


# Child Rights

*An Understanding*

**Punitive**  **Restorative**

*for*

Sculptures of Children's Life

**Who is a child?**

# Definition of Child

**Any person who is between 0 – 18 years old, of all categories...**

(Categories involve girls, boys and transgender as well at equal level of respect & rights)

# The Constitutional Provisions for Children

- Article 23 – prevention of trafficking
- Article 24 – prohibition of child labour
- Article 39 – directives to protect children
- Article 45 – right to education (now 0-6)
- Article 21A - right to education (6-14)
- Article 51A – duty of parents to take care

# Core Rights of Children

(UNCRC)

1. Right to Survival – to live
2. Right to Development – attain full potential
3. Right to Protection – against exploitation
4. Right to Participation – in decision making

# Right to Survival

- Includes:
  - **Right to Life** (we introduced PC-PNDT, Gender Policy, Chiranjivi Scheme, Janani Surksha Scheme, 108-Emergency Scheme, Khilkhilat Scheme, etc.)
  - **Right to Attainable Standard of Health and Nutrition** (Health policy involves vaccination-free medical treatment –etc., Nutrition Policy involves ICDS-Madhyahan Bhojan-Children Home-etc., recently introduced Food Guarantee Bill)
  - **Right to Adequate standard of Living** (several schemes for housing, toilet, water, subsidy for LPG, etc.)
  - **Right to a Name and Nationality** (Compulsory Birth Registration, etc.)
- Ensuring nutritious food, potable drinking water, a secure home and access to health facilities.

# Right to Development

- Includes:
  - **Right to be educated** (RTE – free & compulsory primary education, scholarships, reservations, etc.)
  - **Right to receive support for development and care during childhood** (Under Article 51A of Constitution and Juvenile Justice Act, primary duty of child is of parent so that children's childhood pass in the family. For destitute children, schemes like Adoption, Foster Care, Sponsorship, etc. introduced)
  - **Right to social security** (Freedom for Religion and freedom to change religion)
  - **Right to leisure, recreation and cultural activities** (provisions for recess between continuous periods in schools, vacations, innovative & creative activities, Tours, celebrations of cultural events in Education system as well as Society)
- Assurance of quality education, play, culture & religion

# Right to Protection

- Includes:
  - **Right to Freedom from all forms of exploitation**  
[Protection Feticide (PC-PNDT Act), Child Trafficking (ITPA), Child Labor (Child Labor Act), Child Marriage (PCMA), Child Beggary (BPBA), Corporal Punishment (JJ Act), Violence (JJ Act, Cr. PC), etc.]
  - **Freedom from abuse and inhuman/degrading treatment**  
(Policy for gender and equality, POCSO Act, )
  - **Special protection in emergency situations & armed conflicts** (Disaster Management Act)
- **Protection from abuse in family/work situation, shelter of law, networking of systems to ensure well-being**



# Right to Participation

- Includes:
  - **Right to access to appropriate information** (RTI Act and duty of parents to take care of children's need)
  - **Right to freedom of thought and expression**
  - **Right to freedom of conscience and religion**
- **Right to participation includes participation in decision making atleast in those decisions touching child's life and future.**

# Offence against juvenile

- **Prohibition of publication of name, etc.**, of juvenile in conflict with law or child in need of care and protection involved in any proceeding under the Act. [Punishment - Penalty which may extend to Rs. 25,000. [S.21]
- **Punishment for cruelty to juvenile or child** - punishable with imprisonment for a term which may extend to six months, or fine, or with both. [S.23]
- **Employment of juvenile or child for begging** - shall be punishable with imprisonment for a term which may extend to one year and shall also be liable to fine. [S.24]
- **Penalty for giving intoxicating liquor or narcotic drug or psychotropic substance to juvenile or child** - punishable with imprisonment for a term which may extend to three years and shall be liable to fine. [S.25]
- **Exploitation of juvenile or child employee** - punishable with imprisonment for a term which may extend to three years and shall be liable to fine. [S.26]

Thank You ...