



Report on children coming from North East to Mangalore and situation of children institutions in Mangalore:

VISIT REPORT OF DR. YOGESH DUBE



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Abbreviations

ATR -	Action Taken Report
ALC	Assistant Labour Commissioner
CWC -	Child Welfare Committee
DC -	Deputy Commissioner
ICDS-	Integrated Child Development Scheme
ICPS-	Integrated Child Protection of Scheme
ISKON	International Society for Krishna Consciousness
JJ Act-	The Juvenile Justice (Care and Protection of Children) Act, 2000
NCPCR-	National Commission for Protection of Child Rights
NGO -	Non-Governmental Organisation
RTE -	Right to Education
SCPCR-	State Commission for Protection of Child Rights
SJPU-	Special Juvenile Police Unit
SMC-	School Management Committee

Visit of the Commission to review Child Trafficking, Child Labour and Education in Mangalore
From 27th May – 29th May, 2012.

1. Team Composition

Dr. Yogesh Dube, Member- National Commission for Protection of Child Rights (NCPCR) visited Mangalore from 27th May to 29th May, 2012.

2. Brief Description of the Visit

The purpose of the visit was to assess the situation of Children in various mutts brought from North-Eastern States for providing education in Mangalore. Also to hold meeting with the District Administration, Mangalore, on the issue of child rights, increasing child labour in the District and complaints received by the Commission.

Dr. Yogesh Dube, in this regard he held meetings with District Administration and NGOs regarding Child Trafficking, Child Labour and Education also held meeting with Child Welfare Committee Members of the Mangalore district.Dr. Dube also visited Bala Samrakshana Kendra, Kuttar Padav and Alosian Boys Home, Kotekar, Mangalore.

3. The Tour Itinerary

Visit programme of Dr. Yogesh Dube, Member, NCPCR to Mangalore, from 27.05.2012 to 29.05.2012.

Travel Itinerary

Date	Travel Plan/Activity
27.05.2012	<ul style="list-style-type: none">• Departure from Mumbai at 11.00 p.m. (AI-679)• Arrival at Mangalore Airport at 12.15 p.m.• Reception, transportation* and security to be arranged by the District Collector, (Karnataka).
28.05.2012	<ul style="list-style-type: none">• 03.00 p.m. Meeting with District Administration on the issue of child rights, increasing child labour, education and the complaints received by the Commission.
29.05.2012	<ul style="list-style-type: none">• Departure from Mangalore at 12.50 p.m. (AI-680)*• Arrival at Mumbai Airport at 02.10 p.m.• Departure from Mumbai at 05.00 p.m. (AI-660)

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| | <ul style="list-style-type: none"> • Arrival at New Delhi Airport at 07.00 p.m. |
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***He returned on the 28-05-2012 Night.**

5. Visit to Alosian Boys Home, Kotekar, Mangalore

Dr. Yogesh Dube visited Alosian Boys Home on 27.05.2012 along with District Child Protection officer Smt. Gracy L. Gosalves and Shri. Nagesh, Labour Officer, Mangalore.



A total of 78 children were present in the institution. The home is registered under Juvenile Justice Act, 2000. Out of 78 children 23 are admitted through Child welfare Committee and 50 orphans children. The rest are the children of those parents who can't able to look after their children and had kept their children in home. The superintendent of the

institution Sister Ida and House Father Joseph D'Souza explained the details about the organization.

The home runs in a vast campus. There are ten separate cottages. Each cottage has one kitchen, 3 toilets, 5 rooms and one care taker for each cottage. The Commission found that the children were cleaning utensils and washing their clothes. Dr. Dube instructed that no child shall do such work and they should be



provided with proper recreational facilities. When inquired about the details of missing children, it was told by Superintendent of home that 7 child went missing out of which 6 were traced out. Till date the whereabouts of one child still unavailable.

All children are enrolled in school and attend school regularly. For their transportation separate vehicle had been provided by the institution. The children get food on timely basis and of adequate amount. Commission felt that there is no adequate arrangement of security in the home as there is no security guard appointed since last one year. Dr. Dube instructed them to appoint a security guard as soon as possible and take necessary step to strengthen security in the home so that no child go missing.



6. Visit to Bala Samrakshana Kendra, Kuttar Padav, Mangalore

Dr. Dube visited Bala Samrakshana Kendra, Kuttar Padav on 27.05.2012. A total of 78 boys and girls are staying in the same home. Sri Anantha Krishna Bhatt, Conveyer of the institution was also present at the time of inspection.

It was found that in the institution 16 boys and 62 girls upto the age of 18 are



staying together in the same building. Mangalore Boys and girls are found to be staying in the same building. This is violation of provisions of Juvenile Justice Act. Boys and girls shall be kept separately as per the provisions of Juvenile Justice Act. Out of 78 children, 26 children are from Meghalaya. They have been brought by Sri Thukaram Shetty, Social Worker

to provide education to them. The children brought from Meghalaya are sent to English Medium School while other children are sent to Government school. Dr. Yogesh Dube directed the authority to send a detailed case history of all the children staying in the home.

The conveyor of the institution told that there are 78 children whereas Department of Women and Child Development had sanctioned 2 cottage each with the capacity of 50 children.



registered under Societies Act and also under Juvenile Justice Act, 2000. The Commission found that none of the child had been produced before Child Welfare Committee.

The major problem occurs when department cut down the grant due to absence of Children. The institution is incurring expenditure near about 3 lakhs whereas the government sanctions only 1 lakh or sometimes 1.5 lakh. The orphan children from Meghalaya are not receiving any grant and the organization has to bear the full expenditure on its own. He further told that the institution is



Children submitting their petition for providing safety to Dr. Yogesh Dube, Member, NCPNR

7. Meeting with Child Welfare Committee in Mangalore



On 27.05.2012, Dr. Yogesh Dube, held meeting with C.W.C members. The Chairperson of C.W.C Smt. Asha Nayak, along with Smt. Manjula Rao and Sri Mahesh Chandra Nayak were present. Dr. Dube inquired about the weekly sittings and how many cases come before the court. He also asked about the issues pertaining to cases related to child labour,

statistics, the difficulties in reaching out to them and other infrastructural hazards. Dr. Dube asked about information pertaining to the Meghalaya children staying at Bala Samrakshana Kendra, Kuthar. The details information and the statistics related to these children were not available with them. So Dr. Dube directed to furnish these information later. He also enquired with regard to the number of Government homes for boys and girls and adoption agency. It was informed that there is only one Government Children home for boys for the age group of 5 to 16 years. All other child care institutions are being run by NGOs. He also inquired about the number of missing children from Aloysian Boys Home Dr. Dube told them that since committee have magisterial powers they should utilize them to the fullest of the capacity in the best interest of the child.



8. Meeting with District Administration, Mangalore

Meeting with the District Administration in the District Commissioner's Court Hall

On 28th May 2012 under the Chairmanship of Dr. Yogesh Dube meeting with district administration and NGOs was held at District Commissioner's court hall. Mr. K.A. Daynand, ADC welcomed everyone and briefed about purpose of the meeting. Dr. Dube briefed about the working of NCPCC and raised his concern about the situation of children involved in child labour and children who are trafficked to the State for different purposes.



Smt. Geetha K. (APC, SSA), give a detailed report on the functioning of education department and presented data related to secondary school enrollments, literacy and drop out rate, teachers training programme etc. She told that every school have

drinking water facilities, separate toilets for boys and girls and napkin disposal unit to every school. Regarding mid-day meal, she told that department has appointed cooks and sweeper from SDMC. ISKON is supplying mid day meal to the 145 government schools.

Dr. Dube inquired about presence of any migratory hostel in the district. The official told that there are no migratory hostel. Dr. Vijayaprakash, CEO, Zilla Panchayat, Dakshina Kannada told that there is Morarji Desai Residential School for post matric students in the district. Dr. Dube recommended to start migratory hostel and Kasturba Gandhi Balika Vidyalaya Model Schools in

Dakshina Kannada to curb child labour in the district and enroll more children in formal schools.

Mr.Venkatesh, Assistant Labour Commissioner briefed about the Child labour survey conducted in the district in 2011 by NGOs. The survey covered ports, factories, construction sites, households etc. A total of 39 child labourers rescued out of which only one was found confirm child labourer after age verification. That child was produced before CWC which later send him to Alosian Boys Home. ALC further told that a workshop on child labour had been organized for Panchayat Development Officers and Village Accountants. Dr. Dube directed to send a report regarding action plan for survey and the proceedings of the meeting of District Child Labour Committee. A monitoring committee must be formed at the district level to monitor child rights comprising the representative of civil society, media persons, local bodies representatives, Child Welfare Committee and concerned government departments.



Ms. Gracy Gonsalves,
District Child

Protection Officer, gave detail about the ICPS in the district. She told that there is only one children home for boys is being run by government rest of the children institutions are being run by NGOs. Dr. Dube recommended that district administration should send proposals to open children home, shelter home and observation home in the district to the State Government at the earliest. He also instructed that Child Welfare Committee shall inspect all the 41 children institutions run by NGOs and submit a detail report to the Commission. It is found that numbers of children were missing from NGOs run children institutions. Efforts should be made to trace all such missing children at the earliest. Proper tracking system shall be developed to track missing children and specially missing from children institutions.

Ms. Shakuntala A, Deputy Director, Women and Child development Department, presented report about the ICDS in the district. There are 2012 aganwadi centres in the district. She told that 842 severe underweight children are identified and care has been taken to improve the nutritional status of these children through special health check up camps and providing additional supplementary nutrition. She told that 4 MSPT food production units are there in the district. Dr. Dube recommended to send a proposal to State Government to open Nutrition Rehabilitation Centre in the district.

He told that ICDS should reach to every child through government machinery without any delay. All the ICDS centers must properly maintain all the records and make it available at the ICDS centers only. Doctor responsible for visiting and managing SAM children need to be designated, along with an alternate doctor. Both of them need to be provided with the guidelines on management and follow up of SAM and MAM. The same guidelines also need to be provided to the pediatrician responsible for managing SAM children in the Taluka/ district hospital to ensure uniformity of management. Doctor should provide the treatment plan on the SAM register, and sign legibly. If a referral to a pediatrician is required, it must be done within a week. If parents are unwilling to take the child to a pediatrician despite counseling by AWW, Supervisor, doctor, then the administration need to seek help from Panchayat/ provide transport. This must be recorded in the SAM register. Refresher training should be arrange for Supervisors and CDPOs to interpret growth charts

Prof. Hilda Rayappan, Director of Prajna Counselling Centre brought to the notice of the Commission that most of the NGOs are unaware about ICPS programme and a proper training and orientation programme is needed. Regarding rescue of child labour Mr. Renni d'Souza, Director, PADI told that in the district minor children are arrested by Police. So, there is need of training and proper guidance to all the concern department and stake holders.

Dr. Dube emphasized the need of convergence between all the concern departments and they should put all their effort in the best interest of the children in the district.

Recommendations

6. The Recommendations to the State Government as follows:

Children Home and Observation Home: (Concern Department: Department of Social Welfare)

- a) Send Case History details (as per Form XX of Juvenile Justice Act) and Deed of Surrender/Consent Letter of parents of the children brought from North East kept in Bala Smarakshana Kendra, Kuttar Padav, Mangalore to the Commission within 15 working days.
- b) It is found that numbers of children were missing from NGOs run children institutions. Efforts should be made to trace all such missing children at the earliest. Proper tracking system shall be developed to track missing children and specially missing from children institutions.
- c) Child Welfare Committee shall inspect all the 41 children institutions of Mangalore and sent a detailed report to Commission within a month.
- d) Proper security arrangements must be provided to all children institutions .
- e) Notification must be issued to open Children Home, Observation Home, Special Home and Shelter Homes in the various Districts of the State where there are no such Homes and a copy of notifications must be sent to the Commission. The proposal sent to Central Government may be shared with NCPNR for follow up.
- f) No male staff must be posted in any children home for girls.
- g) Child Welfare Committees and Juvenile Justice Board must be strengthened and training of the Members shall be arranged. CWC and JJB are made to reach the Children in need of care and protection and juvenile in conflict with law.
- h) Constitute Special Juvenile Police Unit as per Section 63 of Juvenile Justice Act, 2000.
- i) Training and Orientation of police officials with regard to child rights issues on regular basis.

Child Labour (Concern Department: Department of Labour)

- a) Fresh child labour survey shall be conducted as the results of previous survey is not acceptable to the Commission. The fresh survey should be done by involving civil societies, Child Welfare Committees and officials from Labour and Education Department. The survey must be conducted at all the tourist places, ports, industrial areas, brick kilns etc.
- b) Give a report on the number of arrest and prosecution done in last 3 years in violation of Child Labour (Prohibition and Regulation) Act, 1986.
- c) Child Mapping must be completed within 2 months to ensure registration of all the children in the school.
- d) Training and Orientation of officials with regard to child rights issues on regular basis.
- e) A monitoring committee must be formed at the district level in all the district to monitor child rights comprising the representative of civil society, media persons, local bodies representatives, Child Welfare Committee and concerned government departments.
- f) Create special check post to check child trafficking. Special task force must be constituted in this regard. Director General of Police shall review their functioning on monthly basis.
- g) The State Government shall review the functioning of NCLP schools in the State. A detailed report shall be shared with the Commission.

Education: (Concern Department : Department of Education)

- a) The State Government should develop a proper Action Plan to implement Right to Education Act in its full spirit and word and complies all the provisions mentioned in the RTE Act.
- b) The State Government shall develop a proper grievance redressal system with regard to the complaints related to violation of RTE at all the levels. State Commission for Protection of Child Rights must be involved.
- c) Special attention must be paid to ensure the provision of RTE Act according to which 25% seats must be reserved for children of Economically Weaker Section as directed in the recent judgment of Honourable Supreme Court of India.
- d) Kasturba Gandhi Balika Vidyalaya shall be open in Mangalore.

- e) The State Government must ensure that all the schools must have working toilets separately for boys and girls in all schools. The State will give the report in this regard to the Commission within 3 months. The State Government shall send a copy of affidavit submitted to Honourable Supreme Court in this regard.
- f) There must be facilities of school in neighbourhood as per the RTE Act, 2009. The report related to all new schools constructed in last one year shall be sent to the Commission.
- g) The report of drop out students and steps taken to readmission them in school shall be sent to the Commission.
- h) The State Government shall ensure proper drinking water facilities in all the schools. Special attention shall be given to the School in the hilly regions and difficult terrains.
- i) The vacant position of all the teachers in the School shall be filled as soon as possible. Steps taken in this regard shall be shared with the Commission.

Department of Women and Child Development and Department of Health and Family Welfare

- a) Open Nutrition Rehabilitation Centre in Mangalore at the earliest and send action taken report to Commission.
- b) All the ICDS centers must properly maintain all the records and make it available at the ICDS centers only.
- c) In view of limited space, poor lighting, overcrowding, need to have own AW building as per norms. Will ensure appropriate food storage area, for utensils, clean cooking area.
- d) Repair of unsafe structures in the AWC, like broken doors, which is a safety hazard.
- e) Refresher training for Supervisors and CDPOs to interpret growth charts
- f) Responsibility of monitoring Severely Acute Malnourished (SAM) children to be with Supervisors with the help of AWW.

- g) Supervisor to visit AWC fortnightly, weigh the SAM children, children discharged from hospital after management of malnutrition, in front of her, and sign the chart.
- h) Need to maintain separate register for SAM children, indicating their weight, date, action taken including referral and diet given. Children referred back to AWC also need to be detailed here.
- i) All SAM children and children between 0-6 months need to be examined by PHC/ CHC doctor within 15 days of identification, so that an appropriate plan of management can be formulated.
- j) Doctor responsible for visiting and managing SAM children need to be designated, along with an alternate doctor. Both of them need to be provided with the guidelines on management and follow up of SAM and MAM. The same guidelines also need to be provided to the pediatrician responsible for managing SAM children in the Taluka/ district hospital to ensure uniformity of management.
- k) Doctor should provide the treatment plan on the SAM register, and sign legibly. If a referral to a pediatrician is required, it must be done within a week. If parents are unwilling to take the child to a pediatrician despite counseling by AWW, Supervisor, doctor, then the administration need to seek help from Panchayat/ provide transport. This must be recorded in the SAM register.
- l) Nutrition rehabilitation centre shall be established in each district on the State.
- m) Practice of prescribing protein powder instead of nutrition for catch up growth, needs to be reviewed urgently.
- n) Dept of Health must take full responsibility of managing children with SAM till the time they move out of SAM and they can be managed at home.
- o) Infant and young child feeding IYCF training needs to be scaled up from the current levels to improve health workers capacity to advice on early initiation and exclusive breast feeding and replacement feeding.
- p) Nutritional surveillance system may be developed in the state.

For Naxal Affected Areas:

- a) Open new schools and aganwadi centres in the affected blocks.

- b) Ensure admission of all the out of school children in the areas.
- c) Initiate campaigns of social mobilization in the areas to aware people about child rights.
- d) Action plan shall be develop to protect child rights in the naxal affected areas.
