

CHILD ABUSE: SOCIAL AND LEGAL ISSUES IN INDIA

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Abstract

Child abuse is concerned very seriously all over world, Even United nation play vital role in order to make protection of child rights. But scenario of child abuse rate indicates there is need to rethink of present law quite often, which are suitable to protect child from the victimization. Since ages, child have been victimized by one abuse or the other. It is not wrong to say that they are a neglected lot. For child there has never been a golden age. Throughout the history of our society, Child have been bought sold, enslaved, exploited and killed. Sexual offences are very serious crimes not only physically but also mentally. Sometimes child are abandoned severely beaten and physically abused. In fact, the more we go in history we find that the lot of childs had been hushes, and crueler. Poverty and man situation have specially led to killing of children. Exploitation of children is another major problem. There is certain law to protect children, constitutional rights. Regarding highlighted factors present paper attempts to focus on the law related issues, provisions, preventive factors analyses and rights of child victims are focused.

Introduction

Since ages, child have been victimized by one abuse or the other. It is not wrong to say that they are a neglected lot. Throughout the history of our society, Children have been bought sold, enslaved, exploited and killed. They have been abandoned severely beaten and physically abused. In fact, the more we go in history we find that the lot of childs had been hushes, and crueler. Poverty and man situation have specially led to killing of child. Since recent crimes even as Delhi convulses over its unending tale of shame and horror, a National Crime Records Bureau (NCRB) report shows that crime against women and children is in fact a national plague, by no means limited to its capital alone. The victimization starts before the birth of a child itself. For instance, foeticide, gender determination of foetus and causing miscarriage, it is determines as a female, then the practice of infanticide or the willful killing of new born babies was widely accepted among ancient and prehistoric people as a legitimate means of dealing with unwanted child the same has taken the shape of foeticide with the advent on latest scientific and technological instruments. Sexual exploitation is another abuse, which children have faced over the centuries. Out of last adults would modest them to their appeasement. Poverty and illiteracy has played a great role in facing children to be exploited in order to earn their meal, a day. Children's have been used as slaves and bonded laborers in all societies². In India, the children coming from the lower strata of society served the mighty and wealthy. They served, served and died. Although the times have changed and the miseries of children have been reduced with the help of passage and implementation of certain laws yet their lot as a whole has not improved much. The National Crime Records Bureau of India, indicates rape cases against children in India have increased. However the consequences of crimes against children increasing in the recent scenario, it is consider to be challenge to law enforcement , how to combat over such cases in order to make prevention. Law enforcement should plan the preventive measures.

Impact of child abuse on society:

Child are so innocent in nature; this innocence can be misused by others. Especially, when offences take place it will be shameful, and society hates it. There is threat in the mind set of society members, which impacts on parents psychologically as well as social conditions. Because in country like India, normative structure like socialization where parental conditions play vital role. People will suffer by the crimes it will also destroy the social conditions in label ling perspective. Government as implemented various policies and laws in order to protect children by assuring them some rights, even united nation declaration on child rights becomes questionable if increasing rate of crime exceeds further.

Major forms of offenses against child in India:

i. Sexual offences: protection of children from sexual offences act, 2012 deals with sexual offences against children in India, earlier it was dealt with rape section 375 of Indian penal code.⁴

ii. Rapes, sexual assaults, sexual harassments, are common major issues, in the recent development. Ministry of law and justice, India, passed "The protection of children from sexual offences acts" in order to protect children's from sexual offences. Also "The national policy for children-2013" as been made to deal with immoral trafficking of children and their welfare⁵

iii. Child trafficking: it is also a major problem in India that, selling of girls and buying of girls, procuration of minor girls, kidnapping are the major crimes classified. Indian penal code section 372 also deals with selling girls⁷.

iv. Child marriage: child marriage is also social problem in India, law enforcement enacted prohibition of child marriage act -2006⁸.

v. Child labour : there are two effective laws were passed in order to prevent child labor, bonded labor system (abolishment) act 1976, and child labor act 2006. And also child labor (prevention and regulation act) 1986⁹.

vi. Murder : Indian penal code¹⁰ section 302.

vii. Foeticide, which means foetus are punishable under section 315 and 316.

viii. Kidnapping is another : major crime, kidnapping and exporting of children may penalized under section 360 of Indian penal code .Kidnapping and demanding ransom is punishable under 364A of India penal code¹¹.

These are all the major social concern area that affecting the society, and social dignity of child, also they are the major social problems which society members, law enforcement agencies are rethinking to prevent . Nowadays there is question how to take care of our child, and there is need of re-thinking in order to make policies, laws, and to create some deterrence among society members and to punish the culprits. In many of the cases offenders are well known to victims. Police department and other law enforcements agencies are having huge burden on their shoulders in order to prevent. Criminal justice system provide lot of support to the victims, they can have fast proceedings of trail, special trail, in order to protect the children dignity and their future. Indian society fully feels shame on the national development in the field of crime and its vulnerability. There should be community interference in order to fight against child abuse.¹².

Methodology

Objectives are:

- i. To know the nature and extent of child abuse.
- ii. Analyze the impact of child abuse on society.
- iii. To creating awareness and the social responsibility among society members.

Conclusion

Rapidly Increasing rate of child abuse are no safe in the Indian cities, yearly based analysis indicates the problem of the offences is very painful. country like India even though the law and social condition are very rigid , other side there is need of thinking about the consequences of offences .children are victimizing due to many factors which affect child mentally and physically. Psychological trauma may remain and it will impact on children's future. This kind of developments will surely harm society. But the rigid law as well as law enforcement agencies are taking over all the challenges and to prevent offences. Even morality of the society and the human values should be considered, there is social responsibility of all the society members in order to fight against it¹³. Social and community can play major role in the prevention of child abuse.

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