



BENCH REPORT

**KANGRA
HIMACHAL PRADESH**

28th June, 2019

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
NEW DELHI

Working Report

I. INTRODUCTION

National Commission for Protection of Child Rights (NCPCR) conducted its second bench at Dharamshala in Himachal Pradesh. The commission received 26 complaints from three districts- Chamba, Kangra and Una. The Commission conducted various meetings and inspections before the sitting of the bench. The Himachal Pradesh State Commission for Protection of Child Rights (HPSCPCR) helped the Commission in conducting the bench at Dharamshala.

S.NO	TOTAL NUMBER OF CASES	TOTAL NUMBER
1	Cases heard by the Bench	26
2	Cases submitted by the district officials	0
3	Cases registered but not heard	0
	TOTAL	26

II. BEFORE THE SITTING OF THE BENCH

NCPCR team visited District Zonal Hospital, Children Home and Open Shelter for children at Dharamshala and took suo motu cognizance on the matters pertaining to child right violation. The key findings from the visit are:-

KEY FINDINGS

DISTRICT ZONAL HOSPITAL

- Hospital was in deplorable condition. There was no proper medical staff and those staff members who were working would leave the premise early.
- Around 4-5 children were lying in the same bed. There was lack of infrastructure facilities/.
- There was no security staff at the hospital, easy access to anyone at children ward was visible.
- Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) board was displayed at the hospital.

CHILDREN HOME

- Children home was well maintained and proper facilities were provided to children living in

the home. But the Commission found several violations at Child Care Home:-

- Superintendent/ Head of the Child Home were not present.
- Children were being placed without the order of Child Welfare Committee.
- There was no proper documentation of the children. Individual register was not maintained.

OPEN SHELTER

- The shelter home was consisted of two rooms, no proper separation was made between those rooms. It was also observed that boys and girls were living together.
- No individual file or register of children were maintained.

NGO CONSULTATION MEETING

On 26th June 2019, the National Commission for Protection of Child Rights conducted an NGO meet at District Collectorate Office, Dharamshala.

NCPCR team along with Smt. Kusum Verma chaired the meeting with the NGO's. Out of 99 NGO's working in district of Kangra, Chamba and Una, no NGO turned up for the meeting. Four NGO's who were not registered in the Niti Aayog Darpan portal came to the consultation meet. During the meeting, the NCPCR team informed the NGO's about the objective and



purpose of constituting a national bench related to child rights violations in the district. The team also informed the respective NGO's about the roles and responsibilities of the commission and work done by the commission all over the years in protecting and preserving the rights of children.

S.NO	NAME OF THE DISTRICTS	TOTAL NO. OF NGO'S	NGO'S ATTENDEND THE MEETING
1	Kangra	67	4
2	Chamba	20	0
3	Una	12	0
	TOTAL	99	0

The name of the NGO's who participated before and during the bench were: -

S.NO	NAME OF THE NGO'S	DISTRICT
------	-------------------	----------

1	Suryaunday Charitable Trust	Kangra
2	RIDC Palampur	Kangra
3	Zila Parivaar	Kangra
4	Harmony Through Education	Kangra

MEETING WITH DISTRICT ADMINISTRATION

On 26th June 2019, NCPCR conducted a meeting with Additional District Collectorate about the arrangements for the sitting of the bench along with the Member of HPSCPCR. After the meeting with the ADC Smt. Kusum Verma and NCPCR team briefed the office staff of district administration about their roles and responsibilities during the sitting of the bench.



ON THE DAY OF THE SITTING OF THE BENCH



The National Bench of NCPCR was organised at Dharamshala, Kangra on 28th June 2019. The bench consisted of Shri. Yashwant Jain and Smt. Rosy Taba, Honorable Members of National Commission for the Protection of Child Rights (NCPCR) along with Smt. Kusum Verma, Member of Himachal Pradesh State Commission for Protection of Child Rights (HPSCPCR). The bench received 26 complaints from the Kangra, Chamba and Una districts.

The Himachal Pradesh bench received 26 complaints from Kangra, Chamba and Una. The complaints are segregated on two levels:-

- a) District Wise
- b) Area Wise

DISTRICT WISE

As per the data the bench received 17 complaints from Kangra, 6 from Chamba and 3 from Una district.

S.NO.	NAME OF THE DISTRICTS	NO. OF COMPLAINTS
1	Kangra	17
2	Chamba	6
3	Una	3
	TOTAL	26

Area Wise (Under CPC Act, 2005)

Complaints are segregated based on the 6 areas that come under section 3 of CPC Act, 2005. The highest numbers of cases were registered under Juvenile Justice which was 17, 6 complaints were registered under Education, 1 complaint under Laws relating to Children and 1 complaint under Health.

S.NO.	DEPARTMENTS	TOTAL COMPLAINTS
1	Juvenile Justice	17
2	Education	6
3	Laws relating to Children (POCSO)	1
4	Health	1

	TOTAL	26
--	--------------	-----------

DISCLAIMER: The data presented above is the initial data as per the day of the Camp/ Bench.

COMPLAINT ANALYSIS

Juvenile Justice

The bench received 16 complaints from the districts. The complaints are further divided into 5 sections: -

SECTION	NATURE OF COMPLAINTS	TOTAL COMPLAINTS
1	Cases related to safety of child	4
2	Cases related Child Begging & Abuse	2
3	Financial & Education Assistance	2
4	Issues related to Children's Homes	2
5	Other related complaints	6
	TOTAL	16

HIGHLIGHTS OF COMPLAINTS

- In section 1- Three cases were registered regarding the issues related to child's safety- Child safety in child care home, safety and educational facility for the children of migrant laborers, missing child and father abducted his children and who were not safe with the him.
- In section 2- Two cases of totally different nature were registered- one case was regarding the child begging and abuse in Mcleodganj and one complaint was related to child sexual abuse.
- In section 3: Two cases were registered where complainant demanding financial and education assistance for their children.
- In section 4: Two suo motu cognizances were taken in two different child care institutions working in Kangra. One Child care home had not properly maintained the files of the children staying in those homes. Other complaint highlighted the non-availability of separate rooms for girls and boys. The files of the children living in the children's home were not maintained.
- In section 5: Six complaints were registered of diverse nature:-

Two complaints related with the issue of ration card for the family, one complaint was about issuing Aadhar card for a child. Another complaint was registered by the Childline, Chamba and highlighted the

issue of serious negligence by the CWC in taking care of children in need of special care & protection and last case was about the custody of the child.

Education

Education department received 7 complaints from the districts. The nature of complaints related to education department was of a student who was beaten up in school. There was complaint regarding registration of children's family in Chamba, family was not taking proper care of the child. Similarly, two complaints were about violation of rules by the school bus, complaint of fee hike in school and lack of teachers in middle school was registered.

Laws relating to Children (POCSO)

One case was registered under POCSO in which three minor girls were abused by a group of men and the complainant had requested the bench to expedite the case.

Health

One suo motu cognizance was taken against the district zonal hospital in Dharamshala. The Hospital was in deplorable condition. There was no proper medical staff in the hospital and those who are working would leave the premise at 4'0 clock. Around 4-5 children are lying in the same bed. There was no security staff at the hospital giving free access to anyone at the children's ward

COMPLAINT ANALYSIS ACCORDING TO NITI AAYOG INDICATORS

The National bench of NCPCR is being conducted in those districts which are declared 'Aspirational' by NITI Aayog. The NITI Aayog analysed these districts based on 49 indicators segregated in five sectors- Health, Education, Agriculture & Water resources, Financial Inclusion and Basic Infrastructure. Since, NCPCR has a mandate to take complaints in the matters related to child rights violations. Therefore, the Commission has placed its focus on few key sectors like- Education, Health & Nutrition specifically focusing on the facilities provided to children. List of complaints as per the Niti Aayog Indicators are given below:

S.NO	SECTOR	NITI AAYOG INDICATORS	COMPLAINTS RECEIVED BASED ON THE INDICATORS	DISTRICT
-------------	---------------	------------------------------	--	-----------------

1	EDUCATION	Percentage of elementary schools complying with RTE specified Pupil Teacher Ratio	Lack of teachers in middle school	Chamba
2	HEALTH	-	No proper medical staff in the District Zonal hospital and staff would leave the premise at 4'0 clock. 4-5 children are lying in the same bed. Non-availability of security staff at the hospital giving free access to anyone at the children ward.	Kangra

SENSITIZATION PROGRAMME OF ANGANWADI WORKERS After the bench, the Commission organised a sensitization programme for Anganwadi Workers. More than 30 Anganwadi workers were present for the programme. The programme was chaired by Shri. Yashwant Jain and Smt. Rosy Taba, Honorable Members of National Commission for the Protection of Child Rights (NCPCR) along with Smt. Kusum Verma, Member of Himachal Pradesh State Commission for Protection of Child Rights (HPSCPCR) and Sh. Raghav Sharma, ADC, Kangra. The key highlights of the programme:-

- To sensitize them about how to handle cases of child sexual abuse
- To sensitize them about the mandate of NCPCR



CHILDLINE

Childline helped the Commission in conducting the bench at Kangra. Various tasks such as registering the complaints brought by the complainants, helped in writing the complaints for the complainants were taken up by childline. The childline was active during the bench and provided all the necessary assistance required for the bench.

CONCLUSION

The bench received very low number of complaints from the districts. Compare the data from other benches; Himachal Pradesh has performed low with only 26 complaints being registered by the bench. The team from Commission did not find any notices or any pamphlet near the area of the district administration. The gap could be identifying by the District Administration in reaching to wider audiences. After the completion of the bench a meeting was conducted by the Members of NCPCR for Anganwadi Workers. Similarly, a press briefing was held where members informed the journalists about the objective of conducting and role of media in helping the Commission in bringing out complaints from the respective districts.

ANNEXURE

S.No.	Name of NGO	Contact details
1	Sachin Sharma, Surya Udy Charitable Trust	9816708195 9816900199 survauday21@gmail.com
2.	RTDC Palampur (Nanki Bhardwaj)	9318807933/8894090626 rtdevag@gmail.com
3	Trustee Harmony through Education	9418466075/9418097336 diplomatkangra@gmail.com