

Module 1

Evolution of Child Rights in India

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5. Components of an e-Content Module

5.1 Component-1A : Personal Details:

(Provide personal details of content writer along with other members of Content Development Team including their name(s) and their affiliation in the format given below. This information is required essentially to give due credit to the members of Content development Team for writing the content).

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Component-1B : Description of Module:

(Describe of module in the format given below):

Items	Description of Module
Subject Name	Social Work Education
Paper Name	Social Work with Children & Child Protection
Module Name/Title	Evolution of Child Rights in India
Module Id	SW/SWCCP/1
Pre-requisites (Expected to know before learning this module)	Some basic understanding of the concept of child rights, issues concerning children, issue of abuse of children, basic knowledge of institutions for children, voluntary organizations for children, and police and legal systems in India.
Objectives (of this module)	1. To enable the learners to gain a detailed understanding of evolution of child rights in the world with special focus on India. 2. To provide an overview of various services available for children under child rights. 3. To give a basic understanding to enable the learner to appreciate the major issues in India in the context of child rights. 4. To provide knowledge that is sufficient enough to work as a child rights functionary.
Key words	Child rights, Right to Life, Right to good Health, Right to Safe Water, Right to Food, Right to Education, Right to Protection, Right to Freedom of Expression, Right to Identity, Legislation for Protecting Child Rights.

Quadrant 1

5.2 Component-2 - e-Text:

(Textual document consisting of at least 8 pages or minimum 3000 words with detailed write-up on the topic of module in the rtf/ doc/ odt format. Language should be very simple. Topic should be built in systematic and logical manner. The module must consist of the following parameters:)

Learning Outcome:

This module is titled 'Evolution of Child Rights in India'. It aims to enable the learners to gain a detailed understanding of evolution of child rights in the world with special focus on India. It also aims to provide an overview of various services available for children under child rights. It also intends to equip the learner with basic knowledge which will be adequate to work as a child rights functionary. The learner will be able to understand the manner in which child rights evolved in the world in the early days. It will also give the learner a chance to learn the chronology of important developments in the context of child rights in India.

1.1 History of Child Rights

In the earlier times children were considered as 'small adults' and the idea of special rights to children was unheard of. It was in the 1840s that the idea of special protection to children emerged in France.



Laws were enacted in France since 1841 to protect children in their workplace and to grant them the right to be educated. It was only after the 1st World War that the world began to recognize the need for special rights to children. On 28 February 1924, the International Save the Children Union ratified the Declaration of the Rights of the Child during its fifth general assembly. This document was sent to the League of Nations, which adopted 'Geneva Declaration' on 26 September 1924, proclaiming that "Humanity has to do its best for the child". (The League of Nations later became the United Nations). The document, in five chapters, discussed the well-being of children and recognised their right to development, assistance, relief and protection and responsibilities of adults. The Geneva Declaration is a historic document that recognised and affirmed for the first time the existence of rights specific to children and the responsibility of adults towards children. The first international Human Rights document in history to specifically address children's rights is the 'Geneva Declaration', which is based on the work of Polish physician Janusz Korczak. (<http://www.humanium.org/en/childrens-rights-history/references-on-child-rights/geneva-declaration/> accessed on 12 Oct 2013).

The United Nations continued its efforts for bringing child rights on to the centre stage.

1.2 Establishment of UNICEF

World War II caused untold sufferings to thousands of children. "On 11 December 1946, the United Nations General Assembly proclaims a new ethic of protection and care of children, establishing the United Nations International Children's Emergency Fund (UNICEF) to respond to the millions of displaced and refugee children deprived of shelter, fuel and food in the aftermath of World War II". In October, 1953, the General Assembly decides to continue UNICEF's mandate on a permanent basis (a permanent international organization), reaffirming the broader terms of reference established for the Fund in 1950. The words "International" and "Emergency" are dropped from the official name, which now becomes the United Nations Children's Fund, but the original acronym UNICEF is by now too well-

known to drop. (http://www.unicef.org/about/history/index_milestones.html). During the 1970s UNICEF grew into a vocal advocate of children's rights. During the 1980s, UNICEF assisted the U.N. Commission on Human Rights in the drafting of the Convention of the Rights of the Child. (<http://www.history.com/this-day-in-history/unicef-founded>). UNICEF has been working in India since 1949. It is the largest UN organisation in the country.

Country Programme Action Plan 2013-2017 between the Government of India and UNICEF has been announced. The overall goal of the 2013-2017 country programme is to advance the rights of children, adolescents and women to survival, growth, development, participation and protection by reducing inequities based on caste, ethnicity, gender, poverty, region or religion. It has been formulated within the context of 12th Five Year Plan and the United Nations Development Action Framework, and aims to accelerate progress towards the achievement of the Millennium Development Goals. Building on over sixty years of collaboration, UNICEF will continue to be an active partner of the Government in striving to achieve children's rights in India (http://www.unicef.org/india/overview_8184.htm).

1.3 United Nations Convention on the Rights of the Child (UNCRC)

In 1959 the United Nations General Assembly adopted the Declaration of the Rights of the Child (DRC). The DRC describes children's rights in 10 principles. However, this document was not signed by all the countries. Therefore these ten principles only provided an indicative value. The DRC paved the way to the Universal Declaration of Children Rights, which is popularly known as the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC was unanimously adopted by the UN General Assembly on 20th November 1989. This became the first internationally binding instrument which recognized all the fundamental rights of the child. The UNCRC gave legal expression to the notion that children have independent human rights – and that those rights would be at the heart of all political, economic and social decision making. Its 54 articles describe the economic, social and cultural rights of the children. It enshrines the general principles of non-discrimination, best interests of the child, right to life, survival and development and respect for the views of child. It then elaborates the specific rights of civil rights and freedoms; family environment and alternative care; basic health and welfare; education, leisure and cultural activities; and special protection measures (Desai, 2012 p-93).

India ratified the UNCRC in December 1992, therefore the Government of India is obligated to implement the rights contained in the UNCRC. As of 2011, the International Charter of the Child Rights has been signed by 191 countries out of 193, thus giving it wide acceptance and recognition. Only two nations, Somalia and the United States of America did not ratify the UNCRC. (Somalia does not currently have an internationally recognized government, so ratification is impossible, and the United States, which was one of the original signatories of the convention, has failed to ratify the treaty because of concerns about its potential impact on national sovereignty and the parent-child relationship). It has been described as nothing short of 'the cornerstone of a new moral ethos for children' and an instrument stressing that 'respect for and protection of children's rights is the starting point for the full development of the individual's potential in an atmosphere of freedom, dignity and justice' (WCD, 2000). The Government of India submitted its first Country Report on the Convention of the Rights of the Child in February 1997 (Bajpai, 2008 p-438).

1.4 Issues in Child Rights

Although India has today been on the trajectory of economic growth, and there have been several initiatives by the government for eradication of poverty, a significant portion of the population continues to live in poverty. Economic inequalities are rampant and children are most affected. Eight important rights in the context of children are the following: 1) Right to life, 2) Right to health, 3) Right to safe water, 4) Right to food, 5) Right to education, 6) Right to protection, 7) Right to freedom, and 8) Right to identity. In the context of India, the main problems affecting child rights are the following (<http://www.humanium.org/en>):

1.4.1. Right to Life : According to vital statistics data for 2012, the 'Infant Mortality Rate (IMR)' varies from 10 to 56 in the different states in India. In rural India IMR has declined by 30% while the decline is by 28% in urban India since 2003. A report by CRY puts the IMR at 7 (Bhandary, 2013-a). The IMR is a count of deaths of infants under one year of age per 1000 live births in a year. It is considered a key indicator of health services, nutritional levels, poverty and educational level of the people. Reduction in IMR is one of the 'Millennium Development Goals (MDGs)' set by the United Nations with a deadline of 2015 (Varma, 2013 a). The decline in IMR is one positive development in the context of right to life. According to Global Hunger Index (GHI) Report which was released on 14th October 2013, the mortality rate of children younger than age five in India is about 6% (Varma, 2013 b). Poverty coupled with cultural preference for male children has been mainly responsible for the death of thousands of children in India every year. The practice of female foeticide (selective abortion), female infanticide (drowning, poisoning, suffocation, or deliberate negligence leading to the death of the child) and general neglect of girl children continue to result in large scale deaths of girls, which have even adversely affected the sex ratio. India's child sex ratio continues to plummet. Census data for 2011 has revealed that Child Sex Ratio (CSR) in the 0-6 age group has further declined to 914 girls for every 1000 boys, as compared to 927 in 2001 (Shrinivasan & Dhawan: 2011). The Government of India enacted the 'Pre-Conception and Prenatal Diagnostic Technique (Prohibition of Sex Selection) Act, 1994' with a view to put an end to the practice of female foeticide and to check the decline in CSR. The 2011 Census data further revealed that the 'socially backward' groups namely Scheduled Castes and Scheduled Tribes are ahead of the rest in CSR, with CSR among STs at 957, SCs at 933 and general population, excluding these two categories, at 910. This trend suggested that 'backwardness' may actually work in favour of gender justice, presumably as 'backwardness' denied access to sex determination techniques (TOI, 2013 p-12).

1.4.2. Right to good Health : is a pre-requisite to right to life. A large number of children die each year in India. Lack of appropriate health care, lack of immunization, preventable diseases, unsafe drinking water, absence of sanitation, dearth of regular monitoring of pregnancy, unsafe deliveries, and malnutrition are mainly responsible for most such deaths. According to a CRY report, only 54% children received full immunization (Bhandary, 2013-b). According to the National Family Health Survey, India accounts for one-third of the world's children who suffer malnutrition (Indian Express, 2000). Coming to mental health, World Health Organization has indicated that 15% of children in India have serious emotional disturbances (WHO, 2001). Yet another issue in the context of child health (and child protection) is 'Child Marriage'. Child marriage is a reality in India. All children have a right to care and protection; to develop and grow into a complete and full individual, regardless of their social and economic situation. Child marriage is a blatant violation of all these rights. It is widely believed that as many as 50% of the Indian women are married before the age of 18. It is observed that child marriages are more prevalent among rural and poorer sections of the population. In some parts of the country it is culture and traditions that are largely responsible for this practice. Lack of parental interest in educating their girl children and the eagerness of parents to send their girl children away to minimize the financial burden are other factors responsible for this problem.

A Unicef Stocktaking Report on Children and AIDS says that AIDS-related deaths among adolescents between ages 10 and 19 increased by 50% between 2005 and 2012, rising from 71,000 to 1,10,000, and that many of them were unaware that they were infected. An estimated 74% of the 2.1 million adolescents live in 12 high-burden countries in 2012. India is among these high-burden countries. Other countries include South Africa, Nigeria and Tanzania. The total infected adolescents population in South Asia is 1,30,000 with 51% boys and 49% girls. It says that investments to the tune of US\$ 5.5 billion by next year will be required to avoid an added two million adolescents, particularly girls, becoming infected by 2020. (Dhawan, Himanshi, *India among 12 nations with most HIV+ adolescents*. Times of India, Nagpur 1.12.2013 p-10.)

1.4.3. Right to Safe Water: Yet another precondition to the right to life is the right to safe water. Access to clean water is a major issue in India. Large portion of India's human population is deprived of safe

drinking water. In rural areas, access to potable water remains a considerable problem: 20% of the rural population does not always have access to potable water (<http://www.humanium.org/en>). Because of this, it is the children living in these areas who are most exposed to various health problems linked to water, as in the absence of adequate availability of water, children are not able to maintain minimum standards of hygiene. Due to insanitary conditions and the absence of potable water, water borne diseases are widely prevalent, causing despair and death. Children are the worse sufferers of this adversity.

1.4.4. Right to Food : It is a right to not die of hunger and to not suffer from malnutrition. Although India has been producing surplus food, a significant section of the population, including children, remains undernourished. According to Global Hunger Index (GHI) Report, about a quarter of the world's hungry, or 210 million, is in India. India continues in the 'Alarming' category of countries classified by severity of hunger. The GHI is calculated on three indicators, namely, the proportion of people who are undernourished, the proportion of children under five who are underweight, and the mortality rate of children younger than age five. The Report says that the proportion of underweight children is about 40%. (Varma, 2013). According to the National Sample Survey Organization, the nutritive value of food consumed per person is dipping. It declined from 2153 kilocalories per person per day in 1993-94 to 2020 kilocalories in 2009-10 in rural areas and from 2071 to 1946 kilocalories in urban areas (Varma, 2013). While children from wealthy sections face overeating problems, children from poorer sections suffer from malnourishment. Poverty and lack of awareness about balanced diet are the main reason for this situation. Subsidized food grains and pulses are being provided by the government to the economically weaker segments. Besides, with a special focus on supplementing children's nutrition, there are two major governmental initiatives in India, namely, the 'Midday Meals Scheme (MMS)' and the 'Integrated Child Development Services (ICDS) Scheme'. All state governments in India have introduced 'Midday Meals Scheme (MMS)' in schools with a view to ensure children at least one full meal a day. Under the ICDS Scheme, children in the 0-6 age group are provided with supplementary nutritional diet. However, the Union Human Resources Development Ministry in a 'Joint Review Mission' on the MMS in Buldhana district in Maharashtra found that 54.40% boys and 66.70% girls were underweight in spite of them being beneficiaries of MMS (Choudhari, 2013). According to another report, every second Indian child (6-35 months) is malnourished. The report quoting CRY further says that 79% of Indian children are anaemic (Bhandary, 2013-c).

1.4.5. Right to Education : According to the 2011 census data, as many as 26% of the Indian population are illiterates. This accounts for the largest number of illiterate people in the world. Absence of parental literacy results in neglect of children's education. Gender based and caste based discrimination also are factors causing marginalization of children in the educational system. Girls are consistently denied equal opportunities to attend and complete primary schooling (Bajpai, 2008 p-449). As a result, primary education is far from universal. That many children are not enrolled in schools and that many drop out before completion of their education are matters of great concern. The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which came into force with effect from 1st April, 2010 is an important milestone towards ensuring the educational rights of children. The newly introduced Act is expected to improve the situation. However, a report by CRY says that the national dropout rate at the elementary level is 40% despite enactment of the RTE Act (Bhandary, 2013-d).

1.4.6. Right to Protection : According to a study conducted by the Ministry of Women & Child Development, Govt of India, in 2007, more than 69% of children aged 5 to 18 years old are victims of abuse (Kacker, L., et al 2007). A large number of children are also victims of abuse at home and schools. There are an estimated 500,000 street children nation-wide exposed to violence and exploitation (Unicef, 2000). Hundreds and thousands of girls are trafficked and used for prostitution in brothels in cities (Bajpai, 2008 p-449). 'Child Protection' is about protecting children from or against any perceived or real danger or risk to their life, their personhood and childhood. It is about reducing their vulnerability to any kind of harm and protecting them in harmful situations. It is about ensuring that no child falls out of the social security and safety net and, those who do, receive necessary care, protection and support so as to bring them back into the safety net. With a view to mitigate limitations listed above, the Ministry of

Women & Child Development, Government of India introduced the 'Integrated Child Protection Scheme (ICPS)' in 2009 to contribute to the creation of a system that will efficiently and effectively protect children, minimizing the gaps in services. It is based on cardinal principles of "protection of child rights" and "best interest of the child". Its purpose is to reach out to all children, in particular to those in difficult circumstances, by combining the existing child protection schemes of the MWCD under one centrally sponsored scheme. The ICPS focuses its activities on children in need of care and protection and children in conflict and contact with the law (MWCD, 2010).

One important issue in the context of child protection is 'Child Labour'. Hundreds and thousands of children are employed in all forms of labour in India. Statistics reveal that India has 16.57 million child labourers - the highest in the world. Data compiled by CRY reveals that as much as 54% of child labour is in the agriculture sector, 18% in households, 15.5% in construction and 4.83% in the manufacturing sector. Why must a child - any child - work at all? "Mainly to help their families because the adults do not have appropriate employment and adequate income," reveals an official from Prayas, an NGO that rehabilitates street children. "Children also work because there is a demand for cheap labour in the market. Poor and bonded families, succumbing to the demand, often 'sell' their children to contractors who promise jobs in cities and the children end up being exploited. Many run away and find a life on the streets." Children work out of compulsions of poverty, adult unemployment and social inequalities. It is because of the failure of the state to address these issues that child labour still exists (Sawhney, 2006). A latest CRY report also indicates that 11.8% Indian children are engaged in some form of child labour (Bhandary, 2013-e).

Large scale trafficking of children is noticed all over the country. Large scale physical and sexual abuse of working children has compounded the problem. They live in poverty with insufficient food and shelter and having no access to health care (Bajpai, 2008 p-449). There are many reasons to believe that the political will is lacking and therefore the Child Labour (Prohibition and Regulation) Act 1986 is not being properly enforced.

1.4.7. Right to Freedom of Expression : This right refers to the child's right to freedom of thought and expression, to have opinions, to have access to information, and to participate in decisions which affect his or her life. Children also have the right to religious freedom. The Indian constitution guarantees freedoms of expression and opinion. However, by and large, children are not allowed to express their opinion. The view points of children are not given due importance. Mostly adults take all major decisions on behalf of children. Unfortunately, children's participation at any level is considered least important in India. As a cultural practice children are always told to obey elders without questioning. Children are always told not to express their opinions in front of the elders (Bajpai, 2008 p-456).

1.4.8. Right to Identity: Fool proof registration of births is not a reality in India. Only about 41% of births, mostly in urban areas, are registered in India. In the absence of birth registration, children are deprived of their rights, as they are treated as non-entities. Each child has the right to have a surname, a first name, a nationality, and to know who his or her relatives are. The right to identity also means that each child's existence and rights must be officially recognized (<http://www.humanium.org/en>). In India, children continue to be discriminated against because of their class, caste or religion.

1.5 Paradigm Shifts

An initiative was taken during the fifth five year plan to focus on child protection and the first National Policy for Children (NPC) 1974 came up from this plan, which shifted the focus from welfare to development of the child. The NPC declared that "Children shall be protected against neglect, cruelty and exploitation. To achieve these aims, the State shall provide necessary legislative and administrative support". 'There has been a paradigm shift in approaches towards children. The shift in focus is from the welfare to the developmental approach' (Bajpai, 2008 p-438), as indicated in the table below:

Approaches Towards Children

Earlier Approach	Present Approach
Needs	Rights
Welfare	Development
Institutional and residential care	Non- residential and family-based alternatives
Custodial care	Holistic development
Segregation and isolation	Inclusion and mainstream
Beneficiary and recipient	Participant and partner

Source: Child Rights in India, Asha Bajpai, 2008 p-438

2. History of Legislations for Protecting Child Rights in India

2.1 The beginning: First legislation pertaining to children in India was the Apprentice Act of 1850. This legislation, however, did not create a separate juvenile justice system but worked within the adult justice system. It was the Reformatory Schools Act, 1897 which separated, for the first time in India, children from adults in the criminal justice system.

2.2 Children's Acts: Following the recommendations of the Indian Jails Committee 1919-1920, the Madras Children Act 1920 was introduced, which became the first Children's Act in India. It was a provincial law and covered the then Madras Province. The Bengal Children's Act and the Bombay Children's Act and many other such legislations then followed. In 1960, the Government of India enacted the 'Children's Act, which was applicable in Union Territories. All these legislations were repealed with the enactment of the Juvenile Justice Act, 1986.

2.3 The Juvenile Justice Act: enacted in 1986, was the first juvenile law in India which was uniformly applicable across the country. In order to comply with the provisions of UNCRC, the Juvenile Justice Act 1986 was amended and reenacted as the Juvenile Justice (Care and Protection of Children) Act in 2000. It was further amended in 2006 as the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006 and in 2011. The juvenile justice system in India today is governed by this important piece of legislation. The Union Government in June 2014 has introduced proposals to amend the Juvenile Justice Act.

2.4 Prohibition of Child Marriages Act: The Child Marriage Restraint Act was first enacted in British India in 1929. It was amended in 1978. To overcome the shortcomings of Child Marriage Restraint Act, the Government of India enacted the Prohibition of Child Marriages Act, 2006 (PCMA), which came into effect from 1st November, 2007. Under this Act, a child or minor is a person up to 18 years in the case of girls and 21 years in the case of boys. The solemnisation of child marriages is a cognisable and non-bailable offence (MWCD, undated).

2.5 Child Labour (Prohibition and Regulation) Act, 1986 : The CLPR Act is the foremost legislation on preventing child labour. The CLPR Act repealed the Employment of Children Act, 1938. Under this Act a child means a person who has not completed the age of 14 years. The Act prohibits child labour in certain specific hazardous occupations and manufacturing processes. The Act is not applicable to processes carried out by families, with their own members. The Act does not allow children to work between 7.00 pm and 8.00 am. Children are also not allowed to work overtime, or in more than one establishment in a day. No child is permitted to work for more than six hours a day. Children shall be given one hour rest after every three hour duty. The Act was amended on 10th October, 2006, whereby employment of children as domestic helps and roadside restaurants was also banned. With this order, employing a child under 14 years of age is also banned in houses and restaurants (TOI, 2006).

2.6 Commissions for Protection of Child Rights: The Government of India appointed an Expert Committee under the chairmanship of Justice V R Krishna Iyer for drafting the 'National Commission for Children Bill 2000'. Based on this draft, the Government enacted the 'Commissions for Protection of Child Rights Act, 2005', which was notified in the Gazette of India on 20th Jan 2006 as Act No.4 of 2006. The Act envisages setting up statutory bodies like a National Commission at the National level and the State Commissions at the State level. These Commissions were set up for proper enforcement of children's rights and for the effective implementation of laws and programmes relating to children. The Rules for implementation of the provisions of the Act in respect for National Commission for Protection of Child Rights have been notified on 31.7.2006 and the National Commission for Protection of Child Rights (NCPCR) has been constituted. Many state governments have also set up State Commissions for Protection of Child Rights. The Commissions are authorized to initiate suo motu steps to ensure child protection and child rights.

2.7 Ban on corporal punishment: The Supreme Court of India banned corporal punishment for children on December 1, 2000 when it directed the State to ensure "that children are not subjected to corporal punishment in schools and they receive education in an environment of freedom and dignity, free from fear".

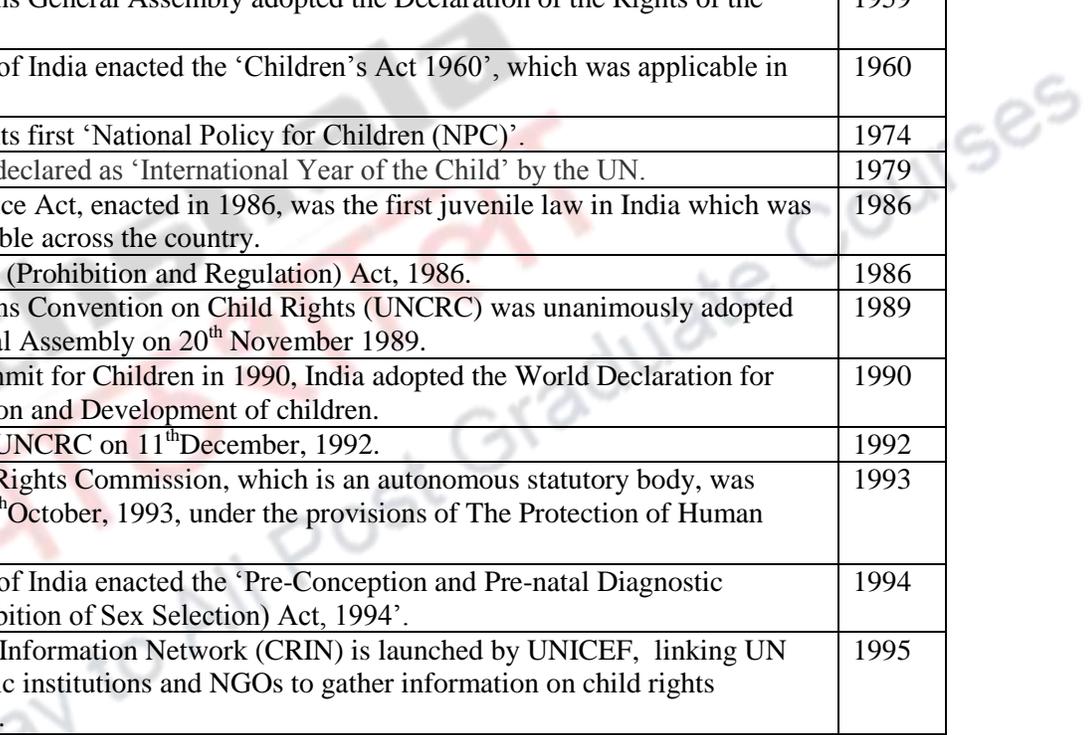
2.8 Right to Education Act: The Right of Children to Free and Compulsory Education (RTE) Act, 2009, came into force with effect from 1st April, 2010. The RTE Act aims to provide for free and compulsory education to all children of the age of 6 to 14 years in a neighborhood school till completion of elementary education.

2.9 Protection of Children from Sex Abuse: The Protection of Children from Sexual Offences Act 2012 (POCSO Act) came into effect on 14th November 2012. This Act aims to strengthen the legal provisions for the protection of children from sexual abuse and exploitation. For the first time, a special law has been passed in India to address the issue of sexual offences against children. It provides protection to all children under the age of 18 years from the offences of sexual assault, sexual harassment and pornography.

3. National Policy for Children-2012: The Union Cabinet of India on 18th April, 2013 approved the National Policy for Children, 2012. The policy was approved to reaffirm the commitment of the Government towards the realization of the rights of the Children in the Country as it recognized that every person below 18 years in age as a child. The policy has identified survival, nutrition, health, development, education, protection and participation as undeniable rights of every child, and these have been recognized as the key priority areas. This Policy is to guide and inform all laws, policies, plans and programmes affecting children. All actions and initiatives of the national, state and local government in all sectors must respect and uphold the principles and provisions of this Policy. The National Commission for Protection of Child Rights and State Commissions for Protection of Child Rights are made responsible to ensure that the principles of the policy are respected in all sectors at all levels. The Government has also created a provision of reviewing the Policy after every five years. The Ministry of Women and Child Development is the nodal ministry for overseeing and coordinating the implementation of the policy and will lead the review process. (<http://wcd.nic.in/childreport/npc2013dtd29042013.pdf> accessed on 22.10.2013).

4. Important Landmarks in the Evolution of Child Rights

No.	Landmarks in the Evolution of Child Rights	Year
1	Laws were enacted in France since 1841 to protect children in their workplace and to grant them the right to be educated.	1841
2	The first piece of law in India which made a modest attempt to cater to the special needs of children within the criminal justice apparatus was the Apprentice Act of 1850.	1850
3	The Reformatory Schools Act, 1897 separated, for the first time in India, children	1897

	from adults in the criminal justice system.	
4	Following the recommendations of the Indian Jails Committee 1919-1920, the Madras Children Act 1920 was introduced.	1920
5	The International Save the Children Union ratified the Declaration of the Rights of the Child during its fifth general assembly on 28 February 1924.	1924
6	The League of Nations, which adopted 'Geneva Declaration' on 26 September 1924, proclaiming that "Humanity has to do its best for the child". (The League of Nations later became the United Nations).	1924
7	The Child Marriage Restraint Act, 1929. (It was amended in 1978).	1929
8	The United Nations created a special fund called the 'UN Fund for Urgency for the Children'. This later became the UNICEF.	1947
9	UNICEF began its work in India.	1949
10	The UNICEF was granted the status of a permanent international organization.	1953
11	The United Nations General Assembly adopted the Declaration of the Rights of the Child (DRC).	1959
12	The Government of India enacted the 'Children's Act 1960', which was applicable in Union Territories.	1960
13	India formulated its first 'National Policy for Children (NPC)'. 	1974
14	The year 1979 is declared as 'International Year of the Child' by the UN.	1979
15	The Juvenile Justice Act, enacted in 1986, was the first juvenile law in India which was uniformly applicable across the country.	1986
16	The Child Labour (Prohibition and Regulation) Act, 1986.	1986
17	The United Nations Convention on Child Rights (UNCRC) was unanimously adopted by the UN General Assembly on 20 th November 1989.	1989
18	At the World Summit for Children in 1990, India adopted the World Declaration for Survival, Protection and Development of children.	1990
19	India ratified the UNCRC on 11 th December, 1992.	1992
20	National Human Rights Commission, which is an autonomous statutory body, was established on 12 th October, 1993, under the provisions of The Protection of Human Rights Act, 1993.	1993
21	The Government of India enacted the 'Pre-Conception and Pre-natal Diagnostic Technique (Prohibition of Sex Selection) Act, 1994'.	1994
22	The Child Rights Information Network (CRIN) is launched by UNICEF, linking UN agencies, academic institutions and NGOs to gather information on child rights activities globally.	1995
23	The Government of India submitted its first Country Report on the Convention of the Rights of the Child in February 1997.	1997
24	In order to comply with the provisions of UNCRC, the Juvenile Justice Act 1986 was amended and reenacted as the Juvenile Justice (Care and Protection of Children) Act in 2000.	2000
25	The Government of India appointed an Expert Committee under the chairmanship on Justice V R Krishna Iyer for drafting the 'National Commission for Children Bill 2000'.	2000
26	The Supreme Court of India banned corporal punishment for children on December 1, 2000.	2000
27	In May 2000, the optional protocol to the International Charter of the Child Rights regarding the participation of children in armed conflicts is ratified. It entered into force in 2002. This text prohibits minors taking part in armed conflicts.	2000
28	The 'National Charter for Children-2003' was adopted and notified in the Gazette of India on 9 th February, 2004.	2004
29	In early 2006 the Department of Women and Child Development became a full-fledged Ministry and child protection matters were transferred to this new Ministry.	2006
30	The J J Act was further amended in 2006 as the Juvenile Justice (Care and Protection of	2006

	Children) Amendment Act, 2006 and in 2011.	
31	Government enacted the 'Commissions for Protection of Child Rights Act, 2005', which was notified in the Gazette of India on 20 th January, 2006.	2006
32	National Commission for Protection of Child Rights (NCPCR) was constituted on 31 st July, 2006.	2006
33	To overcome the shortcomings of Child Marriage Restraint Act, the Government of India enacted the Prohibition of Child Marriages Act, 2006 (PCMA), which came into effect from 1 st November, 2007.	2007
34	Integrated Child Protection Scheme (ICPS) was launched by the Ministry of Women and Child Development, Government of India on 26 th February, 2009.	2009
35	The Right of Children to Free and Compulsory Education (RTE) Act, 2009, came into force with effect from 1 st April, 2010.	2010
36	Guidelines governing adoption of Children in India were formulated in 2011.	2011
37	The Protection of Children from Sexual Offences Act, 2012.	2012
38	The Union Cabinet of India on 18 th April, 2013 approved the National Policy for Children, 2012.	2013
39	The Union Government introduced proposals for the amendment of the Juvenile Justice Act.	2014

5. Situation of Children in Asia-Pacific according to 'Humanium'

The following eight parameters were used by 'Humanium' which is an international child sponsorship NGO dedicated to stopping violations of children's rights throughout the world, to classify the countries in the world based on the situation of children: Right to life, Right to education, Right to food, Right to health, Right to water, Right to identity, Right to freedom, and Right to protection. Countries were classified into five categories based on the situation of children, namely, 1) Very Serious Situation, 2) Difficult Situation, 3) Noticeable Problems, 4) Satisfactory Situation, and 5) Good Situation (<http://www.humanium.org/en/asia-pacific/>). An overview of the 'Situation of Children' in the 45 countries in the Asia-Pacific region according to Humanium, based on the above parameters, is presented in the following table:



Situation of Children	Country	Frequency	Percentage
Very Serious Situation	Afghanistan, Bangladesh, Cambodia, Pakistan, Nepal.	05	11.11
Difficult Situation	India, Bhutan, Indonesia, Kazakhstan, Kyrgyzstan, Laos, Myanmar, Nauru, North Korea, Papua New Guinea, Philippines, Solomon Islands, Tajikistan, Thailand, Timor-Leste, Turkmenistan, Uzbekistan, Vanuatu, Viet Nam.	19	42.22
Noticeable Problems	Brunei, China, Fidji, Kiribati, Malaysia, Maldives, Marshall Islands, Micronesia, Mongolia, Russia, Samoa, Sri Lanka, Tonga, Tuvalu.	14	31.11
Satisfactory Situation	Australia, Cook Islands, Palau, Singapore, South Korea.	05	11.11
Good Situation	Japan, New Zealand.	02	04.44
	Total	45	100.00

Based on information provided in <http://www.humanium.org/en/asia-pacific/> accessed on 12.10.2013.

As evident from the above table, in majority (42.22%) of the countries in the Asia-Pacific region, the children were in 'Difficult Situation' in the context of child rights. There were five countries where the children were in 'Very Serious Situation'. The NGO Humanium placed children in India in the category of 'Difficult Situation'. Barring seven countries, where the children were considered to be in 'Satisfactory /Good Situation', children in all other 38 countries required more intervention to improve their life situations. It could be inferred from the above analysis that despite introduction of the concept of child rights in the world since the 1840s, child rights is yet a dream for most children.

6. Agencies for Child Rights

Although there is an increase in awareness about child rights, a lot more of concerted efforts are required to ensure better child rights in India. An obstacle in realizing the rights of the child is the debt burden facing third-world countries like India. New technology, changing economic structures and policies need to be reviewed (Bajpai, 2008 p-450). Both Governmental and Voluntary Agencies are working for child rights in India. There are six types of agencies working for child rights in India: 1. Decision-making Agencies under J.J. Act 2000; 2. Agencies providing institutional care for children; 3. Agencies providing Non-institutional services for children; 4. Child Protection agencies; 5. Child Rights Advocacy groups; and 6. Funding organizations.

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Additional Reading

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Bajpai, Asha (2010), *The legislative and Institutional framework for protection of Children in India*. Institute of Human Development and UNICEF, New Delhi.

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Other Related Reading Material :

1. The Juvenile Justice (Care and Protection of Children) Act, 2000.
2. Juvenile Justice (Care And Protection Of Children) Amendment Act, 2006.
3. Juvenile Justice (Care And Protection Of Children) Rules, 2007.
4. The Juvenile Justice (Care and Protection of Children) Amendment Act 2011 and Juvenile Justice (Care and Protection of Children) Amendment Rules 2011.
5. Guidelines for Adoption.
6. Guidelines for Sponsorship for Children under ICPS.
7. Guidelines for Aftercare of Children under ICPS.
8. District Need Assessment Template - for guidelines only.
9. SOP for Inter-State/District Transfer of Children in Need of Care & Protection.
10. Training Module for Child Welfare Committee Members.
11. Training Module for Juvenile Justice Board Members.
12. The Protection of Children from Sexual Offences Act, 2012.
13. The Protection of Children from Sexual Offences Rules, 2012.

7. Summary :

7.1. This introductory module, Quadrant 1, gives enough information about evolution of child rights to enable the learners to gain a detailed understanding of evolution of child rights in the world with special focus on India. It also provides an overview of various services available for children under child rights. This module gives a basic understanding of certain key aspects of child rights so as to enable the learner to appreciate the major issues in India in the context of child rights. This module was intended to provide the learner with knowledge that is sufficient enough to work as a child rights functionary.

7.2. In Quadrant 2, you will see examples of child rights and legislative measures aimed at child rights protection. This is enacted in animation so that you are able to understand this module better.

7.3. In Quadrant 3, you will find a glossary of important words and weblinks. You are encouraged to expand on this.

7.4. In the end, Quadrant 4, gives an interactive form for self evaluation. Do try it out at the end of the course to make a self assessment of your own understanding of the module and the degree of learning.

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