

Chairman's Speech*

Hon'ble Mr. Justice S. Ratnavel Pandian, Chairman**

IAS the Chairman of the Organising Committee of this International Conference deem it a great privilege and honour in joining with Mr. R.K. Anand, the Executive Chairman and extending a cordial welcome to the President of India, the Prime Minister of India, the Chief Justice of India and the Hon'ble Ministers and all who have been able to find time and to be with us this evening inspite of a life so full of engagements and also to our distinguished delegates and guests who have come from different parts of India and different parts of the world to participate and to all the invitees who are present here.

I hope, this Conference attended by child-care specialists, human health scientists and jurists will certainly provide an ideal opportunity for inter-change of ideas and knowledge amongst the participants which will go a long way to quicken the process of law in relation to the topics assigned for discussions and deliberations. The subject chosen for this Conference on 'Shaping the Future by Law: Children, Environment and Human Health, which embraces many interesting range of topics, fascinating and fathomable, is posing serious global challenges in shaping the future life of mankind.

As you all know, many a time in human history, great societies have withered away on account of their failure to realise the significance and importance of protecting the

child and to prevent the health hazards and environmental pollution. The problems with which we are confronted and which receive a new intensity and a new range and require a systematic and authoritative treatment, are the world-wide phenomenon. To achieve the desired survival of child rights and development in healthy environment, we have to look beyond today into the unknown tomorrow through the instrument of law which is the very foundation of civilised society and which shapes the future of mankind.

True, there is multiplicity of laws providing for the care, protection, treatment and development of the child and in relation to human health and eradication of environmental pollution but we cannot claim to have achieved the desired results.

Realising this crisis situation, we in India came out with a National Policy for the welfare of children which contained a preambulatory declaration, which I quote :

The nation's children are a supremely important asset. Their nurture and solicitude are our responsibility. Children's programmes should find a prominent part in our national plans for the development of human resources, so that our children grow up to become robust citizens, physically fit, mentally alert and morally healthy, endowed with the skill and motivations needed by society.

The necessary corollary is that if a child is a national asset it is for the State to look after the child with a view to ensure full development of its personality.

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In this connection, I would like to bring to your notice that in a recent judgment, the Supreme Court of India has ruled that a child has a fundamental right to free education up to the age of 14 years flowing from Article 45 and that right is explicit in the 'Right to Life' enshrined in Article 21 of the Constitution of India. (*Vide Unni Krishnan, J.P. & Ors. v. State of A.P. & Ors etc., 1993 (1) SCC 645.*)

It may not be out of place to mention here that the founding fathers of the Indian Constitution keeping in view the welfare of the children, the improvement of human health and the protection and improvement of environment by appropriate State action have introduced a separate part in the Constitution under the heading 'Directive Principles of State Policy' in pursuance of which States are required to take all necessary and effective measures to deal with the problems concerning the welfare and development of children, their social aspects, health and nutritional status as well as the basic human health facilities and environmental pollution.

In fact, the above directive principles contain within its scope all the principles proclaimed in the U.N. Convention on the Rights of the Child, the U.N. Declaration of the Rights of the Child and the Geneva Declaration of the Rights of the Child of 1924.

Though social awareness plays an important role in dealing with those problems, law becomes an essential instrument through which the future life of mankind can be successfully shaped.

I hope, the participants in this Conference will deal with the challenges pertaining to the subjects under debate realistically at their grass-root level and the discussions would be fruitful and help evolving pragmatic approaches to most of the current problems.

I once again sincerely thank the high dignitaries and all of you, present here.

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