

## **The Girl Child: What *Is* Her Predicament in India? A Brief Analysis**

**Beulah Victor, R. Aruna Devi and V. Chitra**

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### **Abstract**

The Indian girl child comes into a world of turmoil and tribulation; a world of frustration and fear; a world of doubt and desire; and a world of surprises and suspense. Her life is a totally dependent one during the past generations and now her chance of coming into this world alive is itself - a huge question mark. She is an unwanted being born into this world of strife and sorrow, so she is either not given a chance to be born, or if by any threadbare chance she comes alive into this world she is killed or finds her life made as miserable as possible. Such is the predicament of a girl child in India. What are the legal rights of a girl child in India? What is the present scenario in India? What do statistics and census reveal? How is this issue significant for India and the future generations? What are the legal steps taken by the Indian government to prevent this? These are some of the questions discussed in this paper.

**Key words:** predicament, girl child, frustration and fear, legal steps, statistics and census

### **Introduction**

The rights of children are the most ratified in the history of human rights. The United Nations Convention defines Child Rights as the minimum entitlements and freedoms that should be afforded to every citizen below the age of 18 regardless of race, national origin, colour, gender, language, religion, opinions, origin, wealth, birth status, disability, or other characteristics. These rights encompass freedom of children and their civil rights, family environment, necessary healthcare and welfare, education, leisure and cultural activities and special protection measures. The UNCRC outlines the fundamental human rights that should be afforded to children in four broad classifications that suitably cover all civil, political, social, economic and cultural rights of every child:

**Right to Survival:**

- Right to be born
- Right to minimum standards of food, shelter and clothing
- Right to live with dignity
- Right to health care, to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy

**Right to Protection:**

- Right to be protected from all sorts of violence
- Right to be protected from neglect
- Right to be protected from physical and sexual abuse
- Right to be protected from dangerous drugs

**Right to Participation:**

- Right to freedom of opinion
- Right to freedom of expression
- Right to freedom of association
- Right to information
- Right to participate in any decision making that involves him/her directly or indirectly

**Right to Development:**

- Right to education
- Right to learn
- Right to relax and play
- Right to all forms of development – emotional, mental and physical

**Lack of Much Progress**

Over the last 30 or so years, implementation of the Convention and its effect on child well-being has been varying from country to country and from one region of the world to the other. There has been outstanding progress at a global level in addressing the issues related to children and specifically girl children. These include progress in access to services, reaching

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their fullest potential through education, enactment of laws that uphold the principle of the best interests of the child, and child survival.

### **Move for Social Justice**

Many well-known persons from across the world are striving for social justice and have often directed their efforts toward the most vulnerable in society - the children. For example, the charitable work of Princess Diana on behalf of children, the hard work of activists like Grace Abbott and the youngest Nobel laureate in history - Ms. Malala Yousafzai. These famous children's right activists have put in creditable efforts to improve the lives of the youngest citizens. It is worth mentioning the words of Malala Yousafzai here:

I speak not for myself but for those without voice... those who have fought for their rights... their right to live in peace, their right to be treated with dignity, their right to equality of opportunity, their right to be educated. – Ms. Malala Yousafzai.

Ms. Puja Trisal, General Manager of Smile Foundation has to say this:

Whose children we are talking about? Are they not our children? If yes, can we leave them to fend for themselves - defenseless, without care, devoid of any rights and privileges? Are not WE, the society (men and women) responsible for introducing them to the world? Then, why such apathy? Is it not a crime?

### **Children's Rights**

Children's rights include the rights of the girl child who suffers more than the boy. Research, as well as our experience, have shown that when we help women and empower them, the whole society benefits. Their families are healthier, children go to school, income levels improve and communities become more prosperous. But unfortunately in India, far from being empowered, most women are denied even their basic rights like health, education, employment and a respectable status in society.

According to the 2009 UNDP Human Development Report, 88% of pregnant women (age 15-49) were noticed to be suffering from anaemia. India has a seriously and critically imbalanced sex ratio, the chief reason being female infanticides and sex-selective abortions. According to UNICEF's "State of the World's Children-2009" report, 47% of India's women aged 20–24 were married before the legal age of 18. Sex selection is a deep rooted social and communal problem in India. Families who discriminate against girl children prefer to abort the child before it is born. The boy child is preferred, since he will carry on the family name, provide for the elders and is not a burden on the family at the time of marriage.

### **Legal Rights of a Girl Child in India**

It can be clearly seen that the legal rights of the girl child are extremely jeopardized in India. The primary right to survival is being denied to the girl child in India: to be born, to live in dignity, to be given food, shelter, clothing, education and the right to health care and safety – all these rights are denied to the girl child.

The value of a girl child in the family and society is equally important to that of a boy. Girls are not second class citizens. They should be welcomed into this world with joy, hope and happiness as a boy is. A woman has a vital role to play in the family and society. This has been often down-played by a male dominated society. The diagram given below explains the value of a girl child concisely.

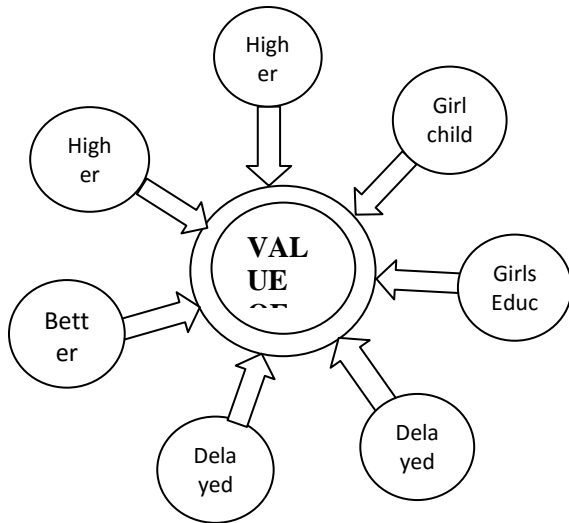


Fig1. Value of the Girl Child

However, the girl child in India is unwelcome in many states and specifically in villages. Families with low income prefer boys to girls. There has been a systematic way in which the girl child has been slowly and steadily annihilated. Therefore, the government of India has come out with specific legislation to help the girl child to be born, to grow with dignity and lead a fruitful life.

### **The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act**

In 1994 the Government of India in an attempt to stop female feuticide passed the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act. In 2002 the act was amended.

### **Regulation of Genetic Counselling Centres, Genetic Laboratories and Genetic Clinics**

Regulation of Genetic Counselling Centres, Genetic Laboratories and Genetic Clinics. On and from the commencement of this Act:

- No Genetic Counselling Centre, Genetic Laboratory or Genetic Clinic unless registered under this Act, shall conduct or associate with, or help in, conducting activities relating to prenatal diagnostic techniques;

- No Genetic Counselling Centre or Genetic Laboratory or Genetic Clinic shall employ or cause to be employed, or take services of any person, whether on honorary basis or on payment who does not possess qualifications as may be prescribed;
- No medical geneticist, gynaecologist, paediatrician, or registered medical practitioner or any other person shall conduct or cause to be conducted or aid in conducting by himself or through any other person, any pre-natal diagnostic techniques at a place other than a place registered under this Act Prohibition of sex-selection.

### **1. Prohibition of Sex-selection**

No person, including a specialist or a team of specialists in the field of infertility, shall conduct or cause to be conducted or aid in conducting by himself or by any other person, sex selection on a woman or a man or on both or on any tissue, embryo, conceptus, fluid or gametes derived from either or both of them.

### **2. Prohibition on sale of ultrasound machines, etc., to persons, laboratories, clinics, etc. not registered under the Act**

No person shall sell any ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of foetus to any Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic or any other person not registered under the Act.

### **Understanding the Regulation**

In order to fully understand the provisions of this Act it is important to know two definitions as given in the act. Embryo refers to a developing human organism after fertilization till the fifty-sixth day. Foetus refers to a developing human organism from the fifty-seventh day after fertilization till birth. The act first outlines provisions about the regulation of genetic counselling clinics, genetic laboratories and genetic clinics. All these kinds of clinics have to be registered under this act, and all medical professionals employed must have the appropriate qualification to conduct pre-natal diagnostic techniques.

The Act prohibits the medical personnel from conducting or helping anyone conduct sex-selection. All medical equipment regarding pregnancies shall be sold only to registered clinics.

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All pre-natal diagnostic techniques are banned except for the detection of chromosomal abnormalities, genetic metabolic diseases, haemoglobinopathies, sex-linked genetic diseases, congenital anomalies, any other abnormalities or diseases as may be specified by the Central Supervisory Board, as long as there is a potential threat to the child as outlined in the act. No person is allowed to divulge the sex of a child in any form of communication, no clinic or person is allowed to conduct sex determination tests, and no person shall commit the act or sex selection or aid in doing so.

The Act calls for the formation of a Central Supervisory Board and outlines all matters concerning the Board. The purpose of the board is to advise the central government regarding sex selection techniques, to insure the implementation of the Act, to create public awareness about the act, to lay down a code of conduct for clinics, etc. Similarly State and Union Territory Supervisory Boards will also be created. They will aim at creating awareness, and review the actions of all authorities regarding pre-natal diagnostics.

Each State and Union Territory will also have an 'Appropriate Authority' appointed, who will be responsible for registration and maintenance of clinics in their jurisdiction. They must also enforce codes to be observed by clinics, investigate violations of this act, take legal action against violators, advise the supervisory boards on changes in technology, etc. They have the power to issue warrants, summon people with information, and ask for any document to be produced regarding the information. To aid the appropriate authority the government will also form an Advisory Committee.

The Act has a section that lists all offences and their penalties that can be committed under this Act. Under this Act is it also an offence to advertise techniques used for the purpose of sex-determination. People who disobey the provisions of this act are liable to serve prison time and a fine. But women who have been forced by their husband or family to undergo pre-natal diagnostic techniques will not be prosecuted under this act. Companies and people in the position of responsibility in companies can also be charged for violation of this act.

An Act is also there to provide for the prohibition of sex selection, before or after conception, and for regulation of prenatal diagnostic techniques for the purposes of detecting genetic abnormalities or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of their misuse for sex determination leading to female foeticide.

### **Impact of the Convention of the Child Rights in India**

A milestone in the international human rights legislation, the ‘Convention on the Rights of the Child’ has been instrumental in putting all the issues pertaining to children’s issues on the global as well as national agenda. In addition to this, it has extensively mobilized actions for the awareness of the rights and development of children worldwide.

Child rights and its traditional values are the pillars for national construction, a brighter tomorrow. The government of India has set up many legislations and policies to help the normal and effective growth of children, both boys and girls, in this country. Given below are lists of them.

### **National Policies for Child Development**

- The National Policy for Children, 2013
- National Policy for Children, 1974
- National Policy on Education, 1986
- National Policy on Child Labour, 1987
- National Nutrition Policy, 1993
- National Health Policy, 2002
- National Charter for Children, 2003
- National Plan of Action, 2005
- Child Rights in the Five Year Plans

### **Child Targeted Schemes and Programmes**

- Mid-day Meal Scheme
- Integrated Child Development Scheme

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- Integrated Child Protection Scheme
- Sarva Shiksha Abhiyan
- Operation Blackboard
- Integrated Programme for Street Children
- Kishori Shakti Yojana
- Wheat Based Nutrition Programme (WBNP)
- Nutrition Programme for Adolescent Girls (NPAG)
- Rajiv Gandhi National Crèche Scheme for the Children of Working Mothers
- Balika Samridhhi Yojana (BSY)
- Initiatives to combat trafficking of Women and Children
- Central Adoption Resource Agency (CARA)
- Shishu Greha Scheme
- CHILDLINE services
- Reproductive and Child Health Programme
- Scheme for Working Children in need of care and protection
- National Child Labour Project

### **National Mechanisms**

- National Human Rights Commission
- National Commission for the Protection of Child Rights
- Ministry of Women and Child Development
- Ministry of Labour and Employment and Related Bodies
- Ministry of Social Justice and Empowerment
- Ministry of Human Resource Development
- Ministry of Health and Family Welfare

### **Child-Targeted Schemes & Programmes Specifically for Girls**

The Balika Samridhhi Yojana started in 1997 is an important programme of the government to uplift the status of the girl child. The scheme aims at changing the negative attitude of families and communities towards the girl child, to increase enrolment and retention of girls in schools, to raise the marriage age of girls and to generate income opportunities and

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activities. A series of incentives are incorporated into the Yojana, such as a gift of Rs. 500/- to the mother on delivery of a baby girl and the condition of an annual scholarship for the girl child's education.

In 1999-2000 the scheme was changed to benefit the girl child. Hence now the girl child can receive:

- A post-birth grant amount of Rs. 500/
- Eligible for annual scholarships for education according to class

Class	Amount of Annual Scholarship
I-III	Rs. 300/- per annum for each class
IV	Rs. 500/- per annum
V	Rs. 600/- per annum
VI-VII	Rs. 700/- per annum for each class
VIII	Rs. 800/- per annum
IX-X	Rs. 1000/- per annum for each class

Part of the money given to the girl child at birth or in scholarships can be put aside for paying the premium on an insurance policy in the name of the girl child under the Bhagyashri Balika Kalyan Bima Yojna. Under this scheme the girl child can withdraw the scholarship amount and interest when she turns 18. If she marries or dies before she is eighteen the amount incurred as interest bearing on this account will be withdrawn.

### **Child Sex Ratio in India**

India is considered to be one of the fastest growing economies in the world, but it is still wrestling with the diminishing Child Sex Ratio (CSR). Sex ratio has always been a matter of anxiety for India and a UN report on the same has raised more questions on the decreasing number of girls in the country. In its report, titled "Sex Ratios and Gender Biased Sex Selection: History, Debates and Future Directions", the UN has warned by saying that the gradually

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declining child sex ratio in India has reached emergency proportions and urgent action must be taken to lessen this crisis.

The report said, “The CSRs have fallen most precipitously during a period of unprecedented economic growth. It has emanated from northern and north-western India, regions which may be characterized as being in the wake of the Green Revolution and whose levels of prosperity therefore require more careful calibration.”

From 1951 and 2011, CSR declined from 983 to 918 women per 1000 men. According to India's 2011 Census, while the overall female-to-male ratio has improved marginally as compared to the last Census, fewer girls were born than boys. With the report it is clearly evident that the ‘shining’ India is still gender biased. The report said, “India's declining child sex ratio speaks of a culture in which gender inequality is deeply ingrained. Gender biased sex selection is a manifestation of the subordinate status of women in society, with far reaching socio-demographic consequences. Gender equality and gender justice is a direct casualty of this practice.”

Lakshmi Puri, Deputy Executive Director of UN Women said, "It is tragically ironic that the one who creates life is herself denied the right to be born." Some steps to improve falling female sex-ratio have been suggested by the Ministry of Health and Family Welfare. In its report it is said, “Some of the reasons commonly put forward to explain the consistently low levels of sex ratio are son preference, low value of girl child, neglect of girl child resulting in higher mortality at a younger age, female infanticide, female foeticide, higher childhood mortality and male bias in enumeration of population. Imbalance in the sex ratio may lead to further decline in the status of women, increase in violence against women, practices of polyandry etc.”

In 2011 male female sex ratio in India was 940, that means there were 940 females per 1000 males in the country. If reversed, it is 1063 males per 1000 females. Children under 6 years of age have a ratio of 944 females per 1000 males. India ranks number 21 for male per female sex ratio in the World. Some countries like UAE and Qatar has double number of males than females.

In 2001 sex ratio in India was 933 females per 1000 males. During the last decade sex ratio in India has increased 0.75% and it is still not satisfactory.

**Top five states with highest female sex ratio in India are:**

1. Kerala has the highest sex ratio of 1084 female per 1000 male.
2. Puducherry (U/T) has a sex ratio of 1038 female per 1000 male.
3. Tamil Nadu has a sex ratio of 995 female per 1000 male.
4. Andhra Pradesh has a sex ratio of 992 female per 1000 male.
5. Chhattisgarh has a sex ratio of 991 female per 1000 male.

**Bottom five states with lowest female sex ratio in India are:**

4 of bottom five are 4 union territories and that includes the Indian Capital region:

1. Daman in Daman & Diu (U/T) has the lowest sex ratio of only 618 females per 1000 male.
2. Dadra & Nagar Haveli another Union Territory also has a very low sex ratio of 775 female per 1000 male.
3. Chandigarh has a sex ratio of 818 female per 1000 male.
4. NCT of Delhi has a sex ratio of 866 female per 1000 male.
5. Haryana has a sex ratio of 877 female per 1000 male.

**How to Improve the Ratio**

To develop India, the child sex ratio needs to be improved. Steps should be taken to empower women and sensitization about the issues discussed above is a must to bring about a change. As the UN report said,

She now requires many more years at home with higher investments in nutrition, health and education... Sons, on the other hand, embody a range of ritual and economic roles. If the current climate of economic volatility and masculine anomie makes them often fall short of expectations; nonetheless at least one is

essential for the future of the family. It is this conjuncture that is producing the falling Child Sex Ratio.

It seems that with the onset of development, the life chances of women have further decreased but for a better country these life chances should be improved.

### **Slogans**

Slogans are being used all over India, to make the people aware of the importance of a precious girl child. Given below are some of the creative slogans that help us understand the value of a girl child:

“A baby girl...one of the most beautiful miracles in life, one of the greatest joys we can ever know, and one of the reasons why there is a little extra sunshine, laughter and happiness in your world today.”

“Little girls dance their way into your heart, whirling on the tips of angel wings, scattering gold dust and kisses in our paths”

“Little Girls are Heaven’s Flowers”

“Daughters are flowers that are forever in bloom.”

“Girls are giggles with freckles all over them”

The hand that rocks the cradle, the procreator, the mother of tomorrow; a woman shapes the destiny of civilization. Such is the tragic irony of fate, that a beautiful creation such as the girl child is today one of the gravest concerns facing humanity in many under-developed countries like India. A girl is not a toy by any means underneath her hair and make-up there is a sign that says: handle with care.

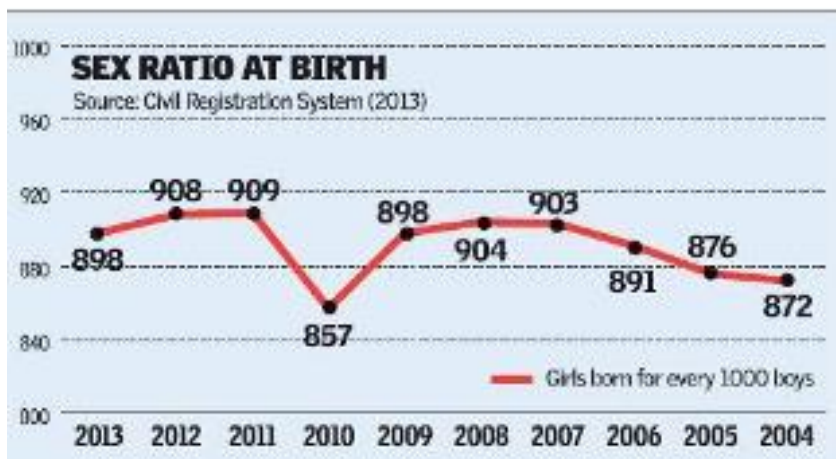


Fig.2 Child Sex ratio

### Conclusion

It was not an overnight initiative that resulted in the adoption of the Child Rights. It took several years of movements and activism on shaping favourable, positive and constructive attitudes toward children, and also stirring actions to improve their well-being. The enormous efforts involved toward the implementation of the Convention and the national policies of India, the significant amount of resources committed to this cause, and the overall effectiveness of the systems put in place for the execution process have a bearing on the success of the girl child's well-being outcomes.

Though a noteworthy progress has been achieved, yet in developing countries like India, there is still a long way to go in realizing the rights of children and particularly, the girl child. Though all the relevant rules and policies are in place, there is a lack in enforcement initiatives. As barriers, there are several aspects that prohibit effective implementation of the laws. Due to relatively low success in achieving concrete child development outcomes in India, the condition of underprivileged kids and underprivileged girls is inconsiderate and needs urgent attention. There is a need to intensify efforts for children's welfare at all levels to implement the rules and provisions of the Convention and the regulations passed by the Indian government and contribute to create a world suitable for the girl child and children in general.

## References

1. <http://www.childlineindia.org.in/Pre-natal-Diagnostic-Techniques-Act-1994.htm>
  2. <http://www.childlineindia.org.in/Pre-natal-Diagnostic-Techniques-Act-1994.htm>
  3. <http://www.haqcrc.org/indian-laws-policies>
  4. <http://www.oneindia.com/feature/no-place-girls-rising-india-as-child-sex-ratio-1488535.html>
  5. <http://www.downtoearth.org.in/news/indias-child-sex-ratio-has-reached-emergency-proportions-un-study-45424>
  6. <http://updateox.com/india/state-wise-sex-ratio-in-india-in-2011-compared-with-2001-census/>
  7. <http://www.bms.co.in/top-10-inspirational-quotes-images-slogans-on-save-girl-child-for-whatsapp-facebook/>
  8. <http://how-to-save-a-girl-child.blogspot.in/2012/09/slogans-on-saving-girl-child-share-your.html#.Vj9-INIrL-s>
  9. <http://shoutslogans.com/save-girl-child-slogans-and-sayings>
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