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DHARAMA



Dialogue on Rights of the Children of Construction Workers

EDITORIAL

By Dr. L Mishra, IAS (Retd)
**Children of Construction
Workers Deserve their share of
Childhood with all completeness**

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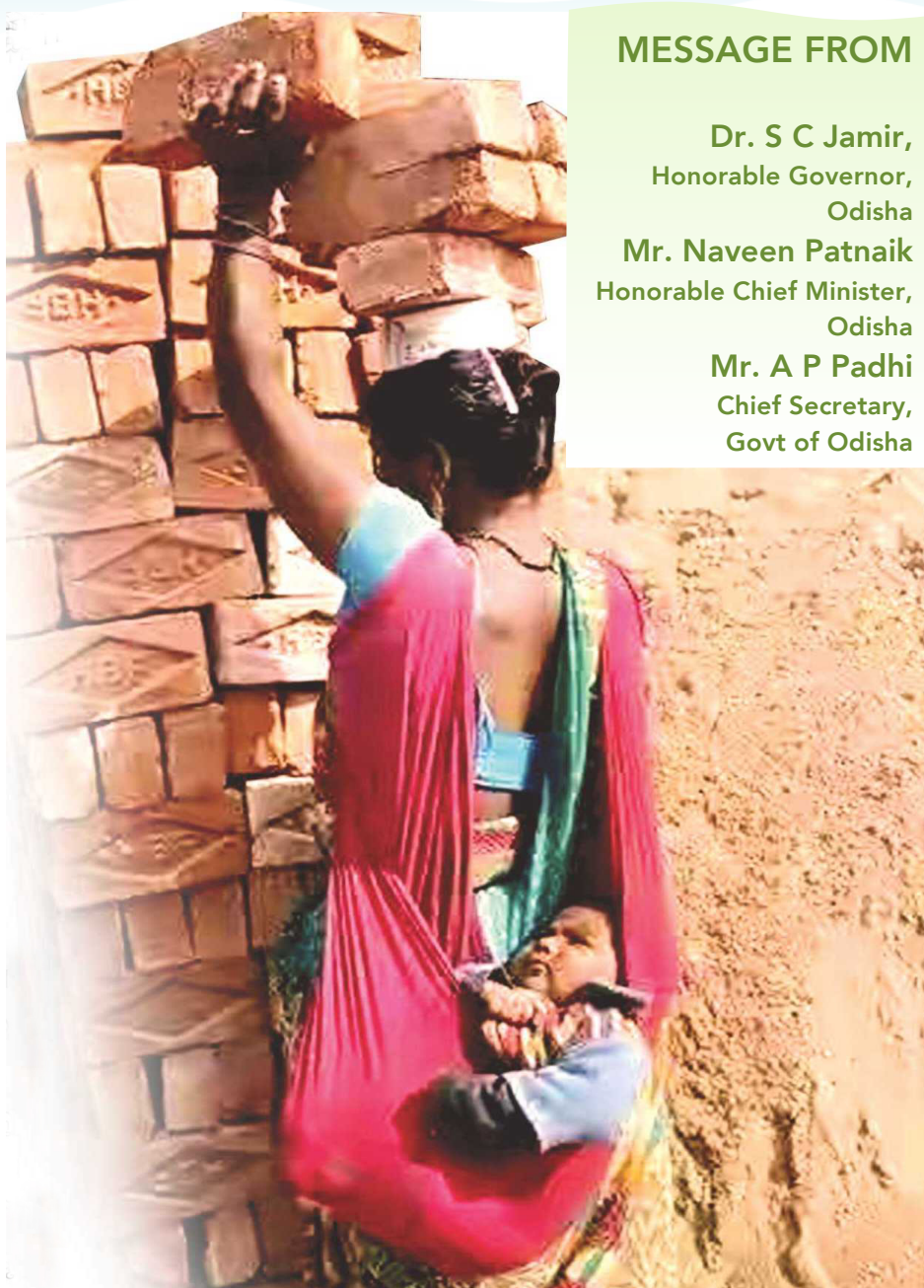
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MESSAGE FROM

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Honorable Governor,
Odisha

Mr. Naveen Patnaik
Honorable Chief Minister,
Odisha

Mr. A P Padhi
Chief Secretary,
Govt of Odisha



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EDITORIAL

The building and construction workers and their children need to come together and launch a joint campaign to put an end to the social evil of child labor, promote and facilitate access of all children to free and compulsory education and make social protection a reality. The story of Nandini rings the bell for all of us. Nandini, a girl of fourteen years is adept in the art of painting and dancing and is exceptionally talented. She came first in the painting competition at the block level and was selected for participation in the district level competition. She was preparing herself to compete in the dancing competition at the district level. She was a dreamer but her dream was shattered by one stroke of outrageous fortune. She was forced to put an end to her studies and accompany her parents to far off Mumbai in search of work in a situation of acute joblessness at the native village. This was against her wishes but it was inescapable.

On arrival at Mumbai, her father – Debanand did make enquiries about the possibility of Nandini getting admission in a school but was awestruck by the demand for payment of capitation fees to the tune of lakhs. He shared his sad thoughts with Nandini, but simultaneously pressed her to join work with her parents instead of sitting idles at home. Nandini was completely dumbstruck by this and felt as if her legs were slipping off the ground. The classroom of her dreams came sliding down to the world of sand, cement, chips and bricks. She joined her father as a daily labourer but her heart was not even remotely in this. She remembered her village school, her companions, the natural habitat and was reduced to tears. Eventually she got reconciled to the wishes of her parents and started working more out of her helplessness than volition.

With this, the budding talent of Nandini had withered away in wilderness of cash economy. Given the opportunity and encouragement, she would have undoubtedly established herself as an artist of repute and standing but that was not to be. Her dreams of excelling as an artist were shattered forever. This is the tragic reality on the ground. If parents are unlettered they cannot easily perceive and internalize the importance of learning and art. They also fail to comprehend the fact that the flowering genius of their only girl child would have a premature death. It is true that Debanand's father was a daily labourer but it is painful to accept that the son of a daily labourer has to follow the footsteps of his father. Debanand did not have any moral right or authority to force his daughter to meekly submit to the compulsions of family occupation regardless of the compulsions of poverty and unemployment.

This is the dilemma with which we are confronted today. '*Pragatisheel Sramik Manch*', in course of championing the cause of rights of building and construction workers for access to social security has met a number of parents and children and interacted with them. They have seen in their own eyes the budding talent and creativity of these children. They have also seen how the invisible talent was nipped in the bud the moment the children were cut off from the mainstream education. The sad thoughts of these children, bidding adieu to the world of learning have been agitating them. The question which has also been further agitating them is how to bring back these children to the fold of learning which is their rightful place, how to regenerate and restore their creativity which was temporarily lost to them. With this end in view the *Manch* started a dialogue with its members who were also parents. The idea received partial support in the first meeting. Using the support for learning as a public good, the issue had to be pushed further ahead.

Welfare to Rights Perspective

The movement for the rights of the children of construction workers

Manoranjan Mohanty

Where do we locate our movement in the defence of the rights of the children of the construction workers historically in the political economy of globalisation? Is it in the perspective of compassion or in the perspective of welfare or in the perspective of rights?

I wish to point out that much of the action by the workers organisations, contractors and government agencies still lack the rights perspective. They work as if they are doing a charitable act showing care for the children and their worker parents. Or at best they think that public agencies, like the government by law or policies are doing a welfare function of the state. They think that it is the duty of the welfare state to provide support to the workers and their children.

Please do not misunderstand. I also respect the value of compassion and care. I am also all for the welfare state. But unless we understand the historical context in which they operated we cannot succeed in responding to the current challenge.

Compassionate steps by kings, temples, maths, landlords and rich families were part of a feudal society's way of managing the unequal social order. State along with its government machinery emerged to maintain law and order. When it became difficult to maintain that system as people's demand for justice was growing we saw a new state, the welfare state. Providing public lighting, sanitation, water supply were among the first welfare measures. That process grew to a stage that included poverty eradication measures and steps to promote health and education. That was the new role of the state, the welfare state to help capitalism, free enterprise, and business classes to flourish.

In the 21st century there is an altogether new situation, people are conscious of their rights as human beings. These rights are the human rights,

the basic rights to food, shelter, clothes, health, education and dignity. All humans, families, men, women, children, all groups, especially marginalised caste and ethnic groups and all regions are actively demanding their rights for self-development. Hence there are constitutional provisions, new laws, and global declarations by the UN, new decisions by the judiciary. People's organisations are constantly engaged in putting forward these demands.

It is this new environment of rights consciousness, which has to guide all policies and social action programmes. The human value of compassion and care for the needy is still important, but that has to put not as a patronising act, but as an act governed by the principle of right. Every human has dignity that is to be respected and his/her right acknowledged. Similarly the government or state's welfare functions such as to provide facilities for public health, public education, create conditions for eradicating poverty is very important. But it is to be performed in a framework of facilitating realisation of people's rights.

This is more so when we talk about the most vulnerable sections. Dalit's, adivasis, poor and landless peasants, unorganised workers, women and children are the most disadvantaged groups in society experiencing economic, social and political oppression. Construction workers are part of this block of the oppressed. Their children are in a situation of multi-staged oppression. In this context, therefore, the movement for the protection of the rights of the children of the has to be placed keeping in mind two clear principles: first, the principle of human right and second, and the principle of multi-dimensional strategy to address multiple disadvantages. The first principle entails a set of arrangements that are seen as the entitlements-

legal and political by the children. This has to be stressed because many NGOs working in the sphere of child development do not seem to be conscious of this. They treat it as a compassionate work programme. Companies too treat it either as a charity or at best as a part of their 'corporate social responsibility'. Incidentally, the idea of corporate social responsibility is incompatible with the principle of people's rights. Government policies, especially the field officials of the government think they are doling out 'welfare' through the many child health and education programmes such as 'Anganwadi', ICDS and other programmes. Religious organisations working for children most explicitly take it as 'god's work in service of children' not as 'god's command to respect the right of the child'. All these values are important in the age of rights, we need to develop a sense of service, kindness for others and sharing one's possessions and so on. But all that has to be located in a framework of respect for the dignity of each human being irrespective of age, sex, caste, creed, race and class.

This perspective is particularly relevant at the present moment of growth-centric economic process when construction of buildings, roads, bridges, highways, urban estates and shopping complexes, not to speak of dams and factories, are a major component of the development process. Producing profit, carrying forward urbanisation and showing high growth rate are the central to the economic and political

thinking of the rulers, Hence construction is a big source of employment. But construction workers are among the worst sufferers in the process. Thanks to the workers movement, there has been some gain in the wages and working conditions of the construction workers. But still they have a major component from the dalits, adivasis and lower castes and they came from the poor regions of the country. This character of the construction workers demands a set of special programmes to fulfil their basic human rights.

Among them, women are further exploited and children even further. Thus, the movement for the rights of the children of the construction workers has to be first of all located in the framework of rights and thus pursue a multipronged strategy to provide right to education, healthcare, play and cultural conditions, besides food, habitation, sanitation and safe living conditions for the entire body of the construction workers. Women workers need additional support in relation to health and nutrition and social protection. It is important that the workers organisations clearly adopt the human rights perspective rather than operating under the umbrella of compassion and welfare, which can turn out to be illusory. They must remember that rights emerge through struggle, they are political affirmations in course of struggle and are not merely provisions in a law.

(Manoranjan Mohanty is a former teacher of Politics at Delhi University)



Community School for the Children of Construction Workers. The children festivals across the districts have created more than 16 such schools where volunteers manage them with local supports.

Children in Building and Construction Industry

Dr. Shashi Tomer

Children constitute the future of any society and nation. Regardless of differences in perception associated with each human civilization, ideology, faith and belief, children have always remained in the central realm of our thought. They have also been central to all our plans for holistic development of human beings and progress of human society. Our children are our succeeding generation and the strongest asset to humanity. Childhood constitutes the most tender and formative stage in the cycle of human development. Successive civil societies, international bodies and govts. have adopted and put in place child-centered Declarations, Conventions, Protocols as also policies and Programmes of Action (PoA) for furtherance of holistic child development. The central objective behind all these initiatives has been this: as children cross the threshold of childhood and enter adolescence and adulthood, they should be strong and virile in body, mature in mind, sound and sensible in judgment, responsible and responsive in their work, conduct and performance. Ironically, however, as human civilization has marched, as urbanization, mechanization and commercialization has progressed, the quest for more and more material prosperity and affluence has unleashed a lot of stress and strain which have progressively undermined respect for human values resting on human dignity and decency, equality and freedom. These have cumulatively taken a toll of lives of children by adversely affecting their education, health, medical care, safety, security and total well being.

Concept: Child labour connotes performance of any work by a child, regardless of his/ her health and strength, with or without remuneration which is likely to impinge on the child's education, health, safety, morale and well being. Viewed in this sense, child labour is coterminous with physical and economic exploitation of children. Subjecting children involuntarily to work makes them vulnerable to a number of risks and hazards which are bound to retard their physical, mental, emotional and spiritual development.

Why is employment of children in building and construction industry particularly objectionable?

Building and construction industry involves exposure to toxic and gaseous substances. It involves use of explosives/ detonators. It involves inflammation / outbreak of fire. It may involve collapse of a structure.

All these are lethal to human life and limb. It also poses the following serious risks to human life such as:

- Exposure to hot asphalt or bitumen without footwear would cause burn to the limbs;
- Carrying loads (of sand, chips, bricks and cement) would make workers vulnerable to musculo-skeletal diseases;
- Slip, trip and fall from heights like scaffold would cause either instant death or serious bodily injuries;
- Possibility of getting electrocuted would be fatal;
- Possibility of being struck by a moving object would either be fatal or result in serious bodily injuries;
- Exposure to heat, noise beyond a decibel point, ionizing radiation and vibration would produce feelings of extreme uneasiness and exhaustion;

Children have tender lungs Exposure to silica dust and airborne particulate matter could easily cause fibrosis in their lungs leading to silicosis which is a deadly killer and untreatable like HIV/ AIDS.

For these reasons, pushing children to building and construction activities would amount to a dead-end of their journey in life and therefore, is highly objectionable and totally unacceptable.

What are the factors which contribute to occurrence of child labour?

Mindsets of parents/ guardians, employers, contractors etc. are primarily responsible for the phenomenon of child labour. Poor parents who have a large family and a number of additional mouths to feed and who themselves may be unemployed or underemployed think, feel and believe that pushing children to work would yield some incremental income and relieve the family of its poverty to some extent. This is a mind-set in as much as (a) children are seldom paid even 50% of the wages of the adult as provided in Rule 24 of Central Minimum Wages Rules; instead, what they receive even after hours of grueling manual labour is a pittance (b) their work, therefore, will not generate any incremental income which will reduce parental poverty (c) the theory of inter-generational transfer of skills as often advocated by parents is also equally fallacious.

TABLE I Sector-wise, gender-wise percentage distribution of magnitude of child labor				
Sl. No.	Sector	Male	Female	Total
1.	Agriculture, etc.	62.94	76.13	68.07
2.	Construction	6.54	0.33	4.12
3.	Manufacturing	11.73	16.16	13.46
4.	Mining & Quarrying	0.49	0.59	0.53
5.	Trade, Hotels and restaurants	11.90	3.23	8.53
6.	Transport, storage and communication	1.78	0.10	1.12
7.	Finance, business activities and real estate	0.08	0.00	0.05
8.	Public administration and defense	4.54	3.46	4.12
	Total	100	100	100
Source: NSSO 2009-10				

Like parents, employers push children to work on the premise of (a) cheap labour (b) children will not drag employers to any trade dispute (c) children will be easily pliable or manoeverable. These are mind-sets as children are not, like adults, members of a trade union and therefore, question of children dragging employers to trade disputes does not arise. Children are the most valuable human resource; to term child labour as cheap labour is, therefore, nothing short of an euphemism. Employers alike parents have no moral and ethical right to push children to work. Both parents and employers should realize that if children are pushed to work which is often arduous, drudgerous and hazardous, they will not only be deprived of access to educational opportunity but their health and strength will be crippled. As they cross childhood and enter adult hood, no elan-vital will be left in them and they will be reduced to physical and emotional wrecks.

Illiteracy of parents, family indebtedness, breakdown of extended family system, poor quality of school education which does not motivate the parents to send their children to school, social and cultural moorings against education are a few other factors which contribute to the phenomenon of child labour.

Magnitude of the problem: There are 2 widely varying estimates of child labour in the country i.e. (a) decennial census of 2011 and (b) National Sample Survey Organisation (2009-10). While the first puts it at 10.1 million, the second puts it at 49 lakhs.

Occupations and activities: As Table I will show, agriculture, construction, trade, hotels and restaurants and manufacturing account for sizeable percentage of working children (both boys and girls) according to the estimates of NSSO.

The figures given by the Census of India present a State wise incidence of child labor in the country. There are 1,01,28,663 working children in India according to decennial Census, 2011. Table-II gives the total number of working children spread over in different States and Union Territories of the country. It does not, however, present an occupation wise break-up in the number of working children.

Sectoral employment pattern within building and construction: Construction industry consists of several sectors such as (a) road and building (b) housing (c) civic and social infrastructure (d) infrastructure development.

Table-III gives an account of growth in sector-wise and year-wise employment generation under each of the above 4 heads. It may be seen that (a) employment in all the 4 sectors is increasing continuously over the years (b) increase in the housing sector is higher than other sectors. Such increase may be attributed to growth of population on the one hand, changing parameters of housing emerging over the years to suit peoples' requirements, as also substantial investments made by Govt.(both Central and State) in peoples' housing projects from year to year. It may also be noted from Table-III that employment generation in road building and housing sectors recorded the highest growth in 2003-04 while civic and social infrastructure and infrastructure development recorded the highest growth in 2004-05.

Statutory provisions: Child Labour (Prohibition and Regulation) Act, 1986 which replaced Employment of Children Act, 1938 appears to be flawed in a number of respects such as (a) it did not go in for universal prohibition of child labour (b) it combined prohibition with regulation (c) regulation of employment of children

Table II
Child workers in India (Census of India, 2011)

Sl. No.	India/States	Total child labor		Main workers		Worked <-3 m.		Marginal w.	
		No.	%	No.	%	No.	%	No.	%
1	Uttar Pradesh	2176706	21.49	896301	41.18	326140	14.98	954265	43.84
2	Bihar (10)	1088509	10.75	451590	41.49	175630	16.13	461289	42.38
3	Rajasthan (08)	848386	8.38	252338	29.74	298390	35.17	297658	35.09
4	Maharashtra	727932	7.19	496916	68.26	54672	7.51	176344	24.23
5	Madhya Pradesh	700239	6.91	286310	40.89	168203	24.02	245726	35.09
6	Andhra Pradesh	673003	6.64	404851	60.16	50525	7.51	217627	32.34
7	West Bengal	550092	5.43	234275	42.59	88118	16.02	227699	41.39
8	Gujarat (24)	463077	4.57	250318	54.06	54145	11.69	158614	34.25
9	Karnataka	421345	4.16	249432	59.20	35313	8.38	136600	32.42
10	Jharkhand	400276	3.95	90996	22.73	146559	36.61	162721	40.65
11	Odisha (21)	334416	3.30	92087	27.54	80335	24.02	161994	48.44
12	Assam (18)	284812	2.81	99512	34.94	54476	19.13	130824	45.93
13	Tamil Nadu	284232	2.81	151437	53.28	9046	3.18	123749	43.54
14	Chhattisgarh	257773	2.54	63884	24.78	112795	43.76	81094	31.46
15	Punjab (03)	176645	1.74	90353	51.15	11117	6.29	75175	42.56
16	Himachal Pradesh	126616	1.25	15001	11.85	78843	62.27	32772	25.88
17	Haryana (06)	123202	1.22	53492	43.42	23567	19.13	46143	37.45
18	Jammu & Kashmir	114923	1.13	25528	22.21	36518	31.78	52877	46.01
19	Uttarakhand	82431	0.81	28098	34.09	27311	33.13	27022	32.78
20	Nagaland (13)	63790	0.63	11062	17.34	34708	54.41	18020	28.25
21	Kerala (32)	45436	0.45	21757	47.88	1967	4.33	21712	47.79
22	Meghalaya	44469	0.44	18839	42.36	9132	20.54	16498	37.10
23	NCT Of Delhi	36317	0.36	26473	72.89	995	2.74	8849	24.37
24	Manipur (14)	34086	0.34	11805	34.63	7181	21.07	15100	44.30
25	Arunachal Pradesh	17029	0.17	5766	33.86	3479	20.43	7784	45.71
26	Tripura (16)	13560	0.13	4998	36.86	2510	18.51	6052	44.63
27	Sikkim (11)	10390	0.10	2704	26.03	4456	42.89	3230	31.09
28	Goa (30)	10009	0.10	6920	69.14	187	1.87	2902	28.99
29	Mizoram (15)	7778	0.08	2793	35.91	3247	41.75	1738	22.35
30	Chandigarh	4322	0.04	3135	72.54	96	2.22	1091	25.24
31	Puducherry	2173	0.02	1421	65.39	61	2.81	691	31.80
32	Dadra & Nagar Haveli	2055	0.02	1054	51.29	330	16.06	671	32.65
33	A. & N. Islands	1672	0.02	999	59.75	107	6.40	566	33.85
34	Daman & Diu	881	0.01	774	87.85	19	2.16	88	9.99
35	Lakshadweep	81	0.00	28	34.57	4	4.94	49	60.49
	India	10128663	100.00	4353247	42.98	1900182	18.76	3875234	38.26

Source: Census India (2011)

in rural areas and in particular, in the informal sector is extremely difficult (d) it provided an artificial and invidious distinction between hazardous and non-hazardous work. The law was amended in 2016 but the amended law appears to be no better than the original one in as much as (a) 18 occupations and 65

processes where child labour was prohibited in Part A and Part B of the old law have been brought down to only 3 (b) while employment of children up to 14 years of age stands prohibited, there is no universal prohibition in employment of children in 14-18 age group (c) the same artificial and invidious distinction as in the original

Table – III				
Growth in sector-wise employment generation (in '000')				
Year	Road and building	Housing	Civic and Social Infrastructure	Infrastructure Development
1999-00	1946	12392	1575	4541
	7.7	10.2	9.2	7.1
2000-01	2096	13650	1735	4890
	7.9	10.4	9.4	7.4
2001-02	2262	15065	1915	5279
	8.2	10.6	9.6	8.7
2002-03	2448	16660	2118	5779
	8.4	10.7	9.7	6.7
2003-04	2654	18445	2345	6192
	8.6	10.8	9.8	7.9
2004-05	2881	20445	2599	6722
	7.9	9.8	9.8	8.6
Source: National Institute of Construction Management and Research, Mumbai.				

law has been allowed to stay in the amended law for children in 14-18 age group (d) the amended law permits the children to work for family and family enterprises after school hours or during vacation which is bound to adversely affect their studies.

There is no change as far as the quantum of penalty is concerned. This remains as low as ever. Child labour being one of the worst violations of human rights, the quantum of punishment needs to be far more deterrent than what obtains in the law now.

Identification of victims of child labour, rescue/ release, repatriation and rehabilitation: Judging from the experience of the past which left room for improvement, a structured approach needs to be adopted and implemented sequentially of B&OCW (ROE and COS) Act, 1996 the contours of which may be as under:

- I. Areas, sectors of economic activity and occupations/ processes having concentration of child labour need to be identified in the first instance with the help of the following:
 - Chief Inspector of Building and Construction appointed u/s 42 (Sub-section(I)) of B&OCW (ROE & COS)Act, 1996;
 - Chief Inspector of Factories;
 - Labour Commissioner/ Chief Inspector of Shops and Commercial estts.;
 - Director General of Inspection appointed u/s 42 (Sub-section(I)) of B&OCW (ROE & COS)Act, 1996.
- II. These should be compiled and kept ready for use.
- III. Teams/ squads with one officer of labour deptt., one officer of women and child development, one officer of Health Deptt., local SHO and a representative of a local NGO who is active in this field may be

constituted. The persons so selected should have personal commitment to the cause of elimination of child labour. The list of estts., occupations /processes which has been compiled should be handed over to the team/squad concerned.

- IV. Raids may be conducted selectively in areas/ occupations having concentration of working children with a view to rescuing them and withdrawing them from work. Utmost confidentiality should be maintained on the date and time of raid (as leakage of information would make the raid infructuous).
- V. The status of children rescued, their socio-economic background, name of the estt. where they have been working, period of employment, working conditions including hours of work and wages may be meticulously documented, preferably audio-visually.
- VI. The children who have been rescued should be brought to a Transit Home to be set-up by the State Govt. for (a) psychological counseling (b) check-up of health (c) check-up of levels of education, nutrition and skill. All these should be professionally documented. The stay in the Transit Home may range between a fortnight to a month, depending on the circumstances of each case. The period of stay should be fully and meaningfully utilized as a prelude to rehabilitation.
- VII. While local children may be restored to the custody of parents after being withdrawn from work, arrangement for repatriation of migrant children with police escort should be made to their originating point.

- VIII. All such children who have been withdrawn from work should be rehabilitated through access to education, check-up of health, nutrition (through midday meals), skill training and specialized treatment of occupational diseases as and where necessary. The documents prepared during stay of children in the Transit Home should come handy for preparation and implementation of a rehabilitation plan.
- IX. All children from Special Schools of NCLP, wherever they are in operation, should be mainstreamed to formal education at the appropriate level.
- X. Independent of Spl. Schools of NCLP (they may not remain on the ground for all time to come) residential schools should be opened in pockets having concentration of working children. This will provide a considerable boost for education of these children after they have been withdrawn from work.
- XI. Similarly seasonal hostels (as they obtain in Odisha) may be opened in selected pockets from where parents are migrating for work to destination points. These hostels will prevent children to accompany migrant parents and will take care of their education, health and nutrition.

Promoting quality education as a measure to prevent occurrence and recurrence of child labor:

A number of sequential steps are required to be taken to improve the content and quality of school education as a prelude to motivation of parents to send them to school and ensure their retention, participation and achievement of the desired levels of proficiency in all subjects such as (a) location of the school being close to neighborhood (b) school management committee (SMC) regularly meeting and maintaining a continuous vigil over quality management of the school (c) professionally qualified and trained teachers being put in place (d) teachers' absenteeism being reduced to zero (e) continuous and comprehensive evaluation of learning outcome, an innovative feature in RTE Act, 2009 (S.29(h)) being sincerely implemented in the class room (f) training program for all out-of-school children being implemented according to a prescribed schedule (3) encouraging and promoting integration of all out-of-school with the rest of the class academically and emotionally (Rule 5(2) of RTE Rules) so that they do not develop an insular outlook.

Promoting organization of poor parents: People have deep roots in their own families, groups and societies. While making sincere efforts for organizing the rural poor through trade unions, cooperatives, associations, as may be appropriate to a particular occasion, care

may be taken not to lose sight of the social and cultural roots. Such organizations should be formed around labor rights as human rights and around economic activities, which would yield economic dividends. Simultaneous efforts should be made to mobilize and organize the poor into SHGs, DWCRA groups, thrift and credit groups and groups of neo-literates on the model of Prof. Md. Yunu's model of Gramin Bank of Bangladesh and Elaben Bhatt's model of Self Employed Women's Association (SEWA) Ahmedabad. This would promote economic self-reliance while putting an end to the culture of silence and helpless dependence.

Promoting Social / Community awareness:

Child labor is a social evil; it is also a flagrant violation of human rights. All sections of the society should be made aware of and sufficiently sensitized about the lethal consequences of child labor, through print, electronic and folk medium. Issues relating to elimination of child labor, access of all children in 6-14 age group to free and compulsory education as a matter of constitutionally and statutorily guaranteed right and protection of all other rights of children (right to health, immunization, nutrition etc.) should be given wide publicity through all media and communication agencies. Special campaigns should be organized at all conceivable occasions (fairs, festivals, performance by cultural troupes such as 'jattras' and operas) with elimination of child labor as the central issue. It should be emphasized again and again that once the tender and most precious resource that a human child represents is damaged and destroyed, it would be next to impossible to restore it to its original form.

Registration of births of children to clinch all disputes about age; Determination of age of children has always been a contentious issue. Registration of births of all children soon after birth and issue of a registration certificate by the competent authority in favor of every child under Registration of Births and Deaths Act, 1969 is one of the surest and most scientific proofs to put an end to all disputes relating to age of children. For this, a drive is required to be launched involving all functionaries (ANMs, LHV's, ASHA Workers) of PHCs. Such a drive will be meaningful if we have 100% institutional delivery as against home delivery where apart from the fact that there may be less possibility of registration of births or delayed registration; it is fraught with risks and hazards to the life of the mother and the child. (As the local dais conducting the delivery may not be sufficiently aware or equipped to handle complicated deliveries).

Registration of migrant workers: Migration per se is not objectionable. Migration becomes objectionable when migrant workers are made victims of deception and fraud (on account of false promises) at the time of recruitment and oppressive and exploitative conditions obtaining at the worksite of the destination point. To deal with such a situation, we have to establish accountability of the recruiting agents, that of the principal employer, the contractor as also other middlemen. Licensing of recruiting agents (S.8), registration of principal employers of the establishment. (S.4) and registration of all migrant workers together with issue of pass book to them (S.12(1)(b) read with Rule 52 of ISMW (ROE&CDS) Rules provide tools of such accountability and will have to be ensured by the licensing and registering officers of the Central and State Governments. as also by the contractors concerned. These are all non-negotiable. Equally non-negotiable are (a) payment of journey allowance (b) displacement allowance and (c) payment of wages during journey period as provided in Sections 13,14,15,16 and 17 of ISMW(ROE & COS) Act, 1979.

Establishment of Nutrition Rehabilitation centers: NRC is an excellent institutional mechanism to save children who are victims of malnutrition (low birth weight, Vitamin A and Iodine deficiency) from vulnerability to infection on account of low immunity and the jaws of death. Guidelines on the manpower and equipment's in a NRC have been laid down. Such centers, which are fully equipped, should be established in areas with concentration of working children and children of building and construction workers who are potential victims of malnutrition. The district administration should pay particular attention to the smooth management of such centers, ensure that all children who require admission in NRC are granted admission and taken care of along with their mothers.

Current status of implementation of RTE Act, 2009 – what more needs to be done: The RTE Act, 2009 came into force w.e.f. 01.04.2010. Even after completion of more than 7 years of the law being on the statute book, we are nowhere near 100% enrolment, 100% retention, 100% participation and 100% achievement of the desired levels of proficiency in all allotted subjects. ASER report of 2017, which has been released, recently has confirmed this.

A multipronged policy and strategy needs to be adopted to ensure optimal realization of the laudable objectives of RTE, 2009. The policy and strategy should aim at universal prohibition of employment of children, withdrawal of all children from work –

hazardous and non-hazardous alike, 100% enrolment, retention, vibrant participation, nil drop-out and achievement of desired levels of proficiency in all subjects. In countries like Japan, South Korea, New Zealand, Australia, UK, erstwhile USSR (Now Russian Federation), Thailand, Sri Lanka, Tanzania and Vietnam, near universal elimination of child labor has been possible, feasible and achievable due to universalization of primary and elementary education. The successful experiments launched in these countries should serve as a model for our country if we are keen on achieving similar goals.

In retrospect and prospect: The building and construction industry will have exponential growth in future. Such growth is linked with growth of physical infrastructure on the one hand and fulfillment of shelter needs of millions of households on the other. Already a massive program for construction of low cost dwelling units for the BPL families under PM Awas Yojna has been launched across the length and breadth of the country.

Such exponential growth in the building and construction activity will lead to entry of a large labor force in the market. This will also lead to migration of labor under conditions, which are not quite conducive to labor as human beings. But more wearisome than this, labor force without requisite education and skill needed by the formal sector labor market is bound to be repulsed by the market. Such a force will, therefore, enter the informal sector with low wages and low social protection. This will inevitably make them push their children to work for supplementary income.

Improvement in educational levels and acquisition of market relevant skills on the part of adult parents is, therefore, the need of the hour. If educational and skill levels of parents improve, this will improve their employability, access to freely chosen, productive and remunerative employment (which is the theme of ILO Convention No. 122 of 1964 which India has ratified on 17.11.1998) and improvement of economic conditions. The latter will act as a force multiplier for access and retention of children in the formal school system, improvement in levels of health, immunization and nutrition, better life expectancy and better productivity. This will eventually turn India's current demographic dividend (India is the youngest nation in the world) to a definite advantage.

Dr. Shashi Tomer
Research Associate, VVNL, New Delhi

News from the Field

A Special For the School for Construction Workers Children

Jharsuguda: A school for the education of the children of construction workers is being set up at jharsuguda. This institute is dedicated to the children of the working class people. The workers hard for the setting of school, colleges and universities but they have scope to impact education to their own children. These workers because of their nature of work are not permanent settlers. They frequently migrate from place to place since they work under different work sites. This is a great impediment to the education of the children. Dharama foundation has been trying consistently to help the migrate children to merge in the mainstream education since the last 3 years. Keeping in views of these children who deserted the school midway through Dharama organized a children festival at jharsuguda. The concerted effort to bring out the best in the children in the field of

graphics and other creative acts. After discourse with these children an education scheme has been devise, which will look after the children of this un-organized sector, will receive proper education. This will be a successful attempt for the education of these children.

The effort to establish such an institution of this nature has generated tremendous enthusiasm among the workers and that of the children. A school has been experimentally established at a site at Saraberna. Dharama foundation is making consistent effort to set up such schools in other labor concentrated as well. As a first step 22 children's working in different construction site have been admitted into this school. Miss Basanti Munda has been appointed as the first teacher of this school. The aim is to focus on sports, art, dance and songs along with formal education.



FACT SHEET:

A summary of the rights under the Convention on the Rights of the Child

Article 1 (Definition of the child): The Convention defines a 'child' as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18.

Article 2 (Non-discrimination): The Convention applies to all children, whatever their race, religion or abilities; whatever they think or say, whatever type of family they come from. It doesn't matter where children live, what language they speak, what their parents do, whether they are boys or girls, what their culture is, whether they have a disability or whether they are rich or poor. No child should be treated unfairly on any basis.

Article 3 (Best interests of the child): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Article 4 (Protection of rights): Governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children's rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out that when a country already has higher legal standards than those prided in the Convention, the higher standards always prevail.

Article 5 (Parental guidance): Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to

use their rights properly. Helping children to understand their rights does not mean pushing them to make choices with consequences that they are too young to handle. Article 5 encourages parents to deal with rights issues "in a manner consistent with the evolving capacities of the child". The Convention does not take responsibility for children away from their parents and give more authority to governments. It does place on governments the responsibility to protect and assist families in fulfilling their essential role as nurturers of children.

Article 6 (Survival and development): Children have the right to live. Governments should ensure that children survive and develop healthily.

Article 7 (Registration, name, nationality, care): All children have the right to a legally registered name, officially recognised by the government. Children have the right to a nationality (to belong to a country). Children also have the right to know and, as far as possible, to be cared for by their parents.

Article 8 (Preservation of identity): Children have the right to an identity – an official record of who they are. Governments should respect children's right to a name, a nationality and family ties.

Article 9 (Separation from parents): Children have the right to live with their parent(s), unless it is bad for them. Children whose parents do not live together have the right to stay in contact with both parents, unless this might hurt the child.

Article 10 (Family reunification): Families whose members live in different countries should be allowed to move between those countries so that parents and children can stay in contact, or get back together as a family.

Article 11 (Kidnapping): Governments should take steps to stop children being taken out of their own country illegally. This article is particularly concerned with parental abductions. The Convention's Optional Protocol on the sale of children, child prostitution and child pornography has a provision that concerns abduction for financial gain.

Article 12 (Respect for the views of the child): When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.

This does not mean that children can now tell their parents what to do. This Convention encourages adults to listen to the opinions of children and involve them in decision-making -- not give children authority over adults. Article 12 does not interfere with parents' right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child's participation in decisions must be appropriate to the child's level of maturity. Children's ability to form and express their opinions develops with age and most adults will naturally give the views of teenagers greater weight than those of a preschooler, whether in family, legal or administrative decisions.

Article 12 (Respect for the views of the child): When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.

Article 13 (Freedom of expression): Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedom and reputation of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.

Article 14 (Freedom of thought, conscience and religion): Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should help guide their children in these matters. The Convention respects the rights and duties of parents in providing religious and moral guidance to their children. Religious groups around the world have expressed support for the Convention, which indicates that it in no way prevents parents from bringing their children up within a religious tradition. At the same time, the Convention recognizes that as children mature and are able to form their own views, some may question certain religious practices or cultural traditions. The Convention supports children's right to examine their beliefs, but it also states that their right to express their beliefs implies respect for the rights and freedoms of others.

Article 15 (Freedom of association): Children have the right to meet together and to join groups and organisations, as long as it does not stop other people from enjoying their rights. In exercising their rights, children have the responsibility to respect the rights, freedoms and reputations of others.

Article 16 (Right to privacy): Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Article 17 (Access to information; mass media): Children have the right to get information that is important to their health and well-being. Governments should encourage mass media – radio, television, newspapers and Internet content sources – to provide information that children can understand and to not promote materials that could harm children. Mass media should particularly be encouraged to supply information in languages that minority and indigenous children can understand. Children should also have access to children's books.

Article 18 (Parental responsibilities; state assistance): Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments must respect the responsibility of parents for providing appropriate guidance to their children – the Convention does not take responsibility for children away from their parents and give more authority to governments. It places a responsibility on governments to provide support services to parents, especially if both parents work outside the home.

Article 19 (Protection from all forms of violence): Children have the right to be protected from being hurt and maltreated, physically or mentally. Governments should ensure that children are properly cared for and protected from violence, abuse and neglect by their parents, or anyone else who looks after them. In terms of discipline, the Convention does not specify what forms of punishment parents should use. However any form of discipline involving violence is unacceptable. There are ways to discipline children that are effective in helping children learn about family and social expectations for their behavior – ones that are non-violent, are appropriate to the child's level of development and take the best interests of the child into consideration. In most countries, laws already define what sorts of The punishments are considered excessive or abusive. It is up to each government to review these laws in light of the Convention.

Article 20 (Children deprived of family environment): Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

Article 21 (Adoption): Children have the right to care and protection if they are adopted or in foster care. The first concern must be what is best for them. The same rules should apply whether they are adopted in the country where they were born, or if they are taken to live in another country.

Article 22 (Refugee children): Children have the right to special protection and help if they are refugees

(if they have been forced to leave their home and live in another country), as well as all the rights in this Convention.

Article 23 (Children with disabilities): Children who have any kind of disability have the right to special care and support, as well as all the rights in the Convention, so that they can live full and independent lives.

Article 24 (Health and health services): Children have the right to good quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy. Rich countries should help poorer countries achieve this.

Article 25 (Review of treatment in care): Children who are looked after by their local authorities, rather than their parents, have the right to have these living arrangements looked at regularly to see if they are the most appropriate. Their care and treatment should always be based on “the best interests of the child”. (see Guiding Principles, Article 3)

Article 26 (Social security): Children – either through their guardians or directly – have the right to help from the government if they are poor or in need.

Article 27 (Adequate standard of living): Children have the right to a standard of living that is good adequate to meet their physical and mental needs.

Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing.

Article 28: (Right to education): All children have the right to a primary education, which should be free.

Wealthy countries should help poorer countries achieve this right. Discipline in schools should respect children’s dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child’s human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect. The Convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.

Article 29 (Goals of education): Children’s education should develop each child’s personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people.

Children have a particular responsibility to respect the rights their parents, and education should aim to develop respect for the values and culture of their parents. The

Convention does not address such issues as school uniforms, dress codes, the singing of the national anthem or prayer in schools. It is up to governments and school officials in each country to determine whether, in the context of their society and existing laws, such matters infringe upon other rights protected by the Convention.

Article 30 (Children of minorities/indigenous groups): Minority or indigenous children have the right to learn about and practice their own culture, language and religion. The right to practice one’s own culture, language and religion applies to everyone; the Convention highlights this right in instances where the practices are not shared by the majority of people in the country.

Article 31 (Leisure, play and culture): Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.

Article 32 (Child labor): The government should protect children from work that is dangerous or might

harm their health or their education. While the Convention protects children from harmful and exploitative work, there is nothing in it that prohibits parents from expecting their children to help out at home in ways that are safe and appropriate to their age. If children help out in a family farm or business, the tasks they do be safe and suited to their level of development and comply with national labor laws. Children’s work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play.

Article 33 (Drug abuse): Governments should use all means possible to protect children from the use of harmful drugs and from being used in the drug trade.

Article 34 (Sexual exploitation): Governments should protect children from all forms of sexual exploitation and abuse. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 35 (Abduction, sale and trafficking): The government should take all measures possible to make sure that children are not abducted, sold or trafficked. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 36 (Other forms of exploitation): Children should be protected from any activity that takes advantage of them or could harm their welfare and development.

Article 37 (Detention and punishment): No one is

allowed to punish children in a cruel or harmful way. Children who break the law should not be treated cruelly. They should not be put in prison with adults, should be able to keep in contact with their families, and should not be sentenced to death or life imprisonment without possibility of release.

Article 38 (War and armed conflicts): Governments must do everything they can to protect and care for children affected by war. Children under 15 should not be forced or recruited to take part in a war or join the armed forces. The Convention's Optional Protocol on the involvement of children in armed conflict further develops this right, raising the age for direct participation in armed conflict to 18 and establishing a ban on compulsory recruitment for children under 18.

Article 39 (Rehabilitation of child victims): Children who have been neglected, abused or exploited should receive special help to physically and psychologically recover and reintegrate into society. Particular attention should be paid to restoring the health, self-respect and dignity of the child.

Article 40 (Juvenile justice): Children who are accused

of breaking the law have the right to legal help and fair treatment in a justice system that respects their rights. Governments are required to set a minimum age below which children cannot be held criminally responsible and to provide minimum guarantees for the fairness and quick resolution of judicial or alternative proceedings.

Article 41 (Respect for superior national standards): If the laws of a country provide better protection of children's rights than the articles in this Convention, those laws should apply.

Article 42 (Knowledge of rights): Governments should make the Convention known to adults and children. Adults should help children learn about their rights, too. (See also article 4.)

Articles 43-54 (implementation measures): These articles discuss how governments and international organizations like UNICEF should work to ensure children are protected in their rights.



Children's Festival organized by Dharama Foundation in collaboration with Mahanadi Coalfields Ltd (MCL)

The worksite environment: Protection of the migrant (construction workers) children



Construction Workers Children marching to Jharsuguda District Administration Office demanding primary education and health during a Children's Festival.

In the construction sites more than 33million daily wage earners are employed on the average. This means that around 16% of the country's population is engaged in this sector. 40% of GDP is invested in this sector. It contributes around 6% to the GDP where as in private sector its contribution is more than 78%. More than 2 lakh crores of our national income generated from this sector. In India more than forty three million people are engaged in this sector. In Odisha this work force is around 3.5 million people. It is estimated that the number of children of this working class people is more than sixty millions in India. It is a travesty of fate that a reliable account of this work force is not available as yet. A substantial portion of this work force consists of Adivasi, Dalit and Other backward classes.

Nearly one-third of this work force is women and child workers. An un-accounted number of children are engaged in different kinds of manual labor. Most of these children live with their parents in an

unhygienic environment. Deprived of minimum health care and education, living at the construction sites as migrant's children. With the change of working sites there is also a subsequent change in childhood spirits. The children while losing their childhood are physically & mentally remain exploited. With the sudden change of the work site and the work hard corresponding change occur. Parents move one place to the other very frequently, for the children courting friendship with other children at the new place becomes a hazardous job. With the departure of parents to the work site the children feel helpless and depressed. They anxiously await the return of the parents.

When they migrate with their parents, education comes to a grinding halt. To seek a new school and admission at the new site becomes more difficult; unable to find entry

into a new school the parents assimilate the kids with their manual labor. There is a sudden end to his education and extra curricular activities. It is urgently necessary to bring back those kids into the mainstream of education. The right to education Act, 2009 making it mandatory to bring back those children to school has not been implemented till now. An investigation conducted on the migrant labor's children reveals that 21% of the children in the country are victims of malnutrition whereas it is more than 70% at the work sites. Since the parents are busy from sunrise to sunset in manual labor they have no time to feed their children or give health care. According to the provision of the law at work sites where more than 30 women are engaged in labor there must be a Crèche but the builders and work contractors mostly ignore such provisions. The labor department has not taken appropriate action in this regard. This national labor commission in its report made several recommendations, after review of the condition of child labor and bonded labor.

Environment at the work sites: "Aidit action"-an international welfare organization surveyed 423 sites and reported that in 232 sites there was no provision for first aid and medical help, which could be provided at time of accident and sickness. People in 68 working sites claim that they do not get provisional medical care. The few places which have such provision are crippled and not in good shape. They are of no use at the time of an accident. It was revealed further that the purpose was obsolete and ineffective.

Most of the work sites invoke pity and depression. The environment around these work sites is intensely dusty and covered with smokescreen and the children of the make them vulnerable for ill health. The stone mines within a radius of 10km of the city slums further pollute the atmosphere. This survey reveals that 2-3rd of the population get drinking water from borewells. 19% of the population collect drinking water from ponds and potholes located in very unhealthy surroundings. Only 3% of the population gets drinking water supplied by public sector undertaking. Because of the stone mines the water streams are heavily polluted and most the people use this water.

SANITATION: The children in these sites face many hazards in terms of sanitation. 99% of the residence complain there is no provision for toilets. In India thousands of migrated children are deprived of such privileges as fundamental rights of children, right to security, and right to growth. They are deprived of child welfare schemes. There is little or no discussion on the influence of migration, on the physical and mental states of these children. It is difficult to take into account the number of migratory children displaced from such regions as Nuapada, Kalahandi, Balangiri and Baragarha. In India migrants labourers shift to financially developed regions from under developed regions. The working children fighting against poverty suffer from physical and psychological depression. The working children at infancy become mentally weak and it is prejudicial to their physical growth. Because of the persistent effort of the Odisha construction welfare board to provide social security to the working class people, the central government in 1996 passed an act for the security and welfare of construction workers. Odisha adopted this Act in 2008. Odisha Construction Workers Welfare Fund have by now reach 1500 Crores of Rupees to take care of the provisions for the construction workers. Needless to say that in 2015-16 a meager amount of 3,54,66,000 was dispersed in favor of construction workers children. In the like manner in 2016-17 a total amount of 103.2 million rupees was spent on the Construction Workers. It is high time that provision should be made to implement this scheme in the tribal district of Odisha. Thousands of application form these students lie idle with the district labor officers of the state. Even after completion of education these students do not get their dues from the government. Therefore there is growing dissatisfaction among these students. The dharama foundation demands that these scholarships be paid to the aspiring students in due time and proper manner.

Lives of construction workers children

Prof Radhakanta Barik

I live in Dwaraka a sub city of Delhi where for two decades there has been flurry of construction activities. Every day one looks at these families live in tin roofed houses with their children. They come from Bihar and UP. They get engaged in these unskilled and semi skilled activities with low wage. The employers of these workers do belong to big companies known as the builders of the world. They invest in many towns and cities of the country. They get land allotted by the government of the state and take advance payments from the aspirants who want to have a house over their roofs. They all pay through their noses but these aspirational middle class do pay without fixing accountability of these builders. There are a large number of cases have been filed in the supreme court against them by these middle class people who do need their flats. But none of them file a case against these builders who violate the labor laws on every day basis against the labor and their children.

The middle class played a decisive role in social reforms movement in 19th century and took the leadership of the national movement against the British rule today have lost their vigor and vision. They have turned too selfish that they cannot think beyond their noses. They are educated lot and a good percentage of them belong to third and fourth generation of learners who have inherited cultural capital with them. A big question arises today how they turn into such a selfish class and have lost vision. All over the world this middle class because of their inheritance of cultural capital prove to be the enlightened selfish class except India. In the age of liberalization they have gone addicted to money and interested in accumulation of money rather than accumulation of capital. At least those get involved in accumulation of capital they help in enlarging the capital by generating wealth. But middle class turn into a great consumerist class and go on consuming everything in the world. This class consumes so much that they throw many things into dustbins, which are getting searched by our street children. Sometimes these children fight over the left over lying in the

dustbins. But we are not discussing the plight of street children. Here we are discussing of the children whose parents working in construction sites and stay with their parents at the construction site. In summer heat they skin get burnt in the heat wave blowing in the cities of India. In the rains their houses cannot provide them security sometimes these houses get destroyed by the strong wind or cyclonic wind. In the winter these children live in cold as the tin roofs cannot protect them from the cold wave. These children come with their parents to these cities from the backward and dalits communities.

In their villages they could not stay as their old grandparents too old to take care of themselves; there is less possibility of taking care of these unfortunate children. Otherwise in the villages these children could have gone to anganwaris where they could have played and got a meal. They could have built a friendship among their friends within their age group. After completing their pre schooling in these anganwaris they could have gone to the nearby the primary schools. They could have sat in the schools and studied alphabets and recited songs. They could have played hide and seek game among themselves. Despite caste and class distinctions these children could have got their friends and enjoyed their friendships and lived in natural lap of rural India. Their harmonious relationship with nature could have built a stable childhood. But unfortunately they have no choice they are forced to come with their parents to the cities and as their parents cannot do skilled works they come here in doing semi skilled and unskilled works. Construction provides the largest employment to them after agriculture. They do not have an alternative but their parents are forced to migrate to the cities and work in construction sites. As both husband and wife work in construction site their children come with them.

It is worth giving some thoughts over the activities of these children. They play and run like any other child, but they are special children as they use bricks and make houses. In these houses they cook food in an imagined manner. They use mud and make toys of their own choice. These special children learn on their own. By providing them extra food as they suffer from malnutrition they can grow into a healthy and fit human being. By giving a checkup by the doctors they suffer from stomach problems as they do not wash their hands and eat their breakfast with their parents after coming from their homes. They eat launch with their parents. They are healthy and fit and which is a precondition for learning more. If the anganwari workers can spend some time with them they can learn faster as they are in a learning process. They know trees and fruits which they see every day and they make out of the mud. Only alphabets will help them to know the names of these trees and fruits.

They can easily recognize the colors as the other children of their age group find difficulty in recognition. They see these colors around them. They see the color of the bricks, which is red. They see the color of leaf as green. They see the sky, which is bluish. Each color is a part of their childhood memory. They can easily recognize these colors and birds and animals as they see these objects as every day activity. Teaching these children will be fun, as they know the basics from their experiences. They see the solid objects and they it is easy to shift to the abstract object. Production of knowledge is a process from the solid to abstract and come back to solid. They have knowledge of space and time as they play in surroundings where their parents work with others. They have a sense of time as they come to work site exactly at eight in morning and go back to their tin house at four. Sense of time makes them a part of urban scenario where time guides everybody.

They need a school surrounding by which they draw pictures on the black boards. They can count easily and they can sing in rhythmic manner. They listen to birds and fluttering of leaves of the trees. They see the butterflies and see their movements

and colors. They grow in the lap of nature. Their homes and schools can be the same place. The state can provide them a school as it is their duty to provide a school under the National Educational Act which provides them free schooling. They can be good citizen as they learn from the school and learn from their life. It is easy to be a disciplined citizen who can contribute to generation of wealth. Once in such a school we interview the children regarding their future. All of them tell one story that they will be one day construction workers or masons. Their aspirations are linked with their surroundings and life style of their parents. Education will help them to be aware politically and be an active citizen and be aware of their rights as the workers in construction sites. They have right to lead a healthy and secured life. They can negotiate with the state for getting their pension. As they would know of reading and writing any contractor regarding their wage, government servant for getting their legal entitlements cannot cheat them. They can use the bank facilities to earn their livelihood in an honest manner in the era of technology. As workers get cheated while sending money by the post office as the postmaster of his village demands a little bribe. Moreover when he carries while going back home on the railway station he or she gets plundered by the criminal gangs very often reported in the media. Let him learn digital transfer to his family members.

Indian state enacted Right of children to free and compulsory education act of 2009 to provide every child with free and quality education, which should not ignore the children of construction workers. Any state as a moral institution is to create an ethical environment for every child to grow into a healthy human being. A healthy and educated human being is the backbone of Indian society and democracy. They will work as the productive labor and work as good citizens. Both are complementary and cannot be separated.

Prof Radhakanta Barik, Profession, Indian Institute of Public Administration, New Delhi

Thousands of years
ago green turned
black deep inside
Mother Earth.
And today, we
mine with the
thought of returning
green back to her.



* An original picture of plantation on OB dump in Lakhanpur open cast mine of MCL.

Some of our efforts in a bid to turn Coalfields into 'Green Fields' are.....

- Planting over 5.15 million trees in and around MCL's command area in Odisha.
- Being the 1st company to introduce Eco-friendly Surface Miner In 1999, which completely eliminates drilling, blasting and crushing operations in mining of coal.
- Installing Mobile Water Sprinklers, Fixed Automatic Sprinklers, Instant Showering Systems and Mist Spraying arrangements at CHP to reduce air pollution.
- Treating industrial waste water in Mine Discharge Treatment Plant and introducing Sedimentation ponds, oil & grease traps in workshops and domestic effluent treatment plant in colonies to help minimise pollution.



MCL

ମହାନଦୀ କୋଲ୍‌ଫିଲ୍ଡ୍‌ସ୍ ଲିମିଟେଡ୍
महानदी कोलफील्ड्स लिमिटेड
Mahanadi Coalfields Limited
(A subsidiary of Coal India Limited)



Dharama Foundation

- the platform of the Children of Construction Workers

Dharama Foundation – the platform of the children of the Construction Workers have emerged from Pragatishila Shramik Mancha (PSM), an independent trade-union of the unorganized informal construction workers and migrant laborers. PSM have been working towards protecting the rights of the Construction Workers since 2004 with more than 60,000 informal worker members spread across 18 districts of Odisha state. The campaigns by the PSM have brought in the movement around the Rights of the Informal Construction Workers in the state of Odisha in general and that of the growing mining and industrial belts of the state in particular.

Dharama Foundation was founded during one of the Annual Convention of Construction Workers organized by PSM. Dharama Foundation, recognize the power of children to ascertain their rights. The children and their collective power to dream as they wish have enabled the change to break the cycle of deprivation and helplessness. Catch them young – as they say, the young children of these workers have more power and courage compared to their parents. These innocent faces are now changing the Rights Landscape of the Construction Workers as they inspire their parents to understand the complexity of the laws protecting their rights and that of their families in the language their parents understand better. The dreams of these children drives them to access stipends provisioned by the law to continue their studies. The growing up children now help parents fill up their application to get registered under the Welfare Act, receive Bi-Cycles, Tool Boxes and even more. While their parents and their peers are left powerless, now their children bring more power from their friends and schools/colleges as their friends, teachers (who are not from construction workers families) do support them, as they understand the social landscape of the construction workers and their vulnerability.

The rapidly expanding urban landscape and infrastructures have been the luring factor for the unorganized workers to move from one place to another to gather cash income. The nomadic lives of the Construction Workers have been a casualty on the lives of scores of children in their families depriving them of their fundamental rights to primary education, social security, care, affection and protection from ills of the various exploitations. Dharama Foundation strives to offer a platform without fear and isolation for the children to bring in motivation for pursuing their dreams. The children festivals offer them the scope to pursue their cultural identities, releasing their passion for sports and arts. It brings them the knowledge to avail supports they need for their studies and protecting their childhoods. We wish the society would emerge as inclusive to nurture these children to build a better nation where there are no deprivation and isolation for the children of these construction workers. Children are children of this country and our future.

EDITOR-IN-CHIEF: DR. L MISHRA, Editorial Team: Rakshyakar Anupam, Biswamohan, Sushama

Dharama Foundation: 25, Madhusudan Nagar, Unit IV, Bhubaneswar – 751001, Odisha, India.

Email: dharamafoundation@gmail.com, +919437961278