



One day State level Consultation on protection of Child Rights

(North- East Cell)

**Gangtok , Sikkim
29 th May 2017**

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One day State level workshop on protection of child rights was organized by National Commission for Protection of Child Rights in collaboration with Sikkim State Commission for Protection of Child Rights on 29th may 2017 in Gangtok, Sikkim. It was attended by one hundred thirty three participants comprising representative of district administration , Superintendent of Police of all districts of Sikkim, principals of senior secondary schools , officers of labour department, zila panchayat , medical officers of district hospitals, SHOs , members / chairpersons of Child Welfare Committee from all over the State.

The consultation workshop was presided over by Shri. Yaswant Jain, Member (NCPCR), Smt. Rupa Kapoor, Member (NCPCR), Smt. Deekila Bhutia , Chairperson (Sikkim SCPCR), Shri Purba Sherpa, Secretary (Juvenile Welfare Board), Shri R Telang, Commissioner come Secretary, Social Justice Department(Sikkim).



Shri. Dushyant , Member Secretary , Sikkim SCPCR welcomed all the dignitaries on the dais and the participants came from all over the State.

1. Address by Smt Smt Deekila Bhutia , Chairperson Sikkim SCPCR :

1.1 Smt Deekila Bhutia , Chairperson Sikkim SCPCR addressed the participants. She elucidated the importance of having such kind of programmes which not only orients the stakeholders with the pertinent aspects of working for and with the children by equipping them with the legislations, policies and programmes constituted for them. She stated that simultaneously it is also important to understand the various approaches, strategies and methods other states have adopted which could be emulated as best practices in the Sikkim .

1.2 She also appealed the important stakeholders especially the CWC to be proactive and take their roles seriously by updating themselves with the revamped and amended legislations by not only sitting for different cases of children but also by taking continuous follow up of the rehabilitated and repatriated children so that the system is in loop. She also requested the police personnel's to maintain a good coordination with the concerned bodies especially the SCPCR, ICPS cell, CWC and JJB so that the working mechanism for the children is integrated and inclusive.

2. Issues of JJ Act 2015 and POCSO Act 2012:

2.1 At the onset Shri. Yashwant Jain, Member, NCPCR greeted dignitaries on the dais. He briefly mentioned about the constitution of the NCPCR/ SCPCRs as per CPCR Act 2005 and monitoring role of them under three major RTE Act 2009, JJ Act 2015 and POCSO Act 2012. However, maximum issues related to children are covered under the JJ Act 2015. The act also defines children in two major categories i.e. Child in need of care & protection and Child in Conflict with law.



2.2 On describing the recent amendments on punishment and categorization of heinous crimes under the JJ Act 2015, he appealed the participants to be aware of important provisions of the Act and play a proactive role in sensitizing children.

2.3 He also gave following information to the participants:

- i. Child care institutions are divided in four categories as the JJ Act 2015.
- ii. Child welfare Committee has a major role therefore it is necessary for them to be aware of their powers and rehabilitation process of the child. In emergency situations when the whole bench is not sitting a single member can take the decision and later it may be verified by the committee. If the tenure of CWC ends up, the State should notify and give the additional charge to other CWC without delay.
- iii. The provision is for separate Homes for CNCP and CCL children. Whereas, children will be kept in a place notified as 'Place of safety' during the trial of the case.
- iv. Procedure is set up to legally free the child for adoption where CWC has a key role of CWC in this process.
- v. As per the recent judgment of 5 May 2017 of Supreme Court of India, the State has to submit the records of children in CCIs.
- vi. The Court has also directed to form district monitoring committees as per JJ Act by July 2017. The Committee has to visit the CCIs and report will be submitted to State.
- vii. A procedure is set up in the Act for adopting the children. Cruelty against children, cruelty against disable children, identity disclosure (if some offence against children), sale of tobacco to the child below 18 yrs (section 77 of the Act) has been defined in the JJ Act 2015.
- viii. Important Section 78, 80, 82, 84 and section 85 of JJ Act 2015.

2.4 He has shared the experience of mishandling of CNCP and CCL inmates of a home in New Jalpaiguri, West Bengal where the Children Home and Observation home were running simultaneously and suggested to avoid such mistakes.

2.5 He stated that he said all police stations must keep the books of JJ Act, POCSO Act. On sharing his experience of Mizoram, he suggested that Sikkim take prior steps curb the drugs addiction in the State.

2.6 He also apprised the participants on the important provisions i.e burden of proof, pornography, molestation of the POCSO Act 2012. The act defines mandatory procedure of reporting under Section 19 of the POCSO Act 2012. The

CNCP children must be referred to CWCs. The Act also provides punishment of a higher degree if a person of trust commits the offence against the child.

2.7 He emphasized that sensitization of police officers and medical practitioners towards cases of sexual offences is very important. He informed about One stop center initiative by the state of Karnataka where they involve DCPU immediately to facilitate the child and DLSA gives the compensation of 10,000 /- to meet immediate needs of the child.

At the end he thanked all the participants and stated that awareness of all stakeholders on important provisions of the major Acts is important

3. Issues related to Child Health and orientation on Child Friendly concepts:

3.1 Smt. Rupa Kapoor, Member, NCPCR elucidated on how health and other aspects of children are interconnected. She stressed on adequate care and protection of children and stated that a nurturing environment for children is extremely important for their physical as well as mental health. She appealed the stakeholders to develop an understanding of psychology of children



3.2 She apprised the participants on following major activities taken by the NCPCR through a presentation:

3.2.1 Child friendly Police stations:

Child friendly police stations are equipped all the basic amenities/ services needed for children with a dedicated trained police officer, counselors. She informed that such child friendly police stations are set up in, Chhattisgarh, Uttar Pradesh, West Bengal and Himachal Pradesh. The Commission is piloting the project in Delhi.

She suggested creating a room in police stations with proper records of translators, counselors and CWC functionaries which can be used to help the child in providing services.

3.2.2 One Stop Crises Center:

One stop crises centers are set up in Karnataka operational with doctors, counselor and a legal expert. All needed facility/ services are immediately provided to the victims of child sexual abuse once they come to the center. It is a center for facilitating a child at one place with a compensation package. She said that such center is needed to be created in every state.



However, the awareness is important for prevention of sexual abuse. The walls at public places can be used for spreading information and can be used for dispersal of messages on sexual abuse. Awareness on POCSO Act is necessary for teachers and the schools are the best medium to disseminate information amongst children regarding the POCSO Act.

3.2.3 Child Friendly Mela :

India has largest number of Mela which attracts a large number of population. Children needs to be protected during such events. She informed that the NCPCR prepared guidelines for Child Friendly Mela which are piloted in two major Mela ie , Posh Mela of Shantinikan , West Bengal and Krishnapushkaran Mela of Vijayawada, Andhra Pradesh . She also informed the about the mechanism adopted during these ‘Mela’ for protection of children and to avoid incidences of child abuse.

3.2.4 She highlighted the need of guidelines for child friendly hospitals and shared a case of Child death in a hospital of Ajmer. She asked the participants to visit the hospitals and make necessary changes so that child deaths could be prevented.

3.2.5 She informed about the ‘Jagruk Raho Chuppi Todo Abhiyan ’, a campaign on awareness on Child Sexual Abuse conducted by NCPCR in slum areas of Delhi. Local communities were involved in these campaigns where the interaction was held between police and them.

3.3 At last, she stated that rehabilitation and reparation process needs to be strengthened so that children get a nurturing environment. She conveyed her concerns on training of CCI functionaries on the aspect of child psychology and women reproductive health.

4. A movie ‘Nurturing the Future’ on efforts of Sikkim SCPCR was screened for all the participants.

5. Superintendent of Police, South Sikkim apprised that the police are working with the welfare department of the State. They are connecting with schools through a pilot project ‘ Mission Jyoti’ in South Sikkim.

Deputy Secretary, ICPS , Sikkim thanked all the dignitaries and representatives .



Programme Schedule

29th May, 2017

Sl. No.	Time	Activities
1.	10.30 AM – 11.00 AM	Registration and Tea
2.	11.00 AM – 11.15 AM	Welcome Address by Member Secretary, Shri. Dushyant Pariyar, Sikkim SCPCR
3.	11.15 AM – 11.30 AM	Address by Hon'ble Chairperson Smt. Deekila Bhutia, Sikkim SCPCR
4.	11.30 AM – 11.45 AM	Key note by Shri. Yashwant Jain, Member NCPCR
5.	11.45 AM – 12.15 PM	Issue related to Child Health and Orientation on Child Friendly concept by Smt. Rupa Kapoor, Member NCPCR
6.	12.15 PM – 12.30 PM	Screening of the film "Nurturing the Future" by Sikkim Commission for Protection of Child Rights
7.	12.30 PM – 01.15 PM	Issues of JJ Act and POCSO Act by Shri. Yashwant Jain, Member NCPCR
8.	01.15 PM – 01.30 PM	Open house discussion
		Vote of thanks by Ms. Pema Lhaden Lama, Deputy Secretary cum Program Manager, ICPs

List of Participants
State Level Consultation on child Rights at SJE&WD Lumsey, East Sikkim

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