

Minutes of the 33rd Statutory Meeting of the Commission held on 2nd November, 2017 in the Conference Room (5th floor) of NCPCR, Chanderlok Building, Janpath, New Delhi.

The 33rd Statutory Meeting of the Commission was held on 02.11.2017 at 11:00 A.M. in the Conference Room (5th floor) of NCPCR. The following were present:

Ms. Stuti Kacker, Chairperson
Shri Yashwant Jain, Member
Shri Priyank Kanoongo, Member
Ms. Rupa Kapoor, Member
Smt. Geeta Narayan, Member Secretary

The meeting commenced with a welcome note and brief introductory remarks by the Chairperson.

Confirmation of the Minutes of 32nd Statutory Meeting of the Commission held on 04.07.2017.

The Chairperson informed that the Minutes of the 32nd Statutory Meeting of the Commission were treated as confirmed as no comments were received.

Action Taken Reports on the decisions taken in the 32nd Statutory Meeting of the Commission held on 04.07.2017 including the items carried forward from the 27th to 31st Statutory Meetings:

The Member Secretary informed that the ATRs of 32nd Statutory Meeting including the items carried forward from the 27th to 31st Statutory Meetings of the Commission were reviewed by her and it was observed that the status on ATRs of most of the items of 32nd Meeting is still awaited. However, she informed that around 50 out of the 91 items identified as pending, from the items carried forward from the 27th to 31st Statutory Meetings, can be deleted from the pending list based on the actions taken so far. She also informed that the status of ATRs of Education Division has not been updated. She requested all the Members to update the status of items pending with them. Further, she informed that on receipt of updated status a consolidated list will be prepared and reviewed on file.

The Chairperson directed that the items, on which action has been completed, should be deleted from the pending list by the Member Secretary at her level. She also directed that a consolidated list of pending items carried forward from the 27th to 31st meetings including the items considered in the 32nd Statutory Meeting may be circulated to the Members and concerned officers/ officials for taking the required action. All the Members and concerned officers/officials were requested to ensure that the pendency is reduced to the bare minimum within a month's time.

AGENDA ITEMS

AGENDA ITEMS PROPOSED BY MEMBER SECRETARY - SMT. GEETA NARAYAN:

Agenda 1: Proposal for strengthening of National Commission for Protection Child Rights (NCPCR) and creation of additional posts - ratification regarding:

A power point presentation was made before the Commission and detailed discussions were held. The following points emerged out from the discussions:

- ❖ There should be 6 Presenting Officers in Legal and Complaints Division instead of 5.
- ❖ One Deputy Secretary level post in North East Cell in addition to other posts already proposed.
- ❖ Nomenclature of RTE Division should be replaced by Education Division.
- ❖ All Members should have similar staff strength.
- ❖ It was felt that there should be a separate NE Cell; Legal Cell; and Research, Publication, Statistics & Resource Centre. There should be one Assistant Director for data management. There also should be one Librarian along with Record/Book-Keeper.
- ❖ It was desired that distribution of staff should be subject/division-wise.
- ❖ 2 posts of PS (1 for MS and 1 for Registrar) may be added in the proposal.

Decision: It was decided to revise the staff strength and incorporate the desired modifications accordingly, and a revised proposal may be submitted to MWCD.

[Action: MS]

Agenda 2: Guidelines for holding public hearings in the field:

The draft guidelines were discussed in the meeting and the Commission was of the view that the title of these guidelines may be revised as "***Guidelines for transaction of business outside headquarters***" as mentioned in Section 21 of the CPC Act, 2005.

Further, it was desired to incorporate the following corrections in the guidelines:

- ❖ Under the heading "***Preparation***" Point No.1 may be read as "***Action may be initiated in advance for maximum two-day visit***".
- ❖ Under the heading "***Other invitees***" the following may be added:-
"Any other person as considered necessary"

Decision: It was decided to amend the guidelines to incorporate the above suggestions and upload thereafter on NCPCR's website.

[Action: MS]

Agenda 3: Study Report submitted by Gujarat National Law University (GNLU) - regarding:

The Commission had a detailed discussion on the Report submitted by the Gujarat National Law University (GNLU).

Decision: Based on the reports of the Peer Group, it was unanimously decided to reject the report submitted by the Gujarat National Law University (GNLU). As regards the refund of amount released to GNLU, 10% security deposit by GNLU and the penalty clauses in the TORs, it was decided to seek legal opinion from the Ministry of Law and Justice through MWCD.

[Action: MS]

Agenda 4: Survey of implementation of the RTE Act in the State of Rajasthan - Assessment of performance of schools under RTE Act - Payment regarding:

The Commission had a detailed discussion on this issue. Member (PK) requested for re-examining the way RSCPCR executed the study through the two agencies as he had some reservations in this matter.

Decision: It was decided to re-examine as per Member (PK)'s observations.

[Action: MS]

Agenda 5: Guidelines for carrying out Research activities through Civil Society Organizations/Research Institutions/University Departments:

The draft guidelines were discussed in the meeting and the Commission was of the view that the title of these guidelines may be modified as "***NCPCR's guidelines for carrying out Research/Survey activities through Civil Society Organizations/Research Institutions/University Departments etc.***"

Further, it was desired to incorporate the following corrections in the guidelines:

- ❖ The 2nd sentence of Para 5 (a) under the heading "***Duration of Research Projects***" may be read as "***The short-term project would be for duration of upto 1 year and the long-term project for a period of 1 year to 3 years.***" As 3 years is the term of the Commission and effort should be made that the task is completed within the term of the Commission awarding it".
- ❖ Para 6 of the guidelines may be read as under :

"Financial Assistance:

The financial assistance would be provided subject to the provisions laid down in the General Financial Rules (GFR) of Government of India for procurement of Goods and Services.

An Organization/Individual/Institute may be engaged on nomination basis as per powers delegated to the Chairperson relating to financials transaction of the Commission under the CPCR Act, 2005, readwith: the provisions of General Financial Rules (GFR), Delegation of Financial Powers Rules (DFPR), and economy instructions issued by the Ministry of Finance of the Central Government from time to time. The above has to be rectified by the Commission in the Statutory Meeting."

- ❖ Procedure for tendering in detail to be defined within the framework of GFR and incorporated. GST provision to be included.
- ❖ GFR Rules to be amplified.

Decision: It was decided to amend the guidelines to incorporate the above suggestions and upload thereafter on NCPCR's website.

[Action: MS]

Agenda 6: Generating awareness about the child rights and related issues through Directorate of Field Publicity (DFP), Ministry of Information & Broadcasting:

This issue was discussed in the meeting in detail. The Commission was of the view that the topics should be as per NCPCR's mandate and specifically on the 4 categories of Child Rights, viz.:

- ❖ **Right to Survival** – to life, health, nutrition, name, nationality
- ❖ **Right to Development** – to education, care, leisure, recreation, cultural activities
- ❖ **Right to Protection** – from exploitation, abuse, neglect
- ❖ **Right to Participation** – to expression, information, thought, religion

Decision: It was decided that the Child Rights contents to be looked into and got prepared accordingly by a competent agency.

[Action: All Members]

The meeting ended with a vote of thanks to the Chair.

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