



Say, the Soil of India is my highest heaven; the good of India is my good. Forget not that the lower classes, the ignorant, the poor, the illiterate, the cobbler, the sweeper, are thy flesh and blood, thy brother. The only service to be done is to give them education, to develop the lost individuality.

—Swami Vivekananda

**National Commission for  
Protection of Child Rights  
Annual Report 2010-2011**





कृष्णा तीरथ  
*Krishna Tirath*



राज्य मंत्री (स्वतंत्र प्रभार)  
महिला एवं बाल विकास मंत्रालय  
भारत सरकार  
नई दिल्ली-110001

MINISTER OF STATE (INDEPENDENT CHARGE)  
MINISTRY OF WOMEN & CHILD DEVELOPMENT  
GOVERNMENT OF INDIA  
NEW DELHI-110001

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**MESSAGE**

India is home to the largest child population in the world. Childhood comes only once and denying children their basic entitlements has lasting implications for them and the society at large.

Our constitution entitles all persons including those below the age of 18, to certain inherent and inalienable rights. India's commitment to International instruments such as the United Nations Convention on the rights of the Child and its core principles of right of every child to survival, development, protection and participation, is reflected in the numerous policies, laws and programmes being implemented for children.

The National Commission for Protection of Child Rights, through its constant endeavors, protects and restores dignity to children and facilitates access to their fundamental rights. The Commission ensures that our children enjoy their childhood and their entitlements as a matter of right.

Although a lot needs to be done to further the cause of child rights, the Commission has worked diligently on several issues such as elimination of child labour, right to education, securing entitlements for children affected by civil unrest and rights of differently-abled children.

I wish them success in all their future endeavors.

  
(KRISHNA TIRATH)

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# Contents

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<b>List of Abbreviations</b>	<b>vii</b>
<b>1. Introduction</b>	<b>1</b>
<b>2. NCPCR's Interventions</b>	<b>3</b>
2.1 Child Labour	3
2.2 Child Trafficking	8
2.3 Laws and Policies	9
2.4 Child Health and Nutrition	11
2.5 Juvenile Justice System	16
2.6 Child Abuse	17
2.7 Reality Shows	19
2.8 Safeguarding Rights of Children in Contact with Railways	19
2.9 Child Rights in Areas of Civil Unrest	21
2.10 Children Affected and Infected with HIV/AIDS	23
2.11 Other Issues	24
2.12 Complaints	26
<b>3. Monitoring Children's Right to Education</b>	<b>28</b>
3.1 NCPCR and its Monitoring Role	28
3.2 The Work of the RTE Division [1 April 2010 – 31 March 2011]	30
<b>Statement of Accounts for the Financial Year 2010-11</b>	<b>35</b>
<b>Audit Certificate for the Financial Year 2010-11</b>	<b>44</b>
<b>Annexures</b>	<b>50</b>

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## List of Abbreviations

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<b>ALC</b>	Alternative Learning Centre
<b>ATR</b>	Action Taken Report
<b>AWC</b>	Anganwadi Centre
<b>AWW</b>	Anganwadi Worker
<b>BB Scheme</b>	Bal Bandhu Scheme
<b>BMC</b>	Brihanmumbai Municipal Corporation
<b>BPL</b>	Below Poverty Line
<b>BTC</b>	Bodoland Territorial Council
<b>CDPO</b>	Child Development Project Officer
<b>CMS</b>	Complaints Management System
<b>CPU</b>	Child Protection Unit
<b>CWC</b>	Child Welfare Committee
<b>DLO</b>	District Labour Officer
<b>DSC</b>	Divisional Security Commandant
<b>DWCD</b>	Department of Women and Child Development
<b>GRP</b>	General Railway Police
<b>HACCP</b>	Hazard Analysis Critical Control Point
<b>IAY</b>	Indira Awas Yojana
<b>ICDS</b>	Integrated Child Development Services
<b>ICPS</b>	Integrated Child Protection Scheme
<b>JJA</b>	Juvenile Justice Act
<b>JJB</b>	Juvenile Justice Board
<b>KMSS</b>	Kerala Mahila Samakhya Society
<b>LAMA</b>	Left Against Medical Advice
<b>MAM</b>	Moderate Acute Malnutrition
<b>MDM</b>	Mid Day Meal
<b>MGNREGA</b>	Mahatma Gandhi National Rural Employment Guarantee Act
<b>MHA</b>	Ministry of Home Affairs
<b>MHRD</b>	Ministry of Human Resource Development
<b>MPHW</b>	Multi-Purpose Health Worker

<b>MUAC</b>	Mid-Upper Arm Circumference
<b>NCLP</b>	National Child Labour Programme
<b>NCPCR</b>	National Commission for Protection of Child Rights
<b>NGO</b>	Non-Governmental Organization
<b>NIMHANS</b>	National Institute of Mental Health and Neurosciences
<b>NRBC</b>	Non-Residential Bridge Course
<b>NRC</b>	Nutrition Rehabilitation Centre
<b>NRHM</b>	National Rural Health Mission
<b>PDS</b>	Public Distribution System
<b>PMNRF</b>	Prime Minister's National Relief Fund
<b>RBC</b>	Residential Bridge Course
<b>RDO</b>	Revenue Divisional Officer
<b>REPA</b>	Right to Education Protection Authority
<b>RPF</b>	Railway Protection Force
<b>RPVV</b>	Rajkiya Pratibha Vikas Vidyalaya
<b>RTEA</b>	Right to Education Act
<b>RWA</b>	Resident Welfare Association
<b>SAM</b>	Severe Acute Malnutrition
<b>SHG</b>	Self-Help Group
<b>SHP</b>	School Health Programme
<b>SJPU</b>	Special Juvenile Police Unit
<b>SMC</b>	School Management Committee
<b>SPO</b>	Special Police Officer
<b>SSA</b>	Sarva Shiksha Abhiyaan
<b>THR</b>	Take Home Ration
<b>UT</b>	Union Territory
<b>VCDC</b>	Village Community Development Centre
<b>WCD</b>	Women and Child Development

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# I. Introduction

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- 1.1** The National Commission for Protection of Child Rights (NCPCR or Commission) was set up in March 2007, under the Commissions for Protection of Child Rights Act, 2005. The mandate of the Commission is to monitor all laws, policies, programmes, and administrative mechanisms in the country to ensure that children's rights as enshrined in the Constitution of India and also the under the UN Convention on the Rights of the Child (UNCRC) are protected. The Commissions for Protection of Child Rights Act, 2005 provides for one chairperson and six members in the Commission. While a chairperson and two members were appointed to the Commission in 2007, in the first term, during the second term in the year 2010-11 the chairperson and five members were appointed.
- 1.2** Since its inception in March 2007, the Commission has been involved in reviewing existing laws related to children, addressing complaints of violations of child rights and advocating improved policies, laws, programmes and budgets for children. The Commission worked through the setting up of expert working groups on specific issues, convening meetings and conferences with Governments, civil society and international organisations, making field visits, conducting public hearings, supporting research studies and so on.
- 1.3** The Commission intervened in 23 States and two Union Territories (UTs) through field visits, and often the visit included interacting with the community and sharing the gaps in programmes at the field with the State authorities which were followed up with letters and teams from the Commission. The visit to Assam, Tripura, Manipur, Chhattisgarh, Bihar, Orissa, Andhra Pradesh and Jammu and Kashmir focused on the rights of children in areas of civil unrest; Madhya Pradesh and Maharashtra on malnutrition; and Andhra Pradesh, Meghalaya, Rajasthan, Gujarat and Haryana on child labour and children's right to education. The Commission also covered issues relating to children's right to health, HIV and AIDS, child trafficking and missing children. It held public hearings on corporal punishment in Chennai where 90 suicide deaths caused by school-related issues were reported; bonded labour and absence of facilities in schools and discrimination on caste basis in Rajasthan, Karnataka, Meghalaya and Madhya Pradesh; and children affected and infected with HIV and AIDS in Andhra Pradesh and Manipur.
- 1.4** In addition to the issuance of directives based on State visits and public hearings, the Commission has also issued specific directives on corporal punishment and child labour related issues. Consequently there has been a public debate in the media on corporal punishment with more incidents being reported and a consensus emerging for abolition of child labour in all its forms.
- 1.5** The Commission constituted working groups with eminent persons, officials and activists on:
- a) Corporal punishment;
  - b) Child labour and education;
  - c) Juvenile justice system;
  - d) Children's rights in areas of civil unrest;
  - e) Rights of children affected and infected with HIV and AIDS;
  - f) Child participation in reality shows;
  - g) Children on railway platforms;
  - h) Draft Bill on Sexual Offences against children and so on.



Reports have been submitted for policy changes and amendments in Acts.

- 1.6 The Commission has set up systems for receiving complaints and even taken *suo moto* cognizance in many cases. Over 1873 complaints have been received and the response mechanism has been streamlined now.
- 1.7 With support from the Ministry of Human Resource Development, the Commission has a dedicated Right to Education Division to monitor the implementation of the 'The Right of Children to Free and Compulsory Education Act, 2009' (RTE) Act as mandated by Article 31 of the RTE Act.
- 1.8 The Commission has started a pilot on protection of child rights in areas of civil unrest *Bal Bandhu* with support from the Prime Minister's Relief Fund in the States of Andhra Pradesh, Assam, Bihar, Chhattisgarh and Maharashtra.
- 1.9 It is necessary to highlight the importance of institutionalized response that is predictable and efficient to cater to children and protection of their rights. Currently, the success of programmes is largely dependent on a well-meaning bureaucrat or on the presence of a grassroots NGO. There continues to be a huge gap of access between institutions that are available at the level of habitations and the poor household. To bridge this, community mobilization, where children are discussed and become a part of public discourse and debate is essential and the system has to simultaneously be geared to respond to the demands made by the community. There has to be a well-oiled systemic framework of involvement of the Gram Panchayats and its interaction with the local officials. Solutions to the innumerable problems faced by children are to be found at the local level, and it must be the duty of the officials to prepare the community to demand services.
- 1.10 Simultaneously there has to be support from all the officials from block, district and State level to respond to the increasing demands on the system. Fund flow, on time and quality of services must be insisted upon. Should there be tardiness due to procedural delays there has to be a mechanism to rectify and protect the child with a sense of urgency. The best interest of the child is most important and red tape can be no excuse for delays.
- 1.11 It is often heard that it is impractical to cover all children, and all services at one go and so 'doable' and 'practical' targets are defined. It is often asked to spell out short-term needs embedded in the vision of long-term goals. It does not make sense for the child concerned to be asked to wait till the world of the adult is ready for her. Childhood comes only once. A lost childhood can never be regained. The long-term effects of children who have missed out on their basic entitlements and its impact on their vulnerabilities as they grow has lasting implications for children, and society at large. The best, therefore, through a strong sense systemic framework has to be given in a time-bound manner without any delay to every child.