

**STRENGTHENING CHILD PROTECTION DELIVERY
SYSTEM IN ASSAM WITH SPECIAL REFERENCE TO
NALBARI DISTRICT (ASSAM)**

Sahedul Zaman*

ABSTRACT

Around the world child protection has been a major issue of child rights. It is the cry of the day. Protection is one of the child rights but it is far more than a rights. It is a frame work system by which the rights can be. The frame work consists of various bearers such as the department of the government, police, school, civil society, which have the all the role to ensure that child rights are met and in case if the child rights are violated that violators are brought to justice and punished and care can be provided in the child. The main objective of the study is to explore all the institutional and non institutional care system and as well as constitutional provision to the care and protection of the child. To assess about the role of police who come first with the contact of the child who are in need of care and protection. To bring about the possible measures in case of care and protection of child who are victimized with natural and man- made disaster, children suffering from drug addiction and serious venerable diseases like HIV/AIDS and their rehabilitation. The method of study is simple historical, analytical and critical. The paper will make much aware of the people about the child rights and care and protection of the children either in Children Home or the society.

Key Words: Restoration, Rehabilitation, Prevention, Reintegration, Protective Environment.

*** Asst. Professor, Dept.of Computer Application, Nalbari College. P.O& Dist Nalbari. 781335.Assam.**

INTRODUCTION

Protection is one of the Child Rights but it is far more than a Rights. It is frame work system by which the rights can be. The frame work consists of various bearers such as the department of the government, police, school, civil society, which have all the role to ensure that child Rights are met and in case if the child rights are violated that violators are brought to justice and punished and care can be provided in the child.

The word 'Child Protection' has been defined by UNICEF as the prevention of or responding to the incidence of abuse, exploitation, violence and neglect of the child. This includes commercial, sexual exploitation, trafficking, child labour and harmful traditional practices such as forced labour, child marriage. Protection also allows children into have access to their rights of survival, development, growth and participation. UNICEF maintains that if the child protection fails then there is high risk of death, poor physical and mental health, HIV/AIDS infection, education problems displacement homelessness, less parental care and social problems in their later life.

According to the Integrated Child Protection Schemes (ICPS) Child protection is about to keeping child from any kind of harmful situations. Child protection is about to ensure security and care for all round development of the child. Indian Government has adopted a number policies, Schemes, and Acts to provide full measures to protect the rights of the child and their care and protection. Juvenile Justice (Care and protection of children) Act 2000 and as amended in the year of 2006 and 2015. Integrated Child Protection Scheme (ICPS) National Plan of Action for Children, 2005, National Child Labour Policy, 1987, National policy on Education National Rural Health Mission (NRMH), National Child Labour Project (NCLP), National Nutrition Policy and Right to Education etc. The Implementation of the policies and schemes and acts a series of measures have been taken by the Central and State Government, to ensure the child protection and their development. To give full emphasis on the rights of children the National Commission for Protection of Child Rights was set up in March; 2007. In response to the Convention the state Government has set up State Commission for Protection of Child rights.

OBJECTIVITY:

1. The main object of the study is to explore the constitutional and international provisions in respect of child rights and care and protection of the child in need.

2. To examine carefully about the institutional and non- institutional care and protection systems.
3. To high light on the growing trends of violation of child rights and Protection.
4. To study thoroughly the role of police as they are more concern with child protection first.
5. To find out the impact of the natural and man-made Disasters on protection of child.
6. To find out proper ways and means to protect the child from and against and perceived or real danger exists to their life. including childhood life.
7. To find out venerable areas where the childhood lost its status and dignity of life and finding the measures for their rehabilitation after their restoration.

SCOPE OF STUDY

Child protection is related to preventing and responding measures against violation, exploitation and abuse against children including commercial, sexual exploitation, trafficking, child labour and harmful traditional practices, such as female genital mutilation/ cutting and child/early marriage. Child needs special protection in natural and man-made disasters, ethnic and armed conflicts, and in case of disability.

The following are the major concerns of child protection.

1. Child Labour.
2. Child/Early Marriage.
3. Child Trafficking for various purposes.
4. Child Abuse-Physical, Sexual, Emotional abuse and Neglect.
5. Sexual Exploitation.
7. Neglected Children.
8. Children affected by HIV/AIDS.
9. Children in Conflict with the Law.
10. Female Foeticide and Infanticide.
11. Children with Disabilities.
12. Missing/Run away children.
13. Child Found Begging/child of Substance/Drug abuse.
14. Street Child/Victims of Natural Calamities.

METHODOLOGY

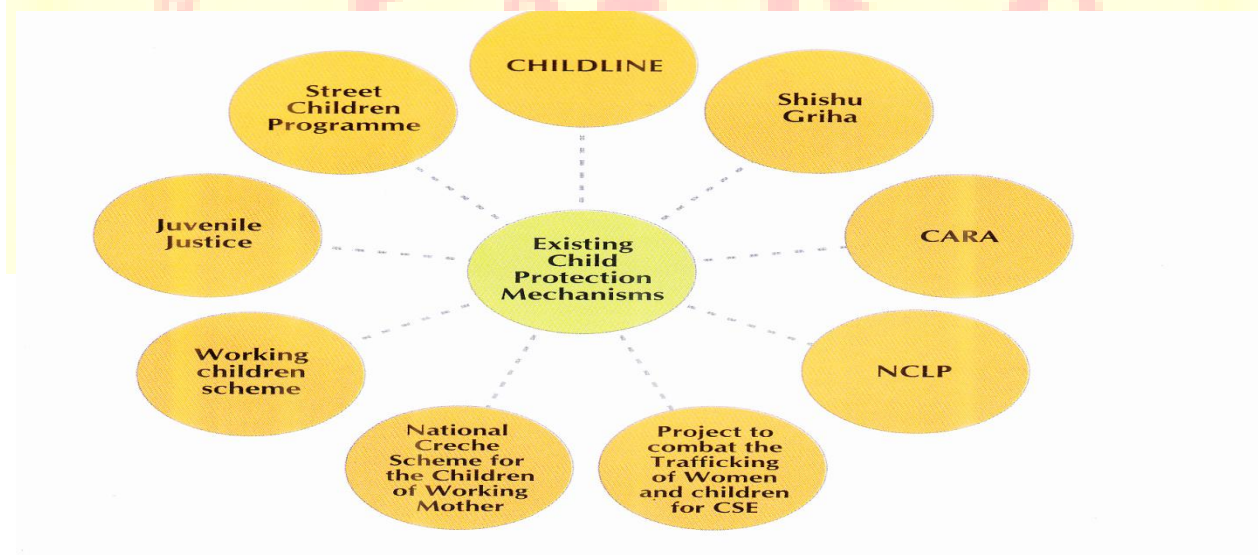
The methodology that I have applied is of historical, analytical, and critical. I have studied a number of official the documents and reports and seminar papers relating to the child protection. I have examined International Relations- Books, Journals and Human- Rights Books relating to the child Rights and protections. I have used Data Collection and data classification Method, Graphic Analysis for the purposes. I have visited a number of Child Homes and other NGOs – children Home and gathered knowledge and information on the spot study. No hypothesis is given importance. Whatever I have found in the reality, I am trying to give high light.

At present a number of institutional and non-institutional organizations are functioning with their programs and schemes to promote child protection. These include:

- *A programme for Juvenile Justice.
- *A scheme for street children.
- *Shishu Griha schemes focusing on adoption.
- *National Child Labour Project.

In addition the following schemes such as Conditional Cash Transfer Schemes focusing on promotion of Girls Education and delayed marriage, Swadhar Schemes for destitute women and Ujjawala Schemes for prevention of trafficking and rehabilitation of child victims.

The following diagram indicates the different child protection programmes.

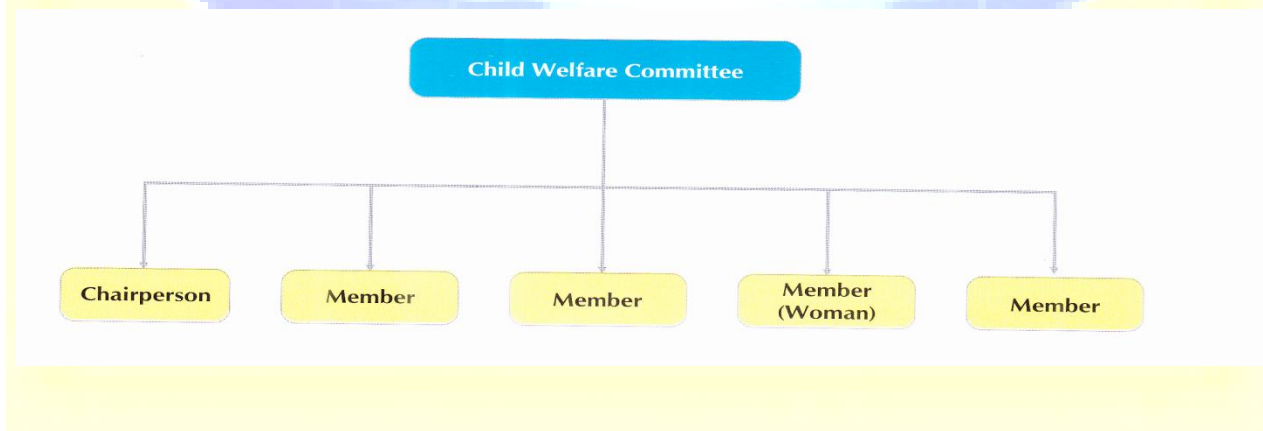


The Ministry of Women and Child Development, Government of India with partnership of State Governments and Civil Society sponsored various child protection programmes and schemes. It focuses on the following activities:

- *Mapping need and services for children and families at risk.
- *Preparing child protection plans with the help of Central and State governments strengthening the service delivery mechanism, making awareness camps, holding seminars and it targets all categories of children for their protection and rehabilitation. As per Juvenile Justice Act,2016(amendment)has stated mechanism in protecting child who come into conflict with law and the child who are in need of care and protection.

- *Child Welfare Committee (CWC)
- *Juvenile Justice Board (JJB)
- *Special Juvenile Police Unit (SJPU)

CHILD WELFARE COMMITTEE: It consists of one Chairperson and other four other members and among them one is woman member.



JUVENILE JUSTICE BOARD: It consists of one Principal Magistrate and two other members and among them one is woman.



SPECIAL JUVENILE POLICE UNIT: Police is the first point of contact with the child. So there is SJPU are set up in the police station to handle the matters concerned with child in conflict with law children in need of care and protection.

According to the JJ Act, there are number of Children's Home Shelter's Home, Observation Home, Special Home and other sponsored home for the child who is in immediate need of care and protection till the disposal of the cases. Their service is 24 hours.

CHILDLINE: It is a 24 Hours Emergency Phone outreach service for children who are in need of care and protection. And link them for long term services for rehabilitation. Any child who is in need of care and protection or adult on his or her can dial no.1098 for quick rescue and emergency outreach service.

It is to be noted that UN CONVENTION on Child Rights guarantees every child's rights to protection. They are survival, development, protection and participation. An article 19 of the UNCRC is overarching articles and applies to all child protection issues.

THE INDIAN COSTITUTION also guarantees protection of children. The Chapter 111 contains the Fundamental Rights applies to all citizens including all the children. The Chapter IV of the constitution contains certain Directive Principle of State Policy to help people including women and children to secure protection.

THE ASSAM STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS:

It was set up in 2010 with a view to hear the voices of children and communities, and to deal with the issue of child rights. It has played vital role to highlight them to the society and state for action. With the collaboration of UNICEF the ASCPCR has carried out a lot of seminars, workshops, conclave to high light on the issues of child rights and child protection. It has made extensive tour in the violence affected areas of Bodoland and visited a number of relief camps where a large number of women and children are staying. It has brought out horrible reports of most unhygienic condition of the relief camps and plight of the children who have deprived of basic food, shelter and education and protection.

INTEGRATED CHILD PROTECTIO SCHEMES (ICPS) According to the Integrated Child protection Schemes child protection is about to keeping child from any kind of harmful situations. Child protection is about to ensure security and care for all round development of the child. Indian govt. has provided a number schemes to provide measures to protect the rights of the child. National plan of action for children, 2005, National Child Labour Policy, 1987, Child Labour Project(NCLP) National Nutrition Policy National Policy on Education National Rural Health Mission(NRHM),Right to Education etc,for the protection of the rights of the children. To give full emphasis on the policies and schemes the Government has set up National Commission for Protection of Child Rights. In response to the convention the Assam State Government has set up a State Commission for Protection of Child rights.

NATIONAL INSTITUTE OF PUBLIC CO-OPERATION AND CHILD DEVELOPMENT It is an autonomous institution under the aegis of Ministry of Women and Child development, Government of India. It has been successfully organized a number of training programs, seminars, workshops and conferences and provided documentation and information service in the field of cooperation and child development. The Regional Centre of Guwahati had given best training all the stake holders of the JJ. Act.

In spite of having all the measures over the years the Study on Child Abuse:2007 in the India Complied after 13 states reveals that Assam has highest incident of Sexual Abuse among both boys and girls and more than 70% girl Childs neglect across the state.

Commissioned by the Union Ministry of Women and Children Development the study reveals another disturbing trend that parents, guardians and teachers use rod very often to discipline the child. A number of causes in Delhi, Assam and other parts of India have glaring example of giving corporal punishment and a number of children have been hospitalized due to heavy exercise of punishment for slight negligence of not doing home work.

Reports say 50.65 percentage of the children interviewed in Assam said physical abuse in one or more situations, followed by Mizoram with 84.64 percent child abuse is defined as 'intended, unintended and perceived maltreatment of the child, whether habituated or not'. Reports say that child abuse is high between the age group of 5-12. It is lower between the age group of 13-14. It increases between the age group of 15-18. According to the study the reason for the high incident of the child abuse in Assam can be poor parenting kills vulnerability of the child in condition outside family environment on the street at work and institutional belief 'spare the rod and the spoil the child' and dysfunctional families. The incidence of sexual abuse is also high. The study reveals the fact that there is highest percentage of such crimes. At least 86.26 percentage of those interviewed forced one of the major abused followed by Delhi at 41 percent. Recently Women and Child Development Minister Maneka Gandhi reported in the Lok Sabha that there is increase rate sexual offences case in the Country. As per information available in the context it is said that a total of 8,541, 12,363 and 13,766 cases of rape of children below the age of 18 years registered in the country during 2012, 2013 and 2014 respectively. A total of 8,904 cases have been registered in the period of 2014 Under PCSO Act. As a member of CWC I recall the horrible experience of a case of child sexual abuse of a father who has committed this heinous crime upon his own daughter other than the cases of sexual abuse done by friends, relatives and others.

The cases of mental and physical abuse in schools are also high in Assam. Most of the cases referred to teaching communities. The news papers had given high lights on the mental and physical abuse on the girls students in the schools by the teachers. The recent case of molestation of the child in the Children's Home at Dibrugarh is really astonishing. The police take the case for investigation. Are they not safe in the Child's Home! How can we ensure their protection! The study reveals that 99.56 percent child in Assam have been subjected to abuse followed by

90.86 percent in Mizoram. Girls in Assam apparently increased more than boys. The ratio is being 54.82 percent to 45.18 percent.

Due to large scale of armed and ethnic violence the case of child abuse had been high in BTAD Areas in the period of 1993, 1996, 1998 and 2014. There had been chaos and anarchy among the all communities who had been homeless and they had been forced to stay in various relief camps with their children. There had been shortage of drinking water, food, clothes, and large number of them had been suffering from various diseases. The whole atmosphere was mostly unhygienic. There was a shortage baby food and doctors and nurses and even medicines. No good sanitation was available in the camps. A large number children had run away from the camps and number of children and women had been rescued from human trafficking between the period of 2004-2010. Human Trafficking is common in North eastern Regions. After Natural Disaster like flood, drought, famine and others and man-made disaster, a large number children run away from their own houses for getting job for survival. It is the middle men who are exploiting the situation and taking them to outside Assam and they have been forced to enter into flesh market. A number of children has been rescued by the Child Line and restored them to their respective parents.

Child protection from EARLY MARRIAGE has been a great challenge as it continues to be wide spread practice with 48 percent women aged 15-24 years married off before the age of 18 years. The legal age of married in India for girls is 18 years and for the boys is 21 years. It is one of the worst form child abuses. It is generally appeared in the poor Muslim Community under compelling situations. The reasons for this happening are poor economic conditions of the family..

Another issue of child protection is of CHILD LABOUR. Instead of having education they are working in the tea stalls, grocery, stores, cycle shops, glass factories, match factories, breaking stones, pulling thellas, rickshawa, etc. A Census reports in 2001 says that India has 12.5 million child labour. Among them 46.26 percent boys and 23.53 percent girls and 8 percent belong to 15 years of age. The ratio of child labour is high among the states of Rajasthan, Bihar, Andhra and Assam. This is really a social evil. The reasons are not far to seek. These are the poverty striven

family that compelled the parents to allow their children to work in various non-institutional institutions. Some are working as a domestic labour so-called servant in various middle class and upper classes of families. When natural or man-made disaster appears then the number of domestic labour is becoming high due to failure of the family to maintain them. In greater Guwahati this kind of labor is high. The factors of illiteracy, poverty, growth of population among the poor Muslim Families have contributed a lot in the appearance of domestic labour.

JUVENILE JUSTICE (Care and Protection of child) ACT. 2006 and as amended Act, 2015 provides the legal frame work for the care and protection of children, treatment, and rehabilitation of the children in conflict with law and child in need of care and protection. The title of the Act has given stress that both categories of the children require 'care and protection'. It is the best Act that provides best safe guard to the rights of the Childs and the principle of the best interest of the child ought to be taken into consideration while dealing with the cases of juveniles. Children belonging to venerable section of the society are living in unhygienic conditions need special care and protection. They are street children, neglected children, child found in slum areas, children found in begging, victims of natural disaster and man- made disaster or armed conflict, incapacitated parents, mentally and physically ill, victims of AIDS/HIV, and child of prostitute etc.

CHILD WELFARE COMMITTEE (CWC)It is the component authority to decide on care and protection and rehabilitation measures for the child in need of care and protection. There are two type of institutions specified as per the Act.1.Shelter Home. It serves as drop up centre for temporary period to those children without parental care, run away child, neglected child etc.2.Child's Home It shall provide residential care for CNCP, who are pending inquiry and also for long term rehabilitation with best child care facilities for their all round development. ll the institutions are prescribed in JJ. Act.

A lot of institutional and non-institutional organizations are organizing filed works for the care and protection of the children. NIPCCD, Snehalaya, Child Line, ASCPCR, SOS Children Villages of India, JJB/CWC are classic example of child care and protection.

In Nalbari District the Juvenile Justice Board has been established in the year of 2008. in the allotted room in the campus of DC. building which was against the provision of JJ. Act. The Board started its function with minimum staffs of two members and carried out more than 200 cases which had been transferred from Kamrup District. Most of the case of is heinous crimes like murder, raping, kidnapping etc.

So far the constitution of CWC is concerned it stated in the Act. At Nalbari the CWC was constituted with the Chair person Smt. Dipali Baruah senior Advocate and other members were Dr. Basanta Bhatta, Educationist, Promod Haloi, Retd. Principal Kamrup College, Nalbari and Mukiboor Hussain the Retd. Director of Panchayat Dept. of Assam. The members of the CWC were very active and energetic and they frequently visited a number of Children's Homes and Observation Home, and NGOs – running Homes. They were present in the meeting regularly and taking active interest in the child protection. They had organized more than 15 awareness camps in the different parts of the district.

In the month of July CWC was reconstituted again with the chairman Smt. Dipali Baruah, Dr. Abdul Halim Retd. Prof. of Nalbari College, Sri. Promod Haloi, Dr. Bhabendra Nath Pathak, Retd. Principal of Kamrup College and Retd. Prof. of Kamrup College respectively, Smt. Gitika Sarma. Social woman Worker was appointed as a member of the CWC. All the members were well experienced in child rights and child protection. They were also trained up in dealing with the case of child protection. They attended a number of awareness camps and visited number institutional and non-institutional homes where juveniles have been kept. It is to be noted that member suddenly visited the hotels and restaurants to find out child labors. A number of cases had been registered against the employers after their sudden visits. They had been rescued and had been sent to Child Home for rehabilitation. Members visited Child Home and had given strict instruction to keep up healthy atmosphere and taking full care of their education. Even the CWC of Nalbari has been keeping strict vigilance about the care and protection of the child in Child Home.

The Nalbari CWC has been handling a number cases of kidnapping, human trafficking, missing, child labour, early marriage child, drug addicted child, street child and others and successfully

resolved the cases and a number child are now under foster care and childrenPer month it is handling more than 6to 8 cases and a number children are under foster care of the guardians or relatives. Some of the juveniles are getting good education under foster caring of the guardians. They have passed Matric and even Higher Secondary. They are staying in Children Home when the CWC find difficult to give them in foster care..It is the Home for rehabilitation. Counseling has been done properly so that reunion between the child and the family could be restored.

SUGGESTIVE MEASURES: There is need of certain immediate measures for the care and protection of children. UNICEF advocates and supports the creation of PROTECTION ENVIRONMENT for children with the partnership with all institutional and non-institutional organizations response, prevent to violence, abuse and exploitation

1. It is necessary to change the attitude ,custom and behavior and practices.
2. It is need to have effective protection environment policy for the care and protection of children.
3. There is a need of progressive Child Protection Legislation.
4. It is necessary to give highlights on child protection scenario on media.
5. It is needed to enhance capacities of Children Homes, Shelter Homes and Observation Homes.
6. It is required to have promotion of life skill, Knowledge and self skill development.
7. It is necessary to have effective monitoring system for recording and informed response.
8. It is needed to have full service to the victims of violence and natural disaster.

IN CONCLUSION: we observe that child rights and child care and protection are the cry of the day. The question of 'my child' and 'your child' does not matter. The thing is that children have their inalienable rights and it is the primary duty of the people and the society to protect their rights and we are always to be aware to take care and protection of the children. Because the children of today are the citizen of tomorrow.

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