

Minutes of the 34th Statutory Meeting of the Commission held on 20th March, 2018 in the Conference Room (5th floor) of NCPCR, Chanderlok Building, Janpath, New Delhi.

The 34th Statutory Meeting of the Commission was held on 20.03.2018 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 33rd Statutory Meeting of the Commission held on 02.11.2017:

The Chairperson informed that the Minutes of the 33rd Statutory Meeting of the Commission were treated as confirmed as no comments were received.

Action Taken Reports (ATRs) on the decisions taken in the 33rd Statutory Meeting of the Commission held on 02.11.2017:

Action Taken Reports (ATRs) on the decision taken in the 33rd Statutory Meeting of the Commission were reviewed by the Commission.

Decision: It was decided that status of action taken report (ATR) on Agenda Item No.4 and 5, may be shown as pending. It was also decided that ATR of Agenda Item No.5 may be placed before the Commission in the next Statutory Meeting for ratification.

[Action: MS]

I. AGENDA ITEMS PROPOSED BY SHRI YASHWANT JAIN, MEMBER (CHILD LABOUR / JJ

Agenda 1: Review of performance of POCSO Unit with reference to provisions under POCSO Act / Rules, 2012:

Member (YJ) placed before the Commission the performance of POCSO Unit with reference to provisions of the POCSO Act / Rules, 2012.

The Commission appreciated the work done by the POCSO Unit.



Decision: It was desired that the Commission should utilise the services of Special Educators for special children (physically or mentally handicapped) who faced sexual abuses. Member (RK) was requested to explore the possibility of taking help of different NGOs working in this field. Their services can also be utilised in NCPCR's Resource Centre.

[Action: Member (Y) / Member (RK)]

Agenda 2: Implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015:

Member (YJ) placed before the Commission the performance of JJ Unit with reference to provisions of the JJ Act 2015.

The work done by the JJ Unit was noted and appreciated by the Commission.

Agenda 3: Conduct of International Conference on Cyber Crime targeting Children:

Member (YJ) informed that it has been discussed in various meetings / conferences etc. that most of the Cyber Crime Investigating Officers of the States/UTs do not have adequate skills/knowledge on the subject. There are also inadequate infrastructure facilities available in the Cyber Crime Cells of the States. NCPCR is planning to organize 2-day Training Workshop and one-day International Conference on Cyber Crime targeting children during the year 2018-19 with the help of UNESCO.

Decisions: The proposal was approved in principle by the Commission.

[Action: Member (YJ)]

Agenda 4: National/State Level Training Workshops on POCSO Act/ Cyber Crime:

Member (YJ) informed that NCPCR intends to organize State Level Training Workshops on POCSO Act/Cyber Crime, JJ Act and other Child Rights Issues in Gujarat during the quarter April-June 2018. Further, NCPCR is also planning to organize 2-Training Workshops on POCSO Act/Cyber Crime and JJ Act, 2015 in LNJNI NICFS, Rohini during the same quarter.

Decision: The proposal was approved in principle by the Commission.

[Action: Member (YJ)]

Agenda 5: Review of Status of Complaints in NCPCR:

Member (YJ) informed the Commission that 265 complaints under the POCSO Act, were received in NCPCR during the year 2017-18 (till 31st December, 2017); and 441 complaints were disposed off in the aforesaid period, which included the pending cases of previous years also.

This was noted by the Commission.



Agenda 6: Printing of IEC materials on Child Sexual Abuse/Cyber Crime:

Member (YJ) informed the Commission that the following IEC material is likely to be printed for use of stakeholders during the next quarter of this year by NCPCR:

- (i) Book on Child Sexual Abuse in Hindi; and
- (ii) Being Safe Online -Guidelines and standard content for raising awareness among children, parents, educators and general public

This was noted the Commission.

Agenda 7: Status of Tihar Jail by Panel Members of NCPCR (Court on its own motion Vs Department of Women and Child Development):

Member (YJ) informed that in pursuance of directions of the Hon'ble Delhi High Court in the matter of '*Court on its Own Motion Vs Department of Women and Child Development & Ors, W.P. (C) No.8889/2011*', NCPCR Panel Members have made 32 visits to various Jails in Delhi till November 2015 to find out if there are any persons lodged in jails who should have been the beneficiaries of the Juvenile Justice (Care and Protection of Children) Act, 2000. The reports have been sent to Delhi State Legal Services Authority (DSLISA).

He further informed that in pursuance of the above orders, the NCPCR Team consisting panel of members, has made 11 visits to Tihar and Rohini Jails of Delhi during the current year 2017-18, to identify juveniles wrongly confined in these Jails and to take suitable measures, as per following schedule during the year 2017-18:

It was also informed that as per the intimation given by the Central Tihar Jail authorities, New Delhi, **101 inmates have been transferred to Observation Homes for Boys since April 2017 to January 2018.** The Commission may kindly like to take a view for further visits to Tihar Jail by Panel Members of NCPCR.

Decision: This was noted by the Commission and it was unanimously agreed that further visits to Tihar Jail by the Panel Members of NCPCR should continue.

[Action: Member (YJ)]

Agenda 8: Conduct of study on 'Combating Child Trafficking' in the States:

Member (YJ) informed that a meeting of Heads of State CID Units and Nodal Officers of Anti-Human Trafficking Units of the States was held in Bureau of Police Research and Development, Ministry of Home Affairs, on 4.2.2015 to discuss various issues relating to 'Combating Child Trafficking in India'. The meeting was chaired by Secretary, Ministry of Women and Child Development (MWCD), Government of India. In pursuance of the discussions made in the above meeting, proposals were received from Jharkhand Police, Odisha Police and Manipur



Police to conduct a study on 'Combating Child Trafficking' in their States. Jharkhand Police and Manipur Police could not undertake the study. However, study has been awarded to Odisha Police at a cost of Rs 7.12 lakh. Sambalpur University conducting the study has submitted the progress through Odisha Police on 4th October 2016 that 10 districts (Rourkela, Baripada, Balasore, Sundergarh, Kalahandi, Raigarh, Balangir, Sambalpur, Berhampur, Keonjha) of Odisha have been covered for data and has filled up 67 schedules comprising information from Households and trafficked/rescued children. The study is in progress. The duration of the study is already over and final report is still awaited. DO letters have been sent to Chief Secretary, Govt of Odisha on 12th December 2017 and 19th February 2018 with a request to look into the matter and direct the concerned authorities to send the report along with related documents or refund the money released by this Commission to settle the account.

The Commission may like to note the course of action taken by the Juvenile Justice Unit.

Decision: *The Commission noted the course of action taken by the Juvenile Justice Unit.*

[Action: Member (YJ)]

Agenda 9: Consideration / Adoption of a Resolution in reference to section 31 of CPCR Act, 2005 - for protection of action taken by the Commission or its officials in good faith:

Section 31 of the Commissions for Protection of Child Rights (CPCR) Act, 2005 provides for the protection of action taken in good faith, it is as under-

"No suit, prosecution or other legal proceeding shall lie against the Central Government, the State Government, the Commission, the State Commission, or any Member thereof or any person acting under the direction either of the Central Government, State Government, Commission or the State Commission, in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules made there under or in respect of the publication by or under the authority of the Central Government, State Government, Commission, or the State Commission of any report or paper."

RESOLUTION

"In reference to Sec. 31 of CPCR Act, 2005, it is Resolved that in the event of any case is filed or complaint is made against Chairperson/Members/Member Secretary or any of the official of NCPCR during their tenure/service or after their tenure/service is over, the Commission shall make every effort to defend persons involved in such cases by engaging appropriate level Law officers/Advocates for which entire expenses would be borne by the Commission.

It is further Resolved that this shall be included in the standing procedure to be adopted by this Commission and by the successive Commissions".



It is proposed that the aforesaid Resolution may be placed before the Commission for consideration and its adoption.

Member (YJ) placed the aforesaid Resolution before the Commission for consideration and its adoption.

Decision: This Resolution was considered and unanimously adopted by the Commission.

Agenda 10: Strengthening of JJ/POCSSO Units

Member (YJ) informed that there is an acute shortage of manpower in JJ/POCSSO Unit. As already approved by the Commission, two Consultants may be provided immediately to cope up with the work.

Decision: Member (YJ) was requested to send a note regarding the requirement of staff in JJ / POCSO Units along with proper justification. The chairperson stressed the need to create a separate cell in NCPCR for disabled and physically handicapped / challenged children who have been sexually abused.

[Action: Member (YJ)/MS]

II. AGENDA ITEMS PROPOSED BY SMT. RUPA KAPOOR, MEMBER (CHILD HEALTH)

Agenda 11: Immediate recruitment of staff in Health Division, NCPCR

Member (RK) informed that Ms. Priyanka Singh, working as JTE in Child Health Division has left the Commission on 27th February, 2018 and Ms. Rashmi who was appointed as TBC is on leave for 20 days (5th March to 26th March, 2018) due to her personal reasons. At present, there is only one STE in Child Health Division. Therefore, two JTEs and one Senior Consultant may be appointed at the earliest.

Further, she mentioned that two people have been shortlisted by Member (RK). However, their remuneration needs to match with what they received in their previous organization. The remuneration structure may please be reconsidered so that quality people could be recruited.

Member (RK) expressed the need to reconsider the remuneration structure of consultants in NCPCR so that quality people could be recruited. She also requested to reconsider the remuneration offered to the two newly engaged consultants in the Health Division, to match what they received in the previous organization.

Decision: This was not agreed by the Commission till the existing guidelines were revised. However, Member (RK) was requested to send a note regarding the additional requirement of staff in the Health Division, along with proper justification. Further, Member Secretary was asked to review the remuneration structure of the contractual staff of NCPCR in totality.

[Action: Member (RK)/MS]



Agenda 12: Disbursal of bills:

Member (RK) requested that TA / DA bills should be processed in timely manner by the Accounts section.

Member Secretary informed that as on date only two TA bills dated 06.03.2018 and 19.03.2018 were pending.

Decision: *The Commission directed that the TA / DA bills of the Members and staff should invariably be settled within a period of one month from the date of submission of the bill by the concerned Member / official.*

[Action: AO/MS]

Agenda Item No.13: System for file movements:

Member (RK) requested that a system for file movement should be developed in the Commission to keep a track of the files.

Member Secretary informed that there is already a system for file movement in the Commission. It just needs to be implemented exhaustively.

Decision: *It was felt that there is need to make further improvement in the existing system and a common file / dak movement system should be adopted in the Commission to keep a proper track of files.*

[Action: MS]

Agenda 14: Payment delays:

Member (RK) informed that despite repeated requests, the Member and the team have to follow up whether payments to SCPCRs and other organizations etc have been done on time or not.

Member Secretary informed that all payments to SCPCRs are made in a time bound manner and a lot of effort has to be made for settlement of advances to SCPCRs.

Decision: *Member (RK) was requested to provide the details of pending payments to SCPCRs.*

[Action: Member (RK)]

Agenda 15: Travel issues:

Member (RK) informed that she and her team have to follow up on private travel approval repeatedly from MWCD, despite sending approvals on time.

Decision: *It was decided that once the proposal has been moved to MWCD by the General Administration, it is the duty of personal staff of concerned Member to follow up the issue of approval / permission from the Ministry for travel by private airlines.*

[Action: MS/All Members]



Agenda 16: Installing CCTV cameras:

Member (RK) requested that CCTV cameras should be reinstalled at NCPCR keeping in view safety of Members and staff, mainly female staff as they are dealing with serious nature of grievances. It has been noticed that extra duties assigned to the staff on weekends and on gazetted holidays can put a risk on the staff deployed in absence of such security measures.

Decision: *This issue was discussed in the meeting and it was decided to constitute a team to identify the places in the Commission's premises where the existing CCTV cameras can be installed. It was also decided that all recordings of these cameras are to be saved in a hard disc which can be retrieved in case required.*

[Action: MS]

III. OTHER AGENDA ITEMS

Agenda 17: Sample survey of TV / Mobile / Internet / Reading and Play habits of children in the age group of 3-18 years of age:

Advisor (Media) has proposed to get a sample survey conducted by a professional agency to find about the television viewing habits / mobile user's habits / reading habits / internet browsing habits / cyber play habits of children in the age group of 3-18 years in the country.

This is required to frame guidelines for Television Channels and other media as well as protecting children from malefic influences in the country by NCPCR. The survey can be conducted through empanelled professional sample survey agencies and the outcome of the survey could be available in about two months of time of placing the order for the survey.

Decision: *The proposal was approved by the Commission. It was desired to take quotations from empanelled professional sample survey agencies for the purpose.*

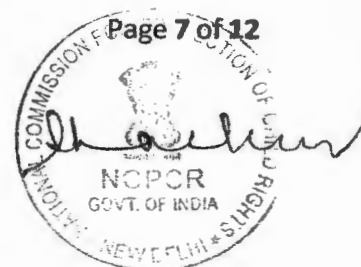
[Action: Advisor (Media)]

Agenda 18: Discussion on pending action taken notes of 27th to 32nd Statutory Meetings:

Discussion was held on Pending action taken notes of 27th to 32nd Statutory meetings. Member Secretary informed that ATRs of 27th to 32nd statutory meetings of the Commission were reviewed by her after the 33rd meeting held on 02.11.2017 and 144 items were identified on which ATRs were pending. After concerted efforts, 105 items were dropped from the pending list. At present, 39 items are pending on which status of ATR is to be updated.

Decision: *The Chairperson directed that a consolidated list of pending items carried forward from the 27th to 32nd meetings including the items considered in the 33rd statutory meeting may be circulated to the Members and concerned officers for taking the required actions. All the Members and concerned officers were requested to ensure that the pendency is brought to zero level by the end of April 2018. AD was asked to coordinate and ensure completion of action by the deadline.*

[Action: MS/All Members/AD]



IV. AGENDA ITEMS PROPOSED BY SHRI PRIYANK KANOONGO, MEMBER(PK)

Agenda 19: Certificate course on child rights:

Member (PK) informed that u/s 13 (h) of the CPCRA Act, 2005 to spread child rights literacy among various sections of society and promote awareness of the safeguards available for protection of these rights; the Education Division of NCPCR and IGNOU are developing a Certificate Course curriculum on Child Rights. The certificate course on child rights will be introduced and certified by IGNOU. To initiate the process of course development, an expert group was formed and its first meeting was held on 10.10.2017 at NCPCR. The aim of the meeting was to discuss the time-line for developing the course content, to understand the modalities involved in the process and to acquaint with the procedure and requirements of the entire process leading to final roll-out of the certificate course.

The first meeting of the expert group was held under the Chairpersonship of Shri Priyank Kanoongo, Member (Education), NCPCR and in the presence of Ms. Geeta Narayan, Member Secretary, NCPCR. The meeting was attended by nominated experts from IGNOU, AIIMS, IHBAS, NCERT etc. Thereafter, a workshop on 31.10.2017 was conducted in NCPCR and an outline of the 3-months course have been developed. Further, the course content will be developed as per the outline. The duration of the course was decided to be six months (including theory and practice), with a minimum eligibility of 10+2. The course will carry 18 credits including three courses for Children and Society; Children and the Legal Framework; Children and the Legal Framework; Project Work (Capacity Building and Training).

For developing the content, course-content writers will be engaged and a budget of Rs. 2.5. lakh have been approved in principle.

This was noted by the Commission.

[Action: Member (PK)]

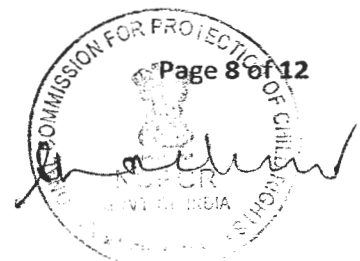
Agenda 20: Regional Consultations on Effective Implementation of Motor Vehicle Act, 1988 w.r.t. safety of children in schools and SC Guidelines:

Based on the activity conducted by the Education Division- Status of implementation of Hon'ble Supreme Court Guideline for safe and secure transport facilities for children by school- five regional consultations are proposed to be organised to recommend Amendment in the Motor Vehicle Act, 1988 keeping in view the safety and security of children in schools.

Budget required- 25 lakhs.

Decision: The proposal was approved in principle.

[Action: Member (PK)]



Agenda 21: National Consultation on section 27 of RTE Act, 2009 (teachers in non-academic duties):

Budget required- 10 lakh

Decision: *The Commission agreed to the proposal. However, it was desired to submit the proposal to MHRD for their approval.*

[Action: Member (PK)]

Agenda 22: Mass Sensitization of Teachers on Manual on Safety and Security of Children in Schools:

The *Manual on Safety and Security of Children in Safety* includes guidelines on different components of school safety namely, infrastructure; health and hygiene; psycho-social aspects; roles and responsibilities of teachers. It also includes monitoring mechanism specifying the responsibilities of School Management Committees (SMCs)/ Parent-Teacher Associations (PTAs), Students, School Management, Block and District Education Officers, District Collector/Magistrate. Recent incidents call for urgent steps towards creating awareness on this important issue. This will require large scale sensitization programmes, especially for teachers. This is significant primarily as amongst the important stakeholders in ensuring safety of children in schools, teachers are the ones who are in direct contact with children and have maximum interaction with the students. Also,, teachers are the largest resource group to highlight the issue of safety and security of children in schools. As per DISE Analytical Report 2015-16, there are 80.7 lakh teachers in schools out of which approximately 46.7 lakh are in government schools; 24.8 lakh teachers in private unaided schools and 6.8 lakh in private aided schools in India. There has been an increase of 76 % in total number of teachers from 2005-06 to 2015-16. Hence, it is proposed that a sensitization workshop on a large scale be held for school teachers in all States simultaneously.

Strategy:

1. *Phase one*

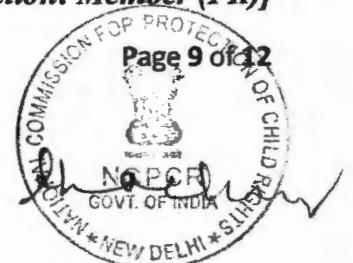
- a preparatory meeting was held on 26.02.2018 with representative from NIC, New Delhi and NCERT for working on the modalities and for an estimate of number of teachers that can be sensitized at a given time, across all States utilising the current infrastructure available.
- modules on all sections of the Manual will be prepared.

2. *Phase two-* workshop will be conducted through Very Short Aperture Terminal (VSAT) in video conferencing mode. This facility is available in all the District Institutes of Education Training (DIETs), NICs at District level and SCERTs.

Budget required- Will be put-up after discussion and information received from NIC

Decision: *The proposal was approved in principle.*

[Action: Member (PK)]



Agenda 23: Sensitisation workshops on manual on safety and security of children in schools- for all educational institutions for 3-18 years:

Budget required- 75 lakh (25 consultations @ Rs. 3,00,000 per consultation)

Decision: The proposal was approved in principle.

[Action: Member (PK)]

Agenda 24: Consultation on status of vocational education of adolescents and their vulnerability in tribal areas of Kodarama, Giridhi and Navada:

Budget required- 15 lakh

Decision: The proposal was approved in principle.

[Action: Member (PK)]

Agenda 25: Exhibitions on issues related to child rights and safety in national convention:

Member (PK) informed that the convention is being organised by SSUN (6-8 April, 2018) at Gandhi Samriti, New Delhi on issues related to quality in education and safety of children in schools.

Budget required- 5 lakh

Decision: The proposal was approved in principle.

[Action: Member (PK)]

Agenda 26: National- level multistakeholder workshop on availability and access to ECCE curriculum in regional dialects and mother tongue:

Budget required- 10 lakh

Decision: The proposal was approved in principle.

[Action: Member (PK)]

Agenda 27: Meeting with NCERT and NIPCCD for effective ECCE system in India basis of NIFI Aayog's interdepartmental meeting on Education:

Decision: The proposal was approved by the Commission.

[Action: Member (PK)]



Agenda 28: Meeting with Ministry of DONOR on issues related to child rights and protection in NorthEast:

Decision: The proposal was approved by the Commission.

[Action: Member (PK)]

Agenda 29: National Colloquium on Vocational and Life Skill Training of Adolescent boys in the age group 15-18 years

Budget required- 5 lakh

Decision: The proposal was approved in principle.

[Action: Member (PK)]

Agenda 30: National Consultation on awareness generation in children for eliminating violence in schools through teacher training curriculum and school curriculum

Budget required- 3 Lakh.

Decision: The proposal was approved in principle.

[Action: Member (PK)]

Agenda 31: National Consultation on awareness generation in children for eliminating violence in schools through teacher training curriculum and school curriculum

Budget required- 3 Lakh.

This proposal is a repetition of Agenda 30 above, hence may be ignored.

Agenda 32: National Consultation on fee regulatory framework for private schools:

Budget required- 5 lakh

Decision: The proposal was approved in principle.

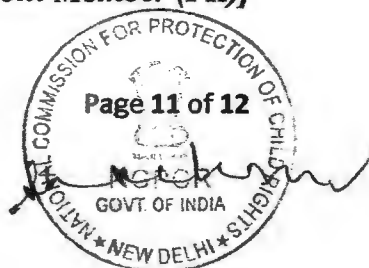
[Action: Member (PK)]

Agenda 33: National Consultation on SoP on effective implementation of 12(1)(c)

Budget required- 5 lakh

Decision: The proposal was approved in principle and it was desired to include Economically Weaker Section and disabled category in the proposal.

[Action: Member (PK)]



Agenda 34: Orientation Camps for Teachers on pilot basis on NCPCR's safety security manual, POCSO Act, 2012; J.J. Act, 2016; RTE Act, 2009 and other child related Acts

Budget required- 50 lakh (5 camps)

Decision: The proposal for holding of 3 Camps against ~~5~~ proposed by Member (PK), was approved by the Commission.

[Action: Member (PK)]

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

