Chapter-1

INTRODUCTION
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BACKGROUND

Child abuse is a state of emotional, physical, economic and sexual maltreatment meted out to a person below the age of eighteen and is a globally prevalent phenomenon. However, in India, as in many other countries, there has been no understanding of the extent, magnitude and trends of the problem. The growing complexities of life and the dramatic changes brought about by socio-economic transitions in India have played a major role in increasing the vulnerability of children to various and newer forms of abuse.

Child abuse has serious physical and psycho-social consequences which adversely affect the health and overall well-being of a child. According to WHO: "Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power."

Child abuse is a violation of the basic human rights of a child and is an outcome of a set of inter-related familial, social, psychological and economic factors. The problem of child abuse and human rights violations is one of the most critical matters on the international human rights agenda. In the Indian context, acceptance of child rights as primary inviolable rights is fairly recent, as is the universal understanding of it.

The National Study on Child Abuse undertaken by the Ministry of Women and Child Development, Government of India, in 2005, attempts to
understand the extent of the problem, its dimensions as well as its intensity. In addition, it examines two aspects:

- Strategies to address the problem of child abuse
- Identification of areas of further research, based on the findings of the study.

**DEFINITION OF CHILD ABUSE**

The term 'Child Abuse' may have different connotations in different cultural milieu and socio-economic situations. A universal definition of child abuse in the Indian context does not exist and has yet to be defined. According to WHO 2"

**Physical Abuse:** Physical abuse is the inflicting of physical injury upon a child. This may include burning, hitting, punching, shaking, kicking, beating or otherwise harming a child. The parent or caretaker may not have intended to hurt the child. It may, however, be the result of over-discipline or physical punishment that is inappropriate to the child's age.

**Sexual Abuse:** Sexual abuse is inappropriate sexual behavior with a child. It includes fondling a child's genitals, making the child fondle the adult's genitals, intercourse, incest, rape, sodomy, exhibitionism and sexual exploitation. To be considered 'child abuse', these acts have to be committed by a person responsible for the care of a child (for example a baby-sitter, a parent, or a daycare provider), or related to the child. If a stranger commits these acts, it would be considered sexual assault and handled solely by the police and criminal courts.

**Emotional Abuse:** Emotional abuse is also known as verbal abuse, mental abuse, and psychological maltreatment. It includes acts or the
failures to act by parents or caretakers that have caused or could cause, serious behavioral, cognitive, emotional, or mental trauma. This can include parents/caretakers using extreme and/or bizarre forms of punishment, such as confinement in a closet or dark room or being tied to a chair for long periods of time or threatening or terrorizing a child. Less severe acts, but no less damaging, are belittling or rejecting treatment, using derogatory terms to describe the child, habitual tendency to blame the child or make him/her a scapegoat.

**Neglect:** It is the failure to provide for the child’s basic needs. Neglect can be physical, educational, or emotional. Physical neglect can include not providing adequate food or clothing, appropriate medical care, supervision, or proper weather protection (heat or cold). It may include abandonment. Educational neglect includes failure to provide appropriate schooling or special educational needs, allowing excessive truancies. Psychological neglect includes the lack of any emotional support and love, never attending to the child, substance abuse including allowing the child to participate in drug and alcohol use.

- Working definition of child abuse.
- For the purpose of this study, the following working definitions of child abuse have been adopted:
  - Child abuse refers to the intended, unintended and perceived maltreatment of the child, whether habitual or not, including any of the following:
    - Psychological and physical abuse, neglect, cruelty, sexual and emotional maltreatment.
- Any act, deed or word which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being.

- Unreasonable deprivation of his/her basic needs for survival such as food and shelter, or failure to give timely medical treatment to an injured child resulting in serious impairment of his/her growth and development or in his/her permanent incapacity or death.

- Physical abuse is inflicting physical injury upon a child. This may include hitting, shaking, kicking, beating, or otherwise harming a child physically.

- Emotional abuse (also known as verbal abuse, mental abuse, and psychological maltreatment) includes acts or the failure to act by parents, caretakers, peers and others that have caused or could cause serious behavioral, cognitive, emotional, or mental distress/trauma.

- Sexual abuse is inappropriate sexual behavior with a child. It includes fondling a child's genitals, making the child fondle an adult's genitals, sexual assault (intercourse, incest, rape and sodomy), exhibitionism and pornography. To be considered child abuse, these acts have to be committed by a person responsible for the care of a child or related to the child (for example a baby-sitter, parent, neighbor, relatives, extended family member, peer, older child, friend, stranger, or a day-care provider).

- Child neglect is an act of omission or commission leading to the denial of a child's basic needs. Neglect can be physical, educational, emotional or psychological. Physical neglect entails denial of food, clothing, appropriate medical care or supervision. It may include
abandonment. Educational neglect includes failure to provide appropriate schooling or special educational needs. Psychological neglect includes lack of emotional support and love.

**MAGNITUDE OF THE PROBLEM:**

**Child abuse across the globe**

The UN Secretary General's Study on Violence against Children has given the following overview of the situation of abuse and violence against children across the globe.

- WHO estimates that almost 53,000 child deaths in 2002 were due to child homicide.

- In the Global School-Based Student Health Survey carried out in a wide range of developing countries, between 20% and 65% of school-going children reported having been verbally or physically bullied in school in the previous 30 days. Similar rates of bullying have been found in industrialized countries.

- An estimated 150 million girls and 73 million boys under 18 have experienced forced sexual intercourse or other forms of sexual violence involving physical contact.

- UNICEF estimates that in sub-Saharan Africa, Egypt and Sudan, 3 million girls and women are subjected to FGM every year.

- ILO estimates that 218 million children were involved in child labour in 2004, of whom 126 million were engaged in hazardous work. Estimates from 2000 suggest that 5.7 million were in forced or bonded labour, 1.8 million in prostitution and pornography and 1.2 million were victims of trafficking.
• Only 2.4% of the world's children are legally protected from corporal punishment in all settings.

One of the major problems in understanding the scope of the subject of 'child abuse' is that it is extremely difficult to get responses from children on such a sensitive subject because of their inability to fully understand the different dimensions of child abuse and to talk about their experiences. It is therefore difficult to gather data on abused children. Further, definitions of abuse are not yet consistent within countries, much less from country to country or region to region. Yet governments do estimate that the number of abused and neglected children is alarming, and unless governments get their act together and respond to the situation by way of both prevention and treatment, we will be doing a grave injustice to our children and would be denying them their basic rights.

**CHILD ABUSE IN ASIA**

While certain child abuse and neglect issues are common in almost all countries at the global level such as physical abuse, sexual abuse, emotional and psychological abuse, abandonment and, increasingly, problems of street children, there are also many issues which are prevalent only in certain regions of the world. For instance, in Asia where population density is high, the issues of child labour and child sexual exploitation are also high. Political instability and other internal disturbances, including conditions of insurgency in many countries in Asia are also creating major problems, with increasing number of child soldiers, refugee children, trafficked children and children on the streets.

Prevention of child abuse and neglect is still an uncharted field in Asia. The largest population of children in the world live in South Asia and
majority of these children lack access to proper health care, nutrition and education. This reflects the socio-economic reality of the developing countries of the Asian region. The main factors that contribute to the magnitude of the problem of child abuse are poverty, illiteracy, caste system and landlessness, lack of economic opportunities, rural-urban migration, population growth, political instability and weak implementation of legal provisions.

Mostly, the approaches for prevention and methods of treatment of child abuse do not cover the entire gamut of abuse. Lack of reliable data on the incidence of child abuse and of knowledge of methods of prevention and treatment has been recognized and is being addressed by sovereign governments, national and international organizations e.g., UNICEF, Save the Children, Plan International, ISPCAN, etc.

**CHILD ABUSE IN INDIA**

Nineteen percent of the world's children live in India. According to the 2001 Census, some 440 million people in the country today are aged below eighteen years and constitute 42 percent of India's total population i.e., four out of every ten persons. This is an enormous number of children that the country has to take care of. While articulating its vision of progress, development and equity, India has expressed its recognition of the fact that when its children are educated, healthy, happy and have access to opportunities, they are the country's greatest human resource.  

Critical Concerns

- Every fifth child in the world lives in India
- Every third malnourished child in the world lives in India
• Every second Indian child is underweight
• Three out of four children in India are anemic
• Every second new born has reduced learning capacity due to iodine deficiency
• Decline in female/male ratio is maximum in 0-6 years: 927 females per 1000 males
• Birth registration is just 62% (RGI-2004)
• Retention rate at Primary level is 71.01% (Elementary Education in India Progress towards UEE NUEPA Flash)
• Statistics DISE 2005-2006)
• Girls' enrolment in schools at primary level is 47.79% (Elementary Education in India

Progress towards UEE

• NUEPA Flash Statistics DISE 2005-2006)
• 1104 lakh child labour in the country (SRO 2000)
• IMR is as high as 58 per 1000 live births (SRS- 2005)
• MMR is equally high at 301 per 100,000 live births (SRS, 2001-03)
• Children born with low birth weight are 46% (NFHS-III)
• Children under 3 with anemia are 79% (NFHS-III)
• Immunization coverage is very low (polio -78.2%, measles-58.8%, DPT-55.3%, BCG-78%(NFHS-III)

The National Policy for Children, 1974, "declared children to be a 'supreme national asset'. It pledged measures to secure and safeguard all their needs, declaring that this could be done by making wise use of
available national resources. Unfortunately, ten successive Five Year Plans have not allocated adequate resources to meet the needs of children. 4"

An exercise on child budgeting carried out by the Ministry of Women and Child Development revealed that total expenditure on children in 2005-2006 in health, education, development and protection together amounted to a mere 3.86%, rising to 4.91% in 2006-07. However, the share of resources for child protection was abysmally low at 0.034% in 2005-06 and remained the same in 2006-07. Available resources have also not been utilized effectively for achieving outcomes for children. As a result, the status and condition of children have remained far from secure. 5"

Harmful traditional practices like child marriage, caste system, discrimination against the girl child, child labour and Devadasi tradition impact negatively on children and increase their vulnerability to abuse and neglect. Lack of adequate nutrition, poor access to medical and educational facilities, migration from rural to urban areas leading to rise in urban poverty, children on the streets and child beggars, all result in break down of families. These increase the vulnerabilities of children and exposes them to situations of abuse and exploitation.

According to the report published in 2005 on 'Trafficking in Women and Children in India', 44,476 children were reported missing in India, out of which 11,008 children continued to remain untraced. India, being a major source and destination country for trafficked children from within India and adjoining countries has, by conservative estimates, three to five lakh girl children in commercial sex and organized prostitution. 6"
Child Survival and Child Health

2.5 million children die in India every year, accounting for one in five deaths in the world, with girls being 50% more likely to die. One out of 16 children die before they attain one year of age, and one out of 11 die before they attain five years of age. India accounts for 35% of the developing world's low birth weight babies and 40% of child malnutrition in developing countries, one of the highest levels in the world. Although India's neo-natal mortality rate declined in the 1990s from 69 per 1000 live births in 1980 to 53 per 1000 live births in 1990, it remained static, dropping only four points from 48 to 44 per 1000 live births between 1995 and 2000.

The 2001 Census data and other studies illustrate the terrible impact of sex selection in India over the last few decades. The child sex ratio (0-6 years) declined from 945 girls to 1000 boys in 1991 to 927 in the 2001 Census. Around 80% of the total 577 districts in the country registered a decline in the child sex ratio between 1991 and 2001. About 35% of the districts registered child sex ratios below the national average of 927 females per 1000 males. In the 1991 Census, there was only one district with a sex ratio below 850, but in the 2001 Census, there were 49 such districts.

India has the second highest national total of persons living with HIV/AIDS after the Republic of South Africa. "According to National Aids Control Organization (NACO)“, there were an estimated 0.55 lakh HIV infected 0-14 year old children in India in 2003. UNAIDS, however, puts this figure at 0.16 million children.
According to the 2001 Census report, amongst all persons living with disabilities, 35.9% were children and young adults in the 0-19 age group. Three out of five children in the age group of 0-9 years have been reported to be visually impaired. Movement disability has the highest proportion (33.2%) in the age group of 10-19 years. This is largely true of mental disability also.

**CHILD DEVELOPMENT**

The population of children aged 0-6 years is 16.4 crores as per the 2001 Census. According to a UNESCO report, however, of the total child population, 2.07 crores (6%) are infants below one year; 4.17 crores (12%) are toddlers in the age group 1-2 years; 7.73 crores (22.2%) are pre-scholars in the age group 3-5 years. The report highlights that only 29% of pre-primary age children are enrolled in educational institutions in India. Services under the ICDS scheme covered only 3.41 crore children in the age group 0-6 years as in March 2004, which is around 22% of the total children in that age group. Supplementary nutrition too was being provided to 3.4 crore children, as against 16 crore children. Of these, 53% were reported to be under-nourished.

**CHILD PROTECTION**

While on the one hand girls are being killed even before they are born, on the other hand children who are born and survive suffer from a number of violations. The world's highest number of working children is in India. To add to this, India has the world's largest number of sexually abused children; with a child below 16 years raped every 155th minute, a child below 10 every 13th hour and one in every 10 children sexually abused at any point of time.

"Child Abuse and Maltreatment"
"The National Crime Records Bureau (NCRB) reported 14,975 cases of various crimes against children in 2005*. "Most subtle forms of violence against children such as child marriage, economic exploitation, practices like the 'Devadasi' tradition of dedicating young girls to gods and goddesses, genital mutilation in some parts of the country are often rationalized on grounds of culture and tradition. Physical and psychological punishments take place in the name of disciplining children and are culturally accepted. Forced evictions, displacement due to development projects, war and conflict, communal riots, natural disasters - all of these take their own toll on children. Children also stand worst affected by HIV/AIDS. Even those who have remained within the protective, net stand at the risk of falling out of it.

**CHILD PARTICIPATION**

Children in most sections of Indian society are traditionally and conventionally not consulted about matters and decisions affecting their lives. In the family and household, the neighborhood and wider community, in school or in work place, and across the settings of social and cultural life, children's views are mostly not given much importance. If they do speak out, they are not normally heard. The imposition of restrictive norms is especially true for girl children. This limits children's access to information and to choice, and often to the possibility of seeking help outside their immediate circle.

Although there is a dearth of data on the nature and magnitude of the incidence of child abuse in India, data on offences against children reported by the National Crime Records Bureau (NCRB) is the only authentic source to estimate the number of children in abusive situations. It is important to note here that the NCRB data is only indicative in nature as it is based on the reported cases. It is also an accepted fact that the majority of cases of child abuse go un-reported.
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Crime Head</th>
<th>Year</th>
<th>% Variation in 2005 Over 2004</th>
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<tbody>
<tr>
<td></td>
<td>Act</td>
<td>TOTAL: 5972</td>
<td>11633</td>
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* National Crime Records Bureau, Ministry of Home Affairs, Govt. of India (2005): Crime in India
The above table indicates that between 2002 and 2005 there was a steep rise in the total number of crimes against children. In 2002, 5972 cases were registered as against 14975 cases registered in 2005. Incidence of kidnapping and abduction of children were around 2322 in 2002 and 2571 in 2003, which rose to 3196 and 3518 in 2004 and 2005 respectively.

Although the reported number of cases of procurement of minor girls has decreased by 29.3% in 2005 compared to 2004, media and other reports indicate that the unofficial number is much higher. Reported cases of child rape, one of the worst forms of sexual abuse, have increased in number between 2004 and 2005, from 3542 cases to 4026 respectively, indicating an increase of 13.7%.

In India the problem of child abuse has not received enough attention. There have been few and sporadic efforts to understand and address the problem. However, child abuse is prevalent in India as in many other countries and there is a need to understand its dimensions and complexities.

NEED FOR A STUDY ON CHILD ABUSE & MALTREATMENT

As discussed above, there is a large child population in India and a large percentage of this population is vulnerable to abuse, exploitation and neglect. There is also inadequate information about the extent of child abuse in the country. Barring a few sporadic studies, with limited scope, the attempt to understand the different forms and magnitude of child abuse across the country has been inadequate. The only information available annually is the crime data maintained by NCRB.
A look at the data maintained by NCRB shows that:

1. There is a record of only those crimes which can be registered under the IPC or other criminal Acts. Corporal punishment, use of children for creation of pornography, exposure etc. are not reflected in NCRB data as they are not offences under the IPC.

2. There is a gross under-reporting of crimes against children, which in itself is indicative of the low priority accorded to children by parents, caregivers and the police. Recently reported cases, in which the police did not even lodge First Information Reports (FIR) of missing children is indicative of this.

The government, which has the onerous task of implementing constitutional and statutory provisions, is concerned about the lack of data in this area. It was felt that India needs both legislation as well as large scale interventions to deal with the increasing incidence of child abuse. It was also felt that the problem of child abuse was bigger than what was either understood or acknowledged. It was in this context that the Ministry of Women and Child Development initiated the National Study on Child Abuse.

This study is one of the largest studies of its kind in the country and is expected to be helpful in the following ways:

1. The study will contribute to breaking the silence around child abuse in the country.

2. The study will inform about the nature and extent of child abuse in different settings and recommend immediate and appropriate responsive actions that can be undertaken by the families,
community, government and civil society organizations for the care and protection of children.

3. The study will strengthen grounds for a separate legislation on child abuse and will facilitate formulation of appropriate polices, strategies and schemes to tackle the problem of child abuse.

4. It will contribute to evolving guidelines for the prevention and control of child abuse.

GOVT. EFFORTS IN CHILD PROTECTION

CONSTITUTION OF INDIA

The Constitution of India recognizes the vulnerable position of children and their right to protection. Following the doctrine of protective discrimination, it guarantees in Article 15 special attention to children through necessary and special laws and policies that safeguard their rights. The right to equality, protection of life and personal liberty and the right against exploitation are enshrined in Articles 14, 15, 15(3), 19(1) (a), 21, 21(A), 23, 24, 39(e) 39(f) and reiterate India's commitment to the protection, safety, security and well-being of all its people, including children.

- **Article 14:** The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India;

- **Article 15:** The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them;

- **Article 15 (3):** Nothing in this article shall prevent the State from making any special provision for women and children;

- **Article 19(1) (a):** All citizens shall have the right (a) to freedom of speech and expression;
• **Article 21**: Protection of life and personal liberty-No person shall be deprived of his life or personal liberty except according to procedure established by law;

• **Article 21A**: Free and compulsory education for all children of the age of 6 to 14 years;

• **Article 23**: Prohibition of traffic in human beings and forced labour-
  (1) Traffic in human beings and beggars and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law;

• **Article 24**: Prohibition of employment of children in factories, etc. -No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment;

• **Article 39**: The state shall, in particular, direct its policy towards securing: (e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter vocations unsuited to their age or strength; (f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

**INTERNATIONAL CONVENTIONS AND DECLARATIONS**

India is signatory to a number of international instruments and declarations pertaining to the rights of children to protection, security and dignity. It acceded to the United Nations Convention on the Rights of the Child (UN CRC) in 1992, reaffirming its earlier acceptance of the 1959 UN...
Declaration on the Rights of the Child, and is fully committed to implementation of all provisions of the UN CRC. In 2005, the Government of India accepted the two Optional Protocols to the UN CRC, addressing the involvement of children in armed conflict and the sale of children, child prostitution and child pornography. India is strengthening its national policy and measures to protect children from these dangerous forms of violence and exploitation.

India is also a signatory to the International Conventions on Civil and Political Rights, and on Economic, Social and Cultural Rights which apply to the human rights of children as much as adults.

Three important International Instruments for the protection of Child Rights that India is signatory to, are:

- Convention on the Rights of the Child (CRC) adopted by the UN General Assembly in 1989, is the widely accepted UN instrument ratified by most of the developed as well as developing countries, including India. The Convention prescribes standards to be adhered to by all State parties in securing the best interest of the child and outlines the fundamental rights of children, including the right to be protected from economic exploitation and harmful work, from all forms of sexual exploitation and abuse and from physical or mental violence, as well as ensuring that children will not be separated from their families against their will.

- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is also applicable to girls under 18 years of age. Article 16.2 of the Convention lays special emphasis on the prevention of child marriages and states that the betrothal and
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marriage of a child shall have no legal effect and that legislative action shall be taken by States to specify a minimum age for marriage.

- SAARC Convention on Prevention and Combating Trafficking in Women and Children for Prostitution emphasizes that the evil of trafficking in women and children for the purpose of prostitution is incompatible with the dignity and honour of human beings and is a violation of basic human rights of women and children.

CHILD RIGHTS AND MILLENNIUM DEVELOPMENT GOALS

The Government of India is addressing the protection rights of children in India within the framework of the MDGs which India has committed to achieve by 2015. The Mid-Term appraisal report on the 10th Plan found that India is far from achieving the MDGs as the outcomes on most of the goals were off-track in 2005.

NATIONAL POLICIES AND LEGISLATIONS ADDRESSING CHILD RIGHTS

The Fundamental Rights and Directive Principles of the Indian Constitution provide the framework for child rights. Several laws and national policies have been framed to implement the commitment to child rights.

National policies

The major policies and legislations formulated in the country to ensure child rights and improvement in their status include:

- National Policy for Children, 1974
- National Policy on Education, 1986
- National Policy on Child Labour, 1987
• National Nutrition Policy, 1993
• National Health Policy, 2002
• National Charter for Children, 2004
• National Plan of Action for Children, 2005

Of these, two major policies are discussed below :-

National Charter for Children, 2004

"Underlying the National Charter for Children 2004", is the intent to secure for every child the right to a healthy and happy childhood, to address the root causes that negate the healthy growth and development of children, and to awaken the conscience of the community in the wider social context to protect children from all forms of abuse, while strengthening the family, society and the nation. This Charter has the following sections on child protection:

• Survival, life and liberty;
• Protection from economic exploitation and all forms of abuse;
• Protection of the girl child;
• Care, protection, welfare of children of marginalized and disadvantaged communities;
• Ensuring child-friendly procedures.

National Plan of Action for Children (NPAC), 2005

"The National Plan of Action for Children was formulated by the then Department of Women and Child Development (now MWCD) in 2005".
The Plan is being monitored by the Prime Minister's Office. The Action Plan aims at ensuring all rights to children up to the age of 18 years. It affirms the government's commitment towards ensuring all measures for the survival, growth, development and protection of all children. It also aims at creating an enabling environment to ensure protection of child rights. States are being encouraged to formulate State Plans of Action for Children in line with NPAC. The National Plan has identified several key priority areas that include children's right to survival, development, protection and participation besides monitoring and review of policies and programmers. The NPAC also stresses the need for budgetary allocations to achieve child protection goals.

National legislations

National legislations for protection of child rights in the country are:

- Guardian and Wards Act, 1890
- Factories Act, 1954
- Hindu Adoption and Maintenance Act, 1956
- Probation of Offenders Act, 1958
- Bombay Prevention of Begging Act, 1959
- Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960
- Bonded Labour System (Abolition) Act, 1976
- Immoral Traffic Prevention Act, 1986
- Child Labour (Prohibition and Regulation) Act, 1986
• Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1987

• Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994

• Persons with Disabilities (Equal Protection of Rights and Full Participation) Act, 2000

• Juvenile Justice (Care and Protection of Children) Act, 2000

• Commission for Protection of the Rights of the Child Act, 2005

• Prohibition of Child Marriage Act 2006

Some of the important legislations are discussed below. Under each Act relevant sections have been enumerated:

The Guiding Principles of the NPAC 2005

• To regard the child as an asset and a person with human rights

• To address issues of discrimination emanating from biases of gender, class, caste, race, religion and legal status in order to ensure equality

• To accord utmost priority to the most disadvantaged, poorest of the poor and the least served child in all policy and programme interventions

• To recognize the diverse stages and settings of childhood, and address the needs of each, providing all children the entitlements that fulfill their rights and meet their needs in each situation.

The Indian Penal Code

a) Feticide (Sections 315 and 316)
b) Infanticide (Section 315)

c) Abetment of Suicide: Abetment to commit suicide of minor (Section 305)

d) Exposure and Abandonment: Crime against children by parents or others to expose or to leave them with the intention of abandonment (Section 317)

e) Kidnapping and Abduction:

- Kidnapping for extortion (Section 360)

- Kidnapping from lawful guardianship (Section 361)

- Kidnapping for ransom (Section 363 read with Section 384),

- Kidnapping for camel racing etc. (Section 363)

- Kidnapping for begging (Section 363-A)

- Kidnapping to compel for marriage (Section 366)

- Kidnapping for slavery etc. (Section 367)

- Kidnapping for stealing from its person: under 10 years of age only (Section 369)

f) Procurement of minor girls by inducement or by force to seduce or have illicit intercourse

a) Section 366-A)

g) Selling of girls for prostitution (Section 372)

h) Buying of girls for prostitution (Section 373)

i) Rape (Section 376)

j) Unnatural Sex (Section 377).
The Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994. This is an Act for the regulation of the use of pre-natal diagnostic techniques for the purpose of detecting genetic or metabolic disorders, chromosomal abnormalities or certain congenital malformations or sex-linked disorders, and for the prevention of misuse of such techniques for the purpose of prenatal sex determination leading to female feticide and for matters connected therewith or incidental thereto.

The Juvenile Justice (Care and Protection of Children) Act, 2000

The Juvenile Justice (Care and Protection of Children) Act, 2000 is a comprehensive legislation that provides for proper care, protection and treatment of children in conflict with law and children in need of care and protection by catering to their development needs, and by adopting a child friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under the Act. It conforms to the UN Convention on the Rights of the Child, the UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) 1985, the UN Rules for the Protection of Juveniles Deprived of their Liberty and all other relevant national and international instruments.

It prescribes a uniform age of 18 years, below which both boys and girls are to be treated as children. A clear distinction has been made in this Act between the juvenile offender and the neglected child. It also aims to offer a juvenile or a child increased access to justice by establishing Juvenile Justice Boards and Child Welfare Committees. The Act has laid special emphasis on rehabilitation and social integration of the children and has provided for institutional and non-institutional measures for care and protection of children. The non-institutional alternatives include adoption, foster care, sponsorship, and after care.
The following sections of the Act deal with child abuse:

- **Section 23:** Punishment for cruelty to juvenile or child: The Act provides for punishment (Imprisonment up to six months) if a person having the actual charge of, or control over, a juvenile or the Child, assaults, abandons, exposes or willfully neglects him/her, causes or procures him/her to be Assaulted, abandoned, exposed or neglected in any manner likely to cause such juvenile/child unnecessary mental or physical suffering.

- **Section 24:** Employment of Juvenile or Child for Begging: The Act provides for punishment (imprisonment for a term which may extend to 3 years and fine) if a person employs or uses any juvenile/child for the purpose or causes any juvenile to beg.

- **Section 26:** Exploitation of Juvenile or Child Employee: The Act provides for punishment (imprisonment for a term which may extend to 3 years and fine) if a person ostensibly procures a juvenile/child for the purpose of any hazardous employment, keeps him in bondage and withholds his earnings or uses such earning for his own purposes.

The recent amendments to the Act are given below:

Section Amendments to the earlier Act of 2000 2(a)(a) Inclusion of definition of Adoption: "Adoption" means the process through which the adopted child is permanently separated from his biological parents and becomes the legitimate child of his adoptive parents with all the rights, privileges and responsibilities that are attached to the relationship

- 2(d)(i) Child beggars to be included in the definition of children in need of care and protection

"Child Abuse and Maltreatment"
• 10(1) In no case a juvenile in conflict with law shall be placed in a police lockup or lodged in jail.

• 14(2) Since the provision for enquiry to be completed within four months lacks proper implementation, as inquiries are pending before the Boards for a long period of time, it is proposed that the Chief Judicial Magistrate/Chief Metropolitan Magistrate shall review the tendency of cases of the Board every six months, and shall direct the Board to increase the frequency of its sittings or may cause constitution of additional Boards.

• 15(1) (g) The Juvenile Justice Board can make an order directing the juvenile to be sent to a special home for a maximum period of three years only.

• 16(1) No Juvenile in conflict with law can be put under imprisonment for any term which may extend to imprisonment for life. 21 Contravention of provisions dealing with prohibition of publication of name etc. of child/juveniles shall be punishable with fine extending to twenty five thousand rupees as against existing 1000 rupees 4 & 29 The State Governments to constitute Juvenile Justice Board and Child Welfare Committee for each district within one year of the Amendment Act coming in to force.

• 33(3) The State Governments may review pending of cases before the Child Welfare Committee in order to ensure speedy completion of enquiry process.

• 34(3) All State Government/voluntary organizations running institutions for a child/juvenile shall be registered under this Act.
within a period of six months from the date of commencement of the Amendment Act, 2006

- 41(4) State Government shall recognize one or more of its institutions or voluntary organizations in each district as specialized adoption agencies for the placement of orphans, abandoned or surrendered children for adoption. Children's homes and the institutions run by the State Government or voluntary organizations for children who are orphans, abandoned or surrendered shall ensure that these children are declared free for adoption by the Child Welfare Committee and all such cases shall be referred to the adoption agency in that district for placement of such children in adoption in accordance with guidelines.

- 62(A) Every State Government shall constitute a Child Protection Unit for the State and, such units for every district, consisting of such officers and other employees as may be appointed by that Government to take up matters relating to children/juveniles with a view to ensure the implementation of this Act.

The Immoral Traffic (Prevention) Act, 1956

In 1986, the Government of India amended the erstwhile Suppression of Immoral Traffic in Women and Girls Act 1956 (SITA), and renamed it as the Immoral Traffic (Prevention) Act (ITPA) to widen the scope of the law to cover both the sexes exploited sexually for commercial purposes and to provide enhanced penalties for offences involving children and minors. "Child" under ITPA means a person who has not completed the age of sixteen years and "prostitution" means the sexual exploitation or abuse of persons for commercial purposes.
• Section 3: Stringent action and punishment for keeping a brothel or allowing premises to be used as a brothel;

• Section 4: Living on the earnings of prostitution;

• Section 5: Procuring, inducing or taking a person for the sake of prostitution;

• Section 6: If any person is found with a child in a brothel it shall be presumed, unless the contrary is proved, that he has committed an offence of detaining a person in premises where prostitution is carried on;

Section 6(1B): The punishment consists of imprisonment of either description for a term which shall not be less than 7 years, but which may be for life or for a term, which may extend to 10 years and shall also be liable to fine, with a provision for less than 7 years under special circumstances;

Section 6(2A): A child or minor found in a brothel, on medical examination, detected to have been sexually abused, it shall be presumed, unless the contrary is proved, that the child or minor has been detained for purposes of prostitution or, as the case may be, has been sexually exploited for commercial purposes;

Section 21: Establishment of Protective Homes by the State Government. 28 Instruments and Standards for Protection of Child Rights Study on Child Abuse: India 2007

Proposed amendments to the ITPA:

• Section 2(aa) to raise the age of child from 16 to 18 years;

• Omission of the terms 'minor' and 'major' wherever they occur in the Act;
• Section 3 to enhance the punishment for a person who keeps or manages or acts or assists in keeping or management of a brothel;
• New Section 5A to define the offence of "Trafficking in Persons" on the lines of International Protocol to Prevent, Suppress and Punish Trafficking in Persons.
• New Section 5B to provide punishment for the said offence;
• New Section 5C to provide punishment for a person who visits or is found in a brothel for the purpose of sexual exploitation;
• Section 6 to enhance the punishment provided for the offence of detaining a person in a premise where prostitution is carried on;
• Omission of Section 8;
• Section 10A to enhance the term of detention in a corrective institution from 5 to 7 years;
• Section 13(2-5) confers the powers of Special Police Officer under this Act to the Sub-inspector in the place of Inspector of Police;
• New Section 13A to constitute a Central Authority by the Central Government for the purpose of effectively preventing and combating the offence of trafficking in persons;
• New section 13B that empowers the State Government to constitute a State Authority for the purpose of effectively preventing and combating the offence of trafficking in persons;
• Omission of Section 20;
• Section 22 to make provision for in camera proceedings to protect the privacy and dignity of the victims;
• Amendment of the Schedule to the Prevention of Money-Laundering Act, 2002 to make applicable the provisions of confiscation of the property of the persons involved in the offence of trafficking in persons. From the said Schedule, the entry relating to Section 8 of the ITPA is being omitted as a consequential nature.

Child Labour (Prohibition and Regulation) Act, 1986

The Act was formulated to eliminate child labour and provides for punishments and penalties for employing children below the age of 14 years in from various hazardous occupations and processes. The Act provides power to State Governments to make Rules with reference to health and safety of children, wherever their employment is permitted. It provides for regulation of work conditions including fixing hours of work, weekly holidays, notice to inspectors, provision for resolving disputes as to age, maintenance of registers etc. Through a recent notification, child domestic workers up to 14 years of age working in hotels and dhabas have been brought within the purview of the Act. It is one step towards the total elimination of child labour.

The Prohibition of Child Marriage Act, 2006

The Child Marriage Restraint Act, 1929 has been repealed and the major provisions of the new Act include:

• Every child marriage shall be voidable at the option of the contracting party who was a child at the time of the marriage;

• The Court while granting a decree of nullity shall make an order directing the parties, parents and guardians to return the money, valuables, ornaments and other gifts received;
• The Court may also make an interim or final order directing the male contracting party to the child marriage or parents or guardian to pay maintenance to the female contracting party to the marriage and for her residence until her remarriage;

• The Court shall make an appropriate order for the custody and the maintenance of the children of child marriages;

• Notwithstanding that a child marriage has been annulled, every child of such marriage shall be deemed to be a legitimate child for all purposes;

• Child marriages to be void in certain circumstances like minor being sold for the purpose of marriage, minor after being married is sold or trafficked or used for immoral purposes, etc.;

• Enhancement in punishments for male adults marrying a child and persons performing, abetting, promoting, attending etc. a child marriage with imprisonment up to two years and fine up to one lakh rupees;

• States to appoint Child Marriage Prohibition Officers whose duties include prevention of solemnization of child marriages, collection of evidence for effective prosecution, creating awareness and sensitization of the community etc.

The Commissions for the Protection of Child Rights Act, 2005

The Act provides for the Constitution of a National and State Commissions for protection of Child Rights in every State and Union Territory. The functions and powers of the National and State Commissions will be to:
Examine and review the legal safeguards provided by or under any law for the protection of child rights and recommend measures for their effective implementation;

Prepare and present annual and periodic reports upon the working of these safeguards;

Inquire into violations of child rights and recommend initiation of proceedings where necessary;

Undertake periodic review of policies, programmes and other activities related to child rights in reference to the treaties and other international instruments;

Spread awareness about child rights among various sections of society;

Children's Courts for speedy trial of offences against children or of violation of Child Rights;

State Governments and UT Administrations to appoint a Special Public Prosecutor for every Children's Court.

Apart from these laws mainly concerning children, there are a host of related social legislations and criminal laws which have some beneficial provisions for the care, protection and rehabilitation of children. The laws relating to commerce, industry and trade have some provisions for children, but they hardly provide any protection or cater to their developmental needs. Some states have formulated state specific legislation to deal with child abuse e.g. Goa & Tamil Nadu.

Despite the above mentioned legislations, there are still major gaps in the legal provisions relating to child abuse in myriad situations, particularly
in cases of trafficking, sexual and forced labour, child pornography, sex tourism and sexual assault on male children. The Ministry of Women and Child Development is therefore formulating a comprehensive legislation on Offences against Children.

SCHEMES AND PROGRAMMES ON CHILD PROTECTION

Some of the existing child protection schemes and programmes include:

A Programme for Juvenile Justice for children in need of care and protection and children in conflict with law. The Government of India provides financial assistance to the State Governments/UT Administrations for establishment and maintenance of various homes, salary of staff, food, clothing, etc. for children in need of care and protection and juveniles in conflict with law. Financial assistance is based on proposals submitted by States on a 50-50 cost sharing basis.

An Integrated Programme for Street Children without homes and family ties. Under the scheme NGOs are supported to run 24 hours drop-in shelters and provide food, clothing, shelter, non-formal education, recreation, counseling, guidance and referral services for children. The other components of the scheme include enrolment in schools, vocational training, occupational placement, mobilizing preventive health services and reducing the incidence of drug and substance abuse, HIV/AIDS etc.

CHILDLINE Service for children in distress, especially children in need of care and protection so as to provide them medical services, shelter, rescue from abuse, counseling, repatriation and rehabilitation. Under this initiative, a telephone helpline, number 1098, runs in 74 urban and semi-urban centres in the country.
Shishu Greha Scheme for care and protection of orphans/abandoned/destitute infants or children up to 6 years and promote in-country adoption for rehabilitating them.

Scheme for Working Children in Need of Care and Protection for children working as domestic workers, at roadside dhabas, mechanic shops, etc. The scheme provides for bridge education and vocational training, medicine, food, recreation and sports equipments.

Rajiv Gandhi National Creche Scheme for the Children of Working Mothers in the age group of 0-6 years. The scheme provides for comprehensive day-care services including facilities like food, shelter, medical, recreation, etc. to children below 6 years of age.

Pilot Project to Combat the Trafficking of women and Children for Commercial Sexual.

Exploitation in Source and Destination Areas for providing care and protection to trafficked and sexually abused women and children. Components of the scheme include networking with law enforcement agencies, rescue operation, temporary shelter for the victims, repatriation to hometown and legal services.

National Child Labour Project (NCLP) for the rehabilitation of child labour. Under the scheme, Project Societies at the district level are fully funded for opening up of Special Schools/Rehabilitation Centres for the rehabilitation of child labourers. These Special Schools/Rehabilitation Centers provide non-formal education, vocational training, supplementary nutrition and stipend to children withdrawn from employment.

INDO-US Child Labour Project (INDUS): The Ministry of Labour, Government of India and the US Department of Labour have initiated a
project aimed at eliminating child labour in 10 hazardous sectors across 21
districts in five States namely, Maharashtra, Madhya Pradesh, Tamil Nadu,
Uttar Pradesh and NCT of Delhi.

**Theoretical explanations of Child Abuse**

A number of explanations have been given by scholars to explain the
motivational factors in child abuse. Of these, the important ones are: (i)
psychiatric explanation; (ii) socio-cultural explanation which includes (a)
social situations! explanation, (b) social habitability explanation, and (c)
social control explanation; (hi) resource explanation; (iv) social international
explanation; and (v) social learning explanation.

“The psychiatric explanation was propounded by scholars like Kempc (1972), Stcele and Pollock (1968), Gelles (1973), and Parke and Collmer (1975) links with child abuse factors such as mental illness and
personality defects or intra-individual abnormalities. “It also links abusive
parents' own childhood experiences to the individuals' weak personality
development and poor self-control (Wolfe. 1987:45). The thesis that
personality disorder is responsible for child abuse was further advanced by
reports that abusers often had a propensity for impulsive and/or anti-social
acts extended beyond the preventing role. A parent, according to this
explanation, may abuse his/her child due to unmet emotional needs that
signify discontentment, anger or irritability), an inability to balance the
child's needs and capabilities with own (parental) expectations, or emotional
scars from their own abusive or deprived family background affecting their
ability to care for their own offspring (Wolfe. 1987:45),

This explanation initially drew support from many field, including
law-makers and public-interest groups because it directed mo.t of the re-
responsibility or abusive behaviour squarely at the individual involved, and absolved society from blame in contributing to the risk of child abuse through lack of education, adequate housing, family support programmes, employment opportunities, and so on. However, recent researches have disproved the role of psychopathology in child abuse.

The socio-cultural explanation, given in the 1970s, maintained that external forces or socio-demographic variables within the society caused child abuse. This explanation includes three sub-explanations: social situational, social habitability and social control.

The social-situational explanation proposes that abuse and violence arise out of two factors: structural stress and cultural norms. As the social structure in which a parent lives becomes more stress ridden (or is perceived as more stressful), the greater becomes the possibility that family violence will surface as an attempt to gain control over irritating, tense events. Cultural sanctioning of violence as an appropriate conflict resolution technique further provides a foundation for the use of corporal punishment in child rearing. “If a parent was frequently exposed to harsh physical punishment as a child, he/she may have greater propensity toward viewing such behaviour as normative and inhibition against physical force may be lessened (Bandura, 1973)\(^{13}\). Steinmetz and Straus (1974) have maintained that factors such as low income, unemployment, isolation, unwanted pregnancy and conflict with spouse/in-laws, cause structural stresses which, combined with the cultural acceptance for violence to resolve conflict, lead to the use of force and violence against children at home. “Talking of social factors which cause stress, Gil (1970)” has referred to social class and family size, Light (1973: 556.-59S) has referred to unemployment, and Garbarino (1977:721-735) has referred to social isolation\(^{14}\).
"The major problem in this explanation according to Fileman (1982) is that it is unable to account for the finding that given the same set of deprivation or adverse conditions, many parents do and others do not abuse their children\(^{15}\)."

The social habitability explanation was proposed by James Garbarino in 1977. "According to him, the nature of child maltreatment depends upon the quality of the environment in which the person and family live, or the level of family support in the environment. The lesser the family support the greater the risk of maltreatment of children\(^{16}\)."

The social control explanation was propounded by Gelles in 1973. "According to him, parents use violence against their children because they have no fear of being hit back, for of being arrested (unless some neighbor lodges a complaint with the police)\(^{17}\). "Thus, violence is used when (i) the cost of being violent is to be less than the rewards, (ii) the absence of effective social control over family relations decreases the cost (of one member being violent towards another), and (ii: family structures reduce social control in family relations and, therefore, reduce the costs and increase the rewards of being violent (Gelles and Come 1985:121)\(^{18}\)."

"Laslett (1978:480) has also said that: (a) inequality in hot reduces both social control and the costs of being violent, and (b) the privacy in the family serves to reduce the degree of social control exercise, over family relations\(^{19}\). "Gelles (1973) has maintained that certain types children—like the handicapped, ugly, demanding, premature—are at; greater risk of being abused by their parents\(^{20}\). This is because either they, make great demands (economically, socially or psychologically) on their! Parents or they are perceived as not providing sufficient gratification in return for the parents'
investment of time and energy. Thus, when a parent perceives the costs of parenthood to outweigh the rewards, he uses violence against his children.

"Ivan Nye (1979) like Gelles, had also earlier accepted the application of Peter Blau's theory, in explaining child abuse. He has proposed that child beating is less common in families that have relatives and/or friends nearby 21". Recasting Nye's proposition, "Gelles and Cornell (1985) have proposed that child-beating is more common when relatives, friends and neighbors (that is, non-family members) are unavailable, unable or unwilling to be part of the daily system of family interaction, and thus unable to serve as agents of formal and informal social control22". Gelles has further maintained that the greater the disparity between perceived investment in a family relationship (that is, parenting) and the perceived returns on the investment, the greater the likelihood that there will be violence. This also explains why children of five to seven years of age are more likely victims of child abuse than children of 14 to 16 years of age. Parents of younger children perceive a rather large investment in their children and feel that they get little in the way of actual return than parents of older children.

This explanation has been criticized on the grounds that: (1) It is preposterous to assume that relations between parents and children are based on reciprocity and that parents' treatment of children is determined in terms of calculations of rewards and costs. (2) Assuming it is so, which do all the parents not make such calculations and only a few do it, that is, why do all the parents not beat their children and only some parents indulge in child-beating? Does this not ignore the personality factor in the use of violence? (3) Why are children who work and earn also beaten by their parents (like non-working children) when there is some 'return' of parenting"?
The resource explanation was given by William Goode in 1971. “According to it, the use of force by an individual depends upon the extent to which he can command or master the resources—social, personal and economic.” The more resources a person has, the less he/she will use force in an open manner. Thus, a father who wants to be a dominant person in the family but has little education, low prestige job, low income and lacks interpersonal skills, may choose to use violence against his children to maintain the dominant position.

“The social interactional explanation was given by Burgess in 1979. It approaches the etiology of child abuse in terms, of the interplay between individual family and social factors in relation to both past (for example, exposure to abuse as a child) and present (for example, a demanding child) events.” The parents’ learning history, inter-personal experiences, and intrinsic capabilities are regarded as predisposing characteristics presumed to be important contributors to an abusive pattern. In this explanation, the potential role of a child in provoking abuse is also acknowledged. The conditions under which a child is reared and the methods used by the parents, particularly their punitive methods, may help to explain why some adults are predisposed to abusive behavior, given certain setting conditions.

Although this explanation is primarily concerned with the current behavior of the abusive parent in the context of the family or community psychological mechanisms such as perceptions and interpretations of events are also recognized as important factors in influencing the parent-child interactions (Wolfe, 1987:49). “The international expiation thus is not necessarily limited to observable behavior alone. Like parental criticisms or displays of anger... but includes cognitive and effective processes too (like intelligence, attitudes...) that may mediate behavioral changes.”
The social learning explanation lays emphasis on the learned nature of parenting and the fact that many parents have insufficient knowledge and skill to equip them to carry out the highly complex task of rearing. They not only lack fundamental skills (of rearing children) but there may also be an absence of coping strategies to deal with stress, giving rise to a spiraling effect of increased stress and less effective coping.

The National Incidence of Child Abuse and Neglect

The findings of the Third National Incidence Study of Child Abuse and Neglect (NIS-3) show a sharp increase in the scope of the problem, whether maltreatment is defined using the Harm Standard or the Endangerment Standard.

Estimated Incidence As Defined by the Harm Standard.

An estimated 1,535,800 children in the United States were abused or neglected under the Harm Standard in 1993. "The NIS-3 total reflects a 67% increase since the NIS-2 estimate, which indicated that the total was 931,000 children in 1986, and it corresponds to a 149% increase since the NIS-1 estimate for 1980 of 625,100 children. Significant or close-to-significant increases were found in both abuse and neglect. The number of abused children who were countable under the Harm Standard rose by 46% from an estimated 507,700 in the NIS-2 to 743,200 in the NIS-3. The number of neglected children who fit the Harm Standard increased significantly from 474,800 during the NIS-2 data collection in 1986 to 879,000 at the time of the NIS-3 data period in 1993. In the estimates given here and below, children are included in all categories that apply to them (i.e., those who were both abused and neglected are included in both estimates)."
Considering specific types of abuse and neglect as defined by the Harm Standard, significant increases since the NIS-2 were found in the incidence of sexual abuse, physical neglect, and emotional neglect, and a close-to-significant (i.e., statistically marginal) increase was observed in the incidence of physical abuse.

The estimated number of sexually abused children under the Harm Standard rose from 9,200 in 1986 to 217,700 in 1993 (an 83% increase).

The number of physically neglected children under the Harm Standard increased from an estimated 167,800 at the time of the NIS-2 to an estimated 338,900 in the NIS-3 (a 102% rise in incidence); There was a 333% increase in the estimated number of emotionally neglected children using the Harm Standard, from 49,200 in the NIS-2 to 212,800 in the NIS-3; and The estimated number of physically abused children under the Harm Standard was 269,700 at the time of the NIS-2, but it had increased to 381,700 during the NIS-3 (a 42% increase).

When these abused and neglected children were classified according to the injury or harm they suffered from maltreatment that fit the Harm Standard, there was a substantial and significant increase in the incidence of children who were seriously harmed and a statistically marginal increase in the number for whom injury could be linefeed due to the severe nature of their maltreatment. The estimated number of seriously injured children essentially quadrupled from 141,700 to 565,000 in the intervening 7 years between the NIS-2 and the NIS-3 (a 299% increase). The number for whom injury could be linefeed increased from an estimated 105,500 children in the NIS-2 to an estimated 165,300 children in the NIS-3 (a 57% increase).
Estimated Incidence Using the Endangerment Standard Between 1986 and 1993, the total estimated number of abused and neglected children in the United States who fit the Endangerment Standard nearly doubled: in 1986, there were an estimated 1,424,400 abused and neglected children in the United States. The NIS-3 estimate of 2,815,600 reflects a 98% increase over the NIS-2 figure. Significant increases were found in both abuse and neglect. The number of abused children more than doubled from an estimated 590,800 to 1,221,800 (a 107% increase), while the estimated number of neglected children also more than doubled from 917,200 to 1,961,300 (a 114% increase).

- The increases were substantial and significant in all types of abuse and neglect except educational neglect;

- The estimated number of physically abused children rose from 311,500 to 614,100 (a 97% increase);

- The estimated number of sexually abused children increased from an estimated 133,600 children to 300,200 (a 125% increase);

- The more recent estimate of the number of emotionally abused children was 183% higher than the previous estimate (188,100 in 1986 versus 532,200 in 1993);

- The estimated number of physically neglected children increased from 507,700 to 1,335,100 (a 163% increase); and

- The estimated number of emotionally neglected children nearly tripled in the interval between the studies, rising from 203,000 in 1986 to 585,100 in 1993 (a 188% increase).

When the children whose abuse or neglect met the Endangerment Standard were classified according to the injury or harm they suffered,
significant increases were evident in two categories. First, the 1993 estimate of the number of children who were endangered by their maltreatment (but not yet harmed) was more than four times the corresponding 1986 estimate. That is, the number of endangered children rose from an estimated 254,000 in 1986 to an estimated 1,032,000 in 1993 (a 306% increase). Second, the number of children who were seriously injured or harmed by abuse or neglect that fit the Endangerment Standard in 1993 was well over one-half million, which is nearly quadruple the 1986 estimate for this category. In 1986, an estimated 143,300 children had been seriously injured by abuse or neglect; in 1993, the figure was 569,900 children (a 298% increase). Note that nearly all (99%) of the children who counted as seriously injured here were also countable under the Harm Standard, so the near-quadrupling of their numbers since 1986 essentially reiterates what was reported above in connection with the Harm Standard.

Distribution of Child Abuse and Neglect by the Child’s Characteristics

The child's sex and age were related to the rate of maltreatment, but race was not.

Child's Sex. Girls were sexually abused about three times more often than boys, under both the Harm Standard and the Endangerment Standard. This finding reiterates the NIS-2 result, so females' disproportionately greater risk of sexual abuse has been stable over time. This sex difference in incidence rates of sexual abuse leads to higher rates of abuse in general among girls. Also, because the definitional guidelines permit the inference that injury or harm occurred in connection with the more extreme forms of sexual abuse, girls' greater risk of sexual abuse also accounts for their higher incidence rates for inferred injury.
At the same time, boys had higher incidence rates than girls in some arenas, and boys' maltreatment risks also demonstrated some increases since the NIS-2. Boys were at somewhat greater risk of serious injury (24% higher than girls' risk under both definitional standards), and boys were significantly more likely to be emotionally neglected (boys' risk was 18% greater than girls'). Also, boys' rates of physical neglect defined by the Harm Standard and of emotional abuse using the Endangerment Standard increased more since the NIS-2 than girls' rates did. Moreover, trends in the incidence of fatal injuries from maltreatment moved in opposite directions for girls and boys—the incidence of fatally injured girls declined slightly since the NIS-2, while the incidence of fatally injured boys rose.

**Child's Age.** A consistent feature of the age differences in incidence rates within the NIS-3 was the lower incidence of maltreatment among the younger children under both definitional standards. In most cases, the differentiation was between the 0- to 2-year-olds and older children or between the 0- to 5-year-olds and older children. It is possible that the lower rates at these younger ages reflect under coverage of these age groups. That is, prior to attaining school age, children are less observable to community professionals.

Another recurring theme in connection with age is that of disproportionate increases in the incidence of maltreatment among the younger children (under 12 years old) and especially among children in their middle-childhood years (ages 6 to 11). Note that as circumstances deteriorate and maltreatment becomes more prevalent and more severe, older children have greater opportunities for escape. Also, older children are more able to defend themselves and retaliate. These factors may have
moderated the increases in maltreatment that were observed among the older age groups.

The disproportionate increases during the younger and middle-childhood years mean that the overall profiles of age differences in maltreatment were different in the NIS-3 than they had been in the NIS-2. During the NIS-2, the risk of maltreatment generally increased with the age of the child in a close-to-linear fashion. With the lopsided increases among the younger children and among children in their middle-childhood years, the profile has changed toward a curvilinear configuration—where the middle-years of childhood are associated with the maximum risk of maltreatment—and toward a somewhat flatter distribution—where age differences are somewhat attenuated overall compared to their NIS-2 patterns.

One of the most striking findings is the age distribution of sexual abuse, which combined the general flattening of the age differences in incidence rates with a very low age transition in the distribution of incidence rates. The rate of sexual abuse as defined under the Endangerment Standard was very low for 0- to 2-year-olds, but then relatively constant for children ages 3 and older, indicating a very broad age range of vulnerability from preschool age on.

**Race.** The NIS-3 found no race differences in maltreatment incidence. The NIS-3 reiterates the findings of the earlier national incidence studies in this regard. That is, the NIS-1 and the NIS-2 also found no significant race differences in the incidence of maltreatment or maltreatment-related injuries.
Service providers may find these results somewhat surprising in view of the disproportionate representation of children of color in the child welfare population and in the clientele of other public agencies. However, it should be recognized that the NIS methodology identifies a much broader range of children than those who come to the attention of any one type of service agency or the even smaller subset who receive child protective and other child welfare services. The NIS findings suggest that the different races receive differential attention somewhere during the process of referral, investigation, and service allocation, and that the differential representation of minorities in the child welfare population does not derive from inherent differences in the rates at which they are abused or neglected. It is also important to recognize that while there are no overall race differences in the incidence of child abuse and neglect in the NIS-3 findings, subsequent analyses that simultaneously consider multiple characteristics may reveal race differences in maltreatment incidence among specific subsets of children (e.g., for children of certain ages, for one sex but not the other, etc.).

**Distribution of Child Abuse and Neglect by Family Characteristics**

The incidence of child maltreatment varied as a function of family income, family structure, family size, and the metropolitan status of the county.

**Family Structure.** Children of single parents were at higher risk of physical abuse and of all types of neglect and were overrepresented among seriously injured, moderately injured, and endangered children. Compared with their counterparts living with both parents, children in single parent families had:
- A 7% greater risk of being harmed by physical abuse (using the stringent Harm Standard) and a 63% greater risk of experiencing any countable physical abuse (using the Endangerment Standard);
- An 87% greater risk of being harmed by physical neglect and a 165% greater risk of experiencing any countable physical neglect;
- A 74% greater risk of being harmed by emotional neglect and a 64% greater risk of experiencing any countable emotional neglect;
- A 220% (or more than three times) greater risk of being educationally neglected; An approximately 80% greater risk of suffering serious injury or harm from abuse or neglect;
- An approximately 90% greater risk of receiving moderate injury or harm as a result of child maltreatment; and
- A 120% (or more than two times) greater risk of being endangered by some type of child abuse or neglect.

Among children in single-parent households, those living with only their fathers were approximately one and two-thirds times more likely to be physically abused than those living with only their mothers.

Although parents are not necessarily, nor even most frequently, the perpetrators of maltreatment, the relationship between parent structure and maltreatment incidence is understandable, considering the added responsibilities and stresses of single-parenting together with the likelihood that surrounding social and practical support may be inadequate.

**Family Size.** The incidence of maltreatment was related to the number of dependent children in the family, especially in the categories of physical and educational neglect. For educational neglect, and for physical
neglect according to the Harm Standard, the pattern was nonlinear: the incidence rates were highest for children in the largest families (those with four or more children), intermediate for "only" children, and lowest for children in families with two to three children. Children in the largest families were almost three times more likely to be educationally neglected, and nearly two and two-fifths times more likely to be physically neglected under the Harm Standard, compared to children in families with two or three children. Under the Endangerment Standard, the pattern was one of increasing incidence of physical neglect with greater numbers of children. Children in the largest families were physically neglected at nearly three times the rate of those who came from "only" child families.

Additional children in a household mean additional tasks and responsibilities, so it is understandable why incidence rates of child abuse and neglect may be higher when there are more children. Accounting for why "only" children have higher rates of educational neglect and of physical neglect under the Harm Standard than children in families with two or three children requires a different explanation. One possibility is that there may be too many expectations focused on "only" children, whereas expectations (and disappointments) are diffused over multiple children in the larger families. Another possibility is that many "only" child households represent the early stages in their families' development, since a number of these families will have additional children, in time. Thus, many "only" children are in families with relatively young and inexperienced parents and caretakers.
The incidence of children who had been moderately harmed by maltreatment was significantly lower among children in large urban counties than among children who lived in other urban counties. This was interpreted as reflecting a general under coverage of moderately injured maltreated children in the large urban counties. It was not clear whether this was because the moderately injured children are less likely to be encountered by community professionals in the large urban centers, because community professionals in these locales are less likely to identify these children as maltreated, or because the NIS information sources in these counties are less likely to submit data about these maltreated children.

**Family Income.** Despite the fact that only a rather gross index of family income was available, and despite a substantial percentage of cases with missing data on this factor, family income was significantly related to incidence rates in nearly every category of maltreatment. Compared to children whose families earned $30,000 per year or more, those in families with annual incomes below $15,000 per year were:

- More than 22 times more likely to experience some form of maltreatment under the Harm Standard and over 25 times more likely to suffer maltreatment of some type using the Endangerment Standard;
- Almost 14 times more likely to be harmed by some variety of abuse and nearly 15 times more likely to be abused using the Endangerment Standard criteria;
- More than 44 times more likely to be neglected, by either definitional standard;
• Almost 16 times more likely to be a victim of physical abuse under the Harm Standard and nearly 12 times more likely to be a victim of physical abuse using the Endangerment Standard;

• Almost 18 times more likely to be sexually abused by either definitional standard;

• Thirteen times more likely to be emotionally abused under the Harm Standard Criteria and more than 18 times more likely to be emotionally abused in a manner that fit Endangerment Standard requirements;

• Forty times more likely to experience physical neglect under the Harm Standard and over 48 times more likely to be a victim of physical neglect using the Endangerment Standard;

• Over 29 times more likely to be emotionally neglected under the Harm Standard definitions and over 27 times more likely to be emotionally neglected by Endangerment Standard criteria;

• Nearly 56 times more likely to be educationally neglected, by either definitional standard;

• Sixty times more likely to die from maltreatment of some type under the Harm Standard and over 22 times more likely to die from abuse or neglect using the Endangerment Standard;

• Over 22 times more likely to be seriously injured by maltreatment under the Harm Standard and almost 22 times more likely to be seriously injured by maltreatment that fit the Endangerment Standard requirements;

• About 18 times more likely to be moderately injured by abuse or neglect under the Harm Standard and nearly 20 times more likely to
have a moderate injury from maltreatment as defined by the Endangerment Standard;

- Fifty-seven times more likely to be classified as having an inferred injury under the Harm Standard and 39 times more likely to meet the criteria for inferred injury as defined by the Endangerment Standard; and

- Over 31 times more likely to be considered endangered, although not yet injured, by some type of abusive or neglectful treatment.

The NIS-3 findings on the correlation between family income and child maltreatment are entirely consistent with the earlier findings of the NIS-2. Moreover, they cannot be plausibly explained on the basis of the higher visibility of lower-income families to community professionals.

On the one hand, the NIS sentinels observe substantial numbers of children and families at the middle- and upper-income levels. The large majority of maltreated children were recognized by professionals likely to encounter children and fan-fillies at all Income levels, such as sentinels in hospitals, schools, day-care centers, mental health agencies, voluntary social service agencies; by professionals not represented by NIS sentinel categories; and by the general public. Sentinels in schools alone recognized the majority of the maltreated children. Although the NIS design includes only public schools, approximately 89% of the U.S. population of school-age children attends public schools, so children attending the public schools represent a broad spectrum of family income levels. Moreover, the private schools not reflected in the NIS include religiously affiliated schools, which have sliding scales for poorer children, so children who attend private schools are not necessarily from better economic circumstances than children enrolled in public schools.
On the other hand, if the income finding is interpreted as an artifact of selective observation of low-income families, then it would mean that there have to be enough undetected abused and neglected children in the middle- and upper-income brackets used here to equalize the incidence rates across different income categories. That would require an astounding number of still-undetected children in the nation who experience countable maltreatment. Specifically, it would mean that an additional 2,138,700 children suffered maltreatment according to the Harm Standard yet remained hidden to the NIS. Similarly, it would mean there were an additional 4,500,700 children in 1993 who experienced maltreatment under the Endangerment Standard but who escaped observation by community professionals. To add some perspective as to what this would entail, consider that almost seven% of the total U.S. child population would be maltreated in countable ways yet entirely escape the attention of the spectrum of community professionals who serve as NIS sentinels, and all of these additional children would have to be in families with incomes of $15,000 per year or more.

Considering the implications of the alternative, it appears more plausible to assume that the income-related differences in incidence found in the NIS reflect real differences in the extent to which children in different income levels are being abused or neglected. Note that, there are a number of problems associated with poverty that may contribute to child maltreatment: more transient residence, poorer education, and higher rates of substance abuse and emotional disorders. Moreover, families at the lower socioeconomic levels have less adequate social support systems to assist parents in their child care responsibilities.
Children who had been maltreated as defined by the Harm Standard were categorized according to their relationship to the most closely related perpetrator and according to this perpetrator's sex, age, and employment status; these categorizations were examined in relation to the type of maltreatment and the severity of the child’s injury or harm. Perpetrators' relationships to the children also were examined in relation to the children's race. The findings represent only a preliminary exploration of perpetrator characteristics in the NIS-3 data, since they lack significance tests concerning potential relationships and substantial percentages of the children were missing information concerning certain of the perpetrator characteristics.

**Perpetrator's Relationship to the Child.** The majority of all children countable under the Harm Standard (78%) were maltreated by their birth parents, and this held true both for children who were abused (62% were maltreated by birth parents) and for those who were neglected (91% experienced neglect by birth parents).

Birth parents were the most closely related perpetrators for 72% of the physically abused children and for 81% of the emotionally abused children. The pattern was distinctly different for sexual abuse. Nearly one-half of the sexually abused children were sexually abused by someone other than a parent or parent-substitute, while just over one-fourth were sexually abused by a birth parent, and one-fourth were sexually abused by other than a birth parent or parent-substitute. In addition, a sexually abused child was most likely to sustain a serious injury or impairment when a birth parent was the perpetrator.
Perpetrator's Sex. Children were somewhat more likely to be maltreated by female perpetrators than by males: 65% of the maltreated children had been maltreated by a female, whereas 54% had been maltreated by a male. Of children who were maltreated by their birth parents, the majority (75%) was maltreated by their mothers and a sizable minority (46%) was maltreated by their fathers (some children were maltreated by both parents). In contrast, children who were maltreated by other parents or parent-substitutes, or by other persons, were more likely to have been maltreated by a male than by a female (80 to 85% were maltreated by males; 14 to 41% by females).

Abused children presented a different pattern in connection with the sex of their perpetrators than did the neglected children. Children were more often neglected by female perpetrators (87% by females versus 43% by males). This finding is congruent with the fact that mothers and mother substitutes tend to be the primary caretakers and are the primary persons held accountable for any omissions and/or failings in caretaking. In contrast, children were more often abused by males (67% were abused by males versus 40% by females). The prevalence of male perpetrators was strongest in the category of sexual abuse, where 89% of the children were abused by a male compared to only 12% by a female.

Among all abused children, those abused by their birth parents were about equally likely to have been abused by mothers as by fathers (50% and 58%, respectively), but those abused by other parents, parent-substitutes, or other, no parental perpetrators were much more likely to be abused by males (80 to 90% by males versus 14 to 15% by females). This general pattern held for emotional abuse, but was slightly different in the area of physical
abuse. Children who had been physically abused by their birth parents were more likely to have suffered at the hands of their mothers than their fathers (60% versus 48%), while those who had been physically abused by other parents or parent-substitutes were much more likely to have been abused by their fathers or father-substitutes (90% by their fathers versus 19% by their mothers). For sexual abuse, the child's relationship to the perpetrator made very little difference, since males clearly predominated as perpetrators, whatever their relationship to the child. Moreover, the severity of the injury or impairment that the child experienced as a result of maltreatment did not appear to bear any relationship to the sex of the perpetrator.

**Perpetrator's Age.** The perpetrator's age was entirely unknown for one-third of the children who were countable under the Harm Standard. Given the prevalence of children maltreated by perpetrators of unknown age, the findings here are tentative, since they could easily be eradicated if all perpetrators' ages were known.

Among all maltreated children, only a small percentage (13%) had been maltreated by a perpetrator in the youngest age bracket (under 26 years of age). However, younger perpetrators were slightly more predominant among children who had been sexually abused (where 22% had been sexually abused by a perpetrator under 26 years of age) and among children who had been maltreated in any way by someone who was not their parent or parent-substitute (among whom 40% had been maltreated by a perpetrator in the youngest age bracket).

A child's severity of injury or harm from maltreatment appeared not to be associated with the age of the perpetrator.
Perpetrator's Employment Status. Perpetrator's employment status was unknown for more than one-third of the maltreated children, limiting the value of the findings on this issue. Nearly one-half of all maltreated children were abused by a perpetrator who was employed, and this held true for both abuse and neglect. Of the children who sustained serious injury, the majority were maltreated by an employed perpetrator. In no category were the majority of children maltreated by a perpetrator who was unemployed.

Child's Race and Relationship to the Perpetrator. Because the perpetrator's race was not known for children submitted to the study solely through non-CPS sources, the child's race was examined in connection with the relationship to the perpetrator and with the nature and severity of the maltreatment.

For overall abuse, child's race reflected no notable connection to the relationship with the perpetrator. However, among sexually abused children, white children constituted a greater proportion of children who were sexually abused by their birth parents than of those sexually abused by other parents and parent-substitutes, and by others. Among physically abused children, white children were more prevalent among those who were physically abused by other parents and parent-substitutes than among those who were physically abused by their birth parents or among those physically abused by other types of perpetrators. Although non-white children were the minority of victims in all categories, they were more prevalent among children who were physically or sexually abused by perpetrators other than parents or parent-substitutes.
White children are a larger majority of those who suffered serious injury, whereas nonwhite children's representation was strongest among those who experienced moderate injury and among those for whom injury could be linefeed based on the severity of their maltreatment.

**A VISION FOR ABUSED CHILDREN IN THE 21ST CENTURY**:

The vision within the normative and ethical framework provided by the constitution of India's Directive Principles of State policy (DPSP) and the UN convention on the of child particularly commits us to:

- Ensure the best possible start to the life of the young child for the child's learning to learn; learning to do, learning to live together.

- A Common understanding of early child development as and entry point for India's Human Development Strategy, where the vest possible start of life within a nurturing family environment is the basic foundation for the child future growth and development.

- A comprehensive child-centered approach which respect cultural pattern and diversity and which take into consideration the health, nutrition, cognitive, emotional and social needs of the child. An approach driven by the best interests of the child.

- A family focused approaches, which empower families as the first line of action in providing care an protection and encourage shared parenting and caring responsibilities.

- A community based approach, which is locally relevant, and is conceived, planned and managed by the community. One that lead to a community-based mechanism to monitor and track child care and development especially for families and children at risk.

- A gender sensitive approach that seeks to ensure the realization of the right of girl and women, through focused intervention across the

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life cycle, and especially in the early childhood.

- Create and enabling joyful learning environment for young child-in family/community and at childcare centers.

- Build a Flexible, locally relevant intervention that respect cultural diversity.

- Promote preventive approaches to malnutrition and disability-intervening as early as possible, across the life cycle, ensuring early childhood care for survival, growth development, protection and participation.

- Focus on the more crucial and vulnerable age group prenatal under 3 year’s period. Especially addressing children and families/communities that are disadvantaged, especially vulnerable and at risk.

- A equity norm, which entitles every family to claim access to equity childcare intervention and support.

- Ensuring that children can realize their full potential in health, learning and earning, as respected and informal citizens, able to participate indecision which affect their lives.

- Ensuring that realization of child rights flows from, and contributes to, the growth of cohesive and inclusive societies.

- A right perspective, where in every child right to survival, development protection and participation are fulfilled through no partnerships of parents, communities civil societies and government to meet their obligations to children. The basic strategy should the Life cycle Approach." Which includes:

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• In the end, we believe that the government should emphasize upon bottom up approach rather than top-down approach, focusing on local solutions using resources available in the community and builds on positive local traditions of child care. The six pronged strategies of the bottom-up approach are:

• Effective community mobilization through formation of village heath committee and proactive dialogue between social groups and institutions, using methods such as organize. Convergence and partnership between the services provides, administration and NGOs involved in Implementation.

• Capacity building of child care functionaries and community, community empowerment for organizing nutrition and child care activities.

• Developing Community based nutrition counseling and child care sessions.

• Bringing behavioral change through effective communication and Promoting gender sensitive childcare practices in families and other institutions.

• We Believe that an integrated approach with bottom up strategy will be the key to work for child rights.

• The most immediate consequence of child who cannot hope to grow into a healthy and creative adult. It has also winder socio economic ramifications.

• If we look at the supply side of child labor our, we find that all the cause of the supply of child labour have positive feed back efforts. Poverty, for example is the primary cause of child labour, adult wages and hence effects is iridious as it mars formation of human

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capital for the future labour market so that he or she will be unable to earn more as an adult. Hence any partial and segmented approach will not be effective. Development factors including educational measures and social security Measures must be integrated into any strategy for elimination of child labour.

- The supply of based on low technology will hamper modernization and higher productivity. The continuation of child labour is a recipe for any economy to get stuck at low wages, low productivity and low growth rates.

**RIGHT OF CHILD**

**(UNITED NATION GENERAL ASSEMBLY, 20 NOV, 1998)**

Countries includes in contract :-

- Accept that sanction of Human right in the world is basis of freedom, Justices and peace.

- Express their consensus that family, society and group members especially children development and essential protector and assistant shall be given to child so that protection and assistant shall be given to child so that he can lead his life with resistibility.

- Accept, that a child may be bitterly developed in family with love affection, sympathy and mutual understanding.

- Understand, that children are living in hard situation in the world and they are subject of special attention.

- Protection of child and development all nations keeping their tradition and culture values especially in developing counties, congress included in contact experienced their Conesus about following.
Article-1: In the prospective of this contract, child means every person without and discrimination of caste class, creed and sex under 18 year.

Article-2: All computers who signed over this contract will respect the right of child and ensure their use by children.

Article-3: Attention shall be given for total wateriest of children whether the activities are to be done by public or private organization.

Article-4: All countries will social economics and cultural area for children use the resources.

Article-5: Parent and guidance’s will perform their responsibilities to respect child and meet his need.

Article-6: Every child has right of survival every attempt shall be made for his development.

Article-7: Child registration in compulsory so that he many be given the name of his father and neutrality.

Article-8: If any one for filled the nationality of child all countries will press that country to reinstate nationality of that child.

Article-9:

- Countries included in contract will ensure this that a child should not be isolated from his parents wishes unless and legal officer understand that his parents are not appropriate to deal with him. This type of condition is necessary in the situation of wherein parents maltreat and neglect or father mother themselves separated.
In this article and it pera No.-1 during and kind at proceeding every part who wishes to participate, shall allowed to express his ideas.

Countries included in contract will welcome the right of child and have regular relation with the parents of the child provided there relations shall be good in the interest of child.

If countries included in contract proceeding such as banishment, under arrest, home arrest, migration or death any of them father or mother, has to isolate from child, father mother and children or if appropriate other member of family or non member of family will give awareness provided such is awareness is not in welfare of child. Countries included in contract will also ensured that are who provide information should not suffers adverse effects.

Article-10: In pera No. 1 of article-9, according to the responsibilities of countries included in contract for the reemitting with family of any country to leave that country of come an application is submitted by child or father or mother, then countries included in contract will take positive as well as humans atone action. These countries will also ensured on there on these application that they should not be affected aversely. 2. If the parents of child live in separated countries then a child has right to have regular personal relation if terms allowed. These countries will welcome if parents do some but the right of leaving country shall be redistricted, are regulated by court and necessary to maintain national security public system, public health etc.
• Article-11: Included country members will initiate on sending wrongly children to foreign countries and not return to country incidence. For this objective member countries will attempts on one way and two way contract.

• Article-12: Child who can express him ideas, shall be ensured by contract, member countries, that he has right to express his ideas related to issues. Adequate importance shall be given to child according to child age and maturity. For this purpose a child shall be given to child according to child age and maturity. For this purpose a child shall be given an opportunity to express his idea self or by representatives or institution during legal or administrative proceedings.

• Article-13: Child will interaction in the right of manifestation in the form of oral, written publication or in art form or any other media lucked by child. Very part of information receiving or telling other, a child has.

• This sort of right may be under some terms and condition but that restriction ought to be legal.

  (a) For other rights and prestige.

  (b) National security, or public system or for public health and morality.

• Article-14: Countries included in contract ensure the right of child according to machined idea, or religious freedom in contract. Countries included countries will respect the rights related to right and duties according to emerging capacities of child for thin use of rights. There may limitation of religion, beliefs and their
demonstration which are necessary for public security system, health and mortality or fundamental right of people.

- Article-15: Including countries in contract accept children freedom to formulate an organization and peace fall gathering. No any kind of restriction other than those which violate the law of any country, shall not be observed.

- Article-16: There shall be no legal restriction on child personal life, family, house and letter correspondence nor shall be attack on child respect, prestige. Child has to safe guard from such sort of intervention.

- Article-17: Included countries member accept public and mass media role an it importance and ensure that child can getter information from National or international channel especially from such sources which are related to health, social spiritual mental and physical wellbeing. For this objective included countries members.

  - Will encourage public mass media channel to transmit information related to social and cultural aspects.
  - Encourage interaction aqueous to exchange information related to culture, national and international sources.
  - Encourage child publication and their availability within the reach of children,
  - Encourage to media agencies to keep consideration on language related of rises of minorities and tribes.
  - Encourage media not to prepare information against children socialization.

"Child Abuse and Maltreatment"
• Article-18:

1. Countries included in contract shall do all possible attempts that child carte is joint responsibility of both and legal owners. Child interest shall be fundamental anxiety of them.

2. For ensuring pre-right and encouraging countries included in contract will provide appropriate help to parents or legal guardians of child care. For giving care to child rendered by institutions.

3. Countries included in contract will ensure that working women ought to be eligible and could enjoy the right of their child care.

• Article-19:

1. Countries included in contract will try thin level best do legal, administration, social and educational endeavors so that cared child under father mother or legal guardians, could save from physical and maltreatment of sex.

2. According to relevance under there safe-guards effective process are assimilated to run social programme which could provide help to child. In these endeavors child abuse prevention identity such behaviour, reporting, trails, treatment, keeping eye on such phenomena and legal excitation are included.

• Article-20:

1. If any child is denied permanently or quasipermanently environment or for less welfare his placement is not useful that environment, in this condition that child has right to enjoy special protection.
2. Countries included in contract will make secondary system of care of child in according with their national laws.

3. In this care, apart from other to take care a child by other is irreligious. In this care of child the attention of caste, religions, culture and language is essential.

- **Article-20**

  1. Countries included in contract provide sanction to adoption they will ensure that absolute consideration shall be done in the interest of child.

     a. Adoption can be used under a eligible officer. This officer should insure the adoption legally done offer getting reliable information and verify relation of mother father and legal guardian, adoption can be accepted or not thin provide his counseling.

     b. A child who is adopted in another country is only possible when his adoption is not fruitful by country man.

     c. After ensuring all things appropriate action should be taken. In should be observed that him. Foreign adoption some one is not getting profit of nay kinds.

     d. Where it is appropriate two way system should be used and attempts shall be made to send the child foreign under the guidance capable person or institutions.

- **Article-22**

  1. Countries included in contract, will attempts if a child wants to get the class of refused or he is treated as a refuse under

  "Child Abuse and Maltreatment"
international or national laws or processes whether he is with his parents or other or not, should get humans help.

2. For this purpose, countries included in contact as they feel appropriate, will cooperate with U.N. or any other international organization so that such child can get protection and helped. Father or mother should be treated of a refuse child so that action can be done to remeet the child with family members and get protection.

* Article-23:

1. Countries included in contract accept that mentally retried and physically handicapped children should lead good life full for dignity. They ought to encourage standing on their own feet, he should be given proper participation in society.

2. Countries included in contract accept that they will assist those who will take care of handicap and disabled children in accordance with adequate resources.

3. By understaffing the special needs of disabled children, atone assistance shall be provided to parents and other who are looking these children. The objective of this assistance shall to provide education, training, health service, rehabilitation service, preparation of employment and opportunities of recreation ay be possible and he (child) adopts them in such a adoptive manners of society.

4. Countries included in contract will exchange knowledge regarding treatment therapies to control disability, in which knowledge of rehabilitation, education and vocational service are
included so that countries can extend thin capabilities in these areas. In this developing country especially under consideration.

- Article-24:

Countries included in contract sanctions the right of -

1. Getting treatment by the child preparing possible indication of health. Countries will attempts to in such a extent that no child leave without service.

2. Countries will try completely to implement and specially in following area.
   
   a. To end child and infect mortality.

   b. To ensure medical service and health service to child.

   c. To attempts elimination of malnutrition from children. In them service easily available technology, sufficient food, safe water supply are included

   d. To ensure antenatal metal and postnatal service’s

   e. To ensure creating awareness about breast feeding hygiene, environmental sanitation, prevention measure accident to child of weaker sections.

   f. To encourage carte of health, direction to parents and providing found planning education.

3. Countries included in contract make arrangements to eradicate harmful traditional practices.

4. Countries included in contract are committed to fulfill all these deeds especially in developing countries.

“Child Abuse and Maltreatment”
- Article-25: Countries included in contract accept that a child should be given treatment and condition assessed in which he is given treatment by the capable officer who has eared, protected and treated.

- Article-26:
  1. Countries included in contract will sanction the right of child to reap benefit from insurance and social security and will do every possible work that according to national laws Childs enjoys right.
  2. If the child or on behalf of the child apply for these matters by guardians or any other individuals keeping the view by resources and situation, adequate benefit should be given to child.

- Article-27
  1. Countries included in contract accept that very child has right or receive appropriate physical, mental spiritual, moral and social development and life standard.
  2. Parents or nay other who are looking after the child should provide essential condition for the developing of child according to their economic status.
  3. Countries included in contract according to thin resources and national circumstances in the implementation of these right, there resistibility of charring the child, will provide help and if needed then help, helping programmes especially nutrition, clothes and for the housing, shall be provided by them.
  4. Countries included in contract will collect money from parents or related other residing in foreign countries especially in these meters where these are living in foreign countries.
Article-28:

1. Countries included in contract accept the right of child education and on the basis of equality, following attempts shall be made

2. To provide free primary education to child.

3. To encased professional and equipment higher secondary education for the child and provide freely along with financial did.

4. On the bases of capacity, all possible attempts shall be made to provide higher education to the child.

5. T facilitates children by right of information and directions.

6. T ensures cent percent attendance of children in school and reduces the rate of school drop out.

7. Countries included in contract shall try to maintain discipline according to dignity of child.

8. To extent interaction cooperation and encourage to eradicate illiteracy from the world and provide modern science and technical knowledge to child.

Article-29:

1. Countries included in contract, were consensus that the education of the child shall be directed in following sides -

(a) Total mental and physical personality development of child.

(b) To erect respect on in child about humans right, fundamental freedoms and U.N. declaration documents

(c) To developed a sentiment of respect in a child towards life values, languages, culture, residence of others about from his language, culture and religion.
(d) To prepare a child such mutual understanding, peas tolerance, male female equality and friendship so that he can lead responsible life.

(e) To develop respect feeling in child about natural environment.

(f) Countries will provide education to child according to international indication.

- Article-30 : In those countries wherein all castes, religion and languages minorities are lived, they shall be not restricted to speak their languages, observe religion and follows thin own cultural values.

- Article-31 : Countries included in contract, will provide right to protect child from any economics loss, exploration, hazardous working condition heritance in child education, harmful condition to health, or physical social, moral or mental wellbeing.

- Article-32 : Countries include in contract will educational, legal and social endeavors especially -

To decide age for employment.

(a) To formulate legislations regarding working hours and terms and condition.

(b) To formulate legislation regarding working hours and terms and condition.

(c) To make provision for punishment.

- Article – 33 : Countries include in control will perform administrative, social and educational work so that child should not be used in suggesting the drugs and alcohol.
• Article-34: Countries included in contract, are committed to escape children from sex, abuse in any forms for the sake of it they will be:
  
  (a) Child will not be motivated for sexual act
  
  (b) Child will not completed for prostitution
  
  (c) Child will not be use needed in any advertisement.

• Article-35: Countries included in contract, child should not be sold and kid napped.

• Article-36: Countries included in contract will save the child from any sort of undeclared activity and inappropriate exploitation.

• Article-37:

  Countries included in contract will ensure:

  (a) Child shall be any kind of punishment.

  (b) Child can not be isolated from freedom by willful means. The punishment shall be given to child according to law and procedure not be is assisted and imprisonment.

  (c) Child will be given equal behaviour according to early, religion and age and humanity. They shall be kept isolated from adult when it shall be better in their right

  (d) Child shall be authorized to get early judgment if some thing is wrong against him in any court.

• Article-38:

  1. Countries included in contract, in every weapon conflict provide commitment to welcome the laws.
2. Every applied work shall be done that under 15 year child should not participate in any battle and war.

3. Child 15 year old should not be allowed or admitted in army.

4. Countries will do a lot in safe guarding the children who shall be under thump of battle.

- Article -39: Countries included in contract will work to prevent child from neglect, exploitation and abuse of any type. To make child again normal and rehabilitate him in society, will create respectful environment.

- Article-40:
  
  I. Countries included in contract accept that any child who isolated the law, shall be given minor punishment.

  II. Countries will perform following deeds.

  III. Child should be punished for that act which is not done intentionality.

  IV. If child is found quit yet he shall be given following quaternary.

  V. Unless he provided offender.

  VI. His prevent shall be informed.

  VII. Capable officer will hear the case.

  VIII. Child not be compelled for witness before court.

  IX. If child committed heinous crime than again and again he should be trained.

  X. Child should be given translate if he is to understand and the other language.
XI. Any point shall note keep and effect on this contract which will not four able to child right and that,

XII. Laws of country member country.

XIII. International law, already included in that country.

PART-2

- Article- 42. Member participated in contract take ... for comprehensive publicity about principles and provision.

- Article-43. The commitments given about responsibilities in contract. An association shall be constituted to appraisal

1. In this ten specialist shall be member of this association belonging to child welfare area and high moral status and dignitary. These members will be selected by thin own country them they will perform their work by their individuals capacity. Absolute consideration will be given of geographical area and main legal method so that equality can be ensured.

2. These member shall be elected by country members nominated member list. Only one member can be nominated by country member.

3. The election of association shall be ensured from the date of contract within 6 months. After that alternative year election of association will take place. U.N. secularly general will inform to each country member before 4 months before so that country member could submit thin nominations along 2 months. Then a list shall be prepared and submitted before the country member.

4. Election will take in U.N. secretary general office of association members for 4 years. In which 2/3 member's presence will be
essential. Those members will be elected who will get highest votes.

5. members shall be elected for 4 years. they can second time be elected. Those who already elected member, five members time shall be ended before 2 years and such members selection shall be made by president of meeting by lottery system.

6. if any member expired or regional for declared his registration that he is unable to perform his responsibilities, then countries which nominate, will appoint from thin selected list. That members will work up to rest period of expired or resigned members but acceptance of association is essential.

7. Association will decide rules of it work process.

8. Association will elect its designation for two year.

9. Meeting will take place rationally U.N. head quarter or on any convenience place of association. Association will organized meeting yearly. If require with the due to permission of U.N. included country members will access the working at association the working of association.

10. U.N. secretary will ensure management of no. of personal and facilities for effective working.

11. On acceptance of U.N. Assembly, member of association will perform thin work in accordance with pre-determined terms and condition.

- Article-44:

  1. Countries included in contract through U.N. secretary will provide report regarding child right.
a. Whether two years enforcement of contract.

b. After if in every five years.

2. In this report, there is any factor which evate hindrance shall be subject of narration along with detailed information which will facilitate the aware of the members.

3. Association well invite suggestions from member countries.

4. Association through economics and social councils will submit its report in every 2 years.

5. Countries included in contract will make available the report for their citizen.

The provision and effectiveness, shall encourage international cooperation in the world.

(a) In specialized institution - UNICEF and other institutions representative shall be right about the implementation of such provision which come in area. Areas of contract which come in areas of specialized world institution, for especial counseling, these institutions could be invited. For this request can be made to give its report.

(b) If any country who is country member submits such report in which request in made for technical counseling and help or indicated even regarding assistance. If association desires to include these indications, shall be submitted to UNICEF and other world institution.

(c) Association can recommended to U.N. assembly that it should be requested to U.N. secretary on behalf of assembly that he should order to conduct researcher on child related subject and problems.
(d) Under article 44 and 45 association can suggest on the bases of information that such sort of suggestions shall be sent to country member with their comments if any, shall be given to U.N. assembly.

**PART-3:**

- Article- 46. All country member shall make thin signalizes on this contract documents.

- Article-47. The contract shall be accepted and acceptances will be submitted in the office of U.N. secretary general.

- Article-48: Any country can be participated in this contract. Application shall be submitted in the office of U.N. secretary general.

- Article-49:
  1. This contract other general agreement by member countries shall be submitted in 20th session of U.N. secretary and came in force 30th day.

  2. No sooner did any member country with do as aforesaid then the contract shall be regulated in that country after 30 days.

- Article -50. Any member of assembly can submit memorandum regarding and abutment and will have to registered in the office of U.N. secretary U.N. secretary will inform to each members and request to these country members. Whether or not, calling assembling on these anointment is essential. In answers in are thin member received within four months, than U.N. secretary shall call U.N. assembly session. Participating members shall give vote in favour or unfavour of amendment offer that amendment shall be carried out.

  1. In this article all the adjustment passed by the process of untitled general assembly, shall be accepted by 2/3 members of houses.
2. If any amendment is regulated, then it shall be compulsory to accepted countries. For other countries, these contracts will be accepted.

- Article-51. Including countries member agreement and any trouble at the time of agreement on various issues shall be received U.N. secretary general and send to each country man. No a single objection shall be considered if that is not connected with contract aim and objectives. At any time objection can be returned from U.N. secretary general and the same shall be intimated to each member of country by him.

- Article-52. Including members of the country can unaccepted the contract by intimation to U.N. secretary general such intimation shall be accepted after one year.

- Article-53. U.N. secretary has alcohol as storekeeper of this document.

- Article-54. U.N. secretary general will store the contract report dully translator in Russian, Spanish, Arbi, China, Presh and English language. All signatories made signatures on the contract of child right on 22 Nov, 1985.

OBJECTIVE OF STUDY:

1. To Study the Socio-economic and demographic features of Parents of children.
2. To Study the Causes of Child abuse, neglect and maltreatment.
3. To identify Various types of child abuse, neglect and maltreatment.
4. To understand the consequences of child abuse, neglect and maltreatment.
5. To examine the association between poverty and child abuse, neglect and maltreatment.

"Child Abuse and Maltreatment"
REFERENCES

1. According to WHO: "Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, in the context of a relationship of responsibility.

2. According to WHO, term 'Child Abuse' may have different connotations in different cultural milieu and socio-economic situations.

3. According to the 2001 Census report, amongst all persons living with disabilities,


6. According to the report published in 2005 on 'Trafficking in Women and Children in India,

7. According to National Aids Control Organization (NACO),

8. The National Crime Records Bureau (NCRB) reported 14,975 cases of various crimes against children in 2005


11. The psychiatric explanation was propounded by scholars like Kempe (1972), Stelle and Pollock (1968), Gelles (1973), and Parke and Collmer (1975)

12. Personality development and poor self-control (Wolfe. 1987:45)


15. Fieldman (1982) is that it is unable to account for the finding that given the same set of deprivation or adverse conditions

16. The social habitability explanation was proposed by James Garbarino in 1977.

17. The social control explanation was propounded by Gelles in 1973.

18. Reduce the costs and increase the rewards of being violent (Gelles and Come 1985:121).

19. Laslett (1978:480) serves to reduce the degree of social control exercise, over family relations.

20. Gelles (1973) has maintained that certain types children—like the handicapped.

21. Ivan Nye (1979) like Gelles, had also earlier accepted the application of Peter Blau’s theory, in explaining child abuse.

22. Gelles and Cornell (1985) have proposed that child-beating is more common when relatives.

23. The resource explanation was given by William Goode in 1971.

24. The social interactional explanation was given by Burgess in 1979.


26. United States were abused or neglected under the Harm Standard in 1993.
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