
UNIT 3 PROVISIONS FOR THE YOUNG CHILD IN INDIAN GOVERNMENT'S POLICIES, PLANS AND LAWS

Structure

- 3.1 Introduction
- 3.2 The Pre-Independence Initiatives for the Young Child
- 3.3 Provision for Child Rights in Indian Constitution
 - 3.3.1 Fundamental Rights
 - 3.3.2 Directive Principles
 - 3.3.3 Provision for the Child below Six Years in the Constitution
- 3.4 Provisions for the Young Child in Government Policies and Plans: A Historical Perspective
- 3.5 Legislations for the Protections of Child Rights
 - 3.5.1 Registration of Birth and Death Act (1969)
 - 3.5.2 Indian Penal Code (1860)
 - 3.5.3 The Juvenile Justice (Care and Protection of Children) Act (2015)
 - 3.5.4 Acts Dealing with Adoption
 - 3.5.5 Laws Protecting Children from Sexual Abuse
 - 3.5.6 Prohibition of Child Marriage Act (2006)
 - 3.5.7 Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) PCPNDT Act (1994)
 - 3.5.8 The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act (1995)
 - 3.5.9 Laws Dealing with Child Labour
 - 3.5.10 Laws Regarding Crèches for Children of Working Mothers
 - 3.5.11 The Maternity Benefit Act (1961)
 - 3.5.12 Laws Related to Children's Nutritional Needs
 - 3.5.13 Right to Education Act (2009)
- 3.6 Summing Up
- 3.7 References and Further Readings
- 3.8 Answers to Check Your Progress Exercises

3.1 INTRODUCTION

The Indian nation has given itself the Constitution which enshrines the vision of the country's leaders for the protection and development of the Indian people, including the children. Various policies have been adopted, laws enacted and programmes initiated to promote the development of young children. In this Unit, you will read about the Fundamental Rights and the Directive Principles of the Constitution that have been used to promote the rights of children, as well as about the provisions for children in Government Policy documents and the Five Year Plans.

Objectives

After reading this Unit, you will be able to:

- state the provisions in the Indian Constitution to safeguard the rights of children;
- state the policy provisions for the young child in our country;
- describe how the perspective towards planning for children in National Plans has changed over the years; and
- enumerate the legislation for the protection of children's rights in our country.

3.2 THE PRE-INDEPENDENCE INITIATIVES FOR THE YOUNG CHILD

In India, historically, children have been cared for by the family. Multiple caregivers in the extended family provided care, nurturance, love and stimulation that supported the all-round development of the child in the formative years. It happens even now in many families. The history of providing education to young children through an institution outside of the family dates back only to the 1890s in India, when the first kindergarten was started by a Scottish missionary (Sharma, 2007).

The early pioneers of ECCE in India in the early part of the nineteenth century were Gijubhai Badheka, Tarabai Modak and Annie Besant. They established preschool education centres in Gujarat and Maharashtra in the 1920s and 1930s for children of the poor and were influenced by the work of Montessori. **In 1946, Maria Montessori visited India and met Mahatma Gandhi.** He asked her to 'Indianize' her method to make preschool education suitable for Indian children. This marked the beginning of 'pre-basic education' in India, particularly in rural areas. **Aurobindo and Tagore** also influenced the educational philosophy of early childhood education fast emerging in India at that time. By the time of India's independence, ECE was recognized as the first step on the educational ladder. However, these ECE centres were run by private and voluntary organizations (NCERT, 2006). However, it was only after India became independent of British rule that the Government got involved in providing services for the young child, which would many years later lead to the provision of ECCE services on a nationwide scale.

3.3 PROVISIONS FOR CHILD RIGHTS IN INDIAN CONSTITUTION

You have read that the United Nations Declaration of the Rights of the Child was adopted in 1959. Much before that, the framers of the Indian Constitution had realized the importance of recognizing the developmental needs of children. Consequently, they provided for certain Fundamental

Rights for children in the Indian Constitution as well as certain guidelines to promote children's development in the form of Directive Principles. While Fundamental Rights are protected through laws, the guidelines given under Directive Principles are the ideal conditions for which the government is expected to strive for. The Directive Principles are not legally binding. Some new Fundamental Rights and Directive Principles have been added in the past decades.

3.3.1 Fundamental Rights

The Fundamental Rights given in the Indian Constitution, most pertinent to children are the following:

Article 14: 'The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.'

Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. **Article 15 (1)** states — 'The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.' **Article 15 (3)** states — 'Nothing in this article, shall prevent the State from making any special provision for women and children.'

Article 21 (Protection of life and personal liberty): 'No person shall be deprived of his life and personal liberty except according to the procedures established by law.' **Article 21A** states — 'The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.'

Article 23: Prohibition of traffic in human beings and forced labour. **Article 23 (1)** states — 'Traffic in human beings and beggary and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offense punishable in accordance with the law.'

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

3.3.2 Directive Principles

Directive Principles related to child rights in the Constitution are:

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

Article 42: 'The State shall make provision for securing just and humane conditions of work and for maternity relief.'

Article 45: 'The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years'.

After the 86th amendment in 2001, it now states — 'The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years.'

Article 47: 'The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties ...'

3.3.3 Provision for the Child below Six Years in the Constitution

All the above articles apply to children below six years of age. However, we draw your attention specifically to Article 21A and Article 45. When the Constitution was adopted in 1951, Article 45 of the Constitution (a directive principle) was stated as follows: 'The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years'. This Article called upon the state to commit to the provision of 'free and compulsory education for children up to fourteen years of age'. As no lower age limit was given in this article, early childhood education services were considered as part of the constitutional commitment. However, with the Eighty Sixth Amendment to the Constitution in 2002, the age span of 'up till 14 years' has been divided into two clear categories: 'children below six years' and 'children between 6 and 14 years'. The educational rights of children of these two age groups are covered under separate articles in the Constitution now: Article 21A, introduced in the Eighty Sixth Amendment, makes elementary education (classes 1-8) for 6-14-year-old children, their Fundamental Right; and Article 45 dealing with early childhood care and education for children below six is retained as a Directive Principle, meaning thereby that this is not a fundamental right of children.

Subsequently, the Right of Children to Free and Compulsory Education Act, 2009 was enacted based on Article 21A under which the nation-state is duty bound to provide free and compulsory elementary education, and this became the child's justiciable right. **Academics and activists in the field of ECCE saw the exclusion of children below six years from the Fundamental Right as a regressive step.** They protested that this meant that the government had de-recognized the needs and rights of the young child and freed itself from taking responsibility for the care and development of children before school age, leaving early childhood education and care to the responsibility of the family alone. Organizations and activists have been continuously striving to get the government to agree to extend the provision of education as a fundamental right to children below six years of age.

Check Your Progress Exercise 1

1) Match the following.

Column A	Column B
a) Article 14	i) raising the level of nutrition and standard of living and improving the public health
b) Article 15 (1)	ii) provide early childhood care and education to children below 6 years of age
c) Article 47	iii) no discrimination against any citizen on grounds of religion, race, caste, sex, place of birth.
d) Article 21A	iv) equality before the law or the equal protection of the laws
e) Article 23	v) no child below 14 years shall be employed to work in any hazardous conditions
f) Article 24	vi) provide free and compulsory education to all children (6-14 years)
g) 86 th Amendment (2001)	vii) prohibition of traffic in human beings and forced labour
	viii) securing just and humane conditions of work and for maternity relief

3.4 PROVISIONS FOR THE YOUNG CHILD IN GOVERNMENT POLICIES AND PLANS: A HISTORICAL PERSPECTIVE

Planning for children has been an integral part of India's developmental plans since 1951. **However, over the years, the perspective towards planning for children and approach towards early childhood development has evolved from welfare to development to rights (MoWCD, 2007), influenced by the change in thinking about children and their development in the global international community.**

In the early decades of independent India, the responsibility for providing ECCE was left to voluntary agencies, with the Government's role being that of assisting them. Under the First Five Year Plan (1951-56), the Central Social Welfare Board (CSWB) was set up which started a grants-in-aid scheme for voluntary organizations to assist them in establishing and running *balwadis* (preschools) and health and nutrition programmes. During the first two Five Year Plans, the voluntary and private organizations were mainly responsible for providing ECCE services in India. Towards the middle of the second Five Year Plan, in 1958, the government started to take a more active role in providing services for young children, and consequently, Welfare Extension Projects were started directly by the CSWB. In the third Five Year Plan (1961-66), the Scheme of Welfare Extension Projects was expanded, new projects such as Balwadi Demonstration projects and Mahila Mandal

programmes were started and aid continued to be provided to voluntary organizations to continue their activities for early childhood development.

In the 1950s and 60s, the focus was on educational services for 3-6-year-olds. Thus, 'early childhood development' was only considered to be 'early childhood education'. Various committees and commissions of the government at that time linked the provision of early childhood education to enhancement in enrolment and retention rates of children in primary schools. The **Education Commission (1964-66, also called Kothari Commission)**, reported that preschool education significantly improved enrollment, retention, and learning outcomes at the primary level. It strongly recommended that the state should take up the responsibility for overall supervision, guidance, setting-up of model preschools as well as training and research concerning ECE. In 1968, the **Ganga Saran Sinha Committee** also recommended that the government should invest heavily in preschool education. Hence, thereafter preschool education was included in all the government plans.

In the fourth FYP (1969-74), the scheme of Family and Child Welfare was implemented extensively in rural areas to provide welfare services to children comprehensively and also to strengthen the role of the family in the overall growth and development of the child. **Up to the end of the Fourth Five Year Plan, the approach to programming for children was 'welfare' in nature.** This meant that children were seen as beneficiaries of the state's charity and the state saw its role as providing basic services to children directly, but largely by allotting funds to voluntary organizations that would run programmes for a certain population/groups of children. The policy of the state was to financially support the voluntary sector instead of getting directly involved.

By the end of the Fourth Five Year Plan, it was realized that health, nutrition and preschool education services needed to be provided together to a child — only then would the child's holistic development take place. Providing health services without nutrition supplementation or vice versa would not have the desired result. Similarly, if the health and nutrition needs of the child were taken care of, but early stimulation and preschool education were not provided, then precious time during the critical early years would be wasted when a lot of learning and development takes place. It was felt necessary that early childhood programmes should integrate health, nutrition, and educational services so that a single child receives these services together. This would also mean that an integrated programme delivery model would need to be adopted. There was a need to do away with providing various schemes and programmes independently, through different Ministries as was being done because when the services are provided sectorally (independent of each other). It is because it is quite likely that the same child may not receive all the services. By the end of the Fourth Plan, the **National Policy for Children was declared in 1974.** It was the first State document that recommended a systematic series of health, nutrition and

education policies and programmes for the overall development of children. The Policy declared children as the Nation's supreme asset and stated that the children's programmes should be given top priority in all national plans.

As a result of these changes in perspective, the Fifth Plan brought in the shift in perspective from 'welfare' to 'development' for designing child development programmes. It emphasized the integration of and coordination between various services and programmes, which were till now being provided sectorally (independently). Programmes for children were not seen merely as a welfare activity of the state but a necessity for development because investment in human capital was seen as a pre-condition for the nation's economic and social development. This approach of the Fifth Five Year Plan (1974-79) and the declaration of the National Policy for Children, 1974, led to the launch of the **Integrated Child Development Services (ICDS) programme in the year 1975**. This centrally sponsored scheme was initially started in 33 pilot projects. The ICDS programme is based on the understanding of the interdependent and synergistic inter-relationship of health, nutrition, and education inputs to the child. The programme provides a package of services to children below six years comprising health, nutrition and preschool education (for 3-6-year-olds); nutrition and health services to pregnant and lactating women, and health services to adolescent girls. The programme follows a life cycle approach to ensure the all-round development of children. **Thus, while preschool programmes were introduced in India in the early 19th century through philanthropic and missionary efforts, it was only with the government's intervention through the ICDS that a significant expansion of Early Childhood Care and Education to the economically weaker sections and the marginalized communities was initiated, in the last quarter of the 20th century.** You will read more about ICDS in Course 4.

During the Sixth Five Year Plan period (1980-85) and Seventh Five Year Plan period (1985-1989), the programmes initiated in the fifth FYP were promoted further. The ICDS projects were expanded and preschool education programmes were started in educationally backward states, specifically in rural areas, through grants-in-aid to voluntary organizations. **A major development towards the end of the sixth plan was the declaration of National Policy on Education (MHRD, 1986/92), which devoted an exclusive chapter to Early Childhood Care and Education (ECCE) for the first time.** This was the first policy document of the government where the government clearly articulated the need for ECCE, took responsibility for it, and defined ECCE to be a critical input for human development viewing ECCE "both as a feeder and a strengthening factor for primary education and human resource development in general." The policy states, "Recognizing the holistic nature of child development, viz., nutrition, health and social, mental, physical, moral and emotional development, Early Childhood Care and Education (ECCE) will receive high priority..." It further states that: "Programmes of ECCE will be child-oriented, focused around play and the individuality of the child. Formal methods and introduction of the 3 R's will

be discouraged at this stage. The local community will be fully involved in these programmes.” The National Curriculum Framework for Elementary and Secondary Education: A Framework (1988) recognized two years of pre-primary education as the beginning of the education process for children.

In the Eight Five Year Plan (1992-1997), it was proposed to merge all government-sponsored family and child welfare programmes with ICDS. The National Plan of Action (NPA) for Children was formulated in 1992 to conform to the targets set at the World Summit for Children (1990). Under NPA, each state was encouraged to formulate its own ‘State Plan of Action’ according to the situation of children and the availability of resources in the state. The **National Nutritional Policy was enacted in 1993**. It asserted that children below the age of 6 years should be considered a high-risk group and should be given high priority in all national plans and programmes.

The Ninth Five Year Plan (1997-2002) also promoted the involvement of Women’s groups in the management of ECE programmes, particularly under the decentralized Panchayati Raj System. **By the Ninth and the Tenth Five Year Plans, the perspective in programming for children shifted from ‘developmental necessity’ to the ‘rights approach’**. It began to be realized that programming for children was not merely an investment in the human resources that would contribute to the country’s social and economic fabric but it was necessary as a way of fulfilling the undeniable rights of each child for optimal development and to enable all human beings to realize their full developmental potential. The rights-based international declarations/conventions, ratified and endorsed by India, made it necessary for India to adopt a rights-based approach to policy and programmes. The Tenth Five-Year Plan (2002-2007) focused on a ‘right-based approach’ to reach out to every young child and to ensure the survival, protection and development of all children in the country (Datta, 2004).

During the ninth and tenth plan periods, some important initiatives which influenced programmes for young children were the following: enactment of the **National Health Policy (2002)**; adoption of the **National Charter for Children (2003)**; announcement of the **National Common Minimum Programme (2004)**; formulation of the **National Plan of Action for Children (2005)** and setting up of the **Commission for the Protection of Child Rights Act (2005)**, which led to the setting up of the **National Commission for the Protection of Child Rights in 2007**. Its major objective is to ensure that all, laws, policies, programmes and administrative procedures conform to the child rights as enshrined in the Indian Constitution and the UN Convention on the Rights of the Child, 1989. Subsequently, State Commissions have also been set up in the states for coordinating with the National Commission and for better implementation of child laws.

The **National Health Policy (NHP) was formulated in 2000**. Its objectives included the reduction of infant mortality rate and maternal mortality rate. It also included provisions for separate schemes for women and children according to their health needs. The health needs of the children were also

acknowledged as an area of concern in the **National Population Policy, adopted in 2000**. The **National Policy for Empowerment of Women (2001)** gave priority to expanding the child care facilities of crèches at workplaces.

During the Ninth Five Year Plan period, the **National Curriculum Framework (NCF) 2000**, was adopted which like the **NCESE framework (1988)** emphasized two years of pre-schooling. The **National Curriculum Framework (NCF) 2005**, adopted during the Tenth Plan Period also highlighted two years of preschool education, and acknowledged ECCE as a significant input for the holistic development of young children and also as a support service for women and girls. It advocated a play-based developmentally appropriate curriculum.

The Tenth Plan also recognized the need for increased support services of Crèches and Day Care Centres for children of working and ailing mothers and the need to strengthen the National Crèche Fund. The ‘National Crèche Fund’ was merged with the ‘Scheme of Assistance to Voluntary Organizations for Crèches for Working and Ailing Women’s children’ and was renamed as ‘Rajiv Gandhi National Crèche Scheme’ and aimed to establish a network of crèches all over the country.

With respect to ECE, the *Sarva Shiksha Abhiyan* was launched by the Ministry of Human Resource Development during this period. An emphasis was given to strengthen convergence with the Integrated Child Development Services (ICDS) programme of the Ministry of Women & Child Development to promote preschool education, as it directly benefits children in primary education. In habitations not covered by the ICDS and wherever the State government was desirous of starting a preschool education centre in the formal primary school, support from the *Sarva Shiksha Abhiyan* could be accessed, through funds available under the head ‘innovative activities’. A less satisfactory development during the Tenth Plan period was the enactment of the 86th Constitutional Amendment in December 2002, under which Article 21A was included in the Constitution and Article 45 was modified, as you have read in Sub-section 3.3.2.

Continuing with the rights-based approach, the Eleventh Five-Year Plan (2007-2012) emphasized the overall development of children. It aimed to extend health and nutritional services to women and adolescent girls to reduce infant mortality rate, maternal mortality rate, malnutrition among children, and to take care of survival, protection, and overall development of all children up to the age of 6 years. The ICDS was expanded and 13.17 lakh *Anganwadis* were operational by the end of the Eleventh Plan, against a requirement of 14 lakh. During this Plan period, following upon the 86th Constitutional amendment of 2002, the Right of Children to Free and Compulsory Education Act (RTE Act) came into effect on April 1, 2010, which excluded children below 6 years from the right to free and compulsory education but included a clause in Section 11 to enable states to provide preschool education if they wished to. The clause states, “with a view to

prepare children above the age of three years for elementary education and to provide early childhood care and education for all children until they complete the age of six years, the appropriate Government may make necessary arrangement for providing free preschool education for such children.”

The Twelfth Five Year Plan period (2012-2017) is historic for several reasons. **The reforming and restructuring of the ICDS programme was initiated in 2012, to address the various challenges that were coming in the way of its effective implementation.** You will read in detail about restructured ICDS in Course 4 (MCD -004). A landmark development was the revision of the National Policy for Children, 1974 and the **adoption of a new National Early Childhood Care and Education Policy** in 2013 which applies to all early childhood care and education programmes/services in public, private and voluntary sectors. The vision of the Policy is to promote inclusive, equitable and contextualized opportunities for promoting optimal development and active learning capacity of all children below six years of age. The National ECCE policy states that the period birth to six comprises three sub-stages and that the Government shall provide ECCE services across the three sub-stages as follows:

- a) ***Sub-stage of Conception to Birth:*** Antenatal and postnatal health and nutritional care of the mother, maternal counselling, safe childbirth, maternity entitlements including child protection, and non-discrimination
- b) ***Sub-stage of Birth to Three Years of Age:*** Services survival, safety, proactive environment, health care, nutrition, attachment to mother or other adults, and psychosocial stimulation in home and appropriate child care centres
- c) ***Sub-stage of Three to Six Years of Age:*** Health care, protection, nutrition, healthy attachment with an adult, developmentally appropriate preschool education leading to school readiness

The ECCE Policy acknowledges the need for multiple modules of ECCE service division through the private, government, and voluntary sectors and the need to enhance the capacities of the family to take care of the needs of the child. The policy lays special emphasis on vulnerable and marginalized children and children with disabilities. The policy recognizes the need to professionalize the ECCE sector at all levels; strengthen the existing training institutions, and provide continued support to all ECCE personnel. It also emphasizes that the ECCE services would be registered, regulated and accredited. **After the notification of the National ECCE Policy, the National ECCE Curriculum Framework, 2014 and Quality Standards for ECCE programmes, 2014 have been developed.**

A welcome conceptual shift articulated in the Twelfth Five-Year Plan document is the concept of an ‘early learning unit’ during the early years of education (Planning Commission, 2013, p. 57). Keeping in view the integrated and continuous nature of development, the pre-primary and early

primary grades are envisaged as a continuum so that there can be continuity in the curriculum (which should be developmentally appropriate) and pedagogy (play-based and child-centered) from preschool to early primary years (Grade 1 and 2). The Plan document has emphasized the need for Vocational Council for Teacher Education to develop a comprehensive teacher education curriculum that prepares teachers to deal with children during preschool and early primary years and to lay down qualifications for such a cadre of teachers. The document also recommends short-term certified refresher training programmes for functionaries who provide services in the ICDS programme and for in-service ECE teachers by identified organizations.

The planning process through the Five Year Plans came to an end in India in 2017. Five-Year Plans (FYPs) were centralised economic and social growth plans which included funding to the states for implementation of programmes decided by the centre. The Planning Commission which developed the Five Year Plans was replaced by the *Niti Aayog* in 2014. The most important difference is that Niti Ayog has no power to grant funds or make decisions on behalf of states. It is only an advisory body. It makes three-year action plans, which are a part of a seven-year strategy paper and a 15-year vision document. This document only provides a broad roadmap to the government. The document does not detail any schemes or allocations as it has no financial powers. Its recommendations are not binding on the government. With the government having done away with the categorisation of expenditure into plan and non-plan heads, the documents of the Niti Ayog have no financial role. They are only policy guidemaps for the government.

A breakthrough in the sector of Early Childhood Care and Education has been the articulation by the **National Education Policy, 2020 of the ‘Foundational Stage of Education’ which comprises three years of pre-primary and two years of classes 1 and 2.** The Policy acknowledges that the learning experiences that a child goes through during these foundational years are crucial for the learning and development of the child in the later years of her life. To ensure this, play/activity-based curricular experiences are to be designed and offered to children during these foundational years. The Policy places much emphasis on developing and supporting early/emergent literacy and mathematics (early behaviours of children that show their growing understanding and interest in written language and mathematical concepts) in children so that they can emerge as effective learners in the later years as well. You will read more about these aspects of early childhood learning and curriculum in the subsequent Blocks of this Course as well as in Course 3.

In addition, while NEP, 2020 does not explicitly talk about the children of the age group of 0-3 years while delineating and discussing the category of ‘Foundational Years’, it does not fail to acknowledge this particular group. It clearly emphasizes that the National Curricular and Pedagogical Framework for Early Childhood Care and Education (NCPFECCE) for children up to the

age of 8 will be developed by NCERT in two parts, namely, a sub-framework for 0-3-year-olds, and a sub-framework for 3-8-year-olds. Thus, the NEP (2020) proposes a strong base of Early Childhood Care and Education (ECCE) which aims at promoting better overall learning, development, and well-being from the early years onwards.

To ensure children's learning and development, particularly during the foundational years, **the Government of India also launched NIPUN Bharat Mission in the year 2021**, better known as the 'National Initiative for Proficiency in Reading with Understanding and Numeracy'. The purpose of this mission is to ensure foundational literacy and numeracy which we also referred to as 'early literacy' and 'early numeracy' during the early years of childhood. In addition, it also emphasizes the development of a child's cognitive development, social-emotional development, development of various environmental concepts, etc. Thus, it calls for holistic and integrated development of learning of children right from the early years. To achieve this, the mission document lists three developmental goals:

- a) Children maintain good health and well-being (HW) – Goal 1
- b) Children become effective communicators (EC) – Goal 2
- c) Children become involved learners and connect with their immediate environment (IL) – Goal 3

While the developmental domains are not explicitly listed in the NIPUN Bharat document, but these are covered under the three developmental goals. Goal 1 refers to Physical and Motor development domain as well as Socio-Emotional development domain. Goal 2 refers to the domain of language and literacy development. Goal 3 refers to the domain of cognitive development and emergent mathematics.

For the attainment of each of these goals, the NIPUN Bharat document lists out various competencies and corresponding learning outcomes for the children belonging to the given categories:

- a) Preschool 1 (3-year-olds)
- b) Preschool 2 (4-year-olds)
- c) Preschool 3/Balvatika (5-6-year-olds)
- d) Grade 1 to 3 (6-8-year-old)

In 2022, the Government of India also launched the **National Curriculum Framework for the Foundational Stage**. This framework lists out learning outcomes for children in the age group of three to eight years under specific categories of five developmental domains – Physical; Social, Emotional, and Ethical; Cognitive; Language and Literacy; and Aesthetic and Cultural Development.

This Postgraduate Diploma in Early Childhood and Foundational Stage Education, for which you are enrolled, has also been informed by the propositions of NEP 2020 and NIPUN Bharat 2021. **Various Courses of this**

Programme of Study incorporate the suggestions of the NEP 2020, NIPUN Bharat 2012 and National Curriculum Framework for the Foundational Stage, 2022 and offer a pedagogical framework for the early childhood educator to design and conduct relevant learning experiences for children in different age groups.

Check Your Progress Exercise 2

- 1) What was the major shift in the government’s approach to providing services for children in the:
- a) Third Five Year Plan (1961-79)
 - b) Fifth Five Year Plan (1974-79).

Answer in brief in the following space.

.....
.....
.....
.....

- 2) What key areas does the National ECCE policy focus on?

.....
.....
.....
.....

- 3) Given below are two columns. In Column A are listed some of the prominent national policies for ECCE in India, while Column B contains the year when these policies came to be. Match each item in Column A with the corresponding item in Column B.

Column A	Column B
a) National Nutritional Policy	i) 2003
b) National Policy for children	ii) 1993
c) National Health Policy	iii) 1974
d) National Charter for Children	iv) 1983
e) National ECCE policy	v) 2013

3.5 LEGISLATIONS FOR THE PROTECTIONS OF CHILD RIGHTS

Laws and legislatures have been enacted in India to enable the realization of Fundamental Rights and Directive Principles of the Constitution. Let us read about the laws which pertain to the child in detail.

3.5.1 Registration of Birth and Death Act (1969)

A child can avail of rights and services only if the government acknowledges her existence. This is where the **Registration of Birth and Death Act (1969)** comes in. This law makes giving the birth or death information to the Registrar of Births and Deaths a duty of the person in charge of the place where the birth/death has happened. However, this law often fails to account for children without parents/guardians, who are found to be destitute children. Also, migrants who do not have proof of residence are also excluded from registering births. To fill these gaps, proactive identification, surveys and outreach also need to be a Government responsibility.

3.5.2 Indian Penal Code (1860)

A child committing a crime has different implications than when an adult commits a crime. Recognizing this, the **Indian Penal Code (1860), Section 82** exempts children of ages below 7 years from criminal liability. This means that nothing is an offense committed by a child aged 7 years and less. This is one of the few laws of India, which recognizes the vulnerability of children in their early childhood years, differentiating younger children from older children.

The **Indian Penal Code (1860), Section 83** deals with children between the ages of seven and twelve and states — ‘Nothing is an offense which is done by a child above seven years of age and under twelve, who has not attained sufficient maturity of understanding to judge of the nature and consequences of his conduct on that occasion’.

3.5.3 The Juvenile Justice (Care and Protection of Children) Act (2015)

This has been revised from its earlier versions of 2000, 2006 and 2011, and defines the ‘child’ as being under 18 years of age, concerns itself with three categories of children:

- a) **Juveniles in Conflict with the Law:** The Act provides for proper care, protection, and use of a child-friendly approach when dealing with juveniles who have committed offenses in the eyes of the law. Through a recent amendment, it allows juveniles between 16 and 18 years of age to be treated as adults in cases when they have committed particularly heinous crimes. This has been hotly debated with people being in favour of as well as against this amendment.
- b) **Children in Need of Care and Protection:** The Act makes provisions for children in need of care and protection; specifically, children who are orphaned, abandoned, victims of abuse, child labour, child marriage, and children with disabilities. Institutional care in form of shelter homes is provided to children in need. However, cases of abuse and violence also take place in these shelter homes, making them not necessarily a secure space for the child.
- c) **For Adoption and Foster Care of Children:** The Act lays down the eligibility criteria for adoptive parents. It also streamlines adoption

procedures for children who are orphaned, abandoned or surrendered. The Act provides for measures of sponsorship and foster care and has also incorporated offenses dealing with illegal adoption.

3.5.4 Acts Dealing with Adoption

In India, other than the Justice Juvenile Act, there are two other laws concerned with the adoption of children. These are the Hindu Minority and Guardianship Act, 1956, and the Guardians and Wards Act, 1890. Since different religions' views have their laws regarding adoption, these two laws cater to adoption in particular religions. The Hindu Adoption and Maintenance Act, 1956 covers adoption in Hindu, Buddhist, Jain or Sikh families; while the Guardians and Wards Act covers adoption in Muslims, Christians, Parsis and Jews. However, the Justice Juvenile act caters to all religious groups.

3.5.5 Laws Protecting Children from Sexual Abuse

Sexual abuse is dealt with in the **Indian Penal Code (1860) Sections 375, 376 and 377**, under which sexual abuse (including sexual abuse of children) is punishable. Also, the **Indian Penal Code (1860) Sections 354** makes assault or criminal force to a woman with intent to outrage her modesty punishable by law. Other laws related to child sexual abuse are the **Young Persons (Harmful Publications) Act (1956)** which makes it an offense to sell, let, hire, distribute or publicly exhibit harmful publications of a young person under the age of 20 years; **Immoral Traffic Prevention Act (1986)** (amended from an earlier Act in 1956) which punishes trafficking of persons including children for prostitution (and not for other purposes like child labour, organ harvesting or domestic work); and the **Information and Technology (Amendment) Act (2008)** which provides for punishment for publishing or transmitting material in any electronic form depicting children in an obscene or sexually explicit manner or for abusing children online.

While these laws are a positive step towards protecting the child, they have many loopholes. These loopholes include a lack of provision for repeat offenders, a lack of clear guidelines and procedures on how to deal with child victims and their families, and also use of vague definitions of terms like 'modesty' (in IPC 354) and 'unnatural offenses' (in Section 377). These laws are also not specific to children's needs and even have different definitions of the 'child'. The protection of the child can be achieved through action that addresses the needs of the child, not only to protect her from further abuse and help the child deal with trauma but also to ensure that she is not re-victimized in the course of the justice delivery process. In addition to this, it also has to be ensured that the child is steered towards the path of healing, recovery, and rehabilitation.

To address loopholes in the earlier mentioned laws, the government has brought in the **Protection of Children from Sexual Offences (POCSO) Act (2012)** to deal with cases of child sexual abuse. The POCSO Act (2012) is a

comprehensive law to provide for the protection of children from the offenses of sexual assault, sexual harassment, and pornography, while safeguarding the interests of the child at every stage of the judicial process.

The features of POCSO are:

- a) Incorporation of child-friendly processes in reporting, recording of evidence, investigation, and speedy trial of offenses through designated Special Courts. Special Courts conduct the trial in-camera and without revealing the identity of the child. This encourages children to report sexual abuse.
- b) POCSO defines a child as any person below eighteen years of age. It also raises the age of sexual consent from 16 to 18 years.
- c) This Act recognizes almost every known form of sexual abuse against children as punishable offenses, including penetrative and non-penetrative assault, as well as sexual harassment and pornography. It also deems a sexual assault to be “aggravated” (i.e., more heinous or intense) under certain circumstances, such as when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority with reference to the child, like a family member, teacher, police officer, or doctor.
- d) POCSO casts a legal duty upon a person who knows that a child has been sexually abused to report the offense. Failure to do so would lead to a punishment of six months imprisonment and/ or a fine. POCSO clarifies that the role of the police during the investigative process is that of child protectors. The police are responsible for making urgent arrangements for the care and protection of the child, such as obtaining emergency medical treatment for the child and placing the child in a shelter home.
- e) POCSO adopts a multi-sectoral, multi-disciplinary approach to address the needs of the child.

There is an urgent need to build supporting mechanisms for POCSO such as the special courts and also provide alternative care for children who have been abused in the family.

There is a need for laws intended for the protection of children to have a wider understanding of ‘abuse’. Currently, sexual abuse of children is adequately covered by the law. However, mental abuse, neglect, discrimination and corporal punishment also need the attention of law and policymakers.

3.5.6 Prohibition of Child Marriage Act (2006)

The social evil of Child marriage deprives children of realizing their full potential as it curtails their educational opportunities, may lead to sexual exploitation and poses health risks due to early pregnancy. To combat this, the **Prohibition of Child Marriage Act (2006)** (replacing the Child

Marriage Restraint Act of 1926) prohibits marriage before a certain age. The marriage of boys is prohibited under the law until they have completed 21 years of age, and of girls until they are 18 years of age.

3.5.7 Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) PCPNDT Act (1994)

The sex ratio in the 0 to 6 age group measured during the Indian Census, has gone from 927 females per 1000 males in 2001, to 918 females per 1000 males in 2011. The greater number of male births as compared to female births is not usual as genetically the female foetus has a better chance of surviving during the prenatal stage and childbirth. This unnatural sex ratio in our country is due to a preference for a male child because of which many couples abort the healthy foetus of a girl child. To combat this practice of female foeticide, the **Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) PCPNDT Act (1994)** came to be. This Act prohibits the use of prenatal diagnostic techniques like Ultra Sonography (Ultrasound) for detection and disclosure of the sex of the foetus and aims to prevent sex-selective abortion.

3.5.8 The Rights of Persons with Disabilities (RPwD) Act (2016)

This Act safeguards the rights of Persons with Disabilities including children with disabilities. This Act calls for the government to take the necessary steps to ensure the prevention and early detection of disabilities. Furthermore, all children with a disability under 18 years of age should have access to free education in an appropriate environment. According to the The Rights of Persons with Disabilities (RPwD) Act, 2016, disability has been defined based on an evolving and dynamic concept. You will read about this Act in detail in Coures 5 (MCD-005). The Act replaces the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. It fulfills the obligations to the United National Convention on the Rights of Persons with Disabilities (UNCRPD), to which India is a signatory.

3.5.9 Laws Dealing with Child Labour

In accordance with Article 24 (Fundamental Right) which prohibits a child below the age of 14 years from working in hazardous occupations, many laws prohibit child labour:

The **Factories Act of 1948** prohibits a child below the age of 14 years to be employed in any factory. An adolescent aged 15-18 years, can work but not for more than 4 ½ hours in a factory in a day and he/she has to obtain a medical fitness certificate from an authorized doctor to be employed in a factory.

The **Mines Act (1952)** prohibits children below the age of 18 years from working in any mine.

Motor Transport Workers Act (1961) prohibits the employment of a child

less than 16 years of age in any motor transport enterprise.

Bidi and Cigar Workers Act (1966) prohibits a child less than 14 years of age from working in any industrial premises manufacturing bidi or cigar.

The Bonded Labour System (Abolition) Act (1976) abolishes the bonded labour system in India.

The **Child Labour (Prohibition and Regulation) Act (1986)** (amended in 2006, 2008 and 2012) which is a major child labour law in India, defines a 'child' as a person who has not completed 14 years of age and prohibits the child from working in hazardous occupations. This Act prohibits the employment of children in 18 occupations and 65 processes and regulates the working conditions in others.

3.5.10 Laws regarding Crèches for Children of Working Mothers

Some labour laws have provisions for crèches, where mothers can leave their children while they are at work. The **Factories Act (1948); Mines Act (1952) and Bidi and Cigar Workers Act (1966); Plantation Act (1951); Inter State Migrant Workermen (Regulation of Employment and Condition of Service) Act (1979); and Mahatma Gandhi National Rural Employment Guarantee Act (2005)**, have provision for crèches. While the provision for crèche facilities in these laws is welcome, there are many gaps and issues in the current laws. Firstly, the existing laws cater to a very small number of women and children. Many women who work as handicrafts and handloom workers, rural traders, street vendors, and in other occupations in the informal job sector cannot avail of crèche services as per the laws. Secondly, the existing crèches do not cater to the holistic developmental needs of the child. There is a need for the crèches to have trained childcare workers and age-appropriate activities. The crèches should also be monitored for quality. The third issue in the crèche facilities provided under the labour laws of India is that the laws are not gender-neutral. This means that the place of employment has a crèche only if women are employed there. By adding this restriction, the law assumes that caregiving is only the job of a mother and disregards the role of the father in the caregiving of the child. Fourthly, many of the laws provide crèche, only if a certain minimum number of women are employed in the workplace. For instance, in the Plantation Act, a crèche is provided under the law only if the plantation employs at least fifty women. So, employees of a plantation that has a lower number of women than fifty would not be able to avail the crèche facilities.

3.5.11 The Maternity Benefit Act (1961) (Amended in 1970, 1972, 1973, 1976, 1988, and 1995)

This Act provides women paid maternity benefits for 80 days before birth and 80 days after the birth of the child or in the event of a miscarriage. During these 160 days, the woman is entitled to leave with pay that is at the rate of her average daily wage. Furthermore, in case of illnesses arising from

pregnancy, delivery of the child, miscarriage, premature birth of the child, medical termination of pregnancy, or tubectomy operation, the woman is entitled to an additional month of leave with paid wages. After returning to work, this Act also allows the women nursing breaks till the child is 15 months old. Under the Act, there is a provision for crèches at the workplace.

This act caters to women working in only organized sectors and thus covers only 6% of the women in the country. It does not apply to women working in the unorganized sector who comprise 94% of the female workforce in the country. Also, it does not cover the medical cost incurred during delivery. It also puts the burden of the payment on the employer and not the government.

3.5.12 Laws Related to Children's Nutritional Needs

By allowing the women nursing breaks, the Maternity Benefit Act (1961), addresses the food needs of the child. The other laws which address the nutrition needs of the child and the mother are the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act (1992) and the National Food Security Act (2013).

The aim of the **Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act (1992)** (amended in 2003) is to promote breastfeeding of infants by regulating the production, supply and distribution of infant milk substitutes, feeding bottles and infant foods. This can ensure that infant foods are used appropriately. However, the promotion of breastfeeding needs a more holistic approach which includes counselling women and families regarding breastfeeding and its alternatives and also training women on how to breastfeed.

The recent **National Food Security Act (2013)** (NFSA) provides food security to 67% of the population through the public distribution system and specifically to every pregnant woman, lactating woman, and child from 6 months to 14 years of age. This act entitles pregnant and lactating women (up to 6 months after the birth of the child) to free meals of specified nutritional standards through the local *Anganwadi* operating under the ICDS programme. It also entitles all pregnant and lactating women (except those who are covered under the Maternity Benefit Act or any other law) to maternity benefits of ₹ 6000. With respect to children, the food requirements of children under 6 months of age are met through the promotion of breastfeeding and fulfilling the maternity entitlements. For children aged 6 months to 6 years, food of a specified amount containing specified calories and proteins is provided through the *Anganwadis*. Children with malnutrition are also identified through the *Anganwadi* and provided with appropriate meals. Children from 6 years to 14 years of age are entitled to one free-of-charge mid-day meal through the Mid-day meal programme on all days except on school holidays, in all schools run by local bodies, Government and Government aided schools.

While NFSA is a step forward in providing children with food entitlements, it still needs to address issues related to food quality and diversity. In terms of ICDS, there is a need for better menus, quality norms, infrastructure of cooking, feeding, etc. There is also a need for clarity regarding how and from where the food for ICDS is obtained. Furthermore, in terms of addressing malnutrition, only giving extra meals is mentioned in NFSA and the much-needed measures like nutritional supplements and health care treatment are ignored. Since in recent times, issues of obesity and increasing intake of unhealthy junk foods by children are becoming a major cause of concern, there is also a need to regulate food advertisements as well as the sale of junk foods to children.

3.5.13 Right to Education Act (2009)

In Section 3.4 of this Unit, you have already read that the **Right of Children to Free and Compulsory Education Act (2009)** was framed after education for children in the 6-14 age group was made a Fundamental Right through Article 21A of the Constitution. Under this Act, the state has to provide free and compulsory education to children of ages 6 to 14 years. Unfortunately, the state is not duty bound for providing education and learning opportunities to children below 6 years of age. The only mention of this age group comes in Article 11 of the Act, wherein the State Government is advised to provide free preschool education, this is not binding on the government to do so as Article 21A does not mention education for children below 6 as their fundamental right. Further, even this Article of the RTE Act only mentions ages 3-6 and does not consider children below three years of age.

Tables 3a and 3b provide a summary picture of the existing laws in India which have provisions relating to children between the ages of birth to 8 years as well as the pregnant and lactating woman. We have grouped these laws under domains pertaining to protection, child labour, nutrition, crèche facilities, education, adoption and children with disability and maternity benefits. You may find that many laws are mentioned in more than one heading. This is because legislation may cater to multiple needs of children and their mothers.

In this Unit, you have read about the provisions for the child in terms of Rights in the Constitution, laws, policies and plans. However, simply making provisions does not ensure that the rights of the children are met. These provisions have to be translated into actual programmes and services and these have to be implemented appropriately. **In the next Unit, you will read a critical analysis of programmes and services which are available for children below six in our country.**

Table 3a: Laws in India for the Child from Birth to 8 Years of Age

PROTECTION
<ul style="list-style-type: none"> • Indian Penal Code exempts children from criminal liability • Protection of Children from Sexual Offences (POCSO) Act (2012) • The Prohibition of Child Marriage Act (2006) • Immoral Traffic Prevention Act (1986) • Pre- Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) PCPNDT Act (1994) • Juvenile Justice (Care and Protection of Children) Act (2000) • Information and Technology (Amendment) Act (2008) • Protection of Children from Sexual Offences (POCSO) Act (2012)
CHILD LABOUR
<ul style="list-style-type: none"> • Child Labour (Prohibition and Regulation) Act (1986) • Factories Act (1948) • Mines Act (1952) • Motor Transport Workers Act (1961) • Bidi and Cigar Workers Act (1966) • The Bonded Labour System (Abolition) Act (1976)
NUTRITION
<ul style="list-style-type: none"> • Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act (1992) • National Food Security Act (2013)
CRECHE FACILITIES
<ul style="list-style-type: none"> • Maternity Benefit Act (1961) • Factories Act (1948) • Mines Act (1952) • Bidi and Cigar Workers Act (1966) • Plantation Act (1951) • Inter State Migrant Workermen (Regulation of employment and Condition of Service) Act (1979) • Mahatma Gandhi National Rural Employment Guarantee Act (2005)
EDUCATION
<ul style="list-style-type: none"> • Right of Children to Free and Compulsory Education Act (2009) (excludes children below 6 years)
ADOPTION
<ul style="list-style-type: none"> • Hindu Minority and Guardianship Act (1956) • Guardians and Wards Act (1890) • The Hindu Adoption and Maintenance Act, 1956 • Juvenile Justice (Care and Protection of Children) Act (2000)
CHILDREN WITH DISABILITIES
<ul style="list-style-type: none"> • The Rights of Persons with Disabilities (RPwD) Act, 2016
OTHER LAWS
<ul style="list-style-type: none"> • The Registration of Birth and Death Act (1969)

Table 3b: Laws in India for the Mother who is Pregnant or with a Young Child

NUTRITION/HEALTH
<ul style="list-style-type: none"> • National Food Security Act (2013) • Maternity Benefit Act (1961)
MATERNITY BENEFITS
<ul style="list-style-type: none"> • Maternity Benefit Act (1961)

Check Your Progress Exercise 3

1) What does the given legislation focus on?

a) POCSO Act (2012)

.....

b) Right to Education Act (2009)

.....

2) What are the three categories of children mentioned in the Juvenile Justice (Care and Protection of Children) Act (2015)?

.....

3.6 SUMMING UP

In this Unit, you read about the situation of ECCE in India in terms of constitutional provisions, national policies as well as ECCE services. While the Indian constitution does not yet give each child the fundamental right to an early childhood education, many efforts have been made by the Government over the years to reach young children during these years.

After independence in 1947, the government assumed greater responsibility for the welfare of children. Through various efforts in the Five Year Plans as well as many programmes and policies like the ICDS, National ECCE policy, etc., the role of the government in ECCE has grown over the years. The voluntary, as well as the private sector, also play an important role in the growth of ECCE.

The Indian Constitution provided for certain Fundamental Rights for children as well as certain guidelines to promote children's development in the form of Directive Principles. The Fundamental Rights concerned with children are Article 14, Article 15, Article 21, Article 23 and Article 24. The Directive Principles for children are included as Article 39, Article 42, Article 45 and Article 47.

Article 21A, introduced in the Eighty Sixth Amendment, makes elementary education (classes 1-8) for 6-14-year-old children, their Fundamental Right; and Article 45 dealing with early childhood care and education for children below six is retained as a Directive Principle.

There have been provisions for the young children in Government policies and plans, such as Central Social Welfare Board (CSWB) - grants-in-aid scheme for voluntary organizations to assist them in establishing and running *balwadis* (preschools); Education Commission (1964-66, also called Kothari Commission); National Policy for Children 1974; Integrated Child Development Services Programme 1975; National Nutritional Policy 1993; National Commission for the Protection of Child Rights 2007; National Early Childhood Care and Education Policy 2013.

Laws and legislations have been enacted in India to enable the realization of Fundamental Rights and Directive Principles of the Constitution. Some of these have been discussed in the Unit.

3.7 REFERENCES AND FURTHER READINGS

1. Das, M. & Munda, A. (2011). Children in India's Five Year Plans. CRY, Kolkata.
2. Datta, V. (2004). Reaching the unreached: Early childhood care and education interventions in India. In J. Pattnaik (Ed.), *Childhood in South Asia: A critical look at issues, policies, and programmes* (pp.81-111). Information Age Publishing.
3. Government of India. *New Education Policy* (2020). https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf
4. Ministry of Human Resource Development (2003). *Early Childhood Care and Education in India: An Overview*, New Delhi: Department of Elementary Education and Literacy, Government of India.
5. Ministry of Human Resource Development (2004). *Annual report of department of women and child development, 2003-04*. New Delhi: Government of India.
6. Ministry of Women and Child Development, (2006). *Annual Report 2005-2006*. New Delhi: Government of India.
7. Ministry of Women and Child, Development, (2007), *Report of working group on development of children for the eleventh five year plan (2007-2012)*. New Delhi: Government of India.

8. National Council of Educational Research and Training (2006). *National curricular framework, 2005; Position paper: National focus group on early childhood education*. New Delhi.
9. Ministry of Women and Child Development. (2013). *National early childhood care and education policy*. New Delhi: Government of India
10. Ministry of Women and Child Development. (2014) *National early childhood care and education curriculum framework*. New Delhi: Government of India
11. Ministry of Women and Child Development. (2014) *Quality standards for early childhood care and education*. New Delhi: Government of India.
12. Mobile Creches. (2012). *Importance of a Comprehensive Policy for Early Childhood Care & Development*. https://84d629ab-3c72-4a2c-b038-8bf9fe4f27ff.filesusr.com/ugd/eec0d5_8ce82aa0edfb4cc796b217cb0a607424.pdf
13. National Council of Educational Research and Training (2006). *National curricular framework, 2005; Position paper: National focus group on early childhood education*. New Delhi.
14. Planning Commission, (2005). *Midterm Appraisal of the Tenth Five Year Plan*. New Delhi: Government of India.
15. Planning Commission (2006). *Towards faster and more inclusive growth: An approach paper to the eleventh five year plan*. New Delhi: Government of India.
16. Rao, N., & Sharma A. (2000). Early Childhood service in India. Challenges and Prospects for then Development. In Lorna K. S. Chan & Meller J. (Ed.) *International Developments in Early Childhood Services* (1st Ed, Vol. 26, 97-118.). New York: Peter Lang Publishing.
17. Sharma, A. (2007). An unfulfilled dream, *Seminar*, 574 June, 51-54.
18. Sharma, A., Sen, R. S. & Gulati, R. (2008). Early Childhood Development Policy and Programming in India, *International Journal of Early Childhood - Policy Change*, 40 (2), 65-84.

3.8 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) a) – iv)
b) – iii)
c) – i)
d) – vi)
e) – vii)
f) –v)
g) – ii)

Check Your Progress Exercise 2

- 1) a) In the Third Five Year Plan (1961-66), the Scheme of Welfare Extension Projects was expanded, new projects such as Balwadi Demonstration projects and Mahila Mandal programmes were started and aid continued to be provided to voluntary organizations to continue their activities for early childhood development. In the 1950s and 60s, the focus was on educational services for 3-6-year-olds.
 - b) The Fifth Plan brought in the shift in perspective from 'welfare' to 'development' for designing child development programmes. It emphasized the integration of and coordination between various services and programmes, which were till now being provided sectorally (independently).
- 2) The National ECCE Policy focuses on catering to three stages with the given focus:

Conception to Birth: Antenatal and postnatal health and nutritional care of the mother, maternal counselling, safe childbirth, maternity entitlements including child protection, and non-discrimination

Birth to Three Years of Age: Services survival, safety, proactive environment, health care, nutrition, attachment to mother or other adults, and psychosocial stimulation in home and appropriate child care centres

Three to Six Years of Age: Health care, protection, nutrition, healthy attachment with an adult, developmentally appropriate preschool education leading to school readiness.

a) – ii); b)– iii); c)– iv); d)– i); e)– v)

Check Your Progress Exercise 3

- 1) a) Protection of children from the offenses of sexual assault, sexual harassment and pornography, while safeguarding the interests of the child at every stage of the judicial process.
 - b) Under this Act, the state must provide free and compulsory education to children of ages 6 to 14 years.
- 2) The Juvenile Justice (Care and Protection of Children) Act (2015) defines the 'child' as being under 18 years of age, concerns itself with three categories of children: Juveniles in conflict with the law; Children in need of care and protection and with adoption and foster care of children.