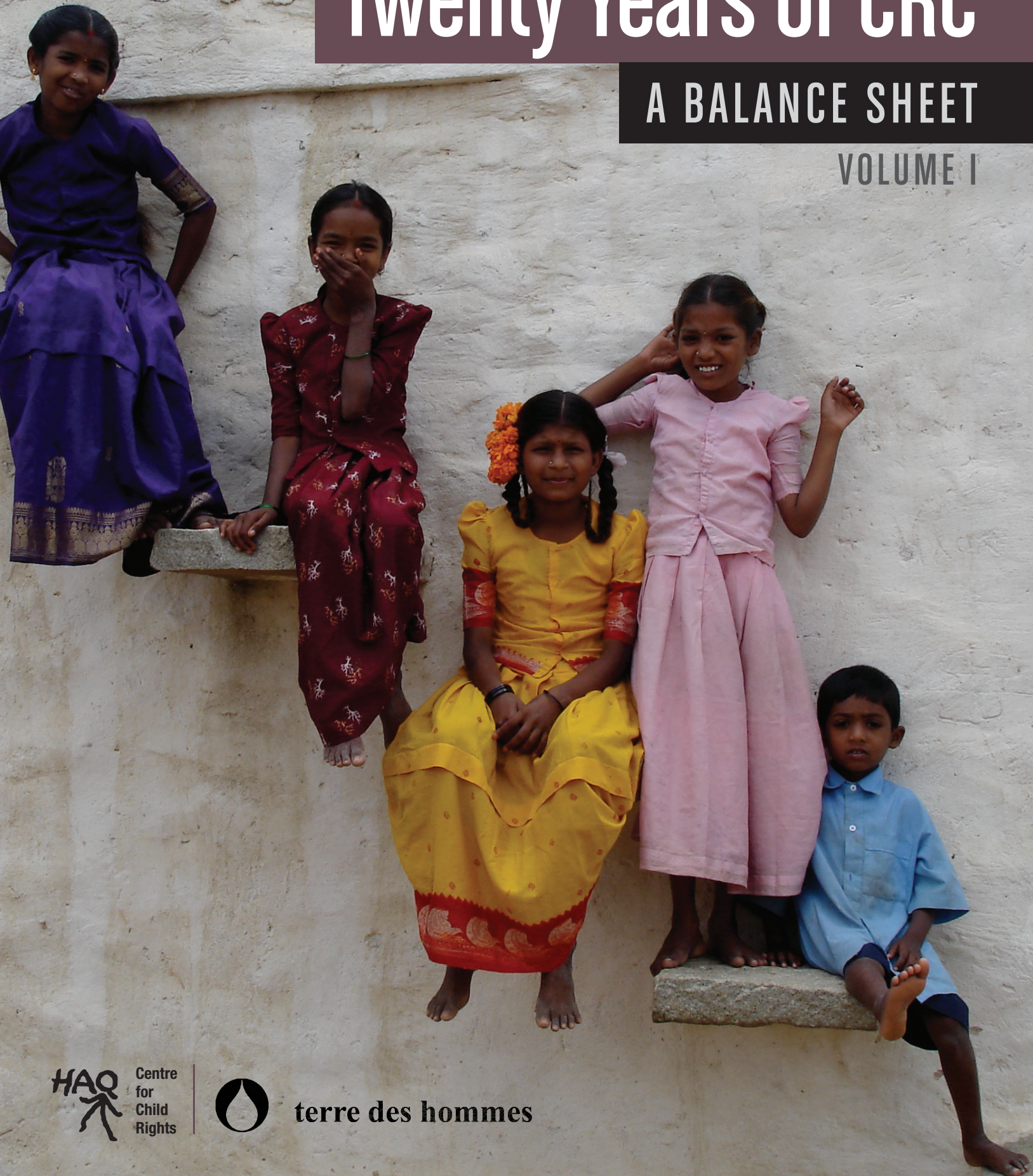


Twenty Years of CRC

A BALANCE SHEET

VOLUME I



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A Balance Sheet

Volume I

HAQ: Centre for Child Rights 2011

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Chairperson

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GOVERNMENT OF INDIA
राष्ट्रीय बालक अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

FOREWORD

The Report “Twenty Years of CRC: A Balance Sheet” is an indispensable document for policy makers, professionals and experts, activists and the civil society, scholars in the field of protection of children and child rights. Covering a span of two decades, the volume is a rich resource with both qualitative and quantitative data on the status of children in India from authentic and established sources.

It also gives a balanced review and analysis of the implementation of the laws, policies and programmes designed for children, and makes an assessment in relation to the UN Convention on the Rights of the Child.

The report carries an optimistic tenor reflecting on some progressive legislation that came about in the last two decades, such as the ‘Right of Children to Free and Compulsory Education’ Act 2009, which made education a fundamental right; the series of pronouncements of the judiciary that propelled provisioning of hot cooked meal at the Anganwadi centres, schools making access to food entitlements a basic right; the Integrated Child Protection Scheme that has elements of decentralisation through a network of structures and processes from the ground, block and state level to protect every child – all based on a child rights perspective with emphasis on State obligation and principles of universality, equity and justice, moving away from charity.

The data that shows some improvement in the status of children indicates the efforts of officials, and efficient structures and processes that make the system work. It shows the movement from Statelessness to availability of State support, from deficit childhood to childhood being fulfilled and more importantly, the triumph of dignity of the child.

Yet the failure of the State to meet the constitutional obligations are warning signals that it would be disastrous for children if no action is taken with a sense of urgency and immediacy. The report brings out some disturbing facts and shows the innumerable hurdles and barriers children are to overcome to access their rights, the unfinished tasks and the failure of the State to protect children.

Resulting from a nation-wide consultative process and endorsed by over 350 organisations and children from all parts of the country, it calls for serious attention.

(Shantha Sinha)

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Acronyms

ADB	Asian Development Bank
AE	Advance Estimate
AIDWA	All India Democratic Women's Association
ASHA	Accredited Social Health Activist
BPL	Below Poverty Line
CRC	Convention on the Rights of the Child
CSO	Central Statistical Organisation
EGS	Education Guarantee Scheme
EPW	Economic and Political Weekly
FDI	Foreign Direct Investment
FEMA	Foreign Exchange Management Act
FERA	Foreign Exchange Regulation Act
FORCES	Forum for Crèche and Childcare Services
GDP	Gross Domestic Product
GoI/GOI	Government of India
ha	hectare
ICDS	Integrated Child Development Services
IIED	International Institute for Environment Development
IMF	International Monetary Fund
IT	Information Technology
ITES	Information Technology Enabled Services
JNNURM	Jawaharlal Nehru National Urban Renewal Mission
kg	kilograms
LBW	Low Birth Weight
MCX	Multi-commodity Exchange
MDMS	Mid-day Meal Scheme
MFIs	Micro Finance Institutions
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MGNREGS	Mahatma Gandhi National Rural Employment Guarantee Scheme
MNC	Multi-national Corporation
MPI	Multi-dimensional Poverty Index
NALSA	National Legal Services Authority
NCEUS	National Commission for Enterprises in the Unorganised Sector
NCPCR	National Commission for Protection of Child Rights
NCRB	National Crime Records Bureau
NDA	National Democratic Alliance
NFHS	National Family Health Survey

NGO	Non-governmental Organisation
NLO	National Labour Organization
No./no.	Number
NRHM	National Rural Health Mission
NSSO	National Sample Survey Organisation
OBCs	Other Backward Classes
p	page
para	paragraph
PC&PNDT	Pre-conception and Pre-natal Diagnostic Techniques
PDS	Public Distribution System
PHC	Primary Health Centre
pp	pages
PPP	Public-Private Partnership
PSUs	Public Sector Units
RBI	Reserve Bank of India
RDA	Recommended Dietary Allowance
RMMS	Rashtriya Mill Majdoor Sangh
SC	Scheduled Caste
SEZ	Socio-Economic Zones
SSA	Sarva Shiksha Abhiyan
ST	Scheduled Tribe
TNCs	Transnational Corporations
TNN	Times News Network
TOI	The Times of India
TRIPS	Trade Related Intellectual Property Rights
TRP	Target Rating Point
TV	Television
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UPA	United Progressive Alliance
US	United States
Vol	Volume
WHO	World Health Organization
WTO	World Trade Organization

Unit Conversion Scale

1 Lakh = Hundred Thousand

1 Crore = 10 Million

10 Crore = 1 Billion

1. Introduction to Twenty Years of CRC – A Balance Sheet

Children have only recently come on to the Human Rights agenda. Traditionally, they have not been treated as a separate group but were regarded merely as a residual category. They were thought of merely as an extension or property of their parents. Children did not enjoy any special protection or benefits in medieval times. Even in the landmark French Declaration of Rights of Man in 1780 the question of children's rights did not find any mention. The industrial revolution did not make much of a difference. Children continued to be lumped together with adults in the world of work and toil. "As the industrialisation process progressed, children were moved from mills to factories and mines, where conditions were often even worse".¹ However a concern for childhood began to grow towards the end of 19th century. Ellen Key, in a book, entitled, *The Century of the child*, prophesised that the forth coming century would be the 'century of the child'². This prophecy appears to have been fulfilled by the adoption of the Convention of the Rights of the Child (CRC) by the UN General Assembly in 1989.

Thus, during the course of this century, a universal concern for childhood has grown along side the ideas of human rights. Human rights are today understood not only in the form of the individual civil and political rights within a nation state, but also in terms of social, economic and cultural rights. The United Nations Organisation has in fact established an international community which sets up ideal standards to be laid down in many matters including the treatment of children. According to Sieghart: "How a sovereign state treats its own citizens is no longer a matter for its own exclusive determination but a legitimate concern for all other states and their inhabitants". Thus the concern for children which initially started as part of the concern for the future of individual nation states, has spilled over the boundaries of the nation states and become a universal concern. This will be further borne out while going through the whole process of the evolution of the Convention on the Rights of the Child (CRC).

It is in this context, that one can safely say, that of the various steps taken in the protection and interest of the child, the most significant one was the "Declaration of Geneva" which was promulgated in 1924 by the "Save the Children Fund International Union". This declaration put forward 5 basic principles of child welfare and protection. The League of Nations endorsed this declaration in the same year. Then came the devastating Second World War after which the United Nations (UN) was set up on 24th October 1945. This Declaration of Geneva was further revised and extended in 1948 and in 1959 by the UN Declaration on the Rights of the Child and adopted unanimously by the General Assembly of the United Nations (20th November 1959).

¹ Joel Bakan, *Childhood Under Siege*, Published by The Bodley Head, 2011, Chapter 1, p 8.

² Ellen Key, *The Century of the Child*, New York: GP Putnam's Sons, 1900, Cited in Cunningham, *Children and Childhood*, p 163.

What exactly is the difference between Declarations and Conventions? Declarations are certain general principles put forward as guide lines. These have no binding force. Technically these are known as “soft laws” whereas Conventions are binding. Conventions which have been ratified by those party to it, become a legal instrument. These are known as “hard laws”. Hence though the Declaration on the Rights of the Child was unanimously accepted by the UN General Assembly in 1959 it had no legal binding on the member states. Hence, the movement towards the Convention on the Rights of the Child. This does not mean that there have been no binding instruments on the international community of nations as far as the Rights of the Children were concerned. There have been ‘the Red Cross Geneva Convention’, ‘the ILO Convention’, ‘the International Covenants of Civilisation and Political Rights on Economic, Social and Cultural Rights’, etc, which have relevance to the situation of children. Further there have been ‘Standard minimum rules for the treatment of prisoners’, ‘the principles of medical ethics’, etc, which are not binding. All these may have specific references to the child but they have been spread out in different documents and have not been codified. Further these references did not take the specific situations of the child into consideration. All these were a mixture of “hard” and “soft” laws and not easily complied with or enforced.

The Universal Declaration on Human Rights was adopted in 1948. Children’s Rights are an integral part of this declaration but as the situation of children is specific, protection of the rights of the Children also called for a specific international convention which was binding on the parties to the convention.

It was the Government of Poland which first proposed such a convention on the Rights of the Child on the eve of the International Year of the child i.e. in 1978. This initiative provided an opportunity and impetus to define more clearly and to harmonise Human Rights standards for children. This proposal was not meant to replace the Declaration on the Rights of the Child of 1959 but to supplement it. It was meant to make at least part of the declaration on the rights of the child, binding on the member states.

However, this proposal was not easily accepted by the members of the United Nations. Some argued that it was not necessary because there already existed a declaration on the Rights of the Child and others argued that the Rights of the Children were also protected by the Universal Declaration on Human Rights and the other International Covenants etc. but finally the supporters of the idea of the convention succeeded in dispelling the hesitations and in taking the project forward. Hence a working group, set up to review the UN Commission on Human Rights in 1979, reviewed the text proposed by the Polish Government. The working group was called “Working Group” on the question of a Convention on the Rights of a Child. It consisted of members from 43 member states. The delegates from other member states also could attend as observers. Non-Governmental Organisations (NGOs) in consultative status with the UN Economic and Social Council could also be represented. The working group meetings were open to the public.

Several NGOs reacted to the Polish proposal for the draft convention. A few of them played a very active role but as the NGO involvement was rather sporadic, a consultation was organised for interested organisations and an *ad hoc* NGO group on the draft of the convention was set up. This group met twice a year and unified the NGO proposal to the UN working group. The contribution of the NGOs have been significant and the UN working group has sometimes taken the entire article proposed by the NGO *ad hoc* group. The NGO *ad hoc* group also worked in collaboration with UNICEF.

Once the working group adopted the first draft of these three sections, the entire text was reviewed to remove any contradictions that might have been there. The text also was standardised in the terminology of international legal usage. It was then put before the Commission on Human Rights, which after approval sent it to the UN Economic and Social Council. This Council presented it to the UN Assembly.

Thus in November 1989 at the 44th session of the United Nations, the member states were asked to vote for this historic convention on the Rights of the Child. The Convention was designed to elevate the nations' political and humanitarian obligations towards their children. The commitments to the protection of children which were scattered through more than 80 International Treaties and Declarations since the days of the League of Nations (a 60 year period) have been codified and upgraded through this convention. The existing standards have been modified and consolidated and a range of relatively new issues of importance have been included. This is a comprehensive Human Rights Convention focusing on the special needs and situation of children. The convention required an active decision from the individual states to ratify them. A mechanism of monitoring was included in the convention.

The convention recognises the special vulnerability of children and addresses their civil, political, economic, social and cultural rights as elements of inter dependent or mutually reinforcing set of provisions. The rights of survival, development, protection and participation are recognised as basic human rights of children. The right to survival includes adequate living standards and access to medical services.

The right to development includes access to information, education, play and leisure, cultural activities and the right to freedom of thought, conscience and religion. The right to protection, apart from embracing the above also covers all forms of exploitation and cruelty, arbitration, separation from family and abuses in the criminal justice system. Participation rights include the freedom to express opinions in matters affecting ones' own life and the right to play an active role in the society at large.

The other problems addressed by the convention are problems of refugee children, sexual and other forms of child exploitation, drug abuse, children in trouble with the law, inter country adoptions, children in armed conflicts, disabled children and the children of minority and indigenous groups.

The primary underlining principle of the convention is the 'best interest of the child'. It states that the child's own opinion shall be given due regard. The child is regarded as an individual with needs which evolve with age and maturity.

The convention recognises the importance of the family as the primary social group. However, here also the primary concern of the convention is the interest of the child in question. If the interest of the child calls for its separation from the family, the convention allows it. The child has the right to protection even against familial abuse. The convention recognises adoptions as an alternative solution if the child is deprived of family environment. However, it puts the obligation on the member state to have standard safeguards in the child's own interest against both domestic and inter-country adoptions. It regulates that no improper financial gain should be involved in the inter-country adoption process.

The convention recognises the child's right to protection from economic exploitation and from performing work that is likely to be hazardous or to interfere with the child's education. The child is further protected against sexual abuse. The child has a right to express his or her views and the state parties are obliged to give due regard to the same. The state parties are further required to respect the right of the child to freedom of thought, conscience and religion. The convention lays down the state's obligation to ensure the survival and development of every child. This means that the states are legally bound to do everything possible to prevent child mortality and disability.

The states which agree to observe the convention will report to a committee on the steps they have taken to comply with it. The convention requires the states to ensure that the principles of the provisions of the

convention would be widely known and to see that their reports in the committee on the rights of the child are made public. The convention would become an International Law when twenty nations had ratified it.

One of the special features of this convention is the recognition of children's right of choice. It allows them to have a voice in decisions made for their protection and welfare. The 1959 Declaration did not include this. Another significant feature is the extra-ordinary involvement of Non-governmental organisations in the entire process of preparing the draft, deliberating on them etc. The assertion that the "best interest of the child" shall be a primary consideration" in all actions concerning children is another significant feature.

The convention became a law on the 2nd September 1990 only nine months after it was approved unanimously by the UN General Assembly. It is reported that no other human rights convention has become a law so quickly. By the time of the World Summit for children in 1990 fifty nations had ratified the Convention on the Rights of the Child and a further seventy-eight signed their intention of becoming parties when their governments completed the ratification procedures.

The two decades after the adoption of CRC by UN General body and the subsequent ratification of it by many countries including India, also happen to be the two decades of a new economic paradigm becoming dominant. This is the decade in which the neo-liberal economic tenets which started with Ronald Regan and Margaret Thatcher in the nineteen eighties, took firm root all over the world. The core idea of the paradigm that free markets are the most effective way to achieve the greatest public good for society and individuals, began to be practiced aggressively. Free market economy, liberalisation of trade and privatisation were the three pillars of globalisation which became a purely economic globalisation and resulted mainly in the penetration of financial capital into all regions and sectors. Consequently the priority of children's wellbeing and acting on the basis of the 'best interest of the child' was relegated to the background. It was as if there were conflicts of interest between two sets of legal persons, the children on the one hand and the corporations on the other. The interests of the corporations were promoted and those of children neglected.

Ever since the adoption of the CRC, Governments, International organisations, Civil Society organisations and social movements have all struggled to bring the articles of the convention into reality.

Numerous actors have engaged passionately in such efforts. Twenty years after the CRC came into existence, seemed to be an appropriate time to pause and review the situation.

Tdh Germany too shared these concerns. Hence the idea of the "Twenty Years Audit" emerged from a common meeting of elected representatives of tdh partner organisation from four continents, as well as tdh members and colleagues, during the delegates conference of 2009 – the resolution was introduced by delegates from India and was passed as follows:

"Be it resolved that Terre des hommes Germany starts an international AUDIT on the implementation of child rights in all project countries including Germany and elsewhere in Europe on the occasion of the 20th anniversary of the UN Convention on the rights of the child (20th November 2009). The central message of the AUDIT: governments have not kept their promises. Terre des hommes presses the governments at the national and international levels to grant the children their (the Human) rights which are their due. The necessary financial resources that have been promised must be actually made available. The audit is planned to last until the end of the year 2010. It will conclude by enlisting specific issues for campaign and advocacy. Until the 25th anniversary of UNCRC there will be campaigns in the Project regions and Germany."

Subsequently the proposed audit process was undertaken in India through setting up of a Steering Committee and an Organising Committee. HAQ Centre for Child Rights agreed to coordinate and anchor the whole

study and audit process. The process has been extensive and engaging. Draft versions of different chapters were prepared and introduced to meetings of partner and other organisations working on child rights in different regions. Inputs from all these meetings were incorporated and further discussed with experts and activists through focus group discussions and the final draft was presented to a national consultation in Delhi. Children too were consulted. The whole exercise has been done with a sense of 'common but differentiated' responsibility of the governments and other actors, all duty holders in realizing the rights of children. The report acknowledges the efforts and achievements, but at the same time records the deficit, as in a balance sheet. It is hoped the same will motivate all duty bearers like the government, the parents and civil society organisations in a more engaged and focused attempt to realise the 'best interest of child' in all senses.

This principle of 'best interest of the child' together with other guiding principles CRC would lead us to recognise even more areas of rights of children which need to be asserted, for example ecological rights of children.

C J George
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terre des hommes Germany

2. The Process

Background

20 November 1989, rights of children received global recognition with the Convention on the Rights of the Children (CRC) being adopted and opened for signature, ratification and accession by the UN member states. The Convention entered into force on 2 September 1990 and the Government of India ratified it on 11 December 1992.

20 November 2009 marked the 20th anniversary of adoption of the CRC by the United Nations General Assembly. To celebrate the anniversary, the Committee of the Rights of the Child and the Office of the High Commissioner (OHCHR) and other partners organised a two-day celebration in Geneva.

On the other hand, partners of terre des hommes Germany embarked upon a 20 years' audit of the implementation of the CRC, based on a resolution passed in this regard at the terre des hommes Delegates Conference in June 2009. The resolution was passed after partner delegates from India moved a motion in this regard at the Conference. India is thus also the first of the partner countries to have taken a lead on this initiative.

The audit in India looks at the changes in the socio-economic, cultural and political context of India and its impact on children, the General Measures of Implementation adopted by India since ratification of the CRC and the status of children during this period. Calling it "Twenty Years of CRC – A Balance Sheet (CRC 20 BS)", the findings of the audit are presented in the form of a report, which runs into three volumes.

The Process

At the very outset it was decided that the audit in India should be an exercise owned by not just the partners of terre des hommes but all others interested in it. This included children's organisations other than those associated with tdh, other national and international NGOs, trade unions and federations of workers, women's organisations, *dalit* rights groups, disability rights groups etc.

The initiative was discussed at the National Project Partners' meeting of terre des hommes Germany, India Programme. In order to carry the process forward, an Organising Committee comprising one partner each from different states and a Steering Committee from each of the regions was set up.³

3 Annexure 1, List of Steering Committee and Organising Committee members.

The first meeting of the Steering Committee was organised by the India Office of terre des hommes Germany in Pune on the 15th and 16th of January 2010. This was also where it was proposed that the initiative should be called “Twenty Years of CRC – A Balance Sheet (CRC20BS)”. The proposals and decisions made at the Steering Committee meeting were shared with the Organising Committee at its meeting in New Delhi on 20 and 21 February 2010 and were ratified by the latter. The Steering Committee and the Organising Committee met twice in the course of the audit to review progress and plan further course of action.

Broad Framework

A framework for the audit and the methodology were discussed at the first Steering Committee meeting. The decision, as ratified by the Organising Committee, was that the audit report should follow the structure used for preparation of the country reports submitted to the Committee on the Rights of the Child. A section presenting the changing socio-economic, political and cultural context was also added to the structure of the report as a preceding document, to provide a backdrop against which changes in children’s life need to be reviewed. It was also decided to look at children’s ecological rights and seek inputs from the different regions/ states by way of case studies, survey reports, newspaper clippings etc. A time line too was finalised.

The broad framework for the audit report is thus as follows:

- **Setting the context** - A socio-economic, cultural and political context analysis focusing on the impacts of globalisation, liberalisation and privatisation and the micro and macro developmental policies of India on children’s rights.
- **Analysis of General Measures of Implementation of the CRC and the status of children in the last 20 years with respect to the different sets of rights**
- **The Balance Sheet**
- **Children’s Report based on consultations**

The Report is therefore in four volumes.

Methodology

The methodology discussed and adopted for the audit is as follows:

Preparing a preliminary draft report - A preliminary report was prepared based on the framework.

Sharing the draft with partners of terre des hommes Germany at different zonal partner meetings and seeking their inputs - The draft report was discussed at length in all the zonal partner consultative meetings and inputs taken. These meetings were held between May 2010 and January 2011 at Kolkata, Bangalore, Delhi and Mumbai. Several inputs were received from the partners during the consultations and commitments made by partners to send more information later also in the form of case studies, newspaper clippings, reports and surveys.

Coordinating receipt of inputs from the partners - It was the responsibility of the Organising Committee Members to coordinate with the partners who had promised to send information relating to the different chapters of the report and ensure that the inputs reached those writing the report by end of February 2011.

Final review - A final review of the report was undertaken by the Steering Committee between 11-13 May 2011.

Children’s Consultations - Having finalised the report prepared by adults, children’s consultations were planned in five zones⁴ and held during May-June 2011. These included children associated with both tdh partner organisations as well as non-partner organisations. It was ensured that children represented all categories, especially the most vulnerable. On an average 40 children per region in the age group of 12-16 years participated.

Details of children’s consultations are as follows:

Regions	Dates	No. of Child participants
North	30 May 2011 – 2 June 2011	46
South	18 – 20 May 2011	33
East	18 – 20 May 2011	34
West	25 – 27 May 2011	69
North East	13 – 15 May 2011	33
Total		215

The purpose of the consultation was to share the report prepared by adults with children and seek their inputs as well as endorsement.

As a preparatory process, the finalised report was adapted into two child friendly booklets developed by Mini Srinivasan. One carries the changing socio-economic, political, ecological and cultural context and its impact on children. The other relates to the implementation of the CRC in India. These were translated into different languages for use by children during the regional consultations.

Facilitators⁵ from different regions were identified for the children’s consultations. An orientation workshop was held for the facilitators on 14 May 2011, where the ground rules for the children’s consultations were clearly laid down. By then the children’s booklets were also ready and shared with the facilitators.

Inputs from children’s consultations form a separate volume to the report.

Focussed Group Discussions - One to two hour Focussed Group Discussions (FGDs) were planned in Delhi with certain groups to apprise them with the purpose of CRC20BS, share some critical findings and seek their support. Accordingly two FGDs were held with the following groups:

- Trade unions and social movements⁶
- Disability Rights Groups⁷

National Consultation - A two days’ National Consultation was planned to share the report and seek endorsement from various critical stakeholders such as INGOs, UN agencies, Government bodies, Media, Trade Unions, important networks and campaigns etc. The National Consultation was held on 20-22 October 2011.

Final Compilation - The report was finally compiled by HAQ: Centre for Child Rights into four volumes.

4 Annexure 2, List of Child Participants at the Children’s Consultations.

5 Annexure 3, List of Facilitators for Children’s Consultations.

6 Annexure 4, List of Participants at the Focussed Group Discussions.

7 *ibid.*

Endorsements - The report is endorsed by 215 children and 173 organisations, networks, campaigns and individuals.⁸

Launch of the Report - A launch of the audit report was decided between October-November 2011. With 20 November being the International Children's Day, it seemed the best time to launch the report around that time. Hon'ble Justice Altamas Kabir, Judge, Supreme Court of India and Executive Chairman, National Legal Services Authority (NALSA) very kindly consented to release the report on 17 November 2011 at the Constitution Club in New Delhi. Mr. Oscar Fernandes, Member of Parliament, Rajya Sabha and former Minister heading the Ministry of Labour and Employment helped in organizing the venue for the launch.

Other actions taken in the course of this audit

Based on the findings and the need of the hour, a Memorandum was drafted and circulated amongst civil society actors for endorsement. The memorandum demands withdrawal of India's declaration on Article 32 of the CRC, incorporation of a clear definition of a child as persons up to the age of 18 years in the national policy and legal framework, complete ban on child labour below the age of 18 years, making Right to Education a fundamental right for all children below the age of 18 years and drawing attention to children's ecological rights in policy, law and action. After collecting signatures, it will be sent to Parliamentarians, important offices of the Government of India, members of the CRC Committee and media on behalf of citizens of the country.

⁸ Annexure 5, List of Endorsements.

3. Twenty Years of CRC – The Changing Socio-Economic, Political and Cultural Context

Introduction

This chapter attempts to review the major economic, political, and social changes that have taken place in India in the past 20 years that coincide with the ongoing implementation of the Convention on the Rights of the Child (CRC), to understand the factors that affect children's rights as part of an audit of the 20 years of the CRC's implementation in India. Starting with a brief background about the need to contextualise the implementation of the CRC in India, it reviews major changes in economic policies, specifically looking at the agrarian sector, industrial and financial policies, and examines their impact on employment, poverty, food security, and the social sectors of health and education. It briefly takes note of the cultural changes taking place, the growing social fragmentation, and the changing political discourse in the country.

Background

20 November 2009 marked the 20th anniversary of the most widely endorsed and ratified international human rights treaty, the Convention on the Rights of the Child (CRC). The Convention clearly articulates the rights of children certain sets of basic rights of children viz. civil, political, social, economic and cultural rights, rights of children in abnormal or dangerous situations (such as war, disasters, riots etc.) and the right to due process of law.⁹ By signing the CRC on 11 December 1992, the Government of India committed itself to ensuring all rights for all its children and adherence to the principles of non-discrimination, best interests of the child, children's participation in decision making, and accountability in all policy and action relating to their rights. In 2004, India also committed itself to the two Optional Protocols to the Convention that deal with the involvement of children in armed conflict and with the sale of children, child prostitution, and child pornography.

Even before the ratification of the Convention, in 1950, the Constitution of India recognised that children make up a very important section of the country's population and accorded child rights an important status. It

- made special provisions for women and children (Article 15);
- prohibited child labour in hazardous employment (Article 24);
- protected children against exploitation (Article 39);

9 UNICEF, *The State of World's Children, Celebrating 20 Years of the Convention on the Rights of the Child*, November 2009. Available at: <http://www.unicef.org/sowc09/docs/SOWC09-FullReport-EN.pdf>

- provided for early childhood care and education (Article 45), equality (Article 14), and life and liberty (Article 21);
- prohibited human trafficking (Article 21A) and forced labour (Article 23);
- secured protection of children from economic exploitation and abuse (Article 39 e) and healthy development of children and protection of youth against exploitation and moral and material abandonment (Article 39f); and
- promoted education (Article 45) and nutrition and public health (Article 47).

In the past 20 years there have been further constitutional amendments to enhance these rights, and child-related legislations and policies with the purpose of dealing with the specific problems and issues of children in India. These will no doubt be reviewed as part of the CRC audit in due course.

The 20 years of CRC implementation have seen major socio-economic, cultural, political, and ecological changes. For example, 1991 effected a paradigm shift in India's economic policy, involving a movement away from the Nehruvian model of a self-reliant, import-substituting economy to the current neo-liberal system that envisages full integration with the global capitalist economy. This 20-year period has witnessed a shift from an essentially two-party arrangement to a complex coalition of political parties that constitute the ruling governments at the national and state levels from time to time and the emergence of 'new social movements' representing forces beyond the organised trade unions and political parties. Alongside has been a strengthening of the voices of various oppressed sections (backward castes, *dalits*, tribals, women and minorities, and even more marginalised sections within them) and the passage of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989. There has been a dangerous trend towards the de-secularisation of the Indian polity, with polarisation of communities along religious and ethnic lines. In all, these have been turbulent times for India. The impact of these changes is bound to affect the implementation of the CRC in India, although the linkages may not always be direct and obvious. This chapter provides the context in which the changing situation of children in India needs to be viewed and assessed.

3.1 Economic Policies – A paradigm shift

Immediately after Independence, economic policies were marked by positive state intervention and investment in major sectors of the economy designed to expand domestic markets and provide stimulus for economic growth. However, in the absence of radical land reforms, the obvious limitations of this strategy started showing in the 1980s. A growing fiscal deficit and a balance-of-payments crisis led to huge borrowings from the International Monetary Fund (IMF) in 1991. This paved the way for the introduction of neoliberal "economic reform" policies that have dominated the Indian economy for the past 20 years.

The core of these policies has been "structural adjustment", implying liberalisation of the economy, integration with global markets and global culture, and increasing privatisation (all of which goes under the popular acronym of "LPG").

The past two decades, the last one of the twentieth century and the first of the twenty first will be probably described as decades of "complete intellectual triumph of the trinity of liberalisation, privatisation and globalisation". The Indian economy has experienced significant changes in the two decades of the reform period which started in 1991. In the post reform period, India has done well according to many indicators such as economic growth, exports, balance of payments, significant accumulation of foreign exchange, resilience to external shocks, service sector growth, revolution in IT sector, stock market boom and so on. Thus, the economic reforms have contributed greatly to macro-economic stability and growth. GDP growth was

around 8 to 9 percent per annum in the period 2004 – 05 to 2007 – 08. India is a 1.6 trillion dollar economy. Investments and savings rates have been quite high in recent years at 32 to 36 percent. In spite of the global financial crisis, India's GDP rate has not declined significantly. Having witnessed a slowdown in the growth, in the wake of the crises, India's growth rates picked up to 8 percent in 2009 – 10 from 6.7 percent a year ago. The economy expanded by 8.9 percent in the first half of the current fiscal year (2010 – 11), making it one of the fastest growing economies in the world. GDP growth rate is expected to reach more than 8.5 percent in the next financial year, (2011-12) despite the uncertain global scenario. In the last two decades, India has also managed the inflation rates within limits although the problem of rise in food prices has been a worry in recent years.¹⁰

The period will be probably recorded as the period of fastest economic growth and integration of the national economy with global economy, leading India to become part of the group of twenty. There is no doubt that the Indian Economy has undergone significant changes in the last two decades. It has done extremely well in the sectors of economic growth exports, balance of payments, accumulation of foreign exchange and resistance to impacts from external factors. Service sector has witnessed massive growth, the IT sector has revolutionised the economy in certain sense. Stock markets have been booming with the result of unprecedented increase in foreign direct investment. It has thus benefited certain sections of the population in a very positive way.

However, in spite of the growth in GDP and stability of macroeconomic trends, there have been many concerns. The latest India Development Report edited by DM Nachane presented a Balance Sheet of the two decades of the reform “the overall assessment of reforms emerging from the various contributions to this report, is like the proverbial curate's egg, ‘good in parts’. On the growth front, reforms have indeed delivered beyond expectations, while simultaneously macroeconomic stability has been more or less successfully maintained. But the resultant growth and stability has had a fairly limited impact on poverty and seems to have aggravated both interpersonal and interregional inequality”.¹¹ The present chapter will go into more details of the negative impacts of the situation.

As a matter of policy choice, the economic crisis seen to be caused by growing fiscal deficit, has been addressed by cutting public expenditure rather than by mobilising additional resources. This has meant a redefinition of the role of the state, a policy of de-control, linking the domestic economy to international levels of production and prices, and trade and financial liberalisation. These changes over the past 20 years have had profound effects on the various sectors of the economy. The following sections look at some of the major trends in some of these sectors and draw inferences about the possible implications for children and their rights.

3.2 Agriculture

The agrarian sector has seen far and sweeping changes in the past two decades. Change in the agriculture patterns, commercial cropping, chemical intensive farming etc. have impacted people's livelihoods adversely. Globalisation in many rural parts of the developing world has led to an increase in contract farming arrangements. This is true for India too. The proportion of agriculture in total employment in India, which stood at around 64.8 percent in 1993-94, has been steadily declining; however, over half of India's workforce (52 percent) continues to be employed directly or indirectly in agriculture and allied sectors. More notable is the declining contribution of the sector to the GDP, which has gone down to 15.7 percent in 2008-09 from 18.9 percent in 2004-05 and a high of 30 percent in 1994-95.¹² Another important change is the decline in the

10 S. Mahendra Dev, *India Development Report 2011, Preface*, Indira Gandhi Institute of Development Research (IGIDR).

11 S. Mahendra Dev, *India Development Report 2011*, Indira Gandhi Institute of Development Research (IGIDR), p 21.

12 Government of India, *Economic Survey of India*, 2009-10.

average area operated per holding, which went down to 1.06 hectares (2002-03) from 1.34 hectares (1991-92) as per the data from the NSSO 59th Round.

In 2002-03, marginal holdings (<1 ha) constituted 70 percent of all operational holdings; small holdings (1-2 ha) constituted 16 percent, semi-medium holdings (2-4 ha) 9 percent, medium holdings (4-10 ha) were 4 percent, and large holdings (>10 ha) were less than 1 percent. The NSSO also reports that land holdings exhibited more or less the same degree of concentration in 2002-03 as in 1991-92.¹³ The distribution of land ownership continues to be extremely unequal. It has been estimated that 31.12 percent households do not own any kind of land (for cultivation or homestead); 35 percent of the land is concentrated in the hands of 3.6 percent medium and large farmers, while 90 percent marginal and small farmers own only 43 percent of the land.¹⁴ Tenant holdings constituted about 10 percent of operational holdings during 2002-03, compared to 11 percent in 1991-92. While sharecropping still remains a widely prevalent form of contract, the shares of “fixed money” and “fixed produce” appeared to be on the increase, together accounting for over 50 percent of leased-in land in 2002-03.¹⁵

What is of even greater concern is that the annual rate of growth in food grains production started declining from around 2.8 percent in the 1980s to around 1.7 percent in the 1990s. In the past six years, it has fallen below 0.5 percent per annum. While cereals have more or less maintained their production level, apart from drought years, pulses and oilseeds production has declined.¹⁶ As a result, while India had achieved some kind of self sufficiency in food grains during the post-Independence period, and per capita availability increased from 429.8 grams per day (1951-60) to 475.5 grams per day (1991-2000), food grain availability has fallen sharply in the triennium ending 2004-05 to 454.2 grams per day. Since food availability has been fairly stable in urban areas, the decline has obviously been sharper in rural areas.¹⁷ This falling rate of food grain production can be attributed to several factors. During the period 1991-2001, the area under food crops declined by 8 million hectares.¹⁸ The unavailability of farming land was due both to a decline in output prices, which started falling by over 60 percent as the agricultural sector got exposed to international markets, as well as to reduced public capital expenditure.¹⁹

Public investment in agriculture, which had started declining from the 1980s – Rs 52,108 crores (521.08 billion) in the Seventh Plan period, went down to Rs 42,226 crores (422.26 billion) in the Ninth Plan (1997-2002). Its share in total investment has fallen from 20.5 percent in 2004-05 to 17.6 percent in 2008-09. Rural development expenditure, around 14.5 percent of the GDP during 1985-90, was systematically pared down to around 5 percent by 2006.²⁰ This entails expenditure on several employment generation programmes as well as rural infrastructure development. The multiplier effects of this curtailment of expenditure have led to a corresponding increase in rural unemployment, reflected in NSS employment surveys that show that growth in rural employment is barely 0.6 percent per annum²¹, well below the rate of population growth. This state of agrarian crisis is the result of many considered policy measures undertaken by successive Central governments, but many state governments that subscribe to neo-liberal policies are also responsible, because agriculture is essentially a state subject in our system.

13 Ministry of Statistics and Programme Implementation, Government of India, National Sample Survey Organisation (NSSO), August 2006.

14 *Ownership Holdings of Land in Rural India: Putting the Record Straight*, Economic and Political Weekly, 8 March 2008.

15 Ministry of Statistics and Programme Implementation, Government of India, National Sample Survey Organisation (NSSO), August 2006.

16 Government of India, Economic Survey of India, 2009-10.

17 MS Swaminathan Research Foundation, *Report on the State of Food Insecurity in Rural India*, December 2008.

18 Utsa Patnaik, *The Republic of Hunger*, Public Lecture, New Delhi, 10 April 2004.

19 CP Chandrashekhar and Jayati Ghosh, *The Market that Failed: A decade of Neo Liberal Economic Reforms in India*, Left Word, 2002.

20 Government of India, Economic Survey of India, 2009-10.

21 Chandrashekhar and Jayati Ghosh, *Employment and the Pattern of Growth*, Macroscan, 8 October 2008.

Firstly, there has been a substantial liberalisation of agricultural trade, in particular the lifting of quantitative restrictions (quotas) on imports of over 1,870 agricultural products, and a cut in the average import tariff on agricultural commodities from 100 percent in 1990 to less than 30 percent by 1997, in accordance with the World Trade Organization (WTO) regime.²² Exposure to international markets has led to dumping of cheap imports; government has entered into several free trade agreements that have also contributed to a fall in domestic prices.

Not only agriculture, allied sectors like fisheries too stand affected. The Annual Economic Review of the Government of Kerala for 2005 noted: “Subsidy reform in the fishery sub-sector forms part of the multilateral trade negotiations agreed at the fourth ministerial conference [of the WTO] at Doha. Significant work on the relationship between fishery subsidies and overfishing has been done by various international organisations in recent years... Most of them focused on marine capture fisheries rather than aquaculture.”²³ Further, the sector is reported to be “dominated by huge vessels operated by Indian and foreign owners as part of new international agreements”.²⁴ It thus faces a major setback with falling prices, cost escalations, opening up of the sector to foreign companies, lack of adequate subsidy for aquaculture, intense competition, modernisation of fishing equipments, mechanisation of fishing boats, ban on trawling during monsoon season and many such problems.

On one hand is the lack of attention from policy makers and laws protecting the rights of fisherfolk and on the other are policies and laws applying to the agricultural sector that have adversely affected the farmers. Several states have utilised the Model State Agricultural Produce Marketing (Development and Regulation) Act that was introduced by the Government of India in 2003 to amend their own State Agricultural Produce Marketing Development and/or Regulation Acts, allowing private traders to move in and purchase directly from the farmers. Subsequently, there has been the entry of large national retail companies that source fresh produce directly from farmers such as Reliance Fresh, Big Bazaar etc, and also a strong move to permit FDI in retail trade. The Model Acts also provide for contract corporate farming. Studies indicate that corporate contract farming is labour-displacing and uses low-paid labour of women and children to increase profit margins.²⁵

Most importantly, the Government has permitted futures trading in food grains and other agricultural commodities, which has further aggravated the volatility of prices. This has allowed huge amounts of speculative capital to enter the food grains market and cause wide fluctuations and increases in the prices in the open market. Agriculture made up 38 percent of the total volume of trade with a turnover of around Rs 9 lakh crores (9,000 billion) in 2008-09.²⁶ The subsidy on fertilisers has been cut in successive budgets over the past 20 years; it was around 6 percent of union revenue expenditure and 3.2 percent of the GDP in 1990-91 and is a mere 0.69 percent of the GDP today.²⁷

Power sector reforms initiated by several state governments as per the conditions imposed by the World Bank for support to public infrastructure have led to an increase in electricity tariffs. The cost of diesel has been linked to the international price of oil. There has been a move away from surface irrigation to groundwater extraction. This means ownership of water is increasingly concentrated with large landowners and becomes privatised. Many state governments have also increased water rates for agriculture.

22 CP Chandrashekar and Jayati Ghosh, *The Market that Failed: A decade of Neo Liberal Economic Reforms in India*, Left Word, 2002

23 N P Chekkutty, *Trade liberalisation: The new threat to Kerala's fishermen*, InfoChange News & Features, September 2006. Available at: <http://infochangeindia.org/agenda/cost-of-liberalisation/trade-liberalisation-the-new-threat-to-kerala-s-fishermen.html>

24 *ibid.*

25 Dr Sukhpal Singh, *Contract Farming in India: Impacts on Women and Child Workers*, Gatekeeper Series No. 111, International Institute for Environment and Development (IIED), Natural Resources Group and Sustainable Agriculture and Rural Livelihoods Programme, 2003. Available at: <http://dlc.dlib.indiana.edu/dlc/bitstream/handle/10535/6078/9281IIED.pdf?sequence=1>

26 Government of India, *Economic Survey of India, 2009-10*

27 Utsa Patnaik, *The Agrarian Crisis and Distress in Rural India*, Macroscan, 10 June 2005

The rice bowl of India may see a crop holiday on bumper harvest

Rising input prices, labour shortage and lack of procurement add to farmers' woes in Andhra Pradesh

22 August 2011, Viswanath Pilla

Around 106,000 acres of farmland in the East Godavari district, known as the rice bowl of Andhra Pradesh, will be unsown this kharif season, according to the Andhra Pradesh state government. Farmers in the region estimate the land going uncultivated at three times as much. The East Godavari district has around 2.47 million acres under paddy cultivation.

Rising prices of farm inputs including seeds and fertilizer, a shortage of labour which, when available is becoming increasingly expensive, and lack of procurement by government agencies that have no space to store more foodgrain are responsible for the phenomenon known as "crop holiday".

"It's not an easy decision," says Chinna Babu. "But we have no other option. Paddy cultivation is financially unviable. The input costs have shot up by 100-300% in the last two years. Forget minimum support prices, there is no one to procure the paddy."

Source: <http://www.livemint.com/2011/08/22234611/The-rice-bowl-of-India-may-see.html>

The introduction of expensive transgenic (genetically modified) seeds through collaboration with multinational giants such as Monsanto has also resulted in higher fertiliser and irrigation costs. Spurious seeds have also caused serious crop failures, increasing risk in general. The move to introduce a new seed bill is likely to hasten the process of private MNC control over the Indian seed market.

These problems have been compounded by an insistence on the commercial viability of loans by banks, and a redefinition of "priority", whereby large institutional borrowers are also included in this sector. As a result, the number of rural banks declined from 34,867 in 1990 to 32,386 in 2003. There has been a decline in the share of short-term credit for agriculture to 6 percent in 2001, and to 8.3 percent of total lending of the formal institutional credit institutions. Worst hit have been the small farmers, whose share went down from 22 percent in 1992 to 7 percent in 2001. Small and marginal farmers are increasingly dependent on informal credit, and the levels of rural indebtedness are alarmingly high, at around 50 percent of all farming households.²⁸ As a net result, farmers have faced rising input costs, which are not compensated by remunerative prices for their produce and are subject to large fluctuations in output prices linked to international markets that lend further risk to their operations.

There has been a huge and alarming increase in the number of peasant suicides in the country. In 1991, the National Crime Records Bureau did not think it necessary to record farmers' suicides as a separate category. Today, data shows that over two lakh farmers have committed suicide since 2001, over 40,000 of which have been in the state of Maharashtra alone.²⁹ There is also a strong correlation between suicides and small holdings, low share of bank credit, and rain-fed non-food commercial crops. The 59th Round of the NSSO reports that over 40 percent of peasants want to quit farming.³⁰ This is indeed a serious indictment of the policies pursued by successive governments in this period.

All these developments are reflected in changing land use patterns across the country. There is an estimated decline in total arable land of 1.8 crore ha (18 million hectare). More and more agricultural land is being used

28 R Ramakumar and Pallavi Chavhan, *Revival of Agricultural Credit in the 2000s, An Explanation*, Economic and Political Weekly, Review of Agriculture, 29 December 2007

29 *India's Farm Suicides: A 12-Year Old Saga*, 4 February 2010, Available at: www.counterpunch.org

30 Ministry of Statistics and Programme Implementation, Government of India, National Sample Survey Organisation (NSSO), August 2006

for urbanisation, industrialisation, creation of infrastructure such as roads, irrigation, etc., and acquisition by speculative market forces. One estimate is that more than 50 lakh ha (5 million hectare) of land has been converted to non-agricultural use between 1991 and 2003. Of these, around 2.1 lakh ha (210,000 hectare) have been acquired for Special Economic Zones (SEZs), the subject of intense debate and discussion for the past few years.³¹

How will such wide and sweeping changes affect children in rural areas? The number of child labourers has increased from 11.28 million in 1991 to 12.67 million in 2001, though it has declined in the agricultural sector. Clearly, child workers are moving into the non-agricultural sector and migrating from rural to urban areas. Secondly, despite a decline in child labour in the agricultural sector, the sector continues to have the highest number of working children. According to the 1991 Census, 80 percent of child labourers were engaged in agricultural and allied activities. The 2001 Census puts this figure at 69 percent, while the NSSO 61st Round, 2004-05 put it at 67 percent. It further stated that while there has been a decline in the proportion of child labourers among the rural agricultural labourers, from 3.2 per cent in 1993-94 to 1.9 per cent in 2004-05, the majority of these children are principal workers (71 percent), working for most of the time during the year, and assisting their families on the household farms (68 percent).³² About one-third (31 percent) also worked as paid casual labourers.

Also, with liberalisation and opening up of the economy, there is a growing demand for child workers in cotton hybrid seeds and such other commercial forms of agricultural activities. "Punjab has been a pioneer in India in the contract farming of perishable produce, a sector which tends to rely on women and children's labour. Women and girls mostly transplant and harvest tomatoes as such workers are more available, cost less, are more honest and better suited to picking and transplanting jobs (Singh, 2003). Mothers with infants also work in contract farms and infants and children remain on the farm throughout the day, with implications for their health and nutrition".³³

The conversion of arable land to non-agricultural use and declining calorie consumption of rural households will adversely affect the food security of children, especially those belonging to deprived and marginalised sections such as agricultural labour households, *dalits*, *adivasis*, wandering tribes, etc. Both long-term and short-term migration appear to be increasing and will pose new problems for children, including basic issues such as education, timely immunisation, decent shelter, security etc. Already there are several stories about the heartrending conditions of children, especially girl children from farm suicide-stricken families. Although not as well documented, children of fishing communities too require attention. In Kanyakumari district of Tamil Nadu, the effect of trade liberalisation in fisheries and introduction of technologies like trawling and purse seining reportedly led to the displacement of 20,000 women employed in this work, leaving many without a livelihood.³⁴ What happened to their children does not figure in any available literature. Areas like impact of MGNREGA to people's lives, particularly children also require assessment as reports of increase in child labour due to the scheme pour in. These are some of the issues that will have to be looked at in the context of Indian agriculture as we audit the CRC after 20 years.

31 Jaya Mehta, Vineet Tiwari, Roshan Nair, *Agrarian Crisis: Life at Stake In Rural India*, Joshi-Adhikari, Institute of Social Studies, January 2009.

32 Census of India, 2001, Data Highlights.

33 Dr Sukhpal Singh, *Contract Farming in India: Impacts on Women and Child Workers*, Gatekeeper Series No. 111, International Institute for Environment and Development (IIED), Natural Resources Group and Sustainable Agriculture and Rural Livelihoods Programme, 2003, pp 11-13. Available at: <http://dlc.dlib.indiana.edu/dlc/bitstream/handle/10535/6078/9281IIED.pdf?sequence=1>

34 *Fishing profits, farming disaster: the cost of liberalising Asia's fisheries*, 18 July 2006, Seedling – July 2006, Grain. Available at: <http://www.grain.org/article/entries/551-fishing-profits-farming-disaster-the-cost-of-liberalising-asia-s-fisheries>

3.3 Industrial Policy

The GDP in the past 20 years of economic liberalisation soar from 1.3 percent in 1991-92 to about 8.5 percent in 2010. However, the economic growth has been uneven as a United Nations study points out, noting that some states show less reduction in poverty levels as compared to others.³⁵ The highs and lows in the industrial growth have also contributed to this. Industrial growth was generally high in the 1980s, followed by a downturn after an initial boom in the 1990s, and the recent international financial crisis leading to an adverse impact on development. Even sectorally, the growth has been uneven as growth in recent times as in the mining sector it fell 5.6 percent in September 2011, compared to 4.3 percent growth in September 2010, while the key manufacturing sector slowed to a two-year low of 2.1 percent from 6.9 percent in 2010.³⁶

There have been fundamental changes in India's industrial policy after 1991. Indian industrial policy has moved away from controls over production in the form of de-licensing, a de-reservation of all sectors, some of which had been kept exclusively for the public (state) sector, dilution in the provisions of several sets of economic legislation such as the Monopolies and Restrictive Trade Practices Act, taxation laws, etc., and liberalisation of foreign investment in the country. This has been accompanied by extensive financial liberalisation, with the opening up of the banking and insurance sector not just to private but also foreign capital, although with some minimal regulation.

The corporate sector is now free to raise finances from the capital market, and there has been a large foreign direct investment (FDI) inflow in the past two decades. Indeed, the face of Indian industry has changed, with the entry of many multinational corporations (MNCs) and internal and international mergers and acquisitions. While the final step towards full capital convertibility has been restrained by the recent international financial crisis, exchange rate management has been greatly liberalised. This section examines briefly how all these steps have affected industry, trade, and services.

As the economy opened up, an earlier unfulfilled demand for new products found expression, and with access to technology, this was either met by imports, or by assembling products from imported inputs, as with consumer goods such as refrigerators and washing machines. However, once this demand had been satisfied, further growth was dependent on a further expansion of the domestic market or on exports. Since neither could generate the requisite demand, industrial growth slowed down after the late 1990s.

The backbone of the liberalisation programme was FDI, expected to bring in both new capital and technology and to improve the Balance of Payments position. In a slew of industries, from drugs to the hitherto untouched defence sector, 100 percent FDI has now been permitted. Many approvals are now simply a formality, and there is little regulation about the repatriation of dividends, royalties, and technical fees. This has been accompanied by several bilateral and multilateral pronouncements aimed at proving that successive Central governments are foreign investor-friendly. This has indeed paid dividends, with FDI flow increasing steadily from about \$2 billion in the middle of the 1990s to \$4 billion in 2000-01, rising further to \$6 billion in 2004-05, \$22.8 billion in 2006-07 and \$35.3 billion in 2008-09.³⁷ However, as has been pointed out, what has simultaneously happened is that transnational corporations (TNCs), assisted by a relaxation in the former Foreign Exchange Regulation Act (FERA) and the current Foreign Exchange Management Act (FEMA), have bought shares in domestic companies or enhanced their existing ownership. It is estimated that acquisition of Indian companies

35 *Rethinking Poverty*, Report on the World Social situation 2010, United Nations Department of Economic and Social Affairs, New York, 2009. Available at: <http://www.un.org/esa/socdev/rwss/docs/2010/fullreport.pdf>

36 *Industrial growth slows to 2-yr low of 1.9% in Sept*, The Times of India, 12 November 2011. Available at: <http://timesofindia.indiatimes.com/business/india-business/Industrial-growth-slows-to-2-yr-low-of-1-9-in-Sept/articleshow/10698056.cms>

37 UNCTAD, World Investment Reports. Available at www.unctad.org/fdistatistics

by foreign firms accounts for 15 percent of the total FDI flow on an average. This has led to greater TNC control over both assets as well as markets. It has also been estimated that in the last few years, there has been a net foreign exchange outflow due to the operation of these FDI-dominated companies on account of greater imports as well as a disbursement of technical fees, royalties, etc.

Another aspect of the liberalised regime is that there has been a large increase in the volume of manufactured goods, which means that petty domestic producers – of which a large number is in the employment-intensive small scale sector and cottage sectors that employ the largest proportion of workers in the manufacturing sector – have been “crowded out” of the market. The entry of MNCs into retail trade is being resisted because it will throw out lakhs of petty shopkeepers.

The most rapid growth is visible in the sectors of construction, transport, communications, finance, and real estate. Another feature is that the largest component of growth now comes from the service sector, which has contributed around 55-60 percent of the total GDP growth in the past decade. Interestingly, there has been an expansion at both ends of the service sector, such as high value-added financial or IT-enabled services (ITES) on one hand, and the most low-paid and undervalued home-based paid work on the other. It is estimated that more than half of the service sector expansion has been in the unorganised sector (such as domestic work), which indicates the huge unemployment and underemployment in the country. The IT sector, pampered with a slew of tax concessions, continues to receive 66 percent of its revenues from exports, making it vulnerable to external shocks and policy shifts in other countries.³⁸

The launch of the National Mineral Policy in 1993 brought about a major change in the mining sector in India by allowing foreign private investment in major minerals. Absence of regulation and control has led to increase in illegal mining. According to one estimate, an investment of US\$300 billion is expected in the mining sector in the eastern states of India.³⁹ Much of the extracted minerals is exported and employment generation is relatively poor, and the ecological and human impact is disastrous. Increasingly, ruling governments at the Centre and in the states appear to be colluding with the corporate sector instead of supporting those who are getting displaced in the process (particularly, poor tribals).

Although exports were viewed as an engine for India’s economic growth, there has been no significant increase that will push the economy out of its demand constraint. One reason is reduction in public spending and the emphasis on the private sector, because of which there has been no provisioning of good, reasonably priced infrastructure that will reduce costs and make exports competitive. In fact, Indian exports have relied on cheap labour to sell abroad, but volatility in international markets and increasing protection in developed countries in the wake of the financial market-induced recession has affected the Indian export market adversely.

A marked feature of this period has been the disinvestment of several public sector enterprises (PSEs) under the plea of efficiency but, in reality, to raise resources to curb the fiscal deficit. Beginning around 1991-92, the Government of India first started selling small parcels of shares in these PSEs. Later, some enterprises were directly sold off. Of late, the policy has been to sell large blocks of shares. It is estimated that the Government had earned around Rs 53,423 crores (534.23 billion) through this process by May 2008.⁴⁰ However, there is no clear indication that privatisation has improved efficiency.

In fact, it has led to deterioration in labour relations and a decline in the role of trade unions. Trade Unions, which at one point were the voice of the working masses, have witnessed a decline in numbers, membership

38 C.P. Chandrashekhar, *Indian IT: Privileged and Protected*, Macroscan, 31 October, 2010.

39 C.P. Chandrashekhar, *Mining as Primitive Accumulation*, Macroscan, 20 July, 2010.

40 National Portal Content Management Team, Disinvestment, Reviewed on: 27 January 2011. Available at <http://india.gov.in/sectors/finance/disinvestment.php>

and power. With strong political patronage, they had strong bargain powers and “despite their relatively small numbers were protected in the workplace and retained considerable influence at the national level through their ties with political parties, and via their high density in the public sector”.⁴¹ However, economic liberalisation since 1990 has brought a sea change in industrial relations and practices. It also created distance between the trade unions and the political parties as the latter supported economic liberalisation, despite trade unions opposing it vehemently. Disinvestment in the PSUs added to their woes as the trade unions largely had a membership of workers from the organised sector drawn from government controlled corporations. The declining industries such as textile, jute, etc. also lead to decline in the membership of unions such as the National Labour Organization [NLO], Rashtriya Mill Majdoor Sangh [RMMS] etc.⁴² Opening up the industrial sector to foreign investors increased industrial competitiveness and employers turned more aggressive in their labour relations. Manpower reduction through voluntary retirement, increased subcontracting, demand for revamping labour laws to make layoffs and retrenchments easy became more viable options to manage labour relations than having to negotiate with trade unions. Although we do not have clear national data showing union decline, data from individual states show clear evidence of decline (Das 2000). In recent years, there have been moves to form trade unions in the unorganised sectors, such as agricultural sector, domestic work, rag picking etc.

3.4 Financial Policies

Fundamental changes have also taken place in the financial policies of the government, both at Central and state levels. As stated earlier, the policies of globalisation entail a reduction in the fiscal deficit (the difference between government expenditure and income). This can be achieved either by cutting expenditure or by raising taxes. The proportion of direct taxes to GDP has steadily declined over the past two decades; from around 11.3 percent in 1989-90, it declined to 8.8 percent in 1999-2000, and stands at around 5.4 percent today. The ratio is as high as 30-40 percent in developed countries and even in the poorer countries of sub-Saharan Africa. There is obviously a reluctance to tax those who have higher incomes.

In the liberalisation process, the taxation policy has shifted from direct equitable taxes to indirect taxes. Today, indirect taxes account for over 82 percent of total tax revenue collected and direct taxes hardly 18 percent.⁴³ Large tax concessions are being given away in every budget to the corporate sector and the rich and the middle class. Using the guise of poor governance, food and fertiliser subsidies or social sector expenditure is being cut to keep the fiscal deficit at the level of 3 percent stipulated in the Fiscal Responsibility and Budget Management Act of 2003.

The proportion of indirect taxes in state government revenue is as high as 95 percent. Successive finance commissions have reduced the transfer of resources from the Centre to the states. As a result, state governments are reluctant to implement new programmes and share the costs of welfare schemes, as with the Integrated Child Development Scheme (ICDS) and Mid Day Meal Scheme (MDMS). A classic case is of the Right to Education Act, for which state governments are expected to bear many of the costs. In addition, the condition that they too should pass legislation to curb their fiscal deficits have meant that many state governments that would otherwise have incurred expenditure for the poor and needy are constrained and unable to do so because the transfer of resources from the Centre is dependent on whether they have “managed” to “control” their fiscal deficits within the stipulated norm. Therefore, many state governments are entering into agreements for loans and grants directly from international funding institutions such as the International Monetary Fund

41 Sarosh Kuruvilla, Subesh Das, Hyunji Kwon, and Soonwon Kwon, *Trade Union Growth and Decline in Asia*, Articles and Chapters, Paper 215, 2002, p 18. Available at: <http://digitalcommons.ilr.cornell.edu/articles/215>

42 Pravin Sinha, *Issues before the Indian trade union movement*, Friedrich Ebert Stiftung, Undated, p 7. Available at: <http://library.fes.de/pdf-files/iez/01963.pdf>

43 CP Chandrashekhara and Jayati Ghosh, *The Market that Failed: A decade of Neo Liberal Economic Reforms in India*, Left Word, 2002.

(IMF), World Bank, and the Asian Development Bank (ADB) to meet crucial social sector spending. Another consequence is that many governments are being required to adhere to conditions that impair the programme's effectiveness, for example, levying user fees for health and education programmes. Most schemes are being "targeted" to certain sections, such as BPL households, *dalits* and tribals. The two-child norm has also been imposed as an eligibility criterion for many programmes.

Another development has been that under the 1995 WTO Agreement that was signed after the Uruguay round of talks (1986-95), India finally succumbed to pressure and signed the TRIPS (Trade Related Intellectual Property Rights framework), which required it to give up its historical process patent regime for product patents.

However, expenditure on critical programmes is being reduced to keep the fiscal deficit in control; for example, instead of funding the ICDS adequately to universalise it, the Government has partially privatised it by involving the voluntary sector. Similarly, it is also handing over the MDMS to NGOs. Since there is no public control or accountability, there is no guarantee that the funding will continue and the quality of services will be maintained. For the past few years, every budget has given away huge sums to the corporate sector (Rs 800 billion of income was foregone in the 2011-12 Union budget) alongside the refrain that there is no money to spend on the social sector. These issues have a bearing on children's rights because children are largely dependent on social sector expenditure. Schools, health institutions, immunisation, child care, nutrition supplement programmes, early child care learning programmes, hostels, orphanages, sports facilities, the juvenile justice system – the entire gamut of child welfare activities – require the State's commitment. An analysis of the Union Budget shows that, on an average, 3.4 percent of the country's budget is allocated for children and that for every Rs 100 allocated for children, Rs 63.09 is for education, Rs 19.31 on health, Rs. 16.62 for development and only 99 paise for protection.⁴⁴

A related development is the growth of micro-finance institutions (MFIs), which have made inroads because formal banking institutions have failed to meet the credit needs of the poor and, especially, women. Far from being a programme for poverty alleviation and economic empowerment, MFIs seek to transfer the savings of the poor to the corporate sector. Unable to meet stringent MFI conditions, women are being drawn into debt traps. In Andhra Pradesh alone, 30 MFIs are reported to have given loans worth Rs 25,000 crores to 40 percent of the poor women in the state; unable to meet their forcible demands for loan recovery, around 60 people have committed suicide.⁴⁵ Similar unethical practices are also being reported from other states. The Reserve Bank of India has adopted a "hands-off" policy and has not regulated the functioning of this new breed of corporate money-lenders.

The exposure of the Indian economy to international markets has made it vulnerable to systemic shocks. The explosion of the US housing bubble and the severe international financial crisis in its aftermath affected the Indian economy. The government had to step in with "stimulus packages" to shore up the sagging fortunes of private companies and, in a sense, depriving the crucial social sector of much needed resources. The nature of the financial system is getting increasingly speculative, with the introduction of various types of instruments such as derivatives, forward trading, etc. The turnover of India's first multi-commodity exchange MCX in 2009 was US\$1.24 trillion.⁴⁶ The stock market booms witnessed over the past few years are largely due to inflows of speculative investments ("hot money") as a result of liberalised financial systems. There is pressure from certain sections to move towards full capital convertibility, but this might be deferred after the recent global financial crisis. However, there is a growing disjunction between the booming world of speculative finance and the real world of inflation, rising unemployment, and falling incomes.

44 FORCES, *Undoing our Future, A Report on the Status of the Young Child in India*, 2009.

45 AIDWA 9th National Conference, Resolution on Regulation of MFIs, Kanpur, November 2010.

46 Multi Commodity Exchange, Available at: http://en.wikipedia.org/wiki/Multi_Commodity_Exchange.

At the beginning of the financial year 2010-11, food inflation in wholesale prices was reported to be “hovering around 20 percent” and rentals and real estate rates were reported to “have almost doubled in just a few months in most cities” with “the real estate prices are at record highs making life miserable, especially for people who have migrated to cities for jobs”.⁴⁷

In July 2011, inflation rate was around 9.44 percent in India, much above the acceptable rate of 5 percent, while the food price index was at 8.31 percent causing discomfort to the policymakers. “Economists have strongly criticised the Indian government for not being able to restrict inflation. They also feel that RBI needs

Table: Inflation in Food and Non-food Commodities during 1994-95 to January 2010

Item	1994-95 to 2004-05	2005	2006	2007	2008	2009	2010 January	Average 2006-09
1. All commodities	5.90	4.74	4.82	4.82	9.12	2.01	8.54	5.19
2. Non-food commodities	6.02	5.37	4.72	4.54	9.55	-1.76	4.53	4.27
3. Food articles	5.91	3.94	6.83	7.02	6.64	12.32	17.41	8.20
4. Food products	5.33	1.58	2.55	3.43	9.80	13.79	22.55	7.39
5. Food commodities (3 and 4)	5.64	2.97	5.09	5.60	7.87	12.90	19.42	7.86
i. Foodgrains	5.54	3.83	9.71	6.27	6.37	14.14	17.89	9.12
ii. Cereals	5.57	3.68	6.63	6.97	7.20	12.96	13.69	8.44
iii. Pulses	5.46	5.04	32.05	2.14	1.30	21.81	45.62	14.33
iv. Rice	5.00	4.01	2.13	6.05	8.97	15.96	12.02	8.28
v. Wheat	5.93	1.08	12.99	6.77	5.06	6.83	14.86	7.91
vi. Oilseeds	5.89	-6.11	-3.96	26.58	17.46	0.92	10.05	10.25
vii. Fruits and vegetables	7.47	7.51	2.24	6.49	5.94	11.77	8.33	6.61
viii. Dairy products	5.20	0.11	4.20	6.08	8.38	6.12	12.87	6.19
ix. Milk group	5.57	0.73	4.48	8.17	7.87	8.93	13.99	7.36
x. Egg, fish and meat	6.46	9.46	6.72	6.38	3.75	14.44	30.71	7.82
xi. Edible oils	4.85	-7.19	1.23	13.11	12.52	-6.59	-1.17	5.07
xii. Sugar	4.06	15.09	4.83	-14.69	5.62	36.34	58.94	8.02
xiii. Growth in food output (%/a year)	2.39	0.55	5.87	4.10	5.39	1.60	-02 AE	4.24

(Based on WPI with base 1993-94) and Growth Rate in Food Output (%)

(1) AE stands for Advance Estimate provided by CSO.

(2) Growth rates in last row refer to financial year ending with, like 2005 stands for 2004-05.

Source: Ramesh Chand, "Understanding the Nature and Causes of Food Inflation", *Drought, Output and Inflation, Economic and Political Weekly (EPW)*, Vol XLV No. 9, February 27, 2010 -

(1) Office of Economic Adviser, Ministry of Commerce and Industry, GOI, New Delhi

(2) National Accounts Statistics, CSO.

(3) Department of Agriculture and Cooperation, Ministry of Agriculture, GOI, New Delhi.

47 *The shocking picture of inflation in India!* Available at: <http://business.rediff.com/report/2010/mar/04/budget-2010-the-shocking-picture-of-inflation-in-india.htm>

to take additional measures to tame down inflation. The tightening of the economy may control inflation in the long run but it is also slowing our economy and as predicted by the IMF India's growth will be only around 6-7 percent instead of 9 percent".⁴⁸ With housing and food getting out of reach, children are at the risk of malnourishment, abuse, exploitation, and violation of every other right.

3.5 Employment

The net result is that despite all these measures, employment generation in India has stagnated or even declined in this era of globalisation, leading to what is popularly called not just "job loss" but also "jobless" growth. The National Commission for Enterprises in the Unorganised Sector (NCEUS) has estimated that while employment in manufacturing remained virtually stagnant at 12.9 million in 2004-5, "formal" employment in the organised sector declined to 330.4 lakhs (33.04 million) in 2004-5 from 337 lakhs (33.70 million) in 1990-2000⁴⁹. In other words, any increase in employment has been in the unorganised sector. Paid domestic work is now the fastest growing sector with opportunities that extend beyond national borders. The retail trade (seven percent), the construction industry (5 percent), and transport services are some of the sectors that employ unorganised labour. Hospitality services, the entertainment industry, health services, tourism, and many other such segments employ both organised and unorganised labour, and the distinction between the two sectors is getting increasingly blurred. Public sector organisations that are constrained by budgetary and other restrictions on recruitment increasingly rely on contractual workers, whether for municipal services such as garbage disposal or for teachers in public education. The NCEUS has estimated that the number of workers in the unorganised sector is around 34 crores (340 million) and the total number of informal workers, including unprotected workers in the organised sector, is 36.2 crores (362 million). It had suggested universal social safety legislation with tripartite contributions from workers, employers, and the government to provide for life and health insurance, maternity benefit, and most importantly, old age security. However, the Unorganised Sector Workers Social Security Act, 2008 that was finally passed is applicable only to the so-called selected BPL households and has thereby bypassed the real poor of the country.

This has been accompanied by concerted moves to amend existing labour laws in the name of "flexibility", which have so far been thwarted by the trade unions in the country. These include

- the Industrial Disputes Act of 1947 (change in definition of "industry" to exclude health and educational services and of "workman" on the basis of salary earned);
- the Factories Act of 1948 (increasing the number of working hours and giving blanket permission to women to work in the night-shift and the changing of the definition of "establishment" covered under the Act);
- the Contract Labour (Regulation and Abolition) Act of 1970 (to give employers the unfettered right to engage contract labour); and
- the Payment of Bonus Act, 1965 (to eschew the concept of bonus as a deferred wage).

The proposal to exempt application of labour laws in the SEZs was stoutly opposed in Parliament. However, most labour laws are flouted even today due to weak and ineffectual machinery that results in working hours beyond the stipulated eight hours, non-payment of minimum wages, engagement of contract labour for permanent jobs, etc.

48 *Inflation In India-Major Concern For Economy*, Businessnomics, Business Watch, Business, Economy & Industry News Updates, 30 July 2011, Available at: <http://businesswatch.in/inflation-in-india-major-concern-for-economy/>

49 National Commission for Enterprises in the Unorganised Sector (NCEUS), Government of India, New Delhi, 2007.

The Indian economy is clearly experiencing a process of restructuring. The problem is that this restructuring appears to be associated with a further collapse of employment generation in an economy already beset by large levels of both open and disguised unemployment. On the other hand, the increasing presence of large firms, whether domestic or MNC, in most of these trades and services have meant that the capital intensity of their operations have increased, leading to improved labour productivity and a subsequent decline in labour demand. Thus, after 20 years of so-called reform, the Indian economy continues to be caught in a vicious circle of unemployment, poverty, deprivation, and inequality.

The impact on children's rights cannot but be devastating. In India, child labour is a direct function of adult unemployment and underemployment, with the child as a supplementary (and sometimes even primary) source of income. With such job loss and jobless growth, the extent of child labour is bound to go up; it may however shift from traditional sectors such as agriculture as the crisis therein deepens and appear in newer forms in rapidly urbanising cities. The proliferation of the unorganised sector provides many employment opportunities for child labour. Further, if there is growing acceptability of unorganised employment, as is the case at present, there is unlikely to be a great outcry against child labour. Parents are also more likely to acquiesce to children working as inflation soars and adult jobs are hard to find.

Thus, integration with world markets and export orientation may have resulted in some restrictions such as "Child Mark" to indicate child labour-free standards of production, but these are likely to be increasingly swept away in the surge of unorganised sector employment. Paid domestic services, tourism with its sex tourism variant, the use of young girls in hospitality and entertainment segments, etc. are some of the more obvious examples. The emergence of what is coyly known as the "body work" segment in the Indian economy spans a whole set of both legal and illegal activities, ranging from widely seen TV programmes involving dance and song by children to the sleazier dance bars and massage parlours, apart from prostitution. Children are increasingly being used in advertisements, and the target rating point (TRP) for song-and-dance programmes involving young children are high and lucrative for the sponsors.

3.6 Migration and Trafficking

Agrarian distress is the cause of huge levels of intra-rural and rural-urban migration in many states. Both men and women are now increasingly migrating large distances in search of work.

According to RS Srivastava, "some relatively unorganised segments of the modern sector as well as the informal sector have continued to source cheap migrant labour supplies through credit bondage". Undoubtedly, with migration bonded labour too has increased. Bonded labour system "thrives" on migrants, women and children as it is "seen as a way of both disciplining labour and of keeping labour costs down".⁵⁰

Migration patterns are changing; whereas migration was earlier seasonal and largely rural-to-urban, now it is urban-to-urban and even urban-to-rural, depending on the centre of potential employment. Earlier, independent male migration was common and women and children remained behind. This was less dislocating in terms of children's education. However, shortage of work now causes independent single-woman migration, and children are often left behind with elders, or taken along by mothers, leading to grave insecurity, hardship, lack of permanent schooling, immunisation, and other critical health services. In the case of cross-border migration, when parents are unable to take their children, they may grow up alone, without critical parental support that might leave permanent scars on their lives in many ways.

50 Ravi S. Srivastava, *Bonded Labor in India: Its Incidence and Pattern*, InFocus Programme on Promoting the Declaration on Fundamental Principles and Rights at Work; and International Labour Office, *Forced Labor*. Paper 18. April 2005. p 11. Available at: <http://digitalcommons.ilr.cornell.edu/forcedlabor/18>

In a paper written for the National Commission for Protection of Child Rights (NCPCR), Neera Burra notes: “NGOs working with migrant children and running schools at the work site find that the same families don’t come to the same work-site every year. This makes continuity very difficult. One thing is increasingly becoming clear that government will have to come up with a policy and a programme for children of migrants and this would have to be in the form of providing residential school facilities for all children of migrant families in their home villages ...ensuring that these children get re-admitted into their own formal schools when their parents return does not work out... On site schools may need to be run to cater for very small children who cannot be left back home”.⁵¹

Proper implementation of the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) is seen as a possible solution to the complex problem of migration. Despite limited coverage of 100 days per nuclear household in a year, it has the potential to not only restrain migration but also contribute to development and community asset creation at the local level, as seen in Tripura and Rajasthan. But the UPA-⁵² government’s implementation of this flagship programme, launched in 2006, is far from adequate. Problems include denial of wages, delayed payments, inadequate response to demands for work, corruption, lack of monitoring mechanisms such as social audit, etc. Nevertheless, the number of households provided with work has been steadily increasing; in 2009-10, 4.49 crore households were covered under the programme, with an average wage of Rs 88.56.⁵³ The Central government has refused to link MGNREGS wages to the prescribed minimum wages, arguing that any difference should be paid by the states. The demand for a similar Urban Employment Guarantee Scheme remains unfulfilled.

The other area of concern, indeed alarm, is the increase in trafficking, both for labour and for the sex industry. Children, especially young girls, are the most vulnerable sections within trafficked persons. Studies show that around 30 lakh women and young girls are commercially exploited for sex purposes, of which at least 40 percent are minors.⁵⁴ There is growing demand for young girls due to specific customer preferences. Thirteen states – Arunachal Pradesh, Andhra Pradesh, Chandigarh, Daman and Diu, Goa, Gujarat, Karnataka, Madhya Pradesh, Maharashtra, Nagaland, Rajasthan, Tamil Nadu, and West Bengal – account for more than 70 percent of the women engaged in this occupation. It is estimated that hardly 10 percent of those trafficked are from outside the country, with around 2 percent each from Nepal and Bangladesh, while the bulk is accounted for by inter-state trafficking.⁵⁵ Many children are abducted, and some even fall into the trap of trafficking agents because they run away from ill-treatment at home.

One area that has not been studied adequately is the sale of children in the process of adoption. Children are also trafficked for domestic labour, entertainment, begging, sex tourism and pornography, organ trade, drug peddling and smuggling, thieving, etc., along with the purchase of young girls as brides.

3.7 Poverty

The rationale of the economic reform process has been the “trickle down” theory of development, that the high growth generated by these policies will result in the benefits reaching to the poorest and most vulnerable sections. However, examining the impact on poverty is easier said than done.

51 Neera Burra, *Child labour in rural areas with a special focus on migration, agriculture, mining and brick kilns*. Undated. p 31. Available at: http://ncpcr.gov.in/Reports/Child_Labour_in_Rural_areas_with_special_focus_on_migration_agriculture_%20mining_by_Neera_Burra.pdf

52 The first United Progressive Alliance, a coalition of centre-left political parties that formed the government after the 2004 general elections.

53 S. Vishwanathan, *Rural Employment Guarantee Scheme : Gaps in Media Coverage*, The Hindu, September 13, 2010.

54 *A Report of Trafficking in Women and Children in India, 2002-3*, Institute of Social Sciences, National Human Rights Commission and UNIFEM, New Delhi, July 2004.

55 *Summary of Findings, A Study of Nepalese Girls and Women in Mumbai and Kolkata*, India, TDH, October 2005.

'More poor' in India than Africa

Eight Indian states account for more poor people than in the 26 poorest African countries combined, a new measure of global poverty has found.

13 July 2010

The Indian states, including Bihar, Uttar Pradesh and West Bengal, have 421 million "poor" people, the study found.

This is more than the 410 million poor in the poorest African countries, it said.

The Multidimensional Poverty Index (MPI) measures a range of "deprivations" at household levels.

Developed by Oxford Poverty and Human Development Initiative (OPHI) with UN support, it will feature in the upcoming UNDP Human Development Report.

The measure assess a number of "deprivations" in households - from education to health to assets and services.

"The MPI is like a high resolution lens which reveals a vivid spectrum of challenges facing the poorest households," said OPHI director Dr Sabina Alkire

Source: <http://www.bbc.co.uk/news/10609407>



For one, although there are several indicators of poverty, there are no commonly accepted poverty indices. The most commonly used index on the poverty line is based on a 1973-74 consumption survey and a minimum daily calorific requirement of 2,100 calories per person in urban areas and 2,400 calories in rural areas. Such a calorie-based norm ignores other basic needs such as health, education, housing, etc. On this basis, the proportion of the population below the poverty line has been shown to be declining in the past two decades, from about 36 percent in 1993-94 to 26 percent in 1999-2000.⁵⁶ However, there has been stringent criticism that the figures do not reflect the actual status because the methodology adopted to measure poverty is flawed. Other types of nutritional and employment studies show that poverty is increasing in the country, with regional variations.

Prof. Utsa Patnaik has pointed out in her pathbreaking work *The Republic of Hunger* that the proportion of rural population unable to access the minimum prescribed norm of 2,400 calories per day increased from 75 percent in 1993-94 to 87 percent in 2004-05⁵⁷. The Arjun Sengupta Committee report has said that 77 percent of the working population earns less than Rs 20 per day.⁵⁸ The recent Expert Group appointed by the Planning Commission (the Tendulkar Committee) has generated further controversy for the flaw in basing its estimates on a further reduced calorie consumption norm of 1800 calories per day and not providing for reasonable levels of expenditure on education and health. However, some find it acceptable because the Tendulkar Committee estimates that 41.8 percent of rural households were below the poverty line in 2004-05, as against the current official estimate of 28.3 percent.⁵⁹ The point is not just about poverty but also starkly increasing inequality – India gained 36 "dollar billionaires" whose assets equal 25 percent of the country's GDP during the period 2004-2009.⁶⁰

56 Manoj Panda, *Macroeconomic Overview*, India Development Report, Indira Gandhi Institute of Development Research, 2008.

57 Utsa Patnaik, *The Republic of Hunger*, Public Lecture, New Delhi, 10 April 2004.

58 National Commission for Enterprises in the Unorganised Sector (NCEUS), Government of India, New Delhi, 2007.

59 Madhura Swaminathan, *The New Poverty Line: A Methodology Deeply Flawed*, Indian Journal of Human Development. Vol. 4, No.1, 2010.

60 P. Sainath, *HDI Oscars: Slumdogs versus Millionaires*, The Hindu, 22 March, 2009.

Apart from its role as an indicator, the poverty estimates have assumed greater significance because the Government of India has decided to use them to target its social and economic policies. Inclusion in the BPL list is now the basic criterion for availing of any public benefit – be it subsidised food grains on the Public Distribution System (PDS) or a soft loan as a member of a local self-help group. Unfortunately, faulty criteria have meant an exclusion of the most needy from the meagre social safety net that is offered by the various schemes, now targeted to the so-called “BPL households”. It has also led to huge corruption in the process of issue of such cards.

The poor in rural areas comprise the agricultural landless households and artisans whose traditional occupations are being affected by the changing nature of the economy on one hand and the agrarian crisis on the other. Poverty is also concentrated amongst *dalits*, tribals, and other marginalised sections in a proportion far greater than their proportion in the population. Equally significant is the fact that, on an average, children make up 40 percent of the poor, while women are roughly half the poor in both rural and urban areas.

With growing urbanisation, the urban poor, mostly composed of casual labour and those engaged in the unorganised sector, are growing in number. They are increasingly concentrated in the states of Maharashtra, West Bengal, Andhra Pradesh, Uttar Pradesh and Madhya Pradesh. Several social indicators point to the deep divide between the average urban dweller and the urban poor; for example, the under-5 mortality rate is 72.7 (51.9 for urban areas), the proportion of underweight children below 3 years of age is 47.1 percent (32.7 percent for urban areas), while the rate of non-institutional deliveries is as high as 56 percent (32.6 percent for urban areas). Of urban children under one, 60 percent miss total immunisation.⁶¹ The Jawaharlal Nehru National Urban Renewal Mission (JNNURM) is also based on the public-private partnership (PPP) model for the provision of transport, housing and other basic services for the urban poor, and comes with many conditions such as the repeal of the Urban Land Ceiling Act, imposition of user fees, etc.

3.8 Food insecurity and malnourishment

Growing poverty is better reflected in the data on food insecurity of the population. Terming India a “Republic of Hunger”, Prof Utsa Patnaik has shown how the annual per capita consumption of foodgrains has actually declined from 177 kg to 155 kg in a span of five short years (1998 to 2003).⁶² This is comparable to levels prevalent in the Second World War period, characterised by famine, food shortage, and rationing. This increasing food insecurity can be largely attributed to the agrarian crisis described in the previous section on agriculture.

These have been accompanied by a systematic dismantling of the PDS. Since 1996, when targeting was introduced, the PDS has been whittled down. Per capita quotas have been replaced by a uniform quota of 35 kg of foodgrains per family and the issue prices have more than quadrupled. Arguing that the food subsidy is too high (it is barely 1.5 percent of the GDP), the Government has sought to curtail PDS expenditure by targeting the subsidy to certain “BPL households”, whose number is predetermined by the Planning Commission and whose selection is based on faulty, unscientific, and unrealistic criteria. Most households can no longer access the cheap foodgrains while more than 230 million tonnes of unsold wheat and rice lie in government warehouses. The remaining so-called “above poverty line” households no longer get any grain, and allocation of foodgrains to state governments have been cut by more than 75 percent of their original level.

61 National Urban Health Mission Draft, Accessed from www.scribd.com

62 Utsa Patnaik, *The Republic of Hunger*, Public Lecture, New Delhi, 10 April 2004.

There are 8 food-related schemes and assistance programmes for the poor sponsored by the central government. These include,

1. Targeted Public Distribution System;
2. Antyodaya Anna Yojana;
3. Mid-day Meal Scheme;
4. Annapoorna Yojana;
5. Integrated Child Development Services;
6. National Family Benefit Scheme;
7. National Maternity Benefit Scheme; and
8. National Oldage Pension Scheme.

Yet, India ranks 94th of 119 countries in the Global Hunger Index.⁶³ High level of malnourishment is for all to see. According to the National Family Health Survey 2005-06 (NFHS-3), 56 percent of the women in the country are anaemic, 30 percent of newborns are of low birth weight (LBW), and 47 percent of the children are underweight. Among rural children between 6 and 35 months old, 81 percent are anaemic, 41 percent are stunted, 49 percent are underweight, and 20 percent suffer from wasting – all indicators of chronic and acute undernutrition. Stunting is a reflection of chronic malnourishment in both the pregnant mother and in early childhood and its effects are irreversible. Eight states – Andhra Pradesh, Bihar, Gujarat, Haryana, Karnataka, Kerala, Madhya Pradesh, and Rajasthan – showed an increase in the incidence of anaemia among women in the reproductive age group, while the states of Assam, Himachal Pradesh, Maharashtra, Orissa, Uttar Pradesh and West Bengal showed only marginal changes. There has been significant worsening in a state such as Kerala, known for its best social indicators, where the percentage of women with anaemia in the 15-49 age group increased by 9 percentage points from 23.4 (1998-99) to 32.4 (2005-06). This leads us to conclude that despite high economic growth rates, the situation of women with respect to anaemia in the 15-49 years age group has actually worsened during the period of economic reforms. Data also shows that iodine and micronutrient deficiency continues to affect most children and mothers.⁶⁴ According to NFHS-3, overall, girls and boys are equally likely to be undernourished. A research conducted to assess the magnitude of malnutrition among adolescents of an urban slum of Kolkata reflected that “Almost half of the adolescents of both sexes are not getting even 70 percent of their daily requirements of energy and a quarter of them are getting less than 70 percent of RDA of protein. Malnutrition is seen in 30 percent of adolescent girls and 18 percent boys. Another study by K Anand et al on ‘nutritional status of adolescent school children in rural North India’ shows thinness was present in 43.8 percent of the boys and 30.1 percent of the girls”.⁶⁵

3.9 Education

The education sector has seen the most far-reaching and sweeping changes in the past two decades. The Kothari Commission on Education emphasised the important role of education in India’s development as far back as 1966. Several national policy statements have laid down the objectives of educational planning to include eradication of illiteracy, universal elementary education, provision of technical and vocational education, and quality higher education. Equity in education across gender, caste, community, and regional groups has also been a part of the goals of education policy. In the post-Independence period, public funding of education as a means to achieving these goals was incorporated into several five-year plans.

63 MS Swaminathan Research Foundation, *Report on the State of Food Insecurity in Rural India*, December 2008.

64 National Family Health Survey – 3. Available at www.nfhsindia.org

65 Aparajita Dasgupta, Arindam Butt, Tushar Kanti Saha, Gandhari Base, Amitava Chattopadhyay, and Anindya Mukherjee, *Assessment of Malnutrition Among Adolescents: Can BMI be Replaced by MUAC*. Indian Journal of Community Medicine, 2010 April, 35 (2), p 276-279. Available at: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2940185/>

A broad review reveals that although illiteracy has declined, it is far from being eradicated, and that there is wide disparity among states and social sections, with unacceptably high rates of illiteracy among women, *dalits*, and tribals in certain regions. Gross enrolment in higher education has reached around 85-90 percent, but it hides many disturbing disparities; for example, around 30 percent of rural children and 20 percent of urban children in the 5-9 age group are out of school. Universalisation and retention in elementary education remains to be achieved. Dropout rates are even higher in secondary education, and hardly 40 percent of children in the 14-17 age group years are in school. One major problem of government schools is a lack of teachers. It is reported that teacher attendance is hardly 73 percent.⁶⁶ There are serious problems of infrastructure, including clean and adequate drinking water, sanitation, proper classrooms, play grounds, lack of playgrounds, etc.

There is a clear correlation between income and education, with 95.7 percent of the children of the richest 20 percent of households in school, but only 69.4 percent of the poorest 20 percent. There has been a rise in the enrolment in private schools in the past few years; 25 percent of secondary schools in India are now privately owned and enrolment increased to 19.3 percent in 2007. There is a growing body of private “international” schools with English as the medium of instruction. There is virtually no control over the fees charged by these and other private schools, and the costs of school education now run into lakhs for an average middle class family. On the other hand, government schools are starved of funds as total public expenditure has not crossed 4 percent of total GDP.⁶⁷

The Right to Education Act 2009 was passed with much fanfare but without a financial commitment! Its scope is restricted to the 6-14 age group and therefore extends to neither early childhood care and education nor classes 9-12. There is also a conflict with the Child Labour (Prohibition and Regulation Act) because the latter only prohibits employment of child labour in what it defines as “hazardous” sectors. Many flagship schemes meant to cover elementary education – such as the Sarva Shiksha Abhiyan (SSA) – are dependent on funding from international financial institutions and aid agencies and come with strings attached.

One of the major initiatives to improve education has been the Mid Day Meal Scheme, started in 1995 to provide all children in classes 1 to 4 a free, cooked meal. It has now been extended to class 8. However, many states have failed to universalise the scheme, and there are complaints of poor quality. A most serious and shocking complaint has been of discrimination faced by *Dalit* children who are made to sit separately in as many as 38 percent of the schools surveyed.⁶⁸

Instead of acting as a medium to bridge gaps, the educational system is itself breeding inequalities. This is a result of the kind of educational policies being pursued, starting with the 1986 New Education Policy that focussed on producing “employable” manpower, thus abandoning the goal of universal education. This trend was strengthened in the 1990s and thereafter. The foreign education institutions and the Higher Education and Research Bills are clearly meant to facilitate the private sector, particularly in higher and technical education, through the PPP mode. Of the required expenditure, 92 percent is to be raised from the private sector.

A dangerous move by the NDA government during its 1996-2004 tenure to communalise the educational system was fortunately halted with a change in regime. But the danger remains, especially as there is no social control over the entry of private institutions into the education sector. There has also been a trend to oppose the reservation of seats in higher, particularly professional, education for OBCs, SCs, and STs under the specious argument of merit, ignoring the fact that merit hardly counts in donor-driven admissions in private institutions.

66 SR Hashim, *State of Higher Education in India*, India Development Report, Indira Gandhi Institute of Development Research, 2008.

67 Jandhyala BG Tilak, *Education: A Saga of Spectacular Achievements and Conspicuous Failures*, India Social Development Report, Council for Social Development, New Delhi, 2006.

68 Indian Institute of Dalit Studies, *Whose Right to Food : Caste Discrimination and Food Security Programmes*, New Delhi, 2003.

3.10 Health

It is estimated that urban areas in India have only 4.48 hospitals, 6.16 dispensaries and 308 beds per one lakh population. Rural areas have 0.77 hospitals, 1.37 dispensaries, 3.2 primary health centres (PHCs), and just 44 beds per one lakh population.⁶⁹ Curative services are primarily located in urban areas whereas the rural institutions mainly provide preventive and promotive services. As a result, morbidity and mortality are still unacceptably high. Communicable disease like malaria and tuberculosis and common water-borne diseases like gastroenteritis and cholera contribute to high morbidity.

One main reason for the poor state of healthcare facilities is extremely low public health expenditure. With liberalisation, there has been a further decline – investment on health as a percentage of GDP declined from 1.3 percent in 1990 to 0.6 percent in 1999. Currently, the aggregate annual expenditure on health is 5.2 percent of GDP. Out of this, about 17 percent of aggregate spending is from the State; the rest is private expenditure, making the Indian health system one of the most privatised systems in the world.⁷⁰ Government policies are intended to further privatise even this meagre public health system. This is in the form of PPPs that include a number of corporate hospitals established on government land or by the privatisation of existing public health facilities. Health tourism is being promoted in a big way in major metropolitan cities.

Another reason health costs have increased has been the systematic increase in the costs of drugs as the pharmaceutical lobby got the government to amend the Drug Price Control Order so that hardly 35 drugs are now under its ambit. One major reason for peasant suicides has been their households' backbreaking medical bills and inability to repay medical loans.⁷¹ Drug companies are using poor women and children to conduct clinical trials, as seen from the case of HPV trials on adolescent tribal girls in Andhra Pradesh.⁷²

The National Rural Health Mission (NRHM), the major initiative of the present government, lacks funding. After four years of existence, the NRHM has received only 57.5 percent of its total Eleventh Plan allocation of

THE TIMES OF INDIA

Goa

Poor mocked as free beds go vacant

Durgesh Nandan Jha, TNN Jul 6, 2011, 05.46am IST

NEW DELHI: Private hospitals leave no stone unturned to showcase their occasional philanthropic effort, but when it comes to treating the poor on a regular basis, they are the biggest defaulters. But they have a flimsy excuse to offer — the poor don't come to us. And on Tuesday, when the Supreme Court lambasted private hospitals and directed them to give free treatment to the poor, cold statistics ripped through their hypocrisy. Majority of the private hospitals have most of their beds vacant in the free-bed category.

In a city where government hospitals are bursting at their seams due to patient overload and the underprivileged cry out for attention, more than 90 per cent beds reserved for them in 38 private hospitals are vacant. The state government has also failed to discipline them. And this despite allotting land to the private players at concessional rates.

Source: <http://www.bbc.co.uk/news/10609407>

69 National Health Profiles, Central Bureau of Health Intelligence. Available at www.cbhidghs.nic.in

70 AR Nanda and Almas Ali, *Health Sector, Issues and Challenges*, India Social Development Report, Council for Social Development, New Delhi, 2006.

71 P Sainath, *Anatomy of a health disaster*, InfoChange News & Features, June 2005. Original Article published in The Hindu, July 1, 2004. Available at <http://infochangeindia.org/agenda/access-denied/anatomy-of-a-health-disaster.html>

72 TK Rajalakshmi, *Question of ethics*, Frontline, Volume 28 - Issue 12 : Jun. 04-17, 2011. Available at <http://www.frontlineonnet.com/fl2812/stories/20110617281210100.htm>

Rs 89,500 crore. The 7.89 lakh ASHA health workers continue to remain unpaid and exploited. There is no sign of the National Urban Health Mission, which is imperative in the light of an increasingly urbanising India, as the 2011 Census shows. Mental health services and provisions for disability continue to be ignored. “There are limited child and adolescent mental health services in India. Mostly such services are restricted to urban areas. Access to mental health services for children with a mental, emotional or behavioural disorder is substandard, not provided early enough, insufficient supply and accessible only to a fraction of children and adolescents. We currently have tertiary care centres which attend to mental illness in hospital setting. They are therapeutic in nature and aim to treat and rehabilitate back to society. However, large gap exists in the area of prevention, mental health promotion and early intervention programmes. Even WHO identifies the treatment gap in mental health care”.⁷³

Violence against women and children too needs to be integrated within the health framework.

The government is promoting health insurance models as the solution to rising costs. Many schemes, such as the Rashtriya Swasthya Bima Yojana, are targeted and come with expenditure ceilings and many exclusionary clauses. They cannot be a panacea in a situation when 90 percent of the population works in the unorganised sector. The only solution is to increase public health expenditure to its promised level of 6 percent of the GDP and strengthen the public health system to achieve the slogan of “health for all”.

In general, social sector spending is being increasingly targeted and outsourced and being given the form of conditional cash transfers, such as the Janani Suraksha Yojana intended to promote institutional deliveries or the Laadli scheme for encouraging the survival of the girl child. The poor are unable to meet many of these stringent conditions and often fail to get their benefits. Such forms put the onus of responsibility on the beneficiary rather than the state, reducing its accountability in providing the basic rights to food, health, education, shelter, and clothing.

3.11 Violence

One of the most common violations of children’s rights is in the form of physical, mental, and sexual abuse. Shocking data from a 2007 study of the Ministry of Women and Child Development, indicates that two of every three children were physically abused, and of the children abused in their own family situation, the perpetrators were parents in 88 percent cases. Of all school going children, 65 percent have faced corporal punishment. Most children do not report abuse. Alarming, 53 percent of children reported facing sexual abuse, including around 6 percent cases of severe sexual assault.⁷⁴ Cases such as Nithari have brought out the indifference of the police and other authorities when children of poor and socially backward families are reported missing. Liberalised liquor policies, to generate more revenue, have led to greater domestic violence on women and children. Despite many efforts, there is yet no law to deal with child sexual abuse. Young school going girls from *dalit* and *adivasi* communities face eve teasing and sexual harassment from the upper castes who resent the upward mobility of these sections. Data from the NCRB shows that crimes against children have been steadily increasing; there were 20,410 crimes against children in 2007, of which 6,377 were cases of kidnapping and abduction, and 5,045 of rape.⁷⁵

The 2001 Census showed the phenomenon of sex selection, which continues unabated in 2011. The devaluation of the girl child is linked to the devaluation of women’s labour in the period of globalisation.

⁷³ PC Shastri, *Promotion and Prevention in child mental health*, Indian J Psychiatry, 2009 April-June 51(2), pp 88–95. Available at: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2755174/>

⁷⁴ Ministry of Women and Child Development, Government of India, *Study on Child Abuse India 2007*, New Delhi, 2007.

⁷⁵ National Crime Records Bureau, 2008, Chapter 6, Crime against Children. Available at: ncrb.nic.in/cii2007/cii-2007/CHAP6.pdf

Growing consumerism encourages newer forms of dowry, lavish marriage expenditure and exchanges of gifts on occasions that extend far beyond the wedding. The lack of political will to implement the PC&PNDT Act seriously has meant that sex ratios have further declined in many states, especially the prosperous ones of Punjab, Haryana, Maharashtra, and Gujarat. Suicides by children are increasingly being reported as a result of a performance-oriented education system.

3.12 Cultural changes

Alongside the material impact of the changes wrought in the Indian economy in the past 20 years concurrent with the ratification of the CRC, there have been wide and sweeping cultural changes in Indian society. The opening up of the country has provided a much needed exposure to new thoughts and ideas. The growth of the internet and satellite communications has created opportunities for unprecedented cultural exchanges on a global scale. But, strangely, instead of absorbing the rational and scientific aspects of modern society, globalisation appears to have spawned a culture of the market, where all aspects of life are getting increasingly corporatised. Nothing is untouched – not even the world of sports. A global corporate media controlled by a few magnates now dictates the content of television, music, films, news, and all entertainment. India is no exception, with 24-hour channels that compete for the same piece of news and turn to sensationalism to attract audiences.

This is of concern to us because of the value systems this process imparts to children. Channels devoted to spiritual programmes often cross the limits of scientific temper and move to the realm of superstition. Children are exposed to violence and sex at an early age, which can adversely affect their balanced development. Television serials glorify inhuman practices such as witch-hunting, caste purity rituals, child brides, etc. in the name of tradition and custom. Unshakeable and absolute values such as equality, liberty, and fraternity are slowly being replaced by cultural relativism, which permits even obscurantism in the name of ethnicity. Reality shows that feature children in the name of cultural and entertainment programmes are used to increase the popularity of channels and rake in advertising revenue, but are known to create intense emotional and physical stress to its child participants. They can have a long-lasting impact on their psyche, as the Andhra Pradesh Human Rights Commission commented that they are in clear violation of the human rights of children.

The advent of new technologies and their mass popularisation have also led to a huge market in pornography. Children are often used in the production of pornographic material, which is distributed through cable networks and in print form. This could also lead to an increase in the incidence of paedophilia.

Another area of concern is the growing business of surrogacy in Third World countries and countries such as India, where health facilities on par with international standards can be made available for the commercial use of such technologies. The absence of any legal framework within which surrogacy cases can be examined, and the host of medical, legal, and ethical issues involved warrant a serious debate, with the child at the centre, since it is the most vulnerable and involuntary participant in the process.

The “market” also imposes its own cultural values on society. The “work ethic” is being gradually replaced by a “get rich quick” value system, in which a windfall gain from a lottery is considered far more remarkable than hard honest work. As speculative capital gains hold of the economic system, speculation and credit bubbles also become the basis of consumption. Individuals are targeted for the purchase of houses, cars, and consumer durables. The RBI has reported that the bank credit-to-GDP ratio has increased from 27 percent in 1997 to a whopping 60 percent in 2008! The share of personal loans is now around 25 percent of all non-

food credit in 2008. On the other hand, the level of non-performing assets of banks has also been increasing steadily and stood at 22.5 percent in 2009.⁷⁶

The imposition of market values has also spawned another debate within social organisations, on prostitution and its re-designation as “sex work”. It is not simply an issue of whether there should be “legalisation” of prostitution as against its “decriminalisation”. The debate is far deeper and centres on whether demeaning work such as prostitution should be viewed as any other form of work and on whether it is indeed liberating, particularly for women who are principally occupied in it, and is therefore a considered occupational choice. This has an important bearing on child rights, because data indicates that a majority of the young girls who are trafficked for prostitution purposes are in fact minors, where there is no question of “choice” of occupation. Whether the paradigm of “sex work”, which in fact legitimises a demeaning activity and a crime against humanity, should be accepted needs to be debated in full by child rights activists.

3.13 Fundamentalism and social fragmentation

Accompanying the economic and cultural changes has been a rise in the influence of fundamentalist forces within all communities, and a distinct polarisation of Indian society over the past two decades or more. Of course, this phenomenon is not peculiar to India. This is the result of a complex set of forces, including US attempts to establish hegemony over oil resources in other countries, growing conservatism within all religious sects, loss of national identity as nation-states lose autonomy in the wake of mobile global capital, and a host of other factors, some specific to the particular country. The cultural impact of globalisation is increasing fragmentation in society; instead of creating consciousness and unity amongst working people about the erosion of their rights in the process of neoliberal globalisation, identities based on region, religion, community, race, and caste are strengthened.

The formation of caste identities has witnessed a two-fold process that is somewhat contradictory in nature. On one hand, there is a rising assertion of the oppressed castes, not just within the Hindu community, but also minorities such as Muslim, Christians, Sikhs, etc. indicating the all-pervasive nature of the caste system. To that extent, it is a positive phenomenon, with scope for social churning and change. However, in the hands of opportunistic elements, it poses the danger of strengthening rather than loosening caste structures. There is also the danger of a backlash from upper castes who feel threatened by such an assertion, as happened in the public lynching and murders of *dalits* in Khairlanjee in Maharashtra or Jhajjar in Haryana. Some of these processes are being played out in different states, with local and regional political parties taking on the leadership. However, equally important issues such as poverty and unemployment of that particular community are in real danger of being subsumed in the upsurge of identity politics. But, by and large, this is a positive development, and caste as a social analytical tool is of immense use. Even in the Nithari case of child abuse and brutality, it had to be noted that the child victims were not just from poor, migrant families but also that a majority were *dalit*.

Liberalisation policies since 1991 have been accompanied by rising communal violence and polarisation. In fact, the two have moved in tandem, and the communal violence has been a convenient medium to divert attention from the adverse impact of the economic policies. While the Congress⁷⁷ has benefited from this fragmentation, the BJP and its communal allies in different states have openly used communal polarisation to gain political power. The whole world saw how this power was used against the Muslim minorities in Gujarat

⁷⁶ Reserve Bank of India Bulletin, May 2010. Available at: www.rbi.org.in

⁷⁷ Congress stands for INC, which is the majority party in the present coalition government.

in 2002 and to subvert the rule of the law in Orissa where Christian minorities have been under systematic attack by Hindutva forces. The plight of children who suffer in situations of communal violence is unspeakable.

Apart from the loss of life and limb, and the mental trauma of witnessing violence, the uprooting from a daily routine, loss of education, shelter, parental care, etc. there is the danger of young minds absorbing a culture of hatred towards the “other”. Education is becoming the political site for contesting history, without thought to the possible impact on the minds of young children. More children are being indoctrinated in *shakhas* or *tableeghs*. Religious assertion is sought to be established through many symbols and rituals that involve young children; parents are keen to send their children for religious rather than secular instruction. History is being retold with communal overtones. Young girls in particular face restrictions about dress, education, and even the type of employment they can be engaged in. Their right to choose a partner is being circumscribed by illegal caste *panchayats*. A major challenge is to protect young children from the onslaught of fundamentalist ideology, especially when they are under their parents’ guardianship, and requires discussion.

3.14 Changing political discourse

The period of the changing economic paradigm has also been marked by certain changes in the political scenario. One is the advent of coalition politics. The other is the rise of regional parties with their own distinct identities based on language, caste, community, etc. The New Economic Policy that spelt out neoliberal economic policies was piloted by a minority coalition government that lasted its entire term. Thereafter, with the exception of the period 1996-98, all successive coalition governments have by and large remained stable. One major reason for this stability is that there has been a coalescence of interests of the major coalition leaders who appear to be in opposition to each other.⁷⁸ There are no fundamental differences between them as far as economic policies are concerned. Although the some right wing parties subscribe to the communal ideology of Hindutva, others have from time to time softened their stand on secularism and given space to communal elements. Hence, there has been little scope for real alternative policies and programmes to be generated by an “opposition”. Yet a turn to the direction of certain policies has been possible as a result of pressures exerted by the regional parties on one hand, who have to cater to their own constituencies and therefore take issue with ruling policies as and when it affects their interests, and Left parties and new social movements on the other hand. The passage of the Right to Information Act 2005, the National Rural Employment Guarantee Act 2006, or the Right to Education Act 2009 and other pro-people measures reflect these efforts. However, the scope for more such changes in favour of the poor and marginalised sections, including in favour of the rights of children, is limited in the absence of a strong “opposition” in the Parliament and also the state legislative assemblies.

There has been a growing use of money and muscle power in elections at all levels, be it the gram panchayat or the Parliament. The corporate media is now playing a definitive role in upholding the interests of the rich and powerful. While women’s political empowerment through enactment of the 73rd and 74th Constitutional amendments was a positive change in local self-governance, the Women’s Reservation Bill seeking reservation of seats for women in the Parliament has been pending for the past 12 years. There is growing criminalisation of politics. The politics of identity in terms of caste, ethnicity, region, community, religion, etc. is gaining over the politics of people at large. Increasingly, a few rich and powerful families are dominating the political scenario. All these raise questions about the state of Indian democracy and whether the voice of a section such as children, who do not have the right to vote and who therefore do not constitute a “vote bank”, can be articulated.

78 BJP stands for Bharatiya Janata Party, which is the largest party in the opposition.

There is also an erosion of democratic institutions, including Parliament, which is witness to more disruption than serious debate on policy matters and the interests of the nation. Judicial activism, while welcome, is also leading to the shrinkage of spaces for democratic movements as courts decide on the limits to public interventions by bans on public assemblies and strikes, etc. Using the cover of engagement with terrorist and extremist forces, the State is unleashing repression and severely curbing the civil rights of individuals and organisations by labelling them anti-national. State repression is being increasingly used as a means to forcibly evict those opposed to corporate acquisition of land and other public natural resources or to break down resistance to projects that are displacing and distressing local people.

Another notable change in the political scenario has been the rise of what are known as “New Social Movements” that have sought to replace the traditionally structured left-of-centre organisations such as trade unions and peasant organisations as the representatives of the “people”. Groups and organisations representing the interests of different sections such as women, *dalits*, *adivasis*, minorities, wandering tribes, physically and mentally challenged persons, persons of different sexual orientation, etc. are being formed and are uncovering new and different forms of oppression and discrimination faced in this multilayered Indian society. This has indeed been a period of rich and diverse articulation of these different “rainbow” voices.

The voice of children has also grown stronger, with many organisations working on different aspects of children’s lives becoming active in these two decades. Most importantly, the perspective has shifted from a traditional “welfare” to what is now popularly known as the “rights-based approach”. This is most evident in the area of child rights, where the discourse has broadened. Apart from the more traditional issues of education and nutrition, there are now many debates and actions on child sexual abuse, child labour, children in conflict situations such as communal riots or wars, use of children in guerrilla warfare against the state by ultra-left or terrorist groups, increase in crimes by children, etc.

Another feature of the non-party political activity of this period is also the growing fragmentation of these movements. Partly, it is a difference in perspective, but it is also to do with the funding of different groups by different national and international sources that are responsible for a proliferation of organisations that appear to be working with a common cause, but in practice operate differently. The funding – directly and indirectly – influences their course of action. To a certain extent, they have tried to overcome the loss of influence that such divisions generate by forming broad issue-based “networks”. With the global financial crisis, many internationally funded groups are now facing a resource crunch.

Conclusion

Many child rights groups within the country are grappling with the issues that have been highlighted in this chapter. Any assessment of the CRC will also have to take into consideration the ability of those who represent the interests of children to bring about further policy changes and legislation in their favour.

Annexure 1

Steering Committee Members

1. Ms. Alpa Vora, Child Rights Activist, Mumbai, Maharashtra
2. Ms. Bharti Ali, HAQ: Centre for Child Rights, Delhi
3. Mr. C J George, Regional, terre des hommes Germany, South Asia Programme, South Asia Office, Pune, Maharashtra
4. Ms. Ingrid Mendoca, terre des hommes Germany, South Asia Programme, South Asia Office, Pune, Maharashtra
5. Mr. Ossie Fernandes, Human Rights Foundation, Chennai, Tamil Nadu
6. Mr. S Thomas Jayaraj, Centre for Child Rights and Development (CCRD), Chennai, Tamil Nadu
7. Mr. Sukhdev Bhai Patel, Ganatar, Ahmedabad, Gujarat
8. Mr. Umesh Purohit, Youth Service Centre, Bolangir, Orissa

Organising Committee Members

1. Mr. Bhupesh, Shikhar Yuvamanch (SYM), Bilaspur, Chhattisgarh
2. Ms. Deepanita Biswas, terre des hommes Germany, India Programme, East Office
3. Ms. Juliana Lohar, ARZ India, Goa
4. Mr. Kishore Jha, terre des hommes Germany, India Programme, North Office
5. Ms. Mary Vatamattam/Mr. Satish Kaipa, Timbaktu Collective, Andhra Pradesh
6. Mr. PE Reji, terre des hommes Germany, India Programme, South Office
7. Ms. Pallabi Sengupta, Lake Gardens Women and Children Development Centre, West Bengal
8. Mr. Prashant Dubey, Vikas Samvad, Bhopal, Madhya Pradesh
9. Mr. Raghu Tewari, Aman Biradari Trust, Almora, Uttarakhand
10. Dr. Rajnikant, Human Welfare Association, Varanasi, Uttar Pradesh
11. Mr. Sampat Mandave, terre des hommes Germany, India Programme, West Office
12. Mr. Sandesh Bansal, Madhya Pradesh Jan Adhikar Manch, Madhya Pradesh
13. Mr. Santosh Shinde, Bal Prafula – A Child Rights Advocacy Initiative, Mumbai, Maharashtra
14. Mr. Saraswathi, Rural Literacy and Health Programme, Mysore, Karnataka
15. Fr. Siji, Rohtas Educational and Associated Programmes (REAP), Bihar

Annexure 2

Participants at the Children's Consultations

North:

1. Rekha, Ankur, Delhi
2. Fareen, Centre for Integrated Development (CID), Gwalior, Madhya Pradesh
3. Rihana, Centre for Integrated Development (CID), Gwalior, Madhya Pradesh
4. Ahmed, Centre for Integrated Development (CID), Gwalior, Madhya Pradesh
5. Vikas , Sarvodaya Sant lallu dadda Jan Seva samiti, Surpura, Bhind, Madhya Pradesh
6. Rahul, Sarvodaya Sant lallu dadda Jan Seva samiti, Surpura, Bhind, Madhya Pradesh
7. Saveshi, Bhartiya Jan Seva Ashram, Jaunpur, Uttar Pradesh
8. Anita, Bhartiya Jan Seva Ashram, Jaunpur, Uttar Pradesh
9. Jyoti Yadav, Human Welfare Association, Uttar Pradesh
10. Dipa Gaud, Human Welfare Association, Uttar Pradesh
11. Maya Kumari, Rohtas Educational & Associate Programmes, Patna, Bihar
12. Renu Kumari , Rohtas Educational & Associate Programmes, Patna, Bihar
13. Kameshwar kumar, Rohtas Educational & Associate Programmes, Patna, Bihar
14. Farman , Centre for Education and Communication (CEC), Delhi
15. Abhishek, Dr.A V Baliga Memorial Trust, Delhi
16. Aashima, Dr.A V Baliga Memorial Trust, Delhi
17. Manju, Aman Biradari Trust, Almora, Uttarakhand
18. Anju, Aman Biradari Trust, Almora, Uttarakhand
19. Bhuvan, Aman, Almora, Uttarakhand
20. Virender, Yuva Vikas Sansthan, Ghazipur, Uttar Pradesh
21. Ramesh, Yuva Vikas Sansthan, Ghazipur, Uttar Pradesh
22. Dishu, Samagra Shikshan Evam Vikas Sansthan, Bihar
23. Sandeep, Samagra Shikshan Evam Vikas Sansthan, Bihar
24. Pallav, Khaan Mazdoor Suraksha Abhiyaan, Rajasthan
25. Vikram, Khaan Mazdoor Suraksha Abhiyaan, Rajasthan
26. Deepak, Himalaya Pariyavaran Shiksha sansthan, Uttarkashi, Uttarakhand
27. Archana, Himalaya Pariyavaran Shiksha sansthan, Uttarkashi, Uttarakhand
28. Sagar Patil, Madhya Pradesh Voluntary Health Association (MPVHA), Indore, Madhya Pradesh
29. Vinay Saini, Madhya Pradesh Voluntary Health Association (MPVHA), Indore, Madhya Pradesh
30. Pappi Kumari, Matsya Mewat Shiksha Evam Vikas Sansthan, Alwar, Rajasthan
31. Radha Gujjar, Matsya Mewat Shiksha Evam Vikas Sansthan, Alwar, Rajasthan

32. Anita Yadav, , Matsya Mewat Shiksha Evam Vikas Sansthan, Alwar, Rajasthan
33. Anil, Swami, Vivekanand Shiksha Samiti, Mirzapur, Uttar Pradesh
34. Murari, Vivekanand Shiksha Samiti, Mirzapur, Uttar Pradesh
35. Sonu, Support Centre, Swami Vivekanand Shiksha Samiti, Rampur, Uttar Pradesh
36. Ram, TDH Panipat, Haryana
37. Govind, TDH Panipat, Haryana
38. Adil Ahmed, Jammu Kashmir Association of Social Workers (JKASW), Jammu & Kashmir
39. Waqar Ali, Jammu Kashmir Association of Social Workers (JKASW), Jammu & Kashmir
40. Arti Kumari, Kisan Vikas Trust (KVT), Patna, Bihar
41. Soni Kumari, Samata Gram Sewa Sansthan, Patna, Bihar
42. Krishnamadan, Samata Gram Sewa Sansthan, Patna, Bihar
43. Punam, Participatory Action for Community Empowerment (PACE), Lucknow, Uttar Pradesh
44. Aneeta, Participatory Action for Community Empowerment (PACE), Lucknow, (Uttar Pradesh)
45. Shanno, Badhte Kadam and Childhood Enhancement Through Training and Action (Chetna), Delhi
46. Chandni, Badhte Kadam and Childhood Enhancement Through Training and Action (Chetna), Delhi

East:

47. Rinku Nag, Youth Service Centre (YSC), Orissa
48. Dolaram Kumbhar, Youth Service Centre (YSC), Orissa
49. Susama Mahanta, People's Cultural Centre (PECUC), Orissa
50. Diptimayee Mahanta, People's Cultural Centre (PECUC), Orissa
51. Priyanka Priyadarshini Barik, People's Cultural Centre (PECUC), Orissa
52. Kabitarani Mahanta, People's Cultural Centre (PECUC), Orissa
53. Nisha Prajapati, Society for People's Awareness (SPAN), West Bengal
54. Sumita Naskar, Nishtha, West Bengal
55. Manisha Mondal, Nishtha, West Bengal
56. Chintu Shaw, Path Welfare Society, West Bengal
57. Ruby Khatoon, Path Welfare Society, West Bengal
58. Paresh Hembram, Prayas Foundation, Jharkhand
59. Suresh Kisku, Prayas Foundation, Jharkhand
60. Sunil Kumar, Balsakha, Bihar
61. Madha Singh, Sikshasandhan, Orissa
62. Sridhara Hembram, Sikshasanshan, Orissa
63. Sugia Kumari, Chetna Bharati, Jharkhand
64. Manisha Khatoon, BHRDS, West Bengal
65. Thabir Mallick, Agragamee, Orissa
66. Prity Saha, Jabala, West Bengal

67. Mahendra Kumar Meher, Youth Council for Development Alternatives (YCDA), Orissa
68. Uttam Bagarti, Youth Council for Development Alternatives (YCDA), Orissa
69. Dheeraj Kumar, Holly Cross, Jharkhand
70. Parsuram Jani, SOVA, Orissa
71. Pabitra Nag, SOVA, Orissa
72. Anil Kumar Das, RUSH, Orissa
73. Rachana Parichha, RUSH, Orissa
74. Chaina Das, Smokus, West Bengal
75. Smrithi Das, Basha, West Bengal
76. Rinku Patra, Lake Garden Women and Children Development Centre (LGWCDC), West Bengal
77. Rupa Halder, Lake Garden Women and Children Development Centre (LGWCDC), West Bengal
78. Sangita Mondal, Sanlaap, West Bengal
79. Kamala Kumari, Lok Prerna, Jharkhand
80. Kailu Kumar, Lok Prerna, Jharkhand

North East:

81. Neikerhelie Nakhro, Nagaland
82. Harangbe Whiso, Nagaland
83. Kamongla Longkumer, Nagaland
84. Mvuro Koza, Nagaland
85. Thejasenuo Vizo, Nagaland
86. Arishinaro, Nagaland
87. Bendangtula Walling, Nagaland
88. Kholi Chachei, Nagaland
89. Marina Khumanthem, Manipur
90. Ningombam Malemnganbi, Manipur
91. Loitongbam Rishita, Manipur
92. Miranda Thoudam, Manipur
93. Shalini Thoudam, Manipur
94. Sangnu Haokip, Manipur
95. Jodarshin Haokip, Manipur
96. Kina Jennis, Manipur
97. J Valley Green, Manipur
98. L Joyratana, Manipur
99. Lumgongthailui, Manipur
100. Nishaat Khani, Manipur
101. Longjam Bidyarani, Manipur

102. Loitongbam Brinda, Manipur
103. Chingakham Barun, Manipur
104. Isaac Marem, Manipur
105. Seiminkai Khongsai, Manipur
106. M Lhunkhoching Haokip, Manipur
107. Nongmaithem Akash, Manipur
108. Md Mubarak Ali, Manipur
109. Todarshim Hongsha, Manipur
110. Margaret Lalrinpuui, Mizoram
111. Lalrinawmi, Mizoram
112. Cynthia Debbarma, Tripura
113. Jalma Debbarma, Tripura

West:

114. Mahendra, Shramjivi Janata Sahayyak Mandal, Maharashtra
115. Sushila Jagtap, Shramjivi Janata Sahayyak Mandal, Maharashtra
116. Madhuri Sakhare, Rachnatmak Sangharsh Samiti, Maharashtra
117. Sandesh Gaikwad, Rachnatmak Sangharsh Samiti, Maharashtra
118. Akash Kale, Nari Prabhodhan Manch, Maharashtra
119. Pooja Lomate, Nari Prabhodhan Manch, Maharashtra
120. Saroja Pujari, Nari Prabhodhan Manch, Latur, Maharashtra
121. Tejus Kamble, Nari Prabhodhan Manch, Latur, Maharashtra
122. Vishal Savalsure, Nari Prabhodhan Manch, Latur, Maharashtra
123. Rani Bhagat, Yuva Mitra, Nashik, Maharashtra
124. Prajwal Gadach, Yuva Mitra, Nashik, Maharashtra
125. Imran, Shelter Don Bosco, Mumbai, Maharashtra
126. Venkatesh, Shelter Don Bosco, Mumbai, Maharashtra
127. Chetan Asavle, Lokpanchayat, Ahmednagar, Maharashtra
128. Tejal Wayal, Lokpanchayat, Ahmednagar, Maharashtra
129. Rahul, Sathi, Pune, Maharashtra
130. Druva, Sathi, Pune, Maharashtra
131. Kiran, Balprafulta, Mumbai, Maharashtra
132. Akshay, Balprafulta, Mumbai, Maharashtra
133. Vikas Mashukar Borje, Mahatma Phule Samaj Seva Mandal (MPSSM), Solapur, Maharashtra
134. Yogesh Payruji Khillare, Mahatma Phule Samaj Seva Mandal (MPSSM), Solapur, Maharashtra
135. Mukesh, Tara Mobile Creches, Pune, Maharashtra
136. Anuradha, Tara Mobile Creches, Pune, Maharashtra

137. Ritesh Halyalkar, Child Rights in Goa (CRG), Goa
138. Shashikala Chavan, Child Rights in Goa (CRG), Goa
139. Nagamma Naik, Child Rights in Goa (CRG), Goa
140. Shashikala, Anyay Rahit Zindagi (ARZ), Goa
141. Sunny, Jan Ugahi, Margaon, Goa
142. Shirin, Jan Ugahi, Margaon, Goa
143. Shainaz, Jan Ugahi, Margaon, Goa
144. Bablu Sonwani, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
145. Nandini Paraste, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
146. Hemraj Dhurvey, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
147. Shakuntla, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
148. Deepak, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
149. Lajwanti, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
150. Rekha, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
151. Rajbahor, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
152. Dharmendra, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
153. Jeetu, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
154. Meena, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
155. Gonchi, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
156. Neekita Deepak, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
157. Niharika, National Institute of Women Child & Youth Development (NIWCYD), Nagpur, Maharashtra
158. Manohar, National Institute of Women Child & Youth Development (NIWCYD), Bhopal, Madhya Pradesh
159. Pankaj, National Institute of Women Child & Youth Development (NIWCYD), Bhopal, Madhya Pradesh
160. Jitni Bai, Bharatiya Gramin Adivasi Vikas Sanstha-BGAVS, Maharashtra
161. Tulsiram, Bharatiya Gramin Adivasi Vikas Sanstha-BGAVS, Maharashtra
162. Shivkumar, Dalit Sangh, Madhya Pradesh
163. Vandhana, Dalit Sangh, Madhya Pradesh
164. Jyothi, Dalit Sangh, Madhya Pradesh
165. Chhali Chhamla, Shikhar Yuva Manch, Chhattisgarh
166. Bhaneshwari, Shikhar Yuva Manch, Chhattisgarh
167. Somari Singh, Sarthak Jan Vikas Sansthan, Chhattisgarh
168. Ajay Singh, Sarthak Jan Vikas Sansthan, Chhattisgarh
169. Sheetal, Mitwa Mahila Kalyan Ewam Sewa Samiti, Chhattisgarh
170. Deepak, Mitwa Mahila Kalyan Ewam Sewa Samiti, Chhattisgarh
171. Purnima, Mitwa Mahila Kalyan Ewam Sewa Samiti, Chhattisgarh
172. Champaben C Rathwa, BHASHA, Gujarat
173. Mathuriben S Rathwa, BHASHA, Gujarat

174. Sonal Nayak, Area Networking and Development Initiatives (ANANDI), Gujarat
175. Mahendra Baria, Area Networking and Development Initiatives (ANANDI), Gujarat
176. Jayesh, Shaishav, Gujarat
177. Riddhi Rawal, Shaishav, Gujarat
178. Hetalben Muladiya, Ganatar, Gujarat
179. Nilofarben Sheikh, Kaira Social Service Society
180. Forun, Kaira Social Service Society
181. Sunita Vaghela, Gram Swaraj Sangh
182. Mahesh Vaghela, Gram Swaraj Sangh

South:

183. Prannath, Kerala
184. Henson, Kerala
185. Nithin M S, Kerala
186. Ramshad, Kerala
187. Judy Babu, Kerala
188. Sneha Paulson, Kerala
189. Susha K, Kerala
190. Aisha Nusuredin, Kerala
191. Sasikala, Nagapattinam
192. Yogeswaran, Karur
193. Muthuselvaganes, Theni
194. Priyanka Mary, Dindigul
195. Roopavathi, Tamilnadu
196. Kumara Guru, Tamilnadu
197. Subathram, Tamilnadu
198. Mohanraj, Tamilnadu
199. Ganga, HELP, Ongole, Andhra Pradesh
200. Ravi, HELP-Ongole, Andhra Pradesh
201. Manga, MV Foundation, Hyderabad, Andhra Pradesh
202. Sunil Sharma, MV Foundation, Hyderabad, Andhra Pradesh
203. Haritha Sree, Navajeevan Bala Bhavan, Vijaywada, Andhra Pradesh
204. KV Chaitanya, Andhra Pradesh
205. Navjeevan T, Andhra Pradesh
206. Ramadevi, Timbaktu, Andhra Pradesh
207. Lakshmappa Naidu, Timbaktu, Andhra Pradesh
208. Poornima, Rural Literacy and Health Program (RLHP), Mysore, Karnataka

209. Manoj, Rural Literacy and Health Program (RLHP), Mysore, Karnataka
210. Iswaraya, Association for Promoting Social Action (APSA), Bengaluru, Karnataka
211. Nithin, Association for Promoting Social Action (APSA), Bengaluru, Karnataka
212. Jyothi, Karnataka Integrated Development Services (KIDS), Dharwad, Karnataka
213. Pradani Madar, Karnataka Integrated Development Services (KIDS), Dharwad, Karnataka
214. Rajeshwari, Concerned For Working Children (CWC), Bengaluru, Karnataka
215. Manjula, Concerned for Working Children (CWC), Bengaluru, Karnataka

Annexure 3

List of Facilitator's for Children's Consultations

Northern Region

11. Neelima, Aman, Almora, Uttarakhand
12. Rajinder, Dr A V Baliga Memorial Trust, New Delhi
13. Mushtaq, Centre for Integrated Development, Gwalior, Madhya Pradesh
14. Pradeep, Matsya Mewat Shiksha Evam Vikas Sansthan, Alwar, Rajasthan

Eastern Region

15. Biplab Das, Society for People's Awareness (SPAN), West Bengal
16. Deboshree, Society for People's Awareness (SPAN), West Bengal
17. Jyoti Mohapatra, People's Cultural Centre (PECUC), Orissa
18. Mamta, People's Cultural Centre (PECUC), Orissa
19. Umesh Purohit, Youth Service Centre (YSC), Bolangir, Orissa
20. Namita, Youth Service Centre (YSC), Bolangir, Orissa

North East Region

21. Ranjeeta Sadokpam, Human Rights Alert, Manipur
22. Nandini Thockchom, Forum for Indigenous Perspectives and Action, Manipur

Western Region

1. Fatima Balambid, Jan Ugahi, Goa
2. Dhananjay Anup, Shikhar Yuva Manch, Bilaspur, Chhattisgarh
3. Sunil, Dalit Sangh, Madhya Pradesh
4. Sangita Rath, NIWCYD-Bachpan, Bhopal, Madhya Pradesh
5. Ashokbhai Patel, Shaishav, Bhavnagar, Gujarat
6. Jayshree Birajdar, NPM, Latur, Maharashtra

Southern Region

7. Jim Jesudos, Sakthi Vidiyal, Madurai, Tamil Nadu
8. Deepak G, Child Rights Resource Centre – Rajagiri, Kerala
9. Gode Prasad, Grass Roots Advocacy for Community Empowerment (GRACE), Andhra Pradesh
10. Vasudeva Sharma, Child Rights Trust (CRT), Bangalore, Karnataka

Annexure 4

Participants at the Focussed Group Discussion with Trade Unions

28 September 2011, New Delhi

1. Mr. Dhirendra Sharma, Secretary, All India Trade Union Congress (AITUC)
2. Mr. Jitendra Singh, Member, All India Trade Union Congress (AITUC)
3. Mr. Madhukant Pathariya, President, Nirman Mazdoor Sangh
4. Ms. Mohanlal Sharma, Indian National Trade Union Congress (INTUC)
5. Ms. Neelima Tirkey, Coordinator, Delhi Domesitc Worker's Forum
6. Mr. Prakash Kumar, President, Kachra Kamgar Union
7. Mr. SK Solanki, Vice President, Indian National Trade Union Congress (INTUC)
8. Mr. SN Jaiswal, President, Trade Union Coordination Centre (TUCC)
9. Mr. Satish Pawar, Member, All India United Trade Union Centre (AIUTUC)
10. Mr. Soorman Singh Negi, Member, All India United Trade Union Centre (AIUTUC)
11. Sr. Ranjitha, Coordinator, Delhi Domestic Worker's Forum
12. Mr. Vikas Singh, Secretary, Indian National Trade Union Congress (INTUC)

Participants at the Focussed Group Discussion with Organisations working on Disability Rights

5 October 2011, New Delhi

1. Mr. Abdul Mabood, Director, Snehi, Delhi
2. Ms. Neha Malhotra, Training Coordinator, Action For Autism, Delhi
3. Ms. Renu Anuj, Director, Action for Ability Development and Inclusion (AADI), Delhi

Annexure 5

CRC20BS Collective

This report has been endorsed by 173 organisations, networks and campaigns and 215 children. The list of children is in Annexure 2.

1. Aangan, Mumbai, Maharashtra
2. Aarth-Astha, Delhi
3. Agramee, Orissa
4. AIDENT, An Initiative for Development and Empowerment, Delhi
5. All India Trade Union Congress
6. AMAN, Almora, Uttarakhand
7. Amhi Amchya Arogyasathi, Nagpur, Maharashtra
8. Anandi, Dahod, Gujarat
9. Ankur (Society For Alternative in Education), Delhi
10. Anyay Rahit Zindagi (ARZ), Goa
11. Arunodaya Centre for Working Children, Chennai, Tamil Nadu
12. ASARE Rural Women Voluntary Organisation, Kanakapura, Bengaluru, Karnataka
13. Association for Development (AFD)- Pratidhi, Delhi
14. Association for Stimulating Know How, Gurgaon, Haryana
15. Bachpan Bachao Andolan, Delhi
16. Bal Sakha, Patna, Bihar
17. Balprafulta - A Child Rights Advocacy Initiative, Mumbai, Maharashtra
18. Belgaum Diocesan Social Service Society (BDSSS), Dharwad, Karnataka
19. Bharatiya Gramin Adivasi Vikas Sanstha (BGAVS) Chandrapur, Maharashtra
20. Bhartiya Jan Seva Ashram (BJSA), Jaunpur, Uttar Pradesh
21. Bhasha, Baroda, Gujarat.
22. Bindrai Institute For Research Study and Action, Mines Monitoring Centre, Ranchi, Jharkhand
23. BOSCO MANE, Bengaluru, Karnataka
24. Butterflies, Delhi
25. Campaign Against Child Labour (CACL), Orissa
26. Campaign Against Child Trafficking (CACT), Bihar
27. Campaign Against Child Trafficking (CACT), Delhi
28. Campaign Against Child Trafficking (CACT), Gujarat
29. CARE Trust, Coimbatore, Tamil Nadu

30. Center for Integrated Development (CID), Gwalior, Madhya Pradesh
31. Centre for Action Research and Documentation (CARD), Orissa
32. Centre for Child Rights and Development, Chennai, Tamil Nadu
33. Centre for Peace and Development, Aizwal, Mizoram
34. Centre for Social Education and Development, (CSED), Coimbatore, Tamil Nadu
35. Chetna Bharti, Kolkata, Delhi
36. CHETNA, Ahmedabad, Gujarat
37. Childline India Foundation, New Dehi
38. Child In Need Institute (CINI Asha), West Bengal
39. Child Rights and You (CRY), Delhi
40. Child Rights Resource Centre (CRRRC-RAJAGIRI), Kochi, Kerala
41. Child Rights in Goa (CRG), Panjim, Goa
42. Child Rights Trust, Bengaluru, Karnataka
43. Childhood Enhancement Through Training and Action (Chetna), Delhi
44. Commonwealth Human Rights Initiative (CHRI), Delhi
45. Community Development Foundation (CDF), Bengaluru, Karnataka
46. Dalit Sangh, Hoshangabad, Madhya Pradesh
47. Deepalaya, Delhi
48. Delhi Domestic Worker's Forum, Delhi
49. Development through Education (DEED), Hunsur, Karnataka
50. Dice Foundation, Kohima, Nagaland
51. Don Bosco Anbu Illam Social Service Society, Tiruppur, Tamil Nadu
52. Don Bosco Balprafulta, Mumabi, Maharashtra
53. Don Bosco National Forum for the Young at Risk, Delhi
54. Dr A V Baliga Memorial Trust, Delhi
55. Dr Anita Ghai, Associate Professor, Jesus and Mary College, University of Delhi
56. Dr Bharti Sharma, Child Rights Activist, Ex-Chairperson, Child Welfare Committee, Delhi
57. Dr K Sekar, Professor, Department of Psychiatric Social Work, NIMHANS, Bengaluru
58. Dr Vandana Prasad, Community Pediatrician, Delhi
59. Environics Trust, Delhi
60. Forum for Indigenous Perspectives and Action, Manipur
61. Foundation for the Rights of Young Child (FORYOUCHILD), Chennai, Tamil Nadu
62. Ganatar, Ahmedabad, Gujarat
63. Grameen Vikas Sodh Avam Takniki Kendra, Tonk, Rajasthan
64. Grass Roots Advocacy for Community Empowerment (GRACE), Vijaywada, Andhra Pradesh
65. HAQ: Centre for Child Rights, Delhi
66. Himalayee Paryavaran Shiksha Sansthan (HPSS), Uttarkashi, Uttarakhand

67. Holistic Approach For People's Movement, Mudaliarpur, Pondicherry
68. Hospet Salesian Society, Bellary District, Karnataka
69. Housing and Land Rights Network, Delhi
70. Human Education and Action for Liberation (HEAL), Kanyakumari, Tamil Nadu
71. Human Rights Advocacy and Research Foundation, Chennai, Tamil Nadu
72. Human Rights Alert, Manipur
73. Human Rights Law Network (HRLN), Delhi
74. Human Welfare Association (HWA), Uttar Pradesh
75. Indian National Trade Union Congress
76. Jabala Action Research Organisation, Kolkata, West Bengal
77. Jan Kalyan Gramodyog Seva Ashram (JKGSA), Sonbhadra, Uttar Pradesh
78. Jan Ugahi, Margoan, Goa
79. Janachetana, Raichur, Karnataka
80. Jammu and Kashmir Association of Social Workers, Srinagar, Jammu and Kashmir
81. Kachra Kamgar Union, Delhi
82. Karnataka Integrated Development Service (KIDS), Dharwad, Karnataka
83. Kiran Jyoti, Child Rights Activist, Delhi
84. Kisan Vikas Trust (KVT), Patna, Bihar
85. Lake Garden Women and Children Development Centre (LWCCDC), Kolkata, West Bengal
86. Life Care Trust, Kanyakumari, Tamil Nadu
87. Light for Blind, Dornala, Andhra Pradesh
88. Lokpanchayat, Ahmednagar, Maharashtra
89. M V Foundation, Hyderabad, Andhra Pradesh
90. M P Jan Adhikar Manch, Gwalior, Madhya Pradesh
91. M P Voluntary Health Association (MPVHA), Indore Madhya Pradesh
92. Manab Adhikaar Seva Samiti (MASS), Orissa
93. Manasa Centre for Development & Social Action, Bengaluru, Karnataka
94. Manav Sansadhan Evam Mahila Vikas Sansthan (MMVS), Varanasi, Uttar Pradesh
95. Matsya Mewat Shiksha Evam Vikas Sansthan, Alwar Rajasthan
96. mines mineral and People, (mm&P), Hyderabad, Andhra Pradesh
97. Mithila Gram Vikas Parishad (MGVP), Dharbhanga, Bihar
98. Mitwa Mahila Kalyan Evam Sewa Samiti, Bilaspur, Chattisgarh
99. Multiple Action Research Group (MARG), Delhi
100. Nari Prabhodhan Manch, Latur, Maharashtra
101. National Institute of Women Child & Youth Development (NIWCYD) Nagpur, Maharashtra
102. NIRDESH, Muzaffarpur, Bihar
103. Nirmaan Mazdoor Sangathan

104. Nisarga Foundation, Mysore, Karnataka
105. NISHTA, West Bengal
106. Open Learning Systems, Orissa
107. Participatory Action for Community Empowerment (PACE), Lucknow, Uttar Pradesh
108. PATH Welfare Society, West Bengal
109. People Action for Creative Education, Nalgonda, Andhra Pradesh
110. People's Action for Development (PAD), Chennai, Tamil Nadu
111. People's Cultural Centre (PECUC), Orissa
112. Plan India, Delhi
113. Prayas Foundation, Jharkhand
114. Prayas Juvenile Aid Centre Society, Delhi
115. Psycho Trust, Karur, Tamil Nadu
116. Public Health Resource Network, Delhi
117. Purvanchal Gramin Seva Samiti (PGSS), Gorakhpur, Uttar Pradesh
118. Rachanatmak Sangharsh Samiti, Osmanabad, Maharashtra.
119. Right to Food Campaign, Madhya Pradesh Support Group
120. Rohtas Educational & Associated Programmes, Patna, Bihar
121. Rural Development Association (RDA), West Bengal
122. Rural Education & Action Development Society (READS), Bellary, Karnataka
123. Rural Education and Child Health Society of India (REACH), Bijapur, Karnataka
124. Rural Education and Development (READ), Bihar
125. Rural Literacy and Health Program (RLHP) Mysore, Karnataka
126. Rural Organization for Social Education (ROSE), Pudukottai, Tamil Nadu
127. Sajag Society, Delhi
128. Sakhi Trust, Bellary, Karnataka
129. Sakthi-Vidiyal, Madurai, Tamil Nadu
130. Salaam Baalak Trust, Delhi
131. Samagra Shikshan Evan Vikas Sansthan (SSEVS), Bihar
132. Samata Gram Sewa Sansthan, Patna, Bihar
133. Samata, Vishakapatna, Andhra Pradesh
134. Sampurna Gram Vikas Kendra (SGVK), Jharkhand
135. Samruddi, Kanakapura, Bengaluru, Karnataka
136. Sarthak Jan Vikas Sansthan, Surguja, Chhattisgarh
137. Sarvodaya Sant Lallu Dadda Janseva Samiti (SSLDJS), Surpura, Bhind, Madhya Pradesh
138. Sathi – Pune, Maharashtra
139. Save the Children, Delhi
140. Shaishav, Bhavnagar, Gujarat

141. Shelter Don Bosco, Mumbai, Maharashtra
142. Shikhar Yuva Manch, Chhattisgarh
143. Shramjivi Janata Sahayak Mandal, Satara, Maharashtra
144. Sikshasadhan, Orissa
145. Shripur Mahila-O-Khadi Unnayan Samity (SMOKUS), West Bengal
146. Snehadeep Holy Cross Community Care Center, Hazaribag, Jharkhand
147. Snehi: An Organization for Psychosocial Support and Mental Health Care, Delhi
148. Social Awareness and Voluntary Education (SAVE), Tirupur, Tamil Nadu
149. Society for Integrated Community Development, (SNEHA), Bellary, Karnataka
150. Society for People's Awareness (SPAN), West Bengal
151. Society for Rural Urban & Tribal Initiative, Delhi
152. Socio Economic Education and Development Society (SEEDS), Bellary, Karnataka
153. SOS Children's Villages of India, Delhi
154. Spandana, Belgaum, Karnataka
155. Swami Vivekanand Shiksha Samiti (SVSS), Mirzapur, Uttar Pradesh
156. Swera Sansthan, Ajmer, Rajasthan
157. Tamil Nadu Forum for Creche and Child Care Services (TN-FORCES) Chennai, Tamil Nadu
158. Tara Mobile Creches, Pune, Maharashtra
159. terre des hommes Germany
160. terre des hommes Netherlands, India Office
161. terre des hommes Suisse
162. Timabaktu Collective, Ananthpur, Andhra Pradesh
163. Trade Union Co-ordination Centre
164. Vidhya Dham Samiti, Bandr, Uttar Pradesh
165. Vikas Samvad, Bhopal, Madhya Pradesh
166. Vikasa Rural Development Organisation, Bengaluru, Karnataka
167. Voluntary Organization in Community Enterprises (VOICE), Mumbai, Maharashtra
168. Working Group on Human Rights (WGHR), Delhi
169. Youth Service Centre, Bolangir, Orissa
170. Yuva Mitra, Nashik, Maharashtra
171. Yuva Vikas Sansthan (YVS), Gwalior, Madhya Pradesh
172. Yuva Vikas Sansthan, Gazipur, Uttar Pradesh
173. Youth For Unity And Voluntary Action (YUVA), Mumbai, Maharashtra

