



infocus

National Commission for Protection of Child Rights

Stop 'Roti, Kapda, Makaan' from Child Labour

The life of Indian citizens depends on the sweat and toil of poor children. It is for our upkeep that these children work long hours under conditions of servility, fear of abuse and humiliation and health risks. In fact the 'roti, kapda and makaan' (food, clothing and shelter) in our lives is derived to some extent from the contribution of child labour at different stages of a production chain which can be local and global.

Child labour is a key ingredient of most of the food we eat. Young girls work under scorching heat, with blistering sore feet and in marshy land; these children sow, weed and harvest vegetables, lentils, oil seeds and all the food we relish. Children are also engaged in tending to cattle, fishing, production of milk and other food items.

The clothes we wear are woven with child labour. Hundreds and thousands of children work in production of cotton. Children are employed by cotton ginning mills, handloom weaving looms, spinning machines and power looms. Sericulture through which silk is produced has children working in damp, dark, poorly ventilated conditions.

With growing demand in the building and construction industry, children leave their villages to work on sites without water, sanitation and shelter. In fact, every building whether it is our homes, offices, business or entertainment centres, have been built at the cost of their childhood.

The homes of most middle and upper classes too depend on young girls and boys working as domestic servants. They are either trafficked from their homes or part time workers living with their parents in the same town.

What must be done?

India, which sustains the maximum number of child labourers in the world today, must lead the way. This would require a legal framework that finds all forms of child labour unacceptable and therefore an amendment to the Child Labour (Prohibition and Regulation) Act, 1986 is critical. It must be in consonance with the 86th Amendment to the Constitution of India which guarantees the right to education as a fundamental right.

The education system must remove all barriers so that every child remains in school without any disruption at least till class X. It must provide infrastructure, schoolteachers and classroom sensitivity to the first generation learner.

There is a huge demand for education among the poor today. They see it as an invaluable opportunity to break the tradition of backwardness and vulnerability. It is their battle for education that has been responsible for the reduction of the numbers of child labour today. The need of the hour is to support these efforts. ■



Dr Shanta Sinha

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All Things Can Wait, Not Children

- infant mortality rate is 59 per 1000 live births;
- 46 per cent of the children are malnourished;
- 60 million children under the age of five are underweight;
- 67 per cent of pre-school deaths associated with malnutrition

If these figures are alarming, consider the fact that in absolute numbers there are as many as 2.42 million malnutrition deaths of children under the age of five every year and the maternal mortality is 301 per 100,000 live births. When the data was further disaggregated on the basis of birth, socio-economic status, caste and gender across the country, it revealed that several districts and blocks in the country had disquieting statistics on infant and maternal mortality that was almost on par, if not worse, than of countries in sub-Saharan Africa. Even Bangladesh fares better than India as far as infant and maternal mortality is concerned.

“This is a hidden disaster, larger in scale than the tsunami. Every child must be considered as indispensable and the government must be held accountable for the deaths of mothers and children. Health, nutrition and education services must be provided for every child under six. Age specific interventions, with adequate focus on children under three and those in the three to six age group should be ensured otherwise growth disparities will continue,” contended Shantha Sinha, chairperson, NCPCR.

The first three years of life are critical for the development of the brain. Early deprivation can lead to irreversible deficits. By the age of six, most brain connections are made or not made depending on environmental exposure and interactions. These connections are critical for life long learning.

So how could it be ensured that children in the 0-6 month age group were exclusively breast fed? Or that children up to the age of three years could access health and nutrition and, children in the 3-6 year age group would get, in addition to health and nutritional care, early child care support and interventions for stimulation and learning? It was to review strategies and explore opportunities to promote the rights of 16.4 crore children below six years that a national consultation was organised in October by the NCPCR.

The two-day consultation, which was attended by representatives of the ministries of women and child development, health and family welfare, food and nutrition board, planning commission, national and international NGOs, focussed on developing guidelines to help address the most immediate concerns of children below six years related to nutrition, health, disaster situations and early childhood care and education.

It was also felt that a strong legal framework was needed to provide all essential services, physical infrastructure and professional support that enabled these children under six to access their rights because universal coverage (with quality) of children had not taken place despite the institution of several policies.

“We need a legal process by which a poor woman in labour can file a complaint about the non-availability of a doctor or a trained mid-wife or even the non-availability of services pro-

vided by the primary health centre or a general hospital. A law on the provisions of maternal entitlements enabling exclusive breastfeeding and laws that would take punitive action if children are not immunised because of the absence of the auxiliary nurse midwife (ANM) or the required vaccine or medicine,” pointed out Sinha.

Planning Commission member Syeda Hameed agreed that children in the 0-6 year age group needed special attention especially as children were not a homogenous category. She revealed that the 11th Plan was recommending maternity entitlements to support exclusive breastfeeding.

Further, the 11th Plan would introduce a pilot scheme wherein conditional cash and non cash transfers would be provided to the families of the girl child on fulfilling conditions like birth registration, immunisation, enrolment and retention in school in a bid to address foeticide and sex selection.

But how would changes in policy framework translate into changes in implementation and societal action at the community level? What would this change mean to an individual child and family in different environments and how would the pro-



tection of child rights be monitored and tracked? These were some of the questions that needed to be discussed in order to come up with policies that could make a difference in the lives of children said Elmar Barr, deputy director, UNICEF India.

Unfortunately, it is the translation of government policies into actual practise to ensure child rights that has proven to be a huge challenge. Union minister for women and child development, Renuka Chowdhury said that laws were in place but they were unable to change mindsets overnight. Woman's/Women's empowerment is imperative so that she/they has/have a voice in different stages of her development, a sustained educative process and continuous access to information.

Several strategies emerged at the end of the deliberations. But unless the way in which programmes for children were planned was changed to adopt a holistic perspective, the present schemes for children would continue to remain inadequate, departmentalised and lack coordination at different levels. ■

Awaiting Justice, Children Become Adults

Based on complaints received from child rights activist Sheila Barse from Maharashtra that thousands of cases registered under the Juvenile Justice Act were pending, Dipa Dixit of the NCPCR and Bharati Ali of HAQ Centre for Child Rights visited Mumbai and Pune and found not only a huge back-log of cases but met young men who had become adults awaiting justice.

There were half a dozen cases that had been pending for 11 to 16 years. Children who were picked up for petty thefts, vagrancy when they were 12 and 14 years old were now 28 and 30 years. In Pune, till July 2007 there was a back-log of 4300 cases. This, the Commission's inquiry shows, was because the juvenile justice courts met just once a week and that too for just a couple of hours. There was also shortage of staff to handle the work of the children's courts.

The delay in justice for children was discussed with the chief justice of the Mumbai High Court and he said the cases of those who had become adults could be heard as those of under trials in the regular judicial system.

However, there is a Supreme Court ruling that if investigations of under-trials cases are not completed in four months, the cases should be closed. In the case of those shut in juvenile homes for three years without being heard, the Supreme Court has said they should be let out. "Currently it looks as if these juveniles have been locked up and the keys to their homes thrown away," says Dixit.

Discussions with various departments of the state government revealed that though there was funding for running observation homes, there was no money allocated for care and protection, an important component of juvenile justice. Children trafficked, those running away from their homes and others caught loitering at railway stations and bus stops need care and protection. To access state funding, children's homes were running as observation homes.

Those responsible for juvenile justice, it was found, also needed training and sensitization on child rights. They did not have enough knowledge about the law. Nor did they know how to handle children.

Based on findings in Maharashtra, the Commission feels there is need to look at juvenile justice as a larger issue across the country. This mission has taken them so far to Delhi, Karnataka, Himachal Pradesh, Orissa, Tamilnadu and West Bengal.

In Delhi, the Commission visited the homes in Kingsway Camp, Lajpat Nagar and Alipore as well as the Prayas



Observation Home. The state of juvenile justice in these homes is far from what it should be, says Dixit. So far there is just one Juvenile Justice Board (JJB) in Delhi. Another has been constituted recently and will sit at the Prayas home. On the positive side, the Delhi High Court has constituted a committee of three judges to be headed by Justice Lokur who will look into the working of the homes as well as the conditions of these homes, the JJBs and the implementation of the law in Delhi.

In Karnataka, like in Pune, the Commission found children languishing in homes without bail. In Himachal the juvenile homes were better run. Though the JJ Board met just once a week, it sat through the entire day and disposed off most cases. Because of the hilly terrain and the paucity of cases, JJ Boards have not been set up in every district

of the state.

Tamilnadu was handling juvenile justice better than most states. It was trying to bring about reforms and early release of children detained under the JJ Act. However, in one of the observation homes in Chennai, it was found that the assistant superintendent of the home was physically abusing the children and even siphoning off food, clothes and other items sent for the children by charitable organizations. Based on a letter from the NCPCR to the P Aladi Aruna state minister for Social Welfare, Tamilnadu, the superintendent has been suspended. ■

Making Juvenile Justice a Reality

The state of juvenile justice across the country is being investigated by the National Commission for Protection of Child Rights. Two sub-committees have been formed—one will look at the state of observation homes, shelters and remand homes for children and the other will look at the existing legislation for children, whether it is adequate and how it is being implemented. The functioning of the juvenile justice boards and the need to change jurisprudence to make it more child-centric is the mandate of the second sub-committee.

Both committees have hand picked members who have worked on child-related issues. They have experience as well as understanding of child issues. They will report on their investigation of juvenile justice administered in 10 states by February 2008. ■

Jharkhand's Trafficked Daughters

It is estimated that anywhere from 40,000 to 300,000 children of 6 to 14 years are trafficked from Jharkhand for domestic work in the metros, particularly Delhi. This startling fact was revealed during a public hearing on Child Rights in Ranchi recently.

A study on child trafficking which was presented at the hearing organized by Citizens Foundation, an NGO based in Ranchi, showed there was a strong network of traffickers in the state and that many of the gangs involved in trafficking of girls were led by village women.

According to Sanjay Mishra of Bhartiya Kisan Sangh (BKS), the NGO that conducted the study, there was greater migration by the Scheduled Tribe population because no work was available locally and all of them had loans to pay back. Many even had marriage problems.

The study, which was conducted in the five blocks of Ranchi, Lohardagga, Simdega, Gumla and Pakur, found that while many were trafficked, others migrated to Delhi, Bihar, UP, Maharashtra, Orissa, West Bengal and the North East in search of work. Very often families did not know where their children had gone.

Mishra said there were more than 250 illegal placement agencies in the national capital region and a huge demand for child workers. Sixty per cent of the girls working as domestic help earned just Rs 1000 a month.

At the public hearing young girls, who had been rescued by the BKS, spoke of their employment as domestic workers in Delhi and Mumbai and the violence and hard work they were subjected to. After being rescued they are studying in education centres run by the NGOs. Two of the girls were studying in class six and one in class seven.

An eight-year old recounted how she was packed off to Delhi to work as a domestic servant. From the very first day, she wanted to get back home. She felt humiliated, insulted and it seemed that her work never finished. There was not a moment of rest. Every day she planned to escape. One day she took courage and escaped but did not know where to go. She walked on the streets, lonely and hungry, only to be picked up by another master who engaged her for work. Even here she was beaten up and tortured even when she was 'sincere and worked hard'.

Once again she gathered courage and ran away and this time she was able to reach a police station. She was produced before the Child Welfare Committee and finally returned home and is studying in class 6. "I could not help admiring the heroic act of bravery and courage of the little girl who had decided

to carve her own destiny" said Dr Shantha Sinha, chairperson, NCPDR, who attended the public hearing

"I realized how much our country owes its well-being to the sacrifices of young girls and boys of Jharkhand. They are uprooted from their families, villages and environment, their culture and language to travel miles to Delhi, Mumbai, Rajasthan, Gujarat as if they were little machines to wash our clothes, mop our floors, clean utensils, carry head loads, make errands to the markets and do zari work, bake bricks and do all those chores that gives us comfort. Their numbers run into thousands and nobody knows how many of them are trafficked. The real lives of children, their agony and torture escapes attention in this discussion on the estimates," says Dr Sinha.

However, efforts are on save the young girls. The Jharkhand Domestic Workers runs vocational training and study centres for the young girls and women who have been rescued. In some villages where there were no schools, a village education com-



Photograph courtesy: Tribune

mittee was formed and the children were educated to a level where they could be mainstreamed into the nearest government school.

When a person questioned the rationale of rescuing children who were supporting their parents through their work and putting their siblings into school, Dr Shantha Sinha retorted that child labour was not a food security scheme of the government. "Education is the right of every child and keeping even one out to earn bread for family members cannot be condoned."

Dr Sinha expressed concern at the lack of coordination between the labour and education departments in the State in addressing the problems of child labour. She said there was inadequate data on the number of domestic and commercial child labour in the state. ■

Celebrate Child Rights Day Every Day

Countries often overlook the fact that children need special safeguards and care including appropriate legal protection before as well as after birth. Although many countries including India have made commitments to ensure that children were given their right to survival and development, gaps between policy and its implementation remain.

“All of us are aware of the challenges facing the country in terms of malnutrition, female foeticide, infanticide and child exploitation. One of the greatest failing of our society today is that children often become victims of violence and are subjected to trafficking and abuse. The way in which we take care of them from birth, their health nutrition, upbringing and education will determine the future growth and prosperity of our nation. This is why our government has set up the National Commission for Protection of Child Rights (NCPCR),” said Sonia Gandhi chairperson, United Progressive Alliance.

Speaking at the national conference on child rights organised by the NCPCR on the occasion of Universal Children’s Day celebrated globally on November 20, Sonia Gandhi renewed the UPA government’s pledge to upholding child rights. “There is no greater gift bestowed upon us than children and no greater responsibility placed on us than to ensure their care and protection. Although many measures have been taken, there is no room for complacency,” she said.

Acknowledging that India had still a long way to go, NCPCR chairperson Shantha Sinha said that real transformational solutions could only emerge when it is understood that children’s rights have to be protected under all conditions. Only when there is an uncompromising stand on abolishing child labour and provision of inclusive education within a rights based perspective, can children enjoy freedom and dignity.

“We are witness to how millions of out of school children are in the labour force living lives of drudgery and exploitation. They work in agriculture, mining, construction and fishing sectors. They work in garbage dumps, brick kilns and in our homes as domestic labour. The NCPCR is committed to raising a moral consciousness towards the plight of children. It will also need continued support from the state reflected in long term investments in children,” contended Sinha.

Promising the government’s continued endeavours to ensure every child had a happy childhood, Renuka Chowdhury,

Union Minister for Women and Child Development said: “Children should not be working. We should be working so that they can enjoy their childhood.”

Chowdhury, who presided over the conference, said that a study conducted by her ministry had found that one of every two children in the country had potentially been victims of abuse. “While this conference is a celebration of all that has been achieved it is also a wake-up call for all that needs to be done.”

According to Abhjit Sen, Member, Planning Commission, the 11th Plan had considered the needs of children during the planning process. He said that to ensure inclusive growth, the Planning Commission was pushing for a legal notification for their right to education. Echoing similar sentiments was

Muchkund Dubey of the People’s Campaign for Common School Systems. Pointing out that 40 per cent of the children were out of school, Dubey said no country could be developed unless there was a common school system. “Educational exclusion is the root of all exclusion because it results in exclusion from freedom of thought and expression. Can we bring about an inclusive society while allowing such an exclusion?” he asked.

The police also needed to be sensitised pointed out Kiran Bedi, Director-General, Bureau of Police Research and Development. If the names of special juvenile police units which are supposed to be part of every police station, were published on the NCPCR website, it would keep not just the police on their toes but also raise awareness of these units. Women police

officers should be a part of these units but it is not mandated in the rules and this must be taken up by NCPCR she added.

Finance minister P Chidambaram contended that if few things like provision of quality education up to secondary level to all children, immunisation, mid-day meals and activity-based learning could be ensured, it would guarantee other rights to children. Finances were not the problem he said but its usage. “We must put pressure on the administration and elected representatives to make correct use of the money.”

NCPCR member Sandhya Bajaj said that this could be done if every day was celebrated as child rights day. She said that the voices of children that were articulated through the plays presented during the conference needed to be heard not just that day but every day to ensure protection of child rights. ■



Gujarat Farmers Seek Time to End Child Labour

When the NCPCR represented by its chairperson Shantha Sinha accompanied by Neera Burra and Venkat Reddy, child right activists visited Gujarat in September this year, they found several thousand children who had migrated to the state for work from Bihar, Madhya Pradesh, Orissa and Rajasthan. They worked for long hours in the cotton fields, in cotton ginning mills, saltpan, brick kiln and charcoal industries and were a source of cheap labour.

Farmers, who met the team, admitted that they were employing children and requested Dr Sinha to give them time till next season to replace child labour. They argued that they would incur huge losses if the children were stopped from work.

Furthermore, during the testimonies presented by children and NGOs during meetings with the team, it was revealed that the migration of children for work began in October after the monsoons and continued till February.

The Commission has evidence of children migrating from tribal areas within Gujarat to work as child labour. Dr Sinha has asked the state government to provide more hostels where these working tribal children can get residential education.

She has also asked the Gujarat government to work out an



action programme where children are identified, rescued and rehabilitated till they reach their homes and join schools.

In a letter to Gurcharan Singh, Principal Secretary (Labour), Gujarat, Sinha has asked the department to rescue children from the labour force and mainstream them into schools. The Commission has asked the Gujarat Government to publicise the Child Labour (Protection and Regulation) Act, 1986 and take action against employers violating the Act.

Sinha has asked the state government to ensure that the District Task Force functioned smoothly. It should review regularly the action taken by them for abolition of child labour.

Pointing out that the inspection reports provided by the Gujarat Commissioner of Labour did not show a single child working

during their raids and inspections, Sinha has said there is need for a more innovative strategy to identify and rescue children. She said the Labour Commissioner's office should work with NGOs and trade unions to rescue children from the labour force.

The efforts of Rajasthan and Gujarat governments are to be reviewed in January next year to speed up child labour abolition in the two States ■

Did You Know?

Every third new born child in India is underweight and having the risk of impaired health and brain development....

- Sex ratio in 0-6 age group: 927
- 6.6 million children have a damaged brain from iodine deficiency
- Over 70 per cent of the children in many states suffer from iron deficiency according to NFHS
- 1.5 million children suffer from Vitamin A deficiency against 40 million the world over
- 47 million children live in kuchcha houses
- 77 million do not use drinking water from a tap
- 85 million are not being immunised, 27 million are severely underweight
- 33 million have never been to school
- Population of children under 18 years - 420.7 million

Source: Unicef 2005 report on the state of the world's children under the title "Childhood Under Threat" and other UNICEF data



Raise Awareness, Stop Foeticide

There has been a rapid decline in the male-female child ratio in India during the last two decades due to increasing practice of sex selection and female foeticide. According to a recent study by the United Nations Population Fund (UNFPA) India recorded more than a 50-point decline in the child sex ratio in 70 districts in 16 states and union territories between the period 1991-2001.

In 2005, the estimated overall sex ratio was 107.5 males per 100 females in India. Besides the states of Haryana, Punjab, Himachal Pradesh and Gujarat, where the sex ratio is less than 900 girls to every 1,000 boys, there have been disturbing reports of foeticide from Orissa.

The NCPCR, which is engaged with the issue of sex selection, has been very concerned about the incidents of foeticide reported from the Nayagarh district of Orissa. Nayagarh, from where

30 female foetuses were recovered by the police, came into focus after news that doctors and owners of nursing homes and ultrasound clinics were engaged in the unethical medical practice of sex determination and female foeticide.

The doctors of the hospital from where the instances were reported had been arrested thanks to intervention by the NCPCR and a group of activists. According to Sandhya Bajaj, member, NCPCR, before their intervention, health and social welfare officials did not know about the PCPNDT Act. Therefore, they did not monitor ultrasounds being done for sex selection.

Bajaj, who visited the state to review the measures taken to stop the practice, said that officials were now implementing the Act. She added that 10 government doctors found guilty of conducting sex determination tests had been suspended by the state Women and Child Development Department.

Furthermore, the state Health and Family Welfare Department has constituted a State Advisory Committee and multi-member state Appropriate Authority in accordance with the provisions made under this Act for its smooth implementation.

Bajaj, who also apprised state governor Murlidhar Bhandare, about the problem of female foeticides in the state, felt that not enough attention was being given and that the state government needed to take stern steps to tackle this problem. The governor, who has promised to take up the issue on a priority basis, said that if the NCPCR could frame a policy on female foeticide and issue guidelines, it would facilitate quicker action.

In addition to legal protection, women's and children empowerment was necessary for their survival and development said Bajaj. This is why the NCPCR has been monitoring the condition of orphanages in the state. She said that the Utkal Shishugraha Orphanage at Puri had shown some improvement since the last NCPCR visit. Three new rooms were under construction and the condition of toilet block had also improved.

While children in the age group of 3 to 14 years housed in the Acharya Harihara Sishu Bhawan at Sakshigopal, Puri, were happy with their living conditions, the orphanage lacked financial resources said Bajaj.

Finances were also required to empower women living in the homes for deserted and distressed widows. Bajaj said that the NCPCR was considering how to facilitate a request made by the widows to allow their children to live with them. "Our objective is to ensure the protection of children. In addition, we have seen that children left to fend for themselves are prone to traffickers. We are trying to ensure no child is deprived of her rights. So we will continue to monitor the situation in Orissa," added Bajaj. ■

Crack The Whip to Ban Child Labour in Cotton Seed Farming



Cracking the whip on hybrid cotton producing companies engaging child labour in Mehabubnagar and Kurnool Districts of Andhra Pradesh, the NCPCR has written to the Andhra Pradesh government to impress on these companies that employing child labour is in violation of their contract with the state government. In addition, legal action would be initiated against them unless this practice was immediately stopped.

This concern was voiced after a visit by a committee headed by Dipa Dixit, member of the Commission, to the two districts and discussions with mandal, district and state-level officials. According to the letter written by NCPCR to the state Chief Secretary Harinarayana, with copies to the Labour Commissioner, Social Welfare, Education and Labour Department Secretaries, the multiple level sub-contracted employment masks production and income flow relating to child labour. There are also no systematic regular mechanisms for monitoring violations by the companies.

Often, children are sent to work in the cotton fields within half an hour of pesticides being sprayed in the fields. Children working in the cotton fields have severe medical problems and several cases of death have been reported.

Discussions with the local community also revealed that there were not enough “geographically accessible” schools and hostels for children who have been rescued from child labour. In fact, even where there were schools, a scrutiny of their records indicated that many of them were showing children working in cotton seed farms as attending school.

The Commission was also surprised at the lack of prosecution of those employing children because cotton seed farming is



not explicitly categorized as a hazardous occupation under the Child Labour Act. Even the problems of children engaged in mining and quarrying activities are not being addressed and the Commission is pushing the state government to take action.

Calling for community based social mobilization against child labour, the Commission has said all contract employment must be transparent and there should be no dilution of the anti-child labour protocols. It has also insisted that every injury/death of a child labourer should be properly investigated and action taken. The state government has also been asked to simultaneously improve the quality of its schools and the condition of the hostels and to submit to the Commission the number of schools and hostels opened and the number of children admitted. ■

Journalists Are Catalysts of Change

A workshop to sensitise the media on child labour and education under the aegis of the National Commission for Protection of Child Rights was held in Hyderabad in November.

Journalists from the mainline newspapers like *The Indian Express*, *The Times of India*, *Hindustan Times*, *Jansatta*, *Hindustan*, *The Telegraph*, *Metro Now*, *New Indian Express*, *Raj Express*, *Indo-Asian News Service* and the *German News agency*, *DPA*, *Andhra Jyothi*, *The Hindu*, and *Maa TV* participated.

The workshop, the first of its kind by the NCPCR, was structured to provide different perspectives of the problem. Shantha Sinha, NCPCR chairperson, began proceedings with an introduction of the issue and the importance of keeping children in school to ensure elimination of child labour.

NCPCR, under the provisions of the Commissions for the Protection of Rights of the Children Act, 2005 is empowered to file petitions in the Supreme Court and the High Courts under Articles 32 and 226 of the Constitution of India seeking directions for the enforcement of children's rights. The NCPCR, said Sinha, would invoke these provisions whenever required.

As many as 4, 00,000 children had been withdrawn from work and mainstreamed into schools by MV Foundation, a Hyderabad based NGO that has done pioneering work in the field of child rights. It is working in 2000 villages in Andhra Pradesh and currently monitors the status of 600,000 children on a daily basis.

Four children, two boys and two girls, who had been rescued by MVE shared their stories. All of them had been sent to work by their parents. Although they wanted to attend school, they never got the opportunity. It was only when volunteers of MVE working in the area found out about them, were they able to regain their childhood. All of them are now going to school and are trying to persuade their communities to stop sending children to work.

This was reiterated by lawyer Ashok Agarwal of Social Jurist, a civil rights group consisting of lawyers and social activists pursuing causes of children related to education and child labour. Speaking on the right to free and compulsory education for all children, Agarwal contended that the government was one of the biggest promoters of the child labour as it was not sensitive to the education rights of the children and had failed to retain children in schools, especially government-run schools.

While AP was second in the list in terms of child labour, Rajasthan is ranked third according to the 2001 census. Giving an overview of the situation of child labour in Rajasthan, Ashok Khandelwal of the Rajasthan Mazdoor Union (RMU) said that in parts of the state bonded child labour in agriculture was rampant. In fact, RMU has found a number of children below 14 years of age employed in the cotton fields in the neighbouring state of Gujarat.

This RMU study on Gujarat revealed that of the two lakh-odd workers working in such fields, 33 per cent were below 14 years. Cases of sexual harassment, non-payment of wages,

physical abuse and health problems due to the use of pesticides in the fields were found to be rampant.

Even the government was found wanting in its policies towards children especially financial commitments. Instead of making greater investments in children, the allocation for children has been reduced in the current budget. According to Enakshi Ganguli, co-founder of the NGO, HAQ, Centre for Child Rights, of every Rs 100 in the union budget, a paltry Rs 4.80 has been promised for children.

On the second day of the workshop, journalists were divided into four groups for the field visit to the Ranga Reddy and Nalgonda district. Members of NCPCR, Sandhya Bajaj and Dipa Dixit, also accompanied the journalists.

All journalists were able to see first hand how the communities had been able to wean parents away from sending their children to work. They were able to talk to members of the gram panchayat (local government), visit local schools and also interact with rescued child labour now housed in residential bridge camps run by MVE.

On the third day, Satish Chandra, labour commissioner, AP,



Rescued children at a residential bridge camp in Ranga Reddy district

outlined the state government's response to the issue. The labour department had evolved a system of conducting Open Courts under Minimum Wages Act. Under this system they issues notices on the spot on inspection and followed by punitive action like monetary penalties.

In the last five months (June, 2007-October 2007) they had been able to identify 9329 children as child labour and filed 7892 claims for minimum wages. They had been able to declare three mandals in West Godavari District as "Child Labour Free".

The last session of the third day was presented by senior journalist Usha Rai on how the media could partner NCPCR in raising awareness of the issue sensitively. She said voices of children were seldom heard in the media. She pointed out that since the setting up of the NCPCR there had been a spurt in the number of child related stories. In fact journalists have to be the eyes and the ears of the Commission said Rai. ■

UN's Special Session on Children in December

Ombudspersons, Commissioners for Child Rights and other activists of Independent Human Rights Institutions for Children from a dozen countries met in Florence, Italy, this November to draw up the agenda for the second Global Session on Children in the United Nations to be held in the second week of December.

The Florence meeting was facilitated by the UNICEF Innocenti Research Centre. Since India has the largest child population in the world and has experienced everything from child trafficking to child labour and has a large number of out of school children, it was considered an important player and was represented at the meeting by Shantha Sinha, chairperson of the National Commission for Protection of Child Rights. Other countries represented at the Florence meeting were Mauritius, Spain, Jamaica, Peru, Colombia, New Zealand, Ireland, Greece, Canada, South Africa and Croatia. UNICEF officials from different regions also participated in the meeting.

The first Special Session on Children was held in 2002 and then Ombuds for children from all over the world contributed to shaping the agenda. So the role of Ombuds has been recognized as an important measure for creating a world fit for children.

The second Special Session on Children hopes to sustain

the momentum created by the first session and advocate for independent institutions that can put children and their rights at the centre of policy making at the country level.

The Ombuds shared their vision of childhood and children's rights and focused on child participation as the cornerstone of child rights policy and advocacy. They discussed a supportive network beyond national institutions which strengthens their position and independence. UNICEF-IRC will serve as the secretariat for the global network for children. The strength of the independent human rights institutions for children lies in their ability to make an independent submission to the Committee on the Rights of the Child and dialogue with it.

A draft statement prepared at the Florence meeting will be presented at the second special session on children. ■

Two New Working Committees

The NCPCR has set up working groups on 'Protection of children against Violence and Corporal Punishment in Schools' and 'Child Labour Act, 1986 and the Education Bill' to review the existing law, policy and practices in the country and evolve alternative laws, policies and programme strategies.

Both the groups are seeking the opinions of relevant stakeholders like children, teachers, teacher's unions, educationists, civil society organizations and government officials. ■



Feedback

Dear Shantha, So nice to hear from you through this wonderful newsletter. The lay out, design and the contents are all done professionally. Keep up the good work.

Shantharam
US Department of Agriculture, Washington

Congratulations for producing a newsletter to cover the issues of children. It's really good and the layout and pictures are expressive!

Gode Prasad
Child Rights Advocacy Forum, Vijaywada

Thank you very much for the newsletter. We have gone through it with much interest and found it informative and analytical.

C.J. George
By email

Congratulations for this required step. It is bound to go a long way in realisation of child rights.

Ashok Agarwal
Social Jurist, New Delhi

Congratulations for the excellent e-newsletter highlighting child rights issues in an appealing manner.

Mohammed Turab
Confederation of Voluntary Associations, Hyderabad

I saw the first newsletter of NCPCR. It has come out rather well. The story on attempts of the Dakshin Rajasthan Mazdoor Union, facilitated through my colleague Sudhir, to stop migration of tribal children taken from border districts of Rajasthan for cross pollination work in Bt. cotton is quite good. Please put us on the mailing list and we will keep hard copies of the E-newsletter for our record and wider readership.

Narendra
Prayas, Chittorgarh, Rajasthan ■

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