NATIONAL LEVEL WORKSHOP
CONTEMPORARY ISSUES PERTAINING TO CHILD RIGHTS

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
15-16th OCTOBER 2019
REPORT

NATIONAL LEVEL WORKSHOP WITH SCPCR\textsc{s}

ON

CONTEMPORARY ISSUES PERTAINING TO CHILD RIGHTS

OCTOBER 15-16\textsuperscript{TH}, 2019

at

RAMBHAI MHALGI PRABODHINI, MUMBAI

Organized by

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS (NCPCR)
<table>
<thead>
<tr>
<th>S.NO</th>
<th>CONTENT</th>
<th>PAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>INTRODUCTION</td>
<td>4-5</td>
</tr>
<tr>
<td>2</td>
<td>PARALLEL SESSIONS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>GROUP-I LAWS RELATING TO CHILDREN</td>
<td>6-9</td>
</tr>
<tr>
<td></td>
<td>GROUP-II CHILD PSYCHOLOGY &amp; SOCIOLOGY</td>
<td>9-11</td>
</tr>
<tr>
<td></td>
<td>GROUP-III JUVENILE JUSTICE DIVISION</td>
<td>12-13</td>
</tr>
<tr>
<td></td>
<td>GROUP-IV CHILD LABOUR</td>
<td>13-14</td>
</tr>
<tr>
<td>3</td>
<td>SESSION ON CYBER SECURITY</td>
<td>15-16</td>
</tr>
<tr>
<td></td>
<td>DISCUSSION ON IMPLEMENTATION OF SECTION 13 (2) OF CPCR ACT, 2010</td>
<td>16-18</td>
</tr>
<tr>
<td>4</td>
<td>DISCUSSION ON CHILD TRAFFICKING</td>
<td>19-21</td>
</tr>
<tr>
<td></td>
<td>OUTCOMES OF PARALLEL SESSIONS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>GROUP-I LAWS RELATING TO CHILDREN</td>
<td>22-23</td>
</tr>
<tr>
<td></td>
<td>GROUP-II CHILD PSYCHOLOGY &amp; SOCIOLOGY</td>
<td>23-24</td>
</tr>
<tr>
<td></td>
<td>GROUP-III JUVENILE JUSTICE DIVISION</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>GROUP-IV CHILD LABOUR</td>
<td>26-27</td>
</tr>
<tr>
<td>5</td>
<td>OUTCOMES OF NATIONAL LEVEL WORKSHOPS</td>
<td>28</td>
</tr>
</tbody>
</table>
NCPCR organized a Two day national level workshop with the State Commission for Protection of Child Rights (SCPCRs) on contemporary issues pertaining to child rights. The workshop was held at Rambhau Mhalgi Prabodhini, Mumbai on 15-16th October 2019. The workshop was attended by 22 States and 3 Union Territories.

On the first day, four parallel sessions have taken place in which the significant issues related to child rights were identified by the Commission. These sessions were chaired by the Members of NCPCR. After the parallel sessions all the representatives of SCPCR gathered for the common session discussing the issues related to implementation of section 13 (2) of CPCR Act, 2010 and Child Trafficking. On the second day the four groups gave a detailed presentation on the outcomes discussed during the parallel sessions. A presentation was also given on Cyber security and Safety of children by Cyber Peace foundation and on Online Safety by Responsible Netism.

In the end, open house discussion was conducted with an objective to provide SCPCR’s with a common platform where they could raise their queries or any apprehensions they may be encountering in their states and put forward their recommendations or opinions on matters related to child rights.

WELCOME ADDRESS

The workshop commenced with an introductory address by Shri Yashwant Jain, Member, NCPCR. He expressed his gratitude to all the dignitaries on the dias and SCPCRs for their presence in the workshop. He welcomed the members and Chairpersons of SCPCR’s and recognized their relentless and proactive work on issues related to Child Rights. He also appreciated the best practices implemented by SCPCR’s for the benefit of children. Lastly, Shri Yashwant Jain introduced the themes for two day national level workshop.

Sh. Yashwant Jain
Member, NCPCR
Sh. Priyank Kanoongo, Chairperson, NCPCR delivered a key note address in which he shed some light on conducting the national workshop with all the State Commissions. He discussed the themes finalized for the national workshop and presented future course of action that NCPCR is planning to implement all over India. Major Highlights of the keynote address: -

- To build consensus among all the SCPCR’s and finalise SOP’s for Rescue of Child Labour, Care and Protection of Children in street situations and child beggar on the streets of cities of India and Inspection tool for CCI’s for the State Commissions.
- Standardization of Individual care plan (ICP) and training of counselor/case worker in CCI’s with specific focus on trauma and psycho-social risks management.
- To come up with a strategy for effective monitoring and implementation of POCSO Act and devise action plans for awareness on POCSO ACT, Child Marriage.
- Discussion on the next phase and subsequent themes for Pariksha Parv 2.0
- Discussion on methodology on proposal of Innerwheel Club and Swanath Foundation for sponsorship of children.
- Discussion with source and destination States on issue of Child Trafficking at the time of natural disasters viz-flood etc
- Conducting consultation meeting with all the SCPCR’s every three months.
- Discussion on Section 13 (2) of CPCR Act to ensure smooth functioning and avoid overlapping of decisions between the National and State Commission.

He further discussed the new initiatives taken by NCPCR which includes- Conducting bench/camp in all 115 aspirational districts listed by Niti Aayog.

In the end, Chairperson said- “Both NCPCR and SCPCR’s are the important pillars when it comes to protecting the rights of children. Therefore, both the bodies should work intandem with each other and ensure that every child in India should enjoy basic rights which are promised to them by our Constitution.
PARALLEL SESSIONS

The workshop was attended by 22 States and three Union Territories. On the first day, four parallel sessions have taken place in which the significant issues related to child rights were identified by the Commission. Each group was headed by the Members of National Commission for Protection of Child Rights (NCPCR).

GROUP 1- LAWS RELATING TO CHILDREN

Agenda 1-Strategy Building for Effective Monitoring & Implementation of the POCSO Act, 2019

The Session was chaired by Shri Yashwant Jain, Member, NCPCR along with Shri Ramesh Negi, Chairperson, Delhi Commission for Protection of Child Rights. Shri Yashwant Jain explained the monitoring role assigned to NCPCRs/ SCPCRs under POCSO Act 2012 and highlighted the recent amendments of the POCSO Act.

KEY HIGHLIGHTS

- The data of departments of the State/ UTs was shared with the representatives of the State Commissions.
- Point to point discussion on statutory obligation under Rule 6 of the POCSO Act was held with the State Commissions.
- All the State representatives actively participated in the session and informed about steps being taken by them for monitoring of the provisions of the POCSO Act. Members of the State Commissions – Odisha, Tamil Nadu and Kerala shared that they are collecting information in respect of POCSO Act at their level in the respective States.
A strategy plan to get minimum important information about the Act was presented before all participants. The strategy plan was in alignment with Rule 6 (3) and Rule 6 (1) of the POCSO Rules 2012 where the NCPCR or SCPCRs shall perform the following functions for implementation of provision of the POCSO Act.

- a) To monitor the designation of Special Courts by State Governments;
- b) To monitor the appointment of Special Public Prosecutors by State Governments.
- c) To monitor the formulation of guidelines under section 39 of the Act by the State Governments. Also to monitor the application of these guidelines;
- d) To monitor the designing and implementation of modules for training police personnel and other concerned persons for the effective discharge of their functions under the Act;
- e) To monitor and support the Central and State Governments for the dissemination of information relating to the Act through print, electronic and other media.

A strategy plan with a dedicated time frame on the above mentioned monitoring role of NCPCR/SCPCRs under the Act and collection of basic information on implementation of the POCSO Act was discussed in detail. Shri Ramesh Negi, Chairperson Delhi CPCR, Shri Harihar Nayak, Member, Odisha CPCR, Member TNCPCR and Kerala CPCR elaborated on initiatives taken by them for monitoring of the Act.

Shri Yashwant Jain, Member NCPCR informed about the recent orders of Hon’ble Supreme Court on the alarming rise in sexual abuse cases against minors. All representatives of State/UTs gave their positive response on the strategy plan for monitoring of implementation of the POCSO Act. The SCPCRs were also asked to share the data collected by them with the NCPCR.

**Agenda 2- Action Plan for Awareness on POCSO (Amendment) Act/ Gaps and Challenges on Child sex abuse**

The session started with a discussion on various initiatives taken by the SCPCR for awareness and information dissemination on POCSO Act and child sex abuse. Shri. Yashwant Jain emphasised on the statutory obligation on the Commissions for supporting the Government on awareness of the POCSO Act. A positive discussion was held within the group members.
representing different SCPCRs on the issue of child sexual abuse and prevention of such crime against children through awareness and sensitization of authorities.

Ms Jyoti Rathee, Member, Delhi SCPCR highlighted the awareness programme done by them in schools of Delhi. Ms Roshnilla, DCPO, Sikkim, Ms Sumatibala, Chairperson, Manipur SCPCR Chairperson, Punjab SCPCR also shared the initiatives taken by them for awareness about the Act. A draft action plan on awareness on POCSO Act/ Child Sex Abuse was circulated and discussed with the SCPCR representatives. Shri Yashwant Jain initiated the point wise discussion on the action plan made to reach out to all stakeholders duty bound under POCSO Act or may come in contact with child. All SCPCR representatives were asked to share their comments on proposed action plan (if any).

Chairperson, NCPCR gave special mention on awareness of Pandits/ Maulvi/ Clerics and their involvement in stopping child marriages. He stated that all States must conduct district wise awareness programmes on child marriages with all those who help or take part in marriage arrangements.

Agenda 3- Action Plan for Awareness on Child Marriage

The Session was chaired by Shri Priyank Kanoongo, Chairperson-NCPCR along with Shri Yashwant Jain, Member-NCPCR. The representatives of SCPCR were involved in the discussion on issues of child marriage in various States. It was expressed that in many States like Karnataka, Andhra Pradesh, Rajasthan and Bihar, mass marriages of children are still happening, especially on the occasion of Akshya Tritiya. Representatives of North Eastern states, Manipur and Assam highlighted the customary
practices of marriage in their States. Member of Rajasthan SCPCR and Member, Karnataka, SCPCR flagged the issue of injunction order for declaration of child marriage as null and void. The draft action plan on awareness of Child Marriage was circulated to all participants. Shi Yashwant Jain elucidates the proposed action plan on awareness of child marriage and asked all states representatives to give their views (if any) on the action plan.

**Agenda 4- Rehabilitation Strategy for sexual abuse victims especially pregnant minor girls/ Victim Compensation Scheme**

Shri Yashwant Jain, Member NCPCR highlighted the need of rehabilitation strategy for child sexual abuse victims who are impregnated by the abusers and are residing in child care institutions. He also touched the issue of delay in compensation to minor sexual abuse victims and asked the participants to have another look at NALSA victim compensation scheme. Participants were requested to monitor the implementation of victim compensation scheme in their states and mapping of pregnant minor girls in CCIs. This was discussed in detail within the group. Participants shared few case examples and conveyed their mutual concerns on delay in compensation to the victims. Shri Jain suggested all state representatives to understand the ground level effectiveness of compensation scheme and gather complete information about minor pregnant girls living in CCIs.

**GROUP II- CHILD PSYCHOLOGY & SOCIOLOGY**

**Agenda 1- Standardization of Individual Care Plan with Specific Focus on Trauma and Psycho-Social Risk Management**

The core objectives of the session are as follows:

- To discuss and deliberate on the draft of **Individual Care Plan (ICP)**
- Evaluation and assessment of the current framework of the ICP
- Identification of gaps in psycho-social situation analysis of the child with specific child populations under CNCP and CICL
Proposing effective reforms pertaining in the ICP to be widely adopted on the national level across all CCIs

**Agenda 2- Training of Trainers (TOT) Workshop for counselor/case worker in CCI on Filling-up of Individual Care Plan with Specific Focus on Trauma and Psycho-Social Risk Management**

The core objectives of the session are as follows:

- To discuss and deliberate on action plan in conducting Training of Trainers (TOT) workshop for counselor/case worker in CCI on filling-up of individual care plan with specific focus on trauma and psycho-social risk management;
- Development of modules or curriculum for key stakeholders engaged in participation;
- Deliberation on conducting regional level training workshop across states/UTs;
- Identification of master trainers;
- Deliberation over roles and responsibilities of various stakeholders such as: NCPCR, SCPCR, CWC, DCPU, NIPCCD etc. to ensure capacity building and training of trainers.

**Agenda 3- Standardization of Counseling Format for CWCs across All States/UTs**

The core objectives of the session are as follows:

- To discuss and deliberate on the current features of counseling format used across different states/UTs by CWC/DCPU;
- Identification of gaps in current counseling formats employed by CWCs in respective state/UTs;
• Planning and development of a uniform and concrete counseling format to be used across all states/UTs;

• To deliberate on the key features and outline of a standardized counseling format to be utilized for CNCP and CICL populations by CWC/DCPU/ counselor in CCIs.

### Agenda 4- DISCUSSION ON PARIKSHA PARV 2.0

National Commission for Protection of Child Rights, launched a month long campaign, celebrating exams ‘ParikshaParv’ during the exam period i.e. February-March, 2019. The objective was to change the outlook/perspective of children towards exams and to bring positive impact through social media platform, To provide expert advice on exam related stress and anxiety in children, Live Streaming of Q & A sessions with renowned experts-Psychiatrists/Psychologists Motivational Speakers etc through Facebook/Twitter/YouTube and Radio Spots/Jingle broadcast through AIR

The core objectives of the session are as follows:

• To discuss and deliberate on the next phase and subsequent themes for Pariksha Parv 2.0;

• Plan and strategize on various mechanisms to promote positive outlook of children towards exams and curb the psychological manifestations of stress during exams.
GROUP III- JUVENILE JUSTICE DIVISION

A total of 3 program activities were under critical deliberation and discussion with an eminent panel and Smt. Pragna Parande, Members, NCPCR. They are:

**Agenda 1- Inspection Tool for Child Care Institutions**

The core objectives of the session are as follows:

- To discuss and deliberate on the CCI Inspection Tool which would help to facilitate the inspection process that is carried out in the various CCIs.
- To discuss whether the tool would help to curb the shortcomings faced by the inspecting authority during inspection of a CCI.
- Identification of all the violations present in a CCI with the help of the above mentioned Tool and consequently analysing the same in the reporting format prepared.
- To meticulously analyse the present reporting format and discuss lacunas, if any.
- To suggest the use of both the Inspection Tool along with the Reporting format for immediate analysis and preparation of final report.

**Agenda 2- SOP for Care and Protection of Children in Street Situations and Child Beggar on Streets of Cities in India (version 2.0)**

The core objectives of the session are as follows:

- To discuss and deliberate on the expected effectiveness of the SOP for Care and Protection of Children in Street Situations and Child Beggars on streets of cities in India;
- To deliberate about the recommendations provided in the SOP, version 2.0 by
NCPCR in collaboration with Save the Children NGO after carrying out many field visits;

- To reflect upon strengthening of the SOP in order to make it more actionable by taking into consideration the different statutes available for Children in Street Situation, like JJ Act 2015, CLPRA 2016 and rules 2017, POCSO 2012, Beggary Act, Anti Trafficking Act etc.;
- To discuss about carrying out rescue operations and the identification of various stakeholders to be involved before, during and after the rescue operation, with a view to make India a country, free of child beggars.

The core objectives of the session are as follows: -

- To discuss and identify the children in need of Sponsorship.
- To deliberate on the structure of draft SOP for Sponsorship and how it can be implemented
- For restoring children residing in CClIs who can be rehabilitated to their respective families with the help of this sponsorship proposal.
- The modus operandi for implementation of this proposal pan India with the support of all the SCPCRs.

**GROUP IV- CHILD LABOUR DIVISION**

The core objectives of the session are as follows:-

- To work towards finalising SOP for rescue and rehabilitation of child labour
- To have a common understanding and take inputs from SCPCRs regarding the procedures adopted with regards to rescue and rehabilitation of children
- After such deliberations the SOP would be adopted for implementation.
Agenda 2- Status of Social, economic and Educational rehabilitation of rescued Child Labour in comparison to the numbers of children rescued. Methodology being adopted by SCPCRs for the purpose of monitoring the implementation of Section 14 (c) of CLPR Act, 1986.

The core objectives of the session are as follows:-

- To gather data regarding nature and incidence of child labour in states
- To apprise SCPCRs regarding importance of generating data regarding rehabilitation status of rescued child labour
- To work towards creating a portal for storing of data regarding rescued child labour and their rehabilitation
- To gather best practices of SCPCRs regarding rehabilitation of rescued child Labour.

Session 3- Initiatives/best practices being taken to ensure awareness on prohibition of employment of Child and Adolescents in Contravention of CLPR Act, 1986 in order to ensure implementation of Rule 2A of the said Act.

The core objectives of the session are as follows:-

- To apprise SCPCRs of their role and importance for implementation of Rule 2A of CLPRA Act.
- To share best practices adopted by SCPRs in order to spread awareness on prohibition of employment of child and adolescents in contravention to the CLPRA Act under rule 2A.
- To also share state specific barriers faced by SCPCRs while working towards implementation of Rule 2A of CLPRA Act.
National Commission for Protection of Child Rights (NCPCR) invited Sh. Vineet Kumar, Founder, Global Peace Foundation and Ms. Sonali Patankar from Responsible Netizen to sensitize the participants on issues related to cyber security and online safety of children.

Sh. Vineet Kumar gave a power point presentation and mentioned that with internet gaining popularity, there is an exponential rise in crimes against women and children. A survey by Microsoft revealed that India ranks third in the number of cyber bullying cases amongst children. The tragic part is children dread their parents and do not inform them about being bullied. They continue to suffer alone silently. On the other hand, children are victims of crimes like stalking, identity theft, revenge porn etc. He further added that children are getting involved in generating sexual content, online sexual conversation, sending intimate pictures to unknown person and later fall prey to blackmail, online harassment. He highlighted that even law enforcement agencies have failed in the task of curbing cyber crimes by quoting few examples like- Chinese app called ‘Bigo Live’ which has captured Indian imagination with lascivious content, more than 50 whatsapp groups share contents related to child sexual abuse, certain friendship and dating apps are providing escorts services. Thus sensitization of parents and children is the need of an hour, empowering citizen not just on online safety but resilience and responsible online behaviour as well, help victims on different fronts like law enforcement support, counselling, techno-legal help etc and create awareness on online safety.

Sh. Vineet Kumar  
Founder, Cyber Peace Foundation
A discussion on Sec. 13(2) of CPCR Act, 2005 was held, wherein the Chairperson, NCPCR informed all the SCPCRs and participants about the difficulty arising in working due to this provision. He explained the complications persisting in section 13(2) of the Act which clearly states that ‘the Commission shall not inquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force’.

He elaborated the complication of the said section with a case of child trafficking that took place in through illegal adoptions. A newspaper reports were published on 20.02.2017 regarding trafficking of children in Jalpaiguri, West Bengal through illegal adoptions. It was stated, that a team of police officials had conducted raid on 19.02.2017 in which the said child trafficking racket was caught and that, one accused had been arrested in the said case. Based on those newspaper reports and looking into the best interest of the children involved in the said case, Ms. Sonali Patankar, founder, Responsible Netism addressed the issues of cyber security saying that The internet has tremendous potential and has changed the lives and perceptions of people especially children in multiple ways. It is certainly a boon in many different ways, but, is also a “NECESSARY EVIL”. It is extremely useful and valuable for growth, development and empowerment, its impact also has certain disadvantages which cannot be ignored. Excessive use of internet has emerged as a serious threat among children causing behavioural changes, isolating them from society, breeding attention seeking behavior and developing low self esteem. In other words, they are leading a split personality life. Children are accessing sexually explicit materials which are extremely violent in nature causing tremendous emotional disturbance and affecting their healthy development. In her concluding remarks she asked the participants to empower people about online safety which is significant in promoting responsible online behavior.

Ms. Sonali Patankar
Founder, Responsible Netism
trafficking case, NCPCR under Section 13(1) (j) of CPCR Act, 2005 took *suo-motu* cognizance. On 07.03.2017, two member team of NCPCR visited Jalpaiguri to inquire into the matter.

The Commission vide various letters to DM, Jalpaiguri sought certain information in the matter based on the observations of visit and in respect to whether State Commission has taken cognizance of the matter before the visit of NCPCR team or after initiation of inquiry by NCPCR.

However, when no response was received, summons to DM, Jalpaiguri were issued, than DM informed that the information in the matter may be obtained from ADG, CID, West Bengal.

The Commission wrote to the ADG, CID for ATR and information. In absence of any information/documents from the State Government, NCPCR wrote to Chief Secretary to apprise him of the matter/situation. The Commission issued summons to the ADG, CID In pursuance to the summons CID vide its letter dated 24.07.2017 stated that NCPCR cannot proceed with the matter because WBSCPCR has already proceeded with this matter.

But as the documents/records sent by CID were found to be incomplete, another summon was issued to ADG, CID, to call for documents and to provide explanation as to the reasons for not restoring the child to his parents. Rather, replying to the Commission’s query, ADG, CID filed a petition before the Hon’ble Calcutta High Court and got *ex-parte* order stating that the Commission was barred to take cognizance in the matter u/s. 13 (2) of the Act.

The question here arise is whether the NCPCR is barred by Section 13 (2) of CPCR Act, 2005 to take cognizance in the matter; and who took cognizance first; whether mere writing an email and taking no action in the matter will amount to taking cognizance and barring other Commission to proceed further in the matter.

As the Hon’ble High Court passed an *ex-parte* order in the matter and stayed the inquiry, the Commission left with no other option to but to approach the Hon’ble Supreme Court and filed a SLP in the matter.

Further, the Chairperson highlighted the team effort of NCPCR and Odisha SCPCR where both conducted joint massive operation of inspection of 56 CCIs of Odisha in 7 days.
The State Commissions appreciated the Chairperson of NCPCR for holding a discussion on the issues related to section 13 (2) of CPCR Act and provided their valuable opinion and recommendations on the same as under:

a) There should be a proper coordination among both the statutory bodies (NCPCR and SCPCR) for smooth functioning and to avoid repetition;

b) If NCPCR is taking cognizance of any complaints then SCPCR should be made aware of the case so that local support from state government can be provided.

c) Where State Commissions cannot have cooperation then it is reasonably wise to involve NCPCR in matters related to child rights violation.

d) Database of cases can be created and shared with NCPCR which will help in smoothing the entire process and avoid further complications between the State commission and NCPCR.

e) In cases of serious nature SCPCR should forward the matter to the NCPCR or else, NCPCR on its own take cognizance, after informing the SCPCR. SCPCR should cooperate with the NCPCR in such matters.

**RECOMMENDATIONS FROM SCPCRs**

It was suggested by all the State Commissions: -

A) There should be a proper coordination among both the statutory bodies to avoid any such tussle in near future.

B) If NCPCR is taking cognizance of any complaints then state commission should be made aware of the case so that local support from state government can be provided.

C) highlighted that NCPCR is working

D) Where State Commissions cannot have cooperation then it is reasonably wise to involve NCPCR in matters related to child rights violation.

E) Database of cases can be created and shared with NCPCR which will help in smoothing the entire process and avoid further complications between the State commission and NCPCR.
DISCUSSION ON CHILD TRAFFICKING

Children are always the most vulnerable during emergencies - especially during floods, when families are forced to move to higher ground, leaving their homes for an extended period of time. There are organised groups of offenders who are quick to seize opportunities to exploit the plight of children.” Keeping this in view a brief session was scheduled with source and destination states or child trafficking during such natural disaster. The objective of this discussion was to understand the major problems faced by the source and destination states, initiatives taken by the state agencies and state commissions to eradicate child trafficking and in the end present recommendation on how to address the issue of child trafficking more efficiently. The session was divided into two groups- source states - Andhra Pradesh, Assam, Odisha, Manipur, Uttar Pradesh and Bihar and destination states- Delhi, Punjab, Chandigarh and Karnataka.

The source states are severely affected by floods every year which leaves children in these states vulnerable and easy prey for human traffickers. These Children disappear in other states and hired as domestic workers, drug peddlers, engaged in prostitution and child labour. It was decided that an advisory can be issued to the source and destination states to prevent children from trafficking during and post natural disaster-

- According to the Supreme Court order dated 2/05/09 (Vishal Jeet Vs Union of India), every State Government should set-up a State Advisory Committee for Preventing and Combating Trafficking of Women and Children for Commercial Sexual Exploitation. Ministry of Women & Child Development (MWCD) has already issued an advisory in this regard to all the State Governments.

Under Section 21, of Immoral Traffic (Prevention) Act (ITPA), 1956. the State Governments may set-up ‘Protective homes’ and ‘Corrective institutions’ for ensuring
proper implementation of the provisions of the Act. The information regarding these homes may be circulated to all Police Stations and officers dealing with the trafficking cases.

Meeting with all the relevant stakeholders viz-police, especially SJPUs, Women and Child and social welfare to sensitize the general public on the issue.

Coordination with railways to keep a close watch on suspicious movement of person with children.

Effort should be made to ensure that children remain in company of their parents and guardians, for their safety and overall well-being.

Juvenile Justice Act provides comprehensive mechanism for care and protection of children including rehabilitation and social integration of children. Therefore, its implementation is essential to address trafficking of children. Following provisions of the Act are concerned with the Home Department/ Police and require action by the State Governments:

The State Government shall constitute ‘Child Protection Units’ for the State and districts to fulfill its responsibilities as stipulated under the Act.

In each police station, at least one police officer may be designated as the ‘Juvenile or Child Welfare Officer’ to handle a juvenile or child in coordination with the police.

The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

Police should work closely with immigration authorities, Border Security Force (BSF), Railways and other transport authorities, provincial/ territorial and municipal agencies, with Social Services, child welfare authorities and with any NGOs involved in service delivery for spotting and rescuing the victims.

Effective patrolling and vigil at locations prone to trafficking such as highways, dhabas, railway stations and bus stations for suspicious movement of traffickers and victims and monitoring, through involvement of village community, the suspicious/ unnecessary movements of strangers in the villages.

Pro-active policing through information exchange with representatives from the local Government, community, NGOs with a view to raise awareness and garner active support of the community.
Periodical checks on transporters to prevent physical transportation of the trafficked persons.

Prevention at the demand area by understanding/ addressing new forms of demand. For example, placement agencies providing domestic child labourers.

Facilitating inter-State collaboration by sharing data on missing children/ kidnappings and suspected offenders. Development of victim and offender profiles on an interagency basis.

Sensitization programmes/workshops for police officers/railway police force and prosecutors on various legislations mentioned above in relation to trafficking. State nodal officers may hold periodical meetings to review and monitor the efforts taken to prevent and combat the crime of trafficking.
On the second day of National Level Workshop, the State Commissions headed by Members of NCPCR gave presentation on the outcomes of all the agendas discussed in the parallel sessions. The groups were:

- **Group-I Laws Relating to Children**
  Sh. Yashwant Jain
- **Group- II Child Psychology & Sociology**
  Dr. R.G. Anand
- **Group- III Juvenile Justice**
  Smt. Pragna Parande
- **Group- IV Child Labour**
  Smt. Rosy Taba

### GROUP- I LAWS RELATING TO CHILDREN

#### AGENDA- I
Outcomes decided in Agenda- I, Strategy Building for Effective Monitoring & Implementation of the POCSO Act, 2019 are: -

- SCPCRs agreed to share their views on strategy plan of monitoring of the POCSO Act.
- SCPCRs will share the data collected by them with the NCPCR.

#### AGENDA- II
Outcomes decided in Agenda- II, Action Plan for Awareness on POCSO (Amendment) Act/ Gaps and Challenges on Child sex abuse are: -

- Action plan on awareness for POCSO Act was shared for views of all SCPCR’s.
- SCPCRs agreed to develop plan for awareness of the POCSO Act.
**AGENDA- III**
Outcomes decided in Agenda- III, Action Plan for Awareness on Child Marriage are: -

- Action plan for awareness for Child marriage was shared for views of SCPCRs.
- SCPCRs agreed to develop plan for awareness of Child Marriage Act.
- SCPCRs will share their future plans on awareness on child marriage.

**AGENDA- IV**
Outcomes decided in Agenda- IV, Rehabilitation Strategy for sexual abuse victims especially pregnant minor girls/ Victim Compensation Scheme is: -

- All State representatives were of the opinion that States should have information about status of pregnant minor girls in CCIs and on ground implementation of victim compensation scheme.

**GROUP- II CHILD PSYCHOLOGY & SOCIOLOGY**

**AGENDA- I**
Outcomes decided in Agenda- I, Standardization of Individual Care Plan with Specific Focus on Trauma and Psycho-Social Risk Management are: -

- One integrated and uniform ICP for children in CCIs for both CNCP and CICL.
- ICP should be multi-lingual or at least bi-lingual in both English and Hindi.
- Incoherency among the 11, A-K themes.
- The themes lack observable and measureable index to assess the child. Thus, no two counsellors can have the same result of the ICP of a child.
- Indices likes “Hygiene” and “Rehabilitation” “linkages with scheme for skill and vocation” are not specified in-depth.
- The proposed ICP is time consuming yet exhaustive and elaborate in approach and requires ample changes in how it’s structured.
- There is an essential need to have a standard format of questions structured in a way where the counsellor is required to fill certain section of questions on day 1 such as objective information-D.O.B, rescued from, etc. and set of questions requiring information pertaining to emotional, behavioural and rehabilitation section on consecutive days.
- The jargon and terms used in the ICP are not simple and precise. It is rather difficult and may require prior training to counsellor.
- Digitization of ICP to facilitate transparency of record while transfer of child and adherence to timeline of its filling as per provisions in JJ Act 2015.
AGENDA- II
Outcomes decided in Agenda- II, Standardization of Individual Care Plan with Specific Focus on Trauma and Psycho-Social Risk Management are: -

- **Target population/audience:** CWC, DCPU, CCIs Counsellor/PO, JJB, Representative of ICPS unit from State dept. etc.
- **Stakeholders:** NCPCR, SCPCR, DWCD, NIPCCID or regional institutes of eminence in psychology and counselling such as AIIMS etc.
- Development of basic curriculum for TOT on ICP.
- **Framework of implementation:** The curriculum shall be developed by NCPCR and one workshop for training of 2 master trainers shall be conducted by the Commission based on the nominated master trainer by SCPCR (budget borne by Commission). Subsequently, the State Commissions shall ensure imparting TOT regionally in collaboration with state-level stakeholders (budget borne by State Commission).
- The modules and TOT curriculum can be translated in regional languages with help of regional NIPCCD centres but no changes can be made in the unique model of curricula developed by NCPCR.

AGENDA- III
Outcomes decided in Agenda- III, Standardization of Counseling Format for CWCs across All States/UTs are: -

- It was proposed in the session that a panel of psychiatrist and Psychologist must be constituted and the discussion on the standardizing the counseling format shall be pursued after incorporating the recommendation proposed by the panelists.

AGENDA- IV
Outcomes decided in Agenda- III, Standardization of Counseling Format for CWCs across All States/UTs are: -

- Parents of the children be included as a stakeholder in this phase to help facilitate and strengthen the attitudes and skills promoted in Pariksha parv. Activities should include both children and parents as counterparts and programs should be designed keeping both stakeholders in mind.
- Happiness curriculum launched in Delhi should be utilized for promotion and outreach. Uttarakhand SCPCR also held various counselling sessions with parents during PTA for same
GROUP- III JUVENILE JUSTICE

AGENDA- I
Outcomes decided in Agenda- I, Inspection Tool for Child Care Institutions are: -

- Date of registration of JJ Act
- 80 G Required for utilisation of funds
- 3 Years Audit and IT report
- Sanctioned strength mentioned in registration certificate of JJ Act.
- Staff as per the sanctioned strength
- Security staff
- Child protection policy in place, and few other changes were proposed.

AGENDA- II
Outcomes decided in Agenda- II, SOP for Care and Protection of Children in Street Situations and Child Beggar on Streets of Cities in India (version 2.0) is: -

- Form and function of Child Protection Committees at Ward and Village level, Block level, District Level, and State Level under state child protection society of ICPS (sec.106 of JJ Act, 2015).

AGENDA- III
Outcomes decided in Agenda- III, Discussion on methodology on proposal of Innerwheel Club and Swanath Foundation for sponsorship of children are: -

- The children in the age group above the age of 14 needs to be covered majorly under the proposed scheme.
- Family care and strengthening Program should be parallely strengthen along with the above so that there wouldn’t be any ambiguity after the end of the proposed period in the scheme.
- A certain percentage of the number of children should be saved for children with special needs so as to include them within the purview of the proposed scheme.
- The application regarding the same may be moved forward in the respective CWCs through the DCPU.
GROUP- IV CHILD LABOUR

AGENDA- I
Outcomes decided in Agenda- I, SoP for Rescue of Child Labour are: -

- Responsibilities of specific stakeholders shall be enumerated in the SOP for proper implementation.
- SOP for rescue repatriation and rehabilitation of child labour shall be inclusive of tracking mechanism of rescues child labour, wherein documentation is a necessary such as adhaar/ birth certificate/ pan card which if not available may be made with the help of concerned authorities eg. CWC & SDM which will further help to track cyclic nature of child labour.
- AHTU shall also be included as at many places SJPU in nonexistent and AHTU at many places.
- Linguistic problems faced regarding migrant child labour and their language shall be entrusted upon DCPU for identification of volunteers to overcome such barriers.
- Responsibility regarding collection of evidence from the site of rescue shall be entrusted police officials for a meaningful trial and prosecution of offenders.
- There shall be a specific time frame for formulation of charge sheet by police.
- Specific definition of guardians shall be defined clearly to avoid ambiguity.
- Govt. role to provide employment to an adult family member of the child or to contribute Rs 5000 to his/her fund & 20,000 to be paid by employer to rehabilitation cum welfare fund to be used only for the benefit of child.
- Further it has also been mentioned that regulating hours of work in non- hazardous occupation so that there working hours do not exceed 6 hours per-day simultaneously giving an opportunity for dedicated 2 hours for study and further employer shall be held responsible to bear expenses related to educational needs of the child.
- Bank account issue shall be resolved through proper documentation as mentioned previously.
AGENDA- II
Outcomes decided in Agenda- II, Methodology being adopted by SCPCRs for the purpose of monitoring the implementation of Section 14 (c) of CLPR Act, 1986 are: -

- To work towards a portal for feeding of data related to rescued child labour and their rehabilitation status, in this regard they agreed to send their suggestions.
- To develop module for proper implementation of Section 14C and SCPCR agreed to work towards the same.
- SCPCRs to gather and generate data regarding rescued and rehabilitation of child labour.

AGENDA- II
Outcomes decided in Agenda- III, Initiatives/best practices being taken to ensure awareness on prohibition of employment of Child and Adolescents in Contravention of CLPR Act, 1986 in order to ensure implementation of Rule 2A of the said Act are: -

- SCPCRs to generate awareness under Rule 2A of CLPRA Act.
- SCPCRs agreed to share their best practices in specific state situations with all the other states and NCPCR in furtherance of a common goal i.e to ensure implementation of Rule 2A and creation of compendium of best practices which can be undertaken in this regard.
5. OUTCOMES OF NATIONAL LEVEL WORKSHOP

- Review Meetings will take place after every three months with all the SCPCRs.
- To take the initiative of Pariksha Parv to next level by launching a mass campaign especially near coaching hubs. A motivational programme will be organised where student will learn to channel their anxieties and apprehensions before exams in a positive way. It was decided that motivational programme will be conducted in Chandigarh, Kota and Vijayawada.
- It was decided that a new format will be devised for Individual Care Plan and Standardization of counseling format for CWC which will incorporate new suggestions and recommendations from SCPCRs.
- An extensive discussion took place on the structure of draft proposal on supporting children living in CCI’s and restoring them to their respective families. It was unanimously decided that all 115 aspirational districts will be covered in the first phase and CWC’s of all aspirational districts will be sensitized about the initiative.
- It was decided to conduct a workshop on sensitizing pundits/ maulvis/ clerics about the child Marriage.
- It was decided that the Management Committee of all the religious institutions which include- Temples, Mosque, Church and other institutions will be included while implementing SoP on street Children. A core group will be constituted which will identify 50 religious institutions all over India and sensitize them about the SoP on street children.
- It was decided that all SCPCRs will organise ‘baal swaraj’ a lecture series in colleges, schools and other education institutions to create awareness among the youth and children about Gandhi’s philosophy in terms of ‘child rights’ and further develop a broader perspective in the discourse of ‘rights of children’. The NCPCR has received proposals from Delhi, West Bengal, Odisha and Assam State Commission to conduct ‘baal swaraj’ in their respective states.
- After completion of NCPCR’s Benches/Camps in Aspirational Districts of Niti Aayog a discussion will take place with State level key officials. Review meetings dates will be discussed.

In the end Sh. Priyank Kanoongo, Chairperson, NCPCR gave his final remarks by congratulating all the State Commissions for successfully conducting the national level workshop on ‘Contemporary Issues Pertaining to Child Rights’.

28