



Child Rights & Protection

**B.Ed.,
Semester - II**

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Concept Of Child Rights.

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Concept and Definition of Child

Children are not seen as a separate group but were traditionally thought of as a property of their parents. A child is generally defined as a young human being who is below a certain age or has not yet reached adulthood.

According to the UNCRC (**the United Nations Convention on the Rights of the Child**), a child is defined as any individual below the age of 18, unless the age of majority is reached earlier under the national legislation of a particular country.



Historic Treatment of Children

- **Physical Vulnerability:**
- **Cognitive Vulnerability:**
- **Emotional Vulnerability:**
- **Dependency:**
- **Lack of Power and Agency:**
- **Legal Protection:**



Concept and Definition of Child rights

- The United Nations Convention on the Rights of the Child (UNCRC) is the most comprehensive international treaty on child rights. It sets out a range of civil, political, economic, social, and cultural rights that should be guaranteed to all children.



Perceptions and myths about children

1. Children are innocent:
2. Children are fragile
3. Children are blank slates.
4. Children are naturally obedient:
5. Children are all the same
6. Children are manipulative:
7. Children are solely the responsibility of their parents



Understanding child rights from the perspective of affected people

- The Indian society is ridden by inequalities based on class, caste, religion, ethnicity and gender. The economic class very often endures the generation-old caste-based divisions of the Indian society.
- As a result, the Dalit communities are even today subjugated to feudal practices such as bondage, and untouchability, owing to lack of access to education, health facilities, for economic uplifting it becomes extremely difficult for these communities to break the shackles of poverty and exploitation.



Understanding Child Rights from the Affected People's Perspective:

- The document emphasizes considering the experiences of children and those involved in their lives.
- This includes respecting children's voices, understanding their contexts, and engaging with caregivers and communities.
- It's important to listen to marginalized groups and incorporate lived experiences.



Myths and Perceptions about Children:

The document challenges common misconceptions about children, such as:

- Children are inherently innocent.
- Children are fragile and lack resilience.
- Children are blank slates solely shaped by environment.
- Children should always obey without question.
- All children of a certain age are the same.
- Children are manipulative.
- Parents are solely responsible for raising children.



Concept of Rights

- The concept of “Rights” and basic human rights values has a long history. At every moment in history, when there is a protest against any kind of oppression, be it religious, caste or one single individual, there is a strong commitment for human rights.



Reasons Why Children are Vulnerable:

- **Physical Vulnerability:** Children are developing and more susceptible to harm.
- **Cognitive Vulnerability:** They lack knowledge and critical thinking skills.
- **Emotional Vulnerability:** They may not have strong coping mechanisms.
- **Dependency on Adults:** Children rely on adults for care, protection, and guidance.
- **Lack of Power and Agency:** They have limited ability to assert their rights.

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Legal Protection:

- Laws recognize children's vulnerability and provide legal safeguards.
- These laws aim to ensure well-being, safety, and development.
- **Child Rights:**
 - The concept is based on the idea that children have fundamental rights for survival, development, and participation.
 - The UNCRC is the most comprehensive international treaty on child rights.
 - These rights include civil, political, economic, social, and cultural aspects.



Definition of a child under various laws in India

In India, the definition of children varies depending on the legislation or law being referred to. Here are some common definitions of children as per different legislations in India:

Legislations	Purpose	Age	
		Boys	Girls
Right to Education Act, 2009 (http://mhrd.gov.in/rte)	To protect the Right to Education of Children	14	14
Child Labor (Prohibition and Regulation) Act, 1986 (http://labour.gov.in/content/division)	To prohibit the engagement of children in certain employment"s and to regulate the conditions of	14	14
Mines Act 1952 (http://indiacode.nic.in/fullact1.asp?tfnm=195235 , http://faolex.fao.org/docs/pdf/ind132410.pdf)	To prohibit the engagement of children from hazardous work situations	18	18
Factories Act 1948	To prevent children from being employed in factories.	14	14

Juvenile Justice Care and Protection of Children Act, 2015 (http://wcd.nic.in/childprot/jjactament.pdf)	To ensure child protection and to prevent abuse of child	18	
Prohibition of Child Marriages Act 2006 https://www.indiacode.nic.in/handle/123456789/2055?sam_handle=123456789/1362	To prohibit Child marriage	21	18
Protection of Children from Sexual Offences Act 2012 https://www.indiacode.nic.in/handle/123456789/2079?sam_handle=123456789/1362#:~:text=India%20Code%3A%20Protection%20of%20Children%20from%20Sexual%20Offences%20Act%2C%202012&text=Long%20Title%3A,connected%20therewith%20or%20incidental%20thereto.	To prevent children aged less than 18 from offences like sexual harassment, sexual assault, and child pornography.	18	18

Importance of Child Rights:

- Children are individuals with equal human rights.
- They rely on adults and governments to fulfill their needs.
- Their well-being is crucial for the future of society.
- Many societal changes disproportionately affect children.
- Investing in children's development benefits society as a whole.



Importance and the need to ensure the rights of children

- Children are individuals.
- Children start life as totally dependent beings.
- The actions, or inactions, of government impact children more strongly than any other group in society.
- Children's views should be heard and considered in the political process
- Many changes in society are having a disproportionate, and often negative, impact on children.
- The healthy development of children is crucial to the future well-being of any society.

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History of Child Rights in Tamil Nadu and India

- Children have not always been on the Human Rights Agenda. Child rights in Tamil Nadu and India have evolved over time, influenced by historical, social, and legal developments. Here's an overview of the history of child rights in Tamil Nadu and India:

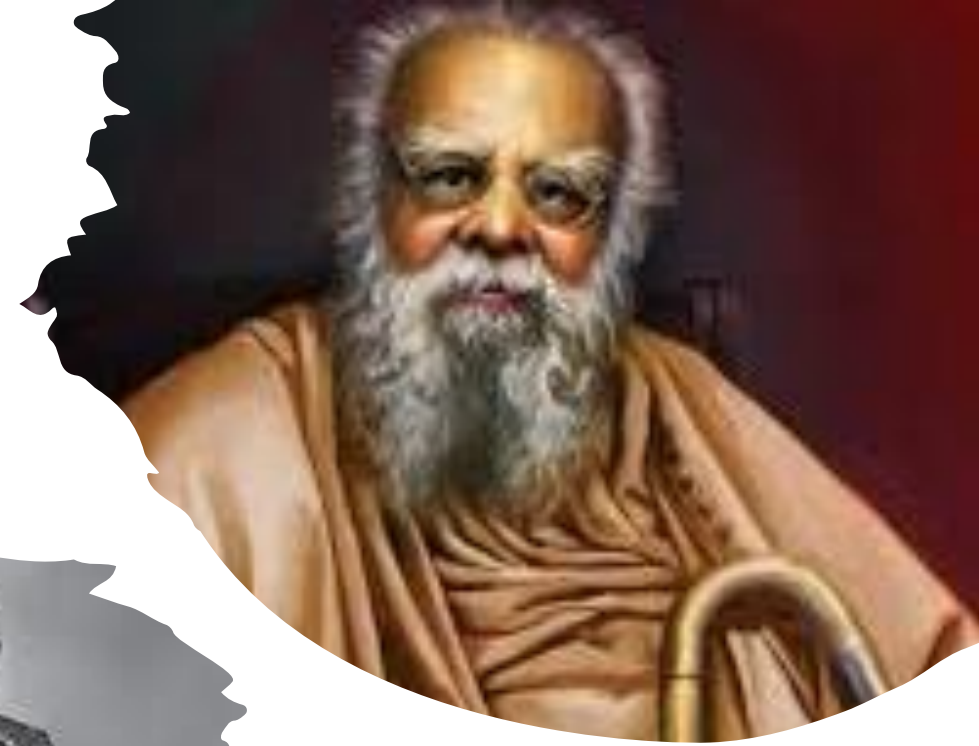
- **Pre Independence:**

- Before independence, child rights in India were not explicitly recognized or protected.
- The prevailing socio-cultural norms and economic conditions often led to the exploitation and neglect of children, including child labour, child marriage, and limited access to education and healthcare.
- Before India's independence, there were several notable social reformers in who fought against social injustices and advocated for the rights and welfare of children. Here are a few prominent figures:

- **Mahatma Gandhi:** Mahatma Gandhi, the father of the Indian nation, was a strong advocate for children's rights. He emphasized the importance of education and child welfare. Gandhi believed that children should be given freedom, love, and a nurturing environment. He advocated against child marriage, child labour, and the exploitation of children in any form.

- **Muthulakshmi Reddy:** Dr. Muthulakshmi Reddy was a pioneering social reformer and the first female legislator in India. She played a significant role in the Women's Indian Association and fought against child marriage and the devadasi system. She also worked towards improving healthcare and education for children.

- **Periyar E. V. Ramasamy:** Periyar was a social activist and politician who championed the cause of social justice and equality. He emphasized the importance of education and fought against child marriage and caste-based discrimination, advocating for equal rights and opportunities for children of all backgrounds.





- **Dr. B R Ambedkar** incorporated special provisions for the rights of girl children in the Indian Constitution. He has upheld the rights of children by Right to Education.
- **Pandit Ishwar Chandra Vidyasagar:** Ishwar Chandra Vidyasagar was a prominent social reformer and educator in the 19th century. He worked tirelessly to improve the status of women and advocated for child marriage laws. He played a key role in the passage of the Widow Remarriage Act of 1856, which aimed to abolish the practice of child marriage.
- **Bharathiyar (Subramanya Bharathi):** Bharathiyar was a celebrated poet, writer, and freedom fighter. Through his powerful poems and writings, he highlighted the importance of education and freedom for children. He advocated for gender equality and denounced child marriage and social inequalities.
- **Annie Besant:** Although not originally from Tamil Nadu, Annie Besant, a British activist, made significant contributions to child welfare in the region. She founded the Central Hindu School in Chennai and worked towards improving education and child rights in the area.





Raja Ram Mohan

Raja Ram Mohan Roy: Raja Ram Mohan Roy, one of the pioneers of the Bengal Renaissance, worked towards the eradication of social evils prevalent in society, including child marriage and the practice of Sati. He believed in the importance of education and campaigned for its accessibility to all, regardless of gender or caste.

Savitribai Phule: an Indian social reformer and poet, made significant contributions to the field of child rights during the 19th century. Savitribai Phule was a strong advocate for girls' education at a time when it was widely neglected in India. She established the first school for girls in Pune in 1848, providing them with access to education that was previously denied to them. By focusing on girls' education, she aimed to empower them and break the cycle of oppression and discrimination.

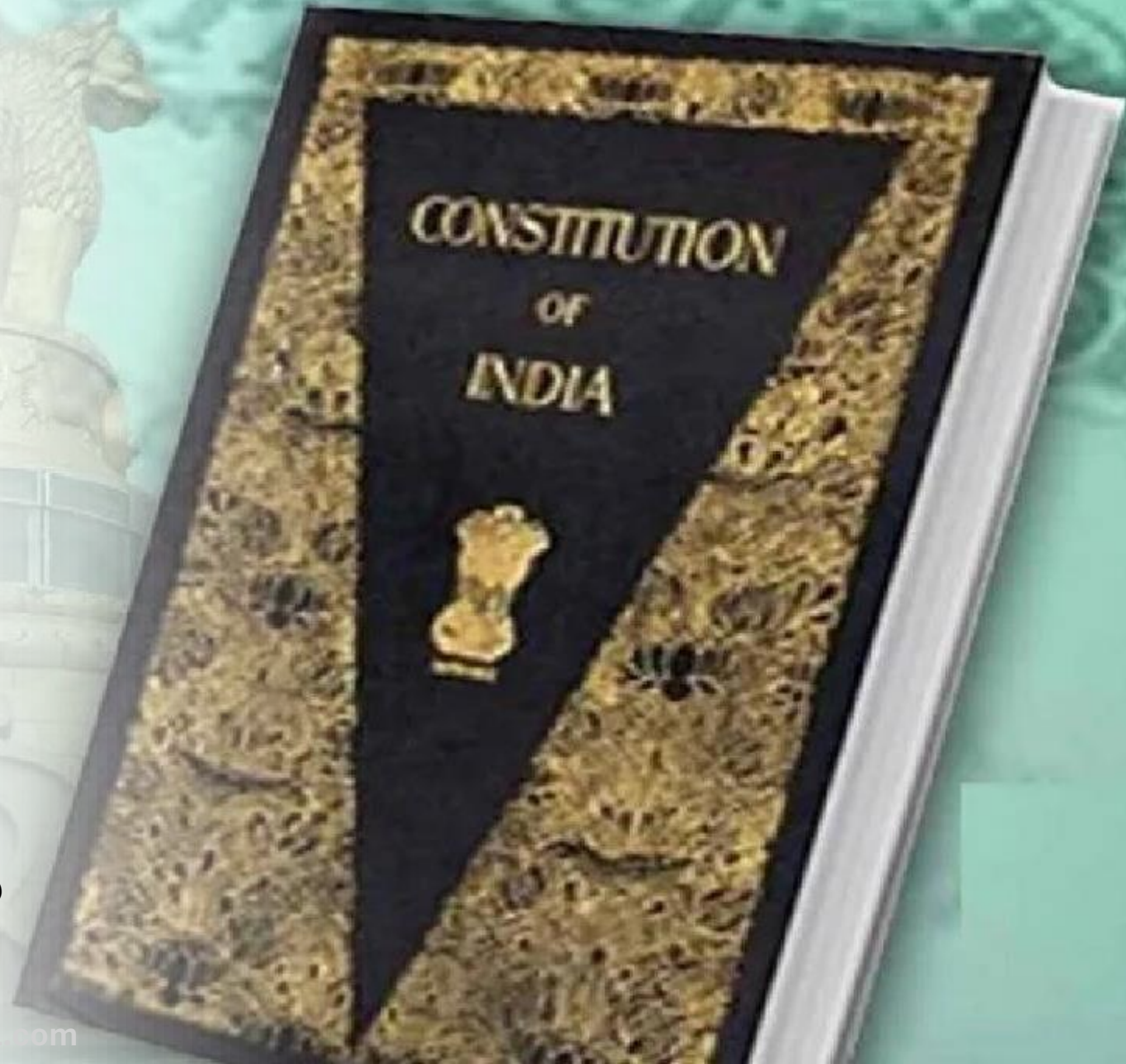


Independence and Constitution:

- After gaining independence in 1947, India recognized the need to protect the rights of children.
- The Constitution of India, adopted in 1950, included provisions for the protection and welfare of children.
 - i. Article 15(3) allowed the state to make special provisions for children.
 - ii. Article 24 prohibited the employment of children in hazardous industries.
- **Formation of Policies and Institutions:**
 - In the 1970s and 1980s, several policies and programs were implemented to address child rights issues.
 - i. The National Policy for Children was formulated in 1974, focusing on children's rights, health, education, and welfare.
 - ii. The Integrated Child Development Services (ICDS) was launched in 1975 to address the nutritional, health, and developmental needs of young children.
 - iii. The Tamil Nadu Integrated Nutrition Project (TINP) was implemented in the late 1980s to address child malnutrition and improve maternal and child health.

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Legislation and Legal Reforms:

- The legal framework for child rights in India was strengthened through the enactment of various laws.
- i. The Juvenile Justice Act was first passed in 1986 to provide for the care, protection, and rehabilitation of neglected and delinquent children.
- ii. The Child Labour (Prohibition and Regulation) Act was enacted in 1986 to prohibit the employment of children in certain hazardous occupations.
- iii. The Right to Education Act (RTE) was passed in 2009, making education a fundamental right for children aged 6 to 14.



Focus on Education and Health:

- Efforts have been made to improve access to quality education and healthcare for children in Tamil Nadu and India.
- i. Programs like Samagra Shiksha (formerly Sarva Shiksha Abhiyan (SSA)) and Rashtriya Madhyamik Shiksha Abhiyan (RMSA) aim to provide free and compulsory education to all children.
- ii. The National Health Mission (NHM) and the Reproductive, Maternal, New-born, Child and Adolescent Health (RMNCH+A) strategy focus on improving maternal and child health.

Child Protection and Welfare:

- The government and civil society organizations have been working to address child protection issues and promote the overall welfare of children.
- i. Child Welfare Committees (CWCs), Juvenile justice boards (JJBs) and State Commissions for Protection of Child Rights (SCPCR)s were established to ensure the implementation of child protection laws.
- ii. Various schemes and programs, such as the Integrated Child Protection Scheme (ICPS), aim to prevent and respond to child abuse, exploitation, and trafficking.

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Reform and Social Justice movements in Tamil Nadu



- Various movements, campaigns, coalitions and networks that are working for the rights of children in Tamil Nadu.
- There are several movements, campaigns, coalitions, and networks actively working for the rights of children in Tamil Nadu. These initiatives aim to advocate for children's rights, address issues related to education, health, child labour, child protection, and overall well-being. Here are some prominent examples:

- **Tamil Nadu Child Rights Watch (TNCRW):**
- **Campaign Against Child Labour (CACL):**
- **Right to Education (RTE)**
- **Children Movement for Climate Justice -CMCJ**
- .



Non-Governmental Organisations working for Child Rights in Tamilnadu and India

- Arunodhaya Centre for Street and Working Children:
- Thozhamai
- Centre for Child Rights and Development (CCRD):
- Tulir - Centre for the Prevention and Healing of Child Sexual Abuse
- Enfold Trust Save the Children:
- Child Rights and You (CRY):
- Pratham:
- Butterflies:
- Salaam Baalak Trust:
- HAQ: Centre for Child

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