WOMEN AND CHILDREN RIGHTS IN INDIA
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ABSTRACT

Women and children are faced with political, economic and educational problems. They face severe social, economic and political discrimination. Children do not enjoy their childhood and their little shoulders carry the burden of adulthood in their tender years. Women's rights are the rights and entitlements claimed for women and girls worldwide and they formed the basis for the women's rights movement in the 19th century and the feminist movements during the 20th and 21st centuries. Issues commonly associated with notions of women's rights include the right to bodily integrity and autonomy, to be free from sexual violence, to vote, to hold public office, to enter into legal contracts, to have equal rights in family law, to work, to fair wages or equal pay, to have reproductive rights, to own property, and to education. The specific experiences of women must be added to traditional approaches to human rights in order to make women more visible and to transform the concept and practice of human rights in our culture so that it takes better account of women's lives. The links between human rights and development are clearly present in the people centered, rights-based approach to development, poverty eradication, human rights mainstreaming, good governance and globalization. A girl child is twice vulnerable for being a child and a girl. Discrimination against them begins even before their birth and continues as they grow. Female child sexual abuse takes place in all cultures, races and in every strata of the society. Both males and females are sexually abused.


Introduction:

'Women's rights are human rights' slogan was raised by the Women's rights movement at the 1993 World Conference on Human Rights in Vienna. The thought may appear to be undeniable, as the international system for the promotion and the protection of human rights that was introduced under the sponsorship of the United Nations expands on the possibility of balance in respect and rights of people. Women's rights are the rights and entitlements claimed for women and girls worldwide and they framed the reason for the Women’s rights movement in the nineteenth century and the feminist movements during the twentieth and 21st centuries. In certain nations, these rights are regulated or upheld by law, nearby custom, and conduct, they are ignored and suppressed.

They differ from more extensive ideas of human rights through cases of a natural authentic and traditional inclination against the activity of rights by women and girls, for men and boys. Issues ordinarily connected with thoughts of women’s rights incorporate the option to real respectability and independence, to be liberated from sexual viciousness, to cast a ballot, to hold public office, to go into lawful agreements, to have equivalent rights in family law, to labour, to reasonable wages or equivalent compensation, to have concepive rights, to claim property, and to instruction. The idea of human rights, similar to every single energetic vision, isn’t static or the property of any gathering; rather, its significance grows as people reconceived of their requirements and expectations according to it. In this soul, feminists rethink denials of human rights to incorporate the debasement and infringement of women. The particular encounters of women must be added to conventional ways to deal with human rights to make women more
obvious and to change the idea and practice of human rights in our way of life so it assesses women’s lives

**The UN Human Rights and Women’s Rights:**

The Charter of the UN, which was embraced in 1945 by 51 states, gives the establishment of the worldwide human rights system as we know it today. The 12 UN Charter and the Universal Declaration of Human Rights (UDHR) that was accordingly drawn up both perceive that all people have human rights for the straightforward explanation of being human. The Declaration talks intentionally of every person, when it holds in Article 1 that all people are brought into the world free and equivalent in nobility and rights. The reference to all men in the original draft of the document was vigorously challenged during the negotiations. All groups associated with the drafting cycle concurred that women were the same amount of qualified for the rights set down in the Declaration as men and a few people from the drafting council contended that the wording, everything being equal, could be deceiving.

Agreement among the people was found on reference to all human beings. The thought that people ought to have the option to make the most of their human rights on an equivalent premise is essential for all the primary international human rights instruments. Not exclusively do the documents that form the purported Bill of Human Rights — the UDHR and the two Covenants: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) — allude unequivocally to the standards of non-separation and balance, yet additionally the more particular human rights treaties hold that states parties will regard and guarantee the rights as set down in that without differentiation of any sort. These documents accordingly award human rights to women on an equivalent premise with men. Therefore, the UN human rights system plans to advance and secure the pleasure in human rights by women in two different ways: through the standards of non-segregation and uniformity in its standard human rights deals and through these standards in a women explicit human rights arrangement. Human rights and reasonable human development are related and humanly strengthening. For instance, human rights are upgraded when sexual orientation value or neediness decrease programs engage people to guarantee their rights. The connections between human rights and development are obviously present in people focused, rights-based way to deal with advancement, neediness destruction, human rights mainstreaming, great administration and globalization.

While there been progress inside legislative and judicial establishments just as through government and human society programs, further endeavors are expected to completely actualize the rights of children, particularly girl children, having a place with these groups. Especially in rural areas, weak children are minimized from society as a result of absence of mindfulness and don’t profit by sure measure attempted by the Indian government. Thus, we express our interests for the absence of viable usage of enactment and important projects in the rural areas where they are required the most. India has a sizable number of indigenous communities like scheduled castes and scheduled tribes, tribal communities, and other ethnic groups. There are many special programmes for these groups, but they are unconscious of these administration activities. Indigenous people experience displacement, ill treatment and are exploited in various ways such as economically and physically. Despite the fact that approaches are set up, for example, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 that went into power on January 26, 2016, their condition is still uncertain and threatening.

**Child Marriage:**

A girl child is twice powerless for being a child and a girl. Victimization they start even before their introduction to the world and proceeds as they develop. Their mental, physical and economic dependence on the family makes them helpless against brutality and child maltreatment inside or outside the family. Since 1872, the accompanying endeavors have been made to sanction the base period of marriage. The Civil Marriage Act of 1872 was passed because of the endeavors
made by Raja Ram Mohan Roy, before which, an arrangement of the Indian Penal Code delivered the culmination of marriage before the girl accomplished the age of 10, culpable with life detainment. Social reformers of nineteenth and twentieth century attempted to balance child marriage as they felt it was defacing child's instructive, physical and monetary advancement. Noted social reformer Har Bilas Sarda, from Ajmer District, Rajasthan composed and steered a Bill in British Legislature to stop child marriage, which, in course of time became law.

The Child Marriage Restrain Act of 1929 prevalently known as Sarda Act which fixed the base age for boys at 18 and girls at 15, stretched out just to British India. The Act didn't preclude marriages nor did it proclaim these marriages invalid or unlawful. With the codification of the Hindu Law, the Hindu Marriage Act passed in 1955 made the base time of marriage for girls at 15 years old. In 1978, a further amendment was made in the base lawful age. With this last correction, the law was at last aligned closer with the collected logical clinical proof indicating that the adolescent girl is at grave risk of her health, as additionally that of her children, until she has arrived at the age of 18 at least. Close by, the base time of marriage for boy additionally went through an upward revision to 21 years. However, it didn't enable the police to forestall the marriage by arresting a person without warrant or authoritative request. Under the amended provision of this Act the jurisdiction was given to metropolitan officers or to legal judges. They have been engaged to attempt any case identified with child marriage. Anyone including social associations, the police or the any individual can submit a question to the police or to the justice straight forwardly. Following up on an objection, any court would itself be able to make requests. Anyway by and by this entire cycle is so convoluted thus tedious that when these specialists are in a situation to make a preventive move the marriage is as of now finished and all evidence of such a function annihilated. Further, Section 12 of the changed Child Marriage Restraint Act enable the justice to give orders restricting marriages in negation of this Act, yet prior to giving directive the influenced parties must be given a notification to empower them to introduce safeguard. A directive gave without this notification isn't legitimate. This technique is so tedious that marriages in contradiction of this Act are finished under the steady gaze of the court can pass a request forestalling them. The court can't give an overall bearing that marriage of a child will not be solemnized inside some specific time limit, say eight months or two years. The discipline under the changed Child Marriage Restraint Act stays mellow, for example only simple imprisonment extended to three months and a fine of Rs 1000. As per the arrangements of Section 5 of the Act whoever conduct or direct child marriages shall be punishable.

Effect of Child Marriage:

The effect of child marriage over the young bride’s future is upheld widowhood, deficient socialization, schooling hardship, absence of freedom to choose the existence accomplice, absence of monetary autonomy, mental just as conjugal change, low health/Nutritional status because of ahead of schedule/successive pregnancies in an ill-equipped mental condition of the young bride. A large number of juvenile girls are in danger from child marriage and the suggestions are on their health as well as on the option to satisfy their human likely unrestricted by the premature assumption of adult roles and responsibilities. Boys endure less in this male overwhelmed society. Most grooms, when educated and grown up, move to metropolitan regions and improve occupations. Many abandon their village brides for city women. Some continue to keep two wives. Sometimes the grown up boys, don’t try to recognize their child marriage and the women are compelled to return to their parent's home. The contention that it is simpler for the couple to adjust to one another may not generally be valid actually. The Tamil Nadu state's Social Welfare Department halted around 1,651 child marriages in 2014 however challenges actually stay to kill child marriages in the state where the Indian government's 2011 enumeration recorded 65,200 child marriages. Also, there are reports of child women utilizing the courts to dissolve marriages. Nonetheless, more endeavors should be taken to lessen child marriages, which keep on restricting
open doors for a great many women and girls in India, which has the most elevated number of child brides in the world. As indicated by the Prohibition of Child Marriage Act (PCMA), 2006, the base age for marriage is 21 for boys and 18 for girls. Be that as it may, the Prohibition of Child Marriage Act doesn’t proclaim all child marriages illicit. Or maybe, child marriages are possibly viewed as invalid and void on the off chance that they came about because of the utilization of power, danger, misrepresentation, hijacking or infringement of a court directive request to forestall the marriage. Child marriages are still legitimately substantial except if either party chooses to invalidate it. The Prohibition of Child Marriage Act seems to negate different laws that oversee marriages and child sexual maltreatment. In India, there are close to home laws that take into account child marriages, which are in clear logical inconsistency with the law that tends to child sexual maltreatment (Protection of Children from Sexual Offenses Act, POCSO) that makes any sexual demonstration with a child beneath the age of 18 years an offense. Likewise, marriage enlistment isn’t mandatory the nation over; each state has its own technique or explanation behind enrollment marriages.

Female Child Sexual Abuse:

Sexual maltreatment is characterized as "all explicitly arranged lead, critique or signals, deliberate and rehashed, not wanted or acknowledged openly by their item, for whom it is an inconvenience, a mortification or assault on their pride". The term misuse incorporates physical just as non-actual acts. There is sufficient proof to propose that it frequently gets more extensive familial approval. It is standardized in different structures, going from extended periods of labour, regularly inside and outside the home, refusal of food, disregard of diseases and boisterous attack to actual viciousness by the spouse and once in a while other relatives. Unmistakably more hard to recognize are issues brought about by the thin meaning of sexuality as a methods for propagating authority over their brains and bodies in an intimate relationship. Legally child sexual maltreatment is deciphered as 'rape' of a child who is under 16 years old and rape as characterized in Indian Penal Code is entrance without her assent.

Child sexual maltreatment is the physical or mental infringement of a child with sexual expectation. Child sexual maltreatment happens in all societies, races and in each layer of the society. The two guys and females are explicitly manhandled. Girls in any case, are mishandled all the more much of the time and throughout a more drawn out timeframe. The worldwide survey on child sexual maltreatment show that in any event 2 out of 4 girls and 1 out of 6 boys are survivors of sexual maltreatment. The primer report of a review says around 650 girl understudies demonstrates that about 60% of the girls had encountered some type of maltreatment till the age of 15 years. Out of these 60%, about 20% had endured maltreatment by close family members. As indicated by the World Health Organization, one in each ten child is explicitly mishandled. Child sexual maltreatment is on the expansion in light of the reactions to it and towards the people in question. One of the reaction being refusal of its reality and doubt: The idea of Indian families is maybe the most delicate and respected. In this way, it is hard to accept that sexual maltreatment in the families truly occurs. For them, if at all the idea of child sexual maltreatment exists, it is restricted to a specific class. The prevalent view is that it is unhuman and happens just in low class families (slums). Regardless of whether a few people accept that child sexual maltreatment exists, there is refusal freely as it is hard for them to manage the way that it is predominant in our traditional Indian families. The most upsetting impact of child sexual maltreatment is that the most noticeably terrible scars are on the enthusiastic and psychological well-being, which may appear as unidentifiable indications. Children are inclined to an assortment of mental and social aggravations brought about by the injury of misuse. These incorporate bed wetting, bad dreams, rest problems, sorrow, tension, fleeing from home, numerous character issues, low confidence brought about by blame and disgrace. Numerous children likewise build up a negative mentality towards their body as they reprimand themselves for the maltreatment.
Child Labour:

In the event that the intention is to forestall child labour and to give mandatory instruction, child labour would mean and incorporate, each one of the people who are beneath the age fourteen and who are neither in school nor in business. On the off chance that the worry is to pull out children from a wide range of occupations and business – regardless of whether dangerous or non-perilous - and to bring them into standard of the human culture through schooling, preparing and recovery we have to characterize child labour in a totally different way. One such definition is: the children, who have not finished the age of fourteen, utilized for compensation or no wages in occupations and business, regardless of whether carried on by the business or by the family or without anyone else (including a bonded child labour), that meddle with their youth and schooling and are harmful to their health and physical, scholarly, profound, good and social turn of events.

Neera Burra has partitioned child labour into four classes - the people who work in industrial facilities, workshops and mines, the people who are reinforced, road children and children who structure some portion of the familial workforce territories. Gupta has characterized the child labour into five kinds, Child labourers with their family; those working in home or cabin industry; those working in a plant or plant type creation unit, driving every day to the work site; Child laborers not remaining with their families; children sent by guardians to work away from home incorporates sold and fortified children; children who flee from home; desperate children, who have no home or guardians. Children occupied with asking and prostitution are important for coordinated criminal abuse of children. Child misuse incorporates sexual hostility, beatings just as separating long periods of labour from children who ought to be in school or affecting everything. Child misuse can be financial, physical or psychosocial.

The most weak children in the society, as indicated by him are the child labourers, road children, reinforced children, child work, child evacuees, child warriors, imprisoned children, unaccompanied children, vagrants or bums. In the homegrown situation numerous children are misused and this for the most part doesn’t get engaged. An enormous number of children are compelled to work in perilous work shops or manufacturing plants and are presented to various health dangers. Since tutoring isn’t obligatory for any age bunch in India, there are no limitations on when children can enter the work force. Traditional Hindu thoughts of social status and chain of command are unpretentiously joined into the manners in which educated Indians recognize schooling for offspring of the people who accomplish manual work than the people who are in administrations, that is, working class business. The National Human Rights Commission (NHRC) has itself felt revolted that officials think of it as important to allow a 'little equity' as child labour to advance the interests of acquiring unfamiliar trade in the fare market. Indeed the Government strategy appears to advance the work of children. Little scope enterprises are lawfully allowed to utilize child labour straight forwardly or to subcontract with the alleged family claimed workshops. There is no legal assurance for children in production lines which utilize not in excess of 10 labourers. The public authority's help to house work and the little area advances the work of children in unregulated perilous work. Furthermore, through its communities for preparing children as weavers in the floor covering industry, the public authority contends with schools to draw in children. Government authorities are forthcoming in saying child labour supports the generally uneconomic little enterprises by holding the expense down with the goal that the rug, jewels and metal product businesses can grow their fares. Child labour exists basically on the grounds that there are people ready to utilize children for a benefit. A child is paid substantially less than a grown-up laborer as is less expensive to the business. Children are bound to be faithful and more averse to put together themselves into labourer’s organizations and make inconvenience for the management. A child’s’ mind and body can be moulded for performing repetitive tasks.

Dowry Harassment and Bride Burning:

Dowry is an exchange of property from the woman's family to that of the groom, at the hour of marriage. As indicated by the current practice, settlement normally subsumes material
endowments and money paid to the groom and his kinfolk. This practice continues even after marriage. The share given at the hour of marriage isn’t the main exchange taking everything into account. There is a progression of functions related with the girls in the family. The act of offering endowments to the spouse's family in real money and kind and customs associated with pregnancy, labor and services for piercing the ear of the girl, etc. The blessings are not, at this point a badge of warmth from guardians to the little girl, yet rather a detailed interest from the marital family. The commonest elements of dowry in India incorporate presents for the woman of the hour, for example, garments, gems and other house-hold and extravagance merchandise like a fridge and kitchen utensils, etc. These are undeniably treated as the woman's streedan (spouse's property) and structure the core of the intimate home. Settlement additionally remembers presents for the child for law and other extravagance things and such different presents for the grooms' parents and other relatives. Far beyond, it incorporates hard money paid as commitment towards the marriage costs. Now and again, settlement is likewise paid as pay for the use brought about on the schooling and other preparing of the man of the hour. The groom's parents ordinarily keep this cash. Some express that this is kept by the guardians as protection from the spouse remaining independently after marriage. In spite of a rundown of enactment ensuring the rights of women, in particular the forbiddance of giving and taking of share under the Dowry Prohibition Act 1961, women in India are tormented truly and intellectually and even slaughtered or headed to self destruction by their spouses and parents in law for not bringing sufficient dowry.  

Eve Teasing:

Eve teasing is an act of terror that violates a woman’s body woman's body, space and dignity. It is one of the numerous routes through which a woman is efficiently caused to feel second rate, frail and apprehensive. Regardless of whether it is a profane word murmured into a woman's ear; hostile comments on her appearance; a meddling method of contacting any piece of a woman's body; a motion which is seen and expected to be revolting: every one of these demonstrations speak to an infringement of a woman’s individual, her real respectability. Eve teasing denies a woman's essential option to move openly and conduct herself with poise, exclusively based on her sex. A few demonstrations of eve-teasing referenced by girl student met are; foul comments, singing disgusting melodies, hitting, contacting or squeezing in packed spots, grabbing dresses and sometimes even constrained kissing, mailing mysterious love letters and showing male genital before women. Eve teasing without help from anyone else isn't an offense under any law, yet Sections 294 and 349 of the Indian Penal Code cover substance of eve teasing. Segments 294 rebuffs "whoever, to the irritation of others (a) does any indecent demonstration in any open spot, or (b) sings, discusses or expresses any profane tune, anthems or words in or close to any open spot" is obligated to be rebuffed with detainment or with fine. The segment is wide in nature and an individual can be pulled up regardless of whether the demonstrations shaping piece of the substance of the offense are routed to general society everywhere, if this reason disturbance. Unmistakably a girl or a woman who feels irritated by any vulgar tune or words can take response to the arrangement of the part and set up an objection before a police headquarters. The offense is cognisable, for example a cop can capture the guilty party without a warrant however it is bailable. A graver type of eve teasing is joined by the utilization of signal demonstrating danger or utilization of force. 'Criminal force' has been characterized under Section 349 of Indian Penal Code. As indicated by this segment 'an individual is said to utilize power to another in the event that he causes movement, change or discontinuance of movement to that other individual. In such a case likewise, move can be made against the individual utilizing it. The discipline is such cases are detainment for a very long time or fine or both. The offense is cognizable. Accordingly, straightforward eve teasing went with motion to utilize power are culpable under the current arrangements of the Indian Penal Code.  

Conclusion:
Women and children are confronted with political, monetary and instructive issues. They face extreme social, monetary and political discrimination. Children abhor their adolescence and their little shoulders worry about the concern of adulthood in their delicate years. Their little shoulders carry the burden to acquire for their families or care for their kin when other offspring of their age play. The instructive part should be facilitated with close by schools. Children were for all intents and purposes thought about the private property of guardians, and their status never observed fit for public conversation, till the center of the 20th century. As children are vulnerable and simple to target, they endure the most in any emergency, be it war, cataclysmic event or some other sort of wrongdoing or catastrophe. Among children, be that as it may, the girl child endures considerably more, as she faces twofold separation due to her tender age and her gender. The development through upgrade of the nourishing, instructive and health status and government assistance through independence from physical and psychosocial stress because of hardship, abuse and the resultant sentiments of inadequacy and low confidence parts of the girl child's presence. All aspects of the prosperity of the girl child that are of worry to government just as international organizations. The difficulties looked by government and non-governmental associations in actualizing any government assistance and development activities for young women, including the prejudicial accepted practices affecting system and strategy usage.

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