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RESEARCH ARTICLE

CHILD RIGHTS-PROMISES AND PERFORMANCES.

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Abstract

My study mainly concentrates on the promises that given by the government in order to protect child right and the performance of that activities and also the conditions and status of children in India.

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Introduction:-

Promises and Performances:-

We all love our children. We all know that they are the real asset and they are the future of our nations; future of the world. Then why to discuss the human rights of children. In fact, inadvertently or deliberately natural basic rights of children are violated everywhere, hence the vocalization for children's human rights. The ground reality is that we ignore the child, his feelings, his sentiments and his dreams.

Under the auspices of the UNICEF, we have decided that every child has the right to life and well-being, health care, nutritious food, clean water and shelter, protection from conflict, neglect and injustice and enjoy opportunities, love and support of a family, free access to information and freedom of expression, freedom of thought, conscience, religion and cultural identity.

These rights have been given, not realized. These are not the general rules, these are exceptions. These rights are not a reality at present, but are dreams to be realized in future. This is the agenda for the nation and for the mankind. Implementing the rights of children in practice is essential and desirable for a happier and prosperous new world order. Here I want to discuss the promises and performances of child's rights in India.

Promises and Performances in India:-

Government policy on children:-

The last few years, the government has taken a number of measures related to children. The most important has been the setting up of a full-fledged Ministry of Women and Child Development as against the Department of Women and Development that used to function as part of the Human Resource Development Ministry.

On November 20, 1989, the UN General Assembly adopted the Convention on the Rights of the Child (CRC). On January 26, 1990, the opening day of the session, 61 countries signed it. In 1993, 159 countries including India signed this convention. The CRC covers all children under the age of 18 years, regardless of sex, colour, language, religion or race. India ratified the CRC in 1992. CRC draws attention to the four categories of basic child's rights, ie, civil, political, social, economic and cultural rights of every child. They are

Right to survival:-

That includes the right to life, the highest attainable standard of health, nutrition and adequate standard of living. It also includes the right to name and nationality.

Right to protection:-

That includes freedom from all forms of exploitation, abuses and inhuman or degrading treatment and negligence including the right to special protection in situation of emergency and armed conflicts.

Right to development:-

That consists of right to education, support for early childhood, development and care, social security and right to leisure, recreation and cultural activities.

Right to participation:-

That includes respect for the views of the child, freedom of expression, access to appropriate information and freedom of thought, consensus and religion.

Several constitutional provisions protect children in India. 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. Children enjoy equal rights as adults as per Article 14 of the Constitution. Among them:

1. Article 15 affirms the right of the State to make special provision for women and children.
2. Article 24 provides that no child below the age of 14 shall be employed to work... in any hazardous employment.
3. Article 39 (e) of the Directive Principles of State Policy provides that children of tender age should not be abused and that they should not be forced by economic necessity to enter vocations unsuited to their age or strength.
4. Article 39 (f) requires children to be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity, and that childhood and youth be protected against exploitation and moral and material abandonment.
5. Article 45 of the Directive Principles of State Policy provides for free and compulsory education for all children until they complete the age of 14.

The draft approach paper of the Eleventh Five-Year Plan (2007-2012) prepared by the Planning Commission emphatically stated that 'Development of the child is at the centre of the Eleventh Plan'. While continuing with the rights-based approach to child development, the plan recognizes the importance of a holistic approach, focusing both on outcomes and indicators for child development as well as macro-perspective trends and governance issues.

Children being our supreme asset, nothing concerning their survival, development, protection and participation should be ignored or sidelined. However, in a country with a large number of floating population, vast disparities, social conflict and turmoil, the challenge to attend to all their rights is even greater. The Government of India's 2005 National Plan of Action for Children

has identified 12 key areas keeping in mind priorities that require utmost and sustained attention in terms of outreach, interventions and resource allocation. These are:

- A. reducing Infant Mortality Rate.
- B. Reducing Maternal Mortality Rate.
- C. Reducing malnutrition among children.
- D. Achieving 100% civil registration of births.
- E. Universalization of early childhood care and development and quality
- F. education for all children.
- G. Complete abolition of female foeticide, female infanticide and child marriage as well as ensuring the survival, development and protection of the girl child.
- H. Improving water and sanitation coverage both in rural and urban areas.
- I. Addressing and upholding the rights of children in difficult circumstances

Status of Indian Children.

	Children(0-6 years) In millions			Total population			Share of children (0-6) to the corresponding population		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Census2001	163.84	85.01	78.83	1028.74	532.2	496.5	15.93	15.97	15.88
Census2011	158.79	82.95	75.84	1210.19	623.72	586.47	13.1	13.3	12.9

Source: Census, Office of Registrar Council Of India



Twenty States and Union Territories now have over one million children in the age group 0-6 years. Uttar Pradesh (29.7 million), Bihar (18.6 million), Maharashtra(12.8 million), Madhya Pradesh (10.5 million) and Rajasthan(10.5 million) constitute 52% Children in the age group of 0-6 year. The decadal decline in population was more for female children (3.8%) than male children (2.4%) in the age group 0-6 years. During 2001-2011, the share of children to total population has been declined and the decline was sharper for female children than male children in the age group 0-6 years.

India has made some significant commitments towards ensuring the basic rights of children. There has been progress in overall indicators:

1. Infant mortality rates are down
2. Child survival is up
3. Literacy rates have improved
4. School dropout rates have fallen.

But the issue of child rights in India is still caught between legal and policy commitments to children on the one hand, and the fallout of the process of globalisation on the other.

The negative fallout is visible: children are being deprived of even the scarce social benefits once available; they are displaced by forced and economic migration, increasing the number of children subsisting on the streets; more and more children are being trafficked within and across borders; and rising numbers of children are engaged in part- or full-time labour.

Recent UNICEF (2005) report on the state of the world's children under the title "Childhood Under Threat" , speaking about India, states that millions of Indian children are equally deprived of their rights to survival, health, nutrition, education and safe drinking water. It is reported that 63 per cent of them go to bed hungry and 53 per cent suffer from chronic malnutrition.

The report says that 147 million children live in kuchcha houses, 77 million do not use drinking water from a tap, 85 million are not being immunized, 27 million are severely underweight and 33 million have never been to school. It estimates that 72 million children in India between five and 14 years do not have access to basic education. A girl

child is the worst victim as she is often neglected and is discriminated against because of the preference for a boy child.

Ground realities:-

1. With more than one-third of its population below 18 years, India has the largest young population in the world.
2. 35% of the developing world's low-birth-weight babies are born in India.
3. The declining number of girls in the 0-6 age-group is cause for alarm. For every 1,000 boys there are only 927 females -- even less in some places.
4. Out of every 100 children, 19 continue to be out of school.
5. Of every 100 children who drop out of school, 66 are girls.
6. India has the world's largest number of sexually abused children, with a child below 16 raped every 155th minute, a child below 10 every 13th hour, and at least one in every 10 children sexually abused at any point in time.
7. Every second child in India is malnourished (NFHS-III, 2005-06)
8. 11.8% children in India are engaged in some form of child labour (NFHS-III)
9. National Dropout Rate at the Elementary Level is over 40% (DISE, 2011-12)
10. Nearly 45% girls get married before the age of eighteen years (NFHS-III)
11. Only 54% children received full immunization (DLHS-III, 2007-08)
12. 47 out of every 1000 live births do not complete their first year of life (SRS, 2011)

Food insecurity: Malnutrition and starvation:-

One in every three malnourished children in the world lives in India:-

(5) Child malnutrition is generally caused by a combination of inadequate or inappropriate food intake, gastrointestinal parasites and other childhood diseases, and improper care during illness. Is it not ironical that in a nation with soaring GDP rates and Sensex indices, marking India's entry into the global market, children continue to die of malnutrition and starvation?

The major cause is lack of public health services in remote and interior regions of the country, poor access to subsidised healthcare facilities, declining State expenditure on public health, and lack of awareness about preventive child healthcare.

To be born a girl: Plummeting sex ratio:-

The very existence of the girl-child is under threat. Defying the normal male-female balance, the higher survival capacity of girl babies, and greater life expectancy of women to men prevalent in human populations, the female-male balance in India has been adverse to females for at least 100 years. The 1901 National Census recorded a female-male ratio of 972 to 1,000 males, for all ages. Virtually every subsequent census showed a decline. While the size of child population in the age group (0-6 years) is declining with decline in the share of children in the total population, the share of girls in 0-6 years is declining faster than that of boys of 0-6 years. This process has led to missing of nearly 3 million girl children compared to 2 million missing boy children in 2011, compared to 2001. There are now 48 fewer girls per 1,000 boys than there were in 1981.

Child labour and right to education: A contradiction:-

India has the highest number of child labourers in the world. The existing law on child labour that allows children to work in occupations that are not part of the schedule of occupations that are considered harmful to children contradicts the right of every child to free and compulsory education. And yet no attempt is made to resolve this contradiction. How can children be at work and at school at the same time? Surely this means that any attempt to give them access to education will be second-rate, parallel non-formal education?

Main reasons for Child right abuse:-

1. Inexperience and untrained judiciary body
2. Inactive intake agencies
3. Inadequate infrastructure
4. Lack of community participation
5. Absence of coordination among various implementing agencies
6. Traditional gender discrimination
7. Inadequate fund allocation
8. Lack of political will to focus on problems of children

Suggestions and conclusion:-

1. It is now seriously felt that immediate action need be taken by all agencies, government and non government not only to ensure the implementation of CRC, but also to provide special facilities for the deprived sections of society.
2. The mass media should play an important role for the promotion child's well being, social ,spiritual, moral, physical and mental.
3. There should be adequate dissemination of information and material for social and cultural benefit to the child advocating and promoting rights of the child with the spirit if Article 29.
4. Children's book should be provided and distributed in the society for generating awareness about the rights of child.
5. femaleeducation,in particular, is recognized as a means to a better quality of life for the child and the family, as well as woman's own quest for self-fulfilment.
6. Develop legislation that confirms to the CRC
7. Advocate child right issues
8. Monitor and report on the position of child rights

Every child has a right to the highest attainable standard of health and to medical and rehabilitation facilities. Parents have common responsibility for the upbringing and development of the child. After all "education is a development of the whole man". The right to education has been guaranteed to every child .UNISEF has also taken keen interest in popularizing the CRC both in developed and developing countries and has utilized all for a available to the societies. In spite of all these attempts at various levels, there is widening gap between the promise and performance.

Reference:-

1. Prakash Mishra (2012); '*Child and Human Rights*' p.27
2. Jagannath Mohanty (2000); '*Human Rights Education*' P.233,P.246
3. 'Child Rights in the Global Week of Action', concept paper prepared by HAQ: Centre for Child Rights, April 14, 2005
4. '*Status of children in India*' -www.infochangeindia.org.com
5. 'Human Development Report', 2005, UNDP, Oxford University Press, New Delhi Census of India 2001
6. Nirmal Kanti Chakrabati ;*Human rights of children: A Study of Implementation of CRC in India.*