

Recorded Society Class 15

1st July, 2024 at 9:00 AM

CHILD- 12:06 PM

- **Who is a child?**
- **Definition-**
- **Child Labor Prohibition Act (less than 14)**
- **Factories Act (less than 15)**
- **Juvenile Justice Act (less than 16)**
- **POCSO (less than 18)**
- **As per UNCRC, every individual less than 18 is to be considered a child.**
- **Hence to give effect to our commitment to UNCRC we passed a policy in 2013 known as a national policy for children.**
- **According to this policy, every individual less than 18 is a child and must have the below-mentioned four rights.**
- **Rights of child-**
- **Right to Survival**
- **Right to development**
- **Right to participation**
- **Right to protection**
- **Ministry of Child and Development released National Plan and Action on a Child (2016)-**
- **Right to survival- Universal immunization, robust maternal and child health, Good quality Pre, peri, and post-natal care.**
- **Right to development - Extend the ambit of RTE, secondary education, ensure 4AQ wrt education sector.**
- **Right to protection- Strengthen legislative administrative and institutional mechanisms to adopt a zero-tolerance policy wrt to violence against children.**
- **Right to participation- ensure participation of children in policy making concerning issues relating to them for example UNICEF Bal panchayat.**
- **Establishment of NCAG (national coordination and action group) by Ministry of Child and Development.**
- **Child issues-**
- **Child sexual abuse**
- **Child labor**

- **Child marriage**
- **Juvenile delinquency**
- **Child sexual abuse-**
- **Data-**
- **According to NCRB data out of the incidences of child exploitation, 36% falls under POCSO.**
- **According to a report by MWCD, approximately 53% of the children are subjected to some or other form of abuse out of which in more than 90% of the cases, the culprit is a known person and only 6% of cases are reported.**
- **Hence, we can conclude that child sexual abuse is shrouded in secrecy.**
- **(refer handout for more details)**

CHILD LABOUR- 12:44 PM

- **Concept- As per ILO any labor that deprives the child of their potential, dignity, and childhood is harmful to their physical and cognitive development.**
- **Efforts against child labor-**
- **1. Constitutional provisions- Articles 23, 24 and 39(e).**
- **2. Statutory laws- Child Labor Protection Act.**
- **3. Government schemes- NCL project, NCL policy, PENCIL.**
- **4. International conventions- ILO convention, 138, 182.**
- **For more details (refer handout).**

JUVENILE DELINQUENCY - 1:04 PM

- Every person less than 18 is defined as a juvenile.
- Juvenile delinquency refers to a large variety of disapproved behaviors for which some kind of punishment is justified in the public interest.
- Juvenile Justice Act deals with -
 - -Crime committed against juvenile
 - -The child is in need of care and protection
 - -A child legally available for adoption
 - -Crime committed by juveniles- It has two criteria:
 - 1. Less than 16
 - 2. 16 less than 18
 - 1. Petty crime less than (<3 years)
 - 2. Serious crimes (3<7)
 - 3. Heinous crime (>7 years)
- For more details (refer handout).

CHILD MARRIAGE- 1:37 PM

- Arguments for and against reducing girls' marriage age to 21-
- Arguments in favor-
 - Education of women at higher levels can increase.
 - Increasing the age of marriage will ensure girls are more mature and aware of their reproductive rights which overall can reduce IMR/MMR etc.
 - Delays in marriage with more education can overall reduce the fertility rate.
 - It can increase female labor force participation.
 - Facilitating the transformation of human resources to human capital.
 - They can act as an agency of social change.
 - Reduction in violence against women.
 - Inter-generational positive impact.
 - It might help in breaking the stereotypes that girls are economic and social liability.
- Arguments against-
 - Legal change does not guarantee social change.
 - The average age of marriage has already increased.
 - The problem of cultural lag.

- The increased age of marriage will result in girls not having any say in their personal matters until 21 years old.
- The age of consent is 18 and if the marriageable age increases to 21 then in the backdrop of premarital sex being a taboo, the stigma associated with girls will further be increased.
- It might lead to an increase in the incidences of child marriage and can negatively impact the image of India on a global platform.
- According to the task force age of marriage does not affect the nutritional level as it is more related to education, wealth, awareness, etc.
- Increasing age may prevent many young women from experiencing pregnancy at the safest age (20 to 24 years).
- Increasing age might further aggravate the unwanted of the girl child.
- For more details (refer handout).

The topic for the next class - old age issues