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*Let noble thoughts come to us from every side  
Rig Veda*

## CONTENTS

### RIGHTS OF THE CHILD

Shantha Sinha ..... 4

### FROM THE YOJANA ARCHIVES

WHY DO SOME CHILDREN TURN TO CRIME? ..... 9

### MALNUTRITION IN INDIAN CHILDREN

Prema Ramachandran ..... 10

### J&K WINDOW

PREPARING FOR THE NEW CHILD LABOUR LAW ..... 18

Kailash Satyarthi ..... 19

### CHILD WELFARE POLICIES AND PROGRAMMES IN INDIA

Chinmayee Satpathy ..... 23

### REFORMS UNDER MGNREGS IN RAJASTHAN

Tanmay Kumar, Yutika Vora ..... 31

### SHODHYATRA

REVERSIBLE REDUCTION GEAR FOR MARINE DIESEL ENGINE ..... 35

### DO YOU KNOW?

WHAT IS CENTRAL ADOPTION RESOURCE AUTHORITY ..... 38

### NORTH EAST DIARY

GIRL CHILD IN INDIA  
Shweta Prasad ..... 41

CHILD PROTECTION IN INDIA  
Dora Giusti, Aneerudh Kulkarni ..... 46

TACKLING CRIMES AGAINST CHILDREN  
Sandip Das ..... 50

### BEST PRACTICES

PPPS AND CENTRALISED KITCHENS:  
A BOON FOR THE MDM PROGRAMME  
Bharathi Ghanashyam ..... 53

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**EDITORIAL OFFICE :** Yojana Bhavan, Sansad Marg, New Delhi-110001 Tel.: 23096738, 23042511.

Tlgm.: Yojana. **Business Manager (Hqs.) :** Ph :24367260, 24365609, 24365610

**For new subscriptions, renewals, enquiries please contact : Business Manager (Circulation & Advt.), Publications Division, Min. of I&B, East Block-IV, Level-VII, R.K. Puram, New Delhi-110066, Tel.: 26100207, Telegram : Soochprakashan and Sales Emporia :** Publications Division: \*Soochna Bhavan, CGO Complex, Lodhi Road, New Delhi -110003 (Ph 24365610) \*Hall No.196, Old Secretariat, Delhi 110054(Ph 23890205) \* 701, B Wing, 7th Floor, Kendriya Sadan, Belapur, Navi Mumbai 400614 (Ph 27570686)\*8, Esplanade East, Kolkata-700069 (Ph 22488030) \*A' Wing, Rajaji Bhawan, Basant Nagar, Chennai-600090 (Ph 24917673) \*Press road, Near Govt. Press, Thiruvananthapuram-695001 (Ph 2330650) \*Block No.4, 1st Floor, Gruhakalpa Complex, M G Road, Nampally, Hyderabad-500001 (Ph 24605383) \*1st Floor, 'F' Wing, Kendriya Sadan, Koramangala, Bangalore-560034 (Ph 25537244) \*Bihar State Co-operative Bank Building, Ashoka Rajpath, Patna-800004 (Ph 2683407) \*Hall No 1, 2nd floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024(Ph 2225455) \*Ambica Complex, 1st Floor, above UCO Bank, Paldi, Ahmedabad-380007 (Ph 26588669) \*KKB Road, New Colony, House No.7, Chenikuthi, Guwahati 781003 (Ph 2665090)

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YE-193/2012





## About the Issue

**T**he children of today are the future of tomorrow. This is an age old adage, yet it has a special significance. In India, children in the age group of 0-14 years comprise one-third of the total population of the country. Every child having a conducive and enabling environment can blossom and shine in all spheres of life. The journey in the life cycle of a child involves critical components of child survival, child development and child protection. Child survival entails the basic right of being born in a safe and non-discriminatory environment. Today, the adverse sex ratio at birth, high child mortality rates and rapidly declining sex ratio reflects the ensuing challenges. Reducing malnutrition and incremental deficiencies and increasing enrollment, retention, achievement and completion rates in education are the focus areas in child development. Safeguarding the children from violence, exploitation and abuse fall under child protection.



Realising the deprived and vulnerable conditions of children, the law makers of the country have accorded a privileged status to children. The number of rights and privileges given by the Indian Constitution and duly supported by legal protection bears a testimony to this. On the policy side, the Government of India is committed to promote the survival, protection; development and participation of children in a holistic manner and a series of measures cutting across gender, caste, ethnicity or region have been initiated to realize all inclusive growth. Despite various initiatives both on legal as well as policy and programme levels the condition of children remains a cause of concern that needs to be addressed urgently. The latest report brought out by the Ministry of Statistics and Programme Implementation titled "Children in India, 2012 - A Statistical Appraisal" underlines the present status of children in the country.

India is the second largest populous country in the world. Significantly, out of an absolute increase of 181 million population of the country during 2001-2011, there is a reduction of 5.05 million in the population aged 0-6 years during this period. In 2011, the total number of children in the age group 0-6 years is reported as 158.79 million which is down by 3.1 percent compared to the child population in 2001 of the order of 163.84 million. The share of children (0-6 years) to the total population is 13.1 percent in 2011, whereas the corresponding figures for male children and female children are 13.3 percent and 12.9 percent respectively. While the size of the child population in the 0-6 years age group is declining with decline in the share of children in the total population, the share of girls in 0-6 years is declining faster than that of boys in this age group. The Report says this has led to missing of nearly 3 million girl children compared to 2 million missing boy children in 2011. Even though the overall sex ratio is showing improvement, the child sex ratio is showing a declining trend, which is a matter of concern, as it indicates a continuing preference for boys in society, despite laws to prevent female foeticide and schemes to encourage families to have girl child.

Another important concern is that of child mortality. Some States have very high mortality rates, and despite progress in the health sector, precious young lives are lost due to early childhood diseases, inadequate newborn care and child birth related causes. The mortality status of children in India reflects the threats in child health. Malnutrition is a major underlying cause of child mortality in India. Child labour is another severe and complex social problem in India. In 2011 crimes against children reported a 24 percent increase from the previous year.

Inside, authors look into the various issues concerning children, the various aspects of child development and analyse the existing legislations, schemes and programmes. There is no denying the fact that children hold the key to the nation's future and as such due priority must be given to look into their needs and requirements, by giving them access to a range of opportunities for their holistic and all-round development. □



### Rights of the Child

*Shantha Sinha*



*All legislations for protection of child rights have to take categorical and unambiguous position on children's rights, ensuring State commitment and obligation to provide all structures, institutions and processes for delivering services to children*

**T**HERE IS unanimity on the importance of protecting children and their right to freedom and dignity.

It was enshrined in the Constitution of India. Yet there have been gross violations of children's rights since independence and serious gaps in the delivery of services for children. There is a need therefore to understand the core principles for delivering services to children and an adherence to a rights based perspective. Recent enactments, such as the right to education act and protection of children from sexual offences have been child centric clearly emphasizing the rights of children. Some policies like the Integrated Child Development Scheme (ICDS) and Integrated Child Protection Scheme (ICPS) have also shown that decentralisation and involvement of the community and civil society as equal partners with the government are important components for effective realisation of children's rights.

#### **Provisions for Children in Constitution of India**

The framers of Constitution of

India recognised the importance of secure childhood and protection of children's rights as crucial components for laying the foundations of India's democracy. Therefore Article 39 (f) of Directive Principles of State Policy of the Constitution stated that 'children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.'

Reiterating the values of social justice it stated "that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength".

Further, recognising the importance of right to education, Article 45 commits that "The State shall endeavour to provide, within a period of ten years from the commencement of the Constitution, for free and compulsory education for all children until they complete

The author is Chairperson, National Commission for Children's Protection & Child Rights, New Delhi.



the age of fourteen years”. In fact it is the only article in the Constitution that makes a time bound commitment.

While a rights based perspective is essentially universal, the framers of the Constitution recognised the need for affirmative action and thus in Article 46 it is stated that “The State shall promote with special care the educational and economic interests of the weaker sections of the people and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.”

The crystallisation of this guiding principle of equality and social justice was possible in the charged atmosphere of independence from colonial subjugation, in which the liberation of each and every citizen in India, including children, was the paramount objective. This goal of extricating children from the world of oppression and exploitation was seen as an important and achievable aim requiring actualisation through law, policy, investment and community mobilisation. Over time, however, the issue of the child facing oppression and adversity has not captured the imagination of those in power and authority. Societal concerns drifted away from the child’s well being and the interests and rights of children were not seen as integral to the nation-building tasks of development and democracy in India.

### **Status of Children - Daily Lives**

After more than 60 years of independence it has been found

that there are still many gaps in children having their access to all their entitlements. Contemporary times have intensified the dangers to childhood and have been extraordinarily harsh to many children in our country. More and more children are vulnerable and marginalised today. Having no food to eat, and little or no health support, they live precariously, experiencing hunger daily and suffering malnourishment, their lives claimed tragically by infant and child mortality. Older children are being trafficked and are working as migrant child labour, usually away from their homes. Children travel long distances across States. Networks for trafficking children exist from one end of the country to another, from Manipur to Chennai, Bihar to Punjab, Kerala, Rajasthan, Orissa to Mumbai and Gujarat. On their way to work and even in the work places, it is an undisputed fact that children are subject to abuse, torture and gross exploitation. Even children, who remain in their own communities and are at work, are victims of cruel market forces and lack access to State services and protective schemes. Child marriage, child trafficking and discrimination against girls remain crucial challenges. There is a growing number of children being affected and infected with HIV and AIDS, displacement due to natural disasters and civil unrest representing a new generation of hazards a child faces in this country.

We witness a deficit in childhood in every respect having a profound impact on children. Having no

access to basic nutritional and health entitlements they grow up stunted, malnourished and live precariously. Being deprived of education, they lack in confidence and self-esteem. They are trapped in the labour pool in the informal sector performing jobs that are repetitive, monotonous with no possibility of any other mobility, or opportunities that can give them dignity. Their options in market and employment are only on a casual basis as a daily worker, migrant labourer or as bonded labourers.

### **Principles of Child Centric Policies and Laws**

Based on its experience, the National Commission for Protection of Child Rights (NCPCR) has evolved an understanding of the core principles that have to be adhered to in formulating policies and delivering services, adjudication of justice for children, as well as making legislations for children. Thus, for example, five essential management principles, viz. decentralisation, flexibility, institution building processes, convergence and listening to children and their voices should inform and guide formulation of policies and delivering of services. This would enable ownership by the gram panchayats and the community of the programme to protect children and where they would be involved in addressing the needs of each and every child. It would also entail solutions to the problem based on local context and dealing with the matter with a sense of urgency. Therefore a rigid centrally sponsored scheme



with directions from an approved budget line may not always be a suitable solution. All actions are to be institutionalised and taken up in a predictable manner and not in an ad hoc fashion. Also, considering that entitlements to health, nutrition, education and so on are mutually interdependent it is necessary that the concerned departments do not function in silos but converge their plans and services at least at the level of block and district.

Even regarding the process of rendering of justice to children there is a need for special measures at every stage of adjudication that deals with child victims and witnesses, i.e., children in contact with law and children in need of care and protection. This would require the introduction of child jurisprudence, a child focused procedure code, a well trained cadre of the judiciary on child rights, and adequate space and opportunity for children to seek justice under humane and 'child friendly' circumstances. Children are to remain protected and not further victimised where maintenance of dignity, privacy and safety of the child shall be of central concern at every stage of adjudication. Child centered jurisprudence should also provide for reformatory and restitutive justice.

All legislations for protection of child rights have to take categorical and unambiguous position on children's rights, ensuring State commitment and obligation to provide all structures,

institutions and processes for delivering services to children. The legislations are to adhere to principles of universality as against targeting equity and social justice to cover all children up to 18 years of age. Special provisions for affirmative action for the disadvantaged children are to be included in all legislations, in the framework of rights and universal coverage.

Many of these principles that are based on rights based perspective have been incorporated in some of the recent legislations such as the right to education act or the act to protect children from sexual offences.

#### **Right of Children to Free and Compulsory Education Act 2009 (RTE Act)**

Thus after the enactment of RTE Act, education is now guaranteed as a fundamental right for all children in the 6-14 years age group up to the elementary school level (class 8). By making it mandatory for the State to 'ensure compulsory admission, attendance, and completion of elementary education by every child of 6-14 years by implication, the State is violating the law if any child is out of school, or is a school dropout'. According to the Act free education means that no financial constraints can prevent a child from completing elementary education. In other words if a child lives in a remote area, the provision of free transportation (or residential facility or some other facility) will be part of the child's entitlement to education. Such

entitlements include special aids for children with disabilities.

The RTE Act also seeks to remedy the structural deficiencies that have pushed children out of schools. The Act now mandates the provisioning of infrastructure facilities to address the situation of government schools which are currently bursting at their seams with overcrowded classrooms. It guarantees qualified teachers at a teacher pupil ratio (TPR) of 1:30 at primary school and 1:35 at an upper primary school level. For all those older children who are out of school, the Act mandates that there is a special training by the schools to integrate them into an age appropriate class. Further they could be admitted at any time during an academic session without producing documents of birth certificate, transfer certificate and the like. It explicitly addresses discrimination on the basis of caste, gender, disability, ill-health and other grounds, providing that 'no child shall be subjected to physical punishment or mental harassment'. The Act also promotes a child friendly pedagogy.

#### **Protection of Children from Sexual Offences Act, 2012**

The newly enacted 'Protection of Children from Sexual Offences Act, 2012' has several features that are child centred. The Act incorporates child friendly procedures for reporting, recording of evidence, investigation and trial of offences. These include: recording the statement of the child at the residence of the child or at the place of his/her choice,



preferably by a woman police officer; non detention of children in the police station in the night for any reason; police officer not to be in uniform while recording the statement of the child and the statement of the child to be recorded as spoken by the child where a child could be provided assistance of an interpreter or translator or an expert as per the need of the child. Even the medical examination of the child is to be conducted in the presence of the parent of the child or any other person in whom the child has trust or confidence. The Act provides for the establishment of Special Courts for trial of offences under the Act, where the trial is conducted either in camera or through video and the child is protected from facing the accused.

For speedy trial, the Act provides for the evidence of the child to be recorded within a period of 30 days. Also, the Special Court is to complete the trial within a period of one year, as far as possible. There are to be frequent breaks for the child during trial and child is not to be called repeatedly to testify. The child is not to be seeing the accused during the process of trial and there can be in-camera trial of cases. For the more heinous offences of penetrative sexual assault, the burden of proof is shifted on the accused. This provision has been made keeping in view the greater vulnerability and innocence of children. There are also measures for relief and rehabilitation of the child for care and protection such as admitting the child into shelter home

or to the nearest hospital within twenty-four hours of the report. The SJPU or the local police are also required to report the matter to the Child Welfare Committee within 24 hours of recording the complaint, for long term rehabilitation of the child. The best interest of the child is of paramount importance at every stage of the judicial process.

Under the RTE Act as well as the Sexual Offences Act, the National Commission for Protection of Child Rights (NCPCR) and State Commissions for the Protection of Child Rights (SCPCRs) have been made the designated authority to monitor the implementation of the Acts.

### **Child Rights perspective in Policies and Programmes**

The principle of universality and a sense of urgency is being adhered to in all interim orders issued by the Supreme Court, its directives for providing services to combat hunger and malnourishment in “PUCL vs. Union of India and Others, Writ Petition (Civil) 196 of 2001” that sought legal enforcement of right to food. It is hoped that the restructured Integrated Child Development Scheme (ICDS) programme would incorporate all the gains made in the litigation such as anganwadi centres in every habitation and on demand, hot cooked meals, and a mid-day meal programme. The ICDS hopefully would now entail greater decentralisation, giving better physical infrastructure, additional

anganwadi workers, greater role for community and local bodies and more investments. This, in turn, would shift the trend of hunger and malnourishment, to correcting the health and nutrition deficit of children in India.

The Integrated Child Protection Scheme (ICPS) is being rolled out in all States and the districts and this holds a promise of offering universal coverage of protective measures for children in difficult circumstances, as well as to reduce the risks and vulnerabilities children have in various situations and actions that lead to abuse, neglect, exploitation, abandonment and separation of children. It is envisaged that there are institutional arrangements through the ICPS up to the level of the village to foster coordination of services through various departments as well as the juvenile justice system. Hopefully every child is tracked and incidences of child labour and child trafficking would come to a halt due to the ICPS. The challenge is in deepening the services and building a public awareness on the institutions and facilities available to children.





It can be said that since the last decade one is witness to a change in the perspective on children with a visible shift from an approach of charity to that of rendering justice to children by guaranteeing their rights. There is a need for a ground swell of support and an enabling environment for an effective implementation of such laws and policies. □

*(E-mail: shantha.sinha@nic.in)*



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# Why Do Some Children Turn To Crime?

*Krishna Das Gupta*

**I**NNOCENCE and childhood are so inseparably allied in our minds that a child criminal would appear to us a contradiction in terms. It is perhaps the inherent resistance of the mind to associate criminality with childhood that has led to the coining of the term 'juvenile delinquency' where 'child crime' would have done. But common sense should tell us that if circumstances and environment make an adult a criminal so they might a child.

Children are all wayward to a certain extent, but the borderland where waywardness becomes delinquency is perhaps not, difficult to determine. Delinquency is a precise legal term. It defines the legal status of a child offender. A child is a delinquent as soon as he defies, by his action, the laws of society. It is therefore necessary, as a measure of social defence to detect a child when he becomes delinquent, so that he may not go a step further, and stumble into the depths of total criminality.

A society which is in a process of disintegration is, often faced with a number of antisocial individuals and groups. Age-old social and cultural values are now being rejected, in the maelstrom of the modern times. A new set of values is still to replace them. It is hardly to be wondered that the age has variously been described as the Angry Age or the Age of Insomnia Civilisation, that its important features are Teddy boys, Rock N'

Roll music, and horror comics. Now, these are universal symptoms. Their impact is felt in our country also, and in the context of our problems of poverty and lack of education they have a particular significance in this country.

An idle brain is the devil's workshop. If not properly utilised, a child's pent-up energies seek an outlet through abnormal ways. In these days of economic stress, most of the parents from the lower strata of society (and it has got to be remembered that this class constitutes the bulk of the population) have neither the time nor the funds to give their children, proper education. Nor can they engage their children in any other fruitful occupation. The child's destiny is left to chance and he feels neglected.

### Main Causes

No absolute or single cause for delinquency can be put forth. Several factors might be responsible for a single act of delinquency. Environment is perhaps the most important factor in moulding the human character. Overcrowding, parental misdemeanour, lack of parental control and discipline at home, a broken home, lack of affection-these are the most important causes of juvenile delinquency. Moreover, living conditions in slums all over the country are far from satisfactory. Children usually share a single all-purpose room with the adults. In some areas even women do not have a lavatory.

The delinquents offer an interesting

subject for study. The majority of cases relate to truancy, theft and vagabondism. Gangsterism, which is a recent development, is mainly confined to the big cities. Fortunately sex crimes are infrequent. When convicted, a juvenile delinquent is placed under the jurisdiction of juvenile court and given the status of a ward of the State. The State has got to look after him and remould his character. In the case of a criminal, more so in that of a juvenile delinquent, the aim is to bring about a reorientation in outlook, so that he or she may not turn into a hardened criminal. If the judicial machinery is not to degenerate into an automation, the primary aim of justice should be correctional and not punitive. This purpose is best served by the system of probation.

### Integrated Plan

Now, since the aim of planning is to achieve an all-round improvement in the living standards of our people, an action programme needs to be initiated on a planned basis for the social and economic rehabilitation of the delinquent teenagers whose number has gone up fairly high in our country in recent years. All said and done, this project would predominantly be an action field for voluntary social workers. In a country where the population is expected with in five years to reach 500 million, it will be impossible for the Government alone to deal with very case of aberration among teenagers.

*Excerpts from the June 11, 1961 issue of YOJANA)*

# Malnutrition in Indian Children

*Prema Ramachandran*



*In India under nutrition is still the major problem; about 18 percent of preschool children and about a quarter of school children are undernourished*

**A**T THE time of Independence, India was not self-sufficient in food production and regional food shortages were common. Poverty was rampant; 3/4<sup>th</sup> of Indians were poor, spent 3/4<sup>th</sup> of their income on food but 3/4<sup>th</sup> of the children were under weight; child mortality rates were very high. The country recognised the importance of the health and nutritional status of children in nation building and initiated steps to improve access to nutrition and health services with special efforts to reach poor and marginalised segments of population. India has been self-sufficient in food production since 1970s, public distribution system has improved access to subsidised food for the poor. Over the years, the infrastructure and human resources for manning the health and nutrition services have been built up and currently cover the entire country; but there are inadequacies in terms of coverage, content and quality of all these services and often the most needy have the least access to services. India has the largest

food supplementation programmes in the world; Integrated Child Development Services and school Mid Day Meal programme cover all children up to 14 years of age. In spite of rapid economic growth and ready access to affordable food and food supplementation programmes for children nearly half the under five children are under weight. Paradoxically the last two decades have recorded a progressive increase in overnutrition and obesity especially but not confined only to the urban affluent children. Health professionals warn that unless effective interventions are implemented there will be a huge increase in obesity and risk of diabetes and cardio vascular diseases when these children become adults. People are puzzled by these paradoxes and want to know what is happening, why and how child malnutrition can be combated.

## **Assessment of nutritional status in children**

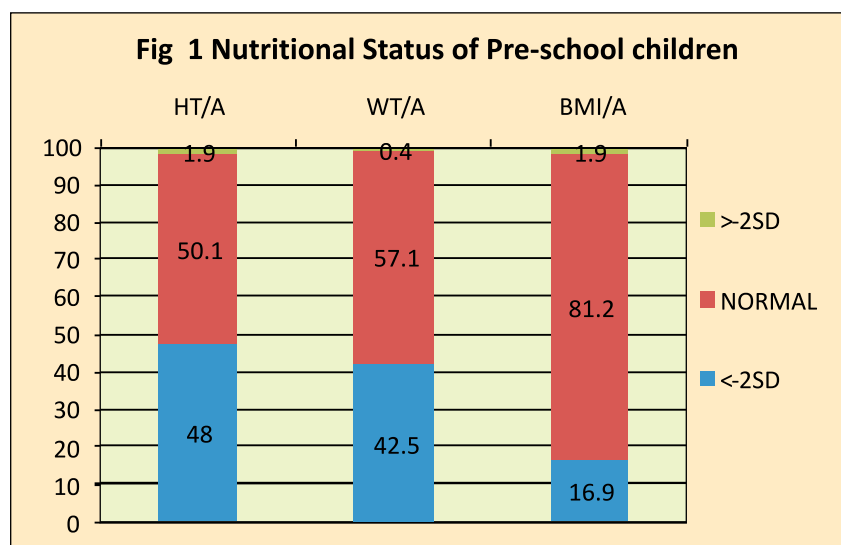
Weight, height and Body Mass Index (BMI) for age are three anthropometric parameters

The author is Director, Nutrition Foundation of India, New Delhi.



widely used for assessment of nutritional status in children. The WHO has provided the standards for weight, height and BMI in preschool children (WHO 2006) and school-age children (WHO 2007). Given the well known large differences in height between different population groups and the emergence of the dual nutrition burden (under- and over-nutrition) the WHO has advocated the use of BMI- for-age for early detection and effective management of both under-nutrition and over-nutrition in children. The use of BMI for assessment of current nutritional status in Indian children is essential in all settings where length/height measurements are possible because:

- early detection of current energy inadequacy (low BMI) and its correction can reverse wasting and prevent stunting; this is critical because stunting cannot be reversed;
- stunting in childhood leads to low adult height and in women leads to lower birth weight in their offsprings – the trans-generational impact of childhood under-nutrition;
- the majority of Indian stunted children have appropriate weight for their height (normal BMI/age); increased energy intake may make them prone to over-nutrition; and
- under-nutrition in early childhood followed by rapid increase in body mass index in early/ late childhood/ adolescence may predispose to over-nutrition and non-communicable diseases in early adult life.

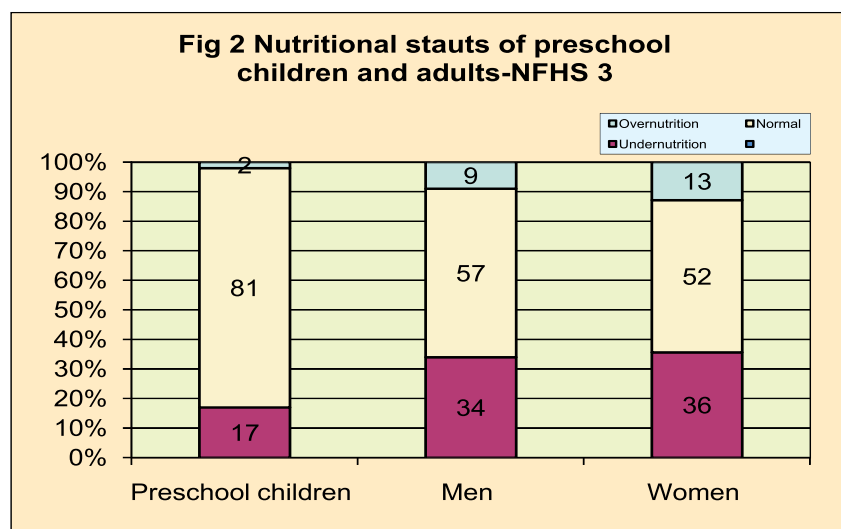


### Magnitude of the problem

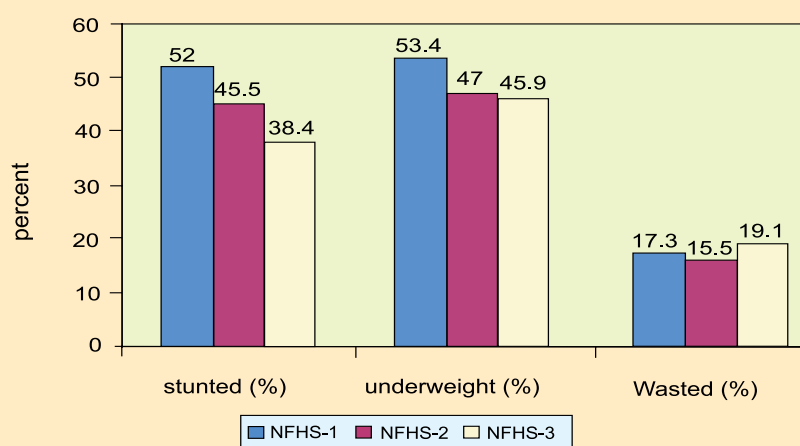
Prevalence of under-nutrition (<-2SD) and over-nutrition (<+2SD) as assessed by weight for age, height for age, BMI for age in under five children from the NFHS – 3 data base is shown in (Figure-1) Stunting and underweight are seen in nearly half of the preschool children. In contrast only 16.9 percent show current energy deficit ie low BMI for age. Focus on early detection of low BMI for age and its expeditious correction with increase in food intake and treatment of infections can be achieved through convergence of

services under health and ICDS and can substantially accelerate the pace of reduction in stunting and under-nutrition rates. It is noteworthy that if BMI for age is used as the indicator 1.9 percent of these children were over-nourished. It is obvious that dual nutrition burden begins in infancy and early childhood.

Unlike preschool children, there is comparatively very little data on nutritional status of school age children. Data from NFHS 3 on nutritional status of preschool children and adults (Fig 2) indicate that both under



**Fig 3 Trends in prevalence of undernutrition in preschool children**



and overnutrition rates in adults (as assessed by BMI) are higher than under and over-nutrition rates in preschool children. Some of this increase must have occurred during school age. Small studies have highlighted that under-nutrition is a problem in school age children from poorer segments of the population and limits the adolescent growth spurt and adversely affects the adult height. Alarming increase in over-nutrition had been reported in urban affluent children.

It is essential to assess nutritional status of all children by measuring height, weight and computing BMI. Based on their BMI, children who are undernourished and those who are over-nourished can be identified. Providing undernourished children food supplements (additional helping from MDM) and treating infections if any detected through the school health system can reduce under-nutrition rates. Increased physical activity both in school and at home can be useful in combating over-nutrition.

The National Family Health Survey (NFHS) 1, 2, and 3 provided data on time trends in prevalence of stunting, under weight and wasting in preschool children (Fig 3). Comparison of data from NFHS 1, 2 and 3 indicates that stunting rates had shown a sustained reduction. Underweight rates declined between NFHS 1 and 2 but not between 2 and 3. Wasting declined between 1 and 2 but showed an increase between 2 and 3. The reason for difference in the direction of change between the three indices of nutritional status over time has been widely debated.

The observed changes in undernutrition rates as assessed by weight, height and BMI for age can be explained on the basis of the response of these indices to chronic energy deficiency. Data from NFHS showed sustained reduction in stunting rates because the progression from wasting to stunting has been prevented. Under these circumstances stunting rates will decline and wasting rate may rise. It is essential to take note of the consistent reduction in stunting rate between NFHS 1, 2 and 3 as an encouraging sign that there is a progressive but slow decline in overall undernutrition rates.

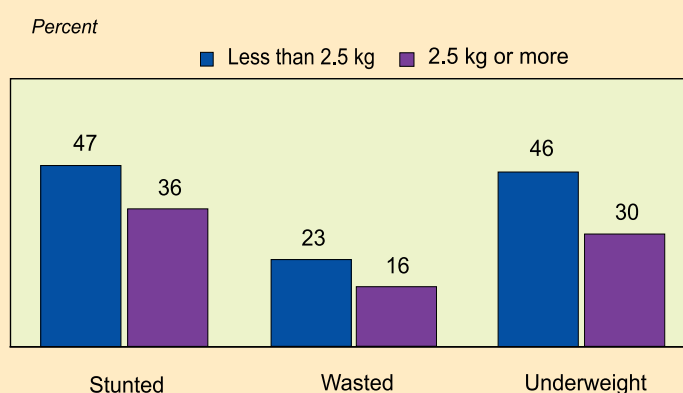
#### Factors affecting undernutrition rates in preschool children

The three major determinants of growth during infancy and early childhood are: birth weight, feeding practices and infections.

#### Birth weight

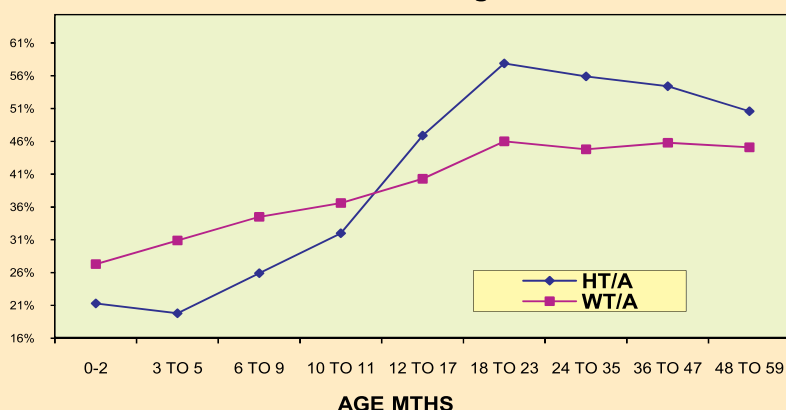
Full-term low birth-weight Indian infants had a lower growth trajectory as compared to children

**Fig 4 Prevalence of undernutrition in preschool children in relations to birth weight (NFHS3)**





**Fig 5 Prevalence of underweight and stunting in relation to age**



with normal birth weight and underweight rates are higher in low birth weight infants (Fig 4).

### Feeding practices

Breast milk provides all the nutrients that infant needs and protects them from infections. Infants grow normally if they are exclusively breast fed for the first six months. In India breast feeding is nearly universal and the majority of mothers exclusively breast feed their infant during the first three months. During this period, there is no further increase in underweight and stunting rates in infants. Introduction of animal milk between 3-5 months and rise in morbidity rates results in increase in underweight and stunting rates during this period. Between 6-11 months infants have to be fed semisolid household food 3-5 times a day to meet their growing energy needs. Late introduction, inadequate quantity and low calorie density of semisolid food is responsible for increase in underweight and stunting rates between 6-11 months. Between 12-23 months most children are shifted to the general family diet. Adult food is bulky and not calorie-dense. Children have small stomach

capacities and cannot get enough calories if they are fed only 3-4 times a day. The observed increase in the underweight and stunting rates between 12-23 months is the result of inadequate energy intake when children are shifted to the general household diet (Figure 5 ).

### Infections

Under nutrition, especially current undernutrition as indicated by low BMI for age, is consistently associated with infection in preschool children (Figure 6). Under.

Under-nutrition (low BMI) could be the cause (increased susceptibility to infections) or effect (increased nutrient requirement and greater nutrient loss) of infection. Early detection and effective management of infections can

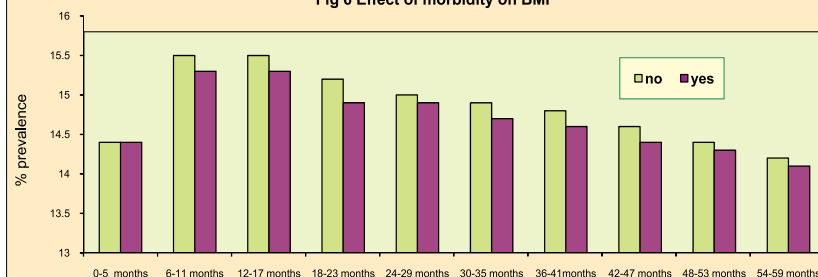
play a very important role in reducing the under nutrition rates in preschool children.

### Dietary intake of children

Malnutrition in children is due to imbalance between energy intake and expenditure. It is therefore essential to find out how much food do children eat and what is the gap/excess between requirement and actual food intake. In the last two decades, newer technologies which allow computing human nutrient requirements especially energy requirements with greater precision under free living conditions over a relatively long period have become available. There have been major changes in lifestyles and physical activity patterns in the last decade.

Taking all these into account Indian Council of Medical Research has revised the nutrient requirements and recommended dietary intake of Indians in November 2010. Taking cognizance of the need to compute energy requirements for varying stature and physical activity, RDA has defined energy requirements /per Kg body weight and as level of physical activity. Computed energy requirements for current average weight in moderately active individuals

**Fig 6 Effect of morbidity on BMI**



**Table 1 Computed energy requirements for actual current weight in different groups**

Group	Mean wt NNMB	Req for mean wt	Actual intake	Gap
Adult man	51	2346	2000	-346
Adult woman	46	1886	1738	-148
Pregnant		2236	1726	-510
Lactating		2386	1878	-518
Children				
1 – 3 y	10.5	840	714	-126
4 – 6 y	14.6	1095	978	-117
7 – 9 y	19.7	1379	1230	-149
Boys				
10 - 12 y	26.6	1729	1473	-256
13 – 15 y	36.8	2208	1645	-563
16 – 17 y	45.7	2514	1913	-601
Girls				
10 – 12 y	26.7	1469	1384	-85
13 – 15 y	36.9	2030	1566	-464
16 – 17 y	42.6	2130	1630	-500

of varying age, their actual food intake as reported by National Nutrition Monitoring Bureau and the average gap between intake and expenditure is given in Table 1. The gap is relatively small in preschool children and could readily be bridged by improving infant and young child feeding

practices. The gap between the requirements and the intake is highest in the adolescent girls and boys. This period provides the last opportunity for linear growth; providing adequate energy intake will enable optimal growth during adolescence and improve adult height. Viewed in this context

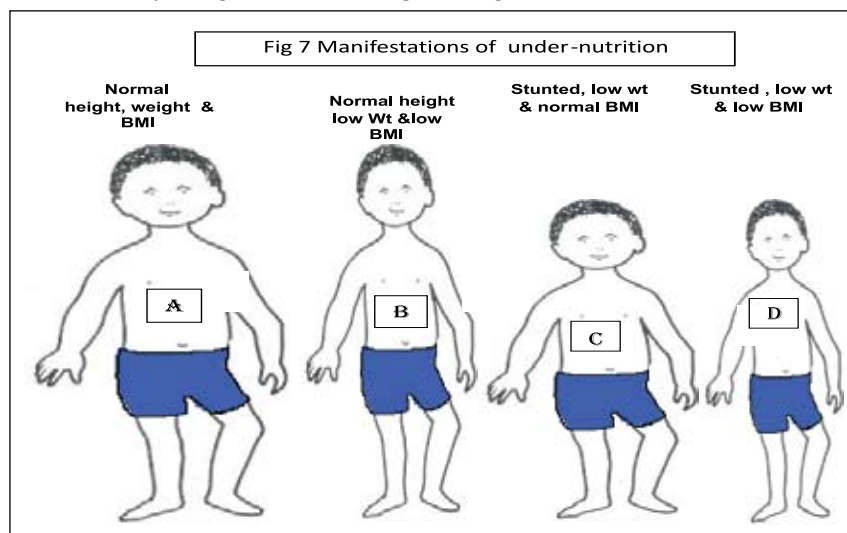
the initiation of the MDM for the upper primary school children is an appropriate step to bridge the gap in adolescent girls.

### Child malnutrition: spectrum of manifestations

Child malnutrition is due to difference between energy intake and energy expenditure. When the food intake is equal to the requirement the child is normally nourished. When food intake is less than the requirement the child become undernourished; when the intake is higher than required the child becomes overweight and obese.

The child A in Figure 7 is normally nourished i.e. height weight and BMI are appropriate to age. This child requires no intervention except advice to continue with balanced diet and adequate physical activity. Growth has to be monitored periodically to ensure that the child continues to grow normally. When food intake is insufficient to meet the requirements the child becomes undernourished.

Depending on the severity and duration, energy deficiency can result in wasting, under weight, and stunting in various permutations and combinations. The initial impact of energy deficit is wasting because energy is mobilized from fat deposits and muscle to bridge the gap between energy requirement and energy intake. Child B is under weight and wasted but height is appropriate for age. If energy deficit is quickly corrected by supplementary feeding and/ or treatment of infections, wasting





will be reversed and the linear growth of children will continue normally. If however the energy deficit persists, growth falters and the child becomes stunted.

Child C is stunted and underweight but has appropriate BMI for his age. His energy intake has been chronically insufficient in the past resulting in stunting. However, current intake is adequate for the height and age and so weight is appropriate for current height and age. Such children should be advised to eat a balanced diet and their growth carefully monitored so that growth faltering if it occurs can be detected early and corrected.

Child D child is stunted, underweight and wasted. Height, weight and BMI are low for age. Such children had suffered from both acute and chronic under nutrition and would require supplementary feeding over some months to reverse wasting and restore appropriate weight for height (normal BMI). Careful monitoring for growth faltering and

appropriate intervention over the next year or so will be essential.

When the 'food intake is higher than what is required children put on weight due to accumulation of fat (Figure 8). Fat children may be stunted because of past chronic low food intake (Child C) or normal in height because of past normal food intake (child B). All overnourished children irrespective of their current height should be advised to increase physical activity by playing at least for one hour every day and avoid eating too much of calorie dense food such as fried, food sweets and ice creams etc.

### Paradoxes in the child nutrition scenario in India

India is one of the fastest growing economies of the world during the last two decades and there has been sustained large investment in nutrition services for children. However even to day about half the preschool children are underweight and stunted. The persistent high stunting and underweight rates have been a

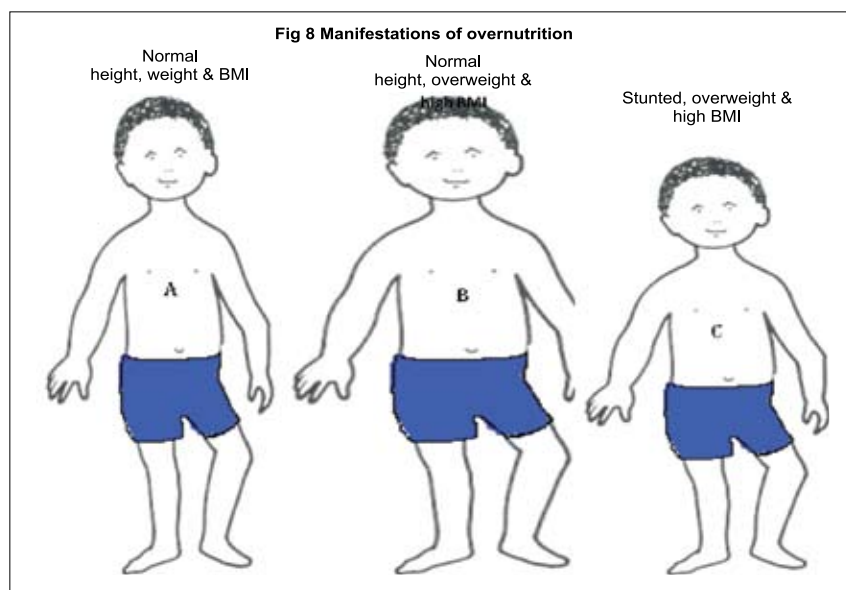
matter of concern. Long term follow up studies in Delhi low middle income group children has shown that these stunted and underweight children grew into short over weight adults with high BMI; at 30 years of age one sixth of them had high blood pressure and pre-diabetes or diabetes. Undernutrition and stunting in early childhood and adolescence have made them vulnerable to overnutrition adult life. Nutrition and health professional have been worrying about the future health status of these adults as they reach middle age and become elderly. Last two decades have also recorded a progressive increase in overnutrition and obesity in children, especially the urban affluent children. Health professionals warn that, unless effective interventions are implemented, these children will face a serious risk of diabetes and cardio vascular diseases in adult life.

### *The "fat thin child"*

Right from birth, through childhood, adolescence and adult life Indians have higher body fat and lower muscle mass than Caucasians having similar BMI. Even Indian underweight and low BMI children have relatively high fat and low muscle mass. The thin fat Indian children are more prone to develop metabolic syndrome and cardiovascular diseases during their adult life.

### Conclusion

Dual nutrition burden in children is a global problem affecting both the developing and the developed countries. Taking cognizance of the emerging problem of dual



nutrition burden the Tenth Five Year plan envisaged a paradigm shift from

- household food security and freedom from hunger to *nutrition security for the family and the individual*;
- *untargeted food supplementation to screening of all the persons from vulnerable groups, identification of those with various grades of under-nutrition and appropriate management*;
- lack of focused interventions on the prevention of over-nutrition to the *promotion of appropriate lifestyles and dietary intakes for the prevention and management of over-nutrition and obesity and*
- vertical programmes to *convergence of related sectors to provide integrated comprehensive services to improve nutrition and health status*

A beginning has been made in implementing the paradigm shift in various programmes during the last two plan periods. It is expected that there will be acceleration in the pace of implementation during the Twelfth Five Year Plan.

In India under nutrition is still the major problem; about 18 percent of preschool children and about a quarter of school children are undernourished. At present coverage under ICDS and midday meal programmes is universal; they provide one meal for all children who come to anganwadi or school and want to take the meal. But neither of these programmes screen children and provide double rations for those who are undernourished. Convergence with health system can ensure that all children are screened for undernutrition and infections. Those with infections can be treated and undernourished children can be given double rations; these interventions can be achieved with existing infrastructure and investments and lead to accelerated reduction in wasting and prevent stunting.

In most developed countries overnutrition is the major problem (overnutrition rates ranging between 20-40 percent); overnourished children often grow into overnourished adults and incur increased risk of noncommunicable diseases which require life long expensive interventions. Only 2 percent of Indian preschool children and about 5-10 percent of school

age children are overnourished. Screening all children will lead to early detection of over nutrition in preschool and school age children; with appropriate counseling, parents can intervene correct overnutrition by altering food habits and increasing physical activity of children.

Combating dual nutrition burden has globally been viewed as a major challenge especially in countries with high burden of overnutrition. Fortunately in India overnutrition has been recognised when the burden due to this is quite low and vigorous intervention have been initiated to control and combat the problem. Under nutrition is a problem but can be readily addressed through convergence and focused attention through existing programmes. Therefore in the Indian context dual nutrition burden can be viewed as an opportunity to demonstrate how the country can cope with major challenges in health and nutrition sectors effectively, with the existing programmes and manpower, within a short period and at an affordable cost. □

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### Children under three to come under childhood care strategy

**T**he Centre is all set to restructure Integrated Child Development Scheme (ICDS) to give special focus on children under three years, and pregnant and lactating mothers. The ICDS will soon have a Revised Framework for Implementation and will be put in a 'mission mode'. According to Human Development Report 2011, India is far behind in achieving the Millennium Development Goal (MDG) set by the United Nations for Under Five Mortality Rate (U5MR) of 42 per 1,000 live births by 2015. In 2009, the U5MR of India was 64 per 1,000 live births compared to 31 in China. The National Advisory Council (NAC) has made a number of recommendations which call for new strategies and reforms that address institutional, programmatic and managerial gaps in the delivery of Integrated Child Development Services (ICDS) Scheme. While formulating the proposal on strengthening and restructuring of ICDS, the recommendations of NAC have been given due consideration. The recommendations relating to child nutrition include balanced and nutritious diet including proper food and freshly cooked meals, early childhood care and development, growth monitoring, care of severely malnourished children, education and counselling, convergence through Village-level Fixed Health and Nutrition Days (VFHND), convergence through community-managed Health, Nutrition and Day-Care Centres (HNDCCs) etc.

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YE-190/2012



# J&K WINDOW

## Z-MORH FIRST OF TWO TUNNELS TO ENSURE CONNECTIVITY BETWEEN SRINAGAR AND LADAKH ROUND THE YEAR

**T**he foundation for construction of the Z-Morh tunnel that will provide all-weather, round-the-year connectivity with the rest of the country was laid down recently. The 6.5 km-long tunnel gets its name from its Z formation between Sonamarg and Gagangir that would avoid the regions of snowfall and avalanches and ensure connectivity with Srinagar. The two-lane, 10 metre-wide tunnel will be constructed at a cost of Rs. 2,716.90 crore. It will also include an egress of 3.5 metres to be used in emergency.

The tunnel, located 2,637 metres above sea level, will ensure the passage of 1,000 vehicles an hour at an approved maximum speed of 80 km per hour. The Z-Morh tunnel is the first of the two proposed tunnels, which together will provide all-weather connectivity between Srinagar-Kargil-Leh and Ladakh. The second — the Zojila Tunnel — of 13.8 km length just about 20 km away from this point is estimated to cost Rs. 5,500 crore and is likely to be approved by the Union government soon. The foundation for this tunnel is likely to be laid in April next year.

The Border Roads Organisation (BRO) is executing the project. The project would be completed by August 2018. Supporting these two tunnels are the Chenani-Nashri and Banihal-Quazigund tunnels, which are under construction to ensure connectivity with the valley and Jammu and the rest of the country.

### Less travel time

Once all four tunnels are put in place, the journey from Jammu to Ladakh will be reduced from 50 to about 30 hours. The entire stretch will become motorable throughout the year and Any tourist can reach Ladakh in less than 24 hours once the tunnel is constructed, Besides strategically helping the security forces stationed in Ladakh, it will raise the quality of life and the pace of development of the entire region, including Leh and Ladakh. □

## ACTIVE TRACKER TO CHECK FEMALE FOETICIDE

**T**o curb illegal sex determination tests and control the skewed sex ratio, authorities in Udhampur will use an active tracker technology for keeping sonographic machines under check. Adopting the technology used in Kolhapur district in Maharashtra, authorities would put sonography machines in ultrasound clinics in Udhampur on the Active Tracker advanced technology equipment. The district administration in an attempt to balance the sex ratio has adopted a multi-pronged strategy to tackle the menace of sex determination tests which leads to female foeticide.

The District Development Commissioner, Udhampur, has directed all the government and private operators of Ultrasound clinics to install a gadget called Active- Tracker in their Ultrasound machines so that the data of all ultrasounds conducted in the machine can be visualized by the govt. authorities at any time. For the purpose, all operators of such clinics have been directed to install the Active –Trackers within two weeks time.

The active tracker would not only keep a record of the ultrasound machines but also connect them online with a central monitoring system and keep check on pre-natal sex determination tests in the district. Udhampur DDC said the tracker would be supportive in curbing the misuse of ultrasound machines through its round-the-clock tab on them.

The data stored online could be used as evidence in suspicious cases of sex-selective abortions and the data is accessible only to doctors and a few government and company officials. The tracker is foolproof and once fitted cannot be detached from the machines. The device will also be helpful in keeping an eye on all pregnant women who try to abort outside the district. □

# Preparing for the new child labour law

*Kailash Satyarthi*



***Eradication of child labour is possible and within our reach, only if along with the State, corporates and the society at large dispose their responsibilities and respect the constitutional and universal rights of the children***

**U**SE OF children for exploitative labour is one of the most inhuman acts which not only deprives children of their rights to education, protection, leisure and play; but also endangers their health and safety as well as the growth prospects of their families, societies and the nations at large. Given this, the “green signal” for the much awaited amendments in the Child Labour (Prohibition and Regulation) Act 1986 is a welcome step that has ignited a debate which had almost extinguished a decade ago when more than 7 million children joined the 80,000 km global march against child labour. There are two schools of thought pitched against each other. One advocates for right to work for children, while the other demands total abolition of child labour. The theory of right to work has been advanced essentially by some European professors and supported by a few activist groups in Peru, Senegal and India. Their argument stems from the poverty syndrome, lack of education facilities and the inability of enforcement of blanket ban on child labour.

At the outset, I would like to state that I have confronted such people at various occasions and have found that their own

children have been enjoying best education opportunities, whereas the argument of socialisation, self-esteem building and empowerment through “*respect and dignity in work*” has often been used in case of children belonging to the poor for the sake of convenience. Rules of the game cannot change that drastically across different sections of the society.

Similar arguments were also used by the presently rich nations about a century ago, but they exemplified a strong political will to eliminate child labour and invest in education. This has also been evident in the case of fast growing economies and changing societies like South Korea, China, Turkey, Brazil and India where education is pivotal. Historically, child labour has been an age old evil rooted in social injustice, economic deprivation, inequity and the exploitation of the weak by the powerful. This societal mindset coupled up with insatiable demand for cheap and docile labour further aggravated by insensitivity, corruption and lack of vision of the political class virtually paralyses law and constitutional guarantees. If the unenforceability argument were to be believed for once, no progressive change in the society by law would have ever been possible. Law enforcement is the

The author is a child rights’ activist and founder of Bachpan Bachao Andolan and Chairperson of Global March Against Child Labour.

responsibility of the State and the society that are predominantly driven by adults. Then why should vulnerable children pay the price for others' inertness?

Union Cabinet's nod for the amendments in the existing child labour act is truly welcoming. The approval follows a strong announcement made by Union Minister of Labour and Employment, Shri Mallikarjuna Kharge at the National Consultation on Child Labour Free India, organised by Bachpan Bachao Andolan and Global March Against Child Labour held on 11-12<sup>th</sup> May 2012 that Government is intent of eliminating child labour and is working towards amending the law for the same. Once the amendments come into force, all forms of child labour will be banned up till the age of 14 years, employment of children in the age group of 14 and 18 years will be prohibited in hazardous occupations, and child labour will become a cognisable offence besides other things. This would mean expansion of the target group, scaling up of State's efforts and responsibilities, enhanced expenditure and additional role for police and judiciary for the enforcement of the newly tagged, Child and Adolescent Labour Prohibition Act. So, what should be done practically? The three major challenges that the Government is confronted with are ascertaining enforceability, assessing the real magnitude of the problem and devising appropriate rehabilitative measures. The pre-requisites for all lie in the already demonstrated political will substantiated with appropriate budgetary allocations and building effective partnerships with a sense of utmost urgency.

First one is the preparedness of the enforcement of deterrents enshrined in the law. The current legislation already does accord for punishment and penalties. It stipulates for imprisonment up to one year and penalty up to a maximum

of Rs. 20,000 for employing child labour. But delving deeper into the reality and examining the official statistics show that only 13, 60,117 inspections have been carried out under the child labour law since its inception in 1986, out of which barely 49, 092 prosecutions have been launched and only 4, 774 employers have been convicted. What is more appalling is the fact that in the name of penalty, only Rs. 200 to 400 has been recovered in most of the cases. In some cases this recovery has been as low as Rs. 20 – 25. This is a matter of concern which certainly calls for sensitivity, capacity building and accountability of the enforcement machinery at all levels including supervisory and recommendatory agencies and bodies like the Child Welfare Committees, the National and State Commissions for Protection of Child Rights, etc. Quickest disposal of cases must be ensured through summary trials or by setting up fast track courts. Framing and implementing rules and standard operating procedures (SOPs) by State Governments, other innovative and participatory measures like forming and empowering people's vigilance committees as well as engaging Panchayati Raj Institutions will be effective steps towards law enforcement. The amendment makes child labour a cognisable offence. Therefore the enforcement will not be confined to the domain of labour inspectorate only, but would also bind the police. This would require sensitisation and training of police personnel and systematic coordination between both the agencies. Endemic corruption, insensitivity and indifferent attitude of the '*inspector class*' is not hidden from anybody.

Secondly, the Government will have to re-assess the magnitude of the problem that it is confronted with. If not a pre-condition, accurate data is mandatory for planning and implementation of any scheme.

According to the Government, the number of child labourers has already taken a nose dive from 1.25 crores (Census 2001) to 90.75 lakhs in 2004-05 and recently to 49.6 lakhs (66<sup>th</sup> Round of the National Statistical Survey Organisation, (NSSO)). However, NGOs and some United Nations agencies estimate the number of child labourers to be as high as 4 - 6 crores. Many crores of children that are inappropriately listed in school registers are ironically falling prey to child trafficking, bonded labour, sexual exploitation and forced beggary thousands of miles away from their habitats. Addressing the dichotomy in the child labour figures is imperative. A countrywide survey to ascertain the exact number of child labourers in the country must be carried out. Thus, as an immediate start, the Government could begin with intense identification of children working in industries like carpet, glass, garments, brick kilns, stone quarries, fire crackers and the districts where they are mostly situated in such as in Mirzapur, Bhadoi, Aligarh, Firozabadh, Sivakasi, Tirupur, Virudunagar, Delhi NCR, Jalandhar, Ludhiana, etc.

Lastly an ambitious, realistic, time bound, well resourced and comprehensive rehabilitation scheme must be put in place on one hand. On the other hand, for child labour elimination, the coordination and convergence with Sarva Shiksha Abhiyan including mid day meal scheme, National Rural Employment Guarantee Act and all other schemes and flagship programmes pertaining to underprivileged children and their families must be ensured. The present National Child Labour Project scheme for rehabilitation and provision of bridge education to the rescued child labourers is inadequate covers merely 6 lakh children in 266 districts. The



Government is currently revising and restructuring this scheme.

In the light of the new amendments the entire Government and not just only Ministry of Labour and Employment must continue with even a higher level of leadership by jurisprudential usage of time that is available between now and enactment of the new law. Scaled up and well resourced national scheme should be devised to cater to at least 50 lakh child labourers up to the age of 14 as per the official statistics. In this regard the biggest challenge would be to rehabilitate 15-20 lakh children in the age-group 14 to 18 who would be rescued from hazardous work. They cannot be absorbed in the conventional schooling system or any existing special educational schemes. Hence a completely new programme with the essential components of vocational skills, employability and entrepreneurship must be taken up on priority.

The Union cabinet's decision is also a progressive step to align child labour law with federal laws like Juvenile Justice Act and Right to Education Act and to live up to the international commitments that cannot be ignored in a globalised world. Parliaments of 175 countries have ratified an International Labour Organization (ILO) convention (No. 182) to eradicate worst forms of child labour up to the age of 18, whereas 163 countries have ratified yet another convention (No. 138) prohibiting any kind of employment up to at least 14 years. These conscious decisions by the international community and States have not been taken in a jiffy by being overtly idealistic, but are based on facts and rationales. It is now a proven axiom that child labour causes poverty and unemployment perpetuating illiteracy and backwardness. A recent ILO study reveals that an investment of \$1 in the eradication of child labour will in turn reap \$7 over 20 years.

Globally, 215 million children between the age group of 5-17 years are engaged as child labourers working in unsafe and unhealthy conditions on farms and fields, in factories and sweat shops, in homes as domestic helps, etc. As opposed to these 215 million working children, there are about 200 million adults the world over who are without jobs. India as a case in point has 65 million jobless adults and correspondingly almost 60 million child labourers according to NGO estimates. Ironically most of the unemployed adults are parents of these very child labourers. Clearly every child works in place of an adult. Additionally adult workers lose their power to collectively bargain for decent wages owing to easy availability of inexpensive labour in children who are preferred by the employers.

According to a recent research conducted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Bank, a single year of primary school increases the wages people earn later in life by 5-15 percent for boys and even more for girls. For each additional year of secondary school, an individual's wages increase by 15-25 percent. Access to education can help people lift themselves out of poverty. No country has ever achieved continuous and rapid economic growth without first having 40 percent of its adults able to read and write. One study of 50 countries between 1960 and 2000 found that an additional year of schooling lifted national income, i.e., the Gross National Product by 0.37 percent annually. A child born to a literate mother is 50 percent more likely to survive past the age of 5 years. Further, children of educated mothers are less likely to be stunted or underweight due to malnutrition. Another study has shown that seven million cases of HIV/AIDS could be prevented in the next decade if every child received education.

Child labour is the biggest impediment in school enrolment, retention and attainment of quality education. In the present era of globalization that thrives on information and technology, the notion of education has undergone a complete change over the last 25 years. Earlier the rhetoric was "Education for Employment". Today it stands revised to "Education for Empowerment".

Notably children, in particular the poor ones are not responsible for poverty, but they surely are victims. Therefore any poverty argument will further victimise and alienate them from future prospects of a dignified life unlike other children.

Another largely ignored factor is the correlation between black money, corruption and child labour. Six crore child labourers in India cumulatively earn Rs. 90 crores every day at the rate of Rs. 15 per child labourer per day. While the same number of adults would earn Rs. 690 crores based on the National Floor Level Minimum Wage fixed at Rs. 115 per day. This is the amount that reflects in fudged books of account of the employers. Clearly the employers generate Rs. 600 crores of black money every day, which in turn fuels systemic corruption and further perpetuates child labour, poverty and illiteracy.

Eradication of child labour is possible and within our reach, only if along with the State, corporates and the society at large dispose their responsibilities and respect the constitutional and universal rights of the children. Corporate must ensure ethically clean and child labour free value and supply chains. Finally, the society as a whole must be honest in treating all children equally, irrespective of their social and financial backgrounds. □

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YE-189/2012

# Child Welfare Policies and Programmes in India

*Chinmayee Satpathy*



***Keeping in view the problems and challenges faced by children, laws have been introduced and various policies and programmes are being implemented for the welfare of children in India***

**E**VERY child has right to lead a decent life. The physical, mental and social well being of a child depends upon the family to which she/he belongs. In the process of socialisation during childhood the family and school are two important institutions which play significant role for integrated development of the child. According to the United Nations Convention on the Rights of Child, child means a person male or female who is below 18 years of age. While casting glance over Indian situation, it is found that, around 440 million are children which constitute around 40 percent of country's population. India has high rate of neo-natal deaths which is around 35 percent in the world. Around 50 percent of child mortality occurs in the country. Keeping in view the problems and challenges faced by the Indian children, laws have been introduced and various policies and programmes are being implemented for the welfare of children in India.

The National Policy for Children, 1974 was adopted on 22<sup>nd</sup> August 1974 in order to address the emerging challenges relating to child

rights. An advisory and Drafting Committee had been formed for the purpose. The regional consultations regarding drafting of working paper on Policy of Children had been held across the country with concerned Ministries and Departments from States and Union Territories, civil society organisations, government and non government organisations, academicians and experts etc.

## Thrust Areas of the Policy

- Reducing Infant Mortality Rate.
- Reducing Maternal Mortality Rate
- Reducing Malnutrition among children
- Achieving 100 percent civil registration of births
- Universalisation of early childhood care and development and quality education for all children;
- Achieving 100 percent access and retention in schools including pre-schools;
- Complete abolition of female foeticide, female infanticide and child marriage and ensuring the survival, development and protection of the girl child;

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- Improving water and sanitation coverage both in rural and urban areas.
- Securing for children all legal and social protection from all kinds of abuse, exploitation and neglect.
- Complete abolition of child labour with the aim of progressively eliminating all forms of economic exploitation of children.
- Monitoring, review and Reform of policies, programmes and laws to ensure protection of children's interest and rights.
- Ensuring child participation and choice in matters and decision affecting their lives.

January 24<sup>th</sup> has been declared as the National Girl Child Day by the Ministry of Women and Child Development, since 2009.

### **Constitutional Safeguards for Indian Children**

Article-15 & 15(1) The State shall prohibit discrimination against any citizen on the grounds of religion, race, caste, sex. Nothing in this article prevents the State from making any special provision for women and children.

Article -21 A : The State shall provide free and compulsory education to all children of the age 6- 14years in such manner as the State may, by law determine.

Article-24: No child below the age of 14years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Article-39(f): enjoins the State to ensure that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity

and that the childhood and youth are protected against exploitation and against moral and material abandonment.

Article-45 The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years.

Article-243 G Provides for institutionalisation of child care by seeking to entrust programmes of women and child development to Panchayat (item 25 of Schedule 11)

### **Legislations related to Children**

The Hindu Adoptions and Maintenance Act, 1956 codifies laws for adoption and maintenance of both boys and girls and declares that the sons and daughters are treated equally in the matter of succession. The Act confers that a woman could adopt for herself in her own right. Adoption of female child was not permissible prior to passing of this Act and any oral or documentary evidence would be of no use, when adoptee failed to prove any family custom prevailing in family for adopting a female child. Section 15 of the Act says that the adoptive father or mother or any other person nor can the adopted child renounce his or her status as such and return to his family of his or her birth. The validity of adoption cannot be adjudicated in a writ petition.

The Pre-Conception and Pre-Natal Diagnostic Techniques Act-1994 regulates the use of pre-natal sex determination techniques. Though it permits the use of pre-natal sex determination techniques for detecting chromosomal or sex linked disorders only by the registered institutions but strictly

prohibits determination of sex of foetus and killing of female child in the mother's womb not only by the medical practitioners, gynaecologists or paediatricians but also by any genetic laboratory, counseling centre or clinic. The Act also bans the advertisement using pre-natal diagnostic technique for sex determination. Section-5 of the Act state that the pre-natal diagnostic procedure can be conducted only with the consent of the pregnant woman and a copy of written consent is given to her.

The Immoral Trafficking (Prevention) Act (ITPA), 1956 prohibits commercial sexual exploitation and all cases relating to prostitution registered under the Act. This Act defines a minor as a person between 16 to 18 years of age. The Act also says that if any person over the age of 18 years knowingly lives wholly or in part on the earning of the prostitution of any other person shall be punishable with imprisonment up to 2 years or with fine up to Rs1000 or both, or where such earnings relate to the prostitution of a child or a minor, shall be punishable with imprisonment for 7-10 years. The Act prohibits the activities relating to prostitution in a public place or within 200 metres from a public place.

The Child Labour (Prohibition and Regulation) Act, 1986 prohibits the engagement of children in certain employments and regulates the conditions of work of children in certain other employments. Section-5 of the Act makes provision for setting up of the Child Labour Technical Advisory Committee by the Central Government and the Committee is authorised to give advice to the Central Government in the matter relating to child labour

in occupations and process. Section 13 of the Act deals with the health and safety measures of the child employment in occupations or in processes. The Act also proclaims that if an accused employer is unable to prove that children employed were not below 14 years, he can be convicted for offence of employing child labour.

The Juvenile Justice Act 2000 and Amendment Act-2006 formulates laws relating to juveniles in conflict with law (juvenile who is alleged to have committed an offence) and provide proper care and protection for children in need. The Act adopts child-friendly approach by catering to the development needs of the children and their rehabilitation in institutions established under law. The Act brings juvenile law and prescribed set of standards to be adhered by all State parties for securing the best interests of the child and provides alternatives such as adoption, sponsorship, foster care and institutional care. This Act has been amended in 2006 to set up Juvenile Justice Board and Child Welfare Committees and compulsory registration of Child Care Institutions. The Act has been further amended in 2011 to remove discriminatory references to children affected by diseases like leprosy, tuberculosis, hepatitis-B etc. As per new provisions more power has been entrusted to Child Welfare Committee and Child Protection Units in each district of the State to oversee its implementation and provide care, education, training for rehabilitation of the children.

The Prohibition of Child Marriage Act, 2006 came into effect from 1<sup>st</sup> October 1929. The Section 3 of the Act declares that if a male above 18 years of age contracts a child marriage shall

be liable to be punished. The marriage performed in violation of the Child Marriage Restraint Act is an unlawful marriage. Section 5 of the Act punishes a person who performs, conducts or directs any child marriage shall be liable to punishment, unless he proves that to the best of his knowledge the marriage in question was not a child marriage. According to Section 6 (1) of the Act when a child marriage is contracted person having charge of such child, whether he is guardian or parent or in any other capacity whether lawful or unlawful, that person is liable to be punished. The offences committed under this Act are cognizable offences as defined under the Code of Criminal Procedures, 1973.

### **Institutional Frameworks for Child Welfare**

The National Commission for Protection of Child Rights (NCPCR) was set up as a statutory body under Ministry of Women and Child Development in 2007 under the Commission for Protection of Child Rights (NCPCR) Act 2005 to protect, promote and defend child rights in the country. The prime objectives of the Commission is to review the safeguards provided for protection of child rights and recommends measures for effective implementation, spread child literacy, enquire into violation of child rights, look into the matters relating to distressed, marginalised and disadvantaged children without family, children of prisoners, inspect juvenile home and recommend appropriate measures. The Commission undertakes periodic review of existing laws, policies and programmes on child rights and makes recommendations for their effective implementation in the best interest of the children.

The National Institute of Public Cooperation and Child Development (NIPCCD) is a premier organisation which acts as an autonomous body under the Ministry of Women and Child Development Department, Government of India to promote voluntary action, research, training and documentation on women and child development 1860 in the year 1966. The institution was established at New Delhi with its four Regional Centres at Guwahati, Banaglore, Lucknow and Indore. The thrust areas of the Institute relates to child care interventions relates to maternal and child health and nutrition, early childhood care and education, childhood disabilities, positive mental health in children and child care support services.

The Central Adoption Resource Authority (CARA) is an autonomous body under Ministry of Women and Child Development, Government of India. CARA which primarily deals with adoption of orphan, abandoned and surrendered children through recognised agencies. As per the provisions of Hague Convention on Inter-country Adoptions, 1993, CARA is designated as the Central Authority to deal with in-country and inter-country adoption of children.

### **Child Welfare Schemes**

The Integrated Child Development Scheme (ICDS) is a Centrally Sponsored Scheme of Government of India for early childhood care and development. The prime objective of the programme is to lay foundation for proper psychological, physical and social development of the child, improve health and nutritional status of children below six years of age, reduce infant mortality,

morbidity, malnutrition and school dropouts, achieve effective policy implementation to promote child development and enhance capability of the mother to look after health and nutrition, education and other needs of her child. The international agencies like UNICEF, USAID, DFID and CARE India serve as development partners to provide technical and other supports to ICDS for its effective operation. There has been significant improvement in the implementation of ICDS Scheme in 10<sup>th</sup> and 11<sup>th</sup> Plans in terms of increasing numbers of projects, Anganwadi Centres and coverage of beneficiaries, infrastructure development and training programmes for field staffs like Anganwadi Workers and helpers, Supervisors and CDPOs which are organised through district, state and regional centres. The selected indicators are devised under standardised Management Information System (MIS) and Central Monitoring Unit (CMU) which is established in NIPCCD in 2008 for strengthening the monitoring system. Many states have introduced state specific initiatives and good practices for effective implementation of ICDS scheme.

The strengthening and restructuring of ICDS system has been made in the 11<sup>th</sup> Plan to improve the system through multi-sectoral approaches to address the maternal and child issues. The National Policy on Early Childhood Care and Education (ECCE) is under formative stage which provides operational guidelines for strategic implementation. The Kishori Shakti Yojana is an adolescent girl's scheme implemented through Anganwadi Centres under ICDS Projects. The objective of the scheme is to increase self-confidence, boost morale and

give dignity to the adolescent girls. The scheme includes two schemes such as Girl to Girl Approach and Balika Mandal Scheme.

### **Schemes for Health and Nutrition of Children**

The Nutrition component of Prime Minister Gramodya Yojana and Nutrition Programme for Adolescent Girls is implemented with additional central assistance from Planning Commission to promote nutrition of children. A National Nutrition Mission has also been set up to enable policy direction to the concerned Departments of the Government for addressing the problem of malnutrition of children. The Pulse Polio Immunisation Programme implemented by the Ministry of Health and Family Welfare covers all children below five years of age. The programme covers 166 million children in every round of National Immunisation Day. Other programmes include, Universal immunisation programme to control deaths due to acute respiratory infections, control of diarrhoeal diseases, provision of essential new-born care, prophylactic programmes for prevention of micronutrient deficiencies relating to Vitamin A and iron, Anaemia control programme, and Integrated Management of Neonatal and childhood illness. The other immunisation programmes include Hepatitis B, DPT etc. The Reproductive and Child Health Programme is being implemented by the Ministry of Health and Family Welfare which provides effective maternal and child health care, micronutrient interventions for vulnerable groups, reproductive health services for adolescent etc. The programme integrates all family welfare programmes of women and

child health and provides 'need based, client centered, demand driven, and high quality services'.

The National Rural Health Mission Scheme implemented under Ministry of Health and Family Welfare seeks to provide effective healthcare services to rural population including large population of children in the country. The programme seeks to raise spending on public health and policies, strengthen public health management and service delivery in the country.

### **Schemes for Education of Children**

The Right of Children to Free and Compulsory Education (RTE) Act came into force in the year 2010 which provides the right of children to free and compulsory education in the neighbourhood school which are to be established within 3 years time period. The provisions relating to school infrastructure and Pupil Teacher Ratio (PTR), training to untrained teachers, quality interventions are prescribed under the Act. The Sarva Shiksha Abhiyan Scheme (SSA) aims to provide free and compulsory elementary education to all children in 6-14 age by 2010. The scheme provides school infrastructure and quality improvement in education of the children. The objectives of the scheme is that all children to be in school and universal retention by 2010, bridging all gender and social gaps at primary stage by 2007 and at elementary education level by the year 2010. The Government of India is committed to realise the goal of universalisation of elementary education by 2010. The Mid-day meal Scheme is being implemented under Sarva Siksha Abhiyan Scheme which aims at



universal enrolment and retention of children. Under the programme nutrition and snacks are provided to the children attending schools.

The National Programme for education of girls at elementary level is being implemented by the Department of Education which adopts community based approach for the development of children under difficult circumstances to check drop out girls, working girls, girls from marginalised social groups, girls with low levels of achievement to gain quality elementary education and develop self esteem of girls. The Kasturba Gandhi Balika Vidyalaya Scheme enables opening of special residential schools for the girl child belonging to Scheduled Castes, Scheduled Tribes, other backward classes and minority in educationally backward areas having low female literacy. The Schemes for Providing Quality Education in Madrasas (SPQEM) is launched to bring qualitative improvement in the Madrasas to enable Muslim children to attain educational standard as per the national education system. The other programmes including Model School Scheme (2008), Rastriya Madhymika Sikshya Abhiyan (2009), Inclusive Education for Disabled (2009), Construction of Girls Hostel for secondary and higher secondary schools (2009) are introduced to promote education at secondary level.

### **Schemes for Rehabilitation**

The Integrated Programme for Street Children by the Ministry of Social Justice and Empowerment seeks to prevent destitution of children who are without homes and family ties and are vulnerable to abuse and exploitation. The

programme rehabilitates these children and facilitates their withdrawal from life on the streets. The Integrated Programme for Juvenile Justice seeks to provide care and protection to the children in difficult circumstances and in conflict with laws. The special features of the scheme include establishment of a National Advisory Board on Juvenile Justice, creation of Juvenile Justice Fund, training of judicial, administrative police and NGOs responsible for implementation of JJ Act brings quality improvement in existing infrastructure, expanding non-institutional services like sponsorship and foster care as an alternative institutional care.

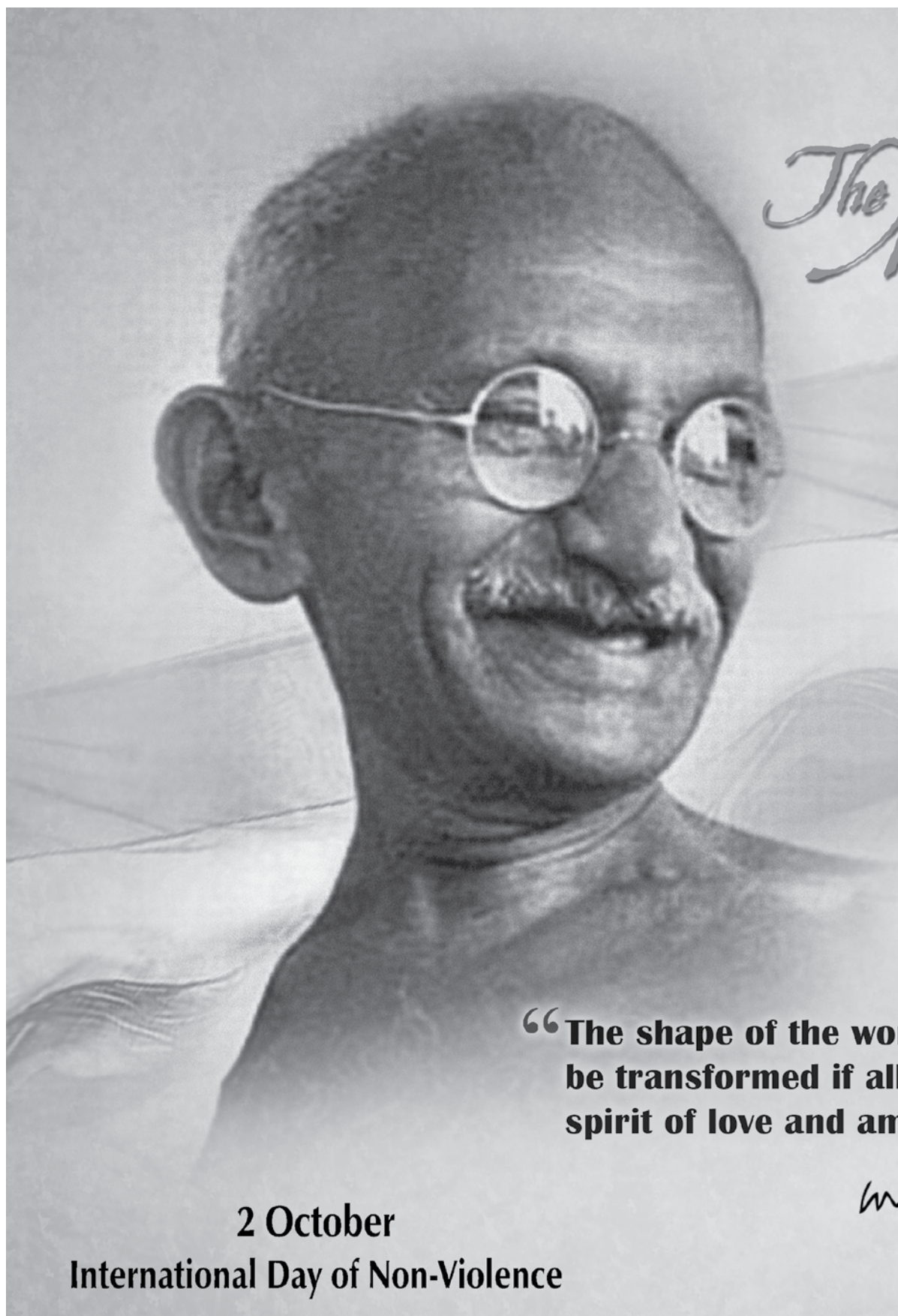
The Child helpline is a toll free telephone service (1098) which is run with the support of Women and Child Development Ministry and is working in 72 cities across the country. Anyone can call for assistance for the interest of children. The Child Budgeting identifies budgetary allocations of Central and State Governments to address specific needs of children through child specific programmes, identify major constraints for effective utilisation; devises methods for tracking expenditure and monitoring performance relating to child development programme.

The Elimination of Child Labour Programme implemented by the Ministry of Labour, Government of India sanctions rehabilitation of working children and elimination of child labour. The National Child Labour Projects (NCLPs) have been set up in different areas to rehabilitate child labour. Under the NCLP special schools have been established to provide non-formal education, vocational training and supplementary nutrition to children

withdrawn from employment. The Shishu Greh Scheme is being implemented by the Ministry of Women and Child Welfare to promote adoptions of abandoned/orphaned/destitute children within the country and ensure minimum standards of care for children. The Scheme for Welfare of Orphan and Destitute Children is a centrally sponsored scheme under Ministry of Women and Child Development. The main objective of the programme is to provide shelter, health care and nutrition, education and vocational guidance to orphaned and destitute children within age group up to 18 years for boys and up to 25 years for girls. In addition to this three pilot projects have been implemented to Combat Trafficking of Women and children are i) Combat trafficking women and children for commercial sexual exploitation under sanction of tradition ii) Combat trafficking of women and children for commercial, sexual exploitation in source areas and iii) Combat trafficking of women and children for commercial sexual exploitation in destination areas.

It is needless to mention that, though India has a comprehensive legal regime and policy framework to protect the rights and interests of the children, greater momentum is required for effective implementation of these policies and programmes for well-being of the children by improving their level of education, health and nutrition etc. Above all a just and fair environment is desirable for all children at home, school or any other place, with growing mind and body to see a shining tomorrow and ultimately to become responsible citizens of India. □

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**“The shape of the world  
be transformed if all  
spirit of love and am**

**2 October  
International Day of Non-Violence**

*The Mahatma*

**world would indeed  
all of us lived in a  
amity with one another.”**

*M. K. Gandhi*



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YE-188/2012

# Reforms Under MGNREGS in Rajasthan

*Tanmay Kumar  
Yutika Vora*



***MGNREGS has taken major strides in Rajasthan with active government support and the push from civil society organisations like Mazdoor Kisan Shakti Sanghatan in increasing awareness on the programme***

**R**AJASTHAN HAS shown significant progress under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS). MGNREGS is a public works scheme that guarantees 100 days of unskilled manual labour for any rural households that demands for such work. Along with a considerably high participation rate compared with the national average participation, Rajasthan has generated large amount of employment through MGNREGS. Since 2006, 14,678 lakh person days of work have been generated with an expenditure of Rs. 16,724.24 crores. In addition to providing employment, the scheme has contributed to increasing financial inclusion by ensuring wage payments through bank accounts and post offices. Rural assets have been created for water conservation, water harvesting, restoration, renovation and de-silting of water bodies, drought proofing, and afforestation. This has potentially led to an improvement in ground water

levels, agricultural productivity and enhanced purchasing power in rural areas.

## **Administrative Framework and Standardisation of Rules and Procedures**

Rajasthan has an extensive administrative framework with 23,937 contractual employees that enable effective implementation of the scheme. The government has taken measures to improve the efficiency of these employees at each level like increasing remuneration and providing other benefits like travelling allowances. At the state level, the post of Commissioner & Secretary, Employment Guarantee Scheme (EGS), was created to implement the scheme. Along with this a supporting organisational structure has been developed for those handling MGNREGS (Figure 1).

In order to ensure uniformity in implementation of the scheme across the state, the Department of Rural Development formulated several guidelines. Intensive training programmes support the guidelines to ensure that the various

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guidelines reach the functionaries at the Panchayat level. A six months course of training for Mates has also been initiated in collaboration with Kota Open University. In addition, a pocket book of important instructions together with frequently asked questions (FAQs) has also been printed for Mates.

### Transparency and Accountability at the field level

The state government has declared its intent for zero tolerance of corruption under MGNREGS. The issue has been addressed through three key strategies namely, Special Audit, Social Audit, and punitive action, legislative measures and ICT initiatives.

#### (a) Special Audit, Social Audit and Punitive Action

On an average each Panchayat spends Rs. 50 to Rs. 60 lakh under MGNREGS. The following reforms are being undertaken to examine whether these funds are being utilised properly.

Firstly, apart from the mandatory half-yearly social audit, the State

Government has undertaken special audit in the highest spending Panchayats of each district. In addition to initiating action in cases of irregularities detected during the special audit, action is taken on a regular basis in cases of irregularities found during normal inspections.

Secondly, an amendment to the Rajasthan Panchayati Raj Act, 1994 helped expedite disciplinary proceedings related to MGNREGS implementation. This section empowers the District Programme Coordinators as well as Programme Officers to take disciplinary action against errant officers. It helps reduce delays in deciding disciplinary proceedings that the disciplinary actions taken by these officers need not be put up before the Standing Committee of the Zila Parishad or Panchayat Samiti.

Thirdly, several state level monthly interaction meetings known as *Samwad* with non-governmental organisations are held under the chairmanship of

Minister, Rural Development & Panchayati Raj. *Samwad* has enabled improved feedback on ground level issues in the implementation of MGNREGS and also facilitated fine-tuning of policy initiatives.

Finally, Ombudsmen (*Lokpal*) have been appointed in twenty districts across the State, in accordance with the directions of the Ministry of Rural Development & Panchayati Raj, Government of India. District Programme Coordinators also make effective use of the provisions of Section 25 of MGNREG Act, 2005 for imposition of penalty up to Rs.1000, in cases of contravention of the provisions of the Act.

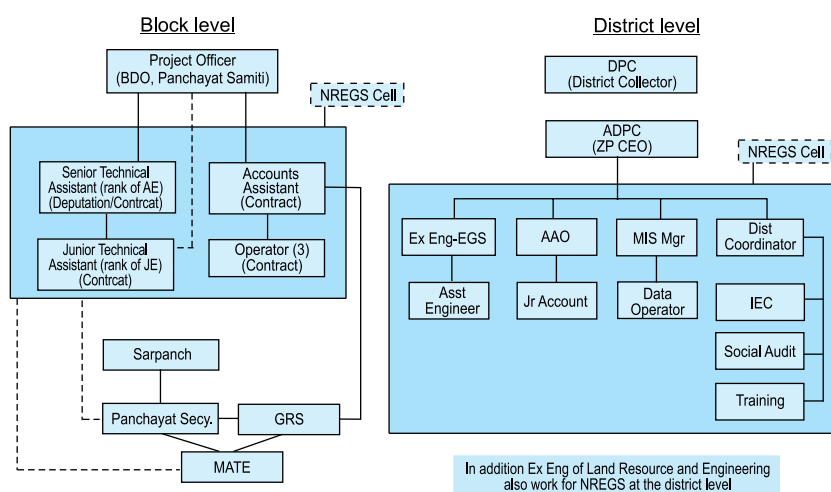
#### (b) Legislative Measures

To ensure financial propriety in the purchase of goods and services at the Panchayat level, amendments have been introduced in rules 183 to 192 of the Rajasthan Panchayati Raj Rules, 1996. Firstly, there is a limit for parking funds at the Panchayat level by setting up revolving funds that are replenished upon utilisation of 60 percent of the Fund.

Secondly, a Permanent Standing Committee has been set up at the Panchayat level to vet bills relating to procurement of material in order to ensure collective decision-making. The vetting of bills is required in order to make payment and to seek replenishment of the Fund, upto the prescribed permissible limit indicated earlier.

Thirdly, the state government issued instructions to the

**Figure 1. Organisational Structure: District & Block**



Source: Worksite Management and Related HR Practices in Rajasthan Draft Report by MART (May 2010)

government functionaries as well as the participating banks prohibiting payment by cash amounts exceeding Rs.1000.

Finally, to make the information public, expenditures under labour and material components are painted on the walls of the Panchayats every year. This has led to disclosures regarding irregularities and helped in taking corrective action.

### ***(c) Information and Communication Technology Measures***

The measures undertaken include not only introducing ICT tools in governance of MGNREGS but also setting up of ICT infrastructure in all the 9168 Panchayats and 248 Panchayat Samitis of the state in the form of ICT hubs called Bharat Nirman Rajiv Gandhi Sewa Kendras. These centres will act as a focal point for all rural ICT initiatives including MGNREGS. They would also bring in convergence between financial and digital inclusion by providing banking services as well as ICT services through the state owned Rajasthan Knowledge Corporation Ltd. (RKCL) and the Common Service Centres (CSCs) of Department of IT, Government of India under one roof therefore helping beneficiaries access services directly.

On a more direct note, Rajasthan has also taken some steps to improve the muster roll management by printing muster rolls that are difficult to tamper. E-muster rolls are issued with the printed serial numbers under the

programme officer's sign and seal. Details like the admsanction number, mate's name, gram panchayat's name, work's name and worksite are mentioned on the muster. Moreover, business process re-engineering of the existing muster-rolls has also been undertaken. This re-engineering has enabled tracking of muster-rolls to fix responsibility for delay, if any, at different levels. The re-engineering has also helped in linking of muster-rolls to the supply of material at site, institutionalising engagement of wage seekers in groups, and linking of daily measurement by mates to the final measurement made by junior engineers.

The department has also set up a Call Centre Cum Help Desk Information system. This centre would help in collection and dissemination of information related to various provisions of NREGS in addition to carrying on redressal of grievance.

An end-to-end transaction-based management information system (MIS) for MGNREGS is being developed. In contrast to the current system, the MIS will incorporate a biometric based attendance at the work site with scope for linking it with the UID. It will also use a Geographical Information System (GIS) for worksites. The new MIS will integrate the financial management system through the Core Banking Solution (CBS) platform. This integration will help electronic measurement of work at site, calculation of task and amount payable, issuance of payment

orders, door step payment of wages and generate dated receipts of payments; also, the provision of interface with mobile phones has been envisaged to help in development of key applications.

### **Worksite Management and Payment of Wages**

Creating conducive conditions to ensure that households receive the prescribed scheme wage is a major challenge in the implementation of MGNREGS. The state government evolved an institutional mechanism to achieve this objective. For example, a specified day has been notified as *Rojgar Diwas* for labour registration and clear linkage of wage to work output has been displayed at the worksite.

In order to enhance productivity, Rajasthan has created labour groups with five members each to undertake works together at one site as a group. Through these groups, peer monitoring is promoted. The labour groups enable greater task clarity, efficient division of work, lesser dissatisfaction among labourers regarding linkage of wages to work output and also higher output per individual due to transparency regarding individual contribution vis-à-vis group output. In addition to these benefits, the clubbing of labourers into groups makes it easier to identify weak groups and provide guidance to them.

In addition to the designated staff under MGNREGS, one of the labourers is designated as a mate. The mate enlists labourers in muster roll, maintains attendance in the e-muster, measures work output daily, and motivates



the non-performing groups for higher output. The mate also ensures availability of worksite facilities like tents, medical kits, and drinking water. The mate is typically a local resident who has completed at least 8<sup>th</sup> class. The mates are trained in small group management to enable them to lead the groups.

Within the state, wage payment to MGNREGS beneficiaries is being made through bank accounts maintained at post offices, cooperative banks, regional rural banks and, commercial banks. In order to expedite and streamline the wage payments, the state government has worked with the disbursement agencies to pay labourers within three days of receipt of the wage list. The State Co-operation Department has reduced the time substantially in clearing cheques by maintaining MGNREGS accounts with the Central Cooperative Banks at the district headquarters that then transfers funds to the cooperative

banks in the rural areas as per demand.

Apart from the administrative measures outlined above, the state government has also issued directions for payment of compensation as per the provisions of the Payment of Wages Act, 1936. Rajasthan is probably the first state in the country to have issued guidelines for not only payment of compensation but also in notifying labour courts, which would be empowered to hear such cases. Directions have also been issued to District Programme Coordinators to exercise their powers, especially in cases of low wages or delay in payment of wages.

#### **Existing gaps and future challenges**

MGNREGS has taken major strides in Rajasthan with active government support and the push from civil society organisations like *Mazdoor Kisan Shakti Sangathan* in increasing awareness on the programme. However,

some challenges still remain in the deployment of the scheme in generating appropriate and inclusive employment and in creating relevant and high quality durable assets. In some drought prone regions in Rajasthan, it would be beneficial to converge MGNREGS along with drought relief and the disaster management act. In the creation of assets, currently, there is a small list of works permissible. Expanding the list of works permissible would benefit communities and provide them with an option to choose assets useful and valuable for the community. Finally, in the long run, it would be useful to link MGNREGS to skill upgradation programmes related to the rural economy. □

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#### **CORRIGENDUM**

The name of the author in page No. 39 in the Oct. 2012 issue of Yojana is wrongly printed as Bharat Bhushan. It should read as H. Bhushan. The error is regretted.

Editor

### **ALL CHILDREN HOMES TO REGISTER UNDER JUVENILE ACT**

All children homes in India will have to be registered under the Juvenile Justice Act, even if they have licences under any other Indian law.

The women and child development (WCD) ministry has said the Juvenile Justice (JJ) Act will apply even to child care institutions that are not keen on children in need of care and protection. It is a legal requirement that all institutions housing children should be registered under the Juvenile Justice (Care and Protection of Children) Act.

The court is hearing a plea filed by civil society group HAQ Centre for Child Rights, seeking the registration of a sister concern of Arya Orphanage under the JJ Act. It had said that as the institution has a licence under the Women and Children's Institutions (Licensing) Act, 1956 it did not require registration under the JJ Act.

## Reversible reduction gear for marine diesel engine

**M**OHANLAL OBSERVED the inconvenience of the local fishermen while fishing with boats using diesel engines or petrol-start kerosene run engines, with an inbuilt gearbox. The boats with diesel engine had a long tail propeller system without gearbox, which affected their maneuverability. The kerosene run engines consume more fuel and pollute the water affecting the marine life adversely. Moreover, beach landing is very difficult using the conventional inboard marine diesel engines.

After rigorous research and development, Mohanlal developed a gearbox and manually tiltable Z-drive system for small capacity diesel engines to overcome these problems.

### Background

Mohanlal (52) is an accomplished boat mechanic and technician with experience of over three decades in repairing marine engines and fabricating drives and assemblies used in fishing vessels.

From a young age, he developed his skills in repairing fishing vessels while working at his uncle's workshop for five years. In 1987, he started his own workshop "Kaveri Engineering works" in Alapuzha dealing with repairing of boats,

drive and motor systems. He also started repairing the trolling boards, as one of the very few experienced technicians around, used in fishing vessels for opening and spreading of fish net under the sea.

During late 1990s, one boat owner approached him to make a new trolling board and gave him an advance of one thousand rupees. Though he protested, citing his lack of experience, the customer reposed his confidence in him and asked him to take the advance and build the new one. Feeling encouraged, he bought the raw materials and delivered the new board in five days.



This was a turning point for him as a designer and fabricator. His fame reached nearby villages and towns from where he received a large number of orders. At that time, he employed up to eighteen workers in his workshop and developed and delivered more than 350 boards. At present, the innovator resides in Aleppey with his wife Sreedevi and their two children.

### Genesis of innovation

Having expanded his trolling board business, Mohanlal purchased a new boat with Yamaha engine for nearly thirty thousand rupees. This kerosene engine consumed thirty litres of kerosene everyday. Cost of one can of kerosene is sixty rupees with only a few litres of kerosene available at subsidised rates and the rest from the market at prevailing high costs. He observed the profit margin for two months and noticed that the profit was negligible due to the high operational cost of fuel. He noticed that all the fishermen were experiencing this. Thus, a large amount of fuel had to be carried aboard, also adding to the vessel loading. The exhaust after using this fuel pollutes the water, and affects the marine life adversely resulting in lower catch. After a few months, he decided to stop the business and started thinking of cheaper alternatives for kerosene-based engines.

The other alternative viz. diesel engines had poor maneuverability, with rudimentary gearbox options unable to handle various operational modes of the fishing vessel. For the engines used in local fishing vessels, the gearboxes fitted from the available market options were a mismatch. With the non-availability of a gearbox, the propeller of the boat was often directly coupled to the diesel engine, making

vessel handling more difficult and dangerous.

Having assessed all possible alternatives, the innovator felt the need to develop dedicated gearboxes suitable for the fishing vessels and decided that on board Diesel engine is the only alternative.

In 2001, he started working on diesel engine. Initially, he thought, the entire work would be over in two weeks. He reduced the weight of the engine from 83 to 63 kg and further brought it below 30 kg by using aluminum alloys instead of steel components. Cost of mould and pattern for the castings and machining individual components drove up his development costs. Next, he focused on the boat performance and optimisation and shortly achieved a speed of 18 km/ hour. He introduced the clutches and two gears- one each for forward and reverse operation and an exhaust pipe.

When the news of his innovation appeared in the newspapers, Kerala State Industrial Corporation KSIC invited him to explain the advantages of his innovation. Seeing the potential of the product for the state fisheries sector, the extended a loan of three lakh rupees on a condition that, if the project became successful, he would pay the money back to the department. He continued his experiments with more vigour. Several field tests were completed and problems were rectified. He participated in various boat shows exhibiting his innovation.

Seeing the potential of his machine he got an unexpected order of a hundred engines from a reputed engine manufacturer, ELGI Equipments, of Coimbatore. ELGI needed gearbox and other accessories from Mohanlal for relief work in Tsunami affected area. The

existing gearboxes marketed by ELGI made maneuvering engine difficult. At this critical moment, Mohanlal received the financial assistance from Dr. Binnoy who came forward and agreed for the necessary investment. But, due to lack of dedicated production setup, they were not able to deliver the order in time.

Meanwhile, 'Matsyafed', a society established by Government of Kerala for the welfare of fishermen became interested in this gearbox. Since they spent a lot of money on kerosene subsidy, they realised the potential of this innovation vis-à-vis limitations of kerosene engines and were looking for cheaper alternatives. They decided to help in the field trials and marketing efforts. Since Mohanlal had submitted the entry to NIF, he received assistance for technical documentation, filing of patent and financial support for developing the prototype and liaison with Matsyafed for marketing.

The next round of tests revealed problems of propeller damage in beach landing and shallow water; Mohanlal developed a Z drive for solving these problems. The propeller system can be tilted to avoid touching on the beach while landing and can be lifted up by 90 degree during landing. In this project, with no other income except from his workshop, the innovator had to spend more than thirty lakh rupees and mortgage his house. He even had to sell all his ancestral land.

### **Innovation**

The gearbox has been developed for a 12HP diesel engine with 2400 RPM idling speed and around 12 litres fuel tank capacity. The diesel engine directly couples with two reduction gears through flange coupling with the engine flywheel. The innovativeness lies in the

application of helical gears with inner spline cut with dual sided jaw and dog clutch. This provides smooth running and better power transmission for the marine diesel engines.

The salient features of the Z drive system to go along with the gearbox for diesel engines are that it is manually tiltable and can be locked at 90 degrees while landing. It also reduces loss of power through horizontal shaft power transmission and results in a smooth drive and better maneuverability.

### **Applications**

This gearbox is a boon for fishermen who wish to switch from costlier, polluting kerosene based vessels to a robust, cheaper and maneuverable diesel powered vessel with a matching gearbox.

Using a diesel-powered engine with gearbox cuts down the fuel cost to one-third of it in petrol engines. Mohanlal's innovation has several advantages. Apart from the large savings in running cost, it causes minimum pollution with a projected cost of less than sixty thousand rupees. There are more than 20,000 boats in Kerala alone who may benefit from this innovation.

With the assistance of NIF, the innovator has signed an agreement with MATSYAFED, the Kerala State Co-operative Federation for Fisheries Development Ltd., for commercialisation of his innovation. MATSYAFED now plans to demonstrate the system at different ports and coastal areas in Kerala. This will give hands on experience of the new system to the fishermen. NIF has facilitated linkage of innovator with the South India Fisheries Federation (SIFF), for promotion of the technology. Good results are expected. □

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# DO YOU KNOW?

## WHAT IS CENTRAL ADOPTION RESOURCE AUTHORITY

### **What is Central Adoption Resource Authority?**

The Central Adoption Resource Authority (CARA) is an Autonomous Body under the Ministry of Women & Child Development, Government of India. Its mandate is to find a loving and caring family for every orphan/destitute/surrendered child in the country. The Central Adoption Resource Authority (CARA) was initially set up in 1990 under the aegis of the Ministry of Welfare. Pursuant to a decision of the Union Cabinet dated 2<sup>nd</sup> July, 1998, the then Ministry of Social Justice & Empowerment conferred the autonomous status on CARA w.e.f. 18.3.1999 by registering it as a Society under the Societies Registration Act, 1860. It was designated as Central Authority by the Ministry of Social Justice & Empowerment on 17.7.2003 for the implementation of the Hague Convention on Protection of Children & Cooperation in respect of Inter-country Adoption (1993). The Ministry of Women & Child Development has of late been mandated to look after the subject matters 'Adoption' & Juvenile Justice (Care & Protection of Children) Act, 2000'.

In-country Adoption of Indian children is governed by In-country Guidelines and Inter-country Adoption Guidelines, 2011. These Guidelines are a follow up of various directions given by the Supreme Court of India in L.K. Pandey Vs. Union of India (WP No. 1171 of 1982 and other cases). These Guidelines are amended and updated from time to time keeping in mind the welfare of such child. While CARA is engaged in clearing inter-country adoption of Indian children, its principal aim is to promote in-country adoption. In fact, CARA ensures that no

Indian child is given for inter-country adoption without him/her having been considered by Indian families residing in India. CARA also provides financial assistance to various NGOs and Government run Homes to promote quality child care to such children and place them in domestic adoption.

### **What is National Policy for the Welfare of Children?**

In pursuance of its constitutional mandate, the Government of India has evolved a National Policy for the Welfare of Children. The Govt. of India has evolved several programmes to ensure the betterment of children and their development in a wholesome manner. The Ministry of Social Justice & Empowerment, Govt. of India has been mandated, amongst others, with the welfare of children in difficult circumstances. The rehabilitation of such children through adoption is one of the major planks of the Ministry's policies for children. This policy keeps in mind the fact that the full and wholesome growth of a child is possible only in an atmosphere of parental love and guidance. It recognizes the family as the Central fulcrum around which both mental and physical development of a child is given full opportunity to blossom.

The National Policy for the Welfare of Children also stresses the vital role which the voluntary organizations have to play in the field of education, health, recreation and social welfare services for children and declares that it shall be the endeavour of the State to encourage and strengthen such voluntary organisations.

### **What is Inter-country Adoption?**

The objective of the Guidelines is to provide a sound basis for inter-country adoption within the

framework of the norms and principles laid down by the Supreme Court of India in the series of Judgments delivered in L.K. Pandey Vs. Union of India and Others between 1984 and 1991 and various other court orders from time to time. India has signed the Hague Convention on Inter-country Adoption-1993 on 9 January, 2003 and ratified the same on 6 June, 2003 with a view to strengthening International Cooperation and Protection of Indian Children placed in Inter-country adoption.

### **What are the Guidelines for Family Adoption of Indians Staying Abroad?**

With Hague Convention on Inter-country Adoption coming into force in India w.e.f. 1.10.2003, it has been obligatory for Central Adoption Resource Authority to come out with Guidelines on Family Adoptions so that children in crisis family situations are not deprived of a caring family. This guideline will be applicable for PIOs and NRIs who are habitually residing abroad have intention to adopt their relative's child from India.

Since family adoption has to deal with families of both sides, it is mandatory for both the sides to understand the procedural requirements before initiating such proposal. The purpose is to enable a child to get a loving and caring family within his/her clan group when such placement is considered as best alternative in the given situation. Family adoption will be allowed in exceptional situations where the child to be adopted has a special situation as a result of parent's death or adoption is thought up for certain situation benefiting families of both side without compromising child's best interest. □

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YE-186/2012

# NORTH EAST DIARY

## SIKKIM AIMS TO BECOME 'FULLY ORGANIC' BY 2015

**T**he entire state of Sikkim will be converted into a certified organic state by 2015. The schemes and policies are well tuned to realise that goal. Structured organic farming started in the state in 2003 when the government set up the dedicated Sikkim State Organic Board to promote farm techniques that prohibit the use of manufactured synthetic fertilizers and pesticides.

Chief Minister, Pawan Chamling, had also introduced a resolution in the assembly seeking to convert entire farming in the state to organic. Now, farming relies on techniques such as green manure, compost, biological pest control and crop rotation." Over 8,000 hectares of land was covered under organic farming between 2003 to 2009. In a bid to make the state fully organic, various state government agencies have been working in coordination. The state government has completely stopped lifting of quota of chemical fertilizers extended by the Government of India since 2006-07 and all sales points for chemical fertilizers in public and private sector have been shut.

Sikkim government has also promoted large-scale use of bio-fertilizers and provides certified manufactured organic manure to farmers as an alternative to their chemical substitutes.

In order to provide alternatives to farmers, 24,536 rural compost units and 14,487 vermi-compost units were constructed in farmers' fields till 2009. The bio-village programme was also adopted in 2003 and around 400 villages were adopted by the state government till 2009 to benefit some 14,000 farmers and 14,000 acres of land in four districts of the state.

The state has launched the comprehensive 'Sikkim Organic Mission' as a nodal agency to implement and monitor the programme in time-bound manner. A state-level apex body with the chief minister as its chair oversees the implementation.

Under the new initiative, the government has set a target to implement fully-organic farming technique by 2015. Organic products sell at a premium, which will benefit over 50,000 families in the state and promote organic agro-tourism.

According to latest data, Sikkim produces some 80,000 million tonnes of farm products, including 45,890 million tonnes of ginger, 3,510 million tonnes of large cardamom, 2,790 million tonnes of turmeric, 4,100 million tonnes of buckwheat, 3,210 million tonnes of urad daal and 20,110 million tonnes of mandarin oranges. Significant portion of these products are already organic. □

## FISH PRODUCTION IN NORTH EAST TO BE DOUBLED BY 2020

**T**he Centre is planning to double the fish production in North-eastern region and aims at increasing its per capita availability to 15 kg by 2020 with a total production of about seven lakh tonnes. To achieve this target, the region will have to double its fish production in another eight years. The region being 'rich' in natural resources for development of fisheries, North East States provide an "ideal environment" for the same with a total of 14,648 km of riverine resources in the form of rivers, reservoirs, lakes, ponds, streams, flood plains and wetlands.

The region's exploitation of aquatic resources has remained 'low', and expanding of fishery resources both horizontally and vertically can open up vast opportunities in aquaculture development. Presently, the region produces over three lakh metric tonnes of fish in a year with Meghalaya contributing 4,577 MT, Assam 2.3 lakh MT, Manipur 20,200 MT, Mizoram 2,901 MT, Nagaland 6,585 MT, Tripura 49,231 MT and Sikkim 180 MT. Meghalaya Government is raising 100 fish sanctuaries to promote tourism apart from setting a target to produce 25,000 MT of fish in a year at the end of the 12th Five Year Plan. To achieve this, the investment on fisheries in Meghalaya will be raised from a mere Rs 3 crore to Rs 1200 crore a year. □

### Girl Child in India

*Shweta Prasad*



*The opportunity to be born, opportunity to grow in a safe and secure environment, opportunity to develop ones' full potential are some of the major issues concerning the girl children in India*

**A**CHIEVING GENDER equality and empowering women is one of the important targets of the Millennium Development Goals (MDG). With only three years to go for achieving these goals, many efforts are being made at the international and the national level. The United Nations Organisation has declared "October 11" as the International Day for the Girl Child since 2012. The day shall be observed every year. It is going to serve an important purpose of fetching the spotlight on the girl child and their problems. This activity aims to promote girl's rights and highlight gender inequalities that exist between girls and boys. In 1995, during the World conference on Women in Beijing, the Beijing Platform for Action had resolved to eliminate all forms of discrimination against girl child and to promote the rights of the girl child. Further, the UN Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the international commitment of the 'World Fit for Children' adopted by the UN General Assembly's

Special Session on Children in 2002, underline the efforts of the international community towards the growth and development of women and children.

India is a signatory to all of the above international instruments. Besides this, India has taken a number of steps for ensuring the growth of the girl children. The Constitution of India offers all citizens, including girl children, certain basic Fundamental Rights – the right to life and liberty, the right to equality, the right to freedom of speech and expression, the right against exploitation, the right to freedom of religion, the right to conserve culture and the right to constitutional remedies for the enforcement of Fundamental Rights. Further, the Directive Principles of State Policy directs the State to ensure that all children are provided with services and opportunities to grow and develop in a safe and secure environment. For realising these goals, India has enacted a series of legislations such as the Child Marriage Restraint Act 1929; Immoral Traffic (prevention) Act, 1956; the Child Labour (Prohibition and Regulations Act), 1986; Infant Milk Substitutes, Feeding Bottles and Infant Foods

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(Regulation of Production, Supply and Distribution) Act, 1992; the Juvenile Justice (Care and Protection of Children) Act, 2000; PCPNDT Act, 2003; the Prohibition of the Child Marriage Act, 2006; the Right of Children to Free and Compulsory Education Act, 2009; the Right to Education Act, 2010; etc. Apart from these, a number of bills such as the Right to Health Bill and the Food Security Bill are under the process of enactment.

A number of policies and plans were also brought in place to further reinforce the system for making it sensitive and responsive for children. The National Policy for Children 1974, National Policy on Education, National Policy on Child Labour, National Charter for Children 2004; National Plan of Action for Children, 2005, policy on Early Childhood Care and Development, universalisation of the Integrated Child Development Services etc. had been formulated by the Government from time to time. Unfortunately, inspite of these programmes and schemes for the benefit of the children in general and the girl children in particular the canvass of her very survival, security and development, portrays a grim picture.

### Issues Concerning Girl Child

The opportunity to be born, opportunity to grow in a safe and secure environment, opportunity to develop ones' full potential are some of the major issues concerning the girl children in India. A look at some of the indicators of human development will explain the problems of the girl children in our country.

### Female Infanticide and Foeticide

Killing of a girl child after birth,

also known as female infanticide had been observed in the Indian society. The practice was first discovered way-back in 1789. It was found to exist in various parts of the North and the West India. The Britishers tried to ban the practice by passing the Bengal Regulatory Act XXI of 1795, the Regulation Act VI of 1802 and the Act VIII of 1870 - popularly known as the Female Infanticide Act. The available evidence suggested that in the 19<sup>th</sup> century India, the practice was mainly prevalent in the higher social groups.

While the practice of female infanticide killed daughters after birth, the current practice of female foeticide eliminated her in her mother's womb. Consequently, the juvenile sex ratio has registered a continuous decline in India with a decadal variation of -3, -2, -17, -18 and -13 in the year 1971, 1981, 1991, 2001 and 2011 respectively.

The census of 2011 has recorded the lowest ever sex ratio of 914 in the age group 0-6 years with 3 million missing girls; from 78.8 million in 2001 to 75.8 million in 2011. The decline in the juvenile sex ratio up to 1981 could be attributed to female infanticide and higher mortality rate among girl child due to neglect and discrimination. But the sharp decline in the juvenile sex ratio in 1991, 2001 and 2011 census is definitely the outcome of the practice of female foeticide as pre-natal diagnostic techniques became popular in India during 80s.

The cultural legacy of strong son preference, the practice of dowry, the perception of girls' being a *paraaya-dhan*, problems related to the safety and marriage of a girl child, *moksha*, the patrilineal necessity of *waaris* (heir) etc. are some of the reasons of female foeticide.

**Table.1 Human Development Indicators**

Indicator	Boys/Male	Girls/Female	Total
Population (0-6)	8,29,52,135	7,58,37,152	15,87,89,287
Sex Ratio (0-6)			914/1000
Literacy rate (7 years and above)	82.14	65.46	74.04
MMR (2007-09)	----	212	----
IMR (2009)	49	52	50
U5MR (2009)	60	69	64
Life Expectancy (2002-06)	62.6	64.2	----
Net Enrolment Ratio (2007)	97.3	93.6	----
Dropout Rate	----	----	----
Primary (2007-08)	25.7	24.4	----
Middle (2007-08)	43.7	41.3	----
Secondary (2007-08)	56.6	57.3	----
Median age at First Marriage	----	17.2	----
Work participation Rate	----	----	28 million

Sources: 1. Census of India, 2011  
2. Sample Registration System, 7 July, 2011  
3. NFHS- III, 2005-06

The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 deals with the problem of female foeticide in India. The act was amended in 2003 and was renamed as PCPNDT Act, 2003 to bring sex pre-selection techniques under the purview of the act.

### **Early Marriage**

The CEDAW protects the girl child against early marriage. Its provisions stipulate that the ratifying countries declare the legal age for marriage. In India, the legal age of marriage for a girl is 18 years. However, 36.8 percent of girls marry before attaining 18 years of age and the median age of the girls at the first marriage is 17.2 years.

According to NFHS-III, 47.3 percent of the women surveyed within the age group of 20-24 were married before they attained the age of 18 years. Of these, 2.6 percent were married before they turned 13, 22.6 percent were married before the age of 16 and 44.5 percent were married between the age of 16-17 years.

Recently, there has been a gradual improvement in this situation. Within the similar group, during 1998-99 the percentage of women who were married before attaining the age of 15 were 23.5 which had dropped to 18.2 percent in 2005-06.

Child marriage not only violates the human rights of the girl children but it also leads to several harmful consequences for them such as lack of opportunity to education, sexual exploitation, violence and early pregnancy. It deprives the girl children of their childhood and poses serious health risks for them.

Teenage pregnancy, a consequence of child marriage, is quite common in India. Every sixth women within the age group of 15-19 years had begun child-bearing, 12 percent had become mothers and 4 percent were pregnant with their first child during 2005-06.

The Child Marriage Restraint Act, 1929 prohibits marriages of children. Again, the Prohibition of the Child marriage Act, 2006 requires states/UTs to formulate rules to prevent child marriages in India. There are sufficient statutory provisions to curb this. But law alone has never been a solution for such social problems. It is just one of the ways of handling it. The issue needs to be addressed with its due urgency.

### **Malnutrition**

Globally, one third of the deaths of children under five years of age are attributed to malnutrition. Poor nutritional status of women during the reproductive period is responsible for the under-nutrition of the children. Therefore, boys and girls are almost equally likely to be undernourished.

However, discriminatory feeding practices further nutritionally impoverishes the girls vis-à-vis boys. For the girls, the nutritional intake is relatively inferior both in terms of the quality and the quantity. Boys are given relatively more nutritious food, especially if the family is poor and is not in a position to provide nutritious food to all the children. The scarcely available food is provided first to the boys and the remnant is served to the girls.

According to a study, about 48 percent of the children under five years were stunted, 43 percent were under-weight, 24 percent were

under-nourished and 16 percent were severely under-weight.

Anaemia, especially in adolescent girls, is an equally challenging problem. Almost 7 in 10 children within the age group of 6-59 months were observed to be anaemic.

36 percent of the women within the age group of 15-49 years had a Body Mass Index (BMI) below 18.5 kg/m<sup>2</sup> and about 47 percent of the girls in the age group 15-19 years had BMI less than 18.5 kg/m<sup>2</sup> indicating chronic nutritional deficiency.

For addressing the problem of the health and nutrition among the adolescent girls, Kishori Shakti Yojana was launched in 2000 as part of the Integrated Child Development Services (ICDS). Later in the year 2002-03, it was reinforced with the Nutritional Programme for the Adolescent Girls.

The early marriages of the girls normally results in the early pregnancy of the adolescent girls leading to the birth of the undernourished children. About 16 percent girls within the age group of 15-19 years had begun child-bearing. It also affects the health of the mother as her tender body is not adequately strong for child bearing. This situation enhances the risk of maternal deaths. Maternal Mortality Rate in 2004-05 was 254 in India which declined to 212 amid 2007-09 registering a fall of 17 percent. However, the target of 109 MMR under MDG is still quite far.

Therefore, policies like Integrated Child Development Services is essential to reduce malnutrition in our country as poor nutrition of girls negatively impacts their health, restricts

their opportunities for education and growth and impedes the path of progress towards the gender equality and the empowerment of women.

### **Education**

The universal primary education and the elimination of gender disparity in primary and secondary education had been accepted as the starting point for promoting gender equality and empowering women within the society. It is one of the first goals of the World Fit for Children. MDG has scheduled to achieve this target by 2015. Our country has made some significant strides in universalising primary education. It may be better appreciated on observing the enrolment ratio at this level for the recent years. The enrolment ratio for girls in 2001 was 77 percent which went up to 93.6 percent in the year 2007. The Right to Education Act, 2010 provides for the free and compulsory education to children below 14 years of age. This Act also incentivises girls for completing elementary education.

However, these efforts get a setback when the children drop out of the schools without completing education. A study by the Ministry of Human Resource Development found that 3.7 percent children in the age group of 6-10 years and 5.2 percent in the age-group of 11-13 years had either dropped out of the school or had never attended any school in 2008. According to the Annual Status of the Education Report 2009, 4 percent children were not in any school.

A look at the Table 1 shows that out of the 93.6 percent of the girls enrolled for the primary education in 2007, 24.4 percent dropped out in 2007-08. At the middle school level, the dropout rate amongst

the girls was 41.3 percent while it was 57.3 percent at the secondary level.

There are several factors responsible for the dropping out of the girls such as early marriage, household works, assisting the family members, looking after siblings, distant schools, lack of female teacher, lack of toilet facilities etc.

Addressing the problem of dropout is essential to meet the target set by the MDG.

### **Trafficking**

Human trafficking is the third largest crime of the world. Growth in the global sex market has led to the tremendous increase in the volume of human trafficking and made it a multimillion dollar business though it is not the only activity for which children are trafficked but 79 percent of all global trafficking is for sexual exploitation.

In India, the volume of human trafficking has increased tremendously. In 2007, the number of cases registered in India was 3991 which decreased to 3029 in 2008 and 2848 in 2009. However, the decreased registration of the cases of trafficking should not be taken to mean that the human trafficking has decreased in India.

Nearly 60 percent of the victims of trafficking are below 18 years of age. Though there is lack of gender disaggregated data on human trafficking, mostly girls are trafficked for sexual purposes.

The number of children trafficked worldwide for sexual exploitation or cheap labour on an annual basis is 1.2 million. Approximately 150,000 women and children are trafficked from

South Asia every year and for most of them India acts as a country of origin and destination. In some of the cases, women and girls are trafficked to other countries via India. It is estimated that nearly 5000 to 7000 Nepalese girls are trafficked into India annually for sexual exploitation.

National Human Rights Commission estimated that almost half of the children trafficked within India are between the ages of 11-14.

Thus, trafficking is a global problem which is done mainly for sexual exploitation of women and children. Of these, majority are children especially girl children. Therefore, to provide the girl children a safe and secure environment to grow and realise their full potential, we will have to make concerted efforts both at the national as well as international level for solving this problem.

At the international level, the problem is dealt with under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, 2000 also known as the Trafficking Protocol which was adopted at the UN Convention against Transnational Organised Crime. In India, the crime is dealt with under the Indian Penal Code of 1860 which prohibits selling or buying of a minor for the purpose of prostitution. However, there is lack of a comprehensive law which covers all kinds of human trafficking in India.

(Notes: Children are also trafficked for labour such as domestic help or illegal activities like beggary. In India, girls have also been found to be trafficked for the purpose of marriage in Punjab and Haryana.)

## Health and Mortality

MDG Goal 4 focuses on reducing Infant Mortality Rate (IMR) and Under 5 Mortality Rate (U5MR) to 28 and 42 respectively by the year 2015. According to UNICEF's State of the World Children Report, 2010, India accounts for more than 20 percent of the world's child death. In 2010, the number of children dying before attaining age 5 was estimated to be 1.83 million. According to NFHS-III, more than one in 18 children die within the first year and one in 13 before reaching age 5.

Over the years, IMR in India has declined. In 2005, it was 58 which declined to 50 in 2009 and 47 in 2010. U5MR has also declined from 69 in 2008 to 64 in 2009.

There is a narrowing down of male-female differential in mortality rate in India. However, the gap still remains with IMR (male) at 49 and IMR (female) at 52 in 2009. Similarly, U5MR for male and female was 60 and 69 respectively for the same period which is far behind the MDG target.

Recent initiatives of the Government of India like the Food Security Bill, the Right to Health Bill and the policy on Early Childhood Care and development may have significant implications for survival and the development of the girl child.

## Neglect and Discrimination

Neglect and discrimination against girls is a serious issue as it denies them their basic human rights. To a large extent, neglect and discrimination against them is socially sanctioned by the normative structure of our society which denies a girl child personal autonomy, entitlements to proper

and balanced food, education, healthcare and other opportunities of growth. Unfortunately, perpetration of discrimination and tolerance for it becomes part of our personality through the process of socialisation which requires us to internalise the norms and values of our society and we rarely question and contest such discriminatory practices.

The discrimination is of several types that are amply reflected in the child sex ratio, educational attainment, child marriages, health, malnutrition, IMR, MMR and other development indicators.

Worldwide, majority of the girls receive differential treatment and they are valued less than the boys. The intra-household dynamics where they are nurtured play a major role towards this. It determines their access to and control over the family resources as well as their bargaining power. As female have less bargaining power, despite having access to resources, they rarely have control over it. Many studies have indicated that girls are far less privileged than boys in access to resources (Basu, 1989; Batliwala, 1983; Gopalan and Chatterjee, 1985; Minocha, 1984; Sen and Sengupta, 1985), not to talk of control over it.

As household is the ground where inequality breeds in, it is difficult to challenge these and demand equality. However, various policies of the Government of India as well as that of the State Governments are encouraging equal and fair treatment to the girl children. Hence, future might see a more equal and humane society.

## Abuse, exploitation and Violence

The Girl Child is also highly susceptible to abuse, violence and exploitation both inside and outside her home. It has been widely

observed that the crimes against girl child have been increasing over the years. The available data does not present the true picture as majority of the cases go unreported due to the so called pragmatism of relatives for the *paarivaarik garima and lok lazza*. Rape, trafficking, sexual exploitation, child labour and the beggary are some of the forms of violence perpetrated on the girl child. In the absence of gender disaggregated data on abuse, exploitation and violence against girl children, it is difficult to assess the magnitude of the problem. The very nature of the various aspects of the child protection such as violence, abuse, exploitation and trafficking that thrive on the illegality and secrecy makes it difficult for the government to collect reliable data. Therefore, the efforts to prevent abuse and violence against the girl children calls for strengthening and strict enforcement of laws for rape, sexual harassment, trafficking, domestic violence, dowry and other related issues.

## Conclusion

India is home to 20 percent child population of the world. Here, nearly 100 million children fall in the poorest wealth quintile. Therefore, for any kind of inclusive growth, child population of the country needs adequate assimilation. Besides, these efforts must pay due attention to the gross disparities and the ground realities of the country. Disparity between girls and boys, between girls and boys belonging to various castes and classes, disparity between girls and boys belonging to different regions of the country must be taken into account for giving girl children their due position in India. □

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## Child Protection in India

*Dora Giusti  
Aneerudh Kulkarni*



*Protecting children from all forms of violence, abuse, and exploitation in different settings, including family, community and wider society is essential to ensure that they are given all the rights due to them*

**P**ROTECTING children from all forms of violence, abuse, and exploitation is integral to the holistic development of children, as it enables them to become active participants in their own development and the development of the Nation.

A child who sells flowers or magazines at a traffic light every day is not just another salesperson, but someone who is deprived of a normal and secured family life, and denied his or her basic rights of nutrition, health, education, and development.

Unfortunately, it is common to see children in vulnerable and difficult situations. At an age where they should be in school and learning, children are married off; engaged in work – in farms, households, restaurants, and in industries; trafficked for labour and sexual exploitation; and exposed to abuse and violence.

According to the Ministry of Women and Child Development (MWCD), around 170 million or 40 percent of all children in India are

either vulnerable to or experiencing difficult circumstances, such as violence at home, separation from family and street life (Integrated Child Protection Scheme – ICPS). If we look at sexual abuse, a study conducted by MWCD in 2007 shows that more than 53 percent all respondents reported to have faced one or more forms of sexual abuse.

Gender-biased sex selection is another important challenge for child protection in India. As per 2011 Census, there are only 914 females to every 1,000 males in the age group of zero to six years. This means that baby girls are largely discriminated over boys at birth.

Child marriage is also preventing girls from going to school, developing skills to get a job and growing to their full potential. The District Level Household Survey or DLHS 2007 indicates that almost one in two women (43 percent of all women aged 20 – 24 years) were married before they turned 18. In fact, India has the record of having the highest absolute number of child brides: about 24 million. This represents 40 percent of the 60 million world's child marriages.

The authors are Child Protection Specialists, UNICEF, India.

Other concerns relate to child labour (according to the 2011 Census India has nearly 12 million working children) and crimes against children (a 24 percent increase, with 33,100 cases, has been reported in 2011 by the National Crime Bureau, which has also recorded 3,422 incidents of trafficking in 2010).

Protecting children from all forms of violence, abuse, and exploitation in different settings, including family, community and wider society is essential to ensure that they are given all the rights due to them. When children are protected, they develop to their full potential, but when they are exposed to risks, they become vulnerable to getting trapped in the cycle of violence, abuse, and deprivation.

### **Child Protection and UNICEF**

At UNICEF, the vision and approach to child protection is about creating a “protective environment” for all children. This means working together with all stakeholders, including the Government, communities, schools, families, children, Panchayat members, teachers and Anganwadi workers to protect children against all forms of violence, abuse, and exploitation. This protective environment, which implies the establishment of a responsive system to address violations of children’s right to protection, has some key elements:

- Government’s commitment to fulfilling children’s right to protection, which is reflected in a strong and sensitive policy for children;

- Appropriate legislation, which safeguards children’s rights, and adequate financial and human resources to implement the laws;
- Promotion of positive social and cultural norms, attitudes, traditions, behaviours and practices, which are essential to address issues such as gender-biased sex selection, child labour, and other protection concerns;
- Creating an atmosphere of open and frank discussions on child protection, including engagement with the media and civil society to raise and address child protection concerns; Building children’s own capacities to protect themselves and demand their rights, through knowledge and skills;
- Enhancing capacities of families, caregivers, and everyone who comes in contact with children, to be able to provide effective care and protection of children;
- Provision of basic and targeted services, including health and education, as well as specific services for children who have been victims of violence, abuse, and exploitation;
- a system that can provide effective monitoring and oversight – both in terms of violations of children’s rights, and to the child protection system as whole.

UNICEF works with government and NGO partners, with communities, the media, academia and children themselves to build and strengthen the protective

environment so that children do not get harmed and if this happens, they can rely on buffers which will support them through difficult circumstances and risks.

### **Strengthening Child Protection in India**

UNICEF has been providing technical support to the Ministry of Women and Child Development to support the implementation of the Integrated Child Protection Scheme (ICPS) which provides an excellent opportunity to establish and strengthen a robust preventive and responsive child protection system at state, district, and community level by creating and reinforcing structures, promoting coordination and accountability of all stakeholders.

On the one hand, the scheme provides for setting up village and block level child protection committees, with a mandate to ensure that children are protected from all forms of violence, abuse, and exploitation, and on the other, it ensures that a child sensitive and effective response mechanism is put in place to provide specific services to children who have been victims of any form of violence and exploitation. The scheme also brings with it adequate provisions for financial and human resources to provide a range of services.

One innovative element of the Integrated Child Protection Scheme is the emphasis placed on family and community based modalities of care *in lieu* of institutions for those children that are deprived and/or separated from their biological family. Global evidence suggest that institutions are not the most

suitable form of care to promote child's development as children best thrive in family like environments. Traditionally, institutions were used as the most common option for children without families but ICPS is bringing a change as it is trying to promote family care modes by setting guidelines, standards and models for State Governments and their partners. UNICEF is supporting the government in building capacity for this change.

In addition, UNICEF implements a number of programmes that promote the establishment of a protective environment for children at local level in partnership with State Governments, District Administrations, and Civil Society. The focus of these interventions is to strengthen the district and village level child protection mechanisms, ensuring that children are going to school, learning, and not working, to mobilise communities to promote social and cultural norms to address issues such as child marriage, trafficking and child labour, and

linking vulnerable families with social protection programmes of the government.

### Changing mind sets

Traditions and beliefs often contribute to violence, abuse, exploitation and other harmful practices. For instance, corporal punishment in schools is practiced as it is traditionally believed to be a suitable disciplining method for children; and child marriage, even though is influenced by poverty, lack of education, and limited job opportunities for women is also backed up by traditions around marriage and puberty, social norms and expectations around gender roles.

But traditions and beliefs can also be turned into positive ones which can contribute to protecting children. For instance, the value and importance of marriage can be used to ensure that marriage does not become a harmful event in a child's life but that is instead destined to a person that has reached adulthood and therefore full maturity.

As part of building the protective environment, changing beliefs and norms becomes a long-term sustainable solution. For this purpose, it is not just individual's views that require a change but the collective opinion. UNICEF works with its partners to promote awareness of communities, families and children on social norms that are harmful to children; to identify role models that can campaign for a change; to mobilise entire communities to resist harmful practices; and to empower girls through life skills development and safe spaces for discussions.

Although child protection is often concerning invisible aspects of children's lives, if not ensured, it may have an enormous impact on children's lives and cause an endless loss for the Nation. Creating systems and strengthening structures to protect children will contribute to giving children a joyful and thriving life and will lead to advancing humanity. □

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## Cabinet approves ban on hiring children below 14

The Union Cabinet has approved a proposal for amending the Child Labour (Prohibition and Regulation) Act, 1986, to ban employment of children aged up to 14 in any form of industry. It will be an offence to employ such children not only in factories or industries but also in homes or on farms, if their labour is meant to serve any commercial interest.

The Ministry of Labour is likely to introduce the amendment bill in Parliament soon. Quoting the National Sample Survey Organisation's figures, official sources said the amendment would benefit 46 lakh children, who have been working in various industries now, and they can concentrate on education.

The Cabinet also approved another amendment to define children aged 14-18 as "adolescents" and prohibit their employment in mines, explosives industries, chemical and paint industries and other hazardous establishments. The government's decision is in line with the convention of the International Labour Organisation (ILO), which prohibits any form of child labour until the age of 14.

Since the Right of Children to Free and Compulsory Education Act or RTE now stipulates compulsory and free education of children up to the age of 14, the upper age limit in the Child Labour Act has been kept at 14. The RTE, which makes education fundamental right of a child, was passed by Parliament on August 4, 2009. It sets forth the modalities of free and compulsory education for children aged 6-14.

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# Tackling Crimes against Children

*Sandip Das*



***The ‘Children in India 2012’ report prepared by the Ministry of Statistics and Programme Implementation state that there had been an alarming 24 percent increase in crimes against children in 2011 compared to the previous year***

**R**ITIKA KUMAR, a class nine student from a reputed school in south Delhi had not been browsing internet for last few days. Kumar, who used to spend few hours daily in browsing through many social networking sites had been hesitant to do the same these days. Her worry is that after someone hacked her social networking site account recently, she had been getting obscene mails from unknown people.

The case of Ritika is not an isolated one. Many children who have been using computer and internet as part of daily routine had been falling victim to cyber-crime which had emerged major challenges for law enforcing agencies.

The younger children, who use the internet and other online technologies extensively for staying connected through e-mails, social networking, e-banking, e-shopping, web-TV, news, education, homework research, online gaming, downloading music, videos, movies and other contents etc, have been more vulnerable to targeted cyber-crime. This often happens in the form of cyber stalking, cyber bullying, child pornography, hacking of email or social networking accounts, and exposure to sexually explicit material etc.

Besides cyber crime, children in India face violence in many forms such as sexual abuse, physical violence and deprivation from accessing education and better qualities of rights.

As per the 2002 census, the total number of child labour (children who are used for economic activity) is estimated at 12.6 million. Given a choice most of these children would leave their work as they are forced to do these manual works because of economic reasons of helping out their poor families with extra income.

“These children who work as mostly domestic help, helper in road side eateries and hazardous industries are the most vulnerable section who faces violence in various forms often,” an official with Ministry of Women and Child Development said. Child labour problem is not unique to India. It is estimated around 215 million children work, many full-time.

However during a land mark policy reform, union cabinet recently approved a proposal to ban all work for children under the age of 14 and restrict non-hazardous work to adolescents between the ages of 14 – 18.

After the appropriate policy change is incorporated, employing a child under 14 for any work will be a cognizable offence punishable

The author is a Delhi based journalist.

with imprisonment up to two years or a fine up to Rs 50,000 or both. This is an increase from the current one-year jail or Rs 20,000 punishment. Repeat offenders can be imprisoned for up to three years.

Until now, India's Child Labour (Prohibition and Regulation) Act, 1986 permitted children under the age of 14 to work in 'non-hazardous industries' including some agricultural work, in contravention of the Right to Free and Compulsory Education Act which says that all children between 6 and 14 must be in school. The Child Labour Act will now be amended to ban all work for those under 14. In addition, anyone over the age of 14 could earlier be employed for hazardous work.

Internationally, children are defined as those under the age of 18, and the International Labour Organization (ILO)'s convention 182 - ratified by all with the exception of eight countries including India and Somalia bans the 'worst forms' of child labour, including hazardous work, for all children under the age of 18. "Following the amendment in the Child Labour Act which would ban hazardous work for anyone under the age of 18, allowing India to ratify ILO convention," a senior official with ministry of labour and employment said.

Besides, the union cabinet had proposed amendments in a Bill under which any sexual activity, even consensual, with a person below the age of 18 would be considered an offence. In the previous version of the Protection of Children from Sexual Offences Bill, 2011, consensual sexual activity with children between the age groups 16 to 18 was not considered a crime. The cabinet's move follows recommendation of the parliamentary Standing Committee in its report in December 2011.

The parliamentary panel had stated that once the age of the child had been specified as up to 18 years in the Bill, the element of consent should be treated as irrelevant up to this age and suggested that provisions related to age of consent should be deleted.

The previous Bill had said that if sexual assault is committed against a child between 16 to 18 years of age, it would be considered if it was with the consent of the child or whether there had been a use of violence or force.

This is the first time that a strong legislation has been brought to tackle offences specifically against children that are not dealt with under existing laws. It also seeks to include abuse of boys while bringing trafficking and child pornography under the ambit of the law.

The bill has dropped the 'age of consent' (16-18 years) clause after a controversial recommendation by a parliamentary panel that under the IPC and the Prohibition of Child Marriage Act, a person below 18 is considered a minor, and there should be uniformity in laws. The proposed legislation also recommends 10 years of imprisonment extendable to life imprisonment and fine for aggravated sexual assault.

The bill provides for treating sexual assault as 'aggravated offence' when it is committed by a person in position of trust or authority including a member of the security forces, police officer, public servant, management or staff of a children's home, hospital or educational institution. These series of legislative steps come at a time when a government recently stated that India has been identified as a country which is 'unsafe' for the children. The 'Children in India 2012' report prepared by the Ministry of Statistics and Programme Implementation state that there had been an alarming 24

percent increase in crimes against children in 2011 compared to the previous year. Nearly 33,100 cases were reported in 2011 against 26,694 cases in 2010.

Uttar Pradesh accounted for 16.6 percent of total crimes against children in 2011, followed by Madhya Pradesh (13.2 percent), Delhi (12.8 percent), Maharashtra (10.2 percent), Bihar (6.7 percent) and Andhra Pradesh (6.7 percent). Maharashtra accounted for 74 percent of the total 27 cases of 'buying of girls for prostitution' while West Bengal accounted for 77 percent of the total 113 cases of 'selling of girls for prostitution'.

"The analysis of crime and children as presented here, puts forward a few upsetting revelations about the child victims as well as child offenders, which points out to the vulnerable conditions of children that need to be addressed urgently especially poverty," the report stated. The last time such a report on the state of India's children came out was in 2008.

A child right activist said the government move to formulate stringent laws for preventing crime against children would contribute to realising more fully the right to compulsory basic education for children. Similarly, regulating the conditions of domestic labour would enormously augment the goal of expanding basic education, considering that large numbers of children are employed as household workers.

Above all, according legal recognition to domestic work will complement the governments' efforts to combat crimes against women and children. Even monitoring of cyber crime against children would enhance the confidence level of children in accessing new technologies and platforms. □

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# PPPs and centralised kitchens: A boon for the MDM programme

*Bharathi Ghanashyam*



*India's mid day meal programme, which was conceived to address of malnutrition problem, is the world's largest school feeding programme reaching out to about 12 crore children in over 12.65 lakh schools/ EGS centres across the country*

**F** EEDING AN entire city imagine a city like Srinagar, Varanasi or Meerut. Each of these cities has a population in the range of 1.3 million. And then, imagine one entity feeding the entire city, every single day. The thought requires stretching the imagination to its limits, and that's what The Akshaya Patra Foundation does, every single school working day of the year in 8 states of India. The Foundation reaches 1.3 million children across India in a public-private partnership with the mid-day meal scheme of the Central and 8 state governments. This is equal to feeding the entire population of any of the above mentioned cities.

### **The background**

India is home to 57 million malnourished Indian children. 45.2 million children are engaged in child labour and 8.1 million children are out of school. It is estimated that child malnutrition is responsible for 22 percent of the country's burden of disease, affecting productivity and income (Sources: UNICEF, National Commission for Enterprises in Unorganised Sector

(NCEUS). These statistics reveal that there is a pressing need for a strong and sustained programme to tackle the inter-linked problem of malnutrition and education.

India's mid day meal programme, which was conceived to address the above mentioned problems, is the world's largest school feeding programme reaching out to about 12 crore children in over 12.65 lakh schools/EGS centres across the country (Source: [www.mdm.nic.in](http://www.mdm.nic.in)).

Historically, India has had schemes for providing mid-day meals to school children in various forms and in different regions since 1925. These were however fragmented efforts, and largely unstructured. Some structure was brought to them when the National Programme of Nutritional Support to Primary Education (NP-NSPE) was launched as a centrally sponsored scheme for supply of foodgrains on 15th August 1995.

In September 2004 the scheme was revised to provide cooked mid day meals. This was in response to a Supreme Court order of November 2001 which provided

The author is Head – Communications, The Akshaya Patra Foundation.



for the conversion of eight food security schemes into entitlements. The mid-day meal scheme was one of the eight schemes (Source: India: a desk review of the Mid-Day Meals Programme – World Food Programme).

Year	Budget (in cr)
2007-08	7324
2008-09	8000
2009-10	8000
2010-11	9440
2011-12	10380
2012-13	11, 937

While the budgets for the scheme have been increasing, albeit marginally, over the years (see table), demonstrating government commitment towards the programme, there are several studies which amply demonstrate that service delivery is patchy and quality issues continue to plague the programme.

One such study is the Performance Evaluation of Cooked Mid-Day Meal (CMDM) - Planning Commission May 2010. The study throws up gaps in several areas, including supply of foodgrains, cooking, and supervision and monitoring, and the teaching time, which is diverted towards supervision in schools where food is prepared on the premises.

### PPPs – an alternate model

Heeding a recommendation by the Planning commission for inviting Public Private Partnerships (PPPs) in implementation of the mid-day meal scheme, a policy was formulated by the Government in January, 2006. The Ministry of Human Resource Development

stated, “*The state government shall be fully responsible in implementing the programme through NGO support either for a cooked meal or pre-cooked food variant in eligible schools. To this extent the state government or the NGO concerned, may mobilise resources for conversion of food grains in to a cooked meal.*”

The policy aimed at ensuring better delivery of services and therefore better performance of the scheme through the involvement of NGOs and other private partners. As per the policy, corporate supported NGOs/Trusts, which are capable of adding their own resources, were encouraged to collaborate with the government in the implementation of the mid-day meal programme.

The Akshaya Patra Foundation, Naandi Foundation and Adama Chetana Trust, are some Trusts/Corporates who have already partnered with the Government in this regard. While exact figures for all of India are not available, in Karnataka alone, over 1000000 children are covered through PPPs with 85 NGOs, thereby demonstrating the value of aligning with partners to improve service delivery.

Today the PPP model in the mid-day meal programme is cited as an example of innovation in delivery of public services through private partnerships. A number of field studies reinforce the improvement in efficiency, accountability and effective service delivery.

### PPPs and centralised kitchens

As a partner of the Central and 8 state governments, the Akshaya Patra Foundation has

been providing cooked mid-day meals across the country through its centralised kitchen model for over 11 years. The programme began in 2000 with a beneficiary base of just 1500 children. As the numbers grew, so did the need for technology for mass cooking. In what has come to be recognised as a pioneering initiative, the technology for cooking large quantities of food was designed indigenously by using in-house capacities. Currently, Akshaya Patra has 16 centralised kitchens, each of which is capable of cooking for over 100000 children per day. These centralised kitchens are able to consistently deliver high-quality meals through the use of innovative technology.

Akshaya Patra has put several technological innovations to work in its kitchens. Large cauldrons, automated machines to cut big quantities of vegetables, conveyor systems to transport the containers to the vehicles, automated rice cleaning machines and other innovations add to the efficiency of the programme. The use of steam for cooking helps the food to cook faster and the vegetables to retain nutrients. In north India, Akshaya Patra uses a *roti*-maker designed indigenously by Akshaya Patra's engineers. The *roti* making machine can cook up to 40,000 *rotis* in an hour. All this minimizes human intervention in handling of cooked food and helps to maintain high standards of cleanliness and hygiene. 10 Akshaya Patra kitchens are ISO 22000 certified. The custom design of vehicles and logistics ensure that food is distributed to the children on time and in a safe manner, free of contamination.

While centralised kitchens and PPPs have demonstrated strong positive impact, implementation is associated with several challenges. These challenges relate to funding, operations and a lack of specific norms for PPPs and the use of centralised kitchens in the MDM Scheme. Formal recognition from the government for the centralised kitchen model is absent.

The use of the centralised kitchen model is still an exception rather than the rule in the mid day meal programme. However, with growing numbers of children to be fed and larger geographical areas to be catered to, it seems the appropriate model for adoption.

There are however, severe challenges that accompany the running of centralised kitchens. Setting up centralised kitchens calls for huge capital investments and currently there is no monetary support from the government for this and it is left to the NGO partners to set up the required infrastructure through fund raising activities. Additionally, the government

funding for the mid-day meal programme, which accounts for 50 percent-60 percent of the expenditure is often associated with administrative delays. This further pushes up the cash flow requirements of the partners.

Spiralling prices of raw materials, human resources, fuel, administrative overhead cost are not addressed adequately in the budget allocation for the mid-day meal programme. The MDM programme has seen no real increase in budgets over the years other than the 7.5 percent allowed for inflation. NGO partners fail to get the same subsidies that are allowed for direct implementers such as domestic gas cylinders against commercial gas, and labour costs.

And yet, centralised kitchens have more than amply demonstrated their value in delivering standardised, high quality meals. Given the problems that the mid-day meal scheme is faced with, it is advantageous for the government to recognise the worth of centralised kitchens and put

in place mechanisms that can strengthen it. It calls for norms to be specified very clearly for those NGOs that wish to use the centralised kitchen model.

The other challenges relate to the lack of health and hygiene awareness, sanitation facilities, safe drinking water facilities etc at the school level. The whole effort to adhere to food safety standards are futile if children do not have access to safe drinking water at school and do not adhere to a simple hygiene practices such as washing hands before eating. This calls for the much-needed convergence between various departments that can enable a safe and hygienic environment for children in government schools. It is obvious there is a lot to be done before NGO partners can enjoy the status of being partners of the government in the real sense. But it is time to begin thinking in this direction, as it is India's children that will ultimately benefit. □

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# YOJANA

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A. Anrutesh Kalidas	Avichal Chaturvedi	Sahilendra S. Chauhan	Ruchika Diwakar	Anupama Jorwal
Rank <b>10</b> B.A. (Eco.)	Rank <b>37</b> B.Tech.	<b>I.P.S. (B.E.)</b>	<b>I.A.S. (B.E.)</b>	<b>I.A.S. (M.A.Psycho.)</b>
Philosophy : <b>356</b>	Philosophy : <b>366</b>	Philosophy : <b>340</b>	Philosophy : <b>376</b>	Philosophy : <b>419</b>
Sociology : <b>366</b>	Pub.Admn. : <b>319</b>	Pub.Admn. : <b>266</b>	Pub.Admin.: <b>346</b>	Psychology: <b>291</b>
First Attempt	Second Attempt		1st Attempt with Philosophy	

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