

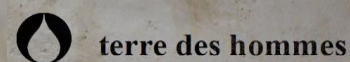
INDIA

Shadow Report



To the
**Third and Fourth Combined Report on the
UN Convention on the Rights of the Child**

Submitted by
CRC 20 BS Collective
July 2012



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Preface

Government of India submitted its Third and Fourth Combined Report on the Convention on the Rights of the Child to the Committee on the Rights of the Child in 2011, which the Committee is scheduled to consider in its 66th pre-sessional working group to be held in Geneva from 7-11 October 2013.

This report by the CRC20BS (Balance Sheet) Collective, is being submitted as an alternative to that submitted by the Government.

The CRC 20 BS collective (consisting of 173 organizations and 215 children associated with them) came together to undertake a review of the two decades of implementation of the Convention on the Rights of the Child. It came out with a three volume report titled *Twenty Years of CRC- A Balance Sheet* in 2011. The process of pulling together the Balance Sheet through consultations with NGOs and children was undertaken by HAQ: Centre for Child Rights Delhi, supported by terre des hommes, Germany.

The present shadow report is an update of the Balance Sheet of 2011 (already sent to the UN Committee on the Rights of the Child). It reviews what has been achieved towards the realization of children's rights in India and the gaps that remain. This update has been undertaken by HAQ: Centre for Child.

It is hoped that the Committee will take into consideration the observations made in this report in formulating its Concluding Observations to the Government or India.

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List of Abbreviations

S.No	Abbreviations	Term
1.	ACHR*	Asian Center for Human Rights
2.	ARI	Acute Respiratory Infection
3.	BfC	Budget for Children
4.	CARA	Central Adoption Resource Authority
5.	CLPRA	Child Labour (Prohibition and Regulation) Act, 1986
6.	CPCR Act	The Commission for Protection of Child Rights Act, 2005
7.	CRC	Convention on the Rights of the Child
8.	CrPC	The Code of Criminal Procedure, 1973
9.	CWC	Child Welfare Committee
10.	DISE	District Information System for Education
11.	ECCED	Early Childhood Care, Education and Development
12.	FORCES	Forum for Crèche and Childcare Services
13.	FYP	Five Year Plan
14.	GDP	Gross Domestic Product
15.	ICDS	Integrated Child Development Services
16.	ICPS	Integrated Child Protection Scheme
17.	ILO	International Labour Organization
18.	IMR	Infant Mortality Rate
19.	IPC	The Indian Penal Code, 1860
20.	ITPA	Immoral Traffic Prevention Bill, 2006
21.	JJB	Juvenile Justice Board
22.	MIS	Management Information System
23.	MISS	Management Information System and Services
24.	MWCD	Ministry of Women and Child Development
25.	NCG	National Coordination Group
26.	NCLP	National Child Labour Project
27.	NCPCR	National Commission for Protection of Child Rights
28.	NCRB	National Crime Records Bureau
29.	NER	Net Enrollment Ratio
30.	NFHS	National Family Health Survey
31.	NGO	Non Governmental Organization
32.	NIPCCD	National Institute of Public Cooperation and Child Development
33.	NPAC	National Plan of Action for Children
34.	NSS	National Service Scheme
35.	POCSO Act	The Protection of Children from Sexual Offences Act, 2012
36.	PTR	Pupil to Teacher Ratio
37.	RTE	Right to Education
38.	RTI	Right to Information
39.	SC	Scheduled Caste
40.	SCPCR	State Commission for Protection of Child Rights
41.	SJPU	Special Juvenile Police Unit
42.	ST	Scheduled Tribe
43.	TADA Act	Terrorist and Disruptive Activities (Prevention) Act
44.	TB	Tuberculosis
45.	U-5MR	Under Five Mortality Rate

Introduction

Globally, the last two decades have witnessed a rapid change in the economic and political conditions. Amidst many social, economic and political upheavals suffered by the world at large, India emerged as a powerful nation with a GDP growth rate increasing from 1.3 per cent in 1991-92 to 8.5 per cent in 2010. Despite the decade's lowest economic growth rate of 5 per cent on account of the 'impact of the global financial woes'¹ in 2012-13, on the whole, India has indeed become a strong player in the global market. In 2013, the total net worth of India's 55 billionaires was reported to have fallen marginally to \$189 billion (over Rs 10 lakh crore) in the past one year. But even half of this amount is said to exceed the country's total fiscal deficit.² The flip side to this picture of "growth" is that the level of poverty in the country has increased manifold, leaving more and more people out of the social security and safety net. In fact, gap between the rich and the poor has only widened more than ever before. What is more, children no longer seem to be the wealth of the nation with India scoring high on malnutrition, child labour, child sexual abuse and other child rights indicators in the world. The question about development for whom and at whose cost has never been more relevant than it is today. It needs to be reiterated and such stark contradictions need to be corrected without further delay.

In the wake of development policies that have been unfair to large sections of the population, there has been a global recognition for ensuring people their basic human rights. World over, the need to protect the rights of children has gained recognition. Yet, in many countries, including India, even after two decades of ratification of the Convention on the Rights of the Child, children continue to face the challenges of skewed development. Children's issues need to be viewed in this backdrop.

Twenty Years of CRC: A Balance Sheet

Ever since the adoption of the CRC, governments, international organizations, civil society organizations and social movements have all struggled to bring the articles of the Convention into reality. Twenty years after the CRC came into existence, seemed to be an appropriate time to pause and review the situation. This report is based on one such attempt made in India by the CRC20BS Collective, a group of 173 organizations and individuals, including partners of terre des hommes (Germany) in India and 215 children associated with them [**Annexure 1** - CRC20BS Collective].

India's Children – what has really changed and what remains

The gains made since ratification of the CRC are plenty, but the reality of children's situation is disturbing on many counts calling for urgent and serious attention. India may recognize its 41% child population³ as a demographic dividend, but cannot harp on it for too long if it fails to secure every right for every child.

¹ GDP growth rate at 6.4% in 2013-14: PM's economic advisory panel, 23 April 2013. Available at:

<http://www.dnaindia.com/money/1825981/report-gdp-growth-rate-at-6-4pct-in-2013-14-pm-s-economic-advisory-panel>

² The Economic Times, *India's billionaire wealth much above country's fiscal deficit*, PTI, 5 Mar 2013. Available at:

http://articles.economictimes.indiatimes.com/2013-03-05/news/37470185_1_billionaires-micky-jagtiani-fiscal-deficit

³ Office of the Registrar General and Census Commissioner, Government of India, 2011 Census Data, Age Structure and Marital Status. Available at: http://censusindia.gov.in/Census_And_You/age_structure_and_marital_status.aspx

I. General Measures of Implementation

It would be correct to say that India has emerged fairly strong in strengthening and improving its 'General Measures of Implementation' for ensuring children's rights. It is the implementation of these measures, visible in the outcomes and indicators for children, that remains a matter of grave concern.

In 2006 Government of India constituted a full-fledged Ministry for Women and Child Development in 2006. In 2005, the National Plan of Action for Children was revised. Children's rights today are addressed through **58 laws and 80 legal provisions** in the IPC, the CrPC and the Indian Evidence Act. There are **9 policy documents** impacting children's lives, many goals and targets set out under five year plans, **88 central government's budgeted programmes and schemes** for children from **14 Ministries**, a **National Commission for Protection of Child Rights** and **20 State Commissions** [Appendix 1 - Laws, Policies, Plans of Action, Programmes/Schemes, Institutional Mechanisms and Appendix 6 - State Rules under various laws].

However, we also find that:

- Most goals and commitments remain unmet [Appendix 2 - Achievement of Goals and Targets].
- Voices of children often do not become part of process of making laws, policies, action plans and programmes.
- Laws do not include a financial memorandum to ensure commitment of resources for its implementation. On the contrary, over the years, the Government has systematically done away with adding a Financial Memorandum to the laws it makes.
- Implementation of laws is weak
- Several recommendations made to India by the CRC Committee in the past remain unmet, many are partially met and only a few have been fully complied with.

Gaps and Challenges

1. Status of Ratification of various International and Regional Human Rights Instruments

- India signatory to several international conventions and covenants. [Appendix 3 - Status of Ratification of International Instruments by India]. There are however, some important conventions that India is yet to sign or ratify. These include **ILO Convention 138 on Minimum age of employment, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984, and the Convention relating to the status of refugees and its protocol.**
- Despite repeated recommendations by the CRC Committee in its Concluding Observations on India, **the Declaration on Article 32 of the CRC on elimination of child labour remains.**
- **Although the Third Optional Protocol on communication mechanism is yet to come into force, there is very little discussion within the government and the civil society in this regard.**
- **On ratification of ILO Convention No. 182 there is strong voice of dissent among civil society actors.** The arguments are that as of date there are 18 occupations and 65 processes

in which child labour is banned and the list of hazardous occupations is progressively being expanded. This takes India way beyond the ILO 182 recommendation. The only worst form of labour not covered by the Indian law is child prostitution. Since prostitution of minors is an offence, civil society groups have opposed bringing it within the purview of labour. Also, with recent 2013 amendment to the criminal laws, insertion of new sections 370 and 371 in the Indian Penal Code takes care of various forms of child trafficking, including trafficking for prostitution and slavery.

2. Reporting on CRC

India has since ratification of the CRC presented three reports to the Committee on the Rights of the Child. However, the reporting has always been delayed. A combined third and fourth periodic report was submitted in September 2011 after a delay of over 6 years and over 3 years respectively. The initial reports on the Optional Protocol on sale of children, child prostitution and child pornography and the Optional Protocol on Children in armed conflict were also submitted in September 2011, delayed by almost four years [**Appendix 4** - India's status on CRC and the Reporting Process].

- **Despite a spurt in legal reform post 2005, steps need to be taken to strengthen the implementation of existing laws and amend some of the existing ones.** One of the results of poor implementation of laws, lack of structures and mechanisms to ensure proper implementation, inadequate staff and other resources is the low rates of prosecution and conviction under most laws relating to women and children [**Appendix 5** - Examples of laws that have not worked, not even after amendments, where they have taken place].
- **Legal Reform and Implementation of Laws in haste, leaving out important considerations or even diluting the intent and purpose.** For example, in 2002, while making education a fundamental right for children aged 6 to 14 years, rights of the 0-6 year olds, which were earlier seen as part of right to education, were taken away and added into the Directive Principles of State Policy. While the effort is laudable, it amounts to **dilution of the Supreme Court of India's judgement in Unni Krishnan, J.P., v. State of A.P. and Others [1993 SCC (1) 645], which recognized right to education for all children up to the age of 14 years as part of the Right to Life.**
- **Being a federal structure, most children's legislation except the criminal laws, require states to formulate their own rules for implementation. States often fall short in framing the rules, which in turn affects children's right to justice, care, protection and rehabilitation. A time frame for framing of rules must be part of every law or central rules and must become an indicator for monitoring compliance.** A look at the state rules framed under the Right to Education law, Juvenile Justice law, Child Labour law and Child Marriage law [**Appendix 6** - State Rules under various laws], reveals absence of certain rules in some states, unnecessary delay in the formulation of rules as well as their date of enforcement.
 - **What is interesting is that in 9 out of 20 states where the State Commission for Protection of Child Rights (SCPCR) exists, these were established without formulation of rules** meant to govern both the establishments and the functioning of these bodies [**Appendix 1** - Laws, Policies, Plans of Action, Programmes/Schemes, Institutional Mechanisms and **Appendix 6** - State Rules under various laws].

- The Right of Children to Free and Compulsory Education Act was passed in 2009, nine years after education for children 6-14 years old became a constitutional guarantee. Central Model Rules on Right of Children to Free and Compulsory Education were notified in the Official Gazette on 8 April 2010. **Even after four years of the Right to Free and Compulsory Education coming into effect and three years post notification of the Central Rules, four states are yet to notify the state rules.** These include Bihar, Haryana, Kerala and Mizoram [Appendix 6 - State Rules under various laws].
- **Investing in pre-school education is not obligatory under the Right to Education Act. Hence play schools operate as private businesses without any regulation.** Attendance in a play school has, in practice, become a pre-requisite for getting admission into a private school. Unless regulated, besides children being subjected to questionable methods of teaching and curriculum, their care and protection in such play schools will remain at stake. A December 2012 case of sexual abuse of a 3 year old in a play school in Delhi is just one such case in point⁴.
- **The Child Labour (Prohibition and Regulation) act continues to exist despite education becoming a fundamental right.** If all children are supposed to be in school, there should be no child labour. **Existence of both the laws is a contradiction to be dealt with immediately.**
- **There is a need to expedite amendments in certain laws that have been in the pipeline for long. A few such important legislations pending amendment include:**
 - **The Immoral Traffic Prevention Bill, 2006 (ITPA)** - The Immoral Traffic Prevention (Amendment) Bill has been on the anvil since 2006. On 5 May 2011, India ratified the Convention on Transnational Organized Crime and its Optional Protocol to Prevent, Suppress and Punish Trafficking Persons, Especially Women and Children. Very recently, as part of the 2013 Criminal Law Amendment Act, sections 370 and 371 of the Indian Penal Code were revised to cover trafficking in women and children. Keeping the amendment to ITPA on hold has no meaning in the light of these developments.
 - **The Child Labour (Prohibition and Regulation) Bill, 2012⁵** - After a long struggle the proposed amendment to the child labour law proposes to ban all forms of child labour below the age of 14 years, thereby removing the distinction between hazardous and non-hazardous forms of child labour forever. As for adolescent labour, the bill proposes to prohibit it only in three sets of hazardous occupations and processes. Whether child labour ought to be treated as a labour welfare issue or a crime and hence a child protection issue is an ongoing debate necessary to decide which Ministry should play the nodal role in implementing a law against child labour.
 - **The Transplantation of Human Organs (Amendment) Bill, 2009⁶** was introduced in the Lower House of the Parliament on 18 December 2009 to amend the Transplantation of

⁴ Ambika Pandit, *Out on bail, rape accused still stalks girl's family*, 21 April 2013, Available at:

http://articles.timesofindia.indiatimes.com/2013-04-21/delhi/38709814_1_child-rights-child-victims-fir

⁵ The Child Labour (Prohibition And Regulation) Amendment Bill, 2012, Bill No. LXII of 2012, As introduced in the Rajya Sabha. Available at:

<http://www.prsindia.org/uploads/media/Child%20Labour/Child%20Labour%20%28Prohibition%20and%20Regulation%29%20%28A%29%20Bill,%202012.pdf>

⁶ Parliament of India, Parliamentary Bulletin Part – II, No. 48229, Legislative Section, Statement regarding Government Legislative and other Business expected to be taken up during the Two Hundred and Twenty Second Session of the Rajya

Human Organs Act, 1994. The objective of the amendment is to protect the vulnerable sections of the society from being exploited commercially by unscrupulous elements and check trafficking of persons for organ transplant. The report of the Department-related Standing Committee on Health and Family Welfare was presented on 4 August 2010. The Bill is still under consideration.

- **The Registration of Births and Deaths (Amendment) Bill, 2012⁷** was introduced in Raja Sabha on May 7, 2012 after a series of efforts being made since 2007 primarily to include the registration of marriages within its purview. The long standing demand and promises of the government to make the registration process simple and less cumbersome, encourage people to get all births registered and to enable children in difficult circumstances such as street children, children of migrants and adopted children to get their births registered and possess a proof of residence or birth⁸ do not find place in the proposed amendment.
- **The Assisted Reproductive Technology (Regulation) Bill 2010⁹** is still in a draft stage. The draft proposes to address rights and duties in relation to surrogacy but fails to protect the surrogate mother as well as the child from certain forms of abuse that may result through a surrogacy agreement. The most recent case of a convicted Israeli paedophile who got parental rights of an Indian surrogate child raises an alarm¹⁰.
- **The Prevention of Torture Bill, 2010, as passed by Lok Sabha** was passed by the Lok Sabha and referred to the Select Committee of the Rajya Sabha on 31 August 2010 and the Committee presented its report on 7 December 2010. After serious efforts at lobbying and advocacy by child rights organizations¹¹, the Bill in its present form does contain provisions relating to children that were missing earlier. However, the bone of contention is the efforts being made by the Government of India to grant immunity to public servants from criminal action without an inquiry by the concerned Minister/Department and prior sanction from the concerned authority.
- **The National Health Bill, 2009** has been an outcome of several consultations. The Jan Swasthya Abhiyan, the Indian chapter of the People's Health Movement, had a major role in lobbying for and preparing the grounds for the draft bill. 'The Bill has been lying in cold storage with the chapter on financial memorandum yet to be completed. In a situation where the health needs of the people are dependent largely on the unregulated private sector, where there is gross underinvestment in health, where the rate of decline of either infant or maternal mortality has been slow, where there has been a resurgence in

Sabha, Wednesday, February 23, 2011, New Delhi. Available at:

http://164.100.24.167/newsite/bulletin2/Bull_No.aspx?number=48229, accessed on 4 April 2011.

⁷ The Registration of Births And Deaths (Amendment) Bill, 2012. Bill No. XXII Of 2012, As Introduced in the Rajya Sabha. Available at:

<http://www.prsindia.org/uploads/media/Registration%20of%20births%20and%20deaths/REegistration%20of%20Births%20and%20Deaths%20%28Amendment%29%20bill,%202012.pdf>

⁸ Count Every Child because Every Child Counts: Promoting Universal Birth Registration in India, Plan India, www.plan-international.org

⁹ Ministry of Health & Family Welfare, Govt. Of India, The Draft Assisted Reproductive Technologies (Regulation) Bill – 2010, Indian Council Of Medical Research, New Delhi. Available at:

<http://icmr.nic.in/guide/ART%20REGULATION%20Draft%20Bill1.pdf>

¹⁰ [Danish Raza. Why Indian surrogacy laws are ripe for exploitation by paedophiles. First Post. Jun 11, 2013. Available at: http://www.firstpost.com/world/why-indian-surrogacy-laws-are-ripe-for-exploitation-by-paedophiles-862527.html](http://www.firstpost.com/world/why-indian-surrogacy-laws-are-ripe-for-exploitation-by-paedophiles-862527.html)

¹¹ HAQ: Centre for Child Rights, Submission made to the Select Committee on Prevention of Torture Bill, 2010, 5 October 2010. Available at www.haqcrc.org

communicable diseases, the belief that a credible public health system is the need of the hour is getting increasing recognition'.¹²

- **Certain laws in the making need to be looked at from a child rights lens and include provisions for children** such as the Food Security Bill and the Mines and Minerals (Development and Regulation) Bill, 2011, the Prevention of Torture Bill, 2010, the Land Acquisition, Rehabilitation and Resettlement Bill.
- **Some laws need to be repealed** as they contradict other existing laws and create confusion. For example, any law other than the Juvenile Justice (Care and Protection of Children) Act, 2000 as amended in 2006 under which child care institutions are registered/licensed should be repealed. Many institutions giving shelter, care and protection to children have failed to get registered under Section 34 of the Juvenile Justice Act on the grounds that they are already registered and licensed under the **Women's and Children's Institutions (Licensing) Act, 1956 or the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960**. As a result minimum standards of care and protection as laid down under the Juvenile Justice law cannot be ensured in these institutions. Frequent child rights violations are reported from such institutions as children residing therein continue to suffer corporal punishment, sexual abuse, poor nutrition and health care and sometimes even denial of right to education.
- **There are laws that need to be reviewed and amended:**
 - **The Prohibition of Child Marriage Act, 2006 requires a change to declare all child marriages null and void.** As the law is formulated, only marriages resulting from use of force/threat/fraud/kidnapping or violation of an injunction order of a court to prevent such a marriage from taking place are null and void. Child marriages per se continue to be legally valid marriages unless either of the parties to the marriage wishes to nullify it, which seldom happens. **As a result, it has been found, the law does not result in deterrence despite enhancement of punishment. Neither is the law being implemented by the concerned authorities as child marriages continue to be seen as a social evil instead of a crime, and indeed child marriages continue to take place.**
 - Similarly, the **Children (Pledging of Labour) Act, 1933 is an age old law that needs to be revised completely** to allow children the right to complain against their parents/guardians, to make pledging of children for labour and employment of such a child a cognizable offence, increase the punishment/penalty and to bring it consonance with Section 370 and 371 of the IPC introduced by virtue of Criminal Law Amendment Act of 2013 as also in consonance with the definition of child (a person below the age of 18 years) in the new National Policy for Children, 2013.
 - In the recent **Protection of Children from Sexual Offences Act, 2012**, issues of age of sexual consent and mandatory reporting need to be debated and reviewed, comprehensive provisions need to be built in on protection of victims during investigation and post-trial, and provisions regarding rehabilitation and social integration of victims need to be added.
- **Harmonization between national laws and personal laws including the need for a uniform code for children as recommended by the Committee on the Rights of the Child remains a distant dream.**

¹² TK Rajalakshmi, Bill of Neglect, Frontline, Vol. 26, Issue 18, August 29-September 11, 2009. Available at: <http://www.hindu.com/fline/fl2618/stories/20090911261802200.htm>

- **There is need for a national law on adoption.** While the juvenile justice law allows for children in need of care and protection to be given in adoption, some personal laws do not. This contradiction is yet to be removed. Also, there is confusion as to which law is to be used by the courts for finalizing an adoption deed in a case where adoption is processed under the juvenile justice law. This is because the juvenile justice law provides for the process to be followed but is silent on the final adoption. Even the CARA guidelines are silent on the adoption deed. At present only the Hindu Adoptions and Maintenance Act provides for an adoption deed, which then limits adoption to only Hindu children and Hindu parents. Regulation of inter-country adoption is presently only through a set of guidelines framed by CARA. This situation also needs to be reversed to ensure legal action to deal with irregularities in inter-country adoptions and subsequent follow-ups as well as illegal adoptions.
- **In the light of the 2013 National Policy for Children, laws need to be revised to contain a uniform definition of the 'child' [Appendix 7 - Definition of a 'Child': Age of Children under Different Legislations].** This has been a long standing recommendation of the CRC Committee to the Government of India and demand from the civil society in India. While the new policy for children paves the way for future legal reform in this direction, it cannot be ignored that the **proposed amendments to the child labour law continue to define a child as a person below the age of 14 years.** At the same time, in the wake of a brutal gang rape case in Delhi involving a juvenile, members from the police services, judiciary, executive and legislature are voicing the need to lower the age of juvenility to 16 years, especially in the case of heinous offences. Instead of treating children committing heinous offences, **a regressive move to lower the age of juvenility needs to be averted.**
- **However, it must be recognized that while adopting a uniform definition of the child, exceptions or exceptional circumstances will have to be explicitly spelt out and provided for in the laws. For example, the 'age of sexual consent' need not be the same as the definition of 'child'.** The 2012 Protection of Children from Sexual Offences Act does not address the issue of 'age of sexual consent' and treats all children below the age of 18 years engaging in sexual activity as victims of sexual assault, irrespective of consent. **This is a serious error that needs to be corrected.** A number of boys in conflict with law and young men are ending up in detention facilities/jails because they get booked under kidnapping and rape laws on elopement. On the other hand, the Criminal Law Amendment Act of 2013 recognizes only sexual intercourse by a man with his wife below the age of 16 years as an offence. This adds to the confusion on the application of the two laws as well as confusion on the status of children in such odd situations.
- **Where there are no laws or policies, new ones are needed such** as there is no legal framework under the Indian constitution to **determine the status of refugees** and the Government of India has dealt with the refugees on ad hoc basis.
- Despite recommendations from the UNCRC Committee, **India still does not have a law banning corporal punishment in all places/situations.**¹³

¹³ Global Initiative to end All Corporal Punishment. India – Country Report. 2013

3. Policies, Plans of Action and Programmes

- After nearly 40 years, the **National Policy for Children was revised recently in 2013**. This is welcomed by all. The **Ministry of Women and Child Development however, needs to carry out a systematic campaign to widely publicise the new policy commitments**. To begin with the **policy document needs to be translated into the national language and all official languages in the states**.
- **Examination of policies shows that children's issues do not find place in development policies other than those directly relating to them**. For example the Mining Policy, or the Disaster Management Policy, or the housing and habitat policy must contain provisions for reducing violations of children's rights in such situations and ensuring that specific needs of children are addressed.
- Participants at a National Consultation held between 20-22 October 2011, to finalise the CRC20BS report expressed the **need for a National Policy on Early Childhood Care, Education and Development (ECCED)**, which should clarify, amongst others, matters regarding administrative authority responsible for pre-school education. The government of India has drafted a policy¹⁴ and it is available for discussion.
- FORCES, a national network of organizations and individuals concerned with issues relating to women working in the unorganized sector and care of their children have been making a **demand for a Maternity and Child Care Code to ensure that all laws with implications for children have provisions on crèches and maternity entitlements**.¹⁵
- **The National Plan of Action for Children, 2005 is outdated and needs a revision. The goals are targets set out in the National Plan of Action for Children, 2005 (NPAC) have crossed their deadline**. As far as the National Plan of Action for the girl Child is concerned, clearly, the states did not feel the need to have a state plan for the girl child and, finally, the National Plan of Action for Girl Children was merged with the National Plan of Action for Children in 2005.
- **Most states and union territories are yet to formulate their State Plan of Action for Children** based on the National Plan of Action for Children, 2005. In fact lack of state plans has always hampered the implementation of the National Plan. There is no readily available updated information in this regard, although a 2007 report of the Ministry of Women and Child Development puts the figure at 13¹⁶. Collation of information available from various state websites suggests that 18 states have at some point had a State Plan of Action for Children but most of these are outdated [**Appendix 1 - Laws, Policies, Plans of Action, Programmes/Schemes, Institutional Mechanisms**]. Only three states – Bihar, Gujarat and Orissa – seem to have drawn up a Plan of Action for Children post formulation of the National Plan of Action for Children in 2005. In 2011, Karnataka drafted a new action plan for the period 2011-2020, which is still awaiting finalization and adoption.

¹⁴ [http://wcd.nic.in/schemes/ECCE/National%20ECCE%20Policy%20draft%20\(1\).pdf](http://wcd.nic.in/schemes/ECCE/National%20ECCE%20Policy%20draft%20(1).pdf)

¹⁵ Information provided by FORCES at the National Consultation on 'Twenty Years of CRC: A Balance Sheet (CRC20BS), 20-22 October, 2011, New Delhi.

¹⁶ Ministry of Women and Child Development. Government of India, *National Report on "A World Fit for Children", 2007*. p. 3. Available at: http://www.unicef.org/worldfitforchildren/files/India_WFFC5_Report.pdf

- **In a decentralised form of governance, the Panchayati Raj Institutions do not participate in the process of framing laws, policies, plans and programmes.** Their role is merely to implement the schemes and decide on how best to prioritize the budget available.
- **The neediest and most deserving people continue to be deprived of benefits of various programmes and schemes for lack of proof of identity and/or residence.** For example, in Delhi, the one of the most talked about scheme for the girl child is the 'Ladli Yojana'. Unfortunately, lack of proof of residence has kept many girls away from the benefit of this scheme. Moreover, the first child in India is often born in the mother's native place of birth, which may be in a district or state other than where she lives after marriage. Such situations further complicate matters when establishing residence is generally a struggle in itself.
- **There is duplication of efforts and very little convergence in the planning and implementation of various schemes and programmes.** For example, despite education programmes like the Sarva Shiksha Abhiyan, the labour ministry continues to provide non-formal education under its National Child Labour Project (NCLP). This is also a violation of children's right to mainstream education. Furthermore, the Ministry of Women and Child Development also implements a scheme for welfare of working children in need of care and protection.
- **Entry of the private sector in the implementation of critical services is increasingly resulting in the State's abdication of its responsibility.** In the public private partnership (PPP) model, there is little or no accountability of the private agencies once they have submitted the utilization certificates for the grants received from the state. Tracking down allocations and spending under certain schemes has become difficult as the money is transferred directly to the societies created to implement them and the budget documents fail to provide a break-up.
- Often enough an assessment of the grants-in-aid given to NGOs to provide services to children reveal the inadequacy of the budgets granted to the NGOs for the implementation of such services as against what the government otherwise spends for a similar intervention. **While on one hand NGOs are being brought in as service providers on grounds of their ability to provide better services, on the other hand they are expected to achieve better results with lesser budgets.** Perhaps **one of the reasons for shifting to NGOs is the lack of a will to invest adequately on children's rights.**
- **Consultations held with children during the Balance Sheet process, clearly pointed out the virtual lack of knowledge among them about the various programmes and schemes meant for ensuring their rights.** The only schemes known to children are Sarva Shiksha Abhiyan, Mid-day meal scheme, polio immunization and Anganwadi programme under the ICDS.
- **There are a number of schemes and services for people with disabilities but there is no evidence of a child rights framework in their design.** Hence in effect while they are meant for all persons with disability, they lack age specific design.
- **The very right of children to survival and health is at stake due to the poor implementation of the schemes on health.** Poor maintenance and consequent deterioration of building and equipment, staff vacancies, staff absence, lack of adequate numbers of women staff, poor supply and logistics and poor access to health centres have been mentioned as reasons for the poor functioning of primary health care institutions.

- **Among the child specific schemes in the health sector, there are none to address problems of mental health of children or drugs and substance abuse among children.** There are no separate shelter, care, protection and rehabilitation facilities for these children and they languish in the existing few and overcrowded facilities with adults. Private facilities are beyond the reach of common man.
- Malnutrition among children is addressed in a focussed manner by both the Ministry of Health and Family Welfare and the Ministry of Women and Child Development. The focus of MWCD is largely on nutrition of the 0-6 year old children and adolescent girls. **Issues concerning nutrition among boys in general receive very little focus. Similarly, over-nutrition issues among urban children of wealthy families remain unaddressed.**
- **Schemes pertaining to upliftment of status of the girl child are seldom thought through seriously.** The Balika Samriddhi Yojana was launched by the Central Government in 1997 with the specific objective of changing the community's attitude towards the girl child and ensuring her survival, education and marriage only on attaining majority. The states already had similar schemes doing fairly well. With the Centre forcing down this scheme, the situation changed as the states had to invariably wait for grants from the centre, which delayed matters and affected the implementation of the scheme. In the Tenth Plan, the government decided to transfer this scheme to the State Governments. Schemes for adolescent girls continue to focus on health and nutrition aspects than on empowering girls to live with dignity and self-respect. The life-skill component of such programmes includes sanitation, hygiene during menstrual cycle, food habits, stereotyped vocational skills and the role of micro-credit for financing. Micro-credit and formation of self-help groups has failed to empower women to deal with domestic violence and other forms of abuse and exploitation. Moreover, the sharp fall in the sex-ratio of adolescent girls highlighted in the 2001 Census seems to have fallen off the radar for further analysis. There is no tracking of adolescent sex-ratio.
- **Child protection schemes continue to suffer the worst fate. In the XIth Five Year Plan period, the Ministry of Women and Child Development launched the Integrated Child Protection Scheme (ICPS).** The scheme was based on the recognition of 'glaring gaps in the infrastructure, set up and outreach services for children'¹⁷. These gaps, which continue to exist even today, include:
 - Poor planning and coordination,
 - Low coverage,
 - Poor infrastructure,
 - Inadequate resources,
 - Serious service gaps,
 - Poor understanding of child rights and child protection, and
 - Lack of a child friendly approach.
- **While trafficking of children is recognized as a serious problem in the country, there are virtually no programmes covering all source, destination and transit areas to address issues of prevention, protection and rehabilitation of the victims holistically. Those that exist are limited to pilot schemes** such as Ujjwala, and are only for girls trafficked for commercial sexual exploitation. Large scale trafficking of both girls and boys for labour remains a challenge.

¹⁷ Ministry of Women and Child Development, Government of India, Integrated Child Protection Scheme. Available at: <http://wcd.nic.in/>, within Schemes, Children Related Schemes.

4. Institutional Mechanisms

- **There is no uniformity in the country with respect to the administrative mechanism responsible as the nodal Department for planning and implementation of children's programmes and schemes.** In some states the responsibility lies with the Department of Women and Child Development, in some others it is with the Department of Social Welfare. The nomenclatures for these departments also vary. While in a federal structure of governance states have the autonomy to set up their own administrative mechanisms, some uniformity on the structure, functioning and resources made available to these Departments may be ascertained in order to eliminate confusion regarding the role and mandates of different departments in the states, whom to approach for what, and to ensure comparability in terms of budgets of the concerned departments, their performance and achievements.
- **Mechanisms such as the Commission for Protection of Child Rights do not exist in all the states.** As of now there are SCPCRs in only 20 of the 35 states and Union Territories.
- **The Paris Principles and CRC Committee's General Comment No. 2 on national human rights institutions stand violated** vis-à-vis the National and the State Commissions for Protection of Child Rights [**Appendix 8** - Problems in the establishment and functioning of the State Commissions for Protection of Child Rights]. This is because of the absence of rules governing selection of members to the National and the State Commissions; the manner in which state commissions have been established without formulation of rules; the very process that has been followed for selection of the chairpersons and members; inadequacy of funds and staff at the disposal of the commissions; and, lack of autonomy to function as an independent body.¹⁸ A Public Interest Litigation on selection of members to the National Commission is pending in the Delhi High Court (Association for Development & HAQ: Centre for Child Rights Vs Union of India & Ors [W.P. (C) 1055/2011. CM Appl. 5093/2013])
- **There is no official information available on the number of children's courts established in various states under the Commission for Protection of Child Rights (CPCR) Act, 2005 and the number of special courts established under the new Protection of Children from Sexual Offences (POCSO) Act, 2012.** As per news reports and report of a judicial colloquium organized by the Centre for Child and The Law, National Law School, Bangalore, children's courts have thus far been notified only in Delhi (11 functional courts), Haryana, Goa (1 functional court), Maharashtra, Karnataka, Kerala and Tripura.¹⁹ It is noticed that in practice, the children's courts under the CPCR Act are also being designated as the special courts under POCSO Act.
- **Till date there is no clear data on the number of CWCs, JJBs, SJPU and such other structures required to be put in place for implementation of various child protection laws and the Integrated Child Protection Scheme. At the same time, even going by the conflicting data available, all districts do not have these structures as mandated under the juvenile justice law.** On 22 January 2010, the Supreme Court of India ordered that CWCs and JJBs be set up in every district (*Bachpan Bachao Andolan v Union of India*) [WP (Civil) No. 51 of 2006]. However, a reply

¹⁸ Centre for Child and the Law, National Law School of India University, Bangalore, *Judicial Decisions Relevant to Human Rights Institutions (Digest 1)*. Available at: <http://www.nls.ac.in/ccl/justicetochildren/decisions.pdf>

¹⁹ Centre for Child and the Law, National Law School of India University, Bangalore, Law Commission of India with the support of UNICEF India Country Office, *Judicial Colloquium on Children's Court: A Report*, 26 February 2012, Bangalore, India, Available at: <http://www.nls.ac.in/ccl/justicetochildren/JudicialColloquiumReport.pdf>. And Information available at <http://infochangeindia.org/children/news-scan/maharashtra-notifies-dedicated-childrens-courts.html>, <http://www.indianexpress.com/news/haryana-designates-children-s-courts/1125205/>

filed by different states in another PIL *Sampurna Behura v. Union of India and others* on the implementation of the JJ Act says that only 14 states and four union territories have set up JJBs and CWCs in all districts. At the same time the report of the Ministry of Women and Child Development submitted to the Planning Commission of India for the XIth Five Year Plan suggests that the Child Welfare Committees (CWCs) and Juvenile Justice Boards (JJBs) have doubled from 240 before introduction of ICPS to the present number of 548. Similarly there are 561 JJBs as against 211 before introduction of the scheme. 660 Special Juvenile Police units (SJPU) have also been set up. Further, 21 State Child Protection Societies (SCPS) and District Child Protection Societies (DCPS,) in 14 States, have also been established under the Scheme. The 3rd and 4th combined periodic report of the Ministry of Women and Child Development provides data dated 2007, when it could have provided more updated figures. In a country with 640 districts, data provided in that report in Annexure 8B.1.2 is only for 500 districts.

- All 173 organizations and 215 children who have been part of the CRC20BS exercise **proposed a separate Ministry on Child Rights both at the national level and in the states.**

5. Coordination and Monitoring

- **While special laws and policies are needed to address the special situations of children because of their age and vulnerability, it is critical to see the relationship between all important national policies and child rights through convergence of services. The most common and obvious policies are those related to development, land resources, industry and mining, employment etc.** When all communities are affected by forest, agricultural and infrastructure policies, children too are impacted. Changing land use patterns that take away land from food-crops results in fall in nutrition levels as does the access to forest resources that communities have been dependent on. The current state of malnutrition of children bears testimony. Farmer suicides as a result of agricultural priorities renders children orphan or destitute, pushes the family into penury and forces children to go to work, in the absence of state mechanisms to take care of them.
- **The Five Year Plans have time and again reiterated the need for improving coordination between Ministries and Departments and convergence of services. However, they have failed to establish the process and the methodology that would ensure better coordination.**
 - Although children's nutrition is a responsibility of the Ministry of Women and Child Development (MWCD), there are nutrition related programmes of the Ministry of Health and Family Welfare too. Similarly, the role of many other departments comes into play in successfully eradicating malnutrition. **"Leadership and efficient governance are required at all levels to ensure synergy through convergence between Programmes/Missions/Acts which impact nutrition directly or indirectly (income, sanitation, drinking water, feeding programmes etc.) run by different departments/ ministries like health, women and child development, agriculture, civil supplies, and others."**²⁰
 - The most important aspect of ICPS, which was formally recognized in the design of the scheme, was that of prevention. Clearly **a role of various Ministries/Departments is necessary in order to prevent families to fall out of the social security and protective net.**

²⁰ Indian National Science Academy, *Nutrition Security for India—Issues and Way Forward, A Position Paper*, December 2009, New Delhi. p 2.

Available at: <http://www.insaindia.org/Nutrituion%20security%20position%20paper.pdf>

Yet, convergence of services and coordination between the Ministries/Departments remains a serious challenge. Prevention related programmes often enough therefore remain focused at awareness drives. As the Ministry of Women and Child Development and its counterpart in the states lack the convening power necessary to ensure coordination and convergence, most child protection goals remain a delusion.

- **The rights of children with disability almost always fall through the cracks because of lack of synergy and co-ordination between ministries and departments.** The Ministry of Social Justice and Empowerment in the centre and the Departments of Welfare holds the responsibility of providing welfare measures for persons with disability while the Ministry for Women and Child Development in the Centre and the Departments for Women and Children in the states hold the principal responsibility for children. Each of them pass the buck where the disabled child is concerned. Adding to the confusion is the fact that disability is seen as a health issue and hence brings is the role for the Ministry/ Departments of Health.
- **The National Coordination Group (NCG) has failed to sustain itself due to lack of coordination between different ministries and departments.**
 - The NCG was constituted as per requirement of the CRC to monitor implementation of the convention. After reconstitution in April 2005, it met twice in June 2005 and then in December 2005. The group was once again reconstituted in October 2007, where after it has met only once.
 - There is no coordination and cooperation between the different ministries that are part of the NCG and hence to get all on board together has not been possible for the Ministry of Women and Child Development, the nodal ministry responsible for setting up and functioning of the NCG.
 - While the NCG is at the national level, there is a need for a similar mechanism in the states and at the district level too.
- **While child impact assessments of laws, policies, programmes and plans of action form part of the XIIth Five Year Plan, indicators for carrying out such assessments are yet to be developed.**
- **Absence of the State Commissions for Protection of Child Rights in all the states and union territories, hampers monitoring of child specific laws.** The Right to Education law and 2012 Protection of Children from Sexual Offences Act specifically entrusts the responsibility of monitoring their implementation with the Commissions for Protection of Child Rights.

6. Data Collection and Management

Even after 20 years of the CRC and repeated recommendations of the CRC Committee to India, getting accurate and reliable data on children as well as mechanisms set out to implement the various laws, policies and programmes remains a challenge, especially at the district level.

One of the major goals of the 2005 National Plan of Action for Children was to build a comprehensive system for data collection and analysis. **The goal is yet to be achieved.**

Problems with the existing data includes non-availability of disaggregated data for all child rights indicators, e.g. child participation and all forms of disability amongst children; non-availability of

district level data; duplication of data; and lack of updated information, lack of updated information on state rules, absence of collated data on institutional set up for ensuring all rights of children such as special courts or children's courts, CWCs, JJBs, Commissions for Protection of Child Rights etc. The Census data being a household survey is most reliable. However, since it takes place once in ten years, the data becomes redundant over a period of time. The sample surveys indeed cannot be fully relied upon and can only be treated as projections or estimates. Moreover, use of differing methodologies by different sources on the same issue or indicator, results in conflicting information. **Thus, we continue to see not only inadequate data but also conflicting data from various government sources.**

- **Information that should be in public domain is often not made available and the Right to Information (RTI) Act has to be used even to obtain data that should otherwise be easily accessible for sociological and socio-legal research.**
- **Using the RTI law for monitoring state performance is not well received by state actors.** Experiences of RTI activists therefore suggest that even in responding to RTI applications, often enough the required information is not shared. Either the application gets passed on from one department to another, resulting in delay in receiving the information required, or inadequate information or data is shared.
- Participants at the National Consultation held in the course of finalising this report are of the view that **data collection process is not scientific; often surveyors go without adequate training on data collection, and many times at the cost of children.** For example, school teachers are routinely involved in carrying out the decennial Census, which is at the cost of their teaching time. On the other hand where instructions are laid out to carry out such surveys over weekends or other non-working days, it is not appreciated by the teachers at all, affecting the quality of data collected. Interestingly, the Right of Children to Free and Compulsory Education Act, 2009 states that 'No teacher shall be deployed for any non-educational purposes other than the decennial census, disaster relief duties or duties relating to elections to the local authority or the State Legislatures or Parliament, as the case may be'.²¹
- **The need for a centralised MIS/ child tracking system has been recognized by the Ministry of Women and Child Development in the Eleventh and the Twelfth Five Year Plans. However, progress in this regard is slow. At the same time, the district and state system of data collection must converge effectively at the national level.**

The Government of India had initiated an inter-ministerial agency called INFOCS (a statistical information agency for children), with independent status, led by the Ministry of Statistics and Programme Implementation. This was to have the primary responsibility of maintaining a data-base related to children. However, over the years it has become defunct.

In October, 2010, YaR Forum India showcased its Homelink, software cum web portal, at a National Workshop on Child Tracking System held at NIPCCD, New Delhi, organized by the Ministry of Women and Child Development. Homelink Child MISS (Management Information System & Services), a bio-metric inclusive product, is under construction with additional features to accommodate the requirements of the Integrated Child protection Scheme (ICPS) and the Juvenile Justice Act 2000. This could well have been used in all the Child Welfare Centres

²¹ Section 27, Right of Children to Free and Compulsory Education Act, 2009, Ministry of Law and Justice (Legislative Department), Gazette of India Notification dated 27 August, 2009.

effectively. However, the Ministry went into yet another exercise of developing a child tracking system, which is still being experimented with on a pilot basis.

7. Training and Capacity Building

- **The need and demand for training and capacity building is far beyond the current availability of human and infrastructural resources.**
- **Training programmes on the provisions of the Convention for all professional groups working with children** (i.e. judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers) **are not systematic. Different bodies design different programmes and the Convention as such does not always form part of the curriculum.**
- **Finding trained people to fill existing vacancies remains a challenge** and hence para-teachers or untrained trained teachers continue to be employed in the states for education. There are about 8.1 lakh untrained teachers in the country with four States—Bihar, UP, Jharkhand and West Bengal—accounting for 72 per cent of them.²² Positions for welfare officers/social workers/counselors remain vacant and even contracting out these positions has failed to bring in trained people. Where trained people are available, they are not remunerated adequately to help sustain them in the jobs. Most CWCs, JJBs and State Commissions for Protection of Child Rights are manned by people who lack the requisite training.
- **The increasing rate of crimes against children and crimes by children calls for investing in trained psychologists.** Applied Psychology needs to be promoted at a large scale as a subject at the University level. Number of trained and qualified psychologists are few and their services are expensive and beyond the reach of common man. Mental health concerns remain unaddressed. It is reported that with 6.5% prevalence of serious mental disorder, the average national deficit of psychiatrists in India is estimated to be 77%.²³
- While it has been recognized that rights of children with disability must be addressed through inclusion rather than segregation, **lack of training or care-workers, teachers and others and non-availability of special needs educators does not facilitate this inclusive mode of intervention.**

8. Resources

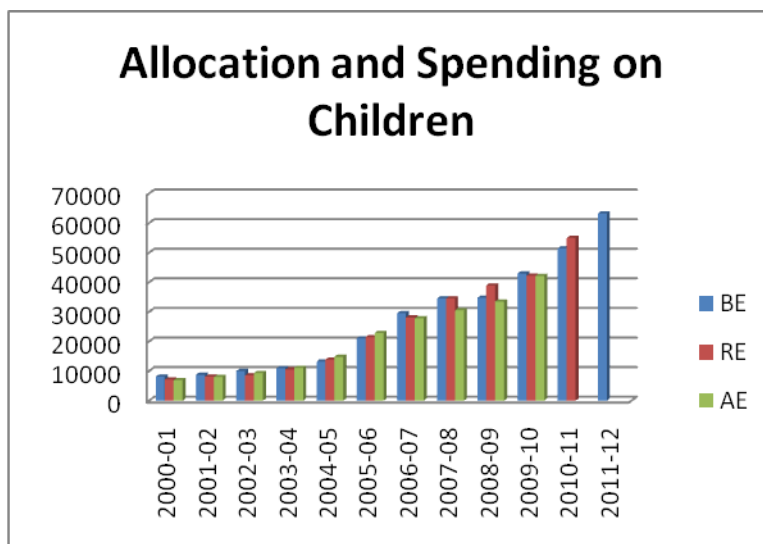
Since the last review, there have been important strides taken towards the recognition of budget for children (BfC) by the government of India [**Appendix 9** - History of Budgeting for Children in India]. However, **increase in the resources for children is not proportionate to the increase in the overall budget of the Union Government.** In 2013-14, while the total Union Budget increased by 11.7% over the previous year, corresponding increase in allocations for children was 8.7%.²⁴

²² Planning Commission of India, Twelfth Five Year Plan Draft Report, Social Sectors, Volume 3, p 48. Available at: <http://planningcommission.gov.in/plans/planrel/12thplan/welcome.html>

²³ Thirunavukarasu M, Thirunavukarasu P. Training and National deficit of psychiatrists in India - A critical analysis. Indian J Psychiatry 2010. Available at: <http://www.indianjpsychiatry.org/text.asp?2010/52/7/83/69218>.

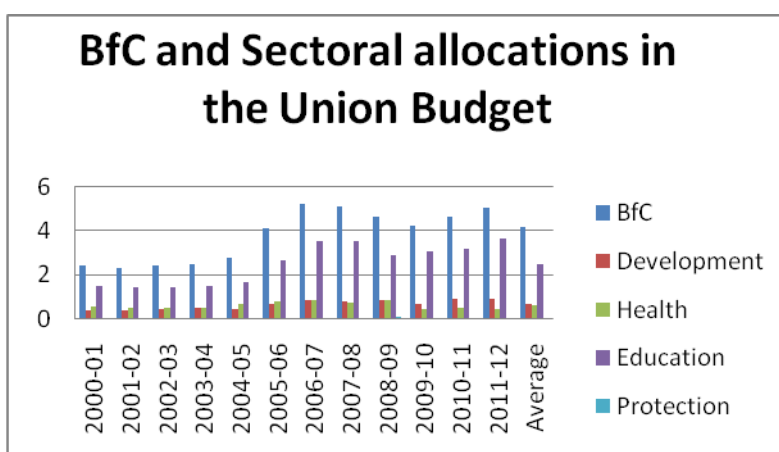
²⁴ HAQ: Centre for Child Rights, Budget 2013-14 and Children: A First Glance. Available at: http://www.haqcrc.org/sites/default/files/Budget%20for%20Children%20Analysis%202013-14_0.pdf, 2012-13.

There has been a consistent rise in the allocation and spending on children. It was 2.39 per cent in 2000-01 and has systematically gone up to over 5 per cent in 2006-07, and since then it has remained around 5 % of the total budget, which is clearly quite low. However, HAQ: Centre for Child Rights' Budget for Children (BfC) analysis shows that **in the Central Government's Budget, the share of budget allocations for children has increased very marginally from 5.08% to 5.09% between 2007-08 and 2011-12; and the share of expenditure on children has gone down from 4.28% to 4.11% between 2007-08 and 2009-10, reflecting underutilization of even the meagre funds allocated** for implementation of children's rights.



Source: HAQ: Centre for Child Rights based on Govt of India- Detailed Demands for Grants 2000-01 to 2011-12

Sectoral analysis shows that **education received the maximum average allocation** with 2.49% of the national budget and **child protection the lowest** with only an average of 0.04 per cent share, and this despite the recognition it found in the Eleventh Five Year Plan (2007-2012) and the launching of the flagship scheme called ICPS. **Allocations on child protection have consistently been the lowest all through the last two decades.**



Source: HAQ: Centre for child Rights based on Govt of India- Detailed Demands for Grants 2000-01 to 2011-12

A significant proportion of the resources are being raised for education through a cess imposed on public services. **The 1966 Kothari Commission recommendation of investment of 6% of GDP on**

primary education remains unmet. In fact, public spending on overall education was 3.23% of GDP in 2009-10.²⁵ The share of central government in public spending on health is a mere 0.25% of GDP, nowhere near the government's target of 3% of GDP or the WHO recommendation of 5% of GDP.²⁶

II. Status of Children: An assessment on 11 indicators

Indicator	Situation
Birth Registration	<p>There has been a significant improvement in the last few years with birth registration going up from 74% in 2005-06 to 81.1% in 2009.²⁷ Delhi is one of the 13 reported to have achieved cent per cent level of registration of births. However, a PIL filed in the High Court of Delhi (WP (C) 8889/2011) shows that as of May 2013 there were 150 minors lodged in Delhi's Tihar jail.²⁸ Visits to the jail by members of a panel constituted by the NCPDR reveal that most of these minors were born at home and do not possess a birth certificate. Birth registration continues to be less than 50% in the States of Bihar and Chhattisgarh.²⁹</p>
Sex-ratio	<p>The Twelfth Five Year Plan reiterates the Eleventh Five Year Plan goal to raise sex-ratio for the 0-6 age group to 950 by 2016-17. Child sex-ratio dropped from 945 in 1981 to 927 in 2001 and an all time low of 914 in 2011. This poses greater challenge in reaching the goal set out. Child sex ratio has declined in 27 out of the 35 states and Union Territories. The decreasing girls to boys ratio is no longer confined to the northern states and now includes all the six north-eastern states except Mizoram.³⁰</p> <p>India is reported to be a home to 243 million adolescents in the age group of 10 -19 years³¹, comprising nearly a quarter of the country's population. However, adolescent sex-ratio was 898 in the 1981 Census, falling down to 882 females per 1000 males in 2001 Census, with a further low of 858 for older adolescents aged 15-19 years. While the 2011 census is yet to provide an age break-up of population figures, adolescent sex ratio has received no attention in the Twelfth Five Year Plan at all.</p>
Health and Survival	<p>While most health indicators show an improvement, India ranks the highest in the world on levels of malnutrition, being home to one in three of the world's malnourished. Percentage of children with low birth weight has gone up by 17.7 percentage points between 1992-93 and 2005-06, and percentage of children <3 yrs who are wasted also increased by 6.4 points. Percentage of anaemic children increased from 74% in 1998 to 79% in 2006.</p> <p>However, caste and tribal based discrimination continue to play a key</p>

²⁵Centre for Budget and Governance Accountability, *Union Budget 2010-11: Which Way Now? Response to the Union Budget*, Serial No. C 1, Education.

²⁶Centre for Budget and Governance Accountability, *Budget Track*, Volume 8, Track 2, August 2011, pp. 8

²⁷Ministry of Home Affairs, Government of India. *Annual Report 2012-13*, p 191. Available at: [http://mha.nic.in/pdfs/AR\(E\)1213.pdf](http://mha.nic.in/pdfs/AR(E)1213.pdf)

²⁸Sana Shakil, *Around 150 minors languishing in Tihar jail, Delhi Police tells HC*, Mail Today, 20 May 2013.

²⁹Ibid. Ministry of Home Affairs, Annual Report.

³⁰HAQ: Centre for Child Rights, India: Child Rights Index. p 69. New Delhi.

³¹UNICEF. State of the World's Children Report 2011.

	<p>role in child survival. NFHS-3 reveals that IMR and U-5MR is more than the national average amongst scheduled caste (SC) and scheduled tribe (ST) children. U-5 MR is 88.1 for SC and 95.7 for ST children as against the rate of 59.2 for other children.</p> <p>While states like Kerala and Tamil Nadu have excelled on child health indicators, Orissa, Madhya Pradesh, Uttar Pradesh, Rajasthan and Bihar are the worst, accounting for almost 60% of child deaths.</p> <p>Disease burden</p> <p>Latest and updated statistics on disease burden among children India are hard to find. India has been ranked as the seventh most environmentally hazardous country in the world.³² 1.6 to 4.8 per cent of all cancer in India is seen in children below 15 years of age. Despite there being a higher proportion of childhood cancer in India relative to the developed world, it has not been a priority in health care.³³ Although there are no statistics available for deaths due to ARIs and diarrhoea, six to eight per cent of the total TB cases are amongst children aged 0-14 years. According to a news report dated 2008, over 300,000 children are orphaned by the disease every year. Thousands of children drop out of school on account of parental illness, while over 20 per cent of them have to take up jobs to supplement income, especially if the father has TB.³⁴</p>
<p>Ecological rights</p>	<p>Overall, 25 percent of deaths of persons below 18 years can be attributed to environmental factors. Among children under 14 however, the figure rises to 36.³⁵ The incidence of childhood cancer is higher in urban areas as compared to rural areas. Relationship between childhood cancer and urban lifestyle, overcrowding and air pollution cannot be ruled out and needs to be investigated further.³⁶</p> <p>The estimated figure for the displaced and project affected children in India comes to about 24 million.³⁷ There are no estimates available in this regard.</p> <p>Children's ecological rights is an area that has remained neglected and do not form part of any policy making either. The 1992 National Plan of Action for Children included a section on children and environment,</p>

³² *Pollution Facts*. Available at: <http://m.pals.in/pollution-facts.php>, and *Environment Pollution in India*, Available at: <http://www.gits4u.com/envo/envo4.htm>

³³ Arora RS, Eden TOB, Kapoor G. *Epidemiology of Childhood Cancer in India*. Indian Journal of Cancer, October-December 2009, vol 46, Issue 4. Available at: <http://www.indianjcancer.com>.

³⁴ Kounteya Sinha, Times News network, *World TB Day: 'Women, children worst hit'*, 24 March 2008. Available at: http://articles.timesofindia.indiatimes.com/2008-03-24/india/27769503_1_world-tb-day-tuberculosis-research-centre-three-lakh-children

³⁵ UNICEF Innocenti Research Centre, *Climate change and children: A human security challenge*, Policy Review Paper, November, 2008, pp.4, 5, 11, 12

³⁶ Arora RS, Eden TOB, Kapoor G. *Epidemiology of Childhood Cancer in India*. Indian Journal of Cancer, October-December 2009, vol 46, Issue 4. Available at: <http://www.indianjcancer.com>.

³⁷ Walter Fernandes, *Paying the price for someone else's displacement*, InfoChange News & Features, July 2008. Available at: <http://infochangeindia.org/agenda/migrationdisplacement/paying-the-price-for-someone-else%E2%80%99s-displacement.html>

	<p>which was missing from the revised 2005 National Plan of Action and now the 2013 National Policy for Children, too fails to include children, ecology and environment. The number of children falling prey to natural disasters too is not know, though reports are available of children being trafficked in such situations.³⁸</p> <p>A 2010 report on the effects of mining on children in India brought to light not only the paradox of “India’s inclusive growth” that still ignores the majority of children but also the extent of violations of children’s rights. Neither the National Rehabilitation and Resettlement Policy, 2007 nor the National Mineral Policy, 2008 is reported to have addressed or even mentioned children’s issues.³⁹</p>
<p>Early Childhood care and Development</p>	<p>The biggest gap in addressing the rights of the young child is the fact that they are not included in the Fundamental Right to Education (which is for children in the 6-14 age group). Their needs are addressed primarily through the creation of child care centres and crèches through the programmes of the government. However, these are highly inadequate. According to the 2012-13 Annual Report of the Ministry of Women and Child Development, as of 31 March 2012, there are 23,785 crèches operational under the Rajiv Gandhi National Crèche Scheme. There is still a shortfall of 768,282 crèches going by the requirement of 800,000 crèches projected by Forum for Crèche and Childcare Services [FORCES] and acknowledged by the Ministry of Women and Child Development.⁴⁰ According to the Ministry of Women and Child Development, the number of crèches has almost remained stagnant and experience has been that several of the crèches are either not functioning or are poorly managed.⁴¹</p>
<p>Child Marriage</p>	<p>Child marriage remains a huge problem in the country, with poor implementation of the law. Although there is reduction in the percentage of girls getting married before the legal permissible age (from 28% in 2002-04 to 22.1% in 2007-08), more number of boys are getting married before the legal age (23.4% in 2007-08 as against 20.7% in 2002-04).⁴²</p> <p>The mean age at marriage was 19.5 for girls and 24.5 for boys in the year 2002-04. In the year 2007-08, while the mean age at marriage increased in the case of girls to 19.8, for boys it decreased marginally to 24.⁴³ But the average conceals significant regional differences. The states with a high proportion of girls getting married below age 18 are</p>

³⁸ Karon Snowdon, ABC News, *Bihar flood exposes vulnerable children to trafficking*, 5 September 2008 Available at: <http://www.abc.net.au/news/2008-09-04/bihar-flood-exposes-vulnerable-children-to/499812>

³⁹ Dhaatri Resource Centre for Women and Children – Samata and HAQ: Centre for Child rights in partnership with mines, minerals and PEOPLE, *India’s Childhood in the “Pits”: A Report on the Impacts of Mining on Children in India*, March 2010, p 5

⁴⁰ FORCES, *The Status of the young Indian child*, Submission by FORCES, India, to the CRC Day of Discussion on “Implementing Child Rights in Early Childhood”. Available at: <http://www.crin.org/docs/resources/treaties/crc.37/Discussion.asp>

⁴¹ Ministry of Women and Child Development, Government of India, Report of the Working group on Child Rights for the 12th Five Year Plan (2012-1017), p 24.

⁴² International Institute for Population Sciences, District Level Household and Facility Survey II and III.

⁴³ International Institute for Population Sciences, District Level Household and Facility Survey II and III.

	<p>Bihar (46 percent), West Bengal (41 percent), Rajasthan (40 percent), Jharkhand (36 percent), Uttar Pradesh (33 percent), Madhya Pradesh, Dadra and Nagar Haveli and Andhra Pradesh (29 percent). In these nine states more than one-fourth of the girls are married before they are 18 years old and it is more than the national average. In 16 states, less than or equal to one-tenth of the girls are married below 18 years; these states are Himachal Pradesh, Lakshadweep, Goa, Chandigarh, Pondicherry, Daman and Diu, Uttarakhand, Punjab, Delhi, Andaman and Nicobar Islands, Manipur, Kerala, Jammu and Kashmir, Arunachal Pradesh, Tamil Nadu and Mizoram. Both Himachal Pradesh and Kerala have high female literacy.</p> <p>The use of law to curb child marriages is poor as nationally only 169 crimes of child marriage got registered in 2012.</p>
<p>Education</p>	<p>There has been a substantial improvement in enrolment of children into schools. However, it is the retention of children in schools that remains the big challenge. According to the Draft Twelfth Five Year Plan Report, the GER2 increased from 111.2 per cent in 2006–07 to 115 per cent in 2009–10 and the Net Enrolment Ratio (NER) improved significantly from 92.7 per cent to 98 per cent during this period. However, female literacy levels as per the Literacy Rate 2011 census are 65.46% where the male literacy rate is 82.14%.indicating a gender gap.⁴⁴Access, reach and gender parity deficit in schooling is observed, in the most populated states of Bihar, Uttar Pradesh, West Bengal and Rajasthan. Access for children from marginalized groups, minorities, extremely poor households, and educationally and economically lagging states increased.⁴⁵</p> <p>Quoting 2009-10 data, the Draft Twelfth Five Year Plan Report states,⁴⁶</p> <ul style="list-style-type: none"> – The number of schools that do not comply with the Right to Education (RTE) norms for the required Pupil-Teacher Ratio (PTR) is fairly high. School-wise analysis based on District Information System for Education (DISE) 2009–10 indicates that 46 per cent of primary and 34 per cent of upper primary schools have poor PTRs. – Only 4.8 per cent government schools have all nine facilities stipulated in the RTE Act, approximately one-third of the total schools have up to seven facilities, and about 30 per cent schools do not have even five of these facilities. – It is important to note that the maximum number of out of school children are those with mental disabilities (48 per cent), followed by children with speech disabilities (37 per cent). Neither the school system nor any other institutional mechanism is equipped to

⁴⁴ *Literacy Rate in India, Census 2011*. Available at: <http://www.mapsofindia.com/census2011/literacy-rate.html>

⁴⁵ Dr. J. D. Singh, *Education for All in India: The Major Issues, Challenges and Possible Enablers*, Anstract, Educationia Confab, Vol. 2, No. 4, April 2013, P 237, ISSN: 2320-009X. Available at: <http://www.confabjournals.com/confabjournals/images/6520138454029.pdf>

⁴⁶ Planning Commission of India, *Twelfth Five Year Plan Draft Report, Social Sectors, Volume 3*, pp 48-49, 53. Available at: <http://planningcommission.gov.in/plans/planrel/12thplan/welcome.html>

	<p>address the challenging needs of mentally disabled children.</p> <ul style="list-style-type: none"> – The national drop-out average at elementary level is still as high at 42.39 per cent. The dropout rates for SC and ST children at 51.25 per cent and 57.58 per cent, respectively, are much higher than that for non-SC/ST children at 37.22 per cent.
Child Labour	<p>Child labour has increased by 12.32% between 1991 and 2010. While some increase is attributed to the increase in the number of hazardous occupations and processes in which child labour is banned, there are no recent studies to indicate the nature of increase as such. A large proportion of children are engaged in the manufacturing sector (17.2 percent of which 14.4 are boys and 20.5 percent are girls as per the NSS, 61st rounds 2004-05), and they are likely to be exposed to the risk of being in such hazardous occupations as wage labourers.⁴⁷ The 2011 provisional Census data is yet to provide figures for child labour. Moreover, estimates on child labour vary from one source to another [Appendix 10 - Data Management remains a challenge]. According to the 2001 Census, which is quoted extensively even today, some states, including Andhra Pradesh and Maharashtra reported reductions in child labour, whereas in other states, including Rajasthan, Uttar Pradesh and Bihar child labour increased between 29% and 39%. The highest percentage rise of 91% was in Himachal Pradesh as the state has more migrant working children. While Uttar Pradesh may have the highest head count of working children in the country, it is Mizoram that ranks the lowest because the number of working children in proportion to the total child population is highest in that state. Other north-eastern states with high percentage of child population in labour are Sikkim, Meghalaya , Nagaland.⁴⁸</p> <p>Between 2009 and 2011, 22,468 prosecutions were launched under the Child Labour (Prohibition and Regulation) Act [CLPRA] and 2,896 employers were reported to have been convicted, which makes it only 12.9% conviction.⁴⁹</p>
Violence against Children	<p>As per the Crime in India statistics of the National Crime Records Bureau (NCRB), there has been a 253% increase in crimes against children between 2001 and 2012. Children are increasingly becoming targets of most violent crimes. Between 2001 and 2012, kidnapping and abduction of children has witnessed highest increase of over 600%, followed by 373% increase in procurement of minors for prostitution, 268% increase in foeticide and 200% increase in selling of minors for prostitution, 189.6% in child rape and 168% in child marriage. Indeed reporting of crimes has improved over the years. However, there is a mismatch between cases of buying of minors for prostitution and selling of minors for prostitution. While the former shows a decline, the</p>

⁴⁷ National Commission for Enterprises in the Unorganized Sector, *Report on the Conditions of Work and Promotion of Livelihoods in the Unorganized Sector*, August 2007, p 101.

⁴⁸ HAQ: Centre for Child Rights, *India: Child Rights Index*. 2011. p 220. New Delhi

⁴⁹ *Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013), C029 - Forced Labour Convention, 1930 (No. 29) India (Ratification: 1954)*. Available at:

http://www.ilo.org/dyn/normlex/en/f?p=1000:13101:0::NO::P13101_COMMENT_ID:3080124 and

	<p>latter shows an increase. If minors are being sold, they are also being bought by someone. In other words, the buyers are not being booked under the law. Infanticide too shows a decline, which is perhaps due to non-registration of cases or registration as a case of murder instead of infanticide. With adoption guidelines and the juvenile justice law allowing children to be surrendered for adoption, only 13% increase is seen in cases of exposure and abandonment of children below 12 years of age.</p> <p>There is decline of 9.4 percentage points in the charge sheeting rate and further decline of 18.4 percentage points in the rate of conviction, calling for serious action, especially in terms of setting up children's courts/special courts to deal with offences against children.</p> <p>The focus on protection of children with disability has been very weak despite the international recognition that these children are more vulnerable to abuse and violence. The XIIth plan vociferously reiterates the need for inclusion, yet, when it comes to child protection, institutions and services available for shelter, care and protection of children fail to provide for and address the needs of children with disability.</p> <p>Refugee and stateless children too fall off the radar of all planning and policy making.</p>
<p>Crimes by Children</p>	<p>Crimes by children too have increased and this is true of certain crimes under the special laws as well as violent crimes under the Indian penal Code. Amongst the special laws, between 2001 and 2012, violation of the Foreigners Registration Act by minors witnessed a 733% increase, while offences under Explosives and Explosive Substances Act saw 433% increase and the offence of child marriage saw 350% increase. Amongst crimes under the Indian Penal Code, counterfeiting cases against minors saw the maximum increase of 725%, followed by kidnapping and abduction (546.7%), causing death by negligence (430.6%), robbery (367.7%), rape (194.5%), and violation of the Dowry prohibition Act (183.3%). With all districts now having a Juvenile Justice Board to try cases involving children in conflict with the law, the pendency has reduced during this eleven year period by 15.6 percentage points.</p> <p>Interestingly, while no case has been booked against a minor under the Terrorist & Disruptive Activities Act (TADA) in the last eleven years, recently, on 21 March 2013, the Supreme Court of India gave death sentence to a minor booked in the 1993 Bombay Bomb Blast case. While the juvenile justice law as amended in 2006 has a retrospective effect and also an overriding clause clearly stating that no other law shall apply to minors with respect to detention, penalty or sentencing, the Supreme Court took the view that TADA is a special law to deal with special offences and will over ride the juvenile justice law.</p> <p>At the same time after the alleged involvement of a minor in the gang</p>

	<p>rape of a 23 year old in Delhi on 16 December 2012, there has been an outrage against the provisions of the juvenile justice and a popular demand to lower the age of juvenility from 18 to 16 years and provide for higher sentencing to the extent of death sentence for 16-18 year olds involved in heinous offences. This demand is reiterated by police and several Parliamentarians.</p> <p>On one hand, there is very little understanding of the growing aggression amongst children, no reform and rehabilitation programmes for children in conflict with the law, and individual care plans are not part of the orders of the Juvenile Justice Boards inquiring into such cases, despite the law providing for all this. On the other hand, any change in the law succumbing to popular demands will be regressive and a violation of all internationally recognized principles of juvenile justice. It must be ensured that the age of juvenility is not reduced and a recommendation from the Committee on this is very important.</p>
<p>Children affected by armed conflict</p>	<p>Calculations made by the Asian Centre for Human Rights (ACHR), based on the various notifications put out by the government gives a figure of 197 districts being affected by armed conflict.⁵⁰The government of India continues to refer to it as civil unrest and not armed conflict.⁵¹And yet the Integrated Child Protection Scheme (ICPS) is meant to address protection of child victims of ‘armed conflict’.</p> <p>According to the Asian Centre for Human Rights (ACHR), there are at least 3,000 child soldiers in areas of armed conflict in North-East and J&K.⁵² Among all conflict regions of India the States of Chhattisgarh and Orissa have been increasingly in news for using children as combatants and in other war activities. Children growing up in conflict become vulnerable to abuse and exploitation, are forced into labour because the family falls into distress and even grow up to be violent themselves. Children also frequently become injured and are killed during attacks in conflict areas.</p>

III. India’s Compliance on the Concluding Observations of the CRC Committee

Several recommendations of the CRC Committee have not been complied with [Appendix 11 - Compliance on Concluding Observations]. These include:

- A uniform code for children
- A uniform law on adoption

⁵⁰ Asian Centre for Human Rights (ACHR), India’s Child Soldiers: Government defends officially designated terror groups’ record on the recruitment of child soldiers before the UN Committee on the Rights of the Child, A Shadow Report to the UN Committee on the Rights of the Child on the involvement of children in armed conflict, p 5, March 2013.

⁵¹ Ministry of Women and Child Development, Government of India, *India Third and Fourth Combined Periodic Report on the Convention on the Rights of the Child*, 2011, p 99.

⁵² Asian Centre for Human Rights (ACHR), India’s Child Soldiers: Government defends officially designated terror groups’ record on the recruitment of child soldiers before the UN Committee on the Rights of the Child, A Shadow Report to the UN Committee on the Rights of the Child on the involvement of children in armed conflict, p 5, March 2013.

- Harmonization between national laws and personal laws
- Raising the age of criminal responsibility
- Extending the Juvenile Justice law to the whole country including J&K
- Amendment to the CrPC to remove provisions that provide immunity to government officials against criminal action. While such an amendment has been made in the context of rape and other sexual offences against women and girls, the immunity remains in the case of all other offences, including sexual offences against boys.
- Guaranteeing free and compulsory education for **all** children up to 14 years of age
- Promotion of child participation in family, schools, institutions as well as judicial and administrative proceedings
- Reporting on racial discrimination and Xenophobia
- Training panchayats on children's rights
- Prohibition of corporal punishment in family settings
- Promoting non-violent forms of discipline
- Removal of India's Declaration on Article 32 of the CRC on elimination of child labour
- Ratification of ILO Convention 138 on Minimum age of employment
- Ratification of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984
- Ratification of the Convention relating to the status of refugees and its protocol

Despite several positive measures, the situation of children demands improvement in the following areas:

- Creation of a child rights index to monitor progress at both central and state level
- A systematic and regular assessment of children's situation and data base management, providing disaggregated data at district level
- Incentives for states to improve their performance on child rights indicators
- Greater investment of infrastructure and human and financial resources and proper utilization of funds
- Clearly demarcated funds for implementation of laws
- Greater investment in training and capacity building
- Planning for children in tribal areas and areas under conflict and monitor progress
- Impact assessments and not mere evaluation of schemes
- Convergence and coordination within all levels of governance
- Improved reporting on international commitments
- Greater transparency in accountability even as the government engages in consultative processes with civil society
- All States do not have a State Commission for Protection of Child Rights. In 9 out of 20 states where they exist, they were set up even without framing the rules for their establishment and functioning. The National Commission for Protection of Child Rights and the State Commissions face resource crunch for effective functioning. Selection of members to these bodies requires transparency and due process. These bodies seldom exercise even the limited powers vested in them.
- Goals set out in the National Plan of Action for Children have crossed their deadline. The NPAC requires revision.
- Lack of state plans hampers implementation of the National Plan even when it exists.
- While the CRC mandates consultations with children in the decisions concerning them, this is rare, and negligible when it comes to law making and designing policies and programmes.

- Training programmes for services providers need to be undertaken on a systematic and continuous basis.

Children's Voice

- Children also wish to have a better say in law and policy making.
- They wish the Government would work towards taking care of their families so that they are not deprived of a loving and caring family.
- They want birth certificates that will help them access benefits of the existing schemes easily.
- Disabled children want care, treatment and facilities to grow and develop in a healthy manner.
- The mentally challenged of course cannot speak for themselves, but will they never be able to enjoy their rights is something they do wish to know?
- Children in conflict areas long for attention.
- Children don't want to be displaced from their homes, parks, playgrounds and all they seek is a safe and secure life.
- They want recognition of violation of their ecological rights by the CRC Committee and necessary action.

Annexure 1
CRC20BS Collective

The report titled “Twenty Year of CRC: A Balance Sheet” was endorsed by 173 organizations, networks and campaigns and 215 children associated with some of these organizations and networks.

1. Aangan, Mumbai, Maharashtra
2. Aarth-Astha, Delhi
3. Agramee, Orissa
4. AIDENT, An Initiative for Development and Empowerment, Delhi
5. All India Trade Union Congress
6. AMAN, Almora, Uttarakhand
7. Amhi Amchya Arogyasathi, Nagpur, Maharashtra
8. Anandi, Dahod, Gujarat
9. Ankur (Society For Alternative in Education), Delhi
10. Anyay Rahit Zindagi (ARZ), Goa
11. Arunodaya Centre for Working Children, Chennai, Tamil Nadu
12. ASARE Rural Women Voluntary Organisation, Kanakapura, Bengaluru, Karnataka
13. Association for Development (AFD)- Pratidhi, Delhi
14. Association for Stimulating Know How, Gurgaon, Haryana
15. Bachpan Bachao Andolan, Delhi
16. Bal Sakha, Patna, Bihar
17. Balprafulta - A Child Rights Advocacy Initiative, Mumbai, Maharashtra
18. Belgaum Diocesan Social Service Society (BDSSS), Dharwad, Karnataka
19. Bharatiya Gramin Adivasi Vikas Sanstha (BGAVS) Chandrapur, Maharashtra
20. Bhartiya Jan Seva Ashram (BJSA), Jaunpur, Uttar Pradesh
21. Bhasha, Baroda, Gujarat.
22. Bindrai Institute for Research Study and Action, Mines Monitoring Centre, Ranchi, Jharkhand
23. BOSCO MANE, Bengaluru, Karnataka
24. Butterflies, Delhi
25. Campaign Against Child Labour (CACL), Orissa
26. Campaign Against Child Trafficking (CACT), Bihar
27. Campaign Against Child Trafficking (CACT), Delhi
28. Campaign Against Child Trafficking (CACT), Gujarat
29. CARE Trust, Coimbatore, Tamil Nadu
30. Center for Integrated Development (CID), Gwalior, Madhya Pradesh
31. Centre for Action Research and Documentation (CARD), Orissa
32. Centre for Child Rights and Development, Chennai, Tamil Nadu
33. Centre for Peace and Development, Aizwal, Mizoram
34. Centre for Social Education and Development, (CSED), Coimbatore, Tamil Nadu
35. Chetna Bharti, Kolkata, Delhi
36. CHETNA, Ahmedabad, Gujarat
37. Childline India Foundation, New Dehi
38. Child In Need Institute (CINI Asha), West Bengal
39. Child Rights and You (CRY), Delhi
40. Child Rights Resource Centre (CRRC-RAJAGIRI), Kochi, Kerala
41. Child Rights in Goa (CRG), Panjim, Goa
42. Child Rights Trust, Bengaluru, Karnataka
43. Childhood Enhancement Through Training and Action (Chetna), Delhi

44. Commonwealth Human Rights Initiative (CHRI), Delhi
45. Community Development Foundation (CDF), Bengaluru, Karnataka
46. Dalit Sangh, Hoshangabad, Madhya Pradesh
47. Deepalaya, Delhi
48. Delhi Domestic Worker's Forum, Delhi
49. Development through Education (DEED), Hunsur, Karnataka
50. Dice Foundation, Kohima, Nagaland
51. Don Bosco Anbu Illam Social Service Society, Tiruppur, Tamil Nadu
52. Don Bosco Balprafulta, Mumbai, Maharashtra
53. Don Bosco National Forum for the Young at Risk, Delhi
54. Dr A V Baliga Memorial Trust, Delhi
55. Dr Anita Ghai, Associate Professor, Jesus and Mary College, University of Delhi
56. Dr Bharti Sharma, Child Rights Activist, Ex-Chairperson, Child Welfare Committee, Delhi
57. Dr K Sekar, Professor, Department of Psychiatric Social Work, NIMHANS, Bengaluru
58. Dr Vandana Prasad, Community Pediatrician, Delhi
59. Environics Trust, Delhi
60. Forum for Indigenous Perspectives and Action, Manipur
61. Foundation for the Rights of Young Child (FORYOUCHILD), Chennai, Tamil Nadu
62. Ganatar, Ahmedabad, Gujarat
63. Grameen Vikas Sodh Avam Takniki Kendra, Tonk, Rajasthan
64. Grass Roots Advocacy for Community Empowerment (GRACE), Vijaywada, Andhra Pradesh
65. HAQ: Centre for Child Rights, Delhi
66. Himalayee Paryavaran Shiksha Sansthan (HPSS), Uttarkashi, Uttarakhand
67. Holistic Approach For People's Movement, Mudaliarpeta, Pondicherry
68. Hospet Salesian Society, Bellary District, Karnataka
69. Housing and Land Rights Network, Delhi
70. Human Education and Action for Liberation (HEAL), Kanyakumari, Tamil Nadu
71. Human Rights Advocacy and Research Foundation, Chennai, Tamil Nadu
72. Human Rights Alert, Manipur
73. Human Rights Law Network (HRLN), Delhi
74. Human Welfare Association (HWA), Uttar Pradesh
75. Indian National Trade Union Congress
76. Jabala Action Research Organisation, Kolkata, West Bengal
77. Jan Kalyan Gramodyog Seva Ashram (JKGSA), Sonebhadra, Uttar Pradesh
78. Jan Ugahi, Margoan, Goa
79. Janachetana, Raichur, Karnataka
80. Jammu and Kashmir Association of Social Workers, Srinagar, Jammu and Kashmir
81. Kachra Kamgar Union, Delhi
82. Kanataka Integrated Development Service (KIDS), Dharwad, Karnataka
83. Kiran Jyoti, Child Rights Activist, Delhi
84. Kisan Vikas Trust (KVT), Patna, Bihar
85. Lake Garden Women and Children Development Centre (LWDC), Kolkata, West Bengal
86. Life Care Trust, Kanyakumari, Tamil Nadu
87. Light for Blind, Dornala, Andhra Pradesh
88. Lokpanchayat, Ahmednagar, Maharashtra
89. M V Foundation, Hyderabad, Andhra Pradesh
90. M P Jan Adhikar Manch, Gwalior, Madhya Pradesh
91. M P Voluntary Health Association (MPVHA), Indore Madhya Pradesh
92. Manab Adhikaar Seva Samiti (MASS), Orissa
93. Manasa Centre for Development & Social Action, Bengaluru, Karnataka

94. Manav Sansadhan Evam Mahila Vikas Sansthan (MMVS), Varanasi, Uttar Pradesh
95. Matsya Mewat Shiksha Evam Vikas Sansthan, Alwar Rajasthan
96. mines mineral and People, (mm&P), Hyderabad, Andhra Pradesh
97. Mithila Gram Vikas Parishad (MGVP), Dharbhanga, Bihar
98. Mitwa Mahila Kalyan Evam Sewa Samiti, Bilaspur, Chattisgarh
99. Multiple Action Research Group (MARG), Delhi
100. Nari Prabhodhan Manch, Latur, Maharashtra
101. National Institute of Women Child & Youth Development (NIWCYD) Nagpur, Maharashtra
102. NIRDESH, Muzaffarpur, Bihar
103. Nirmaan Mazdoor Sangathan
104. Nisarga Foundation, Mysore, Karnataka
105. NISHTA, West Bengal
106. Open Learning Systems, Orissa
107. Participatory Action for Community Empowerment (PACE), Lucknow, Uttar Pradesh
108. PATH Welfare Society, West Bengal
109. People Action for Creative Education, Nalgonda, Andhra Pradesh
110. People's Action for Development (PAD), Chennai, Tamil Nadu
111. People's Cultural Centre (PECUC), Orissa
112. Plan India, Delhi
113. Prayas Foundation, Jharkhand
114. Prayas Juvenile Aid Centre Society, Delhi
115. Psycho Trust, Karur, Tamil Nadu
116. Public Health Resource Network, Delhi
117. Purvanchal Gramin Seva Samiti (PGSS), Gorakhpur, Uttar Pradesh
118. Rachanatmak Sangharsh Samiti, Osmanabad, Maharashtra.
119. Right to Food Campaign, Madhya Pradesh Support Group
120. Rohtas Educational & Associated Programmes, Patna, Bihar
121. Rural Development Association (RDA), West Bengal
122. Rural Education & Action Development Society (READS), Bellary, Karnataka
123. Rural Education and Child Health Society of India (REACH), Bijapur, Karnataka
124. Rural Education and Development (READ), Bihar
125. Rural Literacy and Health Program (RLHP) Mysore, Karnataka
126. Rural Organization for Social Education (ROSE), Pudukottai, Tamil Nadu
127. Sajag Society, Delhi
128. Sakhi Trust, Bellary, Karnataka
129. Sakthi-Vidiyal, Madurai, Tamil Nadu
130. Salaam Baalak Trust, Delhi
131. Samagra Shikshan Evam Vikas Sansthan (SSEVS), Bihar
132. Samata Gram Sewa Sansthan, Patna, Bihar
133. Samata, Vishakapatna, Andhra Pradesh
134. Sampurna Gram Vikas Kendra (SGVK), Jharkhand
135. Samruddi, Kanakapura, Bengaluru, Karnataka
136. Sarthak Jan Vikas Sansthan, Surguja, Chhattisgarh
137. Sarvodaya Sant Lallu Dadda Janseva Samiti (SSLDJS), Surpura, Bhind, Madhya Pradesh
138. Sathi – Pune, Maharashtra
139. Save the Children, Delhi
140. Shaishav, Bhavnagar, Gujarat
141. Shelter Don Bosco, Mumbai, Maharashtra
142. Shikhar Yuva Manch, Chhattisgarh
143. Shramjivi Janata Sahayak Mandal, Satara, Maharashtra

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