



INDIA: CHILD PROTECTION, DEVELOPMENT AND EDUCATION

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Abstract: UNESCO's Global Education Monitoring Report, 2021, shows that 11 million girls are likely to be out of school after the Covid-19 pandemic, and these girls are between 12 and 17 years old. A study by the India Child Protection Foundation shows a 95% increase in the sale of child sexual abuse products during the Covid-19 pandemic. In other words, child trafficking, child rape and sexual abuse have increased in India. India currently has an infant mortality rate of 32 while urban areas have 23 and rural areas have 36. According to UNICEF data, 2 crore 90 lakh 60 thousand children are orphaned and abandoned in India. The Fifth National Family Health Survey, 2019-2020, shows that 11 states in India have stunted child growth and 14 states have high rates of child underweight. India and nine other countries will account for half of the world's population growth by 2050. So, there will be huge population growth in India in coming days. India's biggest challenge in this current situation is to build a better India. But it is not possible to build a developed India if the state is not aware of the development and education of children. Government of India has taken several programs for child protection and overall development.

Keywords: Child protection, Child rights, Child labour, Child development, Child education.

I. INTRODUCTION

Six of the eight main goals of the United Nations Millennium Development Goals, 2000-2015 (MDG, 2000-2015) relate to the holistic development of children, child protection and child education [1]. Human rights of the child are given special importance in United Nation's Sustainable Development Goal 4.2 for the holistic development of the child [2]. Protection, development and education of children are important to every country in the world. The overall development of the country depends on the overall development of these children. Building a progressive society and state depends on today's children. Because today's child is tomorrow's future. The United Nations General Assembly adopted the resolution on the rights of the child on 20 November 1959

and the first international law on the human rights of the child (International Convention on the Rights of the Child-1989) was created [3].

II. REVIEW OF RELATED STUDIES

Several research works related to child education, development and protection had been studied by the researcher. Some of the research works are given below.

In 2022, Sourav carried out a study on “Sishu Suraksha”. In this study, the researcher had discussed different issues related child protection like “National Commission for Protection of Child Rights” (NCPCR), Juvenile Justice (Care and Protection of Children) Act-2015, Integrated Child Protection Scheme” (ICPS) etc.

A study on “Jatiya Sikshaniti 2020: Disha o Path” was conducted by Sing in 2022. In this study, the researcher emphasized on different topics of “National Education Policy-2020” including “Early Childhood Care and Education” (ECCE), “Education for All”, “Multidisciplinary Education” etc. This study also showed the relation between Sustainable Development Goals-4 (SDGs-4) and NEP-2020.

Sing conducted a study on “Prasanga Sishu Kanyar Suraksha” in 2021. She has discussed different laws regarding protection of girl child like POCSO Act-2012, JJ Act-2000, ICPS, Child Labour Act, Child Marriage Act etc.

A study on “Sishur Adhikarer Etikatha” was done by Agarwal in 2019. In this study, different schemes, policies and acts like “United Nations Convention on the Rights of the Child” (UNCRC)-1989, POCSO-2012, “Child Development and Education” (CDE), PWD Act-2016 etc. had been highlighted.

In 2018, Shribastab conducted a study on “Nari o Sishu Suraksha: Sarkarer Agradhikar”. Different issues like “One Stop Centre” (OSC), “Women Helpline” “Child Marriage Act-2006” for protection of girl child had been highlighted.

A study on “Sishushram Aain Sanskar o Sishushram Bilop” was done by Sekar. In this Study, the researcher emphasized on different laws related to child labour.

III. OBJECTIVES OF THE STUDY

1. To know the present scenario of India regarding child protection, development and education.
2. To find out the different activities of India regarding child protection, development and education.

IV. METHOD OF THE STUDY

This study was based on qualitative method. The researcher collected data from different sources like books, journals, magazines, research papers and internet sites. With the help of these data, the researcher explored the findings of this research work.

V. DISCUSSION

UNESCO's Global Education Monitoring Report, 2021, shows that 11 million girls are likely to be out of school after the Covid-19 pandemic, and these girls are between the ages of 12 and 17 [4]. A study by the India Child Protection Found shows a 95% increase in the sale of child sexual abuse products during the Covid-19 pandemic [4]. In other words, child trafficking, child rape and sexual abuse have increased in India. India currently has an infant mortality rate of 32 while urban areas have 23 and rural areas have 36 [5]. According to UNICEF data, 2 crore 90 lakh 60 thousand children are orphaned and abandoned in India [6]. The Fifth National Family Health Survey, 2019-2020, shows that 11 states in India have stunted child growth and 14 states have high rates of child underweight [5]. India and nine other countries will account for half of the world's population growth by 2050 [6]. So, there will be huge population growth in India in coming days. India's biggest challenge in this current situation is to build a better India. But it is not possible to build a developed India if the state is not aware of the development and education of children. Government of India has taken several programs for child protection and overall development.

Child labour is the biggest obstacle to the protection, overall development and education of children in India. India has the largest number of child labourers in the world [7]. A developed society creates a developed country. Social processes are dynamic processes. Society moves forward through continuous evolution. A situation of social problems occurs when any part of the society is deprived or harmed by any group of people or by any part of the society. Child labour is one such social problem. Children continue to be oppressed and deprived by people of certain sections of the society by disobeying the ideal values and traditions of the society. Disrespecting the ideal values and traditions of the society, certain sections of the society continue to torture and deprive children. Child labour is not a new social problem. This problem has been going on since ancient times. In Kautilya's Arthashastra of about 3rd century BC, the social problem of child slavery has been found [8]. The presence of child labour can be observed even in present times. Child labour is present in industries, factories, hotels, agriculture, etc. Industrialization, urbanization, globalization and the extensive spread of technology have led to the exploitation and deprivation of child labourers. Despite the multifaceted initiatives of the state, it has not been possible to eliminate child labour. With the passage of time and ongoing societal changes, individuals from the dishonest sections of the society are using children as child labourers in different ways.

Indian Constitution, 1950:

Child protection is given special importance in Indian constitution. The Constitution of India came into force on 26 January 1950. Indian constitution is the largest constitution in the world. India is the largest democratic country in the world [9]. In the constitution, the duties and responsibilities of the state to protect the human rights of children have been mentioned. Child protection and child rights issues are prominent in the constitution. Article III of the Constitution deals with Fundamental Rights and Article IV contains Directive Principles to the States [7].

For the protection of children, Article 24 of the Indian Constitution states that no child below the age of 14 shall be employed in any factory, mine or any other laborious work. According to Article 39E, children cannot

be forced to work for economic needs, which is inappropriate for their age and capacity. According to Article 39A, children should be promoted by various facilities for healthy behavior and their liberty, dignity and youth should be protected from moral and physical exploitation. According to Article 21 of the Constitution of India, the right to education of 14-year-old children should be included as a fundamental right. According to Article 45, every state has to provide free and compulsory education to the children aged between 10 to 14 years.

Integrated Child Development Scheme (ICDS), 1975:

The Integrated Child Development Scheme is the world's largest child care and child development project. This project in India continues to play a significant role in child protection and holistic development of children. The ICDS scheme symbolizes the largest commitment to provide nutrition to 84 million children up to the age of 6 and 19 million pregnant and lactating women in India [10]. ICDS project was started on 2nd October in 1975.

International Convention on the Rights of the Child (ICRC), 1989:

For the protection of the rights of the child, the United Nations has promulgated an international guideline, convention on the rights of the child (ICRC, 1989). [2]. ICRC 1989 can be said to be written guidelines on the human rights of the child. Every state should adhere to these mandatory guidelines on the human rights of the child. In this guideline, the issues of child protection and rights in socio-economic cultural political domestic sphere are presented in 54 articles. ICRC-1989, is a very important international law for the protection of children from torture, exploitation of children in various places, use of child labourers with deprivation of fair rights. ICRC 1989 is a historic milestone in the holistic protection and development of the child. India undertakes several programs for child protection and development. India agreed to the ICRC- 1989 and signed it in 1992 [11]. India enacted the Juvenile Justice Act 2010. The Act states that children under the age of 18 are eligible or entitled to receive care and maintenance services as needed.

Sarva Shiksha Abhiyan (SSA), 2001:

SSA was introduced to provide education to all children at primary and upper primary levels. The sub-programme "Pade Bharat, Bare Bharat" and "Bidyanjali" (School volunteer programme under Sarva Shiksha Abhiyan) are notable for protecting children's right to education. "Pade Bharat Bare Bharat" sub-programme has been adopted all over India under the Sarva Shiksha Abhiyan to bring the education, language comprehension, mathematics practice of the first and second class students at par with international or global standards [10].

Rashtriya Madhyamik Siksha Abhiyan (RMSA), 2009:

RMSA started from 2009. RMSA is a significant program to increase educational opportunities and to improve the quality of education for students aged 14 to 18 years [12]. Literacy rate has increased in the context of RMSA scheme. Female literacy rate has increased from 65.38% (2001) to 78.04% (2011) [10].

National Commission for Protection of Child Rights (NCPCR), 2007:

The role of NCPCR is significant for the overall development and protection of the child. NCPCR was formed in March, 2007 under the Child Rights Act, 2005 [2]. The NCPCR is responsible for ensuring that all programmes, policies, laws or relevant activities of country are in favour with the rights of the child.

Integrated Child Protection Scheme (ICPS), 2009:

Integrated Child Protection Scheme was started in 2009. It is a central government funded project. The main objective of this project is to protect and rescue children from such situations where children are being harmed or are likely to be harmed from various aspects. Various policies of this scheme were revised in 2014. This project is under the Ministry of Women and Child Development [6]. The ICPS project was initiated to create a safe environment for children who are victims of difficult problems or situations

ICPS also works some other activities like infrastructure and capacity building, institutionalization of essential services and strengthening of infrastructure. One of the commendable initiatives of ICPS is the tracking system. Tracking system is very effective for helpless and missing children. Besides, other functions of ICPS in all the states and union territories of the country are to develop State Child Protection Society, District Child Protection Unit, Juvenile Justice Boards, Child Care Institutions, and Special Court etc. [4]. In view of the overall review, it can be said that the functions of ICPS are very significant in terms of child protection, safety and overall development from the lowest level of administration to the highest level.

PM Care for Children and Ayushman Bharat, 2021:

This scheme is important to ensure child health and education. This project was started from 11 March, 2021. This scheme is for children who have lost both parents or legal guardians or adoptive parents due to the Covid-19 pandemic. This scheme is for overall protection of all these children. The scheme provides services such as health, education, self-reliance through financial assistance, empowerment through education, monthly stipend from the age of 18 and a lump sum of 10 lakh rupees at the age of 23. Also, children under PM Care for Children are eligible to get Rs 5 lakh from 'PMJAY'.

Mission Batsalya, Mission Poshan 2.0 and Mission Shakti:

Three schemes like 'Mission Batsalya', 'Mission Poshan 2.0' and 'Mission Shakti' under the government of India are commendable programs for overall protection and development of children. All these three projects are managed by the Ministry of Women and Child Development, Government of India. Also, these three missions are targeted to be implemented during the 15th Finance Commission period from 2021-2022 to the next 2025-2026 [6]. These three missions are the significant initiatives of present India, which the government is committed to making the children ideal and capable of building the future of the country. In the Mission Batsalya project, policy makers recognized children as highly important human resources. The objective of this mission is as follows.

- (i) Protection of children's childhood.
- (ii) Creating a healthy environment for every child in India.
- (iii) Building sensitive, supportive and inclusive environments necessary for the holistic development and growth of children.
- (iv) One of the objectives of the Mission Batsalya project is to remove any gaps or weaknesses in the government's activities for children and women.

Also, the objective of this biennial mission is to develop inter-ministerial and inter-sectoral programs for child-related laws, policies and gender equality. Besides, the implementation of program of Juvenile Justice Act, 2015, and the program of Sustainable Development Goal is one of the objectives of the Batsalya project.

Mission Poshan 2.0 is an integrated nutrition support project. Mission Poshan 2.0 is significant for reducing malnutrition among children, adolescents, pregnant women and lactating mothers. Mission Shakti project is significant in overall protection, care, safety, education etc. of girls. 'Mission Shakti' is a girl's step-by-step urban life support program. The two components of 'Mission Shakti' are 'Sambal' and 'Samarthya'. The 'Sambal' sub-project has 'One Stop Centre', 'Women Helpline' and 'Beti Bachao Beti Padhao'. 'Samarthya' sub-project is to empower women. The National CRES Scheme for children of working mothers is part of the 'Mission Shakti' Scheme [6].

National Education Policy (NEP), 2020:

The National Education Policy, 2020, was passed on 29 July, 2020. The National Education Policy, 2020, commits to meet relevant targets by 2040. The National Education Policy 2020 has some very important targets for protecting the right of the child to education and holistic development of the child. NEP 2020 emphasizes on holistic, inclusive and enjoyable education [13]. The universal coverage of school education by 2030 has been mentioned in the National Education Policy, 2020 [14]. That is, the ratio of admission of school students (Gross Enrollment Ratio) from primary level to secondary level should be 100 percent [14].

"Education for all" and "Equal Education for all" have been stated in NEP, 2020 [15]. The main objective of the National Education Policy 2020 is in line with the United Nations Sustainable Development Goals-4 (SDG-4), which states for ensuring access to quality education for every person at every stage of their lives [14]. National Education Policy, 2020, emphasizes on "Early Childhood Care and Education" (ECCE). As a result, the child's right to education and overall development of the child will be proper. The National Education Policy, 2020, has given special importance to the environment of Anganwaris and school premises. In NEP 2020, it has been stated to invite teachers, children's mother and father in school premises grants and programs. NEP 2020 emphasizes group efforts in nutrition, health care and child education [16].

Millennium Development Goals (MDG), 2000-2015:

India agreed to and signed the MDG's recommendations of United Nations. 193 countries have agreed and signed the UN MDG programme [3]. A total of eight targets or themes have been set out in the MDGs. By 2015, at least half of the world's deprived or unreachable people will have access to these eight services. Six of these eight MDG targets relate to child protection and child development [1]. And these six targets of MDGs that relate to child protection and development are 1, 2, 4, 5, 6, and 8. India is a signatory to these MDGs of the United Nations. And India has taken several programs to meet the eight MDG targets. As a result, many deprived and oppressed children in India have received the services of extreme poverty and hunger relief, primary education, health etc.

Sustainable Development Goals (SDG), 2016-2030:

India has taken several programs to meet the eight MDG targets. As a result, many deprived and oppressed children in India have received the services of extreme poverty and hunger relief, primary education, health etc. [17]. The United Nations has set seventeen targets of the SDGs after the MDGs. India has taken various initiatives and programs to meet the targets of these SDGs. SDG Target-4 sets out the goal of equal and lifelong education for all. The Government of India has implemented this commitment or target in its NEP 2020. The key words of the National Education Policy 2020 are education for all and equal opportunity for education for all [15]. One of the seventeen goals of SDGs is "Global Strategy for Women's, Children's and Adolescents' Health" [2]. Protecting the human rights of the child is the primary and foremost responsibility and duty for the overall development of the child. India is committed to meeting the SDG's targets.

The Bonded Labour System (Abolition) Act, 1976:

Bonded labour is a form of slavery in modern times. In bonded labour, children are employed. Bonded labour was banned as a result of this act. This act freed children from bonded labour. The Act ensured the identification, rehabilitation, release and protection of children and other family members involved in bonded labour.

Child Labour (Prohibition & Regulation) Act, 1986 and 2016:

Overall, the Child Labour (Prohibition & Regulation) Act, 1986 and 2016 are significant in terms of child safety, rehabilitation and protection. This act is very significant in terms of child protection, safety and eradication of child labour [8]. Child labour is banned in all professions through this act. The Act prohibits the employment of persons below the age of 14 in a total of 18 occupations and 65 processes and with the 2016 amendment, this law states that children should not be employed in any profession. The Amendment Act states that persons above 14 years but below 18 years are juveniles [18].

Juvenile Justice (Care and Protection of Children) Act, 2000:

In India, Juvenile Justice Act, 2000 is very significant in terms of child safety and protection. The Act was implemented on 15 January, 2016 after being amended in 2015 [4]. This law is particularly important in playing an effective role when new crimes are organized against children. Regulation of child care institutions, social inclusion, rehabilitation of victims, punishment of criminals, responsibility of the state etc. have been given importance in this Act. That is why the Juvenile Justice Act, 2000, is commendable in terms of child protection and safety.

The Prohibition of Child Marriage Act, 2006:

Child marriage is closely related to child labour. The Prohibition of Child Marriage Act, 2006 has provisions to punish those who promote, encourage and support child marriage [19]. Child Marriage Prevention Act 2006 is significant in terms of child protection and security [4]. The Act prohibited the marriage of girls below 18 years of age and boys below 21 years of age.

The Right of Children to Free and Compulsory Education Act (RTE Act), 2009:

The Right to Education Act was passed by the Indian Parliament on 4 August 2009. The Right to Education Act 2009 came into effect across the country from April 1, 2010 [12]. It took a long time for this important bill to become law after it was passed by the Parliament of India. The Fundamental Right to Education Bill was prepared in 1997 in the Golden Jubilee year of Independence through the 83rd Constitutional Amendment on the orders of the Supreme Court. But for the bill to become a law, three types of government such as Prime Minister IK Gulzar, Shri Atal Bihari Vajpayee and Dr. Manmohan Singh were present [20]. Although long overdue, this bill is thankfully significant for child protection and overall development. It is the mandatory responsibility and duty of the state to educate all children [10]. As a result of this act, the central and state governments committed to providing free and compulsory education to all children aged 6 to 14 years in India [21]. This historic law has protected the right to education of countless children in India.

Protection of Children from Sexual Offences Act (POCSO), 2012:

The POCSO (Protection of Children from Sexual Offences) Act, 2012, is very effective in overall protection of children and prevention of sexual abuse. The POCSO Act was introduced in 2012. A survey on child abuse was conducted in 2007 and the landmark POCSO Act was passed in 2012 based on the recommendations of the survey report [2]. The POCSO, Act, 2012 was amended on 6 August, 2019 by the Central Government and it was implemented in 2020 [4]. The very important aspect of the POCSO Act is that the law requires the accused person to prove that he is innocent. There are no gender specific provisions in the POCSO Act. Between 2004 and 2012, more than two crore women were victims of gender discrimination in India [22].

The incidence of misogyny in India is unfortunate. The POCSO Act is expected to reduce violence against women to a large extent. Millions of female fetuses have been destroyed in the last two decades and by 2030, 68 lakh fewer female babies will be born in India [23]. Protection of girl child is a major problem in India. Adolescent girls are at a greater risk of becoming victims of online sexual exploitation and other cybercrimes due to the increased use of digital technology during the pandemic [4]. One in five girls have stopped or reduced their use of social media because of online harassment [23].

A review of the total number of crimes committed in 2019 as per the data of the National Crime Record Bureau has yielded some data and these are discussed below [4].

- (i) The Indian Penal Code (IPC) and Special Local Laws (SLL) combined account for 33.2 percent of crimes committed against children.
- (ii) Girls account for 95 percent of children who are victims of various forms of sexual abuse, such as sexual harassment, sexual assault and pornography.
- (iii) 15 thousand 649 such cases of abduction and trafficking of daughters by luring them into marriage.
- (iv) In 2019, 15 thousand cases out of which, 3117 cases of sale of minor girls, 4977 cases of child rape and 1113 cases of child trafficking have been registered in police stations.

Overall, the POCSO Act is very important in protecting children from anti-social activities such as child sexual harassment, sexual torture, sexual offenses against children using pornography.

VI. CONCLUSION

India, the world's largest democratic country [24], is recognized as an emerging power in the world [9]. India is the third largest economy in the world in terms of purchasing power parity. India's education system is the second largest in the world. At present, "Atma Nirbhar Bharat" has declared "Amrita Kal" i.e. the goal of next 25 years [25]. In other words, the Indian government has taken a multifaceted initiative to develop India in the coming days. Due to this huge population growth, the state or government has to pay special attention to the protection, development and education of children. The above overview shows that India has undertaken multifaceted programs for protection, development and education of children. Along with that, the success of these programs has also been found.

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