

## Girl Child in India

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**A**CHIEVING GENDER equality and empowering women is one of the important targets of the Millennium Development Goals (MDG). With only three years to go for achieving these goals, many efforts are being made at the international and the national level. The United Nations Organisation has declared "October 11" as the International Day for the Girl Child since 2012. The day shall be observed every year. It is going to serve an important purpose of fetching the spotlight on the girl child and their problems. This activity aims to promote girl's rights and highlight gender inequalities that exist between girls and boys. In 1995, during the World conference on Women in Beijing, the Beijing Platform for Action had resolved to eliminate all forms of discrimination against girl child and to promote the rights of the girl child. Further, the UN Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the international commitment of the 'World Fit for Children' adopted by the UN General Assembly's

Special Session on Children in 2002, underline the efforts of the international community towards the growth and development of women and children.

India is a signatory to all of the above international instruments. Besides this, India has taken a number of steps for ensuring the growth of the girl children. The Constitution of India offers all citizens, including girl children, certain basic Fundamental Rights – the right to life and liberty, the right to equality, the right to freedom of speech and expression, the right against exploitation, the right to freedom of religion, the right to conserve culture and the right to constitutional remedies for the enforcement of Fundamental Rights. Further, the Directive Principles of State Policy directs the State to ensure that all children are provided with services and opportunities to grow and develop in a safe and secure environment. For realising these goals, India has enacted a series of legislations such as the Child Marriage Restraint Act 1929; Immoral Traffic (prevention) Act, 1956; the Child Labour (Prohibition and Regulations Act), 1986; Infant Milk Substitutes, Feeding Bottles and Infant Foods

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(Regulation of Production, Supply and Distribution) Act, 1992; the Juvenile Justice (Care and Protection of Children) Act, 2000; PCPNDT Act, 2003; the Prohibition of the Child Marriage Act, 2006; the Right of Children to Free and Compulsory Education Act, 2009; the Right to Education Act, 2010; etc. Apart from these, a number of bills such as the Right to Health Bill and the Food Security Bill are under the process of enactment.

A number of policies and plans were also brought in place to further reinforce the system for making it sensitive and responsive for children. The National Policy for Children 1974, National Policy on Education, National Policy on Child Labour, National Charter for Children 2004; National Plan of Action for Children, 2005, policy on Early Childhood Care and Development, universalisation of the Integrated Child Development Services etc. had been formulated by the Government from time to time. Unfortunately, inspite of these programmes and schemes for the benefit of the children in general and the girl children in particular the canvass of her very survival, security and development, portrays a grim picture.

### Issues Concerning Girl Child

The opportunity to be born, opportunity to grow in a safe and secure environment, opportunity to develop ones' full potential are some of the major issues concerning the girl children in India. A look at some of the indicators of human development will explain the problems of the girl children in our country.

### Female Infanticide and Foeticide

Killing of a girl child after birth,

also known as female infanticide had been observed in the Indian society. The practice was first discovered way-back in 1789. It was found to exist in various parts of the North and the West India. The Britishers tried to ban the practice by passing the Bengal Regulatory Act XXI of 1795, the Regulation Act VI of 1802 and the Act VIII of 1870 - popularly known as the Female Infanticide Act. The available evidence suggested that in the 19<sup>th</sup> century India, the practice was mainly prevalent in the higher social groups.

While the practice of female infanticide killed daughters after birth, the current practice of female foeticide eliminated her in her mother's womb. Consequently, the juvenile sex ratio has registered a continuous decline in India with a decadal variation of -3, -2, -17, -18 and -13 in the year 1971, 1981, 1991, 2001 and 2011 respectively.

The census of 2011 has recorded the lowest ever sex ratio of 914 in the age group 0-6 years with 3 million missing girls; from 78.8 million in 2001 to 75.8 million in 2011. The decline in the juvenile sex ratio up to 1981 could be attributed to female infanticide and higher mortality rate among girl child due to neglect and discrimination. But the sharp decline in the juvenile sex ratio in 1991, 2001 and 2011 census is definitely the outcome of the practice of female foeticide as pre-natal diagnostic techniques became popular in India during 80s.

The cultural legacy of strong son preference, the practice of dowry, the perception of girls' being a *paraaya-dhan*, problems related to the safety and marriage of a girl child, *moksha*, the patrilineal necessity of *waaris* (heir) etc. are some of the reasons of female foeticide.

**Table.1 Human Development Indicators**

Indicator	Boys/Male	Girls/Female	Total
Population (0-6)	8,29,52,135	7,58,37,152	15,87,89,287
Sex Ratio (0-6)			914/1000
Literacy rate (7 years and above)	82.14	65.46	74.04
MMR (2007-09)	----	212	----
IMR (2009)	49	52	50
U5MR (2009)	60	69	64
Life Expectancy (2002-06)	62.6	64.2	----
Net Enrolment Ratio (2007)	97.3	93.6	----
Dropout Rate	----	----	----
Primary (2007-08)	25.7	24.4	----
Middle (2007-08)	43.7	41.3	----
Secondary (2007-08)	56.6	57.3	----
Median age at First Marriage	----	17.2	----
Work participation Rate	----	----	28 million

Sources: 1. Census of India, 2011  
 2. Sample Registration System, 7 July, 2011  
 3. NFHS- III, 2005-06

The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 deals with the problem of female foeticide in India. The act was amended in 2003 and was renamed as PCPNDT Act, 2003 to bring sex pre-selection techniques under the purview of the act.

### **Early Marriage**

The CEDAW protects the girl child against early marriage. Its provisions stipulate that the ratifying countries declare the legal age for marriage. In India, the legal age of marriage for a girl is 18 years. However, 36.8 percent of girls marry before attaining 18 years of age and the median age of the girls at the first marriage is 17.2 years.

According to NFHS-III, 47.3 percent of the women surveyed within the age group of 20-24 were married before they attained the age of 18 years. Of these, 2.6 percent were married before they turned 13, 22.6 percent were married before the age of 16 and 44.5 percent were married between the age of 16-17 years.

Recently, there has been a gradual improvement in this situation. Within the similar group, during 1998-99 the percentage of women who were married before attaining the age of 15 were 23.5 which had dropped to 18.2 percent in 2005-06.

Child marriage not only violates the human rights of the girl children but it also leads to several harmful consequences for them such as lack of opportunity to education, sexual exploitation, violence and early pregnancy. It deprives the girl children of their childhood and poses serious health risks for them.

Teenage pregnancy, a consequence of child marriage, is quite common in India. Every sixth women within the age group of 15-19 years had begun child-bearing, 12 percent had become mothers and 4 percent were pregnant with their first child during 2005-06.

The Child Marriage Restraint Act, 1929 prohibits marriages of children. Again, the Prohibition of the Child marriage Act, 2006 requires states/UTs to formulate rules to prevent child marriages in India. There are sufficient statutory provisions to curb this. But law alone has never been a solution for such social problems. It is just one of the ways of handling it. The issue needs to be addressed with its due urgency.

### **Malnutrition**

Globally, one third of the deaths of children under five years of age are attributed to malnutrition. Poor nutritional status of women during the reproductive period is responsible for the under-nutrition of the children. Therefore, boys and girls are almost equally likely to be undernourished.

However, discriminatory feeding practices further nutritionally impoverishes the girls vis-à-vis boys. For the girls, the nutritional intake is relatively inferior both in terms of the quality and the quantity. Boys are given relatively more nutritious food, especially if the family is poor and is not in a position to provide nutritious food to all the children. The scarcely available food is provided first to the boys and the remnant is served to the girls.

According to a study, about 48 percent of the children under five years were stunted, 43 percent were under-weight, 24 percent were

under-nourished and 16 percent were severely under-weight.

Anaemia, especially in adolescent girls, is an equally challenging problem. Almost 7 in 10 children within the age group of 6-59 months were observed to be anaemic.

36 percent of the women within the age group of 15-49 years had a Body Mass Index (BMI) below 18.5 kg/m<sup>2</sup> and about 47 percent of the girls in the age group 15-19 years had BMI less than 18.5 kg/m<sup>2</sup> indicating chronic nutritional deficiency.

For addressing the problem of the health and nutrition among the adolescent girls, Kishori Shakti Yojana was launched in 2000 as part of the Integrated Child Development Services (ICDS). Later in the year 2002-03, it was reinforced with the Nutritional Programme for the Adolescent Girls.

The early marriages of the girls normally results in the early pregnancy of the adolescent girls leading to the birth of the undernourished children. About 16 percent girls within the age group of 15-19 years had begun child-bearing. It also affects the health of the mother as her tender body is not adequately strong for child bearing. This situation enhances the risk of maternal deaths. Maternal Mortality Rate in 2004-05 was 254 in India which declined to 212 amid 2007-09 registering a fall of 17 percent. However, the target of 109 MMR under MDG is still quite far.

Therefore, policies like Integrated Child Development Services is essential to reduce malnutrition in our country as poor nutrition of girls negatively impacts their health, restricts

their opportunities for education and growth and impedes the path of progress towards the gender equality and the empowerment of women.

### **Education**

The universal primary education and the elimination of gender disparity in primary and secondary education had been accepted as the starting point for promoting gender equality and empowering women within the society. It is one of the first goals of the World Fit for Children. MDG has scheduled to achieve this target by 2015. Our country has made some significant strides in universalising primary education. It may be better appreciated on observing the enrolment ratio at this level for the recent years. The enrolment ratio for girls in 2001 was 77 percent which went up to 93.6 percent in the year 2007. The Right to Education Act, 2010 provides for the free and compulsory education to children below 14 years of age. This Act also incentivises girls for completing elementary education.

However, these efforts get a setback when the children drop out of the schools without completing education. A study by the Ministry of Human Resource Development found that 3.7 percent children in the age group of 6-10 years and 5.2 percent in the age-group of 11-13 years had either dropped out of the school or had never attended any school in 2008. According to the Annual Status of the Education Report 2009, 4 percent children were not in any school.

A look at the Table 1 shows that out of the 93.6 percent of the girls enrolled for the primary education in 2007, 24.4 percent dropped out in 2007-08. At the middle school level, the dropout rate amongst

the girls was 41.3 percent while it was 57.3 percent at the secondary level.

There are several factors responsible for the dropping out of the girls such as early marriage, household works, assisting the family members, looking after siblings, distant schools, lack of female teacher, lack of toilet facilities etc.

Addressing the problem of dropout is essential to meet the target set by the MDG.

### **Trafficking**

Human trafficking is the third largest crime of the world. Growth in the global sex market has led to the tremendous increase in the volume of human trafficking and made it a multimillion dollar business though it is not the only activity for which children are trafficked but 79 percent of all global trafficking is for sexual exploitation.

In India, the volume of human trafficking has increased tremendously. In 2007, the number of cases registered in India was 3991 which decreased to 3029 in 2008 and 2848 in 2009. However, the decreased registration of the cases of trafficking should not be taken to mean that the human trafficking has decreased in India.

Nearly 60 percent of the victims of trafficking are below 18 years of age. Though there is lack of gender disaggregated data on human trafficking, mostly girls are trafficked for sexual purposes.

The number of children trafficked worldwide for sexual exploitation or cheap labour on an annual basis is 1.2 million. Approximately 150,000 women and children are trafficked from

South Asia every year and for most of them India acts as a country of origin and destination. In some of the cases, women and girls are trafficked to other countries via India. It is estimated that nearly 5000 to 7000 Nepalese girls are trafficked into India annually for sexual exploitation.

National Human Rights Commission estimated that almost half of the children trafficked within India are between the ages of 11-14.

Thus, trafficking is a global problem which is done mainly for sexual exploitation of women and children. Of these, majority are children especially girl children. Therefore, to provide the girl children a safe and secure environment to grow and realise their full potential, we will have to make concerted efforts both at the national as well as international level for solving this problem.

At the international level, the problem is dealt with under the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, 2000 also known as the Trafficking Protocol which was adopted at the UN Convention against Transnational Organised Crime. In India, the crime is dealt with under the Indian Penal Code of 1860 which prohibits selling or buying of a minor for the purpose of prostitution. However, there is lack of a comprehensive law which covers all kinds of human trafficking in India.

(Notes: Children are also trafficked for labour such as domestic help or illegal activities like beggary. In India, girls have also been found to be trafficked for the purpose of marriage in Punjab and Haryana.)

## Health and Mortality

MDG Goal 4 focuses on reducing Infant Mortality Rate (IMR) and Under 5 Mortality Rate (U5MR) to 28 and 42 respectively by the year 2015. According to UNICEF's State of the World Children Report, 2010, India accounts for more than 20 percent of the world's child death. In 2010, the number of children dying before attaining age 5 was estimated to be 1.83 million. According to NFHS-III, more than one in 18 children die within the first year and one in 13 before reaching age 5.

Over the years, IMR in India has declined. In 2005, it was 58 which declined to 50 in 2009 and 47 in 2010. U5MR has also declined from 69 in 2008 to 64 in 2009.

There is a narrowing down of male-female differential in mortality rate in India. However, the gap still remains with IMR (male) at 49 and IMR (female) at 52 in 2009. Similarly, U5MR for male and female was 60 and 69 respectively for the same period which is far behind the MDG target.

Recent initiatives of the Government of India like the Food Security Bill, the Right to Health Bill and the policy on Early Childhood Care and development may have significant implications for survival and the development of the girl child.

## Neglect and Discrimination

Neglect and discrimination against girls is a serious issue as it denies them their basic human rights. To a large extent, neglect and discrimination against them is socially sanctioned by the normative structure of our society which denies a girl child personal autonomy, entitlements to proper

and balanced food, education, healthcare and other opportunities of growth. Unfortunately, perpetration of discrimination and tolerance for it becomes part of our personality through the process of socialisation which requires us to internalise the norms and values of our society and we rarely question and contest such discriminatory practices.

The discrimination is of several types that are amply reflected in the child sex ratio, educational attainment, child marriages, health, malnutrition, IMR, MMR and other development indicators.

Worldwide, majority of the girls receive differential treatment and they are valued less than the boys. The intra-household dynamics where they are nurtured play a major role towards this. It determines their access to and control over the family resources as well as their bargaining power. As female have less bargaining power, despite having access to resources, they rarely have control over it. Many studies have indicated that girls are far less privileged than boys in access to resources (Basu, 1989; Batliwala, 1983; Gopalan and Chatterjee, 1985; Minocha, 1984; Sen and Sengupta, 1985), not to talk of control over it.

As household is the ground where inequality breeds in, it is difficult to challenge these and demand equality. However, various policies of the Government of India as well as that of the State Governments are encouraging equal and fair treatment to the girl children. Hence, future might see a more equal and humane society.

## Abuse, exploitation and Violence

The Girl Child is also highly susceptible to abuse, violence and exploitation both inside and outside her home. It has been widely

observed that the crimes against girl child have been increasing over the years. The available data does not present the true picture as majority of the cases go unreported due to the so called pragmatism of relatives for the *paarivaarik garima and lok lazza*. Rape, trafficking, sexual exploitation, child labour and the beggary are some of the forms of violence perpetrated on the girl child. In the absence of gender disaggregated data on abuse, exploitation and violence against girl children, it is difficult to assess the magnitude of the problem. The very nature of the various aspects of the child protection such as violence, abuse, exploitation and trafficking that thrive on the illegality and secrecy makes it difficult for the government to collect reliable data. Therefore, the efforts to prevent abuse and violence against the girl children calls for strengthening and strict enforcement of laws for rape, sexual harassment, trafficking, domestic violence, dowry and other related issues.

## Conclusion

India is home to 20 percent child population of the world. Here, nearly 100 million children fall in the poorest wealth quintile. Therefore, for any kind of inclusive growth, child population of the country needs adequate assimilation. Besides, these efforts must pay due attention to the gross disparities and the ground realities of the country. Disparity between girls and boys, between girls and boys belonging to various castes and classes, disparity between girls and boys belonging to different regions of the country must be taken into account for giving girl children their due position in India. □

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