

HUMAN RIGHTS AND LABOURS

Dr. PRIYA SAROJ¹, Ms. PUJA SHARMA²

^{1,2}Assistant Professor
University Institute of Legal Studies,
Chandigarh University,
Mohali (Punjab), India

ABSTRACT: The Human Rights are a special sort of inalienable moral entitlement. They attach to all persons equally, by virtue of their humanity, irrespective of race, nationality, or membership of any particular social group. They specify the minimum conditions for human dignity and a tolerable life. The history of the almost entire first half of the twentieth century is characterized by the prevalence of colonial rule in large parts of the world, the rise of authoritarian governments in many countries and the establishment of fascist barbarous and aggressive regimes in some countries on the one hand and the rise of national liberation movements in the colonies and of movements of democracy and social progress in various countries in the other. The most significant feature of the new conceptualization was its universality. It was reflected in various declarations of the war aims proclaimed by countries allied against fascism and militarism. It was expressed in the charter of the United Nations which began with the following words, "WE THE PEOPLES OF THE UNITED NATIONS DETERMINED to save succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrow to mankind. Migratory labour is a vast concept and it includes various types, nature of origin and destination areas and characteristics of migration process. These levels are migration of survival, subsistence and voluntary migration. Though migrant labour has strengthened the economy in Punjab, its continuous flux has also resulted in a host of avoidable problems.

Keywords: Humanity, Democracy, Subsistence, Sovereign.

I. INTRODUCTION

Human Rights are a special sort of inalienable moral entitlement. They attach all persons equally by virtue of their humanity, irrespective of race, nationality, or membership of any particular social group. They specify the minimum conditions for human dignity and a tolerable life. The term Human Rights covers the series of often desperate rights and freedoms for people's enjoyment of a life based on the centrality of human dignity proponents of human rights regard them as being inherent, inalienable and universal; inherent in the sense that they are the birth right of all human beings and people enjoy them simply by virtue of their human existence and as such, they do not have to be granted to them by any superior or sovereign authority; inalienable in the sense that people cannot agree to give up them and universal in the sense that they do not just apply to individuals as citizens or groups but to all persons regardless of their group identities. The nature of migration can be examined at various levels. These levels are migrations of survival, subsistence and voluntary migrations. Human Rights are generally defined as the rights which every human being is entitled to enjoy and to have protected. The struggle for the recognition of human rights and the struggle against political, economic, social and cultural oppression, against injustice and inequalities, have been an integral part of the history of all human societies. The conception of the rights which every human being is entitled to enjoy by virtue of being a member of the human species has evolved through history in the course of these struggles. The origins of the contemporary conception of human rights can be traced to the period of the Renaissance and later of the enlightenment of which humanism may be said to be the heart and soul.

II. Declarations regarding Human Rights

The two most important declarations which inspired revolutionary movements the world over were the American Declaration of independence and the French Declaration of the Right of Man and citizen. The main concern of these movements was the ending of despotic rule, establishment of democratic politics, (though women continued to be excluded from it for long) and the protection of the liberties of the individual. A new element to the evolving concept of human right was added by the socialist movement which emerged in the nineteenth century with its stress on the 'abolition of class rule' and the establishment of social and economic equality. The most significant feature of the new conceptualization was its universality. It was reflected in various declarations of the war aims proclaimed by countries allied against fascism and militarism. It was expressed in the charter of the United Nations which began with the following words, "WE THE PEOPLES OF THE UNITED NATIONS DETERMINED to save succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained and to promote social progress and better standards of life in larger freedom..." The Universal Declaration of Human Rights (1948) which was proclaimed in a little over three years after the UN charter, as elaborate list of human rights intended as a common standard of achievement for all peoples and all nations, is the contemporary statement of human rights which are intended to be universally applicable. On 10 December 1948, the General Assembly of the United Nation adopted and proclaimed the Universal Declaration of Human Rights. The list of Human Rights elaborated in the Declaration provides a common standard of achievement for all peoples and all nations. Considering the world-wide historic significance of this Declaration, 10 December is observed as the World Human Rights Day every year.

III. Main Considerations of Human Rights

Here the main consideration is Human Rights enshrined in Indian Constitution. During the struggle for freedom the foreign yoke, which included the struggle against the Indian Princes, the people of India evolved their vision of independent India. This vision found its articulation in the various programmes, resolutions and activities which were adopted by the Indian National Congress which led the struggle and included the resolve to establish a democratic and secular polity based on adult franchise, the reconstruction of Indian society and economy on the principles of social justice and egalitarianism and recognition of and pride in India's cultural diversity and variety. It had inherited the rich heritage of the social reform movements which had started in the nineteenth century to rid Indian society of many traditional ills which plagued it. The fight for civil liberties had been from the beginning an integral part of the Indian freedom movement. The Indian freedom movement also developed an internationalist outlook and visualized the Indian struggle as a part of the world wide struggle for freedom, democracy and social progress. The ideals of the freedom movement were sought to be reflected in the Indian constitution which was framed by India's constituent Assembly which began its task in September 1946 when India was still not free and completed it on 26 November 1949. This task was completed under the titles Preamble to the constitution and parts of Part III on Fundamental Rights and Part IV on Directive Principles which together have been described as forming the core of the constitution, and which together reflect the basic principles of the Universal Declaration of Human Rights.

The fundamental rights that are guaranteed under the constitution have a close similarity with those in the UN Declaration of Human Rights in form and content in Articles 14, 15, 16, 19, 20, 21, 23, 25, 29, 31 and 32. The constitution provides six basic rights as the right to equality under Articles 14 to 18. The right to freedom is described in Articles 19 to 22. The right against exploitation is found in Articles 23 and 24 and right to freedom of religion under Articles 25 to 28, cultural and educational rights are provided in Articles 29 to 30 and the important right to constitutional remedies in Articles 32.

IV. Human Rights and the Migrants

As article 19 provides the freedom to move freely throughout the territory of India and the freedom to reside and settle in any part of the territory of India, but this freedom does not implement on migrants. Because here my topic of research is mainly consider with the migrants of Punjab. Though migrant labour has strengthened the economy in Punjab, but also a big problem for Punjab. The migration is always for better employment opportunities and settlement and normally from poor to rich states and Punjab is considered to be the richest state and due to green revolution and industrial development it is central point and the study regarding the migrants indicates that the rights of migrants are badly violated in Punjab and they are considered as secondary citizens. The main reason of their exploitation is their illiteracy, ignorance and poverty. The migration is mainly from Uttar Pradesh, Bihar, Haryana, Himachal Pradesh, Orissa, Bengal, Rajasthan etc. As according to sex wise 28.88% males and females are aware about their rights. But overall males are more aware than females. Age wise respondents between the ages of 30-40 are more aware. According to religion wise Hindus are more aware than Muslims.

In the same way educated people know more about their rights and the people who have some skill in their hands know more than unskilled and illiterate persons. The people who are uneducated being exploited because they do not know about their rights. They do not know about the prescribed working hours. Respondents from Bihar and Haryana do not know about their working hours. Similarly regarding the behavioural attitude of police. It is the duty of police to make people comfortable in the city or state. But the behavior of police towards migrants is not very good. And they are being harassed by police also. The another aspect of violation of migrants in Punjab is that the local residents of their ignorance. In buses and trains migrants treated as commodities and being violated. They can't express their views independently. They reside in slum areas and have no basic facilities. Generally migrants from Bihar, Orissa and U.P. are oppressed and discriminated in Public life whereas the respondents from Haryana and Himachal Pradesh are educated and less discriminated because their culture is alike Punjab.

V. Conclusion

The violation of Human Rights is concerned more with mentally and thinking of the violator, hence it should be treated psychologically rather enacting more laws. Women and men migrant workers face high risk of exploitation and rights abuses during recruitment and transit and when living and employed outside their home country. Many persons migrating, especially in lower or medium skilled situations, get misleading information about conditions and benefits of employment abroad, and incur high migration costs as result of excessive (often illegal) intermediation fees and debt burdens. In destination countries, they may be given contracts with the inferior conditions and lower wages that what was promised. Generalized problems for many migrants in destination countries include poor working conditions, confiscation of travel documents, virtual absence of social protection, and denial of basic rights in the workplace. Current headlines tell of discrimination, social exclusion and vicious xenophobic attacks against migrants in countries in all regions. There are few mechanisms for access to justice. Those most at risk are low skilled migrant workers, female migrant domestic workers, and those in irregular status. We can check the ills of this problem by adopting the various remedial steps like general awareness and vigilance; self sufficiency in economic aspect and fulfillment of basic needs; minimization of social and economic disparities etc.

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