PREFACE

Nowhere is the wide chasm between the letter of the law on one hand and the implementation of the law on the other so clearly perceived than in the enforcement of the rights of the child/juvenile. The constitution protects the child. The convention for the Rights of the Child has been ratified by India. Child labour is protected by statute and yet millions and millions of children in India are employed in hazardous industries. Half of the nation’s children are mal-nourished. Child abuse is rampant. Poor children remain illiterate without a chance of finishing even primary school. Disabled children are even worse off. And minor girls are trafficked on an ever increasing scale.

This work is an attempt to integrate the law in theory and field practice. It provides the important legislation and judgments on the subject along with the initiatives for legal reforms, interventions and international legal trends. The approach is multidisciplinary and some of the chapters contains the constitutional provisions, statutory and decisional laws; highlights various regional and international relevant mechanisms and international standards of behavior towards children, examines and recognizes the inadequacies in laws and procedures.

The issues addressed in this work includes crimes against juveniles as a whole, from child labour, child sexual abuse and trafficking, juvenile justice, education, health and nutrition of children to their right to play and recreation. The work also contains important findings from many research studies, articles and field experiences.

Law concerning children – like most laws inevitably remain flawed, inadequately observed and in need of constant revision. Clearly, children do not receive “the best that mankind has to offer” but they can be shielded from the worst. There is the strong evidence of the existence of well-established legal principle – set out in various human rights and humanitarian legal instruments and constitutions – that children as such are entitled to special treatment. The governments of the world have made a commitment to put children first. Their rights are non-negotiable. However, it is not only governments and their policies that must put children first.