

“Protection and Control of Children through Law”*Abhay Sharma**B.A.L.L.B (Hons)**Indore Institute of Law***ABSTRACT**

In present the crime rate is increase against the children day by day but the issue is that to solve the this problem through the law, The child labour (prohibition) act 1986, The 93rd constitutional amendment and article 24A of constitutional of India. The control- oriented a disability creating laws the juvenile justice (Care and Protection of children) Act, 2000. the child protection is the protection of children from violence, exploitation, abuse, and neglect Article 19 of the UN Convention on the right of the child provide for the protection of children in and out of the home/. The child protection system as the set of law, policies, regulation and services needed all the across of social sector- especially social welfare, education , health, security and justice- to support prevention and response-related risk. In short child protection order is a type of court issued by a judge to protect a child from instance of child abuse or from exposor from domestic violence. There is some conflict with law of juvenile act that there is provision for juvenile being placed under the charge of special juvenile police unit immediately after apprehension by police under sect 10(1). ' Group counselling' sect. 15(1)(b) and community service section 15(1)(c) provided. Section 28 that empower the board/ court the more stringent punishment is likely to cause confusion and may lead to repressive interpretation. Additionally, in the vast majority of the tyke mishandle cases, it has been uncovered that the blamed were known to the casualty. Wrongdoing against youngsters in India has expanded by a sharp 11 for each penny in the vicinity of 2015 and 2016, as crisply discharged NCRB information proposes.

KEYWORDS :-

- Child Protection Order,
- Juvenile in conflict with law,
- Care and Protection,
- Legal intervention,
- 93rd Amendment,

Protection and Control of Children through Law

The children is the future of every nation but the thing is that in India's future is not really secure because the point is that the crime against to children is not stoppable it continue and increase. There is many category of crime against child like child labour, child abusing, abduction, beggaring, etc. So there is fixed or sure that is any loopholes in law and in judiciary system. Every year millions of children are exposed to violence, children is very effected with all the crime they have influence and they are exposed to violence, however current and reliable incidence and prevalence of child exposor to violence inn United State are

not available. In particular, divergent rates of domestic and community violence exists, in due to part inconsistent definition and measurement of domain. Additional information is also need on how rates of violence exposer vary with respect to characteristics of individual, families, and communities and the decree from the difference violence of co-occur. Now the question is arise that what protection right do ?, the child protection is the protection of children from violence, exploitation, abuse, and neglect Article 19 of the UN Convention on the right of the child provide for the protection of children in and out of the home/. The child protection system as the set of law, policies, regulation and services needed all the across of social sector- especially social welfare, education , health, security and justice- to support prevention and response-related risk.

The categorization of child related laws is protection-oriented or right conferring laws. The child labour (prohibition) act 1986. The 93rd constitutional amendment and article 24A of constitutional of India. The control- oriented a disability creating laws the juvenile justice (Care and Protection of children) Act, 2000. The measure relating to children in need of care and protection like as child welfare committee in place of the earlier juvenile welfare board, which has been conferred the power of a metropolitan, magistrate sect. 29. In short child protection order is a type of court issued by a judge to protect a child from instance of child abuse or from exposer from domestic violence. It is usually directed toward a parent of the, who had previously abuse the child's siblings or the child of other parent. A man function of child protective order is to prevent the abusive from coming with a certain radius of the child. Child protection order can also cover very wide range of conduct and requirement. They are sometime called CPO's child protection order, or order of protection. There is some conflict with law of juvenile act that there is provision for juvenile being placed under the charge of special juvenile police unit immediately after apprehension by police under sect 10(1). However under sect 10(2)(i) voluntary organization are to be conferred power to bring juvenile before the board. Provision for observation home and special home under sect.8 and sect. 9 for representation, classification and pre-trial detention of juvenile. New dispositional alternatives such as.' Group counselling' sect. 15(1)(b) and community service section 15(1)(c) provided. Section 28 that empower the board/ court the more stringent punishment is likely to cause confusion and may lead to repressive interpretation.

Method

The first way of author to find the loopholes of law relating with children or juvenile justice act and survey of crime against the children and find the rate of crime against the children, the survey based rate of crime year by year and get the result that how many percentage of crime of crime is difference and author's second way is to personal survey and ask and observation from nearest environment and also talk with children under age pf 12 years and talk with road side children and get the reason of child crime and get the knowledge about the life of these child.

Matrial

Now the we come up to material of research paper, authors choose the two ways of material the first one is primary sources is juvenile justice act, the survey from the society and collect

the data the rate of crime against the crime. The secondary way of research is books, article. Magazines, journals, Newspaper, website etc.

Objective

The main objective of this research paper to find the loopholes of law and where is the problem in society and to know that how the law which relating to child is how many percentage the law is work. To aware the society the juvenile justice or children protection act and to collect the data of child against crime so we get a better option or a better option or better way to find a solution of the problem which help the reduce the amount of crime against the child. The protection and control of children through law is possible but this way have some problem to enact or implies in proper way in society. The other objective is that to provided the some kind of information regarding children protection to society and children should have know about their right just because they feel independence and secure. Every person should have to knowledge about the punishment of crime against the child from this motive people have to fear from the law and they follow the rule and rate of crime against the crime is reduce.

DATA ANALYSIS

Consistently 290 youngsters in India are casualties of wrongdoing, with trafficking, sexual viciousness and power work expanding fourfold in only two years

- Crime information demonstrates that consistently upwards of 290 youngsters move toward becoming casualties
- National Crime Records Bureau say offenses against kids have expanded fourfold out of two years
- Delhi Police say each week in excess of two youngsters report rape
- World Vision India say that one in each two kids is a casualty of sexual manhandle An aggregate of 89,423 wrongdoings against youngsters were accounted for in 2014. The number went up to 94,172 out of 2015 and 1,05,785 the following year.

In the vicinity of 2014 and 2016, the quantity of violations recorded under the Protection of Children from Sexual Offenses Act (POCSO) went up from 8,904 to 35,980 – a fourfold bounce.

Likewise, there has been a precarious ascent in sexual offenses against youngsters, the information says.

Delhi Police wrongdoing record uncovers that consistently in excess of two kids report rape.

From October 31, upwards of 73 cases under POCSO Act have been enrolled in different police headquarters in the Capital.

According to the ongoing review directed by philanthropic guide association, World Vision India uncovered this May one in each two kids is a casualty of sexual manhandle. The study was directed crosswise over 26 conditions of the country.'This is valid and dismal. The Delhi Commission for Women (DCW) has been completing a 'satyagrah' throughout the previous eight days. We need the Center and the state governments to draft a law guaranteeing that inside a half year the culprit ought to be given capital punishment.

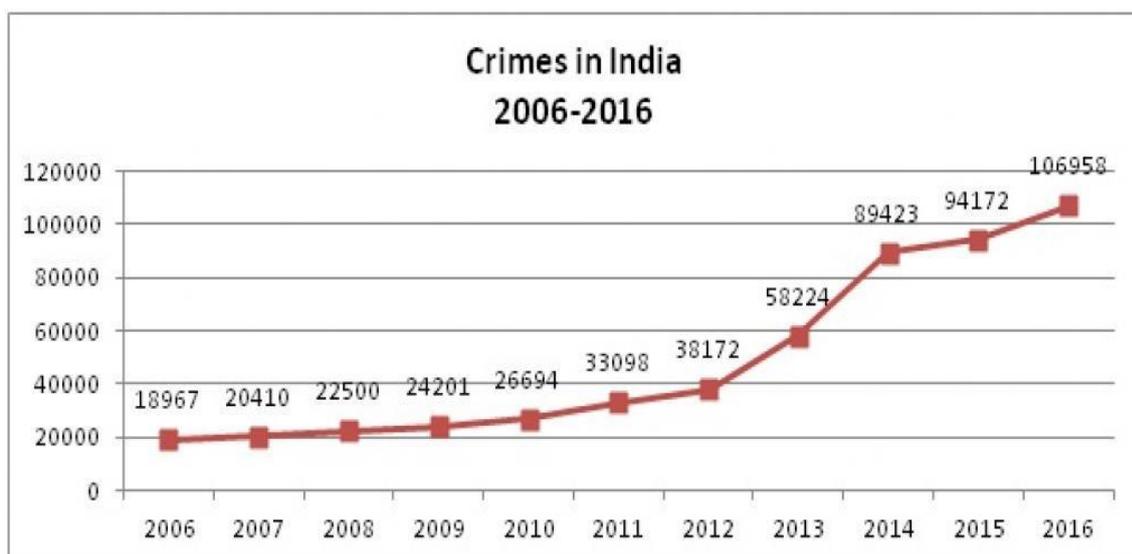
'As of late a one-and-a-half-year-old and a seven-year-old young lady were assaulted in the Capital,' said Swati Maliwal, director of DCW.

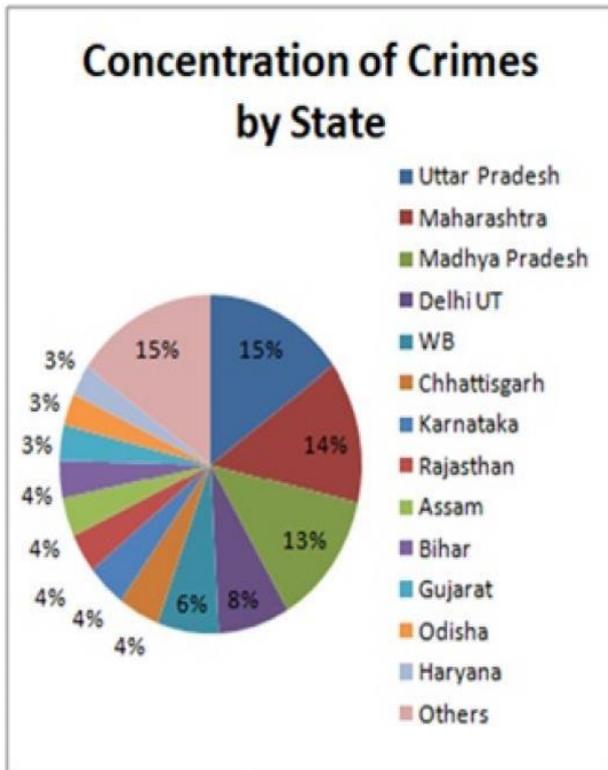
Senior police authorities said kids are the powerless focus of abusers as the casualties ordinarily neglect to recognize the blamed and they effectively escape.

Wrongdoing investigation demonstrated that in the greater part of the cases, the abusers had figured out how to pick up the trust of the children previously carrying out the wrongdoing.

Additionally, in the vast majority of the tyke mishandle cases, it has been uncovered that the blamed were known to the casualty. Wrongdoing against youngsters in India has expanded by a sharp 11 for each penny in the vicinity of 2015 and 2016, as crisply discharged NCRB information proposes. Passing by supreme numbers, it's an expansion of 12,786 revealed violations against youngsters the nation over. The aggregate number of wrongdoings against kids announced in 2016 is 106,958, while 94,172 violations were recorded in 2015.

This anyway does not come as an astonishment, as an aggregate examination done by CRY – Child rights and You demonstrates an unflinching upward pattern with a huge increment of in excess of 500 for every penny over a time of the previous multi decade (106,958 out of 2016 more than 18,967 out of 2006). Advance review correlation inside the specified time span focuses at a more honed rate of increment in the quadrennium 2012 to 2016 than that recorded in the lustrum 2006 to 2011.





STATE-WISE DATA – statewise data for top 5 states in Kidnapping & Abduction of children

	State	Number of Crimes 2016	Rate of Crime
1.	UP	9657	10.9
2.	Maharashtra	7956	21
3.	MP	6016	20
4.	Delhi	5935	106
5.	WB	4178	14.2
	India	52253	12.3

STATE-WISE DATA – statewise data for top 5 states in Child Rape

	State	Number of Cases 2016	Rate
1	MP	2467	8.1
2	Maharashtra	2292	6.1
3	UP	2115	2.4
4	Odisha	1258	9
5	TN	1169	5.8
	India	19765	4.4

The thing to observe that the crime rate of the crime against child is increase day by day we can see that in given data the crime rate is increase 11% or more. The point is that we still have no idea to stop that crime rate of offence against children. There is many laws related to children but the question is that is law is working in proper way or its implement is right direction. The point to be notice is that in the state crime rate is increase day by day the thing is not change still protecting youngsters is everybody's duty. Associations and experts who work with youngsters are required to guarantee that their arrangements and practices mirror this duty.

A kid insurance strategy gives rules to associations and their staff to make safe situations for youngsters. It is a device that secures the two youngsters and staff by obviously characterizing what activity is required so as to protect kids, and guaranteeing a consistency of conduct so all staff take after a similar procedure.

A youngster insurance arrangement likewise exhibits an association's duty to kids and guarantees open trust in it's protected practices.

How does your association's tyke security arrangement stack up? Does it have...

- Unmistakably characterized necessities to protect kids and staff?
- Clear methods for recognizing concerns?
- Proper methods should a worry emerge?
- Rules for detailing and recording concerns?

- Enrollment rules including screening and confirming methodology for both paid and unpaid staff?
- Safe working practices and concurred staff practices?
- Youngster security preparing for all grown-ups working with kids?

REFERENCES

- Chakrabarti, (2011), (28-29) , (2018, July) Law and Child
- <https://www.legalmatch.com/law-library/article/child-protection-order.html>
- <http://www.dailymail.co.uk/indiahome/indianews/article-5078869/Every-day-290-children-India-victims-crime.html>
- <http://www.iosrjournals.org/iosr-jhss/papers/Vol15-issue1/C01511621.pdf>
- <http://www.dailymail.co.uk/indiahome/indianews/article-5078869/Every-day-290-children-India-victims-crime.html>
- <http://www.childmatters.org.nz/225/child-protection-policy>