

## Unit- 4 Rights

### 1) Women's Rights :-

\* Equal Rights and status provided to women under the Indian constitution which is evident from the following provisions included in the constitution in India.

\* The state shall not deny to any person equal protection of law within the territories of India - Article 14

\* No citizen shall be liable for or discrimination against in respect of employment or office under the state grounds only for Religion, Race, caste, sex, descent, place of birth or residence - Article 16(1)

\* Nothing in this Article shall prevent the state from making any special provision for women and children - Article 15(3)

empowers the national ~~provision~~ government to uplift women status by making Reservations for govt. positions such as in panchayats / Municipalities / Corporation concession in tax in the Income of women Reservation in education Institutions and government services.

\* Articles 39 of directive principle of state policy provides towards

⇒ Adequate means of livelihood for men and women equally

⇒ for both men and women equal pay for equal work

The health and strength of workers, men and women and the tender age of children are not abused

## 2. Children's Rights:-

Declaration on the Rights of the child [CRC]

The declaration on the Rights of the child is framed as a treaty towards protecting children's civil, political, economic and social and cultural rights. It is the first globally binding treaty and 192 countries have participated in this declaration.

The treaty has been divided into three parts and has fifty-four Articles included in it.

### Rights of a child:-

- \* Right to life [Article 6]
- \* Right to acquire nationality [Article 7]
- \* Right to freedom of expression [Article 13 (para)]
- \* Right to freedom of thought, conscience and Religion [Article 14]

\* Right to freedom of Association and to freedom of Peaceful assembly [Article 15]

\* Right to privacy [Article 16]

\* Right to family environment [Article 20]

\* Right to education [Article 28]

\* Right to benefit from social Security [Article 26]

\* Right to a standard of living adequate for child's Physical mental, spiritual and social development Art: 27

\* Right to the enjoyment of the highest attainable standard of health and to the facilities for the treatment of illness and Rehabilitation of health [Article 24]

\* Right to the protection of law against arbitrary or unlawful interference with his/her privacy, family, home or correspondence [Article 16]

\* Right against exploitation [para (1)] of child labour [Article 32]

\* Right against Sexual exploitation [Article 34]

\* Right against abduction, sale or traffic [Art 35]

\* Right against other forms of exploitation prejudicial to any aspect of child's welfare.

### 3. Worker's Rights - prisoner's rights - Capital punishment.

The general conference of International Labour Organisation [ILO] on June 25 1957 adopted a convention on Abolition of forced Labour. Bonded Labour or forced Labour or compulsory Labour is strong violation of human rights as very clearly indicated and highlighted in the United Nations Charter Rights [UDHR]. The convention was enforced on January 17, 1959. The signatory countries to the convention undertake and agree not entertain bonded Labour.

Article 1 of the convention clearly indicates bonded or forced Labour shall not be used in any form:

- ⇒ As a means of political coercion
- ⇒ As a means of education
- ⇒ As a means of punishment for holding (expressing) / Political views.
- ⇒ As a means of Labour discipline
- ⇒ As a means of punishment for
- ⇒ As a means of Racial, social, national or religious discrimination. To support the countries in taking effective measures to completely abolish force / or Compulsory Labour the International Labour

Organisation [ILO] launched a project in the name "prevention and elimination of Bonded Labour" in South Asia.

But however efforts are being made very sincerely to eradicate bonded labour world wide yet slavery oppression and exploitation slavery oppression and exploitation of society most vulnerable members especially women and children continue to persist.

### Bonded Labour in India :-

Article 23 of para I large down that "begar and other similar form of forced labour are protected"

\* The word 'begar' means labour or service provided by a person without remuneration. Bonded Labour is included within the scope of forced labour. Bonded labour is a forced labour.

\* Bonded Labour is punishable because it is a offence under Article 23 of para I of the Indian Constitution. To give effect to the provisions of Indian constitution parliament in the year 1976 passed an Act called Bonded Labour system [abolition] Act.

This encourages the abolishing of bonded labour

The Implementation of the Act is constantly

Monitored by the National Human Rights Commission  
as per the Supreme Court order dated November  
17 1997 based on the ~~order~~ writ petition [civil]

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