

"THE SCHEMES AND PROGRAMMES OF INDIAN GOVERNMENT FOR THE WELFARE & DEVELOPMENT OF CHILDREN"

Ashok Brahma*

Abstract: This paper analyses the schemes and programmes of the Indian Government for the Welfare and Development of Children. The Government of India has initiated some really good schemes and programmes for the Welfare and Development of Children. Any developing country of the world cannot prosper if the basic need of the children are not address, met sufficiently and the meeting the adequate standards for them. The nation's children are a supremely important asset. Their nurture and solicitude are our responsibility. Children's programme should find prominent part in our national plans for the development of human resources, so that our children grow up to become robust citizen, physically fit, mentally alert and morally healthy, endowed with the skills and motivations provided by society. The needs of children and our duties towards them have been expressed in the Constitution. The constitution of India expresses concern for upbringing of children in safe, secure and healthy manner through various provisions in the constitution. The Constitution of India also prohibits any discrimination among people on the grounds of sex. The Government of India has also enacted many laws to protect the rights of Children. Children are our future and our most precious resources. The quality of tomorrow's world and its survival will be determined by the well-being, safety and all-round development of the children of today. The future of a nation can be read on the faces of its children. Welfare of the children constitutes the mirror of the future of a nation. It is really great significance that the children should be provided with opportunities and facilities to grow in a healthy and strong manner. The Government of India has introduced various Acts, Policies,

* Assistant Prof., Dept. Political Science, Upendra National Academy, Kokrajhar, Assam, India

Welfare and Development schemes and Programmes to protect the children from exploitations and to give better opportunity to develop children in a healthy and strong way in the society. And it is also important duty of the states to protect and promote the children's rights with a view to ensuring full potential developments of their personality and human dignity. Among the children, girl children were badly treated by their parents. In the poor families, parents considered the girl as a liability and the boy as an asset. Girl as a gender was unwanted on the earth. Many poor parents sent their male children to schools and female children to the houses of kitchen to work, because of the gender discrimination in the poor families. Good enough of monitoring, reviewing and reforming of policies, programmes and laws to ensure protection of Children's interests and rights in the world.

Key Words: Welfare & Development of the Children, Interest, Right, Scheme, Indian Government

1. Introduction:

Every child has right to lead a decent life. The physical, mental and social well being of a child depends upon the family to which she or he belongs. In the process of socialisation during childhood the family and school are two important institutions which play significant role for integrated development of the child. According to the United Nations Convention on the Rights of Child, child means a person male or female who is below 18 years of age. The children of today are the future of tomorrow; this powerful statement assumes special significance in our context as children (0-14 years) comprise one third of the total population in the country. Every child, on provision of a conducive and an enabling environment, may blossom into an ever fragrant flower, to shine in all spheres of life. This reminds us of the onerous responsibility that we have to mould and shape their present conditions in the best possible way. The journey in the life cycle of a child involves the critical components of child survival, child development and child protection. Child participation which envisages their active involvement and say in the entire process adds a new dimension. Child survival entails their basic right of being born in a safe and non-discriminatory environment and grows through the formative years of life in a healthy and dignified way. Adverse sex ratio at birth, high child mortality rates and the rapidly declining child sex ratio reflects the ensuing challenges. Reducing the level of malnutrition and

micronutrient deficiency and increasing enrolment, retention, achievement and completion rates in education are the focus areas in child development. Safeguarding the children from violence, exploitation and abuse fall under child protection.

The courts in India have stated that a child cannot be treated as an inanimate object or like a property by the parents. Moreover many laws have been made for welfare of children as well as for prevention of crime and abuse. Foeticide is a crime under section 315 and 316 of Indian Panel Code and infanticide is a crime under section 315 of IPC. Abetment of suicide is a crime under section 305 of Indian Panel Code and exposure and abandonment of children by parents or others is a crime under section 317 of Indian Panel Code. Kidnapping is a crime under sections 360, 361, 384, 363, 363 A (kidnapping for begging), 366, 367, 369 of Indian Panel Code. Procuring of minor girls is a crime under section 366 A of Indian Panel Code and selling of girls for prostitution is a crime under section 372 of Indian Panel Code. Buying of girls for prostitution is a crime under section 373 of Indian Panel Code. Rape and unnatural offences against children are also crimes under Indian Panel Code. Children are victims of many crimes however the crimes reported most are: rape, kidnapping, abduction, buying, selling, abetment of suicide, exposure, abandonment, infanticide, foeticide and child marriage. Children also become victims of neglect, abuse and child bondage or slavery. Many children also come into conflict with law, while many others spend their childhood begging either due to poverty or under threat.

The Government of India has initiated some really good schemes and programmes for the Welfare and development of Children. Any developing country of the world cannot prosper if the basic need of the children are not address, met sufficiently and the meeting the adequate standards for them. The constitution of India expresses concern for upbringing of children in safe, secure and healthy manner through various provisions in the constitution. The Constitution of India also prohibits any discrimination among people on the grounds of sex. The Government of India has also enacted many laws to protect the rights of Children. Children are our future and our most precious resources. The quality of tomorrow's world and its survival will be determined by the well-being, safety and all-round development of the children of today. The future of a nation can be read on the faces of its children. Welfare of the children constitutes the mirror of the future of a nation. It is really great significance that the children should be provided with

opportunities and facilities to grow in a healthy and strong manner. The Government of India has introduced various Acts, Policies, Welfare and Development Schemes and Programmes to protect the children from exploitations and to give better opportunity to develop children in a healthy and strong way in the society. And it is also important duty of the states to protect and promote the children's rights with a view to ensuring full potential developments of their personality and human dignity. Among the children, girl children were badly treated by their parents. In the poor families, parents considered the girl as a liability and the boy as an asset. Girl as a gender was unwanted on the earth. Many poor parents sent their male children to schools and female children to the houses of kitchen to work, because of the gender discrimination in the poor families. Good enough of monitoring, reviewing and reforming of policies, programmes and laws to ensure protection of Children's interests and rights in the world. This paper analyses the schemes and programmes of the Indian Government for the Welfare and Development of Children.

2. Review of Literature:

Constitutional Safeguards for Indian Children: Several provisions in the Constitution of India impose on the State the primary responsibility of ensuring that all the needs of children are met and that their basic human rights are fully protected. The Constitution of India recognizes the vulnerable position of children and their right to protection. Following the doctrine of protective discrimination, it guarantees in Article 15 special attention to children through necessary and special laws and policies that safeguard their rights. The right to equality, protection of life and personal liberty and the right against exploitation are enshrined in Articles 14, 15, 15(3), 19(1) (a), 21, 21(A), 23, 24, 39(e), 39(f), 45, 51A (k), 243 G, and reiterate India's commitment to the protection, safety, security and well-being of all its people, including children.

International Conventions and Declaration (2005) India is signatory to a number of international instruments and declarations pertaining to the rights of children to protection, security and dignity. It acceded to the United Nations Convention on the Rights of the Child (UNCRC) in 1992, reaffirming its earlier acceptance of the 1959 UN Declaration on the Rights of the Child, and is fully committed to implementation of all provisions of the UNCRC. In 2005, the Government of India accepted the two Optional Protocols to the UNCRC, addressing the

involvement of children in armed conflict and the sale of children, child prostitution and child pornography. India is strengthening its national policy and measures to protect children from these dangerous forms of violence and exploitation. India is also a signatory to the International Conventions on Civil and Political Rights, and on Economic, Social and Cultural Rights which apply to the human rights of children as much as adults.

Integrated Child Protection Scheme (ICPS) (2009-10) The Ministry is implementing a Centrally Sponsored Scheme, that is, Integrated Child Protection Scheme (ICPS) since 2009-10 through the State Government/UT Administrations on predefined cost sharing financial pattern. The objectives of the Scheme are to contribute to the improvement in the well being of children in difficult circumstances, as well as reduction of vulnerabilities to situation and actions that leads to abuse, neglect, exploitation, abandonment and separation of children from parent. For effective implementation of the Scheme across the structure at National, State and District level by setting up Central Project Support Unit, State Child Protection Societies (SCPS), State Adoption Resource Agencies (SARA) and District Child Protection Units (DCPU) respectively. The Scheme provides financial support to State Governments/UT Administrations for running services for children either by themselves or through suitable NGOs. These services include: Homes for various children; Outreach services through Childline; Open Shelters for children in need of care and protection in Urban and Semi Urban Areas; and Family Based Non-Institutional Care through Sponsorship, Foster Care and Adoptions.

National Commission for Protection of Child Rights (NCPCR) (2007) The National Commission for Protection of Child Rights (NCPCR), a statutory body , was set up in March 2007 under the Commission for Protection of Child Rights Act, 2005, an Act of Parliament (December, 2005). The Commission's mandate is to ensure that all Laws, Policies, Programmes and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Child Rights.

National Institute of Public Cooperation and Child Development (NIPCD) The National Institute of Public Cooperation and Child Development, popularly known as NIPCCD, is a premier organization devoted to promotion of voluntary action, research, training and

documentation in the overall domain of child development. The current thrust areas of the Institute relating to child development are maternal and child health/nutrition, early childhood care and education, childhood disabilities, positive mental health in children and child care support services. The Institute is also focusing on gender planning and mainstreaming, gender-budgeting, economic and political empowerment of women, prevention of sexual harassment at work place, prevention of gender related violence such as female foeticide, female infanticide, trafficking of women and children, child marriage, etc.

Margaret E. Greene (1997) the paper explored the dynamics of the second decade of life for Indian girls and reviewed some of the policy and programme initiatives intended to serve adolescent girls in India. The intent was to encourage more attention to 10 to 19 year old adolescents, especially girls, in broad ways that were responsive to their developmental needs and cover not only reproductive health, but general health, education, income generation, nutrition and over all well-being.

Kavita Joshi (2004) the foundation of any society rests on healthy sexual attitudes grounded in appropriate, adequate and accurate sexual information. The present study was carried out to provide authentic information and understanding regarding the process of growing up to students according to their age, so as to enable them to cope with adolescence related problems; promote among students a responsible behaviour towards the opposite sex; and to help them understand the responsibilities of parenthood.

Mamta Health Institution for Mother and Child, New Delhi (2001) the study was undertaken with the objective to overview existing Adolescent Health and Development (AHD) related policies/ programmes in the country and to appraise and recommend to Government of India about their current status with action plan and approach to incorporate in the National Health Policy/Plan. The study was a step towards advocacy initiatives for policies and programmes addressing AHD related issues. Attempt was made to shed light explicitly and implicitly on existing policy, programme and academic institutional environment on the basis of existing framework and various related aspects. Recognition of adolescents in various related policies at the central level is very recent and also inadequate. However, some policies have recognized

adolescents as a group, and have, to some extent, tried to address adolescents' health and development related issues.

Sen, Juthika et al. (2004) Universalization of the ICDS programme drew the attention of all concerned to undertake a quick appraisal / evaluation of the Adolescent Girls (AGs) scheme, and take follow-up measures in order to extend it further. This study identified the factors which would help or hinder the success of the programme.

Ananthalakshmi and Srinandhini, V. (2004) Child budget analysis helps in evaluating what the Government is spending on its children through programmes and services, both children focused and child related.

Ganguly Thukral, Enakshi et al. (2008) Budget for children (BFC) is not a separate budget. The budget (2008-09) report (BFC) is an attempt to disaggregate the child budget from the overall budget, and specify the allocations specifically made for the benefit of children.

Haq, Centre for Child Rights, New Delhi. (2004) HAQ Centre for Child Rights undertook an analysis of the Union Budget from a child rights perspective. All programmes and schemes from various ministries/ departments which were meant for persons below the age of 18 years were disaggregated. All the programmes and schemes were clubbed under four heads, namely Child Development, Child Health, Education (Elementary and Secondary Education) and Child Protection.

Institute for Development and Communication, Chandigarh. (2002) the value of a male child in a patriarchal society ensured differential treatment of the girl child in comparison with the male child. The study was done to explore the income strata and rural – urban variations in extent and justification for female foeticide/ infanticide, and to capture the linkages between male child preference with the gender system and the practice of female foeticide/infanticide.

National Institute of Public Cooperation and Child Development, New Delhi (2005) Female infanticide is the deliberate killing of female infants soon after birth for the purpose of

eliminating the female child. The phenomenon of female infanticide is as old as many cultures, and has likely accounted for millions of gender-selective deaths throughout history. A Plan of Action for the SAARC Decade of Girl Child 1991-2000 and National Plan of Action for Children was formulated in 1992 for the “Survival, Protection and Development of Children”, including the girl child. Balika Samriddhi Yojana 1997 was a major initiative of the Government to raise the overall status of the girl child.

Irada Gautam (1999) the Difficulties girls face in families, in Ramghat and Ghusra villages of Surkhet district, mid-western Nepal. Kathmandu: Save the Children. This research focused on the difficulties faced by girls, their parents and siblings; community leader's feelings about them; and suggested ways to remove their problems.

National Commission for Women, New Delhi (2004) Discrimination against girl child, a subject of great socio-legal significance, is not only a highly sensitive matter but also relates to vital issues concerning gender justice and the right to equality as enshrined in the Constitution of India. The study was done to assess the root causes of son preference that resulted in harmful and unethical practices like female infanticide and sex selection before birth, and also to devise purposeful lines of action in order to eliminate all forms of discrimination against the girl child.

Anil B Deolalikar (2004) The Millennium Development Goals (MDGs) have become the most widely accepted yardstick of human development efforts by Governments, donors and NGOs which are to be achieved by 2015, from their levels in 1990 (UN 2000). This report focused on the attainment of 5 major human development related MDGs by sub-national units in India - child and infant mortality, child malnutrition, schooling enrollment and completion, gender disparities in schooling, and hunger – poverty.

Poonam Chaudhary(2000) The study was undertaken to ascertain the myths and superstitious beliefs of adolescent girls. A sample of 30 Hindu girls 14-16 years of age from upper middle income families were selected from the South zone of Delhi. Information was gathered through informal discussions and interviews, to know their awareness regarding myths, superstitions and beliefs, and actual practices pertaining to these. All girls were aware of beliefs related to souls

and ghosts, evil eye, luck, solar eclipse, menstruation, child birth and so on that prevailed in society. Most of them followed many of these beliefs and superstitions, due to some reason or the other. Parents and friends were found to be the main source of knowledge. Even though these myths and superstitions are deep-rooted in society, there is a declining tendency in the practice of such beliefs, probably because of education and awareness among girls during current times.

Ranjan Ray (2000) The study examined implications of household poverty for child welfare, especially children in female headed households and those belonging to backward classes. It also examined the relationship between poverty status and likelihood of a child's participation in the labour market and school. The study found that backward classes and female headed households had higher poverty rates than others. Household poverty acts as a strong stimulus for children to take up work, and lose out on schooling. Children from backward classes were more likely to be involved in wage based labour, and less likely to be enrolled in school than other children. Awareness and education of adult members of the household were important factors which reduced child labour and increased child schooling.

Centre for Communication and Development Studies, Pune (2007) Childhood in India is not homogeneous; social and economic status, physical and mental ability, geographical location and other differences determine the degree of vulnerability of India's children, and the child is discriminated against by virtue of these inequalities. The main focus of the study was that the rights of the child must be articulated as non-negotiable, the stress must be on enabling rights rather than policy formulations, and children should have special rights.

Ganguly Thukral, Enakshi et al. (2005) The most important factor for continued marginalization of children today is the process of globalization. Although several child specific interventions directly concerning children, such as National Charter for Children (2003), National Commission for the Protection of Child Rights, etc. have been initiated, many gaps still remain. ICDS was also started to cater to the needs of young children in the 0-

6 years age group to address early childhood care and education (ECCE) concerns. However, the services under ICDS covered only 22% of the children in the 0-6 years age group. Despite the

supplementary nutrition component, 47% of the children were found to be undernourished. State-wise disparities were also reported. Increased participation of NGOs in disseminating information about good health practices is required. Policy makers should take into account the special needs of children while preparing resettlement sites for evicted children. Union Government should allocate greater amount of its budget for child protection.

Paulo Ser Pinhero (2006) study was done to provide information on the incidence of various types of violence against children within the family, schools, alternative care institutions and detention facilities, places where children work and in communities. The study strongly recommends that no violence against children is justifiable and should be prevented. Children should never receive less protection than adults. States must invest in evidence based policies and programmes to address factors that give rise to violence against children. States have the primary responsibility to uphold children's rights to protection and access to services. Children have rights to express their views, and to have these views taken into account in the implementation of polices and programmes.

India, Ministry of Women and Child Development, New Delhi (2007) Millennium development goals (MDGs) and Eleventh Plan aim to reduce poverty; protect children from real danger or risk to their life, their personhood and childhood; achieve universal primary education; promote gender equality and empower women; reduce child mortality; improve maternal health; combat HIV/AIDS, malaria and other diseases; ensure environmental sustainability and develop global partnerships for development. India has the world's largest number of sexually abused children - a child below 16 years is raped every 155 minutes, and a child below 10 years every 13 hours. Two studies from India have found HIV rates higher among prostituted girls.

India, Ministry of Women and Child Development, New Delhi (2007) The Planning Commission constituted a Working Group on 'Development of Children' for the Eleventh Five Year Plan to review the existing approach and strategies along with the programmes for protection, welfare and development of children, and make suggestions/ recommendations. Based on these deliberations, the Working Group worked on ways to arrest decline in the child

sex ratio, increase the representation of women in premier services and in Parliament, and universalize ICDS scheme. The Mid-Term Appraisal of the Tenth Plan expressed concern with regard to adverse child sex ratio, the rising incidence of female foeticide and infanticide, persistently high infant, child and maternal mortality rates, wide gender gaps in child health and education as well as low female literacy, and escalating violence against women, etc.

India, Ministry of Women and Child Development, New Delhi (2007) About 19% of the world's children live in India and in international comparisons of the status and condition of children, India continues to rank poorly on several key counts. The present report examined the problems and factors that lead to the exclusion of children from Government programmes and budgets, particularly those who were most in need, the poorest, the most vulnerable and the abused; and also identified the problems in existing programmes. While planning for

the Eleventh Five Year Plan, the report found some persisting problems which were poor outcome achievement, chronic imbalances in access to services and opportunities, unequal distribution of development benefits, high risks of neglect and lack of protection, fragmented and sectoralised service outreach to address cross – sectoral needs, and low levels of investment that affected the lives of a majority of children. Poverty was one of the most serious overarching threats to children's rights and the other one was gender discrimination, which resulted in the increased rate of female foeticide.

3. Objectives of the Study

The study mainly focuses the following main objectives. They are:

- (a) To bring on light the need of the Children Developments;
- (b) To understand the Government's awareness of Children Welfare in India;
- (c) To analyse the factors influencing the Children Welfare Schemes;
- (d) To study the Government's Schemes on Children interest, development, progress and rights through the Constitutional provisions;
- (e) To assess the impact of projects Children's access to various development programmes launched by government;
- (f) To review the policies, programmes and projects of central government for development;

(g) To know the measures for ensuring Children;

4. Aims and Scope of the Study

The aim and scope of this study is to examine the extent to which the status of Children is related to awareness, influencing, need of Children Welfare, knowledge, development, progress, practice government initiatives and children interest.

5. Research Methodology

The study is descriptive and analytical in nature. The secondary data pertaining to the study was gathered from the records published by different published books, journals, internet sources, published research papers, magazine and articles.

6. Result and Discussions:

In this Study collected secondary data are analysed by descriptive method. In the data are analysed in relation to the objective of the paper as under:

6.1 International Conventions and Declaration

India is signatory to a number of international instruments and declarations pertaining to the rights of children to protection, security and dignity. It acceded to the United Nations Convention on the Rights of the Child (UN CRC) in 1992, reaffirming its earlier acceptance of the 1959 UN Declaration on the Rights of the Child, and is fully committed to implementation of all provisions of the UNCRC. In 2005, the Government of India accepted the two Optional Protocols to the UNCRC, addressing the involvement of children in armed conflict and the sale of children, child prostitution and child pornography. India is strengthening its national policy and measures to protect children from these dangerous forms of violence and exploitation. India is also a signatory to the International Conventions on Civil and Political Rights, and on Economic, Social and Cultural Rights which apply to the human rights of children as much as adults. Three important International Instruments for the protection of Child Rights that India is signatory to, are:

Convention on the Rights of the Child (CRC) adopted by the UN General Assembly in 1989, is the widely accepted UN instrument ratified by most of the developed as well as developing countries, including India. The Convention prescribes standards to be adhered to by all State parties in securing the best interest of the child and outlines the fundamental rights of children, including the right to be protected from economic exploitation and harmful work, from all forms of sexual exploitation and abuse and from physical or mental violence, as well as ensuring that children will not be separated from their families against their will.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is also applicable to girls under 18 years of age. Article 16.2 of the Convention lays special emphasis on the prevention of child marriages and states that the betrothal and marriage of a child shall have no legal effect and that legislative action shall be taken by States to specify a minimum age for marriage.

SAARC Convention on Prevention and Combating Trafficking in Women and Children for Prostitution emphasizes that the evil of trafficking in women and children for the purpose of prostitution is incompatible with the dignity and honour of human beings and is a violation of basic human rights of women and children.

6.2 Children in India –Definition

In India, childhood has been defined in the context of legal and constitutional provisioning, mainly for aberrations of childhood. It is thus a variable concept to suit the purpose and rationale of childhood in differing circumstances. Essentially they differ in defining the upper age-limit of childhood. Biologically, childhood is the span of life from birth to adolescence. According to Article 1 of UNCRC1 (United Nation's Convention on the Rights of the Child), “A child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.” The definition of the child as given by the UNCRC has definite bearing not only on child development programmes and on budgetary provisions for them, but also on production of statistics as applicable to different cross sections of children in terms of reference ages. A child domiciled in India attains majority at the age of 18 years. However, various legal provisions address children with differing definitions. The age-groups of 0-14

years, 15-59 years and 60 and above years form a commonly accepted standard in reporting demographic indicators. The child related legal and constitutional provisions are kept in view while statistics are generated for different cross-sections of children that align with specific age-groups standing for specific target groups of children such as, child labourers, children in school education, children in crimes, etc.

6.3 Constitutional Safeguards for Indian Children

Several provisions in the Constitution of India impose on the State the primary responsibility of ensuring that all the needs of children are met and that their basic human rights are fully protected. The Constitution of India recognizes the vulnerable position of children and their right to protection. Following the doctrine of protective discrimination, it guarantees in Article 15 special attention to children through necessary and special laws and policies that safeguard their rights. The right to equality, protection of life and personal liberty and the right against exploitation are enshrined in Articles 14, 15, 15(3), 19(1) (a), 21, 21(A), 23, 24, 39(e), 39(f), 45, 51A clause (k), 243 G, and reiterate India's commitment to the protection, safety, security and well-being of all its people, including children.

Article 14:	Children enjoy equal rights as adults, according to the Constitution of India;
Article-15	The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them;
Article 15 (3):	Nothing in this article shall prevent the State from making any special provision for women and children;
Article -21:	Protection of life and personal liberty-No person shall be deprived of his life or personal liberty except according to procedure established by law;
Article -21 A:	The State shall provide free and compulsory education to all children of the age 6-14years;
Article 24:	on prohibition of the employment of children in factories etc, explicitly prevents children below the age of 14 years from being employed to work in any factory, mine or any other hazardous form of employment;

Article 39(E):	of Indian Constitution states, "The State shall in particular direct its policy towards seeing that children are given opportunities and facilities to develop in a healthy manner and conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment;
Article-39(f):	Children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.
Article-45:	The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years;
Article 51A clause (k)	lays down a duty that parents or guardians provide opportunities for education to their child/ward between the age of 6 and 14 years;
Article-243 G:	Provides for institutionalisation of child care by seeking to entrust programmes of women and child development to Panchayat (item 25 of Schedule 11);

6.4 Legislations related to Children in India

A fairly comprehensive legal regime exists in India to protect the rights of Children as encompassed in the Country's Constitution. The age at which a person ceases to be a child varies under different laws in India. Under the Child Labour Prohibition and Regulation Act, 1986, a child is a person who has not completed 14 years of age. For the purposes of criminal responsibility, the age limit is 7 (not punishable) and above 7 years to 12 years punishable on the proof that the child understands the consequences of the act, under the Indian Penal Code. For purposes of protection against kidnapping, abduction and related offences, it's 16 years for boys and 18 for girls. For special treatment under the Juvenile Justice (Care and Protection of Children) Act 2011, the age is 18 for both boys and girls. And the Protection of Women from Domestic Violence Act 2005 defines a child as any person below the age of 18, and includes an adopted step- or foster child.

6.5 Important Union laws Guaranteeing Rights and Entitlement to Children

The Apprentices Act, 1850: This Act was perhaps the first well known measures taken to ameliorate the condition of children who were destitute and delinquents. Under this act courts were given power blind children between the ages of 10 and 18 as apprentices, when found guilty of petty offences or found destitute and it was applied to both boys as well girls. The act contained several safeguards for the protection of children so bound. It required that there must be a contract in writing in a prescribed form and where the child had attained the age of 14 years the contract be signed in token of his consent.

The Guardian and Wards Act, 1890: The Guardians and Wards Act, 1890 establishes the rights and duties of the guardian of a ward. The responsibility of being a guardian under the Act has been vested only to the husband or the father of a minor. The wife or the mother of a minor also holds the capability to be the guardian of the minor. In 1890, when the Guardians and Wards Act was enacted, the provisions were well suited for the society. However, with the passage of time, there has been an increased participation of women in every sphere of activities including acting as the head of the family and also as the sole parent of a minor. Keeping this in view, the law should not discriminate on the basis of sex while bestowing the title of guardianship of a minor. The Bill, therefore, seeks to amend the Guardians and Wards Act, 1890 with a view to provide for the removal of discrimination based on gender which takes away the right of a guardianship from women. The Guardians and Wards Act, 1890 was a law to supersede all other laws regarding the same. It became the only non-religious universal law regarding the guardianship of a child, applicable to all of India except the state of Jammu and Kashmir. This law is particularly outlined for Muslims, Christians, Parsis and Jews as their personal laws don't allow for full adoption only guardianship. It applies to all children regardless of race or creed. Following is an overview of the act. Court or appointed authority has the ability to decide the guardian of a child by appointing one a guardian or removing another as a guardian. No order will be passed without an application. Applications should contain all possible information about the child and guardian and reasons for guardianship. Once the court admits the application into court, then the court will set a date for the hearing. The court will hear evidence before making a decision. A minor and his property may have more than one guardian. The court must work in the interest of the minor, taking into consideration the age, sex, religion, character of the guardian, the death of the

parent(s), relation of the child to the guardian, etc. The minor's preference may be taken into consideration. The collector of the district where the minor lives can be appointed the guardian of the child. A minor will not be appointed if the child or her/his property is under a court of wards, if the minor is married and her husband is fit to take care of her, or whose father is alive and is deemed fit to take care of her. Guardians are not meant to make a profit out of their office, but can receive remuneration as the court sees fit. A minor cannot be deemed a guardian of another minor. A guardian is responsible for the health, education and support of the ward. Guardians who wish to move the child out of the court's jurisdiction may only do so with the permission of the court. Failure to get permission is a punishable offence. A guardian of property may not mortgage or sale the property of a ward without the permission of a will or the court who must act in the interest of the ward.

The Reformatory Schools Act, 1897: The apprentices act was replaced by the Reformatory School Act of 1876. This act was amended in 1897. Under this act the courts were empowered to send delinquent boys below 15 years and below 16 years in Bombay Presidency to reformatories. A juvenile over 18 years of age cannot be detained in a reformatory school. Boys over 14 years can be released on licence if suitable employment is found for them. Any youthful offender escaping from a school or from his employer while on licence may be arrested by a police officer without warrant and restored to the school or employer. The Reformatory School Act was not meant to meet the problem of children in general. There is no provision for extending care and protection to the non-delinquent, neglected, destitute or exploited children under it. The period of detention of the delinquent children under it is also long. A sentence of detention in a Reformatory School means invariably distant and protected separation from family and social environment. The magistrate look upon it principally as a penal measure of extra severity meant for more hardened cases. The Act does not apply to boys incurring imprisonment for failure to furnish security. Nor does it apply to girls. Section 31 of the Reformatory School Act and Section 562 of the Criminal Procedure Code permit discharge after admonition, but these powers are rarely used to remedy these defects Children Acts have been passed in several states, repealing the Reformatory School Acts.

The Children (Pledging of Labour) Act, 1933: The Children (Pledging of Labour) Act, 1933 has been enacted with a view to prohibit the making of agreements to pledge the labour of children and the employment of children whose labour has been pledged. Any agreement which is not harmful and prejudicious to the child and has been made in consideration of any benefit, though other than the means of reasonable wages, in lieu of the services rendered by the child, and is terminable at not more than a week's notice, shall not be deemed to be illegal under the Act. Any agreement by which a parent or guardian of a child pledges his labour and services against consideration or the benefits to be received in lieu thereof, shall be null and void. In this Act, unless there is anything repugnant in the subject or context,-- "an agreement to pledge the labour of a child" means an agreement, written or oral, express or implied, whereby the parent or guardian of a child, in return for any payment or benefit received or to be received by him, undertakes to cause or allow the services of the child to be utilised in any employment: Provided that an agreement made without detriment to a child, and not made in consideration of any benefit other than reasonable wages to be paid for the child's services, and terminable at not more than a week's notice, is not an agreement within the meaning of this definition; "child" means a person who is under the age of fifteen years; and "guardian" includes any person having legal custody of or control over a child. Penalty for parent or guardian making agreement to pledge the labour of a child is a fine upto Rs.50. Penalty for making with a parent or guardian an agreement to pledge the labour of a child is a fine upto Rs.200 and Penalty for employing a child whose labour has been pledged is a fine upto Rs. 200.

The Hindu Minority and Guardianship Act, 1956: This Act to amend and codify certain parts of the law relating to minority and guardianship among Hindus is it enacted by Parliament in the Seventh Year of the Republic of India. The Hindus Minority and Guardianship Act, 1956 is an Act to amend and codify the law relating to minority and guardianship among Hindus. The objects and reasons for this enactment read: "This is another installment of the Hindu Code and deals with the law relating the minority and guardianship. Under the Indian Majority Act, 1875, a person attains majority on his completing the age of 18 years but it before the completion of that age he has a guardian appointed by the court, he attains majority on completing the age of 21 years. That Act applies to all persons including Hindus but an exception is made with respect to the capacity of any persons to act in the matter of marriage, dower, divorce, and adoption.

Marriage and divorce have already been dealt with so far as Hindu are concerned and the definition of minor in the Bill will ensure that the age of majority of 18 years for all practical purposes. In this Act: (a) ‘minor’ means a person who has not completed the age of eighteen years (b) ‘guardian’ means a person having the care of the person of a minor or of his property, or of both his person and property and includes- (i) a natural guardian, (ii) a guardian appointed by the will of the minor's father or mother, (iii) a guardian appointed or declared by a court, and (iv) a person empowered to act as such by or under any enactment relating to any Court of Wards; (c) natural guardians means any of the guardian mentioned in Section 6.

The Hindu Adoptions and Maintenance Act, 1956: Codifies laws for adoption and maintenance of both boys and girls and declares that the sons and daughters are treated equally in the matter of succession. The Act confers that a woman could adopt for herself in her own right. Adoption of female child was not permissible prior to passing of this Act and any oral or documentary evidence would be of no use, when adoptee failed to prove any family custom prevailing in family for adopting a female child. Section 15 of the Act says that the adoptive father or mother or any other person nor can the adopted child renounce his or her status as such and return to his family of his or her birth. The validity of adoption cannot be adjudicated in a writ petition.

The Immoral Trafficking (Prevention) Act (ITPA), 1956: Prohibits commercial sexual exploitation and all cases relating to prostitution registered under the Act. This Act defines a minor as a person between 16 to 18 years of age. The Act also says that if any person over the age of 18 years knowingly lives wholly or in part on the earning of the prostitution of any other person shall be punishable with imprisonment up to 2 years or with fine up to Rs1000 or both, or where such earnings relate to the prostitution of a child or a minor, shall be punishable with imprisonment for 7-10 years. The Act prohibits the activities relating to prostitution in a public place or within 200 metres from a public place.

The Women's and Children's Institutions (Licensing) Act, 1956: A large number of bogus children's houses and orphanages are existing in the country and exploiting destitute women and children. Inhuman conditions prevail in these institutions. In order to protect women and children from such exploitation, legislation is necessary to regulate and licence orphanages and other

institutions caring for women, and children less than eighteen years of age, and to provide for the proper custody, care and training for the inmates. Article 39 of the Constitution relating to the Directive Principles of state Policy lies down inter alia “The State shall in particular direct its policy towards securing that childhood and youth are protected against exploitation, and against moral and material abandonment”. This Bill seeks to secure the early realisation of this objective”. —Gaz. of Ind., 1954, Extra, Pt II, S. 2, page 28, an Act to provide for the licensing of institutions for women and children and for matters incidental thereto. In this Act, unless the context otherwise requires, – (a) “Child” means a boy or girl who has not completed the age of eighteen years; (b) “Institution” means an institution established and maintained for the reception, care, protection and welfare of women or Children; (c) “Licensing authority” means the State Government or such officer or authority as may be prescribed; (d) “Prescribed” means prescribed by rules made by the State Government under this Act; (e) “Woman” means a female who has completed the age of eighteen years.

The Young Person’s harmful Publication’s Act, 1956: The Young Persons (Harmful Publications) Act, 1956 extends to the whole of India except the State of Jammu and Kashmir. It shall come into force on such date¹as the Central Government may, by notification in the Official Gazette, appoint. In this Act,— (a) “harmful publication” means any book, magazine, Pamphlet, leaflet, newspaper or other like publication which consists of stories told with the aid of pictures or without the aid of pictures or wholly in pictures, being stories portraying wholly or mainly— (i)the commission of offences; or (ii) acts of violence or cruelty; or (iii) incidents of a repulsive or horrible nature; in such a way that the publication as a whole would tend to corrupt a young person into whose hands it might fall, whether by inciting or encouraging him to commit offences or acts of violence or cruelty or in any other manner whatsoever; (b) “State Government” in relation to a Union territory, means the administrator thereof; (c) “young person” means a person under the age of twenty years. Penalty for sale, etc., of harmful publications: (I) If a person— (a) sells, lets to hire, distributes, publicly exhibits or in any manner puts into circulation, any harmful publication, or (b) for purposes of sale, hire, distribution, public exhibition or circulation, prints, makes or produces or has in his possession any harmful publication, or (c) advertises or makes known by any means whatsoever that any harmful publication can be procured from or through any person, he shall be punishable with

imprisonment which may extend to six months, or with fine, or with both. (2) On a conviction under this section, the court may order the destruction of all the copies of the harmful publication in respect of which the conviction was had and which are in the custody of the court or remain in the possession or power of the person convicted.

The Probation of Offender's Act, 1958: Probation of Offenders Act, 1958 is an Act which aims to provide release of offenders after due admonition in all the suitable cases where an offender is not found guilty of an offence not punishable with death or imprisonment for life. This Act has been enacted in order to give an opportunity to the offender to prove that he can improve his conduct in society and live in the same society without doing anything that can harm the society. This Act has given the researchers a plethora of opportunities to research and it is now one of the interesting area to research. This is a simply Act to understand but is very important Act. For easy understanding and remembering the provisions of the Act, firstly, we have to divide the provisions into six (6) categories (i) Sections 1 deals with short, title, extent and commencement of the Act whereas section 2 deals with definition; (ii) Sections 3 to 12 of the Act are very important inasmuch as these provisions deal with 'Role of Court' for the application of provisions of the Act; (iii) Section 13 to 16 deal with 'Role of Probation Officer' (iv) Section 17 deals with power of Government to make rules; (v) section 18 deals with saving of operation of certain enactments; and (vi) Section 19 says as to application of this Act to certain States. Out of these six categories, section 3 to 12 of the Act need some discussion whereas elaborate discussion as to other categories is not necessary because one can easily understand those by reading them. Therefore, this article gives succinct information mostly with regard to section 3 to 12 of the Act. To avoid confusion, section 3 to 12 of the Act will be discussed under the heading of 'Role of Courts'. "The 10 Most Important Salient Features of the Probation of Offenders Act, 1958 are: (i) The Probation of Offenders Act, 1958 is intended to reform the amateur offenders by rehabilitate in society and to prevent the conversion of youthful offenders into obdurate criminals under environmental influence by keeping them in jails along with hardened criminals. (ii) It aims to release first offenders, after due admonition or warning with advice who are alleged to have committed an offence punishable under Sections 379, 380, 381, 404 or Section 420 of the Indian Penal Code and also in case of any offence punishable with imprisonment for not more than two years, or with fine, or with both. (iii) This Act empowers the Court to release

certain offenders on probation of good conduct if the offence alleged to have been committed must not be punishable with death or life imprisonment. However, he should be kept under supervision. (iv) The Act insists that the Court may order for payment by the offender such compensation and a cost of the proceedings as it thinks reasonable for loss or injury caused to the victim. (v) The Act provides special protection to persons less than twenty-one years of age not to sentence him to imprisonment. However, this provision is not available to a person found guilty of an offence punishable with life imprisonment. (vi) The Act provides the freedom to Court to vary the conditions of bond when an offender is released on probation of good conduct and to extend the period of probation not to exceed three years from the date of original order. (vii) The Act empowers the Court to issue a warrant of arrest or summons to him and his sureties requiring them to attend the Court on the date and time specified in the summons if an offender released on probation of good conduct fails to observe the conditions of bond. (viii) The Act empowers the Court to try and sentence the offender to imprisonment under the provisions of this Act. Such order may also be made by the High Court or any other Court when the case comes before it on appeal or in revision. (ix) The Act provides an important role to the probation officers to help the Court and to supervise the probationers put under him and to advise and assist them to get suitable employment. (x) The Act extends to the whole of India except the State of Jammu and Kashmir. This Act comes into force in a State on such date as the State Government may, by notification in the Official Gazette, appoint. It also provides liberty to State Governments to bring the Act into force on different dates in different parts of that State”.

Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960: An Act to provide for the supervision and control of orphanages, homes for neglected women or children and other like institutions and for matters connected therewith. The Orphanages and other Charitable Homes (Supervision and Control) Act, 1960, it extends to the whole of India except the State of Jammu and Kashmir. It shall come into force in a State on such date as the State Government may, by notification in the Official Gazette, appoint. As per Section 3, the Act does not apply to hostel/boarding attached to an educational institution, protective homes under IPTA or other statutory institution. It overrides anything inconsistent with any other instruments governing recognised homes. It will also cover children residing in all alternate forms of residential care including foster care.

The Children Act 1960: This Act was passed by the Parliament received the assent of the President on the 26th December 1960. This Act was an improvement on all state children Acts. Some of the salient features of this act are: (a) the preamble of the Act declares that it is to provide for the care, protection, maintenance, welfare training education and rehabilitation of neglected or delinquent children. (b) it has clearly distinguished between children in need of protection and need of protection and care, and those coming in conflict with law, laying down separate treatment procedure for the two groups. (c) It authorises the administration to provide for after care organisations. (d) The maximum period of stay of girls in a Children's Home has been extended from 18 years to their attaining the age of 20 years. (e) As soon as a child is arrested it has been made incumbent on the police that it shall inform the parent or guardian of the child as well as the Probation Officer of the area to enable him to submit a social investigation report to the Board or the Court. (f) Withholding the earning of Child employee by the employer or using his earning for his own purposes by the employer has been made punishable. (g) Parents may be made to contribute for the maintenance of the child if able to do so for his stay in Children's Home or Special School.

The Child Labour (Prohibition and Regulation) Act, 1986: prohibits the engagement of children in certain employments and regulates the conditions of work of children in certain other employments. Section-5 of the Act makes provision for setting up of the Child Labour Technical Advisory Committee by the Central Government and the Committee is authorised to give advice to the Central Government in the matter relating to child labour in occupations and process. Section 13 of the Act deals with the health and safety measures of the child employment in occupations or in processes. The Act also proclaims that if an accused employer is unable to prove that children employed were not below 14 years, he can be convicted for offence of employing child labour.

The Juvenile Justice (Care and Protection of Children) Act, 2000, repealed the Juvenile Justice Act 1986. The 2000 act also has been amended in 2006 and 2010: formulates laws relating to juveniles in conflict with law (juvenile who is alleged to have committed an offence) and provide proper care and protection for children in need. The Act adopts child-friendly approach by catering to the development needs of the children and their rehabilitation in

institutions established under law. The Act brings juvenile law and prescribed set of standards to be adhered by all State parties for securing the best interests of the child and provides alternatives such as adoption, sponsorship, foster care and institutional care. This Act has been amended in 2006 to set up Juvenile Justice Board and Child Welfare Committees and compulsory registration of Child Care Institutions. The Act has been further amended in 2011 to remove discriminatory references to children affected by diseases like leprosy, tuberculosis, hepatitis-B etc. As per new provisions more power has been entrusted to Child Welfare Committee and Child Protection Units in each district of the State to oversee its implementation and provide care, education, training for rehabilitation of the children.

The Infant Milk Substitutes, Feeding bottles and Infant Foods (Regulation of Production, Supply Distribution) Act, 1992 and its amendment of 2003: Malnutrition is responsible for 55% of the infant mortality seen in India. Breastfeeding exclusively for the first six months of an infant's life and complementary feeding up to two years age is essential to battle malnutrition. The purpose of the Infant Milk Substitutes, Feeding Bottles and Infant Foods Act 1992 and its 2003 amendment is to promote breast feeding of new born children and infants. It also looks to ensure that infant foods are regulated and used appropriately. From the second section of the act it is important to remember two essential definitions. Infant Food refers to the food that is marketed, or represented as complementary to mother's milk to provide the nutritional needs of the infant after 6 months up to 2 years. Infant milk substitute is any food being marketed or represented as partial or full replacement for mother's milk for the infant up to 2 years of age. This act states that no person should advertise, promote or mislead people to believe that infant food, feeding bottles and infant milk substitutes are an acceptable replacement of mother's milk. No person can distribute or supply infant food, feeding bottles and infant milk substitutes, or contact any expecting mother or mother of an infant, or offer inducement in an attempt to sell or promote infant food, feeding bottles and infant milk substitutes. Section five states, no person shall donate or distribute infant food, feeding bottles and infant milk substitutes or any material regarding the same, except the health system. The law requires that any manufacturer, supplier or distributor of infant food and infant milk substitutes needs to put warning labels on the product insuring that the customer understands that mother's milk is the best food for an infant, and that these products should only be used under the advice of a healthcare worker. The product should

also give clear instructions for use, nutritional information, ingredients and manufacture and expiry information, etc. Infant food and infant milk substitute products are not permitted to have photos of babies or mothers, images or designs that increase saleability, and use words like maternalised or humanised, etc.

The Pre- conception & Pre-natal Diagnostic Technique (Regulation, Prevention and Misuse) Act, 1994 and its amendment of 2002: regulates the use of pre-natal sex determination techniques. Though it permits the use of prenatal sex determination techniques for detecting chromosomal or sex linked disorders only by the registered institutions but strictly prohibits determination of sex of foetus and killing of female child in the mother's womb not only by the medical practitioners, gynecologists or pediatricians but also by any genetic laboratory, counselling centre or clinic. The Act also bans the advertisement using pre-natal diagnostic technique for sex determination. Section-5 of the Act state that the pre-natal diagnostic procedure can be conducted only with the consent of the pregnant woman and a copy of written consent is given to her.

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995: The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 was enacted in 1995 to give effect to the Proclamation on the Full Participation and Equality of the People with Disability in the Asian & Pacific Region (Beijing 1992). The aims and objectives of the Act are: To spell out the responsibility of the state towards the prevention of disabilities, protection of rights, provision of medical care, education, training, employment and rehabilitation of persons with disabilities; To create a barrier free environment for person with disabilities in the sharing of development benefits, vis-a-vis non disabled persons; To counteract any situation of abuse and exploitation of persons with disabilities; and To make special provision of the integration of persons with disabilities into the social mainstream. Blindness and low vision has been included in the definition of disability (Section 2 (b) (u)). The act has set up a central coordination committee at the national level to serve as a national focal point for disability matters to facilitate the continuous evaluation of a comprehensive policy towards solving the problems faced by disabled the persons (Section 8). At the state level a state coordination committees have been set up (Section 13). To assist the

central coordination committee and state coordination committees, a central executive committee (Section 10) and a state coordination committee have been set up (Section 23). The Chief Commissioner and Commissioners for persons with disabilities have to safe guard the rights of persons with disabilities and submit reports to the government on implementation of the act (Sections 57, 58, 59, 60, 61, 62, 63, 64, 65). If there is any violation of the act, the aggrieved person can approach the head of the establishment under which he/she is employed or the Chief Commissioner or the Commissioner for Persons With Disabilities or the High court under article 226 of the Constitution of India or the Supreme Court under article 32 of the Constitution of India Rights Commissions.

The factories Act 1948: There has been rise of large scale factory/ industry in India in the later half of nineteenth century. Major Moore, Inspector-in- Chief of the Bombay Cotton Department, in his Report in 1872-73 first of all raised the question for the provision of legislation to regulate the working condition in factories; the first Factories act was enacted in 1881. Since then the act has been amended on many occasions. The Factories Act 1934 was passed replacing all the previous legislation in regard to factories. This act was drafted in the light of the recommendations of the Royal Commission on Labour. This Act has also been amended suitably from time to time.

The experience of working of the Factories Act, 1934 had revealed a number of defects and weakness which have hampered effective administration of the Act, and the need for wholesale revision of the act to extend its protective provisions to the large number of smaller industrial establishments was felt. Therefore, the Factories Act, 1948 consolidating and amending the law relating to labour in factories, was passed by the Constituent Assembly on August 28, 1948. The Act received the assent of Governor General of India on 23 September 1948 and came into force on April 1, 1949. The main objectives of the Indian Factories Act, 1948 are to regulate the working conditions in factories, to regulate health, safety welfare, and annual leave and enact special provision in respect of young persons, women and children who work in the factories.

National Charter for Children, 2004: Underlying the National Charter for Children 2004, is the intent to secure for every child the right to a healthy and happy childhood, to address the root

causes that negate the healthy growth and development of children, and to awaken the conscience of the community in the wider social context to protect children from all forms of abuse, while strengthening the family, society and the nation. This Charter has the sections on child protection: Survival, life and liberty; Protection from economic exploitation and all forms of abuse; Protection of the girl child; Care, protection, welfare of children of marginalised and disadvantaged communities; Ensuring child-friendly procedures.

The Prohibition of Child Marriage Act, 2006: The Child Marriage Restraint Act, 1929 has been repealed and the major provisions of the new Act include: Every child marriage shall be voidable at the option of the contracting party who was a child at the time of the marriage; The Court while granting a decree of nullity shall make an order directing the parties, parents and guardians to return the money, valuables, ornaments and other gifts received; The Court may also make an interim or final order directing the male contracting party to the child marriage or parents or guardian to pay maintenance to the female contracting party to the marriage and for her residence until her remarriage; The Court shall make an appropriate order for the custody and the maintenance of the children of child marriages; Notwithstanding that a child marriage has been annulled, every child of such marriage shall be deemed to be a legitimate child for all purposes; Child marriages to be void in certain circumstances like minor being sold for the purpose of marriage, minor after being married is sold or trafficked or used for immoral purposes, etc.; Enhancement in punishments for male adults marrying a child and persons performing, abetting, promoting, attending etc. a child marriage with imprisonment up to two years and fine up to one lakh rupees; States to appoint Child Marriage Prohibition Officers whose duties include prevention of solemnization of child marriages, collection of evidence for effective prosecution, creating awareness and sensitization of the community etc.

The Commissions for Protection of Child Rights Act, 2005: The Commissions for the Protection of Child Rights Act, 2005 provides for the Constitution of a National and State Commissions for protection of Child Rights in every State and Union Territory. The functions and powers of the National and State Commissions will be to: Examine and review the legal safeguards provided by or under any law for the protection of child rights and recommend measures for their effective implementation; Inquire into violations of child rights and

recommend initiation of proceedings where necessary; Spread awareness about child rights among various sections of society; Help in establishment of Children's Courts for speedy trial of offences against children or of violation of Child Rights.

The Prohibition of Child Marriage Act, 2006: came into effect from 1st October 1929. The Section 3 of the Act declares that if a male above 18 years of age contracts a child marriage shall be liable to be punished. The marriage performed in violation of the Child Marriage Restraint Act is an unlawful marriage. Section 5 of the Act punishes a person who performs, conducts or directs any child marriage shall be liable to punishment, unless he proves that to the best of his knowledge the marriage in question was not a child marriage. According to Section 6 (1) of the Act when a child marriage is contracted person having charge of such child, whether he is guardian or parent or in any other capacity whether lawful or unlawful, that person is liable to be punished. The offences committed under this Act are cognizable offences as defined under the Code of Criminal Procedures, 1973.

The Protection of Children from Sexual Offences (POCSO) Act, 2012: To deal with child abuse cases, the Government has brought in a special law, that is, The Protection of children from Sexual Offences (POCSO) Act, 2012. The Act has come into force with effect from 14th November, 2012 along with the rules framed there under. The Act defines a child as any person below the age of 18 years and provides protection to all the children from the offences of sexual assault, sexual harassment and pornography. An offence is treated as "aggravated" when committed by a person in a position of trust or authority of child such as a member of security forces, public officer, public servant etc. The Act provides for the establishment of Special Courts for trial of offences under the Act, keeping the best interest of the child as of paramount importance at every stage of the judicial process. The Act incorporates child friendly procedures for reporting, recording of evidence, investigation and trial of offences.

Criminal Law (Amendment) Act, 2018: President of India Ram Nath Kovind has given assent to the Criminal Law (Amendment) Act, 2018, that provides for stringent punishment, including death penalty for those convicted of raping girls below the age of 12 years. The Amendment replaces the criminal law amendment ordinance promulgated on April 21 after the rape and

murder of a minor girl in Kathua and another woman in Unnao. "This Act may be called the Criminal Law (Amendment) Act, 2018. It shall be deemed to have come into force on the 21st day of April, 2018," a gazette notification said. The Act will further amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1973 and the Protection of Children from Sexual Offences Act, 2012. The President's assent, given, came after the Parliament approved the amendment to law. The Home Ministry drafted Criminal Law (Amendment) Act stipulates stringent punishment for perpetrators of rape, particularly of girls below 16 and 12 years. Death sentence has been provided for rapist of girls less than 12 years. The minimum punishment in case of rape of women has been increased from rigorous imprisonment of seven years to 10 years, extendable to life imprisonment. According to new law, in case of rape of a girl under 16 years, the minimum punishment has been increased from 10 years to 20 years, extendable to imprisonment for rest of life, which means jail term till the convicts "natural life". The punishment for gang rape of a girl below 16 years will invariably be imprisonment for the rest of life of the convict. Stringent punishment for rape of a girl under 12 years has been provided with the minimum jail term being 20 years which may go up to life in prison or death sentence. Gang rape of a girl under 12 years of age will invite punishment of jail term for the rest of life or death, the Act says, the measure also provides for speedy investigations and trial.

6.6 Schemes and programmes for the Welfare and development of Children in India

Further, the Nation is implementing a number of Child centric policies addressing the issues of Child Survival, Child Development and Child Protection. The important among them are:

National Policy for Children 1974: is the first policy document concerning the needs and rights of children. It recognized children to be a supremely important asset to the country. The goal of the policy is to take the next step in ensuring the constitutional provisions for children and the UN Declaration of Rights are implemented. It outlines services the state should provide for the complete development of a child, before and after birth and throughout a child's period of growth for their full physical, mental and social development.

National Policy on Education, 1986: was called for "special emphasis on the removal of disparities and to equalize educational opportunity," especially for Indian women, Scheduled

Tribes (ST) and the Scheduled Caste (SC) communities. To achieve these, the policy called for expanding scholarships, adult education, recruiting more teachers from the SCs, incentives for poor families to send their children to school regularly, development of new institutions and providing housing and services. The NPE called for a "child-centered approach" in primary education, and launched "Operation Blackboard" to improve primary schools nationwide.

National Policy on child Labour, 1987: contains the action plan for tackling the problem of child labour. It envisaged a legislative action plan focusing and convergence of general development programmes for benefiting children wherever possible, and Project-based plan of action for launching of projects for the welfare of working children in areas of high concentration of child labour.

National Nutrition policy, 1993: was introduced to combat the problem of under - nutrition. It aims to address this problem by utilizing direct (short term) and indirect (long term) interventions in the area of food production and distribution, health and family welfare, education, rural and urban development, woman and child development etc.

National Population Policy 2000: The national population policy 2000 aims at improvement in the status of Indian children. It emphasized free and compulsory school education up to age 14, universal immunization of children against all vaccine preventable diseases, 100% registration of birth, death, marriage and pregnancy, substantial reduction in the infant mortality rate and maternal mortality ratio etc.

National Health Policy 2002: The main objective of this policy is to achieve an acceptable standard of good health amongst the general population of the country. The approach is to increase access to the decentralized public health system by establishing new infrastructure in deficient areas, and by upgrading the infrastructure in the existing institutions. Overriding importance is given to ensuring a more equitable access to health services across the social and geographical expanse of the country.

National Charter for children (NCC): 2003 highlights the Constitutional provisions towards the cause of the children and the role of civil society, communities and families and their obligations in fulfilling children's basic needs. Well-being of special groups such as children of BPL families, street children, girl child, child-care programmes, and educational programmes for prevention from exploitation find special mention in the NCC. It secures for every child its inherent right to be a child and enjoy a healthy and happy childhood, to address the root causes that negate the healthy growth and development of children, and to awaken the conscience of the community in the wider societal context to protect children from all forms of abuse, while strengthening the family, society and the Nation. The Charter provides that the State and community shall undertake all possible measures to ensure and protect the survival, life and liberty of all children. For empowering adolescent, the Charter states that the State and community shall take all steps to provide the necessary education and skills to adolescent children so as to equip them to become economically productive citizens.

National Plan of Action for Children (NPA): 2005 was adopted by Government of India in the pursuit of well-being of children. NPA has a significant number of key areas of thrust out of which the one's relating to child protection are: Complete abolition of female foeticide, female infanticide and child marriage and ensuring the survival, development and protection of the girl child, Addressing and upholding the rights of children in difficult circumstances, Securing for all children legal and social protection from all kinds of abuse, exploitation and neglect.

Central Social Welfare Board (CSWB): The Central Social Welfare Board (CSWB) was set up by a

Resolution of Government of India on 12th August, 1953. The objective of promoting social and economic welfare activities and implementing welfare programmes for women & children through voluntary organizations. The aim of the board is to support voluntary organizations financially and technically for socio-economic empowerment of women and nurture of children; to create enabling environment of empowered women to live with dignity and participate as equal partners in development. In order to give it a legal status, the Board was registered as a charitable company in 1969. The State Social Welfare Boards were set up in 1954 to work together with Central Social Welfare Board in implementing programmes of the Board across the

country. The Board is functioning as an interface between government and the voluntary sector. The Board has a long experience of almost six decades and a countrywide infrastructure to monitor implementation of programmes and has a network of approximately 6000 voluntary organizations.

National Policy for Children, April 26, 2013: The National Policy for Children – 2013 is the second child welfare policy. It for the first time defines a child as any person below the age of 18 years and states that childhood is an integral part of life with a value of its own and it requires a long term, sustainable, multi-sectoral, integrated and inclusive approach for their overall and harmonious development and protection (National Policy for Children 2013).

Ministry has formulated the National Early Childhood Care and Education (ECCE): Ministry has formulated the National Early Childhood Care and Education (ECCE) Policy and the same has been approved and notified by the Government of India in the gazette on 12.10.2013. The Policy lays down the way forward for a comprehensive approach towards ensuring a sound foundation for survival, growth and development of child with focus on care and early learning for every child. It recognizes the synergistic and interdependent relationship between the health, nutrition, psycho-social and emotional needs of the child. This would add impetus to the ECCE activities mentioned in the revised service package of ICDS. The purpose of the framework is to promote quality and excellence in early childhood education by providing guidelines for practices that would promote optimum learning and development of all young children and set out the broad arrangement of approaches and experiences rather than detailed defining of the content. A cautious approach is being adopted to not provide a detailed curriculum/syllabus which would be prescriptive and ‘delivered’ to the young children in a ‘straight jacketed manner’. The Curriculum Framework calls attention to the common principles and developmental tasks, at the same time, respecting the diversity in the child rearing practices and contextual ECCE needs.

Juvenile Justice (Care and Protection of Children) Act, 2015: The Juvenile Justice (Care and Protection of Children) Act, 2015 came into force on 15-01-2016 repealing the Juvenile Justice (Care and Protection of Children) Act, 2000. As per the provision of Section 110 (1) of JJ Act,

2015, the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 have been framed repealing the Model Rules of 2007. The JJ Model Rules which were notified on 21st September, 2016 are based on the philosophy that children need to be reformed and reintegrated into society. The Rules are appreciative of the development needs of children and therefore best interest of the child along with child friendly procedures is incorporated across the provisions and is the primary objective of these Rules. 4.8 To streamline adoption procedures for orphan, abandoned and surrendered children, a separate new chapter on Adoption has been included in the JJ Act, 2015. The existing Central Adoption Resource Authority (CARA) has been given the status of a statutory body to enable it to perform its function better. To facilitate transparent, quick and smooth adoption of children the entire adoption process is envisaged through CARINGS an online adoption platform. Further linking Child Care Institutions with Specialized Adoption Agencies is also provided so that the pool of adoptable children can be increased and brought into the adoption fold. The Ministry has initiated the process of mapping & review of Child Care Institutions (CCIs) established under the Juvenile Justice (Care and Protection of Children) Act with the aim of ensuring their mandatory registration under the Act and to check the standards of child care that are being maintained. This exercise is being undertaken through Child line India Foundation (CIF) and National Commission for Protection of Child Rights (NCPCR).

National Plan of Action for Children 2016: The National Plan of Action for Children (NPAC), 2016 is based on the principles embedded in the National Policy for Children 2013. The Action Plan has four key priority areas; survival, health and nutrition; education and development; protection and participation. The NPAC seeks to ensure convergence of ongoing programmes and initiation of new programmes so as to focus on objectives through well-defined strategies and activities to achieve desired level of outcome for children. The plan gives due attention to the interrelatedness of deprivations and needs, and proposes measures to address each of them, while ensuring that all children from all strata develop to their full potential in a holistic manner. As the children's vulnerabilities are multi-layered are interconnected; it takes a multi-sectoral approach and focus on convergence and coordination between all stakeholders, i.e.; relevant Ministries, State/UTs Governments, Welfare Society Organizations, Media, Business houses and Children themselves. It takes into account the Sustainable Development Goals and proposes a

roadmap to achieve SDGs for children. The NPAC 2016 was released on 24th Jan 2017 on the occasion of National Girl Child Day.

National Commission for Protection of Child Rights (NCPCR):The National Commission for Protection of Child Rights (NCPCR), a statutory body , was set up in March 2007 under the Commission for Protection of Child Rights Act, 2005, an Act of Parliament (December, 2005). The Commission's mandate is to ensure that all Laws, Policies, Programmes and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Child Rights. The Commission has been mandated to perform all or any of the functions: Under Section 13(1) of the CPCR Act, 2005- Examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation; Present to the Central Government, annually and at such other intervals, reports upon the working of those safeguards; Inquire into violation of child rights and recommend initiation of proceedings in such cases; Examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/ AIDS, trafficking, maltreatment, torture and exploitation, pornography & prostitution and recommend appropriate remedial measures; Look into the matters relating to children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures for them; Study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation; Undertake and promote research in the field of child rights; Spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminars etc; Inspect any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary; Inquire into complaints and take notice of matters relating to - a) deprivation and violation of child rights; b) non-implementation of laws providing protection and

development of children; c) non-compliance of policy decisions, guidelines or instructions issued for child welfare.

6.7 Important Schemes for Well-being of Children

The various Schemes / Programmes are implemented by different Central Ministries, following the guidance of the national policies. They are aiming to tackle the issues relating to the overall welfare of children work independently as well as hand in hand. The State/ UT Governments also execute numerous programmes from time to time for improving the lot of children.

The Integrated Child Development Services (ICDS): The Integrated Child Development Services (ICDS) Scheme was launched in 1975, is one of the flagship programmes of the Government of India and represents one of the world's largest and unique programmes for early childhood care and development. It is the foremost symbol of the country's commitment to its children and nursing mothers, as a response to the challenge of providing pre-school non-formal education on one hand and breaking the vicious cycle of malnutrition, morbidity, reduced learning capacity and mortality on the other. The beneficiaries under the Scheme are children in the age group of 0-6 years, pregnant women and lactating mothers. The Objectives of the Scheme are: to improve the nutritional and health status of children in the age-group 0-6 years; to lay the foundation for proper psychological, physical and social development of the child; to reduce the incidence of mortality, morbidity, malnutrition and school dropout; to achieve effective co-ordination of policy and implementation amongst the various departments to promote child development; and to enhance the capability of the mother to look after the normal health and nutritional needs of the child through proper nutrition and health education.

Integrated Child Protection Scheme (ICPS): The Ministry is implementing a Centrally Sponsored Scheme, that is, Integrated Child Protection Scheme (ICPS) since 2009-10 through the State Government/UT Administrations on predefined cost sharing financial pattern. The objectives of the Scheme are to contribute to the improvement in the well being of children in difficult circumstances, as well as reduction of vulnerabilities to situation and actions that leads to abuse, neglect, exploitation, abandonment and separation of children from parent. For effective implementation of the Scheme across the structure at National, State and District level

by setting up Central Project Support Unit, State Child Protection Societies (SCPS), State Adoption Resource Agencies (SARA) and District Child Protection Units (DCPU) respectively. The Scheme provides financial support to State Governments/UT Administrations for running services for children either by themselves or through suitable NGOs. These services include: Homes for various children; Outreach services through Childline; Open Shelters for children in need of care and protection in Urban and Semi Urban Areas; and Family Based Non-Institutional Care through Sponsorship, Foster Care and Adoptions.

National awards for child Welfare: The Award was instituted in 1979 to honour five institutions and three individuals for their outstanding performance in the field of Child Welfare. The National Award for Child Welfare includes a cash prize of Rs.3 lakh and a certificate for each institution and Rs.1 lakh and a scroll for each individual.

Scheme of Grants-in-aid for Research, Publication and Monitoring: The Ministry of Women and Child Development has been implementing the scheme of Grant-in-aid for Research, Publication and Monitoring since 1986-87 with the objectives to promote: research studies on emerging issues in the field of women and child development, workshops/seminars which help in promoting awareness, discuss the problems and strategies to resolve the problems of women and children, and publications on women and child related topics for wider dissemination of result.

National Child Awards for Exceptional Achievements: National Child Award for Exceptional Achievement Award was instituted in 1996 to give recognition to children with exceptional abilities who have outstanding achievements in various fields. The guidelines were revised in April, 2016 .These awards are given for outstanding achievements in the fields including (i) Innovation in any field including design, (ii) Scholastic achievements (e.g. first position in mathematics in two successive years on a National Level, (iii) Sports, (iv) Arts, (v) Culture, (vi) Social Service, (vii) Music, (viii) Any other field which deserve recognition as per the decision of the Central Selection Committee. Children residing in India of or above the age of 5 years and not exceeding 18 years (as on 31st July of respective years) are eligible. The Award consists of: One Gold Medal, books voucher of Rs.10,000/- and a cash prize of Rs.20,000/-, and Thirty Five Silver Medals, books vouchers of Rs.3,000/- and a cash prize of Rs.10,000/- for each awardees.

Kishori Shakti Yojana (KSY): Kishori Shakti Yojana (KSY) earlier known as National Programme for Adolescent girls (NPAG) is implemented as a component of ICDS (integrated child development services) in limited number of ICDS projects. The scheme KSY was merged with Sabala or Rajiv Gandhi scheme for empowerment of adolescent girls from March 8, 2011. The objective of KSY is to improve the nutritional, health and development skills of adolescent girls, promote awareness of health, hygiene, nutrition and family care and link them to opportunities for learning life skills, going back to schools, help them gain a better understanding of the social environment and take initiative to become productive members of the society. There are two phases of KSY. In phase I, CDPO and DPOs will be subjected to three days training and orientation to prepare them to act as master trainers to impart training to adolescent girls in their respective projects. A team of professional experts train them in eight different courses. These are: Adolescent Health- This course covers pre-adolescent youths, family life education for youth, adolescent sexuality and stages of development topics, Adolescent Biology-The topic of this course are physical changes, health and nutrition, Marriage-The topic covers in this course is responsible parenthood, Communication skill-The course content of this component is communication skill within the family, Adolescent and Stress- It trains to cope with stress and emotions, intelligence among adolescent, Developing skill-This course covers self awareness, decision making and inter-personal, Protecting adolescent from high risk situations as alcohol/drugs/STI/HIV& AIDS, Legal Rights- Child rights, human trafficking, reproductive rights. This course also covers- a) Nutritional and health status of girls in the age group of 11-18 years, knowledge to help m improve decision making capabilities. b) Health, hygiene, nutrition. c) Family welfare, home management. d) Taking all means to facilitate their marriage only after attaining the age of 18 yrs. and if possible later. e) Better understanding environment related social issues and its impact on their lives and f) Encourage adolescent girls to various activities to be productive and useful women to the society.

Rajiv Gandhi Manav Seva Awards for Service to Children: The Award was instituted in 1994 to honour individuals who made outstanding contribution towards service for children. The Award is given to three individuals who have done outstanding work in the fields of child development, child welfare and child protection. The award carries a cash prize of Rs. 1 lakh, a silver plaque and a citation.

Bal Bandhu Scheme: The National Commission for Protection of Child Rights (NCPNR) is implementing the Bal Bandhu Scheme for Protection of Child I Areas of Civil Unrest on Pilot basis districts of five States namely: Kokrajhar, Chirang districts of Assam, Khammam districts of Andhra Pradesh, Gadchiroli districts of Maharashtra, Jamui, Rohtash, East Champaran and Sheohar districts of Bihar and Sukma districts of Chhattisgarh. The objectives are: to bring stability in the lives of children in the process of ensuring that all their entitlements to protection, health, nutrition, sanitation, education and safety are fulfilled through Government action; to enhance democracy through community participation and action and renew hope in harmonizing the society; and to stabilize their lives while a child's well-being becomes the focus of all action in the area.

Sabla: A comprehensive scheme for the holistic development of adolescent girls called-'SABLA', is being implemented in 205 selected districts across the country, using the ICDS platform. SABLA aims at an all-round development of adolescent girls of 11-18 years by making them self-reliant by facilitating access to learning, health and nutrition through various interventions such as health, hygiene, nutrition, education, vocational training etc. SABLA promotes awareness about Adolescent Reproductive and Sexual Health among females in the given age group.

General Grants-in-aid Scheme for Innovative Works on Women and Children: Under this scheme, project proposal nature related to women and children, are approved for execution by voluntary organisations/institutions, universities and research institutes, including those set up and funded by Central Government/State Governments/Public Sectors Undertakings/Local authorities/Corporations/Institutions. The main project proposals of the scheme are: projects to tackle problem areas which are relatively un-serviced but where need is urgent; projects which fill in essential gaps in existing services and complement them so as to maximize the impact; projects which provide integrated services, where all the components need not be financially supported by one source; project which build capacity of the individual to be self-reliant rather than dependant; project located in backward, rural and tribal areas and urban slums which are poorly serviced by existing services; projects which are community based and render non-institutional services, in certain cases where the nature of the problem so demands institutional

programmes are also supported; projects to mobilise public opinion and support to tackle the pressing social problems; projects to tackle problems which require coverage of more than one state; and projects not covered by any of the existing schemes of the Ministry of Women and Child Development including the Central Social Welfare Board.

Balika Samriddhi Yojna: The scheme of Balika Samridhi Yojana was launched by Govt. of India w.e.f. 15-8-97 with the following objectives: To change negative family and community attitudes towards the girl child at birth and towards her mother, to improve enrolment and retention of girl children in schools, to raise the age at marriage of girls, and to assist the girl to undertake income generating activities. From the start of the scheme, the mothers of newborn girl children were given a post delivery grant of Rs. 500/- each in cash as a gift from the Government. There was also provision for Annual Scholarships to the girl child for attending school. But the details /guidelines for scholarships were not received. The Balika Samriddhi Yojana will cover girl children in families below the poverty line (BPL) as defined by the Government of India, in rural and urban areas, who are born on or after 15 August, 1997. In rural areas the target group can be taken as the families which have been identified to be below the poverty line in accordance with the norms specified under Swarnajayanti Gram Swarozgar Yojana (known as such with effect from 1.4.1999), previously known as Integrated Rural Development Programme (IRDP). In urban areas, wherever household surveys have been conducted as per the instructions of Government of India and lists of BPL families are prepared, such lists can be used. Wherever such lists are not prepared, the list of families covered under the Targeted Public Distribution System (TPDS) may be followed. Where neither of these lists are available, as a rule of thumb, families living in urban slums, both recognized as well as those not recognized, may be covered. Also, families which are in urban informal sector and working as rag-pickers, vegetable/fish and flower sellers, pavement dwellers etc. would also be eligible. Applications may also be collected from families in non-slum areas. Benefits under BSY will be restricted to two girl children in each household born on or after 15.8.1997 irrespective of the total number of children in the household.

Nutrition Programme for Adolescent Girls: The Nutrition component of Prime Minister Gramodya Yojana and Nutrition Programme for Adolescent Girls is implemented with additional

central assistance from Planning commission to promote nutrition of children. A National Nutrition Mission has also been set up to enable policy direction to the concerned Departments of the Government for addressing the problem of malnutrition of children.

Rajiv Gandhi National Creche Scheme for Children of Working Mothers: Rajiv Gandhi National Creche Scheme (RGNCS) was launched as a Central Sector Scheme with effect from 1st January, 2006 to provide day care facilities to children (age group of 0-6 years) of working mothers & other deserving women belonging to families whose monthly income is not more than Rs. 12,000/- . The Scheme provides supplementary nutrition, health care inputs like immunization, polio drops, basic health monitoring, sleeping facilities, pre-school education (3-6 years), emergency medicine and contingencies. The scheme being implemented through Central Social Welfare Board (CSWB), an autonomous organization and Indian Council for Child Welfare (ICCW), a National level non-government organization has been transferred to States. The scheme has been revised for its continuation during the remaining part of the 12th Five year Plan. The revised norms are effective from 01.01.2016. As per revised scheme, the crèche facility is provided to the children of age group of 6 months to 6 years of working women who is employed for a minimum period of 15 days in a month or 6 month in a year. The Government assistant is limited to 90% of the schematic pattern or actual expenditure whichever is less and the remaining 10% expenditure is borne by the Institution/Organizations actually running the creches, The Government grant provided is Rs,136440/- per annum per crèche for 25 children. Honorarium of crèche worker & crèche helper is now Rs. 3000/- per month &Rs. 1500/- per month respectively. Supplementary nutrition has been increased to Rs.12.00 per day per child. Provision of pre-school education (PSE) kit @ Rs. 2000/- per annum has also been made.

Early Childhood Care and Education (ECCE): Early Childhood Care and Education (ECCE) is gaining importance universally for its role in laying a strong foundation for the holistic development of a young child. It is conceptualized as an integrated provision for children from prenatal stage to 8 years, which addresses a child's need for care, education, nutrition and health holistically, in consonance with a life cycle approach. These needs may be met through one unified source or program or through different sources, which may each converge on the child, the mother and the child's physical and social environment, as a comprehensive mode. The

National ECCE Policy visualizes nurturance and promotion of holistic development and active learning capacity of all children below 6 years of age by promoting free, universal, inclusive, equitable, joyful and contextualised opportunities for laying foundation and attaining full potential. The vision for an Indian child reflects our beliefs about children and childhood and what is possible and desirable for human life at the individual and societal levels. While putting forward a shared image of a child, full of potential, it is accepted that children differ in their strengths and capabilities, there is diversity in views about childhood and children, and that not all children have the same opportunities to develop their potential. However, a strong image of the child can motivate people to promote children's individual strengths, and to address conditions in children's environments that constrain opportunities to engage fully in early learning. This curriculum framework supports the creation of a shared image of an Indian child that can guide our efforts to promote early learning at the local, state and national levels. The aim of Early Childhood Care and Education is to facilitate optimum development of the child's full potential and lay the foundation for all round development and lifelong learning. While parents and home have the main responsibility of the welfare of the child, a strong partnership between the community and the ECCE centres is important for the well being of the child and in achieving the objectives are: Ensure each child is valued, respected, feels safe and secure and develops a positive self concept; Enable a sound foundation for physical and motor development of each child- as per each child's potential; Imbibe good nutrition routines, health habits, hygiene practices and self help skills; Enable children for effective communication and foster both receptive and expressive language; Promote development and integration of the senses; Stimulate intellectual curiosity and develop conceptual understanding of the world around by providing opportunities to explore, investigate and experiment; Enhance development of pro-social skills, social competence and emotional well being; Develop sense of aesthetic appreciation and stimulate creative learning processes.; Imbibe culturally and developmentally appropriate behaviour and core human values of respect and love for fellow human beings; Enable a smooth transition from home to ECCE centre to formal schooling; and Enhance scope for overall personality development.

Welfare of working children in need of Care and Protection: This Scheme is being implemented since 2005. The objective of the scheme is to provide opportunities for non-formal

education and vocational training to working children to facilitate their entry/re-entry into mainstream education in cases where they have either not attended any learning system or where, for some reasons, their education has been discontinued. The scheme lends support to projects only urban areas and does not support projects I areas covered by the existing scheme of the Ministry of Labour & Employment.

Childline services: Childline 1098 is India's first 24 - hour, free, emergency phone outreach service for children in need of care and protection. Any concerned adult, or a child in need of help can dial 1098, the toll free number to access our services. We not only respond to the emergency needs of children but also link them to services for their long-term care and rehabilitation. 1098 is not a mere number. 10 - 9 - 8 or Childline is a countdown to a better life for the street child. As Childline Services a friendly or sympathetic 'didi' or 'bhaiya' who is always there for them 24 hours of the day, 365 days of the year. Childline reaches out to all children in need of care and protection. These include: street children, child labourers, children who have been abused, child victims of the flesh trade, differently-abled children, child addicts, mentally ill children, and children infected by HIV/AIDS - any child who needs our help. Children / concerned adults call Childline for medical assistance, shelter, missing children, Repatriation, Protection from abuse, Emotional support and guidance, Death, information about Childline, Volunteers, Information and referral to services, Silent calls, Chat calls etc. It intervenes in case of sickness, death and abuse of children, runaways and child labour, always focusing on the marginalized child. After the initial crisis intervention, Childline links these children to long-term services. Initiated as an experimental project in 1996, Childline is currently operational in 372 cities/ districts in 34 States/ UTs, with a vision to reach out to every child in distress in each city/district of India. As of March 2015, Childline India has serviced 36 million calls and directly intervened with over 4 million children. The Government of India cites the Childline service as part of services to UN for the United Nations Convention of Child Rights commitments. When the Ministry of Women and Child Development (MWCD) came into being in 2006, it recognized Childline India Foundation as the Nodal Mother NGO for implementing the Childline model across all districts in India. This has subsequently become the framework for the MWCD initiated Integrated Child Protection Scheme program (ICPS). The Integrated Child

Protection Scheme (ICPS) of the ministry funds the expansion of Childline services and has targeted the end of 12th Five Year Plan to cover all 600+ districts of India.

The Reproductive and Child Health Programme: The Reproductive and Child Health Programme is being implemented by the Ministry of Health and Family Welfare which provides effective maternal and child health care, micronutrient interventions for vulnerable groups, reproductive health services for adolescent etc. The programme integrates all family welfare programmes of women and child health and provides ‘need based, client centered, demand driven, and high quality services’.

General Grants-in-aid Scheme for Innovative Works on Women and Children: Under this scheme, project proposal nature related to women and children, are approved for execution by voluntary organisations/institutions, universities and research institutes, including those set up and funded by Central Government/State Governments/Public Sectors Undertakings/Local authorities/Corporations/Institutions. The main project proposals of the scheme are: projects to tackle problem areas which are relatively un-serviced but where need is urgent; projects which fill in essential gaps in existing services and complement them so as to maximize the impact; projects which provide integrated services, where all the components need not be financially supported by one source; project which build capacity of the individual to be self-reliant rather than dependant; project located in backward, rural and tribal areas and urban slums which are poorly serviced by existing services; projects which are community based and render non-institutional services, in certain cases where the nature of the problem so demands institutional programmes are also supported; projects to mobilises public opinion and support to tackle the pressing social problems; projects to tackle problems which requires coverage of more than one state; and projects not covered by any of the existing schemes of the Ministry of Women and Child Development including the Central Social Welfare Board.

Ujjawala: ‘Ujjawala’ a comprehensive scheme to combat trafficking was launched by the Ministry on 4th December, 2007 and is being implemented mainly through NGOs. The Scheme has five components-Prevention, Rescue, Rehabilitation, Re- Integration and Repatriation of trafficked victims for commercial sexual exploitation and any other issues to be taken up from

time to time. The main objectives of the scheme are: To prevent trafficking of women and children for commercial sexual exploitation through social mobilization and involvement of local communities, awareness generation programmes and by generating public discourse, To facilitate rescue of victims from the place of their exploitation and place them in safe custody, To provide rehabilitation services both immediate and long-term to the victims by providing basic amenities/needs such as shelter, food, clothing, medical treatment including counselling, legal aid, guidance and vocational training, To facilitate reintegration of the victims into their family and society, and To facilitate repatriation of cross-border victims to their country of origin.

Sarva Shiksha Abhiyan: The Sarva Shiksha Abhiyan Scheme (SSA) aims to provide free and compulsory elementary education to all children in 6-14 ages. The scheme provides school infrastructure and quality improvement in education of the children. The objectives of the scheme is that all children to be in school and universal retention, bridging all gender and social gaps at primary stage and at elementary education level. The Government of India is committed to realise the goal of universalisation of elementary education. The Mid-day meal Scheme is being implemented under Sarva Siksha Abhiyan Scheme which aims at universal enrolment and retention of children. Under the programme nutrition and snacks are provided to the children attending schools.

National Rural Health Mission: The National Rural Health Mission (NRHM) was launched on 12th April 2005, to provide accessible, affordable and quality health care to the rural population, especially the vulnerable groups. NRHM seeks to provide equitable, affordable and quality health care to the rural population, especially the vulnerable groups. Under the NRHM, the Empowered Action Group (EAG) States as well as North Eastern States, Jammu and Kashmir and Himachal Pradesh have been given special focus. The thrust of the mission is on establishing a fully functional, community owned, decentralized health delivery system with inter-sectoral convergence at all levels, to ensure simultaneous action on a wide range of determinants of health such as water, sanitation, education, nutrition, social and gender equality. NRHM focuses on Reproductive, Maternal, Newborn, Child Health and Adolescent (RMNCH+A) Services. The emphasis here is on strategies for improving maternal and child health through a continuum of care and the life cycle approach. It recognises the inextricable linkages between adolescent

health, family planning, maternal health and child survival. Moreover, the linking of community and facility-based care and strengthening referrals between various levels of health care system to create a continuous care pathway is also to be focused. The National Rural Health Mission Scheme implemented under Ministry of Health and Family Welfare seeks to provide effective healthcare services to rural population including large population of children in the country. The programme seeks to rise spending on public health and policies, strengthen public health management and service delivery in the country.

Rajiv Gandhi Scheme for Empowerment of Adolescence Girls (RGSEAG) (2010): RGSEAG refers to Rajiv Gandhi Scheme for Empowerment of Adolescent Girls, which was launched in 2010. The scheme is being implemented in 200 districts across the country on pilot basis. This is a centrally sponsored scheme for adolescent girls from 11 to 18 years also known as SABLA. Rajiv Gandhi Scheme for Empowerment of Adolescent Girls - SABLA - would be implemented using the platform of ICDS Scheme through Aanganwaadi Centers (AWCs). The objectives of the Scheme are – to Enable the AGs for self-development and empowerment, Improve their nutrition and health status, Promote awareness about health, hygiene, nutrition, Adolescent Reproductive and Sexual Health (ARSH) and family and child care, Upgrade their home-based skills, life skills and tie up with National Skill Development Program (NSDP) for vocational skills v. Mainstream out of school AGs into formal/non formal education, Provide information/guidance about existing public services such as PHC, CHC, Post Office, Bank, Police Station, etc.

Rajiv Gandhi Scheme for Empowerment of Adolescent Boys (Saksham): In March 2014, the Ministry of Women & Child Development has launched a new scheme called Rajiv Gandhi Scheme for Empowerment of Adolescent Boys (RGSEAB) (Saksham) on pilot basis. The Saksham is operational in 20 districts from seven States/UTs, viz., Andhra Pradesh, Delhi, Madhya Pradesh, Odisha, Rajasthan, Uttar Pradesh and Sikkim. These districts have been selected from seven States/UTs on the basis of a composite index based on indicators relevant to the condition of Adolescent boys across the Country. The scheme aims at all-round development of Adolescent Boys (Abs) to make them self-reliant, gender-sensitive and aware citizens, when they grow up. The scheme covers all adolescent boys both school going and out of school in the

age-group of 11 to 18 years. The key objectives of the scheme are to facilitate, educate and empower Abs so as to enable them to become self-reliant, gender-sensitive and citizens. The objectives are: to make the Adolescent Boys gender sensitive, to create sensitized Ahimsa Messengers to address Violence against Women, to enable Abs for self-development and empowerment, to address the health needs, that is, the physical, mental and emotional health of Abs, to promote awareness about health, hygiene, nutrition and Adolescent Reproductive & Sexual Health (ARSH) and family and child care, to provide appropriate information and vocational skills for Abs above 16 years through National Skill Development Program (NSDP) for future work-participation, to provide necessary life skill education and to provide information/guidance about existing public services, and to channelize the energies of ABS for Nation building.

Dhanalakshmi (2008): Dhanalakshmi Scheme is A Scheme for conditional Cash Transfer for the Gird Child. The scheme provides for cash transfer to the family of a girl child on fulfilling certain conditionality relating to registration of birth, immunization, enrolment and retention in school till class VIII; and an insurance coverage if the girl remains unmarried till the age of 18. The objectives of the scheme are: providing a set of staggered financial incentives for families to encourage them to retain the girl child and educate her, changing the attitudinal mindset of the family towards the girl, by looking upon the girl as an asset rather than a liability, since her very existence has led to cash inflow to the family, and cash transfer are made under the scheme to the family of the girl child (preferably the mother) on fulfilling the conditions- birth registration of the girl child, progress of immunisation, full immunisation and enrolment in school and retention in school.

The Pulse Polio Immunisation Programme: The Pulse Polio Immunisation Programme implemented by the Ministry of Health and Family Welfare covers all children below five years of age. The programme covers 166 million children in every round of National Immunisation Day. Other programmes include, Universal immunisation programme to control deaths due to acute respiratory infections, control of diarrhoeal diseases, provision of essential

New-born care, prophylactic programmes for prevention of micronutrient deficiencies relating to Vitamin A and iron, Anaemia control programme, and Integrated Management of Neonatal and childhood illness. The other immunisation programmes include Hepatitis B, DPT etc.

National Institute of Public Cooperation and Child Development (NIPCD): The National Institute of Public Cooperation and Child Development, popularly known as NIPCCD, is a premier organization devoted to promotion of voluntary action, research, training and documentation in the overall domain of child development. The current thrust areas of the Institute relating to child development are maternal and child health/nutrition, early childhood care and education, childhood disabilities, positive mental health in children and child care support services. The Institute is also focusing on gender planning and mainstreaming, gender-budgeting, economic and political empowerment of women, prevention of sexual harassment at work place, prevention of gender related violence such as female foeticide, female infanticide, trafficking of women and children, child marriage, etc. The main aim of NIPCCD is to be seen as an Institute of global repute in child rights, child protection and child development by developing partnerships and linkages with National and International agencies and making its training and research activities relevant to the needs of its varying client groups.

Beti Bachao Beti Padhao Scheme: Beti Bachao, Beti Padhao (Save girl child, educate girl child) is Central Government Sponsored Scheme by Government of India. The prime goal of this scheme is to generate awareness and improving the efficiency of welfare services meant for women. Also, it aims to celebrate the Girl Child & Enable her Education. The Beti Bachao, Beti Padhao (BBBP) Scheme has been introduced to address the issue declining Child Sex Ratio (CSR). This scheme is being implemented through a national campaign and focused multi-sectoral action in 100 selected districts low in CSR, covering all States and UTs. This scheme is implemented by the joint initiative of Ministry of Women and Child Development, Ministry of Health and Family Welfare and Ministry of Human Resource Development. Prime Minister Modi launched the programme on 22 January 2015 from Panipat, Haryana on the occasion of International Day of the Girl Child, Prime Minister Modi, called for the eradication of female foeticide. The objectives of this scheme are - to prevent gender biased sex selective elimination, to ensure survival & protection of the girl child, and to ensure education of the girl child.

Sukanya Samriddhi Yojana: It was launched as a small savings scheme under Beti Bachao Beti Padhao in January, 2015. It aims to motivate parents to open an account in name of girl child for her welfare and meet expense requirements of higher education and marriage. Under this scheme, parent or legal guardian of a girl child can open an account in her name until she attains the age of 10 years. The account can be opened via post office or commercial banks. Deposits can be made in this account upto 14 years from date of opening of account. After this period, the account will only earn interest according to applicable rates. The minimum deposit that can be made every year into account is now Rs. 250 and maximum amount on yearly basis is Rs. 1.50 lakh.

7. Summary and finding of the study

Development of Children is the first priority on the country's development agenda not because they are the most vulnerable, but because they are our supreme assets and also the future human resources of the country. In the context of adopting human development as the ultimate goal of all our developmental efforts, and it is the welfare and development of children gains priority on the country's development agenda. The country's concern in safeguarding the rights and privileges of children found its best expression in the Constitution of India. Indian Government took the primary responsibility of ensuring that all the needs of children are met and that their basic human rights are fully protected. Considering the fact that children have neither voice nor any political constituency, the Constitution of India laid down certain special safeguards ensuring their right to 'survival, protection and development'. The Constitution of India recognizes the vulnerable position of children and their right to protection. Following the doctrine of protective discrimination, it guarantees in Article 15 special attention to children through necessary and special laws and policies that safeguard their rights. The right to equality, protection of life and personal liberty and the right against exploitation are enshrined in Articles 14, 15, 15(3), 19(1) (a), 21, 21(A), 23, 24, 39(e), 39(f), 45, 51A clause (k), 243 G, and reiterate India's commitment to the protection, safety, security and well-being of all its people, including children. The important summary and finding of the paper are reasonably discussed of the following:

1. The well-being of children has been a priority and also an integral part of country's developmental planning, since 1951.

2. During the 1960s, the major responsibility of developing childcare services had primarily rested with the voluntary sector and with a welfare-oriented approach.
3. The 1970s marked a shift in the approach to children from ‘welfare’ to ‘development’ and accordingly Child welfare services were expanded to the sectors of health, education, nutrition etc. Important measures included Maternal and Child Health services (MCH), primary education, supplementary feeding for pre-school and school-going children etc. It was during this period that a National Policy for Children was adopted (1974) and also a programme called Integrated Child Development Services (ICDS) of national importance was launched in 1975 with an integrated approach to extend a package of 6 basic services viz. health check-ups, immunisation, referral services, supplementary feeding, pre-school education and health and nutrition education for children upto 6 years and expectant and nursing mothers through a single-window delivery, at village level.
4. The 1980s saw an effective consolidation and expansion of programmes started in the earlier Plans. The National Health Policy adopted in 1983, now being revised, set certain specific targets like bringing down the high rates of infant and child mortality through the universalisation of immunisation and other MCH services. The National Policy on Education (1986) also emphasised universal enrolment and retention of children in schools and thus reduce the high rates of school drop-outs, especially amongst the girl children. The Juvenile Justice Act, was enacted in 1986 by repealing the then existing Children Act, 1961, to deal effectively with the problems of juvenile delinquency/vagrancy and to provide a framework for handling such children (This was further revised and re-titled as Juvenile Justice (Care and Protection) Act, 2000). The Child Labour Prohibition and Regulation Act, 1986, were followed up by the adoption of a National Policy on Child Labour in 1987.
5. During the 1990s, inter-sectoral efforts in terms of both policies and programmes towards the holistic development of children, especially the young child, have been put into action in the three core sectors of health, nutrition and education. To supplement and complement these efforts, the nodal Department of Women and Child Development has also been adopting/launching, various policies and programmes from time to time.
6. The scope of the erstwhile programme of Child Survival and Safe Motherhood programme was further widened into a comprehensive programme of RCH with a special thrust

on child survival and other related measures. Under the Universal Immunisation Programme, which is part of the RCH, significant achievements were made.

7. In the field of Nutrition, children below 6 years and expectant and nursing mothers, receive highest priority in line with the provisions of the National Nutrition Policy (1993) and the National Plan of Action on Nutrition (1995).

8. In the field of Education, the National Policy on Education of 1986 (as revised in 1992) and the Programme of Action (1992) have been giving a special thrust to the measures of Universal Primary Education. Sarva Shiksha Abhiyan, launched in 2000, aims to provide quality elementary education to all children in the 6-14 age-groups by 2010, besides bridging all gender and social category gaps at primary stage by 2007. In all these efforts, the girl child and the children belonging to the socially and economically disadvantaged groups viz. SCs and STs are given special priority along with the special incentives like scholarships, hostel facilities, free books, uniforms and mid-day meals etc. In fact, MDM has not only helped to increase the school enrolment, retention and attendance but has also improved the nutritional status of students in primary classes.

9. In the field of Child Development, services for the early childhood development have been receiving priority treatment with a special focus on the girl child. The nation-wide programme of ICDS continues to be the major intervention for the overall development of children. It caters to the pre-school children below 6 years and expectant and nursing mothers with a package of services viz. health check-ups, immunization, referral services, supplementary nutrition, pre-school education and health and nutrition education.

10. The Scheme of Balika Samridhhi Yojana (BSY) originated from the announcement of the Prime Minister on 15 August 1997 stating that 'the Government would extend financial help to the families to whom a girl child is born and living Below Poverty Line (BPL).

11. The scheme of Crèches/Day-Care Centres for children of working/ailing mothers, initiated in 1975-76, being a non-expanding scheme.

12. In the Tenth Plan, 'Development of Children' will be viewed not only as the most desirable societal investment for the country's future, but as the right of every child to achieve his/ her full development potential. In fact, India's ratification of the UN Convention on the Rights of the Child in 1992 followed by the adoption of two National Plans of Action - one for Children and the other for the Girl Child in 1992 makes it obligatory on the part of the Government to fulfil

the universal rights of every child. Thus, the major challenge in the Tenth Plan will be ‘reaching every young child in the country’, besides ensuring their ‘survival, protection and development’. In other words, the Tenth Plan advocates a Rights-based Approach to the development of children. The Tenth Plan will make an attempt to make a thorough review of all the existing child specific and child-related legislations to plug the existing loopholes in their provisions and also in their implementation. Simultaneously, every effort will be made to protect children from all types of exploitation through strict enforcement of the existing legislations viz., the Immoral Traffic (Prevention) Act, 1956 (as amended in 1986) to check child prostitution; the Juvenile Justice (Care and Protection) Act, 2000 to help remove mal-adjustment and ensure rehabilitation of juvenile delinquents in the family and society; the Child Labour (Prohibition & Regulation) Act, 1986 to eliminate child labour; the Hindu Succession Act, 1956 as amended in 1993 to ensure equal rights to the girl child in the property of parents; Compulsory Registration of Births & Deaths Act, 1969; Compulsory Registration of Marriages and The Child Marriage Restraint Act, 1929 (amended in 1979). Enforcement of the Indian Penal Code, 1860 and the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 will receive special attention to arrest the increasing incidence of Female Foeticide and Female Infanticide.

13. In terms of pre-school education, the ECCE (Early Child Care Education) component of ICDS will continue to be a significant input for providing a sound foundation for development as well as the first step in the education ladder.

14. The nodal Department of Women and Child Development acts as the national machinery to guide, co-ordinate and review the efforts of both governmental and non-governmental organisations working for the empowerment of women and development of children. The support structures to the nodal Department include - i) the National Commission for Women to safeguard and protect the women’s rights and privileges; ii) the Central Social Welfare Board to act as an umbrella organisation for networking State Welfare Boards and thousands of voluntary organisations; iii) the National Institute of Public Cooperation and Child Development to assist the Department in the areas of research and training relating to women and children. iv) The Rashtriya Mahila Kosh is yet another support structure for extending both ‘forward’ and ‘backward’ linkages for women in the informal sector in their entrepreneurial ventures. The Women’s Cells set up in the Central Ministries/ Departments of Labour, Industry, Rural

Development and Science and Technology are expected to develop strong linkages with the national machinery and the women-related line Ministries/Departments.

15. Pre-school children constitute the most nutritionally vulnerable segment of the population. The prevalence of malnutrition amongst the preschool child, especially 0-3 years has been a major threat to the development of their potential. The major reasons for malnutrition in India are low dietary intakes, low birth weight, poor infant feeding practices, infections and diseases due to poor sanitation, water and living conditions, illiteracy, and ignorance, and intra-familial disparities in food distribution.

16. Under Sukanya Samriddhi Yojana to motivate parents to open an account in name of girl child for her welfare and meet expense requirements of higher education and marriage. Under this scheme, parent or legal guardian of a girl child can open an account in her name until she attains the age of 10 years.

17. Modi Government initiated the Beti Bachao, Beti Padhao scheme (Save girl child, educate girl child) is Central Government Sponsored Scheme by Government of India. The prime goal of this scheme is to generate awareness and improving the efficiency of welfare services meant for women. Also, it aims to celebrate the Girl Child & Enable her Education. The Beti Bachao, Beti Padhao (BBBP) Scheme has been introduced to address the issue declining Child Sex Ratio (CSR).

18. The National Institute of Public Cooperation and Child Development, popularly known as NIPCCD, is a premier organization devoted to promotion of voluntary action, research, training and documentation in the overall domain of child development. The Institute is also focusing on gender planning and mainstreaming, gender-budgeting, economic and political empowerment of women, prevention of sexual harassment at work place, prevention of gender related violence such as female foeticide, female infanticide, trafficking of women and children, child marriage, etc.

19. NRHM focuses on Reproductive, Maternal, Newborn, Child Health and Adolescent (RMNCH+A) Services. The emphasis here is on strategies for improving maternal and child health through a continuum of care and the life cycle approach. It recognises the inextricable linkages between adolescent health, family planning, maternal health and child survival.

20. 1098 is not a mere number. 10 - 9 - 8 or Childline is a countdown to a better life for the street child. As Childline Services a friendly or sympathetic 'didi' or 'bhaiya' who is always there

for them 24 hours of the day, 365 days of the year. Childline reaches out to all children in need of care and protection. These include: street children, child labourers, children who have been abused, child victims of the flesh trade, differently-abled children, child addicts, mentally ill children, and children infected by HIV/AIDS - any child who needs our help. Children / concerned adults call Childline for medical assistance, shelter, missing children, Repatriation, Protection from abuse, Emotional support and guidance, Death, information about Childline, Volunteers, Information and referral to services, Silent calls, Chat calls etc. It intervenes in case of sickness, death and abuse of children, runaways and child labour, always focusing on the marginalized child.

21. Bal Bandhu Scheme under operating the objectives to bring stability in the lives of children in the process of ensuring that all their entitlements to protection, health, nutrition, sanitation, education and safety are fulfilled through Government action; to enhance democracy through community participation and action and renew hope in harmonizing the society; and to stabilize their lives while a child's well-being becomes the focus of all action in the area.

22. Integrated Child Protection Scheme (ICPS) to contribute to the improvement in the well being of children in difficult circumstances, as well as reduction of vulnerabilities to situation and actions that leads to abuse, neglect, exploitation, abandonment and separation of children from parent.

8. Conclusion

It is really huge responsibility of the Indian Government to address the Children Welfare for her future youth force to challenge with other giant countries of the world. Democracy is the government of people's choice in India and Children are the future of our successful democracy so it not needs to take as its 'demo-crisis' for Children Welfare and Development, progress, interest and achieving their basic rights. The concept of childhood and child welfare needs to be developed further by disseminating information about the child welfare services; ensuring that every child attends school compulsorily; providing vocational education to ensure that children are able to derive maximum benefits from the education they receive; proper health facilities before and after the birth of the child. '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 ensuring that no child falls out of the

social safety net and that those who do, receive necessary care, protection and support so as to bring them back into the safety net. While protection is a right of every child, some children are more vulnerable than others and need special attention. The Government recognizes these children as ‘children in difficult circumstances’, characterised by their specific social, economic and geo-political situations. In addition to providing a safe environment for these children, it is imperative to ensure that all other children also remain protected. This is because Child protection is integrally linked to every other right of the child.

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