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# AN ANALYSIS ON LEGAL PROTECTION FOR MALNOURISHED CHILDREN WITH SPECIAL REFERENCE TO TAMIL NADU

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## ABSTRACT

Malnutrition among children is a serious issue in India, and Tamil Nadu is no exception. Despite efforts to address this problem, many children continue to suffer from malnutrition, which can have long-term physical and cognitive consequences. Legal protection for malnourished children is crucial to ensuring that their rights are upheld and that they receive the care and support they need to thrive. This paper focuses on the legal framework in Tamil Nadu for protecting the rights of malnourished children, including the constitutional and legal protections afforded to children in the state. The objectives of this paper are To examine the legal framework in Tamil Nadu for protecting the rights of malnourished children, including the constitutional and legal protections afforded to children in the state, To analyze the policies and programs in place to address malnutrition in Tamil Nadu, and to identify the challenges that exist in implementing these programs effectively, To assess the effectiveness of the legal protections currently in place for malnourished children in Tamil Nadu, including an examination of case law and policy documents. It also examines the policies and programs in place to address malnutrition and the challenges that exist in implementing these programs effectively. Through an analysis of case law and policy documents, this paper argues that while there are legal protections in place for malnourished children in Tamil Nadu, there is a need for greater enforcement and monitoring to ensure that these protections are effectively implemented. The paper concludes by outlining recommendations for strengthening the legal framework and improving the delivery of services to malnourished children in Tamil Nadu.

**Keywords:** Legal protection, malnourished children, Tamil Nadu, constitutional protections, policy implementation, case law, vulnerable children, rights, recommendations, awareness.

## INTRODUCTION

Malnutrition remains a significant problem in India, with approximately 38% of children under the age of five suffering from stunted growth, and 35% underweight. Malnourishment not only leads to physical and cognitive developmental delays but also increases susceptibility to diseases and illness. Tamil Nadu, like many states in India, faces a significant challenge in addressing malnutrition, and there is a pressing need to strengthen the legal framework to protect the rights of malnourished children. The Indian Constitution provides robust protections for children's rights, including the right to life, health, and education. The Constitution also mandates that the state shall endeavor to provide adequate nutrition to all children under the age of six. Additionally, there are various statutes, policies, and programs that aim to address malnutrition in Tamil Nadu, such as the Integrated Child Development Services (ICDS) and the Tamil Nadu Nutrition Mission. However, despite these protections, malnourishment remains a persistent problem in the state. One of the key challenges in implementing policies and programs aimed at addressing malnutrition in Tamil Nadu is the lack of adequate resources and infrastructure. Furthermore, there is often a lack of political will to prioritize the issue. Additionally, there is a significant gap between the policies and the ground-level implementation, which leads to limited impact. The legal framework also faces several challenges in protecting the rights of malnourished children in Tamil Nadu. One of the significant issues is the lack of awareness among the public, including parents, about the legal protections and the remedies available to them. Furthermore, there are challenges in enforcing legal protections due to systemic issues such as corruption, inadequate training of personnel, and a lack of accountability mechanisms. The National Food Security Act 2013, which provides a legal right to food for all citizens, including children, has been implemented effectively in some states like Chhattisgarh and Odisha, resulting in a significant reduction in malnutrition rates. The Mid-Day Meal Scheme, which provides free meals to school children, has also been implemented effectively in some states like Gujarat, where the government has taken measures to improve the quality and hygiene of the meals served. On the other hand, Tamil Nadu has its own legal provisions, such as the Tamil Nadu Integrated Nutrition Project (TINP), which aims to reduce malnutrition among children and women. Tamil Nadu has not yet implemented the National Food Security Act, which could potentially benefit malnourished children in the state. Tamil Nadu has taken measures to address malnutrition among children, there are differences in the legal framework and implementation of laws and policies when compared to other states. To address these challenges, there is a need for policymakers to

prioritize the issue of malnutrition and allocate adequate resources for its prevention and treatment. There is also a need to raise awareness among the public about the legal protections available to them and the importance of seeking legal remedies for violations of their rights. Additionally, there is a need to strengthen accountability mechanisms and address systemic issues to ensure the effective implementation of policies and programs. Malnutrition remains a significant problem in Tamil Nadu, and there is a pressing need to strengthen the legal framework to protect the rights of malnourished children. This can be achieved through a concerted effort by policymakers, stakeholders, and civil society organizations to prioritize the issue, raise awareness among the public, and address systemic issues that hinder the effective implementation of policies and programs.

## **OBJECTIVES**

1. To examine the legal framework in Tamil Nadu for protecting the rights of malnourished children, including the constitutional and legal protections afforded to children in the state.
2. To analyze the policies and programs in place to address malnutrition in Tamil Nadu, and to identify the challenges that exist in implementing these programs effectively.
3. To assess the effectiveness of the legal protections currently in place for malnourished children in Tamil Nadu, including an examination of case law and policy documents.

## **REVIEW OF LITERATURE**

1. (Bhatt, 2004) paper about Food security is a critical issue in India, given its large population, high poverty rates, and significant food insecurity. In recent years, the Indian government has implemented various policies and programs aimed at improving food security and reducing malnutrition.
2. (Food and Agriculture Organization of the United Nations, 2020) paper focuses on children's rights to food in India and explores the constitutional, legal, and nutritional aspects of their protection.
3. (Murlidhar, 2015) case report describes an 11-year-old boy who contracted silico-tuberculosis due to exposure to sandstone mining in central India.

4. (Mahmood *et al.*, 2017)article discusses the health, human rights, and identity issues faced by the Rohingya people in Myanmar.
5. (Talukdar, 2022)book provides an overview of child rights in India, including relevant laws, policies, and practices.
6. (Bajpai, 2006) paper analyzes constitutional and administrative law in India. The Indian Administrative Service (IAS) is responsible for implementing government policies and programs at the federal and state levels
7. (Bajpai, 2006)paper explores child nutritional rights in India.
8. (Giri, no date)paper critically examines child protection in India.
9. (Food and Agriculture Organization of the United Nations, 2006)article discusses social mobilization efforts for the right to food in India.
10. (Lasser, 1988) paper analyzes the limits of judicial activism on hunger in India. Judicial activism has played a critical role in addressing hunger and malnutrition in India. The Supreme Court of India has issued several landmark judgments over the years that have helped to advance the right to food and ensure that government policies and programs are implemented effectively.
11. (Eisler, 2015)article proposes a strategy to stop violence against women using international law.
12. (Thukral and Thukral, 2011)The article analyzes child rights and child development in India from a regional perspective.
13. (Chilton, Chyatte and Breaux, 2007) paper discusses the negative effects of poverty and food insecurity on child development.
14. (Saraswathi, Menon and Madan, 2017)article provides a socio-economic analysis of child rights and child development in India from a regional perspective.
15. (Bajpai, 2006)book provides an overview of child rights in India.

16. (Srivastava, 2004) paper analyzes the status of the child in India in the context of the Convention on the Rights of the Child. India has made progress in increasing access to education, particularly for girls, there are still significant disparities in enrollment rates and quality of education between urban and rural areas, as well as between different socio-economic groups.
17. (Siegel, 2018) article discusses food policy and food politics in India.
18. (Cresswell Riol, 2016) paper analyzes the experience of food from the courts in India.
19. (Chowdhury *et al.*, 2013) article explores the Bangladesh paradox of exceptional health achievement despite economic poverty.
20. (Agrawal and Kumar, 2020) paper discusses democracy and the right to food. The need to ensure that the voices of marginalized groups, such as women, children, and minorities, are heard in decision-making processes related to food security and nutrition.

## **RESEARCH METHODOLOGY**

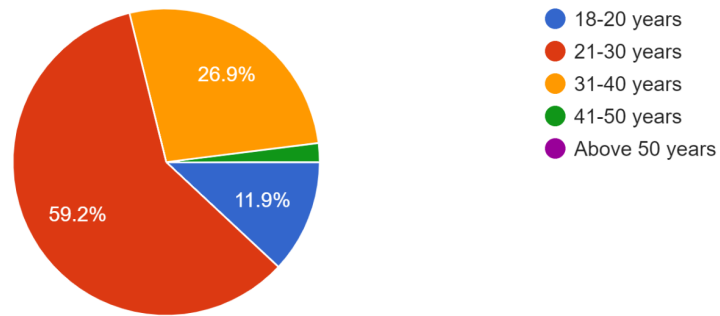
This research follows an empirical type of research and the sampling method used in this survey is a random sampling method. This study used both primary and secondary data. The secondary data used from websites, journals etc. The primary data was collected from the respondents using a simple random sampling method with a structured questionnaire. Independent variables such as Age, gender, educational qualification, occupation, locality, were also collected. The current paper is based on stratified random method of sampling and the sample size is limited and this analysis is done through SPSS tool for acquiring better and accurate result and this survey is taken and most importantly the survey was made in an authenticated way for appropriate results and also tries to reveal the actual truths regarding this issues. This paper also includes various secondary sources to get through the current issue, but the results will be focused mainly on the primary data. Sampling method is Random sampling method.

## ANALYSIS

**Figure 1**

Age

201 responses



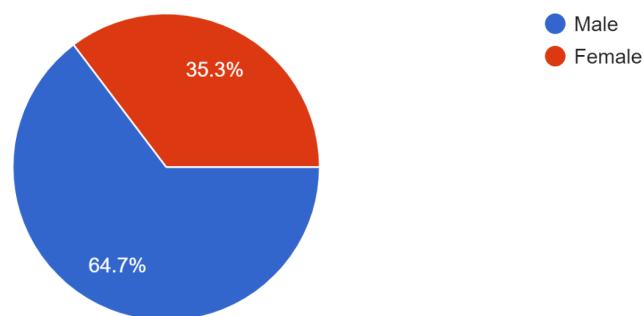
## LEGEND

This Figure represents the age of the respondents.

**Figure 2**

Gender

201 responses

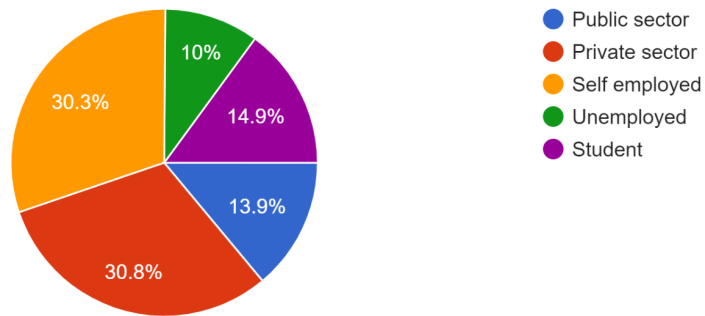


## LEGEND

This Figure represents the gender of the respondents.

**Figure 3**

Occupation  
201 responses

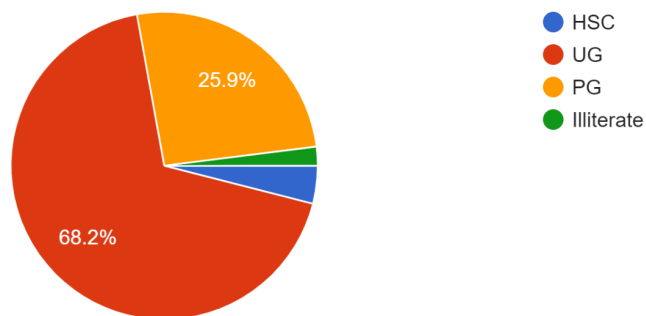


**LEGEND**

This Figure represents the occupation of the respondents.

**Figure 4**

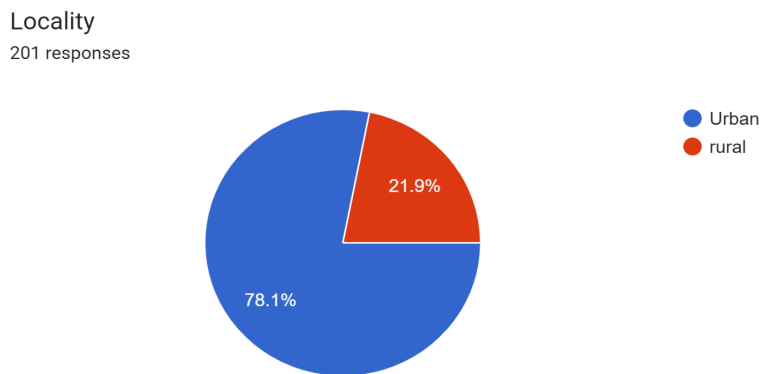
Educational Qualification  
201 responses



**LEGEND**

This Figure represents the educational qualification of the respondents.

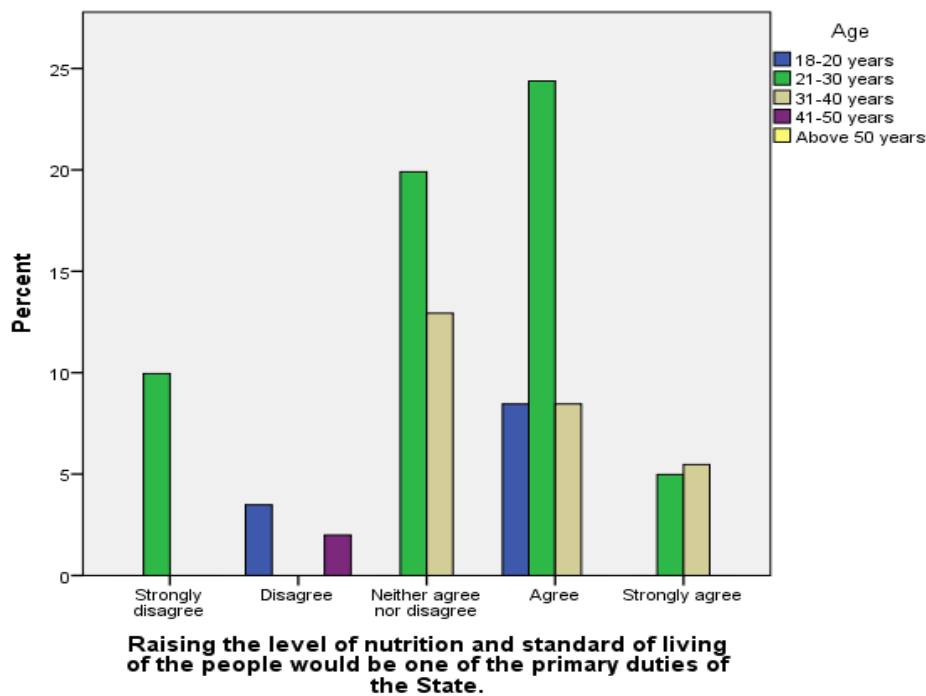
Figure 5



LEGEND

This Figure represents the locality of the respondents.

Figure 6

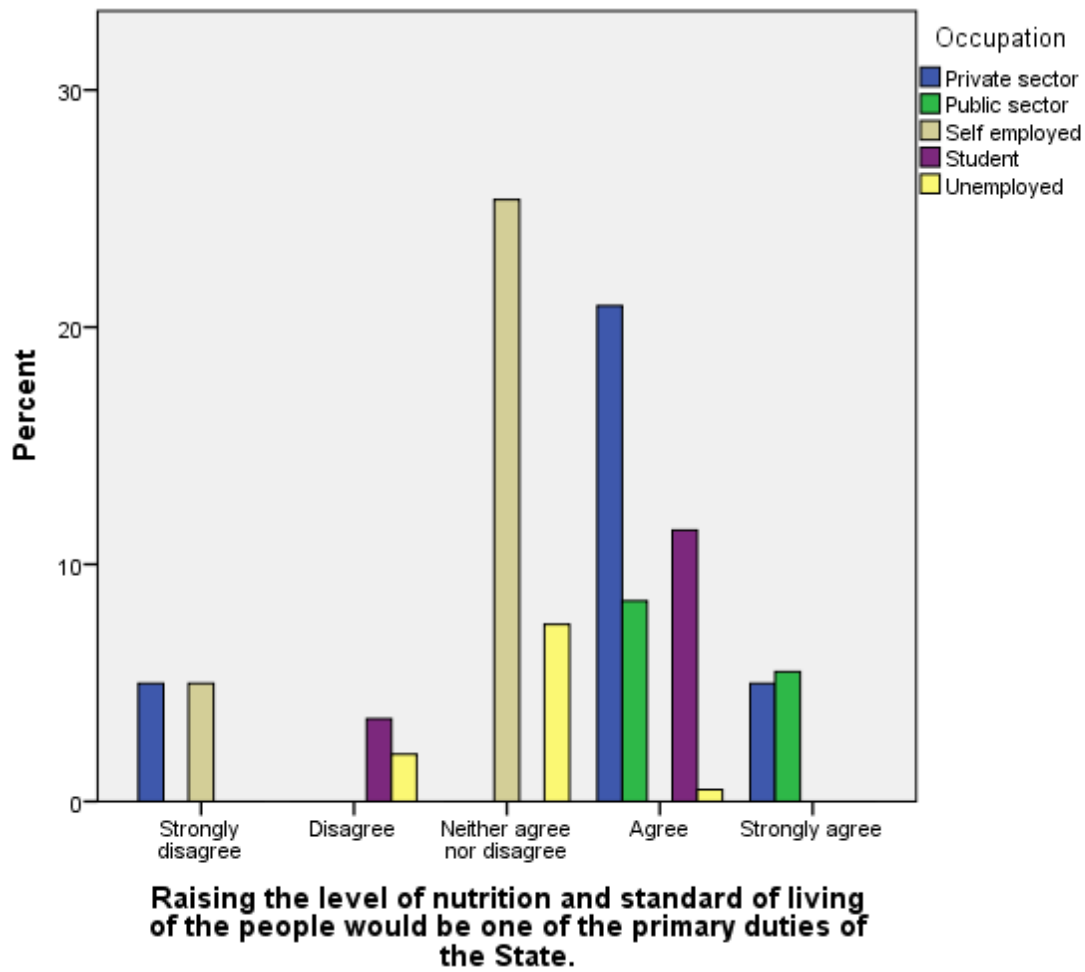


LEGEND

Figure 6 dependent variable “Raising the level of nutrition and standard of living of the people would be one of the primary duties of the State.” is compared with age.



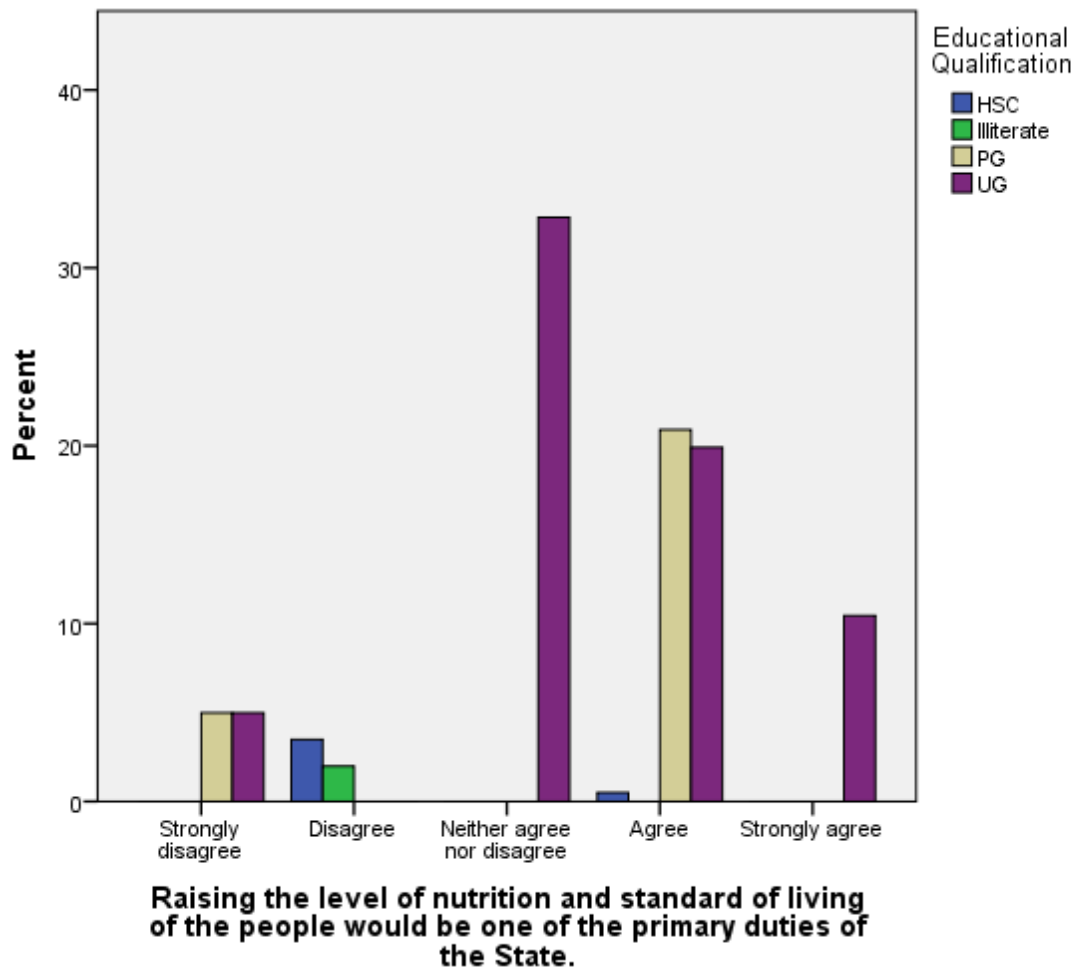
Figure 7



**LEGEND**

Figure 7 dependent variable “Raising the level of nutrition and standard of living of the people would be one of the primary duties of the State.” is compared with occupation.

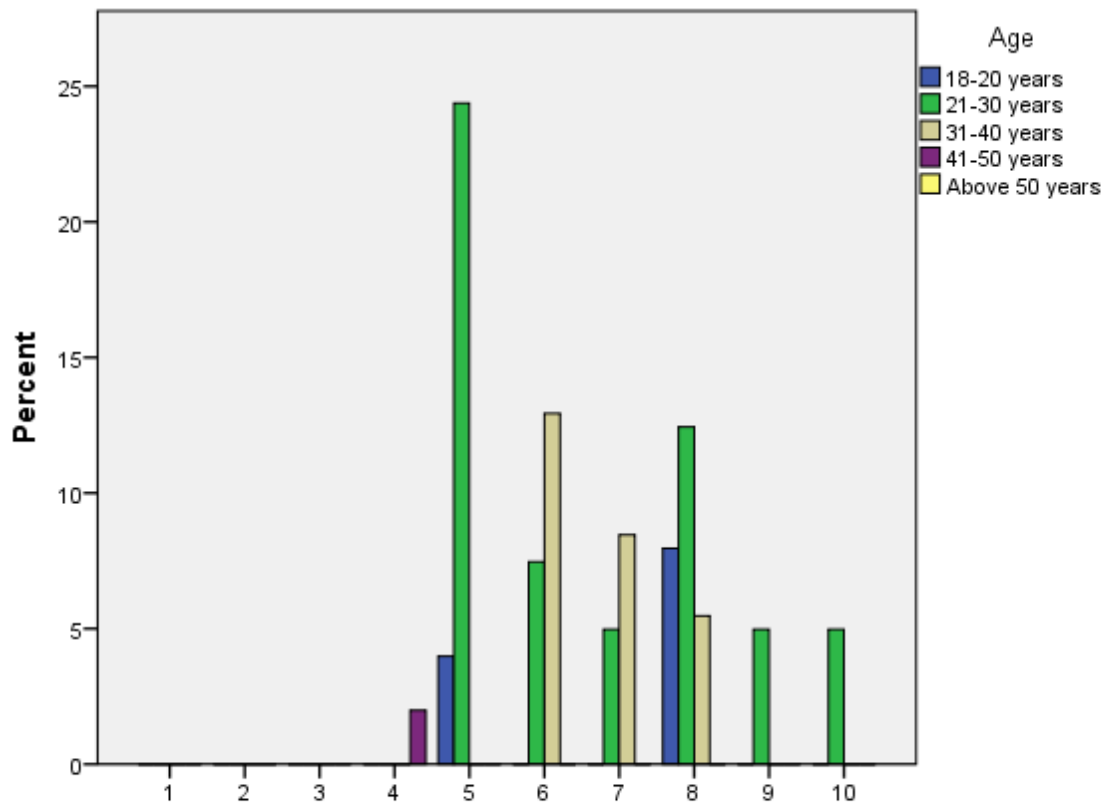
Figure 8



**LEGEND**

Figure 8 dependent variable “Raising the level of nutrition and standard of living of the people would be one of the primary duties of the State.” is compared with educational qualification.

Figure 9

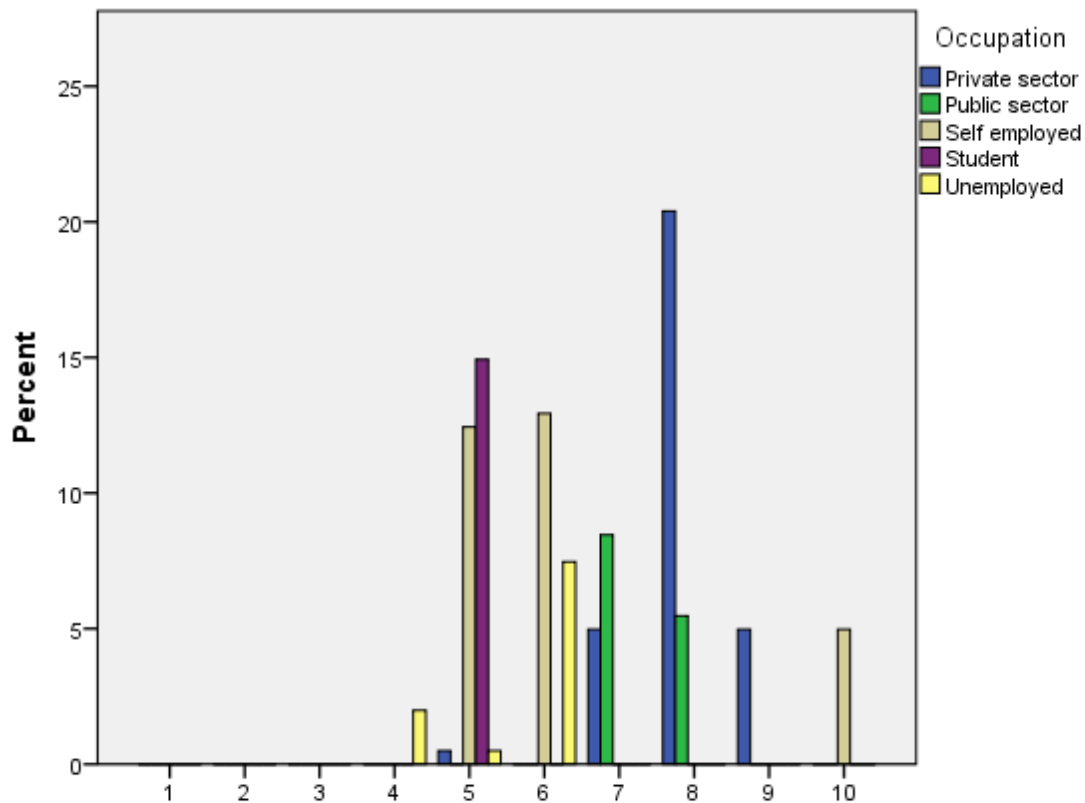


**India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. Rate your agreeability on scaling 1-10.**

**LEGEND**

Figure 9 dependent variable “India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. Rate your agreeability on scaling 1-10.” is compared with age.

Figure 10

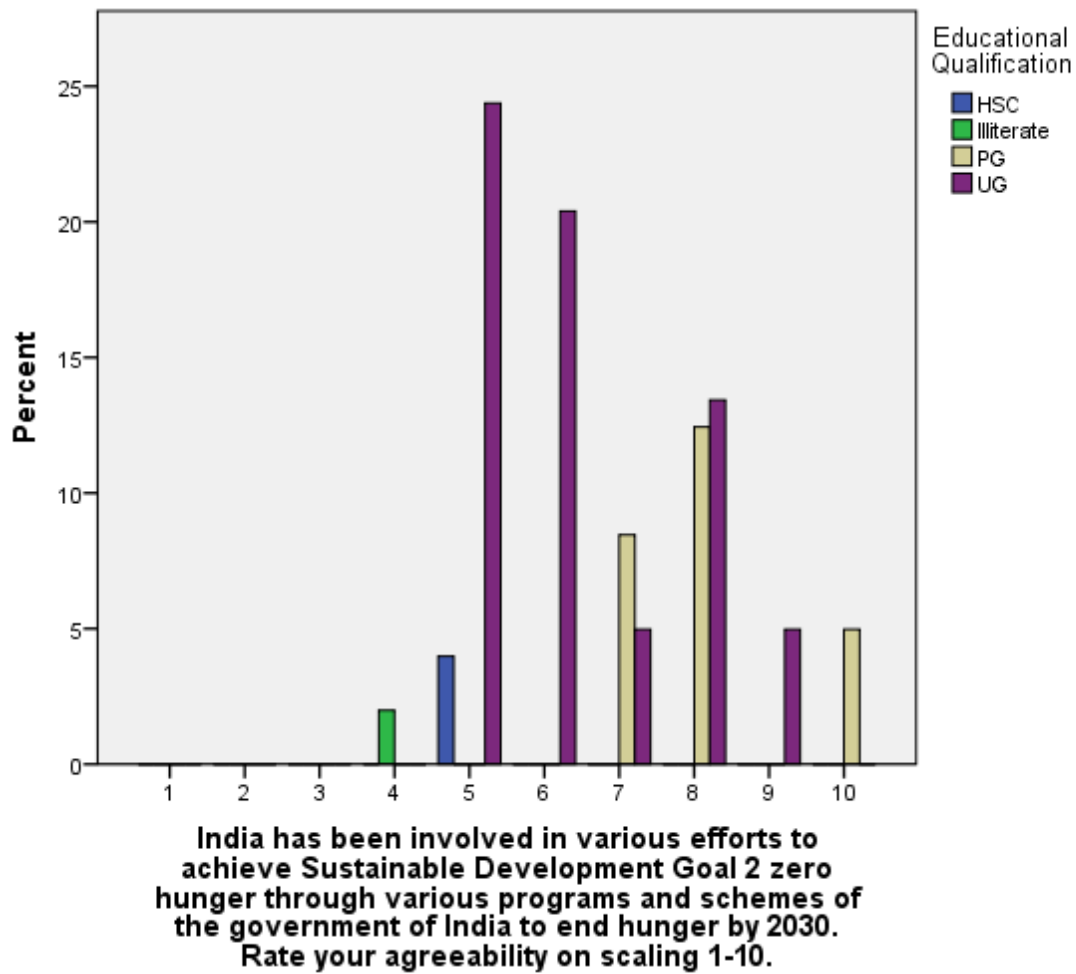


**India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. Rate your agreeability on scaling 1-10.**

**LEGEND**

Figure 10 dependent variable “India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. Rate your agreeability on scaling 1-10.” is compared with occupation.

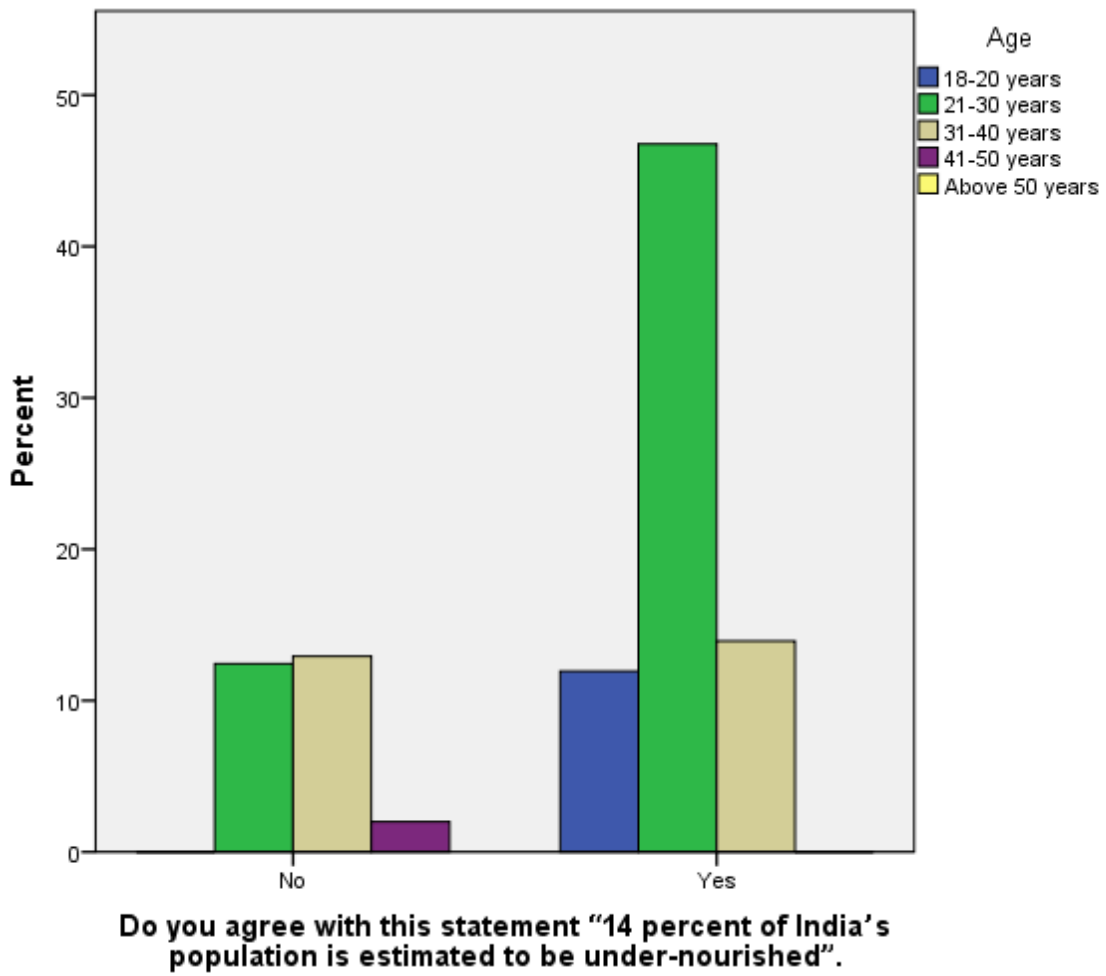
Figure 11



**LEGEND**

Figure 11 dependent variable “India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. Rate your agreeability on scaling 1-10.” is compared with educational qualification.

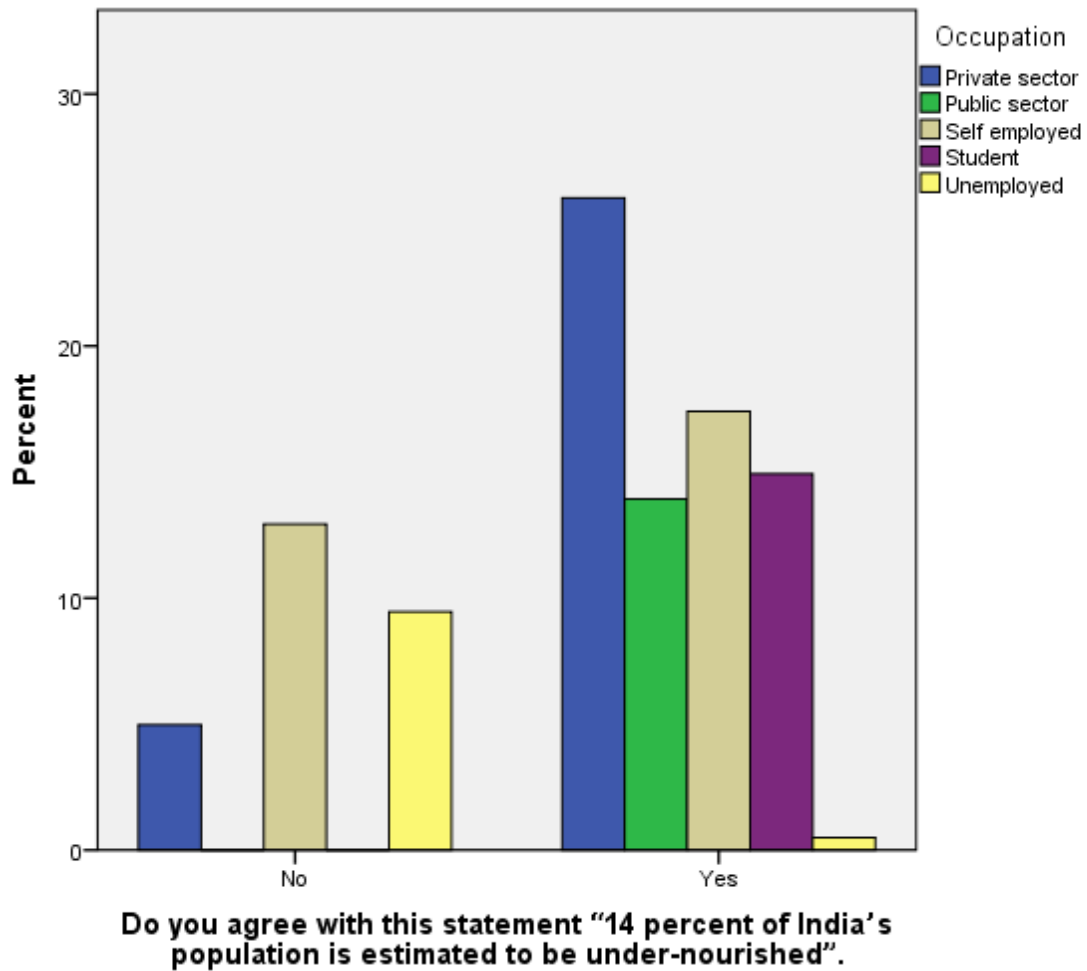
Figure 12



**LEGEND**

Figure 12 dependent variable Do you agree with this statement “14 percent of India’s population is estimated to be under-nourished.” is compared with age.

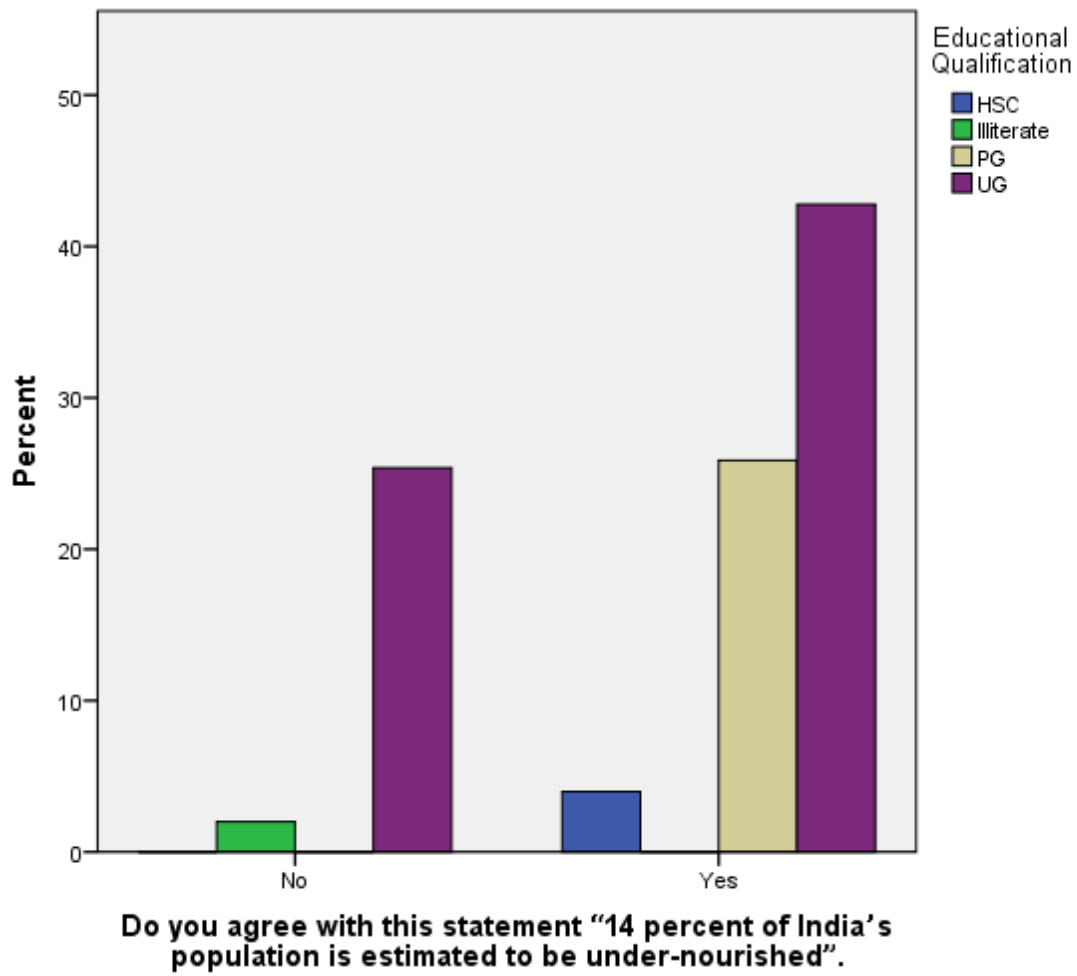
Figure 13



**LEGEND**

Figure 13 dependent variable Do you agree with this statement "14 percent of India's population is estimated to be under-nourished." is compared with occupation.

Figure 14

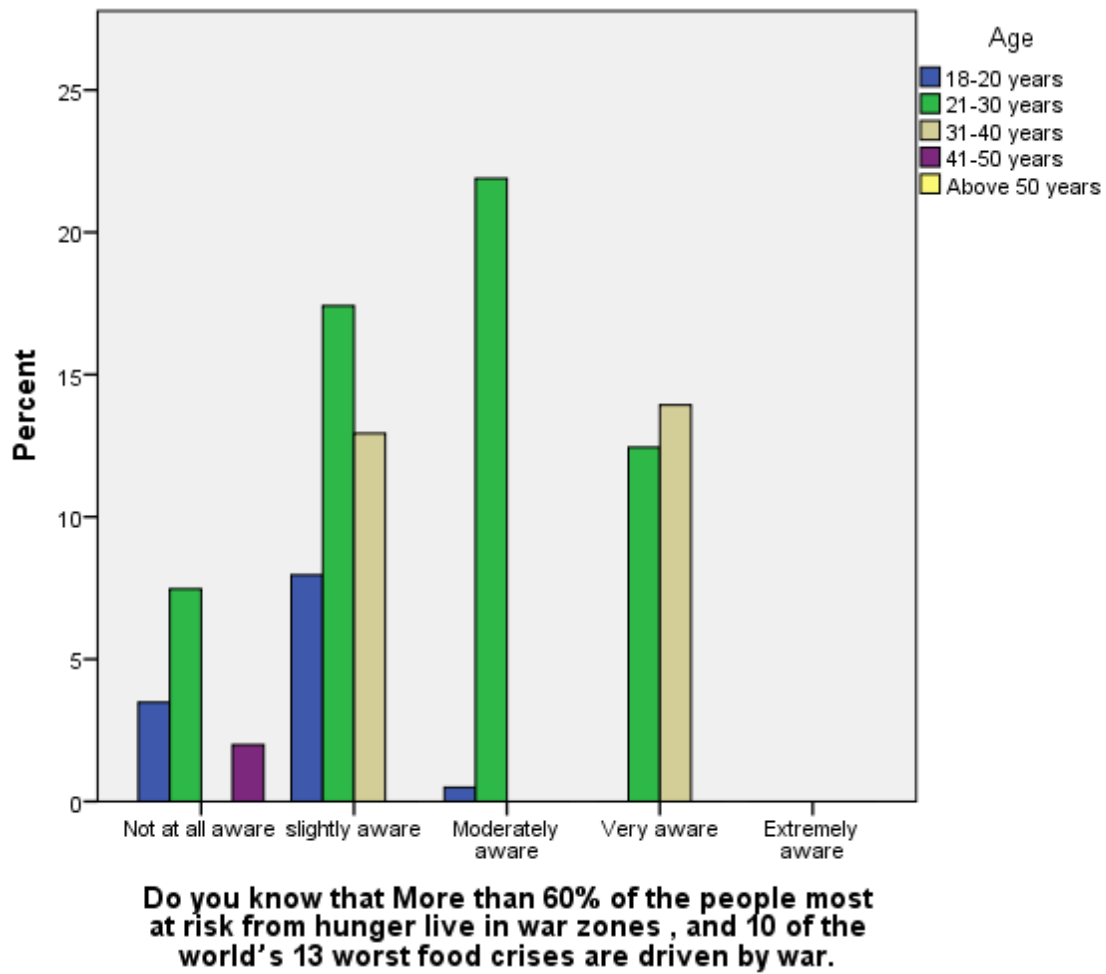


**LEGEND**

Figure 14 dependent variable Do you agree with this statement "14 percent of India's population is estimated to be under-nourished." is compared with educational qualification.



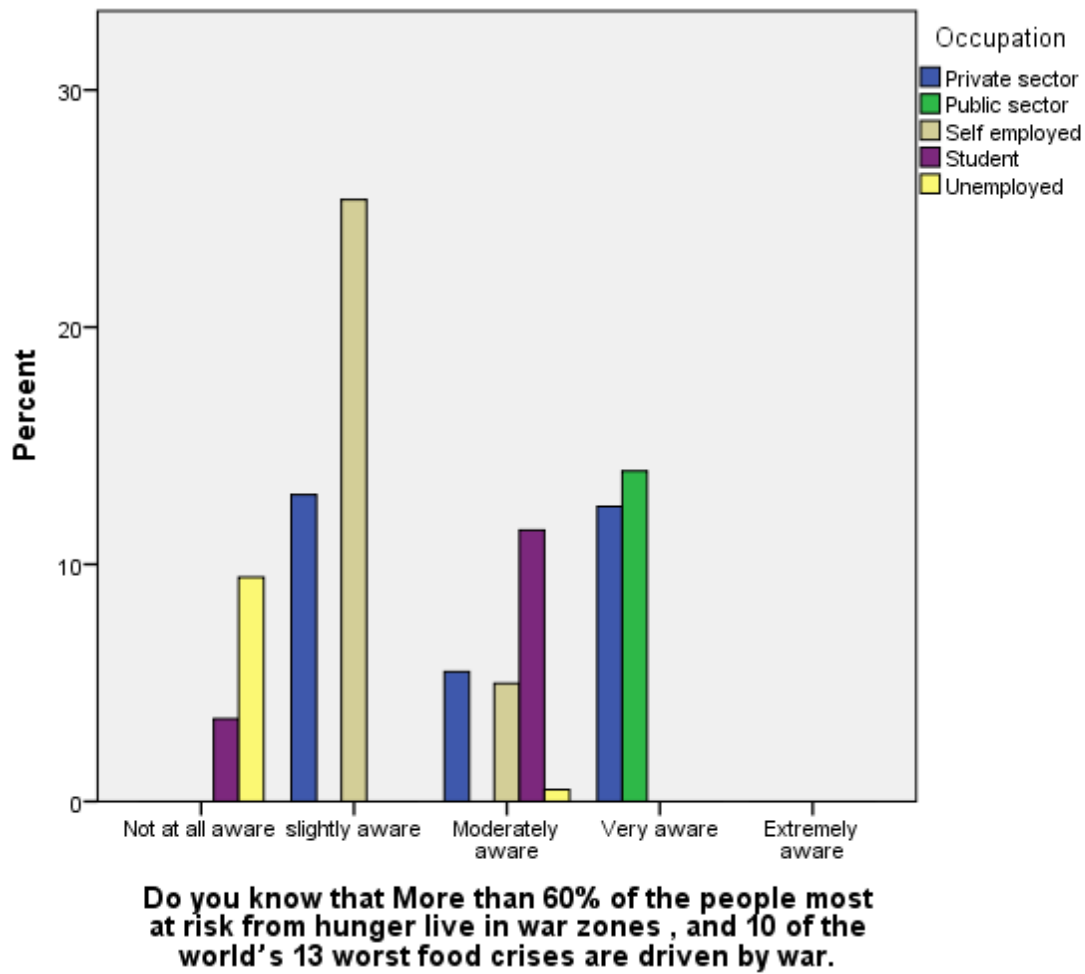
Figure 15



**LEGEND**

Figure 15 dependent variable "Do you know that More than 60% of the people most at risk from hunger live in war zones , and 10 of the world's 13 worst food crises are driven by war." is compared with age.

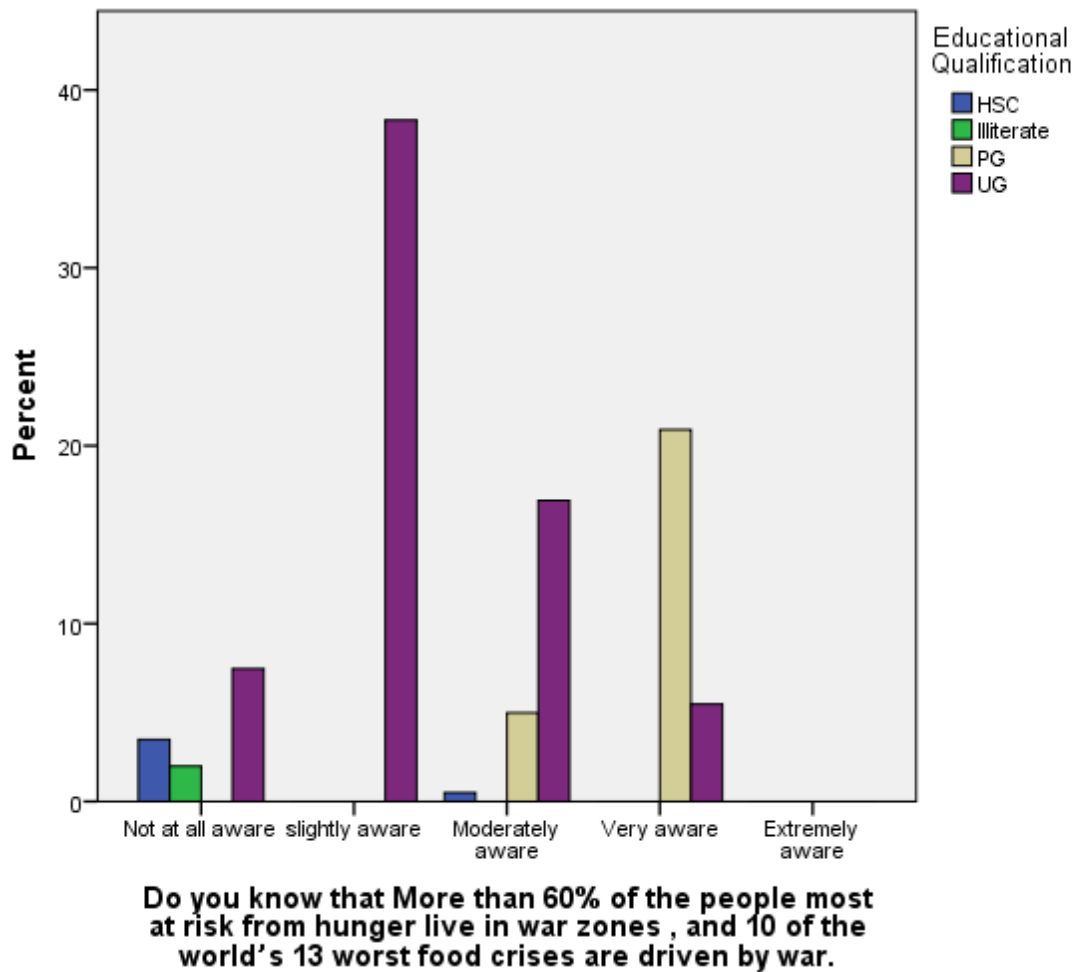
Figure 16



**LEGEND**

Figure 16 dependent variable "Do you know that More than 60% of the people most at risk from hunger live in war zones , and 10 of the world’s 13 worst food crises are driven by war." is compared with occupation.

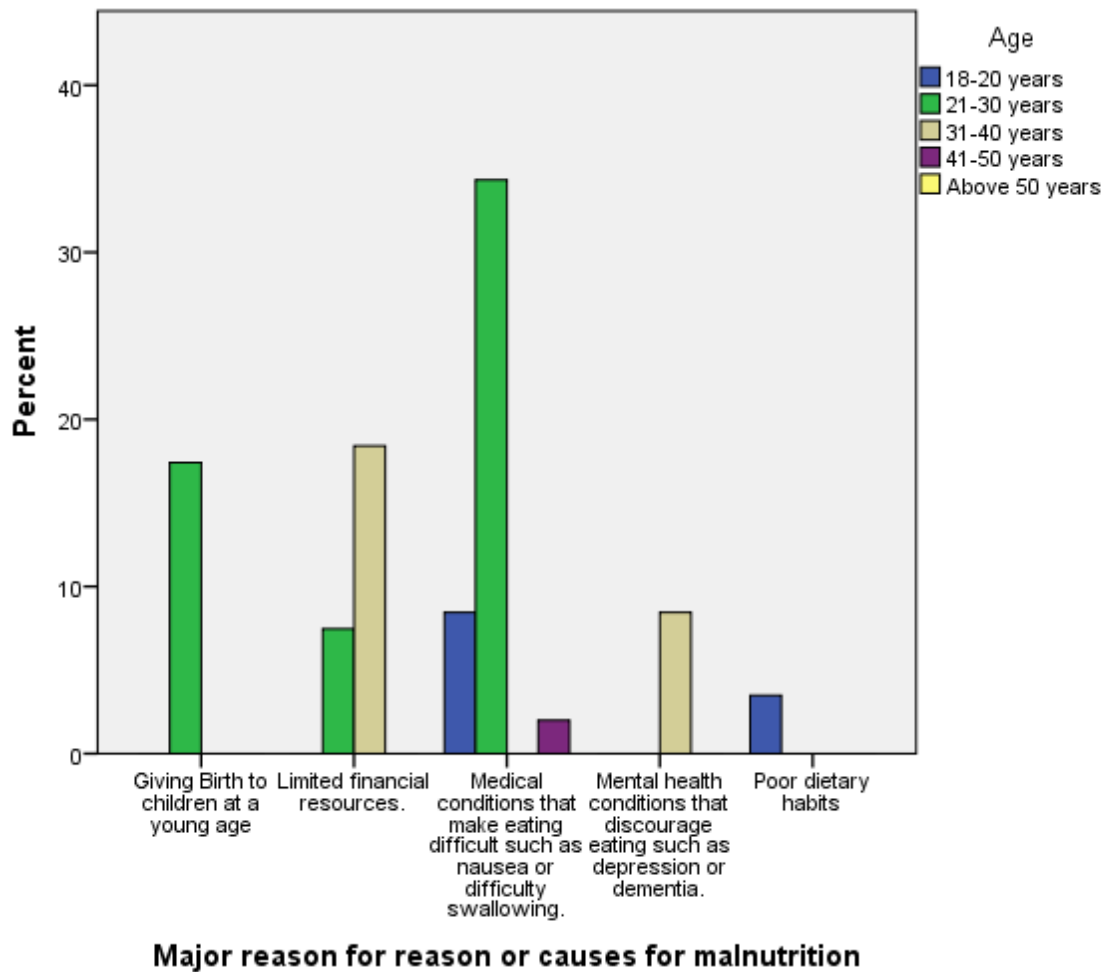
Figure 17



**LEGEND**

Figure 17 dependent variable "Do you know that More than 60% of the people most at risk from hunger live in war zones , and 10 of the world's 13 worst food crises are driven by war." is compared with educational qualification.

Figure 18

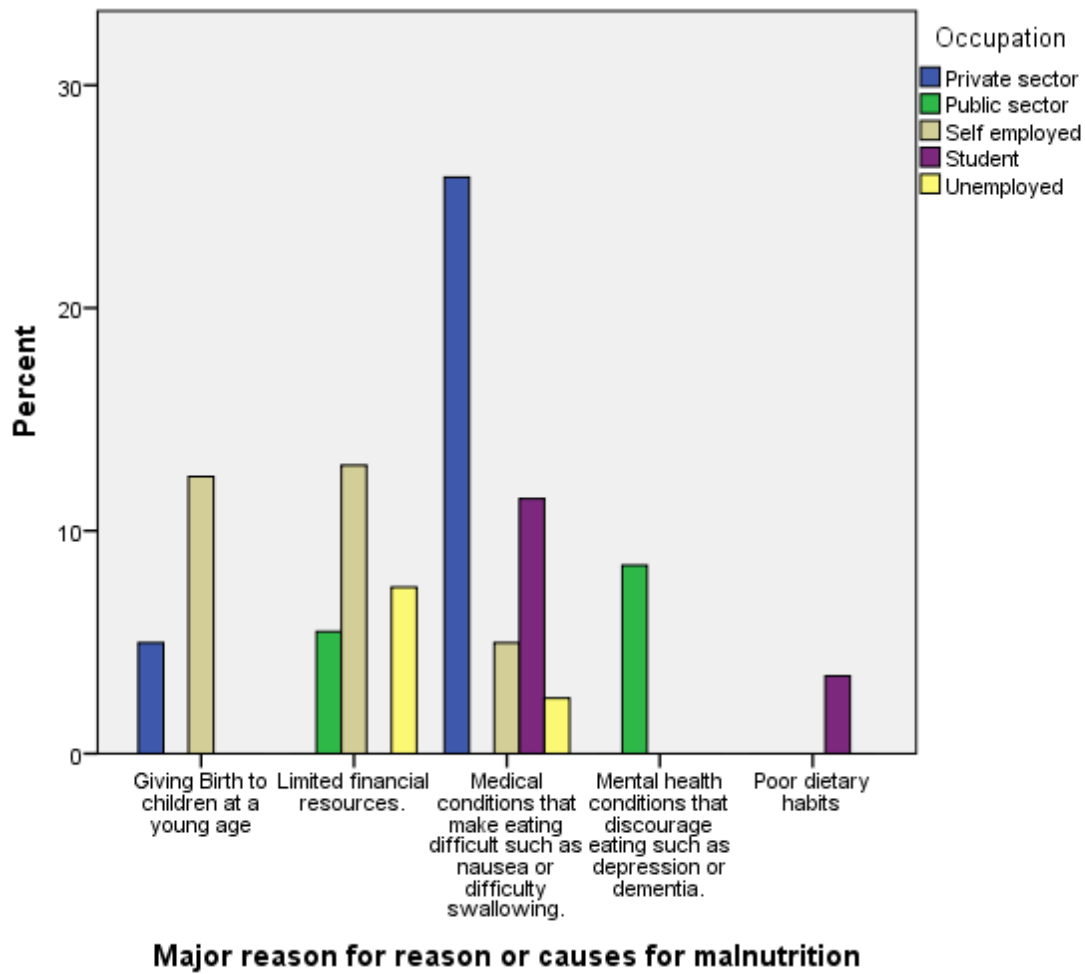


**LEGEND**

Figure 18 dependent variable "Major reason for reason or causes for malnutrition." is compared with age.

Figure 18 shows the age of the respondents here. Most of the respondents are from the age group of 21 to 30 and they say Medical conditions that make eating difficult such as nausea or difficulty swallowing are major reasons for malnutrition.

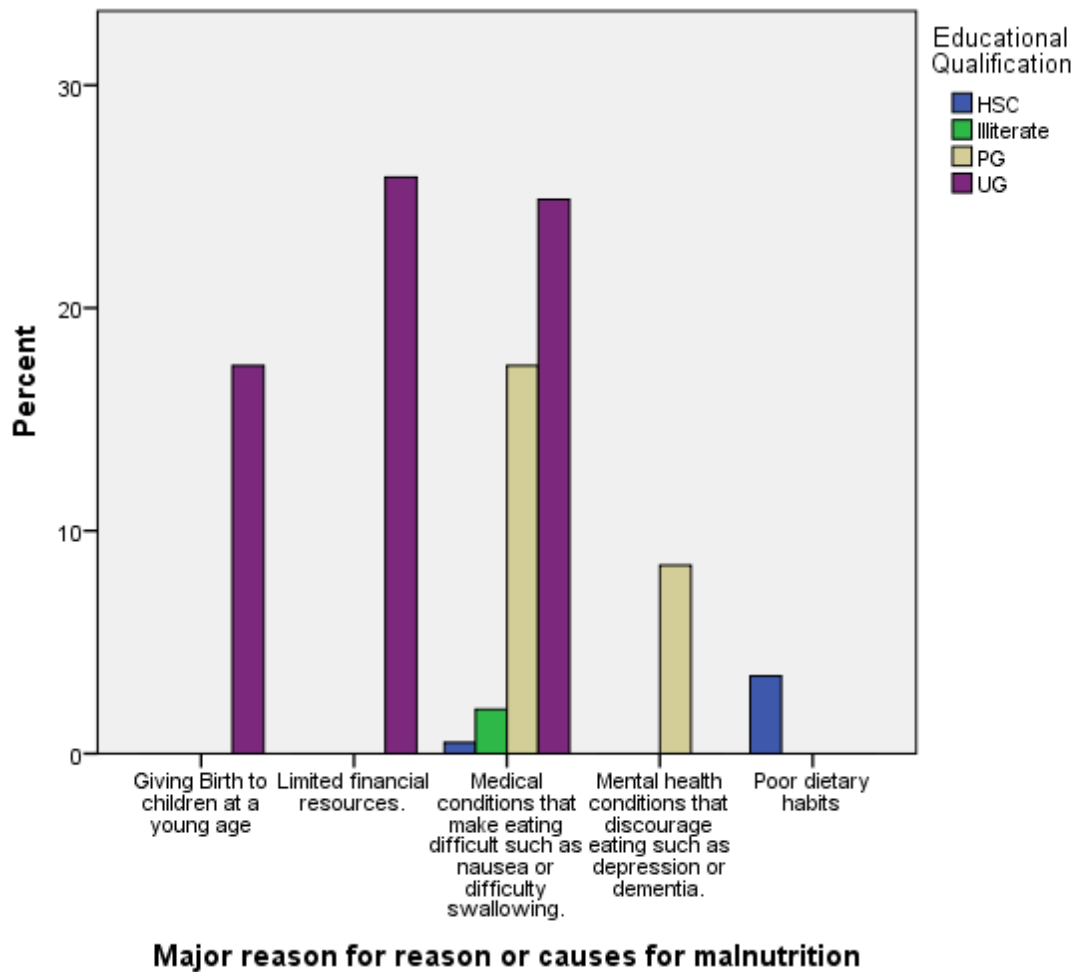
Figure 19



**LEGEND**

Figure 19 dependent variable "Major reason for reason or causes for malnutrition." is compared with occupation.

Figure 20



**LEGEND**

Figure 20 dependent variable "Major reason for reason or causes for malnutrition." is compared with educational qualification.

**RESULT**

Figure 1 shows the age of the respondents here most of the respondents are from age group of 21 to 30. Figure 2 shows the gender of the respondents here, most of the respondents of male. Figure 3 it shows the occupational qualification of the respondents here most of the respondents are private employees. Figure 4 shows the educational qualification of the respondents here most of the respondents are Under Graduate. Figure 5 shows the locality of the respondents here most of the respondents are from urban area. Figure 6 shows the age of

the respondents here most of the respondents are from age group of 21 to 30 and they agree with Raising the level of nutrition and standard of living of the people would be one of the primary duties of the State.” **Figure 7** shows the occupation of the respondents here most of the respondents are from the private sector and they agree that raising the level of nutrition and standard of living of the people would be one of the primary duties of the State.” **Figure 8** shows the educational qualification of the respondents here most of the respondents are UG and they agree that raising the level of nutrition and standard of living of the people would be one of the primary duties of the State.” **Figure 9** shows the age of the respondents here most of the respondents are from age group of 21 to 30 and they voted 5 for India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. **Figure 10** shows the occupation of the respondents here most of the respondents are from private sector and they voted 8 for India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. **Figure 11** shows the educational qualification of the respondents here most of the respondents are from UG and they voted 5 for India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. **Figure 12** shows the age of the respondents here most of the respondents are from age group of 21 to 30 and they say yes for “14 percent of India’s population is estimated to be under-nourished.” **Figure 13** shows the occupation of the respondents here most of the respondents are from private sector and they say yes for “14 percent of India’s population is estimated to be under-nourished.” **Figure 14** shows the educational qualification of the respondents here most of the respondents are UG and they say yes for “14 percent of India’s population is estimated to be under-nourished.” **Figure 15** shows the age of the respondents here most of the respondents are from age group of 21 to 30 and they are slightly aware for More than 60% of the people most at risk from hunger live in war zones , and 10 of the world’s 13 worst food crises are driven by war. **Figure 16** shows the occupation of the respondents here most of the respondents are from private sector and they are slightly aware for More than 60% of the people most at risk from hunger live in war zones , and 10 of the world’s 13 worst food crises are driven by war. **Figure 17** shows the educational qualification of the respondents here most of the respondents are UG and they are slightly aware for More than 60% of the people most at risk from hunger live in war zones , and 10 of the world’s 13 worst food crises are driven by war. **Figure 18** shows the age of the respondents

here most of the respondents are from age group of 21 to 30 and they say Medical conditions that make eating difficult such as nausea or difficulty swallowing for major reason for reason or causes for malnutrition. **Figure 19** shows the occupation of the respondents here most of the respondents are from private sector and they say Medical conditions that make eating difficult such as nausea or difficulty swallowing for major reason for reason or causes for malnutrition. **Figure 20** shows the educational qualification of the respondents here most of the respondents are from UG and they say Medical conditions that make eating difficult such as nausea or difficulty swallowing for major reason for reason or causes for malnutrition.

## DISCUSSION

**Figure 1** shows the age of the respondents here most of the respondents are from age group of 21 to 30. **Figure 2** shows the gender of the respondents here, most of the respondents of male. **Figure 3** it shows the occupational qualification of the respondents here most of the respondents are private employees. **Figure 4** shows the educational qualification of the respondents here most of the respondents are Under Graduate. **Figure 5** shows the locality of the respondents here most of the respondents are from urban area. **Figure 6** shows the age of the respondents here most of the respondents are from age group of 21 to 30 and they agree with Raising the level of nutrition and standard of living of the people would be one of the primary duties of the State." People have the opinion that A government's primary duty is to promote the welfare of its citizens, and nutrition is a critical aspect of human well-being. **Figure 7** shows the occupation of the respondents here most of the respondents are from the private sector and they agree that raising the level of nutrition and standard of living of the people would be one of the primary duties of the State."People have the opinion that A government's primary duty is to promote the welfare of its citizens, and nutrition is a critical aspect of human well-being. **Figure 8** shows the educational qualification of the respondents here most of the respondents are UG and they agree that raising the level of nutrition and standard of living of the people would be one of the primary duties of the State."People have the opinion that a government's primary duty is to promote the welfare of its citizens, and nutrition is a critical aspect of human well-being. **Figure 9** shows the age of the respondents here most of the respondents are from age group of 21 to 30 and they voted 5 for India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. People have the opinion that India will achieve Sustainable Development Goal 2, which aims to end hunger,



achieve food security and improved nutrition, and promote sustainable agriculture by 2030. **Figure 10** shows the occupation of the respondents here most of the respondents are from private sector and they voted 8 for India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. People have the opinion that India will achieve Sustainable Development Goal 2, which aims to end hunger, achieve food security and improved nutrition, and promote sustainable agriculture by 2030. **Figure 11** shows the educational qualification of the respondents here most of the respondents are from UG and they voted 5 for India has been involved in various efforts to achieve Sustainable Development Goal 2 zero hunger through various programs and schemes of the government of India to end hunger by 2030. People have the opinion that India will achieve Sustainable Development Goal 2, which aims to end hunger, achieve food security and improved nutrition, and promote sustainable agriculture by 2030. **Figure 12** shows the age of the respondents here most of the respondents are from age group of 21 to 30 and they say yes for “14 percent of India’s population is estimated to be under-nourished.” People have the opinion that significant proportion of the population continues to face food insecurity and undernourishment. **Figure 13** shows the occupation of the respondents here most of the respondents are from private sector and they say yes for “14 percent of India’s population is estimated to be under-nourished.” People have the opinion that significant proportion of the population continues to face food insecurity and undernourishment. **Figure 14** shows the educational qualification of the respondents here most of the respondents are UG and they say yes for “14 percent of India’s population is estimated to be under-nourished.” People have the opinion that significant proportion of the population continues to face food insecurity and undernourishment. **Figure 15** shows the age of the respondents here most of the respondents are from age group of 21 to 30 and they are slightly aware for More than 60% of the people most at risk from hunger live in war zones , and 10 of the world’s 13 worst food crises are driven by war. People have the opinion that Conflicts and war can have a devastating impact on food security and agriculture, leading to disrupted food supply chains, loss of livelihoods, displacement, and increased food prices. **Figure 16** shows the occupation of the respondents here most of the respondents are from private sector and they are slightly aware for More than 60% of the people most at risk from hunger live in war zones , and 10 of the world’s 13 worst food crises are driven by war. People have the opinion that Conflicts and war can have a devastating impact on food security and agriculture, leading to disrupted food supply chains, loss of livelihoods,

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## **LIMITATION**

The Major limitation of the study is the sample frame. The sample frame Collected through the general public in this major drawback is they are not responding in the proper way. The respondents of the general public are major drawbacks.

## **SUGGESTION**

Legal protection for malnourished children is to enact legislation that recognizes malnutrition as a violation of children's rights, strengthen the legal framework around child welfare and protection. legislation could establish the right of all children to access adequate food and nutrition, and require the government to take proactive steps to ensure that this right is fulfilled. And there is a need for greater public awareness and education around the issue of malnutrition

and the rights of malnourished children. This could involve launching public awareness campaigns to highlight the importance of adequate nutrition for children's health and development, and to encourage parents and caregivers to seek treatment for malnourished children.

## **CONCLUSION**

In conclusion, malnutrition among children in Tamil Nadu is a persistent issue that requires urgent attention from policymakers, government agencies, civil society organizations, and the public at large. Despite several legal provisions in place to address the issue, implementation and enforcement remain major challenges. There is a need for more proactive measures such as increased funding, capacity building for frontline workers, and public awareness campaigns. Moreover, the legal framework needs to be strengthened to ensure accountability and transparency in the implementation of policies and programs aimed at addressing malnutrition. Concerted efforts and collaborations among stakeholders are necessary to address the issue comprehensively and achieve the goal of zero hunger and malnutrition-free society. Some suggestions are legal protection for malnourished children is to enact legislation that recognizes malnutrition as a violation of children's rights, strengthen the legal framework around child welfare and protection. legislation could establish the right of all children to access adequate food and nutrition, and require the government to take proactive steps to ensure that this right is fulfilled. Malnutrition remains a significant problem in Tamil Nadu, and there is a pressing need to strengthen the legal framework to protect the rights of malnourished children. This can be achieved through a concerted effort by policymakers, stakeholders, and civil society organizations to prioritize the issue, raise awareness among the public, and address systemic issues that hinder the effective implementation of policies and programs.

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