



An overview of child abuse and working children's rights

Anjali Andrew

Department of History, Hislop College, Civil lines, Nagpur, Maharashtra, India

Abstract

Children deserve love, sympathy, direction, security, safety, and freedom, among other things; they require a family in which they can develop a healthy self, self-control, and personality on a solid foundation. When a child is denied on-going emotional parenting from their parents and family, over the course of their development, an imbalanced personality pattern develops. Unfortunately, very little work has been undertaken in India on the topic of deprivation. Due to financial restrictions, millions of youngsters from low-income families are forced to labour. In India, where more than 40% of the population lives in abject poverty, child labour is a challenging subject. Children work out of necessity; without it, their families' living conditions would degrade many of them lack relatives or are unable to rely on them for help. The Factory Act of 1947, the Juvenile Justice Act of 1986, the Child Labour Act of 1986, and, under international law, a convention on the rights of children adopted by the United Nations in 1989, the Child Labour (Prohibition and Regulation) Amendment Act 2016, all reinforced and guaranteed the dignity, equality, and fundamental rights of children.

Keywords: acts and amendments, child abuse, child labour, emotional abuse, low-income families, poverty, physical abuse, sexual abuse

Introduction

A basic human right is one to which a person is naturally entitled merely because he or she is a human being. Human rights are universal and apply to all. These rights are intended to protect a person's intrinsic dignity as well as to foster understanding, tolerance, and respect for others. These rights entail obligations toward us, our families, our friends, and the society. Family has a critical and essential role in a child's whole development. Children require love, sympathy, guidance, security, protection as well as freedom; they require a family in which they can develop a normally to develop a strong personality. Children need not only health care but also exercise, games and amusement.

The psychological development of our society's impoverished and deprived youngsters deserves special attention. It makes a significant difference when a youngster is denied of continuous emotional parenting from parents and family, over their growth period, resulting in an imbalanced personality pattern. A lot of current societal issues involving children necessitate an understanding of the psychology of disadvantaged or underprivileged children. Psychiatrists and educators bear a significant amount of responsibility for these children. Many of youth's problems can be traced back to their parents' positions, financial constraints, unwelcoming home environments, unsympathetic parents, and ultimately undesirable role models in the form of uncaring parents/family members, antisocial friends/colleagues, larger-than-life movie/TV actors/politicians, and so on. These influences have a negative impact on the child.

Unfortunately, there has been virtually little work done in India in the issue of deprivation. Poverty and deprivation can lead to feelings of uneasiness and powerlessness, as well as a variety of socio-psychological issues. The existing services for poor children are ineffective and ineffective. As a result, programmes must be renewed and restructured, with the stimulation of individual attention promoted in this tremendous endearment. Despite the frantic implementation of welfare programme planning, legislation, and administrative actions throughout the previous five decades, the vast majority of India's children remain in anguish and upheaval.

Despite the fact that the problem of emotional, physical, and sexual abuse of children in India is on the rise, sociologists and psychiatrists in our nation have mostly ignored it. The general public and the government have yet to identify this as a major issue. Millions of children from low-income homes are forced to work due to financial constraints. According to the ILO, Asia has the greatest percentage (13%) of child abusers in the age period of 10-14 years in the world, following Africa (26.3%). In Asia, Bangladesh has 31.4 percent of children and Pakistan has 20% of children in the 10-14 age groups who are economically active. Child labourers make up 15% of the population.

According to a statement made in Rajya Sabha twenty years ago by the Union Minister of Labour, the number of employed children under the age of 14 in various economic activities was 17 million (9.5 million males and 7.5 million females), or one out of every eight children aged 5 to 14 growing up in the country. According to one estimate, there are 44 million working children in the United States, accounting for 5.2 percent of the total population. According to UNICEF, the Mirzapur carpet industry employs around one lakh children aged 5 to 15,

50,000 in the Firozabad Glass Industry, 50,000 in the Zari Industry in Lucknow, 10,000 in the Aligarh Lock Industry, 30,000 in the Brass Industry in Muradabad. The number of children working in canteens and restaurants, as well as those picking rags and working in factories, is enormous but uncounted in metropolitan areas. Those who work in hazardous industries are among the unfortunate ones. Girls who bring food for their working mothers are urged to remain back and help with work in Assam's tea gardens, where employment of children under the age of 12 is outlawed, while boys have an essential role to play in mining operations. Boys transport coal to the surface while men dig inside the trenches. Child labour is most commonly preferred in the unorganised sector. Children make up 56 percent of the workforce in the mining industry.

The Juvenile Justice Act of 1986, which went into effect on October 2, 1987, provided for the establishment of an Advisory Board and the establishment of state children funds for the prevention of child abuse and protection, mobilisation of resources, and provision of facilities for children.

The Factory Act of 1993 was created to govern the employment of children and their working hours. It outlawed the employment of children under the age of 14. The child labour Act (Regulation and Prohibition) was passed by the legislature in 1986, prohibiting children from working in certain occupations and regulating the working conditions in hazardous occupations. It also included rules for the education, training, and rehabilitation of children who had been neglected. Despite all of these safeguards, minors are still hired, as well as harassed and assaulted.

Physical, sexual, and emotional abuse are the three main types of child abuse. Each one has distinct qualities. Bruises, burns, fractures, lacerations and abrasions, stomach injuries, and human bite marks are all signs of physical abuse. The abused child is fearful of adult interaction or becomes anxious when other children cry, or they displays violent behaviour or appears frightened of the parents or caretaker, and they may even be afraid to go home or cry when it is time to go home.

A youngster will frequently tell a frosted person (mother, friend, neighbour, relative, or sister) that she or he has been sexually molested. Children who have been emotionally abused have been neglected or mistreated. Emotional neglect is difficult to define precisely because it might include a disregard for the children's physical, emotional, moral, and social needs. Emotional neglect includes being exposed to situations (alcoholism, obscenity, illicit sex relations) that display a pattern of moral behaviour that is contrary to societal norms.

Habit disorder (biting, thumb-sucking), conduct disorders (destructiveness, cruelty, thieving, neurotic qualities, sleep problem suppression of play), psycho-neurotic reaction (fear, hysteria), and behavioural extremes are all behavioural indicators of emotional abuse (extremely passive or aggressive, very demanding or undemanding).

Apart from these three types of child abuse, the fourth category, known as social abuse, is directly linked to monetary rewards for the abuser, such as kidnapping and/or exporting children and forcing them to beg on the streets. Our disinterest and inadequate response in dealing with such abuse situations is exemplified by a famous scenario given below. In January 1997, 76 youngsters, the most of them were females aged 5 to 12, were deported from Saudi Arabia to India. For a period, these children were held in Mumbai remand houses. Because they could not be kept in these homes permanently because they had committed no crime, they were sent to their parents or released onto the streets of Mumbai to beg, much as they had been begging in Saudi Arabia; many of them later resort to crime or illegal activities to survive. What matters in this scenario is how they got to Saudi Arabia from India. Who had applied for their passage if they were permitted out legally? There were specific marks on the children's arms, and there may have been some form of 'branding.' Could flesh-running or begging gangs be engaged in this heinous business of sending minors abroad? Where they used for sexual slavery and gold smuggling? Child abuse of this nature necessitates a more thorough investigation with an open and unbiased attitude. The comparatively low risk involved, corruption and complacency, and the failure of the government to implement policies and provide proper assistance for victims all contribute to the perpetuation of child sexual abuse and trafficking.

Child labour is a complicated issue in India, where more than 40% of the population lives in extreme poverty. Children labour out of necessity; without it, their families' standard of living would deteriorate even worse; many of them do not even have relatives or cannot rely on them for support. Child labour is primarily caused by poverty. Employees, on the other hand, present various justifications for employing youngsters (to hide their guilty feelings??) and claim that labour stops them from going hungry and also keeps them from committing crimes that they would have committed if they didn't have jobs. A study of many industries in Delhi, Tamil Nadu, Andhra Pradesh, and Maharashtra reveals that many child workers had sunken chests, thin bony frames, and lung ailments such as tuberculosis, asthma, bronchitis, and spinal injuries.

In 1989, the United Nations established a convention on the rights of children, which reinforced the protection afforded to children under international law. This convention, which is the result of a lengthy negotiation process started by the Polish government in 1978, guarantees the dignity, equality, and fundamental rights of children. It has 54 articles that address all aspects of children's civil, political, social, and cultural rights.

It is difficult to totally eliminate child labour in a country like India, where 40% of the population lives in extreme poverty. Efforts have been made to improve their working conditions, reduce working hours, guarantee minimum salaries, and provide health and educational facilities. In 1993, the union government established the National Authority with the goal of eliminating child labour in hazardous industries by the turn of the century.

Raising the penalties for violations more severe, incorporating a mechanism for surprise checks, and establishing a separate vigilance cell are all effective ways to assure compliance with the Act. In terms of worker interests, all

employees should be required to take steps to improve the intellectual, vocational, and educational well-being, as well as the upliftment of child workers.

The Child Labour (Prohibition and Regulation) Amendment Act 2016, which was enacted by the Indian Parliament, outlaws the employment of children (under the age of 14) in all jobs and teenagers (under the age of 18) in hazardous activities and procedures. With all of the revisions (albeit the legislation leaves several significant issues unanswered), it is now hoped that the Act's execution will help our nation's youngsters.

References

1. Agrawal I. *Combating Child Trafficking*, Adhyan Pub., New Delhi, 2008.
2. Ahuja R, *Socials Problems in India*, 2006, Rawat Pub. Jaipur, 2006.
3. Burgess RL, *Child Abuse: A Social International Analysis*, in *Advances in Clinical Child Psychology*, Plenum Press, New York, 1979, 2.
4. England B, Sroufe LA, Erikson MF. Developmental consequences of different patterns of maltreatment, *Child Abuse and Neglect*, 1983;7(4):456-569.
5. Madan GR. *India Social Problem*, Allied Pub., New Delhi, 1984, 2.
6. Nagar, D., *Deprived Children*, Printwell Pub., Jaipur, 1992.
7. Nair PM, Sen S. *Trafficking in Women and Children in India*, Orient Longman, New Delhi, 2006.
8. Wolfe DA, *Child Abuse*, Saga Pub., Beverly Hills, USA, 1987.
9. *Newsletters*
10. *The Hindustan Times*, June 22, 1996.
11. *Rajasthan Patrika*, November 13, 1994.
12. *The Hindu*, August 10, 2016.