

ANNUAL REPORT

2014-15

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS



**5TH FLOOR, CHANDERLOK BUILDING, 36, JANPATH,
NEW DELHI - 110 001**

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“Safety and security don’t just happen; they are the result of collective consensus and public investment. We owe our children, the most vulnerable citizens in our society, a life free of violence and fear.”

— Nelson Mandela

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List of Abbreviations

AHTUs	Anti-Human Trafficking Units	CSOs	Chief Security Officers
AIDS	Acquired Immuno Deficiency Syndrome	CWC	Child Welfare Committee
ATR	Action Taken Report	DCPU	District Child Protection Unit
AWC	Anganwadi Center	DGP	Director General of Police
AWW	Anganwadi Worker	DIET	District Institute of Educational Training
BLSAA	Bonded Labour System (Abolition) Act	DSLSA	Delhi State Legal Service Authority
BPR&D	Bureau of Police Research and Development	DSP	Deputy Superintendent of Police
BRCC	Block Resource Center Coordinator	EWS	Economic Weaker Section
CARA	Central Adoption Resource Authority	FAQs	Frequently Asked Questions
CCIs	Child Care Institutes	FIR	First Information Report
CCTV	Closed-Circuit Television	GOI	Government of India
CDMO	Chief District Medical Officer	GRP	Government Railway Police
CDPO	Child Development Project Officer	HIV	Human Immuno deficiency Virus
CHC	Community Health Center	ICDS	Integrated Child Development Services
CID	Criminal Investigation Department	ICPS	Integrated Child Protection Scheme
CLPRA	Child Labour (Prohibition and Regulation) Act (CLPRA), 1986	IDP	Internally Displaced Person
CMO	Chief Medical Officer	IEC	Information Education & Communication
CPC	Care and Protection of Children	IGP	Inspector General of Police
CPCR	Commission for Protection of Child Rights	IHBAS	Institute of Human Behavior and Allied Sciences
CPD	Continuing Professional Development	ILO	International Labour Organization
CRC	Convention on the Rights of the Child	IPC	Indian Penal Code
CrPC	Code of Criminal Procedures	IQ	Intelligent Quotient
CRPF	Central Reserve Police Force	JJ	Juvenile Justice
		JJA	Juvenile Justice (Care and Protection of Children) Act (JJA), 2000
		JJB	Juvenile Justice Board
		KGBVS	Kasturba Gandhi Balika Vidyalaya Scheme

KVS	Kendriya Vidyalaya Sangathan	SCPS	State Child Protection Scheme
Ld. ASG	Learned Addl. Solicitor General	SCs	Scheduled Castes
MCD	Municipal Corporation of Delhi	SDM	Sub-Divisional Magistrate
MDM	Mid Day Meal	SJPU	Special Juvenile Police Unit
MWCD	Ministry of Women and Child Development	SMCs	School Management Committees
NCLP	National Child Labour Project	SOP	Standard Operating Procedure
NCPCR	National Commission for Protection of Child Rights	SP	Superintendent of Police
NCW	National Commission for Women	SSA	Sarva Shiksha Abhiyan
NE	North East	SSP	Senior Superintendent of Police
NGO	Non-Government Organisation	STs	Scheduled Tribes
NIMHANS	National Institute of Mental Health and Neuroscience	TISS	Tata Institute of Social Sciences
NIPCCD	National Institute of Public Cooperation and Child Development	UN	United Nations
NRBC	Non-Residential Bridge Course	UNCRC	United Nations Convention on the Rights of Child
NRHM	National Rural Health Mission	UNICEF	United Nations International Children's Emergency Fund
PGIMER	Post-Graduate Institute of Medical Education and Research	UNO	United Nations Organisation
PMNRF	Prime Minister's National Relief Fund	UNODC	United Nations Office on Drugs and Crime
POCSO	Protection of Children from Sexual Offences	UTs	Union Territories
PTA	Parent-Teacher Association	VCDC	Village Council Development Committee
RCs	Regional Conventions	WCD	Women and Child Development
RMPs	Registered Medical Practitioners	WDACL	World Day Against Child Labour
RPF	Railway Protection Force	WHO	World Health Organization
RTE	Right to Education Act	WP	Writ Petition
SCERT	State Council of Education Research and Training		

Preface

The year 2014-15 represents another year of pro-active interventions by the National Commission for Protection of Child Rights in its pursuit of protecting the rights of the children against all forms of violations, deprivations and abuse. The year began with holding a Consultative Meeting on 03.04.2014 for adoption of the Guidelines for Barrier Free Environment for Children with Disabilities.

The Online Complaint Management System *e-Baalnidan* imparted efficiency and transparency to the system of redressal of the complaints received by the Commission. During the year, the Commission dealt with 975 complaints pertaining to deprivation and violation of child rights.

Education plays a pivotal role in shaping the personality and thus future of Children. With a view to sensitise the School Management Committees (SMCs) Members, and School teachers about issues related to the rights and protection of children, the Commission organised 17 one-day workshops in 10 States/UTs which were attended by over 1800 participants. The Commission organized a day long Conclave of Children with Special Needs/Disabilities on 03.09.2014 with the objective to provide a platform for children to express views, share, experiences and provide suggestions/recommendations for making the desired changes. The Recommendations of the Conclave were presented at the National Convention on Inclusive Education of Children with Special Needs/Disabilities held on 23.09.2014. The second meeting of the Advisory Committee of the Commission for monitoring of Child's Right to Education was also held during the year.

On the subject of Juvenile Justice System, the Commission after holding wide ranging consultations with all the stakeholders gave its inputs/comments on the Repeal and re-enactment of the Juvenile Justice (Care and Protection of Children) Act, 2000 and Juvenile Justice (Care and Protection of Children) Bill, 2014. The Commission also organized six Regional Conventions of Child Welfare Committees in different parts of the country. The Conventions were organized to strengthen the coordination of the Commission with State Commissions and other agencies, which have mandate of protecting the child rights.

The Commission continued to perform its role of monitoring implementation of the Protection of Children from Sexual Offences Act, 2012. This was primarily done through calling information from the States/UTs about status of implementation of different provisions/mechanisms of the Act. The information sought related to designation of Special Courts, appointment of Special Public Prosecutors, Victim Compensation scheme, child abuse cases registered and forwarded to CWCs; formulation of guidelines for the implementation of Act; designing of training module and number of trainings organized and measures taken to spread awareness about, the Act itself.

In the area of Child Psychology and Sociology, the Commission identified specific concerns of mental health well being of children in CCIs and organised three training programmes in form of Continuing Professional Development of Counselors/Social Workers working in CCIs at the Institute of Human Behavior and Allied Sciences (IHBAS).

The Commission commemorated the World Day Against Child Labour in collaboration with UNICEF & ILO. The theme of the Day was 'Extend Social Protection: Combat Child Labour'. Four Round Table Conferences were organized in the country on the subject, which were followed by a National Conference held on 12th June, 2014 at New Delhi.

The activities of the Commission for the North-East Region during the year included a Conference on dealing with the problem of trafficking in Manipur organised on 6th February, 2015 in collaboration with Manipur SCPCR and State Police.

The year ended with celebration of Foundation Day of the Commission on 5th March 2015 at a function held in Vigyan Bhawan, New Delhi. The day saw the Commission organising a Conference on 'Securing Destitute Children in Contact with Railways' where the Hon'ble Union Minister for Women and Child Development was the Chief Guest. On the occasion, the Hon'ble Minister released 'Standard Operating Procedure' (SOP) prepared by the Ministry of Railways, to ensure care and protection of children coming in contact with the Railways.



CHAPTER

1

NCPCR: An Overview

NCPCR: An Overview

1.1 THE BACKGROUND

The National Commission for Protection of Child Rights (NCPCR) was set up during March 2007 under the Commissions for Protection of Child Rights Act, 2005. The mandate of the Commission is to ensure that all Laws, Policies, Programmes and Administrative Mechanisms are in consonance with the perspective of the child rights as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child.

It is the firm belief of the Commission that all rights of children between 0 to 18 years of age are of equal and concomitant importance for their holistic development. Accordingly, it strives to monitor the discharge of the States obligations to protect these rights. As a seed is nurtured with care and nourishment in order to become a fruit yielding tree, the child environed in the diversity and plurality of the customs and cultures of India has to be provided with a protective and nutritious environment from the day he or she is born.

1.2 THE FUNCTIONS:

The Commissions for Protection of the Child Rights Act, 2005 prescribes the following functions for the Commission:-

- i. Examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation.
- ii. Present to the Central Government, annually and at such other intervals, as the Commission may deem fit, Reports upon the working of these safeguards for the protection of child rights.
- iii. Inquire into violation of child rights and recommend initiation of proceedings in such cases.
- iv. Examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disasters, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography, and prostitution and recommend appropriate remedial measures.
- v. Look into matters relating to children in need of special care and protection, including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures.
- vi. Study treaties and other international instruments and undertake periodic review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children.
- vii. Undertake and promote research in the field of child rights.
- viii. Spread child right's literacy among various sections of society and promote awareness of the safeguards available for protection of these rights through publications, media, seminars and other available means.

- ix. Inspect or cause to be inspected any juvenile custodial home or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority including any institution run by a social organization, where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary.
- x. Inquire into complaints and take suo moto notice of matters related to: Deprivation and violation of child rights; Non implementation of laws providing for protection and development of children; Non compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children or take up the issues arising out of such matters with appropriate authorities;
- xi. Such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions.

Besides, the RTE Act, 2009 and POSCO Act, 2012 along with the Rules framed there under also prescribe certain specific functions for the Commission. The Commission during the year 2014-15 functioned without Members. The Chairperson of the Commission also completed her tenure during October 2014. The Commission functioned under the charge of the Secretary, MWCD.

The Commission had dealt with the several thematic areas which included education, child health, care, welfare; juvenile justice or care of neglected or marginalized children or children with disabilities; elimination of child labour or children in distress; child psychology or sociology and Laws relating to children.

1.3 THE STRATEGIES:

- i) **State visits:** Periodic visits to the States/UTs to monitor the implementation of laws and legislations pertaining to rights of the children followed by letters/reports to the Governments on proposed action plans, department meetings etc., is an important tool of functionality of the commission.
- ii) **Recommendations and Directives:** One of the important prerogatives of the Commission is to monitor and send appropriate recommendations/directives to the State(s) for necessary follow up action by the stakeholders.
- iii) **Review of Laws and Policies:** The Commission reviews the National policies and other legal documents pertaining to the rights and welfare of the children for suggesting amendments/modifications etc.
- iv) **Policy Dialogue with Ministries/Departments:** In order to bring child friendly changes in the implementation of the laws and legislations, periodic meetings and discussion are held with various Ministries like Labour, Human Resource Development etc., wherein information is also shared to forge ahead a rights based approach for the needy children.
- v) **Consultations/Workshops:** The collective efforts of various actors like academia, civil society officials and Members, NCPCR form an integral part through which momentum can be generated/maintained on various child rights issues. Besides, working groups and committees are constituted for technical support and advice on specific issues pertaining to children.
- vi) **Complaint Management System & Summons:** One of the primary activities of the Commission is taking up specific complaints to enquire into the violation of child rights and recommend appropriate action where there is lapse/delay on the part of the Government/concerned Authorities. The

procedure of registration, sending letters to concerned authority and proper follow up through reminders are part of the Complaint Management System put in place by the Commission for the purpose. NCPCR has also been vested with the power of summoning officials if there are no responses from them.

- vii) **Public Hearing:** The Commission takes up specific complaints where there are gross violation of children's rights by conducting open and transparent enquiries where the voices of children and their protagonists are heard in the presence of NCPCR and Government authorities. Through public hearings, taking of time bound action on recommendations is monitored with the concerned authorities.
- viii) **Strengthening the Role and Function of SCPCRs:** SCPCRs are working as an extended arm of NCPCR in each State. A total of 30 SCPCRs were working as per the guidelines of CPC Act during the year.

CHAPTER

2

Representation in Courts

2

Representation in Courts

The salient details of important Representations undertaken by the Commission in Courts during 2014-15 are mentioned below:-

2.1 The State of TamilNadu vs. Union of India and Ors, Criminal Writ Petition No. 102/2007' before the Hon'ble Supreme Court of India 'Exploitation of Children in Orphanage

- The Hon'ble Supreme Court had in 2007 taken suo moto cognizance of some news reports regarding alleged trafficking of children from North Eastern States to the State of Tamil Nadu (TN hereinafter); the children were found to be languishing in the orphanage in question in inhuman conditions. Notice to the State of TN was sent with regard to the specific incident of transportation of children in question.
- The Hon'ble Supreme Court in its Order dated 31.03.2010 took note of the allegation that large scale transportation of children from North-Eastern States was still going on and, therefore, felt that an inquiry needs to be conducted. Accordingly, NCPDR was directed to conduct the said inquiry with liberty to take assistance of an expert, if required. The Commission after conducting a detailed inquiry, submitted its inquiry report to the Hon'ble Supreme Court on 15.07.2010.
- The Hon'ble Supreme Court vide its Order dated 7.02.2013 granted three months time to all the States/UTs for taking action towards constitution of SCPCRs; completion of all formalities towards implementation of CPC Act, 2005 and RTE Act including framing and notifying rules there-under and making functional the State Commissions if respective States/UTs had already constituted one. Further directions were issued to all the States/UTs to file status report within four weeks as to the measures adopted and the action taken with regard to improving the conditions of children in various shelter homes etc. around the country; to eliminate trafficking of children under the garb of education and other promises, like employment etc.; to indicate number of children homes etc. which are registered and which are not registered under JJ Act; protective action taken or to be taken to prevent abuse of inmates in the unregistered CCIs; measures taken towards implementation of RTE Act, eradicating child trafficking and setting up of Special Courts under POCSO Act. The Hon'ble Court further directed that the status report shall also indicate the capacity of the children homes, separately for boys and girls, and whether the standards with regard to the nutrition and hygiene are being maintained in the Homes.

Following are the developments, which took place in the matter during the year:-

- In its Order dated 28.04.2014, the Court observed that the affidavits from 5 States and 2 UTs are yet to be received. Four weeks' time was granted for bringing the same on record. The same period of time was awarded to serve affidavits of all States on the Ld. ASG.

- Vide its Order dated 08.05.2014, the Court allowed UT of Andaman and Nicobar a period of three more months to file the Affidavit regarding non-compliance with the CPR Act, POCSO Act and JJ Act. In its Order dated 29.08.2014, another 3 months' time was granted to Andaman and Nicobar for the purpose.
- On 27.10.2014, the Court asked the *Amicus Curiae* to submit her application in the proper format. The Registry was directed to accept the same. On 31.10.2014, the application was rejected by the Hon'ble Court.
- In its Order dated 12.12.2014, the Court clarified that the proceedings of the State (TN) are not stayed and that the *Amicus Curiae* is ordered to file a self contained Note indicating solutions to the issues that have been raised and problems that have been identified.
- In its Order dated 06.02.2015, the Court observed that the *Amicus Curiae* offered to submit a model child care plan which can be used by CWCs throughout the country and three weeks' time was granted for the same. The Court also sought response from the Union of India through ASG about utilization of Funds under Integrated Child Protection Scheme (ICPS) by the States, with particular reference to Juvenile Justice.
- In its Order dated 20.03.2015, the Hon'ble Court sought certain information from the ASG and directed to file reports of social audit, if any, conducted by MWCD as per Rule 64 of the JJ Rules for the last two years and a chart depicting utilization of the amount disbursed to the State Governments under ICPS.

2.2 Sampurna Behrua vs. Union of India, W.P. (C) No. 473/2005 before the Hon'ble Supreme Court of India

- The Petitioner was working with the Child Rights Unit of Human Rights Law Network (HRLN), New Delhi, at the time of moving the petition. The Petitioner travelled through 12 States and conducted & documented several cases to examine the status of implementation of the JJ Act therein. The outcome of the exercise presented a dismal picture with only a few States implementing the Act. The Petitioner essentially prayed for the overall implementation of the JJ Act throughout the country through issuing the Writ of Mandamus by the Hon'ble Court.

During the year, the following developments took place in the matter:

- After being adjourned once on 14.07.2014, two weeks' time was allowed to NALSA and Union of India to submit their replies in the matter.
- After another adjournment on 06.02.2015, NALSA submitted report on existing facilities towards implementation of JJ Act. The Ministry of WCD however submitted a revised reply on this report of NALSA. The Court ordered the Ministry to make 36 copies and send the same to Member Secretary, NALSA who will then forward it to Member Secretary of all State/UT Legal Aid Authorities. The State/UT Legal Aid Authorities were ordered to then submit their report before JJ Committee in their respective High Courts.

- The Court asked the Member Secretary of NALSA to get in touch with Member Secretary of each District/State Legal Services Authority and ask them to furnish information on Juvenile Justice Boards, number of sittings, staff etc. and also that on legal aid lawyers and their training, etc.

2.3 Ayub Khan vs. Government of NCT of Delhi & Ors. W.P. (Crl) No. 564 of 2009 before the Hon'ble High Court of Delhi

- This case is about the alleged corporal punishment leading to the death of the child. The matter also involved alleged inactions on part of the various authorities as mentioned.
- The case was not heard during the year. The matter is listed for final arguments.
- The last hearing in the case as a regular matter was on 19.08.2013.

2.4 Brindavan Sharma vs. State, Criminal Appeal No. 927 of 2002 before the Hon'ble High Court of Delhi

- This is a case where one Brindavan Sharma was convicted of murder and the Delhi High Court upheld the conviction. However, the Court observed that the convict had three children and there was nobody to look after them. The Court issued notices to all the stakeholders for the purpose of formulating a scheme/guidelines towards welfare of Children of Prisoners.
- NCPDR filed an Affidavit alongwith the Guidelines viz. 'NCPDR Guidelines on Care and Protection of Children of Prisoners Living Outside Prison', which inter- alia contained recommendations on the matter. Pursuant to information received by NCPDR, a Report viz., 'Compiling State Information on Schemes/Programmes and their Allocation/Expenditure per Child during 2006-07/2007-08' was prepared and thereupon a counter affidavit filed.

During the year, the following developments took place in the matter:

- Various meetings were held regarding the revision of draft Scheme viz; 'Protection Assistance to the Children of Incarcerated Earning Parents, 2013' and 'After Care Rehabilitation Grant, 2013' wherein NCPDR was also a party.
- While disposing of the matter on 19.09.2014, the Hon'ble Delhi High Court lauded the Commission (NCPDR) for its contribution in preparing Scheme for Financial Sustenance, Education and Welfare of Children that has been implemented w.e.f. 13th August, 2014. The Court has expressed hope that DLSA and the Delhi Government will take appropriate steps for publicising the scheme, so that possible beneficiaries may benefit from the same.

2.5 Amardeep Malik vs. State Government of NCT of Delhi & Ors. W.P. (Crl.) No. 694 of 2012 before the Hon'ble High Court of Delhi

- The Writ Petition was for production of the petitioner's son. Due to matrimonial dispute, the child was ordered by the Child Welfare Committee(CWC), Chairman of Dilshad Garden CWC, to be handed over to the 'Apna Ghar' shelter home, recognized by the Govt of NCT of Delhi under the JJ Act. The Hon'ble Court directed immediate restoration of the child to the petitioner/husband.

- The Court, after examining the records of CWC, observed a very dismal picture. The petitioner/ husband also apprised the Court about the conditions in which the orphanage 'Apna Ghar' was being managed.

During the year, the following developments took place in the matter:

- Seven Inspection Teams were constituted for the inspection of the children homes, reports whereof were then prepared and filed before the Hon'ble Court.
- The Court directed the Delhi Government to pay the expenses incurred by the Inspection Committees, pursuant to Chairperson, NCPCR's communication written in this regard.
- This matter has been disposed of on 28.03.2014 with the directions that "The task which the Court set for itself was gaining insights into the functioning of the CWCs and the conditions prevailing in orphanages and other care institutions in Delhi. This job is expected to be done by the Committee set up for this specific purpose by the NCPCR, besides the JJC, which is also seized of certain aspects which arose for consideration during course of the Case." The Hon'ble Court further stated that if any clarification needed to be sought in the matter, the same may be done by approaching the court in W.P. (C) 9680/2009.

2.6 Court on its Own Motion vs. Department of Women and Child Development W.P. (C) 8889/2011 before the Hon'ble High Court of Delhi

- This matter revolved around the issue of subjecting the Juveniles in conflict with law to Adult Criminal Justice System by putting them under regular criminal trial and subjecting them to incarceration in violation of the legal and constitutional rights of said Juveniles; all that in view of blatant and gross negligence of authorities, both the Police and the Judge, in following the legal mandate as to procedure and substance.

During the year, the following developments took place in the matter:

- Vide Order dated 21.01.2014, the issue of Age Memo was raised by NCPCR and the Hon'ble Court directed the parties to make further suggestions for fool-proof implementation of the directions regarding preparation of the Age Memo.
- The Hon'ble Court observed that the subject of registration of births and deaths is under the Concurrent List of the Constitution of India and for a direction in that regard to be issued for the entire country, further deliberations were required.
- No orders/directions were issued till 31.03.2014 as to the aspect of non-implementation of Age Memo and registration of birth of juveniles who were not in possession of their Birth Certificates.
- This matter has been disposed of on 14.01.2015. The Appealing Counsels made certain suggestions which along with the Court's Order thereon are as follows:-
 - The appearing counsels informed the Hon'ble court that though the Juvenile Justice Board (JJB), under Section 49 of the Juvenile Justice (Care and Protection of Children) Act, 2000 is

entitled to make an inquiry as to the age of that person and to record a finding whether the person is a juvenile/child or not and to state his age as nearly as may be yet the same does not lead to the issuance of a birth certificate, in the event of the juvenile being in conflict with law in several States. Often, this results in the JJB of each State making an independent inquiry and thus resulting into multiple inquiries into the age.

- It was further stated that though Section 13 of the Registration of Births and Deaths Act, 1969 provides for delayed registration of births and deaths on payment of fee and sub Section (3) thereof provides that registration of births beyond one year of its occurrence shall be only on the order made by a Magistrate of the First Class or a Presidency Magistrate after verifying the correctness of the birth, the procedure thereunder also entails a separate inquiry than that made by the JJB under Section 49 of the Act. This also entails duplicity.
- The Hon'ble Court was informed that in the meeting held on 5th February, 2014 in the office of the Delhi State Legal Services Authority acting as the Nodal Officer for implementation of the directions of the Hon'ble Court in its earlier order, the Registrar General, Birth and Death, Government of India *inter-alia* agreed that since the JJB (Juvenile Justice Board) is also manned by the Magistrate of First Class, the determination of age by JJB shall be accepted by the Registrar(s) of Birth of Delhi or of any other State and the birth shall be registered in the Register of the place of birth and birth certificate issued accordingly.
- It was further stated that though in the aforementioned meeting, waiver of the delayed registration fee was also mooted but the same till now has not found favour. However, the proposal for reduction of the fee is under consideration.
- The Assistant Solicitor General suggested that a procedure be evolved for recording the birth certificates received from outside Delhi, to enable further certified copies thereof to be issued from Delhi itself and preventing malpractices in this regard. The Hon'ble Court being in agreement directed that the same be implemented. The Hon'ble Court also ordered that a copy of the Order be forwarded by the Nodal Officer appointed in this proceedings to all persons/authorities concerned that may be required to implement the same and they were ordered to implement the same.
- The Counsel for the Government of NCT of Delhi (GNCTD) assured the Hon'ble Court that the process for recruitment of Welfare Officers is underway and shall be expedited. The Hon'ble Court bound the GNCTD to the said assurance.
- The matter was thus, disposed of with directions that the Nodal Officer shall continue to perform the tasks assigned until accomplished.

2.7 Court on its Own Motion through A.K. Asthana v. Union of India and Anr. W.P. (C) 787/2012, before the Hon'ble High Court, Delhi.

- This case was taken up by the Hon'ble High Court, Delhi wherein its attention was drawn towards the then ongoing media reports, about the two year old baby girl Falak admitted into AIIMS and another 15 year old minor girl who had allegedly brought the baby girl at AIIMS. The issue raised was about the reports appearing in the media with the name of both the children in violation of provisions of Section 21 of the J.J. Act 2000. Reference in this regard was also made to Article 16 of the UN's Convention on the Rights of the Child, 1989.

- This petition flags the issue of the media in its coverage, disclosing the name and identity of children in need of care and protection, without seeking the permission of the Child Welfare Committee and in violation of Section 21 of the Juvenile Justice (Care and Protection of Children) Act, 2000.
- The petition was entertained and vide Order dated 8th February, 2012, a Committee was constituted comprising of representatives of Union of India, Govt. of NCT of Delhi, NGOs working for welfare of children, media etc. to deliberate upon the Guidelines to be formulated to regulate media reporting and disclosure of details relating to children.
- The Petitioner prayed for framing of Guidelines by the Government to regulate media reporting and disclosure of details relating to children. The Hon'ble High Court directed constitution of a Committee with the following members for the purpose:
 1. Presiding Judge from JJB
 2. Representatives of Union of India and Government of NCT of Delhi
 3. Representative from an NGO working for the welfare of children
 4. One person from Media.
 5. Nominee of the Press Council of India
 6. Ms. Meena Kabir, Child Right Activist
 7. Ms. Deepa Dixit, NCPCR

During the year, the following developments took place in the matter:

- Vide its Order dated 03.09.2014, the Commission submitted draft Guidelines as prepared by the above Committee in consultation with all the stakeholders.
- On 05.11.2014, the Hon'ble court ordered that these Guidelines be implemented in the following sequence:

For Hospitals:

A.1. It shall be the duty of a hospital or medical facility, where a child may be referred, admitted for treatment or being treated or which conducts any other medical examination/tests or otherwise provides any service to child, to ensure that no detail pertaining to identity and infringement upon privacy of such child, is made available to media, unless ordered to do so by the Juvenile Justice Board or Child Welfare Committee concerned or any other Court.

A.2. *Inquiry Committee:* Every hospital shall have an Inquiry Committee in place to inquire about cases of lapses regarding breach of privacy or confidentiality of children's identity. The Inquiry Committee shall examine the reasons behind such lapse and shall recommend appropriate action against those responsible for such lapses, as per law.

A.3. Inquiry Committee shall have three members, out of which one member shall be an external person from a registered child rights organisation and it shall be headed by the Chief Medical Officer of the hospital concerned. It shall be the responsibility of the Chief Medical Officer of hospital concerned to convene meeting of

the Inquiry Committee either on his/her own cognizance or upon being complained about such lapse having been committed. The Complainant, as well as, adversely affected parties, shall be given a reasonable opportunity of being heard in writing, before the Committee finalizes its findings.

A copy of such findings shall be provided to affected parties. Inquiry shall be completed within a period of 3 months from the date of the incident being reported. The Chief Medical Officer shall take action as per recommendations of the Inquiry Committee within one week from the conclusion of inquiry and shall intimate all members of the Inquiry Committee about the same. A copy of proceedings of the Inquiry Committee, copy of complaint and findings along with action taken report shall be submitted to the State Commission for Protection of Child Rights or National Commission for Protection of Child Rights (Where State Commission for Protection of Child Rights does not exist) within one week from the implementation of Inquiry Committee's recommendations. The Commission concerned, upon receipt of Inquiry Committee case papers, shall record its satisfaction to the Inquiry and if not satisfied, shall initiate its own inquiry as per provisions of the Commissions of Protection of Child Rights Act, 2005.

A.4. In case, the person/s responsible for lapse are outside the authority of the Hospital, the Head of Inquiry Committee shall mention so in his/her report to State/National Commission for Protection of Child Rights which in turn shall take up the matter with appropriate authority for initiation of the requisite action in the matter.

A.5. "Hospital" means any hospital which comes under jurisdiction of Medical Council of India and includes any pathology, clinic or facility used for medical purposes.

For Courts

B.1. The Courts shall obliterate details leading to disclosure of identity of a child from its judicial proceedings before issuing a certified copy of the Order or uploading them on the Website.

B.2. The Cause Lists and Case Titles in the Cases shall not mention the name of a child. Instead pseudo names i.e. 'XYZ' or 'ABC' shall be used to refer to a child's name.

B.3. The Registry/Reader/Alhmad of the concerned Court shall not accept any application as may be filed by lawyers or parties, if they contain reference to the name of child, provided that in appropriate cases, Courts may permit so, after giving the reasons in writing.

B.4. Inspection of judicial records shall be permitted only when an undertaking is given that child's identity related details shall not be disclosed to anyone else or be used for any other purpose except for legal representation in the case concerned or any other related case by the applicant applying for inspection.

B.5. The Courts will ensure that names of children are not called at the time of hearing by the Court staff.

B.6. After declaration of juvenility of a child in any case, the Court passing such order shall obliterate the name and identity related details of such person being declared a juvenile or child from its record. For past court record, a direction to keep record in sealed cover shall be passed and application for inspection/certified copy shall be subject to clause B1 and B4 in addition to orders passed by concerned court.

For Competent Authorities Under J.J. Act:

C.1. The Orders and Cause List shall not mention name of child, as far as possible.

C.2. Calling of names of children or juveniles shall not be permitted. It shall be the duty of lawyer concerned, family members of child or probation officer or welfare officer from the children home/observation home concerned to ensure that concerned child is produced when the matter is taken up for hearing and appropriate

directions in this regard will be issued to all concerned so that child does not suffer in any way due to failing from appearing before Authorities. Proactive efforts from Juvenile Justice Board and Child Welfare Committees are to be made in this regard for ensuring that child does not suffer in any way because of such procedural requirements.

C.3. Every Juvenile Justice Board, Child Welfare Committee, Institutions for Juveniles in Conflict with Law and Children in Need of Care and Protection shall have notice boards prominently stating that disclosure of identity of a child is punishable under Section 21 of the Juvenile Justice (Care and Protection of Children) Act, 2000 and those who happen to witness any proceedings before such competent authorities, are also deemed to have consented to abide by such condition.

NCPCR filed before the Hon'ble Court the Report dated 2nd September, 2014 of the aforesaid Committee inter-alia to the effect that though Guidelines pertaining to the police and lawyers have also been formulated by the Committee but could not be finalized as the same needed clarification from this Court. It was stated that the Delhi Police Revised Standing Order No.Ops-47 with respect to missing persons read with Standard Operating Procedure drafted on the directions issued by this Court in W.P. (Cr.) No. 249/2009 titled 'Court on its Own Motion Vs. State' provides for the Police to immediately photograph every found/recovered child for purposes of advertisement and to make people aware of the missing child. The photographs of the recovered child to be posted on the website, published in the newspaper(s) and shown even on the T.V. so that the parents of the missing child could locate their missing child and recover him or her from the custody of the police. It is stated that the said procedure is violative of Section 21 of the Act which prohibits any report in any newspaper, magazine, news-sheet or visual media, of any inquiry regarding a Juvenile in Conflict with Law or a Child in Need of Care and Protection under this Act, from disclosing the name, address or school or any other particulars calculated to lead to the identification of the juvenile or child and publication of any picture of such juvenile or child without the permission of the Child Welfare Committee.

In the said order NCPCR stated that in view of the Supreme Court's decision in Bachpan Bachao Andolan, the above may be in contravention of the same and therefore, NCPCR will put an Application in the Hon'ble Supreme Court seeking a clarification on the same, in view of Section 21 of the Act.

On 25.03.2015, the Petitioner stated that the Guidelines framed by the Hon'ble Court in the matter, as above are acceptable to it. The Hon'ble Court sought answers from all SCPCRs as well as NCPCR on implementation of Guideline 2.5, as above. The Court also directed the Registry to forward the Guidelines to Ministry of Health and Family Welfare, all CWCs and JJBs, Directorate of Health Services in NCT of Delhi for forwarding in turn to all Hospitals and to all District and Sessions Judges.

2.8 Uday Foundation vs. Union of India & Ors, W.P.(C) No. 8568/2010, before Hon'ble High Court, Delhi

This petition under Article 226 of the Constitution of India was filed in public interest flagging the issue of, easy availability of "junk food" and "carbonated drinks" to children and the harmful effects thereof. The Petition sought a ban on "junk food" and "carbonated drinks" in schools and initiation of measures to develop a comprehensive school canteen policy with emphasis on health and nutrition.

During the year, the following developments took place in the matter:

- The Petition was disposed of by the Hon'ble High Court on 25.02.2015.
- The draft Guidelines prepared by the Expert Group constituted by the Food Safety and Standards

Authority of India for “making available Wholesome, Nutritious, Safe and Hygienic Food to School Children in India” as well as the written submissions made by the learned *Amicus Curiae* on the draft Guidelines together with the Annexures, were taken on record and were acceptable to all the respondents, including NCPCR.

- The Draft Guidelines are as under:

The “Guidelines for making available Wholesome, Nutritious, Safe and Hygienic Food to School Children in India”,

- state the background in which they have been drawn as well as the objective thereof and comprise of Part-I titled “Guidelines for Making Available Wholesome and Nutritious Food to School Children” and Part-II titled “Guidelines on Food Safety, Hygiene and Sanitation for Food Available in School Canteens”;
- define a healthy lifestyle and the World Health Organization (WHO) global strategy on diet, physical activity and health;
- identify foods, high in fat, salt and sugar (termed as HFSS Foods) as harmful to children and the harmful effects thereof and the diseases likely to result from high consumption thereof;
- restrict/limit the availability of most common HFSS foods in Schools and area within 50 meters;
- list chips, fried foods, sugar sweetened carbonated beverages, sugar sweetened non-carbonated beverages, ready-to-eat noodles, pizzas, burgers, potato fries and confectionery items, as most common HFSS foods;
- list samosa, chana bhatura etc. as non-standardised deep fried foods also required to be regulated, though data on nutrient composition of such food is not yet available;
- require formulation/development of a Canteen Policy, to provide nutritious, wholesome and healthy food in schools;
- require setting up of a School Health Team;
- require the schools to promote nutrition education and awareness through various tools such as posters;
- provide for introduction of colour coding of foods;
- list sandwiches, fruit salad, fruits, paneer/vegetable cutlets, khandvi, poha, utthapam, upma, idlis and kathi rolls etc. as healthier menu options and low fat milk shakes with seasonal fruits, with no added sugar, fresh fruit juice and smoothies with fruits, fresh lime soda, badam milk, lassi, jaljeera etc. as healthy beverage options;
- provide for regulation of promotion of HFSS food among school children by Advertising Standards Council of India (ASCI) and other relevant bodies;
- suggest review of labeling regulation to enable disclosure of all relevant information;
- suggest controlling of intake of Trans Fatty Acids (TFAs) used extensively in bakery, confectionery and deep fried cooking;

- provide for encouraging physical activity by school children;
 - suggest cut-off values for calories and nutrients in food items available to school children;
 - provide for regulation of and lay out for school canteens;
 - emphasize the requirement of hygiene and lay down the standards of hygiene to be maintained in the canteens and by the staffs employed therein.
- The Hon'ble Court expressed its view that when an expert body constituted for this very purpose and in performance of its statutory duties, has frame the Guidelines, with there being no specific challenge thereto, it would not be appropriate to tinker therewith.
 - The Hon'ble Court directed the FSSAI to formulate regulations or directions in the matter within three months from the date of this Order, which led the Hon'ble High Court not to specifically form Guidelines, since it regarded FSSAI as an expert body on the topic.
 - The Hon'ble Court directed that as far as Delhi was concerned, implementation of the Guidelines will be the responsibility of the Administrator, Delhi under Rule 43, of the Delhi School Education Rules, 1973.
 - The Hon'ble Court also directed CBSE to see whether it can take up the responsibility to implement these Guidelines in Schools affiliated to it outside Delhi.

2.9 Hemanti Mallick & Anr. vs. Union of India & Ors., WP. (Crl.) no. 1437/2010, before Hon'ble High Court, Delhi

- This Petition was filed seeking issuing a Writ of Habeas Corpus for production of four young women who were alleged to have been trafficked from Odisha to Delhi.
- The Notice of the Petition was issued and pursuant to the directions of the Hon'ble Court from time to time, three of the four girls were traced and produced before the Court. However, one of the girls namely Ms. Manasi Mallick has not been traced till now, inspite of specific directions issued by the Court to the Delhi Police and Odisha Police, on the suggestion of the Petitioners and the National Commission for Protection of Child Rights (NCPCR), it was impleaded as respondent No.7.

During the year, the following developments took place in the matter:

- The Hon'ble Court stated that the present petition having served its purpose deserves to be disposed off. The Hon'ble Court was also informed that Odisha Police had been camping in Delhi for the past few days. The Hon'ble Court ordered the police agencies to continue looking for the girl.
- NCPCR had placed on record before the Hon'ble Court its suggestions in the form of Protocols for Prevention, Rescue, Repatriation/Restoration and Rehabilitation of Children Victim of Inter-State Trafficking.
- While disposing of this petition the court opined that, the Commission is free to raise the aforementioned issue in the matter of W.P. (CRL.) No.82/2009 titled 'Bachapan Bachao and Ors. Vs. Union of India and Ors., or in any other proceeding in which the said issue may be pending consideration or by way of an independent proceeding.
- The present case had been accordingly disposed of on 30.04.2014.

2.10 Meydha Vs. Govt. of India Thru Secy. School Education & Literacy, Dept. of Basic Education, W.P. No. 4496 (MB OF 2011), before Hon'ble Allahabad High Court (Lucknow Bench)

- This Petition was filed seeking a Writ of Mandamus to be issued commanding the opposite parties to provide free and compulsory elementary education to all children residing in neighbourhoods where unaided schools exist which are recognized by CBSE or ICSE, New Delhi; to reimburse the schools U/s 12(2), RTE Act and to further direct the opposite parties not to charge any fee from children under the age of 14 years of age.

During the year, the following developments took place in the matter:

- Dismissing the petition on 25.08.2014, the Hon'ble Court opined that the constitutional bench of the Hon'ble Supreme Court has already dealt with the question in the case of *Pramati Educational & Cultural Trust vs. Union of India & Ors.* [2014 (32) LCD 1152]. The court therefore, did not feel the need to interfere with the Supreme Court's decision in the matter.
- The Court opined that the prayer of the Petitioner can be entertained only if the reservation for the weaker classes U/s 2(n) of the RTE Act is found *ultra vires*.
- The Hon'ble High Court held that the Hon'ble Supreme Court in the aforementioned matter has already upheld the validity of the Act and therefore, need not be challenged before a smaller bench.

2.11 A. Narayanan vs. Chief Secy, Govt. of T.N., W.P. No. 18556/2012, before Hon'ble Madras High Court

- This was a Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the Central Bureau of Investigation (CBI), Anti-Human Trafficking Unit to launch a detailed and time bound investigation into the recent case of child trafficking from Odhisha into Tamil Nadu and further investigate the affairs of Blessing Welfare Trust, Sirumugai, Coimbatore, so as to identify all the interstate middlemen and agents involved in these rackets, the motives and modus operandi of such interstate players and NGOs in order to bring justice to the affected children.

During the year, the following developments took place in the matter:

- Disposing off the Writ Petition on 08.10.2014, the Hon'ble Court opined that final reports have been filed in all the cases and the trial is in progress. The Hon'ble Court further directed the lower Courts to try the matter(s) in an expeditious manner.

2.12 Mangesh vs. Union of India, PIL No. 33/2010, before Hon'ble Bombay High Court

- The Petition had been filed in the Bombay High Court and pertained to the Petitioner's prayer of bringing migrant children under the ambit of the RTE Act. The specific grievance of the Petitioner in the matter was bring to light the inaction of the authorities in providing compulsory primary education to the street children, tribal children and the nomadic children in the State of Maharashtra and more specifically in the city of Nagpur.

During the year, the following developments took place in the matter:

- In its Order dated 18.03.2015, the Hon'ble High Court stated that the State Commission also be made a party in order to make a successfully judgment in the matter.
- The matter is yet to be listed again with being listed for the first time since 20.07.2011.

2.13 Anjali Ramanna Vs. NCPCR, W.P. No. 9323/2012, before Hon'ble Karnataka High Court

- This matter was regarding Guidelines for media on reporting of offences against children. The grievance of the Petitioner was the non-implementation of Rule 18 of Karnataka Juvenile Justice (Care and Protection) of Children Rules, 2010.
- This Petition was disposed off on 06.01.2014 as the Hon'ble Court observed that the Petitioner did not exhaust his legal remedies by first approaching the State Commission in the matter.

2.14 Ambika S. Nagal Vs. NCPCR & Ors, CWP No. 5686/2013-I, before Hon'ble High Court, Himachal Pradesh

- This was a Writ Petition challenging NCPCR's recommendations made against the petitioner-teacher who was found to have inflicted corporal punishment upon two students who were subsequently found dead in a deep gorge of Shimla.
- The Hon'ble Court in the matter opined that the Petition became infructuous since requisite steps on the recommendation of NCPCR have already been taken. The matter was hence, disposed of on 13.05.2014.

2.15 State of Haryana etc. Vs. Court on its Own Motion etc., SLP (C) 27482-27484/2014, before Hon'ble Supreme Court of India

- The Petition has been filed in regard to two newspaper reports depicting appalling conditions of Children Homes run by the Department of Women and Children and the Observation Homes run by the Department of Social Security.
- This SLP comes in pursuance of Hon'ble Punjab & Haryana High Court's suo-moto cognizance of an issue pertaining to proper and effective implementation of provisions of the Juvenile Justice Care & Protection of Children Act, 2000.
- The Court issued directions to the Session Judge of the area where these Children Homes and Observation Homes were located to conduct a surprise visit and prepare reports on the running of those institutions. The Reports in this regard were then forwarded to the Secretary, Punjab State Legal Services Authority for scrutiny and tabulation work.
- On perusal of the Reports, the Hon'ble Court felt that the provisions of the JJ Act were being flouted at many places including Punjab University.

- The Department of Women and Child, Haryana formed a Selection Committee. The Committee found that the JJ Act was not being implemented in its true form and spirit. NCPCR had also filed a Writ Petition, praying for issuance of a Writ in the nature of Mandamus, directing the States of Punjab, Haryana as well as UT of Chandigarh to take steps to constitute and set up fully functional State Commissions for Protection of Child Rights and Children's Courts under Sections 17 and 25 of the Commissions for Protection of Child Rights Act, 2005.
- The Hon'ble Court in the matter disposed off the writ petition *inter-alia* other writ petitions and gave directions for creating Children's Courts with specialized infrastructure. The States of Punjab and Haryana and UT of Chandigarh have thus, come before the Supreme Court in the present Special Leave Petition (SLP).

2.16 Shakti Vahini vs. Government of NCT of Delhi & Ors., WP (Crl) 1833/2013, before Hon'ble Delhi High Court

- The girl (prosecutrix) was brought from Kokrajhar in Assam by a placement agency in 2009 to an employer in Punjabi Bagh, New Delhi. She was then rescued from the place. After being rescued, she alleged that she was sexually exploited and was not paid her wages by the employer. No conviction could be made as the prosecutrix turned hostile, allegedly due to threat, allurements, etc. Later, a perjury case was also filed against her.
- The Hon'ble Court also initiated inquiry against the petitioner-NGO to be supervised by the DCP concerned. The petitioner-NGO then approached the Hon'ble High Court seeking modification to the trial court's order to the extent that the investigation be done by the Crime Branch. The same was granted. The Crime Branch then filed its charge sheet in the Court.
- The present Petition was against the said Charge Sheet where the Petitioner sought direction from the Hon'ble High Court that all aspects of the case including forgery of school certificate, bribery, corruption and malpractice charges against the police be investigated.
- The Hon'ble High Court, Delhi, granted leave to withdraw the Petition thus disposing it of on 14.11.2014.

2.17 M. Ramesan & Ors. Vs. Deputy Commissioner of Police & ors., WP (C) 21630/2014 (C), before Hon'ble Kerala High Court

- The Petition was filed with a prayer for formulating Guidelines under the POCSO Act in order to identify children at home and school who were sexually abused.
- The Petition was filed by a grand-parent of a child along with his paternal aunt challenging the validity of the Order of Child Welfare Committee which stepped in, to take care and protect the child on account of sexual assault alleged to have been committed by her own father.
- The matter is yet to be listed before the Hon'ble Court.

2.18 Naz Foundation (India) Trust vs. Union of India & Ors., WP (C) 147/2014, before Hon'ble Supreme Court of India

- The present Petition has been filed by the petitioner-NGO, alleging discrimination against HIV positive children in schools and other places. The Petitioner has further alleged that the Schools often breach the confidentiality when it comes to maintaining secrecy about one's HIV status.
- The Petitioner has no specific grievances against the Commission.
- The specific prayer of the Petitioner is to direct that no child be denied admission into any school or any other educational institution, whether private or public, solely on the basis that the child or his/her parent, or any other relative, is HIV positive (actual or perceived); that no child shall be suspended or expelled from such institutions on the above ground; that there shall be no segregation of children on these grounds, that such children shall be enabled and supported to attend schools; to direct the Union of India to frame comprehensive Guidelines under Section 35(1), RTE Act so that such children can study free from discrimination with their having an actual right to confidentiality of their HIV positive status and to issue a proper Writ, Order or Direction to all States and UTs to issue a Notification under Section 2(d) of the RTE Act, declaring such children to be under the category of 'disadvantaged children', as is presently the case in States like Andhra Pradesh, Karnataka, Uttarakhand and Manipur.

During the year, the following developments took place in the matter:

- The matter is currently listed for 04.09.2015 before the Registrar for technical formalities of filing of counter Affidavits.

CHAPTER

3

Right to Education

3

Right to Education

3.1 INTRODUCTION

3.1.1 The National Commission for Protection of Child Rights has been mandated under Section 31 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009:

- i) to examine and review the safeguards for rights provided under the Act and to recommend measures for their effective implementation;
- ii) to inquire into complaints relating to the child's right to free and compulsory education and
- iii) to take necessary steps as provided under Section 15 of the Commissions for Protection of Child Rights Act, 2005.

3.1.2 In furtherance of its mandate under the RTE Act, 2009 and the functions assigned to it under Section 13 and 14 of the CPCRA Act, 2005, the NCPCR has undertaken a series of initiatives. These include redressing complaints, conducting inquiries, undertaking policy interventions and program & research initiatives. The Commission has identified Best Practices by the State Governments, organized consultations and meetings at the national and state level to strengthen convergence and coordination between the SCPCRs and allied departments of the Government. It has also facilitated the participation of civil society organizations and experts, in an effort to build a platform to engage on and strengthen the implementation of Right to Education Act, 2009.

3.2 REVIEWS

3.2.1 Monitoring of Performance of Schools on RTE Parameters through SCPCRs

In view of the mandate of monitoring the implementation of the Right of Children to Free and Compulsory Education Act, 2009 at the national level, NCPCR undertook a monitoring program in partnership with the State Commissions for Protection of Child Rights (SCPCRs) and Child Welfare Committees (CWCs) during 2014-15. The activity was aimed to monitor the extent to which children are provided full time quality elementary education in formal schools that satisfy certain essential norms and standards laid down in RTE Act, 2009.

Accordingly, a School Monitoring Format was developed by NCPCR on different Parameters indicated under the RTE Act, 2009. The monitoring was undertaken in respect of selected sample schools, to assess the broader aspects such as infrastructure facilities, human resources, quality education, community participation and other additional indicators listed in the monitoring tool.

The suggested criteria for selection of schools for the monitoring visits included:

- i) Emphasis on remote and backward areas;
- ii) Concentration of SC/ST population;
- iii) Prone to seasonal migration;

- iv) Prone to natural calamities;
- v) In urban areas, habitations with a sizeable number of urban deprived children;

Seven States viz. Gujarat, Haryana, Himachal Pradesh, Odisha, Rajasthan, Uttarakhand and West Bengal furnished information to the Commission. State-wise details of districts and schools covered are given in the following table:

S.No.	State	No. of Districts	No. of Schools
1	Gujarat	10	100
2	Haryana	10	95
3	Himachal Pradesh	10	93
4	Odisha	24	243
5	Rajasthan	33	330
6	Uttarakhand	7	70
7	West Bengal	20	200
Total		114	1131

The data and information provided by these States are being consolidated for preparation of the National Report.

3.2.2 Monitoring of Schools in Backward Blocks

As part of the mandate of the NCPCR under Section 31 of the Right to Education Act, 2009 to monitor the progress of Right to Education in the country, the Commission undertook an intensive monitoring of schools in four blocks which were backward in terms of RTE compliance as indicated in District Information System for Education (DISE) data 2012-13. The Commission visited the concerned States in July- August, 2014 and inspected 38 schools in which school-wise RTE compliance and the authenticity of the DISE data provided by National University of Educational Planning and Administration (NUEPA), was verified. The four Backward Blocks thus covered were:

S.No.	Educationally Backward Block (EBB)	District	State
i)	Pupri	Sitamarhi	Bihar
ii)	Lingasugur	Raichur	Karnataka
iii)	Dharur	Beed	Maharashtra
iv)	Lanjigarh	Kalahandi	Odisha

The monitoring teams constituted by the Commission interacted with the teachers, officials, parents, SMC members and students. This revealed a comprehensive picture about the school situation including issues such as the status of infrastructure, Grievance Redressal Mechanism, capacity building etc. A summary Report has been submitted to MHRD. The salient information revealed through the monitoring are:

- 1) *Toilets:* Boy's toilets were found in 36 schools and separate toilets for girls were in place in 32 schools. 32 schools did not have accessible toilets for Children With Special Needs (CWSN). However, no proper and regular provision for cleaning of these toilets was found. The number of toilets in relation to the number of students was inadequate.

- 2) *Ramps:* Ramps were constructed in 29 schools. However, they were either not at the appropriate place or were not in useable condition.
- 3) *Drinking Water:* It was available in 27 schools. Around 50% were dependent on hand pumps.
- 4) *Playground:* Available in 19 schools. However, they were not well maintained. The playing material was found to be inadequate and mostly consisted of badminton racquets and footballs.
- 5) *Library:* This facility was available in 29 out of 38 schools.
- 6) *Student-classroom Ratio:* 19 schools (50%) were having adequate ratio as per the RTE Act.
- 7) *Pupil-Teacher Ratio:* Only 23 schools have the recommended ratio as per RTE Act.
- 8) *Teacher-classroom Ratio:* 20 schools were found to have proper ratio in this regard.
- 9) *Grievance Redressal Mechanism (GRM):* Though all the four States have issued notification and appointed Nodal Officers for GRM, yet the teachers, parents and students were not aware of the same.
- 10) *Barrier free Access:* None of the schools were CWSN friendly.

School's Development Plan: SMCs were constituted in 35 out of 38 schools. However, they are not fully aware of their roles and responsibilities as per RTE Act.

3.3 EDUCATION AND PROMOTION EFFORTS

3.3.1 Teacher/SMC Sensitization Workshops on Child Rights

Section 21 of the RTE Act, 2009 deals with constitution, composition and functions of School Management Committees (SMC). SMCs have been entrusted with a wide mandate and can play a very crucial role in ensuring the rights of children.

In view of the role these School Management Committees (SMCs) play in ensuring/securing rights of the child, the Commission organised one-day State level workshops to sensitize SMCs on issues related to Child Rights and Child Protection. The respective State Commissions conducted the workshops in association with the State Departments of School Education. The funds were provided by NCPDR for conducting these workshops.

Thus a total of 17 Workshops in ten States and four Union Territories were organised during the year. The Workshops were attended by over 1800 participants who were sensitized on the issues of child rights and child protection. As per the feedback received from the participants, 27% of participants rated the workshops as 'Excellent', 41% rated them as 'Very Good', 26% as "Good" and 5% rated these workshops as "Satisfactory".

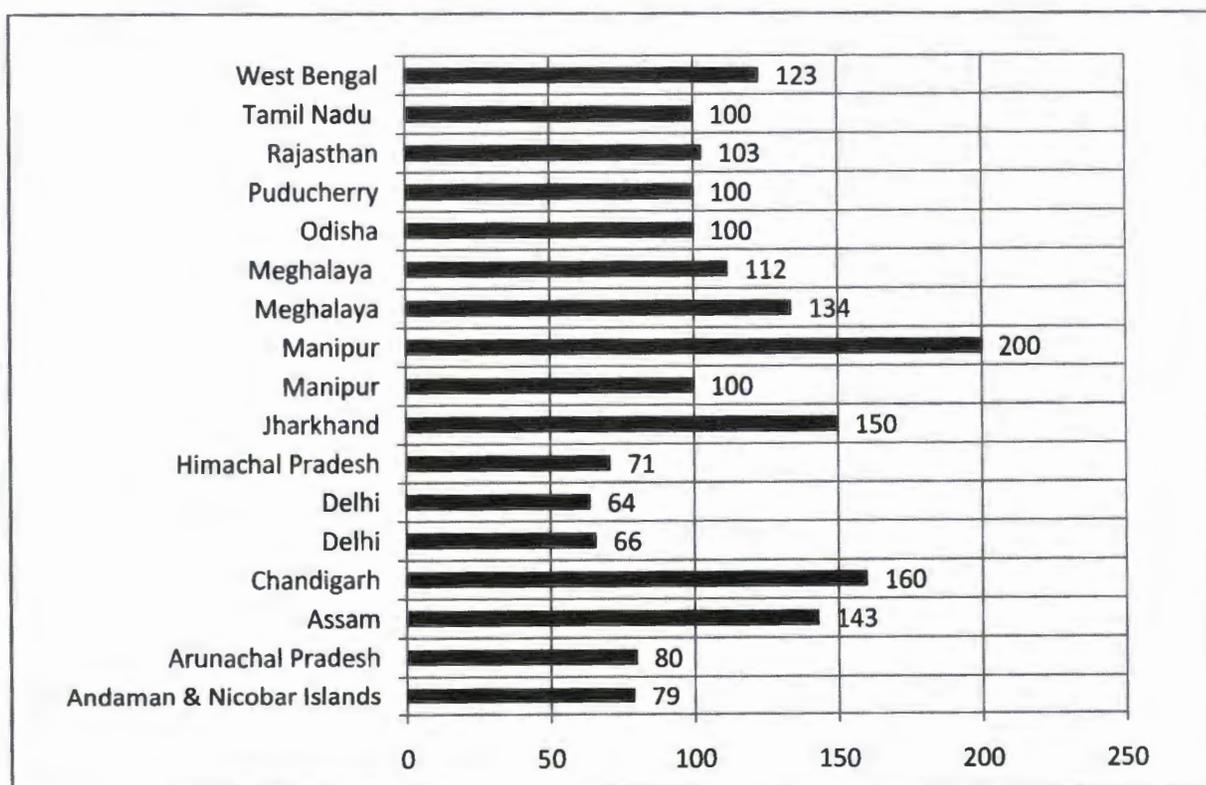
The Workshops witnessed active participation of SMC Members, Principals, Head Masters, Teachers, Block Education Officers/Block Resource Centre Coordinators, District Coordinators, District Education Officers, Officials of the State Education Departments, State Project Directors of SSA, representatives from DIET & SCERT and representatives of SCPCRs/REPA.

The Workshop sessions focused on themes of Child Rights; Child Abuse; Laws and Programmes of the Government related to Child Rights, Role and Responsibilities of Teachers in ensuring Child Rights, Corporal Punishment, Role and Responsibilities of the SMCs in actualizing Child Rights etc. At many places, two workshops were organised. The salient details of the Workshops organised during the year are as follows:

THE WORKSHOPS

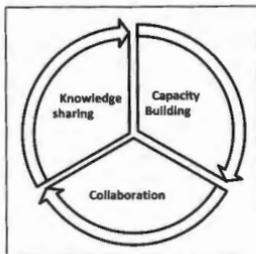
S.No.	State/UT	Date of the Workshop
i)	Andaman & Nicobar Islands	27 th February, 2015
ii)	Arunachal Pradesh	15 th December, 2014
iii)	Assam	30 th August, 2014
iv)	Chandigarh	22 nd August, 2014
v)	Chandigarh	12 th March, 2015
vi)	Delhi	19 th March, 2015
vii)	Delhi	20 th March, 2015
viii)	Himachal Pradesh	23 rd December, 2014
ix)	Jharkhand	18 th July, 2014
x)	Manipur	11 th August, 2014
xi)	Meghalaya	23 rd July, 2014
xii)	Meghalaya	28 th February, 2015
xiii)	Odisha	5 th August, 2014
xiv)	Puducherry	5 th May, 2014
xv)	Rajasthan	12 th September, 2014
xvi)	Tamil Nadu	19 th January, 2015
xvii)	West Bengal	12 th September, 2014

STATE WISE NO. OF PARTICIPANTS IN THE WORKSHOP



Outcomes:

- (i) **Capacity Building and Sensitization:** The Workshops went on to build capacities of the participants on diverse aspects of Child Rights and also assisted in bringing the issue of child rights and child protection to the forefront.
- (ii) **Collaboration:** The Workshops brought NCPCR, SCPCRs, the State and District Education Departments, Education Training Institutes and other Government Departments along with SMCs together for discussions, deliberations and sharing of experiences. The workshops offered a common platform to discuss/share knowledge and experience among various stakeholders. These also brought together experts from various fields to provide an orientation on various aspects of child rights and child protection.



3.3.2 Street to School Campaign

In pursuance of its mandate to monitor the provisions for children not admitted to or who have not completed elementary education, the Commission launched a year-long campaign on “Street to School Programme” on 5th March, 2014. The purpose of the campaign was to focus on children on and off the street without safe shelter, access to education, health care, leisure and support. The objective of the campaign was to ensure that street children are brought into the mainstream through inclusion in the formal education system.

Accordingly, an action plan was prepared by the Commission for implementation of the campaign through the State Governments/UT Administrations by accelerating the implementation of the ongoing schemes/programs and the provision of UID identity proof for the children living at recognized shelter homes. Since the attempt to mainstream street children required a great deal of coordination between different departments, like Women and Child Development, Education, Labour and local bodies; it was requested that a Task Force of the concerned departments may be constituted by the States/UTs to formulate and monitor the actions to be taken to ensure that the street children are provided with the entitlements facilities as provided under various schemes of the Government.

The Campaign was coordinated through the State Chief Secretaries and SCPCR. The States were requested to provide updated report of the activities carried by them under the Campaign including information on inter-alia (a) setting up of Task Force (b) Number of street children identified and brought to the schools or provided educational coverage (c) Number of street children provided with an identity proof/UID and (d) Good practices undertaken by the State in this regard.

Outcomes:

The Commission received compliance reports from 13 States/UTs on activities taken up under the Campaign. Nine States/UTs have formed Committees/Task Force under the chairpersonship of their Chief Secretaries/Principal Secretaries/Secretaries of the concerned Departments; two States/UTs (Odisha and Daman & Diu) prepared their Action Plan, three States/UTs (Odisha, Chandigarh and Daman & Diu) adopted certain specific practices to facilitate children in need of care and protection. The Campaign saw 575 children being rescued and rehabilitated in Haryana, Odisha and Puducherry, 749 children living on the streets being enrolled in schools in Telangana, Chandigarh and Daman & Diu. A total of 2858 children were provided with UID Cards.

SPECIFIC PRACTICES ADOPTED BY THREE STATES/UT

Odisha

Title of the Activity	Brief Narrative of the Promising Practices
Modality for Identification	Convergence meetings with Deptt. of Labour, Deptt. of WCD, Commissioner of Police and NGOs.
Rescue of Children	A rescue team headed by Asstt. Labour Commissioner, Khordhawas constituted. One Rescue Cell for street children was made operational at Odisha Primary Education Programme Authority (OPEPA). The team used the school student helpline and 1098- Childline and collaborated with the help lines.
Awareness Campaign	Launching of Awareness Campaign.
Convergence with Municipal Corporation	Corporators were sensitized and requested to cooperate in rescuing children in their respective areas with the goal to make the State capital child labour free.
Samannaya	<i>Samannaya</i> - A Programme for vulnerable children in the district of Mayurbhanj for protection of child rights and to meet the needs of the children in difficult situations. The important components of the programme are: household survey, engagement and training of 60 counselors, organizing counseling camp for vulnerable children and parents, preparation of master data for 3409 children. A total of 129 child labour were rescued and rehabilitated with provision of education and sponsorships. The names of the hotels, dhabas & garages with working children were displayed at prominent places to deter others from engaging child labour.

Chandigarh

Title of the Activity	Brief Narrative of the Promising Practices
Child Help Line 181	A 24 hour Help-line has been functioning in convergence with other child protection organizations. The awareness camps in various areas of city were organised detailing the mechanism to rescue children and their subsequent rehabilitation.
Project Outreach	Project Out Reach is a programme with Children in Conflict with Law for effecting their behavioral modification and making their individual care plans. This initiative has been taken up by the Department of Social Welfare in collaboration with the Department of Psychiatry, Chandigarh Medical College.
Children Theatre	The Department in collaboration with two NGOs is incorporating education through theatre activities.
Missing Child Audit	A missing child audit was conducted wherein families of missing children were contacted and interviewed.

Daman & Diu

Title of the Activity	Brief Narrative of the Promising Practices
Nanhe Haath Kalam Ke Saath	A programme to encourage street children, children who have never been to school and drop out students to go to school and to complete their primary education as mandated under RTE. Corporate sector was also involved in providing school bags and kit.
Child Labour Free Daman Campaign	Awareness activities conducted on prohibition of child labour in Daman & Diu involving school children.
Motivational Programme	Motivational Programme was conducted in Ashramshalas to motivate children on education.

3.4 CONSULTATION/CONVENTION/MEETINGS

3.4.1 Conclave of Children with Special Needs/Disabilities

Education plays a pivotal role in shaping the future of children. Recognizing this reality the NCPCR organized a day-long Conclave of Children With Special Needs/Disabilities on 3rd September, 2014. The objectives of the conclave were to:

- (i) Provide a platform for children so that they can express their views and share their school experiences.
- (ii) Gain an understanding of what they find enabling and requires further strengthening.
- (iii) Appreciate their experiences about what is not enabling with recommendations for making changes.

The major themes of discussions included the following:-

- (i) Friendships and relationship with peers
- (ii) Accessibility and Infrastructure
- (iii) Curriculum and relationship with teachers

The Conclave was attended by 30 school going children with various disabilities who were associated with six non-government organizations (NGOs). The issues emerging out of the event provided valuable insights into the world of children with special needs. These insights in turn provided vital inputs for the National Convention on Inclusive Education of Children with Special Needs/Disabilities.

Some of the recommendations made and views expressed by the children were as follows:-

- (i) **Friendships and Relationship with Peers:** The children emphasized that they were happy to go to school and interact with all the other children. They articulated a desire for equal opportunities and participation in all activities. Their peer group is mostly facilitative except a few attitudinal barriers. It was suggested that children be provided an orientation to mould their attitude and values.
- (ii) **Accessibility and Infrastructure:** The lack of basic amenities affects children with disabilities as much as it affects other children. The availability of clean water, accessible and functional toilets and access to classrooms, libraries, laboratories and playgrounds were some of the recurrent themes brought up by children at the Conclave. The Children shared that they should have swings in the playground with

straps and other features to make them feel safe; facilities for indoor sports; accessible toilets; ramps for movement in the school premises; anti-skid floors; sign boards in Braille; provision of Tables that can fit the Wheelchairs; activity rooms to be located on the ground floor; helpers especially for assisting them in washrooms; transport facilities; etc.

- (iii) **Book for CWSN/Disabilities :** The Books and materials suited to every child's need must be available in the school. The braille books and materials for all subjects should be available to students at the beginning of the school session itself. The availability of audio books for assisting in learning was also emphasized;
- (iv) **Technology for CWSN/Disabilities:** Tablets and computers with JAWS software should be made available to children in schools and e-learning needs to be promoted.
- (v) **Curriculum:** The need for flexibility in curriculum and assessment; providing choice to children to select their stream of study in senior secondary classes; provision of writers for examinations and inclusion of activity based learning were also emphasized.
- (vi) **Children and Teachers:** The facts of Corporal punishment having no positive impact and imbibing a sense of duty as against that of charity should be impressed upon the teachers. The teachers need to be trained oriented to deliver the curriculum in an effective manner to children with different special needs.

Outcome:

- (i) The Conclave gave a platform to understand the voices of children with special needs.
- (ii) They made a number of positive suggestions that can assist in strengthening inclusive education and their completing education. The participants highlighted the need to remove attitudinal barriers, which stigmatize children with special needs/disabilities.
- (iii) The recommendations of the Children's Conclave were presented at the National Convention on Inclusive Education held in New Delhi on 23rd September, 2014.

3.4.2 National Convention on Inclusive Education of Children With Special Needs/Disabilities, New Delhi, 23rd September 2014

A National Convention on Inclusive Education of Children With Special Needs/Disabilities was organized by the NCPDR at Vigyan Bhavan, New Delhi on 23rd September, 2014.

The objectives of the National Convention were:

- (i) To identify specific concerns of children with disabilities within the larger debates and concerns in education;
- (ii) To take stock of the status of Inclusive Education with specific reference to the right of children to free and compulsory education under the RTE Act, 2009;
- (iii) To explore strategies that can be adopted to strengthen the system of Inclusive Education and;
- (iv) To make recommendations for realization of right to education of children with Disabilities within the existing education system.

The Convention included four thematic Sessions on:

- (i) Enhancing enrolment and preventing dropouts;
- (ii) Improving the quality of education: curriculum;
- (iii) Improving the quality of education: teachers and other personnel for inclusive education and;
- (iv) Data, governance and grievance redressal.

The inaugural and plenary sessions of the Convention were addressed by the distinguished speakers representing the key Ministries of the Government of India and apex bodies working in the concerned areas. The Convention saw the participation of over 800 delegates including Persons with Disabilities in various sessions. During the course of the Convention, the deliberations and presentations focused upon the following issues:

- (i) Little awareness regarding identification of disabilities that are not apparently visible. Learning disabilities, low vision, behaviour disorders and mental illness were found to be important barrier in identification of differently abled children.
- (ii) Low Enrolment of children with special needs despite the promulgation of the RTE Act. 2009.
- (iii) Accessibility and availability of infrastructure and transport for differently abled children.
- (iv) Non-availability of Special Educators, Resource Persons and Other trained personnel at school level for meeting requirements of these children.
- (iv) Braille books, audio books and material to study Curriculum, Technology, Textbooks and Relationship with teachers that suits the need of children should be made available.
- (vi) Corporal punishment is often an accepted norm used to discipline the children, which is severely detrimental especially in case of these children.
- (vii) Serious effort is required for building institutions in an evolutionary inclusive manner and their convergence with various departments and schemes. The SMCs needs to be adequately strengthened.
- (viii) There is limited data and research in the areas of inclusive education.

The broad recommendations that emerged from the deliberations at the Convention were:

- (i) The importance of early detection/identification, assessment and intervention needs to be highlighted without which children with special needs/disabilities will continue to remain out of purview of school education.
- (ii) Different strategies for meeting specific challenges of different groups of children with special needs including girls need to be designed and implemented for addressing the peculiar needs of the individual children. Special training and school development should be implemented on a priority basis with full support and resources as laid down in the RTE Act 2009;
- (iii) The universal design is the need of the hour so that all children are able to use all the facilities in schools with equal ease including ramps with railing, libraries, auditoriums, playgrounds, disabled friendly toilets etc. and
- (iv) Private schools should create a schooling environment to enable inclusion.

3.4.3 Adoption of Guidelines for Barrier Free Environment for Children with Disabilities

With a view to develop guidelines on barrier free environment for children with disabilities in schools, the Commission based on its existing works and in association with the experts and organizations for such children drafted the Guidelines. A consultation meeting was organized by the Commission on 3rd April, 2014 regarding the finalization and adoption of the Guidelines. The Commission also sought the comments of the Ministry of Social Justice and Empowerment (MSJE) on the draft guidelines. Subsequently, the Guidelines were forwarded to the Ministry of Women and Child Development (MWCD) for taking up the same with the Department of Disability Affairs for a final view thereon and their subsequent adoption.

3.4.4 Meeting of the Advisory Committee on RTE, 24th September, 2014

An Advisory Committee on Monitoring of Child's Right to Education was constituted by the Commissions on 5th October, 2009. The Committee was subsequently reconstituted on 22nd November, 2013 with the following objectives:-

- (i) To examine and review the existing records/reports/data prepared by the Central and State Governments for effective implementation of Right to Education (RTE) Act, 2009;
- (ii) To test the accuracy of data of the Central and State Governments through random checks at the field level;
- (iii) To review the status of grievance redressal mechanism and assess its efficacy;
- (iv) To develop strategy and an action plan for capacity enhancement of the local authorities and SCPCRs for strengthening grievance redressal mechanism;
- (v) To analyze the efficacy of existing capacity building modules of SMCs by the States;
- (vi) To devise mechanisms for enhancing the capacity of SMCs to conduct social audits and
- (vii) To develop a real time monitoring mechanism for performance assessment of School Management Committees.

The second meeting of the reconstituted Advisory Committee was held on 24th September, 2014, at India Habitat Centre, New Delhi. The meeting was co-chaired by Shri Asheem Srivatsav, Member Secretary, NCPCR and Shri Arun Mathur, Chairperson, Delhi State Commission for Protection of Child Rights (DSCPCR).

The Meeting was attended *inter-alia* by the Chairpersons of Gujarat SCPCR, representatives of Government departments and non-governmental organizations, and experts National Trust. The agenda for the meeting *inter-alia* included a review of the RTE Annual Work Plan 2014-15; discussion on Research on Ashramshalas and Grievance Redressal Mechanism; issues relating to Aided and Minority Institutions etc.

3.5 COMPLAINTS STATUS (RTE)

During the year 2014-15, the Commission received 115 new complaints and also disposed off a total of 1254 complaints, including those pending from the previous years. The State-wise status of the Complaints has been incorporated in the Chapter-8.

RTE Complaints Status: 2014-15

Complaints Brought Forward	Complaints Received during the year	Total Complaints	Complaints Disposed off
2541	115	2656	1254

3.6 Other Initiatives**3.6.1 School Audit Toolkit/School Monitoring Format shared with the Ministry of Human Resource Development:**

The Commission in its pursuit of monitoring implementation of the provisions of the right of children to free and compulsory education under the RTE Act 2009, observed that the most effective monitoring can and must happen at the local level by the concerned stake holders themselves. Therefore, the Commission developed a Social Audit Tool-kit in consultation with the expert institutions and professionals. The draft Tool-kit was further simplified by the Commission to enable its use as a social pressure tool by the Child Welfare Committees (CWCs), Panchayat Raj Institutions (PRIs), School Management Committees (SMCs) and Civil Society Organizations. The simplified School Audit Tool-kit was shared with the Ministry of Human Resource Development (MHRD) during June' 2014 for further disseminations.

CHAPTER

4

Juvenile Justice System

Juvenile Justice System

4.1 INTRODUCTION:

- 4.1.1 India happens to be one of the youngest nations of the world with nearly 40 per cent of its population being children. The Constitution of India guarantees Fundamental Rights to all children in the country and empowers the State to make special provisions for them. The Juvenile Justice System (JJ System) in India can be traced back to a differential legal process, which goes back to the Reformatory School Act 1876, underlining that the focus is on reforming the deviant youth or child.
- 4.1.2 The interventions on justice for children in the country first came in the form of National Children's Act, 1960. It was followed by the Juvenile Justice Act, 1986 and the Juvenile Justice (Care and Protection of Children) Act 2000, as amended in 2006. The Juvenile Justice Law in India deals with children in need of care and protection as well as children in conflict with law.

The major functions of the National Commission for Protection of Child Rights (NCPCR) with regard to the Juvenile Justice System, are to look into matters relating to:

- children in need of special care and protection, children in conflict with law and juveniles and children without family;
- examine all factors that inhibit the enjoyment of rights of most vulnerable children and children in need of special care and protection;
- undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;
- inspect any juvenile custodial home, or any other place of residence or institution meant for children for the purpose of treatment, reformation or protection;
- undertake research studies;
- publication of reports and
- measures aimed at spreading child right's literacy.

A brief description of the activities undertaken by the commission in this regard, during the year, is given in the following pages.

4.2 EXAMINATION AND REVIEW OF SAFEGUARDS

- Comments on the draft Bill on "Repeal and re-enactment of the Juvenile Justice (Care and Protection of Children) Act, 2000"

The Government of India was considering measures aimed at ensuring effective implementation of various provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000 in light of the following major factors surfaced during consultations with the stakeholders:

- i) Increase in reported incidents of abuse of children in institutions, families and communities;
 - ii) Inadequate facilities, quality of care and rehabilitation measures in Homes;
 - iii) Delay in various processes under the Act, such as decisions by Child Welfare Committees (CWCs) and Juvenile Justice Boards (JJBs) leading to high pendency of cases;
 - iv) Delay in adoption process;
 - v) Inadequate provisions to deal with offences against children and
 - vi) Provisions relating to juveniles in conflict with law, in the age group of 16 to 18 years.
- b) The Government of India proposed Juvenile Justice (Care and Protection of Children) Bill, 2014 incorporating new provisions aimed at strengthening the existing JJ Act. The move was intended to achieve the objectives of the philosophy of the Juvenile Justice System through this Bill/Act. The Ministry of Women & Child Development sought the Commission's comments/suggestions on the draft Bill on 24.7.2014.

The Commission organised two Consultative Meetings on 26th and 27th July, 2014 which were attended *inter-alia* by the representatives of JJBs, CWCs, NGOs and individual experts. Based on the inputs and suggestions received during the Consultations as well as the Commission's own experience and learning, the suggestions/comments on the draft Bill on 'Repeal and re-enactment of the Juvenile Justice (Care and Protection of Children) Act, 2000' and Juvenile Justice (Care and Protection of Children) Bill, 2014 were furnished to the Ministry of Women & Child Development.

- c) The Rajya Sabha also invited comments of the Commission on the Questionnaire for written replies of NCPCR on the queries raised by the Members during the course of oral evidence on 18.12.2014. The NCPCR furnished its comments on the questionnaire regarding Juvenile Justice (Care and Protection of Children) Bill, 2014 as desired by the Rajya Sabha.
- d) The Ministry of Women & Child Development placed the draft of Central Adoption Resource Authority (CARA) Guidelines on Adoption of Children, 2014, on its Website inviting views and comments of the civil society groups, NGOs, individuals, etc. The NCPCR reviewed the draft Guidelines & forwarded its comments to the Ministry on 22.09.2014.

4.3 RESEARCH ACTIVITIES

4.3.1 Study on 'Juvenile in Conflict with Law and Administration of Juvenile Justice in Western India'

The general perception of the people today's that the crimes being committed by juveniles have increased. Further, the Juvenile Justice System provides a convenient outlet for getting the children away from serious crimes. The exaggerated media reports have also been creating public opinion/perceptions without any scientific basis. Therefore, it was felt necessary that the issue of failure to address the causes and factors which were influencing children to get involved in crime needed to be investigated and corrected.

Accordingly, NCPCR awarded a Study on 'Juvenile in Conflict with Law and Administration of Juvenile Justice in Western India' to the Tata Institute of Social Sciences, Mumbai on 26/2/2015 covering States of Gujarat, Maharashtra and Rajasthan. The objectives and processes of the Study are:

- i. Mapping the magnitude, nature and trend of offences by the juveniles in the Western Zone covering the States of Gujarat, Maharashtra and Rajasthan.

- ii. Identifying the causes and factors that influence/prompt children to get involved in crimes including socio-economic conditions and incentives.
- iii. Analysing the efficacy and efficiency of JJ Institutions in India which are responsible for providing justice, care, protection, rehabilitation and social integration to the juveniles in conflict with law. (CWC, JJB, Child Care Institutions, Special Juvenile Police Units etc.), and examining whether they meet the objectives, standards and principles of the JJ Act.
- iv. Making an assessment and analysis of the course of life adopted by children after reformation by the Child Care Institutions.
- v. Ascertaining the proportion of 'children in conflict with law' and reformed, and completely rehabilitated to lead the normal life.
- vi. Documenting the good practices in this regards.

The study is still in progress.

4.4 AWARENESS ACTIVITIES:

4.4.1 'Working Group for Developing Guidelines on National Policy towards Safeguarding the Rights of Children in Contact with Railways'

The NCPDR constituted a 'Working Group for Developing Guidelines on National Policy towards Safeguarding the Rights of Children in Contact with Railways' on 11.3.2014. The introductory meeting of the Working Group was organized on 15.4.2014 at New Delhi which saw formation of two Sub-groups - one for 'collecting the existing studies, information and collating the same' and the other group for 'developing a child participatory tool'. The second meeting of the Working Group on 13.06.2014 & 14.06.2014 saw majority of the members recommending that any policy or guidelines for safeguarding the rights of children in contact with railways must necessarily incorporate the views of affected children also. The Commission decided to focus during 2015 on the security and well-being of run-away, unaccompanied and trafficked children who use railway premises for shelter and livelihood.

4.4.2 Conference on 'Securing Destitute Children in Contact with Railways'

Coinciding with its Foundation Day, NCPDR organized a Conference on 'Securing Destitute Children in Contact with Railways' at Vigyan Bhavan on 05.03.2015. The Hon'ble Union Minister, Women and Child Development (WCD), Government of India, Smt. Menaka Sanjay Gandhi was the Chief Guest on the Occasion. The 'Standard Operating Procedure (SOP)', prepared by the Ministry of Railways was released on this occasion. The SOP contains guidelines and instructions for railway officials to ensure care and protection of children coming in contact with Railways.

The Hon'ble Minister, WCD, desired that with a view to ensure effective implementation of SOP, the NCPDR should hold consultations with a Core Group comprising of selected NGOs, Officials and experts. Accordingly, two meetings were held on 9.3.2015 and 11.3.2015. In follow up meetings, some NGOs were selected as lead NGOs for undertaking surveillance and discharging other responsibilities in collaboration with the Child Help Groups constituted in accordance with the SOP. It was agreed that the lead NGOs will provide adequate staff from their own funds to perform the assigned duties and responsibilities. It was also suggested that all lead NGOs should be nominated as CHILDLINE partner (if not already done) for better coordination and efficiency.

4.5 REGIONAL CONVENTIONS OF CHILD WELFARE COMMITTEES (JULY - SEPTEMBER 2014)

The National Commission for Protection of Child Rights (NCPCR) organized six Regional Conventions of CWCs (Child Welfare Committees) during July to September 2014 in different parts of the country. The Regional Conventions were organized as a part of the NCPCR continuing efforts to strengthen coordination with the State Commissions and other agencies which have mandate of protecting the child rights. These Conventions were to develop understanding about the following:-

- i) the issues, concerns and challenges faced by the Committees in their effective functioning;
- ii) infrastructure and support available to them;
- iii) implementation gaps on the functioning of CWCs and
- iv) make recommendations for effective functioning.

THE REGIONAL CONVENTIONS

S. No.	Venue	Date	States/UTs Covered	No. of participants
1.	Guwahati, Assam	24/7/2014	Assam, Meghalaya, Sikkim and Tripura	110
2.	Imphal, Manipur	31/7/2014	Manipur, Arunachal Pradesh, Mizoram and Nagaland	75
3.	Raipur, Chhattisgarh	26/8/2014	Chhattisgarh, Madhya Pradesh and Odisha	140
4.	Chandigarh	9/9/2014	Himachal Pradesh, Haryana, Punjab, Chandigarh, Uttarakhand, Delhi and Rajasthan	54
5.	Mumbai, Maharashtra	16/9/2014	Dadra & Nagar Haveli, Daman & Diu, Gujarat, Goa and Maharashtra	80
6.	Chennai, Tamil Nadu	19/9/2014	Tamil Nadu, Andhra Pradesh, Telangana, Kerala, Karnataka, Puducherry and A & N Islands	113

The main recommendations made during the Conventions are as follows:-

1. CWC should be provided with basic facilities like adequate office space for functioning and conducive environment for interacting with children produced before them. The requisite administrative support with adequate office equipment should be made available.
2. CWCs should have adequate knowledge about child rights and rules related to them. There should be provision for routine capacity building/orientation programmes including training in legal aspects for all the CWCs from time to time to update knowledge and enhance capacity.
3. There should be proper co-ordination/interlinking between various authorities/institutions and stakeholders for effective monitoring, due implementation of the child laws and re-union of the children in need of care & protection with their parents. The different Authorities such as SJPU, DCPU, CWCs, JJBs, Block and Village level Committees in every district have to be brought at one common platform for ensuring their smooth functioning.

4. The SCPCRs and NCPDR should facilitate platforms to the Child Welfare Committees for sharing their experiences, issues and concerns for finding solutions thereof leading to better care and protection of vulnerable children.
5. Appointment of CWCs should be expedited in all States and there must be full bench of five members in all Districts to meet the heavy workload and reduce pendency of the cases.
6. The constitution of the Child Welfare Committees (CWCs) should represent an interdisciplinary team of professionals and selection of the Members should be made through following the prescribed procedures, so as to avoid political appointment of CWCs.
7. The CWCs should be adequately strengthened so that they are in a position to take suo-moto cognizance of the cases that would help curb some of the major challenges at the first stage itself. The CWCs can play a more proactive role by reaching out to the children in vulnerable situations and, taking action as early as possible.
8. Keeping the workload in view, the State Departments may facilitate more sittings of CWCs in different places (Tehsil/interior level) other than the regular sitting venues.
9. The CWCs should be provided with more financial & logistic support to make them more mobile so as to reach out to the vulnerable children instead of the children approaching them.
10. The State Governments should ensure that all the Homes are registered and monitored regularly by the CWC Members so as to curb the reported cases of child abuse and neglect. Strict action needs to be taken against the Homes which are found violating children's rights through abuse and/or neglect.
11. There should be provision for at least one children home in every district to provide better care and protection to the children who are in need of care and protection.
12. The rehabilitation alternatives for children must be planned carefully. The skills of CWCs in taking decisions in this regard such as their links to rehabilitation services such as trauma care, de-addiction, vocational development of adolescent etc. require convergence with other systems and civil society. Support of the ICPS and nodal department for this crucial coordination is highly recommended.
13. The focus of rehabilitation should be shifted to 'non-institutional care' rather than 'institutional care'. Looking at the rehabilitation from a different perspective may prove to be more helpful.
14. The CWCs in close coordination with the Education Department should spread awareness among schools on Corporal Punishment, Child Legislation and Sexual Abuse.
15. The coverage of CHILDLINE be increased and popularized among public for making its best use in emergent situations.
16. There should be a Resource Directory containing the contact information of all the concerned institutions/ authorities including those of police and the district level agencies so that the information is handy in case of urgent situations. The Directory also needs to be updated from time to time.
17. The proper maintenance of updated records is extremely important, especially in cases of missing children, children tracked, etc. This should also be regulated among the interlinked agencies/ institutions/authorities.

4.6 NCPCR ADVISORY COMMITTEE

With a view to inform and suggest policy, legislative & administrative reforms; schemes, plans & programmes and also render advice/recommendations to Commission with regard to effective measures for reviewing and monitoring the implementation of the JJ and POCSO Acts, the NCPCR constituted an Advisory Committee having representatives of the Union Ministries (GoI), UN Agencies, Non- Governmental Organizations, Research Institutions, Authorities and Individual Experts. The Committee met for the first time on 22/05/2014 at New Delhi.

4.7 MEETING OF HEADS OF STATE CID AND ANTI-HUMAN TRAFFICKING UNITS ON 'COMBATING CHILD TRAFFICKING'

Trafficking of children in India is a matter of serious concern as large number of children are trafficked every year through organized networks working in different States/UTs. The organized crime has spread in such a way that almost every State in the country is affected - either as supplier of children or as their recipient. According to a Report of UNO, there is an increasing trend of migration and trafficking of children for labour and commercial exploitation in different parts of the country. The problem of child trafficking in India continues unabated and children are forced into menial labour, domestic work, sexual exploitation, child marriage and other unlawful activities. In most of the cases, the organized gangs take advantage of the poor socio-economic conditions of the people living in economically backward parts of the country and bring these children to the cities luring them for a better life. The discussions on the matter were held with the Director General, BPRD on 2.01.2015.

It was in this background that a meeting of Heads of State CID Units and Nodal Officers of Anti-Human Trafficking Units (AHTUs) was organized on 04.02.2015 in collaboration with the Bureau of Police Research and Development (BPR&D), New Delhi for discussing various issues relating to 'Combating Child Trafficking in India'. All the participants were requested to conduct Studies on 'combating child trafficking' for their respective States with the following objectives:

- a) To enlist the identified source, transit and destination for trafficked/kidnapped children from the existing records/reports;
- b) To identify and analyze the traffickers/agencies and understand their modus operandi;
- c) To assess the socio-economic factors responsible for trafficking of children both at source and destination;
- d) To analyze the in-adequacy/loopholes in the existing legislation/treaties for prevention of exploitation and protection of rights of the trafficked children;
- e) To identify and analyze the role of various agencies including police, social workers and NGOs for prevention of trafficking of children and
- f) To suggest and recommend remedial measures for prevention, protection, rescue and rehabilitation of the trafficked children.

The Commission subsequently invited proposals for conducting the Studies by States/UTs.

4.8 CONFERENCE ON 'COMBATING CHILD TRAFFICKING' IN MANIPUR

A one-day Conference on 'Combating Child Trafficking' was organized in collaboration with Manipur SCPCR and Manipur Police on 6.2.2015 for highlighting the issues and preparing comprehensive plans to overcome the problem of child trafficking in the State. The Conference also made various recommendations to mitigate the problem in the State.

4.9 INSPECTION OF JUVENILE CUSTODIAL HOME

4.9.1 Under Section 13 (1)(i) of the CPCRA Act 2005, the Commission has been mandated to inspect any juvenile custodial home or any other place of residence or institution meant for children where children are detained or lodged for the purpose of treatment, reformation or protection and take up with the concerned authority the matter of taking remedial actions, if found necessary.

The officials of NCPCR conducted Inspections of 21 Child Care Institutions during February, 2015 under Integrated Child Protection Scheme in four States: TamilNadu, Maharashtra, Manipur and Uttar Pradesh.

THE DETAILS OF THE INSPECTIONS

State	District	Date	Child Care Institution
Uttar Pradesh	Varanasi	18/2/2015	Government Children Home(Boys), Ramnagar
		19/2/2015	Government Observation Home (Boys), Ramnagar
		20/2/2015	Dhup Chaon Open Shelter Home, Subhash Nagar Colony
		21/2/2015	Open Shelter Home - Krishak Mahila Samiti, Muduvadih
		21/2/2015	SAA - Radha Krishna Shishu Griha, Vijay Vihar Colony, Nakhi Ghat
		21/2/2015	SAA - Matri Chaya Shishu Griha, Nadesar
		21/2/2015 & 22/2/2015	Lakshmi Shishu Griha, Kabir Chauraha
		22/2/2015	Second Chance Home, Bungalow No. 12, Cantonment
TamilNadu	Coimbatore	16 -20/2/2015	Observation Home for Boys and Girls,
		16 -20/2/2015	Shelter Home -Coimbatore Don Bosco Anbu Illam Social Service Society
		16 -20/2/2015	SAA - Shranalayam
		16 -20/2/2015	Children Home - Sewa Nilayam
Manipur	Imphal West	8/2/2015	Observation Home - Takyal
	Churanchandpur	9/2/2015	Children Home - Chacha Nehru Bal Bhavan
	Thobal	10/2/2015	Open Shelter - Social Development and Rehabilitation Council
	Imphal East	10/2/2015	SAA - Special Adoption Agency, Bal Bhawan, Khuwan Complex

State	District	Date	Child Care Institution
Maharashtra	Pune	9/2/2015	Addition Children Home for (Boys), Shivaji Nagar
		10/2/2015	Observation-cum -Special Home, Yarwada
		11/2/2015	Prayadeshik Pariviksha and Aurakshan Sangatna, Bhigwan Road, Baramati
		12/2/2015	SAA - Bhartiya Samaj Seva Kendra, Koregaon Park
		12/2/2015	Open Shelter - Sathi NGO, Railways Quarter, Tadiwada Raod

The Reports of these Inspections were submitted to the Hon'ble Minister, Women & Child Development, for further necessary action in terms thereof.

4.9.2 Inspection of Jails to identify Probable Juveniles confined due to incorrect recording of their Age

The Hon'ble High Court of Delhi in WP (C) No.8889/2011, in the matter of Court on its Own Motion Vs. Department of Child Development & Others, directed the National Commission for Protection of Child Rights to constitute a Panel of at least ten (10) persons for visiting different Jails in Delhi for finding out the likely beneficiaries under the JJ Act. The Members of the Panel to visit various jails as per the Schedule drawn for the purpose in consultation with/under intimation to the Jail Authorities.

In pursuance of the order, the NCPCR constituted Panel, visited Tihar and Rohini Jails of Delhi seven times from 19.4.14 to 18.10.14 for the purpose.

As a follow up of the visits, following action were taken by the NCPCR:

- (i) List of inmates identified and recommendations shared with the Delhi State Legal Services Authority (DSLISA). Information sought about the status of inmates recommended for age verification for identification of probable juveniles.
- (ii) Affidavit filed in the Hon'ble High Court of Delhi seeking directions for devising infallible mechanism for ensuring that no Juveniles are lodged in the Jails.
- (iii) Letters sent to the Education Department of Delhi Govt. and Municipal Authorities for furnishing the school records *inter-alia* pertaining to the Date of Birth of the probable Juveniles with a view to verify their respective age.

CHAPTER

5

Protection of Children from Sexual Offences (POCSO)

5

Protection of Children from Sexual Offences (POCSO)

5. INTRODUCTION

5.1.1 The National Commission for Protection of Child Rights (NCPCR) is mandated to monitor *inter-alia* the implementation of the 'Protection of Children from Sexual Offences (POCSO) Act, 2012'. The Section 44 of the Act and Rule 6 of the POCSO Rules, 2012 empower the Commission to take all necessary actions for the purpose.

In terms of the Rule 6 of the POCSO Rules, the Commission is to perform the following functions for ensuring effective implementation of various provisions of the Act:

- i) To monitor the designation of Special Courts by the State Governments;
- ii) To monitor the appointment of Special Public Prosecutors by the State Governments for conducting cases only under the POCSO Act;
- iii) To monitor the formulation of Guidelines under Section 39 of the Act by the State Governments and effective application of these Guidelines;
- iv) To monitor designing and implementation of Modules for training police personnel and other concerned persons for the effective discharge of their functions under the Act;
- v) To monitor and support the Central and State Governments for dissemination of information relating to the Act through print, electronic and other media;
- vi) To call for Reports on cases of child sexual abuse and to collect data on its own or from the relevant agencies on cases of child sexual abuse and their disposal etc.

5.1.2 In performance of these functions, the Commission has been calling for information/data from the State Governments/Union Territories and other Agencies through different communications. During 2014-15, the following communications were issued to the States/UTs in this regard:

- (1) In continuation of the letters addressed during previous years, another letter was sent to all the Principal Secretaries of WCD/Social Welfare Departments of all the States/UTs seeking current status on implementation of the POCSO; Victim Compensation Scheme; Child Abuse Cases registered and forwarded to the CWCs. Status of formulation of Guidelines for the implementation of the Act; designing of Training Module and number of trainings held and measures taken to spread awareness about POCSO Act.
- (2) In reference to the Writ Petition (Civil) 51/2006 (Bachpan Bachao Andolan vs. Union of India and Others), a communication was addressed to all the States/UTs seeking information on the status of implementation of the POCSO Act, 2012 alongwith the copies of Guidelines formulated by States/UTs under Section 39 of the Act, training modules designed and number of trainings conducted in compliance with Section 43(b) of the Act, IEC material developed as per Sec 43(a) of the Act, and any other relevant information/material.

On the basis of information/data received from the State/UT Governments, the status of implementation of the Act as on 31.03.2015 emerged as follows:

5.1.3 Designation of Special Courts

During the year 2014-15, information on status of designation of Special Courts as per the Act, was received from 14 States/UTs: Andhra Pradesh, Haryana, Jharkhand, Karnataka, Mizoram, Nagaland, Sikkim, Tamil Nadu, Uttarakhand, Uttar Pradesh, West Bengal, Andaman & Nicobar Islands, Delhi, Dadra & Nagar Haveli. As per the reported data, there are a total of 256 Special Courts set up in 276 districts of the 14 States/UTs as on March 31, 2015. The State/UT wise details of these Special Courts are given in Annexure -I.

5.1.4 Appointment of Special Public Prosecutors

The State Governments/UT Administrations are mandated under Section 32 of the POCSO Act, 2012 to appoint Special Public Prosecutors for each Special Court for conducting cases under the provisions of the Act only. The person to be appointed should have at least seven years of practicing experience as an Advocate.

As per information received from 11 States/UTs during 2014-15, out of total 202 Districts only 131 have appointed Special Public Prosecutors. These States/UTs are: Assam, Mizoram, Nagaland, Sikkim, Tamil Nadu, Uttarakhand, Uttar Pradesh, West Bengal and Union Territories of Daman and Diu, Delhi, Dadra & Nagar Haveli. The State/UT wise status of Appointment of Special Public Prosecutors (2013-15) as on 31.03.2015, has been incorporated in Annexure -II.

5.1.5 Formulation of Guidelines

The POCSO Act contains several provisions safeguarding the rights, safety and well-being of the child victim of sexual offences during the recording of offence and throughout the investigation and trial of such an offence. The Act has assigned specific roles and responsibilities to different stakeholders involved in the concerned processes.

While during 2013-14, only 5 States had informed about such Guidelines being prepared, the year 2014-15 saw, 20 States/UTs providing the status reports on the formulation and adoption of the Guidelines.

According to the data received during 2014-15, out of 20 States/UTs, 08 have adopted the Guidelin developed by MWCD. While 10 States/UTs have reportedly developed the Guidelines of their own, and 2 States have initiated the process of formulation of the Guidelines. The State/UT wise updated information in this regard (2013-2015) as on 31.03.2015 is provided in Annexure - III.

5.1.6 Training Module(s) for Police and other Officials/Stakeholders and Trainings Conducted

As per the POCSO Act, 2012, the States/UTs are required to prepare Training Module(s) and conduct Trainings for Police personnel and other officials/stakeholders.

As per information received during 2014-15, a total of 9 States/UTs have either conducted training or were contemplating holding of the training sessions. The trainings were attended by police personnel, and other stakeholders/functionaries like medical professionals, judicial officials, anganwadi workers,

child protection functionaries, Child Welfare Committee Members etc. The State/UT-wise details of the position in this regard, are provided in the Annexure - IV.

5.1.7 Status of Dissemination of Information about the Act

The Section 43 of the POCSO Act provides that Central and State Governments shall ensure that the provisions of the Act are given adequate publicity through media at regular intervals for making the general public, children, parents and guardian aware of different provisions of the Act. During the year 2014-15, 14 States/UTs reportedly conducted different activities for spreading awareness about the provisions of the Act.

The means adopted for organising awareness campaigns in this regard were: printing and circulation of booklets, brochures, posters etc. on various aspects like 'Good Touch, Bad Touch'; Q&A Sessions on AIR; Live phone-in program on TV; organizing workshops, orientation programs and consultations for different stakeholders and capacity building for police and other stakeholders; guidelines for schools etc. The State/UT-wise status details regarding dissemination of information (2013-15) as on 31.03.2015 are Annexure -V.

5.1.8 Sensitisation Workshops Teachers and School Management Committees

The year also saw the NCPCR organising Sensitisation Workshops on Child Rights, laws for children including the POCSO Act for Teachers and School Management Committee members in different States in active partnership with the respective State Commissions for Protection of Child Rights.

5.1.9 Open Hearing

After the shocking discovery of sexual assault of children in schools in Bangaluru, parents came out on the streets to protest the cases of sexual assault in the month of July, 2014. The Commission felt an urgent need to address the issue. Thus NCPCR in collaboration with the Karnataka State Commission for Protection of Child Rights conducted an Open Hearing on 7th August, 2014 in Bangaluru on the issue of protection and security of the children. The Open Hearing was attended by representatives of parents, school managements, civil society organisations, students and officers of the concerned Departments of the State Government. Several issues and concerns relating to protection of children emerged during the Open Hearing and recommendations of the Commission in this regard were forwarded to the Ministry of Human Resource Development, Government of India.

5.1.10 As per Section 33(8) of the POCSO Act, the Special Court designated under Section 28 of the Act may direct payment of compensation to the child victim of sexual offence. The compensation awarded by the Special Court shall be paid by the State Governments from the Victim Compensation Fund or any other Schemes or Fund established for the purpose of compensation and rehabilitation.

The Commission accordingly directed all the States/UTs to formulate the Victim Compensation Scheme under Section 357A of the Code of Criminal Procedure, 1973. As on 31.03.2014, 21 States had formulated the Victim Compensation Scheme.

During 2014-15, information was received on the same from another 4 States/UTs namely Kerala, Odisha, Uttarakhand and Union Territory of Puducherry.

The State/UT-wise status of notification of the scheme as on 31.03.2015 has been incorporated in Annexure-VI.

In order to monitor the implementation of the Scheme, information was sought on the number of cases of child sexual abuse in which interim and final compensation had been awarded/disbursed by the Special Courts and also received by the complainants till March 2014. The information, however, was received from 29 States/UTs during the year.

It was observed that the maximum number of Applications received by the District Legal Services Authority (DLSA) were in the States of Rajasthan (117) followed by Odisha (54) and Punjab (41). The State/UT-wise detailed information received from the States/UT Legal Services Authorities, on this account is given in **Annexure-VII**.

5.1.11 Status of Cases Registered under the POCSO Act

As per Section 35(2) of the POCSO Act, 2012, the Special Court shall complete the trial, as far as possible, within a period of one year from the date of taking cognizance of the offence.

In order to review the disposal rate of cases of sexual offences against children by these Courts, the Commission addressed a communication to the Registrar of all High Courts with a request to provide information about number of cases registered under the POCSO Act and pending trial for more than one year in different courts of the State.

As per the information received from the High Courts, 4052 cases were pending trial for more than one year in the respective Courts. The State of Uttar Pradesh showed the maximum number (1119) of cases pending followed by NCT of Delhi with 721 cases pending trial.

The State/UT-wise details of the thus pending cases as on 31.03.2015 as received from the respective High Courts, are given in **Annexure - VIII**.

CHAPTER

6

Child Psychology and Sociology

6.1 INTRODUCTION

- 6.1.1** The Commission is committed to ensure that children get the necessary psychological and social support besides discharging its mandatory functions.

Some of the areas of work on Child Psychology and Sociology of the Commission which include but not limited to the followings are:

- To examine all factors that inhibit the psycho social development of a child.
- To monitor psycho-social assistance being provided to the victims mandated under the POCSO Act, 2012.
- To inspect juvenile custodial home or any other place of residence or institution meant for children and to assess psycho social needs of such children. To propose policy guidelines and recommendations to State Governments and District Administrations in this regard.
- To examine all factors that inhibit the enjoyment of psycho-social rights of children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners, children with substance abuse, victims of sexual abuse and recommend remedial measures for removal of the inhibiting factors.
- To assess risk factors during natural and man-made disasters and recommend remedial measures.
- To undertake periodical review of existing policies, programmes and other activities on the subject and make recommendations for effective implementation of the same.

6.2 MAJOR ACTIVITIES (2014-15)

A brief description of the Activities undertaken by the Commission in this regard during 2014-15 is as follows:

6.2.1 Continuing Professional Development (CPD) of Counselors working in Child Care Institutions

In compliance of the Hon'ble High Court Order in W.P (Crl.) in the matter of Amardeep Malik Vs. State Govt. of NCT of Delhi & Ors. (Criminal Writ Petition No. 694 of 2012) dated 01.06.2012, a team of Mental Health Professionals from IHBAS along with the representatives of the Commission and DLSA inspected a few Child Care Institutions (Children Homes) during 2012 and 2013. From the observations and inferences drawn from the visit, it was felt that there was a wide gap between the needs and availability of psycho social care structures in the Children Homes.

In this backdrop, the National Commission for Protection of Child Rights (NCPCR) identified specific concerns of mental health well being of children in CCIs and decided to conduct a series of training programme in form of Continuing Professional Development of Counselors/Social Workers working in CCIs.

The programme was designed in such a manner that the participants, in a group of 30 for each CPD programme, can become master trainers in the area. Three rounds of Continuing Professional Development (CPDs) of Counselors and Social Workers working in Child Care Institutions, were organized in the months of July and August, 2014 at the Institute of Human Behavior and Allied Sciences (IHBAS). A total of 30 participants from different States/UTs participated in each of the programme. In the first Programme held on 25th and 26th July, 2014, the participants were from Delhi, Uttar Pradesh, Punjab and Haryana. All the participants were working as Counselors, Social Workers and Welfare Officers in the CCIs. The second programme organized on 8th & 9th August, 2014 saw participants from Maharashtra, Rajasthan, Madhya Pradesh, Gujarat and Goa. The third and the last programme held on 22nd and 23rd August, 2014 was attended by the participants from Tamil Nadu, Assam, Manipur and West Bengal.

The format of the programme was interactive with group activities, role plays, knowledge and experience sharing between counselors and experts. It also involved pre and post assessment of the participant's knowledge, attitude and skills. The programme was designed to impart basic knowledge of the skills involved in counseling, needs & assessment of psycho-social care of children living in Child Care Institutions and skills enhancement of the Counselors/Social Workers.

Outcome and Recommendations

1. It was recommended by the participants that simple psychological testing tools for assessment of intelligence, in English or Hindi, should be provided for rapid screening of possible mental health problems.
2. Most of the Counselors appointed in CCIs are through ICPS and hardly get any induction or training at the time of either initial appointment or even subsequently. It was recommended that there should be an induction program prior to placement of the counselors. Also, Regional Centers may be identified for conducting periodic reorientation training of the Counselors.
3. Duration of training of the Counselors should be around 2- 4 weeks prior to placement.
4. A need for advanced training for the Counselors for duration of at least 15 day's was also recommended by the participants.
5. There is a strong need of training and sensitization of the caretakers in these Children Homes and this should be done at the State level (preferably at the State Capitals).
6. A Training Manual or Handbook for Counselors working in CCIs will be developed. The proposed Manual or Handbook should *inter-alia* contain:
 - Demonstration of practical techniques;
 - Basic skills and characteristics of a Counselor;
 - Counseling strategies for parents;
 - Methods of identification of psychological problems in a child;
 - Practical application of theoretical Concepts;
 - Psycho-therapies mainly Group Therapy;
 - Documentation;

- Psycho-social issues concerning disasters, ethnic conflicts/violence etc. and
 - Individual Care Plan.
7. A need for periodic Continued Professional Development Workshops for sensitization and professional enrichment of the Counselors, was strongly expressed.
 8. Most of the participants were of the opinion that they require experience sharing and supervision and guidance from their Senior Counselors or recognized Psychologists from time to time especially during the initial phase of appointment. This can be easily organized by the Counselors in the Region and periodic Interactive Meets of both the Groups can also be held (as part of peer group support).
 9. The Regional Centers for training should be identified e.g. IHBAS (North), TISS (West) and NIMHANS (South).
 10. One of the Children Homes in Delhi, Nirmal Chaya elucidated how a Mental Health Care Unit was attached to it. The Unit is being run by an NGO working in the field mental health with the support of Psychiatrists, Psychologists and Social Workers. It was strongly felt that Mental Health Units should be attached to each Child Care Institution (CCI).
 11. Simple tools like IQ Assessment and other Psychological Tools to be added in the proposed Training Module for the Counselors working in CCIs.
 12. The Training Module should also contain a format for Mental Health Care Plan.
 13. Separate training modules on Child Rights, Juvenile Justice Act and POCSO Act should be organized by the Commission.
 14. Few Case Studies which were brought by the participants were discussed during the Programmes to understand dimensions of a particular case and successful interventions. It was suggested that *Live Cases Studies* should be discussed during the trainings and a mechanism to share the Case Studies on continuous basis should be developed.
 15. The Counselors were of the opinion that sometimes it is difficult to provide psycho education to the parents/guardians of the child. It was accordingly felt that counseling of Parents/Guardians should also be conducted.
 16. Complete Rehabilitation Records of the children who are restored to their families should be maintained.
 17. The Counselors should be oriented/educated to identify if a child is suffering from any psychological disorder and referral case should be made accordingly.
 18. One month intensive Advanced Skill Development Training should be organised for the Counselors.
 19. The Counsellors felt the need for a separate training on Sign Language in order to deal with children with disabilities (deaf and dumb).
 20. The Database of each child in CCI should be maintained as a soft copy.

6.2.2 Stakeholder's Consultative Meeting on 7th October, 2014, New Delhi.

During World Mental Health Week 2014, NCPCR in collaboration with IHBAS organized a Stakeholder's

Consultative Meeting on 7th October, 2014 in New Delhi. The Meeting was organized to do brainstorming and deliberating development of the Handbook for Counselors working in Child Care Institutions. The Meeting was attended by 8 Counselors working in CCIs and Mental Health Experts from PGIMER, IHBAS and NGOs working on child rights besides the Commission's officials. The participants provided valuable inputs on the Content of the Handbook for Counselors working in CCIs. The Commission intends to take up the task of drafting of the proposed Handbook for Counselors in near future.

6.2.3 FAQs on Children Mental Health

The Commission prepared a set of Frequently Asked Questions (FAQs) on various aspects related to Children's Mental Health and the same was distributed in the form of Booklet at different events organized by the Commission during the year.

CHAPTER

7

Activities Carried out in North East States

7 Activities Carried out in North East States

7.1 INTRODUCTION:

7.1.1 North East India is the eastern-most region of India. It comprises eight States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim. The North-eastern states are practically tribal states. The region is generally considered to be a backward enclave in a progressing economy and one of the most challenging regions of the country to govern.

7.2 MAJOR ACTIVITIES (2014-15)

The salient details of the activities carried out by the Commission during 2014-15 in the Region are as follows:

7.2.1 Education and Promotion Efforts

Literacy is considered as one of the most basic indicators of educational development of any area. Mizoram has the highest literacy rate while Arunachal Pradesh has the lowest literacy in the region. Out of eight (8) States, Mizoram has more than 90 per cent literacy; Nagaland, Sikkim and Tripura have more than 80 per cent literacy and Manipur and Meghalaya have literacy rates between 75 and 80 per cent.

The Section 21 of the RTE Act, 2009 details the constitution of the School Management Committees (SMCs) and their roles and responsibilities. The SMCs have been entrusted with a wide ranging mandate and can play a very influential role in ensuring the rights of children as regards education.

In view of the crucial role of the SMCs, the Commission organised six one-day State Level Workshops in four States of the region during the year. The objective of the Workshops was to strengthen understanding of the participants about issues relating to child rights, child protection and critical child related schemes.

The Workshops *inter-alia* covered sessions on Child Rights; Child Abuse; Laws and Programmes of Government relating to Child Rights; Role and Responsibilities of Teachers in ensuring the rights of the child; Corporal Punishment; Role and Responsibilities of the SMCs in ensuring Child Rights etc.

The brief details of the Workshops are as follows:

Sl. No.	State	No. of Workshops Held	Date of the Workshops	No. of Participants	Category of Participants
(i)	Arunachal Pradesh	1	15/12/2014	79	1. District Community Mobilization Coordinators 2. Block Education Officers/ Block Education Resource Centre Coordinators.

Sl. No.	State	No. of Workshops Held	Date of the Workshops	No. of Participants	Category of Participants
(ii)	Assam	1	30/08/2014	143	<ol style="list-style-type: none"> 1. Teachers 2. Block Education Officers 3. SMC Members 4. Resource Persons from DIET, 5. Representatives from AS-CPCR, 6. SCERT, Officials/Representatives from Departments of School Education and Social Welfare
(iii)	Manipur	2	24/04/2014 and 25/08/2014	300 (200 +100)	<ol style="list-style-type: none"> 1. SMC Members 2. Village Pradhans 3. Principals/Teachers 4. Officials/Representatives from Dept. of Education 5. Block Mission Coordinators (BMC) 6. BMC Teachers and Members of MSCPCR
(iv)	Meghalaya	2	23/07/2014 and 28/02/2015	246 (134+112)	<ol style="list-style-type: none"> 1. SMC Members 2. Block Mission Coordinators (BMC) 3. Teachers
Total		6		768	

The Workshops went on to build/strengthen capacities of 768 participants on various aspects of Child Rights and assisted in the bringing issues of child rights and child protection to the forefront. The Workshops brought together different categories of functionaries to share their knowledge and experience in the way forward in the arena of the child rights and child protection.

7.2.2 Child Labour or Children in Distress

The National Commission for Protection of Child Rights (NCPCR) commemorated the World Day Against Child Labour (WDAKL) on 12th June, 2014. The theme of the day was 'Extend Social Protection: Combat Child Labour' celebrated in collaboration with UNICEF & ILO. A series of four Round Table Conferences was organized which was followed by a National Conference held on 12th June, 2014 at New Delhi. Of the four round table Regional Conferences, one was organized on 2nd June, 2014 in Guwahati, Assam. The Conference was attended by 141 representatives of Government/Non-Governmental Organizations drawn from the North-eastern States of Assam, Arunachal Pradesh, Mizoram, Meghalaya, Manipur, Nagaland, Sikkim and Tripura.

The Key Recommendations of the Conference have been summarized below:

- i) Informed and enhanced understanding of the scope and context of social protection *vis-à-vis* child labour involving scientific disaggregated age, health surveys and baseline assessments to comprehend the accessibility of social protection utilizing the child tracking systems being developed under ICPS or RTE.
- ii) The major hurdle in addressing the issue of child labour is the lack of adequate budgetary allocation. Except the National Child Labour Project Schools, there are no specific schemes and monetary allocations to the nodal departments in the States for the issue of child labour.
- iii) The issues of convergence and need for more structured frameworks to ensure accountable convergence at the state, district and sub-district levels encompassing the National Flagship Programmes with an operational guidelines and enhanced capacity building of duty bearers.
- iv) Need for enhanced focus on hidden and more specific contexts of child labour e.g.; Child Domestic Workers and implementation of the Plantation Labour Act, 1951, which is very important for States like Assam where 17% of the population come from the socially and economically marginalized tea communities.
- v) Joint Review Missions, Social Auditing, Public Hearing and Role of Media to ensure public accountability in order to ensure that social protection is delivered with requisite effectiveness and efficiency are able to address the complexities of child labour.

7.2.3 Child Trafficking

Child Trafficking is defined as “any person under 18 who is recruited, transported, transferred, harbored or received for the purpose of exploitation, either within or outside a country”. Child trafficking takes place for many purposes such as labour, begging and sexual exploitation. India has legal provisions to counter trafficking as per the Immoral Traffic Prevention Act, 1986. In accordance with the existing data available from various sources like NCRB, Web portal of MHA on Anti Human Trafficking, UNODC Country Assessment Report on Anti Human Trafficking, 2013, North East India has emerged as a high source area of child trafficking.

In order to combat the problem of trafficking in the north-east Region a Conference was organised by the Commission in Manipur in collaboration with SCPCR Manipur (MSCPCR) and State Police on 6th February, 2015.

The objective of the Conference was to discuss the issues of increased child trafficking from the Region so as to understand the factors responsible for trafficking in the State, find out the gaps and challenges in combating trafficking and initiate the process of converging with all the concerned Departments for developing strategies collectively to combat it. The Chief Secretary, Government of Manipur was the Chief Guest on the Occasion and the Conference was attended *inter-olia* by senior State Government officials including the Principal Secretary (Social Welfare), D. G. Police, IGP (intelligence) and Members of CWCs and representative of NGOs. The Conference was also attended by the representatives of State Legal Services Authority, Department of Education, Village Authorities/Panchayat/Autonomous District Council, Labor Department, Education Department, CSOs, Social Activists, Media etc., total of 136 delegates drawn from different fields attended the Conference.

The Conference concluded with the following recommendations:

- a) Extensive Sensitization & Awareness Campaigns should be launched at the grass root level on various facets of child trafficking and for encouraging school education.

- b) Intelligence network should be strengthened by the State Police.
- c) Legal Assistance to be provided to the victims of trafficking.
- d) Compilation and analysis of data available with the State Government for preparing a long term strategy to combat trafficking.
- e) Frequent Review Meetings of CWCs, JJBs, SJPU, DCPUs etc. at the district level should be held.
- f) Developing a Standard Operating Procedure (SOP) to tackle child trafficking.
- g) A State level protocol on pre and post rescue operations should be drawn.
- h) Registration of births and providing Aadhar Cards to every child should be made mandatory.
- i) Registration of FIR of every reported case of trafficking and missing child.
- j) Constitution of the Special Medical Team(s) for free medical assistance to the victims.
- k) Allocation of separate budget provision for anti-trafficking operations by the State.
- l) Regular capacity building of all the stakeholders.
- m) All SJPU of police stations in the State to submit a report on known/suspected traffickers to the IGP (Intelligence) within one month.

7.2.4 Juvenile Justice Care and Protection of Children (JJ) Act, 2000

The National Commission for Protection of Child Rights (NCPCR) organized six Regional Conventions of CWCs (Child Welfare Committees) during the year in various parts of the country. The backdrop of organizing the Regional Conventions of Child Welfare Committees was NCPCR's ongoing efforts to strengthen the coordination between NCPCR and State Commissions and other agencies which have similar mandates of protecting the child rights. The objectives of these Conventions were to:

- i) understand the issues, concerns and challenges faced by the Committees in their effective functioning;
- ii) infrastructure and support available to them;
- iii) implementation gaps on the functioning of CWCs and;
- iv) make recommendations.

Of the six Conventions organized, two Conventions were held in the States of Assam and Manipur. There were approx. 100 participants for each Convention. They included the Chairperson/Member of CWC, SCPCR, representatives from SJPU/Police, Department of Women and Child Development/Social Welfare, Labour, Education, Health Services, DCPU/DCPO/Social Worker, District Administration, State/District Legal Services Authority, staff of Child Care Institutions, Media, etc. The CWC participants were asked to bring with them the copy of the Rules of their respective States, if any, for collation of the same.

- (1) The first Convention of CWCs was held in Guwahati, Assam on the 24th July 2014 in collaboration with the Assam State Commission for Protection of Child Rights (ASCPCR). This Convention was for the State Government representatives of the States of Assam, Meghalaya, Sikkim and Tripura.

Issues and Challenges: The challenges brought before the Convention by various stakeholders essentially were the infrastructure issue and the training and orientation. While the police/SJPU face the challenges

of inadequate personnel, sensitization and training, lack infrastructure and financial resources, the Labour Department is not organized, without any data base of child workers, inability to verify the age of children, use of amount raised through penalty and process adopted to raid and rescue the children are not child-friendly. It is a major problem as well as no efforts are made to trace the parents/guardians of the children, delay investigation and passing of order and hesitation by parents to take their wards who are in conflict with law. The coverage of CHILDLINE is limited and not popularized among public for making its use. Seriously lack link and coordination between the CWCs and Health department, especially for medical examination of victims of sexual abuse and violence.

Some recommendations made during this convention were:

- Adequate personnel in the police/SJPU with sensitization training, support system and financial resources;
- Labour Department must maintain data base of child workers, give benefit to children in case of age verification, use the amount collected through penalty for rehabilitation of children and adopt child-friendly process to raid and rescue the children in work;
- Right efforts are made to trace the parents/guardians of the children in conflict with law and the investigation and passing of order are made faster;
- The coverage of CHILDLINE is increased and popularized among public for making its best use on emergency situation;
- Health department shall coordinate the CWCs in doing medical examination of victims of sexual abuse and violence;
- CWCs are provided with support to make it more mobile so as to reach the vulnerable children and not wait the children to come to them;
- Popularizing the RTE and its reach to the child care institutions, especially the disable children and implementation of provisions like corporal punishment and sexual abuse, etc.;
- The Member Secretary of SCPS shall be a full time position to avoid delay in fund flow and its utilization and regular monitoring;
- CW Cs shall develop link and coordination between SCPCR, DCPU, District Legal Services Authority, the Legal aid Services, etc.;
- Ensure adequate numbers of child care institutions, sufficient and trained staff and security facility;

- (2) The second Convention of CWCs was held in Imphal, Manipur on the 31st July 2014 in collaboration with Manipur State Commission for Protection of Child Rights (ASCPCR). This convention was for the State Government representatives of the States Manipur, Arunachal Pradesh, Mizoram and Nagaland.

Issues and Challenges: The children of North Eastern Region have been facing atrocities like extra judicial killing, rape, torture, trafficking, child labour, etc. due to its geographical location, inaccessibility, lack of communication and political instability among others. The region is highly affected by insurgency,

ethnic conflict and lack law and order. The promulgation of the Armed Forces Special Powers Act, 1958 has been responsible, to a large extent, for violations of child rights in the region, e.g., the educational institutions and hospitals are being occupied by the armed forces and the displaced communities. The benefits of RTE, MDM, SSA has not reached to interior areas of NE Region and no efforts are made to improve the quality of the government schools, as a result, private schools are mushrooming. Further continuous bandh, blockade and strike by different organisations against the government on various issues and imposition of indefinite curfew have been major cause of concern as it is effecting the education in this region.

The children of the North Eastern Region are deprived of child-friendly atmosphere, free space for growth and development of their inherent potentialities. The laws and programmes are not popularized, the statutory bodies like SCPCR, JJB and CWC are not strengthened and lack basic facilities.

Some recommendations made during this convention were:

- Strengthening the statutory bodies under JJ Act to deal with the rise in crimes against children in North East Region;
- The ewes at district level shall be strengthened so as to monitor, network and link with allied systems/services;
- CWCs shall be empowered so as to provide support person to render assistance to child during investigation and trial in POCSO cases;
- The laws, policies and programmes meant for children shall be popularized and implemented by all concerned in letter and spirit and disregard of responsibilities by any one may be taken seriously;
- The Armed Forces Special Powers Act, 1958 shall make sure that the rights of the children are not violated or alternatively it may be considered to repeal the same from the region for best interest of children;
- Efforts are made to ensure that the benefits of RTE, MDM, SSA reaches to interior areas of NE Region and the quality of the government schools are improved;
- The continuous bandh, blockade and strike by different organisations against the government on various issues and imposition of indefinite curfew shall not affect the education system; and
- Ensure child-friendly proceedings, speedy investigation and order.

7.2.5 Training/Sensitization on "Child Rights Issues"

With a view to create awareness and Sensitise the Stakeholders about 'Child Rights Issues', the Commission in collaboration with the Tripura State Commission for Protection of Child Rights (TCPCR) and Department of Social Welfare, Government of Tripura, organised a one-day Multi-stakeholders Workshop/Training on 30.10.2014 at Pragna Bhawan, Agartala, Tripura.

The Hon'ble Chief Minister of Tripura was the Chief Guest on the Occasion. In his inaugural address, the Chief Guest addressed the issue of Child Rights. Highlighting the need for controlling Juvenile crimes, the Hon'ble Chief Minister emphasized that the work should begin from the home. The supply of proper

nutrition to the children for ensuring their mental and physical development was also highlighted. The effective working of ICDS and Social Welfare and Social Education Departments was also emphasized upon. The Hon'ble Minister Social Welfare & Social Education, Government of Tripura dwelt upon the child rights scenario in the State.

The various issues discussed in the Technical Sessions of the Workshop covered the areas of Right to Education, Child Rights, Role of Law in Child Rights, POCSO Act, 2012, Child Labour Issues, Child Health Issues and Co-ordination between various stakeholders in effective implementation of the child rights.

A total of 350 participants drawn from various fields/organizations: Department of Home, Police Personnel, Department of Labour, Department of Education, Officials from Department of Social Welfare (CDPOs, & Superintendent of Homes) Teachers from Government Schools, Representatives from State Legal Services and Media attended the Workshop.

CHAPTER

8

Status of Complaints

8.1 Complaints of Child Rights Violations

Under Section 13 of the Commission for Protection of Child Rights Act, 2005, the Commission has been mandated to enquire into Complaints related to the violation of child rights. Besides, the Commission also takes suo-moto cognizance of media reports about cases of violation of child rights. The Commission has also been mandated under Section 31 of the Right of Children to Free and Compulsory Education Act, 2009 (RTE Act, 2009) to inquire into complaints relating to violations of different provisions of the Act.

During 2013-14 the Commission had launched on 5th March, 2014 an Online Complaint Management System *e-BaalNidan* for effectively addressing the complaints received. This system has been instrumental to a large extent in bringing efficiency and transparency in redressal of the complaints received by the Commission.

During the year, the Commission also utilized video-conferencing as an effective means of communication with the District Level Officers for speedy disposal of cases of violations of child rights.

During the year 2014-15, the Commission dealt with 860 non-RTE complaints pertaining to deprivation and violation of child rights. The highest number of complaints were from the State of Uttar Pradesh followed by those from Delhi. During the period, the Commission received 115 cases of violation of Right to Education Act, 2009. A total of 1254 RTE Complaints were disposed off by the Commission during the year. The State-wise number of Complaints/Suo-moto Cases dealt (Non-RTE) received by NCPDR during 2014-15 are at *Table-1*. The total number of Complaints/Suo-moto matters (Non-RTE) dealt by the Commission since inception and till 31st March, 2015 have been incorporated at *Table-2*. The State-wise Number of RTE Complaints received during the year 2014-15 and total number of such complaints/cases dealt with by the Commission since 2010 and till 31st March, 2015 have been given at *Tables 3 and 4* respectively.

TABLE - 1

Non-RTE State-wise Number of Complaints/ <i>Suo-moto</i> Cases dealt by NCPCR during the year 2014-15						
S.No.	States/UTs	No. of Complaints pending as on 31 March 2014	Received during 2014-15	Total Com-plaints	Disposed Of during 2014-15	Balance as on 31 March 2015
1	Andaman and Nicobar Islands	1	2	3	2	1
2	Andhra Pradesh	37	12	49	36	13
3	Arunachal Pradesh	1	0	1	1	0
4	Assam	16	6	22	6	16
5	Bihar	37	19	56	16	40
6	Chandigarh	4	1	5	4	1
7	Chhattisgarh	7	6	13	7	6
8	Dadra and Nagar Haveli	0	0	0	0	0
9	Daman and Diu	0	0	0	0	0
10	Delhi	381	86	467	93	374
11	Goa	4	0	4	0	4
12	Gujarat	0	5	5	3	2
13	Haryana	165	53	218	37	181
14	Himachal Pradesh	12	2	14	3	11
15	Jammu and Kashmir	0	0	0	0	0
16	Jharkhand	53	20	73	30	43
17	Karnataka	28	13	41	4	37
18	Kerala	24	6	30	8	22
19	Lakshadweep	0	0	0	0	0
20	Madhya Pradesh	132	11	143	100	43
21	Maharashtra	81	20	101	24	77
22	Manipur	19	0	19	6	13
23	Meghalaya	9	0	9	2	7
24	Mizoram	1	1	2	0	2
25	Nagaland	3	0	3	3	0
26	Odisha	100	19	119	38	81
27	Puducherry	2	2	4	0	4
28	Punjab	19	18	37	23	14
29	Rajasthan	0	20	20	16	4
30	Sikkim	0	0	0	0	0
31	Tamil Nadu	34	21	55	21	34
32	Telangana	0	38	38	21	17
33	Tripura	4	0	4	0	4
34	Uttar Pradesh	1156	442	1598	580	1018
35	Uttarakhand	21	16	37	29	8
36	West Bengal	129	21	150	30	120
	Total	2480	860	3340	1143	2197

TABLE -2

Non-RTE State-wise Number of Complaints/Suo-moto Cases dealt by NCPCR since Inception to 31st March 2015

S.No	States/UTs	Cases received since 2007 till 31st March, 2015	Cases disposed off since 2007 till 31st March, 2015	Cases pending as on 31st March, 2015
1	Andaman and Nicobar Islands	7	6	1
2	Andhra Pradesh	219	206	13
3	Arunachal Pradesh	7	7	0
4	Assam	43	27	16
5	Bihar	207	167	40
6	Chandigarh	15	14	1
7	Chhattisgarh	60	54	6
8	Dadra and Nagar Haveli	0	0	0
9	Daman and Diu	0	0	0
10	Delhi	734	360	374
11	Goa	9	5	4
12	Gujarat	51	49	2
13	Haryana	296	115	181
14	Himachal Pradesh	28	17	11
15	Jammu and Kashmir	0	0	0
16	Jharkhand	118	75	43
17	Karnataka	137	100	37
18	Kerala	40	18	22
19	Lakshadweep	0	0	0
20	Madhya Pradesh	277	234	43
21	Maharashtra	189	112	77
22	Manipur	36	23	13
23	Meghalaya	17	10	7
24	Mizoram	5	3	2
25	Nagaland	6	6	0
26	Odisha	216	135	81
27	Puducherry	10	6	4
28	Punjab	147	133	14
29	Rajasthan	185	181	4
30	Sikkim	1	1	0
31	Tamil Nadu	196	162	34
32	Telangana	38	21	17
33	Tripura	9	5	4
34	Uttar Pradesh	2276	1258	1018
35	Uttarakhand	79	71	8
36	West Bengal	225	105	120
Total		5883	3686	2197

TABLE -3

RTE State- wise Number of Complaints/Suo-moto Cases dealt by NCPDR during 2014-15

S. No.	States/UTs	No. of complaints pending as on 31st March, 2014	Received during 2014-15	Total Complaints	Complaints Disposed Off during 2014-15	Balance as on 31st March, 2015
1	Andaman and Nicobar Islands	0	0	0	0	0
2	Andhra Pradesh	853	4	857	59	798
3	Arunachal Pradesh	2	0	2	1	1
4	Assam	22	1	23	16	7
5	Bihar	62	5	67	0	67
6	Chandigarh	0	0	0	0	0
7	Chhattisgarh	6	0	6	5	1
8	Dadra & Nagar Haveli	0	0	0	0	0
9	Daman and Diu	0	0	0	0	0
10	Delhi	636	9	645	545	100
11	Goa	1	0	1	0	1
12	Gujarat	6	2	8	4	4
13	Haryana	127	7	134	117	17
14	Himachal Pradesh	5	0	5	4	1
15	Jammu and Kashmir	1	0	1	0	1
16	Jharkhand	40	12	52	18	34
17	Karnataka	11	1	12	4	8
18	Kerala	5	0	5	0	5
19	Lakshadweep	0	0	0	0	0
20	Madhya Pradesh	56	2	58	3	55
21	Maharashtra	65	4	69	56	13
22	Manipur	19	0	19	6	13
23	Meghalaya	0	1	1	0	1
24	Mizoram	2	0	2	0	2
25	Nagaland	1	0	1	0	1
26	Odisha	12	4	16	11	5
27	Puducherry	1	0	1	0	1
28	Punjab	6	4	10	1	9
29	Rajasthan	311	3	314	233	81
30	Sikkim	1	0	1	0	1
31	Tamil Nadu	131	4	135	38	97
32	Telangana	0	0	0	0	0
33	Tripura	0	0	0	0	0
34	Uttar Pradesh	86	45	131	63	68
35	Uttarakhand	45	6	51	47	4
36	West Bengal	28	1	29	23	6
Total		2541	115	2656	1254	1402

TABLE -4

**RTE State-wise Number of Complaints/Suo-moto Cases dealt by
NCPCR from April 2010 to March 2015.**

S. No.	States/UTs	Total Complaints Received	Total Complaints Disposed off	Total Complaints Pending
1	Andaman and Nicobar Islands	0	0	0
2	Andhra Pradesh	993	195	798
3	Arunachal Pradesh	5	4	1
4	Assam	30	23	7
5	Bihar	75	8	67
6	Chandigarh	0	0	0
7	Chhattisgarh	12	11	1
8	Dadra and Nagar Haveli	0	0	0
9	Daman and Diu	0	0	0
10	Delhi	1114	1014	100
11	Goa	2	1	1
12	Gujarat	21	17	4
13	Haryana	179	162	17
14	Himachal Pradesh	9	8	1
15	Jammu and Kashmir	5	4	1
16	Jharkhand	75	41	34
17	Karnataka	20	12	8
18	Kerala	9	4	5
19	Lakshadweep	0	0	0
20	Madhya Pradesh	93	38	55
21	Maharashtra	197	184	13
22	Manipur	30	17	13
23	Meghalaya	1	0	1
24	Mizoram	2	0	2
25	Nagaland	1	0	1
26	Odisha	71	66	5
27	Puducherry	2	1	1
28	Punjab	28	19	9
29	Rajasthan	910	829	81
30	Sikkim	2	1	1
31	Tamil Nadu	170	73	97
32	Telangana	0	0	0
33	Tripura	0	0	0
34	Uttar Pradesh	356	288	68
35	Uttarakhand	65	61	4
36	West Bengal	80	74	6
Total		4557	3155	1402

CHAPTER

9

Successful Interventions

Successful Interventions

9.1 INTRODUCTION

The sharing of successful interventions build awareness and support change in society. As one of the core mandates of the Commission, the Commission receives complaints of violations of child rights directly or through *e-Baalnidan*. It also takes suo moto cognizance of the serious cases of violation of child rights and examines factors that inhibit the enjoyment of rights of children. The Commission received 975 complaints took suo-moto cognizance during the year 2014-15. This included 860 Non-RTE and 115 RTE Cases/Complaints. The Commission takes action in all registered cases.

9.2 Some cases of successful intervention by the Commission during the year are briefly presented below:

9.2.1 DL -201400000608: Repeated Sexual Abuse of a 17 year old Girl

On 7.8.2014, the Commission received a complaint regarding repeated sexual abuse and harassment of a 17 year old girl by a colleague of her father. After examining the complaint, a telephone call was made by the Registrar of NCPDR to the DCP (SJPU, Delhi) and SHO of concerned area having jurisdiction to take immediate necessary action on the complaint in accordance with law. On the same day, an FIR was registered under Section 328/376 of IPC and U/s 6 of POCSO Act. The accused was arrested and sent to Police custody by the Court. The Statement of girl was recorded U/s 164 of Cr. PC. The charge-sheet has been filed by the Police and the matter is sub- judice before the Hon'ble Additional Sessions Judge, Dwarka, New Delhi.

9.2.2 OR-201400000264: Two-year old Boy got severe Burn Injuries at an Anganwadi Centre.

The Commission received a complaint regarding a two year's old boy having received severe burn injuries at an Anganwadi Centre (AWC) in Keonjhar District in Odisha. The Commission took cognizance of the matter and a Report was sought from the District-Collector-cum Magistrate, Keonjhar. The Commission received the Report from the District Collector wherein it was reported that child was taken immediately to CHC Jhumpura by the AWW after the incident on 9.5.2014. Thereafter, the child was admitted into District Headquarters Hospital on 10.5.2014 for better treatment. As per the report of the CDMO condition of child was found better after admission into the Hospital. The Report further stated that the Supervisor of the concerned AWC has been suspended for negligence of duty and departmental action was initiated against CDPO of the area for lapse on her part. Further, FIR U/s 307/114/34 IPC and 3(1) (X) of SC and ST (Prevention of Atrocities) Act, 1989 was registered against two functionaries of the Anganwadi Centre. They were arrested and remanded to judicial custody. It was also informed that all field functionaries of the District had been instructed to avoid such incidents in future. A compensation of Rs. 5000 was granted by the District Administration out of District Red Cross Fund on 11.5.2015 for the treatment of the affected child.

9.2.3 DL- 201400000797: Stalking and Harassment of a School Girl

A complaint was forwarded to the Commission by NCW regarding alleged stalking and harassment of a girl student of Class 9 in a Kendriya Vidyalaya (KV) in Delhi by an unidentified person within the school premises. The Commission took cognizance of the complaint and sought Report from the concerned Dy. Commissioner of Police, Delhi and Dy. Commissioner of Kendriya Vidyalaya Sangathan (KVS) (Delhi Region). The Commission received the Report from Delhi Police and KVS. As per the Report from Delhi Police, the accused was identified and initially FIR U/s 354D was registered and later Section 354A of IPC and Section 12 of POCSO Act were also added to the FIR after more facts emerged from the investigation. KVS in its Report informed that girl victim and her family were counseled and assured about safety of child. As per the report, the girl is now regularly attending the school in a fearless environment.

9.2.4 Telengana 201400000137: Request to stop Child Marriage

The Commission took cognizance of the matter received through an email on 21.4.14 from a complainant informing that one of his relatives is planning to get his 12 years old daughter married in Hyderabad. The engagement was scheduled for 21.4.2014 and he requested NCPCR to stop the Child Marriage.

As the matter was related to Child Marriage and required immediate action, the Commission immediately registered the Case as it falls under Prohibition of Child Marriage Act, 2006 and violation of child rights under Section 13-C of CPCRA Act 2005. The District Collector, Hyderabad, Telengana, was telephonically and also through a letter, was asked to inquire into the matter and stop the Child Marriage. An Action Taken Report was received from the Office of District Collector. As per the Report, the concerned CDPO, Supervisor, Anganwadi Worker, representatives of CHILDLINE and an NGO approached the father of the girl and the priest requesting them to stop the engagement of the girl. The parents of the said girl agreed to stop the Child Marriage. As such, the Child Marriage was successfully stopped from taking place.

9.2.5 KT-201400000557: Sexual Abuse of a six year old Girl in a School in Bangaluru.

The Commission took *suo-moto* cognizance of the news item telecast in most of the news channels regarding alleged sexual abuse of a six year old girl, a student of class first of Vibgyor High School, Bangalore. The matter was taken up during *Jun Sunwai* held in Bangalore, Karnataka. After taking cognizance by the Commission, a detailed report of the incident was sought from the Commissioner of Police. In response, the Report was received from the Police Inspector, Varthur Police Station, Bangalore City and as per the Report FIR no 155/2014 U/s 376 of IPC and Sections 4 & 6 of POCSO Act 2012 had been registered immediately after the incidence was reported at Varthur Police Station. The medical examination of the victim child was done, which confirmed sexual assault. During investigations by the Police, the founder Chairman of the Vibgyor School was arrested for omission to give information of evidence under the provisions of Sec 21 (1) (2) of POCSO Act, 2012. Two more persons, working as Gymnastic Coaches in the said school were also arrested. The accused were identified by the child victim. The accused were charge-sheeted and the matter is in Court.

9.2.6 HR-201400000232: Sexual Assault of minor Girl in Sonipat, Haryana

A complaint was received by the Commission regarding Sexual Assault of a minor Girl, resident of Sonipat, Haryana. A detailed Inquiry Report was sought from the DGP, Haryana. In response, a detailed Action Taken Report was received from the DGP, Haryana and as per the Report, a case had been registered U/s 376, 506 of IPC and Section 6 of POCSO Act, 2012 medical examination of the victim was also conducted. The victim's Statement U/s 164 of the Cr.Pc was recorded. The main accused in the matter was arrested and sent for medical examination. The accused were charge-sheeted and the case is pending trial in the Court.

9.2.7 WB-20140000212: Sexual Assault of a minor Girl

A complaint was received by the Commission regarding sexual assault of a three year old girl child in Kalimpong, Darjeeling, West Bengal. As per the complaint, the girl was found missing from her home in the month of April, 2014. It was informed by someone that the girl was taken by a person towards riverside jungle. The girl was found alone in the jungle, crying bitterly with marks of nail scratching on her face and body and was bleeding profusely. The girl was taken to the hospital by the local people, where she had to undergo surgery. A complaint was lodged at the nearby Police Station.

The matter was brought to the notice by some NGO and Commission after taking cognizance of the matter sought a Detailed Report from the District Magistrate, Darjeeling. The Commission recommended that action be taken under the POCSO Act, 2012 and free legal aid, medical care and counseling should be provided.

A Report in the matter was received and a case was registered at Kalimpong Police Station as Case No. 144/14 U/s 376 D of IPC and Section 4 of POCSO Act, 2012. Three persons were arrested in the matter and case was charge-sheeted. Medical care was provided to the victim girl. A sum of Rs. 5,040/- from SDO, Kalimpong was granted to the victim for treatment. The main accused was convicted by the Additional District and Sessions Court, Darjeeling and sentenced with RI for life with fine of Rs. 50,000/- under Section 376 (2) (i) IPC and Section 6 of POCSO Act, 2012. The other accused was sentenced to RI for one year with fine of Rs. 1000/- and three months imprisonment under Section 212 of IPC with a condition that 80% of the fine, when released would be paid as compensation to the victim U/s 357 of Cr.PC. The victim girl was also provided psychological counseling for recovering from the horrifying incident.

9.2.8 UP-20140000466/58176/2014-2015/COMP: Sexual Abuse of a 13 year old Girl in Greater Noida, Uttar Pradesh

The Commission took cognizance of the media reports sent by the Press Information Bureau through Ministry of Women and Child Development, Government of India, about a 13 year's old girl having been allegedly gang raped at Badalpur village in Greater Noida, Uttar Pradesh. The Commission asked the District Magistrate, Gautam Budh Nagar to get the matter investigated and take further necessary action. As the matter pertained to sexual assault of a minor, the Commission issued specific direction for the implementation of the POCSO Act, 2012. The Commission was informed by SSP Gautam Budh Nagar that FIR (No. 158/2014) was registered under Section 376 of IPC, 3/4 of POCSO Act and 3(1)2 of SC/ST Act. During the investigations all the three accused were arrested and charge sheeted. The matter is sub-judice.

9.2.9 UP- 201400000683: Kidnapping of a minor girl in Gazipur District, UP

The Commission received a complaint on 22.8.14 regarding kidnapping of a minor girl in Gazipur District of UP. It was also stated that police was not registering the complaint. The SSP, District Ghazipur was asked to register the FIR, recover the minor girl, take action against the culprit and protection to the girl and family. The Commission was informed by SP, Ghazipur that FIR was registered under Sections 363 and 366 IPC. On 30.8.14, the victim girl was recovered and accused was arrested. Based on medical report of the child, the accused was charge sheeted under Sections 363/366/376 of IPC and 4 of POCSO, Act. The case is sub judice.

9.2.10 MH- 201400000113: Denial of entitlement under EWS to a Child

The Commission took cognizance of the complaint received from a father that his son had got admission in Standard-I of a Kendriya Vidyalaya in Nasik under EWS category during academic year 2012-13. However,

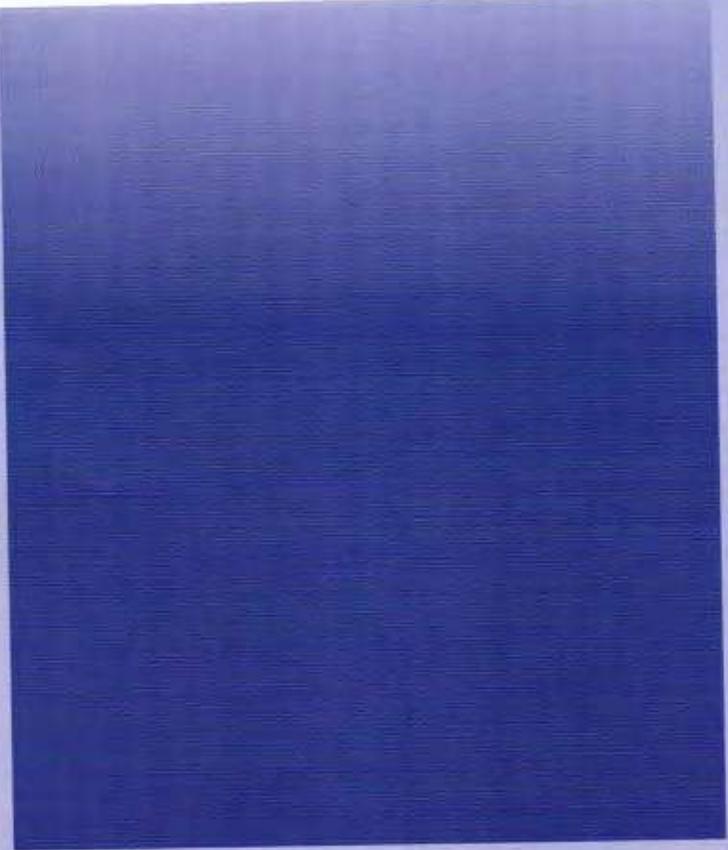
the Principal of the School forced the parents to take out the child and asked for Rs.12,000/- to give permission/re-admission to sit in the classroom of Standard-II . The Commission referred the matter to the Commissioner, Kendriya Vidyalaya Sangathan (KVS), New Delhi with a copy to Regional Office, KVS, Mumbai for investigation and action. The matter was investigated by the Regional Office, Mumbai and found that the Admission was under EWS category as prescribed under RTE Act and accordingly, the Principal was advised to take corrective steps. The child was called and admitted in the school. However, a fresh complaint was received from the parents stating that the child is being threatened by the Principal. Subsequently, the Commission wrote to the Kendriya Vidyalaya to re-investigate the matter and admit the child back in the school in case he is out of school, provide an enabling environment in the school for the continuation of his studies and create awareness about RTE Act. An Action Taken Report was received from the Joint Commissioner, KVS, New Delhi mentioning that the child continues in the class and was not actually removed from the school. Subsequently, it was informed by the father of the child that the school has become more sensitive. The child is receiving all the benefits of having been admitted under EWS category and also being given a cheque of Rs. 11,500/- towards the benefits under EWS quota.

9.3 SUMMON HEARING

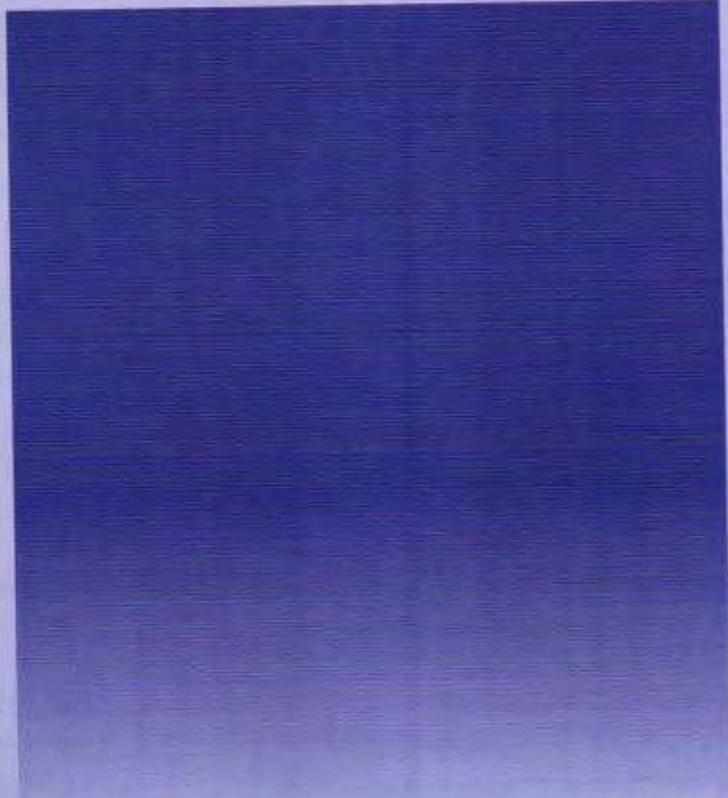
9.3.1 HR-26033/53856/2013-14/COMP

A complaint was received by the Commission on 20.01.2014. It was alleged that a Class-VII girl from Palwal District Haryana was molested by four men of her village who also tried to kidnap her. It was also alleged in the complaint that the local police showed complete apathy and that the victim girl and her father were verbally abused and beaten up by the then DSP. The said DSP was alleged to have also stolen their money and mobile phone. The girl alleged that she felt threatened by the accused.

Taking cognizance of the complaint, a letter was sent to the DGP seeking a Report on the matter along with security and protection, action taken against the accused police officials and for victim compensation. The complainant visited the Commission and stated that no action had been taken by the Police and that she has stopped going to school owing to threats being received by her. Moreover, the accused had made a false complaint against the victim's family. After consistent follow-up by the Commission, an ATR was received from the SP, Palwal stating that a closure report of the FIR had been submitted in Court. However, he had ordered a reinvestigation in the matter. In spite of the continuous reminders, the Report of reinvestigation was not received by the Commission. Moreover, the complainant alleged that she and her family were receiving threats. In view of the lack of response from the police authorities, it was decided that a Summon Hearing of the SP, Palwal be conducted. The Bench directed the concerned SP to re-investigate the case and take action against the erring police officials. Besides, the Bench directed protection to be provided to the victim and the family. The Commission was informed that the case was reinvestigated and charge-sheet had been filed against the accused. The victim was provided security and departmental action against erring police officials taken.



Consolidated Financial Statement



Consolidated Financial Statement**CONSOLIDATED FINANCIAL STATEMENT**

National Commission for Protection of Child Rights

5th Floor, Chanderlok Building 36, Janpath, New Delhi - 110 001

BALANCE SHEET AS AT 31ST MARCH 2015

(Amount in Rs.)

CORPUS/CAPITAL FUND AND LIABILITIES	Schedule	Current Year	Previous Year
CORPUS/CAPITAL FUND	1	63,108,366.90	59,818,700.66
RESERVES AND SURPLUS	2	-	-
EARMARKED/ENDOWMENT FUNDS	3	198,000.00	198,000.00
SECURED LOANS AND BORROWINGS	4	-	-
UNSECURED LOANS AND BORROWINGS	5	-	-
DEFERRED CREDIT LIABILITIES	6	-	-
CURRENT LIABILITIES AND PROVISIONS	7	3,119,558.55	2,768,656.75
TOTAL		66,425,925.45	62,785,357.41
ASSETS			
FIXED ASSETS	8	6,348,091.00	7,710,067.44
INVESTMENTS - FROM EARMARKED FUNDS	9	-	-
INVESTMENTS - OTHERS	10	-	-
CURRENT ASSETS, LOANS, ADVANCES ETC.	11	60,077,834.45	55,076,732.97
MISCELLANEOUS EXPENDITURE			-
(to the extent not written off or adjusted)			
TOTAL		66,425,925.45	62,786,800.41
SIGNIFICANT ACCOUNTING POLICIES	24		
AND NOTES ON ACCOUNTS	25		



O.P. Saxena
AO, NCPDR



ASHEEM SRIVASTAV, IFS
Member Secretary
NATIONAL COMMISSION FOR
PROTECTION OF CHILD RIGHTS
Ministry of Women & Child Development
Govt. of India

CONSOLIDATED FINANCIAL STATEMENT

National Commission for Protection of Child Rights
5th Floor, Chanderlok Building 36, Janpath, New Delhi - 110 001

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR YEAR ENDED 31ST MARCH, 2015

(Amount in Rs.)

INCOME	Schedule	Current Year	Previous Year
Income from Sales / Services	12	-	-
Grants / Subsidies	13	126,417,000.00	151,985,529.00
Fees/ Subscriptions	14	-	-
Income from Investments (Income on Invest from earmarked Funds transferred to Funds)	15	-	-
Income from Royalty, Publication etc.	16	-	-
Interest Earned	17	1,075,344.00	1,283,293.00
Other Income	18	570,843.00	270,215.75
Increase/(decrease) in stock of Finished goods and works-in-progress	19	-	-
TOTAL (A)		128,063,187.00	153,539,037.75
EXPENDITURE			
Establishment Expenses	20	13,203,415.00	25,390,329.00
Office & Other Administrative Expenses etc.	21	110,599,652.72	109,058,831.70
Expenditure on Grants, Subsidies etc.	22	-	-
Interest	23	-	-
Depreciation (Net Total at the year-end) (Corresponding to Schedule 8)		970,453.04	1,491,446.71
TOTAL (B)		124,773,520.76	135,940,607.41
Balance being excess of Income/(Expenses) over Expenditure/Income (A-B)		3,289,666.24	17,598,430.34
Transfer to Special Reserve (Specity each)			
Transfer to / from General Reserve			
BALANCE BEING SURPLUS/(DEFICIT) CARRIED TO CORPUS / CAPITAL FUND		3,289,666.24	17,598,430.34
SIGNIFICANT ACCOUNTING POLICIES	24		
AND NOTES ON ACCOUNTS	25		


O.P. Saxena
AO, NCPCR



ASHEEM SRIVASTAV, IFS
Member Secretary
NATIONAL COMMISSION FOR
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CONSOLIDATED FINANCIAL STATEMENT

National Commission for Protection of Child Rights
5th Floor, Chandertok Building 36, Janpath, New Delhi - 110 001
RECEIPTS AND PAYMENTS FOR THE YEAR ENDED 31ST MARCH, 2015

(Amount in Rs.)

RECEIPTS	Current Year	Previous Year	PAYMENTS	Current Year	Previous Year
			(I) Expenses:	-	
(I) Opening Balances:			a) Establishment Expenses	13,203,415.00	25,270,954.00
a) Cash in hand (Including imprest)			b) Office & Other Administration Expenses	109,642,931.92	109,890,128.00
b) Bank Balances			c) Expense on Grant & Subsidies etc.		-
(i) In current accounts (unspent bal.)			d) TDS & Other payable amount of last year		201,447.00
(ii) In deposit accounts	12,300.00				
(iii) Savings accounts	34,574,276.37	28,059,111.62	(II) Payments made against funds for various projects:	-	
Adjustment of previous year advance			Out of Earmarked/Endowment funds		
			(Unicef India)		644,832.00
(II) Grants Received:			Naxal Management Division		412,000.00
a) From Government of India:-			MHA(Grant for Kokrajhar & Chirang)		563,155.00
For Capital & Revenue Expenses	126,417,000.00	155,459,000.00	Grant Refund to Government of India		3,473,471.00
b) From State Government					
c) From other sources (Unicef India)		139,832.00	(III) Investments and deposit made:	-	
d) From Naxal Management Division			a) Out of Earmarked/Endowment funds		-
e) MHA (Grant for Kokrajhar & Chirang)			b) Out of Own Funds (Investments-others)		-
(III) Income on Investments from:			(IV) Expenditure on Fixed Assets & Capital Work-in-Progress:	-	
a) Earmarked/Endow. Funds			a) Purchase of Fixed Assets	226,295.00	1,082,876.00
b) Own Funds (Others Investment)			b) Exp. On Capital Work-in-progress		-
			(V) Loans & Advances:	-	
(IV) Interest Received:			a) To the Government of India		-
a) On Bank deposits	1,075,344.00	1,283,293.00	b) To the State Government		-
b) Loans, Advances etc.			c) To others	1,492,925.00	9,374,665.00
			d) Recovered & paid to parent office		
			e) To Security Deposit	96,000.00	

O.P. Saxena
AO, NCPDR



ABHEEM SHIVASTAV, IFS
Member Secretary
NATIONAL COMMISSION FOR
PROTECTION OF CHILD RIGHTS
Ministry of Home Affairs
Govt. of India

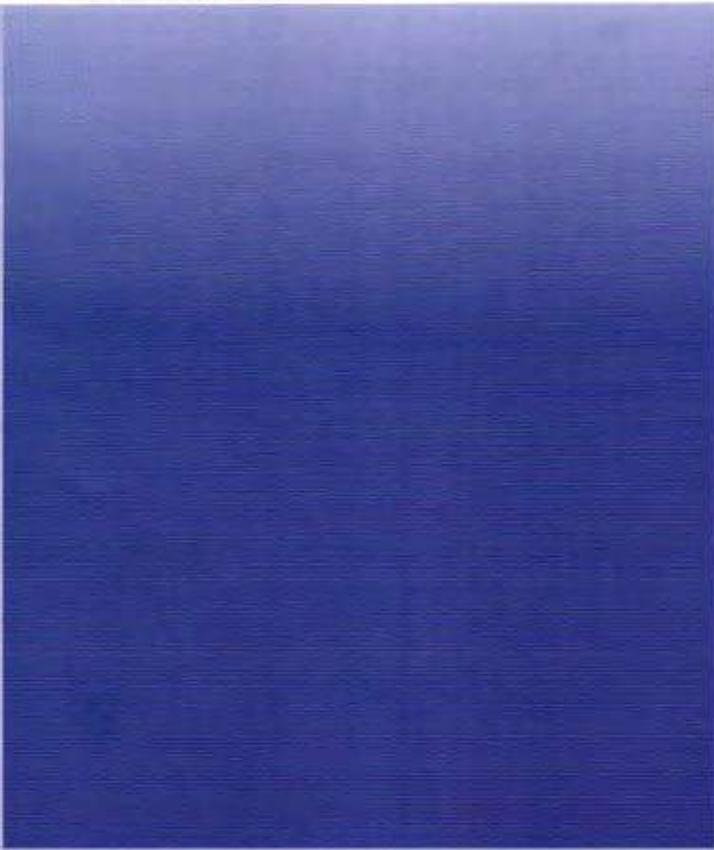
Annual Report 2014-15

RECEIPTS	Current Year	Previous Year	PAYMENTS	Current Year	Previous Year
(V) Other Income (Specify):	-		(VI) Finance Charges (Interest):		
RTI Fee Received	2,634.00	1,085.00			
Reimbursement expenses	120,500.00	-	(VII) Other Payments (Specify):	-	
Sale of old News papers and Magzines	17,194.00	7,959.00	Payment for State Cheque	-	-
Tender Money		-	Security Money refunded		-
Security Money Received		-	Sundry Creditors		-
Security Deposit (Phone) Return		-	NCPCR		18,400.00
Refund Of Grant	103,602.00		Other Payables		
Sale of Fixed Assets	12,000.00				
Core Activities for State Representative		261,171.75	(VIII) Closing Balances:	-	
Other	326,913.00			-	
(VI) Amount Borrowed:	-	-	a) Cash in hand (Including Imprest)		-
NCPCR		174,335.00	b) Bank Balances:-		
		-	(i) In current accounts		
(VII) Other Receipts			(ii) In deposit accounts	12,300.00	
Advances Recovered		116,417.00	(iii) Savings accounts	37,987,896.45	34,574,276.37
Receipts from State Cheque		4,000.00			
TOTAL	162,661,763.37	185,506,204.37	TOTAL	162,661,763.37	185,506,204.37

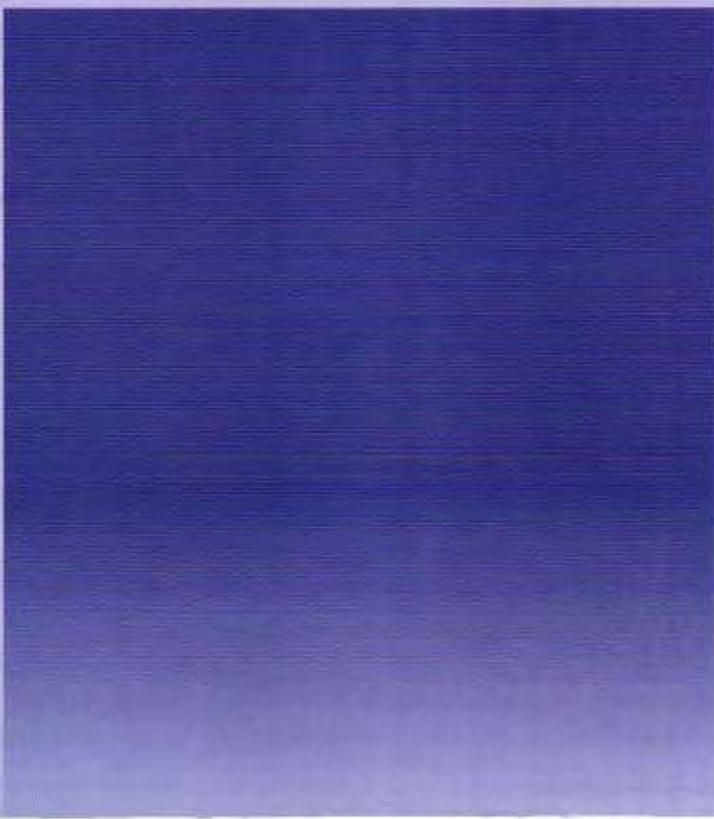

O.P. Saxena
AO, NCPCR



ABHEEM SRIVASTAV, IFS
Member Secretary
NATIONAL COMMISSION FOR
PROTECTION OF CHILD RIGHTS
Ministry of Home & Child Development,
Govt. of India



Audit Certificate



Audit Certificate

By: SPEED POST



कार्यालय महानिदेशक लेखापरीक्षा (केंद्रीय व्यय) इन्द्रप्रस्थ एस्टेट, नई दिल्ली - 110002
OFFICE OF THE DIRECTOR GENERAL OF AUDIT (CENTRAL EXPENDITURE)
INDRAPRASTHA ESTATE, NEW DELHI - 110002

दूरभाष/Phone: 011-23454329 फैक्स/Fax 23702271 ईमेल / Email: amg3hq@gmail.com

संख्या/No. AMG-III/4-88/SAR/NCPCR/2015-16/1133

दिनांक/Dated: 08.12.2015

सेवा में

सचिव, भारत सरकार
 महिला एवं बाल विकास मंत्रालय
 शास्त्री भवन
 नई दिल्ली

विषय: वर्ष 2014-15 के लिए राष्ट्रीय बाल अधिकार संरक्षण आयोग के लेखाओं पर पृथक लेखापरीक्षा प्रतिवेदन

महोदय/महोदया

मैं राष्ट्रीय बाल अधिकार संरक्षण आयोग, नई दिल्ली के वर्ष 2014-15 के प्रमाणित वार्षिक लेखे की प्रति, उसके प्रतिवेदन तथा लेखापरीक्षा प्रमाणपत्र की प्रति संसद के पटल पर रखने के लिये संलग्न करती हूँ।

संसद को प्रस्तुत कर दस्तावेज की दो प्रतियाँ उस तिथि को दर्शाते हुए, जब वे संसद को प्रस्तुत किए गए थे, इस कार्यालय को तथा भारत के नियंत्रक महालेखापरीक्षक के कार्यालय को भेजी जाए। कृपया यह सुनिश्चित करें कि पृथक लेखापरीक्षा प्रतिवेदन को संसद के दोनों सदनों के समक्ष प्रस्तुत करने से पहले वार्षिक लेखाओं को शासी निकाय द्वारा अवश्य अनुमोदित कर लिया जाए।

कृपया यह भी सुनिश्चित करें कि वर्ष 2014-15 के लेखापरीक्षा प्रतिवेदन एवं लेखापरीक्षा प्रमाणपत्र को संसद के पटल पर रखने से पहले वर्ष 2013-14 के तथा सभी पूर्व वर्षों के लेखापरीक्षा प्रतिवेदन एवं लेखापरीक्षा प्रमाणपत्र संसद के पटल पर प्रस्तुत किये जा चुके हों।

लेखापरीक्षा प्रतिवेदन का हिन्दी अनुवाद एवं इसे जारी करने से संबंधित सभी कार्यों को आपके निकाय द्वारा किया जाना ही अपेक्षित है। पृथक लेखापरीक्षा प्रतिवेदन का हिन्दी अनुवाद जारी करते समय निम्नलिखित अस्वीकरण (Disclaimer) अंकित करें :

“प्रस्तुत प्रतिवेदन मूल रूप से अंग्रेजी में लिखित पृथक लेखापरीक्षा प्रतिवेदन का हिन्दी अनुवाद है। यदि इसमें कोई विसंगति परिलक्षित होती है तो अंग्रेजी में लिखित प्रतिवेदन मान्य होगा।”

भवदीया

अनुलग्नक : यथोपरि

हस्ता /-

निदेशक (ए.एम.जी.-III)

संख्या/No. AMG-III/4-88/SAR/NCPCR/2015-16/1134

दिनांक/Dated: 08.12.2015

प्रतिलिपि :

श्री असीम श्रीवास्तव, सदस्य सचिव, राष्ट्रीय बाल अधिकार संरक्षण आयोग, पांचवा तल, चंद्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली - 110 001 को लेखापरीक्षा प्रतिवेदन तथा लेखापरीक्षा प्रमाणपत्र की प्रति आवश्यक कार्यवाही हेतु अग्रेषित की जाती है। यह अनुरोध किया जाता है कि संसद को प्रस्तुत दस्तावेजों की दो प्रतियां उस तिथि को दर्शाते हुए जब वे संसद को प्रस्तुत किए गए थे इस कार्यालय को तथा भारत के नियंत्रक एवं महालेखापरीक्षक के कार्यालय को भेजी जाएं।

कृपया यह सुनिश्चित करें कि पृथक लेखापरीक्षा प्रतिवेदन को संसद के दोनों सदनों के समक्ष प्रस्तुत करने से पहले वार्षिक लेखाओं को शासी निकाय द्वारा अवश्य अनुमोदित करा लिया जाए। कृपया यह भी सुनिश्चित करें कि वर्ष 2014-15 के लेखापरीक्षा प्रतिवेदन एवं लेखापरीक्षा प्रमाणपत्र को संसद के पटल पर रखने से पहले वर्ष 2013-14 के तथा सभी पूर्व वर्षों के लेखापरीक्षा प्रतिवेदन एवं लेखापरीक्षा प्रमाणपत्र संसद के पटल पर प्रस्तुत किये जा चुके हों। यह भी अनुरोध किया जाता है कि पृथक लेखापरीक्षा प्रतिवेदन के हिन्दी अनुवाद की एक प्रति शीघ्र इस कार्यालय को भेजी जाएं।

अनुलग्नक : यथोपरि

हस्ता /-

निदेशक (ए.एम.जी.-III)

संख्या/No. AMG-III/4-88/SAR/NCPCR/2015-16/1135

दिनांक/Dated: 08.12.2014

प्रतिलिपि :

श्री मुखबैन सिंह, प्रशासनिक अधिकारी (रिपोर्ट केंद्रीय/स्वा. निकाय), कार्यालय भारत के नियंत्रक एवं महालेखापरीक्षक, 9, दीन दयाल उपाध्याय मार्ग, नई दिल्ली-110124 को पृथक लेखापरीक्षा प्रतिवेदन तथा मैनेजमेंट पत्र की प्रतियां सूचना तथा आवश्यक कार्यवाही हेतु अग्रेषित की जाती है।

अनुलग्नक : यथोपरि

निदेशक (ए.एम.जी.-III)

**Separate Audit Report of the Comptroller & Auditor General of India on the
Accounts of National Commission for Protection of Child Rights, New Delhi
for the year ended 31 March 2015**

We have audited the attached Balance Sheet of National Commission for Protection of Child Right (NCPCR), New Delhi as at 31 March 2015, Income & Expenditure Account and Receipts & Payments Account for the year ended on that date under Section 19(2) of the Comptroller & Auditor General's (Duties, Powers & Conditions of Service) Act, 1971 read with Section 29 (2) of the Commissions for Protection of Child Rights Act, 2005. These financial statements are the responsibility of the management of NCPCR. Our responsibility is to express an opinion on these financial statements based on our audit.

2. This Separate Audit Report contains the comments of the Comptroller & Auditor General of India (CAG) on the accounting treatment only with regard to classification, conformity with the best accounting practices, accounting standards and disclosure norms, etc. Audit observations on financial transactions with regard to compliance with the Laws, Rules & Regulations (Propriety and Regularity) and efficiency-cum-performance aspects, etc., if any, are reported through Inspection Reports/CAG's Audit Reports separately.

3. We have conducted our audit in accordance with auditing standards generally accepted in India. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatements. An audit includes examining, on a test basis, evidences supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of financial statements.

We believe that our audit provides a reasonable basis for our opinion.

4. Based on our audit, we report that:

- (i) We have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purpose of our audit.
- (ii) The Balance Sheet, Income & Expenditure Account and Receipts & Payment Account dealt with by this report have been drawn up in the Uniform Format of Accounts as prescribed by the Ministry of Finance.
- (iii) In our opinion, proper books of accounts and other relevant records have been maintained, under Section 29 (1) of the Commissions for Protection of Child Rights Act, 2005, in so far as it appears from our examination of such books.
- (iv) We further report that:

A. Balance Sheet**A.1 Assets****A.1.1 Current Assets- Loan & Advances- Rs. 6.01 crore (Schedule-11)**

Out of advance of Rs. 58.70 lakh paid to NBCC, fixed assets amounting to Rs. 45.63 lakh were provided by NBCC but the same was not depicted in the Fixed Assets and the amount was shown as advance under current assets. This has resulted in overstatement of advances and understatement of Fixed Assets by Rs. 45.63 lakh.

No depreciation has also been charged on these Fixed Assets worth Rs. 45.63 lakh. Non-charging of depreciation has resulted in understatement of expenditure by Rs. 9.11 lakh.

A.1.2 Current Assets, Loans, Advances-Rs. 6.01 crore (Schedule-11)

A.1.2.1 Closing stock of stationery valuing Rs. 1.89 lakh was not depicted in Current Assets under Inventories in schedule-11 of Balance-Sheet. This has resulted in understatement of Current Assets and overstatement of Expenditure by Rs 1.89 lakh. This was also pointed out in the previous year's report but no action was taken by NCPDR.

A.2 Liabilities**A.2.1 Corpus/Capital Fund Rs. 6.31 crore (Schedule-1)**

A.2.1.1 During 2013-14, the excess of Income over Expenditure relating to 'Right to Education Scheme' amounting to Rs. 1.52 crore was transferred to the Capital Fund (Schedule-1) instead of Earmarked Fund (Schedule 3). Similarly, during the year 2014-15, Excess of Expenditure over Income for the year 2014-15, amounting to Rs. 0.15 crore has been transferred to Corpus/Capital Fund (Schedule-1). This has resulted in overstatement of Capital Fund and understatement of Earmarked Funds by Rs. 1.37 crore as at 31.3.2015.

B. General**B.1 Incorrect depiction of figures**

The amount of figures (as shown below) in closing balance of statement for the year 2013-14 and 2014-15 are different.

Sl. No	Statement/Schedule	Closing balance as Shown in 2013-14	Closing balance of Previous year as Shown in 2014-15
1	Schedule 8 – Fixed Assets Library Books	18921	19100
2	Schedule 11 – B Loans, Advances and Other Assets	15650	17093
3	Schedule 20 – Establishment Expenses – Salary and Wages	24040850	23964314
4	Schedule – 21 – Office & Administrative Expenses – Office & Misc Expenses	359584	436120

The above mentioned figures need reconciliation.

B.2 During physical verification in October 2014, fixed assets amounting to Rs. 5.45 lakh were found missing. These need to be reconciled.

B.3 Provision for retirement benefits viz. Gratuity, Leave encashment, etc. has not been done on actuarial basis.

C. Grants-in-aid

C.1 At the end of the year 2014-15, the position of grants-in-aid received, utilized and unspent by the NCPCR was as under:

(Rs. in lakh)

Scheme	GIA received during 2014-15	Unspent balance of previous year	Internal receipts	Total funds available	Utilization of funds	Unspent funds
General Grant NCPCR	875.60	199.86	8.02	1083.48	816.85	266.63
RTE ¹	372.57	127.43	8.56	508.56	418.45	90.11
North Eastern Region (NER)	16.00	18.62	Nil	34.62	11.32	23.30
Total	1264.17	345.91	16.58	1626.66	1246.62	380.04

v. Subject to our observations in the preceding paragraphs, we report that the Balance Sheet, Income & Expenditure Account and Receipts & Payments Account dealt with by this report are in agreement with the books of accounts.

vi. In our opinion and to the best of our information and according to the explanations given to us, the said financial statements read together with the Accounting Policies and Notes on Accounts and subject to the significant matters stated above and other matters mentioned in Annexure to this Separate Audit Report, give a true and fair view in conformity with accounting principles generally accepted in India.

- a. In so far as it relates to the Balance Sheet, of the state of affairs of National Commission for Protection of Child Rights as at 31 March 2015; and
- b. In so far as it relates to Income & Expenditure Account of the surplus for the year ended on that date.

For and on behalf of the C & AG of India


Director General of Audit
Central Expenditure

Place: New Delhi

Date: 07.12.2015

¹ Grant received from Ministry of Human Resource Development under Right to Education Scheme

Annexure

1. Adequacy of internal audit system

- A performance Review of the NCPCR for the year 2007-08 to 2010-11 was conducted by Internal Audit Wing of the Ministry of Human Resource Development in February/March 2012. Final report was awaited from the Ministry.
- Separate regular internal audit of NCPCR was not being conducted.

2. Adequacy of Internal control System

- Six posts of Members were vacant since November 2013
- 14 external audit paras pertaining to the period 2007-08 to 2013-2014 were outstanding.

3. System of physical verification of fixed assets

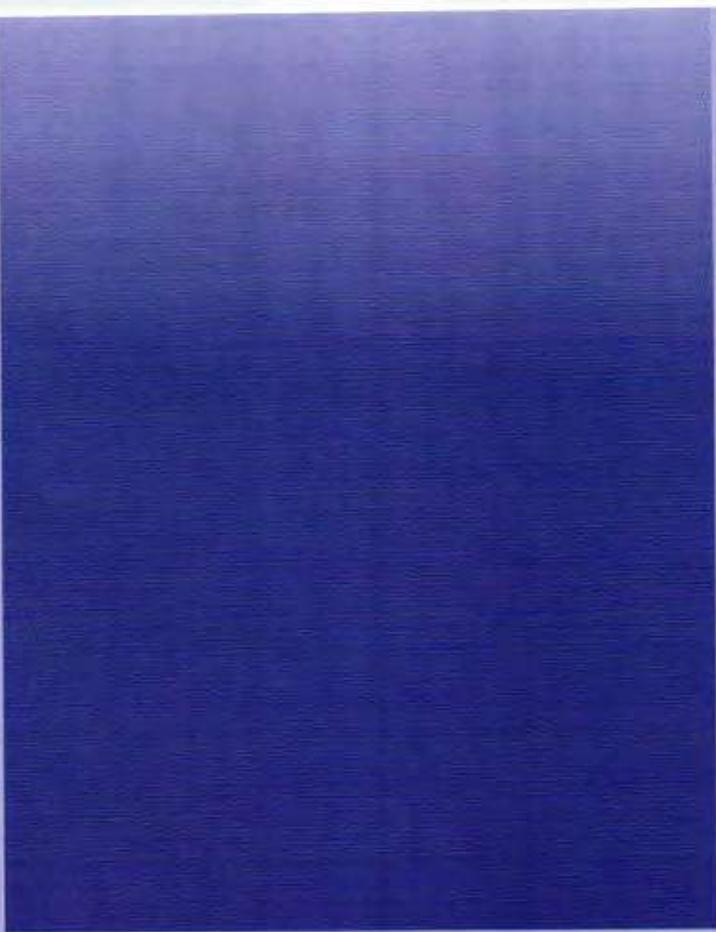
- Physical verification of fixed assets was conducted up to 30.10.2014.

4. System of physical verification of inventory

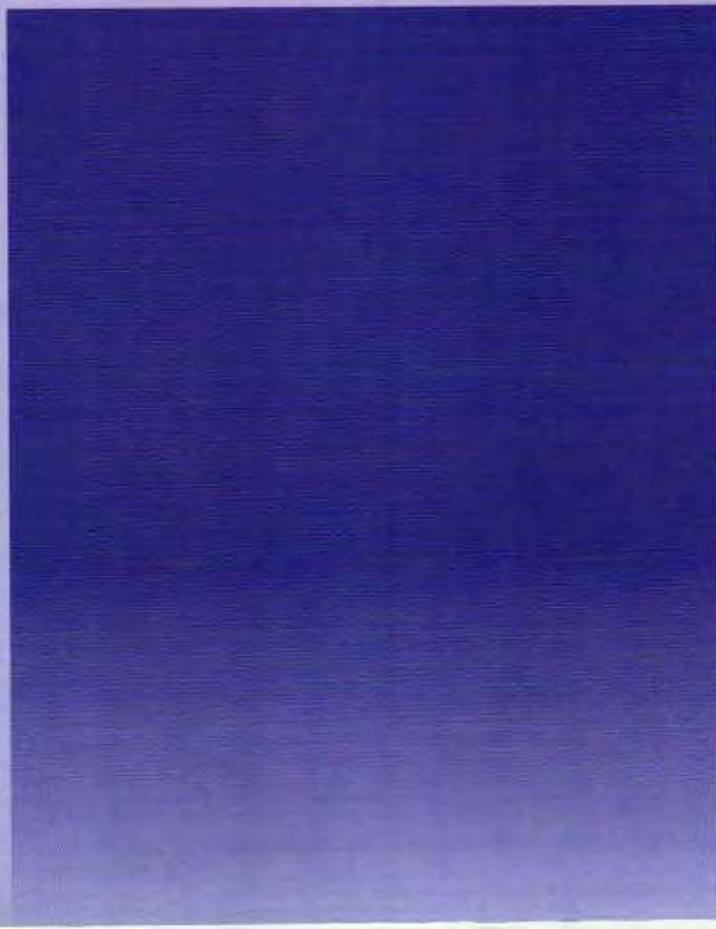
- The physical verification of library books had been conducted up to 30.09.2013. Physical verification of stationery and other consumable items was conducted up to 30.10.2014 and was adequate.

5. Regularity in payment of dues.

- No payments over six months in respect of statutory dues were outstanding as on 31.03.2015.



Annexures



ANNEXURES

Annexure - I

Status of Designation of the Special Courts under the POCSO Act, 2012

Sl. No.	State/UT	No. of Distts.	Number of Special Courts	Details of Information Provided by the States/UTs	Source of Information
1	Andhra Pradesh (including Telangana)	23	23	The Courts of 1 Additional District and Sessions Judges in all the Districts and the Courts of 1 Additional Metropolitan Sessions Judge in Metropolitan Session Division of Hyderabad, Visakhapatnam and Vijayawada have been designated as Special Court vide G.Q.Rt.No 2364 dated 23.12.2013.	The State Government (Dept. of WCD & Sr. Citizen) letter No.4149/JJ/A1/2013-7 dated 23.04.2014.
2	Arunachal Pradesh	17	5	Special Courts have been designated in 5 districts in the State.	State Government (WCD) letter No. SWCD-27/2011(ACT)/8805 dated 13.01.2014
3	Assam	27	27	Special Courts have been designated in all Districts.	State Government (SW) letter No. SWD.172/2014/10 dated 14.03.2014
4	Bihar	38	38	Special Courts have been designated in all Districts in the State.	State Government (SW) Letter No. NCPDR-08/2013-72 dated 13.01.2014.
5	Chhattisgarh	27	16	Special Courts have been designated in 16 Districts.	State Government (WCD) letter No. 43-6476/NCPDR/ICPS/13-14 dated 04.01.2014.
6	Goa	2	1	One Special Court has been designated in the State.	State Government letter F. No. 2-103(43)-97/DWCD/Vol.III-6354 dated 10.10.2013.
7	Gujarat	26	26	Special Courts have been designated in all Districts in the State.	State Government (SJED)letter No JJA-10-2013-652403-Chh dated 03.03.2014
8	Himachal Pradesh	12	12	All the courts of District and Sessions Judges in the State were designated as Special Courts vide Notification No. Home-B(a)1-2/2013 dated 04.04.13.	High Court of Himachal Pradesh vide letter No. HHC/Admn.29(14)96-I-11750 dated 29.04.2013 and State Government (SJE&E) letter No. SJE-A-A(3)-2/2013 dated 21.11.2013.
9	Haryana	21	21	Special Courts have been designated in all districts. All the courts of 1st Additional and Sessions Judges in each Sessions Divisions in the State were designated as Children's Court vide Notification No92/SW(4)/2011 dated 18.03.2011. In supersession of above notification, Notification Number 444/SW(3)2013 was issued on 29.05.2013 specifying all Sessions Judges and Addl. Session Judges to be the Children's Court.	DWCD Letter No. 6819/CNCP/HSCPS/2013 dated 31.10.2013; (Home) Letter No. 3173 dated 18.06.2013, (DWCD) Letter No. 2139-2159 dated 28.07.2014.

Sl. No.	State/UT	No. of Distts.	Number of Special Courts	Details of Information Provided by the States/UTs	Source of Information	
10	Jammu and Kashmir	Act not applicable in the State				
11	Jharkhand	24	14	14 Special/Children's Courts have been designated in the State.	High Court of Jharkhand letter No. 1550/R&S dated 26.07.2014.	
12	Karnataka	30	30	Special Courts have been established throughout the State in each district designating Principal District and Session Judge as the presiding officer.	Sate Legal Services Authority (SALSA) Letter No. 154/PEB/2014 dated 03.06.2014.	
13	Kerala	14	14	Special Courts have been designated in all districts.	State Government (Directorate of SJE) letter No. PDMC4/38005/13 dated 04.11.2013	
14	Maharashtra	34	34	All Courts of Sessions each district presided over by the senior most Additional Sessions Judge were notified as Children Courts under CPC Act 2005 vide notification No. CRC1008/C.R.86/IX dated 14.10.2008.	State Govt.(WCD) vide letter No. 2012/C.R.214/D-3 dated 05.07.2013	
15	Meghalaya	11	3	Special Courts have been designated in 3 districts.	State Govt. (SW) letter No. SW(S)69/2012/367 dated 21.01.2014	
16	Manipur	9	9	Special Courts have been designated in all 9 districts of the State.	The State Govt. (SW) vide letter No. 6/48/2012-S(SW) dated 6.7.2013 and No. 6/48/2012-S(SW) dated 19.09.2013	
17	Madhya Pradesh	50	50	Special Courts have been designated in all Districts.	State Government (WCD) letter No. WCD/13/ICPS/411 dated 18.12.2013	
18	Mizoram	8	2	Court of District and Session Judge of Aizwal Judicial District comprising districts of Aizawl, Kolasib, Mamit, Champhai and Serchhip Administrative Districts and Court of District and Session Judge of Lunglei Judicial District which comprises Lunglei, Lawngtlai, and Saiha Administrative Districts have been designated as Special Courts.	State Government (SW) letter No. B-12017/40/13-SWD/pt dated 24.10.2014.	
19	Nagaland	11	11	The State Government has designated the Court of Session Judge at Dimapur and Courts of Additional Session Judge in the respective districts as Special Courts vide notification NO. LAW/BILL-1/2011 dated 28.06.2013.	State Govt. (SW) letter No. SW/JUV-9/17/2011 dated 16.5.2014 and SW/Juv-09/17/2011 dated 24.09.2014.	

Sl. No.	State/UT	No. of Distts.	Number of Special Courts	Details of Information Provided by the States/UTs	Source of Information
20	Odisha	30	30	Special Courts have been designated in all Districts. The Government of Odisha had specified different Courts as Children's Court U/s 25 of the CPC Act 2005 vide Notification No. Home-CHR. SPL.CRT-0029-2012-44637 dated 17.11.2012 (which are deemed to be Special Courts U/s 28(2) of the POCSO Act).	State Government (DWCD) vide letter No. WCD-CW-MISC-0217-2012-2950 dated 2.2.2013. State Government (WCD) letter No. 1039/WCD-CW-MISC-0361-2013Pt.) dated 22.01.2014.
21	Punjab	22	22	Special Courts have been designated in all Districts in the State. The Court designated as Children's Court vide Gazette Notification No. S. O. 95/C.A.4/2006/S.25/2011 dated 16.11.2011 have been designated as Special Courts vide Notification No. 879-Gaz-II(2G) on 16.01.2013.	High Court of Punjab and Haryana vide letter No. 961/Gaz-II(2-G) dated 11.02.2013. State Government (SSWCD) letter No. JJA-1(SS) 2013/515 dated 08.01.2014.
22	Rajasthan	33	33	Special Courts have been designated in all Districts. All the District and Session Courts have been designated as Special Courts vide Notification No. F.2 (5) Nyaya/2012 dated 28.1.2013.	State Government (Chief Secretary) vide letter No. F-2(5) Naya/2012 dated 17.06.2013) and Letter No. F-26(4)(1) NCPCR/ICDS/13/24271 dated 12.03.2014.
23	Sikkim	4	4	Special Courts have been designated in all districts. District and Session Judges, (East-North), Court of District/Session Judge, (South and West) have been designated as Special Courts	State Government letter No. 287/W&CDD/2013-14 dated 24.09.2013 and No. (SJE and WD-WCD) letter No. 192/2014-15/WSCDD dated 16.08.2014
24	Tamil Nadu	32	32	As per Section 25 of CPC Act, 2005, the Mahila Courts at Chennai, Coimbatore, Cuddalore, Chengalpattu, Madurai, Perambalur, Pudukkottai, Salem, Tiruchirapalli, Tirunelveli and Principal District and Sessions Courts in other Districts have been specified as Special Courts.	State Government (SW&NM Dept.) letter No. 12797/SW8/2013-4 dated 06.03.2014 and No. 8873/SW8(1)/2014 dated 24.09.2014.
25	Tripura	8	3	Three District and Sessions Courts namely West Tripura, North Tripura and South Tripura have been designated as the Special Courts.	State Government (SW) letter No. F.87(2-8)/CW/DSWE/2010/4938 dated 04.01.2014.
26	Uttarakhand	13	13	Special Courts have been designated in all districts.	State Government No 77/M.K/C.P.O/Info/2014-15 dated 19.5.2014
27	Uttar Pradesh	75	75	Special Courts have been designated in all districts.	State Government No. 1022/60-1-14-1/13(114)/13 dated 20.05.2014.

Sl. No.	State/UT	No. of Distts.	Number of Special Courts	Details of Information Provided by the States/UTs	Source of Information
28	West Bengal	19	19	The Court of 2 nd Additional District Judge has been designated as Children's Court in all districts and Kolkata Session Court has been designated as Children's Court for Metro City.	State Government (CDDWDSW) letter No. 2972/-SW dated 28.08.2014.
UTs					
29	Andaman & Nicobar Islands	3	1	The Court of Additional District and Session Judge, Port Blair has been designated as Special Court vide Notification No. 8-3688/2009-Legal dated 23.07.2014.	State Legal Services Authority Letter No. 6-51/2014/Legal dated 04.08.2014.
30	Chandigarh	1	1	The court of 1 st Additional District and Session Judge was designated as Children's Court/Special Court vide notification No. 8/7/2-IH(8)-2013/91157dated 25.05.2013.	UT Administration Letter No. 6039 dated 18.07.2013.
31	Delhi	10	10	Special Courts have been designated in all districts.	State Govt. (DWCD) vide letter No.F.No.61/271/CWC.Comm/DD(CPU)/DWCD/Vol-II dated-27.05.2014
32	Dadra & Nagar Haveli	1	1	Sessions Court of Dadra and Nagar Haveli has been designated as Special Court for the Act.	UT Administration letter No. 19/1/2012/SWD/DNH/554 dated 17.09.2014.
33	Lakshadweep	1	1	The District and Sessions Court, Kavaratti has been designated as Special Court under the POCSO Act.	UT Administration letter No. 49/7/2004-WCD/278 dated -09.2013.

Status of Appointment of Special Public Prosecutors under the POC SO Act, 2012

Sl. No.	CState/UT	No. of Distts.	Number of Special Public Prosecutors	Details of Information provided by State/UT	Source of Information
1	Andhra Pradesh	23	23	Special Public Prosecutors have been appointed in all districts.	The State Government letter No.4149/JJ/A1/2013-7 dated 23.04.2013.
2	Arunachal Pradesh	17	3	Special Public Prosecutors have been appointed in 3 districts.	State Government (WCD) letter No. SWCD-27/2011(ACT) dated 13.01.2014
3	Assam	27	27	Special Public Prosecutors have been appointed in all districts.	State Government (SW) letter No. SWD.172/2014/10 dated 14.03.2014
4	Bihar	38	x	Information not provided.	State Government (SW) Dept. letter No. 10/रा.बा.अ.सं.आ.-08/2013 dated 13.1.2014
5	Chhattisgarh	27	27	The State Government appointed Public Prosecutors of each district as Special Public Prosecutors vide Law and Legislative Department's Notification No. XXI-B/C.G./2013 dated 04.04.2013.	Copy of the Notification provided by the Department of Law and Legislative Affairs, Govt. of Chhattisgarh dated 04.04.2013
6	Goa	2	1	One Special Public Prosecutor has been appointed for the Special Court.	State Government letter F. No. 2-103(43)-97/DWCD/Vol.III-6354 dated 10.10.2013
7	Gujarat	26	Nil	No Special Public Prosecutor has been appointed in the State. (Under Consideration)	State Government letter No JJA-10-2013-652403-Chh dated 03.03.2013
8	Himachal Pradesh	12	12	Special Public Prosecutors have been appointed in all districts.	State Government letter No. 47798 dated 24.6.2013 and (SJE&E) letter No. SJE-A-A(3)-2/2013 dated 21.11.2013
9	Haryana	21	21	The Senior Most Deputy Attorney posted in the Office of the District Attorney in each District has been appointed as Special Public Prosecutor.	State Government (WCD) vide letter No. 2693 TIA/HSCPS/ICPS/2013 dated 21.05.2013
10	Jammu and Kashmir	Act not applicable in the State			
11	Jharkhand	24	No	No Special Public Prosecutor has been appointed in the State.	State Government (SW) letter dated 20.05.2014
12	Karnataka	30	30	Special Public Prosecutors have been appointed in all districts.	State Government letter No. WCD 203 SBB 2013 dated 10.1.2014
13	Kerala	14	14	Special Public Prosecutors have been appointed in all districts.	State Government letter No. PDMC4/38005/13 dated 04.11.2013)

Sl. No.	CState/UT	No. of Distts.	Number of Special Public Prosecutors	Details of Information provided by State/UT	Source of Information
14	Maharashtra	34	34	All Public Prosecutors/Additional Public Prosecutors had been designated as SPPs vide notification No.SPR-3909/(172)-XIV dated 14.10.2013.	State Govt. (DWCD) vide letter No. MISC- 2012/C.R.214/D-3 dated 05.07.2013
15	Meghalaya	11	3	Special Public Prosecutors have been appointed in 3 Districts.	State Govt. (SW) letter No. SW(S) 69/2012/367 dated 21.01.2014
16	Manipur	9	9	Special Public Prosecutors have been appointed in all districts. The Public Prosecutors/Additional Public Prosecutors of Session Court, Manipur East and Manipur West were designated as Special Public Prosecutors vide Notification No. 4/83/2006-JudL/L/1dated 27.02.2013.	State Govt. (SW) vide letter No. 6/48/2012-S(SW) dated 6.7.2013 and No. 6/48/2012-S(SW) dated 19.09.2013
17	Madhya Pradesh	50	50	Special Public Prosecutors have been appointed in all districts.	State Government (WCD) letter No. WCD/13/ICPS/411 dated 18.12.2013
18	Mizoram	8	2	The Government of Mizoram, Dept. of Law and Judicial has appointed 2 Special Public Prosecutors for Aizwal and Lunglei Judicial Districts vide notification NO. A.45012/3/2011-LJE dated 21.05.2013.	State Government (SW) letter No. B-12017/40/13-SWD/pt dated 24.10.2014
19	Nagaland	11	11	All the Public Prosecutors, Additional Public Prosecutors and Assistant Public Prosecutors have been appointed as Special Public Prosecutors vide Notification No. LAW/BILL-1/2011 dated 28.06.2013.	State Govt. (SWD) letter No. SW/JUV-9/17/2011 dated 24.09.2014
20	Odisha	30	30	Special Public Prosecutors have been appointed in all Districts in the State.	State Government (WCD) letter No. 1039/WCD-CW-MISC-0361-2013)(Pt.) dated 22.01.2014
21	Punjab	22	22	Special Public Prosecutors have been appointed in all Districts in the State.	State Government (SSWCD) letter No. JJA-1(SS)2013/515 dated 08.01.2014)
22	Rajasthan	33	33	All Public Prosecutors and Govt. Advocates have been designated as Special Public Prosecutors vide Notification No. F.8 (1)Raj/Vad/2009 dated 15.04.2013.	State Government Letter No. F. 2(5) Nyaya/2012 dated 17.06.2013

Sl. No.	CState/UT	No. of Distts.	Number of Special Public Prosecutors	Details of Information provided by State/UT	Source of Information
23	Sikkim	4	4	State Government has appointed Advocates as Special Public Prosecutors in each district.	State Government letter No. 287/W&CDD/2013-14 dated 24.09.2013 and No. 192/2014-15/DSCDD dated 16.08.2014
24	Tamil Nadu	32	Nil	No Special Public Prosecutor has been appointed.	State Government (SW&NM Dept.) letter No. 12797/SW8/2013-4 dated 06.03.2014 and 8873/SW8(1)/2014-1 dated 24.09.2014
25	Tripura	8	3	Special Public Prosecutors have been appointed in only 3 districts namely West, North and South Tripura.	State Government (SW) letter No. F.87(2-8)/CW/DSWE/2010/4938 dated 04.01.2014
26	Uttarakhand	13	Nil	In progress	State Government No 77/M.K/C.P.O/Info/2014-15 dated 19.5.2014
27	Uttar Pradesh	75	75	Special Public Prosecutors have been appointed in all districts of the State.	State Government No. 1022/60-1-14-1/13(114)/13 dated 19.05.2014
28	West Bengal	19	Nil	No Special Public Prosecutor has not been appointed.	State Government (CDWD and SW Dept.) letter No. 1065/CD&WDSW/14 dated 29.04.2014
UTs					
29	Andaman & Nicobar Islands	3	Nil	No Special Public Prosecutor has been appointed in the State.	UT Administration (SW) letter No.4-95/DSW/PCSOA/SC&SPP/2013 dated 28.10.2013
30	Chandigarh	1	2	2 nd and 3 rd Additional Public Prosecutors/Deputy District Attorney as per their seniority have been appointed as Special Public Prosecutors vide Notification No. LD-SA-2013/6014 dated 24.07.2013.	UT Administration Letter No. SW3/2014/458 dated 20.01.2014
31	Daman and Diu	2	1	One Special Public Prosecutor has been appointed for the Act.	UT Administration letter No. 19/1/2012/SWD/DNH/554 dated 17.09.2014
32	Delhi	10	10	Special Public Prosecutors have been appointed in all districts.	State Government (WCD Dept.) letter No. 61/271/CWC.Comm/DD(CPU)/DWCD/Vol.-II dated 27.05.2014
33	Dadra & Nagar Haveli	1	1	Special Public Prosecutor has been appointed for the Act.	UT Administration letter No. 19/1/2012/SWD/DNH/554 dated 17.09.2014
34	Lakshadweep	1	Nil	No Special Public Prosecutor has been appointed.	UT Administration letter No. 49/7/2004-WCD/367 dated 12.12.2013
35	Puducherry	2	Nil	No Special Public Prosecutor has been appointed.	UT Administration letter No. 6317/DSW/UTPCPS 13-14/344 dated 25.09.2013

Status of Formulation of the Guidelines for Stakeholders under the POCSO Act, 2012

Sl. No.	State	Status of the Guidelines	Source of Information
1	Chhattisgarh	The State Government has adopted the Model Guidelines developed by Ministry of Women and Child Development, Government of India.	State Government (WCD) letter No. 220-4689/मबावि/ICPS dated 30.07.2014.
2	Himachal Pradesh	The Model Guidelines developed by Ministry of Women and Child Development, Government of India are being adopted.	State Government (SJE) letter No. SJE-A-F(10)-1/2011-Loose dated 27.02.2015
3	Haryana	The State Government has adopted the Model Guidelines developed by Ministry of Women and Child Development, Government of India vide Notification No. 321-SW(3)-2015 dated 13.03.2015.	State Government (WCD) letter dated 13.03.2015.
4	Jammu & Kashmir	The Act Not Applicable in the State	
5	Jharkhand	The State Government has adopted the Model Guidelines developed by Ministry of Women and Child Development, Government of India.	State Government (SW and WCD) letter No. 73/2013/600 dated 27.03.2015
6	Maharashtra	A Committee has been constituted to frame the Guidelines.	State Government (WCD) Letter No. MISC/2012/C.R.214/D-3 dated 11.06.2013
7	Meghalaya	The Guidelines for the Support Persons have been prepared. (However, the State Government informed vide letter No. SW(S) 56/2006/431 on 16.03.2015 that a Committee has been constituted to frame Guidelines under Section 39 of the POCSO Act).	As per information proved vide letter No. SW(S) 69/2012/252 dated 5.7.2013
8	Madhya Pradesh	The Guidelines have been formulated and circulated on 28.07.2014	State Government (WCD) letter No. WE/WCD/14-15/ICPS/100 dated 28.01.2015
9	Mizoram	The State Government has formulated the Guidelines.	State Government letter No. C-18o15/19/06-DTE(SW) dated 29.01.2015
10	Nagaland	The Model Guidelines developed by Ministry of Women and Child Development, Government of India have been approved and vetted by the Justice and Law Department.	State Government (SWD) letter No. SW/JUV-09/17/2011 dated 24.09.2014 and No. SW/JUV-09/17/2014 dated 23.04.2014
11	Odisha	The Guidelines have been issued for various Stakeholders	State Government (WCD) letter No. 12708/WCD/dated 11.08.2014.
12	Rajasthan	The Model Guidelines developed by Ministry of Women and Child Development, Government of India have been adopted by the State Government on 06.12.2013.	State Government (Dept. of CR) letter No. D.31(3)(11)/DCR/POCSO/40475 dated 27.01.2015
13	Sikkim	The State Government has adopted the Model Guidelines developed by Ministry of Women and Child Development, Government of India.	State Government (WCD) letter No. 192/2014-15/WSCDD dated 16.08.2014
14	Tamil Nadu	The Guidelines have been formulated and issued by the State Government.	State Government (SW&NMP) letter No. G. O. (Ms) No. 17 dated 18.03.2015
15	Uttar Pradesh	The Police Department had formulated the Guidelines.	Copy provided by the State Govt issued on 08.07.2013

Sl. No.	State	Status of the Guidelines	Source of Information
16	West Bengal	The Model Guidelines have been (adopted) and circulated to the Districts.	State Government (CD,WC and SW Dept.) letter No. 2972-SW dated 28.08.2014
	UTs		
17	Andaman & Nicobar	It is proposed to adopt the Model Guidelines formulated by the Ministry of Women and Child Development, Government of India.	UT Administration letter No. 4-82/DSW/NCPCR/2011-12/2107 dated 01.08.2014 and letter No. 4-95/DSW/PCSOA/SC&SPP/2013/602 dated 24.02.2015
18	Chandigarh	The Model Guidelines developed by the Ministry of Women and Child Development, Government of India have been adopted by the UT Administration.	UT Administration letter No. 19/1/2012/SWD/DNH/554 dated 17.09.2014.(Page No. 142/58420) No.SW3/2014/7932 dated 11.09.2014
19	Daman and Diu	The matter of adoption of the Model Guidelines developed by the Ministry of Women and Child Development, Government of India, is under process.	UT Administration letter No. 19/1/2012/SWD/DNH/554 dated 17.09.2014
20	NCT of Delhi	The Guidelines developed by the Delhi Commission for Protection of Child Rights have been adopted by the State Government.	State Government (DCD) Letter No. 61(205)/DD(CPU)/DWCD/2010/39731-732 dated 05.02.2015
21	Dadra & Nagar Haveli	The Draft Guidelines have been formulated.	UT Administration letter No. 11/1/2011/RSQ/SWD/DNH/99 dated 27.02.2015

Status of Development of Training Module(s) and Trainings Conducted under the POCSO Act, 2012

Status of Training Modules and Trainings Conducted during 2013-2014			
Sl. No.	State	Particulars	Source of Information
1	Andhra Pradesh	<p>The provisions of the Act had been incorporated in the State and District Training Plan of Integrated Child Protection Scheme.</p> <p>The State Training Institutes have also been requested to incorporate the provisions of the Act in their regular training curriculum and also conduct special course on the Act.</p> <p>The Department conducted two Training Workshops in the month of June 2013 involving Officials of Police, Education, Revenue, Juvenile Welfare Officers and NGOs, and another 4 workshops were planned for the month of July, 2013.</p>	State Government (SWD) vide letter No. 1131/SW.PCR/2013-2 dated 26.04.2013.
2	Chhattisgarh	<p>The detailed schedule of training containing the provisions of the Act has been prepared and circulated to Superintendent of Police on 16.05.2013 to conduct one day training every month for Police from May to October, 2013.</p> <p>Training was conducted for Officers of the Police Headquarters on 12.02.2013 in Raipur; training of Members of Special Juvenile Police Unit was conducted on 22-26 July 2013 at the respective range headquarters.</p> <p>Training conducted by NIPCCD on 16-18 September 2013 in NIPCCD Regional Centre, Indore was attended by Police Officers from the State.</p>	State Government (Dept. of Home) vide letter No. 11964/350/Home-2/Law/2013 dated 11.10.2013
3	Himachal Pradesh	<p>The different Sections of the POCSO Act have been included under the Local and Special Laws in the Syllabus for Promotional Courses as well as basic Induction Courses for Deputy Superintendent of Police and Sub Inspectors.</p> <p>Necessary instructions have been issued to impart training to Police Officers/Officials and Law Officers about the Act.</p> <p>Instructions have also been issued to Superintendent of Police for conducting courses on prevention of crime against children and provisions of the Act. As of 20.08.2013 such Programmes were conducted in Una, Kangra, Chamba, Mandi and Bilaspur districts.</p> <p>State level training programme was organised on 23-24 March 2013 for functionaries of the Integrated Child Protection Scheme and NGOs.</p>	State Government (SJE Dept) letter No. SJE-A-A(3)-2/2013 dated 24.06.2013 and Director General of Police vide letter No. CB-2-12(Juvenile)/2013-21097 dated 20.08.2013

Sl. No.	State	Particulars	Source of Information
4	Haryana	<p>The Department of Women and Child Development was organized a State level Workshop to train master trainers for imparting knowledge and create awareness at district level.</p> <p>The Home Department has been requested to organise intensive training for all Police Officials in the State within 3 months.</p>	State Government (WCD) letter No. 2693-TIA/HSCPS/ICPS/2013 dated 21.05.2013.
5	Kerala	Necessary steps are being taken to impart training to police officers concerned on issues related to child rights and POCSO Act at Kerala Police Academy and Police Training College.	State Government vide letter No. 39228/G3/2013/Home dated 30.01.2014.
6	Maharashtra	The SCPCR Maharashtra was pursuing the matter with Police to provide training to Police Officers about the POCSO Act.	State Govt. (WCD) letter No. 2012/C.R.214/D-3 dated 11.06.2013
7	Meghalaya	Police Training School conducted 4 trainings during 2013 on Child Rights and the POCSO Act, 2012 for police and 2 trainings in 2014. Three-day training on the POCSO Act was conducted on 27-29 July 2015.	Office of Addl. DGP:CID letter No. M/ CID/Cell-V/POCSO/2013/115
8	Madhya Pradesh	<p>The subject was included in the Annual Training Calendar of Naronha Academy, Bhopal.</p> <p>Training was provided to district level Departmental Officials, Medical Officials, Police on 2-6 April 2013 on the provisions of the Act.</p>	State Government (DWCD) vide letter No. 13/ICPC/882 dated 27.05.2013.
9	Odisha	Training Module for DCPU and Odisha Judicial Academy has been formulated and training conducted.	State Government (WCD) letter No. 12708/WCD dated 11.08.2014.
10	Rajasthan	<p>Rajasthan Police Academy had developed training module for training of CWOs.</p> <p>Training Module for police officials had been prepared by Rajasthan Police Academy in consultation with SCPCR.</p> <p>Directions were issued to SPs and Commissioners of all districts by the Director General of Police on 24.01.2013 vide letter No. 789-850 to follow the provisions of the Act.</p> <p>Letter No. 1611 was addressed to the Director General of Police (Training) on 05.03.2013 to provide training about the POCSO Act. In this regard, the Directorate of Training had issued direction to the concerned training institutions to conduct trainings.</p> <p>A two-day training was also organised by Police Training School, Jhalwada on 29-30 April 2013 for Officers about the Act.</p> <p>A two-day session was also organised by Rajasthan Police Academy on 23-24 May 2013 in Jaipur in which training was imparted to 36 Police Officers.</p> <p>Consultations were held between Add. Director General of Police (Training) and Director, Rajasthan Police Academy to prepare training plan for police personnel about the Act.</p>	Stat Government (Home) vide letter No. P.6(27)Home-13/2012dated 10.06.2013 and WCD dated 28.06.2013.

Sl. No.	State	Particulars	Source of Information
11	West Bengal	Sensitisation programme with eminent faculties to sensitise police officers of all police stations in Kolkata on the provisions of the POCSO Act.	State Government (Dept. of Home) vide letter No. 2012-HS/HRC/Misc-14-15 dated 4.11.2013.
	UTs		
12	Andaman & Nicobar	Social Welfare Department had taken up the matter with the Police Department and State Legal Services Authority to take steps for imparting training to Officials of the Department of Police, Judiciary, Law, etc.	UT Administration letter No. 4-95/DSW/POCSO/Act/2012-Part dated 02.05.2013:
13	Chandigarh	The Police Department provided training on provisions of the POCSO Act through Regional Institute of Correctional Administration, Chandigarh.	UT Administration letter No. 6039 dated 18.07.2012.
14	Delhi	<p>A half day orientation programme was organised on 15.01.2013 for CWCs on provisions of the POCSO Act and Rules.</p> <p>Ten day capacity building programme for Senior Police Officers was organised from 4th February to 21st February 2013 on POCSO Act.</p> <p>A half day workshop was organised for Doctors of Government Hospitals on 31.07.2013.</p> <p>The Department of Woman and Child Development organised training programme for CWCs on salient features of the Act and Rules and Role of the Committees.</p> <p>Training and Sensitisation for SHOs and officials of SJ-PU was organised in 10 batches from all Districts in February 2013 on the JJ and POCSO Acts.</p> <p>A workshop for Metropolitan Magistrates/Principal Magistrates was organised on 17.02.2013, 24.02.2013 and 03.03.2013 on Child Psychology to orient the participants and prepare them to effectively deal with children in a child friendly manner.</p> <p>Police Training College of Delhi Police has introduced the POCSO Act in the Syllabus.</p> <p>The Heads of Delhi Police Training School, Delhi Legal Service Authority, Delhi Judicial Academy and Union Territories Civil Service Training Institute have been advised to draw up a calendar of training programmes for their Officers.</p>	State Government (WCD) letter No. D-61(271)/CWC.Com/DD(CPU)/DWCD/VCL-II/2106 dated 13.11.2013 and letter No. 61(313) DD (CPU)/DWCD/2010-11 dated 16.7.2013.

Status of Training Modules and Number of Trainings Conducted during 2014-2015

Sl. No.	State	Particulars	Source of Information
1	Chhattisgarh	Training was imparted at various levels on the provisions of the Act. Division level training programmes were organised in 24 divisions in the State.	State Government (WCD) letter No.220/MCD/ICPS/14-15 dated 30.7.2014
2	Goa	Training Module has been designed by the Victims Assistance Unit for the State of Goa under POCSO Act. Eleven training programmes were conducted on POCSO Act for Judges, Para Legal Professionals, Police, Doctors, University Students and Counsellors. The training programmes were organised by Legal Services Authority, Department of Women and Child Development, Education, etc.	State Government (WCD) letter No.2-632-POCSO/2014/W&CD/00461
3	Jharkhand	Trainings are being provided as per the provisions of Section 39 of the POCSO Act. Two State level and district level trainings were conducted during 2014-15	State Government (SW&CD) letter No.73/2013-600
4	Meghalaya	Training Module has been developed and four training programmes were conducted at Police Training School.	State Govt (Dept. of Social Welfare). letter No. SW(S)69/2012/471 dated 24.9.2014 No. SW(S)56/2006/431 dated 16.3.2015.
5	Madhya Pradesh	Training modules have been designed by the RCVP Naronha Academy of Administration Bhopal and National Law Institute Academy, Bhopal and 10 workshop/trainings were conducted by the State during 2014-15.	State Govt . (WCD) letter No WE/WCD/14-15/ICPS/dated 28.01.2015
6	Odisha	Training Modules for DCPU and Odisha Judicial Academy has been formulated and number of trainings was conducted. Exclusive training were conducted for Presiding Officers (Courts), District Child Protection Units, and Chairperson and Members of the Child Welfare Committee by the Odisha State Child Protection Society.	State Govt (DWCD) letter No. 2708/WCD,WCD-CW-MISC-0361-2013 dated 11.8.2014 and No. WCD-CW-CASE-1001-2015-1140 dated 19.1.2015.
7	Rajasthan	The State Commission for Protection of Child Rights has prepared Modules for Master Trainers to provide training to Police Officials. Workshops were organized in seven districts for training of Police Officers. Regular training is also being conducted by Rajasthan Police Academy on the provisions of the Act.	State Government (CRD) letter No. F. 14(1) ICPS/CRD/14/20635 dated 11.8.2014 and No. F. 31(1) DCR/POCSO/Center/2015 dated 27.1.2015
8	Tamil Nadu	Training Modules have been designed for training of officials of State Government and other concerned persons by SCPs & SPSU on the provisions of POCSO Act. Trainings were organised for Police Officials in 32 districts on the POCSO Act in which 1820 participants were provided training during the year. District level trainings were organised in 32 districts for Teachers, Anganwadi Workers, line departments, NGOs, ICDS staff.	State Government (SW&NMP Dept.) letter No. 8873/SW8(1)/2014-1 dated 24.9.2014 and No. 1258/SW8(1)/2014-1 dated 28.1.2015.
	UTs		
9	Delhi	Training Module has been developed by department of WCD.	State Government (WCD) letter No61(205)//DD(CPU)/DWCD/2010/39731-732 dated 5.2.2015.

Status of Dissemination of Information about the POCSO Act, 2012 (As of 31.03.2015)

Sl. No.	State	Activities Undertaken	Source of Information
1	Andhra Pradesh	The POCSO Act and Rules were published in the Departmental Magazine "Indira Darshani" and were circulated to 91307 Anganwadi Centres. The Information and Public Relations Department had been requested by Dept. of Social Welfare to give adequate publicity about the Act through print and electronic media. A 3-day workshop was organised and the Act had been translated into Telugu and material was prepared for radio talk, posters and stickers were developed on the Act.	State Government vide letter No. Memo. No. 1131/SW.PCR/2013-2 dated 26.04.2013 and No. 2123/SSA/2013-3 dated 24.05.2013
2	Chhattisgarh	Action is being taken to spread awareness by installing hoardings, organising camps and also through different means of mass communication.	State Government vide letter No. 11-2/2013/ek0ck0oh0/50 dated 9.7.213
3	Himachal Pradesh	Press release was circulated for wide publicity; copies of the Act were being supplied to all the Judicial Officers of the State for information and necessary instructions were issued to give wide publicity. The Directorate of Elementary Education also issued directions to all the Deputy Directors and Block Elementary Education Officers to circulate the POCSO Act and Rules vide Office Order No. EDN-H(Ele)(4)4-46/2012-RTE to all the educational institutions in the State to give wide publicity about the Act and also to create awareness about the provisions of the Act specially Sections 19 (1) and 21 of the Act and ensure strict compliance by all the concerned authorities.	State Government vide letter No. SJE-A-A(3)-2/2013 dated 24.06.2013
4	Haryana	A massive publicity campaign regarding the POCSO Act at all levels had been launched; radio jingles were being aired on All India Radio w.e.f. 31.01.2013; posters regarding the Act have been distributed in Anganwadi Centers.	State Government (DWCD) vide letter No. D.O. PSWCD/2013/457 dated 29.03.2013 and D. O. No. 2693/TIA/HSCPS/ICPS/2013 dated 21.05.2013
5	Jammu & Kashmir	Act Not Applicable in the State	
6	Maharashtra	The Maharashtra SCPCR had started awareness campaign by way of organizing workshops, public hearing, training etc.	State Govt. vide letter no. 2012/C.R.214/D-3 dated 11.06.2013
7	Meghalaya	Action has been taken for publicising the provisions of the Act.	State Govt. vide letter No. SW(S)69/2012/252
8	Manipur	The Department of Social Welfare to initiate steps to publicize and disseminate information among children, parents and general public in coordination with the State Legal Services Authority.	State Govt. vide letter No. 6/48/2012-S(SW) dated 6.7.2013

Sl. No.	State	Activities Undertaken	Source of Information
9	Punjab	Publicity at the grassroot levels is being done by the District and Block level Officials and Radio Jingles are being broadcast on Radio Channels.	State Government (SS and WCD) vide letter No. II/-01(SS)2013/13284 dated 7.6.2013
10	Rajasthan	The Rajasthan SCPCR had taken initiative to create awareness and organize orientation workshops for all the stakeholders.	State Govt. vide letter No. F(16)/DWE/POCSOA/2012/44445 dated 28.6.2013
11	Tamil Nadu	Awareness Brochures had been developed for dissemination to public at large through District Child Protection Units. Efforts for publicizing the Act through print and visual media on regular basis planned covering different stakeholders.	State Government (Social Welfare) vide letter No. 118/SW8(1)/2013-3 dated 30.4.2013
	UTs		
12	Andaman & Nicobar	Awareness Camps were planned for dissemination of information amongst children.	UT Administration letter dated 2.05.2013
13	Chandigarh	An orientation workshop on child rights and POSCO Act was organised on 10 May 2013 with 120 Principals of the Government and Private Schools. An orientation programme on Child Rights was organised for Child Welfare Officers of the Chandigarh Police on 25.06.2013 which was attended by all CWOs, Chairpersons and Members of the CWCs and DSPs.	As per information provided by the UT Administration vide letter No. 6039 dated 18.07.2012
14	Delhi	Public Notice was published in leading news papers on 26.04.2013 for wide publicity of the Act. A half-day interface/session with Media was also organised by DWCD on 20.09.2013.	State Government letter No. 61(313) DD(CPU)/DWCD/2010-11 dated 16.7.2013 and dated 13.11.2013

ACTIVITIES CONDUCTED DURING 2014-15

1	Chhattisgarh	(i) Twenty four divisional level training and awareness programmes were organized (ii) Training and awareness camps were organized in twenty five hundred gram panchayats (iii) Integrated programme is being implemented in hostels and residential schools for prevention of sexual abuse.	State Government letter No.220/MCD/ICPS/14-15 dated 30.7.2014. State Government letter No.220-10465/MCD/ICPS/14-15 dated 24.2.2015
2	Goa	(i) Consultation were organized with State Governments, stakeholders, Senior Police Officials, Departmental Heads and concerned Agencies. (ii) Workshop on POSCO Act was organized in collaboration with Goa Police (iii) One day orientation programme on the dynamics of Child Sexual Abuse was held. (iv) Twelve awareness programme were organised.	State Government vide letter No.2-632-POCSO/2014/W&CD/00461

Sl. No.	State	Activities Undertaken	Source of Information
3	Jharkhand	(i) State Welfare Department in collaboration with UNICEF has conducted behavioural awareness programme for adolescents in two hundred thirty two schools of twenty four districts (ii) Programmes were conducted under ICPS for effective implementation of POCSO Act (iii) IEC material was developed jointly by State Government, Jharkhand Police, State Legal Service Authority and UNICEF to spread awareness about child protection, prevention of child abuse etc.	State Government letters No.73/2013-600 and No.73/2013-600
4	Meghalaya	State orientation workshop organized by NIPCCD in collaboration with State Social Welfare Department via ICPS was held on 20.8.2014	State Govt (Dept. of Social Welfare). letter No. SW(S)69/2012/471 dated 24.9.2014
5	Madhya Pradesh	Awareness through Doordarshan, Phone-in programmes, advertisements, workshops/seminars and hoardings.	State Govt letter No WE/WCD/14-15/ICPS/dated 28.1.2015
6	Mizoram	Awareness programmes were conducted at district level by DCPU in eight districts. Programme held on POCSO Act on AIR. IEC material for spreading awareness on POCSO Act was developed. Sensitization and capacity building by DCPU in three districts.	State Govt (Dept. of Social Welfare). vide letter No C 18015/19/06- DTE(SW) dated 29.1.2015
7	Odisha	Awareness of POCSO Act among children, parents and general public is taken up as a part of Information, Education, Communication activities for various Schemes of Child Welfare and Child Protection Guidelines on Child Safe Environment have been issued.	State Govt. (Dept. of Women and Child Development) letter No. 12708/WCD,WCD-CW-MISC-0361-2013 dated 11.8.2014 State Govt (Dept. of Women and Child Development) vide letter No. WCD-CW-CASE-1001-2015-1140 dated 19.1.2015
8	Rajasthan	(i) Campaign was planned on child violence by Rajasthan Child Rights Commission. A booklet on POCSO Act was also published and circulated to District Collectors and Police Superintendents (ii) Meetings were held with Legal Aid Services and Commission to promote awareness of POCSO Act.	State Government vide letter No. F.14(1) ICPS/CRD/14/20635. State Government vide letter No. F. 31(1) DCR/POCSO/Center/2015 dated 27.1.2015
9	Sikkim	The Sikkim Commission for Protection of Child Rights has been conducting various awareness programmes on POSCO Act.	State Government vide letter No. 192/2014-15/WSCDD dated 16.8.14
10	Tamil Nadu	(i) Awareness Programme was organized in 32 districts by DCPU on POCSO Act. (ii) Rallies on POCSO Act were organized in 32 districts. (iii) Numerous awareness programmes were conducted at district level (iv) Brochure, posters and booklet were developed as IEC material by the State (v) Rallies, Street Plays, Magic Shows, Cultural Programmes have been conducted in thirty-two districts.	State Government vide letter No. 8873/SW8(1)/2014-1 dated 24.9.2014 State Government vide letter No. 1258/SW8(1)/2014-1 dated 28.1.2015
11	West Bengal	A State level Consultation was organised on POCSO Act.	State Government vide letter No. 2972-SW dated 28.8.2014

Sl. No.	State	Activities Undertaken	Source of Information
	UTs		
12	Andaman & Nicobar	Awareness training programme was conducted for the police personnel at the Police Training School.	UT Administration letter No. 4-82/DSW/NCPCR/2011-12/2107 dated 1.8.2014
13	Chandigarh	Twenty two awareness Workshops and Training Programmes were organized from 25 th June, 2013 to 29 th August, 2014	UT Administration letter no. SW3/2014/10016 dated 10.11.2014
14	Delhi	The IEC material has been developed for spreading awareness and also disseminated.	State Government (WCD) letter No61(205)/DD(CPU)/DWCD/2010/39731-732 dated 5.2.2015

Status of Notification of Victim Compensation Scheme (As of 31.03.2015)

Sl. No.	State/UT	Particulars	Source of Information
1	Arunachal Pradesh	The Government of Arunachal Pradesh has notified Victim Compensation Scheme 2011 vide Notification No. MB(B)37/97 dated 24.01.2012	State Government (DWCD) vide letter no SWCD-27/2011(Act) dated 08.08.2013
2	Chhattisgarh	The directions have been issued to pay compensation from the Victim Compensation Fund set up by the State Govt.	State Govt. (WCD) Letter No. F.11-2/2013/e0ck0oh/50 dated 9.7.2013.
3	Goa	The State Government has formulated The Goa Victim Compensation Scheme, 2012 vide notification No. 24/18/2013-HD(G) dated 17.12.2012.	State Government (WCD) Letter No. 2-632-POCSO/2014/W&CD/00461.
4	Gujarat	The Gujarat Victim Compensation Scheme 2013 was notified on 05.01.2013 vide notification No. GG/01/SB-2/COM/132011/GAD/165605.	State Government (Home) vide Letter No.SB.II/COM/132011/165605 dated 27.07.2013
5	Himachal Pradesh	The Himachal Pradesh (Victim of Crime) Compensation Scheme 2012 notified on 6.9.2012 and Himachal Pradesh Financial Assistance and Support Services to Victims of Rape Scheme 2012".	State Government (SJ&E) vide Letter No. SJE-A-A(3)-2/2013 dated 07.06.2013.
6	Haryana	The State Government had notified Victim Compensation Scheme on 03.04.2013.	State Government (Dept. of Home) letter No. 2/145/2013-1/HGIV dated 29.04.2013.
7	Karnataka	The State Government notified Karnataka Victim Compensation Scheme 2011 vide Notification Number HD 1 PCB 2011 dated 22.02.2012 which was revised on 30.03.2015 vide Notification Number FD 215 Exp-11:2015 dated 30.03.2015.	State Government (Dept. of Home) vide letter No. D. O. No. HD-14-COD 2013 dated 22.04.2013 and Police Department Letter No. CRM-6/89/SMS/2015 dated 11.08.2015.
8	Kerala	The Kerala Victim Compensation Scheme has been introduced in the State which has come into effect from 25.02.2014.	State Legal Services Authority Letter No. 957 dated 06.08.2014.
9	Meghalaya	The State Government has notified Meghalaya Victim Compensation Scheme vide Govt. Notification No. POL.191/2004/PT-I/135 on 20.03.2012.	State Govt. (Home) Letter No. SW(S)69/2012/252 dated 5.7.2013 and Department of Home (Police) Letter No. HPL-244/2012/PT/25 dated 03.10.2013.
10	Mizoram	The Mizoram Victims of Crime Compensation Scheme, 2011 has been framed and notified in the Gazette on 14.12.2011.	State Government (SW) vide Letter No. B-12017/33/11-SWD dated 03.06.2013
11	Nagaland	The Nagaland Victim Compensation Scheme has been notified vide Notification No. CON-1/G/6/2011 dated 30.09.2013.	State Government (SWD) Letter No. SW/JUV-09/17/2011 dated 24.09.2014
12	Odisha	The Odisha State Victim Compensation Scheme had been formulated under Section 357 A of Cr. PC and extended to Victims of POCSO.	State Government letter No. (DWCD) letter No. WCD-CW-MISC-0217-2012-2950 dated 2.2.2013 and No. 12708/WCD-MISC-1361-2013 dated 11.08.2014.
13	Punjab	The State Government has set up Victim Compensation Scheme under Section 157 of the Cr. PC.	State Government (SW and WCD) Letter No. JJA-1(SS)2013/13284 dated 07.06.2013.

Sl. No.	State/UT	Particulars	Source of Information
14	Sikkim	The Sikkim Compensation to Victim or Dependents Scheme, 2011 was notified vide Government Gazette Notification No.50/ Home/2011 dated 24.06.2011	Sikkim Police (CID) Letter No. 0803/PDI / CID/AHTU/1961 dated 12.08.2015.
15	Tamil Nadu	Victim Compensation Scheme has been formulated.	State Government (SW&NMP) No. 8873/SW8(1)/2014-1 dated 24.09.2014.
16	Tripura	The Tripura Victim Compensation Scheme, 2012 had been framed w.e.f. 15.08.2012	State Government (SW and E Department) Letter No. F. 87(2-8)/CW/DSWE/2010/994 dated 5.6.2013
17	Uttarakhand	The Government of Uttarkhand has notified the Uttarakhand Victims from Crime Assistance Scheme, 2013 vide Notification No. 4520/XX-03-2012-05(09) 2011 dated 16.02.2013.	Uttarkhand State Legal Services Authority Letter No. 677/SLSA/2014 dated 10.09.2014.
UTs			
18	Andaman & Nicobar Islands	Andaman and Nicobar Islands Victim Assistance Scheme, 2012 under Section 357 A of Cr. PC has been notified on 28.09.2012.	UT Administration Letter No. 4-95/ DSW/POCSO/Act/2012-Part/1030 dated 02.05.2013
19	Chandigarh	UT Administration has notified Victim Compensation Fund under Section 357 of the Cr. PC vide Notification No. HIII(2)-2012/16810 dated 03.09.2012.	UT Administration vide Letter No. 6039 dated 18.07.2012.
20	Delhi	Victim Compensation Scheme, 2011 had been notified.	State Government vide Letter No. F-11/31/2010/HP-II/6161 dated 02.08.2013.
21	Puducherry	The Government of Puducherry has notified the Union Territory of Puducherry Victim Assistance Scheme 2012 by G.O. Ms. No. 8 dated 04.02.2013	UT Legal Services Authority Letter No. 345/2014/A1-UTPLSA dated 17.07.2014

Number of Cases in which Victim was awarded Compensation and was also received till 31.03.2014

Sl. No.	State/UT	Number of Cases in which the Special Court awarded Compensation	Number of Applications received by District Legal Services Authority (DLSA)	Number of Cases in which Victims have actually received the Compensation	Source of information
1	Arunachal Pradesh	0	3	2	State Legal Services Authority Letter No. PSLSA-11/2014/73 dated 15.08.2014
2	Assam	2	14	5	State Legal Services Authority Letter No. ASLSA 23/2014/2587 dated 21.08.2014
3	Bihar	8	7	2	State Legal Services Authority Letter No. 223 NPA/BSLA/1059 dated 11.07.2014
4	Chhattisgarh	6	Nil	Nil	State Legal Services Authority Letter No. 577/V-06-01/2012 dated 19.06.2014
5	Goa	Nil	Nil	Nil	State Legal Services Authority Letter No. GSLSA/Misc.2014/789 dated 23.07.2014
6	Himachal Pradesh	-	-	-	State Legal Services Authority Letter No. 14-LSA/POCSO/2014/3353 dated 24.09.2014
7	Haryana	11	10	15	State Legal Services Authority Letter No.14931/2014/MS/HSLA dated 24.07.2014
8	Jharkhand	Nil	Nil	Nil	State Legal Services Authority Letter No. JHALSA/819 dated 26.08.2014
9	Karnataka	Nil	8	5	State Legal Services Authority Letter No. 154/PEB/2014 dated 06.06.2014
10	Kerala	-	-	-	State Legal Services Authority Letter No. dated 06.08.2014
11	Madhya Pradesh	Scheme not notified	-	-	State Legal Services Authority Letter No. 03/Comp/SLSA/864/2014 dated 18.06.2014
12	Maharashtra	10	0	0	State Legal Services Authority Letter No. MLSA/2014/877 dated 03.07.2014
13	Meghalaya	Nil	13	4	State Legal Services Authority Letter No.MSLSA 29/2012/109 dated 11.09.2014
14	Mizoram	3	3	Nil	State Legal Services Authority Letter No. 2017/14/20123-SLSA/228 dated 12.06.2014

Sl. No.	State/UT	Number of Cases in which the Special Court awarded Compensation	Number of Applications received by District Legal Services Authority (DLSA)	Number of Cases in which Victims have actually received the Compensation	Source of information
15	Nagaland	Nil	Nil	Nil	State Legal Services Authority Letter No.NLSLA/POCSO/2014-15 dated 17.06.2014
16	Odisha	5	54	19	State Legal Services Authority Letter No. 3263 dated 29.09.2014
17	Punjab	35	41	7	State Legal Services Authority Letter No. 7544 dated 01.08.2014
18	Rajasthan	15	117	16	State Legal Services Authority Letter No. RLSLA/Scheme/2014/14760 dated 01.10.2014
19	Sikkim	Nil	Nil	Nil	State Legal Services Authority Letter No. 894/SLSA/556 dated 10.07.2014
20	Tamil Nadu	2	2	1	State Legal Services Authority Letter No. TNSLSA No. 3767/S3/2014 dated 17.09.2014
21	Tripura	Nil	Nil	Nil	State Legal Services Authority Letter No.1(34)-Law/TLSLA/AGT/Estt/11/1017 dated 3.07.2014
22	Uttarakhand	5	4	0	State Legal Services Authority Letter No. 677/slsa/2014 dated 10.09.2014
23	West Bengal	Nil	Nil	Nil	State Legal Services Authority Letter No. 1920/SLSA-164/2013 dated 22.07.2014
UTs					
24	Andaman and Nicobar Islands	Nil	Nil	Nil	State Legal Services Authority Letter No. 6-51/2014/Legal dated 04.08.2014
25	Chandigarh	Nil	Nil	Nil	State Legal Services Authority Letter No. SLSA/UT/2014/5198 dated 30.09.2014
26	Daman and Diu	Nil	Nil	Nil	State Legal Services Authority Letter No.CJSD-CJM.POCSO/DIU/2014/692 dated 07.010.2014
27	Dadar and Nagar Haveli	Nil	Nil	Nil	State Legal Services Authority Letter No. DC/DNH/POCSO/2014/634 dated 11.06.2014
28	Puducherry	Nil	Nil	Nil	345/5014/A1-UTPLSA dated 17.07.2014

Number of Cases Pending Trial for more than One Year (As on 31.03.2015)

Sl. No.	State/UT	Number of Cases	Source of Information
1	Andhra Pradesh/ Telangana	6	High Court of Andhra Pradesh Letter No. ROC.No.1452/SO-5/2014 dated 10.09.2014
2	Bihar	47	Patna High Court Letter No. 49580/Admin dated 17.09.2014
3	Chhattisgarh	175	High Court of Chhattisgarh Letter No. 3995/II-6-2/2014 dated 12.08.2014
4	Goa	61	High Court of Mumbai Letter No. A9Spl./Misc/201/2014 dated 16.08.2014
5	Gujarat	21	High Court of Gujarat Letter No. D-2917/2014 dated 23.07.14
6	Himachal Pradesh	12	High Court of Himachal Pradesh Letter No. HHC/ Admin.10(155)/92-XVI-24102 dated 2.8.2014
7	Haryana	15	Punjab and Haryana High Court Letter No. 731/Spl./Gaz. II(10G/15G) dated 18.09.2014
8	Jharkhand	24	High Court of Jharkhand Letter No. 1550/R&S dated 26.07.2014
9	Karnataka	123	High Court of Karnataka Letter No. RDB:102/2014 dated 8.8.2014
10	Maharashtra	720	High Court of Mumbai Letter No. A9Spl./Misc/201/2014 dated 16.08.2014
11	Meghalaya	6	High Court of Meghalaya Letter No. HCM II/166/2014/2269 dated 30.08.14
12	Manipur	0	High Court of Manipur Letter No. HCM-II/87-Estt.15619 dated 26.09.2014
13	Madhya Pradesh	422	High Court of Madhya Pradesh Letter No. 1394 III-6-5/10 dated 05.10.14
14	Odisha	191	High Court of Odisha Letter No. 6519 dated 25.07.2014
15	Punjab	29	Punjab and Haryana High Court Letter No. 731/Spl./Gaz. II(10G/15G) dated 18.09.2014
16	Rajasthan	282	Rajasthan High Court Letter No. Gen/XV/Ref./73/2014/13710 dated 18.09.2014
17	Sikkim	1	High Court of Sikkim Letter No. 4(15)Conf./HCS/4560 dated 25.07.2014
18	Tripura	0	High Court of Tripura Letter No. F.4(26)-HC/2001-14/11885 dated 31.07.14
19	Uttarakhand	2	High Court of Uttarakhand Letter No. 3672 UHC/DR(I)/2014 dated 31.07.2014

Sl. No.	State/UT	Number of Cases	Source of Information
20	Uttar Pradesh	1119	High Court at Allahabad Letter No. 14903/Admin E-II dated 17.10.2014
21	West Bengal	73	High Court at Calcutta Memo No.36963 dated 28.06.2014
22	Andaman & Nicobar Islands	2	High Court at Calcutta Memo No.36963 dated 28.06.2014
23	Chandigarh	0	Punjab and Haryana High Court Letter No. 731/Spl./Gaz. II(10G/15G) dated 18.09.2014
24	Daman and Diu	0	High Court of Mumbai Letter No. A9Spl.)/Misc/201/2014 dated 16.08.2014
25	Delhi	721	Delhi High Court Letter No. 3295/DHC/Gaz/G-2/2014 dated 28.08.2014
26	Dadra and Nagal Haveli	0	High Court of Mumbai Letter No. A9Spl.)/Misc/201/2014 dated 16.08.2014
	Total	4052	