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Crimes against children: A north - eastern perspective

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Abstract

The crime against children has emerged as a critical problem of all over the world. It receives uttermost priorities in all the countries - whether developed or developing. In India, it has been central and fulcrum to the national policy agenda for human rights for the last three decades. However, the problem has aggravated after more than six decades of planned economic development. Therefore, on the basis of secondary source of information, this exercise recapitulates the issue of crimes against children in North-East region of India in a holistic way. After in-depth analysis of statistical data, the findings revealed that the whole discourse of crimes against children has emerged as one of the significant challenges of the new millennium. The findings also suggest that it is essentially the need of the hour to evolve a new mechanism to address the crimes committed against children.

Keywords: Crimes, children, combat, Indian penal code, vulnerable

1. Introduction

“Today's child is tomorrow's citizen” so goes a popular saying, stressing the need for proper care and protection of the children. [9] Children are the mirror of a nation. They are our future and our most precious resources. The quality of tomorrow's world and perhaps even its survival will be determined by the wellbeing, safety and the physical and intellectual development of children today [10].

It is universally accepted fact that children are the future of nation and future of the world. ‘Children’, the most precious assets of any nation are the future hope and glory of the country. The progress and prosperity of any nation could be evident from its healthy, promising and dynamic children. Therefore, they deserve to be cared, protected and maintained for posterity. [11] However, still the children remain a part of the disadvantaged group in this globe. Children are physically, mentally and socio-economically victimized. They are neglected, their needs are not fulfilled: their thoughts and feelings are not appreciated. We impose our ideas on them to the extent that they are ignored, ill-treated and tortured. They are taken as mini-men and women, mini not only in body, but also in mind. We do not realize that the child has a separate identity with different needs and conditions. [12] Since ages, children have been victimized by one abuse or the other. It is not wrong to say that they are a neglected lot. Throughout the history of our society, children have been bought sold, enslaved, exploited and killed. They have been abandoned severely beaten and physically abused. In fact, the more we go in history we find that the lot of children's had been hushes, and crueller [1].

According to National Incident-Based Reporting System data analyses, approximately 1.3 million crimes known to the police in 2008 were committed against children under age 18, representing 9 per cent of all known crime victims and approximately 25 per cent of these victims were under age 12. These numbers include children who were direct victims of crimes as well as those who were indirectly victimized by witnessing criminal acts. In 2011, the percentage of murder victims under age 18 was a little under 10 per cent of the total number of murder victims for all age groups both in Connecticut and nationally. [6] Under such backdrop, the challenge of the new millennium is to develop the strategies to prevent and combat all forms of violence against children. Therefore, the examination of crimes against children has emerged as one of the most vibrant issues in contemporary human rights discourses in the light of above context and needs an in-depth probe.

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2. Objectives of the Study

The primary focus of the study is an examination of crimes against children in North-East India (NEI). In line with this, the study based on the following specific objectives:

- To make an in-depth study of crimes against children in NEI.
- To make a comparative analysis of crimes against children in North-Eastern States.
- To provide meaningful suggestions to combat crimes against children.

3. Methodology

The study was a descriptive research based on secondary sources of information. In the first, a search of the published information was carried out using libraries and the internet. The study amply reviewed the existing scholarly literatures in a right perspective available in the form of journal articles, online articles, websites etc. working in this field conducted by prolific researchers and academicians.

In addition, the secondary data related to head – wise crimes against children for the period 2009 to 2013 in North-Eastern States was sought from institutional source. The main source of institutional data is the National Crime Records Bureau, Ministry of Home Affairs, and Government of India.

The analysis was based on secondary data. For this purpose, simple statistical tools like tables, figures, averages, percentages etc. were employed in the entire appraisals for analysis and interpretation of data to present the research findings in a meaningful ways.

4. Universe of the Study

The study was carried out in entire NEI except the state of Sikkim. The NEI, a region of seven states fondly called as the “Seven Sisters.” The seven states *i.e.* Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Tripura formed the north-east frontier region of India. The region is in between 21.57° and 28.30° N Latitudes and 89.46° and 97.30° E Longitudes. It is situated at the North-Eastern Himalayan sub-region of India.

In fact, the North-East is truly a frontier region. It has 2000 km. of international boundary with Bhutan, China, Myanmar and Bangladesh. The region is connected with the rest of the country by a 20 km. wide small corridor of land squeezed between Nepal and Bangladesh. Except the three valleys, namely, the Brahmaputra, the Barak and Imphal, the remaining two-thirds areas of the region are hilly.

The NEI constitutes to be the most backward region in the country despite the ample source of natural resources. The pace of development in NEI is still far behind in comparison to the rest of the country even after more than 60 years of independence. This is mainly because historically this region was never a part of the mainstream and it remained isolated from the rest of the country. At present, the region is characterized by deficient in food production, lower agricultural productivity, heavy soil erosion, deforestation and floods^[13].

Besides, the region is associated with extreme poverty, unemployment, under employment, cross-border smuggling, terrorism, social inequalities etc. Over and above these chronic situations, the region is beseted with some other peculiar features like recurring flood, poor communication, insurgency etc. Thus, under such backdrop the region is most vulnerable to child rights violation.

5. Review of Literature

Chandrashekar^[1] analyzes that the crimes against children has been increasing in the recent scenario which indicates children are no safe in India. The study suggests that there is need to rethink of present law which are not suitable to protect children from the victimization. Besides, society and community can play major role in the prevention of offences against children.

Krieger^[2] has made a galvanize enquiry and action on the myriad consequences of child abuse, a known yet neglected social phenomenon. Sharma^[3] has highlighted the major factors responsible for large scale female foeticide over the years, creating dangerous situations of declining sex ratio. Higgins^[4] is a case study of child sexual assault within a church community. Highlighting the church environment, the author describes that sometimes girls were sexually victimized and assaulted within church or church community. Kotaiah^[5] analyses the role of a class teacher in protection and promotion of child rights. Besides, the author also analyses that the teacher should create congenial atmosphere for the child by his own activities and planned experiences. The teacher’s main role in the class is to develop child rights in a right direction through self-realization.

Kirby^[6] analyses that young children are victims of violent crime and it is difficult to get a complete and accurate assessment of the degree to which victimization occurs. Further, on the basis of National Incident-Based Reporting System data, the study has highlighted the child victimization data and the types of victimizations that occurred at each developmental stage.

Wolak^[7] describes the characteristics of episodes in which juveniles became victims of sex crimes committed by people they meet through the Internet. For the prevention of sexual crimes, the study recommends that health care professionals and educators, parents and media need to be aware of the existence, nature and real life dynamics of online relationships among adolescents. Information about Internet safety should include frank discussion about why these relationships are inappropriate, criminal and detrimental to the developmental needs of youth.

Judith^[8] indicates a strong correlation between parental emotional distress related to the abuse and treatment outcome in sexually abused pre-school children, independent of the type of treatment provided. The finding indicates the importance of addressing parental distress related to the abuse in providing effective treatment to sexually abused pre-school children.

6. Definition of Child

There is a need for a clear definition of the term ‘child’. In fact, the definition of child is not uniform all over the world. The Article 1 of the United Nations Convention on the Rights of the Child (1989) defines, “A child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”.

Juvenile Justice (Care & Protection of Children) Act 2000 defines a child as a person who has not completed 18 years of age. The “Child Marriage Restraint Act” of 1929 specifies that 18 years as the cut off age for preventing child marriage.

Biologically, a child (plural: children) is generally a human between the stages of birth and puberty. The legal definition

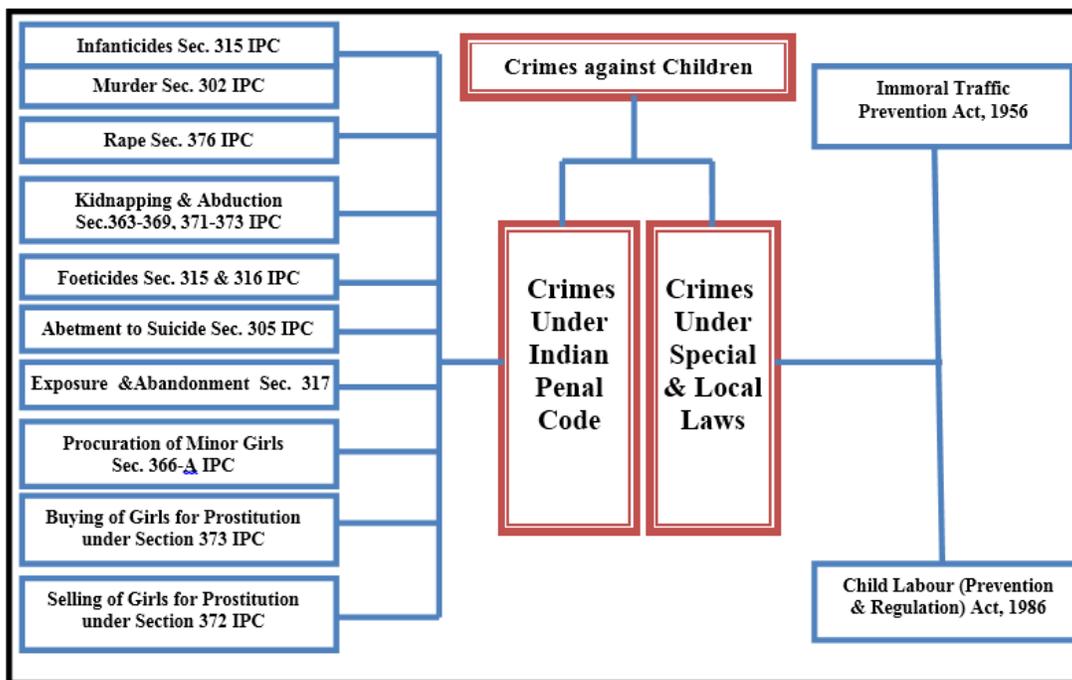
of child generally refers to a minor, otherwise known as a person younger than the age of majority. [14]
 The Indian Constitution (Article 24 & 45) defines a child as “belongs to the age group of fourteen years”. “A person up to the age of 14 years” is defined as a child in various Acts such as the Factory Act, 1948; the Apprentice Act, 1951; the Child Labour (Prohibition and Regulation) Act, 1986.
 Thus, the definition of child in various laws differs in Indian context as different enactments and legislations stipulate different cut-off ages to define a child. However, almost everywhere, the definition of a child is regulated by age. But age limits may be differed from country to country or legislation to legislation.

7. Crimes against Children

Children, our most vulnerable citizens are human beings and so, broadly all the offences against human beings are the offences of children. However, the Indian Penal Code (IPC) and Special and Local Laws (SLL) specifically mention the offences wherein children are victimised and abused can be categorised as offences against children. The crimes against children can be categorised under following two broad heads:

- Crimes committed against children which are punishable under IPC; and
- Crimes committed against children which are punishable under SLL.

The different crimes against children under above two categories can be shown as below:



8. Results and Discussion

The results showed that the total incidence of crimes against children in NEI for the period 2009 to 2013 was 3580 (Table 8.1) of which the highest of 38.74 per cent (1387 numbers) and the lower of 1.42 per cent (51 numbers) were recorded in Assam and Nagaland respectively (Figure –

8.1). The results also revealed that except 2011 (638 numbers), the incidence of crimes against children showed a continuous increasing trend from 409 in 2009 to 687 in 2010, 754 in 2012 and 1092 in 2013 (Table – 8.1). The percentage of crimes was highest (30.50 per cent) in 2013 while lowest (11.43 per cent) in 2009 (Figure – 8.2).

Table 8.1: Incidence & rate of crimes committed against children during 2009 to 2013

States	Incidence						Percentage to All - India Total					
	2009	2010	2011	2012	2013	Total	2009	2010	2011	2012	2013	Total
Arunachal Pradesh	33	20	35	39	82	209	0.1	0.1	0.1	0.10	0.14	0.54
Assam	44	197	236	392	518	1387	0.2	0.7	0.7	1.03	0.89	3.52
Manipur	72	73	87	104	123	459	0.3	0.3	0.3	0.27	0.21	1.38
Meghalaya	83	110	104	91	183	571	0.3	0.4	0.3	0.24	0.31	1.55
Mizoram	14	50	54	95	78	291	0.1	0.2	0.2	0.25	0.13	0.88
Nagaland	0	10	20	13	08	51	0.0	0.0	0.1	0.03	0.01	0.14
Tripura	163	227	102	20	100	612	0.7	0.9	0.3	0.05	0.17	2.12
Total	409	687	638	754	1092	3580	1.70	2.60	2.00	1.97	1.86	10.13

Source: Compiled from Crime in India 2009 to 2013 Statistics.

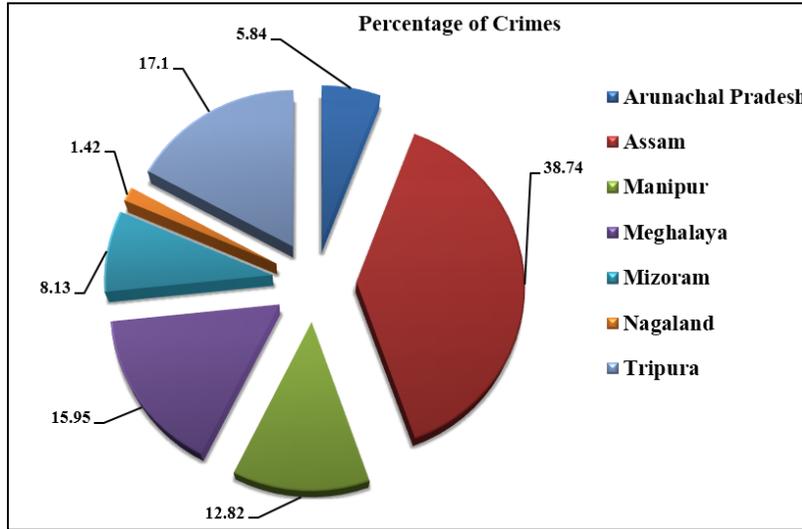


Fig 8.1: State-wise incidence of crimes against children during 2009 to 2013

The crimes against children contributed by North-Eastern states to all – India total accounted 10.13 per cent of which the highest 2.60 per cent and the lowest 1.70 per cent recorded during 2010 and 2009 respectively (Table – 8.1). The statistical data presented in Figure – 8.3 revealed that the contribution of Assam towards all – India total was

highest (34.75 per cent) in comparison to other North-Eastern states *i.e.* Arunachal Pradesh (5.33 per cent), Manipur (13.62 per cent), Meghalaya (15.30 per cent), Mizoram (8.69 per cent) Nagaland (1.38 per cent) and Tripura (20.93 per cent).

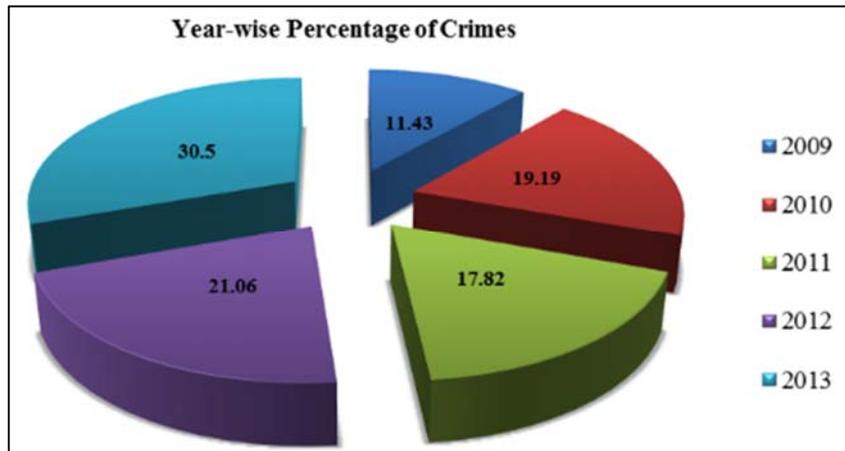


Fig 8.2: Year-wise incidence of crimes against children during 2009 to 2013

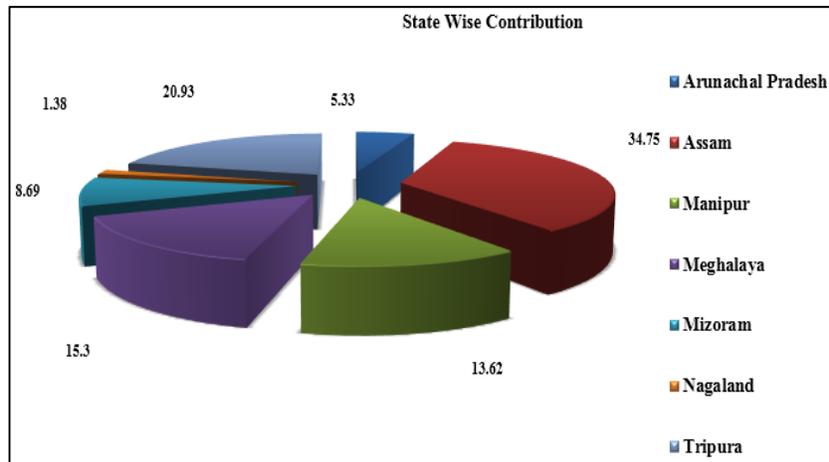


Fig 8.3: State –wise contribution of crimes to all-India total

So far the year-wise contribution of crimes to all-India total is concerned; the results showed that the highest of 25.67 per cent crimes contributed in the year 2010 while the

lowest of 16.67 per cent recorded during 2009 (Figure – 8.4).

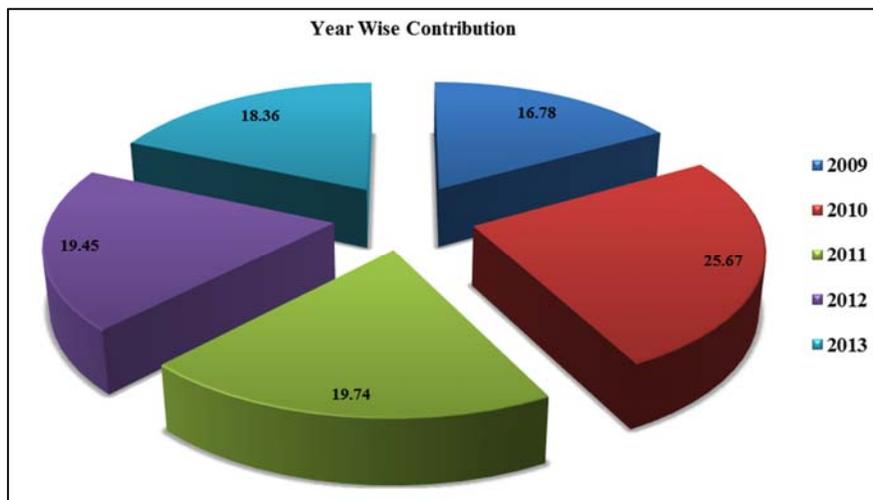


Fig 8.4: Year –wise contribution of crimes to all-India total

The head-wise crime incidence in North-Eastern states showed that the highest incidence of crimes against children was in the category of rape (1631) followed by kidnapping & abduction (781), procurement of minor girls (583), other category (433), infanticides, selling of girls for prostitution, prohibition of Child Marriage Act, 2006 (4 in each category)

while only 1 incidence took place in the category of exposure & abandonment (Table – 8.2). In terms of percentage, rape stood at 45.56 per cent while kidnapping & abduction (21.82 per cent) and procurement of minor girls (16.29 per cent) stood next to the rape (Figure – 8.5).

Table 8.2: Head – wise crime incidence in North-Eastern states

Crime Head	Name of the State (in numbers)							Total
	Arunachal Pradesh	Assam	Manipur	Meghalaya	Mizoram	Nagaland	Tripura	
Infanticides	0	0	0	3	0	0	1	4
Murder	0	51	20	24	4	6	34	139
Rape	101	475	99	410	223	28	295	1631
Kidnapping & Abduction	97	199	294	85	7	16	83	781
Foeticide	0	0	0	0	0	0	0	0
Abetment to Suicide	0	0	0	0	0	0	0	0
Exposure & Abandonment	0	0	0	0	1	0	0	1
Procurement of Minor Girls	0	468	39	11	0	0	65	583
Buying of Girls for Prostitution	0	0	0	0	0	0	0	0
Selling of Girls for Prostitution	0	3	0	0	1	0	0	4
Prohibition of Child Marriage Act, 2006	0	1	0	1	0	0	2	4
Other Crimes	11	190	7	37	55	1	132	433
Total	209	1387	459	571	291	51	612	3580

Source: Compiled from Crime in India 2009 to 2013 Statistics.

The analysis was very loud and clear that Assam was highest in terms of rape (475) and procurement of minor girls (468) in comparison to other states (Table – 8.2). On the contrary, Manipur was highest (294) in regard to kidnapping and abduction of child in comparison to others. Significantly, it should be noted that the entire North - East region was completely free from the crimes like foeticide, abetment to suicide and buying of girls for prostitution.

Thus, from the above analysis it can rightly be concluded that Assam was most vulnerable to crimes against children than the other North-Eastern states. Besides, except the crimes in the categories of rape (1631), kidnapping & abduction (781), procurement of minor girls (583) and murder (139), the incidences of crimes to the others were found nominal.

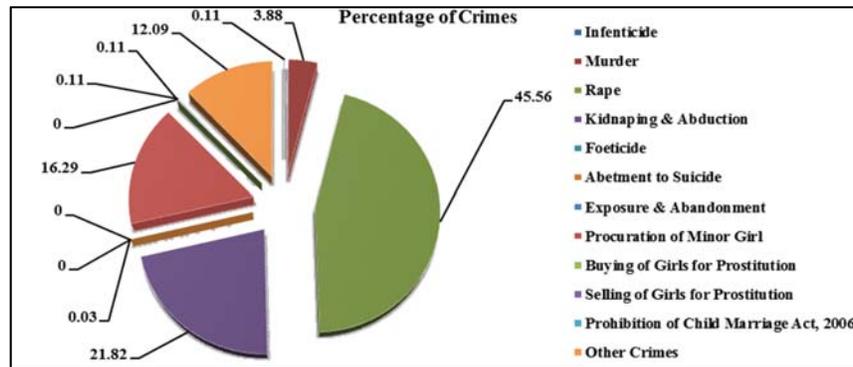


Fig 8.5: Head-wise crimes against children during 2009 to 2013

The results also revealed that the highest incidence of rape (520) was observed in the year 2013 while the lowest (192) was found during 2009. In case of kidnapping & abduction, the highest (238) and the lowest (96) was observed during 2013 and 2009 respectively. The cases in the category of

procurement of minor girls were recorded highest (159) in the year 2013 and the lowest (31) in the year 2009. The incidence of cases relating to murder was found uneven ranged from 17 in 2010 to 36 in 2013 (Table – 8.3).

Table 8.3: Year-wise head of incidence of crimes against children during 2009 to 2013

Crime Head	Year					Total
	2009	2010	2011	2012	2013	
Infanticides	3	0	0	0	1	4
Murder	30	17	33	23	36	139
Rape	192	305	245	369	520	1631
Kidnaping & Abduction	96	127	156	164	238	781
Foeticide	0	0	0	0	0	0
Abetment to Suicide	0	0	0	0	0	0
Exposure & Abandonment	0	0	0	1	0	1
Procurement of Minor Girls	31	107	147	139	159	583
Buying of Girls for Prostitution	0	0	0	0	0	0
Selling of Girls for Prostitution	0	3	0	1	0	4
Prohibition of Child Marriage Act, 2006	0	1	0	1	2	4
Other Crimes	57	127	57	56	136	433
Total	409	687	638	754	1092	3580

Source: Compiled from Crime in India 2009 to 2013 Statistics.

9. Findings of the Study

Based on the detailed analysis and interpretation of statistical data and information, the study draws the following major findings:

- The results revealed that the crime against children has emerged as a serious problem in entire NEI. Over the years, as many as 3580 number of cases were recorded against children in the region.
- The findings showed that Assam was most vulnerable to crimes against children in comparison to other North-Eastern states. Out of the total 3580 incidence, 1387 cases i.e. 38.74 per cent occurred in Assam.
- The State of Nagaland was in encouraging position in comparison to other North-Eastern states. The number of incidences in the state was recorded 51 as against 209 in Arunachal Pradesh, 1387 in Assam, 459 in Manipur, 571 in Meghalaya, 291 in Mizoram and 612 in Tripura.
- The NEI is a major contributor (10.13 per cent) of crimes against children to the all – India total.
- From the analysis of statistical data, it has been ascertained that except 2011 (17.82 per cent), the incidence of crimes in NEI has shown a continuous increasing trend from 11.43 per cent in 2009 to 19.19 per cent in 2010, 21.06 per cent in 2012 which alarmingly jumped to 30.50 per cent in 2013.

- The major cases of crimes against children in NEI were rape, kidnapping & abduction and procurement of minor girls. Among the three, the contribution of rape stood at 45.56 per cent (1631 numbers).
- The results bring into limelight that Assam was highest in terms of rape (475) and procurement of minor girls (468) in comparison to other states of NEI.
- The state of Manipur was vulnerable in regard to crime in the category of kidnapping and abduction than the other North-Eastern states.
- The results revealed that the highest incidence of crimes i.e. 30.50 per cent (1092) was observed during 2013.
- The cases relating to murder was found less in numbers in comparison to other crimes. However, 139 cases of murder against children were not insignificant.
- The entire North - East region was free from foeticide, abetment to suicide and buying of girls for prostitution. No record of such crimes was observed in this region.

10. Recommendations

On the basis of the findings of the entire study, the following comprehensive lists of measures can be suggested to combat crimes against children in NEI in particular and in the country in general. Though the suggestions are confined to the micro situation of NEI however, it is felt that these

recommendations have their relevance for the country as a whole.

- **Public Awareness:** Everybody should be educated in order to aware about the laws governing the treatment of children to address effectively the crimes against children.
- **People's Participation:** It is imperative to say that the Government's effort alone cannot combat the problem. People's active and full participation is a must in addressing the issue. Therefore, special attention must be taken by the Government to increase people's participation in protecting crimes against children.
- **Parenting Education:** Parents are responsible for large scale crimes against children within and outside the home. So, Government should take a special drive to educate the parents reasonably about their vital role in protection of crimes against children.
- **Legal Framework:** Adequate legislations are to be required for the protection of crimes against children effectively. It may be recommended that the law breakers should be punished rigorously up to hanging.
- **Role of NGOs:** Non-Government Organizations (NGOs) should play as the watchdog of crimes against children. If any crime against children is seen, the matter should immediately bring to the notice of legal authorities.
- **Role of Media:** The mass media should play a positive role in reducing crimes. They should take a supportive and definite role in publishing the crimes against children.
- **Administrative Efforts:** The administration and government officials of various departments associated with child welfare at different levels and of different bodies should have the commitment and sincerity to end the crimes against children.
- **Child Education:** Education to the children is also to be needed in a comprehensive way to make them aware about how to protect themselves from crimes.
- **Co-operation of Civil Society:** The combat of crimes is a mammoth task which requires a holistic and coordinated effort of all sections of society *i.e.* political parties, lawyers, judges, public servants, teachers, media persons, child care professionals and members of the police forces etc.
- **Research:** Rigorous research is required to address the issue. There needs to be well funded by the funding agencies to the researchers and academicians to conduct comprehensive studies on the issue.
- **Proper Training:** Emphasis should be given on standardized training for police and other professionals at the both entry as well as service levels in order to address the situation.
- **Institutional Framework:** An independent institution equivalent to State Human Rights Commission for children for each state should be established to hold exclusive charge of the cases against children. Besides, a separate administrative establishment should be opened in each district of NEI to coup up the situation against children.
- **Organization of Seminar/Workshop:** It is necessary to organize workshops and seminars on crimes against children for public awareness and to find out policy implications.

11. Conclusion

It is clear from the analysis that the crimes against children have emerged as a serious problem in NEI. It is apparent in different ranges and therefore, difficult to draw broad conclusion on it. All the seven states of NEI were the victims of crimes against children. The findings suggest that the ranges of crimes were uneven. The state of Assam, Manipur, Meghalaya and Tripura were more vulnerable in this regards in comparison to other North-Eastern States. Among these four states, Assam was in most vulnerable position. Significantly, the study divulged a rapid increasing trend of incidence and rate of crimes against children in NEI. In fact, the rapidly growing rate of crimes against children indicates that children are not safe in North-Eastern region of India. Therefore, it is the high time to evolve a mechanism to address crimes committed against children.

The crime against children is a matter of great concern for all. Any crime against children should be taken seriously by the government and rigorous punishment is essentially needed to the law breakers. Hence, standardized efforts in a cooperative manner should be utilized to address crimes against children in NEI in particular and in India in general. Besides, there is an urgent need for good governance, dedicated bureaucracy, strong political will and co-operation of all sections of society to combat crimes against children.

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