



CHILD BUDGET ANALYSIS

Dalit Arthik Adhikar Andolan

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FOREWORD

“All living creatures on this earth feel prouder when their children are smarter than themselves”.

-Iyyan.Thiruvalluvar

Recognise Children as separate identity and respect their Human Dignity and Rights, and not as a unit to be clubbed with adults. Happy and healthy childhood and adolescence assist in developing a healthy adulthood; and thus, adds value to the process of social transformation. Hence, children are human resource in their own capacity; and are an asset for the society and not a liability. However, realities differ, and are not in tandem with recognition of rights, entitlements and dignity of children due to prevalent unequal socio-economic structures and rising trend of societal perversion. Therefore, specific research, policy intervention, and monitoring become very essential methods to bring about social transformation to promote human rights and dignity for all, especially children. Here comes the issue of identifying the vulnerable positioning caused due to socio-economic barriers being imposed on children; especially, Dalits, Adivasis and other backward, de-notified tribes or minority children due to caste, ethnicity, gender or religious identity. These centuries' old barriers continue to impact survival, development, growth and Participation of children rendering them in vulnerable social locations.

The mandate of the Indian State is the protection of children and their rights, as recognized by the Indian Constitution and affirmed in later policy interventions due to the engagement of civil society working on child rights and UN Convention on Rights of Child. The Constitution of India, lays down significant policy interventions, the most significant and all compassing Article 39 (f) of the Indian Constitution under the Directive Principles of State Policy, directs the State to work progressively to ensure 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.” This value principle recognizes the imbalances of the Indian social fabric and thus emphasizes on equal opportunities for children and advocates for an enabling environment for development, the same is reiterated in National Policy for Children and other legislative initiatives to protect children and their rights.

On the contrary, the financial outlay which the central Government proposed for a major constituency - “children” in the 2018-19 union budgetary allocation is only 3.24%. This is a disproportionate budgetary allocation as per the child population aged 18 and below. The allotted budget is again not

in proportion to meet the requirements of survival, development, participation of children and their protection.

Tamil Nadu being the focus area of the study, there is no dearth of information and research on the emphasis given on education, the emerging discourse on rights and assertion coming from within the communities at different timelines of the state's history. However, it's also imperative to analyse the steps of the state government's initiative to involve participatory governance, planning and implementation. Thus, to contextualize, the Tamil Nadu state government in its state budget has increased the budget allocations under child budgeting for the financial year 2018-2019 however, a systemic assessment digs out the gaps in the ways in which the schemes are not serving the purpose. The direct budget outlays do not impact much on the necessities of children and are geared towards infrastructure development such as buildings, uniforms etc.

The present research on "Child Budget Analysis" is timely and essential to review the commitment of the Indian state and particularly the State government of Tamil Nadu to the rights of children and specifically scrutinizing the recognition of vulnerabilities and required steps taken in delivering the entitlements to students through the state sponsored schemes, especially reviewing the implementation of targeted schemes for the Dalits and Adivasi children. The findings and recommendations of the research work would help policy makers, experts, students and concerned cit-

izens to be more aware on the status of children in the country and demand for mapping of need based initiatives, proposing qualitative policy interventions, and make implementation possible.

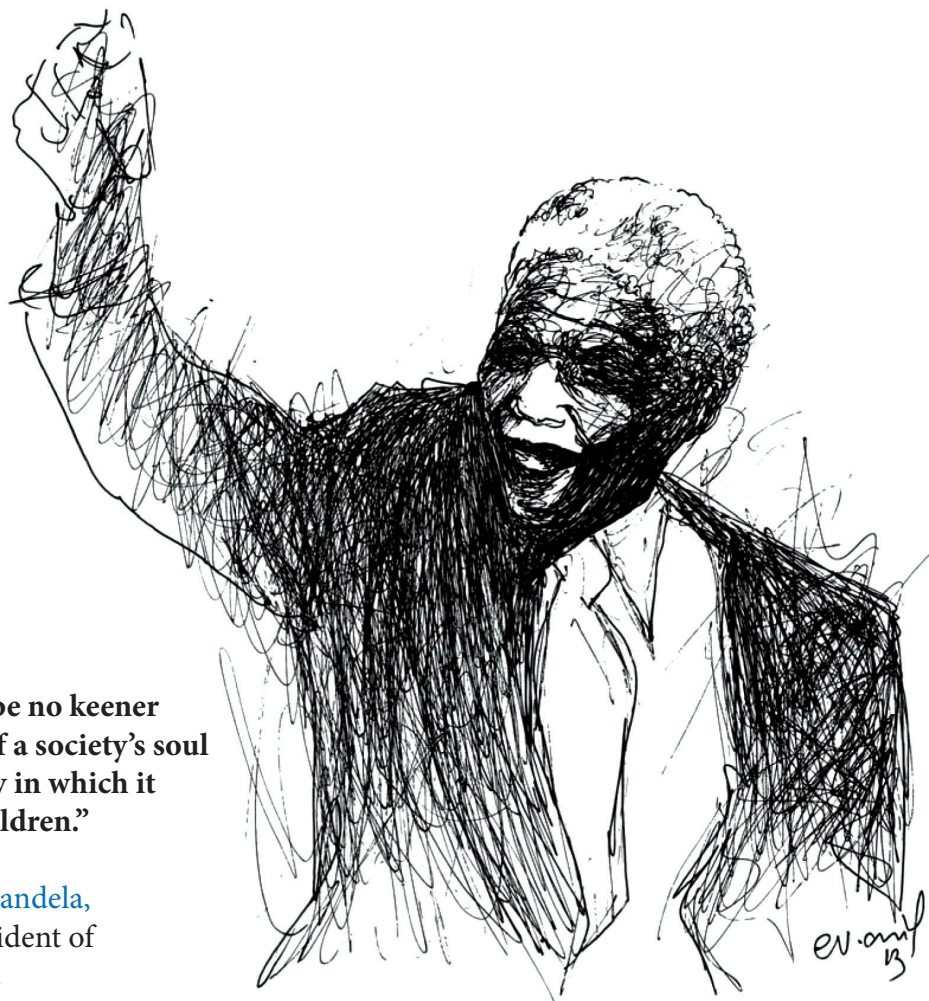
An emergent demand to the Tamil Nadu government is to map specific requirements for Dalit and Adivasi girls; which does not get much attention in the budget; neither does health and scholarships for Dalit and Adivasi children, these are the areas in which the Government of Tamil Nadu needs to strengthen their policy and intervention in order to reach out and bring the last child standing to the centre, who are invariably Dalits and Adivasis.

Towards the end, I would like to congratulate the entire team of Dalit Arthik Adhikar Andolan – NCDHR for bringing out a much awaited document on child budgeting by the State and coming up with authentic analysis. A special thanks to Mr Paul Divakar General Secretary of DAAA-NCDHR for initiating the research; Mr Nongmaithem Robin Singh and Ms Dyuti for research and compiling the documents. Most importantly, I express appreciation for the efforts of the Editor of the study Ms Beena J. Pallical, Director of DAAA-NCDHR and Mr Mohit Jain for data compilation.

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CHILD BUDGET ANALYSIS

Introduction



“There can be no keener revelation of a society’s soul than the way in which it treats its children.”

— **Nelson Mandela**,
Former President of
South Africa



“I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin, but by the content of their character.”

--[Martin Luther King, Jr.](#)

These words of Mandela and King Jr sum up struggles for social equality being a struggle to imagine and realise equal futures for children. According to the United Nations Convention on the Rights of the Child (henceforth UNCRC) defines child rights, as the minimum entitlements and freedoms that should be afforded to every citizen below the age of

18 regardless of race, national origin, colour, gender, language, religion, opinions, origin, wealth, birth status, disability, or other characteristics.

UNCRC further defines a child as, ‘a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier’ (Article 1)¹. According to the UNCRC a child is born with fundamental rights and mandates ratifying countries to ensure laws and policies are put in place to ensure enjoyment of these rights. India ratified UNCRC in 1992. It agreed in principle to all articles with certain reservations on issues relating to child labour.

This definition of ‘child’ allows for individual countries to determine according to their own laws and Constitution the age limit that defines a child. India too defines a child based on its domestic laws and policies. In India various laws related to children define children within different age limits. Laws pertaining to education and child labour consider anyone below the age of 14 years a child. While Child Marriage Act and POCSO defines anyone below the age of 18 years as a child. Voting rights

deem anyone whose 18yrs as an adult and eligible to vote. More recently, with the amendment to Juvenile Justice Act (henceforth JJ Act), and Age of Consent Act has been introduced another variation in understanding the treatment a ‘child’. While, on the one hand, JJ Act amendment 2015, allowed for a minor accused of heinous crime may be tried as an adult only if he is apprehended after the age of twenty-one year. On the other hand, amendment to the the age of consent act 2013, increased the age of consent from 16 yrs to 18 yrs. In a legal landscape as vast as this the definition of child is both very loose and opens spaces of ambiguity in the government’s responsibility towards well-being and welfare of children. Such vast variations in some fundamental laws governing the well-being of children opens up room for exclusion and discrimination that these children face within the age group of 14years to 18years, something that is accentuated by the various social locations of the child.

According to census 2011, children below the age of 14 years form the child population and comprise 29.50% of the total population. There has been a consistent decline in the share of population

1. https://www.unicef.org/crc/files/Guiding_Principles.pdf

in this age group. Majority of children, according to the census, fall in the age group of 10-14 years, making 20.5% of total children population of the country². Census 2012 figured, made India one of the youngest countries in the world.

In a highly stratified society like India, locations of caste, tribe, religions, ethnicity, linguistic etc play a major role. Hence, children cannot be seen as a homogenous group. Their social location greatly determines their needs and impediments towards realising these needs and enjoyment of rights. These social identities come to play a significant discriminatory role from an early age in the lives of children. Social location determines, their needs and consequently need to be factored in

There is no doubt that the well-being and welfare of children determines the well-being and welfare of the country at large. Internationally a lot of emphasis has been laid on ensuring dignity of life

for children. This commitment was renewed in 2015 with ushering in of Sustainable Development Goals (SDGs), which under different goals on education, health, hunger, sanitation, poverty, reducing inequality, and justice addressed the needs of children.

II. CHILD RIGHTS

Children are mostly seen as a unit of a family and seldom as individual unit in themselves. As a result of not being recognised as an independent unit of developmental plans but are seen as a unit with women. Even UNCRC recognises, “family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community³. ” Further, it recognises family as a unit for the welfare and well-being of the child.

2.http://www.censusindia.gov.in/vital_statistics/srs_report/9chap%20%20-%202011.pdf

3.<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>



In 2017 for the first time, Tamil Nadu state introduced a 'Child Rights Policy Tamil Nadu.' The policy is in line with the National Policy for children. It recognises four major priority areas and lays stress on introduction of a separate budget children.

However with SDGs a substantive shift occurred. Many goals (as mentioned above) thematic in nature incorporated the needs of the child and the consequences of the social reality on them as part of the planning and developmental process in the targets set for many of these goals.

The National Policy for Children 1974 was formulated soon after India's ratification of UNCRC. It has been central in formulation of central plans for development. In 2013 the resolution that adopted National Child Rights Policy, incorporated changed circumstances. It recognised everyone below the age of 18yrs as a child within the territory of the country. It recognised that children are not a homogenous group with different needs. It further recognised the need for addressing these different needs in the context of vulnerabilities and reaffirms diminish or eliminate conditions that cause discrimination by introducing relevant policies and programmes.

It identified four priority areas for child development- survival and health, development and education, protection

and participation. Within these four broader thematic areas, it recognised measure to be taken to ensure well-being and welfare of the children.

In 2017 for the first time, Tamil Nadu state introduced a 'Child Rights Policy Tamil Nadu.' The policy is in line with the National Policy for children. It recognises four major priority areas and lays stress on introduction of a separate budget children.

However, despite extensive policy mechanisms and outline children from most marginalised backgrounds continue to be further marginalised and excluded as a result of historical marginalisation and discrimination and in the absence of targeted budgeting and development for children from marginalised backgrounds. Dalit and Adivasi community continues to be deprived of development benefits and continues to remain amongst the most marginalised in every society.

This study is an attempt towards making a link between status of children and budgetary allocations under various schemes and programmes to un-

derstand its impact on the lives of the children.

METHODOLOGY

Within the larger policy context of the child, this study attempts to assess government's commitment towards child rights by linking status of children and budgetary allocation. For the purpose of this analysis, basket of schemes for Dalit and Adivasi children introduced by Tamil Nadu state government under general budget and SCC and STC are being analysed.

Schemes targeted for Dalit and Adivasi children under the thematic head of education, health and child labour are analysed through the lens of child rights. Through the analysis an attempt is being made to show the exclusion faced by Dalit and Adivasi children in the context of 'inclusive developmental' measures of the government.

SCOPE OF STUDY

In line with the same, this research on 'Child Rights', seeks to analyse government's commitment towards child rights from the point view of budgetary

allocations. Budgets as financial statement and outline of the government are means of realising policies and goals government sets out for itself. The study seeks to analyse government commitment towards child rights by analysing the budgetary allocations towards child related schemes and programmes with a special focus on allocations under Schedule Caste Component and Schedule Tribe Component (henceforth SCC and STC).

The current analysis is limited in its scope to that of the analysis of Tamil Nadu state budget. Tamil Nadu has passed progressive legislations towards children's education.

CHILD RIGHTS AND BUDGETS

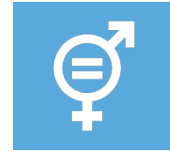
The budgets are annual financial statements detailing the distribution and utilisation of money. Therefore, any discussion on actualisation of rights and implementation of schemes and policies needs to be examined from the point of view budgets. Such an analysis will enable one to understand the functioning of the scheme and point towards actual existing gaps.

GROSS ENROLEMENT RATIO SC (DISE 2013-14)



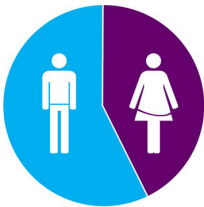
24.22%

GROSS ENROLEMENT RATIO ST (DISE 2013-14)



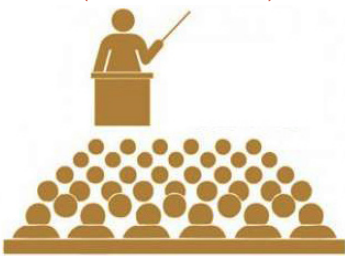
1.70%

SEX RATIO



943

Pupil-Teacher Ratio (DISE 2013-14)



18



Gross Enrolment Ratio: SC (Male)

51.12%



Gross Enrolment Ratio: SC (Female)

48.88%



Gross Enrolment Ratio: ST (Male)

51.97%



Gross Enrolment Ratio: ST (Female)

48.03%

Retention Rate at Primary Level

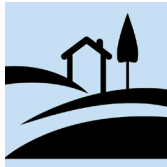


96.53%



83.13%

% of School in Rural Areas



76.04%

% of government schools to total schools



65.16%

% of private schools to total schools



34.75%

% girls School



1.97%

% of schools with drinking water facilities



100%

% of schools with girls bathroom



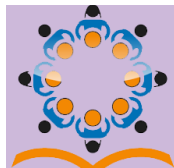
90%

% of schools with functional girls bathroom



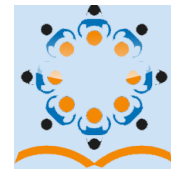
97.71%

% of schools providing mid-day meals



98.83%

% of schools providing mid-day meals within school



3.45%

Government of India launched flagship plans called Special Component Plan (SCP5) and Tribal Sub Plan (TSP) for the SC and ST communities respectively. The TSP was launched in 1974 and later, on the same line SCSP was launched in 1979-80.

% of children out of school
(National Survey Estimates,
School Children)



0.66%

% of male children out of
school (National Survey
Estimates, School Children)



0.70%

% of female children out
of school (National Survey)



0.62%

% of children out of school
in rural areas (National
Survey Estimates, School
Children)



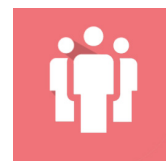
0.57%

% of children out of school
in urban areas (National
Survey Estimates, School
Children)



0.79%

% of Schools constituted
SMC (government aided)



94.27%

To this end a number of initiatives both at the national and international level were initiated to ensure, linking of budgets with child rights. India has been undertaking, Child Budgeting since 2003. Statement 22 (and now Statement 12, in the merged scenario) of the Expenditure Budget, speaks of child budget. Child budget according to Ministry of Women and Child Welfare refers to “total magnitude of child specific budget outlays, i.e. the total magnitude of budget outlays on child specific programmes/schemes, is what we refer to as the ‘Child Budget’”. Thus, ‘Child Budget’ is not a separate budget but a part of the usual government budget⁴.

In 2003, India introduced child budgeting at the union level, becoming one of the first countries to introduce child budgeting in the world. Child budget is an analytical tool for assessing the priority accorded to children in public spending. The United Nation Committee on Child adopted General Comment No 19, on public budgeting for realisation of child rights. Thus internationally setting the standards for effective, efficient, equitable, transparent, and sustainable budgets for children. However

child budgeting is still a feature that is not following suit in states. Tamil Nadu government does not issue a separate child budget statement.

With the current analysis an attempt is being made to use principles of child budgeting, as applicable at national level, to examine the state government’s commitment towards welfare and well being of children as a priority of the government, with a focus on sub-plans. Further, use the research to lobby for a child budget with special focus on children from marginalised and vulnerable background. The research seeks to both analyse and compare allocation towards child rights in the general budget and within the sub-plans from the point of view of the needs of the children from the community

III. WHY SCSP AND TSP

Government of India launched flagship plans called Special Component Plan (SCP⁵) and Tribal Sub Plan (TSP) for the SC and ST communities respectively. The TSP was launched in 1974 and later, on the same line SCSP was launched in 1979-80.

4. <http://wcd.nic.in/ar0708/English/Chapter-7.pdf>.

5. Since its inception (1979) the name was “Special Component Plan”. The current name, “Scheduled Castes Sub Plan” (SCSP) is in force since 2006. With the merger of Plan and Non-plan component of the budget in 2017-18, the plans have been further modified into Scheduled Caste Component



Under SCSP/TSP, the Central Government and State Government are mandated to allocate development (plan) fund in proportion to the population⁶ of SC and ST community. This fund is to be utilised by the government towards the development and welfare of Dalit and Adivasi communities. The Central Government's average national population of SC/ST is to be considered at 16.6% for SC and 8.6 % for ST while for the State Governments' applicable percentage population varies from state to state. The allocations are to be in proportion to the population, the funds are non-lapsable and divertible and are to be used towards schemes that benefit either individuals or families or hamlets belonging to the community.

SCSP-TSP is an important and critical mechanism for ensuring socio-economic development amongst SC and

ST community. A critical analysis of SCC and STC (SCSP-TSP) reveals that majority of funding via SCC and STC is towards 'social services'.

OBJECTIVE OF STUDY

- To determine nature of allocations towards child development especially for children from Dalit and Adivasi backgrounds.
- To analyse Tamil Nadu state budget from a child rights point of view
- To analyse budgetary allocations under health, education and child labour by the Tamil Nadu State.
- To propose ways of child participation in the governance of children.

6. Census 2011 of Government of India

The identified schemes will be analysed under the three thematic heads i.e. Education, Health and Child labour. The budgetary allocation is analysed based on the need, accessibility and impact axiom.

- To propose recommendations for new schemes and better allocation towards existing schemes.

FRAME OF ANALYSIS

The budget analysis is teamed with policy analysis from the framework of A6Q approach. A6Q approach specifies 7 criteria for analysing policies these are, Availability, Accessibility, Affordability, Appropriateness, Acceptability, Accountability and Quality. A6Q framework popularly used within the monitoring of UN treaty bodies is an extension of Penchasky and Thomas's policy analysis framework, developed based on their theory of access.

For the purpose of the study, schemes targeted towards specific needs of children were identified from the entire budget

of Tamil Nadu. Identified schemes were part of general budget and sub-plans or both. Analysis of schemes under general budget has focussed on how many of these schemes relate to SC/ST children. Further the selected schemes under the sub-plans have been analysed from the point of view of their effectiveness, accessibility and appropriateness.

The identified schemes will be analysed under the three thematic heads i.e. Education, Health and Child labour. The budgetary allocation is analysed based on the need, accessibility and impact axiom. In each section, a context of the situation in Tamil Nadu, Constitutional provisions and international developments and this is followed by analysis of budgetary allocations.

EDUCATION

Child Sex Ratio	943
Gross Enrolment Ratio: SC (DISE 2013-14)	24.22%
Gross Enrolment Ratio: SC (Male)	51.12%
Gross Enrolment Ratio: SC (Female)	48.88%
Gross Enrolment Ratio: ST (DISE 2013-14)	1.70%
Gross Enrolment Ratio: ST (Male)	51.97%
Gross Enrolment Ratio: ST (Female)	48.03%
Retention Rate at Primary Level: SC (DISE 2013-14)	96.53%
Retention Rate at Primary Level: ST (DISE 2013-14)	83.13%
Pupil-Teacher Ratio (DISE 2013-14)	18
% of School in Rural Areas	76.04%
% of government schools to total schools	65.16%
% of private schools to total schools	34.75%
% girls School	1.97%
% of Schools constituted SMC (government aided)	94.27%
% of schools with drinking water facilities	100%
% of schools with girls bathroom	90%
% of schools with functional girls bathroom	97.71%
% of schools providing mid-day meals	98.83%
% of schools providing mid-day meals within school premises	3.45%
% of children out of school (National Survey Estimates, School Children)	0.66%
% of male children out of school (National Survey Estimates, School Children)	0.70%
% of female children out of school (National Survey Estimates, School Children)	0.62%
% of children out of school in rural areas (National Survey Estimates, School Children)	0.57%
% of children out of school in urban areas (National Survey Estimates, School Children)	0.79%



a) CONSTITUTIONAL PROVISIONS

At the outset it is essential to place allocations towards elementary education in the larger historical framework, and context of public spending since independence. Under the Constitution, India's commitment to ensure access to quality education, Directive Principles of State Policy (henceforth DPSP) was

introduced to guide the functioning and governance by Federal and State Government. The Right to Education was added to the Indian Constitution in 2002 with the passage of the 86th constitutional amendment⁷. The Right of Children to Free and Compulsory Education Act ("Right to Education Act") came into force on April 1, 2010.⁸

7.The Constitution (86th Amendment) Act, 2002, http://www.azimpremjiifoundation.org/pdf/86th_Amendment_to_the_Constitution.pdf (accessed July 15th 2017).

8.The Right of Children to Free and Compulsory Education Act, 2009, No. 35 of 2009, <http://www.azimpremjiifoundation.org/sites/default/files/userfiles/files/RTE-Act.pdf> (accessed June 20, 2013).

The underlying emphasis of education policy, since the 8th Five Year Plan, has focused on four major priority areas- access, equity, quality and governance

b) INTERNATIONAL DEVELOPMENTS

Many of these developments at the national level happened simultaneously with India's commitment to international Conventions, Covenants and Actions. Dakar Framework of Action (2000), Millennium Development Goals 2000-2015 and commitments under International Covenant of Economic Social and Cultural Rights and UNCRC were some of the other driving forces

c) SCHOOL EDUCATION AND PLANNING

The underlying emphasis of education policy, since the 8th Five Year Plan, has focused on four major priority areas-access, equity, quality and governance. Each plan responded to this policy framework differently. Even though elementary education became a focus of the government since the 4th plan, the

allocations towards it have been less than satisfactory.

However such an analysis of allocations towards elementary education is predominantly from a thematic point of view. It does not present the challenges and discrimination faced by students from vulnerable and marginalised backgrounds in the absence of access to adequate budgets..

d) TAMIL NADU CHILD BUDGET ANALYSIS

Education has been given a lot of importance in the planning of the country since independence. In the year 2018-19, Tamil Nadu government gave great impetus to school education. Under general budget, Rs. 9593.62Cr, amounting to 4.35% of the total budgetary allocations of the state were allocated towards school education. Under SCC it amounted to Rs.1492.90Cr amounting



to 0.67% of the total budget of the state, and under STC it amounted to Rs.221.22Cr amounting to 0.10% of the total budget of the state. However with respect to allocation towards education by the state in 2018-19 (read elementary and secondary) allocations under SCC amounts to 15.56% for SCs and 2.31% for STs.

These allocations, all together, are less than adequate to cover the children and their educational needs in the state. SC and ST students alone constitute 24.22% and 1.70% of the total enrolled students. 73.34% of allocated amount under SCC are direct in nature and 42.98% under STC are direct allocations.

There are total of 74 educational (covering infrastructure, scholarship salary etc.) schemes operational in the state across two departments, name-

ly Department of Adi-Dravidar and Tribal Welfare and Department of School Education. According to the guidelines issued with respect to SCC and STC, Department of Adi-Dravidar and Tribal Welfare is the nodal department for the implementation of schemes under SCC/STC schemes.

Further, despite increase in allocations under school education, direct allocations fall short of the need of the community, points to continued treatment of education as matter of 'social consumption' not contributing towards immediate capital formation and hence misplaced priorities.

The government is washing its hands off their responsibility towards ensuring quality education for all, despite a commitment on paper towards 'education for all', that was made in the pre-1991 era, most of the legisla-

At the outset it is essential to place allocations towards elementary education in the larger historical framework, and context of public spending since independence.

tive measures towards actualising this have taken place in the post liberalisation-globalisation and privatised world. Thus reflecting that education today is increasingly becoming a privatised subject.

ALLOCATIONS TOWARDS INFRASTRUCTURE AND RESOURCES

Majority of schemes under the thematic head of education are towards providing infrastructure and resources like construction of school building, laboratories, curriculum development, special coaching etc. Total allocations towards infrastructure and resources in the state budget amounts to Rs.5715.59Cr. Further Rs.5080.99Cr in 2018-19 across 40 schemes is allocated under general budget. The allocations under SCC amount-

ed to Rs.452.51Cr and under STC amounts to Rs.182.09Cr, thus forming only 7.91% of the total allocation under SCC and 3.18% under STC. Dalit and Adivasi students more often, come from socially and economically marginalised and excluded sections. These limited allocation towards development of adequate and relevant infrastructure and resources towards the development of the community reflect the apathy of the state towards ensuring access to education by the children from the community.

Towards infrastructure and resources, substantive allocations were being made under Supply of Uniform to Students under SCSP-TSP Rs.85.95Cr under SCC and Rs.20.45Cr for STs



ALLOCATIONS TOWARDS SCHOLARSHIP

Scholarships form an essential component towards allocation of resources towards access to education by students. In the post Sarva Shiksha Abhiyan (henceforth, SSA) and Right to Education period, these scholarships particularly aid education in the transition between primary school and senior secondary school. Analysis of Tamil Nadu budget 2018-19 reflects that allocations towards scholarships were under three schemes. Under general budget allocations were made under, National Scholarship at the Secondary Stage for Talented Children from Rural Areas and under SCC and STC under Pre-Matric Scholarship.

Pre-Matric Scholarship is a flagship scheme aimed at access of education by students from SC and ST community. The scheme is a scholarship encourages parents to send their children to school. It was introduced to reduce drop out rates especially in the transition from elementary to secondary stages and ensure children from Dalit and Adivasi backgrounds have a better chance of progressing to the post-matric stage.

The scholarship is to be awarded to the students who have secured not less than 50% marks in the previous final examination and annual income of their parents/guardian does not exceed Rs. 1 lakh. 30% of scholarship is earmarked for girl students.

Allocation under SCC towards Pre-Ma-



tric Scholarship amounts to Rs.114.03Cr and under STC Rs.5.39Cr. While allocations under National Scholarship at the Secondary Stage for Talented Children from Rural Areas amounts to Rs. 1.13Cr.

ALLOCATION TOWARDS TEXT-BOOKS AND NOTEBOOKS

Allocation towards schemes aimed at ensuring access to textbook and notebooks are made under two schemes namely — Supply of Free Notebooks to Students and Supply of Textbook under SCP-TSP. Under general budget allocations amounting to Rs.221.74Cr across these two schemes. While under SCC the allocations amount to Rs.78.69Cr and under STC Rs.2.07Cr.

ALLOCATIONS TOWARDS SSA

Through the 86th amendment the government introduced SSA to ensure universal access to elementary education in a time bound manner. The programme was introduced with the aim to improve quality of education. The expenditure for the scheme is shared between central (85%) and state. SSA paved the way for Right to Education Act 2010.

Today commitment towards Sustainable Development Goals (SDGs), goal 4 is committed towards access to education by all. In this light, allocations under SSA become of utmost importance. Under Tamil Nadu budget 2018-19, allocations under SSA under general

At the outset it is essential to place allocations towards elementary education in the larger historical framework, and context of public spending since independence.

budget were found to be Rs1290.80Cr, which has seen a marked decrease since the previous year. The allocations are Rs.668.20Cr less since 2017-18. Under SCC and STC also the amount has seen a substantial decrease in allocations, amounting to Rs.427.88Cr and Rs.31.33Cr under SCC and STC respectively.

GIRL CHILD RELATED SCHEMES

Despite enrolment ratio, amongst SC and ST girl students being 48.88% and 48.03% respectively, there are no direct and targeted schemes towards the developmental needs of the girls from the community. There are only three schemes catering to the needs of the girl students under SCC and STC. These

pertain to infrastructure and literacy

VI. HEALTH

Tamil Nadu has been considered as one of the best, in terms of child development index, in the country. Tamil Nadu has reduced its IMR (Infant Mortality Rate) from 30 in 2005-2006 to 21 in 2015-2016⁹. However, Tamil Nadu has dropped from 2nd place in Child Development Index in 2005-2006 to 3rd place in 2013-2014 (From 0.921 to 0.863) after Kerala and Himachal Pradesh¹⁰. According to Tamil Nadu Fact Sheet (till April 2016), there was an increase in the number of underweight (less than 2500 grams) children age between 0-36 Months.

9. Budget Track, Volume 12, February: 2016

10. Ibid



Percentage of Children with low birth weight (below 2.5 Kg)	2012-13 11.4	2016-till April 16.7
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Sources: Tamil Nadu Fact Sheet 2012-13 and 2016

PERCENTAGE OF CHILDREN AGE BETWEEN 0-5 YEARS

Stunted (Height for age below -2SD)	2012-13 7.3	2016till April 23.3	SC/ST (2012 -13) NA	SC/ST (2016) 26/25.5
Stunted (height for age below -3SD)	11.8	9.3	NA	11.6/7.7
Wasted (weight for height below -2SD)	28.3	19.0	NA	20.3/26.5
Wasted (weight for height below -3SD)	13.9	6.3	NA	7.3/7.8
Underweight (weight for age below -2SD)	32.5	23.3	NA	26.7/22.7
Underweight (weight for age below -3SD)	10.7	6.1	NA	6.1/8.2

Overall the health index of Tamil Nadu shows that health condition of the

At the outset it is essential to place allocations towards elementary education in the larger historical framework, and context of public spending since independence.

children who belongs to Dalit and Adivasi community are comparative ly lower than that of the other communities. From the above table, it is clear that the percentage of Wasted (Height for below 3-SD) children age between 0-5 in 2016 (till April) was 6.3 in general across the state. However the percentage of Wasted Children (Height for below 3-SD), among the Dalit and Adivasi children is higher as compared to the overall state percentage. It will be fair to conclude that the percentage of the Dalit and Adivasi children in the most of the categories like Underweight (weight for age below -3SD), Wasted (weight for height below -2SD), Stunted (Height for age below -2SD) is much higher than that of the overall state percentage. So, it is permissible to look into the details of the Budget Expenditure in order to give us

clear picture of state's investment on the Dalit and Adivasi child health care.

a) CONSTITUTIONAL PROVISIONS

With the framing of the constitution, India guaranteed to its citizens, right to life and liberty, this right has been read along side the Directive Principles of State Policy (henceforth DPSP) to enable its citizen's access to right to health. Through its preamble the Constitution of India, inter alia, seeks to secure for all its citizens equality. There is also a mandate in all states to ensure that all citizens were treated equally and had equal access to their rights. Right to Health is listed in the DPSP, thereby holding government accountable to ensuring that state initiated such policies and programmes in the state to ensure access to health care

b) INTERNATIONAL DEVELOPMENTS

Within the international development framework, International Covenant on Economic, Social Cultural Right speaks of right to health that the state must guarantee to its citizens. In addition, UNCRC expands the scope of health placing it as a right essential for the existence of individuals. With the advent of SDG, the developmental paradigm has gotten a new fresh frame of developmental reference. Within SDGs, goal 3 speaks of right to health

c) TAMIL NADU BUDGET ANALYSIS

Tamil Nadu government provided allocations towards health under 39 schemes amounting to Rs.3933.56Cr under the state budget in 2018-19. However the schemes like, Assistance to Scheme for girl children welfare under SCSP-TSP, Assistance to school children of poor widows under SCSP-TSP, and Starting of Crèches for Children of working and ailing mothers, does not clearly mentions the inclusion of health

care in its objectives.

Tamil Nadu state budget for financial year 2018-19 saw a slight increase from the previous year in allocations to promote the better health for children of the Dalit and Adivasi communities. Budgetary allocation for the financial year 2018-19 shows that the amount allocation for Dalit and Adivasi children's health and nutrition decreased since the last year from Rs.721.87Cr to Rs.688.56Cr under SCC and saw an increase since the last year from Rs41.51Cr to Rs.52.70Cr under STC. Allocation towards health for SCs and STs amounts to 0.31% 0.02% respectively of the total budgetary allocation.

Overall allocation by the state towards health related schemes amounts to Rs3933.56Cr, which is 1.78% of the total budget. Allocation for SCs amounts to 17.51% and for STs 1.34% of the total allocation towards health by the state government in the financial year 2018-19.

One of the main concerns with respect to Dalit and Adivasi is the state of health

One of the main concerns with respect to Dalit and Adivasi is the state of health of Dalit and Adivasi children between the age group of 0-5 in the state

of Dalit and Adivasi children between the age group of 0-5 in the state. From the above data (Tamil Nadu Factsheet), it is clear that the percentage of wasted, underweight, stunted, and IMR among the Dalit and Adivasi children (under 5 years of age) is higher than other communities. Despite this low standard of health in this age group, the state government has allocated under only 3 schemes, namely Feeding poor children in the age group of 2 to 4 in Tamil Nadu under SCC and STC, Immunisation to Pre-School children with triple vaccine and Immunisation to Pre-School children against whooping – cough, diphtheria and tetanus, for children group between 0-5 years. Under Feeding poor children in the age group of 2 to 4 in Tamil Nadu Rs14Cr is allocated for SCC and 0.84 for STC, while the other two schemes are general schemes, i.e. they are not directly targeting SC and ST children of 0-5 age group. The state government's initiation towards the development of Dalit and Adivasi children is unpropitious.

VII. CHILD LABOUR

CHILD LABOUR				
		2001	2011	% OF DECREASE
TAMIL NADU	No. of working children in the age group of 5-14 years	418801	151437	-176.55
ALL INDIA		12666377	4353247	-190.96

e) CONSTITUTIONAL PROVISIONS

With the framing of the constitution, India guaranteed to its citizens, right to life and

liberty. Combined with this it guaranteed to its children freedom to a healthy childhood and under article 24, of the Constitution, prohibits employment of children in hazardous occupation. Additionally under Directive Principles of State Policy, Constitution directs the state to enact policies towards ensuring 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.

In addition in line with the New Education policy of 1986, the government passed the Child Labour (Prohibition & Regulation) Act that prohibits employment of children in 13 occupations and 57 processes as outlined by the Act.

f) INTERNATIONAL DEVELOPMENTS

Within the international developmental paradigm, International Labour Organisation along with Convention on Child Rights sets the standards for employment of children in the labour market. The two together sets the minimum age for entry of children in employment, and protections available to children. It upholds civil, political, economic, social, health and cultural rights of children within any nation-state.

c) CHILD LABOUR

In addition in line with the New Education policy of 1986, the government

passed the Child Labour (Prohibition & Regulation) Act that aims at 'tacking' the problem of child labour rampant in the country. The act aims towards convergence of general development programmes for benefiting children wherever possible, and a project-based action plan of action for launching of projects for the welfare of working children in areas of high concentration of child labour.

It details prohibition of employment of children in 13 occupations and 57 processes as outlined by the Act. The act seeks to adopt a sequential approach focusing on rehabilitation of children working in hazardous occupations & processes.

Child labour was rampant in Tamil Nadu in 2001 with 418801 children employed in child labour in the state. In 2003 the State government adopted Chief Ministers' Action Plan to eliminate child labour in all hazardous occupation. The plan included identifying, rescuing, mainstreaming them with special schools, enrolment drive, access to formal education, skill development etc.

d) TAMIL NADU BUDGET ANALYSIS

An analysis of budgetary allocations by the Tamil Nadu government in the financial year 2018-19 reveal that allocations towards child labour are made under three schemes by Department

of Labour and Employment. Allocations are made under three schemes—Contribution to District Child Labour Rehabilitation (Rs.0.0001Cr), Assistance to Child Labour Rehabilitation (Rs.1.59Cr) and Rehabilitation of Bonded Labourer (Rs.1.25Cr).

However in the absence of release of caste census data it is difficult to ascertain how many children from Dalit and Adivasi community are affected by child labour and consequently, how the allocations fair for them. But considering the socio-economic background of the community at large, one can assume that a good number of those employed in child labour are from the community.

Focus of rehabilitation continues to be on hazardous occupations and not employment per-se. In a poor economic set-up, many children continue to assist their parents in their work in post school hours to aid families' income. Children in rural India are routinely seen as agriculture labour during monsoon and harvest. The focus on child labour in the country continues to be on occupation in hazardous occupation.

ACCESS TO JUSTICE

Rights of child are often articulated as those rights that uphold and protect the dignity of the life of the child. Often this protection and well-being is seen within the context of access to education, health, etc. Seldom is dignity

and well-being linked to absence from violence and violence free lives. In this section an attempt is being made to understand child rights from the point of view of rights of children.

Under UNCRC, Article 4 details commitment towards child protection. India being a signatory to the Convention is mandated to incorporate these measures within its national policy and plan.

a) CONSTITUTIONAL PROVISIONS

Constitutionally India guarantees to all its citizen irrespective of age, class, caste, region, religion, race, ethnicity and gender guarantees to its citizens equality, freedom from discrimination, of expression and a plethora of rights. It mandates government to form policies to the same effect to address issues of child protection and violence. Since independence India has formulated a number of policies and programmes upholding rights of the child along with provisions under the penal code.

b) INTERNATIONAL PROVISIONS

World Health Organisation (henceforth WHO) identifies the following as key features, “violence against children includes all forms of violence against people under 18 years old, whether perpetrated by parents or other caregivers, peers, romantic partners, or strangers.¹¹” Violence impacts lifelong health and well-being of individuals. SDGs have

An increasing trend in crimes against the Children raises lot of questions but what is bothering the most is State Government intervention to protect the children.

recognised this within target 16.2 of the 2030 Agenda for Sustainable Development is to “end abuse, exploitation, trafficking and all forms of violence against, and torture of, children”.

c)VIOLENCE AGAINST CHILDREN

A study “Child Abuse in India – 2007” conducted by the Ministry of Women and Child Development, Government of India, shows that 67% of children reported having been physically abused¹². Off these 54% were boys. 52.91% of boys and 47.09% of girls reported incidents of having been abused in their family environment¹³. Off the children who were abused, 88.6% reported having faced abuse in family situations by their parents¹⁴. Every 2 out of 3 school children reported facing corporal punishment. In juvenile justice institutions, 70.21% of children in conflict with the law and 52.86% of the children in need of care and protection reported having been physically abused¹⁵.

Past years have seen an increase in cases of crimes against children in Tamil Nadu. National Crime Records Bureau (NCRB) data reveals a 190.6% increase in crimes against children from 2010 to 2014. One statistic of the NCRB that stands out is the child murder rate, which has increased from 73 in 2010 to 103 in 2014, an increase of 41.1%. Making Tamil Nadu of having fourth highest number of child murders, only behind Uttar Pradesh, Maharashtra and Madhya Pradesh¹⁶.

The crime rate against Dalit and Adivasi children in particular is not clear due to the lack of sufficient reporting and data. However, according to Girija Kumarababu, joint secretary, Indian Council for Child Welfare and Child Rights, “the rise in child murders could be because of the increasing incidence of caste-based violence”.¹⁷ It is not a hidden secret that identity base violence is prevalent in the society, making Dalit and Adivais children easy target in every

11. <http://www.who.int/mediacentre/factsheets/violence-against-children/en/>

12. National Dalit Movement for Justice, Exclusion in Schools: A study on Practice of Discrimination and Violence.

13. Ibid

14. Ibid

15. <http://www.thehindu.com/news/national/tamil-nadu/in-a-span-a-four-years-crimes-against-children-up-by-200-reveals-study/article7614877.ece>

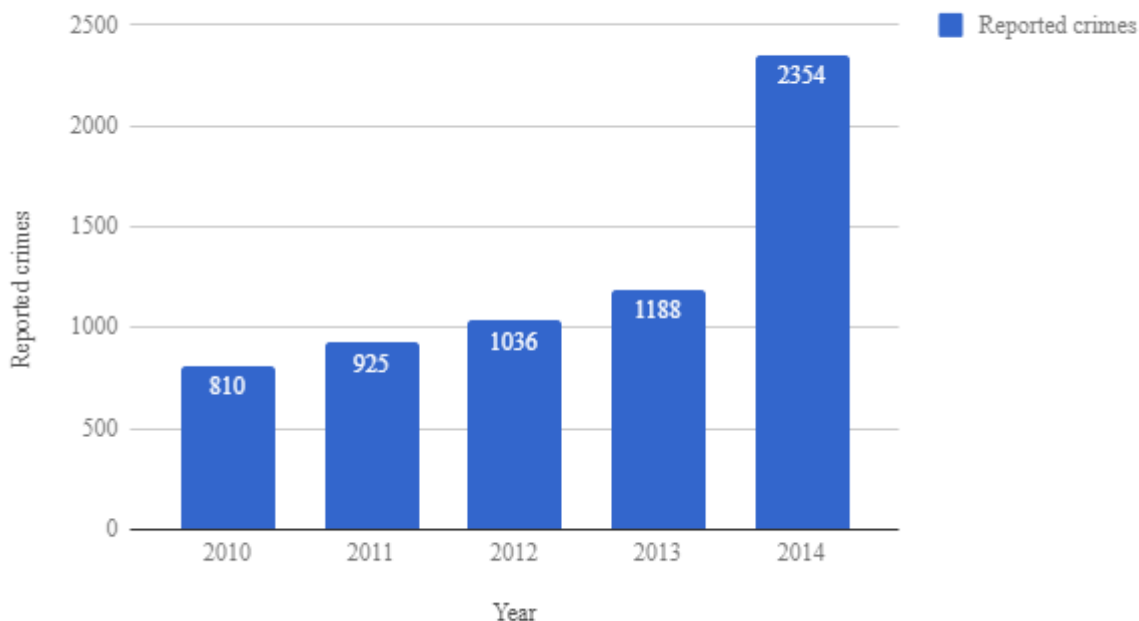
16. Ibid

17. Ibid

aspect of day-to-day life, including corporal punishment in schools, abuse, humiliation, harassment, rape and murder etc.

An increasing trend in crimes against the Children raises lot of questions but what is bothering the most is State Government intervention to protect the children. Looking at the available schemes provided by the Tamil Nadu Government, there is not any specific scheme for child protection.

Crimes against children in Tamil Nadu



d)TAMIL NADU BUDGET ANALYSIS

Despite high instance of violence against children in Tamil Nadu no specific schemes to address violence against children exists. Child protection is addressed under Integrated Child Development Scheme that covers discrimination and violence with respect to access to health care facilities. No scheme to address the instances and issue of violence against children is operational in the state. Laws like Juvenile Justice Act don't address and factor in the caste-based nature of violence faced by the children.

NATURE OF ALLOCATION

Under UNCRC, there are four fundamental rights, which uphold the protection of children's right all over the world. They are

- Right to Survival,
- Right to Protection,
- Right to Participation and
- Right to Development.

These four constitute the elements

forming the Child Development index across the world.

Article 6 of UNCRC, emphasis on right to survival and development. The article elaborated every child's right to survive and develop. While survival aspect of allocations refers to right to good quality health care, safe drinking water, nutritious food, clean and safe environment, central to basic survival needs of every child. Right to development came into articulation emphasising that every child to enjoy social, economic, cultural development¹⁸. These rights pertain to introduction of schemes, policies and programmes to aid survival and development of children in a country.

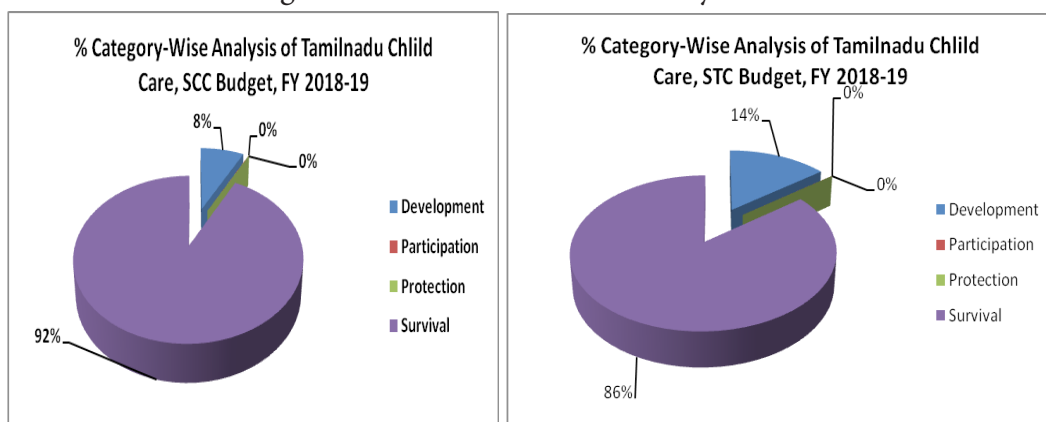
Article 4 of UNCRC, elaborates on right to protection. Hereby, governments have a responsibility to take all-available measures to make children's right are protected by assessing existing rights and prescribing minimum standards. This right is further re-emphasised under Article 19 that elaborates on right to dignity.

Lastly, Article 12 of UNCRC details

18. <http://www.who.int/mediacentre/factsheets/violence-against-children/en/>

right to participation. Under this right governments are mandated to ensure enabling environment to ensure children are capable of forming own opinions and express them freely.

In the following section, based on the analysis of budgetary allocation under the various thematic heads are further analysed based along the axis of these fundamental rights. Here all schemes under each thematic head are classified based on the above fundamental rights. Allocations are further analysed based on their nature.



In Tamil Nadu, out of these four elements the state government spends maximum of its resources (only in terms of Child budget expenditure) in upholding the Rights to Survival and Right to Development.

Tamil Nadu Government claimed that between 2010 and 2016, the percentage of students passing the state's tenth standard board exams rose from mid-eighties to mid-nineties. But a closer look at Tamil Nadu's exam results reveals some odd features. The assertion made by Tamil Nadu government does not correspond to the findings of the National Achievement Surveys. According to the test conducted (the survey conducts classroom tests every three years for students in the

19. <https://scroll.in/article/821820/tamil-nadus-schools-are-in-crisis-but-nobody-is-talking-about-it>

third, fifth, eighth and tenth grades in all Indian states and Union territories) by the Central government's National Council for Education, Research and Training to track learning, Tamil Nadu's students came close to the bottom in every subject. NCERT's report card for Tamil Nadu further states that, "Average performance of students in the state was significantly lower than the national average in all five subjects – English, Mathematics, Science, Social Science and (Modern Indian Language) – Tamil¹⁹."

Thus, pointing towards the mismatch between the existing schemes and budgetary allocations. Majority of schemes, towards education, focus on infrastructure, gravely mismatching with actual needs of the children.

Analysing the nature of allocation further, our analysis shows that 92% on SCC and 86% on TSP allocations are survival in nature. Nonetheless, the state's contribution towards rights, pertaining to protection participation, is zero.

Considering the economic situation of the Dalit and Adivasi community, the maximum expenditure is towards survival and developmental needs. Even though commendable, the state fails to

adequately allocate towards protection of the child.

Tamil Nadu government has been widely acclaimed for its contribution towards the Child development policy. However, the state has sidelined few of the main aspects while protecting the child rights. With rampant child labour in the state Tamil Nadu government has spent 8% and 14% (of state child budget) under SCC and STC respectively towards development needs of the children.

CONCLUSION

The study is an attempt at reading government commitment towards the development and welfare of children from Dalit and Adivasi community in Tamil Nadu. The study uses principles of Child Budgeting and applies it to the budgetary allocation of state.

By analysing the allocations of the government on the indexes of education, health and child labour, an attempt has been made through this study to bring to fore the marginalisation, discrimination and exclusion faced by Dalit and Adivasi children in budgetary allocation and policy commitment in Tamil Nadu.

Our analysis reveals that the priority of the government towards children is largely towards meeting the survival

needs and development needs of the children. The study shows that there is limited allocation towards the development for the students who belong to Dalit and Adivasi communities. Report card of National Council for Education shows the weakness of students (from Tamil Nadu) in all the subjects (as detailed in previous section) and also pointed out that there is mismatch between existing schemes, budgetary allocations, and actual needs of the children.

With respect to deprived and vulnerable children between in age group of 0-5, street children and disabled children from Dalit and Adivasi are the seen to be most vulnerable. Despite the poor health status among the age group of 0-5 year, the state government has allocated only one scheme under SCC and STC. The number of underweight child (0-36 months) saw an increase as compared to the last year. Further, analysing the basket of schemes available for children shows minimal concerns regarding the disabled children from Dalit and Adivasi communities. In spite of spending enormous amount on survival and developmental concerns, the state does not show significant impact in improving child health and education. Allocation towards Child Health accounted

for only 0.31% of allocations for Dalit children and 0.02% of allocations for Adivasi children.

From above analysis, it is plausible to conclude that the Government failed to ensure availability and accessibility of affordable, appropriate quality health services to the children from Dalit and Adivasi background.

In fact, the child budget analysis gives a clear picture why Tamil Nadu has dropped itself from second place to third place in term of Child Development Index in the recent years. Keeping the outcome of budget expenditure in larger picture, the following suggestions are some ways of confronting the on-going issues on Child development issue in Tamil Nadu:

- A) Access to information on specific schemes for the children.
- B) Apart from spending great amount of money on building Schools and other essentials, Tamil Nadu government also should focus little more on the quality education so that the children from backward class can prepare and compete with the other children in the battle of life.

- C) There should be separate schemes to support the disabled child who belongs to SC and ST.
- D) Allocation on Right to Protection should also be increased to fight child abuse and harassment more successfully.
- E) Special fund to tackle Child Labour, which has been totally ignored by the Tamil Nadu Government.
- F) Time to time guidance and counselling for children and parents on various issues like economic right, child marriage and etc.
- G) Provision for monthly health check up for children.
- H) Grievance redressal system in schools related to mid day meal, discrimination, harassment and any forms of child right violation.
- I) Separate Budgetary provision for SC/ST children affected by natural disaster and Zero discrimination in the shelter house



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