

Covid-19 Pandemic's Influence on Child Protection in India: An Analysis of Budgetary Ramifications

Ashwani Gupta (Law), Research Scholar, SunRise University, Alwar(Rajasthan)
Dr. Rajesh Kumar Verma(Law), Professor, SunRise University, Alwar(Rajasthan)

ABSTRACT

Child protection prevents and responds to all forms of child violence, exploitation, and abuse. This includes reaching out to children most at risk, such as those without family care, on the streets, or in conflict or natural disaster circumstances. The COVID-19 epidemic has worsened children's inequalities. Over the past year, disruptions in school, health-nutrition, and protection services have made rural and marginalised children more vulnerable. Child protection services must be improved to protect vulnerable youngsters. Enhancing preventive measures, expanding public provisioning and human resources, and strengthening convergence among child rights-related sectors like education, health, and nutrition can achieve this.

This policy brief examines policy and budgetary issues affecting child protection programmes. The pandemic increased child marriage, trafficking, and labour, highlighting children's vulnerabilities. The importance of non-institutional care for children orphaned and abandoned during the epidemic and state governments' exemplary practises in this area are also highlighted. The brief makes policy proposals based on a situational analysis, some of which can be implemented in the Union and state budgets.

Keywords : *Child Protection, COVID-19 , Marginalised, Trafficking.*

1. Introduction

Child vulnerability is a complex issue involving various factors such as gender, ethnicity, poverty, disability status, and displacement. India, home to over 400 million children, is committed to protecting them from violence, exploitation, and harmful practices. However, there is a high prevalence of child marriage, child labor, and domestic violence against children, particularly adolescent girls. The COVID-19 pandemic has exacerbated this issue, with the rate of juvenile crime in India increasing from 29% in 2019 to 29% in 2020. Public provisioning for child protection and welfare services faces challenges such as under-allocation, poor planning, and budgeting, leading to poor implementation of government programs. Policy lenses focus on responsive measures rather than preventive measures and lack of convergence among sectors like education, health, and nutrition. Additionally, policies often fail to cater to children with disabilities or girls who are frequently subjected to violence. Increasing allocations and improving resource utilization is crucial to achieve national targets under the National Plan of Action for Children 2016 and international commitments under the Sustainable Development Goals.

2. Child Protection Measures Are Weakened By Resource Shortages.

- The Constitution of India mandates that the state ensures that children are not abused, forced into unsuitable vocations, and given opportunities for healthy development. India is a signatory to the UN Convention on the Rights of the Child, which influences legislation and programs for children. The Juvenile Justice (Care and Protection of Children) Act, 2015, governs the child protection system, which caters to vulnerable children in need of care and protection. However, child protection receives the lowest share in the total child budget, with a component-wise analysis of the budget revealing that child protection receives the lowest share.
- The Integrated Child Protection Schemes (ICPS) introduced by the Ministry of Women and Child Development (MWCD) in 2009 aim to reduce vulnerability to abuse, neglect, exploitation, abandonment, and separation from families. However, the funding for the scheme has been inadequate since its inception, with a small share of child protection in the total child budget remained less than 2%.
- The pandemic has worsened the situation, with a child missing every eight minutes in India. The pandemic has worsened the situation, with a rise in child trafficking, child marriage, child labor, and other forms of violence. As of 2020-21, there are 2178 Child Protection Units (CCIs) supported under the CPS scheme, catering to 76,591 children.

- The Juvenile Justice (Care and Protection of Children) Act, 2000 mandates the establishment of one Child Welfare Committee (CWC) and one Juvenile Justice Board (JJB) in each district, as well as Special Juvenile Police Units in every district and city. However, these statutory bodies hardly receive adequate resources to implement their functions.
- Monitoring is crucial for child protection, with states needing to constitute a Child Protection Committee (CPC) in every district, block, and village level. However, many existing committees are not functioning regularly, and there is a lack of basic incentives, logistical expenses, and supervision of these committees. During the pandemic, MWCD urged states to take immediate action to help children affected by the JJ Act, 2015 and leverage facilities funded under the CPS scheme. The Union and state governments have implemented temporary policy measures, including cash assistance for children who lost parents. Policy recommendations include increasing resource allocation for child protection programs, constructing child protection centers (CCIs), recruiting human resources, training personnel, and improving monitoring mechanisms. CCIs have become vital shelters for children infected by COVID-19, necessitating an upward revision of unit cost for maintenance.

3. Cps Family and Community-Based Care Needs More Resources

Current Issues

- CPS promotes and strengthens alternative/family-based non-institutional services like sponsorship, foster care, adoption, and aftercare. However, India can improve non-institutional care. Gujarat, Maharashtra, and Karnataka have successful foster care initiatives. Most state departments lack a structured, disaggregated foster care placement database (BOSCO, 2013).
- Child protection workers are scarce, thus foster children are not monitored. Rehabilitation without sufficient information and supervision may expose children to risk factors, often returning them to their original surroundings.
- UNICEF reports 29.6 million orphaned and abandoned children in India (Kalra, 2018). Adoptions are low and have been dropping for years. The government reported 5,694 in-country adoptions in 2011-12 and 3,142 in 2020-21 (CARA, n.d.).
- Under CPS programme standards, each district must establish a Sponsorship and Foster Care Approval Committee to assess and approve sponsorship (only for preventive settings) and foster care money. Most districts have no such committee or a mostly ineffective one.

Policies and budgets

- The CPS pays Rs. 15.5 lakh to a special adoption agency with 10 children. However, the Project Approval Board (PAB) meeting minutes demonstrate that most states are not planning for non-institutional care and hence not spending for corresponding CPS treatments.
- The CPS scheme provides a Rs. 2,000 monthly maintenance subsidy for non-institutional care of vulnerable children. CCI children receive Rs. 2,160 per month (PIB, 2021).
- The Ministry of Women and Child Development has asked States and UTs to immediately care for and safeguard COVID-19-affected children in compliance with the JJ Act, 2015 and use Child Protection Services Scheme facilities.

Policy Advice

- With more children in distress due to the pandemic, the reduced allocations may not be enough. The pandemic revealed institutional care system flaws. The remaining separated and unaccompanied children are in fragile care, risking further estrangement. We must strengthen non-institutional care to end institutionalisation.
- Child protection schemes should sufficiently fund information, education, and communication to spread awareness about non-institutional care possibilities. Budgetary allocation, mandated quality assessments, and non-institutional care programme evaluation require more government engagement. Adoption procedures must be streamlined to reduce delays.

4. Human Resource Shortages Must Be Addressed Across Government

Human resource shortages are a critical issue that needs to be addressed across government sectors. The availability of skilled and competent human resources is vital for the effective functioning of governmental agencies and the delivery of essential services to citizens. In this in-

depth explanation, we will explore the reasons behind human resource shortages in government, the consequences of these shortages, and potential strategies to address them.

Reasons for human resource shortages in government:

- a. Aging workforce: Many government sectors are facing a significant retirement wave as a large portion of their workforce reaches retirement age. This creates a gap in skilled personnel that is difficult to fill quickly.
- b. Lack of competitive salaries: Government positions often face challenges in attracting and retaining talented individuals due to comparatively lower salaries compared to the private sector. This can lead to difficulties in recruiting qualified professionals.
- c. Limited career growth opportunities: Bureaucratic structures and slow career progression in government agencies may discourage skilled individuals from pursuing long-term careers in the public sector.
- d. Skill gaps and changing demands: Technological advancements and evolving needs of citizens require a workforce with updated skills. However, government agencies may struggle to find individuals with the necessary expertise in areas such as technology, data analysis, and cybersecurity.
- e. Complex hiring processes: Cumbersome and lengthy recruitment processes in government agencies can deter potential candidates, especially younger professionals who are accustomed to faster hiring practices in the private sector.

Consequences of human resource shortages in government:

- a. Decreased service quality: Insufficient staffing levels can hamper the delivery of public services, leading to delays, backlogs, and reduced quality in service provision.
- b. Increased workload and burnout: Existing employees are often burdened with additional responsibilities and increased workloads due to staff shortages. This can lead to decreased morale, higher stress levels, and burnout, resulting in lower productivity and higher employee turnover.
- c. Inefficiency and delays in decision-making: A lack of skilled personnel can hinder the decision-making process within government agencies, leading to delays in policy formulation, implementation, and overall efficiency.
- d. Impact on public trust: Inadequate staffing levels and the resulting decline in service quality can erode public trust in government institutions, negatively impacting their reputation and legitimacy.

Strategies to address human resource shortages in government:

- a. Competitive compensation packages: Governments should consider revising salary structures to make them more competitive with the private sector, especially for critical positions that require specialized skills.
- b. Streamlined recruitment processes: Simplifying and expediting recruitment procedures can help attract talented individuals who might be discouraged by lengthy bureaucratic processes.
- c. Training and professional development programs: Governments should invest in training and development programs to upskill existing employees and bridge skill gaps within their workforce. This can enhance the capabilities of current staff and increase their potential for career advancement.
- d. Strategic workforce planning: Government agencies should engage in long-term workforce planning to identify future skill requirements and develop targeted recruitment strategies accordingly.
- e. Collaboration with educational institutions: Establishing partnerships with universities, colleges, and vocational training institutes can help align academic curricula with the skills needed in the public sector, creating a pipeline of qualified candidates.
- f. Flexible work arrangements and career growth opportunities: Governments can introduce flexible work options, provide opportunities for teleworking, and create clear paths for career advancement to attract and retain top talent.

5. Millions of Children Work Because to Covid-19

A resolution designating 2021 as the International Year for the Elimination of Child Labour was passed by the United Nations General Assembly in July 2019 with universal support. The

original goal was impossible to achieve, and after the epidemic it became even more so. ILO and UNICEF (2021) estimate that as many as nine million more youngsters will enter the global labour force as a direct result of the epidemic.

- The predicament is as serious in India. Campaign Against Child Labour found that in 24 districts across Tamil Nadu, the number of children working increased from 28% to 80% as a direct result of the pandemic and the subsequent shutdown of schools. "Child labour on the rise," 202, reports a growth of 280% among children from the most disadvantaged backgrounds. Child work increased by about 105% during the pandemic, according to a comparable survey conducted in 19 districts of West Bengal. The study also found that there is a gender disparity in child labour in the state, with more girls affected than boys (Nandini, 2020).
- According to calculations based on data from the 2011 Census, around 15.3 million children aged 5–17 were already working as of the onset of the COVID-19 pandemic. As a result of job losses, decreased incomes, increased indebtedness, and/or the deaths of earning members, the pandemic has caused economic insecurity in households, especially for marginalised communities. As a result, many families have turned to manual or unskilled labour performed by their children to make ends meet. The closure of schools, which has kept children out of school for over a year, has made this decision easy for the families.
- One out of every five migrants in India is a child, according to the 2011 census (Pandey, 2021). Children of migrants are especially vulnerable to abuse. ILO (2013) reported that 47 percent of minors aged 6-14 and 68 percent of those aged 15-17 who were migrants in India were in bonded labour. The aftermath of the pandemic has made their prospects less assured.
- There is an increased danger for the children of farmers and agricultural workers. Due to the timing of the lockdown in 2020, when harvesting and selling activities would normally be taking place, youngsters filled in for adults in the fields (Kundu, 2020).
- The crisis is more likely to affect children and teenagers who are currently in the workforce. Many informal factories are hiring minors since they are the cheapest work force to make up for losses experienced during the lockout. They are often forced to work 12 hour shifts.
- The list of hazardous occupations was reduced from 83 to 3 (mining, explosives, and occupations mentioned in the Factories Act, 1948) as a result of the Child Labour (Prohibition and Regulation) Amendment Act, 2016 (Mehra, 2018).
- Furthermore, children under the age of 14 are allowed to 'assist' in family and family enterprises during school breaks and after school hours thanks to an exception in child labour laws. This has made it possible for children to work in agriculture and allied industries, putting their lives in danger and opening the door for others to join them. It is possible that children as young as 14 will stop going to school and start working before they finish elementary school if a robust monitoring and support mechanism is not put in place to ensure that children under the age of 14 'help' only within the scope of the law without compromising their education. Children from disadvantaged backgrounds are more likely to drop out of school due to prolonged school closures and barriers to accessing online education.

Current institutional measures and fiscal interventions

- Young people who choose not to attend school have a greater chance of entering the labour force. Samagra Shiksha Abhiyan (SmSA) is an education initiative that provides residential and non-residential training for age-specific enrollment to help bring out-of-school children back into the educational mainstream. However, as per the Right of Children to Free and Compulsory Education (RTE) Act, 2009, this benefit is only available to kids between the ages of 6 and 14, and the budget for this intervention has consistently been less than 1 percent of the total SmSA budget.
- The Ministry of Labour and Employment's National Child Labour Project (NCLP) is one of the most important central sector schemes for reintegrating formerly incarcerated children into society through formal education. As of the year 2021, the NCLP plan will have expanded to 323 districts in 21 different states. As of 2019 (Lok Sabha Secretariat), the scheme had been implemented in 96 of India's 342 districts. Surveys to identify child and adolescent labour under NCLP are only requested from the aforementioned districts by the

District Magistrate/District Collector. From Rs. 250 cr. in 2015–16, the allotted funds for NCLP will drop to Rs. 120 cr. in 2021–22. Despite the need for a bigger allocation, this year's allocation remained unchanged from the prior year. The revised estimates for 2020-21 show that only half of the allocated sum of Rs. 120 crores was actually spent.

- Research indicates that few people are familiar with the initiative. The NCLP component for raising public awareness, known as advocacy, saw its unit cost drop from Rs. 2 lakhs to Rs. 50 thousand between 2013 and 2017 (MoLE, 2017).
- In 2017, as part of NCLP, a web-based site called PENCIL (Platform for Effective Enforcement for No Child Labour) was built. For more efficient NCLP implementation, this portal links the federal government with the respective state governments, districts, and the District Project Societies. As of July 22, 2019, the portal had received about 1,010 complaints, but had only resolved 361 of them (PIB, 2019b).
- Because of the epidemic, the Ministry of Labour and Employment loosened regulations on the operation of Training Centres and the distribution of NCLP funds from April 2020 to September 2020 (Lok Sabha, 2021a).

Suggestions for Policymakers

- It's important to increase the number of districts served by NCLP. District-level surveys to detect child labour should be carried out often. Setting up dedicated training facilities and hiring more district nodal officers will be necessary for successful execution of these procedures. In the upcoming years, the government will need to significantly increase funding for NCLP.
- Community education is essential for finding eligible kids and making sure they get the benefits of the scheme. The budget for NCLP-related lobbying and awareness campaigns has to be reevaluated. It has been shown that when kids try to juggle employment and school, they inevitably fail at both (ILO, 2015). Therefore, it is essential that all types of child labour be banned until the kid reaches the age of 14, as required by the RTE Act, 2009. Governments will need to increase their monitoring efforts to close these voids.
- Governments should increase preventative steps to end child labour rather than only responding to incidents as they arise. The first step is to improve the quality of education available to the public. Focusing on preventing students from leaving school should be a top priority. Government should focus more on initiatives including increasing the entire school education budget, providing monetary and non-monetary incentives, and eliminating education fees.
- The unit cost for SmSA's mainstreaming of out-of-school children should be increased, and efforts should be made to include children ages 14-18.
- It is not enough to focus solely on saving kids. To solve this issue, we need to employ a number of different strategies. The foundation is laid by the family to whom a child is born. Parents shouldn't feel pressured to put their children in the workforce, so efforts should be made to achieve convergence of the ongoing developmental schemes, such as employment security (decent work and minimum wage), educational support, health security, food security (universalising PDS), and social protection.

6. Pandemic-Related Child Marriages Increased Alarmingly

- Over 22.3 crore Indian women have married as children, and approximately half of these marriages occurred before the girls turned 15. According to the National Family Health Survey 2019–2020, the share of women aged 20–24 who were married off before the age of 18 has decreased in 19 states/UTs, with the exception of Assam, Manipur, and Tripura. This calls for directing more resources and attention towards the states in the northeast in the fight against underage marriage.
- The Prohibition of Child Marriage Act (PCMA), 2006 is a policy and financial intervention that delegates authority to Child Marriage Prohibition Officers, District Magistrates, and the police. Centrally supported programmes like Beti Bachao Beti Padhao and SABLA strive to end early marriage of young girls, while the JJ Act, 2015 recognises vulnerable children in need of care and protection.

- Several state governments have begun programmes to prevent high school dropouts and teen pregnancies, but the requirements of the PCMA, 2006 are underfunded, and prohibition officers lack necessary support. The 1964 Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriage does not include India as a signatory country.
- The development of centralised guidelines to assure core minimum provisions throughout all states and the reinforcement of the application of existing legislative rules are two policy recommendations. More resources are needed to employ and train all involved personnel in addition to making marriage and birth registration mandatory to assure documentation and data availability.
- The spread of the COVID-19 epidemic has aided in the increase of child marriages in economically deprived communities. There is compelling evidence in favour of granting all girls in India the right to a free and compulsory education through the twelfth grade and opening up career paths for them as a result.
- The practise of child marriage must be eradicated, and a programme should be initiated to incentivize communities to declare themselves "child-marriage-free" and hold local governments accountable. Whistleblower and activist protection should receive funding as well.
- Since child marriage is linked to other problems, including as domestic violence, gender-based violence, adolescent sexual and reproductive health, infant and child mortality, low education, and labour force participation, a multi-agency approach that converges across many sectors is needed. If we are serious about ending child marriage and meeting other SDG targets linked to poverty, hunger, education, gender equality, and economic growth, we must increase funding for improved implementation methods.

7. Covid-19 Orphans Need Protection

- Due to the lack of financial and mental resources, hundreds of youngsters have committed suicide as a result of the pandemic. During the pandemic, over a hundred thousand children have either lost both parents or been abandoned. Despite the urgency of the situation, just 30 percent of the 4,366 petitions were approved, highlighting the difficulty of identifying and preventing educational interruption for these youngsters.
- Children who have lost a parent or legal guardian due to COVID-19 are eligible for a monthly stipend for higher education costs for five years as part of the PM Cares for Children package. However, many kids don't have the help they need to fill out paperwork and receive financial aid. Furthermore, minors without bank accounts or other forms of identification may be unable to receive monetary transfers.
- Monthly financial aid, fixed deposit accounts, free education, and counselling are only some of the steps outlined by state governments to safeguard orphaned children. It is essential to clearly lay out the standards and eligibility criteria for beneficiaries of schemes and relief packages, as there are irregularities in state decisions on relief packages.
- Additional human and technical resources, including the hiring of a large number of child protection officers and support employees, are required immediately. Mechanisms for tracking and monitoring children at multiple levels are necessary to protect them against forced marriage, trafficking, and labour. PM Cares and state programmes must address issues of exploitation, violence, abuse, and trauma, and skilled staff must be engaged to provide an ecosystem for mental health and counselling.
- It is important to scale up programmes like ICPS and not abandon service delivery paradigms in favour of cash transfers because parents are likely to use them till their children reach adulthood.

8. State Pandemic Child Protection Initiatives

Children who lost parents or were abandoned as a result of the pandemic have had their lives devastated. In 2020, there were 31 reported cases of youth suicide every day, with family issues being the leading contributing factor in most cases. During the pandemic, almost a hundred thousand kids have lost one or both parents or been left alone. Finding ways to keep youngsters without primary carers from having their schooling interrupted is a major concern. Many of the

4,366 applicants for these kids lacked the necessary support and bank accounts, which is why only 30% of their applications have been accepted as of October 29, 2021.

Without adequate documentation, it will be difficult for children without guardians to receive financial aid during the epidemic and to verify that their parents have died. It's hard for kids to arrange things on their own because many claims are rejected due to a lack of validation. In addition, daycare facilities for youngsters without parents often require refurbishment. Children who have disabilities and who have experienced the abrupt death of a parent are rarely the subject of open debate. The PM Cares for Children package, for example, offers health insurance, a monthly stipend for higher education, and a corpus to children who have lost a parent or legal guardian to COVID-19. Each state has also pledged to take steps to ensure the safety of orphaned children, including providing regular financial support, fixed deposits, free schooling, and psychological services.

Recommendations for policymaking include catering to children's needs, easing qualifying requirements, and providing aid to kids who have lost one or both parents. To make sure that no kids get left behind during the pandemic, we need to take an approach that is kid-friendly. When making judgements about aid packages, states should be explicit about the norms and eligibility criteria they're establishing, with a focus on taking immediate action to reduce child vulnerability. There is an immediate need for a large number of new child protection officers and support professionals. Anganwadi personnel need more human and technical resources to help with identification and tracking because they are already stretched thin.

Mechanisms for tracking and monitoring children at multiple levels are required to ensure they are able to stay in school and not be forced into marriage, trafficking, or labour. The problems of exploitation, violence, abuse, and trauma must be addressed by PM Cares and other state programmes. Counselling and psychosocial support can't happen without the help of trained professionals. Since PM Cares operates solely on charitable contributions, its future is uncertain. Until their children become adults, parents are likely to take advantage of cash transfers. Service delivery methods should not be abandoned in favour of cash transfers, and existing systems like ICPS should be expanded. As a result of the pandemic, state governments have increased their efforts to help children in danger. Delhi's Women and Child Development Department came up with a programme to improve the lives of kids living on the streets, and they're doing door-to-door surveys and opening daycare centres all across the city. Children in Tripura who have lost both parents as a result of the epidemic are now eligible for all of the state's child welfare programmes. Karnataka has developed a plan to assist children in the event of one or both parents passing away, both parents being hospitalised, one parent passing away while the other is hospitalised, or one parent being hospitalised while the other is out of town. To aid youngsters emotionally throughout the epidemic, Odisha has set up special hotlines, set up temporary housing, and developed Sampark, a state helpdesk.

9. Conclusion

India's exposure to the COVID-19 epidemic and the country's lack of adequate kid protection measures are highlighted in the policy brief. Making sure kids have a safe place to grow up and helping those who fall through the cracks is important for their overall development. To achieve India's SDGs and lessen the toll the pandemic takes on India's most vulnerable children, it is crucial that funding for child protection be restored to its pre-recession levels. Care and support provided by the government are essential if children are to grow up to be engaged citizens. Policies, financial measures, convergence across sectors, and engagement between the state, NGOs, and civil society are all necessary for reimagining children's futures.

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