

ISSUES OF CONCERN FOR INCLUSION IN THE MANIFESTO 2013

The Concerned for Working Children

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1. CHILDREN AND YOUTH:

a. Child Labour:

We recognise that today's young people must become the skilled workers of tomorrow, and that States where child labour occurs on a large scale, will find their development into a modern society and economy hampered.

As signatories to the ILO Conventions on Child Labour and the United Nations Convention [UNCRC] on the Rights we understand that Child Labour is work that deprives children of their childhood, their potential and their dignity, and is harmful to their physical and mental development. While we are committed to protecting children from these damaging aspects of work we also appreciate that not all work can be classified as child labour. Work that contributes to children's and adolescent's development and to the welfare of their families providing them with skills and experience, helping to prepare them to be productive members of society during their adult life is generally regarded as being something positive.

We understand that one reason why child labour exists is that parents are unable to earn sufficient income to support their families. Child labour is often a choice between life and death and some children work to support their schooling. Clearly, therefore, we cannot eliminate child labour simply by prohibiting it. We must take flanking measures to ensure that child labour is no longer necessary in order to supplement the family income. These measures include the protection of vulnerable families; access to social services; and the creation of safe and decent work for those children and adolescent legally permitted to work that enables them to combine work and education.

Hence the Child Labour Action Plan of Karnataka shall be reviewed and its appropriateness, rate of success and conformity and compliance with the UNCRC evaluated and suitably redesigned to ensure that working children's rights are not violated and that they are protected from all forms of abuse and exploitation. The revised Action Plan will also ensure that any remedial action after the 'rescue' of children from hazardous occupations shall be an improvement on their quality of life in the short and long term. And for children legally permitted to work, safe and dignified employment shall be made available and their legal rights protected while access to education provided.

b. Special Children:

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We acknowledge that we as a nation have failed to adequately provide for and protect children with special needs. With regard to education, access to public spaces, care and protection for these children we have little to offer. Recognising this lacuna, we will take all possible measures to draft a policy and appropriate programmes to bridge this gap and ensure that our special children may enjoy all their rights as children.

c. Adolescents and Youth:

Children in the age group of 14 and above and young persons above 18 years of age have been falling through the cracks as they are the most neglected by Policy and Legislation. Recognising their enormous energy and potential we feel there is an urgent need to create an environment that nurtures and harnesses their vitality towards a constructive and far-sighted approach to democratic nation building.

To realise this objective an 'Adolescent and Youth Policy' will be drafted in consultation with Youth Sanghas and civil society organisation working with adolescents and youth and appropriate programmes designed.

Youth shall also be involved in assisting the elected members of Gram Panchayats to collect information related to issues of concern to the Gram Sabhas, conduct surveys and spread information and awareness on important topics of democratic principles that will encourage people's participation and responsible citizenship.

d. Nutrition:

In the past five years there has been a very sharp decline in the nutritional status of children in Karnataka leading to several deaths and crippling diseases.

We pledge to correct the error by reviewing the quality of the food provided and the delivery mechanism. We believe that those that are closest to the children concerned are the best suited to provide this service as they have a vested interest to ensure that their children obtain the highest in quality and that cleanliness and hygiene are maintained. We therefore believe that this responsibility should be restored to Gram Panchayats and Mahila Sanghas in each hamlet/ward be given the duty of preparing and distributing the food.

e. Leisure and Recreation:

Recognising the important role that leisure and recreation plays in enhancing the quality of life of all citizens of all ages, and the need to

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encourage and support cultural activities and sports we propose the following:

- *Promote low-cost Adventure Sports for adolescents and youth, especially girls such as trekking, hiking, environment excursions and historical tours;*
- *Ensure that there are parks that are also disabled friendly in every locality;*
- *Make sure that pavements are paved and safe for the disabled and elderly;*
- *Create playgrounds for children, especially children of the economically weaker sections of society, girls and young women;*
- *Support Arts Societies for the disabled, children of the economically weaker sections of society, girls, young women and senior citizens; and*
- *Support groups from all religious persuasions to showcase the positive aspects of their culture and heritage in ways that encourage secularism and tolerance.*

2. EDUCATION:

We acknowledge that formal education is the right of every child and recognise our obligation to enable all children to have easy access to schools that provide quality and appropriate education, and address the special needs of children with disabilities.

a. Special Children:

We realise that there are very few educational opportunities for children with disabilities. Most schools are not geared to address the learning needs of these children and special schools are few and far between. Lack of mobility and poor access to the schools that are available is another major hurdle. We therefore undertake to pay special attention to the requirements of these children and promote and support efforts to cater to their needs.

b. Working Children and Adolescents:

We recognise that safe and dignified work can be a learning arena and that it is important for children to be prepared for the world of work through exposure to skills as a part of formal education. We also accept that children and adolescent legally permitted to work cannot be denied an education and require safe 'earn while you learn' opportunities through flexi and extension schools.

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We are aware that there is a dearth of vocational institutes for young persons and those that exist rarely combine formal education with skill training. Further, they require a minimum educational level to qualify, generally the school leaving certificate. The economic compulsions on most families and children do not permit them to wait that long forcing them into the labour market as unskilled labourers destroying their chances of aspiring for well paid occupations.

We therefore pledge to give special attention to this group of children [14 years and above], especially girls, and undertake to provide them access to formal education that combines skill development and entrepreneurship training.

c. Migrant Children:

The setting up and running of Tent Schools for migrant children under the Sarva Shiksha Abhyan programme will be taken up on a priority basis and the language of instruction in these schools the medium of instruction shall be the mother tongue of the children and Kannada.

3. WOMEN:

Acknowledging that women are 50% of our population and that no development can be meaningful without their active, informed and fearless participation, the safety and empowerment of women and girls is a priority. This will be enabled by creating an environment that respects and protects women and girls; provides them with access to educational and skill development opportunities; panchayat/ward centres for training in self defence; mechanisms for speedy redressing of grievances and complaints regarding the violation of their rights; swift action against offenders; and by setting good examples.

4. HAWKERS AND VENDORS:

Recognising that thousands of families have been deprived of their livelihood as a result of development projects such as road widening, express highways, metro construction and the reclaiming of pedestrian pavements; demarcated 'hawking zones' will be planned in the same vicinity with a transparent licensing system to accommodate them and ensure that their means of livelihood are restored.

All development projects will also ensure that the livelihood of displaced families/persons will be ensured by including designated spaces for vending in the plans of the said project.

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[Example: The hawkers displaced by the Metro project in Byapanahalli could have been accommodated by providing an area along the road near the entrance to the main Metro Station and licensing them by levying a small fee. Similarly the vendors displaced due to road widening and reclaiming of pavements could have been accommodated if they were considered as a part of the road widening. Development should be inclusive, addressing the concerns of all citizens, especially the poorest and weakest.]

5. SMALL RESTAURANTS AND EATERIES:

With the introduction of the new Central Government Act that governs the hospitality industry, small restaurants and eateries will find it very difficult to comply. It will also be impossible for small vendors and suppliers of raw material to adhere to the 5 Star guidelines laid down. It is therefore necessary to negotiate with the Central Government to relax these specifications for small restaurants and eateries to ensure their survival. The State Government will take the initiative to initiate these negotiations.

[Explanation: The new Food Safety and Standards Act enacted by the Central Government, but partly administered by the State Government imposes very strict regulations on the purchase, storage and preparation of food. For example, it requires temperature control and periodic lab tests of the raw material at every stage of the purchase and production cycle and certified food specialist to monitor this. It is possible for 5Star Hotels and restaurants to comply as they have a lab on the premises, and hiring a food specialist is not a problem for them, but for the small and medium restaurants like the Udupi's and Kamath's and small Indian fast food joints, this will be impossible. Further, the vendors from whom the raw material is purchased also have to be registered under this Act and follow the same specifications.]

6. MIGRANTS:

Realising that with the rapid trend of urbanisation, internal migration between states is on the rise, as people move in search of livelihood as a response to inequitable distribution of resources, services and opportunities, as a result of displacement due to mega development projects or to escape violence or natural disaster. The movement of people from rural to urban and peri-urban areas has rendered thousands of families homeless and deprived of basic amenities such as shelter, drinking water, satiation, education and health care. They are even denied the right to vote as their native villages are far from their migrant settlements. Their vulnerability is exploited by middlemen and the children are the ones that suffer the most.

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Acknowledging this reality, a policy to protect the rights of migrants and their families, especially the children and young girls will be drafted taking special cognisance of

7. PANCHAYAT RAJ:

a. Gram Panchayats:

Recognising the States obligation to the Indian Constitution and being committed to the principles of decentralisation and the 73rd Amendment, Panchayats cannot be seen as a mere efficient delivery system for Central or State designed schemes, but as the sculptors of their own development. Central or State schemes should be modelled with the intent to empower Gram Sabhas, the Elected Representatives of Gram Panchayats and other tiers of the Panchayat to be able to use these schemes and or provisions based on the needs and vision of rural citizens and refrain from being prescriptive and dogmatic in their implementation and implement obligatory safe guards to prevent them from being used for 'political' ends.

Over the past years we have witnessed a deliberate erosion of Panchayathi Raj. A popular notion is that the law is weak in this regard, the natural consequence of Article 243G providing flexibility to States to determine the ambit of devolution to Panchayats. However, a close examination of facts show that this is incorrect - in fact, Karnataka has passed strong laws, but these are weakly implemented because they are not backed by a political will that is committed to decentralisation. The means adopted to institutionally weaken Panchayathi Raj are not through the law, but through executive actions.

The setting up of committees headed by MLAs or Government Officials bypassing Gram Panchayats and Gram Sabhas; programmes directly implemented by para-statal bodies; the setting up of Missions that are devoid of peoples participation; passing orders [not amendments to the law]; and the issuing of circulars transferring the powers of the Panchayats to departments of government seems to be a recent very widespread trend.

We therefore commit to:

- *Ensure the devolution of the 3Fs at least in a phased manner.*
- *The empowering of Elected Representatives of Gram Panchayats by vesting in them the power to manage their local governments in accordance with the wishes of the Gram Sabha. Ensuring that the secretaries and PDOs **assist** them in their functions and do **not***

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intimidate or usurp their functions or conceal information or hinder the carrying out of their duties.

- *Strengthening Panchayats to deliver services by first and foremost ensuring that the delivery is based on the specific needs of the said Gram Panchayats and not on random allocations by the State Government, Zilla or Taluk Panchayat or even political considerations. To guarantee this, the Grama Sabha shall be the deciding body based on a mapping of the panchayat conducted by the community including children and senior citizens. In this regard the holding of Special Gram Sabhas for the disenfranchised [such as children, the care givers of the mentally challenged, migrants] women and senior citizens that are preceded by similar special Ward Sabhas would be critical. This would ensure bottom-up planning involving all sections of the community.*
- *Ensure that Gram Panchayats receive a substantial amount of non-planned untied funds based on their need. This is especially essential for small underdeveloped panchayats in backward areas. Panchayats should also be assisted to think of creative ways to raise their own funds locally and they should be guided to do so.*
- *Appreciating that basic facilities related to education, skill development and recreation are scarce or even nonexistent in villages it would be prudent to adopt a cluster approach that is based on proximity [not revenue or geographical divisions] in which one village that is at the centre will be developed and provided with the necessary infrastructure such as a vocational training institute for youth and adults especially women; games fields with the provision of overnight boarding and lodging; good road and transport connectivity; hospitals, high schools and colleges. This will be under the management and supervision of the said Gram Panchayat.*
- *All bulk purchase or acquisition of land within the preview of a Gram Panchayat shall require the prior approval of the respective Gram Sabhas and a no-objection from the respective Gram Panchayats.*
- *Developing Guidelines for holding Gram Sabhas.*
- *Plans shall be developed with the participation of the community each year from November to January after which the District*

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Planning Committees, that will be set up, will consolidate and submit these plans to the State Government and the annual State Budget shall be based on and in response to these plans.

- *All essential infrastructure related to water, electricity, sanitation and housing shall be developed in consultation with Gram Panchayats and shall be administered directly by Gram Panchayats.*

b. Pattana Panchayats:

- *Pattana and Peri Urban Grama Panchayats take serious exception to that fact that they are being used as dumping grounds for waste generated in the urban areas. Henceforth, solid waste management and waste disposal of urban areas shall take place within their own area of jurisdiction and the state Government is requested to put necessary procedures and systems in place to ensure this. The elected bodies of the concerned urban centres shall be held responsible and be required to pay for all forms of pollution/ damage caused to the environment and the people of the concerned Grama Panchayat.*
- *Any Grama Panchayats that is likely to be or proposed to be brought under or merged with an urban area, the concerned Grama Panchayat shall have the choice whether to do so or not and their decision shall be final.*
- *Basic provision such as street lights, electricity and water provided by the Grama Panchayats to its people should be provided with subsidies. The outstanding amount towards the electricity bills of the Panchayats should be waived by the State Government.*
- *In line with the constitutional provisions for decentralised political participation in the 73th amendment, the acts and rules governing Panchayats that come under the 74th amendment should be modified to include mechanisms for people's participation and right to decision making as provided for, for Grama Panchayats.*

8. DRINKING WATER:

Acknowledging the role of the State to provide for basic services to its citizens, we will ensure that water will not be privatised in Karnataka. The United Nations General Assembly, in 2010 has adopted a resolution declaring Right to water and sanitation as 'human rights'. The Supreme Court has held that Article 21 of the Constitution includes the right of citizens to Water and

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Sanitation. We endorse this and maintain that any proposal to privatise water is unconstitutional.

Appreciating the escalating crisis related to availability of drinking water especially for the poor and marginalised, all efforts will be made on a priority basis to provide portable drinking water through public taps and tankers at anganwadis, schools and at convenient points in villages and cities especially where impoverished communities are living.

[Example: In Inidi Taluk Bijapura District, communities are purchasing water at Rs: 4/- per kodapa]

9. GREEN COVER:

Acknowledging that trees are an important tool in the fight to stave off global warming as they absorb and store carbon dioxide (CO₂), the key greenhouse gas emitted by cars and power plants before it has a chance to reach the upper atmosphere where it traps heat around the Earth's surface, we shall ensure that for every tree felled, two saplings of an indigenous variety will be planted in the same vicinity and a green belt shall be demarcated around Bengaluru and other cities and towns and enforced strictly.

10. GROUND WATER RECHARGING AND WATER HARVESTING:

Conceding that the enforcement of mandatory policy regarding ground water recharging and water harvesting has not been implemented with the rigor required and that there is an urgency to remedy the situation as the water crisis is palpably increasing, the policy will be revised to ensure wider coverage, more stringent implementation and encompass municipal projects of the same nature using roads as collection paths and parks as storage and recharging units.

11. WASTE MANAGEMENT:

Efficient and eco-friendly waste management, including the collection, removal, processing, and disposal of materials will be a top priority. In this process Pattana Panchayats surrounding cities will not be used as dumping grounds. It is also recognised that waste management should be viewed not just as trash with no value, but as an opportunity for resource extraction.

An integrated waste management approach that attempts to solve this problem by considering the entire life cycle of a product and determining the best processing method for it in order to extract as much useful material

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while saving energy, water, and other resources will be designed and implemented with the advice of experts on a priority basis.

12. HERITAGE:

In recognition of the fact that our heritage is one of our prime resources, and that many countries of the world have taken great pains to preserve their heritage and that this is also a tourist attraction, the preserving of our heritage will be a priority.

In the connection the following will be included:

- *Defining and delineating heritage sites, buildings and areas within cities, towns and panchayats and ensuring their restoration, preservation and protection;*
- *Set up a **Heritage Fund** to promote indigenous culture, arts and craft; and*
- *Document and discriminate oral traditions such as indigenous technology, oral history, music and stories.*