

## Role of bachpan bachao andolan in protection of child human rights in India

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### Abstract

This paper seeks to examine the role of Bachpan Bachao Andolan in protection of Child human rights in India. This work is based on secondary data mostly officials reports of Bachpan Bachao Andolan (BBA), National Commission for Protection of Children Right and National Human Right Commission. BBA is a Non-Governmental Organization (NGO) formed by Kailash SatyaRathi in 1980. Its main aim was to create a child friendly society, where all children are free from exploitation and receive free and quality education. Its main focus is on ending bounded labour, child labour and human trafficking, as well as demanding the right to education for all children. BBA became the first organization in India to highlight the issue and spread the wider south Asia coalition on child Servitude (SACCS). This paper also deals with the constitutional safeguard for Children in India as well as the various schemes for welfare of children. According to National Commission for Enterprises in unorganized sector (2007), the potential child labour pool in the country remains high as 45.2 million children. The non-governmental organization estimate the number of child labourers cumulate to 60 million, which is 6% of the total population of India. However, the NFHS-3 Report (2005-06) claims 15% children in India remain in employment.

**Keywords:** human rights, bachpan bachao andolan, child labour

### Introduction

Although children are regarded as God's apostles who come to this world bringing the messages of God. In spite of this feeling, they had to suffer or enjoy their lives according to the status and conditions on their parents. It was perhaps Mrs. E Jebb of England who first started an international movement for providing the child with a status. It would not be difficult to find wide gap between the promise and performance. The director of United Nations Children Funds (UNICEF) himself confessed in 1982 that children of the world were really suffering with 40000 children quietly dying each day and hundred million children widely going to sleep hungry at night. The conditions in India is no less grim. The year 1979 was designated as international year of the Child (IYC). A logo designed by Erik Terichav of Denmark was officially approved which depicts to embracing figures enriched by UN larval leaves and which symbolizes the relationship between adult and child. November 14, Jawaharlal Nehru's birthday was declared as universal children's day. The convention of the Rights of Child (CRC) drafted by the UN Commission on Human Rights and adopted by the General Assembly of the United Nation on November 20, 1989 is a set of International Standard and measurement for protecting and promoting the well-being of children in society.

### Human rights

The concept of Human Right is not new and its genesis can be traced to the philosophical foundation of the liberal democratic tradition in Europe, especially in Great Britain, France and also United States. Human Rights got philosophical treatment in the work of Thoreau in his treatise, civil disobedience, of the English Philosopher J S Mill, in his

easy On Liberty and the American Political theorist Thomas Paine in his essay, The Right of Man. But before the reformation and the age of region (Renaissance), the Puritan Revolution and the glorious revolution of the 17<sup>th</sup> century also saw contribution of philosopher to the issue of rights of man in the works of Hobbes in his *Leviathan*. Lock in his *Two Treatise on Government* and Rousseau in his *Contract Sociale*. One of the earliest documents on human rights was *Magna Carta* which was forced on King John in 1215 by the English Barons. The *Magna Carta* embodied such principles as trial by jury of peers, an end to feudal forced labour, no confiscation of property without compensation, equality of all before the law, and the right to free migration. Almost a century later, in 1776, most of the British colonies in North America which proclaimed their independence from the British Empire in the document "*The American Declaration of Independence*" said, with reference to natural rights, that "we hold these rights to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness". The formation of the United Nation was a landmark in the institutionalization of human rights. The UN Charter and the Universal Declaration of Human Rights are the most explicit expression of human rights and dignity. Human Rights, as enshrined in the major International instruments, are embodiment of basic rights of individual, which they are entitled to enjoy as human being.

These are those minimum right which are compulsory obtained by every individual as he she is a member of human family. This concept is based on the assumption that human beings are born equal in dignity and rights. These are moral claims which are inherited in all human beings by virtue of the

member of humanity alone. According to H. J. Lasaki "Rights are those conditions of social life, without which no man can his best self." United Nations Center for human Rights defined human rights as "those rights which are inherited in our nature and without which we cannot live as human beings".

### **Bachpan Bachao Andolan**

It was formed by Kailash SatyaRathi in 1980. Its main aim was to create a child friendly society, where all children are free from exploitation and receive free and quality education. Its main focus is on ending bounded labour, child labour and human trafficking, as well as demanding the right to education for all children. BBA became the first organization in India to highlight the issue and spread the wider south Asia coalition on child Servitude (SACCS). It has so far freed 85000 children from servitude, Including bounded labourers, and helped in their successful re-integration and re-habitation and education.

### **Child Labour**

Hundreds of millions of children throughout the world are engaged in work that deprives them of adequate education, health, leisure and basic freedom, violating their rights. Out of these children, more than half are exposed to the worst form of child labour such as work in hazardous environment, slavery, or other forms of forced labour, illicit activities such as drug trafficking and prostitution, as well as involvement in armed conflict. 18 years is the dividing line between childhood and adulthood. A child labourer is a person below 18 years of age who is working in hazardous environment, slavery, or other forms of forced labour, illicit activities such as trafficking and prostitution, or armed conflict. The International Labour Organization (ILO) launched the first World Day against Children Labour in 2002 to highlight the plight of these children. The day which is observed on June 12<sup>th</sup>, is intended to serve as a catalyst for the growing worldwide movement against child labour, reflected in the huge number of ratification of ILO Convention No. 182 on the worst forms of child labour and ILO Convention No. 138 on the minimum age for employment. According to the ILO "Acceleration Action against Child Labour" Report (2010), there are 215 million children employed as child labourer worldwide out of which 115 million are working in hazardous occupations. According to census of India 2001, 12.7 million children are working in various sectors across country, which is the largest number of child labourers in a country. According to National Commission for Enterprises in Unorganized sector (2007), the potential child labour pool in the country remains high as 45.2 million children. The non-governmental organization estimate the number of child labourers cumulate to 60 million, which is 6% of the total population of India. However, the NFHS-3 Report (2005-06) claims 15% children in India remain in employment.

"A child is any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier". According to the constitution of India child means a person below the age of 14 years. The plantation Labour Act 7 defines a child as a person of 12 years. As per the factories Act 8, child is a person who is under the age of

14 years. Under the child labour Act 12, children means a person below the age of 14 years.

### **Objectives of the study**

1. To know about the Bachpan Bachao Andolan (BBA).
2. To know the constitutional safe guards to children in India.

### **Research methodology**

This paper is basically descriptive and analytical in nature. In this paper an attempt has been made to about policies and programmes of BBA. Data from various published and unpublished sources was used for this study. After the analysis of data and discussion some suggestion were provided to improve condition of women in India.

### **Role of BBA**

Child labour is one of the biggest challenge for India. Bachpan Bachao Andolan was founded in 1980 by Kailash Satyarthi with a small group of likeminded individuals for protection of Children against child labour. Bachpan Bachao Andolan has been successful changed the fate of 82000 children rescued from exploitation in achieving important anti-child labour and anti-trafficking laws. Bal Ashram was opened by BBA in Rajasthan. Its main aim was to provide a long term solution to former child labour.

### **Programmes of BBA**

1. **Bal Mitra Gram:** This programme was started by BBA in 2001. It is also known as child friendly villages. This programme demanded the creation of an elected children assembly in village and its linkages with the village council. It also aimed to enrollment of children in school and community actions for child. A Bal Mitra Gram is a village where
  - a. No child is being exploited.
  - b. All children are enrolled in school.
  - c. Children are empowered about their right and formation for children elected village assembly.
  - d. The official village council recognize children elected council as a part of decision making process of village.
2. **Siksha Yatra:** BBA organized and led a six months long campaign across India with a 15000 km long march called Siksha Yatra. Based on its demand Govt. of India passed Right of Children to free and compulsory education Act in 2001.
3. **Anti-factories campaign:** BBA started it in 1991 to highlight the plight of young children involved in the manufacturing of fire like crackers.
4. **South Asian coalition on Child Servitude (SACCS):** It is a network of more than 750 civil society organization working to abolish forced labours in South Asian. It is started by Bachpan Bachao Andolan in 1989.

According to the BBA since 1980 they have rescued 86325 children from bounded labour and slavery.

### **Provision of Child Human Right in India Constitution:**

1. **Right to education 21(A):** Right to free and compulsory education act or right to education Act was passed by

parliament in 2002 which made education a fundamental right. This Article states “the state shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the state may by law determine.

2. **Art. 45:** Provision for early childhood care and education to children below the age of six years. This article state, “the state shall endeavor to provide early child care and education for all children until the complete age of six years.
3. **Art. 51:** This article was added as a fundamental duty in the constitution of India by 86<sup>th</sup> amendment, 2002. This article states that, “who is a parent or a guardian to provide opportunities for education to his child are, as the case may be, ward between the age of six and fourteen years.”
4. **Art. 24:** Article 24 mandates that no child below age of fourteen years shall be employed to work in any factory or mine or engaged in any hazardous employment.
5. **Art. 39:** This article states that children are given opportunities and facilities to develop in a healthy manner and in condition of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

#### **National Commission for Protection of Child Rights (NCPDR)**

It is an Indian Govt. commission established by an act of Parliament, the commission for Protection of Child Rights Act in December 2005, thus is a statutory body. The commission works under the aegis of ministry of women and child development, government of India. The commission began operation in the year of 2007. The commission considers it that its Mandate is “to ensure that all laws, policies, programmes, and administrative mechanism are in consonance with the child rights prospective as enshrined in the constitution of India and the UN Convention on the Rights of the Child. As defined by the commission, child includes those up to the age of 18 years.

#### **Policies and programmes by Govt. of India**

Following are some of programmes for children in India

1. The Rajiv Gandhi Scheme for Empowerment of Adolescent Girls
2. Kishori Shakti Yojna
3. Nutrition programme for Adolescent Girls
4. Dhanalakshmi
5. Poorna Shakti Kendra
6. Integrated Child Protection Scheme
7. Bal Vivah Abhiyan
8. The National Bravery Award
9. The Sukanya Samridhi Account Yojna
10. Mukhya Mantri Kanya Vivah Yojna
11. Rashtriya Kishor Swasthya Karyakram
12. Conditional Cash Transfer

#### **Conclusion and suggestion**

Children are future of a nation while healthy prosperous and growing children ensure bright future working exploited and physically weak children not only suffer but also fail to

contribute towards the growth of the country. Studies reveals that though child labour is primarily an outcome of poverty and uneven development, no country in the world today is free from the menace of child labour. Every country rich or poor developed or developing, technological advanced or not endeavors to eliminate or reduce the plight of the child labour as none of them could afford to bear the brunt of mort ganging the future by ignoring the working children. The Govt. of India since the adoption of Constitution in 1950 has been making efforts to tackle the problem of child labour in the country. The Govt. of India, state Govt. international agencies like UNICEF, ILO and World Bank and Non-Governmental agencies (NGOs) are engaged in the country by way of enforcements of child labour act, minimum wages act etc. implementation of various poverty alleviation and employment generation of various poverty alleviation and employment generation programs for parents, setting up to specific school under National Child Labour Programme (NCLP) etc. Some suggestion to deal with child labour problem are given below

- a. First of all the Govt. must implement a population control policy as various states such as Utter Pradesh, Bihar etc. have so much population that it is not possible for parents to feed 8 or ten children.
- b. The major cause beyond increased population is the drugs such as alcohol etc. the govt. Must ban them.
- c. Education must be made free and compulsory to live in India.
- d. Govt. must work to reduce poverty, as poverty is also a main cause of child labour.

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