

CHILD RIGHTS IN INDIA

Issues and Challenges (Volume - 1)

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Child (Human) Rights and the Provisions in the Constitution of India: Special reference to Girl Child

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Introduction

All those tangible and intangible things we wish for to live are identified as needs. Some of these needs are basic, again some of these basic needs become rights when got translated into a legal frame. Each individual in society possesses some inherent and undeniable rights which are necessary to ensure the dignity of every person as a human being. A human being possesses some basic rights which originate with the very birth of the individual. "To have human rights, one need not do anything special than be born a human being."

The child is 'the greatest gift of humanity'.² As a human being, he/she must enjoy human rights. According to UNICEF (2004), children are the great promise of tomorrow, the dawn of humanity and buds of social development. A child has mostly the same rights that adults have. When we talk about *rights of a child* we mean the child's human rights. But, in the present scenario of Indian society, the socio-economic conditions are mainly responsible for the violation of child rights, particularly girl child rights in different forms. So, the voice of the girl should be paid attention to by the family, community and government regarding her protection, welfare and progress.

Objectives of the paper

The objectives of the paper are

1. To introduce the concept of child (human) rights
2. To sketch out the provisions of child rights in Indian Constitution
3. To draw attention to the discrimination faced by a girl child in availing her genuine rights

Methodology

The paper is based on the data collected from the secondary source i.e. published literature of the subject (books, journals, articles and write-ups, news, etc.). The method followed in this paper is descriptive and evaluative.

Child Rights

All persons who do not have full legal capacity until a certain age are regarded as children. According to child labour regulation, a child is a person under 14 years. A child is a human together with all the rights a parent has. According to Article 1 of Convention on the Rights of the Child, "a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier." Children are 'supremely