





Government Schemes for Child Protection

- Integrated Child Protection Scheme (ICPS)
- Integrated Child Development Scheme (ICDS)
- Sarva Shiksha Abhiyan
- Operation Blackboard
- Nutrition Programme for Adolescent Girls
- Mid-day Meal
- Balika Samriddhi Yojana
- Initiatives to Combat Trafficking of Women and Children
- Reproductive & Child Health Programme
- Scheme for Working Children in Need of Care and Protection
- National Child Labour Project
- Integrated Programme for Juvenile Justice
- Rajiv Gandhi Scheme for Empowerment of Adolescent Girls or SABLA
- Ujjawala A Comprehensive Scheme for Prevention of Trafficking and Rescue, Rehabilitation and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation
- Beti Bachao, Beti Padhao
- Rashtriya Madhayamik Shiksha Abhiyan
- Rashtriya Madhayamik Shiksha Abhiyan (Integrated)

Message

Dear panchayat members,

As elected representatives of your gram panchayat you are responsible for ensuring the development and protecting the rights of villagers. Your task is to contribute to socio-economic growth and more importantly, to protect the unprotected majority of the population within the village.

Children form a majority of the most unprotected and weakest sections of the village population. As elected representatives, it is your responsibility to ensure the protection of their rights. Although children are not voters today, they will grow up to be responsible citizens and as adults, we are accountable for their upbringing.

It can be seen that often children become targets for abuse, exploitation and violence. While on one hand, this can be largely attributed to the malpractices prevalent in our society; on the other hand, there is general ignorance about child rights in our society. In spite of several efforts by the government and non-governmental organisations to support child rights, we still see many children working as labourers, being deprived of education and facing violence and abuse in their families, schools and within society. Furthermore, they are also targets of religious and caste discrimination. Girls particularly, are more vulnerable to this kind of discrimination. Many communities kill the girl child after birth; being a girl child makes them more vulnerable to discrimination in society and families, leading to a life bereft of education and development.

Child marriage is another traditional practice that is responsible for stunting the development of children. They are deprived of educational opportunities and are instead burdened with household responsibilities early in life.

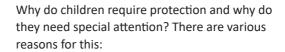
Keeping all these facts in mind and as elected representatives of the gram panchayat, it is important that you understand the current plight of children, their rights, and how by protecting these rights, you can ensure a safe environment for them.

The information given in this handbook will help you get empowered and aware about your duties towards these children.



Who are children and why is it necessary to protect them?

Although the definition of a child varies according to different sources, according to international and Indian law, a child is a human being below the age of 18 years who is in need of care and protection and is entitled to receive it from the State. This means that every individual in the village who is less than 18 years should be considered a child and be provided necessary support and protection.



- Children are the future of our country. If we protect their health, they as healthy citizens will help contribute to the development of the country.
- As compared to adults, children are more vulnerable to the living conditions.
- Children are more affected than any other age group by the actions and inactions of governments and society.
- In our society, children are considered to be the property of their parents, have no rights and are not ready to contribute to society.
- Children not have the right to vote and often they cannot voice their opinions to others.
- Children are particularly vulnerable to exploitation and abuse.

It is necessary to support and protect a child for the above reasons and panchayat members can play an important role in doing so.

Child Rights

The Constitution of India guarantees all children certain rights which have been specially included for them. These include:

- in the 6-14 year age group The Constitution of India guarantees free education to children in the 6-14 age group
- Right to be protected from any hazardous employment till the age of 14 years – Children under the age of 14 years will not be employed to undertake any hazardous job
- Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength — Children will not be employed in jobs which are not suitable to their age or strength
- Right to equal opportunities and facilities to develop in a healthy manner – All children will be given equal opportunities to develop in a healthy manner
- Right to equality Like adults, children will have a right to equality, irrespective of caste, gender and social background
- Right against discrimination Children will not be discriminated against based on caste, gender, religion or otherwise
- Right to protection from being trafficked and forced into bonded labour – Every child has the right to be protected from being trafficked and pushed into bonded labour
- Right to health and nutrition Every child, irrespective of gender, class or caste has the right to access health facilities so that he/she can grow up to be a healthy citizen. It is important to provide health facilities and save children from malnutrition; it is their right.

Besides these constitutional rights, there are several laws specially designed for the protection and rights of children. As responsible members of the panchayat, it is important that you are aware of them and their significance. In doing so, you will be able to contribute to protection of child rights in your village.

Child Protection – Myths and Facts



There are several misconceptions about child rights. Many people do not understand why children need protection and who they need it from. But it is important for panchayat members to be aware of this so that they can contribute to child protection in their village. Let us take a look at the myths surrounding this topic:



Children cannot be exploited because society loves all its children.





While we do love our children, it is a fact that India has the maximum number of child labourers and maximum cases of child sexual abuse. The condition of girls is worse. Compared to boys, the number of girls in the age group 0-6 years, is lesser. The incidence of female infanticide is high. According to statistics, crime against children has increased by 11.1%

between 2002 and 2003. This is why it is important to increase awareness about child exploitation and ensure that laws on child rights are followed.



Home is the safest place for children.





This is not true. You would have often read in the newspapers about young girls being sexually exploited by close relatives. Many parents sell their children off for money. We also often hear of instances of female infanticide and newborn girls being killed. It is common in many families to physically

assault children. Many families get their children married off at a young age so that they are not responsible for them anymore. In these cases, it is the responsibility of the government, community and panchayat members to create awareness amongst these families and if the need arises, to make an effort to put the culprits behind bars.



We should not worry about boys. They are capable of protecting themselves.





This is untrue. Like girls, boys too are vulnerable to sexual and emotional exploitation. In some cases, boys are forced into child labour and

bonded labour. Often they are subjected to sexual assault at their workplaces. Assistance should be taken from government aided legal organisations to prevent these situations.



Children don't have any rights and therefore there is no need for their protection. They are their parents' property.



Fact

There is a misconception that children are small therefore do not have any rights like adults. Children do belong to their parents who know what is good for them and what is not. But the truth is that there is little awareness about child protection amongst the adults

in villages. They are not aware that there are international laws and provisions in the Indian Constitution to prevent children from exploitation. Panchayat members can contribute in creating awareness on this topic amongst families and the community.



It is better to get girls married off while they are minors.



It is a criminal offence to get girls under 18 years and boys under 21 years married. Due to early marriage, girls become mothers at a very young age and cannot fulfill maternal responsibilities. Awareness centres need to be established at the village level to

spread awareness about this malpractice. If the need arises, legal steps can also be taken to prevent this crime.



Children are a gift from God and God will look after their health.



Fact

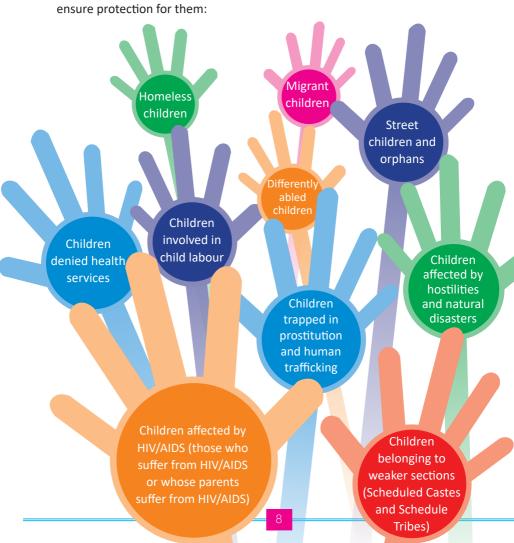
This is a widespread misconception in our society. In many instances, when a child falls ill, parents resort to black magic for cure, but the truth is that from the time the child is in the mother's womb to the time he grows up, the child's health is the

responsibility of the family and the government. That is why immunisation of the pregnant mother, ensuring safe and healthy delivery, immunisation of the infant, providing complete nutrition through ICDS, ensuring the child is taken to a health facility when ill and providing complete nutrition to children is important. This is one such right that we should not deny the children.

Child Protection - Role of Panchayat Members

We have read about the misconceptions among families and the community surrounding child rights. Many families put their child's future at stake because of their traditional views and sometimes because of their own selfish reasons. This is a hard reality especially in rural India which any responsible panchayat member cannot dismiss. Let us see what role a panchayat member can play in ensuring child protection.

Panchayat members need to pay special attention to the following children to ensure protection for them:



Panchayat members and their representatives can do the following to protect these children:

Disseminate information amongst people about child protection

If people are aware of the laws pertaining to child protection – law against child labour, law to prevent child marriage etc. – they will be able to use these laws at the appropriate time of action.

Hold discussions in Gram Sabhas on child rights

Every adult in the village is a part of the Gram Sabha. If discussions on children and their rights are discussed in these Sabhas, then everyone present will learn about child rights and will take on the responsibility to protect the children in their village.

Establish child protection monitoring units

Panchayats can establish child protection monitoring units in the village whose aim will be to keep a check on violation of child rights. These units can keep a record of missing children or children in need of social, economic or psychological support.

Collect information on government schemes and ensure usage of the schemes

Panchayat members should be aware of government schemes on child protection and how these schemes can be used to support children.

Besides this, the panchayat members should identify children and families in need of assistance.

Understanding human rights of children and spreading awareness of the same amongst families and the community

This is important because rural India lacks awareness on this issue.

Maintain regular contact with departments/officials for child protection

It is the responsibility of the panchayat members to prevent instances of violation of child rights by maintaining regular contact with the local police, educators, Aanganwadi workers, ANMs, district panchayat members, BDOs, Community Development Officers and District Magistrate. These sources can help the panchayat members to get information about children in need of protection and can also help in protection when the need arises.

Create an awareness campaign against social evils like child marriage, gender discrimination, child labour and female infanticide that threaten child protection

All these social evils violate child protection. Panchayat members need to create awareness around these evils and organise public campaigns on these topics at regular intervals. Families, leading influencers of the community, elderly and religious leaders should be involved in these campaigns for maximum efficacy.

Pay special attention to children's health

Special attention needs to be given to children's health as often family members and community tend to neglect their health. Panchayat members need to make an effort to strengthen health services at the village level – from Aanganwadi to primary health centres – to ensure child health. With support garnered from Aanganwadi workers, ANMs and ASHAs, panchayat members need to generate awareness amongst the village community about availing mother and child facilities and immunisation, as well as why it is important to protect children from malnutrition, diarrhoea and anaemia.

Child Protection Committees (CPCs)

These can be established based on the consolidated Integrated Child Protection Scheme (ICPS) at the village/ward level and panchayat members can play a crucial role in these committees. The scheme was introduced in 2009 by the Department of Women & Child Development where village Child Protection Committees (CPCs) were combined with block and district level CPCs. This is the first time a community based step towards child protection has been taken where different members of the community identify and look out for children at risk and provide assistance to unprotected children and their families.

CPCs include members of the local community, children, government officials and members of the panchayat. Responsibilities of the members include prevention of exploitation of child rights, informing the officials if such exploitation is taking place, keeping a close watch on such incidents etc. According to ICPS, it is mandatory for these committees to be established in all districts and villages in India.

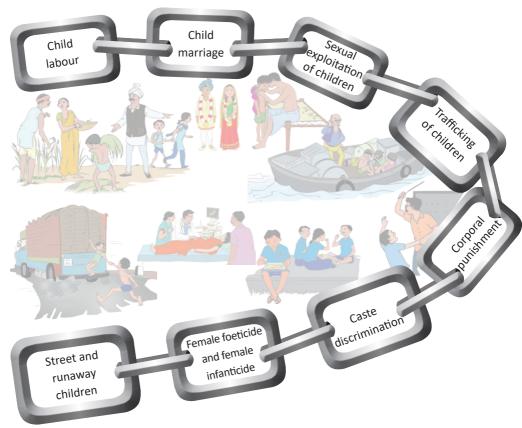
If a CPC has not been established in the village it is the responsibility of the panchayat members to initiate establishment of the Committee and play an important role in activating it. Panchayat members also need to inspire the children, their parents and community members to participate and contact concerned officials for effective running of the CPCs.



Violation of Child Rights and role of Panchayat Members

Violation of child rights in our society is visible in various forms. In many instances, families and community themselves are responsible for this and in other cases, social malpractices and discriminatory approaches give way to violation of the rights of children. Members of the panchayat should be well informed of the exploitation of child rights and the laws pertaining to it. That is when they can successfully prevent child exploitation.

There are several form of exploitation of child rights:

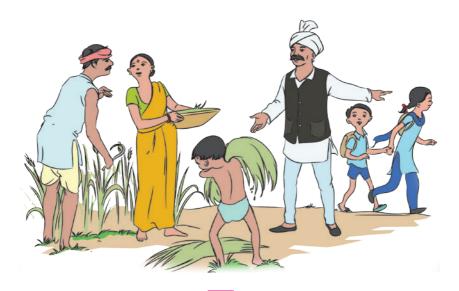


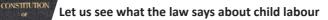
Child Labour

Child labour refers to the employment of children in any work that deprives them of their childhood, interferes with their ability to attend regular school, and that is mentally, physically, socially or morally dangerous and harmful. In villages, it is a common sight to see children of poor families working in fields or elsewhere to contribute to the family income. Such children are deprived of opportunities of education and are also prone to health risks.

In a sense, child labour is open exploitation as it deprives children of education and pushes them into exploitative situations. The side-effects of working at a young age are: risks of contracting occupational diseases like skin diseases, diseases of the lungs, weak eyesight, TB etc.; vulnerability to sexual exploitation at the workplace; deprived of education. They grow up unable to avail development opportunities and end up as unskilled workers for the rest of their lives.

It has been observed that in villages especially, representatives of various industries lure children with promises of jobs and wealth and bring them to the city where they are employed as bonded labour in factories. Many children are also employed as household help where they are paid minimum wages and are made to do maximum physical work.





According to Article 23 of the Indian Constitution any type of forced labour is prohibited. Article 24 states that a child under 14 years cannot be employed to perform any hazardous work. Similarly, Article 39 states that "the health and strength of workers, men and women, and the tender age of children are not abused". In the same manner, Child Labour Act (Prohibition and Regulation) 1986 prohibits children under the age of 14 years to be working in hazardous industries and processes.

Role of panchayat members

Generate awareness about the ill-effects of child labour, encourage parents to send their children to school, create an environment where children stop working and get enrolled in schools instead, ensure that children have sufficient facilities available in schools, inform industry owners about the laws prohibiting child labour and the penalties for violating these laws, activate Balwadis and Aanganwadis in the village so that working mothers do not leave the responsibility of younger children on their older siblings, motivate Village Education Committees (VECs) to improve the conditions of schools.



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Child Marriage

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Child marriage is an age-old curse that is widely prevalent in our country. Even today, in rural areas, child marriage is widely practiced. The most common reasoning behind this practice is that girls are meant to be in their husband's house, the sooner this is done the better. Parents usually consider the girl child as a burden. There are also instances where parents sell off their girls in the name of marriage due to financial constraints



Child marriage is a violation of child rights. There are many reasons for this: children lose their innocence due to child marriage; the education of children, especially girls, suffers as they are not sent to school after marriage; children suffer physically and mentally; girls become mothers at a very young age when their bodies are not prepared for it, thus causing health risks. Early marriage for boys too is a violation of their rights as their education gets affected and they bear the burden of family responsibilities before time.

Let us see what the law says about child marriage

As per the Child Marriage Prohibition Act 1929, a boy under 21 years of age and a girl below 18 years of age is a child. According to this Act, getting a child married or participating in it is a punishable crime. The penalty for an individual above 18 years and below 21 years is 15 days imprisonment and a fine of upto Rs. 1000. The penalty for an individual above 21 years is 3 months imprisonment and a fine.

Role of panchayat members

As elected representatives of the village, panchayat members can play an important role in preventing child marriage. If they get information about a child marriage taking place, they should inform the police who, upon investigation, can stop this marriage. Panchayat members can disseminate information about this law to the villagers as well as generate awareness among them about the ill-effects on health due to child marriage and how it is a violation of child rights.



They can motivate the community to get their children married at the right age. If they feel it is not possible to stop the marriage from taking place, they can try talking to the parents of the bride and groom. Panchayat members can explain to the parents to delay the marriage until the children reach the lawful marriageable age and send them to school till then.

Child Sexual Abuse

We read about child rape and child sexual exploitation in the papers daily. India leads the world as a country with maximum cases of child sexual exploitation. Statistics show that in India, every 155 minutes, a child under 16 years of age is raped. Parents of sexually abused children are scared to tell anyone due to fear of being shamed in society. It is not true that only strangers commit this crime. It can



also be committed by members of the family, relatives and even neighbours. According to a survey, 90% of people sexually exploiting children are known

to the children or are people whom the children trust. There have been many instances where the father himself, cousin brothers, uncle or neighbours have sexually exploited children. This shows that children need protection even while at home. They are afraid to mention this to anyone when it happens, probably out of fear of not knowing what has occurred. Sexual exploitation is not rape alone. There can be many forms of sexual exploitation like clicking indecent photographs of children, making children watch pornographic content, physically teasing them etc.

The trauma of sexual exploitation in children sometimes impacts the children through life; they become guilty, fearful, lonely and worried.

Let us see what the law says about sexual exploitation

The Indian Penal Code defines sexual exploitation of children as: Forced or unwanted sexual behaviour towards children. The following are included in this: Outraging the modesty of a child, rape, sodomy etc.

Role of panchayat members

Panchayat members can play an important role in prevention of sexual exploitation in children. They need to make the community members understand that both girls and boys are vulnerable to sexual exploitation and it is important to support the victims of this offence. The panchayat members can generate awareness about this at the village level. The members can, with the support of local educators, Aanganwadi workers and ANMs, encourage victims of child sexual exploitation to come out with their issues. They should ensure that confidentiality of the victims is maintained all along. If any child in the village is a victim of sexual exploitation, the panchayat members need to contact the nearest police station, file an FIR and seek legal support.



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Trafficking of children

Child trafficking can be defined as any person under 18 who is illegally recruited, transported, transferred, harboured or received by threats, force, and coercion or inducing fear for the purpose of exploitation, either within or outside a country. Child trafficking is a common malpractice in India. Child exploitation is done for several reasons. Some of the primary reasons are:

Sexual exploitation: Children, especially girl children are lured into moving to another city and are forced into prostitution, sex tourism and pornography.

Illegal activities: Kidnapped children are often forced to beg, and sometimes their organs like kidney etc. are sold. These children are also often used for drug trafficking purposes.

Labour: Children brought into the city are sold as bonded labour to industry owners. They are often placed at factories of carpet weaving, diamond cutting etc.

Young girls are sold to older men who marry these girls or sell them to other men.



Let us see what the law says about trafficking of children

Indian laws do not have a legal definition of child trafficking. The Immoral Traffic (Prevention) Act deals only with trafficking of minors for prostitution. However, other laws are present which can assist in child trafficking – Indian Penal Code, Juvenile Justice Act 2000, Andhra Pradesh Devadasi's (Prohibition of Dedication) Act, 1988, Bombay Prevention of Begging Act etc.

Role of panchayat members



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Panchayat members can help prevent trafficking in many ways. They can generate awareness amongst parents about child trafficking and the risks and dangers involved; they should keep a record of families in the village migrating to cities; if a child goes missing, then panchayat members should immediately inform the nearest police station and seek legal assistance.

Discrimination of children living with HIV/AIDS

People living with HIV/AIDS face discrimination, especially in the villages, where they are often treated as outcastes. Their children also suffer — whether they have HIV/AIDS or not — as they are treated with contempt in schools and the community. When the parents of these children die, no one comes forward to take their responsibility, not even their relatives.



The rights of children affected by HIV/AIDS are violated in many ways. They are discriminated by the community; they are deprived of opportunities of education and development; they are not able to avail proper services, remedies and assistance; they are made to sit separately in schools and sometimes even denied admission in schools. They are left to fend for themselves.

Let us see what the law says about children affected by HIV/AIDS

The Indian Government has developed policies that work as solutions for children affected by HIV/AIDS. National AIDS Control Organisation (NACO) is working indiscriminately towards prevention and cure of HIV/AIDS. While a specific law to protect the rights of HIV positive people is in the process of being formulated, there are certain basic rights that the Constitution of India guarantees to all citizens and stand applicable even if a person is HIV positive like, Right to Informed Consent, Right to Confidentiality, Right Against Discrimination etc.

Role of panchayat members



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It is important that panchayat members are themselves aware of the rights of children affected by HIV/AIDS. This information should be shared with other residents of the village through Gram Sabhas. If a case of HIV/AIDS comes up in the village, the panchayat members should seek assistance from the Government for protection of the affected children.

Corporal punishment

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Many people in the villages agree with the adage, 'Spare the rod and spoil the child'. They believe a child needs to be physically punished in order to be disciplined. But that is not the case. Physical punishment meted out to children in order to discipline them is the most ineffective way. On the contrary, children get emotionally affected and end up with feelings of hate for the person assaulting them.

Let us see what the law says about corporal punishment for children

Although India does not have many laws to prevent parents from giving corporal punishment to children, but some states like Goa, Tamil Nadu, West Bengal, Andhra Pradesh etc. have issued a ban on corporal punishment in schools. The Government is considering proposing a law on this issue.

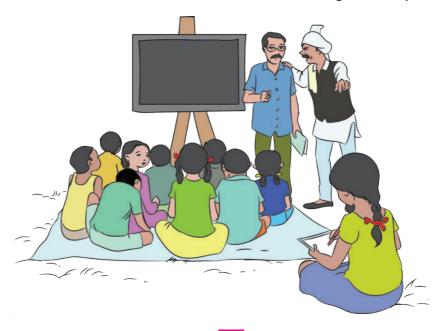
Role of panchayat members



Panchayat members should set an example by stopping corporal punishment in their own homes and motivate others to do the same. They should oppose corporal punishment in their village schools. If these issues come out in public, the panchayat members should raise them by means of discussions in Gram Sabha meetings and encourage VECs to prohibit use of corporal punishment in schools.

Caste discrimination

Issues like untouchability and casteism are still common in rural areas. The reason for this is the deep rooted traditions of casteism. Not just adults, even children are subjected to this form of discrimination. Be it in the community, schools or even the playground, many children face humiliation because of caste discrimination. There have been instances where during the mid-day



meals served in schools, children of Schedule Castes have been asked to sit separately and eat; Scheduled Caste girls have been asked to clean the school toilets; and teachers have asked children belonging to the minority community to sit right at the back in class.

Let us see what the law says about caste discrimination

According to Article 14 of the Indian Constitution, the State shall not deny equality to any person before the law or the equal protection of the laws within the territory of India. Article 15 prohibits the state from discriminating any citizen on ground of any religion, race, caste, sex, place of birth or any of them.

Article 17 states that untouchability is abolished and its practice in any form is forbidden. The 'Protection of Civil Rights Act, 1955' was the first Indian law that came into force to provide punishment for the preaching and practice of 'Untouchability' and for any matter connected with it. In 1989, the Government of India enacted 'The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act', which recognised various kinds of acts of violence and discrimination inflicted upon the Scheduled Castes and the Scheduled Tribes by Non-Scheduled Castes and Non-Scheduled Tribes as punishable offences. It also provides for provision of Special Courts at the district level to try the offences under this Act.

Role of panchayat members

Panchayat members should create awareness campaigns on this issue. If there is an issue of caste discrimination against adults or children in the village, the panchayat member should raise this in the Gram Sabha and the accused should be duly punished. Besides aiming for elimination of discrimination based on caste in their village, panchayat members should give equal opportunities to representatives of the minority groups to raise whatever issues they have in the panchayat.



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Female foeticide and female infanticide

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Female foeticide is the process of finding out the sex of the foetus and undergoing abortion if it is a girl. Although it is illegal, many people continue to practice it. Besides this, there are some communities which practice female infanticide – the practice of killing the girl child once she is born. This fact is highlighted by the findings of Census 2001 which show that there are only 933 women in this country for every 1000 men. Besides this, from 945 girls for every 1000 boys in 1991, the child sex-ratio has declined to 927 in 2001. This decline in sex ratio means that we are not just depriving girls of human rights, we are also depriving them of their right to live.

This practice needs to be stopped as both girls and boys have an equal right to live. In order to do this, it is necessary to protect their rights by prohibiting practices like dowry, female unemployment, child marriage and caste discrimination.

Let us see what the law says about female foeticide and female infanticide

According to certain sections of the Indian Penal Code, forced abortion, causing death of an unborn child or intentionally preventing a child being born alive are punishable offences. Besides this, the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, considers engaging in sex selective abortion using Pre-Natal Diagnostic Techniques as a punishable offence.



Role of panchayat members



Panchayat members should give accurate information on the laws pertaining to this issue; find out where it is being practiced in the village and investigate it immediately; register all births and deaths under the purview of the panchayat; raise awareness about gender sensitivity through Public Education Programmes; and prevent female foeticide with assistance from the ANM and local mid-wife.

Street and runaway children

Often in cities, we see children at railway stations, bus depots, footpaths and public places, roaming about aimlessly, begging or picking up rags. Many such children are homeless or stay by themselves. Some of these children have run away from their homes probably due to the glamour of cities, peer pressure, duress at home, physical abuse or even being abandoned by their parents. Many of these runaway children are not able to eat a proper meal and in some



instances are trapped in the clutches of petty criminals and human traffickers. These children are vulnerable to bad company and drug addiction, and end up committing petty crimes, begging and peddling drugs.

Let us see what the law says about street and runaway children

Juvenile Justice (Care and Protection) Act 2000 protects children in need of care and protection and who are forced into illegal activities. According to the law, children who are homeless, deprived of livelihood opportunities, without parents or guardians, orphans or abandoned by parents etc. are included in this category.

According to the law every State Government is supposed to constitute one or more Child Welfare Committees for every district or group of districts to deal with cases for the care, protection and rehabilitation of children in need of protection.

Role of panchayat members

If a child has run away from home in the village, panchayat members should immediately inform the police and establish a Child Line to support children. If the police or non-governmental organisation find the runaway child and return him to the parents, the panchayat members should talk to the child and parents and find out why he/ she made the attempt to run away. They should create an enabling environment in the child's family.



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The panchayat members, along with other panchayats of the district, should establish a Child Welfare Committee and Juvenile Justice Board. They should also introduce maximum people to the Child Line established for support of children.

Differently abled children

Often physically and mentally challenged children are made subjects of sympathy. We should remember that a physically or mentally challenged child has rights too and more than sympathy, the child requires our empathy.



More often than not, physical and mental

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disability is considered a curse in society. The families of such children treat them as a burden. But we forget that these children have special needs which we need to fulfill.

Let us see what the law says about discrimination of differently abled children

Persons with Disabilities Act, 1995 ensures equal opportunities for people with disabilities and provides education, employment and vocational training for them.

Role of panchayat members



Panchayat members should learn more about physical and mental disability; contact organisations that assist the differently abled and introduce differently abled children and their parents to these organisations so they can avail its services; familiarise Aanganwadi workers, teachers, parents and community with the special needs of the differently abled children.

Safe Childhood Programme

