

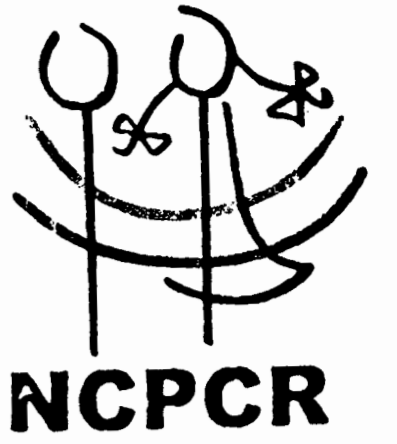


स्तुति कक्कड़
Stuti Kacker
अध्यक्ष
Chairperson

सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA

राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi-110 001



D.O. NCPDR/3501/04/2016-Assam
Date: 21/09/2016

Dear *Sri Piperdenia,*

45928

The National Commission for Protection of Child Rights (NCPDR) was constituted under section 3 of the Commission for Protection of child Right Act 2005. One of the major function of the Commission under section 13(1) (a) is to examine and reviewed the safe guards provided by or under any law for the time being in force for the Protection of Child Rights and recommend measures for their effective implementation.

2. To assess the situation of children in Child Care Institutions and in remote areas of Assam, a team led by Ms. Rupa Kapoor, Member, with SCPCR, Assam made a visit to Observation Homes and Children Homes, Assam from 18th July to 22nd July 2016.(copy of report attached).
3. Besides inspecting the Homes, the team from NCPDR interacted with district officials of Sonitpur to discuss the issue of rights of children in tea gardens. A meeting with officials from various departments and civil societies was also held to discuss the issues of child rights and entitlements viz: Right to Education, child labour, child trafficking, health and nutrition of children etc. We invite your kind attention to the gaps observed and recorded by the NCPDR team during their visit to children homes, observation homes and a remote village of Assam.
4. In view of the broad observation made by the team, the Commission recommends the following actions by concerned department of the State. An action taken report may kindly be furnished to this Commission within 15 days..

I. Women and Child Development

1. To adopt a robust mechanism of monitoring and inspection of Children Homes and Observation Homes and regular submission of inspection reports to ensure protection of children against any child right violations, deprivations or subject to any kind of physical or sexual abuse.
2. Mapping of all the Child Care Institutions by Department of Women and Child Development, Assam.
3. The State run home for women and children at Jhalukbari needs to be improved as it was found by the team, that inner compound of the home was filled with the stagnant water breeding mosquitoes, (ii) the case records of women suffering from mental health disturbances were not filled properly. Commission has suggested for free legal aid to women at Jalukbari home through DLSA and State Commission for Women, Assam.

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o/c
22/9/16

4. Child Welfare Committees to be strengthened and inspections should be done by Child Welfare Committees. Social Investigation Reports (SIR) to be submitted by CWC members of each child living in Children Home.
5. Experts must be involved by the District authority to assess on the basis of modern IQ and aptitude tests about the way, in which such Children can be mainstreamed.
6. Provisions should be made for medical care in the Children Home and arrangement for regular medical checkup with a doctor or at least a nurse. Also the child/woman should be medically examined thoroughly and her medical chart should be maintained and if any such disease is diagnosed then it should be treated properly.
7. Members of CWC should inspect these Homes once in every fortnight and a report should be submitted to the D.P.O of the same. Similarly the D.P.O. should also visit these homes periodically.
8. All the places where these children are kept should be inspected routinely by the district administration and it should be seen whether the children living in these homes are in a healthy state or not. Also it should be seen whether the place is hygienic and is fit in the best interest of children.
9. Advanced Skill Development programme for children in child care institutions should be introduced. Make available specially trained teachers for handling the differently-abled children and women of Jalukbari home, particularly the children with intellectual impairment. Effort may be made to make appropriate arrangement for children with special needs.
10. Appointment of Computer Instructor, Music teacher and Librarian for children living in all the Children Home especially in Children Home, Jalukbari, and observation home for boys Boko, as it was observed by the team, that children were interested in learning skilling activities.
11. Nutritious food should be provided to all children living in Children Homes and children should be involved in deciding the Weekly Menu of food, as it was shared with the team that in children are not being involved in deciding the menu.

II. Labour Department

1. Labor Department, Assam should map the tea garden areas to ensure no child labour. A thorough search should be conducted over the whole district, for detecting cases of child labor and immediate rescue, restoration and rehabilitation of such children should be done. Education facility should be provided to all the rescued children under NCLP.
2. Crèches for children of tea garden workers should be established.
3. Training and orientation of officials mainly Child Welfare Committees with regard to child rights issues should be conducted on a regular basis.

III. Education Department

Team visited **Narayanpur Tea Estate** at Sonitpur District. The team members interacted with the children and their parents. Local inhabitants dwell upon various problems being faced by the children in their effort to get better education, health facilities, eradicate social problems, hygienic environment etc. Most of the lower primary schools are functioning in a single hall wherein all students from different classes sit together without any partition. Poor infrastructure- no toilets, no desk and benches were also some of the major issues.

The team also visited a remote village of **Kokrajhar**, pre dominantly a minority area, where a relief camp after the 1993 ethnic violence was set up. Children from villages such as Jamalguri, Maliouta, Beltoli etc. come there for education

1. Mapping of drop out students should be done by the Education Department and efforts should be made to enroll them in age appropriate classes through special coaching under RTE Act.
2. Distribution of Mid- Day Meal should be ensured, safe drinking water should be made available to all the students and separate toilets for male and female should be made available in every school, as it was reported to the State Commission that there are no separate toilets available for the girls in schools.
3. Special Educators and School Counselors to be appointed in all the schools of the State.
4. Department of Education to conduct sensitization programme on Corporal Punishment across the state to educate and sensitize the School authorities/SMCs/Teachers/Education Officers to prevent the incidents of Corporal Punishment.

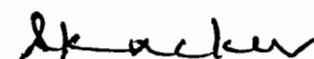
IV. Home Department

1. Training of all the Officials, CWCs, JJBs, Police, in dealing with children of sexual offences under POCSO Act 2012. Sensitization programmes for Police personnel as children of Observation Home, Boko reported incidences of torture by police.
2. Establishment of special Courts under POCSO Act needs to done early.
3. Principal Secretary, Home to review the status of missing children at least once in a quarter if it is not on monthly basis.

With regards,

Encls: Tour report of Member NCPCR.

Yours sincerely,



(Stuti Kacker)

Shri Vinod Kumar Pipersenia
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Chairperson.

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