

File No. 35014/03/2013- (Coord)
National Commission for Protection of Child Rights
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Date: 22/08/2013

Circular

A copy of the minutes of the Meeting on Administration/Policy Issues held on 5th August, 2013 at 03:00 P.M as approved by the Chairperson, NCPCR is circulated herewith for information and necessary action.


(Anupam Mishra)
Director

To

1. The Chairperson, NCPCR.
2. Member (DD)/Member(YD)/Member (VKT)/Member(VP)/Member (NN)/
Member Secretary, NCPCR .
3. AD/AO, NCPCR.

Copy for information & necessary action to:

1. CL (Estt.)/CL (GA)/CL (Prog)/CL (Coord)/CL (Legal), NCPCR.

Copy for information to:

1. PS to Member Secretary, NCPCR
2. PA to Director, NCPCR.
3. All STE/TE/JTE/Consultants/Contractual staff of NCPCR (as per the list attached)
4. Minutes Register, NCPCR.
5. Guard File, NCPCR.

Minutes of the Meeting on Administrative/Policy Issues held on 5th August, 2013 at 3.00 P.M.

A meeting was held in the Conference Room of the Commission on 5th August 2013 to discuss administrative/policy issues. The following were present in the meeting:

- (i) Chairperson, NCPCR
- (ii) Member (DD), NCPCR
- (iii) Member (VKT), NCPCR
- (iv) Member (VP), NCPCR
- (v) Director, NCPCR

2. Initiating the discussions the Chairperson pointed out that certain administrative/policy issues remained pending till the Statutory Meeting of the Commission which was held every three months. It was felt that separate meetings of the Commission could be held to expedite decisions on such issues. The decisions taken in these meetings could be later on ratified in the Statutory Meeting of the Commission.

3. The following issues were discussed in the meeting:

1.1. Leave Policy:

The meeting started with the discussion on the leave policy being followed in the Commission. It was informed that the contractual staff is being given casual leave of 12 days per year and no medical leave is being given as of now. After discussions it was agreed that medical leave should be sanctioned to the contractual staff. Reference was made to the O.M. dated 28 February 1988 of DOPT pertaining to grant of earned leave @ of 2 ½ days per month of service for ad hoc and vacation staff, and to the Model Memorandum of Association of the State Child Protection Society, prepared by the Ministry of Women & Child Development, in which the contractual staff is permitted medical leave as applicable in the State Government. After discussion it was agreed that we may follow the guidelines circulated by the Ministry of Women & Child Development for medical leave for consultants. Following decisions were taken:

- (i) As per Central Government norms half pay leave for 20 days a year may be allowed to all contractual staff engaged for a period of minimum one year.
- (ii) The leave can be carried forward in case the contractual agreement is further extended.
- (iii) The leave will be granted on production of a medical certificate from a Registered Medical Practitioner.

1.2. Release of monthly remuneration of STE/JTE/TE:

The Chairperson pointed out that there were complaints received regarding delay in the payment of monthly remuneration of the contractual staff. It was clarified that the delay was on account of late submission of the monthly reports by some of the consultants. It was further clarified that Para 6 of the Contractual Agreement and Point 10 of the Annexure-I of the Terms and Conditions for contract appointment the phrase "so as to enable administrative section to release the monthly remuneration" (in terms of GFR Rule 170) had been included in the provision for submission of the monthly reports. After discussion it was decided that Para 6 of the Contractual Agreement and Point 10 of the Annexure-I of the terms and conditions may be amended to delete the above-mentioned phrase so as to delink the submission of the monthly report from the release of remuneration. The requirement of submission of monthly report by the STE/JTE/STE would however continue.

1.3. Maintenance in the Mohan Dev Building:

The issue of unsatisfactory air-conditioning in the Mohan Dev building was discussed. As per the lease agreement the owners of the building are required to provide effective air-conditioning in the area occupied by the NCPCR. Since the owners have failed to do so, it was decided to issue notice to the owners of the building.

1.4. Matter relating to sale of babies:

Member (VKT) raised the issue that at present there is no law to ban the sale of babies in the country. Member (DD) pointed out that IPC Section 372-373 dealt with buying and sale of girls. Further, there are laws preventing the sale of human flesh. Member (VKT) was of the view that these provisions did not cover the sale of babies. It was agreed that Member (DD) would examine the matter and see if there were any provisions in the existing law which prohibits the sale of babies.

1.5. Directions of Ministry of Women & Child Development on the legal Cell:

The Office Order No.113/2013 of the Ministry of women & Child Development was discussed in the meeting. After discussion it was decided that the Commission may agree to share its reply with the Ministry in cases where both Ministry of Women & Child Development and NCPCR are parties. However, in cases where the NCPCR alone is the respondent or in cases filed by the NCPCR in accordance with the mandate provided under CPC Act, the autonomy of the Commission should be maintained. It was unanimously agreed that a suitable reply on the above lines may be sent to the Ministry of Women & Child Development in response to the O/O dated 22.07.2013.

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



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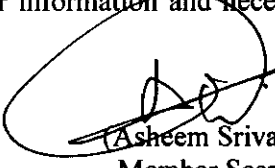
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File No. 11011/27/2012-Admn

Date: 21/10/2013

Circular

A copy of the minutes of the 28th Statutory Meeting of the Commission held on 8th October, 2013 as approved by the Chairperson, NCPCR is circulated herewith for information and necessary action.


(Asheem Srivastav)
Member Secretary

To

1. Chairperson, NCPCR.
2. Member (DD)/Member(YD)/Member (VKT)/Member(VP)/Member (NN), NCPCR.
3. Director, NCPCR.
4. AD/AO, NCPCR.
5. CL (Estt.)/CL (GA)/CL (Prog)/CL (Coord)/CL (Legal), NCPCR.
6. PS to Member Secretary, NCPCR
7. Minutes Register, NCPCR.
8. Guard File, NCPCR.

National Commission for Protection of Child Rights

Minutes of the 28th Statutory Meeting of the Commission held on 08.10.2013

The 28th Statutory Meeting of the Commission was held on 08.10.2013 in the Conference Room of NCPCR. The following were present:

1. Ms. Kushal Singh, Chairperson
2. Ms. Dipa Dixit, Member
3. Shri Vinod Kumar Tikoo, Member
4. Dr. Yogesh Dube, Member
5. Ms. Nina P. Nayak, Member
6. Dr. Vandana Prasad, Member
7. Shri Asheem Srivastav, Member Secretary
8. Shri Anupam Misra, Director

The meeting started with the introductory remarks by the Chairperson followed by the presentation of RTE anthem on 'Sarva Siksha Abhiyaan' made by MHRD. The idea of making a similar anthem for NCPCR was agreed to by all Members.

1. Minutes of the 27th Statutory Meeting of the Commission held on 9th July, 2013 were confirmed after the following decisions:-

- (i) In view of the assertion of Member(DD) that

"due to delay in appointment of Project Coordinator and other functionaries by the administration, the J&K PPPCR had been going slow after November, 2011 and since the terms of a number of persons had already expired and had not been renewed, the Programme was no longer functional in the State. Member (DD) categorically stated that administration should not be protected for their lapses"

- (ii) Member (YD) stated that

"if this program was closed due to the lapses on the part of administration, then it was a matter of great concern"

Member Secretary assured the Commission that he will examine the files and circulate the factual position in this regard.

A copy of the factual position enclosed as Annexure with the minutes

- (iii) In para 31, row 5, the digits 2011 will be replaced by 2012.



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2. The Action Taken Reports (ATRs) in respect of 27th Statutory Meeting of the Commission was reviewed and following decisions were taken:-

S.No. of ATR	Agenda Item	Decision of 27 th Statutory Meeting	Status of Action	Discussions taken during 28 th Statutory Meeting
1.	Confirmation of the minutes of the 27 th Meeting of the Commission held on 09/07/2013.	4(a) On the policy on Engagement of NCPCR with Civil Society It was decided that a policy note on the engagement of NCPCR with civil society should be developed by the Registrar.	Members have been requested to provide necessary input to develop the policy note.	Member (VP) informed that she had offered to assist in the development of the policy on engagement of NCPCR with civil society keeping in view the NHRC policy document. It was also clarified that the terms of reference of the Committee headed by Member (VKT) for funding of NGOs was different from the policy note under discussion. Decision It was decided to develop the concept note on the policy on engagement of NCPCR with civil society concomitant with the work of the Committee on funding of NGOs headed by Member (VKT).
3.	B-3	11. Protocol for summon hearing The administration would follow up the matter to obtain opinion from the Law Ministry.	Letter sent to the Ministry of Women and Child Development.	The ATR on protocol for summon hearing was discussed w.r.t. powers of the Commission as envisaged in Section 14(1) A of the CPC Act, 2005. Member Secretary informed the Commission that since no previous reference was sent to the Law Ministry by the Member, a letter was recently sent to MWCD seeking necessary clarification. Member (DD) commented that Commission should not compromise with its autonomy and directly write to the Law Ministry and not through MWCD. Decision



				It was decided to send a fresh letter directly to Ministry of Law seeking clarification in respect of the powers of the Commission while conducting enquiry/ summon hearing under Section 14(i) A of the CPC Act, 2005. The letter should include details of present practice being followed in NCPCR.
4	B-4	12. Administrative Matters: Supply of basic requirement like laptops printers etc. and replacement of any non-functional computers/ printers.	New Split AC was purchased and installed in Room No. 3 of Dr. Yogesh Dube, Member, NCPCR. New Color Printer was purchased and installed in Room No. 3 of Dr. Yogesh Dube, Member, NCPCR. 2 New FAX machines were purchased and installed at Reception Counter and CP's Office. 2 Photocopier Machines have been installed at Chanderlok Building and Mohandev Building on rental basis. 12 pedestal fans were purchased and provided to RTE Division, JJ Cell and POCSO Cell in Mohandev Building.	Keeping in view the problem of frequent break down of the telephone system, it was decided to surrender some telephone numbers of MTNL in order to have additional parallel lines from other service providers like Airtel etc. to provide an alternative to the existing MTNL connection.
8	D-15 (CORD Study final report)	26. It was decided that the contents of the Research Study Report received from CORD would be examined by the Members and they will send the comments for further necessary action.	It was decided in the meeting that the contents of the Research Study Report received from CORD would be examined by the Members and they will send their comments for further necessary action. Comments of Member(VKT) and Member(YD) on report were received on 21.7.2013 & 30.7.2013 respectively. Member(VP) commented on file:- Regarding comments of Member(VKT) and Member(YD)	On the ATR related to CORD study: Member (VP) stated that she had examined the report and was satisfied with the final output arrived at after incorporation of all comments and suggestions. The Chairperson was of the view that since the research study has already been completed, the discussion on issues relating to procedural lapses at this late stage will not serve any purpose especially when CAG has already raised queries wrt to procedure. Member (VKT) mentioned that his comments were on the contents of the report.



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		<p>i. Spelling mistakes in names and designation in acknowledgements page to be corrected by RTE Division.</p> <p>ii. For the rest – all these issues have been discussed at the various meetings with experts during the finalization of the report. They pertain to methodology and the limitation of the methodology, which was approved by various committees (page 13, 62, 66, 204, 331, 334, 347, 374, 375, 376 of correspondence and pages 1, 4, 5, 6, 10 etc. of the note sheet).</p> <p>It is not my prerogative to comment on what was decided by due process. Thus, with the minor correction in place, the report should be accepted.</p> <p>Regarding tools developed by this study: they are of the tools being used as a template for improvements and updation before being provided to Ministry of HRD and others for potential use across the states.</p> <p>Some of the comments are factually, incorrect STE(RN) to kindly correct acknowledgements page.”</p> <p>Chairperson, NCPCR on the comments of Member(VP) on file observed, “As the report is now complete little purpose will be served by reopening the issues. Comments of Member(VKT) and Member(YD) be kept on file for record.”</p> <p>Relevant extracts from file no. 25-96/2012/NCPCR-RTE of CORD Study from Page 40-44/n are enclosed.</p>	<p>Member (VP) stated that she had examined the report and was fully satisfied with the contents and did not find comments of Member (VKT) and Member (YD) valid. Member (YD) desired that instead of Member (VP) responding to the report, CORD should respond to the issues/objections raised by him.</p> <p>Chairperson was of the view that since the final report has already been submitted, the issues raised by Member (VKT) and Member (YD) will be placed on record.</p> <p>Decision</p> <p>Comments and objections of Member (VKT) and Member (YD) to be placed on record.</p>
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10	E-18 (Approval of BBS Programme Closure Report)	30.A report on finalization & settlement of accounts of BBS. Preparation of short programmatic note and its submission to PMO through MWCD alongwith the closure report. 31. Closure of PPPCR Programme of J&K Convey of decision for closure of PPPCR Programme in J&K to the field staff and early settlement of accounts.	A report of finalization and settlement of Accounts as approved by CP is enclosed. Action Taken Report awaited from Member (DD), NCPCR.	It was clarified that the ATR prepared by Member (DD) has already been given and was not placed before the Commission since it was lying in the Accounts Division and not in the Program Division
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Discussion on Agenda Points:

Agenda Item No. 1 : Ratification of following decisions taken during the Meeting held on 05.08.2013 for Admn/Policy issues.

- (a) Leave Policy (Regarding Grant of Medical Leave to the Contractual Staff)
- (b) Release of monthly remuneration of STE/TE/JTE (Regarding delinking of submission of monthly work report from the release of remuneration)

Decision: Leave policy and release of monthly remuneration of STE/JTE/TEs decided during the meeting on 5th August, 2013 was ratified.

Agenda Item No. 2 : Annual Increment Policy for Contractual Staff (Technical and Administrative).

The Chairperson, while elaborating on the need for increment policy, mentioned that in the past the increment to the staff was given in ad hoc manner and therefore it was essential to have a clear cut policy on increment. She suggested that the increment of 5% should be given to staff on completion of each year of service after due assessment of their performance.

Members were of the view that since there was no provision for the increment to outsourced staff, it would be appropriate to provide them an annual bonus equivalent to one month remuneration.

Decision

- (i) The annual increment policy proposed in the Agenda was accepted;
- (ii) A bonus equivalent to one month salary to be given annually to all outsourced staff.

Agenda Item No. 3 : Contradiction between POCSO and MTP Act.

Member (VP) gave a detailed account of the discrepancy between the provision of the POCSO Act and MTP Act, and elaborated on the intrinsic contradictions in the two Acts from the point of view of health professionals. She highlighted that pediatricians have to make judgment calls with reference to the contradiction between MTP Act which permits safe abortion for adolescent girls in confidentiality where as under the POCSO Act medical professionals are to report any case of abortion of adolescent girls as statutory rape. Member (DD) supported the contention of Member (VP) and mentioned that the judiciary is also seized with the issue of age of consent vis a vis the circumstances of events. NCPCR should have a round table and invite jurists, health professionals and others to debate on the issue of age of consent.



Decision

Member (NN) and Member (DD) will prepare a background concept paper on the issue and initiate a round table conference in this regard.

Agenda Item No. 4 : Organizing Public Hearings between October, 2013 to March, 2014 – identifications of States.

Chairperson shared her experience of Public Hearing at Gorakhpur. She was of the view that public hearings will have more impact and participation if organized in collaboration with the Civil Society Members, SCPCR, State and District Administration, and local NGOs.

Chairperson expressed concern at the current pace of public hearings and it was therefore **decided** that:

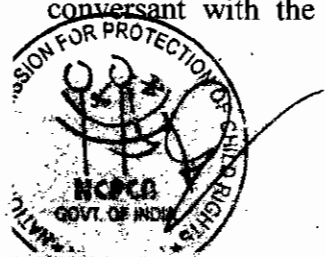
- a) Instead of Member (VP) alone organizing the public hearings for RTE, all members may take initiative to organize public hearings in the states they are looking after;
- b) Public hearings may be organized in collaboration with SCPCRs wherever they have been set up;
- c) NCPCR will organize 06 public hearings between October, 2013 to March, 2014, as per the tentative schedule mentioned below:-

S.No.	Tentative Schedule	State
1	October 2013	Haryana/ Manipur
2	November 2013	Gujarat
3	November 2013	Uttar Pradesh (Lucknow)
4	Early December, 2013	Jharkhand
5	January, 2014	Punjab
6	February, 2014	Rajasthan

Agenda Item No. 5 : Review of performance of POCSO Cell with reference to provisions under POCSO Act and Rules.

Chairperson initiated the discussion by pointing out that the monitoring role of NCPCR envisaged in the Section 40 of the POCSO Act and Rule 6 of POCSO rules was the basis for the creation of the POCSO Cell and therefore the cell should prepare its work plan, activities and output accordingly.

Member (NN) briefed the Commission on the activities and outputs carried out by the POCSO Cell. She mentioned that since the POSCO Act was a new law, not many STE/TE/JTE are conversant with the provisions and therefore she was not in a position to get appropriate



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consultants despite several interviews. She pointed out that support of NGOs in designing various guidelines was being taken. Chairperson, clarified that since the complaints under POCSO were now redistributed to all Members, the structure of POCSO cell needs to be modified accordingly. Members, while discussing the establishment and functioning of POCSO cell, suggested that the mandate of cell is not limited to grievance redressal only. Commission should also give priority to developing monitoring guidelines as envisaged in the Act. Member (YD) wanted to know the progress of the approved work plan.

Decision

- a) Commission not to formulate any guidelines that are not the statutory responsibility of NCPCR;
- b) Commission should give priority to developing monitoring framework as envisaged in the Act;
- c) In the context of discussion on rule 6 (d) of the POCSO rules, the Commission agreed to seek specific inputs on how many states have done training of their police personnel;
- d) Member (NN) to provide a detailed report (as per Rule 6 of the POCSO rule) for inclusion in the Annual Report;
- e) All POCSO related letters issued by the Commission will be endorsed to SCPCRs for their information and necessary action.

Agenda Item No. 6 : Review of performance of RTE Cell with reference to Annual Work Plan 2013-14.

Member (VP) informed that most of the RTE team members were recruited in June/July this year and that has affected the performance of RTE cell. She highlighted that 2547 complaints were pending and suggested that all Members should carry pending complaints when visiting the State. She also mentioned that not much headway was made in empowering SMCs. Member (VP) stated that from her side she had finalized the CORD study and she would be finalizing school audit tool and rapid appraisal of RTE entitlements shortly. Member (YD) questioned the involvement of UNICEF in RTE data analysis. He also expressed concern at the slow pace of work in RTE stating that only Re 7 lakhs were spent out of Rs 2.31 crore approved for activities. Chairperson, while acknowledging the fact the progress in RTE was slow, requested Members to organize SMC meetings in their respective State. On the issue of national convention, Chairperson clarified that the convention needs to engage more stakeholders for wider consultations and therefore, needs to be deferred for the time being.

Decision

- a) Defer National Convention to January 2014.
- b) A planning meeting with MHRD officials for organizing RTE National Convention in January, 2014;



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- c) Convene two meetings of expert groups in November, 2013 and February, 2014 respectively;
- d) Request and pursue with State Governments to invite NCPCR in the State level high powered committee meeting pertaining to RTE;
- e) Utilization of RTE fund for strengthening the capacity of SCPCRs;
- f) Separate review meeting of RTE activities to be organized.

Agenda Item No. 7 : Review of status of complaints in NCPCR.

The Chairperson pointed out that there was an urgent need for examining all old complaints and bringing them to closure at the earliest possible. She also inquired about the status of new CMS being developed by NIC. MS informed that the Technical Director NIC Dr SS Singh had conveyed that the CMS has been completed and was undergoing security audit.

Decision

- (a) A committee under the Director to be constituted for examination and closure of old complaints by examining;
 - i. the content of the complaint
 - ii. the present position of the complaint
- (b) Complaints, where action has been initiated by NCPCR and the matter is *sub-judice*, should be treated as closed;
- (c) All pending complaints upto 2010-11 to be disposed of by March 2014 after due scrutiny;
- (d) List of all pending complaints to be provided to SCPCRs for reconciliation and avoiding duplication;
- (e) STE/TE/JTE to review complaints every month and submit update;
- (f) As far as possible, new complaints to be transferred to SCPCR. Only policy related complaints or exceptional cases to be dealt by NCPCR;

Agenda Item No. 8 : Review of North East Cell activities.

Member (VKT) gave an overview of the ongoing and planned activities of NE Cell especially in Assam, Tripura, and Manipur (proposed workshop for Child health). He informed that Sikkim is keen to organize a child trafficking/ POCSO workshop. He also mentioned that IEC material (FAQ) on Child Rights has been prepared. Chairperson requested Member (VKT) to ensure that funds earmarked for NE activities should be utilized completely.



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Agenda Item No. 9 : Circulation of RFD documents 2012-13, to relevant Ministries.

The Commission accepted the proposal of Member (DD) to circulate the RFD output documents to the concerned Ministries, besides the copies forwarded to MWCD.

Agenda Item No. 10 : Policy on engagement / empanelment of Lawyers by NCPCR.

Member Secretary informed the Commission that the then Registrar had initiated a file for:

- a) Engagement of lawyers for day to day legal support to NCPCR activities; and
- b) Empanelment of senior lawyers for representing NCPCR in High Courts and Supreme Court.
- c) Continuation of existing lawyers who were representing NCPCR in ongoing cases

The proposals at (a), (b) and (c) above were approved by the Chairperson.

Decision

After perusal and discussion on the note of the then Registrar, it was agreed to continue with the current policy of engagement of lawyers for the Legal Cell to assist Members for day to day legal requirement.

Regarding empanelment of senior lawyers, it was agreed that in addition to the lawyers empanelled by the Law Ministry, Members will suggest names of experienced and competent lawyers to represent NCPCR in High Courts and Supreme Court. All existing lawyers representing NCPCR in various court matters will continue as such.

Agenda Item No. 11 : Ongoing Court Matters and NCPCR's participation / role therein.

In the context of perusing the list of court cases concerning child rights involving NCPCR as on 26.6.2013, Member (DD) informed that such list of cases used to be presented to the Commission in the past meetings.

The Commission took note of the shortcomings in the list of cases and desired that an updated list of ongoing court cases involving NCPCR should be put up at the earliest.

Decision

Registrar to prepare and circulate an updated list of all legal cases.



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Agenda Item No. 12 : NCPCR stand on inspection of CCIs in Delhi (Amardeep Mullick vs. Government of NCT of Delhi)

In the context of the ongoing directives of the High Court, it was agreed that inspection of CCIs in Delhi should be continued by NCPCR, with the involvement of DSLSA and Department of Women and Child Development, Delhi. NCPCR should submit a detailed analytical report of all CCIs inspected so far and request the High Court for transferring this case to SCPCR.

Agenda Item No. 13 : Status of Tihar Jail Case (Court on its own motion vs. Dept. of Women and Child Development).

NCPCR initiative on directing the various States/ UTs in the country for conducting the inspection of their Central/ District Jails for detecting juveniles, detained in such jails, on account of wrongful recording of their age during investigation was discussed. In the context of the agenda point and discussions, the following decisions were taken:-

- (a) Member Secretary to look into the compiled data on juveniles received from the State/UTs;
- (b) Members (NN) to analyse the data collected so far in light of Delhi High Court Judgment and prepare recommendations related to the age memo's.
- (c) This analysis to be forwarded to the Central Government (MHA), Ministry of Law, DSLSA etc. for policy information.
- (d) It was also decided to put the perspective of NCPCR in the next hearing of the Court case 'Court on its own motion vs. Department of WCD'.

Agenda Item No. 14 : Matter relating to Sale of Babies.

Member (VKT) initiated the discussion by observing that the sale of babies was on the increase and that he has not been able to receive clarity on legal provisions thereon. However, Member (DD) was of the opinion that no legislation is read in isolation and that based on the Law Commission report and IPC 370-372 read with other provisions, there is adequate coverage for the sale of babies in the existing law. It was informed by Member (NN) that in the new proposed amendment of J.J Act, 02 clauses on the sale of babies have been included. The point was noted by the Commission. The suggestion of Member (VKT), that consultation on this issue in coordination with reputed law universities be initiated, was accepted.

Agenda Item No. 15 : Status of closure of Bal Bandhu Scheme.

Members of the Commission examined and discussed the financial accounts of the BBS and J&K PPPCR Programme. Member (YD) wanted to understand as to why the recoveries are being made, how the amount will be recovered and what action can be taken in case of default. Member (YD) also pointed out that BBS was a pilot programme under the Prime Minister's Relief Fund and therefore, it was important that disallowed bills/vouchers are thoroughly scrutinized.



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Member (DD) provided a brief background regarding the closure process including the finalization of account of BBS. She alleged that some bills/vouchers were found later in the BBS section after she had pointed out the discrepancy. She further alleged that there is every possibility that many more bills might be lying unaccounted in the BBS section. She wanted to know the reasons for penalizing BBS staff by way of recovery of money for the fault of accounts staff of NCPCR.

Member (DD) also pointed that several internal audits were done and yet there were no satisfactory closure of the accounts. To these points, Member Secretary and the Accounts Officer, who was called in, pointed out that there were several shortcomings which were observed while scrutinizing and processing the bills/ vouchers pertaining to the Programme.

Member (DD) vehemently criticized the manner in which the files of the BBS had been processed by the Accounts Section, and reiterated that the salaries of the BBS resource persons were being withheld in an arbitrary manner. The Chairperson explained that she had examined the files relating to the BBS and had applied her discretion, wherever possible, to permit expenditure incurred within the norms. However, she added that bills which were obviously false could not be accepted and the Accounts Section had disallowed only such vouchers. Member (DD), however, did not agree and expressed the view that an independent body outside the Commission should enquire into the matter. Member Secretary suggested that we could request the Chief Vigilance Officer of Ministry of Women and Child development to inquire into the matter relating to the accounts of BBS. The Chairperson pointed out that while, in principle, she had no objection to an independent enquiry being held, she felt that it may not be in the best interest of the Commission to involve the Ministry in the internal affairs of the Commission. Member (NN) also agreed. However, Member (DD) insisted that an independent enquiry should be held and responsibility fixed for what she felt was the inadequate handling of the matter by the Accounts Section. Member (YD) also stated that since Prime Minister's Relief Fund was involved, the situation warranted an independent enquiry to establish lapses, if any, and to fix responsibility. Since no further objections to the proposal for holding an independent enquiry were made, after discussions the following decisions were made:

Decision

- (a) Commission did not approve of the BBS account;
- (b) The Commission would request the MWCD to depute the CVO to conduct an independent enquiry in this matter.
- (c) Inform PMO and MWCD about the status of BBS accounts and the fact that a decision has been taken to conduct an inquiry by CVO of MWCD.



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Agenda Item No. 16 : Any other items with the permission of Chair.

Member(YD) suggested that in the Gazette Notification of NCPCR the word 'Baalak' should be replaced by word 'Baal', so that the Hindi Version conveys the correct translation for the word 'child'.

Member (VKT) and Member(VP) and Chairperson also thanked all Members for the support they had received from them.

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




Brief note on activities of PPPCR in Jammu and Kashmir

Reference :Agenda Item No. E-18 of 27th Statutory Meeting held on 9th July, 2013.

1. In pursuance of PMO office ID no. 13027/31/2011-K-VI dt. 12.10.2011, Pilot Programme for Protection of Child Rights in two districts of Jammu and Kashmir was introduced in NCPCR from November 2011.
2. The position of contractual staff initially engaged in the Pilot Project is given below:

S.No.	Name	Date of Joining	Contract valid upto
A. State Project Coordinator			
1	Sh. Tanveer Ahmad Dar	01.11.2011	31.10.2012
B. District Project Coordinators (DPCs)			
2	Sh. Abid Rashid Bhat	01.12.2011	31.05.2012
3	Sh. Mohd Yousuf Bhat	01.12.2011	31.05.2012
4	Sh. Ali Mohd Mir	01.12.2011	31.05.2012
5	Sh. Mustaq Ahmad Malla	01.12.2011	31.05.2012
C. Account –Cum- Admin Assistant			
6	Sh. Kaiser Ahmad Mir	04.02.2012	03.02.2013
D. Bal Bandhus aka Child Rights Activists (CRAs)			
7	Sh. Gh. Nabi Dhobi	19.01.2012	18.07.2012
8	Sh. Bilal Ahmad Dar	20.01.2012	19.07.2012
9	Sh. Syed Ab Qayoom Geelani	18.02.2012	17.08.2012
10	Sh. Showkat Ahmad Dar	19.02.2012	18.08.2012
11	Sh. Sajad Ahmad Bhat	19.02.2012	18.08.2012
12	Sh. Farooq Ahmad Sheikh	19.02.2012	18.08.2012
13	Sh. Sajad Hussain Malla	19.02.2012	18.08.2012
14	Sh. Nisar Ahmad Dar	19.02.2012	18.08.2012
15	Ms. Zareena Akhter	19.02.2012	18.08.2012
16	Sh. Habibullah Bhat	20.02.2012	19.08.2012
17	Sh. Altaf Ahmad Waloo	20.02.2012	19.08.2012
18	Sh. Irshad Ahmad Mir	20.02.2012	19.08.2012
19	Sh. Ali Mohammad Sham	20.02.2012	19.08.2012
20	Sh. Fayaz Ahmad Baig	20.02.2012	19.08.2012

3. Though, the contract of staff expired between May and October 2012, no formal order of extension was granted. The above mentioned contractual staff continued to work in the project


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without any approval till Jan'13. It is pertinent to mention here that the file for extension was not put up till 18.01.2013.

4. Retrospective approval of extension of tenure of all the staff upto 31.03.2013 was given by the Chairperson on 22.01.2013.
5. Meanwhile another batch of 9 CRAs were engaged initially for the period of six months from 01.01.2013 as per detail given below:

S.No.	Name	Date of Joining	Validity of contract
Bal Bandhus aka Child Rights Activists (CRAs)			
1	Mohd. Qasim Rathy	01.01.2013	30.06.2013
2	Mohd. Ismaiel Wani	01.01.2013	30.06.2013
3	Ashaq Hussain Sheikh	01.01.2013	30.06.2013
4	Bilal Ahmad Lone	01.01.2013	30.06.2013
5	Manzioor Ahmad Malla	01.01.2013	30.06.2013
6	Sajid Rasool Malla	01.01.2013	30.06.2013
7	Jahangir Ahmad Wagay	01.01.2013	30.06.2013
8	Firdous Ahmad Malla	01.01.2013	30.06.2013
9	Fidah Hussain Rather	01.01.2013	30.06.2013


6. The contract of State Project Coordinator, District Project Coordinators and Account cum Admin Assistant of Pilot Programme was further extended upto May 2013.
 - (a) File was moved by the Officer Incharge, Sh. Sanjay Kumar Tiwari for further extension of contract of State Project Coordinator, District Project Coordinator and Admin cum Accounts Assistant till May 2013.
 - (b) The Officer Incharge PPPCR in J&K, Sh. Sanjay Kumar Tiwari in his note of 02.04.2013 sought one year extension w.e.f 01.04.2013 for 12 Bal Bandhus.
 - (c) The proposal was approved by the then Chairperson on 11.04.2013.
7. The position in the month of April 2013 is as below:

S.No.	Name	Contract valid upto
State Project Coordinator		
1	Sh. Tanveer Ahmad Dar	31.05.2013
District Project Coordinators (DPCs)		
2	Sh. Mohd Yousuf Bhat	31.05.2013
3	Sh. Ali Mohd Mir	31.05.2013
Account -Cum- Admin Assistant		


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6	Sh. Kaisar Ahmad Mir	31.05.2013
Bal Bandhus aka Child Rights Activists (CRAs)		
7	Sh. Gh. Nabi Dhobi	31.03.2014
8	Sh. Bilal Ahmad Dar	31.03.2014
9	Sh. Syed Ab Qayoom Geelani	31.03.2014
10	Sh. Showkat Ahmad Dar	31.03.2014
11	Sh. Sajad Ahmad Bhat	31.03.2014
12	Sh. Farooq Ahmad Sheikh	31.03.2014
13	Sh. Sajad Hussain Malla	31.03.2014
14	Sh. Nisar Ahmad Dar	31.03.2014
15	Ms. Zareena Akhter	Not recommended by State Coordinator.
16	Sh. Habibullah Bhat	31.03.2014
17	Sh. Altaf Ahmad Waloo	31.03.2014
18	Sh. Irshad Ahmad Mir	31.03.2014
19	Sh. Ali Mohammad Sham	31.03.2014
20	Sh. Fayaz Ahmad Baig	31.03.2014
21	Mohd. Qasim Rathy	30.06.2013
22	Mohd. Ismaiel Wani	30.06.2013
23	Ashaq Hussain Sheikh	30.06.2013
24	Bilal Ahmad Lone	30.06.2013
25	Manzoor Ahmad Malla	30.06.2013
26	Sajid Rasool Malla	30.06.2013
27	Jahangir Ahmad Wagay	30.06.2013
28	Firdous Ahmad Malla	30.06.2013
29	Fidah Hussain Rather	30.06.2013

8. The State Project Coordinator, Sh. Tanveer Ahmad Dar, did not seek further extension beyond 31.05.2013.
9. By Office Order no.35/04/2011-12-NCPCR (PD) dated 25.07.2013 it was decided to close the J&K PPPCR programme w.e.f 31.07.2013. The same order mentions that all Bal Bandhus were informed that their services will be dispensed w.e.f 31.08.2013. Further, the order also mentions to extend the contract of two District Coordinators Sh. Ali Mohd. Mir and Sh. Mohd. Yousuf Bhat and one Admin cum Account Assistant Sh. Kaisar Ahmad Mir till 31.08.2013.
10. Member (DD) vide her email dt. 16.07.2013, conveyed the decision of Chairperson to close the J&K PPPCR programme to the Director, NCPCR and accordingly the Director had issued the order as mentioned in para 9 above.
11. As far as the decision to start the recruitment process is concerned, it is mentioned that the Chairperson, NCPCR convened a meeting on 18.03.2013. The meeting was attended by Member


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(DD) and Member Secretary. It was decided in the meeting that all staff except Bal Bandhus may be selected through advertisement in the newspaper.

12. The terms of reference were approved by Chairperson/Member Secretary and the State Coordinator was asked to advertise the same in the local newspaper.

13. The advertisement was published on 24.03.2013. However, the then Officer Incharge PPPCR in J&K, Sh. Sanjay Kumar Tiwari did not provide the details of responses till 15.05.2013. His note of 15.05.2013 mentions that 134 applications were received. However, the note of Sh. Baldev Raj, Consultant (Cord.) dt. 27.06.2013 mentions that 142 applications were received in response to the advertisement. It also mentions that Sh. Sanjay Kumar Tiwari did not prepare the comparative statement, before demitting the office.

14. Since it was decided to close the programme, no further action on the applications was taken.

Shaw

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