cutting costs by increasing substantially the number of pupils per teacher or by adopting a double-shift system in which teachers taught an additional batch of students could not be attempted in Basic education. Its conceptual framework precluded undertaking such a step since its objectives could only be met by teachers instructing full-time and smaller classes. Consequently, in the one area where major economies were possible, Basic education could not even attempt to be cheaper than the traditional model, but as a result of additional factors turned out to be more expensive.

Such a cost-cutting strategy was, however, theoretically compatible with the traditional system. The Kerala experience with the shift system is pertinent. Immediately after independence, Kerala adopted the double shift system resulting in high teacher-pupil ratios. Adopting it for all the first four primary classes, this state was successful in freeing its limited resources to meet the continually increasing demand for education by keeping the costs per pupil low. This step, in addition to various historical and social factors, resulted in Kerala becoming the most advanced state in education.<sup>20</sup>

Moreover, since the economic and social benefits of the enriched curriculum of Basic education could only be realised by a full time school, it meant that the necessary shortening of the school-day, which was the most important strategy that could have successfully tackled the problems of increasing enrolments and minimising dropouts, was theoretically impossible. In contrast, nothing conceptually prevented the traditional model as for example in Kerala, to adopt a shorter working day. The more ambitious objectives and richer content of Basic education were theoretically incompatible with the notion of a part-time school built around the need for the majority of our children to be also helping at home or at work. For it had been well established almost half a century ago that the principal reason for primary school dropouts was that the urban and rural masses could not afford the luxury of full-time schooling. Even though free tuition and textbooks are provided, most young children forego school since they are more urgently required at home or in other work situations to indirectly or directly augment family incomes. Ironically, Basic education, whose mission was to serve the masses, was theoretically and inexorably committed to full-time schooling which was structurally biased against their more immediate and pressing need to survive.

II. To fulfil the objectives of Basic education, a programme of eight years of full-time schooling was envisaged. This was far in excess of the average number of years that students, especially from the rural masses, spent in schools, and hence inappropriate as a model of mass elementary education.

Both pre-independence and post-independence views on Basic education concurred with the notion that it covered the entire elementary, and not merely primary, span of schooling. The Zakir Husain Committee's recommendation that seven years of schooling were necessary was lengthened by one year by the Sargent Report on the advice of the two CABE Committees on Basic education. In Post-independence India, the latter view was upheld. The 1956 Assessment Committee on Basic education reiterated this fundamental principle that "Basic education is continuous education for eight years without a break."<sup>21</sup>

Such an extended period of full-time schooling for all children was perceived as essential for training the new citizen of India. A much shorter period would not be sufficient to successfully meet the ambitious objectives of Basic education.

What would be ensured, according to the Zakir Husain Committee, it should be reiterated was, "the essential modicum of social and civic training," and a "literacy training which will be thorough enough to make any lapse into illiteracy impossible."<sup>22</sup>

The duration of schooling covering the entire elementary spectrum was also perceived as necessary for acquiring sufficient skill in the basic craft to practice it successfully as a vocation. Moreover, the principle of moving towards self-sufficiency in Basic education was intimately connected with viewing the entire eight year period of full-time training in craft as an uninterrupted whole. For while in the early years the returns from sale of craftwork were likely to be negligible, it was expected that this would be compensated for by the increased productivity in the latter period of apprenticeship as children acquired the necessary maturity, skills and practice to make better craft products.

If the full benefits of Basic education were to be received only after eight years of full-time schooling, then only a minority of students were likely to emerge from Basic schools with the expected occupational and citizenship skills. For according to the Third All-India Educational Survey, in 1973-74, for every 100 children enrolled in Standard I, only 31 were in Standard V, and only 18 were in Standard VIII.

It should be noted that in colonial India, educationists were cognizant of the implications of raising the duration of compulsory full-time schooling. The phenomenon of wastage and dropouts was worse before independence and had been recognised as the significant weakness of the traditional structure since the 1929 a shorter duration of schooling, R.V. Parulekar, had recommended abridging the five year period of compulsory education to four years for the compelling reason that:

The duration of school life of a primary pupil in India would roughly work out between two and three years for children in the first four classes. This means that in the majority of cases, the Indian parent, poor though he be, is willing to spare his child for schooling for a period of years which will not exceed three. In a poor country like India the period of compulsory education must not be far in excess of that for which the parent can spare the child for schooling. Sir George Anderson has aptly observed,



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iii. Central to fulfilling the objectives of Basic education were teachers of whom such a wide variety of skills and dedication were expected that, given the salaries and status of elementary school teachers, they could only have been produced on a limited scale, and not in the numbers required for a mass scheme of education.

A basic teacher was expected to possess a variety of skills: knowledge and ability to teach crafts to young children of a proficient standard which would enable them to contribute to most or part of the recurring expenditure of their schools, and pursue it later as an occupation; knowledge of, and an ability to teach and initiate, a variety of academic subjects, community and practical activities, and the pedagogic skills to correlate them as far as possible to the physical environment, social environment and craft work which constituted the three foci of the Basic curriculum. From Gandhiji who considered that "the village teacher has to be replaced by more competent ones," to Zakir Husain who confessed publicly at the Wardha Conference that "if I am asked today to teach all the subjects through spinning, I shall have to encounter great difficulties," it was evident to all concerned that a very special type of teacher was needed to implement the scheme successfully. 25

In this connection, the Zakir Husain Committee recommended that only suitable candidates with "special social and moral aptitudes and qualities" should be selected as 'Basic teachers. It suggested a three year training course for fresh trainees who had qualified up to the matriculation or those who had two years teaching experience after passing the vernacular final. To begin the scheme as soon as possible, a short emergency course of one year's training was to be provided for specially selected teachers. The Sargent Report recommended that the minimum qualifications for Basic elementary teachers be completion of the matriculate, but shortened the training period to two years.

What was the situation in pre-independence India as far as the quality of teachers and teacher training was concerned? It was an open secret that the average elementary school teacher, as a result of poor pay and inadequate initial qualifications and training, was barely more literate than his students. In 1949-50, the percentage of elementary school teachers who were matriculates was about 13 per cent. By 1960, when the Constitutional directive of free and compulsory education was established, this figure had risen to 21.40 per cent. However, in 1940-41, in all the existing primary and secondary schools, only 40 per cent of the teachers were trained.

~~Wardha Conference~~  
"owing to the poverty of the masses the length of time in which parents can afford to keep their children in schools is limited."<sup>23</sup>

It should be noted that the vast majority of Primary Education Acts enacted before independence in various provinces had limited the period of compulsion to five years.

The implications of a longer duration of schooling were raised right from the beginning at the first Wardha Conference. It was, however, felt that parents would retain the children for the entire period since by the end of the course, children would have acquired the requisite craft skills and training to become earning members of the family. Tucked away in a corner of the Zakir Husain Report was the impractical suggestion that:

It will be possible for boys to remain at school for a longer period only if they are able to render some financial contribution to the home. The school, therefore, should make arrangements for them to undertake spinning at home, and should see that the boys receive the proper wages in return.<sup>24</sup>

It is evident that the implications of raising the period of full-time compulsory schooling so far in excess of what most children could be expected to spend in schools were recognised but glossed over by hoping for attitudinal changes and by impractical suggestions. The gravity of the issue was realised but it could not be seriously confronted as it would have required an unacceptable radical revision of the conceptual framework of Basic education.

Consequently, the full benefits of this model of mass elementary education could only be reaped by the fortunate few who could afford to be in schools for eight years on a full-time basis. Thus Basic education found itself in an intellectual bind. Shortening the duration of schooling would have meant that it would have had to give up its ambitious and radical economic and socio-political goals. And keeping the eight year period, as it did, meant institutionalising a pattern of full-time schooling which the rural masses, who were its intended beneficiaries, could not afford to complete.

expected to be achieved, this percentage had risen to only 40 per cent. Moreover, in 1940-41, in all the existing primary and secondary schools, only 40 per cent of the teachers were trained. Though this figure has doubled by now, it should be noted that in 1960-61, the training period varied from state to state and that it was not possible for some states to raise the duration of the training course to two years. But perhaps the most significant indicator of the inadequacy of training facilities was that most Basic teachers were traditionally trained teachers who had emergency courses lasting less than a year-in one state the retraining period was three months!<sup>27</sup>

Was the enormity of the problem of training teachers not recognised prior to independence? While all those concerned with the future of Basic education had recognised the necessity of a new breed of teachers, it was the Sargent Report entrusted with the responsibility of suggesting new concrete and viable plans for its implementation, which delineated the implications of the concept of Basic education for teacher training. It noted that the existing output of traditional training institutions could barely keep up with the number of teachers who left the profession, and examined the implications of rapidly expanding a qualitatively superior and different model of education in terms of the requirements for a large number of new training institutions with special Basis trained staff. It calculated that it would take about thirty-five years from the opening of new Basic training institutions to provide fully trained Basic teachers to man the nation's schools. Due to these "compelling reasons" for providing the necessary "quality training" (two year) for Basic teachers, the Sargent Report predicted that it would take thirty to forty years to establish universal free and compulsory education on the Basic pattern for children between the ages of 6-14 years.<sup>28</sup>

While events have proved that even the Sargent Report was far too optimistic about the time-period required to implement the Constitutional directive, the report which received considerable publicity was criticised principally on the basis that it envisioned the spread of universal elementary education over too long a period. The 1950 Kher Committee cut it down to fifteen years. Even that was too long for the framers of the Constitution did, was to evolve a viable and alternative plan to the Sargent Report, indicating the necessary steps and



finances required to produce the number of trained Basic teachers who would man the nation's schools in the shortened period that was now set for universal elementary education. This omission was all the more surprising considering that a radical model of education was to be implemented on a mass scale. Moreover, all who were involved in the framing and the initial experimental implementation of the scheme prior to independence were fully aware of the existing conditions of elementary teachers and training institutions, and were convinced that a special type of teacher and training was absolutely necessary for the successful implementation of the scheme.

This problem could not be wished away or avoided after independence when it became clear that this exotic breed of teachers was required in large numbers to implement the new model of education on a mass scale. But neither could the problem be solved by converting existing traditional training colleges. These institutions were not capable of imparting adequate training and neither were the general run of teachers capable of implementing their professional training in the classroom. Conferences and committees suggested a variety of practical and impractical steps to stem the rot of poor teaching in the classroom.

What was, however, not confronted squarely in the search for answers was that there was no practical solution. Implementation was bound to be poor and run into intractable problems since it was a logical consequence of an unrealistic view of the capacities of an average elementary teacher, and an utopian concept of good teaching. Such teachers and teaching are simply not found in any country on a mass scale, leave alone a country like India where the salaries and status of elementary school teachers do not attract many talented young men and women. \*

Even talented young men and women would find it difficult to cope with expectations that they be accomplished craftsmen and craft teachers, accomplished pedagogues who could teach a variety of subjects, and imaginatively link them as far as possible to the craft and the natural and social environment. Moreover, they were expected to be dedicated social workers who could carry out with their students various constructive school and community projects. It was not the implementation (poor teaching and teacher training, lack of finances, etc.)



It was daring to evolve theoretically a scheme which would partially or substantially finance mass education on the returns from the sale of crafts produced by young children which had hitherto never been attempted in any other part of the world. However, it should have been abandoned as the schooling model of the future when, immediately after independence, the evidence confirmed the pre-independence feedback on experimental Basic schools, that it was not financially a model that India could afford if it was to be serious about expanding rapidly on limited resources its elementary schools.

Despite this overwhelming evidence, the government continued its efforts for a good number of years to expand Basic education though the rising costs did put a break on the potential for its expansion. Moreover, the shortage of funds made it impossible to provide even the minimum requirements for either Basic or Traditional elementary schools. The financial crunch was reflected in the universal and perennial complaint of Basic educators in post-independence India that the vast majority of Basic schools were not provided with adequate land, accommodation, craft equipment, raw materials and books.<sup>31</sup>

In this connection, the Sub-Committee of the national board of basic education (1963) laid down in its report certain minimum conditions for a Basic school. These included the following: an integrated course of seven or eight years, provision for one Basic craft equipment for a class of 30, Rs100 per year for purchase of raw materials, half an acre for all schools for kitchen and flower gardening, five acres of irrigated land for senior Basic schools which practised agriculture as the main craft for which Rs2,000 was to be provided if necessary, Rs500 for a small library with an additional annual amount of Rs 50, and a minimum annual expenditure of Rs60 for the programme of cultural and recreational activities.<sup>32</sup>

The fact that at about the same time that these minimum guidelines were laid down, only Rs5 per child was provided for equipment for every new school highlighted the absurdity of these recommendations. Often even this amount which was expected to cover items including furniture, teaching aids, craft equipment, books, etc., could not be provided!<sup>33</sup> In contrast, merely the initial cost of providing the craft equipment, as recommended by the Sub-Committee, worked out to a little more than Rs 8 per child. Its recommendations that a minimum provision of half to one acre for kitchen and flower gardening,

which was at fault. These were merely the logical consequence of a conceptual frame-work which placed extraordinary demands on teachers and an utopian notion of good teaching which only guaranteed that it would be implemented poorly on a mass scale. Its theoretical deficiencies-the 'original sin' of Basic education-precluded redemption regardless of the intentions and efforts of those involved in implementation to win salvation.

iv. Central to the concept of Basic education was its self-support aspect. It was clearly and in appropriate model of mass elementary education for India when it turned out to be more expensive than its literary counterpart which the country could not afford.

\*Basic teachers were paid in some cases higher salaries than their traditional counterparts to attract better teachers. This merely aggravated the problem of the higher costs of Basic education without a significant change in the quality of teaching.

Gandhiji had considered that the fundamental-"the acid test"-and novel feature of this scheme of education was that most of its expenses (specifically the teachers' salaries) would be met by the sale of handicraft over the entire seven-year course of Basic education. This was modified by the Wardha Education Conference which expressed the hope that "this system of education will gradually be able to cover the teacher salaries."<sup>29</sup> The self-support aspect of the scheme was considered utopian by the Sargent Report which noted that at most what the country could expect was that craft sales would cover the cost of the materials and equipment.

In its actual implementation, Basic schools as a whole turned out to be far more expensive than the traditional schools. The handicrafts produced by young children and adolescents, taught by inadequately trained teachers, could hardly compete in the open market with the superior work of professional artisans. The poor returns from the handicrafts, in some cases, could barely cover the cost of materials and maintenance of craft equipment, while in other it did not. Moreover, Basic schools required greater investment in terms of provision of accommodation and equipment, and a larger provision of trained teachers to satisfy the requirements of good pedagogy and smaller classes.<sup>30</sup>

Faced with the embarrassing reality that Basic schools were more expensive than their traditional counterparts and the ensuing criticism, the most un-Gandhian counter argument was forwarded by Basic educators and government officials that qualitative changes did not come cheap.<sup>37</sup> And provided certain minimum expensive conditions were implemented, as for example recommended by the 1952 Pires-Lakhani Report, the 1956 Assessment Committee Report and the 1963 Sub-Committee Report, it would prove to be a mass model of "quality" education. But this was a complete reversal of the views and intentions of those who initially conceived of the scheme. Gandhiji, the Zakir Husain Committee and all the early supporters of Basic education were unequivocally explicit that one of the chief claims of the Basic pattern to be considered as the model of mass elementary education was that it was not only better but cheaper than than the traditional schools. In fact the necessary condition of its being better was that it was cheaper.\*

It should be emphasised that, with few exceptions, the entire educational establishment and not merely Basic educators, defended the poor record of the implementation of Basic education with arguments which in some cases incorporated extraordinarily un-Gandhian perspectives. A prime example of one such view was expressed by the Central Advisory Board in 1952 after deliberating over the Pires-Lakhani Report. This report had established categorically that no basic school in India was consistently remotely close to self-sufficiency. The CABE noted that "the element of craft work in Basic education is of such educational importance that even if no economic consideration were involved, it is necessary to replace ordinary primary education by Basic education in a planned manner."<sup>38</sup>

The problem of finances however could not be indefinitely wished away. The shoestring budget allocated for the expansion of elementary schools could not be reconciled with promoting them on a mass scale on the potentially superior Basic pattern. The important point to be made was that the conflict was not between quantity and quality. Both the demands for quantitative and qualitative expansion could have been resolved if a more appropriate and realistic view of quality had been conceived. The dilemma that was impossible to resolve was the provision of necessary human and financial resources on a mass



five acres of irrigated land for senior Basic agricultural schools, and workshops attached to all Basic schools which practised crafts other than agriculture, reflected a similar surrealistic vision. For even by 1973-74, less than 20 per cent of our primary schools had sufficient number of rooms to accommodate their students, and only about 50 per cent had pukka school-buildings. As for agricultural land, less than a quarter of rural primary schools had farming land, and that too comprising a mean-area of about a quarter acre.<sup>34</sup>

Strapped for funds to expand elementary education, the government found it impossible to provide even the bare minimum facilities for the majority of its existing elementary schools. and because of its commitment to expand Basic education, it spent more money on it than the traditional schools. Basic schools were, despite this additional expenditure, comparatively worse off in terms of facilities than their literary counterparts in the sense that their minimum requirements were far greater. As a logical consequence of its ideological framework and expectations, Basic education required certain minimum utopian conditons to be fulfilled for its survival which the country simply could not afford on a mass scale. Consequently, any implementation was bound to be unsuccessful.

Between the 1952 Pires-Lakhani Report on the aspects of self-support in Basic education and the 1963 Sub-Committee Report the notion of moving towards self-sufficiency had to be given up when confronted with actual realities. The expectations of economic return from sale of craftwork reached its nadir when the latter report realistically admitted that it could not mention " what the income might be during the eight years of the full course because whatever is produced should go to meet at least a part of the expense of school uniforms and noon meals."<sup>35</sup>

Taken together with the report's recommendations on minimum facilities for Basic schools, this statement reflected the fact, which had been universally accepted much earlier, that the fundamental objective of Basic education of providing children with occupational skills and the nation with a cheaper model of elementary education was unrealistic. Partly to finesse the growing criticism and doubts about its viability as the future pattern of mass elementary education, it was now exclusively defended on the premise that its enriched curriculum promised significant qualitative changes.<sup>36</sup>



Scale to implement the extraordinary qualitative changes which would satisfy the minimum requirements of Basic education ideology.

In this connection, Pandit Nehru was reported to have sent a message to the All India Basic Educational Conference held at Titabar in Assam indicating his misgivings.

If good basic schools were established everywhere all over the country, and as a consequence post-basic education was also provided for, the cost would run into many hundreds of crores. In fact, it would be much more than the total income of the Government of India today. It is patent that we cannot find this money and we have to think again, therefore as to how to do this.<sup>39</sup>

Gandhiji, it should be reiterated considered self-support the acid test of its reality, to mean that the entire cost of the school including the salary of the teacher would be covered by the sale of craft goods.

An attempt was made by the education establishment to resolve this dilemma by reorienting the strategy to one of the institutionalising Basic education on a 'diluted' but mass scale. The chapters immediately following delineate this attempt and its disastrous consequences for contemporary elementary education. Since the fundamental dilemma could not be conceptually resolved, the new strategy solved neither the problems of quantitative nor qualitative expansion. In fact, it exacerbated some critical educational issues by providing pseudo-solutions.

v. Since the objectives and content of Basic education were deliberately and radically different from its traditional counterpart, it precluded access to high stages of education without fundamental and unacceptable changes in its educational ideology. Since it precluded access to higher stages of education it was an inappropriate model of mass elementary education, leading to its eventual failure since it frustrated the aspirations of its more ambitious beneficiaries.

Basic education was conceived by Gandhiji to be the 'spearhead of a silent social revolution'-an integral part of his national scheme of reconstruction.<sup>40</sup> It was the chief instrument in promoting his vision of the new social order-a politically and economically self sufficient, decentralised society of village communities where non-violence, cooperation non-acquisitiveness and a spiritual regeneration were practised and not merely preached.

However, it was clear that from the very beginning of independence his view of development had been rejected, and India was to proceed and move along different, if not western, concepts of progress. In the alternative path that was chosen, and with the democratic commitment to expand the educational system, education was perceived by them as a major avenue of social mobility. Education had always been perceived as the opportunity for personal advancement in colonial India. But it was only in the twentieth century, and specially in post-independence India, with the unprecedented and uncontrolled expansion of educational facilities, that the rural masses for the first time found the opportunity to avail themselves of it. For ambitious but poor rural illiterate parents, the dominant if not the sole motive for keeping their children at school beyond the primary stage, was that through education they (especially sons) would be able to rise to positions which had been closed to them for lack of a formal degree. A pipe dream for the many, but nevertheless a compelling vision.

Although Basic education was in theory qualitatively better than its literary counterpart and had been specifically designed to improve the ~~lot~~ lot of the rural masses, the recipients were themselves not very keen on receiving its benefits - in fact it came in for a good deal of opposition from the masses.<sup>41</sup> This was almost entirely due to the fact that children leaving Basic schools found it difficult to get admitted into high schools, or to keep up with the academic curriculum in these institutions. The Mohsin report had indicated that the academic attainment of Basic School students was lower than the standards of children going to traditional schools. In Bihar, where a few post-basic (high) schools were started, the state university authorities refused to recognise post-Basic students unless they passed the academic high school examination which they were inadequately prepared to under.\* It was not surprising that those among the rural masses who wanted their children to get on in life were not keen on an education which ~~threw~~ threw obstacles and stymied their progress.

This is perhaps, apart from any other reason, primarily why the whole experiment of Basic education collapsed. The rural masses who were supposed to benefit from it preferred the 'inferior' traditional education. And it is barking up the wrong tree, as J.P. Naik did echoing a popularly held view

the upper and middle classes, especially the urban elite, of non-acceptance of Basic education as being the single most important reason for its unsatisfactory progress. The specific factors that J.P. Naik cited include the following: " apathy for manual labour, fascination for book-centred literacy education, social and psychological resistances to the introduction of manual labour and productive work into the school curriculum,"<sup>43</sup> The urban ruling

\*Whether the academic standards of Basic schools were inferior or not was a matter of great controversy. It would seem plausible that all other things being equal, the academic standards of Basic education were lower than its literary counterparts since the former spent about half the school-day in practising craftwork. Perhaps more important was the fact that Basic schools were perceived to have inferior academic standards.<sup>42</sup>

classes can be blamed for many things, but not for the failure of Basic education since it was rarely tried out in urban areas as its principal thrust was rural uplift.

All such fascination for literacy education and social and psychological resistances would have vanished overnight for all classes in Indian society, if the situation had been reversed, and had Basic education become the sole avenue for access to higher levels of education, and consequently access to the leaves and fishes of office. If standing on one's head for a hour is officially laid down as an essential requirement for admission to college, then not only will all schools and coaching classes rush to implement it in their curriculum, but one can be sure that many from the ruling classes will provide special tutors for their children to make assurance doubly sure that they will pass this or any such entrance requirement.

But since it was Basic and not traditional education which hampered or precluded access to higher levels of education, its rural "beneficiaries" were either apathetic or hostile to it. The populist criticism which began after independence and has continued till today which views the apathy or the deliberate machinations of the elite as one of the most important factors for the slow progress or even failure of Basic education is misguided.<sup>44</sup> On the contrary, from the viewpoint of the rural masses, an entirely different and more compelling argument could be and was presented.

From this perspective, Basic education was being deliberately propagated and given maximum encouragement by the ruling classes, including the urban-based educational policy framers. Basic



education was good for other people's children, the ruling classes sent their own children to traditional schools and assured themselves of the ensuing social and economic benefits. By deliberately spreading Basic education almost exclusively in rural areas, they lessened the threat of competition from bright rural children for access to higher levels of education. Moreover, such a policy served the class interest of the ruling elite since it institutionally legitimatised keeping the rural masses in their place as hewers of wood and drawers of water. Despite the concerted efforts of the ruling classes, it was the vigilance and opposition of the rural masses to the scheme which retarded its progress and hence minimised its disastrous consequences for them.

This perspective was most clearly articulated in Tamil Nadu when Rajagopalachari, an ardent protagonist of Basic education, introduced a modified version of the pattern in 1953 during the tenure as the Chief Minister of Madras State known as the Madras Scheme of Elementary education. The resulting state-wide political opposition to this scheme, which included members from within the congress party, led eventually to his resignation in the following year.

The main features of the scheme included reducing the number of hours of instruction in Standards I-V from six to three hours which were to be confined to the academic subjects. Teachers were, however, to work on a shift system teaching two batches of students daily. Besides the academic programme, a compulsory and integral aspect of the scheme was the expectation that children would be engaged in socially useful productive work during the remainder of the school-day. They were to do manual work and learn the traditional craft occupations from their parents or from other craftsmen in the village. It was recommended that a village school council would guide these compulsory activities outside of the three hour academic programme.<sup>45</sup>

From the perspective of Rajagopalachari and those who supported this scheme, it was an attempt to implement the directive of the Constitution and at the same time promote Basic education which had almost come to a standstill in the state of Madras. The recourse to a shift system and reducing the hours of instruction was an attempt in the right direction to take care of the major problems confronting both Basic and traditional schools. It was an attempt to solve the acute financial problem faced by the State by using the same teacher to teach two batches of students.



It also endeavored to promote enrolment by shortening the school-day so that children could work at home. This was, as noted earlier, one of the major structural deficiencies of existing Basic and traditional institutions. Finally, the scheme was expected to promote Basic education in that children would learn their traditional crafts of the village from their parents or crafts-men who were experts rather than from, as Rajaji observed, "a half-baked craft teacher made to order."<sup>46</sup>

That the scheme which attempted to reconcile the shift system and Basic education and reap the advantages of both would have floundered because it attempted to synthesise two incompatibles has been argued earlier. The fact that it was not implemented on a mass scale stemmed from a political opposition which was not concerned with its pedagogical advantages but with the conservative implications of Rajaji's proposal. For the scheme was to apply only to rural areas and excluded Basic institution and urban schools. From the perspective of the rural masses, it was an attempt to keep them frozen in the caste structure and traditional occupations while the children of their urban counterparts would reap the social and economic benefits accruing from a full-time education. The resulting virulent opposition, which in the context of the politics of the region took on Brahmin versus non-Brahmin overtones, led to the eventual resignation of Rajagopalachari.

It should be reiterated that it was the conservative implications of Basic education and not any specific aspect of the content of the programme or the poor performance of the majority of Basic schools which accounted for the attitudes of its intended rural beneficiaries. With the more ambitious rural parents especially, the concern was with the consequences and not the intrinsic worth of the training received by their Kusum Nair's Blossoms in the Dust. It should be noted that following comments, attributed to the Harijans of Sevagram, were made in connection with the model and perhaps the best Basic school in the country which was located at sevgram ashram, the headquarters of the Hindusthan Talim Sangh responsible for the propagation of Basic education:

As for 'basic education' of which sevgram ashram is the centre, they say with unconcealed contempt: "We do not send our children to the ashram school beyond the fourth class (i.e. primary junior basic level) because those who pass out of Nai Talim cannot get jobs. So our boys go to Wardha

Basic education in its evolution never developed a compelling rationale for its introduction in urban areas apart from the 'educative', but prohibitively expensive, possibilities inherent in craftwork.

town; they walk the four miles to study in a conventional school. They have to leave early in the morning to reach it on time. We don't want to remain tillers of the soil for ever. We also want to become lawyers and doctors. Nai Talim is no good for that " is their explanation. <sup>47</sup>

It should be emphasised that even at the heyday of Basic education, most rural children attended traditional schools which existed in far larger numbers. The revolt against Basic education by the rural masses came from the perception not merely that urban children were receiving a different education, but that closer to home most rural children, who did not drop out and were in traditional schools, were in a position to receive the benefits of higher education denied to those who were attending Basic schools.

And herein lay the dilemma for Basic education as it has been for any radical educational reform which has been attempted in India or abroad. How far can any new pattern of schooling deviate from the traditional schools when what the latter teacher by way of content and skills is tested, certified and considered the necessary and sufficient condition for access to higher levels of education? The dilemma could not be overcome because Basic education could not serve both God and Mammon. For, if it was to provide access to higher levels of education it would have had to give up completely its conceptual and philosophical framework and be a mere variation and not a radical alternative to the traditional system. And unable by the radical nature of its fundamental principles and objectives to compromise without endangering its immortal soul, it went the way of all laudable schemes of radical educational reform which failed to resolve this critical impasse.

This issue was even more impervious to solutions in the case of Basic education for it lay at the very core of the Gandhian vision of an India of frugal, industrious and virtuous villagers living cooperatively and contentedly with their simple pursuits of agriculture and crafts. In such a scheme of things, Basic education was to inculcate youth with the necessary knowledge and attitudes for healthy communal living, and provide them with the occupational skills in a craft which in addition

to agricultural labour would make them self-reliant and self-supporting adults. Consequently, the objectives, philosophy and functions of Basic education were diametrically opposed to the dominant preception of education as an avenue of social mobility.

To recapitulate the major arguments--Basic education was inappropriate as a model of mass elementary education because its conceptual framework precluded it from being implemented on a mass scale and prevented it from creatively tackling the major problems confronting the traditional system of elementary education. The conceptual framework necessitated eight years of full-time schooling, small teacher-pupil ratios, and extraordinarily highly trained teachers which the country was not capable of producing enmasse. This, in addition to the capital and maintenance costs of craft equipment, raw materials and larger schools, raised the costs of education. These expenditures were not offset appreciably by the sale of handicrafts, made it more expensive than the traditional system, and effectively cut short any potential it had for becoming a model of mass education. In addition, the concept of good teaching was too great a burden on the capacities of average teachers, and hence doomed any implementation to failure.

Moreover, Basic education could not, by the very nature of its structure and duration, attack creatively the problems of increasing enrolment, decreasing dropouts and wastage which were the key weaknesses of the traditional system. Nor could it provide a solution to the problem of the single teacher rural schools. Though a model of mass elementary education, it could ironically only be afforded by the fortunate few among the rural masses who could afford full-time schools and a programme of eight years duration. Moreover, these students found their path to higher levels of education blocked because the conceptual framework of Basic education was too radically different from its literary counterpart. Thus it could not be dovetailed with higher levels of education without completely compromising its fundamental tenets.



Finally, it was an inappropriate model of mass elementary education to have been adopted because it was integral part of the Gandhian view of development which was rejected at the very outset of independence. It was a fundamental contradiction to reject the Gandhian view of development but yet retain Basic education which was the spearhead of his silent social revolution. We institutionalised a model of mass elementary education instead of questioning its raison d'etre in a India which consciously adopted a view and strategy of development which was almost in total opposition to Gandhian ideology.



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## AN EXPERIMENT IN EDUCATION AND SELF EMPLOYMENT

Padmaja Rani - Chetana Vikas

A little raised platform in a tent. A magic show being performed on stage.

- A knife is used to cut a lime and the knife instantly reddens as if dipped in blood.
- A handkerchief is set aflame, but the fire burns out and the handkerchief remains the same.

Hundreds of eyes in the audience gaze in surprise and disbelief. Only this time it is different. After every such magic performance, the magician explains the 'how' and 'why' of each item. The mystery vanishes as the explanation proceeds.

This 'magic show' aimed at removing superstitions and developing a scientific attitude was only one of the many programmes in the festival arranged by Chetana vikas for the village children of the three Earn and Learn Centres.

Chetana Vikas, a voluntary agency, working in the 35 villages of the Wardha District of Maharashtra with a comprehensive and integrated approach believes that development and consciousness raising should go together and lead to one another. The various activities include child development through creches and balwadis, adult education, cultural programmes for mass education, women's programmes, work amongst landless labour, agricultural programmes for small and marginal farmers. Into this stream of varied activities the Earn and Learn Centres are the latest addition.

In Maharashtra the literacy rate is 47.02% (1981 census) and almost every village has got a primary school. But the survey conducted in our villages showed that there were 25-30 working, non-school going illiterate children of the age group 10-15 years in each village. Most of these being working children, it was unpractical and impossible to think of alternative day schools unless there was some earning activity associated with the school.

COMMUNITY HEALTH CELL  
47/1, (First Floor) St. Marks Road,  
Bangalore - 560 001.

And as these children had no work for about three - four months in a year, learning new skills of self-employment also acquired new dimensions and importance. The survey revealed that hand spinning on Amber Charkhas and tailoring could be viable activities for children to pursue throughout the year along with their learning activities.

Yet another thing which we thought worth considering was the high macrolevel and microlevel illiteracy rates and school drop-out rates for women. Their employment potential for skilled labour was very low which lead to lower income and wages, longer periods of unemployment and lower bargaining power. All these factors cut women off from the development process.

#### The Basic Concept

All these findings helped to develop the basic concept:

- this experiment would be for rural children of ages 10-15 years who have never been to school or have left for social, economic and/or cultural reasons. Most of them would be working children.
- emphasis would be on the enrollment of girls, thus helping to bring them into the mainstream of development.
- emphasis would be on learning while earning or developing new skills of employment through spinning and tailoring activities, thus assuring them regular and increased wages.

The curriculum would aim to:

- coach the children reach upto the fourth standard of the formal schooling within  $2-2\frac{1}{2}$  years. The methodology would have to be innovative and improved.
- equip children to face life by incorporating socially productive and practically useful activities and subject areas like agriculture and health.
- raise their social consciousness and critical thinking power.
- develop their scientific attitude and perspective in life.
- develop their creative skills and talents through art and crafts.

- increase status of women in society economically, socially and culturally and make them more self confident, fearless and vocal.

### The Beginning

The centres started functioning in October 1983 in three villages Ajangson, Borgeon and Lonsavali. Total number of enrolled children were 85, out of which 81% were girls. The age group was 10 to 17 years. Children's occupation varied from household work to grazing cattle and agriculture. Most of the children earned Rs.3-4 daily.

In all our programmes we wanted the village level workers to be from the same villages, so that they were not 'outsiders'. But here we faced problems. Looking at the large number of girls as students, the teacher will have to be a woman. She should have basic intelligence, interest to work with children and enthusiasm to try out new things. Perhaps it might help to have a formal training in education and teaching. She should know tailoring also so that she can take charge of both the earning and learning activities. It was difficult to get such persons from the villages itself. We got one teacher from the same village and for the other two centres teachers had to be brought from outside. Two women, one of them unmarried, offered to come and stay in these villages.

All the three teachers were educated upto standard 10, two were trained and diploma holders in primary teaching and all formally trained in tailoring.

A reading list of good books on developmental education and teaching was prepared. One of the three teachers spent time on self study and reading of these books. A 10 day initial training camp was arranged for all these teachers.

### Learning activity

For learning activity all the school subjects of the formal system like the mother tongue Marathi, Mathematics, Science, Geography, History and Civics were of course, included. We tried to improve upon available material to



suit, our own local environment. The teachers prepared alphabet cards, number cards and games on numeracy and literacy.

Apart from this, we incorporated subjects like health, agriculture and social awareness, and have been trying to evolve our own syllabus and topics of study. We plan to integrate the topics of study with our on-going field experiments and programmes. Since the last year farmers are being trained to produce their own hybrid cotton seeds in a decentralised manner.

Though we want to incorporate the social awareness component in the curriculum, we were not very much sure whether the involved age group would be interested in the content and could grasp its dimensions in our adult education programme. Earlier, of course, we have prepared our own primer in the local dialect and used pictures as well as photographs for starting group discussions leading to literacy. One such lesson was 'The Kings of Democracy'

In the puzzle of elections -  
They fold hands  
They tell us that we are kings.  
After they are elected -  
We fold hands before them  
They rule us.  
And behave as if they are kings.  
We can control them  
Only if the reins are in our hands

We are wondering whether the children can digest this sort of lesson and whether the subject matter is too serious and drab for their age. During this time we came into contact with SEARCH, Bangalore and went through their kit on environment education materials designed to increase social awareness among school students. This attracted us and though the materials were basically meant for urban children, we decided to modify them and experiment with rural children.



We have selected topics like education, employment problems pollution, status of women, poverty, superstitions, economic exploitation, what is fate and can we change it. But this is only the beginning. The greater task of preparing, and compiling materials - pictures, photographs, slides, songs is yet to be started.

#### Earning Activity

After one year, the children now can cut and stitch ladies clothes on the sewing machine. They have just started on the men's clothes. The teacher draws the figures on the board, marks the measurements and explains to the children. They draw the figures in their note-books. The children are taught embroidery stitches also. They used old clothes brought from their homes to learn. After that cloth was provided by Chetana Vikas. The finished clothes were sold at the cost of the cloth plus 50% of the pre-valent stitching rates.

In spinning, the initial two months were considered as training period and all the children were given a daily stipend of Rs.1.50. After that children were paid at the month-end according to their output. The children earned upto Rs.2 daily (in four working hours). After four months the spinning wheels were given to the children at their homes so that other family members also could participate in spinning during their leisure hours. For this activity, a man from the Village was selected as the spinning instructor, and given six months' training in spinning and repairs-cum-maintenance of the wheels.

#### How can you Participate?

At this juncture I would like to emphasise on two points. Initially we had planned this as a  $2-2\frac{1}{2}$  years project and only one year has passed. It is being developed and evolved slowly. So many concepts are yet to be transformed into action and field testing. I have tried to briefly convey some of these concepts and the evolution of the experiment so far.

Secondly, we would like the readers to be active participants instead of silent spectators. We do not want you to read this and forget about it. We would like you to be contributors and project partners who can help to evolve the whole thing by:

- sending us your comments and suggestions
- sending us any material, pictures, photographs, games or ideas which would help to evolve the curriculum and introduce new methodology.

Hindu 12/12/93

To clauder

CH 8.9

# Human rights march by street children

From Our Staff Reporter

NEW DELHI,

While lawyers and academicians addressed symposiums explaining in detail what human rights were and how these were to be respected by governments, various groups held demonstrations and took out marches to mark the Human Rights Day today.

Hundreds of street children took time off from their working hours and marched to Ferozeshah Kotla grounds to demand their rights to education, shelter and food.

Ragpickers, shoeshine boys, dhaba workers, coolies — the boys and girls met in the afternoon at Bal Sahyog in Connaught Place from where in a procession they wound their way through the traffic maze of New Delhi and reached Ferozeshah Kotla grounds.

Organised by the NGO Forum for Street and Working Children, the march was aimed at drawing the attention of the people and the government to the existence of street children and their rights as workers. The Forum had earlier this year filed a writ petition in the High Court seeking registration of Bal Mazdoor Union, a union of child workers.

The petition had been dismissed in the court on the grounds that Indian Trade Union Act did not allow any person below the age of 15 to join or form a union. The Forum then filed a special writ petition in the Supreme Court regarding the matter bringing to the notice of the court a provision in the U.N. Convention of Rights of the Child wherein any child has a right to form an association.

Elsewhere in the Capital symposiums were held to mark the Human Rights Day. Addressing one such seminar, the chairman of the Human Rights Commission, Justice Ranganath Misra said the commission would act independently

and would be free from government dictum. It would be an autonomous body and truly a people's organisation, he said.

Justice Mishra dispelled the notion of the Commission's limited sphere of functioning and said it should be given enough time to prove its effectiveness. The Commission, he said, would have the expertise of four judges and a former under-secretary general of the U.N.

Referring to the issue made out by the United States over alleged human rights violations in India, Professor K. P. Mishra said that America must set its own house in order before pointing finger at other countries. America, he said, was subjective and suspiciously selective in pressurising countries on the issue. While it made such a big noise over alleged happenings in some countries, it never even mentioned some other countries who had a bad record in human rights. Mr. Mishra said human rights were well enumerated in the Indian Constitution — something which no other constitution did.

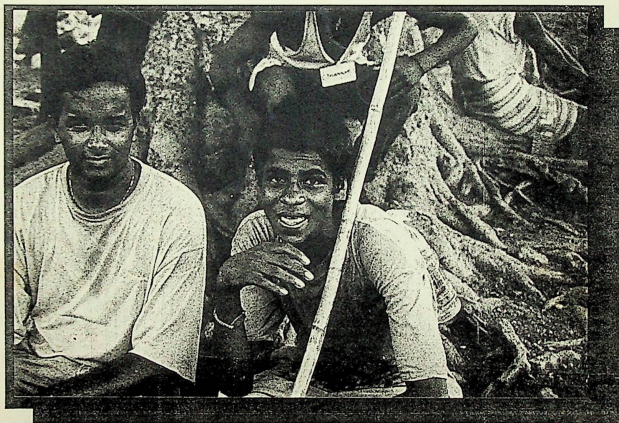
"Beat the Street"

*street children  
file*



MAYA®

*A six day workshop with street boys*



Movement for Alternatives and Youth Awareness

208, Commerce House, 9/1, Cunningham Road, Bangalore 560 052



## INTRODUCTION

*The children we meet on the streets come from a variety of different backgrounds. There are slum children, bonded children and those who have migrated to the city with their parent's full knowledge. In some case, the children leave homes when living conditions have become unbearable because of poverty, abuse, death of one or both parents, desertion, alcoholism, unsuitable conditions for education and sometimes even a trivial argument leads to a child leaving his family.*

*All of these children have a tendency to quit jobs when conditions become intolerable or they find better opportunities elsewhere. This invariably leads them to the streets where they find work picking rags, carrying loads, selling inexpensive items and other such non-formal employment.*

*They are constantly exposed to new and difficult situations which demand complex defense mechanisms to help them survive daily hazards such as police harassment, street fights, couriers for drug peddlers and pimps and the constant threat of the little wages they earn being stolen. They become mistrustful, independent and self-reliant, rarely forming close relationships with non-street people.*

*The barriers and attitudes which are formed on the street, make it difficult for the boys to adjust to a formal work environment they no longer have the freedom of the streets, their wages are paid monthly instead of daily and they are constantly under supervision.*

*We selected the boys who consistently showed up to our preliminary meetings and who were clear about their plans for the future. This workshop has been designed to break down their defense mechanisms, through both intense psychotherapy and rigorous physical exercises - giving them a space in which they can release their pent up anxieties and frustrations and express their hopes and ambitions for the future.*

*We set out to prepare the boys for the challenges ahead of them. This report shows how the workshop was conducted, how the boys grappled with the workshop and the outcome of our efforts.*

## STRUCTURE OF THE WORKSHOP

The workshop was spread over six days from 7th to 12th June 1992 and comprised of two major sections.

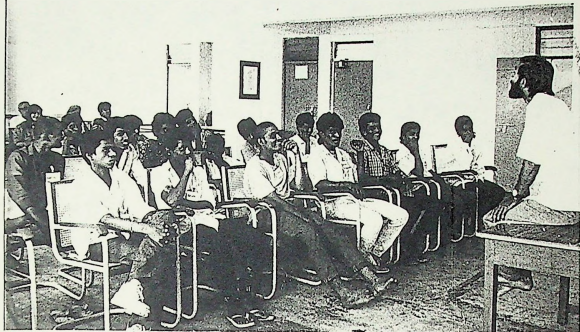
The first part of the workshop (7th - 9th June 1992) was organised at the Indian Social Institute (ISI), Benson Town, Bangalore.

They boys arrived at the ISI at 8.30 a.m. On arrival they were enrolled for the workshop. They were then given basic necessities like soap, a brush and a pair of shoes each. They were then introduced to the workshop and given a frame work of rules within which to operate during the workshop. Subsequent to the introduction the boys underwent a thorough medical checkup, Dr. K.N. Prasad and Dr. Giri examined the boys recorded their case history and also prescriptions if any. The doctors also spoke personally to each boy about general health and hygiene. The doctors also had detailed discussions with us about the importance of not only the medical checkup but also the follow- up.

The belongings of the boys were then checked for any charas, ganja, beedies, cigarettes and any other undesirable things and when found, such things were taken away and kept safely. The boys were then allotted rooms.



*Dr. Prasad examining Venkatesh before the workshop begins.*



*G.N.N. Prasad interacting with boys.*



*The ice begins to melt.*

The first part of the workshop consisted primarily of psychoanalytical sessions with the boys, conducted by two experienced resource persons, with the main purpose of allowing the boys to explore themselves and discover their strengths and weaknesses, besides providing us with a deep insight into their past, and more so the conditions which led them to take to streets.

The carefully planned class room sessions were intended to instigate the boys to respond and interact spontaneously and in this process inadvertently come out with their pent up feelings and bottled up frustrations. All efforts were directed at creating a space - a safe and secure environment for the boys to confide or confess about the things they do and the situations they encounter in their daily struggle for survival. This part of the workshop is designed to highlight the boy's present abilities and institute some confidence in those abilities which are needed for the future course of their lives.

In between the intensive classroom interactive sessions, the boys also participated in various exercises and games. These were especially designed to build up their level of trust.

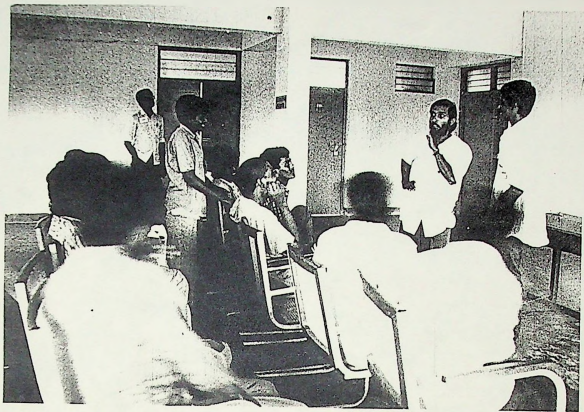
In order to instill in them some sense of discipline, which is the all important part of any formal training of employment, meditation was used as an important part of their daily routine. Most of this part of the workshop was tailor made to suit the needs of the boys.

As the workshop progressed, the boys overcame their natural reserve on talking about themselves. One by one the boys opened up and started sharing with the group their experiences, aspirations, feelings and innermost thoughts. Since much emphasis was placed on relationships in these sessions, the boys were able to critically view their relationship with their family. There was a gradual build up of trust and confidence in the boys and soon they began speaking openly about their relationships with family members.

For many, sharing in a group was cathartic, enabling them to touch upon long suppressed feelings. By the end of the session, most boys seemed inclined to hold none but themselves responsible for all their actions including their present condition; and most boys felt a need to overcome their inconsistency and instability, to take up formal training and employment diligently and to get back to their families.

All the boys shared their hopes for the future. Most boys spoke about their parents expectations. As the boys got more involved in the process of self enquiry, they were able to explore their own potential and view their expectations realistically. All the boys expressed a strong need to be respected as people, to have the listening ear of an adult mentor and to have their views valued.





*Interacting with Ansar*



*A moment for thought*



*Trust game - A stimulating exercise.*

The second part of the workshop (10th - 12th June 1992) was organised at the Nataraja Gurukula Nature Awareness and Adventure Training Academy near Mukkodlu village, about 40 Km. from Bangalore, off Kanakpura Road.

It consisted of rigorous physical activities like rock climbing, trekking, river crossing, countering obstacles, grappling etc and also the various group activities like cooking, mass tree planting and some cultural activities.

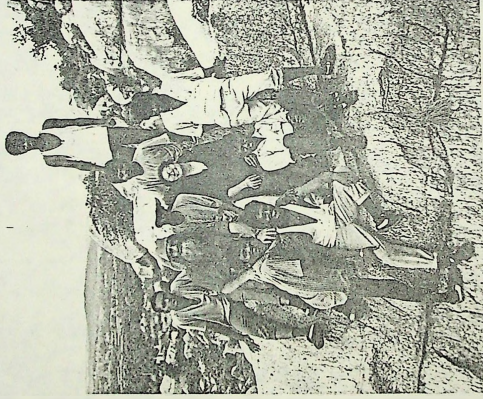
This part of the workshop was designed to help the boys shake off their strong belief in their physical limitations. Since the psychological and physical characteristics of people are integrated, the boys underwent intensive physical training to push them to their physical limits. The main objective of this exercise was to give the boys the necessary frame of mind and physical conditions to take up a job in the future.

Group activities were planned with the intention of encouraging the boys to trust people and also to form serious relationships not only within their own group but also with people not from the streets (volunteers, resource people).

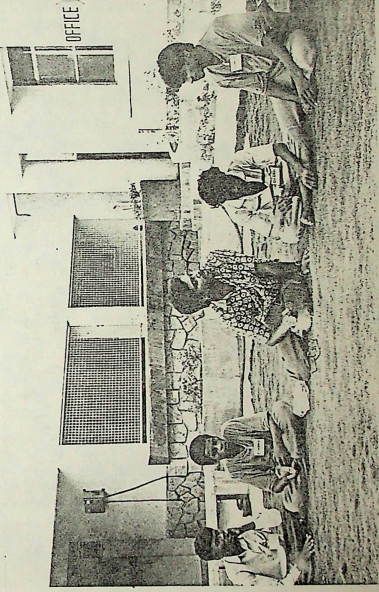
Set in the midst of the hills and the forest, the Gurukula seemed an ideal place for the boys to learn about the environment, afforestation and its role in preserving the environment and also various current environment issues.

All the boys successfully completed their physical training. There seemed to be no physical limitations, given the zeal and enthusiasm with which the boys underwent the entire training programme.

At the end of it all, most boys expressed a desire to stay on with us at the Gurukula. All the boys



*Mountaineering - Guru Freddy with the boys.*



*Why should we trust other people ? Solomon with the boys.*



## CASE HISTORY

Suresh (not his real name) came to Bangalore when he was 11 years old. He came from a small village in Karnataka 260 kms from Bangalore. He says his mother was killed by his father when he was 7 years old. He has one sister older to him and two younger to him.

He is now 15 years. His goal; to take care of his sisters and to avenge his mother's death, by killing his father if he can. He wants to torture his step mother who tortured him, for which he had to leave home and lead this life in the streets of Bangalore. He's been to primary school for a few days in month for almost a year. He can read some Kannada with difficulty.

Since the time he arrived in Bangalore he has been doing a variety of jobs. First he worked as a cleaner in a Hotel in the city market area for 8 months. His health was ruined because of the filthy conditions in which he worked and also that he was paid sometimes and sometimes not. He left the hotel after a heated argument with the employer and worked as a coolie in the city bus station for a few months. This also had its own set of troubles, f.i. harassment by the police and other 'registered' coolies who had a license to work in the bus stand, but not working; instead they used the 'new comers' to work for them. The new comers are supposed to give 50% of the money they earn to the license holder who is constantly watching them, failing which may have serious consequences such as being beaten blue or not allowed to 'operate' from the bus stand any more. Since there is stiff competition for bus stand, Suresh found even this unbearable. While in the bus stand he was exposed to many new experiences like drugs, alcohol, smoking, women, gambling and other street trades which one comes across very often.

Being out of the bus stand, he finally went into Rag-picking. A trade where one can be certain to earn a living. Even though a dirty job with lot of health hazards, it has a lot of freedom from employers and other 'territorial masters'. The rules of survival are very different as in the case of the other forms of child labor.

He was found at Bosco shelter a month before we saw him and took him to the training workshop.



*Regret of the past and hope for the future.*



## List of Participants

	NAME	AGE	PLACE OF ORIGIN
1.	MOHAN B.K	19 years	BOPPA SAMUDRA
2.	MAGGI.K	18 years	THATTANKOTAI
3.	ANSAR	17 years	BANGALORE
4.	VENKATESH	16 years	CHITHOOR
5.	RAJA	19 years	MALLUR PATNA
6.	SHIVA SHANKAR	18 years	SHAHPUR
7.	PRAKASH	22 years	SALEM
8.	WILSON	30 years	MADRAS
9.	KUMAR S.	17 years	BANGALORE
10.	SHANKAR C.	20 years	BANGALORE
11.	KRISHNA M.J.	20 years	KUNIGAL
12.	SHANKAR D.	22 years	BANGALORE
13.	RAGHAVENDRA G.	21 years	GAURIBIDDANUR
14.	MOHAMMAD HUSSIAN	17 years	HASSAN
15.	VENKATESH V.	19 years	BANGALORE
16.	MANJUNATH N.	17 years	TUMKUR
17.	SHANKAR R.	18 years	HOSKOTE
18.	BALA	20 years	BANGALORE
19.	GURUMURTHY	18 years	HASSAN
20.	RAJGOPAL	17 years	BANGALORE

## ACKNOWLEDGEMENTS

*We express our grateful thanks to :*

Mr. *D.A. Kazi*, Himalaya Drug Co.

Mr. *Jayashree Venkatraman*, AMCO

Mr. *S.N. Agarwal*, Bharuka Steel Ltd.

Mr. *Ravi Melwani*, Kids Kemp

Mr. *Shankar*, Solar Automobiles

Mr. *Sanjeev Shah*, Rolton Bearings

Lynne Murguia

Mr. *Philip George*, Partners in Justice Concerns

Karnataka State Agro Corp Products Ltd.

Karnataka Power Corporation

Mr. *Ashok Rao*, Mandovi Motors

who contributed to make this workshop happen.

Our sincere thanks to Mrs. *Padma* and Mr. *G.N.N Prasad* of Prarambha

Mr. *Ravi* of Osho meditation centre and *Guru Freddy*, Nataraja Gurukula for being the resource persons.

Fr. *Dominic* of ISI for providing the venue.

*Basco Yuvadaya* and all our volunteers for their selfless work.

## 5. FAMILY PLANNING EDUCATION:-

Women are mostly exploited due to illiteracy, DEEDS conducts awakening programme for mothers who not only have large size family due to irresponsible fatherhood but also force their children to work. DEEDS with the help of Family Planning Association of India, organize various family planning awareness programmes.

**6. LEGAL CONCELLING :-** DEEDS helps women in giving legal counselling on various matters concerning them such as women's rights, marital problems, dowry, property, job, child labour Act etc.,

## 7. ENVIRONMENT EDUCATION:-

DEEDS entering to the area of environment education which our growing children needs today. It also organizes nature camps, nursery tree planting exercises & Kitchen gardens.

DEEDS proceeds with an open-minded approach based on needs of the people and has among its range of activities small group Economic programmes for the mother of working children, Health services and referrals and coordinating with Government and Non-Government Organization.

DEEDS Looking forward to helping oppressed people to find new meaning, a new understanding and new mornings from a life of want to one filled with new promises.

In order to address the worst evils of the present day society, DEVELOPMENT EDUCATION SOCIETY (DEEDS) was established. Our main target group is "Women & working Children". Our programmes are based on Non-formal education and training Women sangam, Sanitation, Environment, Safe water, Community Health Education & Services, Promotion of Nutrition garden, Formative age group, Childrens growth and development of, Planned parenthood, Vocational training, Income Generating Programmes etc., In all these programme /activities, our Mahila mandal & Youth association are actively involved in the area of planning, Decision making, Execution, Evaluation and Financial Management. Thus DEEDS believe in people's participation and involvement for their own sustainable development programme activities.

The longest journey starts with a single step. DEEDS has started its journey with a single Step & hopes to reach the goal with the help of the people, the Organization and the Government, by extending their support. Therefore with much concern for the oppressed community, We appeal to all those who have similar concern to help DEEDS by extending your support in any form. Your generous support can bring a sea of change in every child life & society at large.

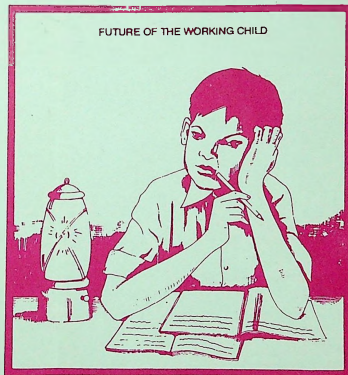
Accordingly DEEDS has set its GOAL & formulated its OBJECTIVITIES.

### For Further Information please contact

Director/Project Co-Ordinator's  
5/1 6th Main, S.K. Garden, Bangalore: 560 046.  
Phone: 3331783.



**DEVELOPMENT EDUCATION SOCIETY (Regd.)**



**.... Empowering People for  
a Bright Tomorrow**



## DEEDS :-

An organisation which is a vision of few committed Individuals. Development Education Society (DEEDS) was established in the year 1982 that mainly exists to help children's especially working one's & families, communities & to bring new life through development and rehabilitation services and secure improvement in the quality of their livelihood. Our guiding commitment has been to improve the lot of the oppressed section of society. To this DEEDS has a 4 pronged approach to address these main evils which form the root cause of people's misery and act as bottle-necks which hinder the development of the people. i.e., Ignorance, ill-health, poverty, & lack of vision.

### DEEDS ..... THE GOAL

Deeds has set for itself a very realistic and attainable

Goal "Helping people to help themselves"

### DEEDS ..... ITS MISSION

1. Upliftment of working children's thru non-formal Education & Vocational Training Programmes.
2. Women Development & EDP Programmes.
4. Mass & Adult education
5. Family Planning Education.
6. Legal counselling.
7. Environment Education.

### DEEDS ..... ITS OBJECTIVES

- To provide non-formal education to release the brain power of the people to wipe out the ignorance.
- To undertake multisectoral livelihood, health and develop local leadership.
- To plan, implement and evaluate action programmes meant for the improvement of rural community as well as urban slums.
- To cooperate and coordinate with government & voluntary agencies in implementing developmental works in needy areas.
- To encourage the local people to undergo various training in order to handle the programmes by themselves.
- To encourage and assist self-starter group for voluntary action in field of development.

### DEEDS MISSION NO:1

#### 1, UPLIFTMENT OF WORKING CHILDREN:-

Overview:- Poor source of income, large family, Illiteracy, lack of access to education are now increasingly recognised as fundamental risk which are

of children /families <sup>have</sup> and to come out in these vicious circle. DEEDS is one of the few in the voluntary sectors that has over 12 years experience in children's education & development outside the formal school system.

### ACTIVITIES:

1. Working Children's Development Programmes :- The working children are encouraged & taught at their convenient timings & given worth educational inputs.
2. Rehabilitation :- NFE Children after some period were rehabilitated to formal schooling while meeting their educational tools/supplies and needs.
3. DEEDS Support work from pre-Schooling level also.
4. Skill development & vocational trainings :- Apart from the target group of working childrens, DEEDS supports childrens in skilled category by giving them vocational training in skills of their choice like carpentry, Electrical etc along with Non formal educational classes supported by shramik Vidya Peeth.
5. Awakening programme for mother's:- This time the focus is on to the mothers of working children who not only have large family due to irresponsible fatherhood but also force children to go for work. DEEDS mobilized all the mothers <sup>to</sup> form their associations to help & educate them.
6. Child's growth affected due to his family surroundings. DEEDS believes in creating appropriate environment for this.

### 2. WOMEN DEVELOPMENT PROGRAMMES:-

In order to equip women with some technical trainings, DEEDS organizing <sup>self</sup> various trainings such as EDP, Family planning, child care, Agarbalhy & doll making programmes. DEEDS strongly believes true development can not be achieved if the womenhood is discriminated & ignored. By organizing various EDP programmes for them, DEEDS brings out her work capacity in various forms which earns better income for them in a more organised way.

### 3. HEALTH, SANITATIONS & NUTRITION EDUCATION:-

Health, Sanitation is one of the primary concern for any Government- DEEDS support & extend medical services four times a week. In most cases where no hospital exists, it organizes service periodically while at the same time spreading the word & imparting effective education on the importance of hygiene, sanitation immunization & simple quick remedy for minor ailments. DEEDS organize seminar & speeches on various health subjects periodically at the community level. This service is possible with the help of M.S.R.

### 4 MASS & ADULT EDUCATION:-

Illiteracy & lack of access to information are the root causes for Indian poverty. In order to make people especially women to read & write <sup>DEEDS</sup> conducts adult education programmes under sponsorship from Mass education dept, (Ministry of <sup>HRD</sup>)

SUGGESTION AND RECOMMENDATIONS:

Please find DEEDS suggestions/modifications for your kind consideration and peresual. DEEDS is operating in five slum areas of Banaglore City, namely Sathyanagar in Banaswadi Road Ashokpuram in Yeshwanthpuram, Anjanappa Garden Slum in Mysore Road and K.S. Garden & Rammana Garden Slum in Shanthinagar.

Here one could see slum dwellers and their children suffer from (Skin problems, leprosy, T.B. Respiratory infections lack of nutrition, minor ailments, ENT problems and Dental problems)

As suggested by the group that by the end of June 1995 a meeting could be arranged wherein plans regarding the future course of action could be discussed in cooperation with DEEDS and Community Health Cell. We suggest to initially begin the programme on Health Education, first from Child To Child in ones respective areas and training of Para Health Workers. This could be tapped from the local people itself, making use of their service and volunteering themselves to learn get themselves trained by CHC and DEEDS and in return contribute their service in the community. all for a period of 8 to 12 weeks with the assistance of CHC and DEEDS. The follow up and monitoring of the programme will be done by the trainees who had undergone such training, for a period of 8 to 12 weeks, thereafter this programme will be handed over to a group of community people who can take it over and manage on their own.

The evaluation can be done by self that is the Community or with the assistance of CHC and DEEDS. The idea is that DEEDS, CHC and the Community where the training was imparted can reflect back, with mutual concern and can be incorporated with DEEDS and CHC for the future in the coming years, thus we can make this programme very responsive to the emerging needs of people, with the assistance of CHC, this could be the plan in the coming years by DEEDS, taking one of the operational areas as a model and then shift to the other areas.

*Frank Josef*  
*22/6/95*  
Prepared by, Frank Josef,  
socialworker - DEEDS, Bangalore-46.

\*\*\*\*\*

Date: 22/6/95  
Place: Bangalore

THE CONCERNED FOR

## Working Children

### HEALTH PLAN

\* Bhagyalakshmi K.N.  
\* Savitha Devi K.S.  
\* Indira.

CH 8.12



Introduction : Importances of Health

- Chapter I : (A) GERMS
- i) Germs - Story telling or Role play
- (B) IMPORTANCE OF IMMUNIZATION
- (C) 6 KILLER DISEASES

Chapter II : (A) PERSONAL HYGIENE

- (1) lice
- (2) eye
- (3) ear
- (4) Nose
- (5) teeth
- (6) Mouth and Tongue
- (7) Nails.

P.T.O



(B) SKIN

- (1) Scabies
- (2) Allergic
- (3) Rash

(C) WORMS

- (1) Round Worms
- (2) Thread Worms
- (3) Hook Worms
- (4) Tape Worms

Chapter III : DISEASES

- a) Diarrhea
- b) T.B
- c) Leprosy
- d) Asthma
- e) Cholera / Jaundice

Chapter IV : AREA PROBLEMS [Environment problems]

- (a) water
- (b) Sanitation
- (c) Drainage
- (d) Toilet
- (e) Electricity.

Chapter VNUTRITION

- ① Daily taking food
- (2) Pregnant women
- (3) Babies & Children
- (4) Weaning food.

Chapter VIFIRST AID

- a) Fever
- b) Fits
- c) Poisoning
- d) Snake & dog Bite
- e) Artificial Respiration
- f) Wounds
- g) Burns
- h) Bandage.

Chapter VIISex Education

- (a) Physical & Emotional changes
- (b) Menstrual Period
- (c) Pregnant / Safe Period
- (d) family planning / N.P & Artificial.
- (e) Condoms - Safe sex

## Chapter VIII : VENERAL DISEASES

- (a) Gonorrhea
- (b) Syphilis
- (c) Bubos
- (d) Aids

## Chapter IX : DRUGS

- (a) Smoking
- (b) Drinks
- (c) Tobacco

Shagunika H.  
Health Activs.

**COMMUNITY HEALTH CELL**

No. 367, 'Srinivasa Nilaya'  
Jakkasandra, 1st Main  
1st Block, Koramangala  
BANGALORE-560 034  
Phone : 5531518

Ref. No. CHC : CHC/WSC/94-95

Date: 14/07/95

Dear Sir/Madam,

Greetings from Community Health Cell !

Please find enclosed herewith the minutes of the meeting held on 22nd, June at Ashirwad.

The next meeting on Sexually Transmitted Diseases/AIDS is proposed to be held on 11th August, 1995 at Ashirwad between 3.00 p.m. and 5.00 p.m. Please let us know if you require any change in topic or date. Our Phone No. 5531518.

Thanking you,

Yours sincerely,

(Reena K. Nair)



## REPORT OF THE STREET CHILDREN TRAINING PROGRAMME ON 22nd JUNE, 1995

A follow-up meeting of the Training Programme on the Health of Street Children was conducted on June 22nd, 1995, at Ashirwad. The participants were from Ashadeep, BOSCO, CWC, DEEDS and REDS.

The concrete actions that were taken up as a follow-up of the earlier training programme were :

(1) Designing of Child-to-child programme by CWC. CWC has formulated a syllabus for the programme which covers various topics like Germs, Personal Hygiene, Diseases etc. As visual aids for the Child-to-child programme, CWC has requested CHC for flash cards from their library. After discussion, it was decided that CWC and other organisations would formulate Health messages to be conveyed using flash cards, and they would be designed/made with the help of CHC's resources.

(2) DEEDS has identified some health workers who are part of their NFE programme to educate the children regarding Health. CHC has been requested to conduct training for these health workers.

As the participants felt that more emphasis should be given on Personal Hygiene, a detailed session with the help of posters was conducted. One of the participants from Ashadeep brought-up various cases of chicken pox among the children they are involved with, for which CHC was able to look into the reasons, remedies and preventive measures.

Other points which were discussed were :

(a) How to convey the importance of Personal Hygiene to children. It was suggested that each of the organisation could think about creative methods of dealing with this and share it in consecutive meetings.

(b) It was suggested to the group that there is a need for an organisation to take up collection of food from hotels which can be distributed to various organisations working for the street children.

Inputs on topics like Preventive measures, STDs, Alcoholism in parents, Psychological problems were requested by participants in the forthcoming meetings.

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19 November 1995

Dear Forum Member,

Greetings! Our next meeting is as scheduled on 23 November 1995 at Ashirvad, 4:00 p.m. We will begin with tea in the dining room.

The agenda items that are before us are as follows:

Item	Proposed by	Responsibility
1. Approval of the Minutes, Introductions		Convenor
2. Community Health Cell Interaction	Mr. Chandar	Group
3. Directory (Update)	Ongoing	Mythri
4. Coordination assignments/discussion	Ongoing	Convenor
5. CACL Information Update		Mr. Joe/Fr. Varghese

Feed back for the coordination roles in the executive, field activist, children and governmental liaison area is as follows:

Asha Deep would like to be in a secondary role.

BOSCO is willing to take the lead in the Governmental Liaison area.

CWC-- no direct response to an area as of yet.

DEEDS is willing to be involved in the Children's programme.

KSCCW-- no response.

Mythri is willing to have a secondary role both in the executive and governmental areas.

REDS will take the lead in the executive area by virtue of the convenorship.

St. Luke's-- no response.

YMCA is willing to be involved in the governmental liaison area.

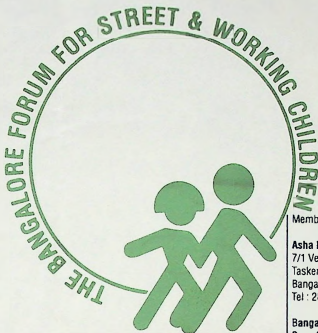
As you can see we lack the field activist area to be covered and it is not clear as to the lead organiser in the children's area. I hope we can settle these roles so the planning for the coming month may be done before our next meeting.

At this meeting we will also welcome Sisters Anna and Sharla as our guests. They direct Navajeevana, Home for Street Girls. As I understand it, they may be looking toward membership in the Forum.

Looking forward to seeing you on Thursday.

Sincerely,

Brother Edward, S.M.  
For REDS.



#### Member Organisations

##### Asha Deep

7/1 Venkatappa Road  
Tasker Town  
Bangalore 560 051  
Tel : 286 4113

##### Bangalore Oniyavara

Sava Coota (BOSCO)  
91 'B' Street, VI Cross  
Gandhinagar  
Bangalore 560 009  
Tel : 225 3392

##### Concerned for Working

Children (C.W.C.)  
302 L.B. Shastri Nagar  
Vimanapura Post  
Bangalore 560 017  
Tel : 527 5258

##### Development Education

Society (DEEDS)  
5/1 VI Main, S.K. Garden  
Bangalore 560 046  
Tel : 333 1783

##### Karnataka State Council

for Child Welfare (KSCCW)  
135 Nandidurg Road  
Bangalore 560 046  
Tel : 333 0846

##### Mythri Sarva Seva

Samithi (Mythri)  
373 HAL II Stage  
(100ft Road) Indiranagar  
Bangalore 560 038

##### Rag Pickers Education

& Development Scheme  
(REDS)\*  
P.B. 2549, 15 Curlee Street  
Bangalore 560 025  
Tel : 56 9209

##### St. Luke's Rag Picker

Welfare Association  
1 Pampamahakavi Road  
Bangalore 560 018  
Tel : 660 4065

##### Young Men's Christian

Association (YMCA)  
66 Infantry Road  
Bangalore 560 001  
Tel : 559 1681

#### Correspondence Address

P.B. 2549, 15 Curlee Street  
Bangalore 560 025  
Tel : 56 9209

\* Convenor, 1995-'96

CH 8.15

### SOME FIGURES ON WORKING AND STREET CHILDREN IN INDIA

- It is estimated that there are 150 million working children in India.
- India has the highest ratio of working children in the World.
- There are between 20 and 40 million children labourers in India.
- There are about 100,000 migrant children working in the carpet industries in Uttar Pradesh.
- Half of the children working in the carpet industry in Uttar Pradesh are bonded labourers.
- 52% of the total workforce in the carpet industry are children.
- In Bangalore, it is estimated that there are 45,000 migrant children working.
- 20,000 migrant children in Bangalore live on the streets.
- India has an estimated 12 million destitute orphans.
- There is institutional care available in India for only 2,50,000 orphans. Approximately 95% of orphans are without any available institutional care.



Name of Organisation :	A S H A D E E P
Postal Address:	7/1 Venkatappa Road, Taskar Town Bangalore 560031
Telephone	575113
Genesis:	First project was started in the year 1990 in Seva Nagar area for 12 girls  In 1992 decision was taken to shift in Shivaji Nagar area to contact more girls and further structure the project. The first stage of the actual project is planned for 60 to 80 girls :4 to 12 years of age.
Function - Objectives	<ul style="list-style-type: none"> <li>* To welcome and love</li> <li>* To provide Hygiene-Health services</li> <li>* To educate the child and the family</li> <li>* To foster Human-Psychological-Spiritual Growth</li> <li>* To integrate the child in the family and in the society</li> </ul>
Source of Funds	Religious congregation and few donations
Programmes and Activities	<ul style="list-style-type: none"> <li>* Street contacts</li> <li>* Family visits</li> <li>* Bath and washing of clothes</li> <li>* Meals and nutrition</li> <li>* Formal and non-formal education</li> <li>* Parents' meetings</li> <li>* Education in life values</li> <li>* Training in skills     knitting-stitching     envelopes-cumblers - cards     soap making</li> <li>* Medical check-up and treatment</li> <li>* Counselling and psychological help</li> <li>* Income generating programmes     (collection clean papers - Rabbit rearing     Handicrafts etc. )</li> <li>* Saving schemes</li> <li>* Recreative and cultural activities</li> </ul>

Future Plan (Vision)

To give hope and dignity

To help the whole family to grow

To remove the girl from the streets

To give access to formal education  
and training

To rehabilitate into the society

The most precious gift for a child is  
a happy family; our project aims to  
keep the child in her family and to  
work towards the growth and happiness  
of the whole family.

The project started for the street girls  
is now a project for the street girls  
and their families.

Contact persons:

Sister Laurent-Marie and Montfort Sister

x

ASHA DEEP - LIGHT OF HOPE  
A Project for street girls and their families  
PERSPECTIVE AND CHALLENGES.

-----

In our city of Bangalore ( Karnataka, India), an estimated number of 50,000 children are considered, "labelled", STREET CHILDREN: school drop outs, rag pickers, vagrant, resorting to begging, prostitution etc. Out of these 50,000, 6 to 8 thousand are girls. The situation in the streets is quite different for a boy and for a girl and we know that risks are more for a girl. These children originate from very poor families, slum and pavement dwellers. Often drinking habits aggravate the difficult circumstances of the families and generate endless problems.

Asha Deep - Light of Hope. Our project has thus the objective of being a light of hope in the lives of the street girls and of their families. We have set up our centre in the heart of the city to be easily accessible and, regularly, we canvass the area in search of the street girls to invite them to the centre. These street contacts are the first step, the second being the visits to the families (when there is a family...) to get them involved and obtain their permission to allow their daughter (s) to come regularly to the Day Centre and avail of the services offered.

- 1- Hygiene and Health Services. The children have facilities to take bath, to wash their clothes; nutritious meals are provided along with medical check-up , treatment, etc.
- 2- Non-formal education. A literacy programme is initiated in the girl's mother tongue either tamil or kannada. Formal education is facilitated whenever possible if the children are interested and if the families commit themselves to sending them to school regularly. This is much easier with the younger girls.
- 3- Income-generating scheme - Training in skills. Many of the girls were earning in the streets: rag picking, begging. Another source of income has to be provided if we withdraw the girls from the streets. The families need this income. At the initial stage especially, this income generating scheme is very important. It serves as an incentive to attract to the Centre and for grown up girls who have to earn their living. According to the age, the girls are gradually trained into cover, envelope, candle soap and doll making, in knitting and stitching etc. Collection of clean waste papers (magazines, newspapers etc.), is made from some families and institutions and the profit of the sale is distributed to the children. The girl then keeps part of it for the Saving Scheme and takes the rest at home. We try

to remove the girls from searching in the rubbish bins where hygiene, health and dignity are violated. This scheme will take some time before being fully operational and one difficulty is to find a market for the manufactured goods.

4- Recreative and cultural programmes. Recreation and play help the development of the child and are encouraged. The children also occasionally participate in competitions with other children. Once a month, an outing is usually organised to give these children the same chances, the same joys that other children have in their homes.

5- Human and Psychological Development is fostered in view of the integration of these girls in the Society. A street girl of today is a woman of tomorrow and our aim is to prepare her for her future, to prepare her for a brighter and happier future.

All the girls who have a family are encouraged to remain in their family and we are trying to improve the conditions of life of the family. The drinking problems seem to be the most important ones as nearly all the savings are spent on drinks and this, very often, for both the parents. Meetings with the parents, counselling is provided. This simultaneous action with the family is indispensable and the foundation of our project. We believe that the most precious gift of life for the child is a family and our efforts are to build united and happy families where the child will be loved, cared for, and where she may blossom in joy and happiness. We encourage the girls who have left their homes (families) to return, we help the parents to accept their child back home.

Grown up girls are referred to institutions where training is more elaborate. Our centre cannot cope actually with all the age groups; the place is limited and the staff not fully prepared and qualified yet.

Our big challenge is to accept the girls as they are with their woundedness, their brokenness, to understand and love them. As they grow aggressive they may sometimes well up because of all their past traumas. It is the time when they need most to be treated with great kindness and gentleness. We believe in the forces of life in each human being, in the capacity of each one to grow. Another challenge is the time and energy to invest with dedication. It takes a long time to change the wandering habits into discipline, to change the fighting for one's survival into respect of others, to change the fear and lack of trust into a light of hope.

The task is huge. Thousands of girls need help, hundreds of girls are waiting on the streets, wandering, surviving on scraps in the rubbish bins. We have our limitations of place and of human resources but we believe that the tiny seeds will blossom.

The perspective: The street girl becoming a happy girl living in a united family, fully integrated into the society.

The challenge: To love enough to take up this task and commit ourselves sincerely, generously.

A S H A D E E P - A Light of Hope for the street girls and their families.



## HEALTH OF THE STREET CHILDREN - A REPORT ON THE TRAINING PROGRAMME

The two day training programme was conducted on 30/5/95 and 31/5/95 with the staff of organisations for Street Children to help have a better understanding about Health and Minor Illnesses. The sessions were learning sessions where, resource persons helped the group to learn together the topics chosen during the preliminary discussions /dialogues.

### SCHEDULE

10.00 a.m to 01.00 p.m - Morning session  
02.00 p.m to 05.00 p.m - Afternoon session

### TOPICS COVERED

30.5.95

#### Morning sessions

- # General Principles of Disease Transmission
- # Drug Addiction
- # Psychological Problems

#### Afternoon sessions

- # STDs and AIDS
- # Skin problems including leprosy
- # Communication Strategies and Child-to-Child programmes

31.5.95

#### Morning sessions

- # Tuberculosis
- # Nutrition

#### Afternoon sessions

- # Minor ailments
- # Eye problems
- # E.N.T problems

### EACH DAY'S SESSION

30.5.95

The training programme commenced at 10.00 a.m. with self introduction of participants to make the participants familiar with one another.

A question raised by a resource person as to what is Health?, led to framing of a definition on Health:

HEALTH IS NOT BEING FREE FROM DISEASES BUT ALSO BEING PHYSICALLY, MENTALLY, SOCIALLY AND SPIRITUALLY FIT.

- # General Principles of Disease Transmission : The resource person helped understand the common modes of Disease Transmission and the roles of the triad of Environment , Agent and Man (Host). Posters were used to convey the message on how diseases spread. He also explained the three levels of intervention viz., Primary, Secondary and Tertiary level.
- # Drug Addiction : Regarding Drug Addiction, a resource person from the De-addiction ward of NIMHANS gave a brief description of the activities conducted in their unit to help people cope up with their problem. He offered the full support of his unit to the group in every possible way.
- # Psychological problem : The resource person from the Psychiatric unit of NIMHANS through means of a role play explained to the group that what is normal for the street child could be abnormal for us, but one should never question the child's morality- instead respect the child as a human being. As the street children lack faith in people, it is a must that we should boost the confidence of the children and never question their attitudes.
- # STDs and AIDS : In the afternoon the first session was on S.T.D and AIDS. The resource person from St. John's Medical College explained to the group about the various sexually transmitted diseases like Syphilis, Gonorrhea etc. The inputs on AIDS was minimal as the participants felt that AIDS does not occur until the age of 16.
- # Skin diseases including Leprosy : By means of posters and pictures, the resource person from CHC explained to the group how leprosy is caused- the signs and symptoms of Leprosy etc. The other skin diseases like Scabies, Boils etc which are common to the children were also discussed.

Personal Hygiene was also stressed upon.

- # Communication Strategies and Child-to-Child programme : The resource person from a school health programme along with her team explained to the participants the concept of Child to Child programme. Using puppets as a media, the resource person demonstrated how health messages could be transmitted to children.

31.5.95

- # Tuberculosis : The second day of the Training programme commenced at 10.00 a.m with a review of the General mode of Disease transmission. The resource person the former-director of National Tuberculosis Institute (NTI) by means of posters explained to the group the signs and symptoms of Tuberculosis. As most of the organisations had cases of children with Tuberculosis, a major discussion followed. Input on medication and treatment was given on the request of the participants.
- # Nutrition : The session on Nutrition was more on sharing of information by the participants. Emphasis on the fact that food should be chewed properly and not swallowed etc. was laid. The concept of balanced diet, kitchen garden were also discussed.
- # Minor ailments : In the afternoon, the session was on Minor ailments. The resource person from CHC explained about illnesses in three areas
  - Skin diseases,
  - Respiratory diseases,
  - Gastrointestinal diseases.

Emphasis was on the fact that and most of the diseases can be treated by ourselves, in early stages.

- # Eye : The resource person from SJMC by means of a model of an eye explained to the group the different parts of an eye. The group clarified many doubts regarding various eye problems which they face-watering of the eye, sty, itching, redness of the eye etc.
- # Ear : The resource person from NIMHANS by means of a diagram explained to the group the various parts of a ear. Problems like ear discharge, stammering, pronunciation difficulty etc were dealt with.

#### EVALUATION

1. The group suggested that by the end of June 1995 a meeting could be arranged wherein plans regarding the future course of action could be discussed.
2. Child to Child programme would be tried out in their respective organisations.

#### DRAWBACKS

1. A map showing the location of the venue could have been sent to the participants so that they would not have faced difficulties in finding the place.
2. The time was too short to cover many topics of importance.

REDS Request : Early part of 1993

THE Response : JUNE : 1993

Two day workshop  
Health and psycho social  
problems : 6<sup>th</sup> and 7<sup>th</sup> July 1993

Psycho social problems  
R. Shekar Sheshadri : 14<sup>th</sup> Sep 1993

Response to Maharashtra  
Earth quake : OCTOBER 1993

Formulation of 6 months  
course in aspects of : November 1993  
behaviour and counselling : December

Dr. Sheshadri's  
inability to start : January - March 1994

Marriage : APRIL 1994

Prototyping with Health  
communication input by Dr. Uma : May 1994

Surgery : July - Sep 1994

Best job advised  
inability to move around : Sep - December 1994



Re entry  
Attended Basco day : January 1995

RKN taken over : Feb - March 1995  
Organization visits.

CH Forum meeting  
Street Children Organization : APRIL 1995  
go together Need assessment :

Two day workshop : May 1995  
Health and nutrition

Follow up workshop : June 1995

STD AIDS : July 1995

CHILD to CHILD : August 1995

CHILD to CHILD : SEPTEMBER 1995

Two day workshop by :  
Dr. Veda Zarech in : OCTOBER November 1995  
child to child :  
planning : cancelled.

## HEALTH

- 1) Trachoma
- 2) dog bite
- 3) Worms
- 4) Jaundice
- 5) Ear discharge
- 6) Scabies
- 7) STD
- 8) Malnutrition

9) Occupational (Rugando) TB Agar bath and Beedi workers.

## Organization visited

- ① CWC
- ② Bosco
- ③ MAYA
- ④ KEDS
- ⑤ YMCA
- ⑥ ASHA DEEP

### PSYCHO SOCIAL

- Drug addiction
- Bonded labour
- Broken families
- Abandoning
- Involvement/creating riots
- Sexual abuse
- Broken families
- Exploitation by police

### Expectations

- Motivational skills
- Health knowledge inputs
- Skills to handle psycho social problems.
- Preventive and curative aspects of health
- Communication skills.

### II Round of visit problems listed

- Tuberculosis
- Dysuria
- Dental problems
- Eye problems
- ENT problems
- Skin problems
- psychological problems
- Drug addiction
- STD AIDS

REPORT OF THE TWO DAY WORKSHOP ON STREET CHILDREN

Dates : 6th and 7th July 1993

Venue : Community Health Cell, 367, Srinivasa  
Nilaya I Main, Jakkasandra, I Block,  
Koramangala, Bangalore 560 034.

Subjects dealt with : Psychosocial and health problems  
: Communication technics and approach  
methodology

Resource persons : Dr. Shekar Sheshadri (NIMHANS),  
Child Psychiatrist.

Dr. Shirdi Prasad Tekur,  
Coordinator,  
Community Health Cell.

Mrs. Indira Swaminathan (Educational  
Psychologist).

Headquarters. It bears quotation in extenso:

"He (Sidhu) also stated that it had come to the notice of Prime Minister that certain parties in Naval Headquarters seem to be favouring the Swedish offer." I informed the Addl. Secy that subsequent to the issue of Naval Headquarters note EE/0630 dated June 19, 1980, certain other information had also come to the notice of Naval Headquarters which merit a change in the total matrix points and it is Naval Headquarters' duty to bring them to the attention of Ministry of Defence as Naval Headquarters were not aware of any cut-off date beyond which information should not be passed on to the Ministry of Defence.

"I also informed him that Naval Headquarters were entirely neutral on the selection of either the Swedish or the HDW submarine and have stated so in Notes SA/3055 dated May 16, 1980 and EE/0630 dated June 19, 1980."

The FIR adds: "The piece of evidence clearly shows the culpable involvement of Shri Sidhu even though, the offer of M/s. Kockums was more acceptable. It also gives reason to believe that Shri Sidhu was acting in complicity with certain public servants and was, therefore, anxious to see that the offer of HDW was accepted expeditiously even though, there were serious reservations expressed by NHQ."

The FIR alleges that B. S. Ramaswamy, Additional Financial Adviser (AFA) in the Defence Ministry, "dishonestly and falsely represented the HDW offer as cheaper" and he did so, it adds, with Sidhu's knowledge.

The Naval Headquarters' objections regarding the noise factor were brushed aside. HDW was not "able to guarantee self-noise figures" at all. Objections continued to be pressed even after the CCPA's decision. Admiral Schunker at one point "suggested re-opening a dialogue with Kockums for (the) purchase of submarines". Bhatnagar shot the idea down. Papers went to and fro.

The FIR says that in the earlier reports by Vice Admiral Schunker, the HDW had lost considerably in the matrix relating to technical parameters and NHQ was repeatedly projecting the stand that the HDW offer had become unacceptable. "Yet, without assigning any reasons, he deliberately increased the matrix in favour of HDW at that crucial juncture in order to reduce the difference between the offers of HDW and Kockums. There are reasons to believe that crucial features, both financial and technical,



Admiral R.L. Pereira, former Chief of Naval Staff, the one person who refused to budge and who wrote to the Minister of State for Defence on February 3 and 25, 1981 recording his objections to the deal.

were deliberately suppressed by Shri Ramaswamy, AFA(R), Vice-Admiral M. R. Schunker, VCNS, and others in order to abort the move for reopening the dialogue with Kockums. Shri S. K. Bhatnagar, AS(D) and the Negotiating Committee, by suppressing vital facts in the statement of case put up to the PM/RRM/EM, deliberately conspired to keep Kockums out of the negotiations in order to favour M/s. HDW. The doctored note containing the statement of case indicating the status of the SSK project was put up to Shri Shiv Raj Patil, RRM, on December 21, 1980 and also to the Prime Minister (Indira Gandhi).

One man refused to budge. He was Admiral R. L. Pereira, Chief of Naval Staff. He wrote to the RRM on February 3 and 25, 1981 recording his objections.

Eventually the contract was negotiated at Rs. 465 crores at the February 1979 price level. The estimated cost of the project that was projected to the CCPA in May 1980 while getting the HDW offer accepted was Rs. 374.99 crores at the February 1979 price level. An extra cost of Rs. 90 crores was added mainly because the offer was accepted hastily and in

unusual circumstances.

Actors in the play performed strangely. Capt. M. Kondath of the Indian Navy (Accused No. 3) was Director, Submarine Arm from July 1979 to June 1980 and Officer on Special Duty (OSD), SSK Project from June 1980 to September 1981. As OSD, Capt. Kondath was dealing with technical/financial evaluations of the offers for the SSK submarine for the Indian Navy. He applied for premature retirement on compassionate grounds in September 1980 with effect from August 1, 1981. Retiring at the end of 1981, he applied for approval to join HDW on a consultancy basis. The plea was rejected. He then acted for HDW "in a surreptitious manner".

The FIR lists the charges against him and each of the other accused. For example, against Schunker it alleges "that on October 16, 1980 he stated that the technical specifications indicated by M/s. HDW were not acceptable to the Navy but on November 5, 1980 he suddenly agreed to accept the increased figures of technical specifications, with their accompanying disadvantages, without assigning any reasons... in the preparation of statement of case in December 1980, he deliberately increased the matrix points in favour of HDW."

Shortly after the FIR was filed, a letters rogatory was sent to Switzerland. The Indian Embassy in Berne was informed, on July 25, 1990, that it was rejected as being defective, prolix and imprecise. A letter from the Swiss Federal Department of Justice and Police, however, made some helpful suggestions for the future. It concluded by saying that "the moment chosen by the Indian authorities to present this request seems premature." The Bofors case was pending before the Swiss courts. "It appears from the two requests for mutual aid

**The Bofors case is all but over in the Swiss courts. The time has come to send another letters rogatory in the HDW case, one that conforms to Swiss requirements.**

that the persons and the accounts concerned are in a large measure identical." A decision in the Bofors case will therefore help in deciding the plea in the HDW case (*The Hindustan Times*, August 16, 1990).

The Bofors case is all but over in the Swiss courts. The time has come to send another letters rogatory in the HDW case which conforms to Swiss requirements. ■



# Children as workers

*Convention's call for compulsory primary education*



T.K. RAJALAKSHMI  
in New Delhi

At the public hearing on child labour in New Delhi, jury members (from left) R. Venkataramani, T.S. Shankaran, Indira Jaising, Justice Leila Seth, Prof. Yash Pal, N. Ram and Muchkund Dubey; (below) some of the child participants.

INDIA has the unhappy distinction of having the largest number of child labourers in the world. Approximately 45 million children are employed in organised and unorganised sectors and they work between 10 to 12 hours daily for an average monthly wage of Rs. 250; in many cases, they work for no wage at all. Studies and historical experience show that there is a clear and undeniable link between children going to work and children not going to school, and that compulsory schooling is a necessary condition for the abolition of child labour. The Indian state's record on this front is dismal. Article 45 of the Indian Constitution mandated the state to direct its policy towards ensuring "free and compulsory education for all children until they complete the age of 14 years" within 10 years of the commencement of the Constitution. However, estimates from the 43rd Round of the National Sample Survey (1987-88) indicate



that 50 per cent of children in the 5-14 age group are not attending school.

On March 31, at the end of a public hearing attended by some 1,000 children employed in various fields, an eight-member jury called for the abolition of the practice of employing children up to the age of 14. In a hard-hitting, precise and action-oriented declaration that did away with distinctions between child labour in "hazardous" and "non-hazardous" occupations, the jurors left no scope for ambiguity on this score. The hearing was organised in New Delhi by the Campaign Against Child Labour (CACL), an umbrella organisation of about 700 NGOs, as part of its second national convention on child labour. The eight jurors were Justice Leila Seth, retired Chief Justice of the Himachal Pradesh High Court; Muchkund Dubey, former Foreign Secretary; Indira Jaising and R. Venkataramani, Senior Advocates in the Supreme Court; Prof. Yash Pal, former Chairman, University Grants Commission; Justice Rajinder Sachar, Retired Judge, Delhi High Court; T.S. Shankaran, former Secretary, Ministry of Labour; and N. Ram, Editor, *Frontline*.

The jury noted that data from the Fourth Quinquennial Survey of Employment and Unemployment of National Sample Survey (NSS), conducted between July 1987 to June 1988, indicated that 50 per cent of children in the 5-14 age group were not attending school. Applying the NSS results to the age-wise Census of India data, it was estimated that in 1995 more than 78 million children aged between 6 and 11 years were not attending school.

Referring to the constitutional directive on education enshrined in Article 45, the jury stated in unequivocal terms that the Central and State governments had failed to perform their constitutional duty in this regard. This unconscionable failure was despite Supreme Court rulings in July 1992 (in *Mohini Jain vs the State of Karnataka* case) and in February 1993 (in *Unnikrishnan, J.P. and others vs the State of Andhra Pradesh and others*) that the right to primary education was a

fundamental right (*Frontline*, March 12, 1993). The jury noted with alarm that as a result of the State's colossal failure with respect to education, India would be home to 50 per cent of the world's illiterate population by the year 2000.

The jury made 11 recommendations on the basis of depositions made by 12

even free and compulsory primary education, the jury noted. This failure, it pointed out, has created a huge standing child labour force. "It is unconscionable for any society," the jury declared, "to try to develop on the basis of child labour and... universal elementary education is the precondition for the success of any develop-



Child workers at a limestone kiln in Dhone, Andhra Pradesh. India has the unhappy distinction of having the largest number of child labourers in the world.

child labourers on March 31, presentations made by the CACL and information from other sources. One of the major recommendations was that no child was to be made to work in any capacity as a labourer till the completion of 14 years of age. To ensure this, the jury suggested that the Child Labour (Prohibition and Regulation) Act, 1986 be amended to prohibit the employment of children up to the age of 14 in all sectors, including their employment in private dwelling houses or employment carried on with the help of the family. By making such an amendment the government would fulfil its commitment under international instruments and conventions, notably the United Nations Convention on the Rights of the Child. India has ratified the convention of November 20, 1989.

While other developing countries had made it illegal for children up to the age of 14-15 to be out of school, the Indian state had failed to ensure

ment strategy." The jury demanded that laws be enacted by the state to provide free, compulsory, relevant and quality education to all children. With respect to the question of providing quality education, it recommended the implementation of the report of the National Advisory Committee, "Learning without Burden", (1993).

Children were employed because of their vulnerability in a climate of mass poverty and injustice, the jury observed. It held untenable the "nimble fingers theory" which maintained that certain jobs could be done only by the nimble fingers of women and children. The real reasons for employing children was that they constituted a malleable, cheap workforce which could be easily controlled and manipulated or rendered invisible by employers to evade labour legislation. In the absence of collective bargaining, child labour had a tendency to depress adult wages and hiring.

The jury recommended that special

# The findings of the jury

National Public Hearing on Child Labour, March 31, 1997.

We, the jurors of the National Public Hearing on Child Labour held at Mavlankar Hall, V. P. House, Rafi Marg, New Delhi-110 001 on March 31, 1997,

Having heard the depositions of children employed in various sectors (including prohibited sectors) and constituting a cross-section of the national child labour force.

Recognising that child labour exists on a very large scale across the length and breadth of the country, notwithstanding the existence of constitutional guarantees and prohibitions under labour and welfare laws,

Recognising that Article 45 of the Constitution of India mandates the state to direct its policy towards ensuring "free and compulsory education for all children until they complete the age of 14 years," within ten years of the commencement of the Constitution,

Recognising that the Supreme Court of India has held in *Unnikrishnan's* case that the right to primary education is a fundamental right and that it is the duty of the state to ensure its realisation,

Recognising that 50 years after Independence, the Central Government and State governments have failed to perform their constitutional duty by the children of India, thereby compelling them to become child labourers,

Recognising that notwithstanding the knowledge that by the turn of the century, India will have 50 per cent of the world's illiterate population and the size of the child labour force has been on the increase precisely because of the failure of the state on the educational and socio-economic fronts,

Recognising that it is unconscionable for any society to try to develop on the basis of child labour and that universal elementary education is the precondition for the success of any development strategy,

Do hereby state and declare as follows:

Based on the statistics presented to us, we have reached the conclusion that India has the largest number of child labourers in the world. Studies estimate that there are approximately 45 million children employed in the

workforce, starting at a very early age, working an average of 10 to 12 hours a day, at an average wage of Rs. 250 per month and in many cases for no wages at all, for example, bonded labour. We believe that this estimate of the number of child labourers is an underestimate. Child labour is a ubiquitous phenomenon with regard to its occurrence, regionally and sectorally. On the basis of the results of the Fourth Quinquennial Survey of Employment and Unemployment conducted by the National Sample Survey (NSS) from July 1987 to June 1988 (published in 1992), it can be estimated that 38 per cent of children in the age group of 5 to 14 years in India were not attending school. Applying the NSS results to age-wise census of India data, it has been estimated that the number of children not attending school in the age group of 6 to 11 years alone was more than 78 million in 1995.

Child labour is not a peripheral or minor part of the Indian work force; several sectors, unorganised as well as organised, traditional as well as new-growth, rural as well as urban, of the Indian economy draw heavily on child labour. The CACL estimates that child labour exists in 50 different key sectors of the economy. Some of these are: agriculture; construction; textiles; carpet weaving; glassworks; the match industry and fireworks; the *beedi* industry; hotels and eating establishments; plantations; quarries; brick kilns; gem cutting and domestic work. Children may be employed in these sectors as hired labourers, part of the family workforce, or as bonded labourers.

The jury wishes to highlight the fact that child labour is employed on this massive scale in India primarily because the system has failed to provide for and enforce free and compulsory school education (up to the age of 14), a basic right recognised the world over and enshrined in international covenants, notably the United Nations Convention on the Rights of the Child which India has ratified. Most countries in the world, including developing countries, make it illegal for children up to the age of 14-15 to be out of school. In India the failure of the state to provide for free and compulsory education even up to the primary stage has

created a huge standing child labour force.

Children are employed because of their vulnerability in a climate of mass poverty and injustice; because they constitute a malleable workforce, capable of being manipulated or rendered invisible by employers to evade labour legislation; because of their alleged adaptability, made notorious by the untenable nimble fingers theory, because they constitute a cheap and easily controlled workforce, depressing adult wages and employment and making it possible for employers to avoid collective bargaining and to rake in unconscionable profits.

The girl child, who suffers the double disadvantage of discrimination and deprivation - in society and in the workplace - demands special attention.

On the basis of the depositions by child labourers, the presentations by CACL and other information made available to us, we recommend:

- 1) that no child should be made to work in any capacity as a labourer till the completion of 14 years of age,

- 2) that free, compulsory, relevant and quality elementary education should be provided to all children and that state laws be enacted for this purpose,

- 3) that in connection with quality education for all, the Report of the National Advisory Committee, "Learning Without Burden" (1993), be implemented,

- 4) that special measures be taken to safeguard the well-being of the girl child in the matter of schooling and in society.

- 5) that the Child Labour (Prohibition and Regulation) Act, 1986 should be amended to prohibit the employment of children up to the age of 14 in all sectors, including employment in private dwelling houses or employment carried on with the aid of the family, and generally to fulfil India's commitment under international instruments,

- 6) that the recent Supreme Court judgment in *M. C. Mehta vs the State of Tamil Nadu* (1996) should be strictly enforced and that citizens' groups should be actively involved,

- 7) that the distinction between 'hazardous' and 'non-hazardous' occupations obtaining in the 1986 Act and in the Government of India



policy should be done away with, as all employment of children is *per se* hazardous to the well-being of the child.

8) that an adequate and effective social security system should be put in place as a measured step towards preventing children from being driven into child labour,

9) that the Government of India and State governments should undertake a comprehensive survey of child labour in all sectors, organised and unorganised, and that this should lead to the early formulation of a comprehensive policy to end child labour.

10) that there should be community involvement in the measures for the development of the child and elimination of child labour at the level of the panchayats, and

11) we regard child labour as essentially a domestic problem and since the recent initiatives to include a Social Clause in multilateral trade agreements are designed merely to serve the protectionist interests of developed countries, they should be resisted.

While we believe that the above recommendations will go a long way in eliminating the obnoxious practice of child labour, we emphasise the need for a broad and integrated approach including measures in the areas of health, nutrition, child care, employment, housing, enforcement of minimum wages and land reform.

(Sd.)

(1) Muchkund Dubey  
(Former Foreign Secretary,  
Government of India)

(2) N. Ram  
(Editor, *Frontline*)

(3) T. S. Shankaran  
(Former Secretary

Ministry of Labour,  
Government of India)

(4) Justice Leila Seth  
(Retd. Chief Justice,  
Himachal Pradesh High Court)

(5) Prof. Yash Pal  
(Former Chairman,  
University Grants Commission)

(6) Indira Jaising  
(Senior Advocate,  
Supreme Court)

(7) Justice Rajinder Sachar  
(Retd. Judge, Delhi High Court)

(8) R. Venkataramani  
(Supreme Court Senior  
Advocate)

New Delhi  
March 31, 1997

measures be initiated to safeguard the girl child in the matter of schooling and in society. The girl child suffers the double disadvantage of discrimination and deprivation – in society and in the workplace. Another significant recommendation was that child labour be recognised essentially as a national problem. This is necessary in the context of the initiatives taken by the developed countries to introduce a social clause in multilateral trade agreements, which would mainly serve their own protectionist interests.

In December 1996, the Supreme Court, in its judgment in *M.C. Mehta versus the State of Tamil Nadu*, gave directions on improving the quality of life of children employed in factories, on the payment of compensation, and so on. The jury suggested the enforcement of these directives. Among the other suggestions made by the jury were the creation of an effective social security system to prevent children from going back to their old professions, a survey of child labour in the organised and unorganised sectors leading to the formulation of a policy seeking to put an end to child labour and steps to involve the community at the panchayat level in the efforts to develop the child and eliminate child labour.

THE convention organised by the CACL was the culmination of a series of public hearings held in Maharashtra, Tamil Nadu, Andhra Pradesh and Karnataka early this year. Children working in brick kilns, in agriculture, in saree and silk weaving units, in the construction industry, in grain markets, sugarcane fields, in hosiery units, and in the *beedi* and match industries attended the convention. Although the 1986 Act prohibits employment of children under the age of 14 in the *beedi*, construction and match industries, children from these areas, all under 14, were present and deposed before the jury. They included 12-year old Mamita Sahu from a *beedi* factory in Orissa, 13-year-old Arjun from a construction site in Gujarat and 13-year-old Thangamani from a match factory in Tamil Nadu.

In a statement, the CACL reiterated its commitment to the eradication of child labour in all sectors. Criticising the new economic policy (NEP) launched in 1991, the CACL said: "The NEP with its market-dominated paradigm has ensured deregulation of labour laws, accelerated retrenchment, led to the informalisation of labour, depression in adult wages and greater inflation."

According to the CACL, the Child

Labour (Prohibition and Regulation) Act, 1986 operates from the paradigm of regulating child labour and has a number of legalistic and procedural lacunae. The major lacuna was that the Act covered only the organised sectors, leaving out the unorganised sector which employs 85 per cent of child labourers." Alpa Vora of the CACL said that the 1986 Act legalised child labour by making a distinction between hazardous and non-hazardous occupations.

Presenting the CACL's stand on child labour before the jury, Ossie Fernandes, director of the Human Rights Advocacy and Research Foundation, pointed out that the United Nations (Article 1 in U.N. Convention on the Rights of the Child) defines a person below 18 years as a child. He suggested that in the long run India could consider raising the minimum employable age from 14 to 18.

A significant fact that was highlighted by the convention was that a majority of child labourers work in agriculture – as hired labourers, as part of the family workforce or as bonded labourers. According to the 1981 census, about 86.4 per cent of child workers are employed in agricultural and allied activities. The 1986 Act had no provision regarding child labour in this sector. An International Labour Organisation (ILO) convention laid down in 1921 that children under 14 years should not be employed in private or public agricultural undertakings except outside the hours fixed for school attendance. India has not ratified this convention as agriculture comes under the unorganised sector, and the 1986 Act applies only to the organised sector. India has also not ratified the Minimum Age Employment (Non-industrial) Convention No. 33 prohibiting the employment of children under 13 because the convention applies to the unorganised sector.

**A**BOLISHING child labour is a much-debated issue. It has often been held, incorrectly, that India must eliminate mass income-poverty before it can put all children in school. American political scientist Myron Weiner, who has carried out research in India for more than 40 years, presents a different vision (*Frontline*, April 27-May 10 and May 11-24). In his book, *The Child and the State in India* (Princeton University Press, U.S., 1991), Weiner has shown that the abolition of child labour and the establishment of compulsory schooling precede a general rise in basic living standards. In fact, these are conditions precedent for rapid economic growth. For



policy should be done away with, as all employment of children is *per se* hazardous to the well-being of the child,

8) that an adequate and effective social security system should be put in place as a measured step towards preventing children from being driven into child labour,

9) that the Government of India and State governments should undertake a comprehensive survey of child labour in all sectors, organised and unorganised, and that this should lead to the early formulation of a comprehensive policy to end child labour,

10) that there should be community involvement in the measures for the development of the child and the elimination of child labour at the level of the panchayats, and

11) we regard child labour as essentially a domestic problem and since the recent initiatives to include a Social Clause in multilateral trade agreements are designed merely to serve the protectionist interests of developed countries, they should be resisted.

While we believe that the above recommendations will go a long way in eliminating the obnoxious practice of child labour, we emphasise the need for a broad and integrated approach including measures in the areas of health, nutrition, child care, employment, housing, enforcement of minimum wages and land reform.

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New Delhi

March 31, 1997

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In December 1996, the Supreme Court, in its judgment in *M.C. Mehta versus the State of Tamil Nadu*, gave directions on improving the quality of life of children employed in factories, on the payment of compensation, and so on. The jury suggested the enforcement of these directives. Among the other suggestions made by the jury were the creation of an effective social security system to prevent children from going back to their old professions, a survey of child labour in the organised and unorganised sectors leading to the formulation of a policy seeking to put an end to child labour and steps to involve the community at the panchayat level in the efforts to develop the child and eliminate child labour.

THE convention organised by the CACL was the culmination of a series of public hearings held in Maharashtra, Tamil Nadu, Andhra Pradesh and Karnataka early this year. Children working in brick kilns, in agriculture, in saree and silk weaving units, in the construction industry, in grain markets, sugarcane fields, in hosiery units, and in the beedi and match industries attended the convention. Although the 1986 Act prohibits employment of children under the age of 14 in the beedi, construction and match industries, children from these areas, all under 14, were present and deposed before the jury. They included 12-year old Mamita Sahu from a beedi factory in Orissa, 13-year-old Arjun from a construction site in Gujarat and 13-year-old Thangamani from a match factory in Tamil Nadu.

In a statement, the CACL reiterated its commitment to the eradication of child labour in all sectors. Criticising the new economic policy (NEP) launched in 1991, the CACL said: "The NEP with its market-dominated paradigm has ensured deregulation of labour laws, accelerated retrenchment, led to the informalisation of labour, depression in adult wages and greater inflation."

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Labour (Prohibition and Regulation) Act, 1986 operates from the paradigm of regulating child labour and has a number of legalistic and procedural lacunae. The major lacuna was that the Act covered only the organised sectors, leaving out the unorganised sector which employs 85 per cent of child labourers. Alpa Vora of the CACL said that the 1986 Act legalised child labour by making a distinction between hazardous and non-hazardous occupations.

Presenting the CACL's stand on child labour before the jury, Ossie Fernandes, director of the Human Rights Advocacy and Research Foundation, pointed out that the United Nations (Article 1 in U.N. Convention on the Rights of the Child) defines a person below 18 years as a child. He suggested that in the long run India could consider raising the minimum employable age from 14 to 18.

A significant fact that was highlighted by the convention was that a majority of child labourers work in agriculture – as hired labourers, as part of the family workforce or as bonded labourers. According to the 1981 census, about 86.4 per cent of child workers are employed in agricultural and allied activities. The 1986 Act had no provision regarding child labour in this sector. An International Labour Organisation (ILO) convention laid down in 1921 that children under 14 years should not be employed in private or public agricultural undertakings except outside the hours fixed for school attendance. India has not ratified this convention as agriculture comes under the unorganised sector, and the 1986 Act applies only to the organised sector. India has also not ratified the Minimum Age Employment (Non-industrial) Convention No. 33 prohibiting the employment of children under 13 because the convention applies to the unorganised sector.

ABOLISHING child labour is a much-debated issue. It has often been held, incorrectly, that India must eliminate mass income-poverty before it can put all children in school. American political scientist Myron Weiner, who has carried out research in India for more than 40 years, presents a different vision (*Frontline*, April 27-May 10 and May 11-24). In his book, *The Child and the State in India* (Princeton University Press, U.S., 1991), Weiner has shown that the abolition of child labour and the establishment of compulsory schooling precede a general rise in basic living standards. In fact, these are conditions precedent for rapid economic growth. For

# Speaking for themselves

T.K. RAJALAKSHMI

At the public hearing organised by the CACL, 12 working children from different parts of the country deposed before the jury. The children were asked questions relating to their socio-economic background and the compulsions behind their going to work. All of them came from low-income families and backward castes. It was found that in most of the cases, the parents were indebted to the children's employers. Schools, if any, were very far from their homes. It was also found that their siblings were employed in similar occupations.

Lagani, a 11-year-old child from Sasaram district, Bihar, said that she worked in a brick kiln as a substitute for her sick mother. Her brother had borrowed Rs. 10,000 from the kiln owner and her weekly wage of Rs. 50 went towards repayment of the loan. She worked from 5 a.m. till late in the evening, after which she had to do domestic work. It took one hour on foot to reach the nearest school from her house.

Twelve-year-old Amitabh, employed in the Banarsi saree industry in Uttar Pradesh, said that his father forced him to go to work. Asked whether he was interested in going to school, Amitabh said

that there was no government-run school in the village. The nearest school was a private institution and Amitabh's parents could not afford to send him there.

Jupalli Bhaskar, 13, from Andhra Pradesh, is a bonded agricultural labourer. His father, also a bonded labourer, had taken Rs. 10,000 for his daughter's marriage and Rs. 7,000 for treatment for a dog bite. Bhaskar worked from 5 a.m. to 7 p.m. He cleaned the cattle sheds of the landowner, cut fodder, drew water, worked in the fields and, in his "spare time", washed utensils in the landowner's house. Bhaskar received five pots of paddy every month for his work.

Nagarathna, 11, from Magadi in rural Bangalore, worked in a silk-weaving unit. "My work starts at 8 a.m. and lasts till 9 p.m. For reeling, doubling and re-reeling the thread, I get Rs. 2 an hour. I cannot see the wall clock and so do not know how long I work but my master says I must have worked for less than eight hours," Nagarathna told Frontline.



One of the working children deposing before the jury.

According to Saroja, a voluntary worker, Nagarathna's parents had taken Rs. 6,000 from the owner of the weaving unit, who deducted Rs. 50 from Nagarathna's weekly wage of Rs. 70. "In the first three months of their employment, the children do not receive any wage.

The owners say they are under training," said Saroja. According to her, in the 1990s there was a spurt in the number of weaving units in Magadi when the World Bank extended a loan of Rs. 500 crores. "Children make 90 per cent of the workforce here, of which 60 per cent are girls," she said.

Thangamani, 13, works in the match industry in Tamil Nadu. She told the jury that many of her colleagues were of her age although the board outside the unit claimed that no children under 14 were employed there. Thangamani was among the few children who attended the non-formal schooling conducted by the Indian Council of Child Welfare, but she did so only after her working hours, that is after 7 p.m. She said that she was bonded to the factory because of a loan taken by her father. Her employer refused to give her leave when she burnt her fingers at the workplace. She was reminded of the loan her father had taken.

When an official from the Labour Welfare Department was expected to visit the unit, the children would be asked to come at 4 a.m. and leave at 9 a.m. Thangamani said that she filled 300 match boxes every day. The money she earned, according to her mother, was to be used to make 10 sovereigns of gold.

C. Nambi from the Centre For Social Education and Development, an NGO in Coimbatore district in Tamil Nadu, estimates that 25,000 children are employed in the knit-wear industry in Tirupur.

In the hosiery sector, 40 per cent of the workforce are children below the age of 15 and they work for 12-16 hours a day. ■

instance, Scotland and Sweden achieved near-universalisation of education in the 18th century, well before they began to industrialise. Among the more recent examples in history, Weiner mentions the People's Republic of China, Kenya, Vietnam and Sri Lanka - countries which have managed to get over 90 per cent of the children of primary school age into schools despite their status as low-income countries. In India, he cites the case of Kerala, an industrially undeveloped State which manages to get nearly all children aged 6-11 and 88 per

cent of those aged 11-14 to school and, more important, succeeds in keeping them there.

Weiner writes: "Modern states regard education as a legal duty, not merely a right: parents are required to send their children to school, children are required to attend school, and the state is obligated to enforce compulsory education." Significantly, Weiner points out, "this is not the view held in India. Primary education is not compulsory, nor is child labour illegal."

According to Weiner, the state can effectively remove children from the

labour force through the policy instrument of compulsory primary education. "The state thus stands as the ultimate guardian of children, protecting them against both parents and would-be employers."

At the same time, it has been pointed out by informed observers, the state has the duty of providing necessary resources and support to the parents of the children who would go to school rather than to work. Positive efforts must be initiated to mitigate the hardships and practical problems these families would face. ■

policy should be done away with, as all employment of children is *per se* hazardous to the well-being of the child.

8) that an adequate and effective social security system should be put in place as a measured step towards preventing children from being driven into child labour,

9) that the Government of India and State governments should undertake a comprehensive survey of child labour in all sectors, organised and unorganised, and that this should lead to the early formulation of a comprehensive policy to end child labour,

10) that there should be community involvement in the measures for the development of the child and elimination of child labour at the level of the panchayats, and

11) we regard child labour as essentially a domestic problem and since the recent initiatives to include a Social Clause in multilateral trade agreements are designed merely to serve the protectionist interests of developed countries, they should be resisted.

While we believe that the above recommendations will go a long way in eliminating the obnoxious practice of child labour, we emphasise the need for a broad and integrated approach including measures in the areas of health, nutrition, child care, employment, housing, enforcement of minimum wages and land reform.

(Sd.)

(1) Muchkund Dubey  
(Former Foreign Secretary,  
Government of India)

(2) N. Ram

(Editor, *Frontline*)

(3) T. S. Shankaran

(Former Secretary  
Ministry of Labour,  
Government of India)

(4) Justice Leila Seth  
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# A progressive Act delayed

ASHA KRISHNAKUMAR  
in Chennai

THREE years since the landmark Tamil Nadu Elementary Education Bill was passed by the State Assembly, the legislation is yet to be formally notified and implemented.

The passing of the Bill was a landmark event because one section of the Bill put it in a different league from all education laws that preceded it, in Tamil Nadu and in the rest of India. The provision is in Section 3, which states, very simply, that when the Act is in force, education shall be compulsory for every child of school age. Unlike previous laws, the Bill declares elementary education to be compulsory, without further provisos or qualifications, throughout the State of Tamil Nadu.

The Bill was passed in the Assembly in May 1994 and sent immediately for the assent of the President of India. Seven months later, in December 1994, the Centre informed the Tamil Nadu Government that assent could be given only if Section 5(1) — providing one of the exemptions for the implementation of the Bill — was deleted. Section 5 (1) reads: "Attendance at an elementary school for a child of school age shall not be compulsory if there is no elementary school within such distance as may be notified by the Government, from the residence of such child." This provision was seen as being against the spirit of the legislation, since it envisaged the exemption of a child from compulsory education on the grounds that the state itself had failed to provide a school within a reasonable distance of a child's home. Indeed, Section 5(1) could be seen as being at variance with the assurance implicit in Section 3(2) of the Bill, which said that in order to give effect to the provisions of the Bill, "the Government shall provide such number of elementary schools in the State with trained teachers, as may be necessary."

After several rounds of communication with the Union Government, which took about 10 months, the Tamil Nadu Government agreed to the Centre's suggestion. According to sources in the Tamil Nadu



Children going to school in Chennai.

Education Department, the State Government sent a request to the Union Government (this was done "by October 1995") to give assent to the Bill on the condition that Section 5(1) would be deleted. Following this, the President's assent was given in November 1995, on the understanding that the State Government (which, according to Section 1(3) of the Act, reserves the powers to notify the Act) would delete Section 5(1) before it notified the Act.

Although the Bill became an Act in November 1995 — even if conditional on the deletion of Section 5(1) — it has not been amended or notified in order that it can be implemented. Neither the All India Anna Dravida Munnetra Kazhagam Government (AIADMK) during the last five months of its rule, nor the Dravida Munnetra Kazhagam (DMK) Government, which has been in power since April 1996, has taken the final steps to ensure that the Act becomes the law of the land. This delay occurred despite both governments having a good relationship with the Centre in the relevant periods.

According to M.A. Gowri Shankar, Secretary, Department of Education in Tamil Nadu, before notification Section 5(1) has to be deleted and the amended Bill passed once again in the State Assembly. Although the State Government can, technically, notify the Act as it is, the

Tamil Nadu Government, according to Gowri Shankar, wants to "honour the commitment made to the Government of India" by deleting Section 5(1) before notifying it. Gowri Shankar says that the State Government is determined to implement the Act in the next academic year. If this is to happen, the Tamil Nadu Government should expedite the notification of the Act.

The Education Secretary said that the Education Department will work out a new Action Plan (the previous AIADMK Government had one ready when it sent the Bill for assent; *Frontline*, February 24, 1995). According to Gowri Shankar, the most important task after the notification of the Act is to build awareness and put social pressure on parents to send their children to school as universal elementary education cannot be achieved by "coercion".

Apart from the prerequisite of large-scale investment on teachers and school infrastructure, the establishment of public authorities and community control measures at local levels are crucial for the implementation of the Act.

Nevertheless, the initial condition is a sense of political urgency on this score, the lack of which has hampered, in the last three years, the implementation of one of the most progressive Acts in India's recent educational history. ■



# A step forward

## *The P.A.-UNP accord on the ethnic question*

AMIT BARUAH  
in Colombo

THE impossible has happened. The ruling People's Alliance (P.A.) and the opposition United National Party (UNP), bitter rivals in the elections to the local bodies in March, have agreed to resolve Sri Lanka's ethnic crisis on the basis of a British-brokered accord. This is considered a landmark development because the UNP and the Sri Lankan Freedom Party (SLFP), a major constituent of the ruling alliance, have a record of opposing each other's proposals at various points of time to redress the grievances of the minority Tamil community. The level of distrust and acrimony between them could be understood from the fact that the two sides needed a third-country intervention to arrive at a common approach to the ethnic issue.

Most observers were taken by surprise when it was announced on April 3 that President Chandrika Kumaratunga and UNP leader Ranil Wickremasinghe had reached an agreement on solving the ethnic issue. British Secretary of State Malcolm Rifkind visited Colombo in August last. Following up on Rifkind's initiative, Under Secretary Liam Fox visited the country three times. During his one-day visit on April 2, Fox met Kumaratunga, Wickremasinghe and Foreign Minister Lakshman Kadirgamar.

On April 3, Kadirgamar, who has played a key role in making the accord possible, announced at a press conference that Kumaratunga and Wickremasinghe had exchanged identically-worded letters setting out a framework within which they would work to solve the ethnic problem. Describing

the accord as "a step on a long road," Kadirgamar read out the letters and a statement prepared by him.

In the letters, the two leaders have recognised that the resolution of the ethnic conflict will restore peace and lead to the development, progress and prosperity of the country. "It is an issue transcending partisan politics. The development of a genuinely bipartisan approach to the resolution of the ethnic conflict is vital to the achievement of a permanent solution to the conflict," they said.

The two leaders agreed that the "incumbent head of Government will brief and seek the opinion of the leader

of the United National Party on significant developments relating to the ethnic conflict, both in the strictest confidence; if in Government, the leader of the United National Party will reciprocate."

The most significant part of the accord is the undertaking by the party in opposition that it "will not undermine any discussions or decisions between any party in Government and any other party, group or person, including the Liberation Tigers of Tamil Eelam, aimed at resolving the ethnic conflict, if these discussions and decisions have taken place with the concurrence of the party in opposition... Against the background of such concurrence, on election to Government either party will honour all such decisions in full."

Analysts point out that never in the 50-year history of independent Sri Lanka have the major political parties agreed on a common approach to the ethnic crisis as they have done now. In fact, each party has bitterly opposed the other party's proposals for peace. The Indo-Sri Lanka Agreement of 1987, signed by Indian Prime Minister Rajiv Gandhi and Sri Lankan President J.R. Jayewardene, is a case in point. The SLFP took the headline Sinhala position and opposed the accord. Of course, the two parties did come to an understanding in the Parliamentary Select Committee but it was boycotted by all the Tamil groups.

The April 2 accord, apart from envisaging talks with the LTTE, says that the Opposition leader will be taken into confidence during any crucial discussions. Also, it recognises the possibility of a change in the political fortunes of the two principal Sinhala parties. Irrespective of the question of who is in power, the UNP and the P.A. have agreed to honour any decisions taken as per the



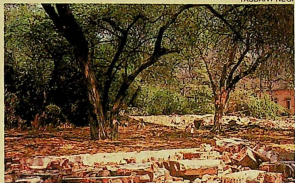
Anandhu Lakshmanan/Ricardus

President Chandrika Kumaratunga holds a book and a brick contributed by a student to be used in the rebuilding of the Jaffna library, which was burnt down during the ethnic violence 16 years ago. On April 10, the Government launched a \$12-million programme to rebuild the library, which was considered a treasure-house of Tamil literature.

# Cleaning the Ridge

THE CAPITAL'S LONGEST CONTIGUOUS 'LUNG' SPACE—THE RIDGE—WILL NOW BREATHE EASIER. THE demolition of the Delhi Polo Club last month following a Supreme Court order may have come as a surprise—its members include the capital's rich and famous—but the past two years have seen the eviction of many such encroachers on the Ridge. After it was declared a 'reserve forest' in 1994, under the 1927 Indian Forests Act, encroachments like slums and allotments including army camps and residential complexes have been targeted. The Delhi Development Authority alone removed 163 encroachments in June 1995. Last month, unauthorised marble quarries were closed down. But much remains to be done. According to estimates, 70 per cent of the Ridge's central portion has been encroached upon. With only 6 per cent of Delhi's area covered by the Ridge—experts say 20 per cent should be under tree cover—the action has come just in time.

YASBANT NEGI



## Rare Riches in a Wasteland

GUJARAT USUALLY BRINGS TO MIND UNPROMISING IMAGES OF ARID wastelands and salty marshes. But a recent survey commissioned by the state's Ecology Commission revealed an abundance of flora and fauna. The state has as many as 1,933 species of algae, 210 of them marine-based. It is home to 12 per cent of the country's flora, with over 2,198 species of higher plants belonging to 902 genera and 155 families. Gujarat, in fact, is the only state where

RAJESH BEDI



such rare mammals as the lion and the Indian wild ass are found. While the survey does register an increase in numbers, it warns that habitats are being eroded. The study, however, is based on secondary sources and much of the information is sketchy. Another round is called for.

## BOVINE CAUSE



PRAMOD PUSHKARNA

WITH 12 MILLION HEADS OF cattle afflicted with the mad cow disease—bovine spongiform encephalopathy—listed to be killed in Britain, the UK-based World Hindu Council (WHC) rushed to offer them sanctuary in India. Later, perhaps cowed by the adverse reaction, the body clarified that it wanted the sanctuaries set up worldwide, and not in India alone. Officials at the Union Animal Husbandry and Dairing Department were aghast. Said Secretary K. Rajan: "We cannot take any chances and introduce an exotic disease into India. The livestock sector is crucial to our economy." Ecologists are not excited by the WHC offer either—India's 500 million cows are a major cause of its deforestation. The WHC proposal seems set to die with the English cows.

## COASTLINE IN DANGER

### Waste dumped into the sea

\* Million cubic metre per year  
\*\* Million tonne per year

Industrial Waste	600*
Domestic Sewage	10,500**
Solid Wastes & Garbage	40**
Fertiliser	12.6**
Pesticides	0.1**
Synthetic Detergents	0.1**

MARINE POLLUTION IS rapidly increasing along heavily populated and industrialised shores, according to recent estimates by the Central Pollution Control Board. While domestic sewage dumped untreated is the main culprit, industry also plays a major role. The coasts off Mumbai and south Gujarat are the worst-affected. The board's conclusion: India's coastline is under threat.

Graphic by JAI

—compiled by SUBHADRA MUNOY and  
SAKANTAN CHAKRABARTY

A-6 14/11/11

**DNKAATESH**, (12 years) of Gudhandra village in Anekol taluk, Bangalore district, was bonded at the age of five years to a rich, land-owning (Gowda) family in Semplapura village against a loan of Rs. 7,000 taken for performing his sister's marriage. His father, Venkatappa, would also help him with the work when the workload was heavy. At other times, Venkatesh would be handling labourer earning Rs. 20 a day on other farms.

Venkatesh's mother, Angamma, used to work in various houses surrounding ragi for which she was paid in kind, three maddur (ragi balls) and a handful of dal for a day's work. Venkatesh has two elder sisters and a brother who is studying for his SSLC. He also works as a labourer for Rs. 20 a day. Their parents died while he was still under *ijeta* bondage. "My father never used to drink, he got chest pain and died. My mother died of an unknown disease," says Venkatesh. The children look loans, again to perform the funeral ceremonies of their parents. Groundnut grown on one and a half acres of his father's land was being given to the landlord towards these loans. Venkatesh's grandfather used to own 20 acres. But now, all their land, is pledged to some landlord or the other against loans taken from time to time.

When Venkatesh began working as a bonded labourer at the age of five, he was not given much work to do. In fact, he used to play with the children in the evenings. After they returned from school, he used to be verbally abused, never beaten, by the Gowda family. At the age of five, his annual wages were a mere Rs. 100. This was in addition to food and two sets of clothing a year. His wages were raised by Rs. 100 each year and he was drawing a 1,000 rupee loan when he was released from bondage six months ago by Jeeva (Jee. Vimukthi Karnataka) a non-government organisation. He was not given the wages but the amount was adjusted against the loan.

His landlords owned 40 acres of irrigated land and 30 acres of rain-fed land. There were eight brothers and three wells. Venkatesh would get up at 4 a.m. and clean the buffaloes in the field. Next, he would water the fields on which grew beans, onions, chillies, potatoes, brinjals, cauliflower and groundnut. At 8 a.m. he would milk three buffaloes and then start bringing the milk to the dairy. At nine he would have breakfast consisting of two and a half maddur and some curries.

After breakfast, he would set off to graze the buffaloes in the nearby forest. For lunch, he would eat tubers or fruit from trees like the tamarind or papai. Sometimes he would get a share in the lunch brought by the other boys who also came to graze their cows. He had to keep the plate and his ragged clothes in the buffalo shed. He used to sleep in the verandah as he was of a lower caste and was hence not allowed to enter the landlord's house.

Venkatesh was released from bondage by Jeevika. He studied for six months in the camp school Jeevika runs now attends the fifth standard of a formal school while staying in a free government hostel.

If his labour, while he worked as a bonded



Heartbreaking...labouring under a blazing sun.

## Of inhuman bondage

*Venkatesh was bonded at the age of five to a rich land-owning family against a loan of Rs. 7,000, which should have been wiped out within a year. Yet, his having to work for seven long years points to the exploitation faced by bonded labourers.*

labourer, had been calculated at the rate of Rs. 28 a day, which was the minimum wage rate prevailing six years ago. His monthly earnings would have been about Rs. 840 and his annual earnings Rs. 10,080. Even if an interest of 15 per cent per annum was paid on the loan and the cost of the food provided to him deducted at the rate of Rs. 200 a month, his loan should have been wiped out in a little over a year's time. That he worked for more than six years

father been educated he would have known the economics of the loan: the yearly repayment expected of him (more than Rs. 1,000) was obviously higher than the yearly return he was getting on the investment of the child's labour (Rs. 300 to begin with). The net result had to be increased grieve and loss of assets. He would have to pay the difference out of his own hand.

"Even now, our land papers are with the landlord. And my uncle is doing *ijeta* (bonded labour). I want to study for an M.A. however difficult it may be. I want to study more than the Gowda and free our lands from him. I want to get into government service like the Gowda," says Venkatesh.

Yellappa (12 years) of Sarjapur village in Anekol taluk started to work as a brick-carrier at the age of ten. His father, Siddappa, worked as an ally-twister, but being a drunkard, he worked only on two or three days a week. He could earn Rs. 300 a week if he worked regularly. And he invariably spent Rs. Six a day on drink. He had even sold the one acre of land that had belonged to the family to satisfy his thirst for drink. He gave only Rs. 50-100 a

## Study campaign

Jeeva (Jeeva Vimukthi Karnataka) which is running the camp school for former bonded and child labourers, initiated a campaign in 1997 in Anekol taluk of Bangalore Urban district to ensure that every child below 14 years is in school. To extend this campaign to 15 more taluks, Jeeva conducted a 'Go to School' Mobilisation Campaign for children below 16 years in select Grama panchayats. A total of 700 villages is being covered. A detailed research is in on about the causes of child labour in these areas. The research is empowering the activists and also generating community awareness about the need for children to go to schools. The data collected from the campaign is being used at Grama panchayat level to draw up People's Action Plans to ensure that the out-of-school children go to school. ■

week to his wife for running the house-hold. Yellappa's mother, Gowamma, therefore, used to take money from her husband's shirt pocket when he was asleep. Sometimes, she had to take loans even to buy 10 kg of rice, three kg of rice and other ration that he needed which cost in all over Rs. 200 a week.

Gowamma had let her eldest son study up to the VIII Standard. But when her youngest son died for some unknown reason, Gowamma removed Yellappa from school to keep him close to her, fearing that he would also be abused.

Gowamma used to work as a brick-carrier at a brick-making unit and she took Yellappa along to work with her when he was ten. They would set off for work at 7 a.m. They would reach the workshop at 8 a.m. and have breakfast there before starting work at 8.30 a.m. Yellappa would get 5-10 p.m. short packet which would get taken for every ten bricks that she carried up. One token was equivalent to 45 paise and she would collect 180 tokens a day. Yellappa could carry only seven bricks at a time for which he got a token valued at 25 paise. He would earn Rs. 70-80 a week. The masonry had given him a pair of trousers and a shirt for New Year.

Yellappa is fond of his mother but does not like his father. Siddappa had once tried to crush his wife's back with a mallet. He had also given several stitches on her head to stop the flow of blood. Yellappa's elder brother had broken his father's arm once in a fit of rage against him. Siddappa had to take a loan to get cured.

Gowamma's brother had advised Yellappa to join the camp school run by Jeevika. He had given him Rs. 10 and sent him there. Yellappa is now happy in the camp school. He likes studying Kannada, English, Social Studies and Science. But not Maths and Hindi. He likes playing cricket with the other boys which he is able to do for the first time in his life. He wants to study up to SSLC. ■

**KATHAYINI CHAMARAJ**

This study was made possible by the support of UNICEF, Department of Social Welfare, Government of Karnataka and the National Child Rights Project.

## ISSUES

and that the loan of Rs. 7,000 was still not paid off, points to the cruel exploitation that he was subjected to. In fact, Venkatesh had repaid his debt almost six times over.

Under these killing terms of credit, which ensure that loans are never paid off however long or hard you work, it is no wonder that Venkatesh's illiterate grandfather and father lost all their lands to the better-educated, and hence powerful, Gowdas. Had Venkatesh's



DH News Service

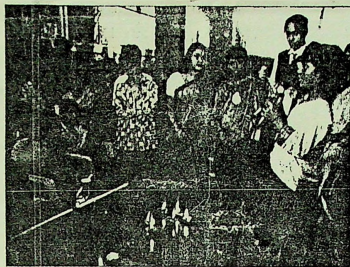
BANGALORE, Nov 12

"We are remembered only on Children's Day and later blissfully forgotten by society and the government." This was the common refrain of a group of child labourers, who poured out their hearts at an interactive session here today.

Addressing a press conference, they said: "Nobody actually cares about us. We are only given chocolates for Children's Day and sent back."

Challakumar is a case in point. A child labourer today, he used to enjoy going to school. But economic problems at home had forced him to drop out and work at construction sites for a year to support the family before he was enrolled by an NGO. He is currently learning screen printing at an NGO.

Similar is the case of Nagaveni who lived on the streets and worked as a domestic help. "Children like us are not visible to the government," she said. When asked why she didn't attend a government school where free education is provided, she said: "Only if someone tells us about such schemes will we be able to use them."



Eight-year-old Nagaveni speaks out on child rights at a press conference in Bangalore on Friday. DH Photo

Shivamallu's father was murdered and the accused, his mother, had to serve a prison term. He was put in a remand home but was never sent to school. He was picked up by Janodaya organisation, which has sent him to school. He wants to become a social worker with the NGO and save other children like him.

For Narayan and Sunanda who worked in silk reeling and twisting units, Manjula, a domestic

help and Johnson a rag-picker, the stories are no less different. They have all suffered exploitation at the hands of their poor families and employers who extracted more work and paid less.

Irfanullah, a physically challenged 15-year-old spoke of rights for disabled children including special toilets in schools and ramps instead of steps for easy mobility. A Sri Lankan refugee boy spoke of the needs of refugee chil-

dren in India. "We are not given nutritious food and most of us are denied access to education. I request the Government to help us," he pleaded.

The United Nations General Assembly accepted the Geneva Convention on the Rights of the Child in November 1989, which India ratified in 1992. Despite this, children's rights have not been enforced due to lack of awareness. Hence, non-government organisations in Bangalore decided to shift emphasis from child welfare to child rights and empower children.

As a result, with the support of some Government departments, 17 NGOs including Madhyam, Makkala Sahaya Vani, BOSCO, Chiguru, Paraspura, Janodaya and others, began a "Child Rights Campaign" being held from November 3 to 20, to highlight the issue through media and internet campaigns, street plays and fairs.

**ACTION PLAN:** Labour Commissioner Lukose Vallathurai who also addressed the press conference, said his department was preparing an action plan on the issue of child rights with the underlying principle of "Education for all", and will present it to the State Government in the next two weeks.

## They get chocolates one day in a year

DH News Service

BANGALORE, Nov 13

Just a year ago, in October 1990, the Commissioner of Labour in the State along with department staff and members of the Campaign Against Child Labour (CACL) organisation, inspected 14 silk twisting units in Magadi taluk and rescued 53 bonded child labourers under 14 years of age.

The children had been employed in gross violation of the Factories Act, 1948, Bonded Labour System (Abolition) Act, 1976, Children (Prohibition of Labour) Act, 1930, and judgements of the Supreme Court and Karnataka High Court. None of the factories inspected had sanitation or drinking water facilities and most children had worked for over 10 years.

They were paid Rs 2 to Rs 3 per hour and worked from 7 am to 9 pm. They handled winding machines, doubled and twisted spindles and corrected deviations. During work, the children were not allowed to sit or speak and were beaten if found talking. According to Labour Commissioner



Lukose Vallathurai, action has been initiated to rehabilitate the rescued children and send them to formal or non-formal schools.

As the nation celebrates Children's Day today, for these and many more children, it is just one day when they are pampered with a few chocolates, as noted by young Challakumar, Nagaveni, Sunanda, Shivamallu and several other rehabilitated children.

India ratified the Geneva Con-

vention on Rights of the Child as early as 1992 to join a band of over 160 countries which are supposed to be working towards a better quality of life for children. The main focus has shifted from looking at children as objects of welfare to empowering them to assert their rights.

"The entire development paradigm has shifted from welfare to empowerment to rights. It is now a question of basic human dignity of children," said Ms Munira Sen, executive director of the non-government development communications organisation, Madhyam, which is facilitating the present campaign against child labour by several NGOs in the City.

According to Mr. Soni George, all-India head of policy and research at Child Relief & You (CRY), there is a need for repositioning a child from being "property of a family" whose decisions are taken, to an individual with rights. "The shift has happened at policy levels but has not become a reality in this country. The shift has to happen in the public mind," he said.

However, he admitted that repositioning a child within a family itself is a difficult task as people don't believe in such individuality. He also noted that NGOs can only reach out at a micro level. If change has to happen at macro level, all forms of media, even films, should play an important role, he said.

Speaking about the goal of NGOs, Mr. George said they will focus on direct action with homeless, abused and disabled children "so that can enjoy some of their childhood". Apart from awareness campaigns, they will also work with a holistic approach as "it is the responsibility of those who influence children, to change their thinking and give children a better future".

"At the policy level, our goal is to see that the 83rd Amendment of the Constitution providing right to education to children, becomes a reality and new legislations covering street children are framed," Mr. George said. He also spoke about the need for a monitoring mechanism in the form of a Children's Commission to monitor policies and legislations.



✓ The Herald 13/11/99

CITY

## A painful start for a bright future!

By Our Staff Reporter

**BANGALORE, NOV. 12.** For a change, it was the turn of children to address the Press here on Friday. The issue: Children's rights.

The children spoke of the painful experiences they had undergone before being picked for rehabilitation by non-government organisations (NGOs), who organised the Press conference.

One of the "spokespersons", N. Sula (13), said she worked as a domestic servant after her father abandoned her mother to marry another woman. "My mother had four children to bring up," she pointed out.

She said that her masters tortured her and gave such heavy load of work that she could never exercise her "right to play" as a child. Only after being rehabilitated by Paraspara that she started playing and going to school. "I stand first in my class," she claimed.

She wanted every child to be educated. "There should be equality. I see lot of atrocities being committed against women," she said and added that she would become a policewoman and rescue them.

But, Nagaveni (12) was most vocal in criticising the Government for failing to enable the children to enjoy their rights. She was upset that child issues were not being highlighted by the media. Children should be told what facilities they could avail of from the Government, she said.

Narayana (12), formerly a bonded labourer, feels that children do have a right to be "free birds." But a large number of children were not enjoying it. Now studying in class V, his aim is to become a lawyer.

Sunanda (13) of Magadi said her father's death had forced her to work in silk industry. It was by chance that she was rehabilitated and given education. She hopes to become a doctor and rid the poor of their diseases.

The children later released balloons with pro-children slogans in the air.

The NGOs are involving these children in "Child Rights Campaign", which started on November 3.



Children selected by various non-government organisations for rehabilitation, releasing balloons as part of 'Child Rights Campaign' in Bangalore on Friday.





Successive governments in Karnataka have claimed that bonded labour has been wiped out. But this barbaric practice exists even on the outskirts of a cosmopolitan city like Bangalore.

KAVITHA K writes about the efforts of a voluntary group in rehabilitating bonded child labourers in Anekal taluk



AP photo

# Freed by human bond

THESE is a haunting address in 11-year-old Rangas' eyes. Sitting hunched up in a 'classroom' in Anekal, he stifens when he sees a stranger face. He darts nervous glances every time the rusty iron gate creaks. "It could be my parents," they may come and drag me back to our village and to a life of *jeeto* (bonded labour)," he intones, dully.

Ranga has run away. From the ashes of a life of labour and abuse, he is determined to build a future. He will only reveal sketchy details of life back home... when he watched other children in the village near Sarapura playing boisterous games while he cleaned cowsheds and courtyards in his *dhan's* house.

One evening, he happened to watch a street play on bonded labour by a group called Jeevika. It seemed to him that they were enacting his daily routine. By the time the play came to an end, he had made up his mind. He wouldn't stay and slave. He ran away and followed Jeevika to Anekal.

"We are used to seeing boys like Ranga on our doorsteps. They are determined not to go back to their parents and *dhan's*," says an unaffiliated Kiran Kamal Prasad, founder of Jeevika or Jeeva Vimukti Karnataka, a non-government organisation working for identifying and abolishing bonded labour, especially bonded child labour, in the state.

The Bonded Labour (Abolition) Act passed in 1976 declared bonded labour a crime. Successive governments claimed that bonded labour had been wiped out, unwitting of the fact that countless little Rangas were being driven to a life of sweat and toil when they should have been in school. Such desperate children are taken in by Jeevika, offered food and shelter. Their parents are contacted and counselled and if they agree (which is unfortunately very rare) the boys are enrolled into a bridge course run by the group before they gain admission into government schools.

The task is uphill. Especially because most of these boys are spirited away by

their parents to repay rent and fudged debts taken from the landlord. "So, many times parents have been inclined to file complaints of kidnapping against us. Some of them come here, curse us and leave their children behind, writing them off as dead," says Ramakrishna, a volunteer at Jeevika.

How Jeevika discovered society's murky underbelly is quite a strange story. Kiran, a student of anthropology and a former Jesuit, began visiting Mandanahalli village (Sarapura hobli, Anekal taluk) in connection with an adult literacy programme in 1986. There were a large number of Dalit families in the village. Finding in some of them enthusiastic learners, he began staying with them.

But Kiran soon earned the wrath of the dominant castes in the village who spread the rumour that he was a missionary, out to convert the youth! What the rumour mills couldn't achieve, brute force did.

When Dalit youth, encouraged by Kiran, organised cycle jathas to spread awareness on issues like alcoholism and illiteracy, the hierarchy in the village shook and shuddered. A social boycott of dalits was declared. Kiran was beaten up and told "to leave these people to their fate".

Local police stepped in and during the course of the inquiry, the then Superintendent of Police, Prabha Rao, asked Kiran a significant question: "How many bonded labourers are there in this village?" Kiran was stumped. Until then, he had no idea that such a practice even existed. That too in a place on the fringes of a cosmopolitan city like Bangalore.

But his other friends — the dalit boys — knew and within a week, they began practising even a clotted. That too in a place on the fringes of a cosmopolitan city like Bangalore.

By 1990, Jeevika had tabulated data on bonded Labour with the help of the Computer Department of St Joseph's Evening College. "All this while the government had been denying that bonded labour even existed. But when the data was presented in the Legisla-

tive Assembly, it was forced to direct deputy commissioners to call for applications and begin the process of rehabilitation," recalls Kiran.

But the most terrible setback was yet to come. Suddenly, a majority of the identified bonded labourers in and around Anekal and Sarapura withdrew their petitions, claiming that they were marginal farmers! "Threats and toddy must have done the trick," says Jeevika's volunteers, wryly. Around the same time, Kiran was diagnosed with bone TB and had to be treated in Bangalore for a year. In 1993, he came back determined to start a serious programme of conscientization of bonded labour, especially bonded child labour.



Jeevika, which by now had 30 full-time staff and 75 part-time volunteers, started surveys in 48 taluks of Karnataka and came up with astounding findings: 19,000 bonded labourers in the agricultural sector, with men and boys accounting for 98 per cent. The figures, Jeevika is sure, will triple if bonded labour in brick kilns, stone quarries, houses and hotels is considered.

Threatening its way past a stony bureaucracy, opportunistic politicians who smile a vote bank in every case and hostile landlords, Jeevika made no promises of rehabilitation right away. The group wanted to identify bonded labourers first and then help them make a representation to the deputy commis-

sioners so that their rights were not abused. "It is the government's duty to rehabilitate them. It had the money and the machinery, so why should it shirk responsibility?" Kiran thought.

But Jeevika soon found itself involved with children who were bonded to a life of misery. They were confident that if these children could be admitted to school and educated, the evil practice would stop.

With guidance from the Mamidipudi Venkatarangal Foundation in Rayachoti District of Andhra Pradesh and suggestions from advisors like Prof Babu Nathu and Hassan Mansur, Jeevika started a bridge course where

bright spots in their otherwise h. Students from village to village stage powerful street plays for they write their own dialogue songs. They go from door to door peeling to people to send their child to school, not to the fields. *Vimukti dabake shakhi*, "I'm from bonded labour will make a try strong they shout in the street when they knock on people's. They go on cycle jathas to awareness. Sometimes, they don't where their next meal will come but they are confident someone where will help.

It was a moment of triumph for when a landlord in the Yammara panchayat volunteered to support activities and provide ragi for the. "Some industrialists in the area shown an interest in our activities: we have no time to follow up on. We have to think of ways to aug resources," they say, thinking of day when aid from agencies like XI or XI may dry up.

The fund crunch has motivated group to think up novel ideas for fund raising. There is talk of invol fair price deposits and milk co-ops, families can pay a nominal sum every kilo of rice/ ragi and the me thus collected can be used for our 't in school programme," aug volunteers. "Money is always scar but we have to continue our work, are yet to go to villages in the backw districts of north Karnataka. We h just begun work and there's so m more to be done," they add.

As if on cue, a small boy with an dearing smile, nuzzling his horn sh comes bounding in. "Shreeya, Raga, want to go to school," he says, wip his nose on the back of a muddy hand. His parents shuffle lamently. Can Jeevika help their ch achieve a life better than theirs?

If you want to help Jeevika, you c contact Kiran Kamal Prasad on T 3210194. Vimukti Trust functions fro No 326, K.U.S. Layout, Nagarabha Post, Bangalore-72.

Those working for Jeevika believe that one way of ensuring the end of the practice of bonded labour would be to admit children to schools and educating them

bonded child labourers would be taught the three R's and admitted to government schools at Anekal.

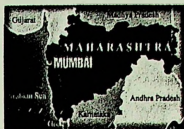
But the boys do have teasing troubles when it comes schooling. "Most of them lack concentration and they find sitting in one place difficult. They burst into tears when they think of their parents," Ramakrishna says. So they are allowed to get used to their new life fast. The bridge course begins only when they are ready to learn.

"It feels good when teachers tell us that these kids are bright and eager to learn and do well in all the tests and exams," exult the volunteers.

Achievements like these are the only

# An Angel of the Streets

■ SOCIAL WELFARE



Shabbir Soni is one Mumbai motorist who would never drive past a person in distress. For, taking care of dying destitutes and looking after abandoned children is the mission of this businessman whose compassion knows no fixed hours.

By SMRUTI KOPPIKAR

**S**OMEONE IS DYING ON THE pavement. Make your choice. Either stop your car, pick him up—even though he's covered with festering sores and suppurating wounds—put him in the back seat where he'll stain the covers, and drive him to help. Or just look, wonder about your new covers, feel pity—if at all—for a second and then move on. Most of us, for a variety of reasons, drive on. Shabbir Soni always stops. That is enough to make him unique.

At first glance Soni is no different from anyone, there is nothing arresting about him. Bearded, bespectacled, he is just another businessman in Mumbai, a successful dealer-retailer for paints. He is a believer too ("I do my *namaz*") but religion, he says, has nothing to do with his concern. It's just that while other men believe they are compassionate, Soni actually is. It is that simple. He has helped set up a blood bank; he takes disabled children on picnics; he has started the Anand Ashram, a home for 65 abandoned children. And he always picks up the dying from the pavement.

37737762 and 3743441. These telephone numbers are familiar to thousands in Mumbai. It is a helpline, and whenever anyone sees a person in distress, they call; Soni is the man at the other end of the line. In a soft, staccato voice, he asks for precise directions, thanks the caller, leaves what he is doing and gets into his car. Soon he is snaking through the maddening Mumbai traffic as fast as he can. Life is hanging on to the fringes of hope somewhere and he must reach as soon as he can. When he arrives at the spot, he attempts a conversation: sometimes he is met with quiet acquiescence, often with

mild protest. In tatters, covered with dirt and burning with hunger, an uncared wound oozing infections—this is human life in its most obnoxious form—he takes the person to the nearest Asha Daan centre. In the home run by Mother Teresa's Missionaries of Charity, another dying destitute will be cared for, till death claims his life.

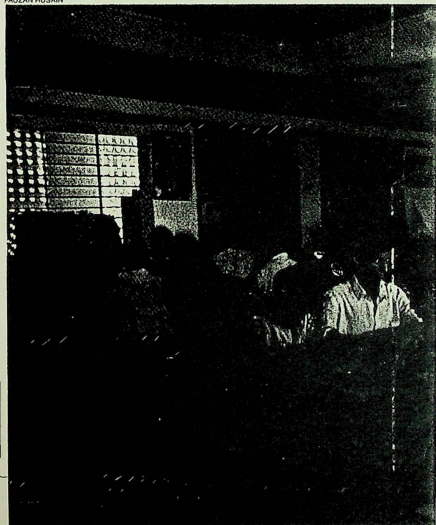
Five times a week, often thrice a day, Soni does this. In a city driven by a million motivations, compassion and com-

mitment are still his companions.

Why should Soni be different? Did he have a traumatic experience when he was young? Was he visited in his dreams by God who decided he was well-suited for this mission? In real life, things are often simpler. For Soni it was a matter of chance. When the Asha Daan opened in Mumbai, he just happened to be living nearby. When he observed the work of the missionaries, he thought, "If they can do it, why can't I?"

Now, 21 years later, he is still drawing inspiration from Mother Teresa's work. He is the link between the destitutes and the missionaries and the key figure in the day-to-day functioning of Asha Daan at all its four centres in

FAUZAN HUSAIN





Mumbai. The sisters seek his advice and depend on his assistance—it could be a legal matter or simply a question of shifting a patient to another centre. "If I have to leave the city, I have to inform the sisters," he says. The sisters acknowledge his invaluable contribution. As one says, "Soni is God's own man. It's a pity there's only one of him around."

Of course, the work is depressing. It used to traumatise Soni in the early days. Each time he helped a destitute to Asha Daan and settled him in, meant that it was going to be a tormenting night for Soni. But he soldiered on. After all, today there is no greater joy than chatting with the same young girl he had cradled in his arms when she was dying outside a hospital 20 years ago. Predictably, his work has demanded sacrifice. For years he would use a fleet of ambulances to assist him, but perhaps they grew weary of his schedule, for now, "all of them are tired of me", he

says. So he uses his car, equipped with water and blankets—the only concession for his family, who also uses the Omni. Is that he carries an air fresher. Not that his family complains. His wife takes calls on his behalf and son Hussain even accompanies him to pick up the dying. Says the 13-year-old: "I want to be there. If I can be of some help to a dying man, it is nice, no?" Unarguable logic.

It would be enough if it ended there, but for Soni playing on the side of life in its game with death is like some karmic commitment. At the other end of Mumbai, bang in the centre of a huge stretch of cultivable land in Vasai, stands the Anand Ashram. Sixty-five young boys discarded by society call it their home. It is the only one they know of. Soni does not have much time off; yet he spends five hours every Sunday in a rattling suburban train just to see them.

The boys are an assorted bunch—some picked up from pavements by so-

cial workers, some sent by organisations outside Mumbai, some brought in by older ashram boys. Dinesh was loitering on Chowpatty, Deepak was begging in suburban trains. Sanjay was orphaned in a Punjab village whose name he can't remember. They all live under one roof, study or acquire a skill, play, fight and learn to share the small joys and sorrows of the world. Soni nurtures them till they are 18 or old enough to fend for themselves. He is quietly pleased that six from his earliest batches have found employment.

Tony Paul is their surrogate parent and Soni's half-brother. An orphan himself, who benefited from the Missionaries of Charity in his early days, Paul is the irrepressible, though somewhat naive director of Anand Ashram. He was scrounging on the streets with two children and three dogs when he came across Soni six years ago. The ashram is their dream come partly true. Says Paul: "I salute this man. I was a beggar when I met him and he was the only one who trusted me and sunk money into this."

The two fight endlessly. Paul wants to take care of every discarded child. Soni says their resources are not sufficient. The tiny building that they have was built on benevolence, with the two of them scrounging even boxes of tiles. So what if 72 different boxes have meant a rather colourful pattern in their rooms? But at Rs 600 a month for each boy, Soni has a tough time keeping the canteen fires burning. Yet when Dinesh screams "Come again soon, uncle," as he leaves, Soni knows his effort is not wasted.

Over the years, Soni has even helped set up a blood bank. Every year in April, he brings together a big group of disabled children for a week-long picnic on a Mumbai beach. Naturally, all this takes precedence over his business. To the point where he has entrusted his retail shop to his nephew while he has moved to the godown to make time for other work.

In a way, this self-effacing man who dislikes public platforms and official labels, who belongs to no organisation but works alone, is slightly unreal. He has found a way to make a difference, but when you ask him he says he is doing "precious little". And so he remains there, by those phones, wondering if there's enough water in the car, knowing that the calls will come. "When I get them, I just forget everything for a few hours and leave. My staff is used to it by now," he smiles. So is his family. Compassion, after all, knows no fixed hours. ■

For the city's destitutes Soni is their link with Mother Teresa's Asha Daan centres. For the 65 boys of Anand Ashram, he is their father.



# child Health Right

child →

child health vs Adult health

CH 8.23

child Death vs Adult death.

Under 5 in India 65%.

under 1 20%.

jungi, parasitic

Skin ds, xerophthalmia, Bacterial viral infections  
● Malnutrition.

Nutrition deficiency & infection.

Env & health.

## Disparities

### Paradigm

Individual -	Community
patient -	person/people.
Disease -	the living
providing -	Enabling.
Drugs / Tech -	Knowledge / Social processes
predominant phy -	phy, Mental, social, political Spiritual, ecological
professional control -	
of skill & knowledge -	Demystification & greater accessibility to lay skills & knowledge.
Biocellular research -	Societal / behavioural research

## Factors contributing for IMR

### Biological

Birth weight, age of the mother, order of birth, interval between births, multiple births, family size, high fertility.

### Economic

### Social and cultural

Breast feeding, religion, illiteracy, ignorance, sex of the baby, broken family, illegitimacy, brutal habits and customs, indigenous dai, lack of trained personnel, bad environmental sanitation.



### Causes of INFANT MORTALITY.

1. Immaturity
2. Birth injury and difficult labour
3. Congenital anomalies
4. Haemolytic diseases of new born
5. Enteritis and other diarrhoeal diseases
6. Respiratory tract infection
7. Communicable diseases
8. Malnutrition
9. Accidents
10. Adverse environmental health hazards.

Preventive measures - Efficient MCH services

Nutrition - pre-natal  
Immunization  
Growth monitoring  
Breast feeding  
Improvement of standard of living  
Health education.



## RIGHTS OF THE CHILD

### Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.
2. States Parties shall pursue full implementation of this right, and in particular, shall take appropriate measures:
  - a) To diminish infant and child mortality;
  - b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
  - c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking water, taking into consideration the dangers and risks of environmental pollution;
  - d) To ensure appropriate pre-natal and post-natal health care for mothers;
  - e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast-feeding, hygiene and environmental sanitation and the prevention of accidents;
  - f) To develop preventive health care, guidance for parents and family planning education and services.
3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.



## ANTENATAL CARE

### **OBJECTIVES**

1. To promote, protect and maintain the health of the mother during pregnancy;
2. To detect "high risk" cases and give them special attention;
3. To foresee complications and prevent them;
4. To remove anxiety and dread associated with delivery;
5. To reduce maternal and infant mortality and morbidity;
6. To teach the mother elements of child care, nutrition, personal hygiene and environmental sanitation;
7. To sensitise the mother to the need for family planning including advice to cases seeking medical termination of pregnancy; and
8. To attend to the under-fives accompanying the mother.

## POSTNATAL CARE

### **Care of the Mother**

1. To prevent complications of the postpartal period;
2. To provide care for the rapid restoration of the mother to optimum health;
3. To check adequacy of breast feeding;
4. To provide family planning services;
5. To provide basic health education to mother/family.

## SCHOOL HEALTH SERVICE

Some Aspects of a school health service are as follows:

1. Health appraisal of school children and school personnel
2. Remedial measures and follow-up
3. Prevention of communicable diseases
4. Healthful school environment
5. Nutritional services
6. First aid and emergency care
7. Mental health
8. Dental health
9. Eye health
10. Health education
11. Education of handicapped children
12. Proper maintenance and use of health records.

### BEHAVIOUR PROBLEMS

The behaviour problems in children may be classified as below:

*Problems Antisocial in Nature* : Stealing, lying, gambling, cruelty, sexual offenses, destructiveness.

*Habit disorders* : Thumb sucking, nail biting, bed-wetting, masturbation.

*Personality Disorders* : Jealousy, temper-tantrums, timidity, shyness, day-dreaming, fears and anxieties, unsociability, hysterical manifestations.

*Psychosomatic Complaints* : Tremors, headache, asthma, depression, delusion, hallucinations.

*Educational Difficulties* : Backwardness in studies, school phobia, school failures, etc.

# HOUSING RIGHTS OF CHILDREN



Illustration: An evicted child from Gautampuri slum, New Delhi.

'HALT! YOU CANNOT BULLDOZE OUR HOUSES!'

## UNDERSTANDING OUR RIGHT TO ADEQUATE HOUSING IN SOUTH ASIA THROUGH

- OUR VOICES AND PERCEPTIONS
- WORK OF ORGANIZATIONS IN THE REGION
- INTERNATIONAL LEGAL BASIS



SOUTH ASIA REGIONAL PROGRAMME  
HOUSING AND LAND RIGHTS NETWORK  
HABITAT INTERNATIONAL COALITION



# LISTEN TO OUR VOICES

"Living in the streets, working everyday. Whatever we earn is taken away by the police. Neither do we have a home, nor do we have a bed."

All that we have is the earth and the sky..."

- A street child in Mumbai, India.

"We do not want an education that takes us away from our parents and our culture."

- Sri Lankan children who were separated from their families in war-torn Jaffna to attend schools in Colombo at the other end of the country for the sake of fulfilling the right to education.

"We are not happy to stay in the refugee camps where our basic rights like our social, economic and cultural rights as children are not sufficient and we are very worried with our uncertain future. We want your help."

- Bhutanese children living in refugee camps in eastern Nepal wrote to the UN Special Rapporteur on Adequate Housing expressing their desire to be repatriated to Bhutan and seeking help to regain their land and housing rights.

"We are refugees in our own land being Nepalese citizens."

- A girl from a squatter settlement in Nepal suffering from lack of housing rights reacted to the Bhutan children's desire to be repatriated in a joint workshop in Kathmandu.

"At the time of evictions, we children try to save our things. I tried to save my school bag. We were unable to go to school. At least 6 to 7 days of school were lost."

- A child evicted from a slum settlement in Islamabad, Pakistan.

## OUR HOUSING RIGHTS WILL GIVE US A BETTER LIFE

Source: "Children's Declaration on Housing Rights" as adopted by the children of Nepal and Bhutan at a Workshop in February 2002, Jhapa, Nepal

1. We will have proper houses with light and ventilation, privacy and space for play.



CRC Article 27

2. We will have access to good health care and safe drinking water in our homes and in our communities.



CRC Article 24

3. We will have nutritious food for our proper growth and development.



CRC Article 24

4. We will have good waste disposal systems in our communities so our streets will not stink.



CRC Article 24

5. We should have access to good learning facilities near our homes.



CRC Articles 28 & 29

6. We will enjoy equal opportunities and rights as boys and girls.



CRC Article 2

7. We can live, learn and play at home and on the streets without being harassed or harmed.



CRC Articles 16, 19 & 34

8. We will have safe and sanitary bathrooms in our homes where we can enjoy basic privacy.



CRC Articles 16, 19 & 27

9. We will have access to good play grounds and parks and other forms of recreation even if we are physically challenged.



CRC Article 31

10. We will be able to pray to our gods in peace and harmony and respect each other's religions.



CRC Article 14.1

11. We will not be evicted from our homes. If unavoidable, we should be notified, consulted and given complete resettlement.



CRC Article 16, 20 & 27

12. As refugee children, our housing rights and right to return home must be respected.



CRC Articles 7, 8 & 22

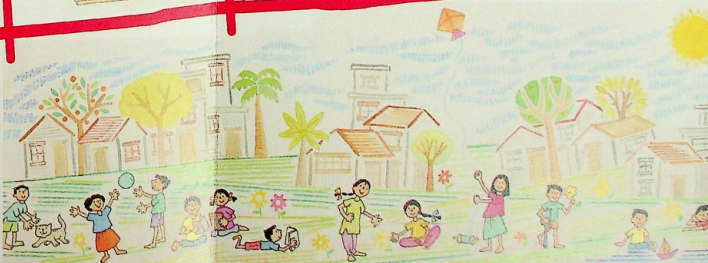
13. Our parents will go to work near our homes and hence will have more time and energy for us.



CRC Article 18 & 27

"The human right to Adequate Housing is the right of every woman, man, youth and child to gain and sustain a secure home and community in which to live in peace and dignity."

Proposed by UN Special Rapporteur on the Right to Adequate Housing, Mr. Miloon Kothari.



## HOW CAN WE GAIN OUR HOUSING RIGHTS

• We must learn as much as we can about our rights and how to secure them.

• We have to be active in collecting and sharing information on our housing situation.

• We must organize ourselves into groups in different ways and share our dreams, ideas, information, suggestions and concerns.

• We should get involved in planning and designing our homes, neighbourhoods.

• We have to actively build on our capacities, skills and knowledge.

• Youth leadership is crucial to represent our voices and concerns in different platforms like panchayats and municipalities. This is how we can collectively voice our opinions.

• We should make sure that our voices are heard so that our housing and other economic, social and cultural rights are not violated.

• We must be able to talk freely to our parents, NGOs and other caring adults who are working for our housing rights about our hopes and concerns.





## THE INTERNATIONAL LEGAL RESOURCES ON CHILDREN AND HOUSING RIGHTS

All governments of the world, except the United States of America and Somalia have ratified the CRC - Convention on the Rights of the Child. CRC reinforces the principles for every child to survival, development and protection-providing a holistic basis for the child's right to adequate housing. However, there are other very relevant human rights instruments, legal resources and international commitments. Some of these are:

Universal Declaration on Human Rights (1948) - Article 25

The International Covenant on Economic, Social and Cultural Rights - Articles 10.1 and 11.1

The International Covenant on Economic, Social and Cultural Rights - General Comments Nos. 4 and 7

The International Convention on the Elimination of All Forms of Discrimination Against Women (1979) - Article 14.2

The International Convention on the Elimination of All Forms of Racial Discrimination (1965) - Article 5(e)

Declaration on the Right to Development(1986) - Article 8(1)

Declaration on Social Progress and Development (1969) - Part II, Article 10

Tatan Declaration on Human Settlements(1996) - Paragraphs 33-35

Habitat Agenda (1996) - Paragraphs 3,27,39,40,46

United Nations Conference on Environment and Development (1996) - Agenda 21

Source: "Children and the Right to Adequate Housing"-A guide to International Legal Resources by Habitat International Coalition and HAQ, Centre for Child Rights, 2002

## Message from the UN Special Rapporteur on the Right to Adequate Housing - Miloon Kothari:

We are faced today with a global reality where poverty and human rights violations, particularly of economic, social and cultural rights, are increasing. In such a context, the clear, intuitive and persistent voices of children struggling for their rights is a reminder to us all to spare no efforts in designing a world where children can enjoy a secure place to live, learn and grow into healthy and happy individuals. The remarkable efforts of children in South Asia mobilizing for their housing rights is a testimony to the relevance of their voices and ideas. It is critically important for all to put into practice the principles and provisions of the CRC and other international human rights instruments including policies that are in the 'best interests of the child', respect the 'indivisibility of human rights', ensure the utilisation of the 'maximum available resources' and that, most importantly, take into account the views of children in all matters impacting upon their lives.

## THE PERCEPTIONS OF THE CHILDREN OF THE EVICTED SQUATTER SETTLEMENT OF GAUTAMPURI, NEW DELHI



All our houses were bulldozed in Gautampuri.



Our families had to pay Rs.7000 for resettlement plots in Bhalawas.



We were dumped in Bhalawas without any basic services-water, sanitation or even plot allocation or security of tenure.



We took loans and built basic shelters with temporary materials. So when the wind blows hard and it rains-we have to hold on to our houses or else they fly away.



We did not have any schools in Bhalawas and were not ready to give up our education. So we met different political leaders including the Chief Minister of Delhi demanding our education rights.

Illustrations: Evicted children of Gautampuri slum. Source: Ankur, New Delhi, India



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**Plan**  
Be a part of it.

# STORY OF HOUSING RIGHTS IN SOUTH ASIA

**A. Campaigns on Housing Rights started in different countries in South Asia in the late 80's.**

**B. As a result, organizations working with children in South Asia actively focused on children's housing rights.**

**C. Children demanded their right to a secure home, food and water, better education, health facilities, sanitation, basic civic amenities for play and recreation.**

**D. This work has led to the documentation of children's voices and perceptions such as in the alternate India report to the CRC committee in 1998. The committee made very poignant concluding observations on Children and Housing in India and is beginning to focus more on these issues for the other South Asian countries.**

**E. The Indian experience of this alternate report was shared with children in some South Asian countries (Nepal, Sri Lanka and Bangladesh) at a regional workshop in Nepal. The Declaration that emerged from this workshop is now guiding efforts on children's housing rights across South Asia.**

**F. The process of regional exchanges amongst children from different communities and nations have begun in parts of South Asia and their voices are being reached to the relevant authorities.**

**The refugee children of Bhutan, Street children and tribal children facing displacement by dams from India, squatter settlement children from Nepal, children ravaged by war in Sri Lanka, today, are getting to know about each other's dreams of rights to safe and secure housing and living environment.**

**G. Children from these nations are meeting at UNGASS in New York in May 2002 to voice their concerns about securing Housing Rights and also share and gain from the experiences of children in other nations.**





# INDIA NEPAL

The evicted children of Gautampuri compelled the government to give them their education rights - a New Delhi success story of children's advocacy on their housing and related rights.

When the dwellers of the squatter settlement of Gautampuri in New Delhi were evicted without any proper resettlement offer and proper notice, the children empowered by the field workers of **Ankur** put pressure on political leaders, got media attention and filed a court case.

This resulted in their getting admitted to schools near the resettlement area, getting a plot allocated for a school, upgradation of a middle school to a high school and securing state transport.

Empowered by the experience, the children continue their struggle to gain other aspects of their housing rights - security of tenure, potable water, affordable



Children who lived on railway platforms participated in planning and designing their own village- **Karam Gaon** in Faridabad, India



**Karam Marg** - the NGO responsible for the project, envisaged this village as a self-sufficient community. The children completely generate their own income and participate in all decision making. This complex has their residential quarters, workshops for metal work, carpentry, pottery, paper products.

The children collaborated with architects, designers and artists in a year long workshop to convert their perceptions of an ideal housing and living environment into a plan for the complex.



## Children's Charter of Demands Right to Housing

- Every child must have rightful access to a house, from where she/he will not have to fear anybody evicting her/him, irrespective of where she/he lives - streets, pavements or slums.
- Our homes should have enough space for all the family members to sit and sleep comfortably.
- Our homes must have provision for toilets, water supply and a place to cook food.
- There should be some place around our houses where we can plant trees, go for walks and play.
- Government should provide street children with group homes and employment and shelter for small children that will take care of their needs.

## Children's Charter of Demands, Mumbai, 2002.

On 23rd February 2002, YUVA organized the **Rang Tarang Bal Adhikar Mela** where children drafted their charter of demands on four main issues - **Education, Housing, Basic Services and Child Friendly Cities**.

YUVA has been involved in providing direct concrete services to realize children's housing rights by providing shelters for street children, experimenting with new forms of shelter management by street children and running open schools for children who live on pavements. They actively involve the community in this work. They coordinated the alternate India report-**Child in Search of the State** to inform the Committee on the Rights of the Child on the need to focus on children's housing rights in India.

Children in Nepal are actively participating in activities for securing their Housing Rights. On International Children's Day **Lumanti**, an NGO working in slums, organized a cycle rally for the children to meet with and submit a letter to the Prime Minister demanding free primary education and right to secure housing for children.

Children became aware of the international legal basis of their housing rights at a Kathmandu workshop in November 2001 organized by **CWIN**. They learnt from the exchange between organizations in India and Nepal working on children's housing rights.

One child leader from the cycle rally got invited by the department of housing to present the case of children's housing rights. This sensitization led the mayor to take positive steps on eviction issues.

The children on their own visited and shared knowledge of the right to adequate housing with other children who are facing eviction threats. This interaction led the community leaders to request the authorities to delay the eviction process till the school vacations. The government responded positively and the evictions were postponed.

A second workshop in February 2002 at Jhapa brought together children from the streets and squatter settlements across Nepal including Bhutanese refugee children living in the UNHCR camps in Jhapa. The learnings from this were shared with parents who negotiated with authorities and obtained rental homes while waiting for the allocation of secure housing. This was a historic process where children inspired NGO and government intervention in housing.



# SRILANKA

In Sri Lanka, more than 270,000 children have been displaced by armed conflict since the early 80's. **Zones of peace** - a physical space that both the LTTE and the Army pledged to treat as safe area safe for children and their communities - resulted in the campaign for creating a war free zone. This campaign succeeded for some time, till violence took over.

An overwhelming majority of Children want peace. Therefore **zones of peace** are relevant not just for Sri Lanka but for all war torn areas where children are not only harmed but also used for armed conflict. The main solutions identified by the **Sri Lankan Children's Parliament** are to:

- Ensure access to quality education
- Provide economic relief and assistance
- Protect children from abuse and stop discrimination
- Ensure care and protection for children
- Stop war and help people affected by conflict
- Provide employment and vocational training opportunities.

**Plan International** had developed work to integrate children's perceptions while designing housing and habitat programs and linking them to education and health concerns. There needs to be a much stronger recognition and representation of children's aspirations on rehabilitation and repatriation issues today. Clearly, challenges of developing work on housing rights for Sri Lankan children are still to be taken up by all relevant actors. The children of Sri Lanka can, once again inspire necessary action.



## BHUTAN

Over 100,000 Bhutanese of Nepali origin live in United Nations High Commissioner for Refugees monitored camps in Jhapa, Nepal and an estimated 20,000 live elsewhere in Nepal and India. 45% of this population is children.

According to the results of a fact finding mission by **Habitat International Coalition** to south Bhu-



Peter Krohn

tan, northern Bhutanese are being resettled in the lands belonging to the refugees.

Both adults and children at the refugee camps want to go back to the land from where they were evicted for regaining their housing rights and other human rights.

**The children are contributing to the advocacy effort for dignified repatriation.** They wrote to the UN Special Rapporteur on the Right to Adequate Housing, the Chairperson of the Committee on the Rights of the Child and the Office of the UN High Commissioner on Human Rights in Geneva requesting them to ensure their repatriation to Bhutan and to discuss the land and housing rights issues with the government of Bhutan which had ratified the UN Convention on the Rights of the Child.

They took the message to the Housing Rights Workshop at Jhapa organized by AHURA Bhutan in February 2002. The workshop encouraged the participating children from Nepal and Bhutan to express their views on their right to adequate housing. **Their expressions were recorded in the form of a declaration that these children are using to struggle for regaining their housing rights.** Such declarations are now being used by children across South Asia to express their demands for housing and land rights.

## BANGLADESH



Jad Davenport (WHO)

Government of Bangladesh has several rural poverty alleviation programmes that are designed to lower the rate of distress migration to cities. However formal efforts at linking housing rights to land rights need to be actively enhanced to reduce inequality of land and property ownership. 70% of the land in Dhaka is privately

owned. The vast population of urban poor have no proof of residence.

58,296 children were evicted in Dhaka in 2000 without any protection or resettlement. Children need to organize themselves to develop their housing rights.

During a survey by UBINIG, children of unskilled labourers living in Dhaka slums-Jhilerpar and MCC Camp, **expressed their desire for improved living conditions and proper education for a better future.**

25 of the children in the age group of 7-12 years from these slums went to their native villages during vacations and 9 of them did not return. They chose to remain in their rural environment with their extended families and among abundance of fruit trees.

**The children of the surveyed Dhaka slums have realized that their future will not improve without their active participation.** They have realized that it is important to learn from the children's advocacy work on housing and land rights that is already taking place in other South Asian countries.



# बच्चों के आवास अधिकार



गौतमपुरी बस्ती, दिल्ली से उजाड़े गये एक बच्चे का बनाया चित्र

रूको! तुम हमारे घरों पर बुलडोज़र नहीं चला सकते

दक्षिण एशिया के

बच्चों के द्वारा

पर्याप्त आवास पर समझ बढ़ाये

- बच्चों की आवाज एवम् नजरिये को समझे
- इस क्षेत्र के संगठनों के काम को जाने
- बच्चों के आवास अधिकार पर अन्तर्राष्ट्रीय कानून को सीखें



साउथ एशिया रिजनल प्रोग्राम  
हाउसिंग एण्ड लेन्ड राइट्स नेटवर्क  
हैबिटेट इंटरनेशनल कोआलिशन

# रहने लायक घर (आवास) का अधिकार मिलने से हमें अच्छी जिन्दगी मिलेगी।

शेरा - आवासीय अधिकारों पर बच्चों का चोखाना, जिसे ड्रामा (नेपाल) में नेपाल व भूटान के बच्चों की संयुक्त कार्यशाला में पारित किया गया।

## हमारी आवाजों को सुने

“हम सबको पर रहते हैं। सारे दिन की कमाई पुलिस ले जाती है। हमारी पास न घर है न बिस्तर, है तो सिर्फ धाती और आसमान।”

—मुंबई, भारत में सरक पर रहने वाले बालक का कहना।

“हमें ऐसी शिक्षा नहीं चाहिए जो अपने परिवार और संस्कृति से अलग कर दे।”

—कैलकत में जाकजा के बच्चे जो बहा के गुरु पुद्ध के पालने की बजाय से अपने परिवारों से अलग कर दिये गये हैं, उन्हें पहाई के निचले देश के दूसरे को कोलाबों में भेज दिया गया है। सिर्फ इसलिए कि शिक्षा के अधिकार को पूरा किया जा सके।

“हम लोग शरणार्थी शिविरों में बिल्बूल खुश नहीं हैं। यहाँ हमारे सामाजिक, आर्थिक एवं सांस्कृतिक भूमि अधिकार सही नहीं मिल पा रहे हैं। हम अपने भविष्य के बारे में बहुत चिन्तित हैं हमें आपकी मदद चाहिये।”

—मुन्दन के बच्चे पूर्वी नेपाल के राहत शिविर में रहते हैं। उन्होंने सरकारी भए के खास भविष्यक (पब्लिक आवास) को अपने घर में भूटन वापस जाने की इच्छा जाहिर की तथा अपनी जमीन व आवास को वापस पाने के लिये मदद मांगी।

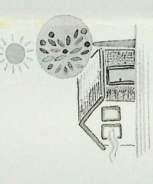
“हम नेपाली नागरिक है पर अपने ही देश में शरणार्थी हैं।”

—जब एक कार्यशाला में भूटनी बच्चों ने अपने देश लौटने की इच्छा व्यक्त की तो एक नेपाली श्रमजी बाली बच्चे की प्रतिक्रिया।

“जब हमें घरों से बेदखल किया जाता है तो हम अपने सामान को बचाने की कोशिश करते हैं। मैंने अपने स्कूल बैग को बचाने की कोशिश की। हम लोग स्कूल नहीं जा पाते हैं। स्कूल के 6-7 दिन बरबाद हो गये हैं।”

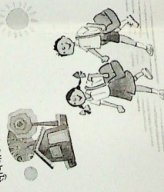
—इस्लामाबाद, पाकिस्तान में उजाड़ी गई एक बहरी का बच्चा।

1. हम लोगों के पास रहने के अच्छे घर होने चाहिए तथा और रोना हो, रोने की जगह होगी व किसी का देखल नहीं होगा।



CRC अनुच्छेद-27

5. घर के पास पढ़ने व खेलने की अच्छी सुविधाएं होने चाहिए।



CRC अनुच्छेद-28-29

9. हमारे घरों के आसपास अच्छे जंगलों के किनारे व चारोंपे होते तथा मनोरंजन को ऐसी जगह होगी जिसमें किसी बच्चे भी आना से जबरन नहीं सको।



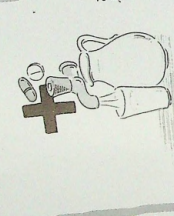
CRC अनुच्छेद-31

13. हमारे भी माता को अपने घर के आसपास काम मिलना जिसमें व हमारे लिये ज्यादा समय दे दे



CRC अनुच्छेद-18, 27

2. हमें अच्छी स्वास्थ्य सेवाएं, विशेषी तथा घर एवं मुहल्ले में पाने का पानी मिलेगा।



CRC अनुच्छेद-24

6. बिना किसी भेदभाव के लड़कों-लड़कियों को खेलने के एक जैसी आसरा मिलेगी।



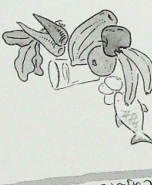
CRC अनुच्छेद-2

10. हम लोग शांति और सरपशावा से अपने अपने सामान को पूरा कर सकने तथा एक दूसरे के पानी को आसरा करे।



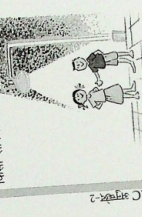
CRC अनुच्छेद-14

3. उचित विकास के लिए हमें पीढ़िक खाना मिलेगा।



CRC अनुच्छेद-24

7. हम अपने घर और गलियारों में छत पानी, खेत सहाने और सेवा सको बिना किसी तालाब गैर-टोक और भार-पेट की



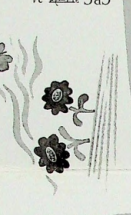
CRC अनुच्छेद-16-19

11. हमें अपने घरों में देखल नहीं किया जायगा, अगर कोई रहने नहीं है तो पहिले हमें नीतिसे दिया जायगा, फिर पूरा जायगा व हमारी सार्वभौमिक से हो दूसरी जगह सरपशा



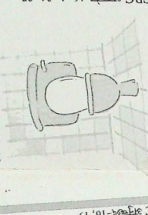
CRC अनुच्छेद-16-20, 27

4. कृषा पकने के लिए अच्छी व्यवस्था होगी, जिससे हमारे मुहल्ले और सड़कों पर बरबू न पड़े सको।



CRC अनुच्छेद-24

8. हमारे घर में सुविधा व सार्व स्मानपर एवं जीवापार होने लिये हम आजाद से इस्तेमाल



CRC अनुच्छेद-16, 1, 24, 27

12. गणपती बच्चे होने के नाते आवास तथा अपने देश वापस लौटने के हमारे अधिकारों का आदर किया जायगा।



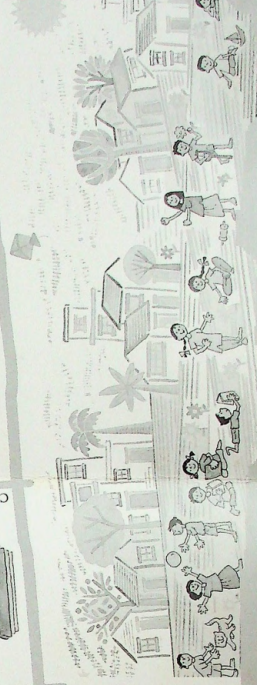
CRC अनुच्छेद-7, 8, 22

• हम लोगों को देखल होगा कि हमारी आवाजों को सुना जा रहा है कि हमारे आसपास तथा अन्य आर्थिक, सामाजिक, सांस्कृतिक अधिकारों का उपलब्ध न हो।

• हम उन लोगों से स्वतंत्रता से बात कर सकें जो आवास के अधिकारों पर काम कर रहे हैं।

## हम बच्चे अपने आवास अधिकारों को कैसे पा सकते हैं।

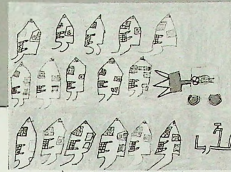
- हमें अपने अधिकारों और उन्हें पाने-रखने के तरीकों की ज्यादा से ज्यादा जानकारी लेनी चाहिए।
- अपने आवास की स्थिति को जानकारी प्राप्त करने और आसपास में बदले के लिए सक्रिय होना पड़ेगा।
- हमें अलग-अलग तरीकों से समूहों में संगठित होना चाहिए, और अपने समूहों, अपनी जाकागियों, अपने विचारों व अपने सुझावों को आसपास में बांटना चाहिए।
- हमें अपने घर व पड़ोस के साथ मिलकर अपने घरों को मिलाबुल कर दिखाने करना चाहिए।
- हम लोगों को अपनी भयाना, जान और कोशल को सक्रिय रूप से विकसित करना चाहिए।
- युवा नेबल हमारी आवाज को सुलभ करने में बहुत महत्वपूर्ण है, ताकि यह आवाज, पंचावत, नागरिका तथा पहुँच सके। इस तरह से हम मिलाबुल कर अपनी माँगों को उठा सकते हैं।



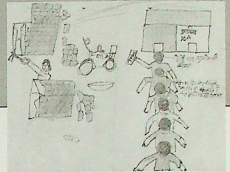




## गौतमपुरी, नई दिल्ली से बेदखल किये गये बच्चों का नजरिया (भावनायें)



गौतमपुरी में हमारे सभी घरों पर  
बुलडोजर चला दिए गए।



हमारे परिवारों को भलस्य में पुनर्वास  
के लिए 7000 रु. चुकता करने पड़े।

## बच्चे और आवास अधिकार पर अन्तर्राष्ट्रीय कानूनी दस्तावेज

दुनिया की सभी सरकारों ने (संयुक्त राज्य अमेरिका और सोमालिया को छोड़ कर) बच्चों के अधिकारों के प्रतिज्ञा पत्र (सी-आरसी) का समर्थन किया है। सी-आरसी सभी बच्चों के जीवन विकास व सुरक्षा को, बच्चों के घर के अधिकारों के साथ जोड़ता है। फिर ऐसे बहुत से मानवाधिकार, कानूनी संस्थाएं एवं अंतर्राष्ट्रीय प्रतिबद्धताएँ हैं जो बच्चों

● आवास अधिकार से जुड़ते हैं, जैसे

- मानवधिकारों की विश्वव्यापी घोषणा (1948) - अनु 25
- आर्थिक, समाजिक एवं सांस्कृतिक अधिकारों पर अंतर्राष्ट्रीय प्रतिज्ञापत्र - अनु 10.1, 11.1
- आर्थिक, समाजिक एवं सांस्कृतिक अधिकारों पर अंतर्राष्ट्रीय प्रतिज्ञापत्र (सामान्य टिप्पणी नं 4 और 7)
- महिलाओं के प्रति हर प्रकार के मारभेद समाप्त करने हेतु अंतर्राष्ट्रीय सम्मेलन (1979) - [अनु 14.2]
- राष्ट्रभेद के प्रति सभी प्रकार के मारभेद को खत्म करने के लिये अंतर्राष्ट्रीय सम्मेलन (1965) - [अनु 5(e)]
- विकास के अधिकारों का घोषणापत्र (1986) - [अनु 5(1)]
- सामाजिक प्रगति एवं विकास का घोषणापत्र (1996) - [परा 8 और 15]
- इस्लामबुल का मानव आवास पर घोषणापत्र (1996) - [परा 8 और 15]
- हेनरीट एजेंडा (1996) - [परा 3, 27, 39, 40 और 15]
- संयुक्त राष्ट्र का पर्यावरण एवं विकास पर सम्मेलन (1996) - [एजेंडा 21]

Source: "Children and the Right to Adequate Housing"-A guide to International Legal Resources by  
Habitat International Coalition and HAQ: Centre for Child Rights, 2002.

### संयुक्त राष्ट्र के खास प्रतिबेदक (पर्याप्त आवास) मिलान कोशों का संदेश

भूमंडलीय स्तर पर आज हमें इस सच्चाई का सामना करना पड़ रहा है कि भले-बले बच्चे जा रही हैं। मानवाधिकारों खास तौर पर आर्थिक, सामाजिक एवं सांस्कृतिक अधिकारों का हनन तेजी से बढ़ता जा रहा है। इस परिवेश में, बच्चों को अपने अधिकारों के प्रति संवेदनशील हैं तथा अपनी आवाज लगातार बुलंद कर रहे हैं, इस बात का एहसास दिलाते हैं कि हमें ऐसी दुनिया बनाने की कोशिश करनी चाहिए, जहाँ वे एक सुरक्षित जगह में शांति से रह सकें, सीख सकें, हँस सकें, खेल सकें व एक खुशनुमा बाल्यकाल को गुवा सकें। विश्वभर पर्याप्त में बच्चों द्वारा आवास के अधिकारों के इर्दगिर्द बच्चों का संगठित होना उनको आवास को कानूनी और विचारों की श्रद्धा का साक्ष्य है। इसलिए यह बहुत जरूरी हो जाता है कि हम सी-आरसी के सभी सिद्धांत और व्यवस्थाओं तथा दूसरे मानवाधिकारों के यंत्रों को बच्चों के हितों के लिये इस्तेमाल करें तथा मानवाधिकारों की एकजुटता का समर्थन करें। यह सुनिश्चित करे कि ज्यादा से ज्यादा उपलब्ध संसाधनों का इस्तेमाल हो और खासकर बच्चों के हितों का को ध्यान दिया जायें।



हमें भलस्य में फँक दिया गया जहाँ किसी भी तरह की सुविधाएँ नहीं हैं। न पानी, न खाना, न बिजली यहाँ तक की प्लाट का आसफ्टमेंट या जमीन का मालिकाना हक भी नहीं है।



हम लोगों ने कज लेंकर कुछ रहने लायक छप्पर डाल लिए। इसलिये जब तेज आंधी और बारिश आती है तो हमें छपराओं को पकड़ कर रखना पड़ता है नहीं तो वे उड़ जायेंगे।



भलस्य में कोई स्कूल नहीं था और हम अपनी पढ़ाई नहीं छोड़ना चाहते थे। इसलिये हम दिल्ली की मुख्यमंत्री सहित कई राजनेताओं से मिले और अपनी शिक्षा के अधिकार को मांगे की।

चित्रकार - गौतमपुरी (आई.टी.ओ.) के बेदखल बच्चे। स्रोत - अंकुर, नई दिल्ली, भारत।

यह लेखिका इन संस्थाओं द्वारा तैयार किया गया :



**हैबिटेट इंटरनेशनल कोआलिशन**

- हाडिंस एण्ड लेन्ड राइट्स नेटवर्क  
साउथ एशिया रिजनल प्रोग्राम टीम : शिवानी भादगाड़ एवं सुरेशना चटर्जी द्वारा तैयार किया गया  
और अरुणा बोस के सहयोग से सी-12, दिल्ली-110013, भारत.  
ई मेल: hichrc@ndf.vsnl.net.in

आधा - तामा (हिन्दी अनुवाद के लिए) केंद्र क्षेत्र मजदूर विकास संस्थान सँवर्धित।

**अंकुर**, जन शिक्षण विभाग, 7/10 सर्वोच्च विभाग, नई दिल्ली-110016,

ई-मेल: ankurcducation@vsnl.net

**प्लान इंटरनेशनल (भारत शाखा),**

सी-6/6 सफरकान्डा डेवलपमेंट परियोजना नई दिल्ली-110016, ई-मेल:

piic@plan\_international.org



# दक्षिण एशिया में आवासीय अधिकारों की कहानी

- (1) आवास के अधिकारों पर 1980 के दशक के आखिरी वर्षों में कई देशों में अभियान शुरू हुआ।
- (2) इस अभियान का यह नतीजा हुआ कि दक्षिण एशिया में जो संगठन बच्चों के साथ काम कर रहे थे उन्होंने बच्चों के आवास के अधिकारों पर अपने आप को केन्द्रित करना शुरू किया।
- (3) बच्चों ने सुरक्षित घर, भोजन, पानी, अच्छी शिक्षा, स्वास्थ्य सुविधा, साफ सफाई, खेलना व मनोरंजन की बुनियादी सुविधाओं की मांग की।
- (4) इस सब काम ने बच्चों की आवाज़ व दृष्टिकोण का दस्तावेजीकरण किया जैसे कि सन् 1998 में आवास पर आलटरनेट इंडिया ( वैकल्पिक भारत ) सी०आर०सी० को अपनी रिपोर्ट दी। इस कमेटी ने भारत में आवास को लेकर काफी महत्वपूर्ण अवलोकन किया।
- (5) नेपाल में आयोजित एक क्षेत्रीय कार्यशाला में भारत के वैकल्पिक रिपोर्ट के आधार पर भारतीय अनुभवों का कुछ दक्षिण एशियाई देशों, जैसे नेपाल, श्रीलंका, बांग्लादेश के साथ आदान प्रदान किया गया। इस कार्यशाला से जो घोषणापत्र निकला उसके आधार पर अब दक्षिण एशिया में बच्चों के आवास के अधिकारों पर काम हो रहा है।
- (6) इस तरह की क्षेत्रीय आदान प्रदान की प्रक्रिया, जो विभिन्न समुदायों के बच्चों एवं राष्ट्रों के बीच हुई है, वह दक्षिण एशिया में बच्चों की आवाज़ों को वहां के प्रशासन तक पहुंचा देती है। भूटान के शरणार्थी बच्चे, भारत की बस्तियों के आदिवासी बच्चे ( जो बांध के कारण विस्थापित हो रहे हैं ) नेपाल की झुग्गी झोपड़ी में रहने वाले बच्चे व श्रीलंका में युद्ध से दूटे हुए बच्चे जब आपस में मिले तो वे एक दूसरे देशों के बच्चों के सपने जानने लगे हैं बच्चे यह जानने लगे हैं कि उन्हें सुरक्षित घर व वातावरण का पूर्ण अधिकार है।
- (7) इन सभी राष्ट्रों के बच्चे सन् 2002 में न्यूयार्क में UNGASS में मिले जहां वे अपने आवास के हक को पाने के लिये अपने अनुभवों को आपस में बाँट सके। आगे भी बच्चे आवास के मुद्दे पर साथ मिलकर एक एशिया मंच बनायेंगे। क्या आप उनका साथ देंगे?







# भूटान

भूटानी बच्चे झापा नेपाल में उन शरणार्थी शिविरों में रह रहे हैं जिनकी निगरानी संयुक्त राष्ट्र संघ का शरणार्थी कमिशन (UNHCR) कर रहा है। लगभग 1,20,000 शरणार्थी नेपाल एवं भारत के अन्य जगहों पर रह रहे हैं। इनमें 45% बच्चे हैं। एच.आई.सी. द्वारा दक्षिण भूटान में की गई जाँच का रिपोर्ट में बताया गया है कि उत्तरी भूटानियों को शरणार्थियों की जगहों पर पुनर्वासित किया गया है।

शरणार्थी शिविरों में रहने वाले सभी बड़े और बच्चे अपने वतन में अपनी पुस्तकें जमीनों पर वापिस जाना चाहते हैं जहाँ से उन्हें बेदखल कर दिया गया था, वे अपने आवास एवं भू-अधिकार पाना चाहते हैं।



अपने देशवापिस लौटने के लिये बच्चे सरकार के साथ बातचीत कर रहे हैं व संगठित हो रहे हैं। सरकार उनको सम्मान से अपने देश लौटने दे। अपने एक पत्र में बच्चों ने आवास एवं भूमि के अधिकार पर संयुक्त राष्ट्र के खास प्रतिवेदक (पर्याप्त आवास), बच्चों के अधिकारों की समिति के सभापति तथा संयुक्त राष्ट्र के मानवाधिकार आयोग के ऑफिस जेनेवा में अपनी मांगों को मजबूती से रखते हुये अनुरोध किया है, कि ये सब संस्थायें उनके भूटान वापसी को सुनिश्चित करें वे भूटान को सरकार से भूमि एवं आवास के अधिकारों को संयुक्त राष्ट्र के बच्चों के अधिकारों पर हुये सम्मेलन का आधार मानते हुये भूटान की सरकार के ऊपर दबाव डालें।

बच्चों ने एक थाचिका अपने वाल प्रतिनिधि गंगा अधिकारी के द्वारा संयुक्त राष्ट्र वाल अधिकार सम्मेलन में भिजवाई। यह काम इतना सफल रहा कि संयुक्त राष्ट्र संघ के बड़े अधिकारियों ने यह तय किया कि UNHCR भूटानी शरणार्थी मुद्दों पर वार्ता 2005 के स्थान पर 2003 में आयोजित होगा।

## बांग्लादेश



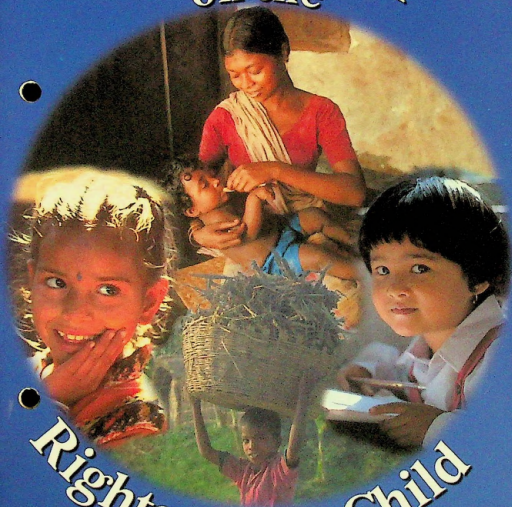
बांग्लादेश की सरकार ने गरीबी उन्मूलन के लिये कई कार्यक्रम तैयार किये हैं, जिससे कि शहरों की तरफ जाने वाले लोगों में कमी आये। ऐसी करने की जरूरत है जहाँ आवास के अधिकार को भूमि के अधिकार के साथ जोड़ा जाये ताकि भूस्वामित्व में असमानता को समाप्त किया जाये। ढाका में 70 फीसदी भूमि निजी सम्पत्ति है। शहरों में रहने वाले बड़ी तादाद के गरीबों के पास रहने के कोई सबूत नहीं हैं।

सन् 2002 में 58,296 बच्चों को अपनी जगह से बिना किसी सुरक्षा एवं पुनर्वास के बेदखल किया, वहाँ पर बच्चों को अपने आवास के अधिकारों के प्रति संगठित होने की जरूरत है। UBINIG द्वारा एक सर्वे में मजदूरों के बच्चों ने जो ढाका के झोलकपाट एवं MCC कैम्प में रहते हैं, अपनी इच्छाओं को व्यक्त करते हुये कहा कि वे लोग अच्छी जगहों पर रहना चाहते हैं तथा अपने भविष्य के लिये पूरी शिक्षा पाना चाहते हैं।

इस झुग्गी झोपड़ी में से 25 बच्चे (7-12 उम्र के बीच) अपने पुस्तकें गाँवों में छिट्टियों के दौरान गये जिसमें से 9 बच्चे वहीं पर रह गये, वापिस नहीं आये। इन बच्चों ने गाँव के वातावरण को रहने के लिये चुना, जहाँ उनके बड़े परिवार हैं तथा ढेर सारे फलों के पेड़ हैं।

ढाका की झुग्गी के इन बच्चों ने यह महसूस किया कि उनका भविष्य उनके संगठित होने के बिना नहीं सुधर सकता। उनके अनुसार दक्षिण एशिया के देशों में बच्चों के भूमि एवं आवास अधिकारों से जो काम हो रहा है उनसे उन्हें सीखना चाहिये।

Convention  
on the



Rights of the Child

## \* THE CONSTITUTION OF INDIA \*

The State shall, in particular, direct its policy towards securing:

(.) that the health and strength of workers, men and women, and the tender age of children are not abused and the citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(..) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and childhood and youth are protected against exploitation and against moral and material abandonment.

- Excerpt from Article 39,  
Directive Principles of State Policy

12/12/21



*The Government of  
India acceded to  
this convention on  
11 December, 1992*

**CONVENTION ON THE RIGHTS OF THE CHILD**  
**Adopted by the General Assembly of the**  
**United Nations on 20 November 1989**

**PREAMBLE**

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognising that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognising that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognised in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies

and international organizations concerned with welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognising that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration, Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognising the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

## **Part I**

### **Article 1**

For the purposes of the present Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

### **Article 2**

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race colour, sex, language, religion political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

### **Article 3**

1. In all action concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff as well as competent supervision.

### **Article 4**

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognised in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.



## **Article 5**

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognised in the present Convention.

## **Article 6**

1. States parties recognise that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

## **Article 7**

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

## **Article 8**

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognised by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

## **Article 9**

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

## **Article 10**

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family re-unification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.
2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances, personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognised in the present Convention.

## **Article 11**

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

## **Article 12**

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

## **Article 13**

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form or art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
  - (a) For respect of the rights or reputations of others; or
  - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

## **Article 14**

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

## **Article 15**

1. States Parties recognise the rights of the child to freedom of association and to freedoms of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

## **Article 16**

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor, to unlawful attacks on his or her honour and reputation.



2. The child has the right to the protection of the law against such interference or attacks.

## **Article 17**

States Parties recognise the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end States Parties shall;

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

## **Article 18**

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

## **Article 19**

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parents(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment, and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

## Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, Kafala of Islamic Law, adoption or if necessary, placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

## Article 21

States Parties which recognise and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned had given their informed consent to the adoption on the basis of such counselling as may be necessary;
- (b) Recognise that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

## Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate co-operation in any efforts by the United Nations and other competent inter-governmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

## Article 23

1. States Parties recognise that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.
2. States Parties recognise the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.
3. Recognising the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, wherever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.
4. States Parties shall promote, in the spirit of international co-operation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

## Article 24

1. States Parties recognise the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.
2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:
  - (a) To diminish infant and child mortality;
  - (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
  - (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking water, taking into consideration the dangers and risks of environmental pollution;
  - (d) To ensure appropriate pre-natal and post-natal health care for mothers;
  - (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast-feeding, hygiene and environmental sanitation and the prevention of accidents;
  - (f) To develop preventive health care, guidance for parents and family planning education and services.
3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognised in the present article. In this regard, particular account shall be taken of the needs of developing countries.

## Article 25

States Parties recognise the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

## Article 26

States Parties shall recognise for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.



2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

## **Article 27**

1. States Parties recognise the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parents(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.
3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.
4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

## **Article 28**

1. States Parties recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
  - (a) Make primary education compulsory and available free to all;
  - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
  - (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
  - (d) Make education and vocational information and guidance available and accessible to all children;
  - (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. States Parties shall promote and encourage international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

## **Article 29**

1. States Parties agree that the education of the child shall be directed to:
  - (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
  - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
  - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
  - (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
  - (e) The development of respect for the natural environment.
2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

## **Article 30**

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

## **Article 31**

1. States Parties recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

## **Article 32**

1. States Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
  - (a) Provide for a minimum age or minimum ages for admissions to employment;
  - (b) Provide for appropriate regulation of the hours and conditions of employment;
  - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

## **Article 33**

States Parties shall take all appropriate measures including legislative, administrative, social and educational measures to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties and to prevent the use of children in the illicit production and trafficking of such substances.

## **Article 34**

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

## Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

## Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

## Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below 18 years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

## Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities.



3. States Parties shall refrain from recruiting any person who has not attained the age of 15 years into their armed forces. In recruiting among those persons who have attained the age of 15 years but who have not attained the age of 18 years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

## **Article 39**

States Parties shall take all appropriate measures to promote physical and psychological recovery and social re-integration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and re-integration shall take place in an environment which fosters the health, self-respect and dignity of the child.

## **Article 40**

1. States Parties recognise the right of every child alleged as, accused of, or recognised as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and desirability of promoting the child's re-integration and the child's assuming a constructive role in society.
2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:
  - (a) No child shall be alleged as, be accused of, or recognised as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
  - (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
    - (i) To be presumed innocent until proven guilty according to law;
    - (ii) To be informed promptly and directly of the charges against him or her, and if appropriate through his or her parents or legal guardian, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
    - (iii) To have the matter determined without delay by a competent independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians,

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognised as having infringed the penal law, and in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

## Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State Party; or

(b) International law in force for that State.

## **Part II**

### **Article 42**

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

### **Article 43**

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.
2. The Committee shall consist of 10 experts of high moral standing and recognised competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.
3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.
4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.
5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two-thirds of States Parties shall constitute a quorum, the persons elected to the committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.
6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.
7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.
9. The Committee shall elect its officers for a period of two years.
10. The meetings of the Committee shall normally be held at the United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from the United Nations resources on such terms and conditions as the Assembly may decide.

#### **Article 44**

1. States Parties undertake to submit to the committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognised herein and on the progress made on the enjoyment of those rights:
  - (a) Within two years of the entry into force of the convention for the State Party Concerned;
  - (b) Thereafter every five years.
2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfillment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.
3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
4. The Committee may request from State Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
6. States Parties shall make their reports widely available to the public in their own countries.



## Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, United Nations Children's Fund and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, United Nations Children's Fund and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;
- (c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;
- (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

### **Part III**

#### **Article 46**

The present Convention shall be open for signature by all States.

#### **Article 47**

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

#### **Article 48**

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

#### **Article 49**

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

#### **Article 50**

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one-third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

## **Article 51**

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

## **Article 52**

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

## **Article 53**

The Secretary-General of the United Nations is designated as the depository of the present Convention.

## **Article 54**

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic shall be deposited with the Secretary-General of the United Nations.

In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.