

**GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA**

STARRED QUESTION NO:223

ANSWERED ON:09.12.2011

VIOLATION OF CHILD RIGHTS

Adhalrao Patil Shri Shivaji;Yadav Shri Dharmendra

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether a Social Audit Report, "20 Years of Convention on Right of Child (CRC)- A Balance Sheet", has revealed that the child rights guaranteed under the Constitution and the UN Convention of the Rights of the Child, are being violated in the country;

(b) if so, the details thereof and the reaction of the Government thereto;

(c) whether in the absence of a universal definition of 'child', these rights are being violated; and

(d) if so, the details thereof and the remedial action taken/proposed by the Government in this regard?

Answer

MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

(a) to (d): A statement is laid on the table of the House.

STATEMENT REFERRED TO IN REPLY TO PART (A) TO (D) OF LOK SABHA STARRED QUESTION NO. 223 FOR 09.12.2011 REGARDING VIOLATION OF CHILD RIGHTS BY SHRI ADHALRAO PATIL SHIVAJI AND SHRI DHARMENDRA YADAV

(a) & (b): The Social Audit report, "Twenty Years of CRC – A Balance Sheet", a copy of which has now been obtained from the Non-governmental Organization (NGO), makes an assessment of the progress made on implementation of the CRC commitments and gaps and challenges that remain.

The Report acknowledges that India has emerged fairly strong in strengthening and improving its 'General Measures of Implementation' for ensuring children's rights. This is evident in terms of formulation of new laws, some amendments to the existing ones, new policies and creation of institutional mechanisms such as creation of a full-fledged Ministry of Women and Child Development in 2006 and the National Commission for Protection of Child Rights in 2007 followed by 12 State Commissions.

The Report provides an assessment of progress made against eight major indicators viz. birth registration, child sex ratio, child marriage, child labour, health, education, violence and crimes by children. These issues are in the notice of Government and are being addressed through various policies, plans, laws and programmes. However, securing the rights of the largest child population in the world, with multiple disparities, including age, sex, caste, religion and region, is a continuous challenge that requires coordinated efforts of Government, community and non-governmental actors.

(c): No Sir. The UN Convention on the Rights of Child, which was ratified by India in December 1992, defines a 'child' as every human being below the age of 18 years. However, the Convention also allows for minimum age to be set, under different circumstances, balancing the evolving capacities of the child with the State's obligation to provide special protection.

Harmonization of definition of 'child' under different Acts and policies is a continuous exercise and requires extensive consultations and discussions with all stakeholders.

(d): Does not arise.