

Child sexual Abuse

- ⇒ CAUSES :-
- ### SOCIO-ECONOMIC FACTORS
-) Low Bargaining Power
 -) Lack of attention due to dual career families
 -) Disintegration of joint families
 -) Poverty
 -) Patriarchy
 -) Rigid Casteism
 -) Lack of awareness among children w/o abuse
 -) Lack of safe places
 -) Lack of democratic parenting
 -) dysfunctional families
 -) lack of state institutional care for
children w/o families (families)
 -) corruption of value system
objectification + Commodification of child
eg: child Pornography

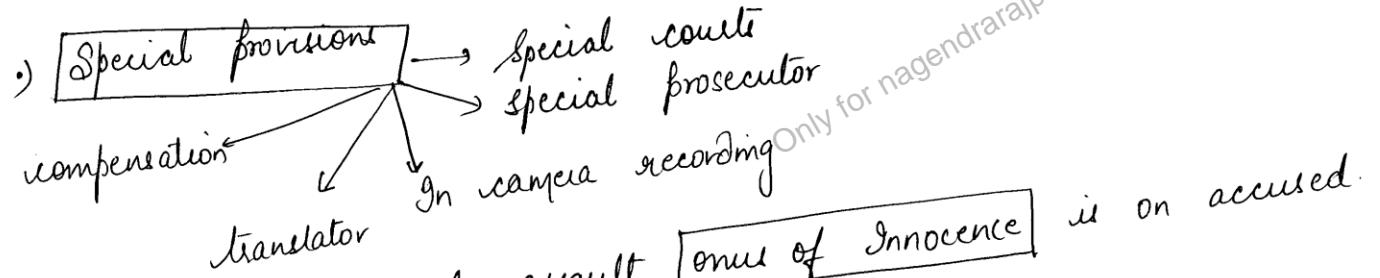
⇒ Psychological Factors

- ;) Psychopath
- ;) Victim of child abuse
- ;) Broken window Theory
- ;) Lack of deterrence due to (stigma associated
leading to poor reporting)

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POCSO Act (2012)

-) Gender neutral
-) clearly defines 'CHILD' (< 18 yr)
-) It defines sexual abuse of all kinds
 - aggravated
 - sexual Harassment
 - non-penetrative
 - penetrative
 - non-aggravated
 - child pornography



-) In case of aggravated assault, onus of Innocence is on accused.
-) No time limit to file complaint
-) NCPCR, SCPCR are monitoring agency.
-) Investigation has to be completed within 60 days
-) It mandates investigation & trial within 8 months

POCSO RULES 2020

④ **Background** :- PoCSO Act was amended in 2019

.) **Penetrative Sexual Assault** :- The act increases min punishment from 7yr → 10yr. It also provides for imprisonment b/w 20yr to life with fine (if child is < 16 yr)

.) **Aggravated PSA** :- two more grounds added.
 ⇒ resulting in death of child
 ⇒ assault committed during natural calamity
It inc. min. punishment from 10 → 20yr.
Max " (death penalty)

.) **ASA** : two more offences added.
 .) assault during natural calamity
 .) administering any chemical or any hormone to child for attaining early sexual maturity

- ↳ child pornography s- ① It defines CP
- as any visual depiction of sexually explicit conduct that involves child such as photograph, video, digital or computer generated image.
- ② Punishment for storage of pornographic material increased from 3yr - 5yr. | fine | both.

- ③ Two other offences added:
① transmitting, displaying, distributing such material except for purpose of reporting it
② failing to destroy or delete or report pornographic material involving child.

④ Rules &

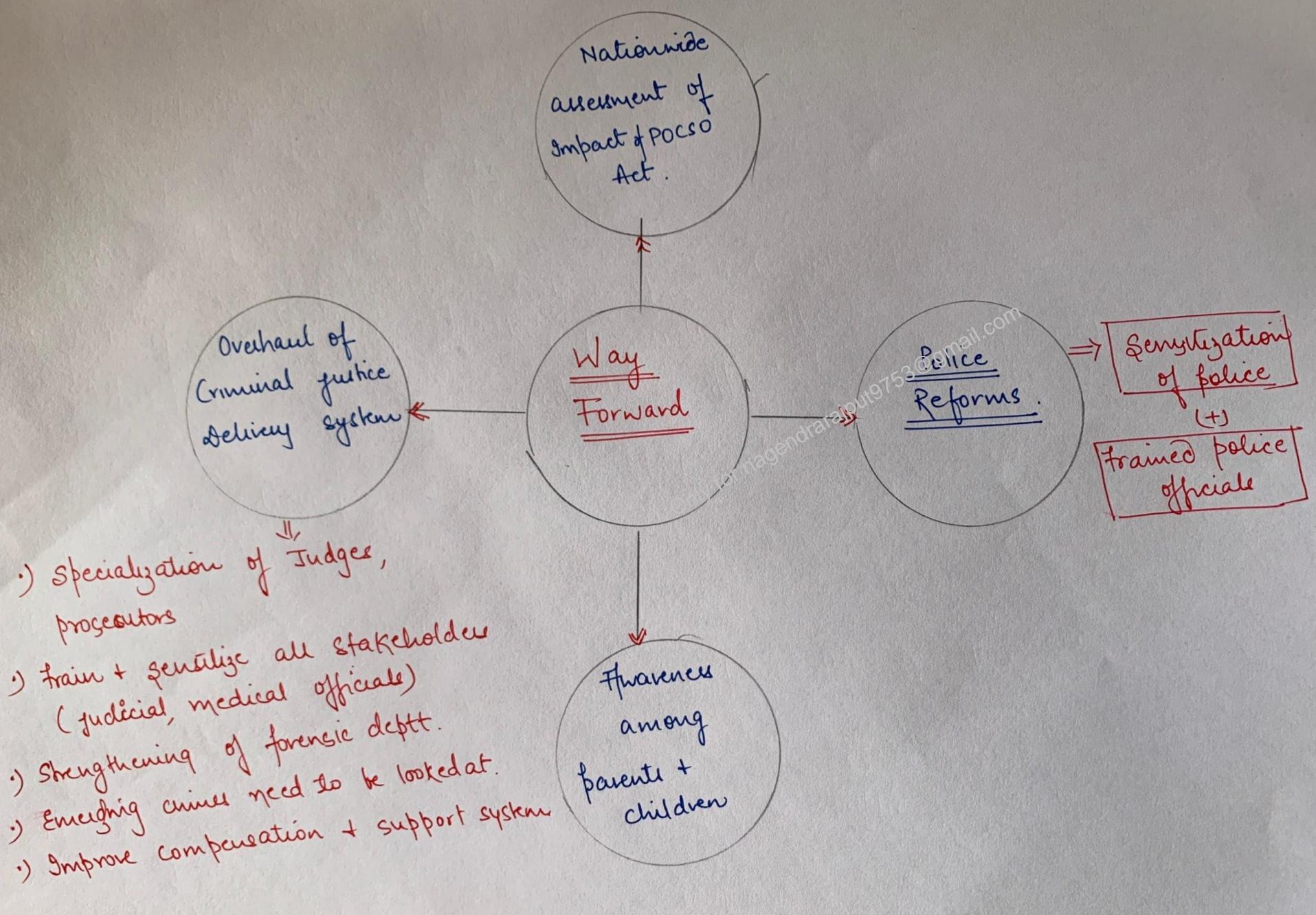
- ① Mandatory police verification of staff
- ② state government to formulate a child protection policy
- ③ based on **Zero-tolerance** Periodic training w.r.t. sensitization of all stakeholders regarding child safety
- ④ Prepare age appropriate educational material & curriculum for children w.r.t personal safety, emotional & mental well-being, child helpline number etc.
- ⑤ Orientation prog & courses for police personnel & forensic experts for capacity building
- ⑥ Reporting of pornographic material w.r.t child is mandatory

Status of POCSO :-

- .) Law has not been able to produce expected deterrence.
- .) Proportion of child victim in rape cases has increased
- .) Higher no. of bail are granted under POCSO
- .) Conviction Rate U/POCSO (2016) = 28.2%
- .) 89% of cases pending (2019)

④ [challenges wrt POCSO Act implementation] :-

- .) Poor Reporting due to fear of ostracization
- .) Lack of awareness among the child wrt sexual abuse
(Hence fail to report)
- .) Lack of Infrastructure : eg: shortage of skilled police force
Lack of sensitized officials
overburdened officials (refusal to file FIR)
- .) Overburdened judiciary : Justice gets delayed
- .) Lack of trained prosecutors
- .) Lack of Adequate compensation for child victim
- .) NCPCR, SCPCR have not been able to perform the fn of monitoring,
evaluating & creating awareness wrt Act.
(lack of alc, as their functioning not open to public scrutiny)



Child labor

Concept :- ILO

Any labors which deprives child of their potential, dignity & childhood + is harmful for their physical + cognitive dev.

Statistics

-) Acc. to Census, [10.1 mn] children were engaged in labor
-) 7.3% of child labor (Globally)
-) 80% of child labor in rural areas
-) Max^m CL : UP, Bihar, Rajasthan, M'tra, MP
-) 62.8% of CL in hazardous work

Efforts Against child labor

① Provⁿ

-) Art 23, 24
39 (e)

Statutory laws

-) Child labor Act
Proh. Act.

Govt. Schemes

-) NCL Project
-) NCL Policy
-) PENCIL

International Conv

-) ILO, convention
138, 182

* Conv 182 : first labor
of sub, two-day std to be universally
ratified

④ CAUSES OF CHILD LABOUR

PUSH FACTOR (SUPPLY)

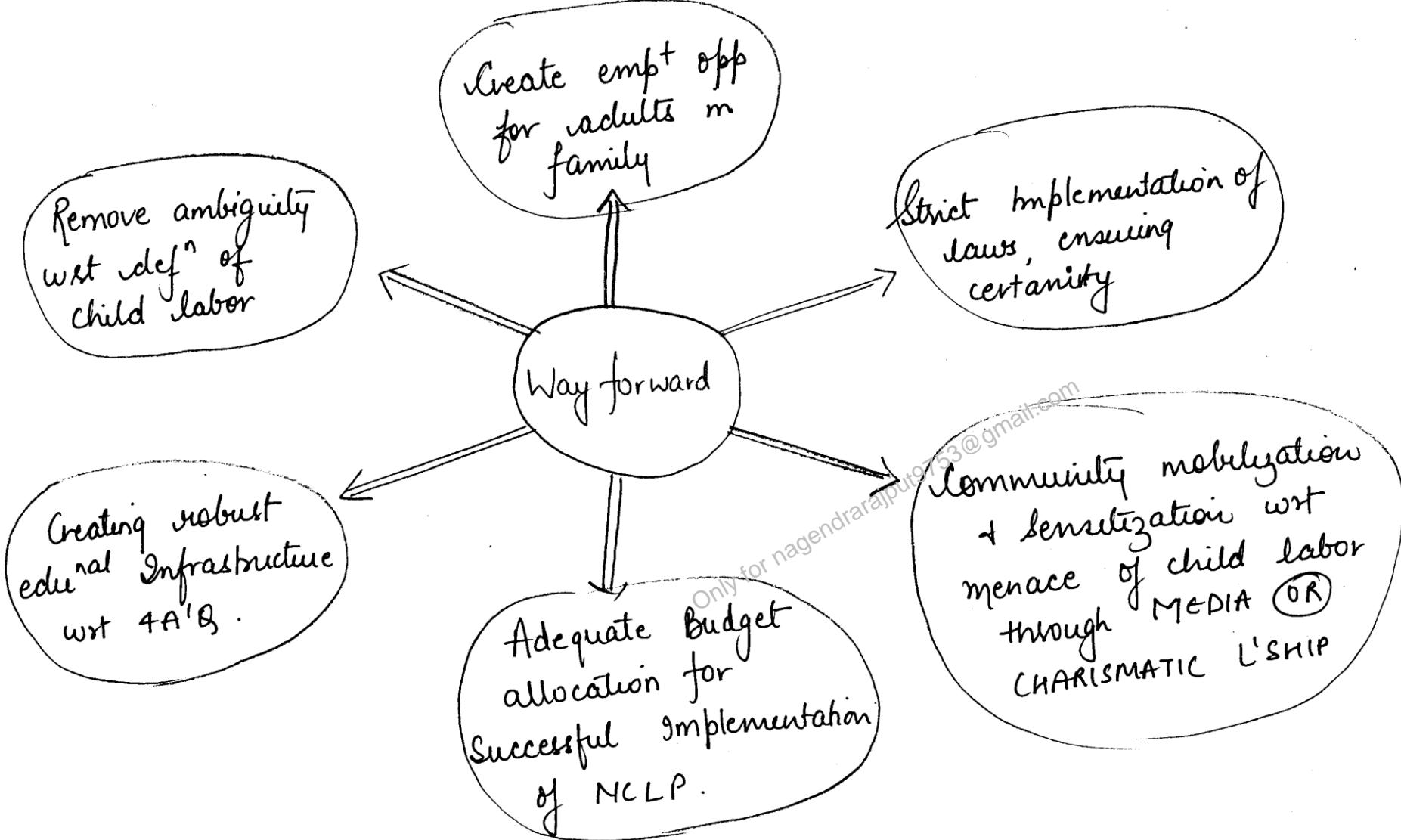
-) Poverty
-) Unemployment of parents
-) High Fertility Rate
-) Lack of formal schooling Infra to absorb child
-) Patriarchy, socialization of girl child for domestic roles
-) Lack of awareness, wrt (-ve) implication of CL
-) Lack of qualitative child care Centres (Orphan, abandoned, surrendered kids)
-) Bonded labor
-) High school drop-outs, due to

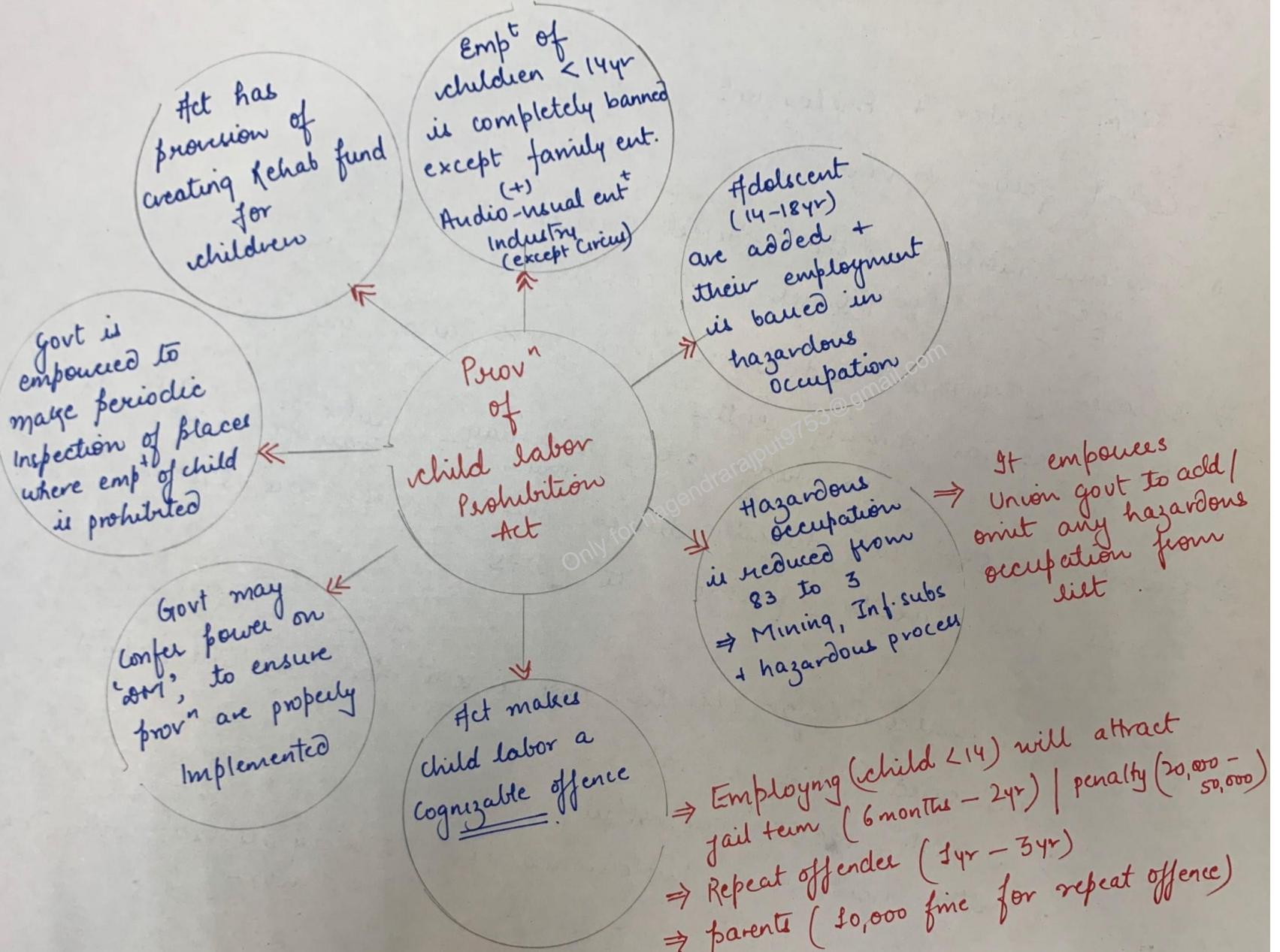
PULL FACTOR (DEMAND)

-) cheap labor, Low Bargaining power
-) Easy to hire + fire
-) No labor laws Protection guaranteed
-) Emergence of New Middle class
↳ used demand for cheap domestic helpers
-) Few industries require labor of child (Cotton plucking, carpet weaving, diamond cutting etc.)
-) Few Industries do not require skilled labor hence prefer cheap labor
eg: bidi rolling, packaging etc.

④ Lacunae :-

-) Lack of credible data, poor identification
-) Lack of judicial Implementation of existing provision due to ltd administrative capacity .
-) Lack of ⇒ SURVEY
IDENTIFICATION
WITHDRAW
REHABILITATION
-) Lack of availability, accessibility, affordability of qualitative edu) which can guarantee decent emp⁺ opp.
-) One size fit all approach
-) Dependence of many MSME's on labor of child
(any effort to eradicate might lead to making them financially unviable)
-) failure of govt. to generate emp⁺ opp for Adults
-) Large Informal economy which aggravates exploitation of children
-) Failure to address perception : "More children means more number of working hands "





National child labor project :-

- ↳ U/M of labor + Employment
- ↳ Central sector scheme
- ↳ Implementation Agency : District Project Societies
(under DM/ collector)
- ↳ children (9-14) are withdrawn from work and put into NCLP special training centres
 - bridge edu, mid-day meal, vocational training, health care etc is provided
- ↳ children (5-8 yr) are directly linked with formal edu systems
- ↳ funds are directly provided to DPS

PGNCIL :- (platform for effective enforcement for No child labor)

-) dedicated online portal
-) to make NCLP successful
-) Better monitoring, implementation, timely disposal with transparency of work

ILO 8-

- .) Tripartite UN agency
- .) formed in 1919
- .) It brings together govt, employers + workers of its member states
 - ⇒ To set labor std
 - ⇒ Develop policies
 - ⇒ Encourage prog^{nme} promoting decent work for all men + women

.) India is founding member

.) there are 8 ILO fundamental convention
⇒ Except No. 87 (Freedom of Association + protection of Rt. to organise
and No. 98 (Rt. to Organize + Collective Bargaining)
India has ratified remaining. Recent being
No. 138 (Min. Age)
No. 182 (Worst form of child labor)

child Marriage

↳ Premise :-) Odisha govt rolled out plan to make state completely free of child marriage (2030)

↳ Concept :-) As per CMPA (2006), Males > 21 yr
females ≥ 18 yr.

↳ Statistics :-) India has $\frac{1}{3}$ rd of global child brides
.) Nearly 16% of adolescent girls (15-19)
are currently married
.) Most commonly found in Jharkhand, Bihar, Rajasthan, AP, WB, UP
.) NCRB (2020) : 785 cases were registered under PCMA (2006)

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Child Marriage

- ⇒ Statistics :-
-) Acc. to Census 2011, 30.2% of married women were married before age of 18.
 -) Acc. to SBI, mean marriage age in India = 22.3 yr.

⇒ Causes :-

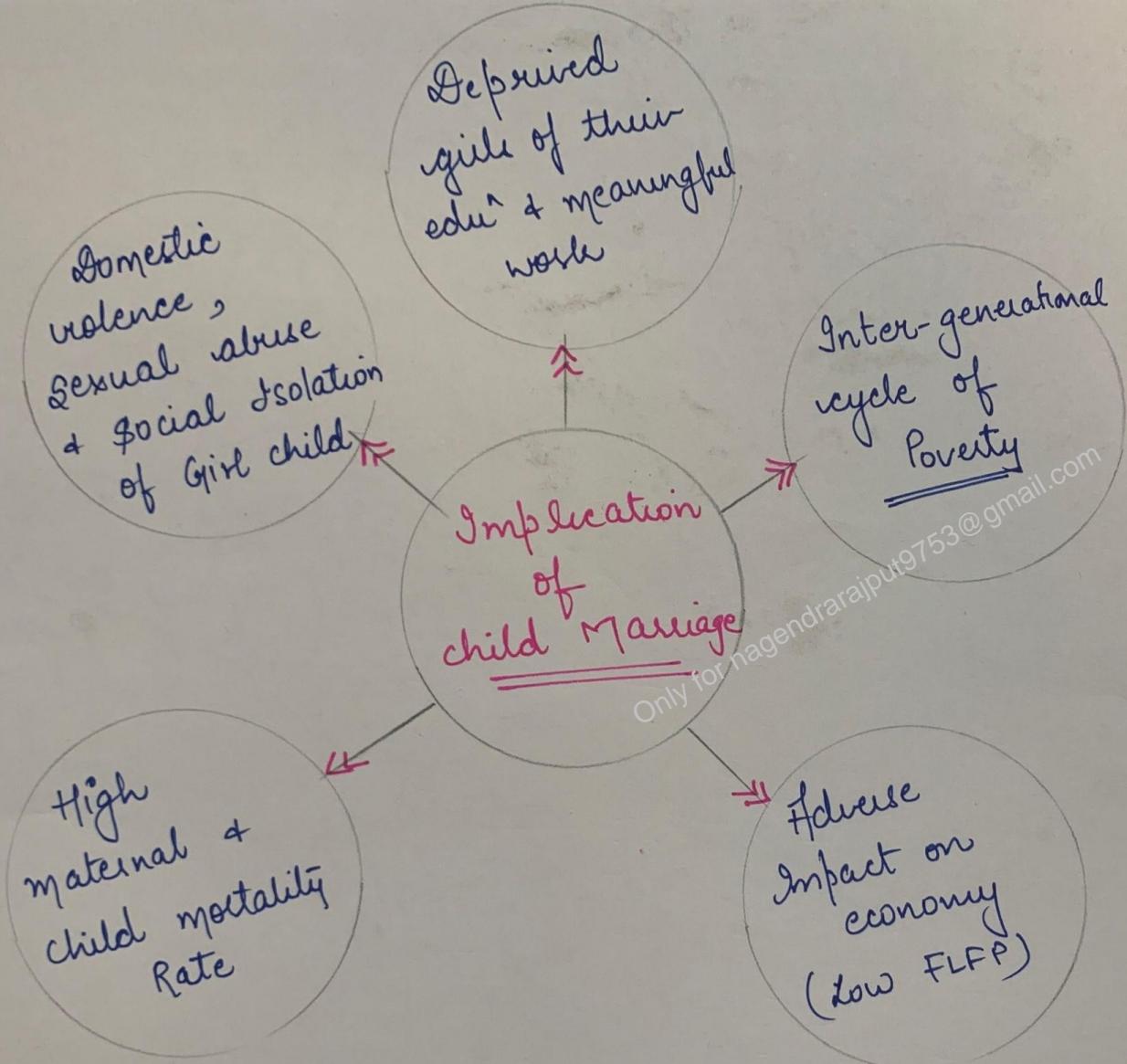
-) Girl is associated with honour of family

Absence of (+)
Safety & security
perceived as social burden -

-) Girl child is perceived as economic liability
-) In the bride, lower is dowry
-) younger the bride, girl child is also treated as source of income
-) In poor household, girl child is also treated as source of income
(Skewed sex ratio → Bride price)
-) traditional practice, any staying away might lead to social exclusion

- .) Lack of formal educational Infrastructure hence only alternative left for girl child is to get married
- .) Due to patriarchy, prime purpose of women is assumed to be 'bear & beget' a male child hence they are married off early.
- .) 'Patriarchal nature' of marriage
Easy to adjust in early years.

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Way forward

- ↳ Ensuring **safety + security** of girls
- ↳ **IEC campaigns** (+) **Nukkad Natak** (+) **Television** to combat menace of CM.
- ↳ **Collective organising** of **Civil Society + NGO's**
- ↳ **Active Participation** to prevent CM.

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Demand to increase the minimum age of marriage for women.

(Will bring parity in marriage age).

-) Task force headed by Jaya Bachchan is established
-) To examine correlation of age of marriage & motherhood with Health, well being, Nutrition, IMR, CMR, MMR etc

: Arguments in favour :- child marriage / early marriage

↳ limits the opp. for education

↳ poor access to healthcare
due to ltd knowledge

↳ unable to effective labor force participation

↳ limits the opp. to realize their full potential

↳ Generational Impact :- health + nutritional status of child

↳ limits the opp. to act as agency of social change.

↳ Arguments Against :-

- .) Child marriage is social & economic issue
+ Despite PCMA (2006), it is still persisting
- .) To ↑se marriage age \Rightarrow girl will have no say
in their personal matter upto 21 yr.
- .) Age of marriage does not affect much the nutrition level etc
its more related to edu, wealth, awareness etc
- .) Mean age of marriage has already ↑sed
- .) ↑sg. marriage age may deny many young women from experiencing
pregnancy at safest age
(as Mortality experienced during (20-24 yr) is lowest)

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④ Way forward

- Proper law enforcement [Under PCMA, marriage should be declared void ab initio (Invalid). (K'taka has implemented) (However criticized)
as even after being declared void girl remain de-facto wife]
- Girl empowerment wst life skills + protection skills
- Community mobilization through media, IEC campaigns
- Investment in eduⁿ, welfare + opportunities for women.
- Incentivizing + enabling girl eduⁿ atleast upto 12th std.
- Mandatory registration of marriages
- Treat child marriage as Human Rights violation (threat of Domestic violence,
early pregnancy, MMR etc.)

④ 18th Law Commⁿ Report (2008)

To reduce age of marriage both for B + G to 18 yr.

④ Age of consent should be reduced to 16 yr. (Justice Verma Committee).

④ CEDAW \Rightarrow 18 yr. as age of marriage

Child Marriage Act

- appointed by state govt
- invested with power of police office
- DM can be given additional powers

* fns. of Proh. officer

offenders can be punished up to 2 yr and/or upto 1 lakh fine

guardians, parents, those performing, participating etc can be punished

defines child marriage
⇒ Boy (< 21 yr)
⇒ Girl (< 18 yr)

Marriage is VALID but voidable

child marriage Prohibition Act

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allow minors to repudiate [nullify] marriage up till 2 years of attaining majority

girl to be provided safe home / maintenance till her remarriage (Court can) order

No legal validity of
→ trafficking
→ enticement
→ fraud, deceit

child born will be considered legitimate

Functions of Prob. officer :-

- .) Prevention of child marriages
- .) collection of evidences
- .) creating awareness
- .) Counseling
- .) Sensitizing community
- .) Maintaining statistics

Juvenile Delinquency :-

↳ Who is a Juvenile ? :-) A juvenile is a person < 18 yrs.

↳ Causes of Juvenile Delinquency :-) Juvenile Delinquency :-
It refers to large variety of disapproved behavior
for which some kind of punishment is justified
in public interest.

↳ Statistics :-) Acc. to NCRB,
offences committed by juvenile shot up by 23% in 2020
(↑se in crime is attributed to lack of emp't opp ^{Only for nagerdarajput9753@gmail.com} Dueing lockdown)

CAUSES :-

- .) Globalization \Rightarrow changing value system
 - ↓ Consumerist culture
 - ↓ Disintegration of IF
 - ↓ Lack of social control (+) Lack of proper socialization
- .) More emphasis on goals of material success rather than means to achieve it
 - ↓ disruption of value system
- .) Dysfunctional families (eg: strict or negligent parenting)
- .) Negative impact of Social Media (FOMO).
- .) Technology \Rightarrow various addictions (Online gaming)
- .) Lack of awareness regarding what constitutes crime.
esp: not cybercrimes (Lack of awareness regarding cyber laws)

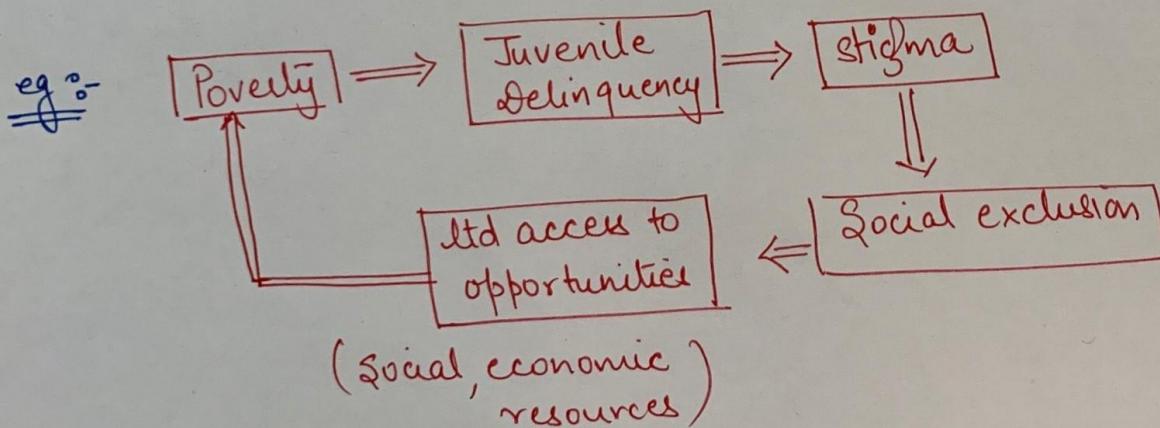
-) Sub-Culture of Crime
-) Reference Group (Negative grp)

-) Negative Impact of CINEMA.

-) Poverty, Unemp^t \Rightarrow feeling of Relative Deprivation

-) Labelling also have negative impact on psyche of child, which once associated is difficult to close away with.

-) Stigmatization of delinquency. \Rightarrow limits possibility of Re-Integration
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Vicious cycle



↳ Individual factors

-) feeling of Insecurity
-) Emotional Conflict
-) Lack of Self Control
-) Impulsive Behavior
-) 'Broken-window' theory .

Definition of Child

- JJ Act defines child as a person who has **not completed 18 years of age**. In 2015, it introduced a provision wherein a child in **age group of 16-18 years** could be **tried as an adult** in case of **heinous offenses**.
- Juvenile Justice Board carries assessment to **determine whether to try such a child as an adult or a minor**.

Comparison between JJ Act 2015 and JJ Amendment Act, 2021

Specifications	JJ Act, 2015	JJ Amendment Act, 2021
Adoption	Adoption of a child is final once a civil court issues an adoption order .	District Magistrates (DM), including Additional DM, can issue adoption orders.
Appeals	There will be no appeal for any order made by a Child Welfare Committee .	Any person aggrieved by an adoption order passed by DM may file an appeal before the Divisional Commissioner, within 30 days of such order.
Categories of Offences	<ul style="list-style-type: none"> • Offences committed by juveniles are categorised as <ul style="list-style-type: none"> ○ Heinous offences, minimum punishment under IPC or any other law for the time being in force is imprisonment for seven years or more. ○ serious offences, punishment is imprisonment between three to seven years. ○ petty offences, maximum punishment is imprisonment up to three years. 	<ul style="list-style-type: none"> • Redefines 'serious offences' to give effect to the recommendation of Supreme court in Shilpa Mittal v. State of NCT of Delhi case. • Maximum imprisonment for a term more than seven years but no minimum imprisonment or minimum imprisonment of less than seven years is provided.
Designated Court	<ul style="list-style-type: none"> • Offences punishable with imprisonment of more than seven years, will be cognizable, non-bailable and triable in Children's Court. • Other offences (punishable with imprisonment of less than seven years) will be tried by Magistrate of First Class. 	All offences will be tried in Children's Court .

Benefits of New Bill

- Enhanced protection of children
- Strengthens the process of monitoring
- Ensures smooth implementation
- Faster adoption as the bill empowers DM & FDM to issue adoption order.

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④ Concerns wrt Bill :-

-) The Bill puts entire onus of child welfare on DM
 - | Lead to Delays
-) DM are already over-burdened
-) DM & divisional commissioners are not trained to deal with specific laws related to child
-) In other countries (UK, Germany, France etc) adoption orders are issued by court
-) adverse impact on doctrine of Separation of Powers.
 - | as GRM has given power to executive

Way forward :-

- Proper record keeping & documentation by agencies to ensure transparency
- Sensitization of officials wrt. issues, needs, concerns, + safety of children
- Adequate no. of staff must be employed to ensure care & protection of child
- Coordinating with agencies + 2nd val (who are experts in area of children) to ensure effective policy making + empⁿ.

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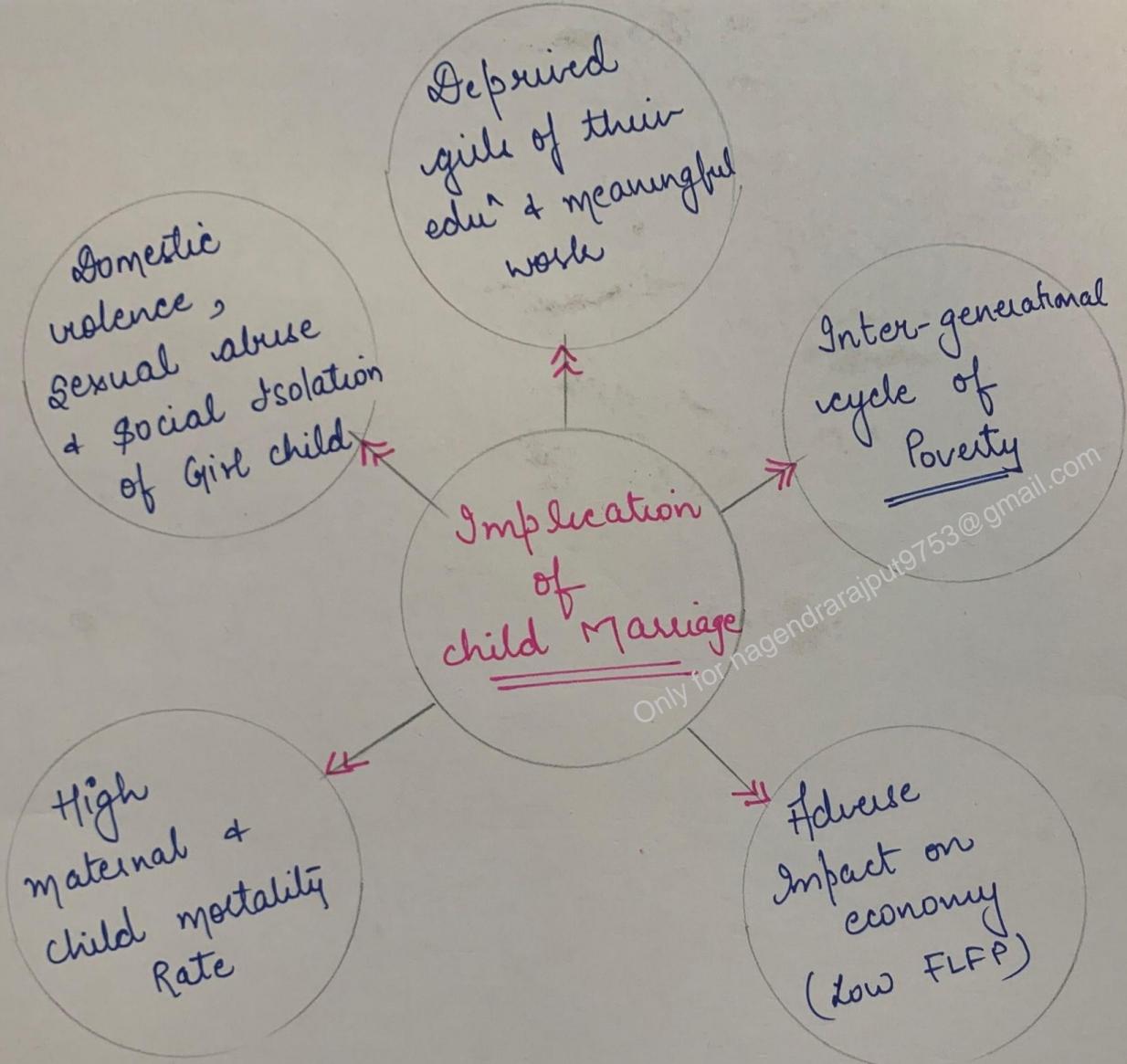
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④ Elderly ppⁿ in India

- ↳ Statistics :-
-) Acc. to Census 2011, 8.6% of ppⁿ is old age.
 -) It will rise to 16% by 2041
 -) Ruralization of old age = 71%
 -) Feminization of old age = 1033/1000
 -) Regional Variation = 12.6% of old ppⁿ (Kerala)
 -) Regional Variation = 35.6% rise in old age ppⁿ
 -) 2001 - 2011, old age dependency ratio has risen from 10.9% (1961) → 14.2% (2011)

↳ PREMISE :- MoHFW launched 'Decade of Healthy Ageing' (2020 - 2030)

↳ Healthy Ageing :- It has replaced focus on 'Active Ageing'
optimizing opp for health, participation
& security to improve quality of life of older ppⁿ

↳ Healthy Ageing refers to "the process of developing & maintaining the functional ability that enables well being in older age".

- It is about having capabilities that enable all people to be & do what they have reason to value eg: make decisions, mobility, basic needs etc
- It includes all physical & mental capacities of an Ind^{val}.
- The economic growth potential created due to rise in life expectancy.

Longevity Dividend

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④ challenges faced by old pp

- ↳ failing health :-
 - ageing is synonymous with declining health
 - It is further complicated due to lack of A/Q w.r.t health infrastructure.
- ↳ Income Insecurity :-
 - absence of assured + sufficient income to support themselves for healthcare, social security.
- ↳ Isolation & Neglect :-
 - Due to disintegration of Joint family
 - change in value system & lifestyle
 - No longer considered as source of wisdom
 - Dual career family
- ↳ Rapid changing world :-
 - find it hard to adapt with lifestyle changes brought due to globalization, technological dev, urbanization, migration

- ↳ Abuse :- they are subjected to physical, emotional, financial, sexual abuse
- ↳ Ageist stereotypes :-
 -) Stereotyping, Prejudice & Discrimination towards people on the basis of their age.
 -) Ageism affects people of all ages but has particularly deleterious effects on health & well-being of older people.
 -) This marginalizes older people within their communities, reduces their access to services, including health and social care.
- ↳ Lack of preparedness :-
 -) In India, there is no formal awareness program for people to prepare for old age. It sets in quietly and suddenly.

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④ Way forward :-

- Age friendly environment :-
 - Remove social, physical barriers
 - promote health, build physical & mental capacity

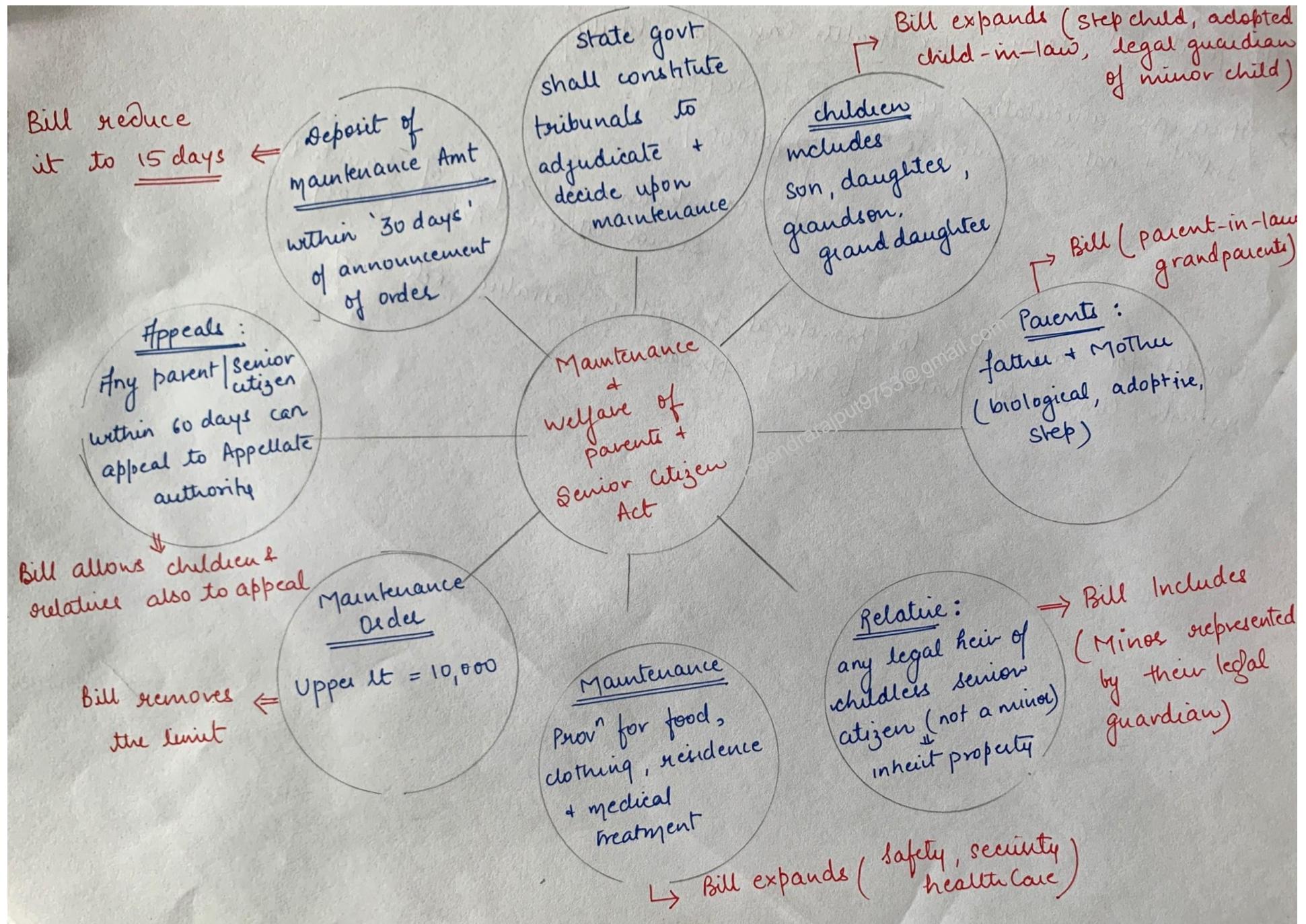
↳ Promote Geriatric care

- Promote Geriatric care
- Mainstream the concern of senior citizens
- Promote income security, old age pension, housing etc.
- Recognize elders as a productive asset
- Promote care of old (old pp) within family + Inst'nal care
- Care of old should be last resort
-) Encourage emp + opp :-
 - Self emp +
 - SHAKS, cooperatives
 - counselling agents
 - Recruitment in think tanks
 - Multigenerational Care homes etc.

↳ Introduce / enhance legislation to promote equality & non-discrimination on the basis of age in prov' of health, insurance services, social protection policies etc.

↳ Global measures : eg: Global campaign to combat vaccination.

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Integrated Prog for Older P.

Aim: to improve quality of life of older people by providing basic amenities like shelter, food, medical-care etc.

- U/M of SJ & Empowerment
- Central Sector Scheme (1992)
- Financial assistance is provided to NGO's, PRIs for projects like old age home, etc.

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Rashtriya Vayoshri Yojana

Aim: To provide phy. aids + Assisted living devices for Senior Citizen belonging to BPL

- U/M of SJ & Emp⁺
- Central Sector Scheme
- Implemented by ALIMCO (Artificial Limbs Manufacturing Corpⁿ) (PSU)
- funded from Senior Citizens Welfare Fund

est. under Finance Act 2015,
for promotion of welfare of senior
Citizen in line with National
policy for older persons.

IGNOAPS

Aim: to provide financial assistance to person of ≥ 60 yr. (BPL)

→ g/s sub-component of NSAP

→ U/M of Rural Dev⁺
→ Centrally Sponsored (Core of Core Scheme)

② Demand to hike the assistance.
from 200/- 800/- (> 60)
from 500/- 1200/- (> 80)
(To give effect to Art 41 of DPSP)
(Public assistance in case of unemp⁺, old age, disability etc)

Vasishtha Pension Bima Yojana

Aim: To provide assured pension based on guaranteed rate of return of 8% per annum for 10 yrs.

option to opt for pension on monthly | quarterly | half yearly + annual basis

→ Administered by LIC

→ pension payment through ECS/NEFT only.

P. M. Jaya Vandana Yojana

→ Simplified Version
Implemented through LIC

for Senior Citizens

-) assured 8% p.a
-) for 10 yr.
-) exempted from ^{Govt} Service Tax
-) Investment ^{only} 15 lakh.
-) Minimum Pension = 1000/- month
-) Max. " = 10,000/- month

Vayoschreetha Samman

→ scheme of awarde initiated by M of SJ & Emp^t.

→ It is upgraded to status of National Award.

→ Are presented as celebration of International Day for older persons on 1st Oct.

→ It is awarded to

-) Institutions (working for cause of) older person
-) Eminent Senior Citizens in recognition of their services
-) Individuals from any part of Country.

National Prog^{me} for Health Care for elderly

- It is an articulation of Int'l + nat'l commitments → **UNCRPD**
- **NPOP**
- "Maintenance + welfare of parents + Senior Citizen Act", (2007)
- Provides for easy access to through community based promotional, preventive, curative, Rch. care **PHC** approach.

Transgender Persons (Protection of Rights) Act 2019

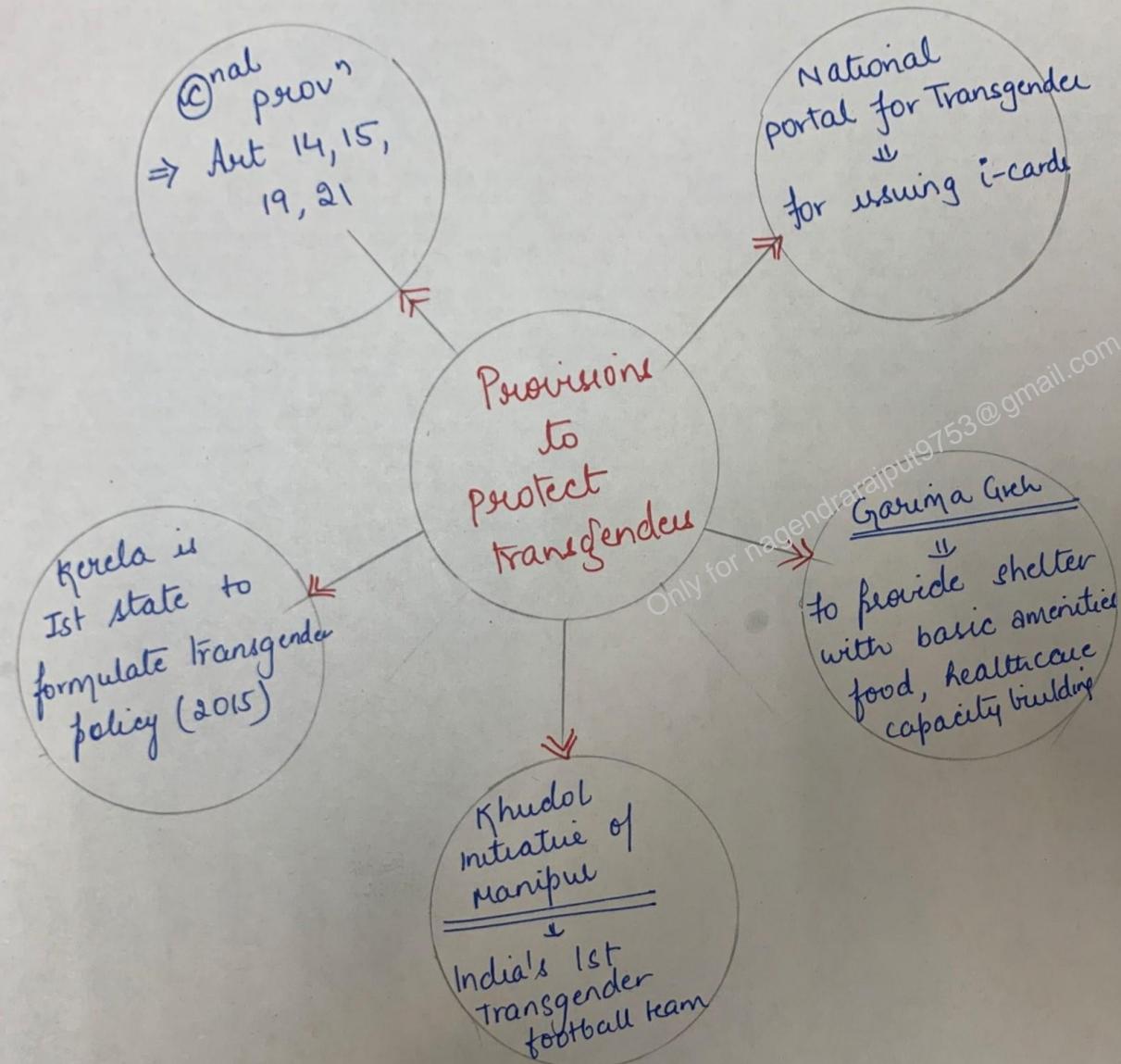
↳ Who are transgender?

↳ Background:

.) NALSA judgement (2014)

- 'Third gender'
- Right to self identification
- Reservation under OBC quota
- Commission on line of NC for SC/ST.

- ↳ Report published by NHRC.
- .) Acc. to census 2011, 4.8 lakh Transgenders.
 - .) Only 30,000 registered with election commission
 - .) 99% have suffered social rejection
 - .) 96% denied jobs
 - .) 89% say (No job for qualified ones).
 - .) 18% are physically abused, 62% are verbally abused in schools
 - .) Only 2% live with parents.
 - .) 53% live under Guni-chela system



Challenges faced by Transgenders :-

- ↳ **Health issues** :- Prevalence of HIV among transgenders
(estimated to 3.1% in 2017)
- ↳ **Lack of livelihood opportunities** : If they are denied jobs + confined to low paying / undignified work
e.g.: begging, sex work, baihai.
④ During COVID-19
(major setback : as it depends on social interaction)
- ↳ often are victim of **social ostracization** : shunned by both society as well as family.
- ↳ **Exclusion** from participation in political culture
- ↳ Ltd access to **education & skill devt**
- ↳ Subjected to different **form of abuse** : sexual, physical, mental
(domestic violence during covid)
- ↳ Suffer from **mental illness** : stress, anxiety, depression.
(esp. during covid-19)

- ↳ **Legal hurdles** in possessing identity documents.
- ↳ **Lack of Inheritance rights** for transgenders
- ↳ **Administrative apathy** towards community
- ↳ discrimination by society creates **barriers** in accessing public space & shelter.
- ↳ Lack of **gender Neutral IPC prov'**
eg: Section 345, 376 of IPC.

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Short-term Way forward

- Coronavirus testing centres should make themselves **trans-friendly**.
- Address **basic needs** of Transgenders eg: housing, food, employment.
- **Psychological counselling** so as to ensure sense of safety, hope, calmness etc
- Efforts to make **social welfare** schemes more accessible for community
- **Teacher training** → adopt inclusive teaching methods
- Authentic **data collection**

Long-term way forward

- To promote **self-employment**, vocational training needs to be provided
- **Convergent approach**: est. linkages with livelihood prog, literacy prog, + other dev⁺ prog.
- Introduction of **scholarships** for gender non-conforming persons.
- **Gender neutral laws** wrt sexual harassment
- Need for a separate, dedicated **Anti-discrimination bill**, which penalizes discrimination on the basis of gender.
- **Sensitization** of police, healthcare providers (+) **Mass media awareness** for public.

Give effect to SC judgement in NALSA case (2014)

→ Reservation under OBC status

→ Right to decide their own Identity

Ensure rehabilitation :-

- .) Welfare measures
- .) Skill devt
- .) Vocational training

Provisions of Act

Def :-

Sex assigned at birth don't match gender identity

National Council for transgender

Welfare by Govt

Rescue
Rehabilitation
Vocational training
Self-emp^t
policies

Prv. of discrimination :-

) education
) employment
) healthcare
) access to public facilities
) rt. to movement.
) rt to reside
) rt to hold off
) access to establishment

Transgender Act

offences & penalties

Rt. to self identification
by obtaining Certificate
from AM.

Health-Care

HIV Surveillance Centre

Sex-Realignment Surgery

Insurance

State level Initiatives :-

- ⇒ Kerala, Transgender policy (2015)
⇒ TN : Transgender welfare Board.

Key Issues (To be Remember)

- .) No provⁿ for National Comm'
- .) No provⁿ for affirmative action
- .) No District screening Committee but Certificate to be issued by DM.
- .) No review mechanism
- .) Offences :
 - .) forced labour.
 - .) denial of use of public places
 - .) removal from household.
 - .) abuse
- .) Penalty :
 - .) b/w 6 mth - & ~~only fine~~ fine
- .) The term ~~'begging'~~ has been removed.

NCT :-

- ① Statutory Body
- ② Chairperson (Union minister for social justice)
- ③ Minister of state for social justice
- ④ Secretary of Minister of SJ
- One representative from
 - Health
 - H Ministry
 - HRD
- ③ Advice govt (+) monitor implementation
- ④ address grievances

Representative
from NHRC (+)
Niti Ayog

(+)
State govt
(+)
Transgender community
(5)

(+)
NGO's (5)

National Council for Transgenders		
Composition	Functions	Concerns
<ul style="list-style-type: none"> .) Chairperson : U/M of Social Justice .) Vice-c : Minister of State for ST .) Members : <ul style="list-style-type: none"> 1) Representative of dept of pension, NITI AYOG, NRSC 2) Rep. from 5 states + UT 3) 5 Members from Transgender 4) 5 experts from NGO's 5) Joint secretary level members from Health, Labor, Home, minority Affairs, Rural Devt law. 	<ul style="list-style-type: none"> .) To Advise .) To monitor & evaluate the Impact .) To Review & co-ordinate .) To Redress Grievance .) To Perform fn's as prescribed by CG 	<ul style="list-style-type: none"> .) Lack of transparency wrt selection of members .) No prov" for co-ord" among council & Transgender devt boards (cst post NALSA judgement) .) Inadequate representation of community .) lack of adequate rep' of problems of unrepresented States .

④ Transgender Persons (Protection of rights) rules 2020

→ framed by Mo SJ & Emp^t

⇒ Key features :-

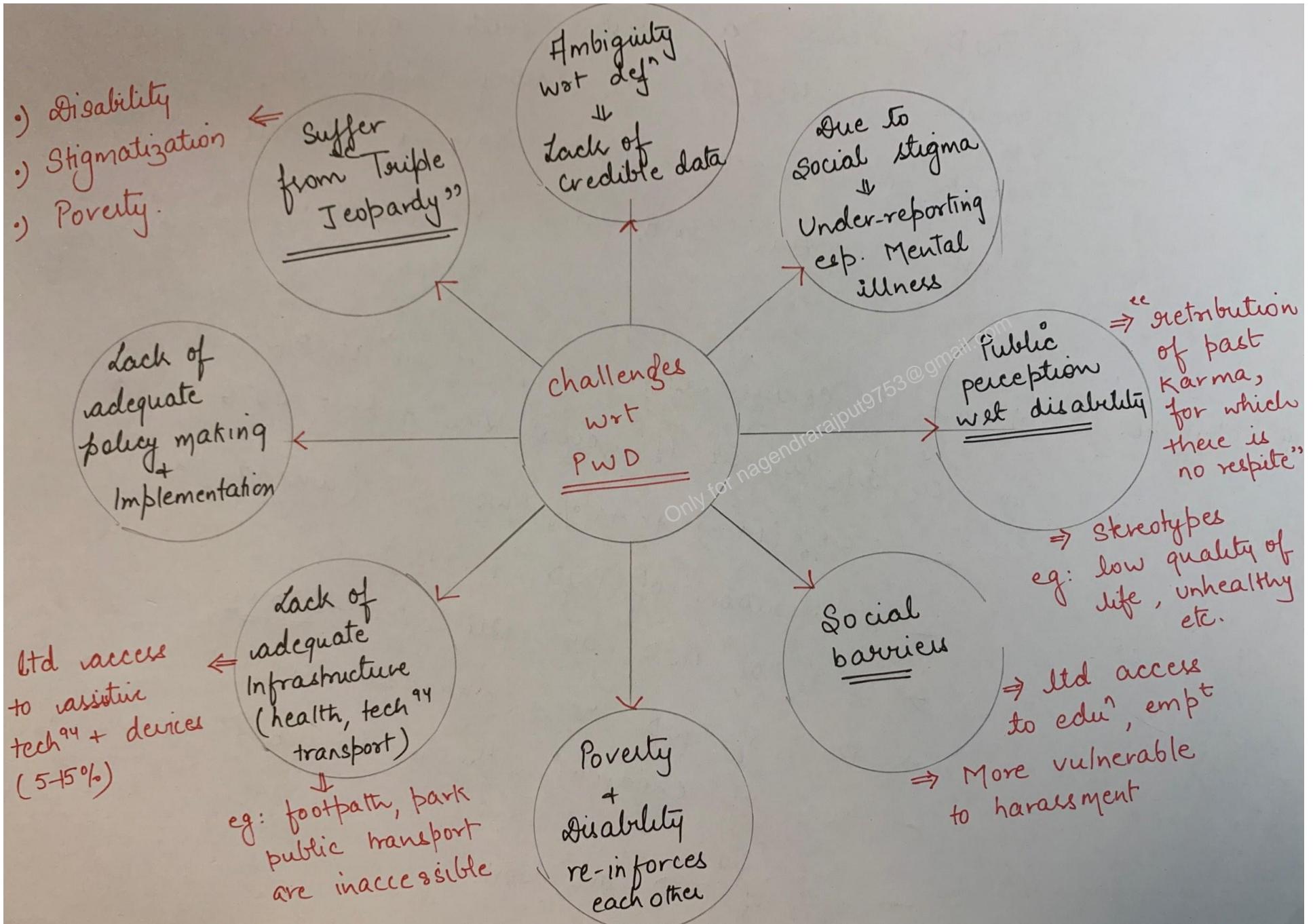
- .) DM will certify the gender of a person based on the affidavit w/o any medical / physical examination
- .) State govt to constitute welfare boards ⇒ to protect rights ⇒ facilitate access to schemes & welfare measures
- .) Review of all existing educational, social security, health schemes etc to include transgender
- .) State govt to take steps to prohibit discrimination of transgender in any pvt / govt org? (+) pvt + public eduⁿ inst^t
- .) transgender - sensitive Infrastructure (eg: separate washrooms)
- .) State govt to set up transgender protection cell to monitor cases of offences against transgender persons.

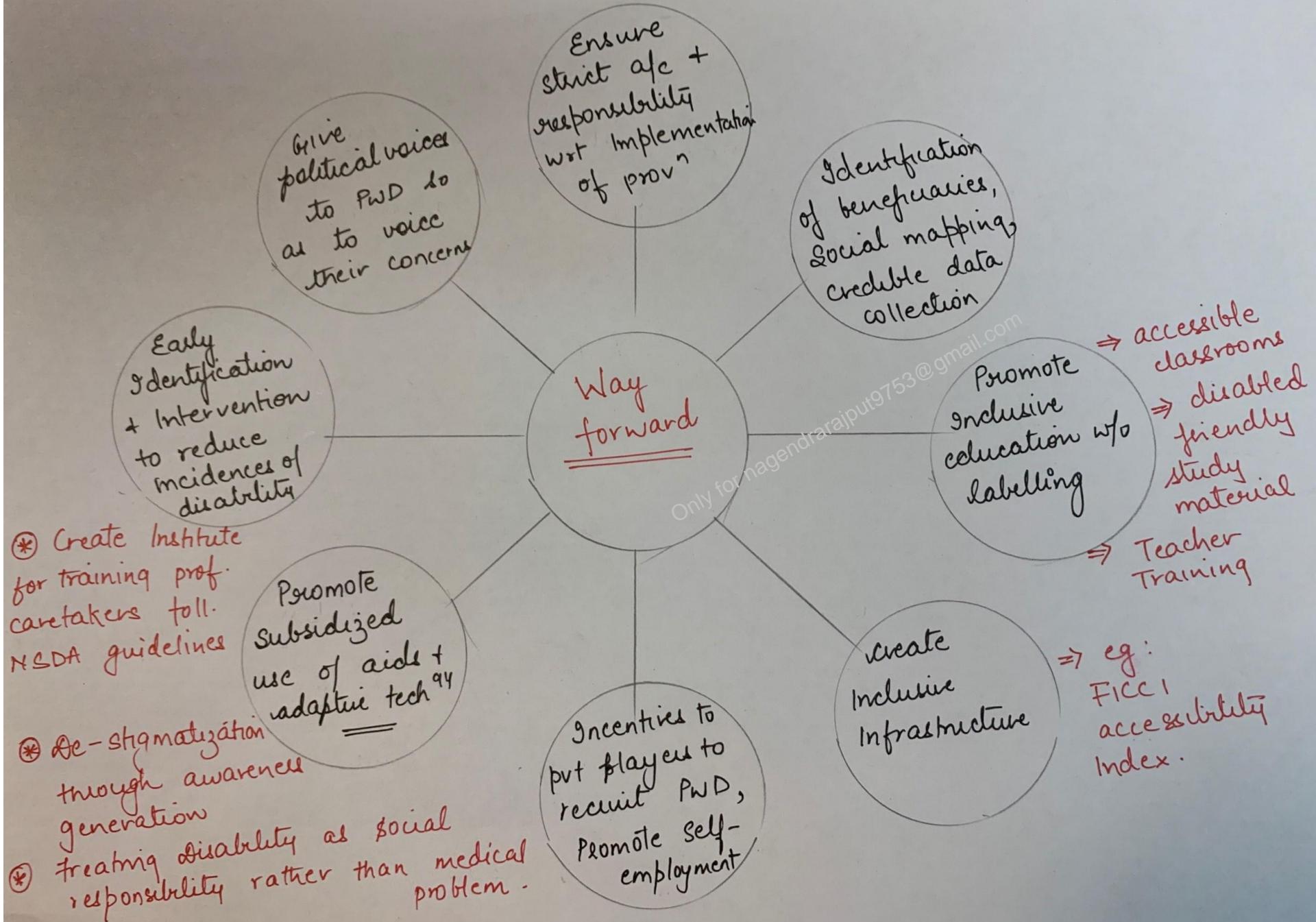


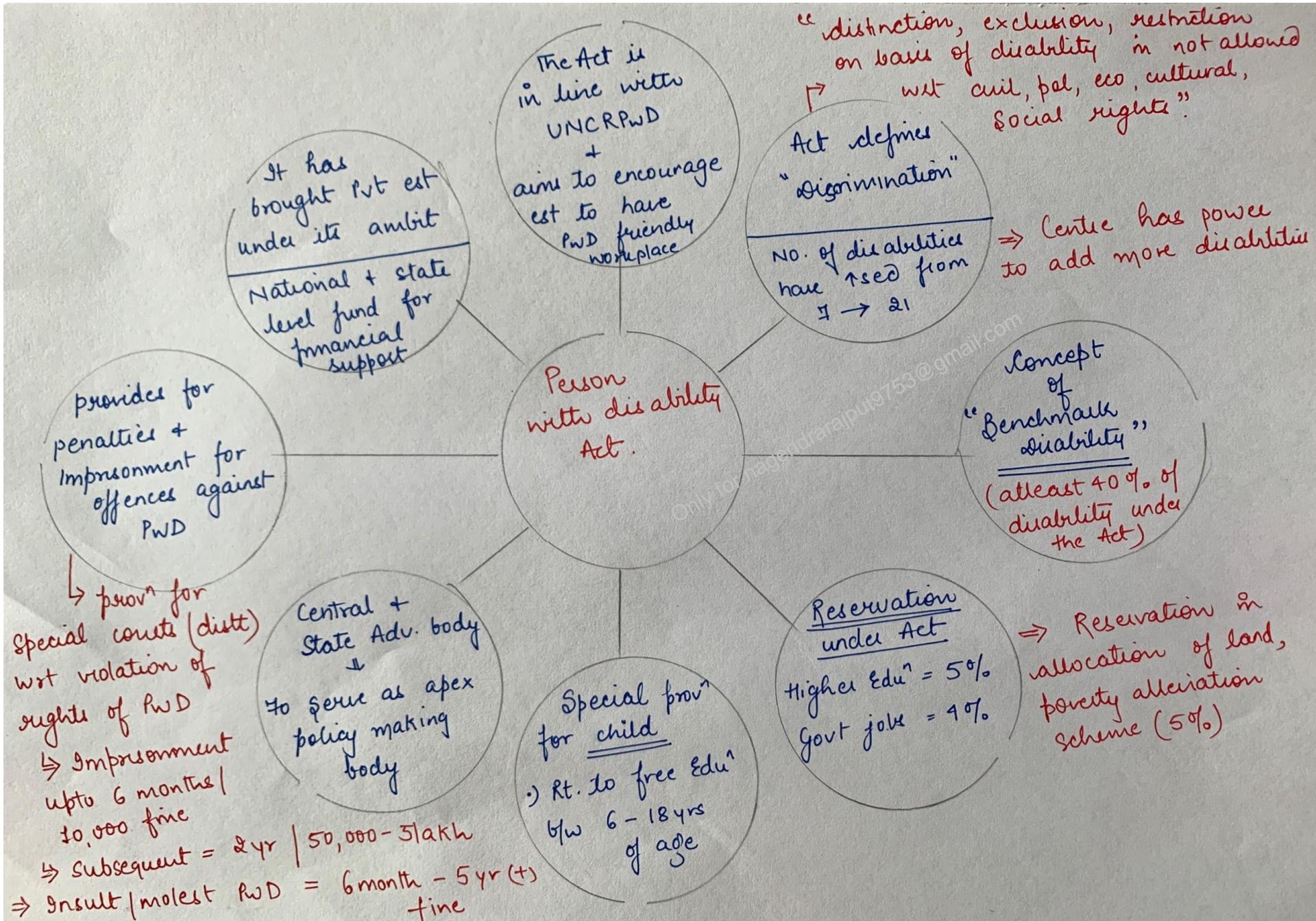
Concept :- PWD, means a person with long term physical, mental, intellectual or sensory impairment which in interaction with barriers hinder full & effective participation in society.



- b-) Acc. to Census 2011, 2.21% of ppⁿ PWD
- b-) Acc. to Council of social serv report 2016 .
- 56% (Men) + 44% (women) (among PWD)
- Ruralization of PWD (69%)
- 55% of PWD are illiterates (literate)
- 54% of CWD never attended school.
- 50% of children with mental illness are OoS.
- 36% of PWD are workers .







UN's Guidelines on Access to Social justice for PWD's.

- ↳ No one shall be denied access to justice
- ↳ Universal accessibility of facilities + services
- ↳ Right to appropriate procedural accomodation
- ↳ Right to access legal notices + information in timely manner
- ↳ Right to access substantive + procedural safeguards
- ↳ Entitled to all substantive + procedural safeguards
- ↳ Right to free / affordable legal assistance
- ↳ Right to participate in administration of justice
- ↳ Right to report complaints + initiate ^{Only legal proceedings} legal proceedings
- ↳ Effective + Robust monitoring mechanism
- ↳ Awareness - raising + Training prog.

#

Key points to Remember

-) Act in line with **UNCRPA**
-) 1st human rights treaty of 21st Century (2008)
-) first legally binding instrument.
-) India has ratified the convention
-) **Guiding principles**
 - Respect for dignity
 - Inclusion
 - Equality of opp.
 - accessibility
 - Respect of Right of CWD
 - Equality b/w men & women

Accessible India Campaign

- » Flagship Campaign (MoS I & Emp^t)
- » Launched on Int'l Day of PWD (3rd Dec) (2015)

Three Verticals

- ↳ Built Env^t accessibility
- ↳ Transportation "
- ↳ Inf & Communication eco system "

Multi-pronged strategy

- Leadership endorsement
- Mass awareness
- Capacity building
- Interventions
- PPP

Targets : Capital city to be fully accessible

- ↳ 50% of Govt buildings in Capital city to be fully accessible
- ↳ Int'l airports + railway station (AI, A & B)
- ↳ 25% of Public television progr^{me} by govt channel to meet accessibility std.
- ↳ 50% of public documents (CA + SC)
- ↳ 50% of govt websites (accessible)
- ↳ 25% of govt. public transport carrier into fully accessible
- ↳ Conducting audit of above mentioned.

ADRS

-) It is a central sector scheme
-) Implemented by Mo SIE
-) financial assistance to NGOs.
-) Objective:
 -) To create enabling env^t to ensure equal opportunities, equity, social justice & empowerment
 -) to encourage voluntary action for effective implementation of PwD Act.
-) Make available services
 - training
 - awareness
 - life skills, edu^r.
 - skill dev^t etc.