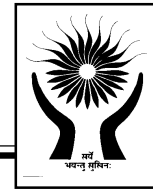




VII. Rights of Children



**Employment of Children below the age of 14 years as domestic help by
Government servants.**

Justice M.N. Venkatachaliah
Chairperson

राष्ट्रीय मानव अधिकार आयोग
National Human Rights Commission

February 10, 1997

Dear Minister,

This Commission has been receiving disquieting reports about the employment of children as domestic servants and subjected to long and laborious hours of work. The Commission has also received complaints against Government servants engaging children below the age of 14 years as domestic servants. You will kindly agree that this is simply unacceptable.

The Commission feels that employing children (below and upto the age of 14 years) for work by anyone is reprehensible more so by any Government servant. In its meeting held on 10 January, 1997, the Commission decided to recommend that an appropriate rule be included in the conduct rules of Government servants, both Central and State, which while prohibiting such an employment would also make it a misconduct inviting a major penalty.

I, therefore, request you kindly to take appropriate steps to introduce a rule to the Central Civil Service (Conduct) Rules, 1964 as under:-

“Central Civil Services (Conduct) Rules, 1964 shall be amended by adding the following as Rule 22-A:-

- i) No Government servant shall employ to work any child below the age of 14 years;
- ii) breach of sub-rule (i) shall be misconduct attracting a major penalty.”

I am addressing a separate letter to the Chief Ministers of all States with a request to provide a similar rule in regard to State Government servants.

With regards,

Yours sincerely,

Sd/-
(M.N. Venkatachaliah)

Shri S.R. Balasubramanian
Minister of State in the
Ministry of Personnel, Public
Grievances and Pensions,
North Block, New Delhi.



Letter to Chief Ministers of all the States on the amendment of Conduct Rules of Government Servants to prohibit the employment of children below the age of 14 years as domestic help.

Justice M.N. Venkatachaliah
Chairperson

No. 8/11/97-Research
राष्ट्रीय मानव अधिकार आयोग
National Human Rights Commission

March 3, 1997

Dear Chief Minister,

This Commission has been receiving disquieting reports about the employment of children below the age of 14 years as domestic help by the Government servants and often subjected to long and laborious hours of work and on occasions, subjected to torture. You will kindly agree that this is simply unacceptable.

In the light of a recent judgement of the Supreme Court upholding 'the right to free and compulsory education for all children until they complete the age of 14 years' as a Fundamental Right, you will agree that the practice of employing children as domestic help does not comport with the spirit of this pronouncement.

The Commission feels that employing children (below and upto the age of 14 years) for work by anyone is reprehensible more so by any Government servant. In its meeting held on 10 January, 1997, the Commission decided to recommend that an appropriate rule be included in the conduct rules of Government servants, both Central and State, which while prohibiting such an employment would also make it a misconduct inviting a major penalty. Accordingly, I have addressed a letter to the Minister incharge of the Ministry of Personnel, Public Grievances and Pensions, Government of India with a request to introduce a rule (Rule 22-A) in the Central Services (Conduct) Rules, 1964, as under :

- "i) No Government servant shall employ to work any child below the age of 14 years;
- ii) breach of sub-rule(i) shall amount to misconduct attracting a major penalty."

I request you kindly to add a similar rule in the conduct rules of State Government servants. I shall be grateful if you could take early action in this regard.

With regards,

Yours sincerely,

Sd/-

(M.N. Venkatachaliah)

To
Chief Ministers of all States & Administrators of UTs.