RAJASTHAN STATE HUMAN RIGHTS COMMISSION, JAIPUR

Projects by Law Students

Under the guidance of

Chairperson,
Justice N.K. Jain
(Former Chief Justice
High Court of Madras & Karnataka)

With best Compliments

RSHRC
Under the guidance of Hon’ble Mr. Justice N.K. Jain. (Former Chief justice of Madras and Karnataka High Court) Chariperson, RSHRC

Prepared by:- Internship students of various law university and colleges.
Human Rights Commission is an autonomous body to protect and promote basic rights of citizens. Its primary aim is to help every deprived person to acquire equal status in society.

By the Parliamentary act there is National Human Rights Commission at New Delhi and each state has State Human Rights Commission. This commission has power equivalent to a civil court. It has equivalent power to hear the plea of sufferer and give recommendation to concerned department to work on it. Its recommendation has a high stake and non-performance on its recommendation can lead to questioning in the Legislative Assembly. Otherwise the government has to give reason for not compliance. The commission or the other party can file writ petition in the High Court.
The State Government of Rajasthan issued a Notification on January 18, 1999 for the constitution of the State Commission having one full time Chairperson and 4 Members in accordance with the provisions of The Protection of Human Rights Act, 1993. The Commission was fully constituted by appointment of the Chairperson along with the Members and became functional from March 2000. The main mandate of the State Commission is to function as a watch dog for human rights in the State. Under the 1993 Act, human rights are defined in Section 2 (d) and are those justiciable rights which can be enforced in a court of law in India.

The Rajasthan State Human Rights Commission is reconstituted on 6th July 2005. One of the leading State Commissions in the country. In a short span of about four years it has achieved many milestones in its mission for the protection and promotion of Human Rights.
PRIMARY CATEGORIES OF HUMAN RIGHTS

- Civil Rights
- Political Rights
- Economic Rights
- Social Rights
- Cultural Rights
ISSUES IN HUMAN RIGHTS

- RIGHTS PERSPECTIVE FOR GOOD GOVERNANCE
- CORRUPTION AS VIOLATOR OF HUMAN RIGHTS
- RIGHTS PERSPECTIVE AS CENTER STAGE TO DEVELOPMENT AGENDA
The Commission shall perform all or any of the following functions, namely:-

(a) inquire, suo moto or on a petition presented to it by a victim or any person on his behalf (or on a direction or order of any Court), into complaint of
- (i) violation of human rights or abetment thereof; or
- (ii) negligence in the prevention of such violation, by a public servant;

(b) intervene in any proceeding involving any allegation of violation of human rights pending before a court with the approval of such court.
(c) to visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations thereon to the Government;

(d) review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation;

(e) review the factors, including acts of terrorism that inhibit the enjoyment of human rights and recommend appropriate remedial
NEED FOR HUMAN RIGHT COMMISSION

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

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

- He has been the former Chief Justice of Madras and Karnataka High Court for 5 years. Before taking charge as Hon’ble Chairperson of Rajasthan State Human Rights Commission on 16th July 2005, he had been discharged his duties as Lokayukta & Chairperson of Himachal Pradesh Human Rights Commission in Shimla.

- He has been the member of bar council of Rajasthan for 19 years, till elevated.

- He has also been the member of Bar Council India and Bar Council Trust, NLS Bangalore.

- Justice Jain has created a lot of awareness about Human Rights with great proficiency and tireless efforts.

- Regarding awareness of human rights and many other legal issues, Justice Jain has written many booklets in Hindi as well as English. Some of these booklets are also available on Commission’s Website- www.rshrc.nic.in, a German Website herenow4u.de. Some books are also available on his own website: justicenasgendrakjain.com

- Simultaneously, Justice Jain is also creating awareness of the duties mentioned in Article 51-A and made a Performa of these duties in simple language. About 100 educational institutions are taking pledge of these duties at the time of morning prayer. Many N.G.Os are also trying their best for the same awareness, with the inspiration from Justice Jain.

- He had also been Member with two Chief Justice in the Committee constituted by Chief Justice of India to examine the recommendations of Arrears Committee Report 1989-1990 (Justice Malimath Committee Report) and First National Judicial Pay Commission (Justice K. Jagannath Shetty Commission) Report.

- He was Chairman of Advisory Board and then Presiding Officer of the Tribunal Under the Criminal Law Amendment Act from 03-03-1998 to 08-01-1999.

- Executive Chairman of Tamilnadu State Legal Service Authority and patron-in-chief and also of Karnataka State Legal Authority.

- Attendent Chief Justice Conference of chief justice of different countries at colombo.
Hon’ble Chairperson and Members Of Rajasthan State Human Rights Commission are:

From 06-07-2005

Justice N K Jain, Chairperson

Members

Justice Jagat Singh

Shri D.S.Meena

Shri Pukhraj Seervi

Hon’ble Chief Minister Shri Ashok Gehlot
These books are kept in the Libraries of different schools and colleges for awareness of students as well as the teaching and ministerial staff. Some books are even kept in the UN-Congress Library at New Delhi.

Teachers of various school are interacting with the students on these issues in zero hours.

About legal aid committees, NGO’s / Educational Institutions above 45, and some Newspapers have re-printed/Published these booklets as intimated and about 70,000 booklets titled on women, child rights, dalits, arrest, human rights and HIV have been published and distributed free of cost among the general public to create awareness.
Legal Awareness Programmes

- For the awareness of the human rights in public at large, Justice Jain has wrote about 31 booklets of various legal issues. Out of these booklets 18 booklets have been published by the R.S.H.R.C. Many other organizations, District Legal Aid Authorities, Departments, Schools, Colleges etc. has also published some booklets like Women, Children, Dalits, Arrest, HIV/AIDS, Human Rights etc. by the permission of the Commission. They have distributed these booklets in 70000 in numbers.

- Some of these booklets are available on Commission’s website www.rshrc.nic.in and justicenagendrakjain.com. English translation of Some booklets are also available on a German website herenow4u.de.

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

1. सन्यासा/सत्समिति (हिंदी व अंग्रेजी में) www.herenow4u.de (Eng.)
2. भारतीय संस्कृति में अहिंसा व मानव अधिकार (हिंदी व अंग्रेजी में)
3. अतुलन व मानवाधिकार
4. खेल, खिलाड़ी व खेल भावना
5. बालकों के अधिकार। (पुनः प्रकाशित)
6. अन्तर्राष्ट्रीय मानवाधिकार दिवस 10 दिसम्बर। (पुनः प्रकाशित)
7. एच.आई.वी. एच.एस.एवं मानवाधिकार। (पुनः प्रकाशित)
8. मानवाधिकार और जैन धर्म। (हिंदी व अंग्रेजी में)
9. आयोग की कार्यविधि, शक्तियाँ एवं परिवर्तन की निर्देशन प्रक्रिया।
10. आयोग द्वारा जारी दिशा-निर्देश एवं अन्य गतिविधियाँ।
11. भारतीय संविधान की अनुच्छेद-21 ‘प्राण और दैहिक स्वतंत्रता का संरक्षण’।
12. महिलाओं के अधिकार- संबंधित अधिनियमों की संक्षिप्त जानकारी। (पुनः प्रकाशित, पुनः प्रकाशित 2008)
13. दलितों के अधिकार। (पुनः प्रकाशित)
14. मानव अधिकार और राज्य की जनोपयोगी योजनाएं।
15. गिरफ्तारी (ARREST) (पुनः प्रकाशित)
16. विधायिक स्थानीय क्षेत्र विकास योजना।
17. जेल, कारावास से संबंधित प्रावधान व गतिविधियाँ।
18. आयोग के महत्त्वपूर्ण कार्यकलाप दिशा-निर्देश एवं अन्य गतिविधियाँ 2007
19. आयोग के महत्त्वपूर्ण कार्यकलाप दिशा-निर्देश एवं अन्य गतिविधियाँ (पुनः प्रकाशित-2008)
20. Judicial Values & Ethics for Judicial Officers. www.rshrc.nic.in
22. Alternative Dispute Resolution, Conciliation & Mediation (ADR).
23. Institutional Arbitration Intellectual & Information Technology (IPR & IT).
25. Copy-right Law.
26. e-governance and Court Automation.
27. Article-14 Right to Equality.
29. Law of Precedent, Reference to Art. 141.
31. Public Interest Litigations & others.
The Commission under the guidance of the Hon’ble Chairperson is making the common people aware about the duties mentioned in Art. 51(A) of the Constitution.

Justice N.K Jain has made the Performa of these duties and distributed. So many institutions have reprinted and distributed in public to create awareness as many people are not aware of their duties.

He is motivating students of various schools, colleges and other institutions. Students of these institutions are reciting the oath of article 51(A) of Constitution of India under the guidance of R.S.H.R.C.
Reciting the Pledge — fundamental duties mentioned in Article 51-A, Constitution of India

"We are proud to be Indian"

It shall be the duty of every citizen of India:

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

"BE AWARE OF YOUR RIGHTS AND DISCHARGE DUTY WITH DEVOTION ."
Chairperson : Justice N.K. Jain  (Former Chief Justice - Madras and Karnataka High Court)

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Courtesy : Rajasthan State Co-operative Press Ltd., Jaipur
Phone : 0141-2751417, 2751352
2. HEDCON.
6. Bhartiya Chritra Nirman Sansthan, (NGO in tihar jail.)
7. Vidhya Trust, jaipur.
8. J.P.J. financial services, raja park, jaipur.
9. Prayas, Center for special education and vocation training.
10. Shree Digamder Jain Nasia Udayalal Ji Trust, Jaipur.
11. PAHAL Peoples Trust, Jaipur
12. Director, Tagore group of Education, Jaipur.
13. Principal, D.A.V. Centenary School, Jaipur.
16. Principal, Central Academy, Jaipur.
17. Rajasthan Chamber of Commerce and Industries, Jaipur.
18. District & Sessions Court, Rajsamand.
20. President, Lions Club, Jaipur (District 323 E-1 Club no.026309)
21. Bhagwan Mahaveer Cancer Hospital and Research Center, jaipur.
22. Modi Institute of Technology and Science, Laxmangurh.
24. Director, Biyani Girls College, Jaipur.
26. Principal, Subodh Public School, Jaipur.
29. District Chairman, Rajasthan Pensioner Society, Jaipur.
30. Lokshikshak Patrika Prakshan, Jaipur
32. Koshish Sansthan, Jaipur
33. ZUNETECH CONSULTING PVT.LTD, DELHI/BANGLORE
34. Vimukti sansthan/vimukti girls school, Jaipur
35. Jaipur theosophical lodge.
36. President Lions Club (District 323 E-1 Club No. 026309) & Jaina Printers, Jaipur
37. Rajasthan Rajya Shakari Mudranalaya Limited, Jaipur
38. Bharatvirshya Digamber Jain Tirthshatra committee Mumbai, Rajasthan Anchal.
39. Vidyasthali Group of Institutions Jaipur
40. Cosmic Yoga Combine, Kanti Nagar, Station Road, Jaipur
41. Jaipur Diabetes & Research Centre, Near Ridhi-Sidhi, Gopalpura Bypass, Jaipur
42. Vinayak Farma, D-74, Ghiya Marg, Banipark, Jaipur
43. Smt. Lalita Devi, Ramchandra Kasliwal Trust, Jaipur
44. District Jaipur Badminton Association, Jaipur
45. Helpage (India), Jaipur
46. Rajasthan polytechnic college, Ratangarh (churu) & Sambal Seva Sansthan, Jaipur
47. Dr. B. Lal Clinical Laboratory, Jaipur
48. Vashali Hitkari Sangthan, Jaipur
49. Secretary, Himachal Human Rights Commission, Shimla
50. Rajdhani Hospital and Rajdhani Hotel, Jaipur

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

In addition to that in legal literacy and awareness program, chairman motivated students and even general public to recite the pledge as mentioned in article 51(A) of Constitution of India. It is good sign that so many schools have started taking prayer as per instructions of different concerned authorities as per the request of the commission. Some of them are as follows:-
बियानी गर्ल्स कॉलेज विद्याधर नगर, जयपुर में राजस्थान राज्य मानवाधिकार आयोग के निर्देश पर छात्राओं को भारत के संविधान के अनुच्छेद 51ए का संकल्प दिलाते कॉलेज के वाइज प्रिंसीपल पी.सी. जांगिड़।
Students of some institutions reciting the Oath as per Article 51(A) of Constitution of India under the guidelines of RSHRC.
Students reciting the pledge.
छात्रों को पिलाई जाएगी मूल कर्त्तव्यों की गुट्टी

मानवविधाकार आयोग की पहल पर शिक्षा विभाग से आदेश जारी
जयपुर, 19 जुलाई (कास.)

छात्र जीवन से ही नगरीकों को मूल अधिकारों के साथ मूल कर्त्तव्यों की पालना की युद्ध पिलाई जाएगी। शिक्षा विभाग ने सभी शिक्षा संस्थाओं में छात्रों को संवैधानिक कर्त्तव्यों के पालना का संकल्प दिलवाना का आदेश दिया है।

राजपथ मानवविधाक, आयोग ने नगरिकों को मूल कर्त्तव्यों की पालना का संकल्प दिलवाने के लिए एक प्रावधान तैयार किया है, जिसकी प्रतियां आधा दर्जन से अधिक मंत्रियों, अधिकारियों तथा दर्जन स्तरों में भिजवाई गई है। शिक्षा विभाग ने आयोग के सुझाव पर मान्यतिक, प्राथमिक और संस्कृति शिक्षा के निदेशकों को निर्देशित किया है कि वे अपने क्षेत्रीय अधिकार की शिक्षा संस्थाओं में छात्रों को संविधान के आनुक्रेड 51-57 में उल्लेखित पद्धतियों तथा नियमों का संकल्प दिलाएं।

रूप है मूल कर्त्तव्य

संविधान में नागरिकों के मूल कर्त्तव्य है- "रास्ता चाहे और उसके आदर्श, धृष्टिकोण व राष्ट्रीय का आदर करे" यह भाषन के लिए प्रेति करने वाले आदर्श का पालन करे व "भारत की प्रणाम, एकता-अंकितादेश, सार्वभौम व समस्त, वन, झील, नदी व बन्दर जीवों की रक्षा करे" तथा साथ समय सिद्ध करे व "हिंसा के दूर रहकर, शांति के प्रति दयालु रहिए" व "वैज्ञानिक हृदिकोण, मानववाद, सुधा को भावना का विकास करे" तथा सभी नागरिकों में समस्तता व धृष्टिकोण की भावना का निर्माण करे।

बंदियों ने लिया मानव अधिकार रक्षा का व्रत

भरतपुर: भारतीय चर्चा निर्माण संस्थान नई दिल्ली द्वारा निकाली जा रही गीता संदेश यात्रा सौमवार को भरतपुर स्थित सेवर कारागार पहुंची। संस्थान द्वारा कारागार में बंदियों को मानव अधिकार रक्षा का संकल्प कराया गया।

कारागार में पहुंची गीता संदेश यात्रा के उपरांत एक कार्यक्रम का आयोजन किया गया। उसमें संस्थान के संस्थापक रमकुश्यान गोस्वामी, संचित्र श्रीचंद साह, भरतपुर के अधिवक्ता सरदार महेंद्र सिंह मागो, उमेश शर्मा, जेलर श्रीराम शामार द्वारा कैदियों को चर्चा निर्माण सहित गीता के उपदेशों के बारे में विस्तार से जानकारी दी गयी।

इस अवसर पर कैदी भगवान सिंह, कांता प्रसाद शर्मा, तेजवीर गुरज, मुख्यार सिंह, मानवीर, सीताराम सहित अन्य बंदियों द्वारा संस्थान के संस्थापक रमकुश्यान गोस्वामी से परमाम, आत्मा, जन्म, मूल्य, कर्म के संबंध में प्रश्न पूछे गये। इस दौरान जेल परिसर में गिरजागढ़ महाराज की जय व श्री कृष्ण गोविंदहरे मुरारी बोल गूंजते रहे।
जेल में बंदियों ने लिया रक्षा का संकल्प

भारतपुर, 25 अगस्त। श्रीकृष्ण जन्माष्टमी पर 12 दिवसीय गीता संदेश यात्रा के अन्तर्गत सेवर केन्द्रीय कारागार भरतपुर में बंदियों ने मानव अधिकार रक्षा हेतु अपराध मुक्त समाज निर्माण का संकल्प दिया। भारतीय चरित्र निर्माण संस्थान दिल्ली के तत्त्वावधान में बिहार भंडार दिखी से प्रारंभ हुई यात्रा। आज तीसरे दिन भरतपुर कारागार में पहुंची तो बंदियों ने बोल गिरात महाराज की जय से जेल की दीवारों को गुजा दिया। संस्थान के संस्थापक रामकृष्ण गोस्वामी ने भगवान श्रीकृष्ण के विराट रूप दर्शन के तत्त्वावधान से बंदियों से अपील की अपराधी की रोकथाम और मानव अधिकारों की रक्षा के महत्व में आह्वान देकर ही आप सबधन से मुक्त होने का सीधांत प्राप्त कर सकते हैं। श्रीचन्द्र साहू संविधान भारतीय चरित्र निर्माण संस्थान ने कल मथुरा की कारागार में बंदियों द्वारा पूछे गए प्रश्नों को संदर्भित करते हुए कहा कि गीता ज्ञान ही मानव जीवन की सफलता का बिज्ञान है इसके बिना परिवार और समाज की सुरक्षा संरक्षण ही नहीं है। समाज सेवी एवं अधिवक्ता सरदार महेंद्र सिंह मंगो ने अपने विचार रखते हुए कहा कि ज्ञान ही भगवान है अज्ञान ही शैतान है इसलिये शैतान से मुक्त हेतु गीता ज्ञान की परम आवश्यकता है। सरदार तारा सिंह ने विश्वस्ता श्रीकृष्ण की तत्काल पर दुपद्वा पहनाकर और पुष्प अर्पित करके कहा कि भरतपुर कारागार बन्दी उड़ार और राष्ट्र कल्याण का अनुदा अभियान है। देवेंद्र भिक्कु ने बंदियों की गीता की पुस्तक की ओर जेल से बाहर कार्यक्रम करने की अपील भारतीय चरित्र निर्माण संस्थान से की। अधिवक्ता उमेश शर्मा ने भारतीय चरित्र निर्माण संस्था की पूर्ण भूमि पर प्रकाश डालते हुए कहा कि सन् 2003 से ही संस्थान भरतपुर जेल में अपराध मुक्त समाज निर्माण अभियान में जुटा है। कारागार में जेल श्रीराम शर्मा ने कृष्णा जन्माष्टमी पर गीता के कवि बिज्ञान में संदेश से मानव कल्याण निक्षेप साधन बताते हुए कहा कि जेल सूचर और मानव अधिकार रक्षा का यह अद्वितीय अभियान है भरतपुर कारागार प्रशासन का संस्थान को पूर्ण सहयोग सदृश मिलता रहेगा। बंदी भगवान सिंह गिरिजा, कांता प्रसाद शर्मा, तेजीवर गुजर, पंडित मुख्तियार, सीताराम एवं अन्य बंदियों ने परमात्मा,जयं- मूतु कर्म और फल के संबंध में अनेक प्रश्न पूछे जिनका समाधान रामकृष्ण गोस्वामी जी द्वारा श्रीमद्भागवत गीता में संदर्भित करते हुए किया गया। राजस्थान मानवाधिकार आयोग के माननीय अध्यक्ष एवं उनके जैन ने सुझाव दिया कि भारतीय संविधान में अनुसरण 51 ए में वर्णित देश के नागरिक के मूल कर्तव्य का संकल्प कराए। उसी के अनुसार संस्थान ने बंदियों का संकल्प पद्म पत्रिका और बंदियों ने संकल्प लिया।
बात उस में ही माननीय
लंचार्जवार्ड अधिकारी के दायों में जलाकरी ते का उपलब्ध किया जा रहा है।

ान्तरराष्ट्रीय मानवाधिकार दिवस

बात उस में ही माननीय
लंचार्जवार्ड अधिकारी के दायों में जलाकरी ते का उपलब्ध किया जा रहा है।

अधिकारों के साथ-साथ कर्त्तव्य भी निर्माण

अधिकारों के साथ-साथ कर्त्तव्य भी निर्माण

अधिकारों के साथ-साथ कर्त्तव्य भी निर्माण

अधिकारों के साथ-साथ कर्त्तव्य भी निर्माण

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अधिकारों के साथ-साथ कर्त्तव्य भी निर्माण
News Reporting

Human Rights and duties

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

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

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

The Human Rights Commission is concerned on all such issues. Apart from grievances addressed to the office, the Commission takes cognizance on the matters being reported in newspapers. It is not confined to any police, court or an individual.
Out of 22 law students of different Univ./Law college, 13 students have made Power Point Project and other have submitted reports on Internship with commission on different respective subjects including Human Rights Commission and Activities.

<table>
<thead>
<tr>
<th>Sr. no.</th>
<th>Title of projects</th>
<th>Slide No</th>
<th>Student’s Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>About Commission and activities</td>
<td>01-28</td>
<td>Consolidated Index</td>
</tr>
<tr>
<td></td>
<td></td>
<td>29-30</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Women Rights</td>
<td>31-49</td>
<td>Ritushree</td>
</tr>
<tr>
<td>3.</td>
<td>Cancer</td>
<td>50-80</td>
<td>Rupendra</td>
</tr>
<tr>
<td>4.</td>
<td>Child Labour</td>
<td>81-133</td>
<td>Sandeep</td>
</tr>
<tr>
<td>5.</td>
<td>HIV AIDS</td>
<td>134-156</td>
<td>Bhanu pratap</td>
</tr>
<tr>
<td>7.</td>
<td>Dalit</td>
<td>180-216</td>
<td>Chandraveer</td>
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### Various Projects done by internship Students during April 09 to June 09:

<table>
<thead>
<tr>
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<th>Slide No.</th>
<th>Student’s Name</th>
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<td>8.</td>
<td>Arrest</td>
<td>217-242</td>
<td>Zeeshan</td>
</tr>
<tr>
<td>10</td>
<td>Women’s Right</td>
<td>277-291</td>
<td>Dr. Deepa Jain (S.I. RSHRC)</td>
</tr>
<tr>
<td>11</td>
<td>Working of commission</td>
<td>294-316</td>
<td>Namit saxena &amp; Abhikalp</td>
</tr>
<tr>
<td>12</td>
<td>Juvenile justice</td>
<td>317-344</td>
<td>Tarpit Patni</td>
</tr>
<tr>
<td>13</td>
<td>Child Right</td>
<td>345-360</td>
<td>Sheetal Mishra</td>
</tr>
<tr>
<td>14</td>
<td>Fundamental Duties Art.51-A</td>
<td>361-397 / 398</td>
<td>Trishal Jeet Singh Anand, Pradeep</td>
</tr>
<tr>
<td></td>
<td>Compiled by</td>
<td>399-400</td>
<td>Secretary RSHRC</td>
</tr>
<tr>
<td></td>
<td>Thanks to one and all</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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Under the guidance of Hon’ble Mr. Justice N.K. Jain.
(Former Chief justice of Madras and Karnataka High Court)
Chairperson of RSHRC, SSO building Secretariat, Jaipur
RAJASTHAN STATE HUMAN RIGHTS COMMISSION
JAIPUR

Project on CHILD LABOUR

Under the guidance of Hon’ble Mr. Justice N.K. Jain.
(Former Chief justice of Madras and Karnataka High Court)
Chariperson, RSHRC

Prepared by:-
RUPENDRA SINGH
SANDEEP SINGH
(Students of BVP, NEW LAW COLLEGE Pune, Maharashtra.)
Some Sweet Ones
Some Bitter Ones
SOME WORST ONES...
INTRODUCTION…

• Child labour is done by any working child who is under the age specified by law. The word, “work” means full time commercial work to sustain self or add to the family income. Child labour is a hazard to a Child’s mental, physical, social, educational, emotional and spiritual development. Broadly any child who is employed in activities to feed self and family is being subjected to “CHILD LABOUR”.

• It is obligatory for all countries to set a minimum age for employment according to the rules of ILO written in Convention 138(C.138). The stipulated age for employment should not be below the age for finishing compulsory schooling, that is not below the age of 15. Developing countries like INDIA allowed to set the minimum age at 14 years in accordance with their socio-economic circumstances.

• The Indian constitution categorically states that child labour is a wrong practice, and standards should be set by law to eliminate it. The CHILD LABOUR Act of 1986 implemented by the government of India makes child labour illegal in many regions and sets the minimum age of employment at fourteen years.
The Industrial revolution had ushered in the horrendous practice of employing children of 4 and 5 years in factories in environmental conditions, which were risky for their health and well being, often proving fatal. Developed countries have reacted sharply to this historical fact by equating “child labour” with human right violation. However poor countries are more accepting about child labour as a living necessity.
WHETHER ALL WORKS FOR CHILDREN ARE CHILD LABOUR...

- Work that does not obstruct with a child’s education is considered light work and allowed from age 12 under the International Labour Organization (ILO Convention 138). It is because of this that many children employed in part time work like learning craft or other skills of a hereditary nature are not called child labours.

- The same work translates into child labour if a child is thrown into weaving carpets, working into factories or some other employment to earn money to sustain self, or augment his family’s income - without being given school education and allowed opportunities for normal social interactions.

- A child working part time (3-4 hours) to learn and earn for self and parents after school, is not considered ‘child labour’.
Child Population in India.....

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

India has

highest rate of neo-natal deaths (around 35%) in the world.  
40% of child malnutrition in developing world.  
50% of the child mortality.  
Reducing number of girls in 0-6 age group - *for every 1000 boys 927 girls.*  
46% children from ST and 38% SC out of school.  
High rate of child marriage:
  37% of literate & 51% of illiterate girls are married below 18  
  10% of literate & 15% of illiterate boys are married below 18  
Large number of child labourers.  
Large number of sexually abused children.
Child Labour Fact Sheet

- 73 million working children are less than 10 years old.

- While buffaloes may cost up to 15,000 rupees, children are sold at prices between 500 and 2,000 rupees.

- 47 out of 100 children in India enrolled in class I reach class VIII, putting the dropout rate at 52.79%.

- Approximately 16.64% of villages in the country do not have facilities for primary schooling. (UNICEF)

- 42 million children in the age-group 6-14 years do not attend school in India.

- In India 14.4% children between 10 and 14 years of age are employed in child labor.
PERCENTAGE OF CHILDREN IN CHILD LABOUR...

Figure 11: Percentage of children (aged 10-14) in the labour force, 1990 and 2003 (selected countries with 1990 data over 10%)
Causes of Child Labour....

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

**POVERTY**: Many a time poverty forces parents to send their children to hazardous jobs.

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

**OVER POPULATION**: Limited resources and more mouths to feed, Children are employed in various forms of work.
ORPHANS: Children born out of wedlock, children with no parents and relatives, often do not find anyone to support them. Thus they are forced to work for their own living.

WILLINGNESS TO EXPLOIT CHILDREN: This is at the root of the problem. Even if a family is very poor, the incidence of child labour will be very low unless there are people willing to exploit these children.

UNEMPLOYMENT OF ELDERS: Elders often find it difficult to get jobs. The industrialists and factory owners find it profitable to employ children. This is so because they can pay less and extract more work. They will also not create union problem.
Consequences For Children...

- **Physical injuries and mutilations** are caused by badly maintained machinery on farms and in factories, machete accidents in plantations, and any number of hazards encountered in industries such as mining, ceramics and fireworks manufacture.

- **Pesticide poisoning** is one of the biggest killers of child labourers. In Sri Lanka, pesticides kill more children than diphtheria, malaria, polio and tetanus combined. The global death toll each year from pesticides is supposed to be approximately 40,000.

- **Growth deficiency** is prevalent among working children, who tend to be shorter and lighter than other children; these deficiencies also impact on their adult life.
**Long-term health problems**, such as respiratory disease, asbestosis and a variety of cancers, are common in countries where children are forced to work with dangerous chemicals.

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

**Exhaustion and malnutrition** are a result of underdeveloped children performing heavy manual labour, working long hours in unbearable conditions and not earning enough to feed themselves adequately.
Child labour is both a cause and consequence of poverty.
CHILD LABOUR - IMPACT ON SOCIETY

- Backwardness
- Illiteracy
- Superstitions
- Child Marriages
- Poor Social Development
- Threat to Culture
FORMS OF CHILD LABOUR:

- **Forced Labour**
  - to extract work or service from any person using the threat of penalties.

- **Debt Bondage**
  - debt bondage occurs when an individual is pledged into slavery as collateral on a loan or to pay a debt. Sometimes parents will pledge their children or the entire family into debt bondage.
  - It is nearly impossible to pay off debt because additional debt is constantly accrued through additional expenses, such as food and lodging.
**Chattel Slavery**

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

**Religious Slavery**

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

**Participation rates in schooling and child labour in rural and urban India**

<table>
<thead>
<tr>
<th></th>
<th>Rural</th>
<th></th>
<th>Urban</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1983</td>
<td>87/88</td>
<td>93/94</td>
<td>99/00</td>
</tr>
<tr>
<td>Attend School</td>
<td>48.5</td>
<td>55.1</td>
<td>66.8</td>
<td>72.8</td>
</tr>
<tr>
<td>Work</td>
<td>36.0</td>
<td>25.0</td>
<td>20.5</td>
<td>14.1</td>
</tr>
<tr>
<td>Work Only</td>
<td>35.5</td>
<td>24.5</td>
<td>20.1</td>
<td>13.6</td>
</tr>
<tr>
<td>Market Work</td>
<td>19.3</td>
<td>13.7</td>
<td>10.8</td>
<td>7.5</td>
</tr>
<tr>
<td><em>household ent.</em></td>
<td>11.9</td>
<td>8.2</td>
<td>6.3</td>
<td>4.0</td>
</tr>
<tr>
<td><em>wage work</em></td>
<td>7.1</td>
<td>5.5</td>
<td>4.5</td>
<td>3.5</td>
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<tr>
<td><em>begging</em></td>
<td>0.0</td>
<td>0.1</td>
<td>0.0</td>
<td>0.0</td>
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<tr>
<td><em>domestic work</em></td>
<td>16.7</td>
<td>11.2</td>
<td>9.6</td>
<td>6.6</td>
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</table>
Child Labour In India

CHILD LABOUR

41 per 1,000 children aged below 15 only have one parent alive

GOI - UNICEF COOPERATION
2003-2007
## Child Labour Industry...

<table>
<thead>
<tr>
<th>Industry (India)</th>
<th>%share</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Pan, Bidi &amp; Cigarettes</td>
<td>18</td>
</tr>
<tr>
<td>2 Construction</td>
<td>15</td>
</tr>
<tr>
<td>3 Domestic workers*</td>
<td>12</td>
</tr>
<tr>
<td>4 Spinning/ weaving</td>
<td>11</td>
</tr>
<tr>
<td>5 Brick-kilns, tiles</td>
<td>9.5</td>
</tr>
<tr>
<td>6 Dhabas/ Restaurants/ Hotels/ Motels*</td>
<td>7.7</td>
</tr>
<tr>
<td>7 Auto-workshop, vehicle repairs</td>
<td>7</td>
</tr>
<tr>
<td>8 Gem-cutting, Jewellery</td>
<td>6.2</td>
</tr>
<tr>
<td>9 Carpet-making</td>
<td>5.8</td>
</tr>
<tr>
<td>10 Ceramic</td>
<td>4.1</td>
</tr>
<tr>
<td>11 Agarbati, Dhoop &amp; Detergent making</td>
<td>2.7</td>
</tr>
<tr>
<td>12 Others</td>
<td>2</td>
</tr>
</tbody>
</table>
The right to survival and to the resources necessary for survival such as food, water and shelter.

To develop to the fullest of their potential, such as having access to education.

To protection from harmful influences, abuse and exploitation of any kind.

To participate fully in the family, cultural and social life of their communities.
National Policy on Child Labour was formulated in 1987.

Prohibition of children being employed in hazardous occupations and processes.

Poverty being the main root cause the govt has decided to generate the employment.

Supplementary nutrition and regular health check ups so as to prepare them to join regular mainstream schools.
Initiatives towards Elimination of Child Labour

- The government has made efforts to prohibit child labor by enacting Child labor laws in India including the 1986 Child Labor (Prohibition and Regulation).

- Government has accordingly been taking proactive steps to tackle this problem through strict enforcement of legislative provisions along with simultaneous rehabilitative measures.

- State Governments, which are the appropriate implementing authorities, have been conducting regular inspections and raids to detect cases of violations.

- Government has been laying a lot of emphasis on the rehabilitation of these children and on improving the economic conditions of their families.
THE CHILD LABOUR
(Prohibition and Regulation) ACT, 1986

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

1. Transport of passengers, goods; or mails by railway.

2. Cinder picking, clearing of an ash pit or building operation in the railway premise.

3. Work in a catering establishment at a railway station, involving the movement of vendor or any other employee of the establishment from one platform to another or into or out of a moving train.

4. Work relating to the construction of railway station or with any other work where such work is done in close proximity to or between the railway lines.

5. The port authority within the limits of any port. 107.

6. Work relating to selling of crackers and fireworks in shops with temporary licenses.
7. Abattoirs/slaughter Houses.

8. Automobile workshops and garages.


10. Handling of taxies or inflammable substance or explosives.

11. Handlom and powerloom industry.

12. Mines (Under ground and under water) and collieries.

13. Plastic units and Fiber glass workshop.
THE CHILD LABOUR
(Prohibition and Regulation) ACT, 1986

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

- Protecting children in difficult circumstances including natural disasters:
  - Children in Need of Care and Protection.
  - Child in Conflict with Law.

- Elimination of child labour.

- Protecting children from being trafficked for commercial and sexual exploitation.

- Protecting children affected by HIV/AIDS.
Children in Need of Care & Protection…

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

The existing schemes & programmes of GOI includes:

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

Proposed Integrated Child Protection Scheme (ICPS)

- GOI has proposed to combine its existing different child protection schemes under one integrated scheme.

- It aims to provide for care and protection of all the children in conflict with law and children in need of care and protection.

- It proposes to involve steps to:
  - Strengthen families and prevent them from breakup and children becoming homeless and without care and protection.
  - Provide support to children already outside the mainstream, beginning from emergency outreach services to final rehabilitation with their families/society.
Gaps...

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

- Skewed utilization of resources in terms of geographical spread;

- Lack of coordination and convergence of programmes/services;

- Inadequate emphasis for reintegration and restoration to families for rehabilitation;

- Inadequate budgetary allocation for child protection.

- Inadequate training and capacity building of functionaries under juvenile justice system.
Current Initiatives…


- Comprehensive Scheme “Integrated Child Protection Programme.”

- Adoption Scheme.
In complaint no. 07/17/2447, news published in daily news, “Bachche bhuke, hakim jeemne se nahi chuke” in the complaint commission had expected from commissioner, Primary Edu., Rajasthan, Bikaner that in the village “shankarpura” of Fagi Tehsil the incident of starving of the children should not be repeated in the future.

In complaint no. 07/17/889 commissioner, primary edu. Bikaner had been expected that “teacher will be any where, should not behave cruelly with the student.” take a proper action the same.
PROBLEMS FACED IN ABOLISHMENT OF CHILD LABOUR

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

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

It all changed...
SUGGESTIONS…

- Central Adoption Resource Agency (CARA) functions as the Central Authority for promoting Adoptions in India should be implemented.

- The Ministry recognizes that there are gaps in the existing Adoption system and must be removed.

- A draft Scheme has been prepared to streamline the Adoption System in the country.

- Child labour will only disappear when poverty disappears. Hazardous labour can, and should be eliminated by even the poorest countries.

- Child labour will reduce if Government applies pressure through sanctions and boycotts.
CONTINUE....

- Economic development that raised family incomes and living standards.

- Widespread, affordable, required and relevant education.

- Enforcement of anti-child labour laws.

- Changes in public attitudes toward children that elevated the importance of education.
Child Labour

How can we help?

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

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

Get Involved
Children's Activities...
Child Labour

World Day against child labour

12th June
Children are remarkably imaginative and resilient - but also heartbreakingly fragile and vulnerable.

“So let us share their dreams
And shape their future”. 

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