
CARE AND PROTECTION OF CHILDREN: ISSUES AND CHALLENGES

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ABSTRACT

Children go through emotional breakdown when their parents are unable to understand the problems faced by them. High expectations and competitive environment is assumed to be fruitful in achieving goals but one's the habit of winning is cultivated in their minds, they are unable to accept failure leading towards issues like suicide, addiction, peer pressure, depression and many more.

The adverse aspect of caste system and communalism is increasing daily and has become matter of concern, single parent upbringing and nuclear families showing disrespect for the elders unacceptability for customs, rituals and more prone towards modernization.

State has taken initiative to execute right to education as fundamental right under Art 21 A. The Ministry of Women and Child Development there are number of schemes from free vaccination to mid day meals and monetary policies. There are also schemes like Mission Vatsalya, Mission Poshan, PM care for Children.

When the society fails to assist helping hand social and cultural drawbacks are majorly observed. Over protective environment for children don't make them strong and independent instead promote class system. Social interactions, understanding social issues, equal rights to children as we believe that children are good teachers because they are born free and must live freely, the innocence of every child must be secured.

The objective of this research paper is an informative aspect pointing out some lacuna and for letting us to understand the importance of participation of children in shaping a developing society for a better future.

Keywords: Development, Childhood, Society, Parenting.

Introduction

This Article focuses on the issues with the perspective of law towards children parents, society and government all three must work like blessings to every child. Different facilities, over facilities and utilization of available facilities. The purpose of this paper is to bifurcate duties of different groups towards children because it is not only for the state or parents but the main idea is for execution society has to take steps and ought to perform their duties towards children. Only strict provisions and law cannot reach to good results. There must be some measure to secure the right and participation of children. Human Rights constitute the greatest blessing on the people of tender ages as they have enormous potentiality of influencing the legal and social system to build a regime of protecting children and initiating social transformation.

Literature Review

Caste System and Communalism are a major factor for the crimes in society. Children are dragged more into this system if there has been any adverse behavior any child would have faced due to his or her caste it will relate to revengeful upbringing of that particular child and the impact is seen on the innocent. If a child is boycotted due to his caste or due to economical status it is created depressive and offensive attitude of those children. Juvenile and children in remand homes are treated under reformatory theory but the myths must be resolved of dragging children in any agenda and unfair practices.

Society permits different views and aspects regarding the upbringing of every child. Community is the first base to develop the overall vision of children towards other individuals. Further it is individual decision to choose what to prefer, community views or follow other path, this is because a society's view impacts behavior of every child. Example in a society where birth of girl child is not considered equal, rebellious behavior of those girls is observed towards society regarding their rights but this is also used as a tool to torture innocent male members and their families which is again an adverse aspect of imbalance created in society. Kautilya says that it is the duty of the village elders to ensure proper development of the infants.

“Whatever we do it is never hidden from one person and that is our self”- These are the words of Swami Vivekananda when he was asked to still rice as a task in his childhood. Great people are

born with uniqueness and that is their attitude towards situation to which they come across, it is not that great personalities do not face difficulties or win in every difficulty but they learn to understand the impact if winning and losing is one and the same, only difference is they denied giving up in their life. The question over here is from where does this attitude towards life is brought? What was different to them in their childhood ? Were they given every facilities? Was there no challenges? Does it depended on the schools they were taught in? They preferred taking things in a different way and considering issues as only a part of life and not life as a whole.

We have always come across to the question in our childhood that “What do you want to become when you grow up?” we had different choices which was shaped by the external situation and reaction to them which had a lasting impact on our mind, it either inspired or depressed. Positive approach towards adverse situations discovered great personalities like A P J Abdul Kalam, Nani Palkhiwala, Sudha Murthy, Steve Jobs and the list goes on. Every child is different and unique with its skills and abilities we cannot fit them in a watertight compartment or train them like machines. Individuals personality is highly impacted by the childhood which is protected by society and State at large.

Parents play a vital role in promoting good or bad behavior as that is the primary stage of learning. Children attempt to copy their parents without concluding or determining it as good or bad as it is a natural phenomenon. When the child misbehaves with others, watch arguments between parents, sees them disrespecting with helper or even listen them using inappropriate language they repeat the same. So basically it's the very first responsibility of parents to prohibit any of wrongful acts which impacts adversely. Begging is one of the example where 80% children are dragged in illegal activities, crime, wrongful conduct, everything due to the surrounding on the other hand high expectations in certain societies and competitive environment takes away the childhood. We must understand education system should not force children to run rat race as that is one of the major platform which will protect and nurture children but if we consider in a system where the high expectations either led to take major steps like suicide, depression, commit offence or drugs just to find a way of releasing pain suffered mentally. Healthy competition is a way of progressive society. Stagnant nature cannot be given to any individuals but pursuing career of its choice will not impact adversely as winning and losing wont be a matter of concern if there is passion at whatever activities child performs.

Since the voting age is 18 years in India it is very difficult for children to put forward their problems and issues as that would have very few or no consideration, ignorance is observed at highest when it is representation based scenario. This vulnerable group of individuals thought are unable to receive any sort of representation but they have many dreams and ideas which can bring about number of changes. This thought is also backed by government in providing facilities like science exhibition to show case their ideas and inventions. They are more techno savvy and so can easily learn and understand computer systems. We must understand that society both domestic and international has grown beyond freeing the child from exploitation of numerous types.

Culture and Social involvement is decreasing day by day and curiosity to protect or understand culture is lacking. Children are unable to understand or show love and affection towards customs is because they are not taught why exactly a particular custom exists. What is the reason both mythological and scientific behind the belief of people. It is said that half knowledge is dangerous. Parents themselves are having half knowledge regarding the rituals and cultural due to which they are unable to pass the cultural and are prone to modernization. Which is loophole. Instead let the children be aware about the cultural heritage. Festival and occasion are to be celebrated in schools, appreciated by the state and must encourage participation. For that purpose cultural activities are set to develop them to participate in certain competition which are backed by culture like promoting protection of nature, planting trees, dance act and spreading social awareness through children. Police person nowadays let children to explain regarding traffic rules.

Nuclear families and single parent upbringing are more towards modernization and so the children's are disrespectful but this criteria will be derived if there is hatred towards the elderly person in their families, in some parts due to lack of interaction with elders or other members of families bring back the thought of being respectful as they have never experienced what certain relationship are and the curiosity of it may turn them more attracted back to the joint family system.

Overprotective environment seems to damage the natural capability of every child. It is said that don't pick the thorns from the Roses given to a child. If the children are unable to face struggle or hurdles it is because spoon feeding gave rise to certain inabilities. Nowadays lifestyle of individuals are more of comfort zones and there is no growth in comfort zones.

Also not letting to take their own decision, giving everything demand immediately, not letting them to fall and rise which is not less than a cage but this cage is of gold. In future again good decision makers are required and that day isn't far when people will be trained for what to decide how to decide when to decide. Just like how the ethics are required to be taught which are learnt naturally as a part of morals or by observing. So what exactly must be done? Our ancient culture is fully flourished to teach us that how learning process can be carried out, how a child must behave right from what should be eaten till what should be sacrificed. What can help you to reach your goals and How you can build a proper life for yourself without the assistance or guidance of any other person. Such deep and pure were the teachings but greed have now led to numerous lacuna in the education system.

Vasudhaiva Kutumbakam in Upanishads means the “World is one family “, and it is necessary to understand this even when it comes to upbringing of children. We cannot at last or at first blame parents but it is the responsibility of society to take steps in protecting the unprotected. Social involvement of children, though they are at present a whole category of dependents but we cannot expect a good future if society fails to prioritize securing progressive atmosphere for them. Taking an example of a society in which dominating culture is promoted towards one particular category of individuals same will be repeated by coming generations until strong laws aren't derived for protecting them like tribe, women, old age.

Arun Roy v. Union of India, it is expected that there must be a value based society in a society where there are no morals, values there would neither be social order nor secularism. Religion is a foundation for value based survival of human being in a civilized society. Justice Shah stated in one of the case under Art 29 and 30 that, “Knowledge of various religious philosophies is material for bringing up communal harmony as ignorance breeds hatred because of wrong notion assumptions, preaching and propaganda by misguided interested person.

Education is not only socio economic right but it is a fundamental duty and is a fundamental right under Art- 21A it is the duty of State under Directive Principles of State Policy of Constitution which clearly states, Article 45 regarding the provision for early childhood care and education to children below the age of 6 years. **Unni Krishnan v. State of A. P.**, states that right to edu8upto age of 14 years is fundamental right within the meaning of Article 21 but thereafter economic

capacity is matter of concern. 86th Amendment Act 2002 is considered as success of democratic system of government through education. Thus, providing free and compulsory education to children is the duty of the state. One of the major responsibilities of state and centre are fulfilled through different schemes and facilities steps taken up by Government under PM care for Children are-

- Financial Support – upto 10 lakh for children
- Support for Boarding and Lodging Rehabilitation of all children
- Assistance for school education
- Assistance for Higher Education, Loan facilities
- Health Insurance upto 5 lakh
- Scholarship- 20, 000/- per child for per annum 1-12th

Ministry of Women and Child Development which was set in the year 1985 have also introduced different schemes as a part of Human Resource Development, they have successfully reached many homes and provide different facilities to the needy. some of them are-

- POSHAN Abhiyaan aims to address malnutrition issues across the nation through components like ICT, application, community, capacity building, incentives and awards and innovations.
- Anganvadi services – a package of 6 services is provided to pregnant women and lactating mother and to children under age of 6 years, they include immunizations, health checkup referral services are related to Health and are provided through NRHM and Public Health.
- Beti Bachao Beti Padhao – education and participation of girl child.
- Child Protection Services
- Scheme for Adolescent Girls – centrally sponsored scheme which aims at providing nutritional support to out of school girls in the age of 11-14 years.

- Swadhar Greh- victims of difficulty.
- Ujjawala – Mission Vatsalya
- National Creche Scheme – Daycare facilities including sleeping facilities, Health check-ups.
- Mission Poshan 2. 0- to reduce malnutrition cases.

Government is working at its best to overcome issues faced by children as the basic needs ought to be fulfilled by the State. But it is not the only responsibility of the State to uplift children. Inclusion of right to education as fundamental have helped to overcome issues faced and its compulsory execution is at some point solving problems of poor, illiterate and need individuals as it is the part of basic right. Government facilities are meant for children and it will bring the major change in coming future.

Human Rights is one of the important factor which worked in securing rights of children, 1979 is listed as the International Year of the Child. The (UNICEF) was established for coordinating the activities of the International Year of the child. It was estimated that some 350 million children in developing countries are beyond the reach of minimal health nutrition, education and social services. The General Assembly also decided in Nov 1978 to proclaim 1985 as the International Youth Year with a view to recognize the profound importance of the direct participation of youth in shaping the future of humanity. There after the General Assembly in 1989 adopted the Convention on the Rights of Child. This Convention aimed to elevate the political and humanitarian obligations of Nation towards children. It may be said to be a comprehensive treaty on the Human Rights of Children. The signatory States agreed to take firm steps for control of adoption, authorisation and place strict conditions on transfer of children and ensure that the countries who so transfer children do not make improper financial gains. This Convention on Right of Child came into force on September 2, 1990.

International Covenant on Economic, Social and Cultural Rights, 1966 under Article 10 clause 3 states, special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment

in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. Child Labour should also be prohibited.

Justice K. Ramaswamy in Gaurav Jain v. Union of India (1997) have stated, “Children of the world are innocent, vulnerable and dependent. They are all curious, active and full of hope. Their life should be full of joy and peace, playing, learning and growing. Their future should be shaped in harmony and cooperation. Their childhood should mature, as they broaden their perspectives and gain new experience. Abandoning the children, excluding good foundation of life for them, is a crime against humanity”. Thus further 86th Amendment Act 2002 was termed as success of democratic system of government through education.

Conclusion

Dividing children into different age group is only for the sake of maturity they gain but we cannot deny the fact that children are a dependent individuals and must be set free to enjoy their childhood. Taboo of taking away their childhood through begging is equally wrong with imposing restriction due to over protectiveness. **We worry about what a child will become tomorrow, yet we forget that he is someone today. ” — Stacia Tauscher.** Human Rights, government schemes, social security, cultural representation, childhood everything must be looked forward with and intention of bringing of a good future of any Country. Different countries are now undergoing through different schemes to improve the thought process of children. There are many children who prefer to understand and learn Indian Culture, as it is believed to be strong and spiritual bliss.