

MSW

P-16

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FAMILY  
&  
CHILD WELFARE  
(FCW)

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# UNIT-1

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## ***1.1: Family as an Institution:-***

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Family is a very old institution. People lived in families even when they were not much cultured or civilized. Some sociologists feel that the original family was headed by mother and thus it was matriarchal while others feel that such a family was headed by father and thus it was patriarchal. **Family has been defined by Macaiver as “A group defined by a sex relationship sufficiently precise and enduring to provide the protection and bringing of children”.** According to Ogburn & Nimkoff, **“Family is more or less a durable association of husband & wife with children of a man or woman alone”.** Family is also a group of two or more persons related by blood, marriage or adoption and residing together. Thus family is an association of a husband and wife with or without children.

The family, as an institution is universal. It is the most permanent and the most pervasive of all social institutions. All societies large or small, primitive or civilized, ancient and modern, have some form of family or the other. No one knows, or can know, how or when the family began. It is safe to surmise that the family in some form will always be with us. Further, of all groups that affect the lives of individuals in society none touches them so intimately or as continuously as does the family. From the moment of birth to death, the family exerts a constant influence. The family is the first group in which we find ourselves. It provides for the most enduring relationship in one form or other. Every one of us grows up in a family and every one of us too will be a member of one family or other. The family is the most important primary group in society as we know. It is the simplest and the most elementary form of society. It is the most basic all social groupings. It is the first and most immediate social environment to which child is exposed. It is an outstanding primary group because; it is in the family that the child develops its basic attitudes. In sociological approach it is a group of persons united by ties of marriage, blood or adoption constituting a single household interacting or intercommunicating with each other in their respective social role of husband or wife, father and mother, son and daughter, brother and sister creating a common culture.

## **Functions of the family:-**

Macaiver classifies the functions of family into two types i.e.-

- A. Primary function &
- B. Secondary function

### **A] The Primary Function:-**

The Primary functions include:-

1. Stable satisfaction of sex need:-

Sex drive is powerful in human beings. Man is susceptible to sexual stimulation throughout his life. The sex need is irresistible also. It motivates man to seek an established basis of its satisfaction. Family regulates the sexual behavior of man by its agent, the marriage. Thus it provides for the satisfaction of the sex need of men. Even Manu, the Hindu Law-givers and Vatsyayana, the author of kamsutra, have stated that sexual satisfaction is one of the main functions of family life.

2. Production & Rearing of children:-

The family gives the individual his life and a chance to survive. We owe our life to the family. The human infancy is a prolonged one. The child which is helpless at the time of birth is given the needed protection of the family. Further Family is an institution par excellence, for the production & rearing of children. No other institution can as efficiently bring up the child as can the family. This can be referred to as the function of 'maintenance' also.

3. Provision of home:-

Family provides home for its members. The desire for home is strongly felt in men & women. Children are born and brought up in homes only. Though, often children are born in hospitals, clinics, maternity homes etc., they are nursed and nourished in the homes only. Even the parents who work outside are dependent on home for comfort, protection & peace . Home remains still the sweet home

#### 4. Family-An instrument of Culture Transmission And an agent of Socialization:-

The family serves as an instrument of culture transmission. The family guarantees not only the biological continuity of the human race but also the cultural continuity of the society of which it is a part. It transmits ideas & ideologies, folkways & mores, customs & traditions, beliefs & values from one generation to the next. The family is an agent of socialization also. Socialization is its service to the individual. Socialization is the process whereby one internalizes the norms of one's groups so that a distinct self emerges unique to the individual. The family indoctrinates the child with the values, morals, beliefs and ideals of the society. It prepares its children for participation in larger world and acquaints them with a larger culture. It is a chief agency which prepares the new generation for life in community. It emotionally conditions the child. It lays down the basic plan of the personality. Indeed, it shapes the personality of the child. Family is a mechanism for disciplining the child in terms of cultural goal. In short, it transforms the infant barbarian into the civilized adult.

#### 5. Status Ascribing Function:-

The family also performs a pair of functions:-

- i. Status ascription for the individual.
- ii. Societal identification for the individual

Statuses are of two kinds i.e. ascribed & achieved. The family provides the ascribed statuses. Two of these, age & sex are biological aspiration. It is the family that serves almost exclusively as the confirming agency or institution.

#### 6. Affectional Functions:-

Man has his physical, as well as mental needs. He requires the fulfillment of both these needs. Family is an institution which provides the mental or the emotional satisfaction and security to its individual members. It is the family which provides the most intimate and the dearest relationship for all its members. The individual first experiences affection in his parents and siblings offer him love, sympathy and affection. Lack of affection actually

damages an infant's ability to thrive. A person who has never been loved is seldom happy.

### **B] Secondary Functions of family:-**

In addition to the above described primary functions, the family performs some secondary functions in some way or the other.

#### 1. Economic Functions:-

The family fulfills economic needs of its members. This has been the traditional function of family. Previously the family was an economic unit. Goods were produced in the family. Men used to work in family or in farms for the production of goods. Family members used to work together for this purpose. It was the great extent of self-sufficient. A clear-cut division of labour between sexes that is between men and women was evident. But today the situation has changed. The family members do not work together at home. They are engaged in different economic activities outside the home. They are no longer held together by division of labour.

#### 2. Educational Functions:-

The family provides the basis for the child's formal learning. In spite of great changes, the family still gives the child his basic training in the social attitudes & habits important to adult participation in social life. "The manner in which he learns how to get along with his family will be carried over to his interactions with school authorities, religious leaders, the police and other agents of social control". When the child grows up, he learns to manage situations outside the home and family. He extends his interests to other groups. With all this intelligence, his emotions and his social habits develop until he weans himself from the original dependence on the mother, father, and other family members.

#### 3. Religious Functions:-

The family is a centre for the religious training of the children. The children learn from their parents various religious virtues. Previously, the homes were also centers of religious quest. The family used to teach the children the religious values, moral precepts, way to worshipping god etc. Even, today, it is in the family that the foundations are laid down for the moral standards that are to guide the children throughout their life. The family

meets the spiritual needs of its member. It is through the family that the religious inheritance is passed on to the next generation.

#### 4. The Recreational Function:-

At one time, recreation was largely family based. It fostered a close solidarity, reading aloud, visiting relatives, family reunions, church socials, singing, dancing, playing indoor games, etc., brought together the entire family. Elders would organize social gathering among themselves in each other's homes. Children would organize their own recreations among themselves or together with other children. Often parents and children would join together in the same recreational activities. The effect of this on the cohesion of the family was considerable. Recreation is now increasingly organized outside the family. Modern recreation is not signed for family wide participation.

## ***1.2: Impact of urbanization on family:-***

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The process of industrialization when there is a development in manufacturing industry started in Britain in the late of 18th and early 19th centuries has a big impact on families' structure. Before the industrial revolution, families were unit of production and considered to be multifunctional. Every member of the family had to work, including small children, families had wide kinship networks and supported each other and main sectors of work were agriculture and small cottage industry. With development machines and equipment which could make people's job easier and had higher productivity, people had to adapt to new conditions and change something in their lifestyle. Firstly, the industrialization demanded higher geographical mobility which led to a reduction of kinship network and appearing of a nuclear family which was better fitted to that time. Families didn't need such support that they needed before from their relatives. Also the appearance of social mobility gave people opportunities to get higher qualifications and created division of labor. Families couldn't perform all the functions they had to before and some of them were taken over by other institutions. Families continued to reproduce only main functions and became isolated nuclear as Parsons suggested in his research. Family became to be unit of consumption. However his view was criticized and as Lasted found in his research, in pre-industrial Britain, nuclear family was the most common type of families; however he defined the nuclear family in different way with functionalists (Parsons) and said that it is not necessary for extended families to live under the same roof and they can have close relations in distance. Also geographical mobility led to increase in urbanization that is when



households move from rural areas to towns in order to satisfy the demand for labor and find better job. Both these processes changed not only the structure of the family but also relationships within families. Women and children were stepped aside from work in order to perform family's functions and men were seen as breadwinners. However people interpret the effect of industrialization and urbanization differently. And if Functionalists see these changes in family structure necessary in order to cope with all the

Changes around and be the best fit for the society, Marxists see them differently. They see the main function of the family is reproducing the social conditions and the appearance of new forms of families with these processes will help to better reproduce labor power, give emotional support for workers and help children to socialize in the world of inequality. For feminists, Oakley, industrialization gave the beginning of women's primary role of caretaker and domestic labor. Also these processes of industrialization and urbanization have different impact on different social classes and, for example, for upper classes a wide kinship network had always been significance.

### ***1.3: Changing functions of family:-***

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Over the years, the structure of family has been undergoing a quite change. There has been a change in the occupations and style of living of people due to which there has been a shift from joint to nuclear families. The family is also as a basic social institution has been undergoing change. Both in its structure and functions changes have taken place. There are some factors have contributed to this change.

#### 1. Industrialization:-

Earlier, people were engaged in agriculture which encouraged the joint family. But when income from agriculture proved to be inadequate, some people moved to cities in search of better jobs .As the rural youth got better education, they also moved to cities for better paid jobs. The migration has led to the breakdown of the traditional joint family.

#### 2. In the first fifty years **the parental & the educational functions** of the family have been shifted to certain external agencies like hospitals, out-patient clinics for mothers, maternity homes, the baby clinics, nurseries, kindergartens, etc. The modern home is not equipped to train children for their adult careers, because the specialized division of labour requires

specialized training, which only the specialized agency of the school can supply.

### 3. Education & Employment of women:-

As women got better educated, they started taking up jobs outside the home. These women were more confident and enterprising. This also contributed to the gradual breaking up of the joint family.

- **The Economic Functions** of the family has been distributed a great deal. The family is no longer the economic unit, neither is it self-sufficient. It is no longer united by shared work, for its members work separately. It is more a consuming unit than a productive centre. However, the family is not completely losing the function, but it is transforming this function to some external agencies.
- **The Protective Functions** of the family have declined particularly in the west. Families are no more the place of protection for the physically handicapped, mentally retarded, aged, diseased, infirm & insane people. Other agencies have taken over this function. But, for the young children it continues to provide physical & emotional protection.
- It seems that **Socialization Function** of the family is gaining increased attention particularly in western society. An earlier generation knew little about the personality development. We know something today of the role of emotional development, school progress, career success, physical well-being & practically all other aspects of the good life.
- **The Status-aspiration Function** has been weakened since in modern society much emphasis is laid on achieved status. Still, the ethnic, religious, class, residential, nationality and other kinds of statuses are ascribed by the family to the individual at least in the initial stages in some way or other.
- **The Recreational function** of the family is losing importance. External agencies have taken away this function. Modern recreation is highly commercialized. Movies, dance halls, night clubs, gambling centers have come into being. People leave home to seek these commercialized

recreations. But they tend to leave home as single adults or married couples, as adolescent or children rather than as a family unit. This has affected the cohesion of family.

## ***1.4: Problems related to family:-***

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In old days, due to the joint family system and caste solidarity the need for seeking guidance in intimate family matter from people outside the family or caste group did not often arise. Even if such necessity arose, the people sought the advice of friends, priests or senior members of their community. The disintegration of the families was also not to the extent as it is today, particularly in the cities.

The individual in the family was used to merging his individuality in the family group to carry out the dictates of its head but with the breakup of the joint family system and various other factors which have increased conflicts in the families, the need of family welfare agencies has become imminent.

Family welfare service of the social agencies has the purpose of preserving healthy family life. The aim of family case worker is to assist the individuals in the family to develop their capacities to lead personally satisfying and socially useful lives in the family unit.

Family is by far the most important group in society. Family is the basic unit in which individuals receive most of their personal satisfactions and in which personality of the child is formed. It is within the family that the spouses get regular sex satisfaction and children are nurtured. Family provides food, clothing, shelter and education to its member.

In illness or pregnancy, during child birth, the family renders care, it is the center of warm affection among its members as long as normal, healthy condition prevails but because of certain economic, social and political changes, the conflict in the modern family has increased.

### **There may be:**

(1) Lack of harmony between husband and wife or there may be emotional instability of either.

(2) There may be economic problems caused by failure of good home management or small income. The economic problems may also arise due to

unemployment, sickness, accidents, ill-health, lack of support or desertion of the bread – winner.

(3) Problems may be in relation to children, sometimes leading to neglect or cruelty, delinquency or their other maladjustment's

(4) The problems of role conflict of the mother

(5) There may be housing problems etc.

These personal and family difficulties are usually caused due to combination of social, economic and emotional factors. Therefore the need of family welfare agency is required to improve the difficult family situations by enabling the members of the family to understand the reason for their difficulties and the need for changing their emotional reactions and behavior. Changes in the environment or economic condition in which the family lives, may also help to improve relationships between its members.

## ***1.5: Objectives of Family Welfare***

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The social worker with sound knowledge of case work has an important role in improving the relationship within the family. The progress in psychology psychiatry as well as natural sciences enables the case worker to recognize difficulties in family life and to find ways of solution. However social work is not the only source which attempts to help in such difficulties other professional aid by the psychiatrist the physician, the priest or the nurse might be effective but social case work of family welfare agency remains one of the most important ways of helping to straighten the family problems.

The workers of family welfare agency attempts to help in the solution of personal problems and the emotional maladjustment of family members by counseling in health, education and adjustment questions to overcome disturbance to normal, healthy family living.

Counseling may include advice on family budget and house management and on vocational opportunities by reference to employment services and occupational guidance centers, sometimes family case work includes premarital counseling to prevent marital disturbances helping, the couple to better mutual understanding satisfaction with of adjustment in different difficult situation. Family welfare agency can also refer cases to the public assistance agency for financial support if agency itself cannot render any assistance.

The person may come to the agency on their own initiative or reference by other social agencies. Although a majority of the family welfare agencies provide their services to the clients without charges and are supported entirely by public charities, some family service agencies offer their services on a graduated scale so that the client pays a fee according to his financial ability. In a few large cities, some individual social workers carry on such activities indecently without having any connection with a social agency, sometimes under the title of “personal relations counselor”.

Family welfare agencies may provide special housing units or apartment projects equipped with easy housekeeping facilities and arrangements for collective use of kitchens, laundries, living rooms libraries or music room for old people besides, it also provide medical and nursing supervision and special recreational centers for older citizens.

Family welfare agencies also develop placement services in private families and supervise boarding homes for old people, who either pay the monthly board themselves or receive aid from relatives, public assistance or the family agency. The workers of family welfare agency assist older people in finding convalescent and nursing homes, sometimes supplementing private resources or old age assistance payments in order to secure the adequate medical and nursing care.

‘Home maker’ or ‘house keeper’ services are also provided by family welfare agencies to such families in which, due to the absence or sickness of the mother, no adult female member of the family nor any relatives nor friends are able to care for the children and working father. In such cases, the children have the advantage of remaining with their father in their own homes with little change in their rhythm of life. Homemaker are carefully selected and trained in advance by social agencies which provide this type of service.

## ***1.6: Historical development of family & child welfare services:-***

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Child and family services is a government and/or non-profit organizations designed to better the well being of individuals who come from unfortunate situations, *environmental* or *biological*. People who seek or are sought after to participate in these homes have no other resource to turn to. Children might come from abusive or neglectful homes, or live in very poor and dangerous communities. There are also agencies that cater to people who have biological deficiencies. Families that are trying to live in stable lives come to non-profit

organizations for hope of a better future. Child and family services cater to many different types of people who are all in different situations. These services might be mandated through the courts via a governmental child protection agency or they might be voluntary.

The history of the nation's response to child abuse and neglect has been marked by a tension between two missions:

1. an emphasis on rescuing children from abusive or neglectful families on the one hand
2. And efforts to support and preserve their families on the other.

### **18th and 19th centuries**

The legal basis for efforts to protect needy children in colonial times rested on the English Poor Law of 1601. This placed the public responsibility for the poor in the hands of local townspeople. Parents were not held accountable for their children, which lead parent's to tend to neglect their children and their duties as a parent. The attention of community leaders, philanthropists, and social reformers who were concerned about child abuse and neglect focused primarily on the children of the poorest families and on those who were orphaned, abandoned, or unsupervised.

### **20th century**

During most of the 19th century, destitute children were sent to institutions operated by private charitable organizations. Many poor or abandoned children were sent to live in almshouses—facilities established in the 19th century in many large cities to house the very poor of all ages. Almshouses provided minimal standard of care to orphaned or needy children and to impoverished, insane, or diseased adults. The almshouses caused the children greater hardships because they were subject to disease and chaos.

The second half of the 20th century saw increasing criticism of the impacts the unsanitary, chaotic almshouses had on children, especially the very young, who suffered high mortality rates there. Due to this, private charities and religious groups began to establish orphan ages or children's asylums to separate needy children from adults and protect them from disease, maltreatment, and such. Many parents were losing custody of their children because the private organizations were able to prove they would be able to take care of the children in need better than their parents could. Children began to feel disconnected from their parents because they had been placed to grow up with other families.

## **Development**

Child and family services have significantly developed over the last few centuries. Many different forms of help for children and families in need were offered throughout the community. Today we have many different agencies to help with the welfare and survival of many children and their families. However, years ago, many people relied on their community and religion to get them through tougher times. The community's investment in the well-being of its children is reflected in the cultural mores and social norms and in legal frameworks that permit intervention in individual families when children are abused or neglected.

The formal system through which society responds to child abuse and neglect is now largely a governmental one. Today, primary responsibility for child protection is vested in public child protective service agencies, which receive, investigate, and respond to reports of child abuse and neglect. These agencies are usually linked to child welfare departments with broader responsibilities which include foster care and usually at this point, the parents lose their right to take care of their children because they are seen to be unfit parents. Today, it is against the law to not report child abuse if evident. Many parents do not realize that they are candidates for the potential loss of their children to government agencies because of their issues, such as poverty, mental illness, or neglect that lead to child abuse.

## **Two-generation family strategies**

Census data shows that in the United States almost half of all children live in low-income families. Research suggests a critical connection between parent well-being and the child's emotional, physical, and economic well-being; as well as, a connection to the child's educational and workforce success. Despite the crucial connection between parent and child well-being, many services designed to help low-income families target either the parent or the child, leaving someone behind. Two-generation family programs coordinate services that aid low-income parents and children simultaneously, putting the whole family on a path to success.

Two generation family services aim to end the inter-generational cycle of poverty by moving families to economic stability and security through education, workforce training, and related support services. Though each two generation program approach is different they all have three intentionally linked components: education and/or job training for parents that leads to family-supporting employment, high quality early childhood education, and family support services.

## **Parent education and job training**

Two generation family programs aim to get parents to a place of economic stability and security where they can secure employment that enables them to support their family and improve child outcomes. Programs aid parents in getting to economic security through education and job training opportunities. Two generation program educational opportunities typically involve general educational development (GED) courses, and connections to post-secondary education supports, such as, financial aid or access to full-day childcare. In addition to education services, two generation family programs often utilize sector-based workforce development. This type of workforce development targets job training for specific industries that will meet regional workforce needs, increasing the chances that graduates of the program will be able to find work.

## **High-quality early childhood education**

Two generation family programs include high quality early childhood education that nurtures children's learning and development. Investing in high quality early childhood education that extends from pre-K through third grade improves educational achievement throughout schooling and success in the workforce. Programs can utilize existing early childhood development programs (i.e. Early Start or Head Start) and add two-generation elements such as offering full-day/full-year services to support working parents.

## **Family support services**

Two-generation family programs offer comprehensive wraparound services to support families. Examples of these support services include access to physical and mental health services for children, career coaches, case managers, family planning, and food assistance. These services aim to help expand family resources and support networks.



## ***QUESTIONS:-***

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1-Define family? Discuss family is an institution & Elaborate its importance & function?

2-Discuss family is a primary group & Describe its philosophy, objectives & historical development?

3-Write down the scope of family welfare and discuss, how it improves the socio economic conditions of family.

4- Discuss how Urbanization is a problem to change the function of family.

4-In context to the problems of family, Write down the welfare agencies for family welfare?

5-Write down the socio-economic programme to strengthen the family related problem?

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# UNIT-2

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## ***2.1: Family Welfare Programmes:***

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### **Family planning:-**

**Family planning** is the planning of when to have children, and the use of birth control and other techniques to implement such plans. Other techniques commonly used include sexuality education prevention and management of sexually transmitted infections pre-conception counseling and management, and infertility management. Family planning is choosing the number of children in a family and the length of time between their births.

Family planning is sometimes used as a synonym for the use of birth-control however; it often includes a wide variety of methods, and practices that are not birth control. It is most usually applied to a female-male couple who wish to limit the number of children they have and/or to control the timing of pregnancy (also known as *spacing children*). Family planning may encompass sterilization, as well as abortion.

Family planning services are defined as "educational, comprehensive medical or social activities which enable individuals, including minors, to determine freely the number and spacing of their children and to select the means by which this may be achieved."

### **Objectives:-**

Raising a child requires significant amounts of resources: time, social, financial, and environmental. Planning can help assure that resources are available. The purpose of family planning is to make sure that any couple, man, or woman who has the desire to have a child has the resources that are needed in order to complete this goal. With these resources a couple, man or women can explore the options of natural birth, surrogacy, artificial insemination or adoption. In the other case, if the person does not wish to have a child at the specific time, they can investigate the resources that are needed to prevent pregnancy, such as birth control, contraceptives, or physical protection and prevention.

### **Health**

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Waiting until the mother is at least 18 years old before trying to have children improves maternal and child health. Also, if additional children are desired after a child is born; it is healthier for the mother and the child to wait at least 2 years

after the previous birth before attempting to conceive (but not more than 5 years). After a miscarriage or abortion, it is healthier to wait at least 6 months.

When planning a family women who are over the age of 35 should be aware of the risks of having a child at that age. Older women are at a higher risk of having a child with autism and down syndrome, the chances of having multiple births increases, which cause further late-pregnancy risks, they have an increased chance of developing gestational diabetes, the need for a Caesarian-section is greater, older women's bodies are not as well-suited for delivering a baby. The risk of prolonged labor is higher. Older mothers have a higher risk of a long labor, putting the baby in distress.

"Family planning benefits the health and well-being of women and families throughout the world. Using contraception can help to avoid unwanted pregnancies and space births; protect against STDs, including HIV/AIDS; and provide other health benefits."

### **Modern methods**

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Modern methods of family planning include birth control, assisted reproductive technology and family planning programs.

In cases where couples may not want to have children just yet and plan with time family planning programs help a lot. Federal family planning programs reduced childbearing among poor women by as much as 29 percent, according to a University of Michigan study.

Adoption sometimes used to build a family. There are seven steps that one must make towards adoption. You must decide to pursue an adoption, apply to adopt, complete an adoption home study, get approved to adopt, be matched with a child, receive an adoptive placement, and then legalize the adoption.

### **Family Planning Programmes**

India launched a nationwide Family Planning Programme in 1952. India is the first country in the world to launch such a programme. A separate department of Family Planning was created in 1966 in the ministry of health. In 1977, the Janata Government formulated a new population policy ruling out compulsion. The acceptance of the programme was made purely voluntary. Also the Janata government named the FP dept. as Department of Family Welfare. The allocation for these programmes was just 0.1 crore in First Five year plan. It has increased to 3256 crores in the seventh plan.

### **Current Family Welfare Programme:-**

It is a centrally sponsored programme. For this, the states receive 100 per cent assistance from Central Government. The current policy is to promote family

planning on the basis of voluntary and informed acceptance with full community participation. The emphasis is on a 2 child family. Also, the emphasis is on spacing methods along with terminal methods, the services are taken to every doorstep in order to motivate families to accept the small family norm

### **Goals of the Programme:**

Family welfare programme has laid down the following long term goals to be achieved by the year 2000 AD:

1. Reduction of birth rate from 29 per 1000 (in 1992) to 21 by 2000 AD
2. Reduction of death rate from 10 (in 1992) to 9 per 1000.
3. Raising couple protection rate from 43.3 (in 1990) to 60 per cent.
4. Reduction in average family size from 4.2 (in 1990) to 2.3.
5. Decrease in Infant mortality rate from 79 (in 1992) to less than 60 per 1000 live births.
6. Reduction of Net Reproduction Rate from 1.48 (in 1981) to 1.

### **Eligible couples, target couples and couple protection rate:**

Family Welfare Programme can be successful only when it reaches those who are eligible and also those who are the targets.

**Eligible couples:** An eligible couple is a currently married couple, the wife being in the reproductive age group i.e. 15 to 45 year. It is estimated that there are 150 to 180 eligible couples per 1000 population in India. Presently, there are about 144 million eligible couples in India. These couples are in need of family planning services.

Eligible couples are approached by Health Workers by house to house visit in PHC area. Motivation is also done at dispensaries, clinics and hospitals. They are given contraceptives free of cost. Also sterilizations are done free of cost

**Target couples:** They are couples who have had 2 to 3 living children. Family planning was largely directed to such couples. The definition of target couple has been gradually enlarged to include families with one child or even newly married couple. The aim is to develop acceptance of the idea of family planning from the earliest possible stage.

## **Couple protection rate (CPR)**

It is defined as the percentage of eligible couples effectively protected against child birth by one or other methods of family planning. CPR is an indicator of the prevalence of contraceptive practice in the community. The long term demographic goal is to achieve couple protection rate of 60 per cent by the year 2000 AD.

## **Strategies of Family Welfare Programme (FWP)**

1. Integration with health services: Family welfare programme (FWP) has been integrated with other health services instead of being a separate service.
2. Integration with maternity and child health: FWP has been integrated with maternity and child health (MCH). Public are motivated for post delivery sterilization, abortion and use of contraceptives.
3. Concentration in rural areas: FWP are concentrated more in rural areas at the level of subentries and primary health centers. This is in addition to hospitals at district, state and central levels.
4. Literacy: There is a direct correlation between illiteracy and fertility. So stress and priority is given for girl's education. Fertility rate among educated females is low.
5. Breast feeding: Breast feeding is encouraged. It is estimated that about 5 million births per annum can be prevented through breast feeding.
6. Raising the age for marriage: Under the child marriage restraint bill (1978), the age of marriage has been raised to 21 years for males and 18 years for females. This has some impact on fertility.
7. Minimum needs programme: It was launched in the Fifth Five Year Plan with an aim to raise the economical standards. Fertility is low in higher income groups. So fertility rate can be lowered by increasing economical standards.
8. Incentives: Monetary incentives have been given in family planning programmes, especially for poor classes. But these incentives have not been very effective. So the programme must be on voluntary basis.
9. Mass media: Motivation through radio, television, cinemas, news papers, puppet shows and folk dances is an important aspect of this programme.

## **Family welfare programmes in the areas of health education housing and employment:-**

The family is generally recognized as an element of a broader kinship network that links ancestors and descendants of a person. Family represents people living together by ties of marriage, blood adaptation, thus representing a single household. India launched the National Family Welfare Programme in 1951 with

the objective of reducing the birth rate to the extent necessary to stabilize the population at level consistent with the requirement of the national economy.

The dept. of family Welfare is headed by Secretary Family Welfare at the secretariat level. The family welfare programme is implemented through Director or Commissioner of Family Welfare at state head quarters and in the districts through the District family welfare bureaus. The services under Family welfare and Maternal and Child Health are provided Primary health Centers (PHC). The services, organizations, Govt.organisations and private medical practitioners also contribute for the implementation of programme. The Family Welfare Programme in India is recognized as a priority area, and is being implemented as a 100% centrally sponsored programme. As per Constitution of India, family planning in the concurrent list. The approach under the programme during the First & Second Five yr Plan was mainly 'Clinical' under which facilities for provision of services were created. Ministry of Health & Family welfare under the Dept. the following programmes are implemented.

- a) Family welfare
- b) Child Survival & Safe motherhood
- c) Reproductive & Child Health Programme
- d) Training of all medical and para medical health functionaries

### **Family welfare programmes in the areas of health:-**

A healthy citizen contributes to the making of a healthy nation. The Govt. of India has introduced various health programmes and policies to improve the Indian citizen's standard of living. These efforts have paid rich dividends by way of increase in the life expectancy of males & females at birth to 62 and 64 years respectively. Also, the infant mortality rates (less than five death rates) have fallen to 53 per thousand births.

The issue of health comes under the purview of the Ministry of health & Family welfare and its three Departments; the dept. of Health, the Dept. of family Welfare, and the Dept. of Ayurveda, Yoga, Naturopathy, Unani, Siddha and Homeopathy. As part of its drive to educate and encourage healthy life style, the ministry promotes a website i.e. called Healthy India.

The “Citizen Health” section offers information about the various health schemes launched by the Government, resources on different aspects of health care as well as a list of hospitals and medical institutions in the country. Other than this, it also provide information about alternative systems of medicine, medical insurance, family welfare and rehabilitation.

#### **Health Related Information:-**

- Alternative System of Health Care
- Knowledge Centre
- Government Aided Schemes
- Government Hierarchy
- Child Care
- Family Welfare
- Rehabilitation
- Health Insurance and Medico Legal
- FAQ Section

#### **Education:-**

Keen on learning and want to know all about educational facilities in India. It gives the comprehensive information on all levels of education, be it primary,secondary,higher or university education,scholarships,loans,literacy schemes and so on.

#### **Educational Related Information:-**

- Elementary Education
- Higher Education
- Scholarships and awards
- Latest results
- Secondary Education
- Universities & Institutions
- Right to Education Act
- Loan/Aid for Education
- Student’s corner\Adult Education and Literacy
- Study Abroad
- Results on the Net
- Foreign Languages

### **Housing:-**

India is part of a global trend that is advancing towards an increasing urbanization, according to which more than half of the world's population is living in towns & cities. India has a total population of 1,027 million as accounted by the 2001 census, out of which 27.8 percent live in urban areas. The span of ten years between 1991 and 2001 has showed a steady increase of 2.1 percent in the proportion of urban population in the country.

It is noteworthy that the contribution of urban sector to Gross Domestic Product (GDP) is currently expected to be in the range of 50-60 percent. In this context, enhancing the productivity of urban areas is new central to the policy pronouncements of the Ministry of Urban Development. Cities hold tremendous potential as engines of economic and social development, creating jobs and generating wealth through economics of considerable scale. They need to be sustained and augmented through high urban productivity for a country's economic growth. National economic growth and poverty reduction efforts will be increasingly determined by the productivity of these cities and towns. For Indian cities to become growth oriented and productive, it is essential to achieve a world class urban system, which in turn depends on attaining efficiency and equity in the delivery of financing of urban infrastructure.

After 1950, the Government of India formulated ten five year plans aimed towards housing and urban development, which led to the launch of Urban Poverty and Alleviation Programme of Nehru Rojgar Yojana (NRY) .These plans laid emphasis on institution building and on construction of houses for Government employees and weaker sections. The industrial housing Scheme was widened to cover all workers. As a follow-up of the global shelter strategy (GSS) ,National Housing Policy (NHP) was announced in198,whose long term goal was to eradicate the problems of lack of housing, improve the housing conditions of the inadequately housed, and provide a minimum level of basic services and amenities to all. The role of Government was conceived, as a provider for the poorest and vulnerable sections, and as a facilitator for other income group and private sector by the removal of constraints and the increased supply of land and services.



### **Employment:-**

India is one of the most populated countries in the world, second after china. With a workforce of more than 440 million, a huge pool of English-speaking graduates and a fast-growing economy, the need for employment opportunities has increased drastically. The Government is doing its best to bring about a better matching between the demand and the supply of work opportunities. The Union Public Service Commission (UPSC) and the Staff selection Commission (SSC) conduct competitive exams for recruitment to various services and posts. The Government has also set up a number of Employment exchanges all over the country to facilitate recruitment of suitable candidates into its various sectors. This section also provides an overview of career opportunities in avenues like the armed forces.

### **Employment Related Information:-**

- Union Public service Commission
- Staff Selection Commission
- Employment exchanges
- Public Sector Undertakings
- Armed Forces

### **Welfare of the Handicapped:-**

Because of industrialization, urbanization, fast traffic fast moving accidents, disease, disaster and absence of preventive health services. India has a very large population of handicapped children-the blind, the deaf, orthopedically handicapped and the mentally retarded. Although, some rough statistics are available about the handicapped persons in India which is very large, yet no reliable data is available about children with different handicaps.

The welfare services for the handicapped children in the past were in the nature of homes of institution for education & training of the handicapped

children. The voluntary agencies were pioneers in these fields. There are seven hundred such agencies working for the welfare of the handicapped.

### **Welfare of Blind children:-**

Blindness may be due to Vitamin-'A' deficiency, faulty health services for the new born & the mother, small pox, mal-nutrition, untreated eye injuries, infections etc. The main activity for blind children has been special educational institutions for them. Considerable work has been done in producing braille books and other special aids for the education of blind children which call for special training of teachers. There is now a trend towards integrated education for the blind and establishing pre-school centers for the young blind. Whereas, the first school for the blind was started in Amritsar in the 18<sup>th</sup> century, today there are a couple of hundreds of institutions for the blind children.

### **Welfare of the Deaf & Dumb children:-**

Dumbness may be result of disability during pre-natal period, injuries etc. The first scheme for the deaf children was established by a Christian missionary in 1855 in Bombay and the second in Calcutta. These schools followed the normal school curriculum with training of trainers, medical services, personal and group hearing aids, speech therapy, vocational training. These services are non-residential in nature, an emphasis being laid on integrated education.

### **Welfare of the Crippled Children:-**

Physical handicaps may be due to accidents, polio etc. The orthopedically handicapped children may be in a better position than the blind and the deaf children. They may be able to take advantage of education, but because of handicapped and lack of mobility may need vocational training physiotherapy, artificial limbs, etc.

### **Welfare of the Mental Retarded Children:-**

Mental retardation may be due to socio-cultural factors, mal-nutrition, inadequate health services etc. The mentally retarded children are of three types: **(i) educable, (ii) trainable & (iii) totally dependent.** There are around 150 institutions for mentally retarded children which include special school, residential institutions, vocational training, etc.

One of the important aspects of a problem of the handicapped children is early detection of disabilities and preventive services like immunization, nutrition services, mental health services, child guidance services etc.

In the early days, mentally retarded were placed in institutions along with children with other physical handicaps. With the development psychology and skills for dealing with deprived children & measurement of IQ, it has been possible to educate such of the mentally retarded children whose IQ is above 75. Efforts are also being made to have integrated education or the marginally mentally handicapped children.

Schools have been set up by voluntary agencies with assistance from the Government. Vocational training is being provided through non-residential institutions to the trainable mentally retarded whose IQ is above 50. Those who are not able to take advantage of the open employment, sheltered workshops, employing them on a permanent basis have been set up in some parts of the country. Apprenticeship with a master craftsman is in another method of employing the mentally retarded persons. Residential facilities are being provided to those mentally retarded children who are totally dependent even for self-care.

## ***2.2: Family welfare agencies:-***

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The Dept. of family Welfare is headed by Secretary family welfare at the secretariat level. The family welfare programme is implemented through Director or Commissioner of Family Welfare at state head quarters and districts through the District Family Welfare Bureaus.

The services under family welfare and maternal and child health are provided through Primary Health Centers (PHC). The services, organizations, Govt. organizations and private medical practitioners also contribute for the implementation of the programme. This is centrally sponsored programme with 100% financial support from the Govt. of India.

### ***Family welfare agencies:-***

The first family welfare agency in this country was organized in Bombay in 1950. The family welfare agency often receives references from other social welfare agencies like Govt.hospital, juvenile courts, child guidance clinics, etc. But some of the individuals refers themselves to the agency directly for obtaining assistance in respect of marital disorder for counseling on personal

problems, problems pertaining to bad health, unemployment, delinquent children etc.

Due to rise in the case load, the number of social case workers needs the cooperation and support of many other professionals persons like doctors, lawyers, psychiatrists, educationists, & religious leaders. The family welfare agency is now located at 10 B.D.D. Chawls, Delisle road, Bombay. Apart from rendering services to innumerable clients it provides training facilities (field work) to students of social work in TISS at Bombay.

Family welfare agencies help the families in solving their economic difficulties, unemployment, poor living conditions, ill-health, marital & family conflicts & several such problems, there is need for setting up more family welfare agencies. But along with these there is need no increase the other specialized agencies such as employment bureau,

Psychiatric centers, legal aid societies, juvenile courts etc. which can help in solving some of these problems. There is also need of starting private family welfare units, where parents of better economic status can pay for the specialized services. There are also some welfare agencies:-

a) Govt. organizations:-

➤ Mahila Vikash Samabaya Nigam (MVSAN):-

It acts as a agency for women's development programmes and a channelizing agency for funds under a number of Central Sector Schemes.

➤ Family Insurance Services

b) Non-Government organizations:-

➤ SHG

➤ Community clubs

However, there are certain agencies which render family welfare services:-

- i. Agencies which have economic programme for middle & lower class women in urban areas.
- ii. Marriage counseling agencies.
- iii. Extension agencies in rural areas under positive IRDP programme.
- iv. Family planning Agencies.
- v. Other agencies rendering general family welfare services.

***Conclusion:-***

Social work renders a great role in the sphere of family organization. It gives assistance & counseling towards family & individual relations, marriage, health & economic problems. In this field, the social worker bears the responsibility of establishing harmonious relationship between the individual & his family.

## ***QUESTIONS:-***

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- 1-Discuss different types of welfare programmes in the areas of health, education, housing & employment?
- 2-Elaborate services to strengthening family welfare programme?
- 3-Write down the scope of counseling & guidance in present society.
- 4-Discuss demographic problems of population & role of social work in family planning?
- 5- The problem of aged is growing day by day, discuss services available for them?

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# UNIT-3

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## ***3.1: Legislation relating to family, marriage, divorce, employment, immoral trafficking etc.***

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### **Divorce:-**

Section 13 of the Act provides several grounds for obtaining divorce by either party to the marriage whether solemnized before or after the commencement of the Act. Unless there is a custom in vogue, no divorce can be obtained by a Hindu couple without approaching a court of law.

The grounds common to both the Husband & wife are mentioned in Section 13 (1). They are:-

- a) Other spouse living in adultery
- b) Cruelty of the other spouse
- c) Desertion by other spouse
- d) Conversion by other spouse to other religion
- e) Unsound mind of the other spouse
- f) Virulent and incurable form of leprosy to other spouse
- g) Other spouse suffering from venereal diseases
- h) Renunciation of the world by other spouse
- i) Presumption of death of the other spouse.

To these grounds, two more grounds common to both the husband & wife were added by an amendment made in 1964. In the form of Section 12 (1-A). They are:-

- I. Non-resumption of cohabitation as between the parties to the marriage for a period of one year or upwards after the passing of a decree for judicial separation and
- II. No restitution of conjugal rights as between the parties for a period of one year upwards, after passing of decree for restitution of conjugal rights.

These grounds could be invoked by either the Husband or the wife for the purpose of obtaining divorce.

**(A) Wife's special grounds for divorce:-**

There are four grounds mentioned in Section 13 (2) which are available only to a wife, for the purpose of obtaining divorce.

These last two grounds were added by the Marriage Laws (Amendment) Act, 1976 (68 of 1976). Even though these grounds were added in 1976, they can be availed by a wife whether her marriage was solemnized before or after 1976. These grounds are:-

**i. Remarriage:-**

In the case of any marriage solemnized before the commencement of the Act, if the husband had married again before such commencement or if such other wife was live t the time of marriage of the petitioner, it would be n exclusive ground for the petition of such divorce. Obviously the right to apply for divorce is available only to the first wife.

Thus, in the case of petition for divorce by the first wife on the ground that her husband had married a second wife, the fact that the husband divorced his second wife after filling petition, is no ground to disentitle the first wife for the relief.

**ii. Husband Guilty of Rape, Sodomy or bestiality:-**

This provision enables the wife to obtain divorce where the husband has since solemnization of the marriage been guilty of rape, sodomy or bestiality as understood under Section 375 & 377 of the Indian Penal Code, 1860.

**iii. Non-resumption of cohabitation:-**

Where a wife obtains decree or order for maintenance either under Section 18 of the Hindu Adoptions & maintenance acr, 1956 or under Section 125 of Cr. P.C, 1973 and if cohabitation between the parties had not been resumed for one year or upwards after the decree, she can invoke that non-resumption of cohabitation as a ground for obtaining divorce.



**(B) Divorce by mutual consent:-**

Section 13-B of the Act, added by Act 78 of 1976 provides for divorce by mutual consent. Thus when there is total break-down of the matrimonial relationship and the spouses are living separately for a period of one year or more on the mutual agreement between the parties, divorce can be obtained from a court of law.

This provision is a progressive law as it treats the Hindu wife on equal footing with the Hindu husband.

**(C) No bar on marriage by Divorced persons:-**

The Act makes no provision that bars the remarriage by a divorced wife or husband, provided the divorce becomes final (Section-15). It does not attach any stigma to a Hindu woman divorcee and she is free to contract a fresh marriage.

**Relief for respondent in divorce and other proceeding:-**

According to Section 23-A of the Act, any proceeding for divorce or judicial separation or restitution of conjugal rights may not only oppose the relief sought by the petitioner but the respondent may also make a counter claim on the grounds of petitioner's adultery, cruelty desertion. This provision appears to be an effort to avoid filing of two petitions by the two spouses.

**(D) Maintenance pendent lite & expenses of proceedings(Section24):-**

In any proceedings under the Act like the petition for restitution of conjugal rights, judicial separation, or divorce where the respondent spouse has no independent income, sufficient for self support and also for paying the necessary expenses, the other spouse may be directed by the court to provide maintenance and legal expenses. The quantum of maintenance depends on the petitioner's own income and that of the respondent. This provision helps the spouse in financial distress to face the legal proceedings initiated by other spouse. This provision is only temporary and lasts till the disposal of the legal proceedings. However the maintenance awarded to a wife under Section 24 of the Act is independent

and different from the proceedings under Section 125 Cr. P.C which is a secular and social welfare provision applicable to all the religions.

***(E)Custody of children:-***

A Hindu wife whether living with the husband or not, whether divorced or not is equally entitled to the custody of her minor children, of course subject to the satisfaction of the court by virtue of Section 26 of the Act. Even though there are no certain guidelines as to right to custody of the minor children, the courts held that the custody of a child below 5 years of age shall be with the mother unless special circumstances injurious to the child's interest are shown. Similarly the court may not be influenced by the fact of re-marriage of the mother.

***Conclusion:-***

Thus it could be seen that in relation to the marriage and other related aspects, The Hindu Marriage Act 1955 has introduced radical and progressive changes which go a long way in rendering gender justice. They also provide certain special rights privileges to the Hindu woman apart from conferring equal rights on par with Hindu woman.

***Immoral trafficking:-***

The problem of human trafficking is not a contemporary problem but has been there at all times in society, the magnitude, albeit, is unparalleled. The shrinking globe, the increasing mobility, the porous borders have made the problem intense and remedial action difficult. The immoral traffic prevention act, 1956 was passed by parliament pursuant to the international convention signed at New York on the 9<sup>th</sup> may 1950, for the prevention of immoral traffic. The Act prescribes punishments for the various acts related to prostitution. The following acts have been made punishable:-

- Keeping or managing of a brothel and knowingly living of the earning of a prostitute.
- Procuring, inducing or taking a person for the sake of prostitution; if the person in respect of whom an offence under the sub-section is committed is a child, the punishment gets more rigorous.
- Detaining a person on premises where prostitution is carried on, with or without her consent. If a person is found with a child in a brothel, it

shall be presumed, unless the contrary is proved, that he is committed an offence.

- Prostitution in or in the vicinity of public place i.e. places which are within a distance of two hundred meters of any place of public religious worship, educational institution, hotel, hospital, nursing home etc.
- Permitting prostitutes for purposes of their trade to remain on one's place.
- Seducing or soliciting for purpose of prostitution as to be seen or heard from any public place or house.
- The Act makes provision for the appointment of special police officers and advisory body for dealing with offence under this Act. If a magistrate has reason to believe that a person is living, carrying, or is being made to carry on, prostitution in a brothel, he may direct a police officer not below the rank of a sub-inspectors enter such brothel and to remove such person and produce her before him.
- A person who is carrying on, or is being made to carry on prostitution, may make an application, to the Magistrate within the local limits jurisdiction for an order that she may be kept in a protective home, or provided care and protection by the court.
- The state Government may in its discretion establish as many protective homes and corrective institutions under this Act as it think fit, which shall be maintained in the prescribed manner.

### **Appraisal:-**

There are a few provisions in the Act which go to make it a good piece of Social Legislation.

### **Legislation regarding Marriage:**

According to Hinduism, marriage is a sacred relationship

In some Hindu systems of marriage, there is no role for the state as marriage remained a private affair within the social realm.

Within this traditional framework reference, marriage is undoubtedly the most important transitional point in a Hindu's life and the most important of all the Hindu "sanskaras" (life-cycle rituals) Therefore there was fierce religious

opposition to enacting such laws for marriage, succession and adoption. The greatest opposition was to the provision of divorce, something which was to the last degree anathema to the Hindu religion. Also resisted was the idea of equal inheritance by sons and daughters (male and female heirs), regardless of whether the daughter was married or unwed. This was against the Hindu view of family, where married daughters were regarded as belonging to the family of their husband, not of their father. These Acts were championed by Prime Minister Jawaharlal Neheru, who strongly believed in enactment of "modern" laws for Hindus and devoted the major portion of his tenure as prime minister to the task of abolishing the traditions of India and replacing them with laws that aped and mimicked the laws of the west, which were based on western culture and western tradition. He did this because, as he himself proudly states in his autobiographical work *"Discovery of India,"* his education at Harrow made a thorough Englishman of him, divorced him from the culture of India, and left him with a lifelong distaste for anything overly Hindu "in essence or appearance."

Some have argued that Hindu marriage cannot be subjected to legislative intervention. Derrett predicted in his later writings that despite some evidence of modernization, the dominant view in Hindu society for the foreseeable future would remain that marriage is a form of social obligation...

## Conditions

Section 5 of Hindu Marriage Act, 1955 states:-

**"Section 5. A marriage may be solemnized between any two Hindus, if the following conditions are fulfilled, namely-**

1. neither party has a spouse living at the time of the marriage
2. at the time of the marriage, neither party-
  - a. is incapable of giving a valid consent to it in consequence of unsoundness of mind; or
  - b. though capable of giving a valid consent, has been suffering from mental disorder of such a kind or to such an extent as to be unfit for marriage and the procreation of children; or
  - c. has been subject to recurrent attacks of insanity or epilepsy;
3. the bridegroom has completed the age of twenty-one years and the bride the age of eighteen years at the time of the marriage;
4. the parties are not within the degrees of prohibited relationship unless the custom or usage governing each of them permits of a marriage between the two;
5. the parties are not sapindas of each other, unless the custom or usage governing each of them permits of a marriage between the two."

Marriage of a female less than 18 years of age or a male of less than 21 years of age. Marriage is voidable and not void. Marriage will become valid if no steps are taken by such "child" seeking declaration of marriage as void.

The conditions-Marriage can be solemnized between two Hindus if neither party has a living spouse at the time of marriage; The conditions also stipulate that at the time of the marriage, neither party is incapable of giving valid consent or suffering from a mental illness that inhibits their fitness for marriage or procreation of children or suffering from recurrent episodes of insanity or epilepsy. In the original Act, the age of valid marriage was fixed at 18 for the boys and 15 for the girls, however this age requirement was later raised to 21 and 18 respectively for the boys and the girls through the Child Marriage Restraint (Amendment) Act 1978. Finally, the Act specifically disallows marriages between prohibited degrees of relationships

## **Guardianship**

Section 6 of the Hindu Marriage Act specifies the guardianship for marriage. Wherever the consent of a guardian in marriage is necessary for a bride under this Act, the persons entitled to give such consent are the following: the father; the mother; the paternal grandfather; the paternal grandmother; the brother by full blood; the brother by half blood; etc. The Guardianship For Marriage was repealed in 1978 after the Child Marriage Restraint Amendment was passed. This was an amendment that increased the minimum age requirement for marriage in order to prevent child marriages.

## **Section**

Section 7 of the Hindu Marriage Act recognizes the ceremonies and customs of marriage. Hindu marriage may be solemnized in accordance with the customary rites and ceremonies of either party. Such rites and rituals include the Saptapadi—the taking of seven steps by the bridegroom and the bride jointly before the sacred fire. The marriage becomes complete and binding when the seventh step is taken.

## **Registration**

As stated in Section 8 of the Act, the state government may make rules for the registration of Hindu marriages that the parties to any of such marriages may have particulars relating to their marriages entered in such a manner and subject to such conditions as may be prescribed in the Hindu Marriage Register. This registration is for the purpose of facilitating the proof of Hindu marriages. All rules made in this section may be laid before the state legislature. The Hindu Marriage Register should be open for inspection at all reasonable times and should be admissible as evidence of the statements contained therein.

## **Nullity of marriage and divorce**

Any marriage can be voidable and may be annulled on the following grounds: the marriage has not been consummated due to impotency, contravention of the valid consent mental illness condition specified in Section 5, or that the respondent at the time of the marriage was pregnant by someone other than the petitioner. Divorce can be sought by husband or wife on certain grounds, including: continuous period of desertion for two or more years, conversion to a religion other than Hindu, mental abnormality, venereal disease, and leprosy. A wife can also present a petition for the dissolution of marriage on the ground of if the husband marries again after the commencement of his first marriage or if the husband has been guilty of rape, sodomy, or bestiality. Newly married couples cannot file a petition for divorce within one year of marriage.

### **Supreme Court ruling in 2012**

The Supreme Court of India exercised its powers under Article 142 of the Constitution of India and ruled in August 2012 that marriages can be ended by mutual consent before expiry of the cooling period of six months stipulated in the Hindu Marriage Act, 1955. Section 13-B of the Hindu Marriage Act provides for the couple seeking divorce through mutual consent to wait for a period of six months after making first joint application for divorce. It is only after the expiry of the six months that the couple can move second application for the dissolution of their marriage.

Pronouncing the judgment, Justice Altamas Kabir said: "It is no doubt true that the legislature had in its wisdom stipulated a cooling period of six months from the date of filing of a petition for mutual divorce till such divorce is actually granted, with the intention that it would save the institution of marriage. But there may be occasions when in order to do complete justice to the parties it becomes necessary for this court to invoke its powers under Article 142 in an irreconcilable situation (between the couple). When it has not been possible for the parties to live together and to discharge their marital obligations towards each other for more than one year, we see no reason to continue the agony of the parties for another two months."

### **Marriage Laws (Amendment) Bill, 2010**

Based on recommendations of the Law Commission, a legislation was proposed. The Marriage Laws (Amendment) Bill, 2010 to amend the Hindu Marriage Act, 1955 and the Special Marriage Act 1956 to making divorce easier on ground of irretrievable breakdown of marriage was introduced in the parliament in 2012. The Bill replaces the words "not earlier than six months" in Section 13-B with the words "Upon receipt of a petition."

It also provides a better safeguard to wife by inserting section 13D by which the wife may oppose the grant of a decree on the ground that the dissolution of the marriage will result in grave financial hardship to her and that it would in all the circumstances be wrong to dissolve the marriage.

New section 13E provides restriction on decree for divorce affecting children born out of wedlock and states that a court shall not pass a decree of divorce under section 13C unless the court is satisfied that adequate provision for the maintenance of children born out of the marriage has been made consistently with the financial capacity of the parties to the marriage.

Marriage Laws (Amendment) Bill, 2010 makes similar amendments to the Special Marriage Act, 1954 by replaces the words "not earlier than six months" in Section 28 with the words "Upon receipt of a petition." and provides restriction on decree for divorce affecting children born out of wedlock.

However, there was strong opposition to this bill due to the objection that it will create hardships for women and that the bill strongly supports one party while both parties should be treated equal in divorce. Therefore, the bill was amended to provide for wife's consent for waiver of six-month notice with the words "Upon receipt of petitions by the husband and the wife."

The Bill was passed passed by the Rajya Sabha in 2013, though it was not passed in the Lok Sabha.

## **Legislation regarding Employment**

**Employment protection legislation (EPL)** includes all types of employment protection measures, whether grounded primarily in legislation, court rulings, collectively bargained conditions of employment, or customary practice. The term is common among circles of economics. Employment protection refers both to regulations concerning hiring (e.g. rules favouring disadvantaged groups, conditions for using temporary or fixed-term contracts, training requirements) and firing (e.g. redundancy procedures, mandated prenotification periods and severance payments, special requirements for collective dismissals and short-time work schemes).

There exist various institutional arrangements that can provide employment protection: the private market, labour legislation, collective bargaining arrangements and not the least, court interpretations of legislative and contractual provisions. Some forms of de facto regulations are likely to be adopted even in the absence of legislation, simply because both workers and firms derive advantages from long-term employment relations.

### **Employment Protection Legislation:-**

One of the more frequently used measures of the strictness of the EPL in each country and through different years is the so-called **Employment Protection Legislation Index** elaborated by the This index is calculated along 18 basic items, which can be classified in three main areas:<sup>1</sup>

1. Employment protection of regular workers against individual dismissal;
2. Specific requirements for collective dismissals; and
3. Regulation of temporary forms of employment.

The 18 first-digit inputs are then expressed in either of the following forms:

1. Units of time (e.g. delays before notice can start, or months of notice and severance pay);
2. As a number (e.g. maximum number of successive fixed-term contracts allowed); or
3. As a score on an ordinal scale specific to each item (0 to 2, 3, 4 or simply yes/no).

Then, these different scoring is converted into cardinal scores that are normalized to range from 0 to 6, with higher scores representing stricter regulation. Therefore, each of the different items is normalized according to weighted averages, thus constructing three sets of summary indicators that correspond to successively more aggregated measures of EPL strictness.

The last step of the procedure involves computing, for each country, an overall summary indicator based on the three subcomponents:

1. Strictness of regulation for regular contracts,
2. Temporary contracts, and
3. Collective dismissals.

The summary measure for collective dismissals is attributed just 40% of the weight assigned to regular and temporary contracts. The rationale for this is that the collective dismissals indicator only reflects additional employment protection triggered by the collective nature of the dismissal. In most countries, these additional requirements are quite modest. Moreover, summary measures for collective dismissals are only available since the late 1990s.

## **Effects of employment protection legislation**

### **On the duality of the labour market**

Some economists have claimed that empirical evidence gives support to their theories, according to which EPL leads to a segmentation in the labour market between the so-called *insiders*, the workers with a protected job, and the *outsiders*, who are people that are either unemployed or employed with fixed-term, part-time or temporary contracts, or even in the black-economy, and face big difficulties to find a job covered by EPL because of the firms' reduced propensity to hire. This latter group is mainly constituted by youths, women, racial minorities and unskilled workers.



## **On unemployment**

Whether EPL has any effect on unemployment is an issue of contention between economists. On the one hand, assuming that the cyclical wage pattern is not affected by mandated firing costs, EPL reduces the propensity to hire by employers, since they fear that such decisions will be difficult to reverse in the future, in case of a recession. On the other hand, EPL also leads firms during downturns to keep more workers employed, than they would have otherwise done. Therefore, EPL reduces both job creation and job destruction so that the net effects on average employment and unemployment are not identifiable a priori. What is instead agreed among economists is that more stringent EPL lowers the fluctuations in the quantity of labour demanded over the business cycle, leading to smoother dynamic patterns of those aggregates.

Economists considering that EPL has no effect on unemployment include Blanchard and Portugal (2000). In their article they compare two opposite countries as regards their EPL stance: Portugal with one of the more strict legislations in the world and the US with one of the more flexible ones. In spite of these differences, both countries have similar unemployment rates which undermines the argument considering that EPL has any effect on unemployment. Instead, the authors claim that EPL does affect two other variables: job flows and unemployment duration. EPL would reduce job flows (from employment to unemployment: employers are less willing to fire, given that they must pay indemnizations to workers) therefore reducing unemployment but would increase unemployment duration, increasing the unemployment rate. These two effects would neutralize each other, explaining why overall, EPL has no effect on unemployment.

Nickell (1997) arrived to similar conclusions when stating that labor market rigidities that do not appear to have serious implications for average levels of unemployment included strict employment protection legislation and general legislation on labor market standards.

Among those that have found evidence suggesting that EPL increases unemployment are Lazear (1990). The author argued that mandated severance pay seemed to increase unemployment rates. His estimates suggested that an increase from zero to three months of severance pay would raise the unemployment rate by 5.5 percent in the United States.

## **On employment**

Lazear (1990) once again argues he has evidence suggesting that EPL reduces the employment to population ratio. In his article he claims that the best estimates suggest that moving from no required severance pay to three months of required severance pay to employees with ten years of service would reduce the employment-population ratio

by about one percent. In the US that would mean over a million jobs. Lazear argues that the young could bear a disproportionate amount of the burden.

To the contrary, Bertola and Bentolila (1990) found evidence supporting the idea that firing costs have a larger effect on firms' propensity to fire than to hire, and therefore (slightly) increase average long-run employment.

### **On wages**

Several authors have found that EPL has significant effects on wages. As stated by Lazear (1990) in a perfect labor market, severance payments can have no real effects as they can be undone by a properly designed labor contract. Leonardi and Pica (2006) found evidence supporting this claim. They suggest that in the case of Italy an EPL reform in 1990 had as effect to reduce entry wages by 6 percent, implying that firms tend to transfer the increase in the cost of firing (due to EPL) onto workers. In fact, in their study they find that 25 percent of the firing cost was shifted onto lower wages in the case of Italy.

### **On firm efficiency and profits**

In principle the effects on profits are ambiguous. Because of EPL, firms engage themselves in labour hoarding practices, which lead them to employ a lower quantity of workers during upswings, while keeping inefficient levels of employment in downturns. For a given level of wages, this loss of productive efficiency would result in lower average profits. On the other hand, if firms operated in a context of efficiency wages, by inducing more stable relationships with the workers and reducing their job and income insecurity, EPL could allow them to pay lower wages, without reducing the effort provided by the labour force employed, with beneficial effects on profits.

### **On product market regulation**

There appears to be agreement among economists on the positive correlation between product market and employment regulation. Although employment protection legislation is only one aspect of the wide range of regulatory interventions in the labour market, Nicolette et al. (2000) find evidence suggesting that, across countries, restrictive regulatory environments in the product market tend to be associated with restrictive employment protection policies. They claim that the indicators presented in their paper are closely related, with a statistical correlation of 0.73 (significant at the 1% level). In other words, according to these results, restrictive product market regulations are matched by analogous EPL restrictions to generate a tight overall regulatory environment for firms in their product market as well as in the allocation of labour inputs. The strong correlation between regulatory regimes in the product market and EPL also suggests that their influence may have compounded effects on labour market outcomes, making regulatory reform in only one market less effective than simultaneous reform in the two markets

Kugler and Pica (2003) find similar results in the case of the Italian Economy. They present a matching model which illustrates how barriers to entry in the product market (product market regulation) mitigate the impact of labour market deregulation, (that is, mitigate the effects of a reduction in the strictness of EPL). In the author's opinion, this means that there are economic complementarities between labor and product market policies in their model, in the sense that the effectiveness of one policy depends on the implementation of the other policy. Thus, an important implication of their model is that labor market deregulation will be less effective in the presence of heavier regulations of entry. Similar results are obtained by Koeniger and Vindigni (2003).

### **On hours per worker**

Whereas EPL may have not a significant effect on unemployment, strict EPL gives incentives to the firms to resort to other sources of flexibility like overtime, which, as shown by Abraham and Houseman (1994), indeed tends to be used much more in Continental European countries, where the variability of hours per worker is significantly higher than in the Anglo-Saxon labour markets.

## ***3.2: Problems of Women in Indian Context:-***

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The Constitution of India provides equal rights and opportunities to women. It does not make any discrimination on the grounds of sex. Indian women are also responding positively to this changed socio-political situation. This does not mean that our women are completely free from problems. On the contrary, the changing situation is causing them new problems. They are now beset with new stresses and strains. Some of the major problems haunting the modern women may briefly be analysed here.

### **1. Increasing Violence against Women:**

#### **i. Violence is almost universal:**

Most societies exhibit violence in one way or another. Violence against men or women is a social problem because; a large number of people are affected by it almost every day. Each of us is affected in countless ways by the climate of violence. Violence disrupts society.

Every society creates institutions designed to achieve certain ends. Violence cuts short normal institutional functions. Every act of violence, from assault to armed revolution, detracts to some degree from the authority normally vested in society.

#### **ii. Women as Victims of Violence:**

Who is most likely to be victimised by violent crime? Women are less likely to be victimised by violent crime than men, though in some crimes and among some groups of women, victimisation is higher than men. Violence against women is not a new phenomenon in India. "Women in Indian society have been victims of ill-treatment, humiliation, torture, and exploitation for as long as written records of social organisation and family life are available.

These records are replete with incidents of abduction, rape, murder, and torture of women. But, regretfully, female victims of violence have not been given much attention in the literature on social problems or in the literature on criminal violence.

### **iii. Increasing Crimes against Women:**

Crime against women is an ever-increasing problem. This problem has been growing more and more acute in India during the recent years. Crimes against women include violence against women, rape, molestation, dowry harassment, wife-battering, kidnapping female children to be sold into brothel homes, forcible embracement, forcible religious conversion, cheating young women with a promise to marry them or fetch them a job and various types of sexual harassments and abuse of women including eve teasing.

As per the report [1994] of the "Crime Record Bureau" of the Central Home Ministry, crimes against women increased to a great extent in the year 1993-94. As per this report, in India on an average,

(i) every day for every 6 minutes one atrocity is committed against woman; (ii) for every 44 minutes a woman is kidnapped;

(iii) for every 47 minutes a woman is raped;

(iv) every day 17 dowry deaths take place. The same report says that crimes against women increased two times in the last 10 years; instances of rape by 400% in the last two decades; instances of kidnapping and blackmailing women by 30% between 1974 and 1993. In 1993 alone about 82,818 instances of crimes against women were registered. Many cases are not registered. It is said that only 10% of the rape cases are reported.

### **Violence against Women within and Outside Family:**

In a male dominated society like India violences against women are unfortunately increasing at an alarming rate. Such violences can be grouped into two types: (a) violence against women within the family, and (b) violence against women outside the family.

#### **(a) Violence against Women within the Family or Domestic Violence:**

Women are often subject to violence within the family, a place which is expected to protect their dignity and assure their safety. This type of violence includes crimes such as — dowry related harassments including death, wife-battering, marital rape, sexual abuse of female children and women of one's own family, deprivation of sufficient food to female members, committing incestuous offences, inducing female members of the family to resort to sex-trade, female genital mutilation, abusing female servants of the family, and so on.

### **(b) Violence against Women outside the Family or Social Violence:**

Kidnapping, raping and murdering women are very serious offences. The society at large itself is to be blamed for many types of violence's that are committed against women especially outside the family.

Such violence's include compelling women for abortion and to undergo tubectomy operation, eve-teasing, kidnapping girls of pre-matured age and forcing them to marry, sexual harassment of women employees in work place, immoral trafficking in women and girls, forced prostitution, kidnapping and mutilating the organs [such as hands, legs, ears, nose, etc.] of female children to use them for the purpose of begging, resorting to forcible religious conversion of young women, blackmailing of women, throwing acid at the faces of girls who refuse to marry, the police and the jail personnel committing sexual crimes against female prisoners, the police, armed forces and the border security forces committing sex crimes against the female citizens in the border areas and so on.

## **2. Gender Discrimination:**

Gender discrimination refers to “the practice whereby one sex is given preferential treatment over the others. The practice of giving social importance to the biological differences between men and women is there everywhere. In some societies, these differences are very much pronounced while in others, they are given less importance. Even the Indian society is not an exception to this.

### **Different Faces of the Practice of “Gender Discrimination”:**

In comparison with some other social problems, “gender discrimination!” does not “appear” to be a serious problem in India. It “appears” to be so because; it has not been made a very big social issue so far. But in reality, it has weakened the strength of the female community of India.

Though constitutionally men and women are equal, socially men are given priority and importance sometimes to the disadvantage of women. There are various areas wherein this discrimination is apparent.

### **(i) Discrimination in Socialisation:**

In our socialisation process female children are becoming victims of discrimination. In the Indian social context even today male children are preferred to female children. Hence, female children are subject to discriminatory treatment. Male preference and female negligence has almost become a working policy especially in the rural areas.

Discrimination between male and female children is made in matters relating to food, dress, health, education, domestic work etc. The policy of male preference and female negligence has led to what is known as “female disadvantages “. In India, mothers show preferences for male children.

They give them importance because – males are wanted during their old age to offer protection, males have greater scope than women and occupational avenues are also wider for males than for females.

This male preference has led to the abuse of advanced technology. The sophisticated scanning and supersonographic equipments are being misused to find out the sex of the child; that is to go for abortion if the child is found to be an unwanted female child.

These medical tests which would cost between Rs. 80/-to 800/- are within the reach of the middle class and even the upper-lower class resulting in the killing of the female foetuses in large number. Between 1978 and 1982 more than 78,000 foetuses were killed mainly because of these medical tests.

### **(ii) Discrimination in the Distribution of Power and Work:**

Most of the Indian families are patriarchal. Hence, the philosophy of equality of sex is not acceptable to them. Domestic works such as – cooking, looking after the children, washing clothes and vessels, keeping the house neat and clean, looking after the domesticated animals, serving family members like a nurse on all days and especially when they fall sick, etc., are branded as “women’s work”. Very rarely men do these works.

But when the question of exercising power comes, it is always the man who dominates. His decisions are final and his orders are ultimate. The female voice is always suppressed.

### **(iii) Women’s Health is ignored:**

Women suffer from some distinctive health problems from which men are free. Women have to undergo the distinctive biological process of pregnancy, or child-bearing, delivering, nursing, feeding, child-caring or rearing etc. These are their maternal functions. But the insistence on the family planning has posed many health hazards.

The use of contraceptives, Copper-T, sterilisation, abortion and hormonal drugs has an adverse effect on health. Those who make use of them suffer from problems such as bodily weakness, bloodlessness, high bleeding, fatness, problems in uterus, discomfort

in breast, chronic backpain, etc. As Neera Desai and Vibhuti Patel have criticised, the advocates of family planning do not seem to bother much about these problems.

**a. Women neglecting their Own Health:**

Studies have revealed that our women themselves are neglecting their own health. Normally Indian women consume less food [that is, on an average 100 calories a day] and spend more energy on work. Women toil for the good of the family and children even at the cost of neglecting their own health.

Women very rarely complain about their ill-health because of their virtue of “self-denial”. The records in the health centres reveal that women are lagging behind men [that is, 1:3, meaning one woman taking medical help for every 3 men] even in matters of availing of medical help.

**b. Women have their own reasons to neglect their health:**

Not finding free time to go to health centres because of heavy work at home; non-availability of proper medical facility to test the health or ill-health of the mother and the child especially in the primary health centres; inability to walk a long distance to reach a well equipped health centre in the absence of proper transportation facility; non-availability of female doctors in the nearby health centres, etc., are some such excuses.

**(iv) Decline in the Female Population:**

Normally, in the population of any country, male- female ratio remains more or less the same, that is, 50:50. In India as the census reports reveal female population has been steadily declining ever since 1901.

It is for this reason Neera Desai and Vibhuti Patel raised the point whether the womenfolk in India represent a “declining sex”. According to 2001 Census, there is a deficit of 35 million women as compared to 3 million in 1901. For every 1000 men, we have only 933 women at present as against 972 women in 1901.

The male preference has led to the abuse of technology. Thousands of “unwanted female” children are killed at the stage of foetus itself. It is said that in India, out of 12 million female children born every year, around 25% of them die before they attain the age of 15. Of the children who die every year, about 3 lakh female children, that is, more than the number of male children, die for one or the other reason. Of the children which die every year in India, the 6th child dies due to gender discrimination.

**(v) Gender Discrimination in Occupations and Public Life:**

Women workers are paid less than the male workers for the same type of work. Much labour is extracted from women by giving them very minimum wages. In matters of

giving treatment, promotion, increment, facilities, etc., discrimination is normally made. In public life also men are given priority.

Excepting the glamorous film actresses and politicians, in all other fields, women are not given importance on par with men. Government officials also practise this discriminatory treatment in dealing with the people.

### **3. Problems of Female Education:**

Social reformers and social thinkers believe that in a nation like India giving education to women in as large a number as possible can prove to be a panacea for many of the problems of women.

Accordingly, much attention is paid to the education of women after independence. The female literacy level is also increasing steadily. It has increased from 18.7% in 1971 to 39.42% in 1991 and to 64% in 2001. In spite of this change in the trend towards literacy, some problem has cropped up. We find glaring differences between the level of education of men and women. For example,

i. It is found that girls are being discouraged to go for higher education and also for professional and technical education.

ii. There are regional imbalances also. In states like Kerala, Karnataka and Maharashtra, female education is encouraged and given almost equal importance. Whereas in states like Bihar, Orissa, Madhya Pradesh etc. education of girls is neglected even today.

iii. Increasing drop-out of female children from schools is another problem. Though female children are getting admitted to primary, middle and high schools in a substantial number, many of them drop out of the school in the middle without completing the course.

For example, as per the data furnished by the Ministry of Education [New Delhi], in 1984-85 the number of female children enrolled at primary school crossed the figure of 34.2 million, and at middle school level the enrolment crossed 9.2 million. More than 74% of these female children, between the age-groups of 6-14 years, quit schools and lapsed into ignorance.

iv. Admission to School: Even in the matter of admitting children to school at elementary level, female children are discriminated against male children. For example, in 1984-85, the admission of male children to school was around 90%, the percentage of female children was only 66.2. It means complete awareness is not there among people regarding female education.

### **4. Problems Relating to Employment and Unemployment of Women:**



In the economic field the situation is such that majority of women who are ready to work are not finding suitable work to their satisfaction. Those who are in the employment sector are becoming the objects of exploitation and harassment.

Though an increase in the female literacy level and extensions of employment opportunities for women in the non-agricultural sector, have added to the trend in favour of female employment, these two problems continue to exist.

#### **i. Large Number of Employed Women is Illiterate:**

Of every 100 women employed, 52.59% of them are illiterate and 28.56% of them have studied only up to elementary level. Of every 100 women working in the rural areas, 88.11% are illiterate.

These illiterate women in the unorganised sector are totally exploited by their employers. Women working in factories, mining industries, building construction process, in dams, bridges and road repair or construction work are not only paid less but also made to work in unhealthy surroundings.

#### **ii. Decreasing economic participation of women:**

Technological development seems to have a negative effect on employment opportunities of women. Studies conducted between 1975-85 have revealed this fact. Application of new technology in agrarian sector, textiles, mines, jute, pharmaceuticals, small scale industries like coir, handloom, weaving, spinning, cashew, fisheries, tobacco, animal husbandry, fruits and vegetable processing etc. rendered many women jobless. Computerisation has also adversely affected the job prospects of women as clerks, typists and accountants.

### **5. Harassment of Women at Work Place:**

Women constitute an important labour force in all the countries. During the recent years there are an increasing number of women especially in the Indian context, who are working outside the family to get more income for the family. In fact, "the term working woman " refers to one who works outside the home for a wage or salary".'

Nearly 1/3 of our labour force [32%] consists of women. Working women constitute 16.43% of the female population of the country. As per 1991 Census, the number of working women was around 278.35 million, representing a growth rate of 26.12% over the previous decade.

The percentage increase of working women during the last decade was double that of male workers. The main problem with these female workers is that they are harassed in work place in different ways. "Harassment" refers to the basic violation of an individual's rights. Not only the rights of working women are violated, they are often sexually harassed also.

### **i. Economic Exploitation:**

Women workers are given much work but are paid less wages or salary especially in the unorganised sector. "Equal pay for equal work" remains only a slogan. "Equal Remuneration Act, 1976" has proved to be a dead letter in this regard. There are also sufficient instances of such exploitation even in the organised sector.

### **ii. Threat of Removal from Job:**

In the Indian context, majority of women go for work not for fun but out of necessity. Some are compelled to work because of poor family conditions. Employers who are aware of the helplessness of these female employees exploit them in all the possible ways. They do not tolerate any type of opposition or protest from the side of the female workers. Due to the fear of losing the job, women bear all the exploitations, and do not protest.

### **iii. Women are given More Work:**

Women normally work with devotion, seriousness and sincerity. This commitment to work is proving to be a big disadvantage for them. Hence, every time they are given more and more work which is not duly rewarded.

### **iv. Discrimination in Giving Opportunities:**

In spite of the hard work which women do, many employers consider these working women as "non-serious workers". They are also regarded as "non-permanent employees" especially in the case of unmarried female workers. They are discriminated with regard to recruitment, promotion, increment, training, over-time allowance, facilities at work place, and so on. Male workers are given preference in these matters.

### **v. Sexual Harassment of Women:**

Sexual harassment of women at workplace refers to giving indecent treatment to women workers by violating all the norms of modesty. Many female workers have complained of such harassments during the recent years.

This harassment by men includes – continuous staring at women, making women the targets of lewd remarks, dirty jokes, repeated invitation to meals and outings, offers to drop them home, making unwanted comments about dressings, making "accidental" touches and dashes, making them stay back in the work spot even after the working hours, male bosses calling smart female employees to their chambers and making unwanted "advances" towards them, molesting women workers and so on.

## **6. Exploitation of Women in the Media:**

The mass media such as the radio, television, news papers and the cinema play a vital role in social change and social development especially in the modern societies. But unfortunately, the media has not been playing a positive role in the case of women. The media is even condemned of exploiting and misrepresenting women.

#### **(i) Journalism as Print Media and Women:**

Newspapers, weeklies, monthlies or other types of magazines seem to be interested in increasing their circulation by rousing the cheap emotions of the people. "They target the woman's body to get their things done." Papers no doubt give due publicity to some unfortunate events under the captions such as "Atrocity against Women", "Dowry Costs A Woman's Life", 'Mass Rape of a Woman', 'Sexual Harassment of Women', etc. But in doing so they give the least information about the culprit of the crime. On the contrary, they take more interest in weaving stories about the victim of the event which often amounts to character assassination.

#### **(ii) Visual Media and Women:**

Since about 35% of the people in our society are illiterate, visual media such as television and the cinema have a greater impact on people. The Indian visual media is a failure in playing a positive role in educating people and enriching their knowledge.

Like the newspapers, they also exhibit the female body and make it their main capital to mint money. Modern movies believe in achieving success by portraying more and more sex, violence and murder. Women are shown as targets of attack, sex, rape and such other exploitations.

Unfortunately, our T.V. is also following the example of the movies. With the invasion of our skies with a number of T.V. channels, the choice of T.V. viewers has greatly expanded. T.V. channels such as the Star Plus, MTV, Asian TV Network, Zee TV, and other Cable channels, are promoting a lifestyle which is totally alien to us. As usual women are presented in these channels in an indecent manner. Indian movies and T.V. serials are playing havoc with our values and morals.

#### **(iii) Advertisements and Women:**

Advertisements whether in newspapers or T.V. play no less an important role in debasing women. Advertisement firms also make use of female body in a cheap manner to get publicity for things.

#### **(iv) Media and Women Movements:**

Media has an important role to play in strengthening women's position. While pronouncing women's weaknesses, it must also emphasise their strength. It must awaken women from the slumber of centuries, inform them, mobilise them and motivate them whenever required. It must give due publicity to women's struggle for justice,

equality and fairplay. This will help them in regenerating power. The present role of the media in this regard is not that encouraging, but disappointing.

#### **i. Legislation to Regulate the Media:**

The Government had passed as early as in 1986 a legislation namely; “The Indecent Representation of Woman [Prohibition] Act, (1986) in order to prevent the media from misrepresenting the women. Any attempt to degrade and discredit women, insult and humiliate them, assassinate the character of women, and present them in an indecent manner is declared punishable. The provisions of this Act are applicable to all the means of the mass media and also to advertisements, books, handbills, posters, etc. Violation of this Act is liable for punishment, which amounts to 2000 Rs. fine and 2 years imprisonment.

#### **7. Divorce and Desertion:**

During the recent years, instances of desertion and divorce are increasing making the lives of many women very miserable.

##### **(a) The Hardship of Desertion:**

Desertion is defined as “deliberate abandonment of conjugal relationships.” As a matter of fact, desertion may take place at the behest of any one of the two, or both together. In actuality, in the Indian context, it is mostly the husband who goes away from the family leaving the wife and children at home to fend for themselves.

Desertion causes lot of hardships especially for women. It immediately drives a woman to a state of uncertainty and helplessness. Deserted women belonging to poor families all of a sudden become orphans especially when they are disowned by their own parents. Some of them may resort to immoral activity, some others fall prey into the hands of anti-social elements, while a few of them may commit suicide.

(b) The Agony of Divorce: Divorce is “...an institutional arrangement for terminating marital relationship...”

##### **Causes of divorce are many:**

Sociologists like Damle, Fonseca and Chaudhary together conducted a study in India which revealed the following causes of divorce : marital disharmony, sexual conflicts, maladjustments between husband and wife, marital desertion, husband’s cruelty, prostitution on the part of wife, sexual impotency, severe and unmanageable clashes with the in-laws, mother-in-law’s harassment, including dowry harassment, illicit sex relationship on the part of either the husband or the wife, irreparable health hazards, mutual distrust, total irresponsibility of the husband or wife towards the family matters and so on.

Divorce causes lot of hardships especially for the women. It damages the social image of the wife. It becomes a permanent stigma in her life. Many sensitive women find it difficult to come out of the shock of divorce. The impact of divorce on children is also very severe.

The burden of protecting and rearing of children also lies on the wife. Jobless and resourceless divorced women find themselves in a big economic crisis. Young and beautiful divorced women find it difficult to suppress their sex urge. They are often forced to resort to illicit ways of satisfying it. It usually leads to family disintegration.

### **8. The Problem of Dowry:**

Dowry is both a practice and a problem associated with the Indian marriage. Though it was more in practice among the Hindus, it has now spread to almost all the religious communities of India.

i. Dowry refers to “....the property, money, ornaments or any other form of wealth which a man or his family receives from his wife or her family at the time of marriage.”

The age-old practice of dowry has now assumed the form of a social evil because the bride’s family is compelled to give some dowry as a price for marriage. It has become a social bane and a kind of bargain.

It has caused unhappiness, misery and ruin of the bride’s family. Huge amount of money is demanded at the time of marriage and the failure to give the promised amount would make the bride to suffer the consequences at the hands of her in-laws and also the husband.

ii. Dowry harassments are many. Women are ill-treated, disrespected, man-handled, tortured and subject to all sorts of cruelties in the name of dowry. Very often, our daily papers flash news about the tragic results of the dowry system, in which the newly married girls are always the victims of harassment, violence, murder and suicide. Dowry is demanded as though it is a fundamental right of the bridegroom.

Violence against women who bring less dowry or no dowry include – wife battering, emotional neglect / torture, verbal abuse, refusal of sufficient food, imposition of heavy physical work, severe physical harassments to the extent of killing the victim, and so on.

In spite of the legislation against the practice of dowry, it persists. Demands for dowry have even caused dowry deaths. According to an estimate, as many as 4148 dowry deaths were reported in the year 1990 and it increased to 4366 in the year 1993, and to 6205 in the year 1994, that is, at the rate of one dowry death for every 17 minutes.

iii. Dowry leads to the degradation of women. Prevalence of the practice of dowry reflects the inferior status of women in society. It makes a girl a great liability on her

family's resources. Some unscrupulous and money minded young men contract more than one marriage just for money.

It disturbs the normal relationship between the married women and her in-laws in the husband's family. Some poor parents, who cannot pay a huge amount as dowry, are often compelled to arrange the marriage of their daughters with old men, or physically or mentally handicapped persons. Such marriages prove to be miserable for women.

As early as in 1961 itself, The Dowry Prohibition Act was passed in order to prevent the practice of dowry. It was amended in 1986 to make its provisions more severe and stringent. In spite of this Act, the practice continues to be in vogue.

## **9. Decline in the Political Participation of Women:**

Participation of women who constitute 50% of our total population in politics and public life is very much negligible in India. We find only a negligible number of women in prestigious positions like those of Central and State cabinet ministers, governors, secretaries and legal advisers to the governments, ambassadors to other countries, IPS, IAS, IFS officers, judges in courts, mayors of big cities, office bearers of all-India parties, etc. No political party of India has given position to women in accordance with their number in the total population. In some areas seats are reserved for women as we find in Gram Panchayat, Jilla Panchayat, University Senate, etc. Even in these areas women have not constituted themselves into a "pressure group". Hence in our political life, we have caste lobbies, linguistic lobbies, capitalist lobbies, minority lobby, etc. but we do not have "-women lobby" to bring pressure on the government.

### **i. Increasing Violence and Terrorism in Politics:**

Political corruption, criminalisation of politics, erosion of political values, disappearance of political decency, instability, lawlessness, terrorism and confusion have been increasing in our public life since 1980s. This state of confused political situation has discouraged women from taking active role in politics.

### **ii. Minimum Representation of Women in Lok Sabha:**

The representation of women in Lok Sabha has been very poor since 1962 elections. For ex: there were only 33 elected women members in the third Lok Sabha [out of 494 members] after the 1962 elections. In the 6th Lok Sabha out of 544 elected members there were only 19 women members and their percentage was only 3.4. In the 10th Lok Sabha [1991 Elections] there were 39 elected women members and their percentage was 7.4.

iii. In the 1996 Elections for the 11th Lok Sabha though the total number of women voters increased to 28.24 crores [47%], only 477 women candidates as against 14,250 men candidates contested for 543 seats. [In the 1991 Elections for the 10th Lok Sabha

325 women candidates contested as against 8,374 men candidates for 521 seats]. These figures reveal that only a small number of women are interested in political life.

iv. In the 1999 General Elections for the 13th Lok Sabha also women's participation was the poorest one. Though political parties were speaking vociferously in terms of 33% reservation for women in legislative bodies including the Parliament, no political party had given tickets to women in more than 10%. In some parties, the percentage of women candidates was not even 2 to 3.

**v. Poor Participation of Women in the Party Politics:**

Not only in the legislative bodies but even within the framework of the political parties also the participation of women is very poor. Political parties are still male-dominated and unwilling to give sufficient representation to women.

For example, at present, [that is, in 2001] the Congress Party has only 3 women in its 20-member Working Committee. In the BJP Working Committee, out of 75 members there are only 8 women, and in its 650 member National Council, there are only 150 women.

### ***3.3: Status of women's welfare:-***

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“Woman is the builder and moulder of nation's destiny. Though delicate and soft as lily, she has a heart, far stronger and bolder than of man... she is supreme inspiration of man's onward march” - Rabindranath Tagore.

Empowerment is a multi-dimensional process, which should enable woman or a group of women to realize their full identity and power in all spheres of life (Surekharao and Rajamanamma, 1999). It consists of greater access to knowledge and resources, greater autonomy in decision making to enable them, to have greater ability to plan their lives, or to have greater control over the circumstances that influence their lives and free from shocks imposed on them by custom, belief and practice. Generally development with justice is expected to generate the forces that lead to empowerment of various sections of population in a country and to raise their status especially in case of women.

In the present century, the terms women empowerment, women welfare, gender justice have come to light in the social, economic and political development perspective of both developed and developing nations. Traditionally, women in almost every society have remained a second grade citizen. Hence, neither they are allowed to get themselves educated nor they are given legal rights in the property, government and in administration. “Empowerment comes from Women's groups who seek to empower themselves through greater self-reliance. They have right

to determine their own choices in life. They also seek to gain control and access to resources". Empowerment is process, which helps people to gain control of their lives through raising awareness, taking action and working in order to exercise greater control. Empowerment is the feeling that activates the psychological energy to accomplish one's goals (Indiresan, 1999). Women's empowerment denotes the process of gaining power or developing one's power or even to take or seize power. The concept of empowerment was introduced by women from south in International women's conference in Nairobi 1985, as a counter project to the integration project for the advancement of women. The empowerment concept makes clear the political and economic gap between men and women. It aims at redistribution of social power and control over resources in favour of women based on development strategy. The World Bank suggested that empowerment of women is the key agent of sustainable development. Indicators of Women Empowerment 1. Increase in self-esteem, individual

and collective confidence; 2. Increase in articulation, knowledge and awareness on health, nutrition reproductive rights, law and literacy; 3. Change in roles and responsibility in family & community; 4. Visible increase on decrease in violence on women and girls; Responses to, changes in social customs like child marriage, dowry, discrimination against widows; 6. Visible changes in women's participation level attending meeting, participating and demanding participation; 7. Increase in bargaining and negotiating power at home, in community and the collective; 8. Increase access to and ability to gather information; 9. Formation of women collectives; **10.** Positive changes in social attitudes; **11.** Awareness and recognition of women's economic contribution within and outside the household; **12.** Women' decision-making over her work and income. Women's empowerment perspective is a political project. The key factor is women's say in decision making process and participation in domestic as well as community power structure. Women empowerment is both the objective and the process of obtaining the objective. The Hard ward framework for women's empowerment entails five levels of gender equality namely: **a) Welfare b) Access c) Concretization d) Participation and e) Control.** This framework covers social, economic, psychological and political dimensions. While welfare signifies social dimension, access to resources refers to economic dimension, concretization implies psychological and participation and control political dimension. Access denotes access to resources such as educational of critical awareness about the structural discrimination, exploitation and oppression in which one is placed. In the first instance it involves awareness generation among women about gender gaps in respect to material welfare, access to resources, participation in decision making process and control over resources. The second aspect of concretization involves sensitization that the gender gaps are not God given or natural. They are men made and hence subject to alteration. The third aspect is



organizing women to achieve the goal of gender equality. Participation implies women's participation in decision making process within the family, community and society at large including political parties. Control implies power over their lives, labor, income and choices. Empowering women is prerequisite for creating a good nation as their thoughts and value system leads the development of a good family, good society and ultimately a good nation moreover, there is a need to bring about total change.

## ***QUESTIONS:-***

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1-Discuss the problems of Indian Women & legislation relating to welfare of women & their rights in the society?

2-Define different factors which are affecting the status of women?

3-Define Hindu Marriage & Elaborate different patterns of Hindu Marriage Act1956?

4- Discuss how Indian law and constitutional provisions are women friendly

5-Short Notes:-

(A)Law of Divorce (B) Immoral Trafficking

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# UNIT-4

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## ***4.1: Child Welfare:***

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### **Current policies and trends regarding child welfare:-**

Children constitute principle assets of any country. Children's development is very important for the overall development of society and the best way to develop national human resources is to take care of children. India has the largest child population in the world. All out efforts are being made by the government for the development and welfare of children. A number of policy initiatives have been taken for this purpose.

### **Policy Initiatives:-**

The National Policy for children lays down that the State shall provide adequate services towards children, both before and after birth and during the growing stages for their full physical, mental, and social development. The measures suggested include amongst others, a comprehensive health programme, supplementary nutrition for mothers and children, free and compulsory education for all children up to the age of 14 years, promotion of physical education, and recreational activities, special consideration for children of weaker sections including SCs and STs and prevention of exploitation of children etc.

The Government of India has also adopted the **National Charter for Children**, which has been prepared after obtaining the views/comments and suggestions of the State Governments/UT Administrations, concerned Ministries and Departments and experts in the field. The National Charter is a statement of intent embodying the Government's agenda for children. The document emphasizes Government of India's commitment to children's rights to survival, health and nutrition, standard of living, play and leisure, early childhood care, education, protection or the girl child, empowering adolescents, equality, life and liberty, name & nationality, freedom of expression, freedom of association and peaceful assembly, the right to a family and the right to be protected from economic exploitation and all forms of abuse. The document also provides for protection of children in difficult circumstances, children with disabilities, children from marginalized and disadvantaged communities and child victims. The document while stipulating the duties of the State and the Community towards children also emphasizes the duties of children towards family, society and the

Nation. The National Charter for Children was notified in the Gazette of India on 9<sup>th</sup> February, 2004.

India has also acceded to the UN Convention on the Rights of the Child to reiterate its commitment to the cause of children. The objective of the Convention is to give every child the right to survival and development in a healthy and congenial environment.

India is also party to the Millennium Development Goals and SAARC Conventions on Child Welfare and Combating Trafficking of Women and Children in SAARC Region.

Ministry of Women and Child Development has prepared a **National Plan of Action for Children 2005** after harmonizing the goals for children set in the UN General Assembly Special Session on Children held on 2002 and the monitorable targets set in the Tenth Five Year Plan and goals for children in related Ministries/ Departments. The Action Plan has been prepared in consultation with concerned Ministries/ Departments, States/UT Governments, non-Governmental organizations and experts. The National Plan of Action includes goals, objectives, strategies and activities for improving nutritional status of children, reducing IMR and MMR, increasing enrolment ratio and reducing dropout rates, universalisation of primary education, increasing coverage for immunization etc.

## ***4.2: DAY-CARE CENTRES:-***

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A day-care centre is a place where parents take their children to be taken care of by qualified individuals who are not the children's legal guardians. The centers usually operate during the day, mostly when parents are at work and charge a fee for their services. In the recent past, adult day-care centers have also come up for elderly members of the society who can not take care of themselves.

### **Objectives of Day Care Center:-**

- To provide physical support to the children.
- To enhance the formal education.
- To reduce the psychological tension of working parents.
- To promote self-dependency among the children.
- To facilitate extracurricular activities.
- To provide recreational learning among the children

## **Types**

The Day care center is broadly divided in to following types

1. Creche( Up to 3 year)
2. Anganwadi( 3 year to 5year)
3. Child Guidance Centre

## **Advantages:-**

1. Many parents like daycare centers because they offer a formal structured environment. Many daycare centers are as inspected for licensing purposes, in some cases care givers are supervised and a director oversees the entire operation.
2. Another plus: Centers have clear-cut rules for parents for follow (such as pickup & drop-off time) so you know exactly what is accepted of you. A day-care center is usually more affordable than a nanny. Plus, parents have the opportunity to meet other parents who may be able to lend support and babysitting time.
3. Also, the arrangement is more stable because the center agrees to watch over your children regardless whether a teacher is sick or tardy or even tired of working for you.
4. Staff members at good centers are usually trained in early childhood education so they know what to expect from your child developmentally and are able to nurture- his growing skills accordingly. If the centre you are considering doesn't hire knowledgeable staff, keep looking.
5. Good day-care centers include nice mix of activities during the day to teach different skills, such as singing dancing & story telling.

## **Dis-advantages:-**

One problem with daycare is that you're at the center's mercy. You may have to pay a costly fee for late pickups, scramble for backup care when the center is closed on holidays, and stay at home when your child is sick.

## ***4.3: CRECHES:-***

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A crèche is a child –care center where babies, toddlers and young children are cared for in a safe and stimulating surroundings. Crèches cater to the children of parents with full-

time or part-time jobs, The concept is picking up rather quickly in our country with the ever increasing number of nuclear families and working parents.

**Concept:-**

1. The concept was borrowed from Factories act 1948- Crèches for working mother.
2. 1969- The concept of creche was popularized by Ms. MeeraMahadevan for the children of migrant constructive workers of Delhi.
3. 1975- The Govt. of india assisted financial difference NGO's to open Creches.

**Characteristics:-**

1. It takes care of the bodies below the age of 3 year.
2. It is a controlled by a trained nurse or "AYA"
3. It is mostly found in Industrial setups .
4. It is part of welfare extension project of CCWB.
5. It is made to support the working mothers.
6. It should be conveniently accessibility to mother.
7. It can be constructed in the town ship as well as in the rural areas.

**Activities:**

- Daily and weekly Physical Checkups.
- Regular Feeding.
- Feeding by the mother.
- Maintenance of the case Records.
- Scope for Playing

**Requirement:**

1. The building should be adequate bedding and lodging facilities.
2. The number of children should not exceed 25 and less than 10.
3. During the intake of the children the following things should be considered like
  - A. Physical Fitness.
  - B. Mental fitness .
  - C. Identify.
  - D. Age.
  - E. Income of the Parents.
4. One staff should be employed for the 10 children.
5. The Ayas should be less than 23 years with adequate experience.
6. The Ayas should be supported by attendant.
7. The Creches usually run for the 6 to 8 hours

### **Facilities available within the crèche:-**

**Day-care:-** The crèche programme is a day-care programme for children of working or sick mothers from poor families who can go to work knowing that their children are safe and well cared for. The crèche run from 9:00 a.m. to 4:00 p.m.

**Hot-meals:-** Children at the crèches receive mid-day and afternoon snacks that are nutritionally balanced. The main changes each day of the week and varies according to the availability of seasonal fruits and vegetables.

**Pre-School Education:-** The crèche programme prepares the children for formal education. The units are differentiated age-wise and the

activities conducted following a carefully worked out lesson plan. Flash cards, charts and posters, toys, puzzles and sports/games materials developed by our crèche workers teach children about their environment, colours, nature & hygiene.

**School Enrolment:-** Crèche workers are responsible for ensuring that the children are enrolled into local government schools once they reach the eligible age.

**Medicare: -** Courses in first-aid treatment are given to Balsevikas to ensure that in case of an emergency, children are attended to promptly and are taken to the nearest medical facility.

**Recreational and Cultural Activities:-** The centers have playgrounds and are equipped with toys, teaching aids and play facilities like see saws, swings and slides, tricycles etc. Children's week in early November is a time of fun and excitement for the children in our crèches with a series of events organized for them including picnics, art competitions, sports event and dance and theatre performances. All festivals are celebrated in the crèches and parents are invited to attend and participate.

**Parents' Meetings: -** Parents' meeting with the Bolsheviks are regularly held to keep parents involved and informed about matters such as school admissions, vocational training, and celebration of festivals, prevention of diseases, health,

hygiene and cleanliness such awareness programmes held for parents of crèche children also crèche workers to keep in touch with the community and its needs.

**Odisha State Social Welfare Board also supports NGOs for running crèches for children of working and ailing mothers.**

## ***4.4: HEALTH EDUCATION:-***

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Health is a state of complete physical, mental & social wellbeing and not merely the absence of disease or infirmity. “**HEALTH FOR ALL**” does not mean an end to disease and disability or that doctors and nurse will for everyone. It means that resources for health and evenly distributed and that essential health is accessible to everyone, It means that health begins at home, in school and at the work place, and the people use better approaches for preventing illness and alleviating unavoidable disease and disability, it means that people recognize that ill-health is not inevitable and that they can shape their own lives and lives of their families, free from the avoidable burden of disease.

### **School Health Programme:-**

#### **Introduction:-**

School health program is a program for school health service under National Rural Health Mission (NRHM) which has been necessitated and launched in fulfilling the vision of NRHM to provide effective health care to population throughout the country. It also focuses on effective integration of health concerns through decentralized management at district with determinant of health like sanitation, hygiene, nutrition, safe drinking water, gender & social concern.

#### **Rationale for School Health Program:-**

The school Health Programme is the only public sector program specifically focused on school age children. Its main focus is to address the health needs of children both physical and mental and in addition to it provides for nutrition interventions, yoga facilities & counseling. It responds to an increasing need, increase the effectiveness of other investments in child development, ensure good current and future health, better educational outcomes and improves social equity and all the services are provided for in a cost effective manner.



The programme at the national level has been devloed to provide uniformity/guidance to states who are already implementing or plan to implement their own versions of programme and to give guidance in proposing coherent strategy for school health programme in next year's NRHM PIP to those states who have not yet started their programme.

### **Components of School Health Programme:-**

#### **Health service Provision:-**

##### **❖ Screening, health care and referral:-**

- Screening of general health, assessment of anemia/Nutritional status, visual acuity, hearing problems, dental check up, common skin conditions, heart defects, physical disabilities, learning disorders, behavior problems etc.
- Basic medicine kit will be provided to take care of common ailments prevalent among young school going children.
- Referral cards for priority services at District/ Sub-District hospitals.

##### **❖ Immunization:-**

- As per national schedule.
- Fixed day activity.
- Coupled with education about the issue.

##### **❖ Micronutrient (Vitamin A & IFA) management:-**

- Weekly supervised distribution of iron-folate tablets coupled with education about the issue.
- Administration of Vitamin-A in needy cases.

##### **❖ De-worming:-**

- As per national guidelines.
- Biannually supervised scheduler.
- Prior IEC.

- Siblings of students also to be covered.

❖ **Health Promoting Schools:-**

- Counseling services.
- Regular practice of Yoga, physical education and health education.
- Peer leaders as health educators.
- Adolescent health education –existing in few places.
- Linkage with the out of school children.
- Health clubs, Health cabinets
- First-aid rooms/corners or clinics.

❖ **Capacity Building:-**

- Monitoring & evaluation
- Mid-day meal

## ***4.5: Current policies and trends regarding Child Welfare:-***

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*Somehow the fact ultimately everything depends on the human factor gets rather lost in our thinking of plans and chances of national development in terms of factories and machinery and general scheme. It is all very important and we must have them, but ultimately ,of course, it is the human being that counts, and if the human being counts, well, he counts much more as a child than as a grown-up.”*

**- Jawaharlal Nehuru-**

Child welfare is a set of mainly Government run services. These services are designed to protect children and encourage family stability. The child welfare system serves to the most vulnerable, troubled children & families. The goal of child welfare services is to provide an array of prevention & intervention services to children & families, particularly children who have been or are at risk of abuse or neglect: children with special medical or mental health needs; delinquent children; and children who don't have adult care givers.

Historically, social workers have played a key role in the child welfare system by protecting children at risk and supporting families in need. Indeed, the social

work profession is strongly rooted in the tradition of social reform much of which was directed towards alleviating the problems of children in post-industrial society. Voluntary agencies and Govt. services for children were created by concerned citizens and public officials.

Child welfare encompasses programs and policies oriented towards the protection, care and healthy development of children. Within a national, state and local policy and funding framework; child welfare services are provided to vulnerable children and their families by public & non-profit agencies with the goals of ameliorating conditions that put children and families at risk; strengthening and supporting families so that they can successfully care for their children; protecting children from future abuse & neglect; addressing the emotional, behavioral, or health problems of children & when necessary providing permanent families for children through adoption & guardianship.

### **Principles of child welfare:-**

It is originally described as a general and wide range of activities to do with the well-being of children, including support intervention in community care. It also provides foster care residential care for a child together with a parent or guardian or individually for a child aged 12 year or older (Section 14 of the Child Welfare Act).

Smile Foundation (Missionary) specifies that child welfare encompasses the need of underprivileged children including Crèche [0-3 yrs], pre-school [3-6yrs], non formal education [6-14 yrs non-school going]. The child welfare in India is predominantly confined to the needs of the child population within the age group of 0-6years through the ICDS, including health services, recreational activities and educational facilities for physical, mental, emotional and intellectual growth of the children.

### **Child Welfare Services:-**

Child Welfare services in India are classified into Institutional and Non-institutional. These are:-

#### **1. Institutional services:-**

- Short-stay homes for needy children from vulnerable sections of the society.
- Residential facilities for the destitute children.
- Foster home.
- Facilities/services for placement of children of unmarried mothers.
- Juvenile homes.

#### **2. Non- Institutional services:-**

- Balwadi
- Anganawadi
- Day-care centers
- Creche
- Child guidance centers
- Services through nursery/primary school

***Services for children in need of special care:-***

- Schools for mentally retarded children.
- Schools for blind, deaf and dumb and physically handicapped.
- Adoption services for destitute children

## ***QUESTIONS***

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1-Discuss about current policies & trends regarding welfare of children?

2-What is CSWB & Discuss its programmes?

3-Elaborate different types of principles & evolution of child welfare?

4-Discuss the present trends of child welfare.

5-Short Notes:-

- (A) Crèches
- (B) Day-care centre

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# UNIT-5

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## **5.1: Integrated Child Welfare Scheme: its aims, objectives and programme services for handicapped children, institutional services, adoption, foster care, sponsorship, juvenile court, child guidance centers, child welfare board and school social work.**

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### **Child Guidance Centers:-**

#### **Concept:-**

If a child needs physical care, treatment for different elements & preventive services through a clinic, dispensary, or a hospital. He/She needs clinical services and treatment in case of mental, mal-adjustment and other related problems. Such services are provided by child guidance centre.

American writers Stevenson & Smith in this book on American child guidance centers published in 1934, defined them as attempts Marshall the resources of the community on behalf of children who are in dis-stress because of in satisfied inner needs or are seriously at conflict with this emotionally imbalance children. Children whose development is thrown out of balance, difficulties which reveal themselves in unhealthy traits an acceptable or inability to cope with social exceptions.

#### **Aim:-**

The aim of child guidance centre is the help of understanding of children and to enable them to make satisfactory adjustment.

#### **Vision:-**

A society where the disable, the deprived and the neglected enjoy the same opportunities privileged and rights as all other citizen.

#### **Mission:-**

To strive towards the realization of the vision with special focus on the handicapped the street children, child labour, orphans, aged and the neglected.

#### **Types of case:-**

- In explicable failure and backwardness at school.
- Mentally difficulties
- Mentally dis-order
- Nail biting
- Vomiting attacks
- Anxiety
- Nervousness
- Delinquency
- Stealing etc.

### **Process of Child Guidance Centre:-**

The child Guidance Centre is a technical process. It needs the services of a trained and qualified psychiatric and other members of the team. It is very dangerous for the untrained workers. A Child Guidance Centre should be run by a trained psychiatrist apart from professional and training. He should have the knowledge of local, socio-economic, psychological and cultural factors.

### **History of Child Guidance Centre:-**

The child guidance centre started in the United States 1909. Then the first Juvenile psychopathic clinic was setup in Chicago. This clinic used to handle children with mental refers by the juvenile units only. In India, first U.P. Government started child guidance centre. Some of the organization like TISS in Bombay, Central Institute of education in Delhi & some other private organization have set up CGC & schools in the country.

### **School Social work:-**

Most of the learning of the child takes place in school. In a school what the child learns and how he learns is very important. There are children who are backward in studies. In a school the child has to adjust to his school environment make use of educational and recreational programmes for his emotional and intellectual growth. Thus, the responsibility of school is not only that of educating but also helping the child in emotional adjustment and development of both mind and body. Normally, the children are suffering from various emotional problems. So there is a need to have a social worker in the school to look after the needs of the children. The role of the social worker is to deal with the children who are having behavior problem.

**This can be examined in various ways:-**

Suppose a child has certain behavioral problem. The school social worker has to deal with all those persons like family, friends, teachers as well as the child. The social worker does not directly deal with the child. Before the dealing with a child, social workers need the help of family friends and teaching. If a social worker only deals with a child without the dealing of others then the child can't adjust his behavior.

Firstly, there are also problematic children in the school. The problematic children are with emotional maladjustment behavior disorders and backwardness in studies. A teacher cannot drive individual attention each child and sometimes it is necessary to help an individual to adjust with the group. Every teacher doesn't have adequate training and experience to handle the emotional and psychological problems of children. For this purpose the social worker has to work with the parent's teacher and the neighborhood of the family. Sometimes he cools make use of the other agencies in the community for diagnose and treatment of children.

Secondly, backward is also a problem of school children efforts should be made in studies in their problems. For them the help can given by a social worker specially trained in social psychologically needs and problem of growing child, skills of guidance and educational psychology.

Thirdly, health service is necessary for the school children. It aims at providing means and opportunity for physical growth of children. This includes periodical, medical checkup, mid-day meals, provision of supplementary nutrition to children.

Fourthly, economic support is also essential some poor children whose parents cannot afford to purchase books proper clues or pay even school fees. The social worker could make use of some agencies in the community would give financial assistance to such students for supply of books, cloths found and school fees. The poor students fund already exists in most schools.

Fifthly, there should be close contact between the school and home. So there is need for home visits. Frequent home visit help the child to adjust the school environment and understand home environment of the child. For this purpose, the social worker should keep a close contact between the school and the home.

Sixthly, social group activities in recreational and cultural field organization by a group worker, help the children to learn the process of group adjustment and democratic living through group the reply social and emotional problems of children can be solved with some success.

Last but not the least vocational counseling also giving to high school children. The vocational information to the parents help them to take decisions about the career the child is capable of taking up. This is very useful to adolescents.

### **Conclusion:-**

Social work by students is becoming an important part of social circumstances. This is necessary to orient the children to practical aspects of life organizing social services for the community and also some of the part of school social service.

### **Institutional Services:-**

Despite bad effects of institutionalization, it will still remain a useful service at least for some time to come, in the existing circumstances. The importance of the home and the family in the growth and development of the child is accepted by all. Love and affection are as important as food, and shelter. Therefore, as far as possible, the child should be looked after in his home. Where institutionalization cannot be avoided, the child in the institution should be as near as the home. The dormitory type of accommodation should give place to cottage type of accommodation with arrangement for house parents who can provide love, affection to the children and the physical arrangements which would give atmosphere of a family life.

The institutional care should be so organized as to provide much needed love and affection to each child to meet the total needs of child on integrated basis, over-regimentation is avoided and the child gets maximum opportunities for growth and development. The requirements of good institutions are: healthy surroundings and neat and clean building, trained staff, adequate equipment and furniture, sufficient food supply, recreational, medical and educational facilities etc.

During the last decade attempts have been made to establish children's villages. The first such village was set up at Green-fields near Faridabad by the Indian Council for Child Welfare with assistance from the SOS Children Village movement of Austria. Similar villages are working in different States such as Delhi, Uttar Pradesh, West Bengal, Odissa, Maharashtra, etc. The YMCA and missionary institutions have set up boys' towns in Madurai, Bangalore, Kottayam, and Madras etc. Existing dormitory types of institutions are also being recognized on cottage system with house parents.

**For Example:** - The school social work is called an institutional service because:-

- During the school career the child has to stay only for a very short period of time.



- There are also certain rules and regulations in a school the child must obey all the rules.
- The child should be formal.

### **Adoption:-**

Adoption is the establishment of the relation of parent and child between individuals who have been derived it by nature. It involves becoming a parent through a legal and social process rather than through the biological process. Adoption provided permanent substitute family care for the child of him or case unwilling to do so and have therefore been legally freed. Voluntary agencies are medium through which adoption takes place.

#### **Purpose of Adoption:-**

The purpose of adoption is:-

- 1) To fulfill the desire of the adopted parents.
- 2) The child also gets a home.
- 3) The discharge of responsibility of the biological parents to the adopted parents &
- 4) To enable the children in permanent house.

#### **Before adoption is taking place, certain principles and steps are necessary:-**

The agencies should attempt to place every adoptable child in a permanent home at as earliest possible age. In doing so, a carefully study and investigation of the following should be made on behalf of the adopted parents certain principles are there:-

- 1) Desire of parents-the voluntary organization should see whether the adopted parents have the desire to adopt a child,
- 2) The adopted parents should be physically, mentally and emotionally strong so, there is a proper development on the part of the children.
- 3) No marital conflict should be there, there must be a proper understanding between the husband and wife.
- 4) The adopted parents should be economically strong. So that he can keep his children in a better way.
- 5) The adopted parents should have religion faith.
- 6) In probation period before 6<sup>th</sup> months the voluntary organization has see the attitude of the adopted parents.

#### **Some steps are necessary before adoption takes place:-**

Firstly, study of the child. Study includes the child's previous placement in different instances and his family background.

Secondly, consultation with natural parents, after a study of it adopted a child and the prospective parents in made discussion would be necessary to consult the natural parents of the child in order to know their desire and relations to the proposed adoption.

Then, visit to the child to the adopted parents. Some time the child might stay in the adopted parent house for a couple of days. The social worker will study the reaction of the child and the adopted parents in order to find out the possibility of future adjustments.

**Lastly, legal basis Hindu Adoption and Maintenance Act 1956 lays down the following conditions for adoption:-**

(a) The person adopting the child should fulfill the following conditioned (who can adopted):-

- I. He should be a sound in mind.
- II. He should not be a minor.
- III. He should have obtained the consent of his wife and if a woman is adopting she should be either married or unmarried & widows has also right to adopt under this act.

(b) A person giving in adoption likewise should fulfill the conditions given below-who can give in adoption:-

- I. He should be one of the parent's legal guardians of the child.
- II. The consent of both the parents should be obtained.
- III. There should not be any monetary consideration for this adoption.

(c) Capable of being taken in adoption provided who may be adopted:-

- I. He/She is a Hindu.
- II. He/She may not already adopted.
- III. He/She has not been married.
- IV. He/She does not complicated the age of fifteen.

(d) Adoption is rooted in civil law and id defined by the legal process:-

- I. Records should be in the court which maintains conflict denial.
- II. Before adoption the birth certificate of the child must be investigate.

III. After adoption the court has all the authority to protect the child.

**Certain Difficulties in adoption:-**

- 1) There is no enactment governing adoption of children among Muslims and Christians.
- 2) According to Hindu adoption and Maintenance Act, only natural parents or legal guardians has the capacity to give a child in adoption. Difficulties arise in respect of destitute and orphan child under the case of an instance & since the instance cannot give achieved in adoption.
- 3) People generally do not like to adopt girls because of customs of dowry in our society.
- 4) Lastly there is a stigma attached to adopting ill-legitimate children.

**Foster Care:-**

Whenever due to desertion, divorce, long illness, death, etc., of parents, the child is to be removed from the home, it is always advisable to place him in environment which are as near as his home. The child may be placed in an institution when any emergency arises. His stay in an institution should be as short as possible and as long as necessary.

Child welfare agencies should consider the placement of the child either in his own home or in an environment, which is as near as a home. One of the methods of fulfillment of these needs of the child is his placement in a foster home, which means that the child stays with the family where foster parents look after the needs of the child as of their own child, for which they are sometimes paid either by parents or by some social agencies or both. Foster home placement, which has been tried in North America, Europe etc. is a temporary placement in a foster family till such time the child can either go back to his own family or is to be placed in an institution for treatment or he is adopted by another family. The requirements of foster care are: a foster family, a home, a foster child and a placement agency with a case worker.

## **Integrated child welfare scheme:-**

The integrated child welfare scheme aims to provide the nutritional and health status of vulnerable groups including pre-school children, pregnant women and nursing mothers through providing a package of services including Supplementary Nutrition, Pre-school Education, Immunization, Health Check-up, referral services , nutrition and health education. In addition, the scheme envisages effective convergence of inter-sectoral services in the Anganawadi Centers.

This scheme has now come to be regarded as the most viable vehicle for achieving the goals set in the National Action Plan for Children, to be achieved by the year 2000 A.D. These inter-alia include reduction of Infant Mortality Rate (IMR), to less than 60 per thousand; reduction in Child Mortality Rate (CMR) to less than 10 per thousand; reduction in Maternal Mortality rate (MMR) by at least 50 percent; reduction in severe and moderate malnutrition among children under 5 years by at least 50 percent and universal enrolment and retention in primary schools.

### **Objectives:-**

- Improve the nutritional and health status of children below the age of six years.
- Lay the foundation for the proper psychological, physical and social development of the child.
- Reduce the incidence of mortality, morbidity, malnutrition and school dropouts.
- Achieve effective coordination of policy and implementation among various departments to promote child development.
- Enhance the capability of the mother to look after the normal health and nutritional needs of the child through proper health and nutrition education.

### **Programmes & Services:-**

The programmes provide an integrated approach for converging basic services for improved child-care, early stimulation and learning, health & nutrition, water & environmental sanitation targeting young children, expectant and nursing mothers and women's/adolescent girls' groups. They are reached through well-trained community based Anganawadi workers, an equal number of helpers and through the supportive

community structure and women's groups. It provides increased opportunities for promoting early development, associated with improved enrolment and retention in the early primary stage and by releasing girls from the burden of siblings care, to enable them to participate in primary education. This scheme today reaches out to 39 lakh expectant and nursing mothers 203 lakh children (under 6 years of age) of disadvantaged group. Of these, 114 lakh children (three to six years of age) participate in center-based pre-school education activities.

The following section deals with various aspects of this programme:-

- **Health**
- **Nutrition**
- **Pre-school Activities**

#### **Health:-**

The foundation of sound health of the child is laid down when he/she is in the womb of his mother. Hence, the need for effective maternity and child welfare services. This is followed by immunization of the mother as well as the baby. Our performance on the immunization front has not been very happy even after 40 years. As against 70 to 90 percent, we have now ensured 100 percent coverage of children and pregnant mothers with immunization. It is hoped that by the turn of the century this target will be more or less achieved. Immunization programme has proved to be cost effective of the health programmes and is vital to our attaining the objective of health for all. It is hoped that it will help in reducing incidence of infant mortality which is 80 now. The number, availability and utilization of the trained health personnel to attend to child birth is increasing both in urban and rural areas, although in the rural areas only less than one-third of the cases were attended by the trained persons. Bad sanitary conditions add to the problems of ill-health and disease resulting diarrheal episodes, which is single most important cause for high infant mortality.

**Nutrition:-**

Despite planned intervention of 40 years through various nutrition programmes such as Applies Nutrition, Balwadi nutrition programme, ICDS, World Bank Nutrition Project, .The nutritional status of our children is very low. The protein-energy malnutrition, deficiency of vitamin-A, iodinate, has not been brought under full control. The main reason for mal nutrition is among children is the absence of family's purchasing power despite the fact that there is sufficient food in the country, ignorance about nutritional needs of the children make things difficult. Efforts are being made to lay down nutrition policy for the country, although the National Children Policy incorporates certain broad guidelines and directions in the area of nutrition.

**Pre-School Activities:-**

The importance of pre-school activities-nursery schools, balwadis and even crèches arise out of the need for:-

- a) Laying the foundation of the educational system for increased school enrolment;
- b) Providing day-care services to children of working mother; and
- c) Helping mental, cognitive and social development of children.

Pre-school services were provided through a variety of programmes like Welfare Extension Projects, Demonstration Projects, Family and Child Welfare Projects, ICDS etc. Innovative experiments were also made in this regard by the Bal Shikshan Sangh Kosbad, Indo-Dutch Project, Hyderabad rural Balwadis set up by the Kasturba Gandhi National Memorial Trust. Mobile crèches Organisations has also done some innovative work by starting low cost crèches around construction sites etc.

### **Aims:-**

Children constitute principle assets of any country. Children's development is very important for the overall development of society and the best way to develop national human resources is to take care of children. India has the largest child population in the world. All our efforts are being made by the Government for the development & welfare of children.

Several Ministries and Departments of the government of India are implementing various schemes and programmes for the benefit of children. Some of the Schemes and programmes are as under:

**Integrated Child Development Services (ICDS)** being implemented by Ministry of Women and Child Development is the world's largest programme aimed at enhancing the health, nutrition and learning opportunities of infants, young children (0-6 years) and their mothers. It is the foremost symbol of India's commitment to its children – India's response to the challenge of providing pre school education on one hand and breaking the vicious cycle of malnutrition, mortality and morbidity on the other.

The Scheme provides an integrated approach for converging basic services through community based workers and helpers. The services are provided at a centre called the 'Anganwadi', which literally means a courtyard play centre, a childcare centre located within the village itself. The package of services provided are:

- Supplementary nutrition,
- Immunization,
- Health check-up
- Referral services,
- Pre-school non-formal education and
- Nutrition and health education

It is a centrally sponsored scheme implemented through the State Governments with 100% financial assistance from the Central Government for all inputs other than supplementary nutrition which the States were to provide from their own resources. However, from the year 2005-06, the Government of India has decided to

provide Central assistance to States for supplementary nutrition also to the extent of 50% of the actual expenditure incurred by States or 50% of the cost norms, whichever is less.

### **Juvenile Court:-**

A juvenile means a person who has not completed eighteen years of age. A juvenile court is a tribunal having special authority to pass judgments for crimes that are committed by children or adolescents who have not attained the age of majority. In most modern legal systems, children and adolescents who commit a crime are treated differently from legal adults that have committed the same crime.

Juvenile court is a special court that deals with under age defendants who are charged with crimes, are neglected or are out of the control of their parents. The normal age of these defendants is under 18, but the age of majority changes based on the state or nation. The procedure in juvenile court is not always adversarial, although the minor is entitled to legal representation by a lawyer. Parents or social workers and probation officer s may be involved in the process to achieve positive results and save the minor from involvement in future crimes. A juvenile court handles cases both delinquency and dependency. Delinquency refers to crimes committed by minors, and dependency includes cases where a non-parental person is chosen to care for a minor.

### **Juvenile justice Act 2000:-**

An Act to consolidate and amended the law relating to juveniles in conflict with law and children in need of care and protection by providing for proper care & protection by providing proper care, protection & treatment by catering to their development needs and by adopting a child friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under this enactment.

### **Categories of Persons:-**

Cover two categories persons such as:-



- 1) Juvenile in conflict with law (A juvenile who have allegedly to have committed an offence) under (Section 2-I).
- 2) Child in need of care & protection (destitute; living with an abuser: mentally or physically challenged or terminally ill without care; living with unfit an abuser; runaway; vulnerable to drug abuse or trafficking; victim of armed conflict; civil commotion) Under (Section2-D)

### **Adjudicatory Body:-**

Two adjudicatory Body such as:-

- 1) Juvenile Justice Board consisting of a Metropolitan Magistrate or Judicial Magistrate of the first class and two social workers that deals with the juvenile in conflict with law (Section4)
- 2) Child Welfare Committee consisting of five members appointed by the State Govt. that deals with children in need of care & protection (Section29)

### **Institutional Mechanisms and Services:-**

- 1) **Observation homes:** - Requires for temporary reception of any juvenile in conflict with law during the pendency of any iniquity (Section8).
- 2) **Special Homes:** - Requires for reception and rehabilitation of juvenile in conflict with law after disposal (Section9).
- 3) **Children's Home:-**Requires for the reception of the child in need of care & protection during the pendency of inquiry and subsequently for their care, treatment, education, training &rehabilitation.
- 4) **Shelter Home:-** It functions as Drop-in-centers for the children in the need of urgent support.(Section37)
- 5) **Foster Care :-** it used for temporary placement of infants who are ultimately to be given adoption in foster care the child is placed in another family for a short or extended period of time ,depending upon the circumstances where the child's parent usually visit regularly and eventually after the rehabilitation, where the children may return to their own homes.
- 6) **After Care Organization:-** Requires for care of juvenile or the children after they leave special homes ,children's homes and for the purpose of enabling them to lead an honest industrious and useful life (Section44)

### **Sponsorship:-**

Sponsorship is an incredibly powerful way to help one poor child break the bonds of poverty. It connects with an individual child who desperately needs our help and let's to provide life-changing benefits to that child for a low monthly contribution. Sponsorship is a chance to build a lifelong friendship with an impoverished child, one that will alter the course of his/her life.

Child sponsorship allows an individual typically in a developed country, to sponsor, or fund, a child in a developing country until the child becomes self-sufficient. This could mean financially supporting the education, health or security of the sponsored child in some cases all of these. This could also mean contributing more widely to the child's community developing without directly helping an individual child.

There are distinct differences in how programs are operated .Some organizations have actual family, homes where the children without parental care are housed, clothed, fed, educated, and nurtured while others distribute funds to parents and others assign sign up all the children in the catchment area of a community development project such as medical center to be sponsored children . Some organization provides more individualized approach to helping children and their families; others try to build a community more generally and assume the children will benefit.

After choosing a child to sponsor; the charitable organization that manages the sponsorship typically sends information about the child to sponsor. These organizations direct money to, and manage communication between sponsored children and their sponsors, including translating letters, and in some cases ensuring that the communications are appropriate. Some organizations pay school fees and other educational needs for the sponsored children or a hold weekly club which includes a supplemental meal, educational and health topics, counseling and teaching.

### **Child Welfare board:-**

As per the provisions of the Juvenile Justice Act 2000,(amended in 2006) State governments are required to establish a CWC or two in ever district. Each CWC should consist of a chairperson and four members. The chairperson should be a person well versed in child welfare issues and at least one member of the board should be a woman. The CWC has the same powers as a metropolitan magistrate or a judicial magistrate of the first class. A child can be brought before the committee (or a member of the committee if necessary) by a police officer, any public servant, CHILDLINE personnel, any social worker or public spirited citizen, or by the child himself/herself.

The CWC usually sends the child to a children's home while the inquiry into the case is conducted for the protection of the child. The CWC meets and interviews the child to learn his/her background information and also understand the problem the child is facing. The probation officer (P.O) in charge of the case must also submit regular reports of the child. The purpose of the CWC is to determine the best interest of the child and find the child a safe home and environment either with his/her original parents or adoptive parents, foster care or in an institution.

A final order must be given within four months of the admission of the child before the CWC. The CWC also has powers to hold people accountable for the child such as in the case of child labour, the employers are fined or made to give bonds to the children. CWC also has the power to transfer the child to a different CWC closer to the child's home or in the child's state to dispose of the case and reunite the child with his family and community.

As per the provisions of the ICPS, the Government of India provides two grants for setting up of CWCs: A Construction and Maintenance Grant of 9.19 lakhs and Maintenance Grant of lakhs. The cost of setting up CWCs is shared by central and state as a 35:65 ratio except in Jammu and Kash **Policies regarding rehabilitation**

Some early eighteenth and twentieth century prisons were proponents of rehabilitative policies. "Early American prisons, such as those at Auburn, Ossining, and Pittsburgh during the 1820s, implemented rehabilitative principles. These early programs isolated convicts in order to remove them from the temptations that had driven them to crime and to provide each inmate with time to listen to her conscience and reflect on her deeds...This belief that all convicts would return to their inherently good natures when removed from the corrupting influences of society gave way to more aggressive forms of treatment informed by the rise of social scientific studies into criminal behavior. Research in psychology criminology and sociology provided reformers with a deeper understanding of deviance and sharper tools with which to treat it. Rehabilitation became a science of reeducating the criminal with the values, attitudes, and skills necessary to live lawfully." The philosophy of rehabilitation is that "not the offense but the character and reformability of the offender should determine his treatment."

"Then, in the early 1970s, rehabilitation suffered a precipitous reversal of fortune. The larger disruptions in American society in this era prompted a general critique of the "state run" criminal justice system. Rehabilitation was blamed by liberals for allowing the state to act coercively against offenders, and was blamed by conservatives for allowing the state to act leniently toward offenders. In this context, the death knell of rehabilitation was seemingly sounded by Robert Martin's (1974) influential 'nothing works' essay, which reported that few treatment programs reduced recidivism. This review of evaluation studies gave legitimacy to the antitreatment sentiments of the day; it ostensibly "proved" what everyone 'already knew': Rehabilitation did not work."

Deterrence (legal) and incapacitation ruled over the criminal justice system until the 90's where an unmanageable increase of the prisoner population created gaps where the benefits of rehabilitative policy could be discussed. "The increase of the prisoner population in the United States has resulted in shifting opinions on punishment vs. rehabilitation policies"

## **Policies**

### **Indeterminate sentencing**

Indeterminate sentences are sentences where a judge indicates a minimum and maximum time for an offender to be imprisoned. The prisoner may be released anytime between the established minimum and maximum time. Indeterminate sentencing expanded discretion into the prison system so that prisoner rehabilitation could be analysed on the individual level. Indeterminate sentencing is personalized opposed to determinate sentencing which is standardized. "Advocates of determinate sentencing have argued that inmates support determinate sentencing because they strongly resent uncertainty of time to be served and sentencing inequity under indeterminate sentencing."<sup>1</sup> Because indeterminate sentencing expands discretion, offenders with similar crimes may serve vastly different prison times. Indeterminate sentencing exchanges equity of law for personalization of rehabilitation.

### **Parole**

Parole is the conditional release of a prisoner who has served a part of their sentence back into the community under supervision and conditions that if violated will result in rearrest. There are 784,408 parolees in the United States<sup>1</sup> Although parole began as an effort to reintegrate offenders into the community, "...parole supervision has shifted ever more toward surveillance, drug testing, monitoring curfew and collecting restitution."<sup>1</sup> That is, the context of parole has shifted from reintegration with society into control of the individual on parole. Rather than parole being for rehabilitation, it has become in practice a less restrictive form of imprisonment. It is also argued that parole is a deterred prison entry program due to the high percentage of parolees that end up in prison due to violating terms of their parole. Many violated parole terms are technical infractions. That is, "noncriminal infractions" such as "failure to comply with curfews, pass alcohol and drug urinalysis screens, avoid contact with other offenders, maintain employment and/or report unemployment, attend meetings with probation and parole officers, make restitution payments and/or perform community service hours, and attend individual and/or group therapy meetings."<sup>1</sup> This is of particular concern since parole officer discretion determines parolee restrictions as well as the consequences for violating such restrictions.

### **Probation**

Probation is a period of time where an offender lives under supervision and under a set of restrictions. Violations of these restrictions could result in arrest. Probation is typically an option for first time offenders with high rehabilitative capacity. At its core, it is "a substitute for prison", with the goal being to "spare the worthy first offender from the demoralizing influences of imprisonment and save him from recidivism". In the United States, there are 4,162,536 probationers. Probationers are supervised by probation officers just as parolees are supervised by parole officers. Probation officers have similar authority as parole officers do to restrict mobility, social contact, and mandate various other conditions and requirements. Probationers just like parolees are at high risk of imprisonment due to violation of their restrictions that may not be classified as criminal. In the United States, 40% of probationers were sent to jail or prison for technical and criminal violations

## **Expungement**

Expungement is when an offense is removed from an offender's criminal record. Minor offenses where rehabilitative success is met are deemed in some cases to be expungable in order for the offender to move past their mistake and live a completely normal life unrestricted by a past mistake.

The Second Chance for Ex-Offenders Act of 2007 allows non-violent offenders the possibility of having their records expunged. Criminal records limit what occupational and educational goals an individual may pursue, and it is noted that such restrictions may be correlated with recidivism. To fit the criteria of the act the offender must:

1. ...never been convicted of a violent offense (including an offense under State law that would be a violent offense if it were Federal) and has never been convicted of a nonviolent offense other than the one for which expungement is sought;
2. ...fulfilled all requirements of the sentence of the court in which conviction was obtained, including completion of any term of imprisonment or period of probation, meeting all conditions of a supervised release, and paying all fines;
3. ...remained free from dependency on or abuse of alcohol or a controlled substance a minimum of 1 year and has been rehabilitated, to the satisfaction of the court referred to in section 3633(b), if so required by the terms of a supervised release;
4. ...obtained a high school diploma or completed a high school equivalency program; and
5. ...completed at least one year of community service, as determined by the court referred to in section 3633(b).

## **Separate Juvenile Justice System**

Separate courts, detention facilities, and programs for juvenile offenders acknowledges that children, often not fully developed enough to know right from wrong, are deserving

of separate rehabilitation efforts and processes. Prior to the late 1800s, child offenders were processed, trialled, and punished the same way as an adult would be. However, "By the mid-1920s, reforms separating children and adults who violated criminal laws into two separate court systems swept across the country." Although there was a time that "...judges primarily concerned themselves with the best interests of the delinquent child, victims' rights statutes now require juvenile courts to balance the rehabilitative needs of the child with other competing interests such as accountability to the victim and restoration of communities impacted by crime. mir and the North East where the ratio stands at 90:10 .

### **National and international agencies for child welfare:-**

A large number of International agencies are engaged in the field of social development mainly the United Nations Agencies are activity engaged in programmes which concern directly the welfare activities of the UN Agencies. There are a number of other non-governmental agencies based abroad which assist in child welfare/development programmes.

#### **(i) World Health Organization (Who):**

The purpose of WHO is to assist the govt. to raise the standard of public health, dissemination of information on medical research. The headquarter of WHO in Geneva. The WHO assists number of developing countries to strengthen maternal and child health services, prevention of communicable diseases, improvement of environmental sanitation, rural health services, health education etc. WHO had assisted Indian in establishing primary health centres and sub centers in rural areas.

#### **(ii) International Labour Organisation (ILO):**

It aims at improving labour conditions raising living standards and promoting economic and social stability. ILO also assists state for prevention, treatment and rehabilitation of working children through the child welfare programme. Social security measures and anti-child labour measures etc.

#### **(iii) United Nations International Children Emergency Fund (UNICEF):**

It consists of donation and contribution for the welfare and development of children. The donations are received from the developed countries to be utilized for the children in developing Countries. Since 1949 the UNICEF has been assisting the govt. of India for a variety of child survival and development programmes.

**The main programmes assisted by the UNICEF in Indian are as follows:**

##### **(i) Applied Nutritional programme (ANP)**

(ii) Integrated child development services (ICDS)

(iii) Social inputs in Area Development.

(iv) Children in specially difficult circumstances including working & street children.

(v) Urban basic services.

(vii) Safe drinking water and environmental sanitation.

**(iv) Food and Agricultural Organisation (FAO):**

It was founded on 1945 with its headquarters at Rome. It plays an important part in increasing food production and taking measures aiming at development of rural families with particular references to women & children. It also helps the people of the world in their continuing fight against hunger and malnutrition.

**(v) World Food Programme (WFP):**

It is a recent venture of this FAO through which efforts are made to provide assistance in terms of food to the developing Countries. One of the major components of the programmes is making available donations of food from developed countries for feeding children in the programme of combating malnutrition and under nutrition in the developing Countries. In India the WFP has invested in a vast feeding programme for millions of Children and pregnant women and nursing mother's particularly through ICDS (Integrated Child Development Scheme) net-work.

**(vi) The United Nations Educational, Scientific and Cultural Organisation [UNESCO]:**

UNESCO helps to develop text books and promotion and teaching of national languages to the children of the migrant workers, training of the staff for pre-school children and assists projects to set up production of children's book and libraries. UNESCO's action is concentrated on the most destitute children. Being interested in international human rights UNESCO helped to promote long term and short term children's programme within the countries.

**Other International Non-Governmental Agencies:**

**(i) Association of Montessori International (AMI):**

The AMI has headquarterd in England. It aims at propagating the Montessori methods of spreading Knowledge concerning the physical intellectual, moral, social and mental development of the child. In India it gives technical assistance of Dr. Montessori, manufactures of apparatus, training of teachers, study seminars etc. The organisations functions through. Indian Organisation Concerned with-pre-school child.

**(ii) Catholic Relief Services (CRS):**

It has been functioning in India as an officially recognized American voluntary agency. Since 1957 when the Indo-US agreement was first signed. This agreement confirmed on the organisation the privilege to import duty free American agricultural Commodities, medicines, medical equipment and their items for relief and development of the poor and the needy. Food imports are utilized for programmes such as mother and child health programme, School feeding programmes. Food for work programmes etc.

**(iii) Co-operative for American Relief Everywhere (CARE):**

Its main programme in India is School and preschool feeding, which is implemented through the receptive State govt. duly approved by the govt. of India. Presently care's feeding programmes are spread over in 14 States feeding approximately 8 million School and 55 million pre-school children.

**(iv) International Union for Child Welfare (IUCW):**

The union has headquarters in Geneva. The Indian Council for child welfare is its member. The union organizes conferences and seminars assists in innovative child welfare. Projects, training of child welfare personnel and in emergency relief programmes.

**(v) Meals for millions Foundation (MMF):**

MMF is a US Organisation engaged in provision, relief and prevention of malnutrition through multi-purpose food to be supplied through established institutions and agencies. The organisation has assisted school lunch programmes, rural medical programme etc.

**(vi) Save the Children Fund (SCF):**

The Fund operates from UK and Canada and assists in the establishment of Children's houses, feeding of children and providing assistance and relief measures to children etc.

**(vii) USAID:**

The USAID's interest lies in child and nutrition. It is assisting for running through govt. of Gujarat. Its own model of ICDS projects which includes food subsidy and special training modus. A Chinese proverb says – "If you are planning for year, plant a seed. If you are planning for 10 years plant trees. If you are planning for 100 years plant men.

This has laid emphasis on child welfare and nourishment. The child welfare programmes aims at the all round development Physical, mental, emotional and social of the child. These programmes should be given top priority in the national planning. Co-operation and support of all agencies private and Govt. and voluntary should be



made available for such activities of national importance. Since children are the most valuable resources of the society. Child welfare has assured a significant place in the national planning.

## ***QUESTIONS:-***

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1-Define J.J Act 2015 & its relation in Child Labour Act 2000?

2-Discuss National & Inter-national agencies agencies for family & child welfare?

3-What do you mean by school social work & its uses in child guidance centers?

4- Discuss various schemes of child welfare & analyze its aims & objective?

5- Elaborate institutional services of children?

Short Notes:-

- (A) Sponership
- (B) Foster care
- (C) Programmes of handicapped children