



# The Indian Journal for Research in Law and Management

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Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

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## CHILD RIGHTS IN INDIA: A COMPREHENSIVE OVERVIEW

~ *Kanchan Kumari Gupta*

### Introduction

Child rights in India have been a significant focus of both national and international attention. The rights of children encompass a wide range of areas including education, health, protection from abuse, and the right to a dignified life. This article delves into the status, challenges, and advancements in child rights in India, drawing on various legal frameworks, policies, and societal changes.

### Historical Context

India's commitment to child rights can be traced back to the early years of independence. The Constitution of India, adopted in 1950, laid the groundwork for safeguarding the rights of children. Articles 21A, 24, 39(e) and (f), and 45 of the Constitution specifically address the welfare of children, emphasizing the importance of education, protection from hazardous employment, and ensuring their overall development.

### Legal Framework and Policies

India is a signatory to the United Nations Convention on the Rights of the Child (UNCRC), which it ratified in 1992. This international treaty outlines the civil, political, economic, social, and cultural rights of children. Following this, India has enacted several laws and policies to protect and promote child rights:

1. The Juvenile Justice (Care and Protection of Children) Act, 2015: This Act provides a comprehensive legal framework for the care, protection, and rehabilitation of children in conflict with the law and children in need of care and protection.
2. The Protection of Children from Sexual Offences (POCSO) Act, 2012: A landmark legislation that deals with sexual abuse of children, providing stringent punishments for offenders and special courts for speedy trial of such cases.
3. The Right of Children to Free and Compulsory Education (RTE) Act, 2009: Ensures free and compulsory education for children between the ages of 6 and 14 years, making education a fundamental right.
4. The Prohibition of Child Marriage Act, 2006: Aims to eliminate child marriage, which is still prevalent in many parts of India.
5. The Child Labour (Prohibition and Regulation) Amendment Act, 2016: Prohibits the employment of children below 14 years in hazardous occupations and regulates the working conditions of adolescents (14-18 years).

### **Current Status and Challenges**

Despite the robust legal framework, the implementation of child rights in India faces several challenges:

1. Child Labour: According to the Census 2011, there are over 10 million child labourers in India. Economic disparities, lack of education, and social norms contribute to this persistent issue.
2. Education: While the RTE Act has increased enrollment rates, the quality of education remains a concern. Infrastructure deficits, inadequate teacher training, and high dropout rates hinder the educational progress of many children.
3. Child Marriage: Despite legal prohibitions, child marriage continues to be prevalent. According to the National Family Health Survey (NFHS-4) 2015-16, 27% of girls are married before the age of 18.

4. Health and Nutrition: Malnutrition remains a severe issue, with the National Family Health Survey (NFHS-5) indicating high levels of stunting and wasting among children under five years of age. Access to healthcare services, especially in rural areas, is limited.

5. Protection from Abuse: Cases of child abuse and exploitation, including trafficking, sexual abuse, and physical violence, are alarmingly high. The POCSO Act has been instrumental, but underreporting and slow judicial processes impede justice.

### **Government Initiatives and Programs**

The Indian government has launched various programs and schemes to address these challenges:

1. Integrated Child Development Services (ICDS): Aims at improving the health and nutrition of children under six years of age, pregnant women, and lactating mothers through a network of Anganwadi centers.

2. Sarva Shiksha Abhiyan (SSA): Focuses on universalizing elementary education and improving the quality of education.

3. Mid-Day Meal Scheme: Provides free meals to children in primary and upper primary schools to improve nutritional levels and encourage school attendance.

4. Beti Bachao Beti Padhao (BBBP): Targets the declining child sex ratio and promotes the education and empowerment of girls.

5. National Nutrition Mission (POSHAN Abhiyaan): Aims to reduce levels of stunting, under-nutrition, anemia, and low birth weight among children.

### **Role of NGOs and Civil Society**

Non-Governmental Organizations (NGOs) and civil society play a critical role in advocating for and implementing child rights in India. Organizations like Child Rights and You (CRY), Save the Children, and Bachpan Bachao Andolan work at grassroots levels to protect children from exploitation, provide education, and promote health and nutrition.

### **Success Stories and Case Studies**

1. Operation Smile: An initiative by the Indian government in collaboration with NGOs to rescue and rehabilitate missing and trafficked children. Since its inception, thousands of children have been rescued and reunited with their families.
2. Makkala Jagriti: A Bangalore-based NGO focusing on holistic development for marginalized children through educational programs, vocational training, and life skills development.
3. Balika Samridhi Yojana: A government scheme aimed at improving the status of the girl child and promoting her education by providing financial incentives.

### **International Cooperation and Support**

International organizations such as UNICEF, UNESCO, and the World Bank have been instrumental in supporting child rights initiatives in India. They provide technical assistance, funding, and expertise to bolster national efforts in areas like education, health, and child protection.

### **Future Directions**

To further improve the status of child rights in India, several steps can be taken-

1. Strengthening Implementation: Effective implementation of existing laws and policies is crucial. This includes training law enforcement agencies, sensitizing judiciary members, and enhancing monitoring mechanisms.
2. Community Engagement: Engaging communities and local leaders in child rights initiatives can help change societal norms and practices, especially in rural and marginalized areas.
3. Innovative Education Models: Leveraging technology to enhance education delivery, especially in remote areas, can bridge the educational gap. Programs like Digital India can play a pivotal role.
4. Holistic Health Programs: Integrating health services with education and nutrition programs can ensure a more comprehensive approach to child well-being.
5. Enhanced Legal Framework: Periodic review and amendment of laws to address emerging challenges and ensure that they are in line with international standards.

## **Conclusion**

The journey of safeguarding child rights in India has seen significant progress, yet challenges remain. A multifaceted approach involving government, civil society, and international cooperation is essential to ensure that every child in India enjoys their rights to education, health, protection, and a dignified life. Sustainable development can only be achieved when the rights and well-being of children are at the forefront of national policies and societal values.

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