

‘Child-friendly Gram Panchayat Award’

Guidelines

1. Introduction: Understanding Child Rights and Development

1.1 Protecting the rights of the children and ensuring their development by ensuring access to all necessary entitlements and facilities is the duty of the society. One of the basic components of social development is creating conducive atmosphere for the healthy growth and development of children. Adequately engaging with all dimensions of child development is one of the best means for improving a country's development status. Constitution of India confer guarantees that are meant specifically for children and their rights as citizens of India. There are five articles in the Constitution of India which have children as their special focus. These articles are Article 21A, 24, 39 & 45 and 51A (k) **[Annexure-I]**. Provisions in the Constitution of India mandates the States/UTs to have appropriate mechanisms for child protection. Some of the Rights of the children being a citizen of India have been listed at **Annexure-II**. The Government also implements National Policies from time to time which are child centric and address important issues like Child Survival, Child Development, Child Protection etc.

1.2 The United Nations Convention on the Rights of the Child (UNCRC) 1989 defines ‘child’ as every human being below the age of eighteen years. In 1992, India became one of the 140 signatories to the UNCRC, thereby committing to the international declaration of child rights and to the realization of those rights for all children in India. Declaration of India for UNCRC is at **Annexure-III**. The UN Convention consists of 54 articles covering all aspects of a child’s life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to. Outwardly, these rights are not ranked in order of importance. Instead, these rights co-relate with each another apparently to form one integrated set of rights.

1.3 The 2030 Agenda for Sustainable Development has a set of 17 inter-related and mutually reinforcing Goals with a network of 169 related targets, including target number 16.2 to end abuse, exploitation, trafficking and all forms of violence against and torture of children.

1.4 The National Policy for Children, 2013 was adopted by the Government of India on 26th April 2013. It adheres to the Constitutional mandate and guiding principles of UNCRC and identifies rights of children under key priority areas such as Health and Nutrition, Education and Development, Protection and Participation.

1.5 Thus, the rights listed under UNCRC and priority areas of National Policy for Children, 2013 can be broadly integrated as follows:

- Right to Survival – to life, health, nutrition etc.
- Right to Development – to education, care, recreation, cultural activities etc.
- Right to Protection – from exploitation, abuse, neglect etc.
- Right to Participation – to expression, information, thought etc.

2. Panchayati Raj Institutions (PRIs): Status and Role

2.1 The adoption of the 73rd Constitutional amendment conferred Constitutional status on the Panchayats as the institutions of local self-government and introduced a three-tier structure of governance that would ultimately lead to the reinforcement of a participative democracy. Article-243(G) of 73rd Constitutional Amendment Act 1992 envisages Panchayats to undertake planning for economic development and social justice. PRIs thus provide the institutional structure to facilitate participatory planning.

2.2 PRIs/Rural Local Bodies (RLBs) play a vital role in transforming the country, fulfilling aspirations of people in rural areas of the country and development across various sectors such as education, health, sanitation, women and child development etc. Further, PRIs/ RLBs widen the representation from various groups thereby providing a participatory approach for planning, execution and monitoring of various developmental activities/schemes.

3. PRIs and Child-friendly Local Governance

3.1 Protecting the rights of the children and ensuring them access to all necessary entitlements and facilities is the duty of the governing bodies at local and national levels. Eleventh Schedule of the Constitution of India enlists 'Women and Child Development' as one of the 29 subjects to be devolved to the PRIs.

3.2 Child-friendly Local Governance (CFLG) as a virtue of practice is by which all duty-bearers of children's rights are able to progressively ensure that every child within their area of jurisdiction is fully able to enjoy their rights for survival, development, participation and protection among others. Thus, CFLG is an approach to guarantee children's rights to all their rightful entitlements such as health, education, safe water, sanitation, protection from abuse and exploitation, etc. Duty bearers must initiate child sensitive development interventions through planning, budgeting and monitoring for children.

3.3 CFLG balances on the premise that PRIs/RLBs, being situated at the grassroots, are best placed to interact with the children and contribute most meaningfully to realize their rights. As also highlighted in Para 4.4.10 of Gram Panchayat Development Plan guidelines issued by Ministry of Panchayati Raj (MoPR), Gram Panchayats (GPs) should recognize the services rendered to children as welfare measures/rights and not favours. This approach offers an opportunity to have child friendly GP.

3.4 Few measures, only suggestive in nature, for PRIs/RLBs to achieve child-friendly status are given at **Annexure-IV**.

4. Child-friendly Panchayat

A Child Friendly Panchayat may be defined as a Panchayat wherein:

- Every child has the opportunity to survive, grow, learn, play and be a part of the decision-making process or at least be aware of the local affairs and is better informed to make a decision at an appropriate age.
- All members of the Panchayat understand, implement, promote child friendly activities, develop action plans based on children's issues, develop services for children based on these issues and improve them if these already exist.
- Service delivery personnel of various departments at the village level implement and actively endorse child friendly activities for their protection, encouragement through their participation, respecting their opinion and eradicating all forms of discrimination against and amongst them.
- Children are happy, protected, respected – they have access to better healthcare, education, leisure and recreation, have a voice in the matters concerning them and are involved in the conduct of services or activities for them.
- Rights of the children are realized

5. **‘Child-friendly Gram Panchayat Award’: Rationale for Award**

5.1 Awards are a strong source of impetus and in recognition of this effective stimulator, MoPR has been awarding various PRIs/RLBs across the country under the Incentivization of Panchayats, a central component of restructured Rashtriya Gram Swaraj Abhiyan scheme, under various categories/themes. Encouragingly, Panchayat Awards are a medium for creating awareness and sharing of knowledge across the country about the achievements of the Panchayats thus raising the level of commitment of all stakeholders benefiting the nation as a result. Thus, due recognition to PRIs/ RLBs that perform their role well can (a) be an incentive for PRI/ RLB representatives to improve PRI/RLB performance, (b) bring the issue of PRI/RLB performance into prominence and focus the attention of policy makers and (c) encourage State Governments/UT Administrations to develop their systems of assessment.

5.2 Actual realization of holistic child development depends on the response of the PRIs/RLBs in understanding and managing the child governance issues, onus of which largely remains in the greater involvement of PRIs/RLBs towards holistic approach of child development to address simultaneously the physical, emotional, relational, intellectual and psychological aspects of a child’s life.

5.3 Keeping in view that the basic component of social development is creating a conducive atmosphere for the healthy growth and development of children and to incentivize high-achievers in this domain, **‘Child-friendly Gram Panchayat Award’** (CFGPA) is instituted for GPs/Village Councils (VCs) [*one for each State/UT*] from the year 2019 under the Incentivization of Panchayats.

6. **Criteria for evaluation of CFGPA**

6.1 GPs/VCs would be assessed on the basis of a set of criteria/questionnaire and marking scheme developed by MoPR in resonance with the priority areas for development of children. Based on this set of criteria/questionnaire, State Panchayat Performance Assessment Committee (SPPAC) constituted in each State/UT will shortlist upto 3 GPs/VCs and forward these nominations to MoPR alongwith supporting documents, wherever indicated.

6.2 The States/UTs must circulate this questionnaire to all its GPs/VCs and also make efforts for wider publicity of Award and the scheme.

6.3 The GPs/VCs which do not fill the questionnaire or do not submit the nomination within the stipulated timeline will not be eligible for the award.

6.4 Improvement and refinement of set of criteria/questionnaire for selection of best GPs/VCs, and Award as a whole, is a continuous policy intervention which may be done from time to time.

7. Selection of awardee GPs/VCs

Online nominations forwarded by each State/UT on the basis of set of criteria as stated in para 6.1 above would be scrutinized in MoPR. The National Screening Committee (NSC) constituted in MoPR for Panchayat Awards under Incentivization of Panchayats will make the final selection of the awardee GPs/VCs. Decision of MoPR on all the aspects would be final.

8. Number and amount of award

8.1 Award will be conferred to one GP/VC in each State/UT across the country subject to the nominations received from them and final selection by MoPR. Number of awards conferred may vary from time to time and will be determined on the basis of criteria developed, if/as refined periodically, at the discretion of MoPR.

8.2 Each award will be of Rs.5.00 (Five) lakh each and may be subject to periodical amendments, if deemed necessary on the basis of availability of budget, at the discretion of MoPR. Amount of award money would be transferred to concerned State/UT for the winning GPs/VCs during the relevant financial year and/or after the felicitation of the award ceremony, depending on availability of funds.

8.3 Subsequent releases of award money, to the awardees would be made upon the submission of the Utilization Certificate(s) [*in GFR 12-C format indicating the date of transfer of incentive amount to awardee GP/VC*] if any, by the State/UT in respect of transfer of previous incentive amount to awardee GPs/VCs and also availability of funds.

8.4 As per General Financial Rules (GFR), 2017, the UC must be submitted by the State Government/UT Administration counter-signed by the Administrative Secretary of the Division regulating the Scheme/Finance Secretary.

8.5 Onward transfer of award money from State Government/UT Administrations to the GPs/VCs concerned should be made electronically within 15 days of it having been credited to the State/UT Exchequer. States/UTs will be liable to pay penal interest @ RBI repo rate in case the award amount is not transferred by States/UTs to the awardee GPs/VCs within 15 days from the receipt of funds by the State Government/UTs.

8.6 The award money may be utilized by the awardee GPs/VCs as an untied fund for the developmental activities in respect of overall child development broadly focusing on the areas such as health & nutrition, education, sanitation and various child-centric interventions. The State/UT will ensure proper utilization of award money by the GP/VC concerned.

9. Documentation of Best Practices

States/UTs, if/when directed by MoPR, may be required to submit the best practices followed in the award-winning GPs/VCs which would be suggestive in nature for further widespread dissemination of these best practices across the country.

Constitutional guarantees meant for children

- **Article 21 A:** *‘The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine’.*
- **Article 24:** *‘No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment’.*
- **Article 39:** *The State shall, in particular, direct its policy towards securing-*

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

- **Article 45:** *‘The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years’.*
- **Article 51A:** (Fundamental duties) *It shall be the duty of every citizen of India-*

(k) who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.

Some of the Rights of children as citizens of India

- **Article 14:** (Equality before law)

The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

- **Article 15:** (Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth)

(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to

(a) access to shops, public restaurants, hotels and palaces of public entertainment; or

(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public

(3) Nothing in this article shall prevent the State from making any special provision for women and children

(4) Nothing in this article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.'

- **Article 21:** (Protection of life and personal liberty)

'No person shall be deprived of his life or personal liberty except according to procedure established by law'.

- **Article 23:** (Prohibition of traffic in human beings and forced labour)

'(1) Traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

(2) Nothing in this article shall prevent the State from imposing compulsory service for public purpose, and in imposing such service the State shall not make any discrimination on grounds only of religion, race, caste or class or any of them.'

- **Article 29:** (Protection of interests of minorities)

'(1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.

(2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.'

- **Article 46:** (Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections)

'The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation'.

- **Article 47:** (Duty of the State to raise the level of nutrition and the standard of living and to improve public health)

'The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health'.

Declaration of India for United Nations Convention on the Rights of the Child

"While fully subscribing to the objectives and purposes of the Convention, realising that certain of the rights of child, namely those pertaining to the economic, social and cultural rights can only be progressively implemented in the developing countries, subject to the extent of available resources and within the framework of international co-operation; recognising that the child has to be protected from exploitation of all forms including economic exploitation; noting that for several reasons children of different ages do work in India; having prescribed minimum ages for employment in hazardous occupations and in certain other areas; having made regulatory provisions regarding hours and conditions of employment; and being aware that it is not practical immediately to prescribe minimum ages for admission to each and every area of employment in India - the Government of India undertakes to take measures to progressively implement the provisions of article 32, particularly paragraph 2 (a), in accordance with its national legislation and relevant international instruments to which it is a State Party."

Achieving Child-friendly status: Suggestive ways for PRIs/RLBs

To make it more topical & inclusive to encourage children for their merits as well as society centric achievements, few suggestive measures for PRIs/RLBs aiming for achieving for Child Friendly status are given below:

- Focus on protection of children from violence and exploitation, such as child marriage, child labour, child-abuse
- Focus towards providing quality Early Childhood Education (ECE) and learning outcomes of children; including transition to higher classes
- Assess and address nutritional issues of children, including of pregnant women.
- Ensure 100 percent immunization, conduct social audit of neonatal and maternal deaths and child development schemes
- Plans for wellbeing of children during potential disasters such as heat strokes, floods, earthquake, hailstorms, land-slides
- Constitution of Village/Ward level Child protection committees
- Conducting Bal-sabhas to empower children/adolescents to participate in planning and decision-making processes, and involve them as part of Panchayat agenda, providing a space for them to voice their issues.
- Providing improved educational curriculum.
- Assessing and ensuring adequate teacher to children ratio in schools
- Special focus on girl child issues such as female foeticide, hygiene (during menstruation etc.)
