



Annual Report 2021-2022

National Commission for Protection of Child Rights

5th Floor Chanderlok Building Janpath, New Delhi



ANNUAL REPORT 2021-22

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

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FOREWORD

Azadi ka Amrit Mahotsav - a festival of awakening of the nation provided a unique opportunity for the Commission to celebrate the glory of the nation with the commitment to make a New India by providing a healthy and protected childhood for the children in the country. The year was not only the occasion of celebration but also an occasion of retrospection to come up with new ideas, take resolutions and re-affirm our commitment to achieve our goals. During this period of Azadi ka Amrit Mahotsav, the Commission also framed its motto “भविष्यो रक्षति रक्षितः” - The Future protects those who protect it. Indeed, protection and wellbeing of children in a way defines the destiny of the nation. Thus the motto of the Commission aptly expresses the soul of its functions and roles it plays.

Hon'ble Prime Minister of India while addressing the students during Pariksha pe Charcha at Talkatora Stadium, New Delhi echoed the sentiment of collective commitment to make a great India for the new generation. He highlighted that in year 2047, the nation would be celebrating its 100 years of independence and the children of this generation would be in leadership positions in governing this country. Keeping this in mind, the Commission endeavors to ensure that the children of this generation enjoy their rights and opportunities for their overall development so that they can make a New India – a great nation.

Undoubtedly, COVID 19 posed a threat to human health and survival but also taught many lessons in a hard way which urged us to focus on some of the fundamental issues like; child health infrastructure, children in institutional care, emergency response, better methods of providing education, addressing emotional health of children, convergence and collaboration for effective outcomes. A concerted effort and emphasis was laid on the children who had become orphans or lost either of the parents to COVID 19 or otherwise. There are 1,62,324 children registered on the Baal Swaraj Covid Care portal and the Commission is examining their cases. Wherever there is a need of intervention on part of NCPCR, letters are being issued to the District Magistrates for ensuring that all children are receiving benefits and rehabilitated in suitable manner. This Commission has been stressing upon the family centric approaches as one of the core principles of child protection in Indian context. Most children have been happily amalgamated in the family environment.

The reach of the Commission has multiplied in recent years and now connected with over two lakh children including the cases of complaints, children who had become orphans or lost either of the parents to COVID 19 or otherwise and children in street situations. Digitization has been a great enabler for the Commission in extending child protection services needing minimum human resource. This has also removed many bottlenecks and helped authorities and stakeholders to work in a convergent manner. The Commission has adopted a zero tolerance policy in terms of sexual abuse of children in any institution and ensures to send team/personnel for first hand spot inquiry.

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drugs and substance have been addressed comprehensively with structured interventions and appropriate mechanism.

The Commission has been receiving continuous support from the Government of India led by Hon'ble Prime Minister Shri Narendra Modi. The presence and guidance of Smt. Smriti Zubin Irani, Hon'ble Minister of WCD, Government of India and Secretary Shri Indivar Pandey in various programmes of NCPCR conducted in 2021-22 shows their commitment towards child protection and to the Commission. I would like to express my heartfelt gratitude to the Hon'ble Minister of Women and Child Development and her team in the Ministry.

The year 2021-22 has also witnessed as a year of convergence and collaborations with Ministries/Departments of Central and State Governments, SCPCRs, District administration and Departments, Child protection system including CWCs, DCPUs, Authorities and Institutions like; Narcotics Control Bureau (NCB), National Forensic Sciences University (NFSU), Sardar Vallabh bhai Patel National Police Academy (SVPNPA), Bureau of Police Research & Development, National Legal Services Authority (NALSA) and various other authorities, duty bearers and stakeholders. Commission has also responded to the questions raised by the Hon'ble Parliamentarians and provided its inputs in various Parliamentary Committees. The spirit of convergence, collaboration and cooperation will surely help bringing a new dawn with respect to child protection in the "Amrit Kaal- from India at 75 to India at 100"

I take this opportunity to acknowledge the cooperation received from the Members of the Commission in the year under report. A special acknowledgement to Mrs. Rupali Banerjee Singh, Member Secretary for ensuring administrative support in executing the decisions of the Commission and to carry out the functions and statutory roles of the Commission. Consultants have been the backbone and strong pillars of the Commission who tirelessly perform their roles and responsibilities. They are self-motivated and committed towards the cause of children.

Overall, the year has been a year of retrospection also to prepare a road map for the Amrit Kaal- from India at 75 to India at 100 in the areas of child protection based on our reflection on what we have learned, the path we have covered so far and how to proceed further. In all our endeavours support from all corners including the ministries, departments, authorities, agencies, institutions, organizations, civil society, duty bearers, stakeholders, parents and children is the key to success.

Lastly, CHILDREN ARE SPECIAL and it is my humble request to all the citizens of the country to help creating a child friendly environment and be mindful of the needs of all categories of children, for every child counts in BUILDING A GREAT NATION.

Jai Hind !!



(Priyank Kanoongo)
Chairperson

Abbreviations

AAC	Alternative Academic Calendar
ABEOs	Assistant Block Education Officers
AIIMS	All India Institute of Medical Sciences
AKAM	Azadi Ka Amrit Mahotsav
ANMs	Auxiliary Nurse Midwives
ART	Antiretroviral Treatment
ASHA	Accredited Social Health Activist
AWW	Anganwadi Workers
BAC	Behavioral Addictions Clinic
BBBP	Beti Bachao Beti Padhao
BEOs	Block Education Officers
BRCCs	Block Resource Centre Coordinators
BSF	Border Security Force
CAA	Citizenship (Amendment) Act
CAPF	Central Armed Police Forces
CBI	Central Bureau of Investigation
CBSE	Central Board of Secondary Education
CCIs	Child Care Institutions
CISS	Children in Street Situations
CNCP	Child in Need of Care & Protection
CPCR	Commissions for Protection of Child Rights
CPGRAMS	Centralized Public Grievance Redress and Monitoring System
CRCCs	Cluster Resource Centre Coordinators
CSA	Child Sexual Abuse
CSO	Civil Society Organization
CTVS	Cardiovascular and Thoracic Surgery
CWC	Child Welfare Committee
DCP	Deputy Commissioner of Police
DCPU _s	District Child Protection Units
DGHS	Directorate General of Health Services
DIET _s	District Institutes of Education and Training
DLSA	District Legal Services Authority
DSP	Deputy Superintendent of Police
ECCE	Early Childhood Care and Education
EOI	Expression of Interest
ETS	Emergency Transport Service
EWS	Economically Weaker Section
FAA	First Appellate Authority

FCRA	Foreign Contribution (Regulation) Act
FIR	First Information Report
I-CAN	India Co-win Action Network
ICAR	Indian Council of Agricultural Research
ICDS	Integrated Child Development Scheme
ICMR	Indian Council of Medical Research
ICP	Individual Care Plan
ICPS	Integrated Child Protection Scheme
IEC	Information Education & Communication
IHBAS	Institute of Human Behaviour and Allied Sciences
ILO	International Labour Organization
INA	Integrated Nodal Agency
IPC	Indian Penal Code
IRCA	Integrated Rehabilitation Centre's for Addicts
J&K	Jammu and Kashmir
JAP	Joint Action Plan
JJ Act	Juvenile Justice (Care and Protection of Children) Act, 2015
JJB	Juvenile Justice Board
KVS	Kendriya Vidyalaya Samiti
LRC	Laws Related to Children
MAM	Moderate Acute Malnutrition
MCPCR	Manipur Commission for Protection of Child Rights
MEITY	Ministry of Electronics and Information Technology
MHA	Ministry of Home Affairs
MIS	Management Information Systems
MOC	Missionaries of Charity (MOC)
MOHFW	Ministry of Health and Family Welfare
MoSJ & E	Ministry of Social Justice and Empowerment
MoS	Minister of State
MWCD	Ministry of Women and Child Development
NALSA	National Legal Services Authority
NCB	Narcotics Control Bureau
NCC	National Cadet Corps
NCERT	National Council of Educational Research and Training
NCLP	National Child Labour Project
NCRB	National Crime Records Bureau
NCT	National Capital Territory
NCW	National Commission for Women
NER	North Eastern Region
NFHS-4	National Family and Health Survey-4
NGO	Non-Governmental Organization

NHM	National Health Mission
NHRC	National Human Rights Commission
NICU	Neonatal Intensive Care Unit
NICFS	National Institute of Criminology & Forensic Science
NIMHANS	National Institute of Mental Health and Neuro Sciences
NIPCCD	National Institute of Public Cooperation and Child Development
NPPA	National Pharmaceutical Pricing Authority
NMCME	National Monitoring Committee for Minorities' Education
NSS	National Service Scheme
NVS	Navodaya Vidyalaya Samiti
PCPNDT	Pre-Conception and Pre-Natal Diagnostics Techniques
PICU	Paediatric Intensive Care Unit
PIO	Public Information Officer
PM-JAY	Pradhan Mantri Jan ArogyaYojana
POCSO	Protection of Children from Sexual Offences
POSH	Prevention of Sexual Harassment at Workplace (Act)
PP	Public Prosecutor
PRI	Panchayatiraj Institution
PSSCIVE	Pandit Sunderlal Sharma Central Institute of Vocational Education
PTA	Parent–Teacher Association
PTSD	Post Traumatic Stress Disorder
Q&A	Question and Answer
QRC	Quick Response Cell
RBSK	Rashtriya Bal Swasthya Karyakram
RIMS	Regional Institute of Medical Sciences
RMP	Rambhau Mhalgi Prabodhini
RTE	Right to Education
RTI	Right to Information
SAA	Specialized Adoption Agency
SAHARA	Supportive Action with Holistic Approach to build Resilience among the children of Armed Forces Personnel
SAM	Severe Acute Malnutrition
SCERT	State Council of Educational Research and Training
SCPCR's	State Commissions for Protection of Child Rights
SCPS	State Child Protection Society
SIR	Social Investigation Report
SJPU	Special Juvenile Police Unit
SLP	Special Leave Petition
SMCs	School Management Committees
SNCU	Special Newborn Care Unit
SOP	Standard Operating Procedure

SP	Superintendent of Police
SPQEM	Scheme to Provide Quality Education in Madrasas
THR	Take Home Ration
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNESCO	United Nations Educational, Scientific & Cultural Organization
UNICEF	United Nations Children's Fund
US	United States
UTs	Union Territories
WCD	Women and Child Development

INTRODUCTION

National Commission for Protection of Child Rights (NCPCR) was established in March, 2007 as per special provision provided under *Article 15(3) of the Indian Constitution that states* “Nothing in this article shall prevent the State (both Union and State Govt.) from making any special provision for women and children. The role of the Commission is to fulfill the Constitutional mandate of Article 39(f) that reads “That children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.”

The broad objective of the Commission as provided under Commissions for Protection of Child Rights(CPCR) Act, 2005 is to take cognizance and redress matters pertaining to violation of the rights of the child and to ensure that all laws, policies, programmes and administrative mechanisms are in consonance with the child rights perspective as enshrined in the Constitution of India as well as the United Nations Convention on the Rights of the Child. Subsequently, the scope of the Commission has expanded also to perform a monitoring role for the implementation of some of the special acts relating to children, like Right to Education Act, 2009 (under Section 31), the Protection of Children from Sexual Offences Act, 2012 (under Section 44) and the Juvenile Justice (Care and Protection of Children) Act, 2015 (under Section 109).

The year under report functioned under the leadership of Chairperson, Shri Priyank Kanoongo, with four Members : Shri Yashwant Jain- Laws Related to Children (term over in November, 2021) ; Dr R.G.Anand- Child Psychology and Sociology (term over in July, 2021) ; Ms Pragna Parande- Juvenile Justice (term over in March, 2022) ; and Ms Rosy Taba- Child Labour (term over in March, 2022). As administrative head- Ms Rupali Banerjee Singh, Member Secretary, has been providing continuous administrative support to execute the decisions taken by the Commission and to carry out the functions and statutory roles of the NCPCR.

Over a period of time the Commission has not only established an identity but also redefining itself by adopting a 360 degree approach and optimizing its full potential. In complete alignment with the core national interests, the Commission has undertaken some of the strategic interventions that have proved to be altering the course of history in the areas of child protection.

The year witnessed the celebration of Azadi Ka Amrit Mahotsav- a festival of awakening of the nation that provided a unique opportunity for the Commission to celebrate the glory of the nation with the commitment to make a New India by providing a healthy and protected childhood in the country. At the same time, Commission undertook some of the very effective measures during COVID-19 pandemic and raised various critical issues that needed

to be mitigated. Thus, the Commission continues to play a transforming role by touching upon the core principles of child rights protection through the lens of Indian perspectives and situations with a futuristic approach.

The year has also been a landmark year in terms of responsibility entrusted by the Hon'ble Supreme Court with regard to "children who have lost one or both the parents due to COVID-19 or for other reasons during the pandemic" and "children in street situations" for which the Commission has taken up some of the very special initiatives to ensure the care and protection for these group of vulnerable children. Consequently, the amendment of Juvenile Justice (Care and Protection of Children) Amendment Act 2021 has paved the ways for the Commission to devise systems and mechanisms for effective coordination of protection services and monitoring mechanisms.

Highlights of the Year 2021-22

1. In the celebration of Azadi ka Amrit Mahotsav - The Commission adopted its motto **"भविष्यो रक्षति रक्षितः"** – (Future protects those who protect it). The Motto was released by Smt.Smriti Zubin Irani, Hon'ble Minister of Women and Child Development (WCD), Government of India on 1st March, 2022 on the occasion of Foundation Day celebration. The motto aptly expresses the soul of the functions and roles being played by the Commission.
2. The Commission developed an online portal "Baal Swaraj- COVID-19 CARE " for monitoring of children who had become orphan or lost either of the parent to COVID-19 or otherwise. Keeping in view of the number of complaints being received for children who had become orphans or left with single parent during COVID-19 or otherwise, a link on the portal has been devised as **COVID-19 Care link**. All States/UTs were requested to upload the data of such children using the given link on the "Bal Swaraj" Portal. There are **1,62,324 children registered on the portal**. Commission is examining their cases. Wherever there is a need of intervention on part of NCPCR, letters are being issued to the District Magistrates for ensuring that all children are receiving benefits and rehabilitated in suitable manner
3. NCPCR continued offering the mental health services under **SAMVEDNA**- Toll Free Tele counseling number -1800-121-2830 in addressing the stress, anxiety, fear and other issues among children who are isolated after being diagnosed as COVID-19 positive, and were in isolation/quarantine, in hospitals and also children who have lost their parents/family members, and whose parents/siblings, family members were in quarantine centres or hospitals due to COVID-19 885 active calls were attended by the designated professional counsellors and extended mental health services.
4. The Commission also continued its services through '**SAHARA**' (**Supportive Action with Holistic Approach to build Resilience among the children of Armed Police Force Personnel**) an exclusive Tele Counselling–**1800-1-236-236** and Web-link for children of

BSF personnel who laid down their lives in the line of duty. Total 198 active calls were responded by the trained counsellors and 74 complaints/representations were received in the web link.

5. **SOP 2.0: Children in Street Situations** - NCPCR developed the web portal based on procedures provided in SOP 2.0 . A **“CiSS” (Children in Street Situations)** link has been developed on the “Baal Swaraj” Portal to upload information of children who are in street situations. The Commission rolled out the SOP 2.0 in **51 religious places** to make them free of street children, child labour and child beggars and conducted an evaluation. The Commission organized a **consultation with civil society organizations** on implementation of SOP 2.0. and prepared **“Model Rehabilitation Policy for Children in Street Situations (CiSS)”**. Also field survey and **rescue operation** of CiSS was conducted in 15 cities in 8 States/UTs. Regular **meetings with State Governments/UTs** on implementation of CiSS were held.
6. Under the initiative of Joint Action Plan (JAP) on Prevention of Drugs and Substance abuse among Children and Illicit Trafficking, NCPCR with NCB rolled out the plan in 272 vulnerable districts and conducted review through virtual mode (Aug-Oct- 2021) and in **office mode at Vigyan Bhavan** on 2nd March, 2022.
7. The Commission organized National Workshop with State Commissions for Protection of Child Rights (SCPCRs) on **Contemporary issues pertaining to CHILD RIGHTS** on 4th & 5th March, 2022 at Bhopal . More than 20 topics on protection and welfare of children through thematic and parallel sessions were discussed for coordinated actions.
8. **Online Workshops:** Conducted online workshop on Manual on Safety and Security of Children in Schools during Feb-March, 2022. Organized State-level Online Workshops on Safety and Security of Children in Residential Schools. State-level Online Workshops for Teachers on Identification and Coping Strategies with Respect to Stress among Children in Schools were organized. Conducted State-level online workshop for preventing drop outs from schools and re-engaging out of school children.
9. **Research studies: Three studies** under Education Division were completed. These studies are; (i) Study on Safety and Security of Children in Pre- Metric Hostels for Students (ii) Study on Effectiveness of the National Child Labour Project Scheme in Mainstreaming NCLP Children. (iii) Study on Analysis of Child Rights Component in Teacher Training Curriculum. **A special study on ‘effects of use of mobile phone & other devices with internet on school children’** was also conducted.
10. The Commission initiated **consultations on “POCSO: Factors hindering the implementation and aspects of assistance to Victims”**. Five NE States i.e. Assam, Mizoram, Manipur, Arunachal Pradesh & Sikkim and three Eastern States i.e. Odisha, Bihar and West Bengal were covered in the consultation.

11. Initiative under **Preventing Child Trafficking** Post Lockdown Situation during COVID-19 Pandemic Situation was carried out in two NE States i.e. Assam and Manipur.
12. The Commission participated in nationwide “**Poshan Mah**” celebration by visiting Anganwadis, Nutrition Rehabilitation Centres (NRCs), and conducting various awareness activities on ground as well as online.
13. Several **Webinars** on health, mental health, nutrition , COVID-19 Care, as well as on Yoga were organized with eminent speakers. A series of 6 Webinars pertaining to COVID-19 Care was also conducted in **regional languages** by the State Commissions for Protection of Child Rights (SCPCR) under the guidance and technical support of NCPCR.
14. Three sessions under Pariksha Parv was organized. Number of session in the reported year was less due to COVID-19 related restrictions.
15. Under North East Cell, 27 State and District level workshops were conducted.
16. The Commission conducted **fact finding exercises** on matters pertaining to violation of the rights of the child. Subsequently, as per findings- directions and recommendations were also issued to the concerned authorities.
17. The Commission issued **recommendations** on various matters pertaining to welfare and protection of child rights to District Authorities, State Departments, State Commissions for Protection of Child Rights, Institutions, and Departments/Ministries of Central Government.
18. In respect to grievance redressal, **18507 complaints were disposed of** in the year 2021-22. These complaints include the pending complaints from the earlier period and 5249 fresh complaints.
19. The Commission **took up 163 cases of sexual abuse** under POCSO Act from under POCSO-Ebox.
20. NCPCR appeared on **on-going court cases**. Received 378 **applications under the RTI Act**, through online and offline mode plus transfer cases. Out of 378, reply was given to 321 applications; 34 were rejected; and the reply to rest 23 applications was issued after 31 March 2022.

CHAPTER-1.1

COVID 19 RESPONSE

COVID-19 RESPONSE

Right to life is closely associated with right to good health, nutrition and education; and a healthy body is the very foundation of all human activities. Indeed, Right to Life is a core Fundamental Right provisioned under the Constitution of India. Article 21 states that “No person shall be deprived of his life or personal liberty except according to the procedure established by law.” Further, Article 39(f) of the Constitution states “that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.”

The year 2021-22 witnessed a year of threat to human health and survival due to COVID-19, a novel corona virus. The virus unleashed a devastating impact on public health, economy, education and social and personal lives. Children, in particular, had little or no opportunity to play or exercise in open space and maintaining a school routine was not possible due to restrictions imposed to contain COVID-19 infection.

Given this situation, National Commission for Protection of Child Rights (NCPCR) had to play a key role in monitoring various aspects of health, mental health, nutrition, education and safety of children. This section deals with some of the health, nutrition and education related initiatives of the Commission. However, it may be noted that all other activities conducted by the Commission do, in fact, revolve around the health, education and well-being of children. Some of the activities are enumerated under different sections.

CHAPTER-1.1

Baal Swaraj- COVID-19 Care: Ensuring Benefits, Care & Protection of the Children children who had become orphans or lost either of the parents to COVID-19 or otherwise

Introduction: National Commission for Protection of Child Rights (NCPCR) as a dedicated statutory body could also join hands with the Government of India, State Governments and all other institutions in fighting the crises situations especially pertaining to the children. Rising to the occasion, the Commission had a special focus on the children who had become orphan or lost either of the parent to COVID-19 or otherwise from 1st April 2020.

The Commission developed an online portal Bal Swaraj for monitoring of children who had become orphan or lost either of the parent to COVID-19 or otherwise. Keeping in view of the second surge of COVID-19 pandemic and the number of complaints being received for children who had become orphan or left with single parent during COVID-19 period , a link on the portal has been devised as COVID-19 Care link. <https://ncpcr.gov.in/baalswaraj/> All States/UTs were requested to upload the data of children who had become orphan or lost either of the parent to COVID-19 or otherwise using the given link on the Bal Swaraj Portal.

The Initiative : The issue of vulnerable children affected by COVID-19 was also taken up by the Hon'ble Supreme Court in SMWP (C) No. 4 of 2020 In Re. Contagion of COVID-19 virus in Children Homes and vide its orders dated 28.05.2021, 01.06.2021 and 07.06.2021, all States/UTs were directed to upload the data of children who had become orphan or lost either of the parent to COVID-19 or otherwise on the Bal Swaraj Portal. In compliance to the orders of the Hon'ble Supreme Court, the data of such children is being uploaded on the portal.

There are six stages in the portal which are being filled by the District Child Protection Unit and State Child Protection Society.

- a) Stage 1 asks for personal basic details of the child like name, age, address etc.
- b) Stage 2 asks for filling up the Social Investigation Report of the child.
- c) Stage 3 is the form of Individual Child care Plan wherein it becomes clear that where the child is being placed, recommendation of Child Welfare Committee, sponsorship benefits etc.
- d) Stage 4 has been given to upload the Child Welfare Committee order.
- e) Stage 5, 34 Government implemented schemes/ benefits have been listed out from which the DCPU can select the benefit of schemes being given to the child in this stage.

- f) Stage 6 is for uploading follow-up forms of children. Where the child has been recommended for follow-up, whether in Child Care Institutions or in non-institutional care, the follow-up is done by the person assigned by the Child Welfare Committee. So in this Stage, if there are any follow-up forms filled by the officer conducting follow-ups of the child, then those forms have to be uploaded.

This is because all the six stages are to be filled properly to enable the Commission to understand the social and financial status of the child and his/her family and can assess if there are any additional requirements/benefits/compliances to be done for the best interest of the child. This is also required that the Commission can then report the matter to the appropriate authorities where such necessary requirements/ benefits/ compliances are required to be done. Accordingly, the Commission is examining each and every form being filled on the portal and necessary communications are being established with the district and state level authorities. A summary of the information received so far on the portal is given below:-

SUMMARY

The State-wise data regarding children uploaded upto 31.03.2022 on the “Bal Swaraj” portal who have lost either their mother or father or both parents in between 01.04.2020 to 31.03.2022 irrespective of their reason of death **(not only death due to COVID-19)** is presented in the Table below.

State	Orphan	Single Parent	Abandoned	Total
Andaman and Nicobar Islands	7	268	0	275
Andhra Pradesh	422	8496	4	8922
Arunachal Pradesh	44	364	0	408
Assam	162	1942	1	2105
Bihar	314	2029	0	2343
Chandigarh	12	145	0	157
Chhattisgarh	164	319	9	492
Dadra and Nagar Haveli and Daman and Diu	16	312	0	328
Delhi	331	6474	4	6809
Goa	8	76	0	84
Gujarat	1225	13730	0	14955
Haryana	118	3374	3	3495
Himachal Pradesh	162	3052	9	3223
Jammu and kashmir	23	637	0	660
Jharkhand	147	1384	2	1533
Karnataka	581	4602	11	5194
Kerala	116	3643	33	3792

Ladakh	2	112	0	114
Lakshadweep	1	71	0	72
Madhya Pradesh	1903	8597	278	10778
Maharashtra	705	20259	5	20969
Manipur	20	261	3	284
Meghalaya	18	112	5	135
Mizoram	15	166	0	181
Nagaland	9	142	5	156
Odisha	1735	27331	2	29068
Puducherry	12	377	0	389
Punjab	62	1364	0	1426
Rajasthan	716	6099	19	6834
Sikkim	0	46	0	46
Tamil Nadu	368	12617	2	12987
Telangana	255	2043	1	2299
Tripura	17	44	1	62
Uttar Pradesh	562	10328	19	10909
Uttarakhand	159	3843	0	4002
West Bengal	293	6537	8	6838
Total	10704	151196	424	162324

The uploading of information of the “children in need of care and protection” is an ongoing process . Stage 1 of the “Bal Swaraj” Portal, the basic details of the identified child is sought which is limited to basic identification and does not dwell into details of the background and social status of the child. As Sec 36 of JJ Act, 2015 provides that on production of a child or receipt of a report under Section 31 of JJ Act, 2015, the Committee shall hold an inquiry in such manner as may be prescribed. CWC assigns the case to a Social Worker or Case Worker or Child Welfare Officer or to any recognised Non-Governmental Organisation for conducting the social investigation under sub-section (2) of Section 36 of the Act. So, the Social Investigation Report (SIR) of the child is prepared after the first interaction of the CWC with the child. The form for preparation of SIR is given as Form-22 of the Schedule of JJ Model Rules, 2016.

After the preparation of SIR, the CWC under Rule 19 of the JJ Model Rules, 2016 directs the person or organisation concerned to develop an Individual Care Plan (hereinafter “ICP”) in Form-7 of the Schedule of JJ Model Rules, 2016. The ICP prepared for every child is developed with the ultimate aim of the child getting its entitled monetary benefits, right to education, restoration with his/her guardian/ relative or single parent and overall social development. Therefore, the preparation of SIR and ICP are part of the inquiry of CWC under Sec 36 of the JJ Act, 2015 and Rule 19 of the JJ Model Rules, 2016.

Follow up of about 20,000 cases of children who had become orphan or lost either of the parent to COVID-19 or otherwise.

Data of children in the need for care and protection due to the pandemic getting uploaded on the Bal Swaraj portal by authorities of all the States/UTs. The Commission is in the process of examining data, which has been uploaded by the States/UTs on the Bal Swaraj portal with the purpose of ensuring that all benefits for which each child is entitled are being given adequately. Wherever there is some discrepancy or lacunae being identified by the NCPDR, a letter is being issued to the concerned district authority to rectify the discrepancy and to ensure care and protection to the child. About 20000 such letters have already been issued by the end of the financial year 2021-22. It is pertinent to mention here that until and unless the Individual Child care Plan of each child is prepared and orders of Child Welfare Committee are passed, the clear picture regarding needs and requirements of these children are difficult to examine. Therefore, it is vital that the information pertaining to the recommendations made for the child (in the Individual Child Care Plan and the Child Welfare Committee orders) are provided, so as to determine the actual children in need of care and protection and necessary action for fulfilling their needs can then be taken

Chapter-1.2



(Sensitizing Action on -Mental Health Vulnerability through Emotional Development and Necessary Acceptance)

The Commission acknowledges that all children have unique vulnerabilities owing to specific needs and demands at different stages of growth till the time they reach adulthood. COVID-19 pandemic has affected all of us, no matter how old we are. Children may experience a range of psychological issues such as anxiety, fear, worry, depression, difficulty in sleeping, and loss of appetite. Quarantine and isolation may also lead to acute stress disorder, trauma and grief in many children.

National Commission for Protection of Child Rights (NCPCR), has launched **SAMVEDNA**-a Toll Free Tele- Counseling facility for children affected during COVID-19 in 2020 to provide psychological first—aid and emotional support to children who are in quarantine/isolation/COVID-19Care centers, children who have COVID-19 positive parents or family members, children who have lost their parents due to COVID-19 .

NCPCR has created a network of qualified and trained Experts/Counsellors/ Psychologists for providing psycho-social support to the children through tele counseling. National Institute of Mental Health and Neuro-Sciences (NIMHANS) has provided technical support in terms of training of the Counselors.

SAMVEDNA-Toll Free Tele counseling number -1800-121-2830 is able to address the stress, anxiety, fear and other issues among children who are isolated after diagnosed as COVID-19 positive, and are in isolation/quarantine, in hospitals and also children who have lost their parents/family members, and whose parents/siblings, family members are in quarantine centres or hospitals, being COVID-19positive.

When a child dials SAMVEDNA at 1800-121-2830, they get to speak to a professional counsellor in a safe environment. The tele-counseling support caters to children all over India in various regional languages also. NCPCR has requested the Department of Health & Family Welfare of States/UTs to disseminate this information to all COVID-19 care centres. It was also requested to share this number with children of doctors/ frontline medical staff who have lost their lives during COVID-19 pandemic.

NCPCR has expanded SAMVEDNA for providing counselling to children during examination and before results to overcome their anxiety, stress and other psychological issues in March, 2022.

Some of the Case Studies of calls received on SAMVEDNA-

1. The father of an 8-year-old boy from Kanpur called in concern and frustration of his child's behaviour. The child was reported to be impatient, stubborn, and aggressive. The child has no friends in the neighbourhood or in the family, except for his mother. The father returns home late. Our SAMVEDNA Counsellor, advised the father to help the child stay engaged in different activities through the day in order to channel the child's aggression. Parents were encouraged to play with the child and narrate stories to him, since there is a lack of other company and the child needs to be socialised in some way or the other.
2. A 17 year old child from Delhi, called at SAMVEDNA to receive counselling for his anxiety about not being able to attend school, and having difficulty in covering the syllabus. Our counsellor was able to establish a rapport with him, wherein he opened up about negative emotions and concerns such as wasting his time unproductively. He was advised to vent out his frustration and maintain a reality orientation. The counsellor helped him make an activity schedule. Cognitive restructuring was used to minimise his thoughts of underperforming in school, and instead focus on self-learning by reading textbooks. He was encouraged to seek help from his senior in the neighbourhood. The child was reassured of safety and sanitisation once school opens. Finally, relaxation exercises were discussed in case the child feels stress or anxiety.
3. SAMVEDNA counsellor received a call, caller had anxiety issues especially due to COVID-19. The counsellor gave him some tips for reducing anxiety and explained how law of attraction works. Therefore, more he fears and think about COVID-19 and its negative effect more he is attracting negativity in his life. It was also suggested him to avoid news related to COVID-19 and instead focus on how he can spend his time watching something good and doing something positive that's makes him happy. He was very happy and satisfied and also promised that he will follow the tips given.
4. SAMVEDNA counsellor received a call from a 15 year old girl, she informed that she was infected with COVID-19, one and half months back and she is feeling very weak and she feels to just lie down on the bed. Counsellor suggested her to have balanced diet, lots of liquids and fruits, and engage herself by spending time with family members, listening to music.
5. A girl had called from Mumbai. She wanted to know how she can have cordial relationship with parents as her father is very strict and mother has no say in the family. Child was feeling suffocated as no one is bothered about her feelings.

Counsellor intervention - Appreciated her for reaching out to this service and sharing about the situation of her life. Told her to start counting her gratitude and that parents are giving their best but not knowing what impact it is creating on her. Also explained her to start expressing her concerns and feelings to her mom. Counsellor spoke to her mother as well and told them the power of physical touch. Mother shared her concerns which counsellor listened and advised her about how to cooperate with the situation.

Chapter-1.3

“STATUS OF FACILITY-BASED CHILD HEALTH INFRASTRUCTURE”- Functioning of Neonatal Intensive Care Unit (NICU), Paediatric Intensive Care Unit (PICU) and Special New-born Care Unit (SNCU) in the Country:

Recognizing the importance of health and to take all strategic initiatives & interventions to deal with pandemic like COVID-19 has been on top priority of this Government. For this, resource allocation is the key to take up various initiatives. Accordingly, in the financial year 2021-22, an increase of 137 percent in the Union Budget outlay for health and wellbeing was been decided compared to the previous year -2020-21. In addition, Central Government has announced an additional package of Rs 23,220 crore funding for setting up paediatric facilities in hospitals. It has been observed that in last few years, child health and well-being has been one of the special focuses in the governance initiatives such as inclusion of neonatal care in the flagship Ayushman Bharat- Pradhan Mantri Jan Arogya Yojana (AB-PMJAY). Adopting the ‘life-cycle’ approach, the programmes introduced now focus on protecting both children and mothers.

However, there are incidences of deaths of infants due to lack of oxygen and other reasons like in Kota hospital. More recently, in January 2021, fire claimed life of 10 infants in Special New Born Care Unit (SNCU) in District Hospital, Bhandara, Maharashtra. Such incidents are a proof that despite excellent schemes and budgetary allocations, the quality of health infrastructure is severely affected by ways the schemes/guidelines are translated into action. Various bottlenecks prevent sharing benefits to the beneficiaries, not only resulting in wastage of resources but loss of precious lives as well. Therefore, the structures and practices need to be upgraded at the earliest and this is possible through availability and regular analysis of data related to the available infrastructure and prevalent practices.

In addition, the second wave of the COVID-19 pandemic had affected a slightly greater number of younger people. Doctors have confirmed that even new born and infants are at high risk of being COVID-19 positive, though their condition remains under control and rarely turns fatal. As per the recent guidelines issued by the Ministry of Health & Family Welfare, < 12% of all confirmed cases are in individuals < 20 years old. Similarly, of all deaths due to COVID-19, only 2% are contributed by < 20 year age group. However, with increase in the number of cases, the numbers of children and adolescents with confirmed COVID-19 have also increased.

Moreover, given the pandemic situation, the Commission, under its mandate to monitor the status of all facilities for children, decided to collect information on functioning of Neonatal Intensive Care Unit (NICU), Paediatric Intensive Care Unit (PICU) and Special New born Care Unit (SNCU), capturing the overall data in 2019-2020.

Report on Facility Based Child Health Infrastructure –*Functioning of NICU/PICU & SNCU*

It is an undeniable fact that health infrastructure plays the most critical role in a pandemic situation and in terms of infants and children a developed and well functioned infrastructure is a must to tackle the health crisis. Government of India under its National Health Programme establishment of district level Neonatal Intensive Care Unit (NICU), Paediatric Intensive Care Unit (PICU) and Special New born Care Unit (SNCU) in the districts have been provisioned to provide critical care. The infrastructure also must be supported by trained doctors, paramedics, technical and support staff.

Given the COVID-19 situation and incidences like deaths of infants in hospitals viz; in district hospital of Kota, Rajasthan and Bhandara, Maharashtra made it a strong case that all district level health infrastructures must be audited to know its availability, functionality and service delivery. Such incidents are a proof that despite excellent schemes and budgetary allocations, the quality of health infrastructure is severely affected by ways the schemes/guidelines are translated into action. Various bottlenecks prevent sharing benefits to the beneficiaries, not only resulting in wastage of resources but loss of precious lives as well. Therefore, the structures and practices need to be upgraded at the earliest and this is possible through availability and regular analysis of data related to the available infrastructure and prevalent practices.

Keeping this in view and as per the Commission's mandate to monitor the status of facilities for children, NCPCR developed a tool to collect information on availability of basic medical equipment, human resources and functioning of health care facilities in Neonatal Intensive Care Unit (NICU), Paediatric Intensive Care Unit (PICU) and Special New born Care Unit (SNCU) in the districts. The format was circulated to all the States/UTs via Chief Secretaries and Principal Secretaries of Health Departments.

Methodology Adopted: NCPCR developed a tool to capture the data regarding current status of the existing health infrastructure for children functioning in the Districts of all States and UTs. The data and information featured in the tool provide evidence of the efforts that have already been made to ensure high value and quality health care, to build more efficient and appropriate services, and to streamline and rationalise facilities for paediatric care. This has also highlighted the trends in core hospital provision and in the workforce structure; and how healthcare paediatric services, in particular hospitals across India, have been addressing these problems and meeting their objectives.

Some simple data on hospital activity also provides evidence about workloads in hospital and in-patient settings. This will, hopefully, take us towards a deeper analysis of the quality and appropriateness of institutional health care for children.

NCPCR under Section 13(1) wrote to the Principal Secretary of all the States/UTs, Department of Health & Family Welfare to assign a nodal officer, for providing data of the State/UT (District-wise) on the online form provided by the Commission. However, the Commission did not receive information from the States/UTs upon which a reminder was

sent to the Principal Secretaries/Additional Chief Secretaries/Secretaries, Health of all the States/UTs requesting them to provide information regarding the current status of the functioning of NICU, PICU & SNCU in the respective State/UT.

In light of urgent need of COVID-19 pandemic and to access the status of facility-based child health infrastructure and for improving preparedness for COVID-19 next wave, the exercise of collection of information on facilities for children in NICU, PICU and SNCU was undertaken by the Commission in two phases. In Phase-1, the fact sheets of 397 districts were prepared and analyzed by the Commission based on the data received from the concerned District authorities. In Phase- 2, data sheets of 257 districts have been prepared and analysis of total of 654 Fact sheets was carried out. The main objective of this unique exercise was to obtain status of the health care facilities available and functioning for infants and children and to analyze the problem areas and deficiencies in the health infrastructure.

Key Findings-

- a) Out of 654, 78% districts reported to have SNCU facility, 38% have PICU facility and 26% reported to have NICU facility. Few Districts have reported multiple SNCU units or NBSUs.
- b) Out of 654 districts, as per the information received, there are 92 districts (14%) with none of the three Units in Government Hospitals. Out of these, 81 districts (88%) do not have either of these facilities in private hospitals as well.
- c) Major reasons for mortality across PICU, NICU, SNCU are identified as Respiratory Distress Syndrome, Preterm births, Low birth weight, Asphyxia, Meconium Aspiration Syndrome and Congenital defects.
- d) In some of the districts NICU and SNCU are used interchangeably or have NBSUs.
- e) Out of 654 districts, there are 39 districts where NICU and SNCU are same.
- f) Out of 654 districts, there are 9 districts which have provided combined information for CPAP and ventilator beds.
- g) Out of **654** districts, **557** districts having functional ambulances.

Chapter 1.4

Quick Response /Suo Motu Action during Lockdown Period

1. NCPCR took suo motu of a Twitter report regarding providing care and donating breast milk to a premature baby whose mother passed away due to COVID-19 pandemic in the month of April, 2021. After taking cognizance of the matter, District Commissioner, Bengaluru Urban was asked to inquire into the matter and requested to give directions for making urgent arrangements for care of the baby vide this Commission's letter dated 30.04.2021.
2. The Commission took *suo motu* cognizance of a Twitter report regarding "hospital denied pregnant woman admission in District Hospital, Bhind seeking COVID-19 negative report". The Commission after taking cognizance of the matter and request District Collector, Bhind vide letter dated 28.04.2021 to look into the matter and furnish an action taken report to the Commission. He was further asked to take strict action against the District Hospital for denying the pregnant woman for admission.
3. The Commission has taken *suo motu* cognizance of the news report published in Hindustan Times regarding "24 COVID-19 positive people -including students and staff of a residential school- Career Point Gurukul, near village Tangori ,Mohali". DM, Mohali vide this Commission's letter dated 27.04.2021 was requested to inquire into the matter and apprise the Commission with number of COVID-19 positive students and staff of the said residential school. He was further asked to ensure that children and staff should be getting proper treatment for COVID-19 as per the guidelines of MoH&FW. Children who had tested negative should be sent to their respective homes. Strict action to be taken against the school authorities for their negligence. DM was asked to submit a preliminary action taken report in the matter to the Commission.
4. The Commission took cognizance of a Twitter report regarding the immediate need to provide food supply and basic essentials to children in need of care and protection, a 17-year-old child, his 16-year-old sister, residing at Shivpark, Khanpur School Road, New Delhi. Parents of children were COVID-19 positive and mother required urgent hospitalization. The Commission after taking cognizance of the matter asked District Magistrate South Delhi vide letter dated 01.05.2021 to look into the matter urgently and to give directions for providing food and other essentials to the children and immediate medical assistance to the parents of the children, especially mother. Further he was requested to send a preliminary action taken report to the Commission.

5. The Commission after taking cognizance of Twitter report regarding the need for immediate and consistent supply of liquid oxygen to children at Madhukar Rainbow Children Hospital, Malviya Nagar, New Delhi has sent a letter to DM, South Delhi vide letter no NCPDR/2020-21/Comp/Health/DL on 2.05.2021. After Commission's intervention and constant follow up with SDM South Delhi and South East Delhi the liquid oxygen supply (15 cylinders) was provided to the hospital. DM, South East Delhi was requested to ensure regular oxygen supply to this hospital. Further he was requested to nominate a nodal officer for follow up for oxygen supply with this hospital.

Chapter 1.5

Recommendation on Vaccination Coverage for Children

India has one of the largest proportions of population in the younger age groups in the world and 40% of the population account for less than 18 years of age. To protect children in the age group of 15 to 17 years against the COVID-19 pandemic, an important step has been taken by the Government on vaccination. COVID-19 vaccination (first dose) program for children of age group of 15 to below 18 years has been started from 3rd January, 2022. It is an overwhelming step by the Government wherein in a weeks' time approx. 22.7% of children (15 to below 18 years) of our country has been vaccinated with first dose of vaccine against COVID-19 pandemic.

The Commission observed that during the vaccination drive for first doze for children in the States/UTs in one week some of the States have shown excellent performance whereas some of the States viz-Punjab, Nagaland, Meghalaya, Manipur has shown poor performance in providing vaccination to the children. As per the data of vaccination of children in age group of 15-17 years on COWIN app in comparison to child population of the State/UT. It shows that percentage of children (15 to below 18 years) vaccinated with first doze in these States is comparably lowest with 0.60% than other States/UTs. In this regard, Commission requested and recommended to the States of Punjab, Nagaland, Meghalaya, Manipur to take immediate steps towards increasing number of vaccinations for children in a speedy manner.

Chapter 1.6

NCPCR's meeting with Corporate Foundations and CSOs to garner support for Children who had become orphan or lost either of the parents to COVID-19 pandemic or otherwise

(a) Meeting and facilitating support services from Corporate Foundations

It is a fact that COVID-19 posed several challenges including the issue of protection and development of children who had become orphan or lost either of the parents to COVID-19 pandemic or otherwise. In this regard, Commission has been proactive in ensuring protection services to these set of children as well to garner support services for their education and development. In this regard NCPCR was approached by two Corporate Foundations to which the Commission responded positively. To take it forward an e-consultative meeting between NCPCR and the representatives of Space2Grow & Vedantu Group was held at the office of the Commission on 2nd June 2021 to discuss avenues to support the children affected by COVID-19. The Space2 Grow and Vedantu Group desire to garner the guidance of NCPCR for partnering with the Commission in extending funding support and educational support to children affected due to COVID-19. Space2Grow desired to further aggregate with potential organizations who wish to fund this cause.

NCPCR would make recommendations to the concerned State Government and State CPCRs to facilitate such potential donors for making contributions to the Juvenile Justice Fund, as prescribed under Section 105 of the JJ Act 2015. It was also suggested that any financial contribution made by the potential donor/s may be made through direct benefit transfer (DBT) from the Juvenile Justice Fund into the affected child's bank account. To take it forward, Commission facilitated formulating an MOU to implement the initiative. The MOU was signed by the Department of WCD, Madhya Pradesh with The Space2 Grow and Vedantu Groups.

(b) Meeting with NITI Ayog and Corporate Foundations/CSOs

To help children affected by COVID-19, a virtual meeting with NITI Aayog and National Commission for Protection of Child Rights (NCPCR) was held on 14th June 2021. This meeting was facilitated by India Co-Win Action Network, (I-CAN), volunteering network of, Rambhau Mhalgi Prabodhini (RMP). The meeting was chaired by Dr. Rajiv Kumar, VC, NITI Ayog and was represented by 16 corporate foundations. The objective of the meeting was to garner support of the interested corporate foundations and CSOs in the process of helping children who have been orphaned or lost either of their parent due to COVID-19

In this meeting, Shri Priyank Kanoongo, Chairperson , NCPCR highlighted on the legal framework under Juvenile Justice Act for ensuring protection of children , judgment of Hon'ble Supreme Court of India and the initiatives being taken up by the NCPCR. He recommended that the Foundations/ Trusts/Potential Donors may like to help children under Section 105; Juvenile Justice Fund of the JJ Act 2015. The donors may sponsor a child as per the States' policies and as per the provision laid down under Section 105 of the JJ Act 2015 regarding the Juvenile Justice Fund. The financial contribution proposed by the foundations or any other potential donor may be done through "Direct Benefit Transfer"- (DBT) in the account of the child who needs support under any Scheme of the Government of India or State Government. State Governments may enable potential donors making contribution to the Juvenile Justice Fund provisioned by the State Government as per the Section 105 of the JJ Act, 2015.

The meeting was ended with the concluding remarks by Dr. Rajiv Kumar who suggested that: The process of money transfer must be kept as transparent as possible. Urged foundations to write to NCPCR, ICAN post the meeting informing what support can be extended by them to ensure immediate results. A trust mechanism needs to be developed between the society and the Govt. for achieving our long-term objectives. Women and Children have been struck hard during the pandemic and NGOs need to help such women and children. To ensure the Direct Benefit Transfer reaches the right destinations, good people must be included in the Child Welfare Committees (CWC).

Chapter 1.7

Meeting with State Commission for Protection of Child Rights (SCPCRs) on COVID-19 preparedness (January, 2022 – Virtual mode)

Keeping in view the alarming concerns to the safety and security of the children and to know the preparedness for children by States/UTs in the event of a possible next wave of COVID-19 pandemic, a zone wise (virtual) meeting with the SCPCRs was organised by the Commission.

Agenda points for the meeting were as below-

1- Health-

- i. Present Status of NICU/PICU and SNCU in the State/UT-infrastructure in Paediatric wards (Number of beds and medical equipments)
- ii. COVID-19 treatment protocols and management and availability of medicines.
- iii. Whether SCPCRs have held the meeting with respective State Drugs Controller Authority to review the stock, availability in the State/UTs of the scheduled medicines as mentioned in the list shared by NCPCR.
- iv. Whether SCPCRs have uploaded this list of scheduled medicines with prices on their website
- v. Vaccination for children (15 to 18 years) in State/UT.

2- Institutions for children-Schools/Residential Educational Institutions and Child Care Institutions-

- i. What steps have been taken by SCPCRs to ensure safety of children in residential educational institutions?
- ii. Whether any guidelines have been issued by the State/UT Government to ensure safety of students?
- iii. Whether Mid-Day Meal is made available during school closures as well and how children are getting Mid-Day Meal. Any protocols have been made by State Govt in this regard.
- iv. Whether any incidences of COVID-19 positive cases in schools/Educational Institution have been reported in the State/UT?
- v. Whether SCPCRs have issued any recommendations for preparedness for COVID-19 in schools/Educational Institutions.
- vi. When schools reopen after lockdown/closure, whether any safety/security checks are conducted by the Education Department and/or SCPCRs?
- vii. How do special training centers function during the school closures?

Child Care Institutions-

- I. What steps have been taken by SCPCRs to ensure safety of children residing in Child Care Institutions in their respective State/UT.
- II. Any visits conducted by SCPCRs to Child Care Institutions in their respective States/UTs to check preparedness for COVID-19.
- III. Whether any incidences of COVID-19 positive cases of children while staying in Child Care Institutions have been reported? If yes, than what measures have been taken by the State/UT Govt so far.
- IV. Whether SCPCRs have taken any meetings with the State Department or any recommendations have been given to the State Government to prevent children residing in CCI from risk of harm arising out of COVID-19 pandemic and to ensure safety of children.

3- Children in Street Situations- implementation of Hon'ble Supreme Court's Order-

- I. Any efforts made by SCPCRs to monitor the State Governments for compliance of Hon'ble Supreme Court's order for rescue and rehabilitation of children in street situations.
- II. Rehabilitation programs in the State for children in street situations?
- III. Any recommendations of SCPCRs for tackling the issues and challenges in rescue and rehabilitation of children in street situations.

4- Baal Swaraj- COVID-19Care

- I. Any efforts made by SCPCRs for helping children who have lost both or either of the parents during the pandemic time and children who have been affected by COVID-19.
- II. Any recommendations of SCPCRs regarding the issue of children who have lost both or either of the parents during the pandemic time.

The zone wise meeting was chaired by Chairperson, NCPCR and Chairpersons/Members of respective SCPCRs joined the meeting and share their valuable inputs and desired information as per the prescribed format by NCPCR.

Chapter 1.8

Webinars on COVID-19

Health & Well-being of children during COVID-19 pandemic in collaboration with Rainbow Children's hospital, New Delhi-

NCPCR organized a series of webinars on Health and well-being of children in COVID-19 pandemic. In this regard, first webinar was held on 29th May, 2021 in collaboration with Rainbow Children's hospital, Delhi. Dr. Anjali Saxena , Pediatrician, Rainbow children's hospital and Dr. Arun Kumar Singh, National Advisor, RBSK were the main speakers.

COVID-19 Pandemic and Children - *Clinical Management, Healing and Wellness* in Collaboration with Expression India

In a series of webinar on Health and well-being of children in COVID-19 pandemic, second webinar was held on 5th June, 2021. Dr. Jitendra Nagpal, Psychiatrist, Dr. Bhangwan Mantri, Pulmonologist and Dr. Sanjay Sidhartha, Paediatrician from Moolchand Medcity were the main speakers.

Supporting children's Health through Family Engagement in collaboration with I-CAN was held on 12th June, 2021

In this series of webinar on Health and Well-being of children in COVID-19 pandemic, third webinar on supporting children's health through family engagement in collaboration with India Co-win Action network (I-CAN) was held on 12th June, 2021. Webinar was moderated by Dr. Kavitha from I-CAN. Speakers were- Dr. Vrinchi Sharma, Dr. Sharmila and Ms. Alka.

Webinar in regional languages with State Commission for Protection of Child Rights (SCPCRs) -

Webinar on Health and Well-being of children in COVID-19 pandemic in regional languages was organised with State Commissions for Protection of Child Rights (SCPCRs) in Mizo language with Mizoram SCPCR, in Manipuri language with Manipur SCPCR, in Bengali language with West Bengal SCPCR, in Tamil language with Tamilnadu SCPCR, in Khasi language with Meghalaya SCPCR, in Punjabi language with Punjab SCPCR and Tamil with Puducherry UT SCPCR.

Webinar on “Yoga for Health and Wellbeing of Children in COVID-19 Pandemic”

A webinar was held on pre eve of 7th International Yoga Day-Date/Time: 20th June 2021 5:00 PM to 6:00 PM. Swami Nityadipananda from Ramkrishna Mission was the main speaker for the webinar.

National Consultation with all the State Commission for Protection of Child Rights (SCPCRs) on "*Health and well-being of children and adolescents in COVID-19 pandemic*-"

The Commission organised a one-day National Consultation (virtually) with all the State Commission for Protection of Child Rights (SCPCRs) on "*Health and well-being of children and adolescents in COVID-19 pandemic*" on 27th May, 2021. The Consultation was conducted with an aim to discuss the adverse impact of ongoing COVID-19 pandemic on children and adolescents as India grapples with escalating virus cases in the second wave. The meeting further deliberated upon the preventive aspects to be undertaken to monitor and mitigate the risk factors for children in impending third wave of COVID -19 and its double mutant and various strains.

The Commission invited experts from Indian Academy of Paediatrics (IAP), RBSK- MoH&FW, NIMHANS, Indian Council for Medical Research (ICMR) and National Neonatology Forum (NNF) who enlightened the participants on various ways to prevent the adverse impact of COVID-19 pandemic.

Chapter 1.9

Special initiatives under COVID-19 Response

Communication with Ministry of Health and Family Welfare (MoH&FW) to issue necessary directions for emergency transport services/ambulances suitable for newborns and children

A letter dated 15.05.2021 was sent to the Ministry of Health and Family Welfare (MoH&FW) to issue necessary directions for emergency transport services/ambulances suitable for newborns and children.

There are guidelines on the management of the new born in a maternity ward and in the Neonatal Intensive Care Unit (NICU), but there is an urgent need to reorganize a Neonatal/children Emergency Transport Service (NETS) to prepare specifically for neonatal and children for third wave of COVID-19. Keeping in view high risk involved for infants and children in upcoming third wave of COVID-19, Ministry of Health & Family Welfare was requested to kindly issue necessary directions for emergency transport services/ambulances suitable for children and neo-natals.

Letter to National Pharmaceuticals Pricing Authority (NPPA), Department of Pharmaceuticals, Ministry of Chemicals and Fertilisers on information on price regulation on medicines for clinical management of children during COVID-19

A letter was sent to National Pharmaceuticals Pricing Authority (NPPA), Department of Pharmaceuticals, Ministry of Chemicals and Fertilisers on 28.05.2021 to provide information on price regulation on medicines for clinical management of children during COVID-19 sent by ICMR.

Keeping in view high risk involved for infants and children in COVID-19, NCPCR has requested ICMR to send guidelines/protocols for management of COVID-19 in the paediatric age group and list of medicines and investigation suggested for treatment of children. NPPA was requested to provide information on price regulation of the medicines. It was also requested to provide information, in case NPPA regulates price of tests/investigation, testing kits or material etc.

Communication with ICMR seeking protocols/guidelines developed by ICMR for clinical management of children with COVID-19 positive and list of medicines for children:

National Commission for Protection of Child Rights (NCPCR) has sent a letter to Indian Council of Medical Research (ICMR) on 13.05.2021 seeking protocols/guidelines developed by ICMR for clinical management of children with COVID-19 positive and list of medicines for children. The second wave of the COVID-19 pandemic is impacting slightly a greater number of younger people. A third wave of COVID-19 is projected to hit the country according to experts and will affect children too, the Hon'ble Supreme Court of India has emphasised upon the need to prepare for the same including vaccinating people of age groups with young children.

In view of the above, ICMR was requested to kindly share protocols/guidelines developed by ICMR for treatment and clinical management of children with COVID-19 positive with the Commission. Further keeping in view, high risk involved for children in upcoming third wave of COVID-19, ICMR was requested to apprise the Commission, in case there is any additional protocols/Guidelines that have been developed by ICMR for prevention and clinical management of children.

With response to the communication made by the NCPCR, ICMR shared the Guidelines/Protocols and price list of regulated medicines. These Protocols/guidelines developed by ICMR for clinical management of children with COVID-19 positive and list of medicines received from ICMR and list of price regulation by NPPA was circulated to all the SCPCRs by NCPCR.

Letter to SCPCRs sharing the guidelines/protocols and list of medicines with price regulations received from ICMR and NPPA

NCPCR vide its letter dated 11.06.2021 communicated to State Commission for Protection of Child Rights (SCPCRs) Of All States/UTs with the guidelines/protocols received from ICMR. Further, list of medicines with price regulation received from National Pharmaceutical Pricing Authority (NPPA) Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers was also shared for information of all the SCPCRs. It was requested that all the SCPCRs to kindly hold the meeting with respective State Drugs Controller Authority of your State/UT to review the stock, availability in the State/UTs of the scheduled medicines mentioned in the attached list. Further to disseminate information with general public, kindly upload this list of scheduled medicines with prices on website of the State Commission. SCPCRs were also requested to kindly get the creatives made in regional language on this information for wider dissemination.

Letter to State Drugs Controller Authority Of all States/UTs regarding review the stock, availability of the scheduled medicines mentioned in the list in the State/UTs.

NCPCR sent a letter to State Drugs Controller Authority of all States/UTs vide letter dated 11.06.2021 communicating the following: Keeping in view high risk involved for children in COVID-19, NCPCR has requested Indian Council of Medical Research (ICMR) to send guidelines/protocols for management of COVID-19 in the paediatric age group and list of medicines and investigations suggested for treatment of children. ICMR has sent the guidelines/protocols along with list of medicines. Further, list of scheduled medicines received from ICMR was sent to National Pharmaceutical Pricing Authority (NPPA) Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers to get information on price regulation of the medicines. List of scheduled medicines and Remdisiver injection with price regulation received from National Pharmaceutical Pricing Authority (NPPA) Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers has been circulated to all the State Commissions for Protection of Child Rights (SCPCRs) . In this regard SCPCRs will be holding periodic meetings with respective State Drugs Controller Authority to review the stock, availability of the scheduled medicines mentioned in the attached list in the State/UTs.

Therefore, State Drugs Controller Authorities were requested to provide information as mentioned above and stock position of the schedule medicines for children to the SCPCRs and NCPCR at the earliest.

CHAPTER-2

SOP 2.0 Care and Protection of Children in Street Situations: A journey of implementation

Chapter-2

SOP 2.0 Care and Protection of Children in Street Situations: A journey of implementation

In the making of New India - reaching out to people, including children at last mile, is the guiding principle of governance, policies, programmes and various interventions of the Government of India. However, children in street situations, a common reality, are one of the most vulnerable categories of human beings that survive on streets without any safety net. Paradoxically, they are the first in sight in any major city, but are the last to be reached through any programme or services.

Evidently, the narrative is being changed through the formulation and implementation of the SOP 2.0 Care and Protection of Children in Street Situations – one of the remarkable public policy document having clear procedures in dealing with various categories of children in street and vulnerable situations. The policy document was released in November, 2020 and gradually achieving phenomenal accomplishments in terms of its practical application in the domain of child rights and child protection sector. This is first of its kind public policy document with regard to children in need of care and protection having acceptance, endorsement and legal backing by the Administrations, Statutory Bodies, Authorities, Civil Society as well as the highest Judiciary for implementation. Through the judicial intervention, this policy document has also become a legal document after the orders of Hon'ble Supreme Court in the case SMWP (C) No.4/2020 IN RE CONTAGION OF COVID-19VIRUS IN CHILDREN PROTECTION HOMES (15.11.2021) and SMW (C) No. 6/2021 IN RE CHILDREN IN STREET SITUATIONS. The Judgment mandates all the States/UTs and NCPDR to report on the progress of its implementation.

In recent years, the Government of India has made available several enabling provisions and mechanisms, such as Juvenile Justice (Care and Support of Children) Act, 2015 and its Amendment Act 2021; Child and Adolescent Labour (Prohibition and Regulation) Amendment Act, 2016; Persons With Disabilities (PWD) Act, 2016 ; revised child protection scheme under Integrated Child Development Scheme(ICDS) umbrella; and most significantly, numerous social protection schemes for the families. These enabling provisions, especially the Juvenile Justice Act, 2015, offers the base that has shown the way to deal with each and every aspect of the issues pertaining to this set of children.

In the meantime, NCPDR has taken several initiatives and playing a pivotal role in monitoring and facilitating the entire process of care and protection, starting from identification, rescue to family re-integration and follow-up. Some of the key initiatives of the year 2021-22 are; Online – Baal Swaraj Portal, Piloting of the procedures in 51 religious places, Impact assessment of the Pilots, Pilot Rescue and orienting and facilitating the States and District authorities for effective implementation.

Chapter-2.1

Baal Swaraj – CiSS Portal:

NCPCR developed the web portal based on procedures provided in SOP 2.0. A “CiSS” (Children in Street Situations) link has been developed on the Baal Swaraj Portal to upload the information of children who are in street situations. The categorization of children in street situations has been done on the portal under the three broad heads as given in the SOP 2.0 of NCPCR.

The Commission has devised the portal “Baal Swaraj” <https://ncpcr.gov.in/baalswaraj/> to collect data of children in street situations. This portal has been created for online tracking and digital real time monitoring mechanism of children who are in need of care and protection.

The individual login account of all District Child Protection Units/officers and Principal Secretaries of Department of Women and Child Development/Social Welfare of all States/UTs was made, so that they can fill the required information at every stage of the portal. The States were asked to trace and complete the process for 2 lakh children which have been uploaded on the Baal Swaraj Portal already in six stages of the portal and this data of 2 lakh children (list wise, district wise) has been provided through letters and email of the Commission. Further, the States have to now also identify Children in Street Situations and upload fresh data on the portal and complete the process for fresh data in six stages of the portal. There are six stages in the portal which have to be filled by the District Child Protection Unit and State Child Protection Society.

Stage1	Personal basic details of the child like name, age, address etc.
Stage 2	Filling up the Social Investigation Report (SIR) of the child.
Stage 3	Individual Child Care Plan (ICP) wherein it becomes clear that where the child is being placed, recommendation of Child Welfare Committee, sponsorship benefits etc.
Stage 4	This stage has been given to upload the order of Child Welfare Committee
In stage 5	Government implemented schemes/ benefits have been listed out from where the DCPU can select the benefit of schemes being given to the child in this stage.
Stage 6	Follow-up forms of children. Where the child has been recommended for follow-up, whether in Child Care Institution or in non-institutional care, the

	<p>follow-up is done by the person assigned by the Child Welfare Committee.</p> <p>So, in this stage, if there are any follow-up forms filled by the officer conducting follow-ups of the child, then those forms have to be uploaded.</p>
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Data of 2 lakh children:

The Commission while developing the SOP received data of around 2 lakh children of 10 cities in 4 States/UTs namely Delhi, Maharashtra, Uttar Pradesh and West Bengal. The data was uploaded on the Bal Swaraj Portal. This huge number of CiSS were found to be typically suffering from many denials and vulnerabilities, including: deprivation of responsible adult protection and care; forced to work to eat each day; work in unhealthy occupations on streets, like rag-picking, begging and others; subject to physical abuse and sexual exploitation; abysmally poor sanitary conditions; inadequate nutrition from begging, foraging for food; a range of psycho-social stresses; exposure to drug and substance abuse; and no access to medical care or education. Access was given to Special Juvenile Police Units, so that wherever the child is not traced, the SJPU's can be involved in tracing those children. NCPCR has informed the concerned DCPUs about this data and to take necessary steps to verify and track these children. Till 31st March, 2022 around 16,000 children had been identified and produced before the CWC.

Baal Swaraj- Children in Street Situations Portal: Data as on 31 st March, 2022				
State/UT	Children living on the streets with their families	Children stay on the streets in the day and are back home in the night with their families who reside in a nearby slum/hutments	Children without support living on the streets all alone	Total
Andaman and Nicobar Islands	0	0	0	0
Andhra Pradesh	546	243	17	806
Arunachal Pradesh	0	0	0	0
Assam	88	163	29	280
Bihar	474	267	39	780
Chandigarh	40	13	5	58
Chhattisgarh	61	170	24	255
Dadra and	11	0	0	11

Nagar Haveli and Daman and Diu				
Delhi	652	1299	61	2012
Goa	27	35	0	62
Gujarat	1086	895	9	1990
Haryana	397	370	26	793
Himachal Pradesh	15	93	0	108
Jammu & Kashmir	33	212	1	246
Jharkhand	25	32	12	69
Karnataka	475	653	109	1237
Kerala	33	8	2	43
Ladakh	3	30	0	33
Lakshadweep	0	0	0	0
Madhya Pradesh	608	786	39	1433
Maharashtra	3731	1350	42	5123
Manipur	0	0	0	0
Meghalaya	0	5	0	5
Mizoram	0	0	0	0
Nagaland	0	1	0	1
Odisha	172	11	43	226
Puducherry	9	18	0	27
Punjab	89	174	18	281
Rajasthan	415	182	14	611
Sikkim	0	0	0	0
Tamil Nadu	1077	522	124	1723
Telangana	115	690	6	811
Tripura	0	2	14	16
Uttar Pradesh	510	258	270	1038
Uttrakhand	69	23	1	93
West Bengal	13	186	13	212
Total	10774	8691	918	20383

Chapter-2.2

Pilot Initiative in 51 Religious Places & Evaluation:

From time immemorial, Bharatvarsh has been a land of devotion, pilgrimage, worship and spirituality. Religious places are found all over the country that is associated with different religions, faiths and traditions. Often these religious places are also infamous for destitution as several people including children are found in the situations of labour, street and begging. Because of the easy food, alms, generosity of devotees around these places, children are often found in large number begging. However, these children are deprived of their constitutional rights of education, food & nutrition, development and also lack family care and a proper shelter.

The Commission, prioritized its initiatives under SOP 2.0 Care and Protection of Children in Street Situations and decided to undertake a pilot initiative to identify, counsel, provide appropriate care and protection services including family integration and rehabilitation to the children around the religious places. Accordingly, the Commission rolled out SOP 2.0 in 51 religious places to make them free of street children, child labour and child beggars. The 17 States where 51 religious places were identified are Goa, Karnataka, Rajasthan, Uttar Pradesh, Andhra Pradesh, Tamil Nadu, Maharashtra, Odisha, Assam, Gujarat, Uttarakhand, Rajasthan, Madhya Pradesh, Gujarat, West Bengal, Delhi and Jharkhand. The Commission has held meetings in this regard with the State, District, Management authorities of the religious places and civil society organizations of 51 religious places spread across 17 States in India.

Evaluation of Pilot Initiative

Evaluation is a crucial intervention especially to assess the effectiveness of the pilot interventions. Therefore, to study the situation of CiSS across different religious places of India, a comprehensive and effective evaluation framework was designed. The evaluation framework was developed keeping in view that inputs may be collected from all the relevant stakeholders in a transparent and efficient manner. Total 6 key parameters were identified for developing the framework. The same are mentioned below in detail:

- a) **Identification & Rescue**- Total 15% weightage was allocated to the identification and rescue of CiSS. The focus of the parameter was to ensure that the process of identification and rescue of children is conducted in line with the CiSS SOP 2.0. The activity involved face-to-face interviews with such identified children.
- b) **Rehabilitation**-The parameter focused on assessing the steps taken by the State

Departments towards the rehabilitation of rescued CISS in the district. Action taken towards rehabilitation of children in schools, Anganwadi centre, and bridge course were also assessed during this activity. Total 15% weightage was allocated to this parameter.

c) **Awareness & Outreach-** The parameter focused on the awareness and sensitization towards child safety. With special emphasis on promotional and outreach activities conducted by the district administration, a maximum weightage of 20% was allocated to this parameter. Activities like placing banners, hoarding with the Child Helpline number, workshops, and awareness programs were assessed.

d) **Facilities-** Total 15% weightage was given to this parameter. The focus of the parameter was to assess the resettlement of children in the night and open shelters along with the facilities provided to them like health check-ups, compensation, or alignment with Government schemes.



e) **Evaluation & Monitoring-** Keeping in view the importance of continuous evaluation and monitoring, a maximum weightage of 20% was assigned to this parameter. It focused upon assessing the mechanism adopted by the Department to evaluate and monitor the work done towards the safety of CISS. It included assessing activities like on-time filing of FIRs and conducting surveillance audits of hotspots.

f) **System & Process-** The parameter focused on checking the internal processes and strategies of the Department to stop child begging, rag-picking, and selling items in the district through special initiatives and developing a mechanism to align such children/families with various Government schemes. Total 15% weightage was given to this parameter.

This is an exercise with respect to the field audits was undertaken in order to make the Department officials well conversant with all the exercises and to create an environment ensuring zero tolerance towards child begging and child labour. Each parameter was given

S.no	Religious Place	District	Identification	Rehabilitation	Facilities	Awareness Creation	Evaluation	System & Processes	Score	Grading
1	Mallikarjuna Jyotirling	Shrisel, Kurnool	10.5	12	9.5	20	3	15	70	B
2	kamakhya devi	Kamrup, Guwahati	6	8	7.5	9.5	5	8.5	44.5	C
3	Somnath Jyotirling	Somnath, Gir Somnath	13.5	7	7.5	12.5	20	15	75.5	A
4	Naagnath Jyotirling	Dwarka, khambhalia	13.5	7	7.5	16	20	15	79	A
5	Shravanabelagola	District Hassan	12	7.5	8.5	20	10	15	73	B
6	Murudeshwar	Uttara Kannada	12	8	8.5	20	10	15	73.5	B
7	Mahakaleshwar Jyotirling	Ujjain District	8.5	11.5	7.5	16	5	14	62.5	B
8	Pitambara Peeth	Datia District	10.5	8	9	16	2.5	15	61	B
9	Sanchi	Sanchi, Raisen	10	9	9	13	5	8.5	54.5	B
10	Sai Baba temple	Shirdi, Ahmednagar	8	6.5	11	10.5	0	8.5	44.5	C
11	Siddhi Vinayak Temple	Mumbai District	4.5	5	11	7	10	5.5	43	C
12	Haji Ali Dargah	Mumbai District	7.5	7.5	11	8	7.5	5.5	47	C
13	Lingaraj temple	Khordha District	7.5	13	11.5	16	10	12	70	B
14	Jagannath Temple	Puri District	13.5	9	14	20	10	11.5	78	A
15	Ajmer	Ajmer	12.5	3.5	10.5	12	14	5	57.5	B
16	Govind Dev ji	Jaipur District	13	4.5	14.5	20	10	5	67	B
17	Baba Khatu Shyam	Sikar District	6	0	7	19	10	8	50	B
18	Brahma Temple	Pushkar, Ajmer	5.5	3.5	10.5	9	14	5	47.5	C
19	Meenakshi Amman Temple	Madhurai District	9	9	7.5	12	20	15	72.5	B
20	Velankanni Church	Nagapattinam	8.5	13	7	20	7.5	15	71	B
21	Kanchi kamakshi	kancheepuram	9	11	7.5	20	10	15	72.5	B
22	Shree Krishna Janmabhoomi	Mathura District	7.5	4	5	10.5	15	5	47	C
23	Vishwanath Jyotirling	Varanasi District	10.5	15	15	13	20	15	88.5	A
24	Taj mahal	Agra District	5	6	5	2.5	15	8.5	42	C
25	Fateh pur Sikri	Agra District	5	6	5	2.5	15	5	38.5	C
26	Sangam Area	Prayagraj District	10.5	5.5	7	9.5	8	15	55.5	B
27	Rishikesh	Rishikesh, Dehradun	9	9.5	10	20	10	11.5	70	B

Note: Color Coding	Grade A	Grade B	Grade C	Grade D
Range	100-75	>75-50	>50-25	>25-0

weightage to assess the work and activities concerning CiSS, which were later analysed in detail to arrive at individual grading of religious places

Out of 51 religious places, evaluation was conducted in 27 covering all regions of the country. A gradation format was also developed based on cumulative performance on all indicators. As per final scoring, 4 places got grade A, 15 places adjudged as grade B and remaining 8 secured grade C.

Sl. No.	Name of Religious Place	City/ District	State
1	Mallikarjuna Jyotirling	Shrisel, Kurnool District	Andhra Pradesh
2	Kamakhya Devi	Guwahati, Kamrup District	Assam
3	Bodh Gaya	Gaya District	Bihar
4	All Religious Places of Goa	North and South District	Goa
5	Naagnath Jyotirling	Dwarka,Khambhalia,	Gujarat
6	Somnath Jyotirling	Somnath,Gir Somnath	Gujarat
7	Mudugeshwar Shiva Temple	Murdeswar,Karwar	Karnataka
8	Shravanabelagola	Hassan,Hassan District	Karnataka
9	Sanchi Stupa	Sanchi, Raisen	Madhya Pradesh
10	Pitambara Peeth	Datia, District	Madhya Pradesh
11	Khajuraho	Chhatarpur, District	Madhya Pradesh
12	Maha Kaleshwar Jyotirling	Ujjain, District	Madhya Pradesh
13	Omkareshwar Jyotirling	Omkareshwar,Khandwa District	Madhya Pradesh
14	Ram Raja Sarkar Orchha	Orchha,Niwari District	Madhya Pradesh
15	Triyambakeshwar Jyotirling	Nashik, District	Maharashtra
16	Vaidhyanath Jyotirling	Parli , Beed District	Maharashtra
17	Grishneshwar Jyotirling	Aurangabad District	Maharashtra
18	Sai Baba Temple	Shirdi , Ahmednagar, District	Maharashtra

19	Haji Ali Dargah	Mumbai District	Maharashtra
20	Siddhi Vinayak Temple	Mumbai District	Maharashtra
21	Shani Shingnapur	Ahmednagar District	Maharashtra
22	Bhimashankar Jyotirling	Pune District	Maharashtra
23	Puri Jagannath Temple	Puri District	Odisha
24	Lingaraj Temple	Bhubaneswar, Khordha, District	Odisha
25	Khawaja Moinuddin Dargah	Ajmer District	Rajasthan
26	Brahma Temple	Pushkar,Ajmer District	Rajasthan
27	Govind Dev Ji	Jaipur, District	Rajasthan
28	Baba Khatu Shyam	Sikar, District	Rajasthan
29	Sri Nath Ji Temple	Nathdwara ,Rajsamand District	Rajasthan
30	Meenakshi Temple	Madurai District	Tamil Nadu
31	Rameshwar Jyotirling	Setubandh, Ramanathapuram	Tamil Nadu
32	Ramnath Swami Temple	Rameshwaram,District	Tamil Nadu
33	Velankanni Church	Nagapattinam, District	Tamil Nadu
34	Kanchi Kamakshi	Kanchipuram, Kancheepuram District	Tamil Nadu
35	Tripureshwari	Gomati District,	Tripura
36	Vishwanath Jyotirling	Varanasi District	Uttar Pradesh
37	Shri Krishna Janmbhumi Temple	Mathura, District	Uttar Pradesh
38	Sri Ram Janm Bhumi	Ayodhya District	Uttar Pradesh

39	Taj Mahal	Agra District	Uttar Pradesh
40	Fatepuri sikri	Agra District	Uttar Pradesh
41	Imambada	Lucknow District	Uttar Pradesh
42	Sangam Area	Prayagraj District	Uttar Pradesh
43	Rishikesh	Rishikesh, Dehradun	Uttarakhand
44	Kumbh Mela	Haridwar	Uttarakhand
45	Dakshineswar Kali Peeth	Kolkata , 24 North Parganas District	West Bengal
46	Kalighat	Kolkata , 24 North Parganas District	West Bengal
47	Tara Peeth	Birbhum, District	West Bengal
48	Jama Masjid*	Central, Delhi	Delhi
49	Hanuman Mandir, CP	New Delhi, District	Delhi
50	Kalkaji	New Delhi District	Delhi
51	Vaidyanath Jyotirlinga	Deoghar District	Jharkhand

Chapter-2.3

Consultation Meeting with Civil Society Organizations (CSOs):

The Standard Operating Procedure (SOP) 2.0 for Care and Protection of Children in Street Situations (CiSS) calls for action not only by the child protection authorities and duty bearers appointed by the Government at various levels but also from Civil Society Organizations (CSOs) and other stakeholders. CSOs and agencies play key role not only providing services to the children but also practical feedback to the Government in modifying policies, improving programmes and in carrying out effective implementation.



Moreover, one of the core objectives of the SOP 2.0 is to create a convergence among the various functionaries, institutions/agencies, Government of India schemes and policies and to ensure a more holistic approach in providing care, protection and restoration of CiSS. It has been formulated with the view that children should either be with their families, guardians or under appropriate care and not in the street situation. In case the family needs support, it may be provided by the respective States/UTs keeping in mind the best interest of the child. Further, the Hon'ble Supreme Court issued directions for identification and rehabilitation of Children in Street Situations as per SOP 2.0 of NCPCR. In this regard, NCPCR has organized a national level meeting on Identification, Rescue and Rehabilitation of Children in Street Situations with NGOs/CSOs and UN agencies for seeking views and assistance from them.

A consultative meeting was held on 8th February, 2022 at Constitution Club of India, New Delhi. The program started with a presentation on Baal Swaraj portal of Children in Street Situations (CiSS). The meeting was initiated with an inaugural address by Shri Priyank Kanoongo, Chairperson, NCPCR highlighting the current conditions of Children in Street Situation (CiSS). Further, Chairperson, NCPCR laid emphasis on the partnership of the Commission with the NGO's to work jointly to Rescue and Rehabilitate such children. He invited the NGOs to share their suggestions in improving SOP 2.0 for its effective implementation. The meeting was attended by more than 95 participants, and 49 organizations including UN organizations across States which included UN agencies and NGOs/CSOs in the Open house discussion on CiSS- identification, Rescue and Rehabilitation of children who shared their experiences and made suggestions on this important topic.

Key Suggestions/Views shared by the participants (NGOs/Social Workers/Experts):

- The issue of Children in Street Situation shall remain complex if more and more agencies don't join together in this initiative and contribute their support.
- We should collectively work not just for the children but also their parents by creating opportunities for them for example linking them with MNREGA or with other schemes.
- We should not only work for the children but also for their communities to protect them from various challenges.
- There is a need for mentoring of children - as the children get attracted towards things like drugs and crime. It becomes important that mentors be provided so that they can be directed towards education.
- Government schemes must be strengthened so that children do not get trafficked from their original place and reach destination State and further not get involved in criminal activities.
- Organizations should create a list of hotspots and further it should be distributed to the districts so as to expedite the process of identifying these children.
- Children need to be showed a guided path so that they don't get involved in heinous activities.
- Regarding rescue, it was suggested that rather calling it "Rescue operation", it can be termed as "Outreach operation".
- Psycho-social parameters must be looked into.
- Long term intervention is necessary since children have no support due to their family background.
- The representative suggested that qualitative data of vulnerable children be collected and reported.
- There is an urgent need for generation of data as the number of vulnerable children

is huge. It was pointed out that children are in need of being empowered but the facilities are not able to reach them.

- It was also pointed that prevention is most important as children are physically, mentally and sexually abused and violated. It was also pointed that there is a need of funds in child protection.
- It was suggested that sending children back is important. It was suggested that family strengthening is important and positive parenting is important.
- Need to advertise widely on child welfare.
- It was pointed out there are not many Children Homes in States like Jharkhand and Uttar Pradesh.
- ICPS schemes are not implemented properly due to lack of awareness.
- There must be a proper rehabilitation plan for rescued children. All the families must be linked with social welfare schemes
- There are still lapse on the part of Childline, police officials, etc. as they are not aware about the procedure to be followed under JJ Act. It was also pointed out that there are still loopholes in the rehabilitation procedures which are further misused.
- It was suggested that steps must be taken to ensure safety, welfare and admissions in schools.
- The rescued children should not be released until the entire procedure related to their rehabilitation is completed to keep them off from the streets.
- Children of daily wage labourers are not provided with proper Aanganwadi services; there are no creches. If not more than 50 women on construction sites, then Building and Other Construction Workers (BOCW) Act is not applicable. Therefore, better services for children of construction workers are required.
- It is pertinent to find the root cause for why the children are on the street, as without the root cause, the laws and schemes will remain ineffective. Education and awareness are important to solve the issue.

Key suggestions from UN Agencies:

- The situation of street children is an urban problem and requires inclusion and aid of Local Government Bodies.
- The importance of family was highlighted as well as rehabilitation of CiSS. Institutionalization should be used as a last measure.
- Economic and social conditions of the children are very different from that of other children.
- The idea of Vasudhaiva Kutumbakam (The world is one family) was propounded. There is a significant role of family for children affected by conflicts and displacement.
- Need for multi stakeholder approach to address the problem. Talked about the three important aspects for street children; Family, Health, and Education.

- The children are catalyst of social change and play a concrete role in a nation's development. It is of paramount importance to protect the rights of children.
- It is important to work together to provide children access to education, health, security, dignity, nutrition, and water. The onus of providing a safe environment for the children is on the people of the community.

Key suggestions/inputs from Government Organizations

- There is a need to impart training to the people dealing with street children and their rehabilitation. A collective force is required.
- The objective of Child Line and its role towards protection of children was shared. At times Child Line face serious challenges when they go for rescue in districts as the stakeholders do not provide them with adequate support. However, ChildLine is making efforts to help more and more children and rescue them where required. Promotion of Child Line- 1098 has helped many children across the States/UTs. It is important to further strengthen the Child Line.

Conclusion: The meeting conducted by the National Commission for Protection of Child Rights concluded with the Chairperson allaying the concerns of a few participants regarding the safety of the data available on the Bal Swaraj portal, which is not public, and the process is being conducted with full knowledge of the Hon'ble Supreme Court. Secondly, a few concerns were raised about the inefficiency of the Child Welfare Committees, with regard to which the Chairperson suggested that it is important to produce every child in need of care and protection to the CWC. In case the CWC does not perform its duties, the National Commission or the respective State Commissions may be approached in such cases. Further, the Chairperson informed the participants of the concept of private sponsorship, which was successfully initiated in Madhya Pradesh, that may be provided to the children in need of care and protection who could not be provided Government funded sponsorships.









Chapter-2.4

Model Rehabilitation Policy for Children in Street Situations (CiSS):

The idea of a “Model Rehabilitation policy for Children in Street Situations (CiSS)” was conceptualized as a key driver for the overall success of the “Standard Operating Procedure for Care and Protection of Children in Street Situations (SOP) 2.0”. Rehabilitation and mainstreaming of CiSS into the society is the ultimate goal that the SOP aspires to achieve. Therefore, the Model Rehabilitation Policy was formulated dovetailing the key principles and provisions provided in the SOP 2.0.

It may be noted that the “Standard Operating Procedure for Care and Protection of Children in Street Situations (SOP) 2.0” is an endeavor to strengthen the processes and interventions regarding CiSS in the view that there should not be any child in a street situation; rather, they should be with their families. In case the family needs support, it may be provided keeping in mind the best interests of the child. The SOP 2.0 had been developed keeping in mind the learnings of NCPCR itself in rescue and rehabilitation of street children, the alarming number of 2 lakh children who were found to be in street situation in just 4 States of the country and the multidimensional and complex problems attached to a child in street situation.

In the meantime, the Hon’ble Supreme Court has taken suo-moto cognizance in SMWP (C) No.6/2021 with regard to Children in Street Situations on 15.11.2021 and has passed the following directions in its orders dated 15.11.2021, 13.12.2021 and 17.01.2022.

- a. The District Magistrates/ District Collectors to take steps in accordance with SOP 2.0 that has been formulated by the NCPCR.
- b. The Secretary, Department of Women and Child Welfare of each State shall be the nodal officer to ensure that all the District Magistrates/ District Collectors take prompt action for implementation of SOP 2.0 formulated by the NCPCR.
- c. The process has to start with immediate action being taken by the authorities for identification of CiSS and thereafter, providing the required information to the NCPCR for the later stages as well.
- d. The State Governments/Union Territories are directed to promptly attend meetings that are held by the NCPCR and offer their suggestions, apart from voicing their concerns, if any, in implementation of the SOP 2.0.
- e. The State Governments/Union Territories to take immediate action for identifying children in street situations without any delay and upload the required information on the Baal Swaraj – CiSS portal of the NCPCR.

- f. Identification of children and registration of these children at Stage-1 of the NCPCR's Baal Swaraj-CiSS Portal is crucial and that the concerned authorities in the State Governments/Union Territories need not wait for any further instructions from the NCPCR or directions of the Hon'ble Court for proceeding with collecting relevant information on the social background of the children, identification of the benefits under the Individual Care Plan, enquiries to be conducted by the Child Welfare Committees under the Juvenile Justice (Care and Protection of Children) Act, 2015 and linking the schemes/benefits with the children, or their families or guardians.
- g. The District Magistrates shall upload the relevant information, not restricted to Stage I, but also the information relating to the other stages.
- h. The State Governments/Union Territories to instruct all the concerned authorities to take prompt action in the identification and rehabilitation of children in street situations.
- i. In the next meeting to be conducted by the NCPCR, the issue relating to rehabilitation of CiSS should be discussed, without waiting for all the stages on the Bal Swaraj –CiSS portal to be completed.
- j. Without prolonging the process any further, the State Governments, with the guidance of NCPCR, shall formulate policy for the rehabilitation of CiSS after they have been identified as such in the streets

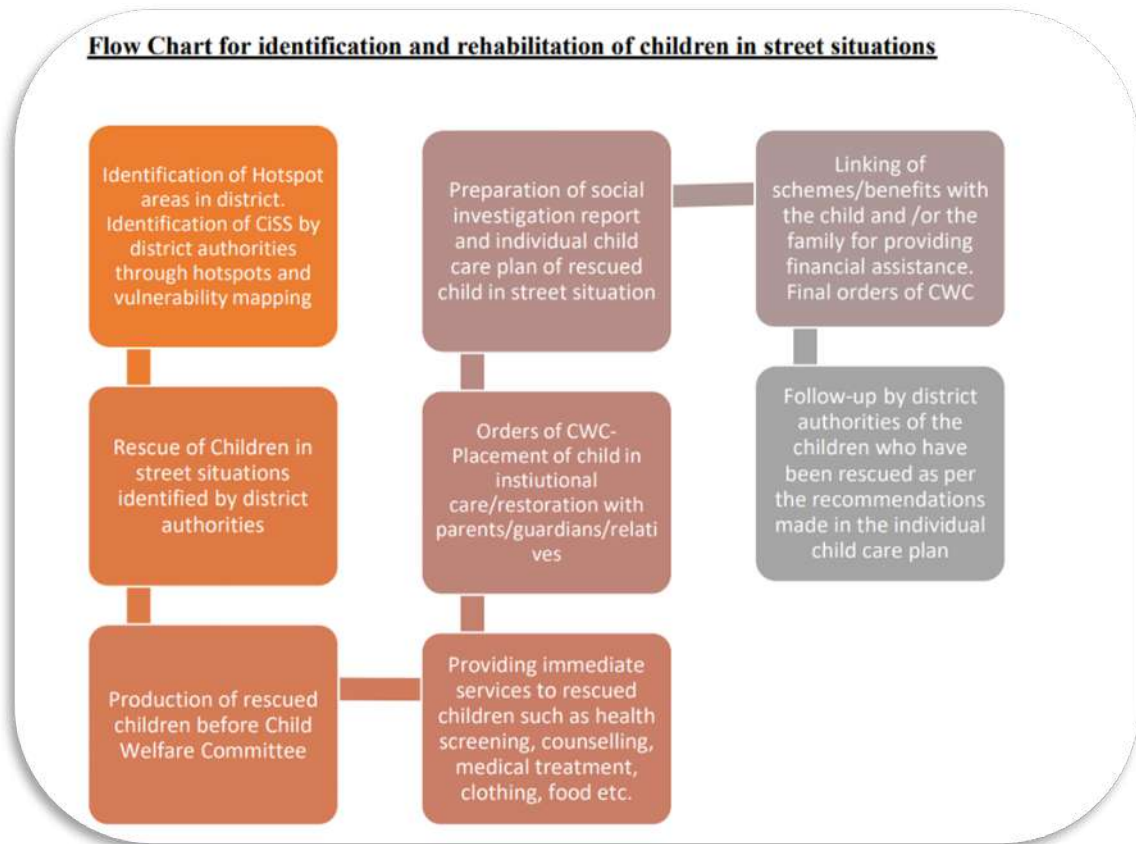
In compliance of the aforementioned directions of the Hon'ble Supreme Court, this hybrid policy for rehabilitation of children in street situations is prepared by NCPCR for adaptation and implementation by States/UTs according to their prevailing situations with regard to resources, financial grants, infrastructure etc.

Thus the key objectives of the policy are:

- (1) Effective implementation of SOP 2.0 for care and protection of Children in Street Situations.
- (2) To take steps for identification and suitable rehabilitation of children in street situations.
- (3) To provide for roles and responsibilities of the nodal officer at both State level and District Level for rehabilitation of children in street situations.
- (4) To recommend measures for rehabilitation of children in street situations in accordance to their prevailing situation and provide for a plan for reporting and monitoring of children in street situations.

The process

Flow Chart for identification and rehabilitation of children in street situations



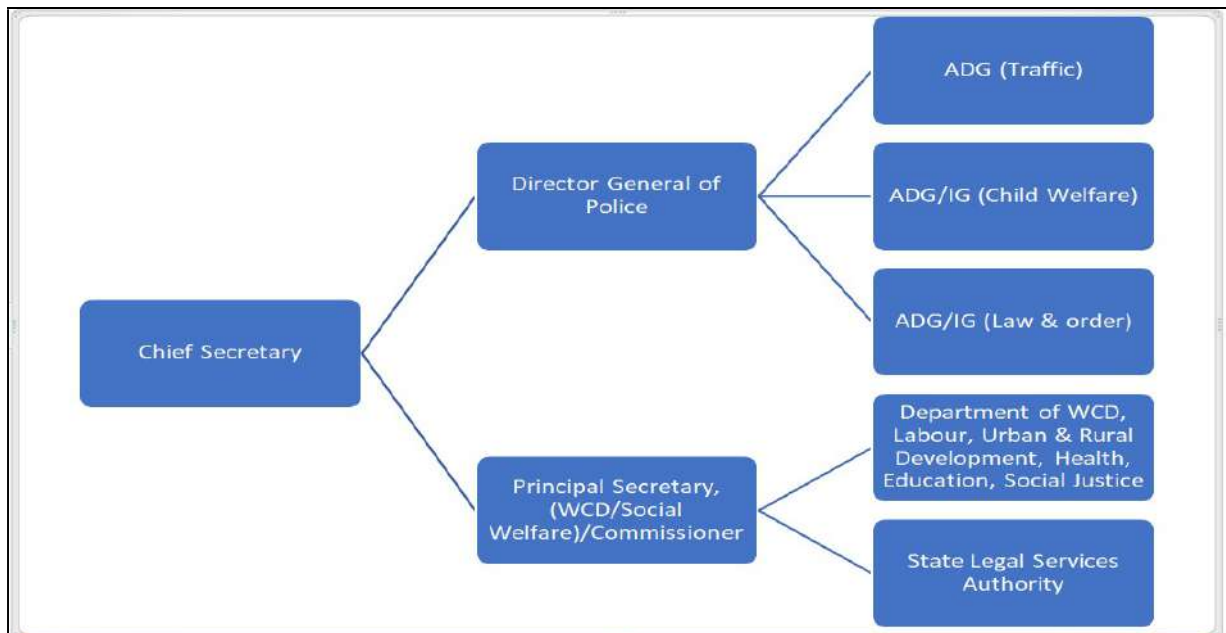
The policy covers different aspects of the issues and required procedures. It defines the all possible categories of children living in street situations with various examples of types of children. It also deals with the steps to be taken by authorities for rehabilitation of children in street situations. The policy is to be operated mainly at district and sub district level under the close supervision of District Magistrate/Collector.

District level Authorities & Duty bearers		
Senior Superintendent of Police (SSP)/(SP)	District Child Protection Unit/Officer/Childline	District Labour Officer
Traffic Police Incharge	District Education Officer	District Legal Services Authority
Special Juvenile Police Unit	Anti Human Trafficking Unit	Counsellors, pscyhologists,
Chief Executive Officer Urban Local Body	Child Welfare Committee SDM's at hotspot areas	Support staff like para-medics
District Development Officer (DDO)	Chief Medical Officer	Home Guards etc.

Monitoring of status of children in street situations on a regular basis by the Principal Secretary, Department of WCD/Social Welfare:

- Take review meetings with District Magistrates on a regular basis to check status of rehabilitation of CiSS
- Present monthly reports on the status of identification and rehabilitation of CiSS to Ministry of Women and Child Development
- Develop mechanism for empowering DMs to provide Rs.2000/- on an immediate basis to every CiSS rescued from the street. The amount may be disbursed from the Juvenile Justice Fund created under JJ Act, 2015
- Ensure and facilitate enrollment of children in street situations in Aanganwadi Centres, Creches and Neighbourhood Schools. This may be done in collaboration with Department of Education.
- Formulate a scheme for children in street situations where monetary assistance/benefit can be given to the child for strenghtening the family and keep them away from the streets.
- Formulate a private sponsorship program through CSR initiatives under Section 45 of JJ Act, 2015

Review of Status of Rehabilitation of CiSS



The policy deals with various steps to be taken by different authorities and different rehabilitation measures to be taken for rehabilitation of the children in street situations.

Chapter-2.5

Survey & Rescue Operation

NCPCR led the initiative of conducting spot field survey drive at 15 cities in 8 States/UTs (Assam, Bihar, Chattisgarh, Gujarat, Jharkhand, Madhya Pradesh, Maharashtra and West Bengal) between 09.02.2022 and 14.02.2022. Commission along with Childline identified these hotspots and visited to guide and work with the district administration for identification of children in street situations. In this initiative, Commission identified 283 children and got 156 children rescued. Prior to the visits, NCPCR had written letters to the respective State Governments intimating them about the visit of team of NCPCR and requested them for the assistance of District Child Protection Unit, Child Welfare Committees, Special Juvenile Police Unit, Labour Department, Health Department, Education Department, Childline, NSS/NCC/Scout and Urban Local Body for the survey.

Key observations of the surveys conducted were ; in some districts, non-cooperation of the district administration in the State/UTs and consequent problems were also faced by NCPCR teams. The NCPCR teams observed that the district administration including the DCPOs and Childline were reluctant in rescuing children in street situations and producing them before the Child Welfare Committees. In three districts of Bihar, i.e., Bodh Gaya, Patna and Madhubani, it was reported that the district administration refused to rescue the children identified by NCPCR team citing blatant excuses that while the children were in the streets. They were present there with the families. The district officers informed that since the children were there with their families, they could not rescue them. It was also brought to the notice of the NCPCR, that in some districts SIRs and ICPs of children identified by the district officials were being prepared without producing the children before the Child Welfare Committees were passing orders without meeting with the child.

The following suggestions were made during the spot field surveys conducted by NCPCR in various cities-

- NCPCR suggested that it was important to mark hotspots in a joint campaign with ICPS team, SJPU, Child Line, and Labour Department.
- All the children identified in this campaign should be presented before the Child Welfare Committee.
- The Commission suggested that there should be vulnerability mapping at the village and block level of families who are most likely to take streets for earning their livelihood and survival.
- Street children and their families should be linked with the schemes of different departments of the Government and at the same time, the rescued children should be provided protection in open shelter homes or in fit facilities.

- Street children should not be admitted to only temporary schools run by voluntary organizations and arrangements should be made for their studies by getting them admitted in open shelter homes/children's homes/Government schools run by the Government.
- On the point of prevention of drugs and substance abuse among children and illegal trafficking. Instructions were given that a nodal department should be nominated by the District Magistrate for the implementation of Joint Action Plan of this comparing at the district level. After that, according to the action plan of all the stakeholders, departments should jointly act to implement the plan.
- To act under COTPA 2003 by the Police Department, Child Welfare Police Officers should take appropriate action so that the propagation of narcotic substances is topped and within 100 meters of educational institutions.
- The responsibility of displaying information regarding the prohibition of sale of any kind of intoxicants within 100 meters of educational institutions will be the responsibility of the Education Department. Apart from this, a committee of students of classes 6 till 12 should inform the teachers about the presence of such substances with the children inside the school. Action should be taken against the sale of narcotics operated by the Municipal Corporation within a radius of 100 meters of the school premises.
- Stakeholder training should be done under Section 77 (Penalty for giving intoxicating liquor or narcotic drug or psychotropic substance to a child) and 78 (Using a child for vending. Peddling, carrying, supplying or smuggling any intoxicating liquor, narcotic drug or psychotropic substance) of Juvenile Justice Act 2015.
- According to the District Mental Health Program, the ward of the district hospital should be declared as fit facility and counselors should be identified for counseling the children who are addicted to drugs.
- A long-term rehabilitation program should be prepared by presenting it before the child welfare committee and action should be taken against the person/family member for selling drugs to the child under the Juvenile Justice Act.

Chapter-2.6

Meeting with the States/UTs

Children living in street situations forms a core part of the beneficiaries under Child Protection Scheme (CPS) which is the vehicle for implementation of policies and programmes pertaining to Children in Need of Care & Protection (CNCP). The CPS is a centrally sponsored scheme implemented by the States/UTs. Therefore, it is pertinent that the States/UTs need to be taken on board and exchange ideas, concerns and best practices for effective implementation of the “Standard Operating Procedure for Care and Protection of Children in Street Situations (SOP) 2.0.

Further to this, the Hon’ble Supreme Court in SMWP (C) No.6/2021 in the matter of In Re Children in Street Situations had vide order dated 13.12.2021 observed that the number of CiSS who have been identified by the States/UTs appeared to be at a slow pace. The Hon'ble Supreme Court in its order has also stated that identification of children and registration of these children at Stage-1 of the NCPCR's Baal Swaraj-CiSS Portal is crucial and that the concerned authorities in the State Governments/Union Territories need not wait for any further instructions from the NCPCR or directions of the Hon'ble Court for proceeding with collecting relevant information on the social background of the children, identification of the benefits under the Individual Care Plan, enquiries to be conducted by the Child Welfare Committees under the Juvenile Justice (Care and Protection of Children) Act, 2015 and linking the schemes/benefits with the children, or their families or guardians.

The Hon'ble Supreme Court has vide its order dated 17.01.2022 directed the State Governments/Union Territories to instruct all the concerned authorities to take prompt action in the identification and rehabilitation of children in street situations. Further, the Supreme Court also directed that in the next meeting to be conducted by the NCPCR, the issue relating to rehabilitation of CiSS should be discussed, without waiting for all the stages on the Bal Swaraj –CiSS portal to be completed. The Hon’ble Court has directed that without prolonging the process any further, the State Governments, with the guidance of NCPCR, shall formulate policy for the rehabilitation of CiSS after they have been identified as such in the streets.

Thereafter, for effective implementation of the SOP as well as to comply with the directions of the Hon’ble Supreme Court, the Commission sent letters to all Principal Secretaries, Department of Women and Child Development/Social Welfare of each State/UT to attend virtual meetings with the Commission to discuss the measures/steps taken by them for identification and rehabilitation of children in street situations and further uploading of the data on the Baal Swaraj Portal-CiSS of NCPCR. The letters were sent to all States/UTs on 28.01.2022 and the 36 States/UTs were divided into three groups of 12 each on 09.02.2022,

10.02.2022 and 11.02.2022 respectively.

The Commission in its letter dated 28.01.2022 had requested the States/UTs to inform about the following information regarding steps taken for rehabilitation of children in street Situations

- i) The number of children identified in the State/UT who are in street situation.
- ii) Number of open shelters in the State/UT
- iii) Number of fit facilities declared by CWC in the States/UT
- iv) Number of children in street situations enrolled in schools after identification
- v) Number of children and their families in street situations given counselling
- vi) Number of children in street situations for whom health screenings have been done
- vii) Number of children in street situations who were engaged in child labour/child begging
- viii) Number of children in street situations who have been placed in institutional care
- ix) Number of children in street situations who have been restored with parents/guardians/families
- x) Number of children in street situations who have migrated from the State after identification by the officials
- xi) Number of children in street situations who have been repatriated to their native State/UT after identification
- xii) Number of children in street situations who have been linked with schemes of the Central and State Government
- xiii) Sponsorship

The Commission during the meeting held with States/UTs on 09.02.2022, 10.02.2022 and 11.02.2022 discussed the rehabilitation measures taken by them for children in street situations and asked them if they were in requirement of any assistance or guidance from NCPCR for developing policy for rehabilitation of children in street situations. In the meetings, NCPCR had also given certain suggestions while discussing the issues and challenges being faced by the States/UTs.

CHAPTER-3

Joint Action Plan (JAP) on Prevention of Drugs and Substance abuse among children and illicit Trafficking

Chapter-3

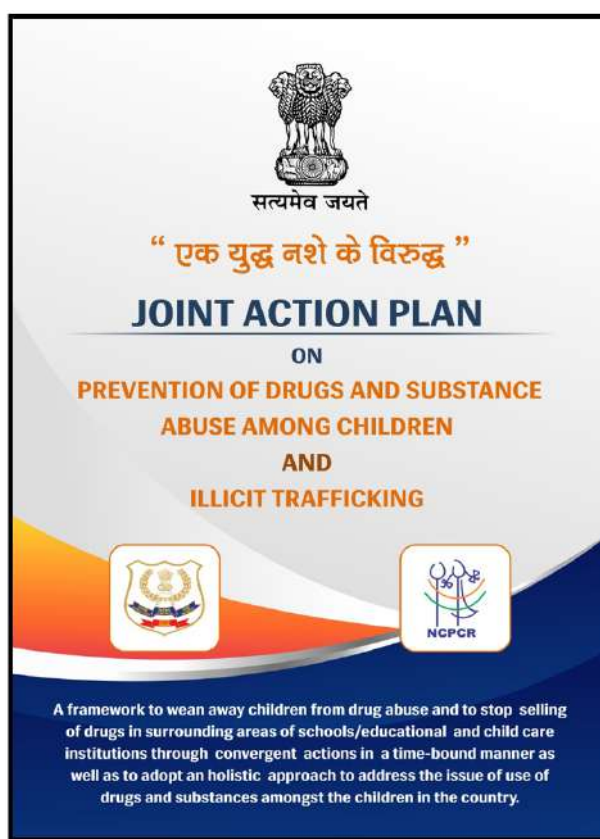
Joint Action Plan (JAP) on Prevention of Drugs and Substance abuse among children and Illicit Trafficking: A core initiative for drug abuse free India

A journey of policy formulation, rollout and its national level review

Formulation and Release of the Joint Action Plan

Azadi Ka Amrit Mahotsav can be best celebrated on the platform of a healthy society and generations free of drugs and substance abuse. Thus, the Inter-departmental Joint Action Plan (JAP) has been formulated and being implemented as a response to the clarion call and concerns raised by the Hon'ble Prime Minister.

This Joint Action Plan has been formulated as a public policy document taking into account all existing policies, laws, regulations, schemes, programmes and keeping in view the roles and responsibilities of various authorities, administrations, agencies, duty bearers, stakeholders and responsible citizens. The policy defines the roles of various ministries from central Government to the roles to be played by school principals. It is a unique initiative wherein there was no need to bring a new legislation or amend any policy or Act. This document even informs and empowers District Magistrate u/s 133 Code of Criminal Procedure (CrPc) to install CCTV cameras at medical stores Selling Scheduled H & X drugs which is one of the important strategic interventions of the Joint Action Plan.



The key principles adopted in the Joint Action Plan are based on the direction of Hon'ble Prime Minister to have a mechanism to wean away children from using drugs in surrounding areas of school, high school and colleges. These are; (1) Total ban on illicit drugs (2) Licit drugs to be kept/dealt away from the reach of children and (3) Scheduled X and H drugs to be sold only through prescription and digitization of sale records. Some of the important interventions prescribed in the JAP are; installation of CCTV at liquor shops u/s 77 & 78 of the Juvenile Justice (Care & Protection of Children) Act, 2015; installation of CCTV at

Chemist shops selling Scheduled H & X drugs, digitization of sales of Scheduled H & X drugs, Prahari Club of Students for awareness and prevention of substance abuse in school premises, early detection of substance use through RBSK and linking them with counsellors, provision for treatment , sensitization of parents ; stopping the sales of inhalants etc.

This is first of its kind comprehensive Inter-Departmental Joint Action Plan on the issue of drugs and substance abuse among children, wherein, all the stakeholders, agencies, duty bearers, authorities, media and parents are to perform their designated roles indicated in the document. It is hoped that this Action Plan- *“एक युद्ध नशे के विरुद्ध”* ushers a journey to realize the goal of *“नशा मुक्त भारत”*- Drugs free India.

Release of Joint Action Plan :

The release event of Joint Action Plan held on 9th February , 2021 was chaired by the Chairperson, NCPCR Shri Priyank Kanoongo and attended by the Deputy Director Generals from NCB , Chairpersons of some of the State Commissions for Protection of Child Rights (SCPCRs) i.e. Punjab, Odisha, Himachal Pradesh, Manipur, Assam, representatives from SCPCRs; representatives from the Ministry of Social Justice & Empowerment , Ministry of Education , Ministry of Health, All India Institute of Medical Sciences (AIIMS). It was organized in hybrid mode wherein , the event was also attended virtually by all SCPCRs, concerned Ministries and Departments, officials from regional offices of NCB.

Rollout and Monitoring of Joint Action Plan: District-wise review on virtual mode

In first phase, the Joint Action Plan was rolled out in 272 vulnerable districts identified by the NCB and Ministry of Social Justice & Empowerment. NCPCR had started monitoring the implementation from April, 2021 and the first District-wise review meeting was held virtually in the period of July-August, 2021 . In this review cum orientation meeting , NCPCR along with SCPCRs and NCB (regional/State) conducted 38 review meetings and covered 31 States and 260 vulnerable districts identified by the Ministry of Social Justice & Empowerment all over India except Jammu & Kashmir

The agenda of review meeting was to orient the concerned authorities and stakeholders on Joint Action Plan (JAP), discuss the status of implementation of Joint Action Plan in 272 vulnerable districts and action taken by the State/District authorities on the Joint Action Plan.

The Departments & Authorities invited for Review Meetings were given as under:

District Level

1. District Magistrate (DM)/Deputy Commissioner (DC)
2. Superintendent of Police (SP)
3. District Excise officer (DEO)
4. District Education Officer (DEO)
5. Child Welfare Police Officer (CWPO)
6. District Child Protection Officer (DCPO)
7. Special Juvenile Police Unit (SJPU)
8. Child Welfare Committee (CWC)
9. District Social Welfare Officer (DSWO)
10. Chief Medical Officer (CMO)
11. District Drugs Control Authority (DDCA)
12. CEO- Zila Panchayat (ZP)

State Level

1. State Commission for Protection of Child Rights (SCPCR)
2. Department of Women & Child Development / Social Welfare (DWCD)
3. State Department of Education
4. State Department of Health
5. State Pharmacy Council
6. State AIDS Control Society
7. State Excise Department
8. State /Regional Officer of NCB
9. State Drugs Controller Authority

Parameters for Review

1. Districts implemented the Joint Action Plan and attended the review meetings.
2. Orders issued by District Magistrate u/s 133 Code of Criminal Procedure (CrPc) to install CCTV cameras at medical stores selling Scheduled H & X drugs.
3. Districts conducted meeting with Traders Association in respect to the sales of inhalants
4. CCTV installed at liquor shops u/s 77 & 78 of the Juvenile Justice (Care & Protection of children) Act, 2015.
5. CCTV installed by the schools.
6. Hoardings placed in appropriate places regarding the prohibition of sale of tobacco/alcohol to children below the age of 18 years.
7. Liquor shops relocated away from the schools as per the norms.
8. Cases registered u/s 77 & 78 of the Juvenile Justice (Care & Protection of Children) Act, 2015.
9. Digitization of register for Scheduled 'X' and 'H' Drugs.
10. Training programmes for Child Welfare Police Officers under Section 77 and 78 of the Juvenile Justice (Care and Protection of Children) Act, 2015.
11. Awareness programmes.
12. Exclusive De addiction facilities for children in the districts, if not, than any separate portion in the existing facility identified and partitioned for the children.

20 BEST PERFORMING DISTRICTS					
(For the period July to December, 2021)					
S.N.	DISTRICT	STATE	S.N	DISTRICT	STATE
1	Namsai	Arunachal Pradesh	11	Jabalpur	Madhya Pradesh
2	Udalguri	Assam	12	Narsinghpur	Madhya Pradesh
3	Chandigarh	UT of Chandigarh	13	Champhai	Mizoram
4	Daman	UT of Daman & Diu	14	Mehsana	Gujarat
5	South Goa	Goa	15	Gajapati	Odisha
6	Sirsa	Haryana	16	Patiala	Punjab
7	Shimla	Himachal Pradesh	17	Bundi	Rajasthan
8	Udupi	Karnataka	18	Thiruvengudi	Tamilnadu
9	Thiruvananthapuram	Kerala	19	Etawah	Uttar Pradesh
10	Shillong	Meghalaya	20	Uttarkashi	Uttarakhand

National Level Review of JAP at Vigyan Bhawan, New Delhi

National Commission for Protection of Child Rights (NCPCR) in collaboration with Narcotics Control Bureau (NCB) conducted a National review cum Consultation on “Roll out of Joint Action Plan” in the States/UTs on 2nd March, 2022 at Vigyan Bhavan, New Delhi. The event was co-hosted by NCPCR & NCB. Representatives from the Ministry of Home Affairs, Ministry of Health & Family Welfare, Ministry of Education, NDDTC- All India Institute of Medical Sciences (AIIMS), United Nations Organization for Drugs Control (UNODC) and Gandhi Smriti & Darshan Samiti (GSDS). From the States, Chairpersons and Members of SCPCR's, Officers from the Deptt. of Home, WCD, Social Justice, Health, Education, Excise, State Drugs Controller, State AIDS Control Society and Police participated in the programme.



In this review cum consultation programme, Collector/District Magistrate of 20 best performing Districts on roll out of Joint Action Plan (from July to December, 2021) were facilitated.

Video Messages from Bollywood Actors were released during the programme. In their video messages, actors have shared their concerns of drug abuse and appealed to people to participate in the campaign - “Drug-Free India”

The review was chaired jointly by Director General-NCB and Chairperson, NCPCR. States made their presentations on the progress made on different indicators provisioned under the JAP. During the review, focus was laid on the strict implementation of the provision of installing CCTV cameras in the chemist shops selling Scheduled X & H drugs, tobacco free zone of the school areas, awareness, and roles to be played by all the stakeholders. As



reported by States/UTs during the review meeting; progresses made under specific indicators are given as under:

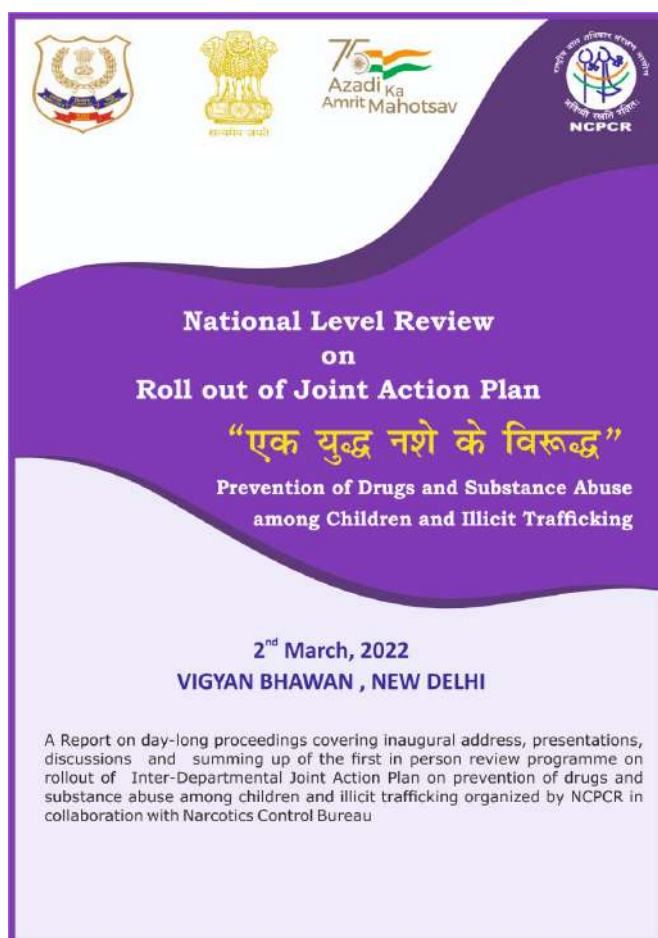
1. In 141 Districts orders have been issued by District Magistrate u/s 133 Code of Criminal Procedure (CrPc) to install CCTV cameras at medical stores selling Scheduled H & X drugs.
2. Total 74,546 pharmacy shops selling Scheduled H and X drugs in 17 States/UTs have installed CCTV cameras.
3. 73 Exclusive De addiction facilities for children in 13 States/UTs.
4. 478 cases in 15 States/UTs have been registered u/s 77 of Juvenile Justice (Care & Protection of Children) Act, 2015.
5. 244 cases in 11 States/UTs have been registered u/s 78 of the Juvenile Justice (Care & Protection of Children) Act, 2015.
6. 59,750 Prahari Clubs have been constituted in 12 States/UTs.
7. 9,169 cases in 15 States/UTs registered u/s (6) of COTPA Act.

Discussions on Emerging Issues:

Given the demographic dividend of the population in which 40% are children, and the momentum of this dividend can be compromised, if these very children are exposed to drugs.

For a country and economy which is poised to achieve bigger milestones would not accomplish those results unless the children and the youth are also the part of that process. The wellbeing of children is a universal aspiration, and with the help of all stakeholders it can be realised.

The Joint Action Plan was planned in such a way that it can take all stakeholders like; Department of Social Justice, SCPCRs, Health Departments, NGOs and other Child Care Institutions, Schools and every other concerned institutions are on board to support children. All the Government stakeholders need to deliver as one and every effort should be in favour of children.



A Psycho-social effort is being initiated through a campaign MYGOV platform for every individual, that he or she will support the Nasha Mukh Bharat Abhiyan, and will not indulge in any activity relating to drugs, and will support the society to be drug free.

NCB is under active consideration on the possibility of amendment law to extend the Section 32B of The Narcotic Drugs and Psychotropic Substances Act 1985. It is to be made more stringent and impose punishment for selling in the area of educational institutions.

One of the concerns discussed was regarding the survey being conducted by the Ministry of Social Justice & Empowerment in 2019 on substance abuse including casual addicts. As per the findings, there are 8 Crore addicts which indicates that the addicts are almost everywhere in the society. Therefore, it is necessary to ensure that the objectives of this Joint Action Plan should be rolled out in the most effective manner.

Way forward

- NCPCR as mandated under CPCRA Act, 2005 would continue to monitor the implementation and progress made by the States and Districts on important indicators laid down in Joint Action Plan.

- State Commission (s) for Protection of Child Rights (SCPCRs) would play the role of monitoring the progress on implementation of JAP in States/UTs. SCPCRs may conduct regular review meeting with all the concerned officials of their respective States & Districts.
- Since, Civil Society Organizations are also involved in the areas of drugs prevention, de-addiction and treatment etc. The campaign should also seek their collaboration. Therefore, a consultation with Civil Society Organizations should also be organized.
- Education Department shall issue circular for constitution of Prahari Clubs in the schools to spread awareness and sensitize the children about the effects of substance abuse.
- Police Departments shall register cases under Section 77 (penalty for giving intoxicating liquor or narcotics drugs or psychotropic substance to the child) & 78 (Using a child for vending, peddling, carrying, supplying or smuggling any intoxicating liquor or narcotics drugs or psychotropic substance) of JJ Act, 2015.
- A training need assessment and training plan to orient and train the officials need to be developed by concerned Departments.
- Strict implementation of the provision of installing CCTV cameras in the chemist shops selling Scheduled X & H drugs.
- Making the school areas tobacco free zone.
- Preparation of IEC material and awareness generation.
- NCERT and SCERT should review National Curriculum Framework and include awareness on Drug Abuse in their curriculum.
- Training should be provided to Child Welfare Police Officer of every Districts and their training module will be formulated by the National Drug Dependence Treatment centre-AIIMS.
- Companies to be sensitised and mechanism to be developed to send CSR fund to work on the issues like drugs and substance abuse amongst children and other welfare matters.
- NCPDR and SCPCRs together will develop a mechanism to monitor the dark-deep cyber world where children are not being used.
- Focus of the next review: (i) To ensure Exclusive De-addiction centres for children with Drugs and Substance abuse, where children should be kept separated from adults in de-addiction centers. (ii) Digitization of registers of medical stores in every State by installing cameras in every store, so that selling of Schedule H, H1 Drugs can be monitored. It was stated that the entire procedure related to drugs should be digitized, starting from manufacturing to selling it to the ultimate consumer for complete transparency. Every drugs along with its usages should be traced or monitored and it will become easy to find out the amount of drugs being sold and the amount that are used for black marketing or trafficking, if such digitization should be executed.

In conclusion, all the participants agreed to implement all important provisions and actions indicated under the Joint Action Plan. Decision was also taken to take the JAP beyond 272 vulnerable Districts and implement in all districts of the country. The review meeting was attended by SCPCRs and Officers from stakeholder Departments from 31 States/UTs. In addition District Magistrates /designated officers from 20 best performing States also attended for the review. The detailed report is available at https://ncpcr.gov.in/uploads/166081896562fe1615ae112_JAP%20review%20meeting%20final.pdf





CHAPTER-4

Foundation Day Celebration

Chapter-4

FOUNDATION DAY CELEBRATION

भविष्यो रक्षति रक्षितः THE MOTTO OF NCPCR

In the celebration of Azadi Ka Amrit Mahotsav- National Commission for Protection of Child Rights (NCPCR) got its Motto “भविष्यो रक्षति रक्षितः”- The Future protects those who Protect it. The motto best suits for the Commission since children are the present as well as its future. The foundation day celebration showcased the journey of a set of children who sacrificed their lives in freedom struggle so that the children of the future can live a life of dignity with freedom without any subjugation. These martyr children otherwise were just



wrapped in the pages of history. Thus the Foundation Day was about a confluence of children from the past and present to envisage a future for a Great India. It was participated by the children in the age group of 15-17 years who are vaccinated and are beneficiaries under PM- Cares for Children and SAHARA – Tele-counselling.

Smt.Smriti Zubin Irani, Hon’ble Minister of Women & Child Development released the Motto with Chairperson ,Members and Member Secretary, NCPCR ; Secretary , Ministry of WCD and Director General- BSF. Speaking on the occasion , she mentioned that **‘it is most appropriate that the Foundation Day of NCPCR is being organized at the Red Fort . It is the same fort where our dynamic Prime Minister hoists the national flag every year and presents the vision of a New India to the nation. Today, children being present here signify**

that they are going to play their crucial role in actualising a New India that is envisioned during this phase of Azadi Ka Amrit Mahotsav. She congratulated the NCPCR family for the appropriate Motto. She delightfully conveyed that “*today on one side , there are children who sacrificed their lives to realise the dream of independent India and the other side are children who are to realise the dream of a New India*”. She expressed her gratitude for exhibiting the lives and journey of the martyr children who as freedom fighters, warriors happily laid their lives for the freedom of the nation. That drinking of poison (vishpan) actually has transformed the India. Hon’ble Minister also congratulated those states who would take this exhibition to their States. She also appreciated the initiative of SAHARA by the BSF and NCPCR. The SAHARA programme not only displays the aspect of humane but also the Mamatwa (motherliness) by the BSF which is otherwise known as a tough paramilitary force. This noble initiative must not be limited to BSF rather extended to all paramilitary forces.



It is most appropriate that the Foundation Day of NCPCR is being organized at the Red Fort. It is the same fort where our dynamic Prime Minister hoists the national flag every year and presents the vision of a New India to the nation. Today, children being present here signifies that they are going to play their crucial role in actualising a New India that is envisioned during this phase of Azadi Ka Amrit Mahotsav.- Smt.Smriti Zubin Irani, Hon’ble Minister, Women & Child Development

Speaking on the occasion, Chairperson, NCPCR highlighted that children are very special stakeholders of the Commission. Children associated with SAHARA tele-counselling programme as well as PM CARES are participating to witness this historic day of the Commission. The Commission was established under the Commission for Protection of Child Rights (CPCR) Act, 2005 that was passed about 17 years ago. Though as per Constitution of India and legal establishment a person becomes an adult after attaining the age of 18 years, however, NCPCR would remain a child because of its primary stakeholders who are children. He quoted former Prime Minister Late Shri Atal Bihari Bajpayeeji and said “if you want to stay young, have friendship with children and youth”. Since the friends of the Commission

would always be the children, the Commission will stay young even if it celebrates its Golden Jubilee or Centenary year of its foundation.

Talking about NCPCR, he further mentioned that in last few years, the Commission has adopted 360 degree approach in protecting children- starting from cyber world to the street , in houses, in schools as well as from human traffickers to drug peddlers. The Commission has brought up the issue of children on street situations to the Government. Commission proposes to work with children in street situations. It will focus to bring them back to the development process. Next year they will take part in the celebration.

With time, Commission has transformed itself to be more capable. From dealing with 3 to 5 thousand children in a year, the Commission is now directly in contact with 30 to 50 thousand children.



On the occasion of Azadi ka Amrit Mahotsav, what would be more suitable step than exhibiting the lives of children who participated in the war of independence and laid their lives even before attaining their adulthood? The exhibition would remain there for 2 days so that children from schools can come and visit.

In all endeavours of the Commission, it has received the support of Government of India and it is the most suitable occasion to convey the gratitude through the Hon'ble Minister of WCD. Hon'ble Prime Minister says 'today's children would be running the country when the nation would be celebrating its centenary year of India's independence. Today, it gives an immense joy in releasing motto of the Commission - "भविष्यो रक्षति रक्षितः".

Shri Pankaj Kumar Singh- DG , BSF mentioned that BSF and NCPCR has initiated a very novel project – SAHARA Tele-counselling extending counselling and support to the children of martyred those have sacrificed their lives protecting the citizens of our country. Children suffer from mental trauma, faces psycho-social problems, emotional issues. The tele-counselling programme was started last year and proved to be very helpful for the cause. The service has helped creating awareness, sensitization and extend cooperation in availing various benefits like; education, scholarship. Till date, 294 children have received counselling support from the trained counsellors. **The SAHARA Programme has been**

accepted as a useful support system by the children of Martyred. The Government has also recognised the need of mental health support for paramilitary forces. SAHARA is a successful model in this regard.



Shri Indevar Pandey, Secretary, Ministry of Women & Child Development in his address applauded the work of the Commission and said **the Commission has worked wonderfully during the COVID-19 Pandemic and has streamlined the processes to extend all required support to the children affected by the COVID-19**. It deserves all of our appreciation and acknowledgement for all the good work. The rights of children can be divided into four categories i.e Right to Survival, Right to Protection, Right to Development and Right to Participation. There are specific Acts and institutions. NCPCR is one of the most significant institutions that play a crucial role for the protection of children in the country. The Ministry of WCD is committed to extend all services required by the children. Unless children are protected, the development can't be ensured. We all know the human capital aspects in terms of children. The state of children would decide in which direction the country is moving towards. It is our responsibility to facilitate children to move in positive direction and create an enabling environment through government as well as private initiatives. The Juvenile Justice Act has been amended for the benefits of the children and to make the process simpler and easier. It is expected that the Commission would continue its good work in future also.

The event witnessed the cultural activities including BSF Band rendering patriotic songs, exhibition of child martyrs and performance of street plays on the theme of Azadi Ka Amrit

Mahotsav. Besides, interaction of the Hon'ble Minister of WCD with the children was the most meaningful part of the event.





CHAPTER-5

Celebrating- Child Rights with emphasis on Preventive aspects of Child Protection issues on the Occasion of “Azadi ka Amrit Mahotsav”

Chapter-5.1

Celebrating- Child Rights with emphasis on preventive aspects of child protection issues on the occasion of “Azadi ka Amrit Mohatsav”

National Commission for Protection of Child Rights (NCPCR) as a statutory body under section 3 of the Commissions for Protection of Child Rights Act, 2005, to take cognizance and redress matters pertaining to violation of the rights of the child and to ensure administrative mechanisms are in consonance with the child rights perspective as enshrined in the Constitution of India. To celebrate Child Rights Day, the Commission conducted a National Programme on “Child Rights with emphasis on preventive aspects of child protection issues” as part of the 75th anniversary celebrations of India’s independence – “Azadi ka Amrit Mahotsav” on 21st November, 2021 at Satyagrah Mandap, Gandhi Darshan. Smt. Smriti Zubin Irani, Hon’ble Minister, Ministry of Women & Child Development; Hon’ble Dr. Justice Sangita Dhingra Sehgal (Retd.), President, Delhi State Consumer Dispute Redressal Commission and Shri Indevan Pandey, Secretary, MWCD, attended the program.



To celebrate Children’s Rights Day, the Commission under aegis Ministry of Women and Child Development organized a National Programme on “Child Rights with emphasis on Preventive Aspects of Child Protection Issues” as part of the 75th anniversary celebrations of India’s independence – ‘Azadi ka Amrit Mahotsav’ on 21st November, 2021 at Satyagrah Mandap, Gandhi Darshan, New Delhi



Children's rights are human rights that are accustomed explicitly to the children needs, wants and overall well-being. They take into account their fragility, specificities and age-appropriate requirements. Children's rights aim to take into account the necessity of the development of a child. The United Nations adopted the Declaration of the Rights of the Child and World Children's Day is celebrated on 20 November to commemorate the Declaration of the Rights of the Child by the UN General Assembly on 20 November 1959. It is also the date in 1989 when the UN General Assembly adopted the Convention on the Rights of the Child. Since then it is also celebrated as Children's Rights Day. Historically, India has been strongly advocating and acknowledging rights of children through its cultural ethos and social conducts. This got translated into specific rights in our Constitution after independence and since then in subsequent child related Laws/Acts.

Shri. Priyank Kanoongo, Chairperson, NCPCR welcomed the Chief Guest of the programme, Smt. Smriti Zubin Irani, Hon'ble Minister, Ministry of Women & Child Development (MWCD). He also welcomed Dr. Justice Sangita Dhingra Sehgal (Retd.), President, Delhi State Consumer Dispute Redressal Commission; and Shri Indavar Pandey, Secretary, MWCD. Shri Kanoongo expressed gratitude and appreciated the participation of stakeholders from across the country who were physically present in the programme. This includes Chairpersons/ Members of the State Commission for Protection of Child Rights; Officers from Anti Human Trafficking Unit (AHTU); ICPS officials from the States/ UTs; and representatives of the Non- Governmental Organisations (NGOs) working in the field of child rights. He also welcomed the participants who connected virtually including representatives from State/UT Department of Panchayati Raj; officers from State/UT Department of Labour; officers from State/UT Department of Education and NGOs representatives from Railway ChildLine.

He stated that today while celebrating, child rights with emphasis on preventive aspects of child protection issues as part of the 75th anniversary celebrations of India's independence – '*Azadi ka Amrit Mahotsav*', the workshop will consist of the three technical sessions. The first session will focus on different aspects of child trafficking. First topic will focus on 'Rescue and Rehabilitation Aspects of Child Trafficking' by Padmashree (Dr.) Sunitha Krishnan, Chief Functionary and Executive Director- Prajwala; and second topic will include 'Types of Child Trafficking, Modes Operandi of Traffickers during Extra Ordinary Situation Post Lockdown due to COVID-19 Pandemic at Source Hotspots' by Dr. P. M. Nair, Chairperson, (Coral) on Human Trafficking, Indian Police Foundation; Former DGP, NDRF and DG, Home Guards, Civil Defense & Fire Services of Government of India.



Technical Session II focused on another important aspects of child safety- substance abuse and online safety. Shri Kanoongo briefed about the session and stated that Shri Sachin Jain, DDG Narcotics Control Bureau (NCB) will speak about 'Prevention of children from Drugs and Substance Abuse'; and Shri. Rakesh Maheshwari Scientist G Group, Co-ordinator Cyber laws, Ministry of Electronics and Information Technology (Meity) will throw light on the Online Safety of Children and prevention of online abuse of children. Technical session III will be an open house session to be chaired by the Chairperson, NCPCR wherein steps to be taken to comply with the directions of Hon'ble Supreme Court on Children in Street Situations (CiSS) shall be discussed post-lunch. Concluding his welcome address, Shri Kanoongo expressed his belief that this programme will bring into light the efforts made by all stakeholders in ensuring the rights of children and chart-out the way for future endeavours towards ensuring their protection.

Shri Indevar Pandey, Secretary, MWCD thanked Smt. Smriti Zubin Irani, Hon'ble Minister, Ministry of Women & child Development (MWCD); Dr. Justice Sangita Dhingra Sehgal (Retd.), President, Delhi State Consumer Dispute Redressal Commission; Shri Priyank Kanoongo, Chairperson, NCPCR); the dignitaries and all the participants from States/UTs

who were physically present in the programme and those who were connected virtually. He stated that this week is celebrated as Child rights and Nutrition Week by Ministry of Women & Child Development (MWCD) as part of 'Azadi Ka Amrit Mahotsav', celebrating 75th year of independence. Today is the culmination of this week and final week with series of events split throughout in the country. Shri Pandey further spoke on the subject of the programme and thanked the Shri Kanoongo, Chairperson NCPDR, for conducting a comprehensive workshop with the participation from all the States, different stakeholders including SCPCRs. He stated that it is understood that child protection refers to fundamental right of every child to be protected against neglect, violence and abuse which may be physical, sexual and economical, exploitation while in care of any institution, individual or authority.



The rights of children to such protection are recognised by the United Nations Convention on the Rights of the Child (UNCRC), 1989, as well as by the Constitution of India, and several laws that are in place for this purpose. These rights are also protected by the Constitution of India and series of Laws have been put in place for the said purpose. The interpersonal violence or violence between individuals that takes place at homes/schools/work places and communities are most serious form of injuries that are experienced by children. Children experience such interpersonal violence around the year and everyday violence including corporal punishment, bullying in schools or sexual violence which can takes place in real world or virtual world where online violence extends vulnerability to the offline violence by amplifying it and impacting the life/mind of children. The National Crime Record Bureau's "Crime in India" 2019 reported that crimes against

children increased by 4.5 per cent in 2019 as compared to 2018. The report added that there was also an 18.9 per cent increased registration of cases under the POCSO Act. In its report, NCRB stated that as many as 1,48,185 crimes against children were reported in 2019 in the country.

The reason of increase in crime is better reporting systems which have been put in place and also earlier there was some kind of delay in filing of FIR. The processes have been simplified relatively and that's why more number of cases have been reported. Government of India has placed institutional mechanism in form of National Commission for Protection of Child Rights (NCPCR) which was constituted in March 2007 & State Commission's with primary responsibility to guard & protect the children of India. The child protection policies which have enacted by the Ministry have been made to safeguard the rights, lay down schemes and action plans for fostering development of children. Most comprehensive of these Laws are Juvenile Justice Act 2015; Right of Children to Free & Compulsory Education Act 2009; Prevention of Children from Sexual Offences Act 2012; Prohibition of Child Marriage Act, 2006 and several other Laws, schemes and policies. Ministry also runs a very comprehensive child protection scheme which supports States/UTs for providing the children with parental, foster care, Child Care Institutions (CCIs) and also for regulation of CCIs. For mental health support and psycho social counselling for children in difficult circumstances, Ministry has established "SAMVAD" which is institutional mechanism in collaboration with NIMHANS. Such kind of management was not available in India for psycho-social causes. The Ministry has organized set of activities aligning with broader vision of MWCD on health and well-being; women empowerment; women and child protection and safety; child rights and gender sensitizations etc. for celebrating '*Azadi ka Amrit Mahotsav*' marking 75th year of independence. This gathering with all the officials from States/UTs, both offline and online; and experience of all stakeholders will be able to provide children with safe environment and protect children. He lastly, thanked all the participants again for joining the said meeting.

Smt. Smriti Zubin Irani, Hon'ble Minister, Ministry of Women and Child Development (MWCD) presented her immense gratitude towards Shri. Indevar Pandey, Secretary, MWCD; Dr. Justice Sangita Dhingra Sehgal (Retd.), President, Delhi State Consumer Dispute Redressal Commission, Shri. Priyank Kanoongo, Chairperson, NCPCR and all the stakeholders / participants including Chairpersons/ Members of State Commission for Protection of Child Rights (SCPCRs), all the authorities/ representatives from the States present physically and all other people connected through virtual mode across the country for participating in the workshop. She stated that all have gathered on the occasion of '*Azadi ka Amrit Mahotsav*' to contribute more towards welfare and protection of children of India. She congratulated National Commission for Protection of Child Rights (NCPCR) for celebrating the workshop at *Rajghat*, New Delhi. She further added that somewhere or the other, this place (referring to *Rajghat*) is the embodiment of National consciousness of

democracy after the independence struggle established in India, the heart & soul of the same democracy thrives in protection, care of children of India. She mentioned that the best test for democracy is whether “we as citizens, we as a nation can deliver justice to all our children” and what is the justice that we hope is delivered? Does it only emanate when a child is abused? Does it only emanate when a child is found begging on the streets? The principal of justice for children applies to all citizens of the country. Whenever, the time will come in the said workshop to discuss upon the various issues of child rights and protection, she stated that one discussion should also be done on the issue of child begging on the streets witnessed by most of us. Everyone understands the grief of children begging in the streets but due to limitation of time, most of us could not report these cases. There are representatives of the Police but at society level, how to create consciousness among people to take out two minutes of their time for such children to provide/locate them to right authority, safe places under Government institutions.

She further stated that every time in the workshops, the concern has risen for police and authority on how to smoothen & strengthen the functioning of the system in ensuring the rights of children. But one thought also be given during the workshop on how to bring the consciousness among our society for those who knows the Laws and Rules but hesitate towards taking a step for the children begging on streets. If by means of this workshop, we all will be able to bring consciousness among society and abolish the hesitation among us as citizens, that will be a triumph. On part of the Ministry, various activities/attempts have been made for the protection of children by amending the POCSO & Juvenile Justice Act. She highlighted that society is ever changing, administrative needs are dynamic and hence it is incumbent upon us that we evolve with time, be ready with solutions to the challenges that present themselves. There is presumptions among many that abuse is limited to the families that are poor, that a abuse child is restricted to poverty. She stressed on the point that abuse is as much evident in the families that prosper. Therefore, in addition to challenges that emanate from poverty and for children from financially weaker families, deliberating on fact that abuse occurs in prosper families, in powerful organisations or in Child Care Institutions is equally important. She stated that how can we not as administrators but as citizens find solutions. She further mentioned when speaking upon consciousness and concerns, one point is also added that our children are very conscious, they know when to be alert and from whom. One of the golden example of the same is ‘Swacchh Bharat Abhiyan’ that is bereft of abuse and negativity that comes from a narrative, where children clean streets, corridors, houses after bursting crackers because the nation is enlightened towards ‘Swacchh Bharat’. Such children show us the mirror by telling us the importance of resources, cleanliness and togetherness to the elders. She emphasized to bring awareness among children on how to report the cases of abuse of another child or child him/herself; how can we sensitively bring awareness among children or educate them. She stated that if we can bring these points into highlight than the workshop shall be a success for all. The gathering of online and offline participants have registered their desire to protect the children. She stated that the presence here of all the

individuals is a manifestation not only of desire but of your dedication towards protection of children, and for that you will have gratitude of the children on this nation and mine as a parent.

She also mentioned that those who are in service of protection of children never gets spoken off, those who are in Child Care Institutions, with all sense of responsibility are never celebrated. She appreciated that how many officials overcome the challenges of narratives and continue to dedicate themselves. This is not an ordinary workshop, conducted under the aegis of 75th Years of Independence, as it looks at such serious issues, providing hope to these children, families of the nation. She also stated that on the shoulders of the many officials/ authorities and society as a whole rests the freedom of future generation. She further wished the workshop, tremendous success, efforts to the

rights of protection of children. She concluded her address and encouraged the participants by stating that *'these children may not be born to you, born in other families but they envelop in your embrace of responsibility and for that on behalf of the Ministry & myself; you will always have a grateful thanks'.*

Smt. Rupali Banerjee Singh, Member Secretary, NCPCR started conveying her vote of thanks to Hon'ble Minister, Ministry of Women & Child Development (MWCD), Smt. Smriti Zubin Irani. She also thanked Dr. Justice Sangita Dhingra Sehgal (Retd.), President, Delhi State Consumer Dispute Redressal Commission; Shri Indevan Pandey, Secretary, MWCD; and Shri Priyank Kanoongo, Chairperson, NCPCR. She stated that it is a great privilege to propose a vote of thanks on the occasion of 'National Workshop on Child Rights with Emphasis on Preventive Aspects of Child Protection Issues' on the occasion of celebrating 'Azadi Ka Amrit Mahotsav'. She mentioned that we are deeply grateful to Hon'ble Union Minister, Ministry of Women and Child Development, Smt. Smriti Zubin Irani for gracing the occasion and for an enlightening address. The address for safeguarding rights of children of our nation was unique as always because of the novelty of ideas as well as style. She added that Hon'ble Minister's words have inspired all and we will continue to look towards her for guidance and further inspiration. She further gave sincere thanks to Hon'ble Dr. Justice Sangita Dhingra Sehgal (Retd.), President, Delhi State Consumer Dispute Redressal Commission for sparing her valuable time and attending the Workshop. Also, she extended sincere thanks to Shri Indevan Pandey, Secretary, Ministry of Women and Child Development for taking out time from his busy schedule and for encouraging and insightful address. She also extended gratitude to Shri Priyank Kanoongo, Chairperson, NCPCR for his initiative in organising this workshop and giving guidance. She also thanked all the guests, dignitaries from all over the country. She also gave sincere thanks to Gandhi Smriti Darshan Samiti for providing the prestigious venue and for all the logistic support. Last but not the least, she thanked the press including Doordarshan and All India Radio for covering the event.

In the workshop, copy of NCPCR SOP 2.0 was given to every participant and the programme was attended by representatives from various States/UTs including 15 State Commissions for Protection of Child Rights, 13 State Department of Women and Child/Social Welfare, 14 State Police Departments and 57 NGOs. The programme also had participation from Department of Panchayati Raj, Officers from State/UT Department of Women and Child/Social Welfare, Officers from State/UT Department of Labour, officers from State/UT Department of Education, Chairpersons/ Members of the State Commission for Protection of Child Rights, Officers from Anti Human Trafficking Unit (AHTU), ICPS officials from the States/ UTs, representatives of the NonGovernmental Organizations (NGOs) working in the field of child rights and NGOs representatives from Railway ChildLine. The programme was organized in New Delhi under aegis Ministry of Women and Child Development as part of the 75th anniversary celebrations of India's independence, which was commonly called as 'Azadi ka Amrit Mahotsav'.





CHAPTER-6

Exahibition of Child Martyrs & Child Freedom Fighters

Chapter-6

Exhibition of Child Martyrs & Child Freedom Fighters

National Commission for Protection of Child Rights (NCPCR) for the first time showcased the stories of child martyrs & child freedom fighters using audiovisual medium. In this regard a thorough research work was carried out to create a suitable collection of such children who sacrificed their childhood/lives for the sake of motherland. The objective of this initiative was to create awareness and inspire children to instill nationalism. Stories of 17 such child martyrs & freedom fighters were created for exhibition. Two exhibitions were organized first at Rajghat, New Delhi during the programme of the Commission celebrating Azadi Ka Amrit Mahotsav and at Redfort on the occasion of Foundation Day celebration of the Commission.

बिरसा मुंडा

बिरसा मुंडा भारत के प्रथम आदिवासी स्वतंत्रता सेनानी थे। उन्होंने 19वीं सदी के आखिरी वर्षों में रांची और सिंहभूमि जिलों के मुंडा आदिवासियों को अंग्रेज अधिकारियों और उनके दलालों के शोषण और अत्याचार के विरुद्ध संघर्ष के लिए प्रेरित किया।

अपनी प्रारंभिक शिक्षा पूर्ण करने के बाद, वह चाईबासा में जर्मन मिशन स्कूल में पढ़ाई करने गए परंतु वहां का वातावरण उन्हें पसंद नहीं आए क्योंकि वहां उनके देश और उनकी आदिवासी संस्कृति पर कीचड़ उछाला जाता था। शिक्षक उनके धर्म और आदिवासी संस्कृति का मजाक उड़ाते थे। बिरसा महाभारत के पात्रों से बहुत प्रभावित थे और उन्होंने लोगों को अपनी सांस्कृतिक पहचान से जुड़े रहने की शिक्षा दी और स्कूल के मिशनरी शिक्षकों के झांसे में ना आने की चेतावनी भी दी।

अंग्रेज शिक्षक और अधिकारी उनके विरुद्ध हो गए। बिरसा मुंडा ने स्कूल में भारतीय आदिवासी संस्कृति व अपनी पहचान को अक्षुण्ण बनाए रखने के लिए कड़ा संघर्ष किया। अंग्रेजों के दबाव में स्कूल ने साजिश के तहत बिरसा मुंडा का छल से धर्म परिवर्तन तक कर दिया। बिरसा मुंडा ने इसके खिलाफ आवाज उठाई और महाभारत के पात्रों की कथाओं और अन्य सांस्कृतिक क्रियाकलापों के माध्यम से आदिवासी बालकों को जागरूक कर खुद को भी ब्रिटिश सांस्कृतिक आतंक से मुक्त किया व अन्य बच्चों का नेतृत्व कर स्कूल में ही क्रांति का आगाज किया। इस कारणवश अंग्रेज अफसर और स्कूल शिक्षक बिरसा के शत्रु बन गए।

कालांतर में उन्होंने उलगुलान आंदोलन किया जिसमें उनके विरुद्ध वारंट जारी किया गया। उन्होंने अंग्रेज पुलिस का डटकर मुकाबला किया किंतु पुलिस ने उन्हें छल-कपट से गिरफ्तार कर लिया। जेल में उनको कड़ी यातनाएं दी गई, अंत में महज 25 वर्ष की आयु में उनकी मृत्यु हो गई। उनका पार्थिव शरीर तो नहीं रहा किंतु उनकी कीर्ति आज भी उनके अनुयायियों और आदिवासी साहित्य एवं गीतों में जीवित हैं और भारत भर में उनको भगवान बिरसा मुंडा के रूप में सम्मान दिया जाता है। हाल ही में उनके जन्मदिन 15 नवंबर को जन जातीय गौरव दिवस के रूप में मनाया गया।

<https://www.youtube.com/watch?v=I92KjrPMGv4>

Jatindra Nath Das

‘थाली पीटने की आवाज’

यह आवाजें सुन रहे हैं आप यह लहोर जेल की कैदियों की थालियाँ पीटने की आवाजें हैं - यह दोपहर के भोजन का समय है और वह भूख हड़ताल पर हैं ऊँचा सुनने वालों को थाली पीट कर वे अपनी भूख हड़ताल की आवाज बुलंद कर रहे हैं यह भारत के स्वतंत्रता सेनानी है

यह भूख हड़ताल उस व्यवहार के विरोध में कर रहे हैं जो उन कैदियों के साथ किया जा रहा है जो खाना उन्हें दिया जाता था खाने लायक नहीं था उनमें कंकड़ों और चूने की मैगनिया अक्सर पाई जाती थी- उनकी माँग थी अच्छा भोजन साफ कपड़े, नहाने धोने के समान और साफ वातावरण इसके अलावा उनसे कठिन परिश्रम भी करवाया जाता था जो राजनीतिक कैदियों के लिए निमित्त नहीं था

इसलिए भूख हड़ताल चलती रही

(बैकग्राउंड में थाली पीटने की आवाजें)

मगर सरकार ने उनकी मांगें मानने के बजाय उनकी भूख हड़ताल तोड़ने के जबरन, मगर असफल प्रयास किए भगत सिंह भी उसी जेल में थे उनकी हालत भी ठीक नहीं थी उन्हें स्ट्रेचर पर हथकड़ी लगाकर कोर्ट ले जाया जाता था मगर उनकी माँगों को नहीं माना गया हड़ताल चलती रही -

एक कैदी जतिन दास जो केवल 17 वर्ष की आयु में स्वाधीनता संग्राम में कूद पड़ा था और जिसे लाहौर conspiracy case कैद किया गया था वह भी भूख हड़ताल में शामिल था उसकी तबीयत बिगड़ने लगी और 13 सितम्बर 1929 को उस नौजवान की भूख हड़ताल के कारण मृत्यु हो गई - 63 दिन की भूख हड़ताल के बाद हुई जतिन दास की मृत्यु ने देशवासियों को झक मोड़ दिया था ।

भगत सिंह की पार्टी के नेता भगवती चरण वोहरा की वीर पत्नी, दुर्गा भाभी जतिन दास के शव को लाहौर से कोलकाता ट्रेन से लाई हावड़ा रेलवे स्टेशन पर हजारों लोग जतिन दास के अंतिम दर्शन करने को जमा थे सुभाष चंद्र बोस ने स्वयं हावड़ा रेलवे स्टेशन पर जतिन के शव को नमन किया और शव यात्रा को शमशान तक ले जाते समय अगुवानी की शवयात्रा की इस दो मील लम्बी शव यात्रा में लगातार नारे लगते रहे

जतिन दास अमर रहे, जतिन दास ज़िंदाबाद

सूरज लाल

अंग्रेज सरकार 1940 के दशक में प्रत्येक स्वतंत्रता सेनानी अथवा सत्याग्रही का सख्ती से दमन करने के मार्ग पर चल निकली थी। कसूरवार और निर्दोष का अन्तर केवल उक्त की मांग तय करती थी। यही कारण था कि 14 वर्ष का बालक सूरज लाल भी सिपाही को खतरनाक उपद्रवी लगा और शांति पूर्वक सत्याग्रह का संचालन, एक गैर कानूनी कृत्य।

14 वर्षीय सूरज लाल को एक सत्याग्रह का संचालन करने के उपरांत माफी न मांगने पर 9 महीने की कैद की सजा दी गई। वह जब कैद से रिहा हुआ तो वह दुगुनी ताकत से स्वतंत्रता आंदोलन में जुट गये । 10 अगस्त 1940 को जिला न्यायालय पर तिरंगा फहराने का निश्चय किया । परंतु सरकार ने दफा 144 लगा दी, मगर सूरज बढता रहा और पुलिस ने सूरज को गिरफ्तार कर जेल में डाल दिया, जहां उन्हें निवस्त्र कर के बेंतों से इतना मारा जाता कि उनके हाथों पैरों और कमर से खून बहने लगता मगर सूरज लाल उफ तक ना करते । सात वर्ष तक वह यातनाएं सहता रहे मगर न रोए, चिल्लाए और न ही दया की भीख मांगी।

जब सूरज को दी जा रही यातनाओं की खबर बाहर आई तो जनता, आक्रोशित हो कर सूरज को छुड़ाने, जेल में जा घुसी । पुलिस ने भीड़ पर गोली चला दी । मगर गोली सूरज को निशाना बनाकर चलाई गई थी गोली सीने में लगी। सूरज ने वही प्राण त्याग दिए।

सूरज लाल का बलिदान रंग लाया और उसके बलिदान से प्रेरणा पाकर उत्तर प्रदेश के बलिया गाजीपुर आजमगढ़ जिला में क्रांति की ऐसी लपटें उठी कि उस क्षेत्र से अंग्रेजों को, कुछ दिनों के लिए ही सही, बाहर कर दिया और भारत की सरकार बनाई।?

वह बलिदान की यादगार ने उत्तर प्रदेश के जिलों में इतिहास रच दिया
<https://www.youtube.com/watch?v=29e3PE5qHi0>

वीर सावरकर

विनायक दामोदर सावरकर के बचपन से ही उनके व्यक्तित्व के कुछ भाव, बहुत मुखर थे। वह बहुत भावुक थे, विचारशील व तर्कशील थे, देशभक्त थे और धार्मिक प्रवृत्ति के बालक थे। मां दुर्गा उनकी आरध्य थी। अक्सर अंग्रेजों के जुल्मों को देखकर उनका खून खौल उठता और देश की दासता के विचार उनकी सोच का मुख्य भाग बन गये थे। एक बार जब वह वापस घर को आ रहे थे तो उनको एक अधैड़, अधनंगा मजदूर दिखाई पड़ा जो सर पर लकड़ी का एक बड़ा गड्ढा उठाए लिए जा रहा था, मगर उसे इतना वजन उठाने में दिक्कत हो रही थी वह हॉफ रहा था। बालक सावरकर को उस मजदूर में भारत की जनता नजर आई जो अंग्रेजों की लूट तथा जुल्मों तले पस्त थी। उसे करोड़ों भारतीयों की विवशता, गरीबी और परतंत्रता नजर आई। और बालक विनायक घर आकर वह मां दुर्गा के चरणों में बैठ गये, मां से प्रार्थना करते करते हुए, फूट-फूट कर रोने लगे। 12-13 वर्ष के विनायक सावरकर ने मां दुर्गा से पूछा 'क्या यह ऐसे ही चलेगा - क्या दासता की बेड़ियों में मेरी भारत मां सिसकती रहेगी.... मां मुझे शक्ति दो.... सामर्थ्य दो कि मैं अपनी जन्मभूमि, अपनी भारत माता की दासता की बेड़ियों काट सकूँ। जब वह दुर्गा मां की पूजा व प्रार्थना करके उठे तो वह एक भावुक व प्रार्थी नहीं बल्कि एक सशक्त, दृढ़प्रतिज्ञा विनायक सावरकर थे। उन्होंने समझ लिया था कि अंग्रेजों को मार भगाने के लिए स्वस्थ शरीर आवश्यक है इसलिए उसने नियमित व्यायाम आरम्भ कर दिया। राष्ट्रीय विचारों के प्रसार और प्रचार हेतु विनायक ने मित्रमेला नामक एक संस्था बनाई और अल्प समय में ही देशभक्त बालकों और तरुणों का एक संगठन तैयार कर लिया। बालक सावरकर समाचार पत्र केसरी में जन जागृति के लेख पढ़कर स्वयं आजादी के सपने देखने लगे और उन्होंने अपने मित्रों को भी आजादी के लिए कुछ कर गुजरने का आवाहन किया। पूना के अत्याचारी अंग्रेज कमिश्नर रैंड को मौत की नौद सुला कर लोगों को उसके अत्याचारों से छुटकारा दिलाने वाले चाफेकर बंधु तथा वीर शिवाजी उनके आदर्श थे जैसे-जैसे उनका बचपन पीछे छूटता गया त्यों त्यों उनकी तरुणाई के साथ-साथ राष्ट्रभक्ति की चेतना बलवती होती गई यह निर्भीक बालक बड़ा होकर जननायक वीर सावरकर के नाम से विख्यात हुआ।

इसकी उपलब्धियां चिरस्मरणीय थी

एक ही जीवन में दो बार आजीवन और कारावास पाने वाला पहला स्वतंत्र सेनानी थे वीर सावरकर
अंडेमान मे 14 वर्ष की कड़ी व अमानवीय यातनायें सहने वाले स्वतंत्रता सेनानी था वीर सावरकर
भारत के नौजवानों को अंग्रेजों की सेना में भर्ती होने और शस्त्र विद्या में पारंगत होकर अंग्रेजों से ही लड़ कर भारत को आज़ाद करवाने की योजना बनाने वाले महान नीतिकार थे वीर सावरकर। सुभाष बोस ने भी वीर सावरकर की इस योजना की प्रशंसा की क्योंकि वीर सावरकर के प्रोत्साहन से अंग्रेजों की सेना में भर्ती हुए भारतीय ही आज़ाद हिंद फौज का एक बड़ा हिस्सा बने।

<https://www.youtube.com/watch?v=LflqBWnR2ec>

वासुदेव बल्लाल

1930 के सविनय अवज्ञा आंदोलन के तहत महाराष्ट्र के यवतमाल के चौराहे पर विदेशी वस्त्रों की होली जलाई जा रही थी। लोग अपने घरों से विदेशी वस्त्रों को लाकर उन्हें अग्नि की लपटों को समर्पित कर रहे थे। लोग 'महात्मा गांधी की जय' और 'भारत माता की जय' के नारे लगा रहे थे।

बच्चों में भी बहुत उत्साह था, तभी एक 13 वर्ष का बालक दौड़ा आया और एक दुकान के आगे से विदेशी कपड़ों के दो थान उठा कर अग्नि में फेंकने के लिए दौड़ चला।

तभी एक घुड़सवार पुलिस कर्मी ने वासुदेव को रोकना चाहा मगर वसुदेव ने थान को उठा कर विदेशी वस्त्रों की होली में जला दिया। पुलिस ने वासुदेव बल्लाल को गिरफ्तार कर लिया। पुलिस ने वसुदेव से यह जानना चाहा कि उसके साथ और कौन-कौन लोग, विदेशी कपड़ों की होली जला रहे थे। न बताने पर, पुलिस ने वसुदेव को अमानवीय दण्ड दिए जैसे कपड़े उतार

कर डंडों से पिटाई करना आदी । फिर वसुदेव को कहा गया कि वह 'माफी मांग ले, बच जाएगा' पर वसुदेव ने कहा 'मैं माफी नहीं मांगूंगा, मैंने कोई अपराध नहीं किया' ।

इस पर पुलिस की ज्यादातियां और बढ़ गई और वह पुलिस का कोप भाजक बनता रहा ।छोटी-छोटी बातों पर कोड़ों की मार सह सह कर उस बच्चे की ऐसी हालत हो गई थी तबियत खराब होती गयी

एक दिन सुबह सब कैदियों ने देखा 'वासुदेव धरती मां की गोद में निढाल, शांत पड़ा है उसके प्राण पखेरू उड़ चुके थे । धरती मां अपने स्वाभिमानी पुत्र को अपनी गोदी में पाकर निहाल हो गई थी'

वसुदेव ने केवल एक थान विदेशी वस्त्र जलाकर, स्वतंत्रता संग्राम में अपना जो योगदान दिया ।

<https://www.youtube.com/watch?v=2fST5K0mmkA>

रानी गाइदिन्ल्यू

गाइदिन्ल्यू एक वीर नागा कन्या थी जो केवल 13 वर्ष की आयु में हरकारा नाम के धार्मिक आंदोलन से जुड़ गई जिसकी अगवानी उसका कजन भाई कर रहा था गाइदिन्ल्यू ने मिशनरियों के द्वारा नागा लोगों को इसाई बनाने अर्थात् धर्म परिवर्तन करने के प्रयासों का डट कर विरोध किया . अंग्रेजों तथा चर्च के पादरियों का विरोध करने के कारण उस पर अधिकारियों द्वारा आरोप लगाने आरम्भ कर दिए..गाइदिन्ल्यू के कजन हैपर जडोंग पर भी मुकदमा चला .अंग्रेज सरकार ने उसे फांसी पर लटका दिया . मगर गाइदिन्ल्यू ने अकेले ही अपने भाई की विचारधारा को आगे बढ़ाया और लोगों को अंग्रेजी सरकार को उखाड़ फेंकने के लिए प्रोत्साहित किया.टैक्स न देने की राह दिखाई . जनता गाइदिन्ल्यू के साथ थी और उसकी शक्ति बनी..गाइदिन्ल्यू आज के आसाम नागालैंड मणिपुर आदि क्षेत्रों में वह घूम घूम कर अपने विचारों का प्रचार करती रही जिससे पादरियों के धरमांतरण की योजना को बहुत नुकसान हुआ. अब गाइदिन्ल्यू की संस्था ने राजनीतिक आकार ले लिया था जिसका एक ही उद्देश्य था, अंग्रेजी सत्ता को उखाड़ फेंकना.. इन कार्यक्रमों से सरकार क्षुब्ध हो उठी. सरकारी तंत्र ने उस पर आरोपों की झड़ी लगा दी..अंग्रेज अधिकारियों ने उस पर राजद्रोह का मुकदमा चलाया मगर मणिपुर की जनता तथा उसके साथियों के प्रयत्नों के बावजूद भी गिडनलयु के लिए छिप कर रहना कठिन हो गया..अंग्रेजों के द्वारा गाइदिन्ल्यू को गिरफ्तार करने की कोशिश तेज कर दी गई उसे पकड़वाले के लिए बड़े-बड़े इनाम घोषित किए गए..और अंग्रेज उसे पकड़ने में सफल हो गए. राजद्रोह के मुकदमे के चलते, फैसले के अन्तर्गत गाइदिन्ल्यू को 1933 में उम्र कैद की सजा दी गई..14 वर्ष जेल में काटने के बाद 1947 में जब भारत आजाद हुआ तो उसे आजाद कर दिया गया भारत के पहले प्रधानमंत्री जवाहरलाल नेहरू ने उसे रानी की उपाधि दी.भारत सरकार ने गाइदिन्ल्यू के बलिदान का सम्मान करते हुए उसे पद्म भूषण, स्वतंत्रता सेनानी अवार्ड और विवेकानंद सेवा अवार्ड दिया .17 फरवरी 1993 को 79 वर्ष की आयु में रानी गाइदिन्ल्यू का निधन हो गया उनकी याद में भारत सरकार ने उनके सम्मान में 1996 में एक डाक टिकट भी जारी किया ।

<https://www.youtube.com/watch?v=QGiHbGI88Zo>

बाजी राउत

स्वतंत्रता संग्राम के इतिहास में बाजी राउत को देश का सबसे कम उम्र का शहीद बताया गया है। बाजी राउत का जन्म 1926 में ओडिशा के ढेंकनाल में हुआ था। 11 अक्टूबर 1938 को महज 12 साल की उम्र में बाजी राउत ने अंग्रेजों की गोलियां खाईं और शहीद हुए। लेकिन उनके साहस की कहानी आज भी रंगों में जान फूंक देती है।

नदी के पानी की आवाज

कुछ भारी कदमों की आवाज

एक बच्चे की फुसफुसाहट: बाजी लगता है अंग्रेजों के सिपाही आ रहे हैं

बाजी : हमारे स्वतंत्रता नायक वीर वैष्णव पटनायक को पकड़ने

फागु : हां नदी पार कर भुबन गांव जाना चाहते हैं

बाजी : मैं ले जाऊंगा तब जाएंगे ना , मैं तो नोका लेकर बैठा ही उन पर नजर रखने के लिए हूं

साहु : हां और क्या

बाजी : मैं प्रजामंडल की वानर सेना का कार्य कर्ता हूँ इन से डरने वाला नहीं
 सिपाही (आती हुई आवाज) : नौका है, आओ आओ, ऐ बालक हमें ब्रह्मनी के पार जाना है
 बाजी : तो मैं क्या करूँ
 सिपाही : तुरंत नौका चला, वरना गोली मार दूंगा
 बाजी : मैं अंग्रेजों के सिपाहियों के लिए नौका नहीं खेता
 सिपाही : नाम क्या है तेरा
 बाजी : बाजी राउत, गांव नीला कंठा, जिला धने कनाल, पुत्र हरिराउत उम्र 12 वर्ष
 सिपाही : ले चल, वरना गोली मार दूंगा
 बाजी : कह दिया नहीं ले जाऊंगा तो मतलब नहीं ले जाऊंगा
 एक सिपाही अरे हिम्मत तो देखो इस छोटे से बच्चे की - एक अंग्रेजी पुलिस वाले से बाजी के सिर पर बंदूक की बट से वार किया
 बाजी : हिम्मत उम्र देख कर नहीं आती
 सिपाही : गोली भी उम्र देख कर नहीं आती
 धाँय धाँय धाँय
 वॉइस ओवर : 12 वर्ष की आयु का शहीद बाजीराउत, छोटी उम्र मगर हौसला आसमान जितना, जिसने लिख दी पत्थर पर उसकी कहानी
 शहीद बाजीराउत की शवयात्रा कटक के बाजारों से निकाली गई, हजारों लोगों ने
 शहीद बाजीराउत जिंदाबाद के नारों से आसमान बुलंद कर दिया
 शहीद बाजीराउत अमर रहे, शहीद बाजीराउत जिंदाबाद
<https://www.youtube.com/watch?v=geOJHF7ntil>
प्रफुल्ल चाकी (१० दिसम्बर १८८८ - १ मई १९०८)
 (गोली की आवाज)
 बंगाल के पहले शहीद प्रफुल्ल चाकी |
 वह शहीद जिसने अंत तक अपना नाम गुप्त रखा और पहचान के लिए मृत देह का सर काटकर कोलकाता में घुमाया गया।
 प्रफुल्ल चाकी रंगपुर राष्ट्रीय स्कूल के प्रिय विद्यार्थी थे ।
 इन्होंने क्रूर जज किंग्सफोर्ड, जो स्वतंत्रता सेनानियों को द्वेष भावना से कड़ी व अनुचित सजाएं देता था, मृत्युदंड देने के प्रयास में खुदीराम बोस के साथ, किंग्स फोर्ड की बग्गी पर बम फेंका, जिससे किंग्स फोर्ड तो बच गया मगर दो महिलाएं मारी गई।
 मगर प्रफुल्ल चाकी पुलिस की गिरफ्त में नहीं आना चाहता था उसने चंद्रशेखर आजाद का अग्रगामी बनते हुए, स्वयं को गोली मार ली ।
 प्रफुल्ल चाकी जैसे देशभक्त की मृत्यु का बदला लेने के लिए, बंगाल के क्रांतिकारियों ने 68 दिनों में ही उस देशद्रोही दरोगा को गोली मारकर उसे उपयुक्त सजा दे दी ।
 बाल गंगाधर तिलक ने अपने अखबार केसरी में खुदीराम बोस और प्रफुल्ल चाकी के साहस व कार्यवाही की प्रशंसा की और तुरंत स्वराज की मांग की
 (बैकग्राउंड में वंदे मातरम वंदे मातरम का शोर ।)
<https://www.youtube.com/watch?v=i9iw8XtmG7A>

निर्मल लाला

1930 में निर्मल लाला आठवीं कक्षा के केवल 14 वर्षीय बालक थे मगर इस छोटी सी उम्र में भी वह देश को अंग्रेजों से आजाद करवाने के लिए कुछ भी कर गुजरने को तैयार थे । उसे एक मित्र से मालूम पड़ा कि सूर्य सेन जिन्हें सब आदर से मास्टर दा के नाम से पुकारते थे अंग्रेजों के खिलाफ कुछ बड़ी कार्यवाही करने वाले थे बस फिर क्या था निर्मल लाला मास्टर

दा से जा मिले और प्रार्थना की कि वे उसे अपनी संस्था का सदस्य बना लें और कुछ बड़ा कार्य करने की जिम्मेदारी दे मगर मास्टर दा ने कहा कि वह अभी बहुत छोटा है और इस काम में बहुत खतरा है मगर निर्मल लाला ने कहा “मास्टर दा मैं छोटा जरूर हूँ लेकिन मेरी प्रतिज्ञा है कि मैं अपना सब कुछ और स्वयं को भी देश पर न्योछावर कर दूंगा” मास्टर दा उन्हें मना नहीं कर पाए और अगली कार्यवाही जिसने उन्हें सरकारी शस्त्रागारों से शस्त्र लूटने थे मैं सम्मिलित कर लिया इस कार्रवाई में छह में कुल 65 लड़के थे जिनकी आयु 13 वर्ष से 20 वर्ष तक की थी उन्होंने रात 10 बजकर 15 मिनट में चटगांव की पुलिस लाइन के शस्त्रागारों पर इतनी तेजी से हमला किया कि वहां के 350 सिपाही भौचक्के रह गए और सारे शस्त्र लूट लिए गए तब अंग्रेज सरकार ने एक बहुत बड़ा पुलिस दल इन क्रांतिकारियों से शस्त्र वापस करवाने को भेजा। बड़ा भयंकर युद्ध हुआ निर्मल लाला ने असाधारण वीरता दिखाते हुए बहुत से श्रेष्ठ शत्रुओं को अकेले ही मार गिराया और खतरा लेते हुए औरों को मारने के लिए खड़े होकर फायर करने लगे तो बहुत सी गोलियां उन्हें छेद गई और वे बहादुर नन्हा क्रांतिकारी सदा के लिए सो गये इस युद्ध में एक ओर केवल 65 क्रांतिवीर और दूसरी ओर 2000 अंग्रेजी सशस्त्र पुलिस बल था मगर जब सुबह अंग्रेजी पुलिस ने लाशों की गिनती की तो पाया कि क्रांतिकारियों की कुल 10 लाशें थी और पुलिस बल की 160 हैं जिनमें 18 अंग्रेज सैनिक भी शामिल थे 55 क्रांतिकारी शस्त्र लेकर गायब हो गए थे। हृदय विदारक दृश्य था। 10 लाशें सभी 14 से 20 वर्ष के बच्चों की थी, जिस देश में 14 वर्ष के बच्चे देश की स्वतंत्रता के लिए शहीद हो जाए उसे कैसे गुलाम बना कर रखा जा सकता था।

ऐसे क्रांतिवीर देश भक्तों पर भारत को सदा गर्व रहेगा।

https://www.youtube.com/watch?v=Jm_hXJcSv5Q

तिलेश्वरी

20 सितंबर को वर्तमान असम के जिले सोनितपुर का शहर डेकियाजुली में शहीद दिवस के रूप में मनाया जाता है, क्योंकि यह वही दिन है जब भारत छोड़ो आंदोलन के दौरान 12 साल की उम्र में अंग्रेजों द्वारा गोली मार दी गई थी, जब वह और कुछ स्वतंत्रता सेनानियों ने एक पुलिस स्टेशन के ऊपर तिरंगा फहराने की कोशिश की।

डेकियाजुली में पुलिस थाने की ओर बढ़ते हुए तिलेश्वरी एक मृत्यु वाहिनी के साथ-साथ एक आत्मघाती दस्ते के साथ गई। उस दिन हुई गोलीबारी में पंद्रह लोग मारे गए थे। तिलेश्वरी डेकियाजुली के बाहरी इलाके निज-बोरगांव गांव के भाभाकांता बरुआ के चार बच्चों में सबसे बड़े थे। ऐसा माना जाता है कि वह देशभक्ति के गीतों से प्रभावित थीं जो कांग्रेस के स्वयंसेवक हर दिन गा रहे थे।

तिलेश्वरी मोनबोर नाथ से थोड़ा पीछे थे, जो स्थानीय मृत्यु वाहिनी का नेतृत्व करते थे और समूह का नेतृत्व कर रहे थे। जब नाथ ने पुलिस अधिकारी के आदेशों की अवहेलना की और थाने के ऊपर चढ़ गया, तो उसे कुछ ही सेकंड में मार गिराया गया। अन्य स्वयंसेवकों ने एक-एक करके पीछा किया। नाथ, कुमोली देवी और मोहिराम कोच के बाद तिलेश्वरी चौथे स्थान पर हैं, जिन्हें गोली लगी है।

<https://www.youtube.com/watch?v=tatrX91fof4>

गुलाब सिंह

सन 1942 में भारत में, सुभाष बोस की आज़ाद हिंद फौज के चर्चे बहुत गर्म थे, खासतौर पर नौजवानों में। ऐसा ही एक देश भक्त बालक था गुलाब सिंह, जो सातवीं कक्षा का छात्र था। एक रात जब पिताजी काम से आए तो गुलाब ने उनसे कहा “पिताजी मेरे लिए खाकी पेंट कमीज सिलवा दीजिए”। पिताजी ने पूछा ‘मगर यह तो बताओ ऐसी क्या विशेषता पड़ी है खाकी की?’ “मैं सुभाष चंद्र बोस की फौज में भर्ती होकर अंग्रेजों के साथ युद्ध करूंगा मुझे मालूम पड़ा है कि वह एक बड़ी फौज लेकर भारत आ रहे हैं” गुलाब ने उत्तर दिया पिताजी ने कहा “अगर तुम्हारा पक्का इरादा है तो मैं अवश्य सिलवा दूंगा”।

19 सितंबर 1942 को, पुलिस के द्वारा, बंदी स्वतंत्रता सेनानीयों को दी जा रही अमानवीय यातनाओं के विरोध में, एक विशाल जलूस निकाला गया। इस विरोध प्रदर्शन में गुलाब सिंह ने भी भाग लिया। वह खाकी पेंट कमीज पहने था और फौजीयों की तरह सज कर आया था

छोटे कद के कारण वह सबसे आगे था। पुलिस ने जलूस को रुकने का आदेश दिया। मगर आदेश को अनसुना करते हुए गुलाब सिंह और साथी आगे बढ़ते रहे। तभी पुलिस ने गोली चला दी। गोलियां गुलाब सिंह के पेट में लगी। लगभग डेढ़ माह तक हस्पताल में जीवन का संघर्ष करने के बाद, जब उसे कुछ होश आया तो उसने कहा " पिता जी मैं फौजी---"

वाक्य पूरा होने से पूर्व उसकी गर्दन एक तरफ लुढ़क गई।

उसका अंतिम संस्कार करते समय उसकी खाकी वर्दी को भी उसके साथ सलाम किया गया। यही तो थी उस महान शहीद की अंतिम इच्छा।

<https://www.youtube.com/watch?v=dwb7XSysxTo>

खुदीराम बोस

स्क्रीन पर धमाका होता है - एक बग्गी जल रही है

(धुआँ हटता है और खुदीराम बोस भागते हुए दिखाई देते हैं)

खुदीराम बोस, जो 15 वर्ष की किशोर आयु में भारत को आज़ाद करवाने के आंदोलन में कूद गए, भारत के स्वतंत्रता संग्राम में सबसे कम आयु के शहीद बने।

खुदीराम को फांसी इसलिए दी गई क्योंकि उन्होंने कई क्रांतिकारियों को झूठे मामलों में सजा देने वाले एक क्रूर जज किंग्सफोर्ड से बदला लेने के इरादे से उसकी बग्गी पर बम फेंका था मगर चालाकी से किंग्सफोर्ड खुद की बग्गी में दो अंग्रेज महिलाओं को बिठा कर स्वयं बच निकला, जिससे उनकी मृत्यु हो गई।

खुदीराम ने अदालत में सब सच सच बता दिया और जब उनके वकील ने पूछा कि उसने वह क्यों कहा तो उसका उत्तर था कि वह झूठ नहीं बोल सकता।

फांसी की सजा सुनाने के बाद, जज ने पूछा 'क्या वह कुछ और कहना चाहते हो' तो खुदी राम ने हसते हुए कहा 'यदि आप मुझे अनुमति दें तो मैं उपस्थित लोगों को बताना चाहता हूँ कि वह बम मैंने कैसे बनाया था'

फांसी से कुछ पहर पूर्व क्रांतिकारियों को अपने संदेश में उन्होंने कहा 'कि जब तक देश आजाद ना हो जाए वे अपनी क्रांतिकारी गतिविधियां तेज़ी से चलाए'

11 अगस्त, 1908 को हाथ में गीता लेकर खुदीराम हंसते-हंसते फांसी पर झूल गये. तब उनकी आयु 18 साल 8 महीने और 8 दिन थी. जहां वे पकड़े गये, उस पूसा रोड स्टेशन का नाम अब खुदीराम के नाम पर रखा गया है.

उनके शहीदी दिवस को शोक दिवस के रूप में मनाया गया और कलकत्ता के सभी विद्यार्थी नंगे पांव स्कूल और कॉलेज गये।

उनकी शहादत से समूचे देश में देशभक्ति की लहर उमड़ पड़ी थी। उनके साहसिक योगदान को अमर करने के लिए गीत रचे गए और उनका बलिदान लोकगीतों के रूप में मुखरित हुआ।

<https://www.youtube.com/watch?v=Kor57pSybN8>

केशव बलिराम हेडगेवार

13 वर्ष की आयु में केशव बलिराम के माता-पिता का प्लेग के कारण देहांत हो था गया तदुपरांत उनके एक रिश्तेदार ने उन्हें पाला पोसा। केशव बलिराम हेडगेवार के मन में छोटी आयु से ही देश प्रेम की भावना कूट-कूट कर भरी हुई थी। ब्रिटिश सरकार के निर्देश के विरुद्ध केशव हेडगेवार के द्वारा वंदे मातरम गीत गाने पर उन्हें नागपुर के नील सिटी हाई स्कूल से निकाल दिया गया इस कारण से उन्होंने आगे की शिक्षा राष्ट्रीय विद्यालय यवतमाल में ली। फिर कोलकता मेडिकल कॉलेज से डॉक्टरी की पढ़ाई पूर्ण की उन पर बंकिम चंद्र चटर्जी के देशभक्ति पूर्ण लेखों व कहानियों का गहरा प्रभाव था। उनके अलावा समर्थ रामदास के 10 बोर्ड लोकमान्य तिलक के गीता रहस्य तथा वीर सावरकर के हिंदुत्व पर निबंध की छाप भी उनकी सोच पर बहुत गहरी थी। उनका विचार था कि हिंदुओं की सांस्कृतिक व धार्मिक विरासत भारत की राष्ट्रीयता का आधार होना चाहिए। डॉ हेडगेवार हिंदू धर्म के सांस्कृतिक आध्यात्मिक उत्थान को ही भारत की पूर्ण स्वतंत्रता का साधन अथवा मार्ग मानते थे। वह अपने हिंदू संगठन को राष्ट्रीय शब्द से परिभाषित करना चाहते थे क्योंकि वे सोचते थे कि राष्ट्रीय नाम ही हिंदू पहचान को प्रमाणित करता है और मजबूती देता है। इस केंद्र बिंदु इन केंद्र बिंदु के साथ उन्होंने हिंदुओं

अथवा भारतीयों की संस्था बनाई जिसे हम राष्ट्रीय स्वयंसेवक संघ के नाम से जानते हैं। आज यह विश्व का सबसे बड़ी गैर राजनीतिक संगठन है हेडगेवार जी ने अपने जीवन के 50 वर्षों में राष्ट्रीय स्वयंसेवक संघ को मजबूती व दिशा दी।

भारत के पूर्व राष्ट्रपति श्री प्रणव मुखर्जी ने उन्हें 'भारत माता के महान पुत्र की संज्ञा दी।

<https://www.youtube.com/watch?v=zTDgzfaAtFo>

काशीनाथ पगधरे - बलिदान पर्व - 9 अगस्त सन 1942 ई. पालघर, महाराष्ट्र.

अगस्त 1942 में अंग्रेज सरकार की बर्बरता चरम पर थी।

हर ओर अंग्रेजों की दमनकारी नीति से तनाव व्याप्त था, ऐसी ही एक स्थिति थाणे जनपद पालघर तालुका में चल रही थी। तभी खबर आई कि चिनचिनी हाई स्कूल के मैदान में पुलिस ने गोली चला दी। आक्रोश में, छात्रों की एक भारी भीड़ चिनचिनी हाई स्कूल को चल दी। वहां पुलिस का भारी प्रबंध था। भीड़ के आगे चलते हुए काशीनाथ पगधरे, जो पहली कतार में थे, ने चिल्लाकर पुलिस को कहा "हम मामलातदार कार्यालय पर तिरंगा फहराने आए हैं हमारा रास्ता छोड़ दो" पुलिस ने इस ओर विशेष ध्यान ना दिया और छात्रों पर गोली चला दी।

तिरंगा काशीनाथ पगधरे के हाथ में था जिसे वह हाथ में ऊंचा कर लहरा रहे थे। तभी पुलिस ने उन्हें गोली का निशाना बना दिया। गोली काशीनाथ पगधरे के सीने में लगी और उन्होंने वहीं शहादत प्राप्त कर ली।

उन शहीदों की स्मृति में मामलातदार कार्यालय पर एक ऊंचा शहीद स्तंभ बनवाया गया है यहां प्रतिवर्ष दिनांक 14 अगस्त को जन समुदाय एकत्रित होकर शहीदों को श्रद्धा सुमन अर्पित करता है। पालघर के मुख्य चौराहे का नाम हुतात्मा चौक रखा गया है यहां पर भी एक हुतात्मा स्तंभ बनाया गया है इस स्तंभ को 14 अगस्त पर खूब सजाया जाता है और इस क्षेत्र के लोग भारी संख्या में एकत्रित होकर शहीदों को नमन करते हैं।

<https://www.youtube.com/watch?v=bfT3Yx3LQE4>

काली बाई

कालीबाई भील इंगूरपुर जिले के रास्तापाल गाँव की रहने वाली थीं। वहाँ प्रजामंडल यानी स्थानीय लोगों ने प्रयत्न करके एक स्कूल खोल दिया - काली बाई भी इसमें शिक्षा प्राप्त करती थी इस आदिवासी इलाके में स्कूल खोलने पर अंग्रेजों की पाबंदी थी

प्रजामंडल ने अन्यायपूर्ण तरीके से विद्यालयों को बंद करने का विरोध किया और औपनिवेशिक शासन की समाप्ति की मांग की।

प्रजामंडल के कार्यकर्ताओं पर इंगूरपुर नरेश द्वारा अत्याचार किया जाने लगा और उन्हें जेल में डाल दिया। अब एक विद्यालय नानाभाई खांट ने अपने घर पर संचालित करवाया।

राज्य पुलिस 19 जून 1947 को रास्तापाल आई. नानाभाई खांट ने विद्यालय बंद करने से मना कर दिया। पुलिस ने बर्बरतापूर्वक नानाभाई खांट की पिटाई कर दी और उन्हें जेल भेज दिया और स्कूल के अध्यापक सेंगाभाई भील को इसलिए मरना आरम्भ कर दिया, क्योंकि उसने नानाभाई खांट की मृत्यु के बाद विद्यालय में पढ़ाने का कार्यक्रम जारी रखा था।

अध्यापक को पुलिस ने अपने ट्रक के पीछे बाँध दिया और इसी अवस्था में उसे घसीटते हुए रोड पर ले आए। विद्यालय की किशोर बालिका कालीबाई जो खेत में घास काट रही थी यह देखा नहीं गया।

पुलिस के मना करने के बाद भी वह ट्रक के पीछे पीछे दौड़ी और उस ट्रक से रस्सी को काटकर अपने अध्यापक को अंग्रेजों से मुक्त कराया। इससे पुलिस अत्यधिक क्रोधित और उत्तेजित हो गई।

जैसे ही कालीबाई अपने अध्यापक सेंगाभाई को उठाने के लिए झुकी, पुलिस ने कालीबाई के पीठ पर गोली दाग दी। कालीबाई गिरकर अचेत हो गई। बाद में इंगूरपुर के चिकित्सालय में उसकी मृत्यु हो गई।

काली बाई ने अपनी जान पर खेलकर अपने अध्यापक अपने गुरु की जान बचाकर एक गुरु शिष्य की अदभुत उदाहरण बनाया

अब रास्तापाल में 13 वर्षीय कालीबाई की प्रतिमा स्थापित है। उनकी शहादत की स्मृति में अब भी यहाँ प्रतिवर्ष शहादत के दिन मेला लगाया जाता है। और लोग इस अमर शहीद बाला कालीबाई को श्रद्धासुमन अर्पित करते हैं।
बोलो काली बाई की जय । अमर शहीद काली बाई ज़िंदाबाद

करतार सिंह सराभा

जन्म- २४ मई १८९६ सराभा, लुधियाना जिला ब्रिटिश भारत

मृत्यु - १६ नवम्बर १९१५ लाहौर, ब्रिटिश भारत

एक व्यक्ति 17 वर्ष की आयु से लगभग 500 दिनों में, देश के लिए कितना कुछ कर सकता है ? यह जानने के लिए करतार सिंह सराभा के जीवन पर एक नज़र डालिए।

वे 15 वर्ष लुधियाना के सराभा में गुजारने के बाद, नौकरी के लिए अमेरिका गए । वहां लाला हरदयाल से मुलाकात में देश को आज़ाद करवाने के लिए, लावा जो दिल में दबा पड़ा था, फूट पड़ा और वे भारत को आज़ाद करवाने के मिशन में कूद पड़े। तब वे केवल 17 वर्ष के थे।

उन्हीं दिनों प्रथम विश्व युद्ध आरंभ हो गया और प्रवासी भारतीय यह समझ गए कि इंग्लैंड की स्थिति कमजोर थी इसलिए यही मौका था भारत को आजाद करवाने का । इसके लिए यह योजना बनाई गई कि ज्यादा से ज्यादा प्रवासी भारतीय अधिक से अधिक हथियार लेकर भारत रवाना हो जाए और वहां जाकर ब्रिटिश सरकार से सशस्त्र युद्ध कर भारत को आजाद करवाएं। करतार सिंह और दूसरे प्रवासी भारतीय, भारी हथियारों की खेप के साथ एक जहाज में भारत को रवाना हो गए । मगर अंग्रेज सरकार को इसकी खबर लग गई और जहाज को भारत पहुंचते ही अंग्रेज सरकार की पुलिस ने घेर लिया बहुत से क्रांतिकारी हथियारों समेत गिरफ्तार कर लिए गए। करतार सिंह अपने साथियों के साथ बच निकले और पंजाब पहुंच गए। करतार सिंह ने मिलिट्री बैरक्स में जाकर सिपाहियों को समझाया अपने साथ मिला लिया । इसी दौरान करतार सिंह ने विद्यार्थियों में देश को आज़ाद करवाने के क्रान्ति में भाग लेने का आग्रह किया। फिरोजपुर छावनी में सैनिकों से देश की बात की, कलकत्ता जा कर हथियारों का इंतजाम किया। फिर कीमत चुकाने के लिए डाके डालना उनकी मजबूरी थी। रात दिन भारत भ्रमण किया : कानपुर, आगरा, अलाहाबाद ,लखनऊ, मेरठ आदि जगहों पर साथियों को विद्रोह के लिए तैयारियां की। 21 फरवरी को दिन संपूर्ण भारत में एक साथ विद्रोह के लिए निश्चित किया गया। मगर कृपाल सिंह जो इनका साथी था उन्होंने यह खबर अंग्रेजों को दे दी। उन बैरकों में जहां जहां करतार सिंह गए थे, उन सब जगहों के सैनिकों को हिरासत में ले लिया गया। पुलिस करतार सिंह के पीछे लग गई, रासबिहारी बोस ने करतार सिंह को काबुल जाने की सलाह देकर स्वयं जापान चले गए। मगर करतार सिंह काबुल को रवाना तो हुए मगर रास्ते में जब मन नहीं माना तो फिर वापस लौटने को मुड़ गए और तभी एक साथी के धोखे का शिकार हो गए और गिरफ्तार कर लिए गए जेल में भी उन्होंने जेल तोड़कर कैदियों को रिहा करवा कर अपने साथ विद्रोह की योजना बनाई मगर एक कैदी ने जेल अधिकारियों को इसकी सूचना दे दी, जिसके कारण करतार सिंह को बेड़ियों में जकड़ कर रखा गया। अब मुकदमा चलाया गया जो 'पहली लाहौर कांस्पिरेसी' के नाम से विख्यात हुआ । मुकदमे के दौरान करतार सिंह सराभा ने जज से कहा "आप मुझे ज्यादा से ज्यादा फांसी दे सकते हैं मैं उससे नहीं डरता" और जज ने उसे फांसी दे दी। फांसी के तख्ते पर करतार सिंह सराभा ने जोर से कहा "भारत माता की जय" । यह सब हुआ 500 दिनों में ।

सराभा को सदा कल्पनाशक्ति, हिम्मत, अथक उद्यम, उच्च इच्छा शक्ति तथा दृढसंकल्प के प्रतीक के रूप में याद रखा जाएगा ।

<https://www.youtube.com/watch?v=-FwWU4tDpPc>

कनकलता बरुआ (22 दिसम्बर 1924 – 20 सितम्बर 1942)

गोलीयों की आवाजें ।

अंग्रेजो भारत छोड़ो के नारे।

ये आवाजें भारत के स्वतन्त्रता सेनानियों की थी जो लगभग 80 वर्ष पूर्व, आसाम के गोह पुर में गूंजी थी। स्वतंत्रता संग्राम की लड़ाई में तिरंगे की आन, बान, शान के लिए अपने प्राणों की आहुति देने वाली महान स्वतंत्रता सेनानी थी - कनकलता बरुआ

इन स्वतंत्रता सेनानियों की टोली का नाम था मृत्यु बाहिनी, जो देश की आज़ादी के लिए मौत से भी लड़ने को तत्पर थी। इस टोली का नेतृत्व कर रही थी कनकलता बरुआ, इनका उद्देश्य था अपने क्षेत्रीय पुलिस थाने पर भारत का झंडा लहराना, जो अंग्रेज सरकार की वफादार पुलिस को मंजूर नहीं था ।

कनकलता बरुआ का दल अपने क्षेत्रीय पुलिस थाने पर भारत का झंडा फहराने पहुँच जाता है, थाना प्रभारी के मना करने पर भी दल आगे बढ़ता रहता है

थाना प्रभारी कनकलता बरुआ के दल को “गोली चला देने की” चेतावनी देता है मगर धमकी की परवाह किए बिना, कनकलता तिरंगे को ऊँचा किए आगे बढ़ती रहती है ।

तब पुलिस गोली चला देती है , कनकलता जो सबसे आगे चल रही थी को गोली लगती है । कनकलता बरुआ, तिरंगा थामे, थाने के परिसर में ही शहीद हो जाती है, तब उनकी उम्र केवल 17 वर्ष थी ।

आज़ादी उपरांत भारत सरकार ने कनक लता के बलिदान के सम्मान में तेजपुर के रॉक गार्डन, जिसे कनकलता उद्यान का नाम दिया गया, भारत के असम राज्य के विश्वनाथ ज़िले में स्थित एक शहर गोहपुर में कनकलता की पत्थर की मूर्तियां स्थापित की ।

कोस्ट गार्ड के एक जहाज को कनकलता का नाम दिया गया, कनकलता को 'बीर बाला' की उपाधि भी दी गई।

<https://www.youtube.com/watch?v=rjk5Q8HFDQI>

CHAPTER-7

Consultation & Collaboration with SCPCRs

Chapter-7

Consultation & Collaboration with SCPCR's

Constitution of India guarantees several rights to the children and provides for the State to make any special provision for women and children. The Commissions for Protection of Child Rights (CPCR) Act, 2005 is one of the outcomes of this special provision provided under Article 15 (3) of the India Constitution. This CPCR Act provides for the constitution of a National Commission (NCPCR) and State Commissions for Protection of Child Rights (SCPCR's) to deal with the matters pertaining to the rights of the child as well as to give effect to the policies adopted by the Government.

NCPCR, while fulfilling its statutory mandates as provided under Section 13 of the Commissions for Protection of Child Rights (CPCR) Act, 2005 realised to have a platform of SCPCR's and NCPCR to discuss contemporary issues pertaining to child rights for their effective solutions and actions. Thus, to facilitate the process for dialogue and mutual learning and for fulfilment of our roles and responsibilities in the best interest of the children; NCPCR has been organizing coordination meetings with SCPCR's on regular basis.



National Workshop with State Commissions for Protection of Child rights (SCPCR's) on Contemporary issues pertaining to CHILD RIGHTS held in March, 2022

In the celebration of “Azadi ka Amrit Mahotsav”- this National Workshop with State Commissions for Protection of Child rights (SCPCR's) on Contemporary issues pertaining to CHILD RIGHTS held in March, 2022 at Bhopal offered a unique occasion to churn various issues on child rights and to take vow to provide care and protection to each and every child in the country. This is first on-ground workshop with SCPCR's after the onset of COVID-19 Pandemic , wherein, at least 20 thematic topics were discussed for collective response and action.

Constitution of India guarantees several rights to the children including equality before law, free and compulsory elementary education in the age group of six to fourteen years , prohibition of trafficking and forced labour of children and prohibition of employment of children below fourteen years. The Constitution through Article 15 (3) states *Nothing in this Article shall prevent the State from making any special provision for women and children* and Article 39 (f) states *Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment* enables the State to make special provisions for children and directs that their tender age is not abused.



With this background, National Commission for Protection of Child Rights (NCPCR) has realised that a concerted effort with all the SCPCR's/UTCPCR's is need of the hour for effective monitoring of the provisions being provided for children. Therefore, in the spirit of cooperative federalism, NCPCR has been organizing national level consultative

programmes with all the SCPCRs. The purpose of this consultative meet is to flag the current child rights issues and develop consensus and cooperation, sharing of best practices, to take up inter-state issues, common issues pertaining to the functioning of the State Commissions that need interventions by the Union Government /Ministry of Women & Child Development. Moreover, this exercise fulfills the very purpose and mandate for which the Commission was established



i.e. to ensure that all laws, policies, programmes, and administrative mechanisms are in consonance with the child rights perspective, as enshrined in the Constitution of India.

Since the onset of COVID-19 pandemic in March, 2020 , on-ground workshop could not be carried out due to protocol related limitations. However, the initiative was resumed in March, 2022 when NCPCR decided to have on-ground workshop and personal presence of all the Chairpersons and Members of SCPCRs. Accordingly, NCPCR organised a special two days residential workshop at Water and Land Management Institute, Bhopal, Madhya Pradesh on 4th-5th March, 2022.

Inaugural Session: The inaugural session with dignitaries and officials set the context of the national workshop (the manthan sivar) by NCPCR with all SCPCRs . The inaugural Session was addressed by Dr.Munjpara Mahendrabhai Kalubhai, Hon'ble Minister of State- Ministry of Women and Child Development, Government of India and as Chief Guest by Shri. Mangubhai Patel, Hon'ble Governor of Madhya Pradesh.

Shri Priyank Kanoongo, Chairperson- NCPCR set the context of the workshop and highlighted that this national workshop will include discussions on atleast 20 topics pertaining to protection and welfare of children in this city of Bhopal. He expressed his hope that this workshop would definitely come up with appropriate solutions and recommendations for various issues. He informed the forum about some of the recent initiatives of NCPCR including Baal Swaraj Portal, Care and Protection to the Children in Street Situations, Rolling out and review of implementation of Joint Action Plan etc. He further mentioned that the Commission has adopted a 360 degree approach of vigilance and awareness in protecting rights of the children who are exploited, neglected or stand as the last mile child. Keeping in

mind the various needs and required approaches, we are to discuss and introspect on various issues to recommend and work with Governments.

The Hon'ble Minister of State, WCD mentioned that recognizing the vulnerability of children, the Indian Constitution itself has guaranteed all children certain rights, and has separate Articles for their survival and protection as stated under United Nations Convention on the Rights of the Child. The Hon'ble Minister further mentioned that NCPCR has been regularly engaging with its State counterparts for encouraging dialogues and mutual learning on issues pertaining to rights and entitlements of children; roles and responsibilities in the best interest of children. I understand that this workshop will be held in parallel sessions where Chairpersons/Members from each SCPCR will deliberate in different sessions on contemporary issues of child rights; I believe that meaningful discussion of these sessions will result in consequential action plan.

The Hon'ble Governor of Madhya Pradesh Shri Mangubhai Patel appreciated the Commission's efforts to rehabilitate the CiSS and the meeting held with NCB to prevent drug abuse amongst minors. He also extended his appreciation for the efforts to rehabilitate the children who lost either or both parents during the COVID-19 pandemic. The Hon'ble Governor congratulated the Commission for all its efforts for protecting the rights of minors. It is the responsibility of the Child Rights Commission to monitor the provisions provided for the children and ensure their rights are ensured. It also helps in giving suggestions in improving the implementation of different programmes meant for children. As the nation is celebrating the 75th years of Azadika Amrit Mahotsav and looking forward to celebrate the 100 years of independence, Child Rights Commission must take effort to include the subject of child rights in school curriculum and others for wider dispensation



He expected that discussions must also be around the families where children are being brought up. The family environment impacts in the mind and emotion of children. The Hon'ble Governor concluded by thanking the Commission for its constant efforts towards protection the child rights and prayed that good resolutions and suggestions must come out so that ultimately children of the nation get benefitted.

The Thematic sessions

There were 5 thematic sessions organized that include some of the crucial monitoring initiatives being undertaken by the NCPCR. Most of these monitoring initiatives are already being implemented. Apart from these initiatives office procedures that are required to be adopted by the State Commissions was also presented for everyone's knowledge and compliance. The draft guidelines with regard to revision in Children in Films and Reality Shows was also discussed for to give it a shape.

These 5 thematic sessions discussed are given as under

1. Presentation on "Monitoring App For Seamless Inspection (MASI)
2. Joint Action Plan on Prevention of Drugs and Substance Abuse and Illicit Trafficking.
3. Office Procedures – under CPC Act, 2005
4. Children in Films and Reality Shows- Discussion to draft guidelines
5. Baal Swaraj Portal-COVID-19 Care & Bal Swaraj Portal- Children in Street situations.

Parallel Technical Sessions on "Contemporary issues of Child Rights"

Through monitoring of child related laws, policies and dealing with the issues, NCPCR has observed that it is important to take new initiatives to address the emerging issues with regard to rights of the children. This workshop covered 15 such issues/initiatives from range of child rights verticals including Education, Juvenile Justice, Child Health & Psychology, Laws related to children, Child Trafficking, and Cyber safety.

To conduct group exercises all the participants were divided into six groups with six facilitators to moderate the discussions. Group-wise presentations were made to bring clarity on the topics and to do brainstorming for suggestions and ideas. After the individual group exercises, nominated participants with facilitators presented their findings and suggestions to the open house for further dissemination and seeking suggestions. The details of topics are given as under:

Group 1- EDUCATION

1.1-Handbook for Role of Panchayati Raj Institutions (PRIs) & other Stakeholders in Monitoring & Implementation of RTE Act.

1.2. Mainstreaming Out of School Children (OOSC) : Role of National Child Labour Projects (NCLPs) & Special Training Centres (STCs)

1.3. Education of Children of Brickkiln Workers , De-notified tribes and others

Group-2- JUVENILE JUSTICE

2.1-SOP on Fit facilities under the Juvenile Justice Act, 2015

2.2-After care policy under the Juvenile Justice Act, 2015

2.3-Protocols for repatriation of children under the Juvenile Justice Act,2015

Group-3- LAWS RELATING TO CHILDREN-(POCSO & CHILD MARRIAGE)

3.1-Victim Compensation with respect to Section 15 of CPC Act 2005

3.2-Issues related to Child Marriage

3.3- IEC Material on Child Sexual Abuse/ POCSO Act.

Group-4- CHILD HEALTH & CHILD PSYCHOLOGY

4.1- Findings of Report on “Status of Facility Based Child Health Infrastructure- NICU, PICU and SNCU

4.2- MIS for tracking the children with disabilities and linking them with Government schemes

4.3-Handbook on Suicide Prevention among Children

Group-5- PREVENTING CHILD TRAFFICKING-

5.1-Digital material for awareness of stakeholders

5.2-Challenges and Identification of Hot spots

Group-6- CYBER SAFETY-

6.1- Issues related to Cyber Safety and Role of SCPCRs

Valedictory Session on 5th March, 2022

The valedictory session was attended by Shri Indevar Pandey, Secretary, Ministry of Women and Child Development, Government of India who gave an overview of the various initiatives of the Ministry. He also acknowledged the important roles being played by the NCPCR and SCPCRs in ensuring the rights of the child and giving right kind of feedback that is crucial for the Ministry to take appropriate decisions. He thanked the Chairperson, NCPCR and all the SCPCRs for organizing and making this workshop a success.

Smt. Smriti ZubinIrani, Hon’ble Minister of Women & Child Development while addressing the gathering of the consultative meeting through virtual mode highlighted that in the celebration of Azadi Ka Amrit Mahotsav , we must take vow to make all possible measures for the future of our children in coming next 25 years when Bharat Varsh would be celebrating its 100 years of independence. She also mentioned her happiness to see the presence of SCPCRs from all over the country participating in this manthanshivir. She requested all the participants to take note of the amendments brought in the Juvenile Justice Act and Rules would not only be implemented effectively but also the spirit of this

amendments reach to the people in the society and masses. She expressed her gratitude to the presence of Chairpersons and Members of SCPCR from all over the country and mentioned this is a collaboration through which the NCPCR and SCPCR would take vow to provide care and protection to each and every child in the country.



“In the celebration of Azadi Ka Amrit Mahotsav, we must take vow to make all possible measures for the future of our children..... this Manthan Sivr is a collaborative effort through which the NCPCR and SCPCR would take vow to provide care and protection to each and every child in the country.” – Mrs. Smriti Zubin Irani, Minister of Women & Child Development, Government of India

Shri Priyank Kanoongo, Chairperson, NCPCR while summing up the workshop appraised Secretary, Ministry of Women & Child Development on certain findings and observations made by the NCPCR. He highlighted the facts about lack of ambulance/patient transport vehicle for children. Some of the points that have come up after the two days



programme are ; issues in linking disabled children with various facilities and benefit schemes, immediate registration of FIR is not happening in some of the cases of crimes against children particularly in the cases of missing children, need for training of SJPU and Anti Trafficking Units of trafficking prone areas; taking leverage of Community radio in

creating awareness on trafficking for which support of Ministry of WCD is needed in collaborating with Ministry of Broadcasting, focus on cyber crimes etc. He also mentioned about the need for cohesion and to make available the basic facilities in State Commissions so that the Members and Commissions can discharge their duties appropriately and effectively.





CHAPTER-8

Impact of the Exemption Given to Minority Institution under Article 15(5) of the Constitution on Children of Minority Communities Studying in such Institution W.R.T their Fundamental Right to Education under the RTE Act, 2009

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Impact of the Exemption Given to Minority Institutions under Article 15(5) of the Constitution on Children of Minority Communities Studying in such Institutions W.R.T their Fundamental Right to Education under the RTE Act, 2009

The Commission for the first time endeavoured to examine how the exemptions given to educational institutions under Article 15 (5) of the Constitution have affected education of children from minority communities in light of the fundamental right of children to elementary education under Article 21A. It is pertinent to note that Article 15(5) empowers the Government to form any policy for the upliftment of socially backward class, thus forming the basis of affirmative action in private unaided educational institutions in India. However, since RTE Act, 2009 has been made inapplicable to institutions with minority status and to the institutions imparting religious education, thus denying children of their fundamental right.

A study in this regard was conducted in collaboration with Quality Council of India (QCI) with an aim to find out ways to create a pathway to ensure that children in minority schools are able to study in an inclusive environment conducive to their development by receiving both modern & foundational education, as guaranteed by their fundamental rights. The study was carried out with two-pronged approach: *First*, to generate insights with regard to number of minority schools, community type, enrolment, recognition status, affiliation status, and more based on the data sought from the States/UTs. *Second*, to understand the concerns and understand suggestions of the representatives of minority communities, heads of the education institutions, parents and students studying in the minority institutions based on 16 consultation consultations with important stakeholders were organized across different states to get an insight into the needs and concerns of those who are directly associated with the education of children of minority communities from 2016 to 2020.

Background of exemption provided to these institutions-

- The 86th Amendment of the Constitution made education a fundamental right of all children in the age group of 6-14 years by inserting Article 21A.
- For enactment of this fundamental right, the Right to Education Act was introduced in 2009. Article 21A and subsequent RTE Act, originally neither differentiated among the children based on their region, caste and culture, nor it discriminated among children based on the type of institution they attend.

- In 2012, the Act was amended to exempt the institutions ‘primarily imparting religious education’, thus excluding the children studying in these institutions from the fundamental right.
- Subsequently, a significant provision of the RTE Act, Section 12 (1) (c), that gave the Law its inclusive character, was challenged.
- While discussing the validity of exemption provided through clause (5) of Article 15 of the Constitution, the “*Pramati* Judgement”, exempted all institutions with minority status and declared that the “2009 Act insofar it is made applicable to minority schools referred in clause (1) of Article 30 of the Constitution is ultra vires the Constitution”.

Two type of institutions are exempted from RTE Act, 2009-

- (a) those schools established with a minority institution status; and
- b) institutions imparting religious education such as Madrasas, Gumpas etc.

However, the point of divergence from RTE Act of these two types of institutions is different. The institutions with minority status are established as ‘schools’ with recognition from the State Governments but do not admit children from disadvantaged category (including from the same religion for which the special status was ought) and hence sought exemption in light of Article 15 (5) of the Constitution. On the other hand, the institutions imparting religious education such as Madrasas, Vedic Pathshalas, Gumpas do not provide basic education as per Section 29 of the RTE Act. Both, Section 12 (1) (c) and Section 29 of the RTE Act are important to maintain the principles of ‘secularism’ and ‘equality of opportunity’ as enshrined in the Preamble of the Constitution of India.

To understand the issue in depth, NCPCR first discussed this issue with all the State Commissions for Protection of Child Rights (SCPCRs) in the National Consultation meeting in May, 2017. During the orientation and consultation meeting with SCPCRs, a session on Understanding the Role of Commissions in Monitoring of RTE Act, 2009 was conducted. During the session, the issue of education of children from minority community was discussed and a resolution was passed which was submitted to MoE. Additionally, the matter was highlighted before the 65th CABE meeting held on 15 and 16 January 2018, and the Commission demanded constitution of a sub-committee to find a way to bridge the gap in compliance of Article 21A and Article 30 of Constitution of India to ensure fundamental right to education of children. Simultaneously, during 2016-20, 16 consultations, approved by the Ministry of Education with important stakeholders were organized across different States to get an insight into the needs and concerns of those who are directly associated with the education of children of minority communities. The matter was also discussed during meetings with other important stakeholders such as with Members of National

Monitoring Committee for Minorities Education (NMCME) and during consultation meeting with members of National Advisory Council (NAC) and experts in field of education.

Some important findings of the study are as follows-

1. Enrolment in Madrasas- Based on data from Census 2011 and UDISE, it has been estimated that more than one crore children are studying in these institutions. This number is not reflected in any data by the State Governments since Madrasas are largely unrecognized and even unmapped. Therefore, though children studying in unrecognized and unmapped madrasas are technically out of school, but data-wise these children do not find place in out-of-school category as well and while these children are being deprived of their fundamental right, they are not even being acknowledged by the States.
2. The Christian community, which makes up 11.54% of the total religious population, has a share of 71.96% of the total religious minority schools in India.
3. In case of schools with minority status, around 62.5 percent of the children enrolled in these schools are from non-minority groups and only 37.5 belong to the minority community. The Christian community schools have 74.01% of the student population belonging to the non-Christian community.
4. A comparison of population of a religious community in a State to the number of minority status schools of that particular community indicates that the minority status schools are not in proportion to the religious minority population in a particular State. For instance, in West Bengal, 92.47 percent of the minority population is of Muslims and 2.47 percent are Christians. On the contrary, there are 114 Christian minority schools and only two (2) schools with Muslim minority status.
5. Madrasas can be categorized into following types-
 - i) Recognized Madrasas: Madrasas imparting formal fundamental education along with religious education, recognized by State Madrasa Board and having a UDISE code. In 2015-16, there were 10,064 recognized madrasas in India. However, only these madrasas are taken into consideration in the Sachar Committee Report (2006) that, thus assumes that a mere 4% children attend madrasas. Further, only these recognized madrasas are eligible to avail funding under MHRD's (now MoE) Scheme for Providing Quality Education in Madrasas (SPQEM).
 - ii) Unrecognized Madrasas: Madrasas found ineligible for recognition by the State Government are grouped under this category. They may be ineligible for a variety of reasons including, but not limited to, not imparting formal education, having non-compliant infrastructure, appointing unsuitable teachers, etc.

- iii) Unmapped Madrasas: Madrasas that have never applied for recognition are grouped under this category. The UDISE data by MoE does not take into consideration these madrasas that are established traditionally, which have not applied for recognition to the State Government. These unmapped madrasas may or may not be attached to any religious or Government organization and maybe following their own set of norms or guidelines. It is extremely difficult to ascertain their specific number and the number of children going to these institutions since they have never been mapped formally. However, this is the most common type of Madrasas in India, having largest number of children enrolled.
6. Moreover, during the review meetings with States/UTs in October- November, 2020, it was observed that none of the States/UTs have reported undertaking mapping of unrecognized Madrasas and hence, the number of these Madrasas, number of children enrolled, nature of facilities provided, status of safety and security parameters in these institutions is not known.

Interpreting the findings of the study

The 86th amendment in December 2002 inserted Article 21A in the Constitution, making free and compulsory elementary education a fundamental right of 'all' children. The Article had a universal applicability for which a Law was enacted- the RTE Act of 2009. However, the 'universal' character of the Act was tempered with on more than once occasions, resulting in RTE Act being the only child specific Act that is partially applicable to the population of children for which it is meant and discriminates among the children based on the 'institutions' they attend for seeking education. Hence, on one hand this Act enables children to get their fundamental right and on the other hand it contravenes Article 13(2) that states that State shall not make any law which takes away or abridges the fundamental rights and any law made in contravention of this clause shall, to the extent of the contravention, be void.

In 2012, the Act was amended to exempt the institutions 'primarily imparting religious education', thus excluding the children studying in these institutions from the fundamental right. Subsequently, a significant provision of the RTE Act, Section 12 (1) (c), that gave the Law its inclusive character, was challenged. While discussing the validity of exemption provided through clause (5) of Article 15 of the Constitution, the "*Pramati* Judgement", exempted all institutions with minority status and declared that the "2009 Act insofar it is made applicable to minority schools referred in clause (1) of Article 30 of the Constitution is ultra vires the Constitution". A general observation is that basically two type of institutions are exempted from RTE Act, 2009- (a) those established with a minority institution status and (b) institutions imparting religious education such as Madrasas, Gumpas etc. However,

the point of divergence from RTE Act of these two types of institutions is different. The institutions with minority status are established as 'schools' with recognition from the State Governments but do not admit children from disadvantaged category (including from the same religion for which the special status was sought) and hence sought exemption in light of Article 15 (5) of the Constitution. On the other hand, the institutions imparting religious education such as Madrasas, Vedic Pathshalas, Gumpas do not provide basic education as per Section 29 of the RTE Act. Both, Section 12 (1) (c) and Section 29 of the RTE Act are important to maintain the principles of 'secularism' and 'equality of opportunity' as enshrined in the Preamble of Constitution of India.

Essentially, the competing Articles - Article 21A and Article 30 (1) talk about 'Education' and 'Right' with a different approach. While Article 21A is 'individual' right of each child in the age group of 6-14 years; Article 30 is the right of 'minority communities' to establish and administer educational institutions of their choice; and right of the 'institutions', thus established, against any kind of discrimination. Since its implementation, the discussions so far have mainly revolved around the concern that whether the applicability of RTE Act, 2009 on minority schools, aided or unaided, will abrogate the right of the minorities under Article 30(1); however, what's often ignored is the analyses of how far the rights of minorities to 'establish' and 'administer' institutions of their 'choice' and the exemption of these institutions from Article 15 (5) have affected the fundamental right of all children.

To begin with, a comparison of enrolment of students from disadvantaged section as a percentage of total enrolment in the minority schools shows that across the communities, only 8.76% of the total student population belongs to the disadvantaged section. Since minority schools are outside the purview of the RTE, there is no compulsion to admit students from disadvantaged backgrounds, with State/UTs like Chandigarh, Delhi, Odisha, Chhattisgarh and Tamil Nadu accepting less than 5% of total students' strength. However, as per the RTE Act, 2009, all private unaided schools have to give children from disadvantaged sections at least 25 percent seats of the total class strength. By rejecting the idea of inclusion enacted through RTE, these schools are denying the rights of the most disadvantaged children, denying them equal opportunity, stripping these children off their entitlements, taking away the sense of belongingness to the society, negating the principle of social justice and disallowing numerous disadvantaged children who belong to their own religion, an opportunity to be included in the mainstream education.

Furthermore, for ensuring free and compulsory quality education to children, the RTE Act, 2009 provides for norms and standards pertaining to the physical aspect of education i.e. basic minimum infrastructure, number of teachers, books, uniform, Mid-day Meal etc. However, children, not covered under the ambit of the Act because of the exemption of the 'institution', are deprived of these benefits and their right to access the learning environment created as a result of these provisions. The interactions with the children studying in minority institutions and religious institutions were an eye opener in this regard

as these 'benefits' and 'entitlements' that they are deprived of, hold a much deeper meaning for these children. For them, access to these basic facilities would instill a sense of belongingness to the society; a sense of pride and acknowledgment of them being equal and no less.

Besides these physical norms and other entitlements, the Act provisions for basic education similar for all children in the defined age group and education that is based on the principles given in Section 29 (2) of the RTE Act, 2009. Also, the responsibility to ensure that the curriculum in schools is laid down by the academic authorities notified by Centre and State Governments. However, as the minority institutions do not have defined guidelines on what will be taught to children, thus depriving the children of their right to the knowledge and quality education that is prescribed by the notified authorities under RTE Act. Extending the right of minority communities and institutions is taking away rights of children and denying them their fundamental right to equality under Article 14 of the Constitution that prohibits the State to deny to any person equality before the law or the equal protection of the laws within the territory of India.

As Article 29 of the Constitution empowers the citizens having a distinct language, script or culture of its own shall have the right to conserve the same, it must be seen as to whether these minority schools are undertaking activities for promoting their 'language' and 'culture'? If not, then what are the objectives of operating schools under minority categories? And; If yes, what kind of activities are included in the school curriculum to achieve this objective; and whether or not these schools, where 62.5% children from non-minority groups are enrolled, are violating Article 28 (3) of the Constitution that prohibits educational institutions from obligating the children to take part in any religious instruction, without the consent of parents?

To conclude, the right provided to minority institutions under Article 30 (1) of the Constitution of India cannot be taken as unconditional or absolute. This right is subject to the basic principles of equality and secularism of the Constitution and individual rights of the children. In *Bal Patil & Anr vs Union Of India & Ors*, (2005), Hon'ble Supreme Court stated that **'state' will have no religion. The states will treat all religions and religious groups equally and with equal respect without in any manner interfering with their individual rights of religion, faith and worship.** Prohibiting discrimination on grounds of religion, race, caste, sex or place of birth, the Constitution, under Article 15 also states that State shall not discriminate against any citizen on grounds only of religion and State can make special provision for women and children. Let alone special provisions, the exemption of institutions with minority status have led to discrimination among children those who are enrolled in institutions with minority status; those who are seeking education in unmapped religious institutions. Moreover, the right to freedom of religion given under Article 25 (1) is subject to the other provisions in Fundamental Rights including Article 21A, Right to Education which is constitutionally unconditional. The language of equality, secularism, non-

discrimination, meant for inclusion, is rather used with different interpretations for exclusion of children.

Suggested Way Forward

1. Mapping of all Unrecognised Institutions during Survey to Identify Out of School Children

There are a large number of children attending Schools/ Institutions that are not recognized. Children also attend such institutions that are unrecognized as these are unmapped and number of such institutions is not known. Therefore, whether these institutions provide quality education and the information on the environment these institutions provide to children also remains unknown. Children attending all such institutions (unrecognised and/or unmapped schools) are to be treated as Out of School, even if they provide regular education.

Therefore, it is very important that any survey undertaken to map number of out-of-school children should also include mapping of all these unrecognised and unmapped institutions which may include unrecognised schools, unrecognised *Madarasas*, Vedic *Pathshalas*, *Gumpas* and other form of non-formal education centres. This has also been recommended by the CABE Sub-Committee to Devise Pathways for Re- engaging Out of school children.

2. Role of NCERT and SCERTs

One of the objectives of National Council of Educational Research and Training (NCERT) is to act as a nodal agency for achieving the goals of Universalization of Elementary Education. It is important that NCERT along with SCERTs should play a proactive role in extending the right to education to all children. So far, the minority cell has not taken any constructive step for education of children of minority communities. It's time that the Council should hold consultative meetings with all stakeholders and create pathways for reaching out to these children and reach closer to the minorities. Also, the vision, mission and functions of Minority Cell in NCERT created in 2006 needs to be revised and the Cell should play a larger role in taking the fundamental right to elementary education to all children especially children of minority communities.

3. Need to take appropriate steps to extend the provisions of RTE to minority educational institutions or make law with similar effect to ensure RTE of children studying in minority educational institutions

The RTE Act, 2009 was enacted to provide education to children between the age of 6 to 14 years as a matter of fundamental right. The provisions of the Act framed in 2009 did not exclude any

section or group and neither obliterates in minority nature of minority schools nor acts as a hindrance in benefiting the students from the minority community because originally the objective of the enactment was to extend right to education to every child in the aforesaid age group irrespective of their background and nature of school where children could get admission. The objective of the enactment is clear from the long title of the Act, which states that it is an Act to provide for free and compulsory education to all children of the age of six to fourteen years although an Amendment in the year 2012 inserted clause (4) in Section 1, which provides that subject to the provisions of Articles 29 and 30 of the Constitution, the provisions of this Act shall apply to conferment of rights on children to free and compulsory education.

Here it is pertinent to see that whenever two rights overlap to each other which one is required to be prioritized is to be decided after assessing complete fact and circumstances. Provisions of RTE are for ensuring the right of children, which is of the nature of basic human right and that is required to be prioritized over any other right except life and food. Therefore, the legislature should take policy decision for extending the RTE to children who are studying in minority educational institutions and to bring necessary amendment in RTE 2009 for extending the same to minority educational institution as provisions to ensure fundamental right of those children does not interfere in right to administration and right to administer cannot be extended to the extent of ignoring fundamental right of children. In the process Government may keep in mind that the Judgement of Hon'ble Supreme Court in the case of *Pramati Educational & Cultural Trust Vs Union of India* has held that the RTE 2009 is not applicable to minority educational institutions. It is pertinent to see that the Hon'ble Court has shown concern upon minority right provided under Constitution and therefore did not allow the application of RTE considering the same as interference. The judgement is of year 2014 and by now the impact of non-application of RTE upon such institutions are visible. Unfortunately, the impact of the non-application of RTE Act on school with minority status and institutions primarily imparting religious education is severely affecting rights of the children studying in those schools and institutions; and therefore it is necessary that the government should take effective steps to ensure rights of children studying in minority educational institutions.

In fact, the Right to Education Act endeavoured to give an opportunity to the children from disadvantaged sections to seek admission in private unaided schools by fixing the responsibility of providing admission to these children, which can be the problem of children in minority community also. However, in 2006, the 93rd Constitution Amendment Act inserted Clause (5) in Article 15 enabling the State to create special provisions for advancement of backward classes of citizens in all aided or unaided educational institutes. Minority educational institutes were exempted from the operation of this Amendment, since Article 30(1) provides the right to all minorities to

establish educational institutions and administer it as per their choice. A surge in the number of schools securing Minority Status Certificate (MSC) after passage of the Amendment has been observed, with more than 85% schools of the total schools securing the certificate in the years 2005-2009 and later. This can be attributed to the ease in administering minority schools, without the legal mandate to reserve seats for backward classes. The same RTE Act, which came to protect education right of children, has become a tool for the deprivation of children studying in schools with minority status from their fundamental right. Therefore, it is recommended that the Government of India may consider making law to ensure protection of education rights of all children without differentiation.

4. Care and protection of children as per Juvenile Justice Act, 2015

If children who fall under the definition of 'children in need of care and protection' as given u/s 2(14) of the JJ Act, 2015 are residing in residential facilities/hostels of schools with minority status and institutions imparting religious education without following the procedures of JJ Act; this amounts to violation of the Act. The State Government should initiate enquiry and ensure that such children be immediately produced before the Child Welfare Committee (CWC) as per section 31 of the JJ Act. Thereafter, as per the orders of the CWC, the children may be restored or rehabilitated.

5. Interpretation and implementation of rights of children

The rights of children provided under Constitution of India and subsequent enabling Laws are universally applicable for all children in the country and hence should be read and understood with the intent to serve 'best interest of the child'. Any interpretation that diverts from this principle leads to undermine the rights of children and interferes with their well-being. To keep the interpretation and implementation of rights of children to education, efficient executive, monitoring and accountability structures are essential. The most essential elements for creating such structure are – (a) awareness generation drives for all stakeholders especially those managing schools with minority status as well as institutions providing religious education; (b) an enabling environment by means of putting in place a more informed, regulated and stringent system for extending the rights to all children. A two pronged approach needs to be followed so that children studying in minority institutions-recognized/unrecognized, mapped/unmapped receive fundamental education.

6. Guidelines regarding nature and number of minority institutes in a State

A comparison of population of a religious community in a State to the number of minority status schools of that particular community indicates that the minority status

schools are not in proportion to the religious minority population in a particular State. For instance, in West Bengal, 92.47% of the minority population is of Muslims and 2.47% are Christians. On the contrary, there are 114 Christian minority schools and only two (2) schools with Muslim minority status. Similarly, in Uttar Pradesh, though the Christian population is less than 1% there are 197 Christian minority schools in the State. This disproportionate number takes away the core objective of establishing minority educational institutions. Hence, there is a need to link the need of number of minority institutions in a State for a particular minority to the process of granting minority institution status for better utilization of resources.

7. Notification of guidelines regarding composition in minority institutes

As per the data analysed, schools were found to be admitting non-minority students to a large extent. In Madhya Pradesh, Chandigarh and Uttarakhand, the percentage of students from non-minority community goes up to more than 80%. As stated earlier, according to the NCMEI guidelines, 'the State Government can prescribe percentage of the minority community to be admitted in a minority educational institution taking into account the population and educational needs of the area in which the institution is located. However, in the absence of clear guidelines from States and despite the large presence of minority students in school-going age groups, minority schools are catering to less than 8% of the minority children population. Hence, there is a need to lay down specific guidelines regarding the minimum percentage of students from the minority community to be admitted to the institution.

8. Re-examination and further amendment of guidelines for grant of minority status to schools

Currently, only the composition of the trust/ society running the educational institution and the institution's Trust Deed or the society's Memorandum of Association (MOA) or institutions' by-laws are assessed by the present criteria. Although, the MOA of the Society or Trust Deed should clearly indicate that the object of the society/ trust is "to establish and administer educational institutions primarily for the benefits of the Muslim/ Sikh/ Christian/ Buddhist/ Parsi/ Jain (as the case may be) community and also the society at large", there is no consistent method to check whether the institution/ school is indeed run for the respective community's welfare. The current guidelines should be re-examined and amended to ensure the robust and reliable summarization of "minority character" and "welfare of minorities". The qualitative parameters such as admission to minority students, recruitment of teachers, benefits provided to the students from minority community should be included to ensure the real objective of benefiting the children from minority community.

9. Creation of appropriate administrative system for the purpose of meaningful realization and effective implementation of linguistic minority rights

The National Commission for Minority Educational Institutes (NCMEI) does not accept any applications (either directly or by way of an appeal against the order of the State Minority Commission) for grant of minority status to a linguistic minority. Thus, even though Section 12 B of NCMEI Act allows educational institutions to file appeals against the rejection of application seeking minority status by State Government, it appears that NCMEI does not grant minority status certificates to linguistic minorities.

While, some States have notified competent authorities for grant of minority status to educational institutions, but failed to notify the competent authority in case of any violation and regulate the criteria and process for granting the linguistic minority status. This clearly indicates that there is an immediate need to provide equal protection to linguistic minorities as religious minorities.

The suggested way to counter the above cited challenge is amend the powers of National Commission of Linguistic Minorities (NCLM) to empower it to a quasi-judicial body, one that has been endowed with the powers of a Civil Court. The Commissioner will thus have adjudicatory functions and recommendatory powers. On the other hand, the powers of the NCMEI can also be expanded upon to provide equivalent protection to linguistic minorities. Currently, the Central government has notified only six religious minorities as covered under the NCMEI Act. Thus, this list can be expanded to include linguistic minorities as per each state as well.

10. Addition of Minority Status Renewal at periodic interval

The prescription that minority status need not be renewed needs reconsideration. Given that the NCMEI and State authorities do have the power to cancel minority status in the eventuality of a fundamental change in circumstances, it must be questioned how such changes would be determined in the absence of a periodic review. Some of the State guidelines mention a requirement for a minority institution to notify the competent authority as and when there is a change in the composition of its trust. But this seems to be a rather narrow and procedural review whereas a more substantive review may be required.

11. Last but not the least, introspection by managements of schools with minority status and religious institutions on their role and contribution

A comparison of enrolment of students from disadvantaged section as a percentage of total enrolment in the minority schools shows that across the communities, only 8.76% of the total student population belongs to the disadvantaged section. Since minority schools are outside the purview of the RTE, there is no compulsion to admit students from disadvantaged backgrounds, with State/UTs like Chandigarh, Delhi, Odisha, Chhattisgarh and Tamil

Nadu accepting less than 5% of total students strength. Further, 4.18% of total students get benefits from schools. There is a wide range of disparity in the number of students from disadvantaged background receiving benefits, with schools in Andhra Pradesh providing benefits to 19.37% while schools in Uttar Pradesh providing to only 4.52% of them. As per Section 12(1) (c) of the RTE Act, 2009, all private unaided schools have to give children from disadvantaged sections at least 25% seats of the total class strength. However, these schools enjoy immunity after the 2014 *Pramati Educational and Cultural Trust v Union of India* judgement the schools with minority status.

This has also led to a gap between disadvantaged groups belonging to Muslim community and those from Christian community has widened. The Christian community which makes up 11.54% of the total religious population, contributes to 71.96% share of the total minority schools of the country. On the other hand, the Muslim community despite contributing a share percentage of 69.18% to the religious minority population in the country, contributes only a paltry share of 22.75% to the minority schools. Another category of institutions that are not under the ambit of RTE Act, 2009 are institutions that 'primarily impart religious education' i.e. Madrasa, Vedic Pathshalas, Gumpas etc. These institutions do not provide basic education as per Section 29 of the Act. It is estimated that approximately 1.2 crore children attend Madrasas (one of such institutions). Both, Section 12 (1) (c) and Section 29 of the RTE Act are important to maintain the principles of 'secularism' and 'equality of opportunity' as enshrined in the Preamble of Constitution of India.

The prime objective of establishing these institutions is to give the minorities the right to conserve their culture and upliftment of their community through education. By rejecting the idea of inclusion enacted through RTE, the institutions may be pushing the children towards alienation and isolation from the mainstream resulting in radicalization and also, denying the rights of the most disadvantaged children, denying them equal opportunity, stripping these children off their entitlements, taking away the sense of belonging to the society, negating the principle of social justice and disallowing numerous disadvantaged children who belong to their own religion an opportunity to be included in the mainstream education.

The denial to extend right to education to children by these institutions with minority status not just deprives the children of their most important fundamental right to education but this exclusion/denial of these children snowballs into depriving the child of their fundamental right to Equality before law (Article 14); prohibition of discrimination on grounds of religion, race, caste, sex or place of birth (Article 15(1)); and also interrupts States' responsibility under Article 13 (2) to not make any law which takes away or abridges the rights conferred under the fundamental rights and any law made in contravention of this clause shall, to the extent of the contravention, be void. Hence, the Act, instead of an enabling tool, becomes a depriving tool for the

children studying in minority schools. In addition, by not providing religious education, the institutions are also not contributing in protecting the interest of minorities and conserving their language, script and culture [Article 29(1)] for which these institutes are primarily given the minority status.

It is time that we as a society including the school managements and minority communities introspect as to whom they are actually serving by closing doors for the vulnerable children who need upliftment and if this is the actual path that our religion, our God showed us?

The details of the report is available at [https://ncpcr.gov.in/uploads/165650511462bc431a5363c_Report%20on%20impact%20of%20Exemption%20under%20article%2015\(5\)%20w.r.t.%20article%2021A%20of%20the%20Constitution%20of%20India%20on%20Education%20of%20Children%20of%20Minority%20Communities-%20March%202021.%20%20\(%206862%20KB\).pdf](https://ncpcr.gov.in/uploads/165650511462bc431a5363c_Report%20on%20impact%20of%20Exemption%20under%20article%2015(5)%20w.r.t.%20article%2021A%20of%20the%20Constitution%20of%20India%20on%20Education%20of%20Children%20of%20Minority%20Communities-%20March%202021.%20%20(%206862%20KB).pdf)

Meetings to discuss findings of the Study and the suggested way forward

An important part of this study has been the discussions with the stakeholders that play a role in education of children of minority communities. Therefore, it was pertinent to hold further deliberations on the findings and recommendations emerged out of this study and hence two such meetings have been organized so far.

A meeting on 04.09.2021 was organized by NCPCR in collaboration with India Think Council (ITC) with the experts working on the issue of child rights, education and education of children from minority communities. Another meeting was organized on 16.09.2021 wherein experts and members from National Council for Promotion of Urdu Language (NCPUL) and National Monitoring Committee for Minorities' Education (NMCME) participated. During the meetings, Chairperson, NCPCR presented the rationale behind the study and also shared its important findings with the attendees. He further elaborated upon the importance of fundamental education for all children. The attendees appreciated Commission's effort for taking this initiative to examine and discuss need of extending the fundamental right of education to all children from minority communities.



Data estimate on OoS

Based on U-DISE Data

Total enrolment in 2015-16= 19.79 crore

Percentage enrolment of Muslim Children= 13.80 per cent

Enrolment of Muslim children= 2.7 crore

Total number of Muslim children in India in the age 6-14 years = 3.8 crore*

Number of Muslim children that are OoS= 3.8- 2.7= 1.1 crore

Sachar Committee Report

4 percent Muslim children attend Madrasa which is= 15.3 lakh

Remaining Muslim children in other institutions or OoS= 3.84 cr- 15.3 lakh= 3.7 crore

Enrolment as per DISE= 2.5 crore

Not enrolled= 3.7-2.5= 1.2 crore

Sachar Committee Report (2006) states that only four percent Muslim children attend madrasas requires a further clarification as this figure relates only to students between 7 to 9 years age and to madrasas which are not attached to mosques.

*(since in in Census 2011 data religion wise population data is available for 5-14 years, the estimate has been drawn by excluding the 5 years old. The population of 5 year old Muslim children is taken in proportion to the share of population of 5 years old total children in the country for the age group of 0-18 years)

As estimated above, there are approximate 1.1 crore Muslim children who are out-of-school but the number of madrasas identified is approx. 6000. Hence, it is important that mapping exercise is done in order to get an exact number of madrasas functional in the country.

CHAPTER-9

Initiatives on Education

Chapter-9

Initiatives on Education

The NCPCR has been mandated under Section 31 of the Right to Education (RTE) Act, 2009 to: (i) examine and review safeguards for rights provided under the Act and to recommend measures for their effective implementation; (ii) inquire into complaints relating to children's right to free and compulsory education; and (iii) take necessary steps as provided under Section 15 of the CPCR Act, 2005.

In furtherance of this mandate and the functions assigned to it under Sections 13 and 14 of the CPCR Act, 2005, the NCPCR has undertaken a series of initiatives, such as redressing complaints, conducting inquiries, undertaking policy interventions and programme and research initiatives.

Online Workshop on Manual on Safety and Security of Children in Schools:

It is a fact that children spend more time in schools than anywhere else other than their own home. Children need a secure, positive and comfortable environment to help them grow. However, several incidences have occurred wherein several young lives were lost due to issues pertaining to infrastructure of schools, health & hygiene, psychological aspects like corporal punishment, bullying, isolation, abuse, etc. Therefore, the Commission prepared a Comprehensive Manual on Safety and Security of Children in Schools by compiling the various existing guidelines, circulars, notifications, Government Orders on safety and security issues of children in school. Subsequently, the Commission has been organizing workshops to sensitize and educate the stakeholders like Cluster Resource co-coordinators, Block Resource coordinators and Principals on safety issues and implementation of the provisions of the Manual.

The objectives of the manual are to: (i) provide relevant information collated from various existing guidelines on the safety and security of children in school; (ii) inform and equip relevant stakeholders in monitoring the measures of school safety and security so as to ensure a safe and secure environment for the children in school; (iii) facilitate awareness generation and build capacities of relevant stakeholders, namely, school management, teachers, staff and other personnel, School Management Committees (SMCs)/Parent Teacher Associations (PTAs) and students, on safety and security of children in school; (iv) highlight the roles and responsibilities of teachers and other school staff in ensuring safety and (v) awareness on cyber safety and security. Due to the pandemic situation, the workshops were conducted virtually in the districts. The details of workshops organized in the year 2021-22 are given as under:

S.No.	Topic	District	Dates
1.	Online Workshop on Manual on Safety and Security of Children in Schools	Aizawal (Mizoram)	21.02.2022
2.		Barpeta (Assam)	12.03.2022
3.		Chandigarh	18.02.2022
4.		Changlang (Arunachal Pradesh)	09.03.2022
5.		Daman & Diu	02.03.2022
6.		Dadra and Nagar Haveli	11.03.2022
7.		Vellore (Tamil Nadu)	28.03.2022
8.		Dimapur (Nagaland)	19.02.2022
9.		East Khasi Hills (Meghalaya)	23.02.2022
10.		Giridih (Jharkhand)	23.02.2022
11.		Shimla (Himachal)	25.02.2022
12.		Hisar (Haryana)	26.02.2022
13.		Delhi	02.03.2022
14.		Nagaon (Assam)	16.03.2022
15.		Udaipur (Rajasthan)	25.03.2022
16.		East Sikkim (Sikkim)	19.03.2022
17.		Hyderabad (Telangana)	19.03.2022
18.		Kargil (Ladakh)	29.03.2022
19.		Jammu (J & K)	21.03.2022
20.		Pune (Maharashtra)	21.03.2022
21.		East Godavari (Andhra Pradesh)	24.03.2022
22.		Middle & North (A & N Island)	26.03.2022
23.		West Tripura (Tripura)	18.02.2022

State-level Online Workshops on Safety and Security of Children in Residential Schools

The Government (both Centre and State) has initiated various schemes for establishment of hostels for promoting education in all areas and habitations of the country. In addition, there are private institutions which provide residential educational facilities for children. In this regard, taking forward its endeavour to create a safe learning environment for children, the NCPCR has developed guidelines for hostels of residential educational institutions. For maintaining the safety and security of children staying in these hostels, it is important that basic uniform norms and standard are followed irrespective of the departments/schemes/programmes and projects under which these hostels are governed. To create awareness among the heads of such institutions with hostels, Government and private, various online workshops were organized in 2021-22.

S.No.	Topic	State	Dates
1.	State-level Online Workshops on Safety and Security of Children in Residential Schools	Andaman and Nicobar Island	19.03.2022
2.		Arunachal Pradesh	11.03.2022
3.		Assam	25.03.2022
4.		Bihar	22.03.2022
5.		Chandigarh	18.02.2022
6.		Chhattisgarh	21.02.2022
7.		Dadra and Nagar Haveli Daman and Diu	22.02.2022
8.		Delhi	22.03.2022
9.		Goa	
10.		Gujarat	24.02.2022
11.		Haryana	26.02.2022
12.		Himachal Pradesh	28.02.2022
13.		Jammu and Kashmir	28.02.2022
14.		Jharkhand	02.03.2022
15.		Karnataka	03.03.2022
16.		Kerala	04.03.2022
17.		Ladakh	05.03.2022
18.		Lakshadweep	07.03.2022
19.		Madhya Pradesh	08.03.2022
20.		Maharashtra	10.03.2022
21.		Meghalaya	11.03.2022
22.		Mizoram	12.03.2022
23.		Nagaland	14.03.2022
24.		Puducherry	15.03.2022
25.		Punjab	23.03.2022
26.		Sikkim	17.03.2022
27.		Tamil nadu	24.03.2022
28.		Telangana	26.03.2022
29.		Tripura	25.02.2022
30.		Uttar Pradesh	25.03.2022

State-level Online Workshops for Teachers on Identification and Coping Strategies with Respect to Stress among Children in Schools

Besides issues of violations pertaining to basic entitlements provisioned under the RTE Act, 2009, several representations have been received in the Commission regarding safety of children in schools, growing academic burden leading to stress on children and student teacher relations. Considering the incidents of suicide among children due to various stress factors, which have also been reported in the media from time to time, the NCPDR has been conducting online activities to sensitize the students on the issue of stress. Since the mode of teaching learning shifted from face-to-face to online in the previous academic years, it has become all the more important to understand the issues that the children might be facing in adjusting to the new situation and coping with the additional stress. Therefore, the

Commission organized online workshops for teachers on identification and coping strategies with respect to stress among children in schools. These sessions were conducted by renowned psychologists and education experts.

S.No.	Topic	State	Dates
1.	State-level Online Workshops for Teachers on Identification and Coping Strategies with Respect to Stress among Children in Schools	Andaman and Nicobar Island	23.03.2022
2.		Andhra Pradesh	04.03.2022
3.		Arunachal Pradesh	05.03.2022
4.		Assam	07.03.2022
5.		Bihar	08.03.2022
6.		Chandigarh	09.03.2022
7.		Chhatisgarh	10.03.2022
8.		Dadra and Nagar Haveli Daman and Diu	11.03.2022
9.		Delhi	22.03.2022
10.		Goa	23.03.2022
11.		Gujarat	14.03.2022
12.		Haryana	15.03.2022
13.		Himachal Pradesh	16.03.2022
14.		Jammu and Kashmir	17.03.2022
15.		Karnataka	22.03.2022
16.		Kerala	24.03.2022
17.		Ladakh	23.02.2022
18.		Lakshadweep	10.03.2022
19.		Madhya Pradesh	29.03.2022
20.		Maharashtra	21.03.2022
21.		Manipur	28.03.2022
22.		Meghalaya	18.02.2022
23.		Mizoram	21.02.2022
24.		Nagaland	22.02.2022
25.		Odisha	24.02.2022
26.		Puducherry	24.02.2022
27.		Punjab	26.03.2022
28.		Sikkim	26.02.2022
29.		Rajasthan	25.02.2022
30.		Tamil nadu	25.03.2022
31.		Tripura	28.03.2022
32.		Uttrakhand	29.03.2022

State-level online workshop for preventing drop outs from schools and re-engaging out of school children

The Census 2011 data has revealed that 8.4 crore children (age group of 5 -17 years) don't go to school at all -that's nearly 20 percent of the age group covered under the RTE Act. In the context of Out of School Children (OoSC) and their Re-Engagement, the Commission is of firm view that emphasis must be laid on understanding and strengthening the preventive strategies in this regard.

All the programmes, policies and related interventions of the Government should be in consonance with prevention of Out of School Children which could be a first step towards combating the problem of school drop outs, non-enrolment, low attendance. Considering the gravity of the issue, the Commission organised Online Workshops on the topic of Preventing drop outs from schools and re-engaging out of school children in various states of India.

S.No.	Topic	State	Dates
1.	State-level online workshop for preventing drop outs from schools and re-engaging out of school children	Andaman and Nicobar Island	17.02.2022
2.		Andhra Pradesh	28.02.2022
3.		Arunachal Pradesh	26.02.2022
4.		Assam	17.03.2022
5.		Bihar	24.02.2022
6.		Chandigarh	23.02.2022
7.		Chhatisgarh	22.02.2022
8.		Dadra and Nagar Haveli Daman and Diu	22.02.2022
9.		Delhi	15.03.2022
10.		Goa	19.03.2022
11.		Gujarat	21.02.2022
12.		Haryana	19.02.2022
13.		Himachal Pradesh	18.02.2022
14.		Jammu and Kashmir	12.03.2022
15.		Jharkhand	09.03.2022
16.		Karnataka	08.03.2022
17.		Kerala	03.03.2022
18.		Ladakh	28.03.2022
19.		Lakshadweep	02.03.2022
20.		Madhya Pradesh	03.03.2022
21.		Maharashtra	04.03.2022
22.		Manipur	29.03.2022
23.		Meghalaya	05.03.2022
24.		Mizoram	07.03.2022
25.		Nagaland	08.03.2022
26.		Odisha	09.03.2022
27.		Puducherry	10.03.2022
28.		Punjab	29.03.2022
29.		Sikkim	11.03.2022
30.		Rajasthan	12.03.2022
31.		Tamil nadu	22.03.2022
32.		Telangana	26.03.2022
33.		Tripura	15.03.2022
34.		Uttar Pradesh	26.03.2022
35.		Uttarakhand	16.03.2022

Inclusion of Cyber Safety and Security section in the Manual of Safety and Security of Children in Schools.

The Commission prepared a Comprehensive Manual on Safety and Security of Children in Schools by compiling the various existing guidelines, circulars, notifications, Government Orders on safety and security issues of children in school. Due to the COVID-19 pandemic situation, a shift has occurred in the school education system of India from offline classroom set up to online education. The access of internet and other online activities has led to the exposure of children to various aspects of the virtual world which has many pros and cons. The incidents of cybercrimes are rapidly increasing among children; therefore a section on cyber safety & security in the said manual has been incorporated covering points on cyber safety and security; Common threat points; laws related & guidelines of cyber safety. The link of the revised manual is available at the website of the NCPCR. [https://ncpcr.gov.in/uploads/165650391762bc3e6d27f93_Manual%20on%20Safety%20and%20Security%20of%20Children%20in%20Schools%20\(Sep%202021\).pdf](https://ncpcr.gov.in/uploads/165650391762bc3e6d27f93_Manual%20on%20Safety%20and%20Security%20of%20Children%20in%20Schools%20(Sep%202021).pdf)

Effects of Online Gaming on Children and Measures to prevent and mitigate Cyber Threats/ Violence against children

The Commission conducted a meeting on Effects of Online Gaming on Children and Measures to prevent and mitigate Cyber Threats/ Violence against children scheduled on 22.09.2021. The meeting was attended by officials from Ministry of Electronics & Information Technology; Ministry of Health & Family Welfare; National Institute of Mental Health and Neuro Sciences Hospital (NIMHANS); Central Institute of Educational Technology; Cyber Peace Foundation; Department of Psychiatry, AIIMS; Behavioral Addiction Clinic, All India Institute of Medical Sciences.

Research Studies

Study on Safety and Security of Children in Pre- Metric Hostels for Students.

NCPCR conducted a Study on Safety and Security of Children in Pre- Metric Hostels for Students which was approved by the Ministry of Education for the financial year 2019-20. The safety of children in hostels has come up as serious concern in recent times and the Commission has undertaken different activities/studies pertaining to the safety of children. This study sought to examine the hostel environment in the context of safety and security of children, examine the readiness of the authorities and hostel staff to prevent and deal with incidents concerning safety of students, understand the redressal mechanism adopted by the hostels in case of any incident or child rights violation in the hostels. The details of the study is available at

https://ncpcr.gov.in/uploads/165650386562bc3e39a9956_Study%20on%20Safety%20&%20Security%20of%20Children%20in%20Pre-Matric%20Hostels.pdf

Study on Effectiveness of the National Child Labour Project Scheme in Mainstreaming NCLP Children.

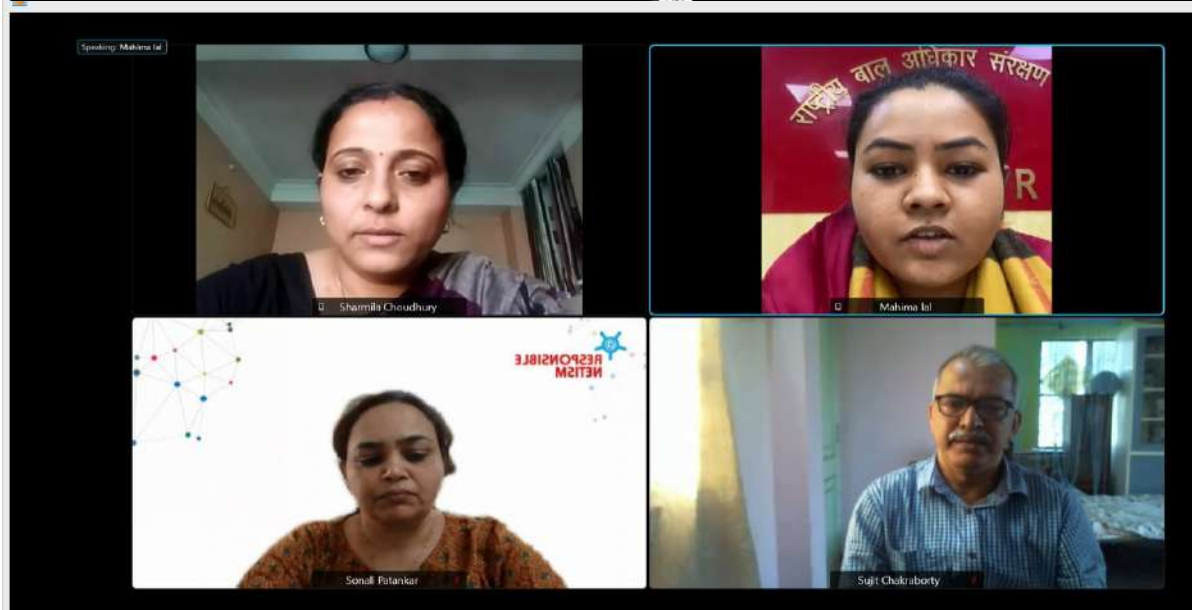
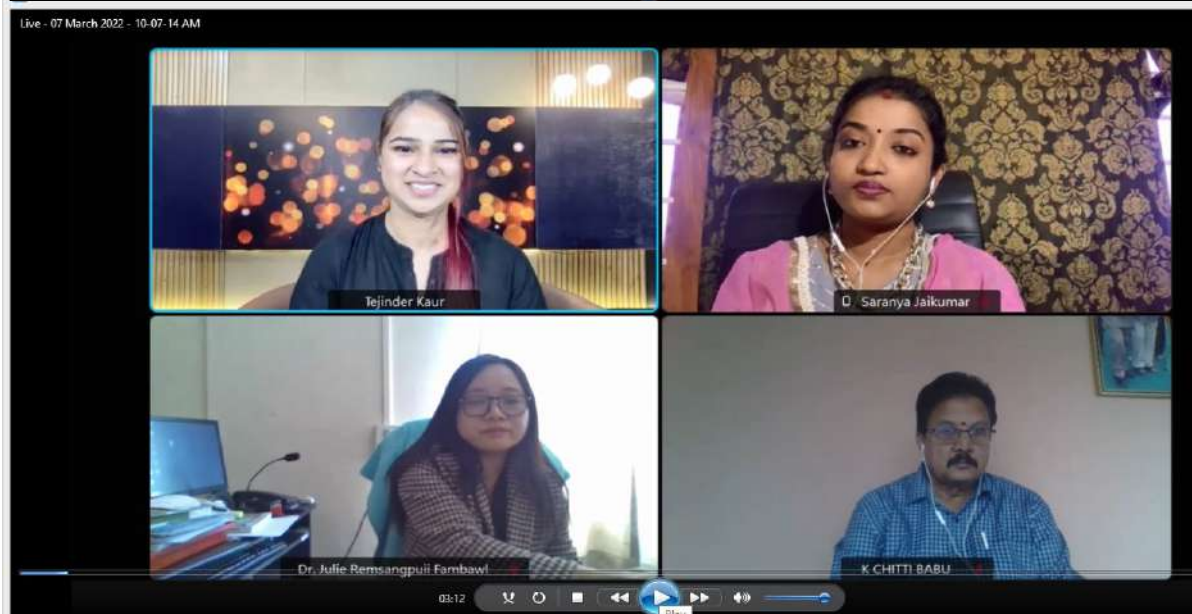
The Commissions for the Protection of Child Rights (CPCR) Act of 2005 established the National Commission for the Protection of Child Rights (NCPCR) to assure that children have access to their rights and can grow up in a safe environment. To accomplish this, Section 13 of the Act assigned certain responsibilities to the Commission aimed at ensuring that children's legal and constitutional rights are safeguarded. Under Section 8 of the Right to Education Act, 2009, appropriate Government is required to provide a proper environment and quality education for all children aged 6 to 14 years to achieve free and compulsory education. In addition, Section 4 of the Right to Education Act (RTE) of 2009 established Special Training arrangements for NCLP children to guarantee that they are academically at the same level with their peers. It has an impact on millions of children across the country. The RTE Act of 2009, Section 31, empowers the NCPCR to ensure effective implementation of the Act's provisions. NCPCR conducted this study (approved in the F.Y. 2019-20 by MoE) to examine the benefits of residential and non residential NCLPs w.r.t RTE Act 2009 in mainstreaming the children; identify factors leading to effective implementation of the scheme and examine NCLP scheme w.r.t RTE Act, 2009. The details of the study is available at

https://ncpcr.gov.in/uploads/16697895406386f76452b0d_165639787662baa03440f09_NCLP%20Report.pdf

Study on Analysis of Child Rights Component in Teacher Training Curriculum

The “Study on Analysis of Child Rights Component in Teacher Training Curriculum” was conducted by NCPCR (approved in the financial year 2019-20 by MoE) to examine the significance of rights of children including children with special needs (CWSN) in the objectives of the teacher training curriculum laid down by the States/UTs. The study was also examine the occurrence of information on child rights including rights of children with special needs (CWSN) in each component (philosophical, pedagogical, practical etc.) of the teacher training curriculum in all States/UTs; and assess the accuracy and suitability of the information on child rights provided in the teacher training curriculum. The details of the study is available at

https://ncpcr.gov.in/uploads/1661855544630de738e6bea_TEACHER%20TRAINING%20REPORT.pdf



CHAPTER-10

Consultations on POCSO: Factors hindering the Implementation and aspects of assistance to victims”

Chapter-10

Consultations on “POCSO: Factors hindering the implementation and aspects of assistance to Victims”

The Protection of Children from Sexual Offences (POCSO) Act, 2012 has been implemented as a gender-neutral special law regulating the sexual offences against children. This Act provides for protection of children from offences of sexual assault, sexual harassment and pornography with due regard for safeguarding the interest and wellbeing of children at every stage of judicial process, incorporating child-friendly procedures for reporting, recording of evidence, investigation and trial of offences and provision for establishment of Special Courts for speedy trial of such offences.

Moreover, the issues of non-reporting of child sexual offences, long delays in disposal of sexual abuse cases and the absence of strict punitive punishment



for offences committed against children were addressed through the implementation of this Act. Provisions under this Act makes reporting of child sexual offences as mandatory and provides for timelines for each and every authority/stakeholder that needs to be followed for speedy disposal of cases. Though, a decade long implementation of the law since its enactment shows there are still issues being faced by authorities in understanding of the various provisions and building capacity for support services.

National Commission for Protection of Child Rights, as provided under Section 44 (1) of the POCSO Act, 2012 & Rule 12 of the POCSO Rules 2020 has been playing the role of monitoring body in respect to the implementation of the Act. The Commission monitors the status of implementation of the POCSO Act by seeking information from the States/UTs on the following 1. Setting up of Special Courts, 2. Appoint



ment of Special Public Prosecutors, 3. Formulation of Guidelines by all States/UTs for the stakeholders for the implementation of the POCSO Act, 2012, 4. Designation and Implementation of module for training of police etc, 5. Steps taken by State Govt. for spreading awareness on POCSO Act and 6. Collect information and data on its own or from relevant agencies regarding reported cases of sexual abuse and their disposal under the processes provided under the Act.

While playing its role as monitoring body, the Commission observed some of the key issues of non-implementation of certain provisions , gaps, contentions and debates that need to be presented and discussed which include:

- 1) POCSO cases vis-à-vis child marriage and abduction of children etc.
- 2) Ensuring protection of victim and witnesses.
- 3) Lack of training and empathy in police officers, medical professionals etc. in dealing with child sexual offence victims which creates delay in investigation of CSA cases.
- 4) Pendency of POCSO cases before the trial courts due to lack of support from officers dealing with the investigation of the cases.
- 5) On ground challenges faced by police officers in investigation of POCSO cases.
- 6) Non-Implementation of POCSO provisions with the other child related laws and child protection schemes.
- 7) Gaps in plan of rehabilitation of child victims like Social Investigation Reports and Individual Care Plan which has to be made for the child victim is not made in a time bound manner and lacks clarity as to the social, physical, mental and financial status of the child victim.



- 8) Ambiguities in steps for providing compensation and financial assistance to child victims, thereby delaying their right to compensation.
- 9) Convergence by NCPCR/SCPCR, Police, Legal Service Authorities and CWCs with Special Courts.

To discuss various aspects of the Act, a methodology was developed to organize consultations at regional and at the state level. In this series of consultative meetings; eastern region meeting was held in Odisha covering Bihar and West Bengal on 30th March, 2022 . In North-Eastern Region , State level consultative meetings were held in Assam, Manipur, Mizoram, Sikkim & Arunachal Pradesh by the end of March, 2022.

Sl. No.	Name of State	Workshop Venue	Date
1.	Assam	Hotel Grand Bhabendra Alay, Guwahati	25.03.2022
2.	Mizoram	Aizawl Club, Meghalaya	25.03.2022
3.	Manipur	Imphal East	29.03.2022
4.	Arunachal Pradesh	Conference Hall, Art of Living, Itanagar	30.03.2022
5.	Sikkim	Conference Hall, Social Welfare Dept, Gangtok, Sikkim	31.03.2022

Bhubaneswar, Odisha

National Commission for the Protection of Child Rights (NCPCR) in collaboration with the Odisha State Commission for Protection of Child Rights and National Forensic Science University (NFSU), Gandhinagar-Gujarat organized a day long consultative meeting with SJPU, DLSAs from the States of Odisha, Bihar and West Bengal at KIIT University, Bhubaneswar on 30th March, 2022. The objective of the programme was to build a comprehensive understanding on the implementation of the POCSO Act, 2012; discuss important aspects of assistance to POCSO victims and identify deliverables for NCPCRs/SCPCRs.

The inaugural session was attended by the Minister of WCD, Govt. of Odisha, Commissioner cum Secretary, WCD, Govt. of Odisha and Adl. Director General of Police along with Chairpersons of Odisha SCPCR, West Bengal SCPCR & Bihar SCPCR. The crucial discussions, presentations and interactions happened during the two technical sessions covering the topics of “Forensic Science in Investigation of Sexual offence” by Dr. Beulah Shekhar, NFSU and “Legal Processes and Victims Compensation/ Rehabilitation plan under POCSO Act: Challenges, solutions and role of Stakeholders” by Sh.Narayan Baruah. In this programme, 250 participants were present who were actively involved in the proceedings of the day.

Some of the highlights of the deliberations and interactions are:

- Medical Examination Kit: Dr. Shekhar deliberated and made demonstration of Medical Examination Kit which has to be used in the cases of POCSO. In the discussion following issues came-out. (a) No complete knowledge about the Medical Examination/Evidence collection kit (b) It is not available in all the districts (c) Short supply in the districts where it is used (d) no knowledge if it is mandatory or not. (e) There is no proper notification about the Kit by any authority – as mentioned by the participants (f) No knowledge where to get the kit (g) Ambiguity about who should be keeping (h) Who to raise demand for such medical kit (i) There are cases where only a demo kit is available.
- The same doctor needs to conduct medical examination of both victim as well as accused which is not happening.
- Forensic evidence is the most crucial for successful proceeding of POCSO cases but this information is lacking amongst the practitioners and participants.
- Participants were unaware that the forensic evidence can surpass/over rule other aspects that are weakening the cases.
- Lack of child friendliness in collecting evidence a reason for victims being hostile.
- Police is being blamed in lot of cases not being successful in prosecution however, it may not be true. There is a need of coordination amongst police, DLSA, PP and

Victims. DLSA to be kept in loop by the police dealing with the cases.

- There are cases wherein victims are not giving consent for medical examination.
- There are a lot of false cases, romance cases of teenagers.
- Lack of coordination between collections of compensation/fine from accused with victim compensation.
- Access of free copy of FIR to the victim is lacking in many cases.
- Age determination is another issue discussed at large. The findings are; lack of awareness about the supremacy and priority of birth certificate, school certificate. No understanding that bone ossification is the last option and as per Supreme Court ruling the result of bone ossification is not binding if other evidences are there. Who is the final authority to ascertain the age of a child – it is technically with CWC but no clarity amongst participants.
- Police is ignorant about the proper procedures to carry out POCSO investigation.
- The compensation situations different in different districts and states. Primarily what came out was lack of proper coordination and sensitization of senior WCD officers about budgetary provisions. Lack of proper budgeting.

The Technical Sessions and interactions were the lifeline of the day long programme as the participants were enthusiastic to have conversations. A series of regional level consultations were planned to be conducted for northern, western and southern regions in collaboration with National Legal Services Authority (NALSA), National Forensic Science University (NFSU), Sardar Vallabh Bhai Patel National Police Academy (SVPNPA), Bureau of Police Research & Development (BPR&D). It is expected that a collective view would emerge through these structured consultations to strengthen the implementation of POCSO Act and to extend assistance to the minor victims of sexual offences.

CHAPTER-11

Baal Sahitya

Chapter-11

Baal Sahitya

पृष्ठभूमि :

इस कार्यक्रम की पृष्ठभूमि 16-20 अगस्त 2018 को मॉरिशस में आयोजित 11वें हिंदी सम्मेलन में बनी जिसका मूल विषय “हिंदी विश्व और भारतीय संस्कृति” था। इस सम्मेलन में पारित अनुशंसाओं के अनुपालन हेतु एक अनुशंसा समिति का गठन किया जिसमें आयोग के माननीय अध्यक्ष श्री प्रियंक कानूनगो जी को सदस्य बनाया गया। 22 फरवरी, 2019 को इस समिति की बैठक में आयोग को चार निम्नलिखित कार्य सौंपे गए:

1. साहित्यिक पत्र-पत्रिकाओं में बाल साहित्य का एक कॉलम अनिवार्यतः रखा जाना चाहिए।
2. प्रति वर्ष, बाल साहित्य पर राष्ट्रीय एवं अंतरराष्ट्रीय संगोष्ठी की जाए।
3. बाल साहित्य का वार्षिक आंकलन किया जाए।
4. हिंदी बाल साहित्य का तथ्यात्मक इतिहास लिखा जाए।



आयोग द्वारा उपरोक्त चार बिंदुओं के अनुपालन की दिशा तय करने के लिए इस संगोष्ठी का आयोजन किया गया। कार्यक्रम में उपस्थित साहित्यकारों, लेखकों, शिक्षाविदों तथा संपादकों ने अपने महत्वपूर्ण विचार व्यक्त किए जिससे कि आयोग को निश्चित रूप से उपर्युक्त अनुशंसाओं के अनुपालन को सुनिश्चित करने में मदद मिलेगी।

संगोष्ठी का आयोजन राष्ट्रीय बाल अधिकार संरक्षण आयोग के माननीय अध्यक्ष श्री प्रियंक कानूनगो के नेतृत्व में कांस्टिट्यूशन क्लब, नई दिल्ली में संपन्न हुआ। कार्यक्रम में बाल

साहित्य के विद्वान श्री दिविक रमेश(बाल साहित्यकार) एवं अंतरराष्ट्रीय स्तर के बाल साहित्यकार- नीदरलैंड से श्रीमती पुष्पिता अवस्थी, सिंगापुर से श्रीमती श्रुदुला, दुबई से श्रीमती नेहा शर्मा एवं मॉरिशस से श्री हेमराज सुन्दर और नार्वे से श्री शरद आलोक शुक्ला एवं सुरेश चंद्र शुक्ल और यूनाइटेड किंगडम से सुश्री रिचा जैन आदि प्रतिभागी के रूप में जुड़े तथा इसके अतिरिक्त संगोष्ठी में देश के सभी राज्यों से बाल साहित्य से जुड़े जाने-माने 80 बाल साहित्यकार तथा संपादक शामिल हुए।

उद्घाटन सत्र :

इस सत्र में श्री प्रियंक कानूनगो, अध्यक्ष, राष्ट्रीय बाल अधिकार संरक्षण आयोग ने कार्यक्रम की पृष्ठभूमि से सभी अतिथियों को अवगत कराया। इसके बाद श्री दिविक रमेश ने बाल साहित्य पर अपने मूल्यवान विचार सभी के समक्ष रखे।

श्री प्रियंक कानूनगो, अध्यक्ष, राष्ट्रीय बाल अधिकार संरक्षण आयोग द्वारा संगोष्ठी का प्रारंभ करते हुए संगोष्ठी में देश भर से आए साहित्यकारों के साथ-साथ आभासी माध्यम से जुड़े विश्व के अलग-अलग देशों के बाल साहित्यकारों का स्वागत किया।

तत्पश्चात् उन्होंने संगोष्ठी के कार्यक्रम की

रूपरेखा रखी। उन्होंने बताया कि मॉरिशस में आयोजित 11वें विश्व हिंदी सम्मेलन में पारित अनुशंसाओं के अनुपालन हेतु अनुशंसा अनुपालन समिति का गठन किया गया था और आयोग को पारित अनुशंसाओं में से चार अनुशंसाओं के अनुपालन का दायित्व सौंपा गया था। ये चार अनुशंसाएं थी-



1. साहित्यिक पत्र-पत्रिकाओं में बाल साहित्य का एक कॉलम अनिवार्यतः रखा जाना चाहिए।
2. प्रति वर्ष, बाल साहित्य पर राष्ट्रीय एवं अंतरराष्ट्रीय संगोष्ठी की जाए।
3. बाल साहित्य का वार्षिक आंकलन किया जाए।
4. हिंदी बाल साहित्य का तथ्यात्मक इतिहास लिखा जाए।

उन्होंने उद्घाटन सत्र को आगे बढ़ाते हुए सभी उपस्थिति सभाजनों को बताया कि अनुशंसाओं का अनुपालन चरणबद्ध तरीके से किये जाने के क्रम में, आयोग ने पूर्व वर्षों की भांति इस वर्ष भी संगोष्ठी का आयोजन किया है। आयोग द्वारा गत दो वर्षों से नियमित रूप से संगोष्ठी का आयोजन किया जा रहा है और वर्ष 2021 में कोरोना का प्रभाव अत्यधिक था किंतु आयोग ने इस काल के दौरान भी संगोष्ठी का सफलतापूर्वक आयोजन किया। इन दो वर्षों के दौरान आपके द्वारा साझा किए गए विचारों और सुझावों के फलस्वरूप आयोग बाल साहित्य के क्षेत्र में कार्य करने में कुछ हद तक सफल भी हुआ किंतु अभी और प्रयास किए जाने की आवश्यकता है। उन्होंने सभी गणमान्य साहित्यकारों, लेखकों, संपादकों से आग्रह करते हुए कहा कि बच्चों को केंद्र में रखकर और सकारात्मक चर्चा करके ही बाल साहित्य की स्थिति को सुधारने के प्रयास किए जा सकते हैं।

आयोग के कार्यों का उल्लेख करते हुए उन्होंने बताया कि आयोग का मुख्य कार्य बाल अधिकार उल्लंघन की शिकायतों का निवारण करना है। आयोग इस वर्ष, 18507 शिकायतों का निवारण कर रहा है जोकि पूर्व वर्षों से बढ़ा हुआ है। आयोग के पास संसाधन सीमित है किंतु कार्य करने की इच्छाशक्ति असीम है और यही मूल कारण है कि आयोग प्रत्येक कार्य को मुख्य कार्य की श्रेणी में रखते हुए और हर संभव प्रयास के माध्यम से भारत के बच्चों का विकास चाहता है। आयोग सदैव चाहता है कि भारत का भविष्य बच्चे हर क्षेत्र में अग्रणी बनें और इसीलिए आयोग साहित्यिक क्षेत्र में बाल साहित्य की स्थिति को समझने और बच्चों के इस ओर रुझान को जानने एवं बढ़ाने के लिए तत्पर है।



उन्होंने बाल साहित्यकारों की भूमिका का उल्लेख करते हुए कहा कि उनके कंधों पर यह जिम्मेदारी आ जाती है कि वे हरसंभव माध्यम से बाल साहित्य की सामग्री उपलब्ध कराएं और बच्चों को भारत देश की सभ्यता और संस्कृति से अवगत कराएं। उन्होंने सभी बाल साहित्यकारों से अपने अनुभव को साझा करने और सोशल मीडिया पर ध्यान दिए जाने का अनुरोध किया।

इसी क्रम में, उन्होंने कहा कि साहित्य, समाज का दर्पण होता है और जब हम बाल साहित्य की बात करेंगे तब हमें यह मानना पड़ेगा कि साहित्यकार जो लिखेंगे उसे बच्चे पढ़ेंगे और समाज के निर्माण में माता-पिता और शिक्षक के बाद, बाल साहित्यकार की भूमिका बहुत महत्वपूर्ण है। अपना अनुभव साझा करते हुए उन्होंने कहा कि एक समय में सस्ते दामों पर किताबें बेची जाती थी और सभी तक साहित्य की पहुंच हुआ करती थी। इन किताबों के माध्यम से हम ऋषि मुनियों द्वारा दिखाए गए देश के सौंदर्य, सभ्यता एवं संस्कृति का आभास कर पाते थे। यह उस साहित्य की ताकत थी जब जन-मानस के मन-मस्तिष्क पर एक छवि अंकित करता था और हमें जाग्रत करने का भी काम करता था।

उन्होंने अपने संबोधन में बताया कि इस संगोष्ठी से पूर्व उन्हें माननीय संस्कृति मंत्री महोदय श्री जी.किशन रेड्डी जी से भेंट करने का अवसर प्राप्त हुआ और उन्होंने हमारा मार्गदर्शक बनाते हुए एक नीति निर्माण की आवश्यकता की महत्ता पर बल देने हेतु कहा।

उन्होंने संस्कृति मंत्री महोदय द्वारा निदेश का अनुपालन करने पर जोर देते हुए संगोष्ठी में उपस्थित सभी साहित्यकारों, शिक्षाविदों एवं लेखकों, संपादकों से नीति निर्माण की आवश्यकता को केंद्र में रखकर आज की चर्चा को आगे बढ़ाने का अनुरोध किया।

तत्पश्चात श्री दिविक रमेश जी ने कार्यक्रम को आगे बढ़ाने हेतु डॉ. सुरेंद्र विक्रम जी को मंच पर आमंत्रित करने हेतु मंच संचालक को कहा।

(i) डॉ. सुरेंद्र विक्रम, प्रोफेसर ने राष्ट्रीय बाल अधिकार संरक्षण आयोग को संगोष्ठी के लिए बधाई दी और उन्होंने हर्ष व्यक्त किया कि आयोग सौंपी गई चार अनुशंसाओं का अनुपालन चरणबद्ध तरीके से करते हुए प्रथम चरण में संगोष्ठी का आयोजन कर रहा है ताकि एक छत्र के नीचे सभी प्रतिष्ठित साहित्यकारों, लेखकों और संपादकों से सुझाव, विचार प्राप्त हो सके और पूर्णकालिक संगोष्ठी के दौरान प्राप्त विचारों और सुझावों का मंथन कर अन्य अनुशंसाओं का अनुपालन सुनिश्चित किया जा सके।

डॉ. विक्रम ने सुझाव देते हुए कहा कि अनुशंसा संख्या 3 एवं 4 'साहित्यिक पत्र-पत्रिकाओं का आंकलन एवं तथ्यात्मक इतिहास लेखन' का अनुपालन अभी शेष है जिसके लिए एक कार्यनीति तैयार करने की आवश्यकता है और इसके लिए अनुभवी एवं प्रतिष्ठित साहित्यकारों को शामिल करते हुए एक आंकलन समिति का गठन किया जा सकता है और इसके लिए उन्होंने कुछ साहित्यकारों की सूची आयोग के साथ साझा करने के लिए कहा।



इसी क्रम में, अनुशंसा अनुपालन समिति के सदस्य डॉ. दिविक रमेश, हिंदी विद्वान ने डॉ. सुरेंद्र विक्रम को कार्यनीति की एक प्रति आयोग के साथ साझा करने हेतु कहा।

श्रीमती शाकुंतला कालरा, लेखक ने संगोष्ठी को आगे बढ़ाते हुए अपने विचार रखे और कहा कि बाल साहित्य प्रकाशित करने वाली सरकारी और गैर-सरकारी संस्थाओं हेतु भारत सरकार से अनुदान देने का अनुरोध करने की आवश्यकता है ताकि बाल साहित्य के प्रकाशन संभव हो पाए। साथ ही साथ उन्होंने इस बात पर बल दिया कि पारंपरागत विधाओं के साथ-साथ नवीन विधाओं से बाल मन को गुदगुदाया जा सकता है।

इस कार्यक्रम में, आभासी माध्यम से श्रीमती नीलम राकेश बाल साहित्यकार भी जुड़ी जिन्होंने सभी उपस्थिति सभाजनों का ध्यान बाल साहित्य के बाजार की ओर आकर्षित किया। उन्होंने सभी को अवगत कराया कि बाल साहित्य के प्रचार-प्रसार में अवरोध किस कारण से हो रहा है। आज बाल पत्रिकाएं बंद होने के चरम पर हैं जिसका मूल कारण बाजार में खरीददार का अभाव है। बच्चों इस बात से अनभिज्ञ हैं कि बाजार में बाल पत्रिकाएं उपलब्ध हैं। इस अनभिज्ञता के जिम्मेदार कुछ हद तक अभिभावक हैं क्योंकि वे ऐसी पत्रिकाएं बच्चों को लाकर नहीं देते। इसके अलावा, उन्होंने प्रकाशकों/संपादकों से अनुरोध कि वे अपनी बाल पत्रिकाओं के सदस्य के रूप में बच्चों को निःशुल्क अथवा न्यूनतम शुल्क पर सदस्यता उपलब्ध कराएं।

इसी क्रम में, आभासी माध्यम से जुड़ी श्रीमती पुष्पिता अवस्थी जी ने बच्चों में बढ़ते मोबाइल फोन के प्रयोग और इसके दुष्प्रभावों से सभी को अवगत कराया। कोरोना काल दौरान, बच्चे पूरे दिन मोबाइल एवं लैपटॉप के संपर्क में अत्यधिक आ गए। एक ओर वे अपनी ऑनलाइन कक्षाओं को ले रहे हैं वहीं दूसरी ओर मोबाइल, लैपटॉप की पहुंच सरल हो गई है और बच्चे इन माध्यमों का प्रयोग मात्र समय व्यतीत करने के लिए कर रहे हैं। ऐसे में हमारा यह दायित्व बनता है कि हम बच्चों में साहित्य के प्रति रुचि पैदा करें तथा उन्हें बाल कविताओं के बारे में बताएं जो न केवल उनमें नैतिक मूल्यों का संचार करेगी अपितु उनके चरित्र निर्माण में भी सहायक होगी।



उन्होंने इस बात पर चिंता व्यक्त की कि आजकल के बच्चे हिंसक खिलौने से खेलना पसंद करते हैं जो उनके बाल मन को क्षति पहुंचा रहे हैं।

संगोष्ठी में ऑनलाइन माध्यम से जुड़ी यूनाइटेड किंगडम की बाल साहित्यकार श्रीमती रिचा जैन ने बाल साहित्य में प्रयोग होने वाली भाषा शैली, शब्द संरचना एवं वाक्य विन्यास को महत्व दिए जाने पर बल दिया। उन्होंने कहा कि बाल साहित्य की विदया कोई भी हो किंतु बाल मन-मस्तिष्क को प्रभावित करने वाली और समझ आने वाली होनी चाहिए।

इसके बाद शिक्षाविद , बाल साहित्यकार श्री दिविक रमेश जी ने अपनी बात रखते हुए राष्ट्रीय बाल अधिकार संरक्षण आयोग को संगोष्ठी के आयोजन के लिए बधाई दी उन्होंने कहा कि बहुत ही महत्वपूर्ण आयोजन आयोग द्वारा किया गया है क्योंकि यह बच्चों और बाल साहित्य से जुड़ा हुआ आयोजन है। बालक ही इसका केंद्र है और बालक की दुनिया कैसे बनाई जाए, यह बहुत ही महत्वपूर्ण है। उन्होंने कहा कि हम सबको मिलकर बाल साहित्य को बच्चों तक पहुंचाना होगा। सोशल मीडिया का जिक्र करते हुए भी उन्होंने कहा कि कोई भी तकनीक या मीडिया खराब नहीं होता। मगर उसका सही उपयोग करना बहुत आवश्यक है। बच्चों के लिए उसका उपयोग कैसे किया जाए, बच्चों को कैसा वातावरण दिया जाए, बच्चा कैसे बड़ा हो इसके लिए बच्चों को अच्छी शिक्षा और अच्छा वातावरण दिया जाना चाहिए। माता-पिता की भागीदारी व जिम्मेदारी इस सब में बहुत जरूरी है। उन्होंने कहा कि इसमें कोई दो राय नहीं है कि हमारा इतिहास बहुत ही समृद्ध है। हमारा संस्कृत का इतिहास है उसमें रामायण आदि में भी कहानियां मिलती हैं और बालकों के लिए भी साहित्य है लेकिन दुर्भाग्यपूर्ण यह है कि बाल साहित्य हर कोई नहीं पढ़ता। उन्होंने कहा कि जैसे बालक महत्वपूर्ण है, वैसे ही बाल साहित्य भी बहुत ही महत्वपूर्ण है। आज के समय में बाल साहित्य को महत्व नहीं दिया जाता। सृजन-सृजन होता है। बाल साहित्य लिखना कोई बच्चों का खेल नहीं होता, इस दायित्व को निभाना कठिन है। यहां यह आवश्यक हो जाता है कि बाल साहित्यकारों का सम्मान सुनिश्चित किया जाए।

उन्होंने दावे के साथ कहा कि आज हिंदी में भी विश्व के उत्कृष्ट साहित्य से टक्कर लेने वाला साहित्य सभी विधाओं जैसे कि यात्रा संस्मरण, कविता, कहानी उपन्यास लिखा जा रहा है। कविता के रूप में नए प्रयोग करने वाले कवि भी हैं। शानदार गजलें , एकांकी, कविता, कहानी, उपन्यास लिखे जा रहे हैं। लेकिन आज का जो बालक है उसके मनोविज्ञान को ध्यान में रखकर लिखा जाना चाहिए।

उन्होंने अपनी बात को आगे बढ़ाते हुए बाल साहित्य लेखन में आने वाली चुनौतियों की चर्चा करते हुए कहा कि भारत का बालक केवल महानगर में नहीं है, वह गांव ,कस्बों,जिलों, पर्वतीय क्षेत्रों और झोपड़-पट्टी में रहने वाला बच्चा भी है। सभी पर ध्यान दिया जाना चाहिए। उन्होंने बताया कि यौन शोषण को लेकर भी कहानियां लिखी जा रही हैं लेकिन जो सब भी लिखा गया है उसको बच्चों तक पहुंचाना बहुत जरूरी है।

आज के समय में बच्चा बहुत ही अकेला पड़ गया है। ऐसी स्थिति में बच्चा पुस्तक तक कैसे पहुंचे यह सोचना बहुत जरूरी है। यह समय बच्चों के साथ समझ को साझा करने का है। उसको अपना साथी और दोस्त समझ कर उसको देखने की जरूरत है। उन्होंने कहा कि बाल साहित्य सिर्फ बच्चों के लिए नहीं होता। बाल साहित्य बड़ों के लिए भी जरूरी है। बाल साहित्य बड़ों को भी समझाने का सामर्थ्य रखता है क्योंकि इससे उनको बच्चों का मनोविज्ञान समझने में मदद मिलती है। उन्होंने बताया कि बहुत सी बाल साहित्य की पत्रिकाएं भी बंद हो गई हैं। उन्होंने पत्रिकाओं के बंद होने पर चिंता व्यक्त करते हुए कहा कि यह विचार करने का विषय है कि पत्रिकाएं किन कारणों से बंद हो रही हैं और इसका निदान शीघ्र निकालना होगा ताकि बच्चों को साहित्य से जुड़ा रखा जा सके।

इसके बाद कार्यक्रम के दौरान बाल साहित्यकार सुहानी यादव को उनकी पुस्तक

विमोचन के साथ
मंचासीन मुख्य
अतिथि एवं अन्य
वरिष्ठतम
अधिकारीगणों द्वारा
बधाई दी गयी

श्रीमती रूपाली बनर्जी
सिंह, सदस्य सचिव ,
राष्ट्रीय बाल अधिकार
संरक्षण आयोग ने भी
कार्यक्रम में आये सभी



साहित्यकारों का स्वागत किया एवं विदेश मंत्रालय के द्वारा आयोग को दी गयी बाल साहित्य के इतिहास लेखन की जिम्मेदारियों को पूरा करने के लिए कार्यक्रम में आये सभी

अतिथियों, कवियों , प्रकाशकों आदि से अपना योगदान देने का अनुरोध किया। उन्होंने कार्यक्रम में शामिल सभी मुख्य अतिथियों को भी आयोग का मार्गदर्शन करने के लिए अपना धन्यवाद व्यक्त किया ।

आयोग को कार्यक्रम के लिए बधाई देते हुए कहा कि समाज के निर्माण में बाल साहित्य की भूमिका है लेकिन उसको अभी

तक वह महत्व नहीं दिया गया है। उन्होंने पूर्व विदेश मंत्री सुषमा स्वराज जी के योगदान को याद किया और कहा कि एक समय में अनेक पत्रिकाएं आती थीं लेकिन आज के समय में बाल साहित्य तो लिखा जा रहा है लेकिन उसके प्रकाशन एवं उसके वितरण को लेकर



संकट बना हुआ है। साहित्य तो लिखा जा रहा है लेकिन पढ़ने की रुचि कम होने के कारण वह प्रकाशित नहीं हो पा रहा है। बाल साहित्य को सम्मान मिले, इसके लिए लिखने वालों को भी सम्मान मिलना चाहिए। उन्होंने कहा कि बच्चों की अभिरुचि बढ़ाने की जरूरत है। साहित्य बच्चों मानसिकता के अनुसार बनेगा तो उनकी रुचि इसमें बनी रहेगी। उन्होंने कहा कि बाल साहित्य सिर्फ बालकों के अनुकूल चित्रों तक ही सीमित नहीं है, उसमें बाल मन की अनुभूतियों, उनके सपनों और उनकी अभिव्यक्तियों को रचनाओं में शामिल करने की जरूरत है। तभी साहित्य में बच्चों की पढ़ने के लिए रुचि बन सकेगी ।

इसके साथ ही, उन्होंने कहा कि पत्रिकाएं बच्चों तक पहुंचनी आवश्यक है इसके लिए पत्रिकाओं की सदस्यता उपलब्ध कराई जाने की आवश्यकता है।

इसी कड़ी में कार्यक्रम में शामिल कुछ अन्य बाल साहित्यकारों जैसे डॉ हेमराज सुंदर व अन्य साहित्यकारों ने भी कार्यक्रम के दौरान बाल साहित्य को लेकर अपने विचार रखे।

समापन सत्र :

कार्यक्रम के समापन सत्र में श्री जी. किशन रेड्डी जी, माननीय संस्कृति मंत्री - संस्कृति मंत्रालय, भारत सरकार द्वारा वीडियो के माध्यम से संगोष्ठी हेतु उपस्थित सभी प्रतिभागियों का मनोबल बढ़ाया गया। माननीय मंत्री महोदय ने आयोग के नीति निर्माण के प्रयासरत होने के

लिए हार्दिक शुभकामनाएं दी। वीडियो संदेश के माध्यम से उन्होंने अपने हर्ष की अनुभूति को व्यक्त किया और कहा कि समिति द्वारा आयोग को जो कार्य



सौंपे गए थे उनके अनुपालन की दिशा में आयोग पूरी निष्ठा से कार्य कर रहा है और लगातार ऐसे प्रयास कर रहा है जिससे बाल साहित्य को और इस दिशा में कार्यरत साहित्यकारों को नई उर्जा मिले, यह कार्यक्रम आयोग के इन्हीं प्रयासों का एक जीवंत उदाहरण है।

इसके साथ ही, माननीय श्री वी. मुरलीधरन जी, माननीय राज्य मंत्री - विदेश मंत्रालय, भारत सरकार ने उक्त संगोष्ठी के लिए अपने व्यस्त समय में से समय देते हुए मुख्य अतिथि के तौर पर



शामिल होकर हिंदी बाल साहित्य के विषय पर सभी का मार्गदर्शन किया ।

आयोग के अध्यक्ष श्री प्रियंक कानूनगो जी ने अपने संबोधन में पूरे दिन की गतिविधियों से अवगत कराते हुए बताया कि वर्ष 2018 के विश्व हिंदी सम्मलेन में आयोग को सौंपी गई अनुशंसाओं के अनुपालन में, गत दो वर्षों में आयोग द्वारा सफलतापूर्वक संगोष्ठी का आयोजन किया गया है आयोग द्वारा उपरोक्त चार बिंदुओं के अनुपालन के क्रम में, आयोग द्वारा 11 जनवरी 2020 को प्रथम संगोष्ठी का आयोजन किया गया।



इसी तारतम्यता में, 22 मार्च, 2021 को आयोग द्वारा अपनी कर्तव्यपरकता को दर्शाते हुए पुनः संगोष्ठी का आयोजन किया गया। इस संगोष्ठी में गत वर्ष (2020) से

ज्यादा (75) प्रतिभागियों/अतिथियों/संपादकों/साहित्यकारों ने भाग लिया और इसके अलावा अंतरराष्ट्रीय स्तर के लेखकों/साहित्यकारों/संपादकों ने उक्त में न केवल प्रतिभागिता सुनिश्चित की अपितु विदेश में रहते हुए अपने देश की राष्ट्रभाषा के साथ अपनी संस्कृति, सभ्यता को दर्शाने वाले साहित्य का प्रकटीकरण किया है।

उन्होंने अनुशंसा सं. 2 की अनुपालन स्थिति पर प्रकाश डालते हुए कहा कि उक्त संगोष्ठियों के आयोजन के पश्चात आयोग द्वारा पत्र-पत्रिकाओं के संपादकों को बाल साहित्य का एक कॉलम अनिवार्यतः रखे जाने के उद्देश्य से अर्ध-शासकीय पत्र प्रेषित किए गए हैं और इसका सकारात्मक उत्तर भी आयोग को प्राप्त हुआ है किंतु अभी और प्रयास की आवश्यकता के आलोक में आयोग ने पुनः अनुस्मारक पत्र प्रेषित किए हैं।

अनुशंसा सं. 3 एवं 4 के अनुपालन हेतु आयोग प्रयासरत है और आयोग सतत रूप से ऐसे संपादक/साहित्यकार मंडल की खोज कर रहा है जो इस क्षेत्र में अपना गहन अनुभव रखते हों और पूर्ण रूप से बाल साहित्य के लिए समर्पित हों

उन्होंने हर्ष जाहिर करते हुए कहा कि आयोग को हिंदी बाल साहित्य के विषय पर जो चार महत्वपूर्ण कार्य दिए गए थे, उसके अनुपालन में आयोग ने देश भर में पत्र पत्रिकाओं से बाल साहित्य के कॉलम को छापना शुरू करने का आग्रह किया है, उन्होंने मंत्री महोदय

का अंतर्राष्ट्रीय माध्यम से जुड़े अतिथियों/ बाल साहित्यकारों से भी परिचय करवाते हुए बताया कि कार्यक्रम में मॉरिशस, यूनाइटेड किंगडम आदि देशों से बाल साहित्यकार जुड़े हुए हैं, उन्होंने सभी बाल साहित्यकारों द्वारा गोष्ठी के दौरान दिए मुख्य सुझावों को उल्लेख भी किया ।

श्री वी. मुरलीधरन, माननीय राज्य मंत्री-विदेश मंत्रालय, भारत सरकार ने देश एवं विदेश से आए साहित्यकारों को जोड़कर कार्यक्रम को अंतर्राष्ट्रीय संगोष्ठी का स्वरूप देने हेतु आयोग के प्रयास के लिए बधाई दी। उन्होंने कहा कि साहित्य समाज का दर्पण होता है और बच्चों की विकास यात्रा में भी इसका महत्वपूर्ण योगदान है। इसलिए हम सभी को बाल साहित्य को मजूबती प्रदान करने के लिए मिलकर कार्य करना होगा और ऐसी संभावनाओं पर कार्य करना होगा जिससे बच्चों को ऐसा साहित्य परोसा जा सके जिससे वह प्रेरित होकर आदरणीय प्रधानमंत्री महोदय श्री नरेंद्र मोदी जी द्वारा किए जा रहे नवीन भारत के निर्माण में अपना योगदान दे पाएं ।

उन्होंने हर्ष व्यक्त करते हुए कहा कि भारत में रहने वाले बाल साहित्यकारों को साथ-साथ प्रवासी भारतीय बाल साहित्यकारों ने इस संगोष्ठी में भाग लेकर बाल साहित्य के प्रति अपने कर्तव्यों को प्रदर्शित किया है। उन्होंने कहा कि आपकी कर्तव्यनिष्ठा ही बाल साहित्य को नए आयाम तक पहुंचाएगी। उन्होंने साहित्यकारों को सराहते हुए कहा कि आप सभी बालक के भविष्य निर्माता की भूमिका निभा रहे हैं। आपके साहित्यिक विचारों, भावों से प्रभावित होकर ही बालक जो भारत का भविष्य है, से ही नवभारत का निर्माण होगा ।

माननीय राज्य मंत्री महोदय के संबोधन के पश्चात, राष्ट्रीय बाल अधिकार संरक्षण आयोग की सदस्य सचिव महोदया ने संगोष्ठी में उपस्थिति रा.बा.अधि.सं.आ.के अध्यक्ष महोदय, हिंदी विद्वान श्री दिविक रमेश एवं राष्ट्रीय एवं अंतरराष्ट्रीय स्तर के सभी साहित्यकारों, लेखकों को अपने विचार रखने हेतु धन्यवाद ज्ञापित किया।

अंत में, कार्यक्रम में आए प्रतिभागियों के द्वारा दिये गए सुझाव संलग्न हैं ।

CHAPTER-12

Samvardhan: Preventing Child Trafficking Post Lockdown Situation during COVID 19 Pandemic Situation

Chapter-12

SAMVARDHAN: Preventing Child Trafficking Post Lockdown Situation during COVID-19 Pandemic Situation

Human trafficking is a serious crime and worst form of violation of human rights that occurs throughout the world, including India, which has gained momentum in past few years. In India, trafficking is primarily an offence under the Indian Penal Code, 1860. It defines trafficking as (i) recruitment, (ii) transportation, (iii) harbouring, (iv) transfer, or (v) receipt of a person for exploitation by use of certain forceful means. In addition, there are also other laws which regulate trafficking for specific purposes. The reasons for the increase in this phenomenon are multiple and complex. The exploitative nature of this crime feeds on poverty, despair, war, crises, calamities (both man-made and natural), pandemics, ignorance and unequal status of women and children in most societies.

The trade of human trafficking is most commonly for the purpose of sexual, slavery, forced labor, or commercial sexual exploitation, for the trafficker or others. Sizeable number of humans trafficked across the globe and within India are children. The gamut of other exploitative situations related to child trafficking include; providing a spouse in the context of forced marriage, pushing a child into traditional sex work, extraction of organs or tissues, using for surrogacy or ovary removal, conducting medical tests as guinea pigs, sale of babies for adoption, acquiring children for illegal activities through adoption, under the façade of medical tourism etc.

Though human trafficking is a continuous process wherein perpetrators operate in different manners throughout the year, however, in the aftermath of a calamity, disaster or pandemic like COVID-19 there is an exponential increase in this phenomenon. Such circumstances amplify the conditions that enable and attract traffickers. Children become soft targets who fall prey to the clutches of these predators constantly in search of an easy catch offline and online. The crime committed is serious and often committed through an organized nexus. The children they exploit are extremely vulnerable. With family members, bread earners deceased or affected by disaster, land and livelihoods destroyed and food and shelter hard to come by, people are more inclined than ever to take desperate actions. Often the predators operate by means of allurements of children in the guise of good education, employment and better life. Apart from conventional methods of modus-operandi, the traffickers are also found to be in the guise of placement agents promising lucrative jobs or education, leveraging online technological platforms for targeting children.

The Human Rights violations experienced by children as victims of trafficking are deprivation of their constitutionally guaranteed fundamental rights which are obligated in the form of

benefits and entitlements without any discrimination. The Constitution of India accords rights to children as citizens of the country, and in keeping with their special status, the State has even enacted special laws. The fundamental rights, embodied in Part III of the Constitution, guarantee civil rights to all citizens of this country. Also, Constitutional Guarantees that are meant specifically for children include: Article 23 (1), "prohibiting traffic in human beings and beggar and other similar forms of forced labour and making it a penal offence" besides few important rights under the Articles 14, 15, Article 21 A, 23, 24, 29, 39 (e), 39 (f), 45, 46 and Article 47. There are various other legislative provisions enumerated w.r.t trafficking in India viz. the Immoral Traffic (Prevention) Act, 1956 (ITPA), being the important one amongst others including JJ Act, 2015 and CLPRA, 2016, IPC. Anti-Trafficking Nodal Cells have also been set up to improve the effectiveness in tackling the crime of human trafficking and to increase the responsiveness of the law enforcement machinery. In this regard multiple Advisories have also been issued by the MHA from time to time including guidelines for private placement agencies. There are significant international instruments, treaties, conventions, protocols and legislations in place to the likes of United Nation.

According to the NCRB records, it is noted that thousands of children go missing each year from India. As per Crime in India (CII) data, during the year 2021 a total of 71,225 have been reported as missing. There are several Source and Destination hotspots from where children get trafficked inter-states and across the borders, internationally. Certain pockets of our country viz. the Eastern and North Eastern region are particularly vulnerable due to the porous borders they share with Bangladesh, Nepal, Myanmar, Bhutan and China.

In this backdrop, NCPCR conducted a national level multi-stakeholder **"E-Consultative Meeting to Combat Child Trafficking Post Lockdown Situation due to COVID-19"** on 8th May 2020 comprising of stakeholders viz. Representative from the NITI Aayog, SCPCR, Police, State CID, AHTUs, Experts in the field of Human Trafficking, INGOs viz. UNODC & Grass root Civil Society Organizations (CSOs) working on ground in the field of child trafficking prevention.

Further, based on the inputs received and observations made by the Commission through various meetings conducted virtually with SCPCR, other stakeholders, various rescue operations conducted during lockdown period and inquiries taken up by the Commission, it has been noted that recommendations to "Combat Child Trafficking, Post Lock Down Situation due to COVID-19" needs to be focused on Preventive and Curative aspects at the Source, Transit and Destination Hotspot States. Since apprehensions have been raised by various stakeholders that Child Trafficking may go on incline during and after COVID-19 lockdown situation, NCPCR has outlined recommendations from preventive aspects, to be referenced to for the time being, during extra ordinary circumstances due to COVID-19 lockdown.

The Commission has formulated the said recommendations in consonance with the Advisory issued by MHA dated 06th July 2020 for “Preventing and Combating Human Trafficking especially during COVID-19 Pandemic period”. The Commission has laid out specific recommendations at Source, Transit and Destination Hotspots. The recommendations formulated by the Commission outlines basic indicators for identification of vulnerable families and children at risk of trafficking at the village/urban habitation level and provided with a safety mesh at the family level. The Commission has observed that providing benefits of various welfare schemes provisioned by the State/Centre Governments to the vulnerable families makes the preventive process more family centric. Once the family is provided with benefits of the relevant Governmental Welfare Schemes from the perspective of the best interest of child, the family in turn becomes child centric; family being considered as the primary unit of child security. Hence, the Commission feels that providing the vulnerable family with the social protection cover shall reduce the risk of a child getting trafficked.

To enable this process, meetings at District, Block and Village levels are required to be undertaken and identification and matching of the vulnerable families having children at risk with the available Governmental Welfare schemes beneficial for the family is required to be done. The entire process needs to be tracked at the Village, Block, District, State and National Level. SCPCR and NCPCR along with CSOs and other stakeholders shall play a key role in monitoring this process.

In recent past several cases of child trafficking, child marriage and sexual assault were reported in various districts of the State of Assam and Manipur especially the bordering districts, districts having tea garden areas and having minority communities and tribal communities in hill districts bear the brunt of child trafficking. NCPCR and SCPCR of both these States have noted that Assam is Source, Transit and Destination Hotspot while Manipur is a Source and Transit Hotspot State for trafficking of children. In the past there were reported cases of children being trafficked to neighboring countries via Assam and Manipur.

Samvardhan an initiative of NCPCR for preventing Child Trafficking was considered for implementation through conducting workshop in Assam and Manipur. The said workshop was conducted by NCPCR in joint collaboration with Assam and Manipur SCPCRs to gain understanding of the situation of child trafficking and find ways to prevent it based on the recommendations formulated by NCPCR on “Preventing Child Trafficking Post COVID-19 Pandemic”.

Sl. No	State	City	Date	Stakeholders	No. of Participants
1.	Assam	Guwahati	27/09/2021	Senior Official from Department of Panchayati Raj and Rural Development, Senior Representatives of DM/DC not below the rank of SDM, Senior Official of the Department of Labour & Employment, District Nodal Officers (Department of Labour & Employment), Senior Official from Samgra Siksha Abhiyan, District Social Welfare Officer (DSWO), State Nodal Officers & District Anti-Human Trafficking Unit, Nodal Officers for Child Trafficking, Police Department, District Child Welfare Police Officer, State Nodal Officers for Human/Child Trafficking- SSB, District Elementary Education Officer (DEEO), State Senior Official from Department of Transport , Nodal Officers, Department of Health, Special Juvenile Police Unit (SJPU) officers in-charge of Human Trafficking , Chairpersons of Child Welfare Committee (CWC) of Hotspot Districts, Chairman Zilla Parishad of Hotspot District	150
2.	Manipur	Imphal	30/03/2022		150

NCPCR organised these workshops in joint coordination with State Commission for Protection of Child Rights (SCPCR). The Commission had engaged eminent Resource Speakers such as Chief Judicial Magistrate, Chairperson/Members of SCPCR, Senior Faculty from NIPCCD, North East Regional Office, Senior Officers from State Department of Women and Child Development, Program manager, State Adoption Resource Agency etc.

Key Points of Discussions:

- Understanding Child Trafficking
- Various Laws and Legislations related to Child Trafficking
- Modus operandi of traffickers
- Identification of Vulnerable Hot-spots within State and at District, Block, Village and GP Level
- Mapping of Vulnerable Children and Families
- Indicators of Vulnerability
- Matching with relevant Schemes of GoI and State Government
- Creating safety net for children
- Roles and responsibilities of various stakeholders in preventing child trafficking at District, Block, Villages-Urban and Rural Habitation level.

Key Recommendations:

- Setting of Village Level Child Protection Committee for identification of the family and child, who are victims of trafficking.
- Sample Study is recommended. Anti-Human trafficking unit to setup in the entire District in phase manner on priority basis.
- Rehabilitation plan of the Trafficked Child's family should be formulated after linking with Government of India and State Government schemes.
- Co-ordination Committees must be formed at the District level for prevention and Rescue of the Trafficking Woman and Child with full involvement of the police.

- Paramilitary force, Airport Authority and Civil Society. School syllabus must include at least the unit of Child Trafficking.

CHAPTER-13

SAHARA

**(Supportive Action with Holistic Approach to build
Resilience among the children of Armed
Police Force Personnel)**

Chapter 13

SAHARA”– Supportive Action with Holistic Approach to build Resilience among the children of Armed Police force personnel) Tele counselling & Web-link for children of BSF personnel who laid down their lives in the line of duty-

Thousands of children, whose parents laid down their lives in the line of duty for the Nation, face an uncertain situation dominated with grief and trauma. Loss of parent may lead to psychological manifestations of grief and trauma. These children are most vulnerable and required immediate psycho-social care and support. In view of this, National Commission for Protection of Child Rights (NCPCR) and Border Security Force (BSF) mutually agreed to provide a platform for psycho-social first aid, counselling and support to the children of BSF personnel who have lost their lives in the line of duty.

On 19th February, 2021, Director General, Border Security Force (BSF) along with Chairperson, National Commission for Protection of Child Rights (NCPCR) launched ‘**SAHARA**’ (**Supportive Action with Holistic Approach to build Resilience among the children of Armed Police Force Personnel**) an exclusive Tele Counselling–**1800-1-236-236** and Web-link (<https://ncPCR.gov.in/>) for children of BSF personnel who laid down their lives in the line of duty. This was attended by the DGs of CAPFs and senior officers of the Ministry of Home Affairs, NCPCR and SCPCRs.

“SAHARA” is aimed at providing, emotional support, Psycho-Social first aid and counselling for the children. Tele-Counselling facility is functional from 10 AM to 5 PM (Monday to Friday). As per the mandate, of the Commission under Section 13 (1) (j) of CPC Act 2005, NCPCR’s experts and qualified and experienced Counsellors on pro bono are providing counselling, and redressing the grievances pertaining to violation and deprivation of rights & entitlements of children, issues pertaining to education, health and others on priority.

Status of Calls Received on SAHARA 2021-22	
Answered	198

Total number of Complaints Received on SAHARA Web Link 2021-22	
Complaints	74*
*Included complaints pertaining to BSF Welfare schemes, Education, Mental health, Juvenile Justice and POCSO.	

CHAPTER-14

Poshan Maah 2021

Chapter-14

Poshan Maah- 2021

Rashtriya Poshan Maah 2021 (1 – 30 September)

POSHAN Abhiyaan is the Government of India's flagship programme to improve nutritional outcomes for children, adolescents, pregnant women and lactating mothers by leveraging technology. The initiative is a targeted approach and convergence model. POSHAN Abhiyaan has been envisaged not only as a programme but a Jan Andolan, and Bhagidaari, meaning "People's Movement". This programme incorporates inclusive participation of public representatives of local bodies, government departments of the state, social organizations and the public and private sector at large.

In order to ensure community mobilization and bolster people's participation, every year, the month of September is celebrated as POSHAN Maah across the country. POSHAN Abhiyaan overall intends to increase nutritional awareness and responsiveness among mothers of young children, adolescent girls, pregnant and lactating women, family members including husbands, father, mothers-in-law and community members, health care providers (ANM, ASHA, Anganwadi worker) about vital nutrition behaviours.

This year, as India celebrates the Azadi Ka Amrit Mahotsav, to ensure speedy and intensive outreach, the entire month was subdivided into weekly themes for focused and assimilated approach towards improving Holistic Nutrition. In order to celebrate **Poshan Maah**, 2021 under these themes, National Commission for Protection of Child Rights (NCPCR), carried out the activities under Monitoring, Awareness and Sensitization.

Monitoring-

Visits to Nutrition Rehabilitation Centers (NRCs) & Aanganwadi Centers (AWCs)- Members of NCPCR and SCPCRs undertook visits in accordance with proposed activities of "Poshan Maah", 2021. They visited Aanganwadi centers & Nutrition Rehabilitation Centres (NRCs) in the Districts. A protocol/checklist for visits to Aanganwadi and NRCs was prepared to guide these visits.

Tracking the distribution of Take Home Ration (THR) and dry ration under ICDS- During the visits to Aanganwadi centers, NCPCR members and SCPCRs were asked to ensure that all the intended beneficiaries under ICDS such as – children (7 months to 3 years) pregnant and lactating mothers, and adolescents girls are getting supplementary nutrition (7 packets to normal weight and 10 packets to severe underweight) under Take Home Ration (THR) component and appropriate wholesome dry ration as per the prescribed norms notified by the concerned department in a time bound manner. A checklist and protocols in this regard was also provided

to make it a structured intervention.

Sensitization and Awareness Generation-

Talk Shows and Webinars on “Poshan” at national and state level- State Commissions for Protection of Child Rights were requested to organise talk shows and webinars in regional languages as well on the subject of “Poshan” by inviting eminent experts and launch Social media campaign on Poshan on the social media accounts of respective SCPCRs.

NCPCR Members and Consultants had visited the AWCs and NRCs of the following districts-

State	Districts	No of AWCs	No of NRCs
Uttar Pradesh	Mathura	2	1
	Moradabad	1	1
Himachal Pradesh	Chamba	10	Nil
Nagaland	Dimapur	9	Nil
Uttarakhand	Dehradun	10	0
Rajasthan	Jodhpur	2	1
Karnataka	Bengaluru	2	1
Tamil Nadu	Chennai	2	1
Maharashtra	Nagpur	3	1
Chhattisgarh	Bastar	3	1
	Durg	1	1
	Narayanpur	2	1
Tripura	West Tripura	2	1
	Sepahijala	1	Nil
Haryana	Jhajjar	3	Nil
Madhya Pradesh	Morena	9	2
Telangana	Hyderabad	2	1
Delhi	West Delhi	6	1





CHAPTER-15

Pariksha Parv 3.0

Chapter-15

Pariksha Parv-3.0

NCPCR inspired from the Hon'ble Prime Minister's *Pariksha Pe Charcha* programme conducts Parksha Parv every year. In this series Pariksha Parv -3.0 was conducted in year 2021-22 . The main objective of **Pariksha Parv 3.0** was to celebrate examination, overcome the stress related to examination, anxiety and examination pressure etc. Moreover, Pariksha Parv, an initiative of NCPCR, intends to change the outlook of children, parents and teachers towards exam stress and overcome their anxiety before exam results. Pariksha Parv of the season was started on 12th April, 2021 , however, due to COVID-19 pandemic, only three sessions could be conducted and live streamed on social media platforms of NCPCR.

1- Swami Nityadipananda

The speaker for the first live streaming session was Swami Nityadipananda, Assistant Secretary, Ramakrishna Mission, New Delhi. The host (Ms. Nivedita Tiwari, Anchor- New India Junction) heartily welcomed the speaker on the occasion. Swami *ji* began by appreciating today's children's "capacity to bear the stress". He acknowledged their ability to cope up with this strain despite peer-competition, social media pressures, and technology exposing children to different kinds of stress. During the session, he talked about the times when the greatest of people like Swami Vivekananda and Sachin Tendulkar experienced performance

CELEBRATING #ParikshaParv 3.0

परीक्षा एक उत्सव है,
परीक्षा को ऐसे सीजिए मानो एक त्यौहार है।

Swami Nityadipananda
Asst. Secretary, Ramakrishna Mission,
New Delhi

will be interacting with Exam Warriors and their Parents on
12th April 2021, between 3:00 - 4:00 PM through Live Streaming on

f /NCPCR.Official YouTube /channel/NCPCR
@NCPCR YouTube /NewIndiaJunction
YouTube /DoordarshanNational

Join NCPCR's #PARIKSHAPARV by interacting with Experts, reducing the exam stress and social anxiety related to Coronavirus
Live Streaming Sessions from 12th April to 7th June, 2021 between 3:00 PM to 4:00 PM
Schedule available on - www.ncpcr.gov.in

anxiety and pressure before an event, and how through determination, they were able to overcome the challenge. A differentiation was made by the Swami *ji* between positive and negative stress, and while he said that negative stress made us "sickly" and "a mental wreck", the bright side to it was that it made us resilient and ready to face new challenges. He then elaborated on external and internal causes of stress; what made us compare ourselves to others like our friends, in the face of tough competition during exams; how the challenge was to overcome familial and societal pressures surrounding exams and gaining skill sets for later use in life. He talked about education as a tool for liberation and the importance of cultivating and expanding secular and spiritual knowledge emphasized by our ancient cultures and scriptures. The concept of 'infinite self' of Vivekananda was explained by him as how perishable mankind's true self is unlimited, how our knowledge base can keep on expanding forever, which is why spiritual learning can further our academic competencies. The guest discussed the role of meditation as a body and mind calming practice and how the

individual should endeavour towards awareness of one's self and appreciation of goodness in mankind, while taking care of one's own physical and mental fitness. The much talked about idea of "performing actions without expecting results" and the importance of staying focused in one's efforts was also addressed by Swami ji. The session then winded up by the host thanking the honorable speaker of the session for his time and the audience for their patience throughout the session.

2- Dr. Jitendra Nagpal

The second ParikshaParv 3.0 event was held on 14th April 2021, with the guest speaker, Dr. Jitendra Nagpal, Sr. Consultant Psychiatrist and Head, Institute of Child Health and Life Skills Promotion & Institute of Child Development and Adolescent Health, Moolchand Medcity, New Delhi, cordially welcomed and introduced by the host, Ms. Nivedita Tiwari. Dr.



Nagpal began by signifying the importance of channeling adolescent energy considering their large population and the human resource potential they carry, especially in COVID-19 times when the whole world is experiencing lockdown and restraint on movement. He put stress on the need to understand adolescent's diverse viewpoints and interests for their overall development and the requirement of a suitable, enabling environment that would help them to flourish. Parents' and family's role in adolescent development, identifying socio-emotional indicators for a holistic growth and helping them become "aware, responsible and empowered", was regarded crucial by the speaker. He thereafter talked about key study aid methods like highlighting important phrases and points, making notes, reading out loud, suiting different students with different learning patterns. Further, discussion took place around increasing prevalence of non-communicable diseases (NCDs) like cardiovascular diseases, diabetes, cancers due to eating habits and changed lifestyle of today's youth took place, and the guest advised children to incorporate healthy eating and living habits like increase protein intake and physical activity. Emphasis was put by the speaker on function played by solid bonds existing among peers and family, humour, attachment and recreation in helping manage stress and rejuvenate mind and body, along with proper rest and sleep cycle to maintain one's health. Dr. Nagpal advised children to limit their social media time, especially during exams, and spend some time with family and supportive friends instead. Another point put forward by him was how children of different ages could show depression symptoms that could be diagnosed and dealt with by involved and understanding parents, which would help in its early mitigation. According to him, stigma and taboos surrounding mental health issues need to be got rid of for there to be a healthy enabling environment for children's growth. Lastly, he talked about an inclusive

environment where children with special needs can also find a place and can communicate their needs and grievances. The session ended by Ms. Tiwari, Anchor of the programme thanking the guest speaker for his valuable time and the audience for their patience.

3 Dr. Sanyam Bhardwaj

The last session of ParikshaParv 3.0 was held online on 16th April, 2021. The guest speaker invited for the event was Dr. Sanyam Bhardwaj, Controller of Examinations, CBSE . At the beginning of the session, the host, Ms. Tiwari welcomed and introduced the guest. The guest began by asking students to try and reduce unnecessary

The banner is for the 'CELEBRATING #ParikshaParv 3.0' event. It features a portrait of Dr. Sanyam Bhardwaj, CBSE Controller of Examinations. The text on the banner includes: 'Dr. Sanyam Bhardwaj, CBSE, Controller of Examinations will be interacting with Exam Warriors and their Parents on 16th April 2021, between 3:00 - 4:00 PM through Live Streaming on'. It lists social media handles: Facebook /NCPCR.Official, Twitter @NCPCR_, YouTube /channel/NCPCR, and YouTube /NewIndiaJunction. It also mentions 'Join NCPCR's #PARIKSHAPARV by interacting with Experts, reducing the exam stress and social anxiety related to Coronavirus'. The event dates are 'Live Streaming Sessions from 12th April to 7th June, 2021 between 3:00 PM to 4:00 PM'. A red button at the bottom says 'Schedule available on - www.ncpcr.gov.in'. On the right, there is a quote in Hindi: 'परीक्षा एक उत्सव है, परीक्षा को ऐसे लीजिए मानो एक त्यौहार है।' (Examination is a festival, take the examination as if it were a festival).

stress about schools and exams, and instead spend some quality time with family, engage in yoga and meditation, pick up a hobby and work on it. The speaker thereafter detailed the criteria CBSE would be adopting for evaluating class 10th students, in the coming months. He advised class 12th students to be prudent in their approach while appearing for CBSE exams that were postponed by 3 months, and give adequate time to both Board Exam preparations and competitive exam preparations, in which he also emphasized parents' role in keeping students encouraged and energized throughout. The speaker spoke highly of CBSE institutions and teachers that were quick in adapting as well as were sensitive to the needs of different children during these trying times and held interactive capacity building sessions for them. Further, he spoke about the possibility of exams being held online in the coming years as it was "the age of online exams". Striking the right balance between the traditional methods of study and the modern ones using the internet was regarded as significant by Dr. Bhardwaj, who also said that students should base their preparation on standard books and refer to the internet for additional information, for better learning outcomes. Parents, as suggested by the speaker, can try a friendlier approach in dealing with, and guiding their children. He asked students and their families to stay optimistic, not to let the pandemic bring down their spirits and increase their water intake, exercise and family time so as to stay healthy and motivated. At last, he said that students, teachers and parents make up a family and together, they should ensure that the student is getting the attention and care he deserves. The session ended by the host quoting Swami Vivekananda that 'education was about man-making', and thanking the guest and the audience for their presence.

CHAPTER-16

A Study on “Effects of Use of Mobile Phone & Other Devices with Internet on School Children”

Chapter-16

A Study on 'Effects of Use of Mobile Phone & other Devices with Internet on School Children'

There is no dearth of research, knowledge and literature on children with books but rarely anything available on how the use of mobile phone and other devices with internet effects the psycho-social state of children and adolescents. In view of COVID-19 pandemic and extensive use of the electronics devices by the children, it was important to understand the co-relation so as to take appropriate interventions.

It must be taken into account that the use and reach of mobile phones among children in India, like elsewhere in the world, is at an all-time high. Unlike any other preceding generations, the present generation of children in India has been growing up with mobiles and smart devices since birth. With the advent of the COVID-19 pandemic, use of information and communication technology tools and video conferencing platforms, to compensate for classroom engagement, has witnessed rapid and widespread acceptance. Use of such devices by children is only going to increase in future.

In such ensuing circumstances, the National Commission for Protection of Child Rights (NCPCR) has undertaken a study on 'Effects of Use of Mobile Phone & Other Devices with Internet on School Children'.

The study has led to many new revelations and has helped define a baseline for the use of mobile phone and internet devices by children across the country. In the wake of the global pandemic, relevance, importance and need for such a study has exponentially magnified. Based on the findings of the study, a few of the critical recommendations are listed as under:

- The parents need to interact with the children and discuss issues with them. This is of paramount importance for the psychological and social development of the child.
- A bigger portion of land in the communities needs to be identified as a playground for children. This will encourage the children to involve themselves in physical games and sports.
- The smart phones have features like “Digital wellbeing and parental control” which can be used by parents to limit the hours of web surfing of children.
- Section (19) of the Protection of Children from Sexual Offences (POCSO), Act, 2012 has provision of mandatory reporting. In case the institutions, schools, parents, guardians, and organisations that are aware of any such objectionable use of their intermediary

platforms they should be made accountable for reporting to appropriate authority under this section.

- It has been observed that the children use internet/social media apps over various connections such as Wi-Fi, mobile internet service, etc., the connections of which are in the name of their parents. Hence, there is no data on how many children are accessing the internet privately. Thus, if it can be considered that the connections should be given in the name of children by way of proxy accountability as in the case of bank account of minor, or else when parents purchase connection in their name for children, they should give a declaration that the connection will be used by the child, to ensure that the data can be maintained and children will not have access to such material. This can also help in providing filters and restrictions by service providers/intermediary platforms. Also, a report may be generated on a daily basis and forwarded automatically to the linked number/connection or email of the parent/guardian. As per the law child sexual abuse content needs to be mandatorily reported to the concerned authority which is Special Juvenile Police Unit (SJPU) or the local police (Including Cyber Cell Police).
- Children are accessing social media platforms such as Twitter, Facebook, Instagram etc; tools for accessing dark & deep web which is available on these platforms. These platforms also provided the links to WhatsApp groups through which such material can be obtained and accessed. Thus, giving access to all including children to obtain such material. Whoever happens to download any such content or material shall be mandatorily reported to appropriate authority under Section 19 of POCSO Act, 2012.
- The Commission under Section 13(1) (j) has conducted an inquiry into the spreading of Child Sexual Abuse Material (CSAM). Use of children in Child Sexual Abuse Material (CSAM) on social media platforms and access of children to pornographic content is a gross violation under sections 11(3) and 15 of POCSO Act, 2012 and a punishable offence. Such matters should be reported immediately for stringent action under the law. Therefore, as per the law) child sexual abuse content needs to be mandatorily reported to the concerned authority which is Special Juvenile Police Unit (SJPU) or the local police (Including Cyber Cell Police).
- In cases where children use internet service of school at labs, libraries, etc. the service should be firstly password protected and individual usernames/login ids should be provided to the students and the report should be sent to the school authority concerned.

This is first of its kind study on mobile and internet use by children. The study reveals various facets of use of mobile and internet .It opens up an array of issues that need to be taken appropriately under various interventions including awareness , regulations, monitoring and policies.

CHAPTER-17

Legal Interventions, Special Inquiries & Visits

Chapter-17

Legal Interventions, Special Inquiries & Visits

MAJOR INQUIRIES UNDERTAKEN BY NCPCR–

1. Inquiry conducted regarding suicide committed by a minor in Thanjavur District, Tamil Nadu

The Commission took cognizance of a complaint received on 20th January 2022 against a Sr. Sec. School in Thanjavur District, Tamil Nadu wherein it had been alleged that children were being forced to illegally convert their religion. Through the said complaint, it was informed to the Commission that a Class 12th student in Ariyalur District was forced to convert to other religion (Christianity) and when she refused, she was not allowed to go home and was further made to clean toilets, wash dishes, and do other chores which a minor child should not be made to do. It was also informed through the said complaint that the child had committed suicide by drinking herbicide because of the atrocities faced by her. The complaint further informed that the minor girl passed away on 19th of January 2022 in the hospital.

The Commission, keeping in view of the prevailing issues connected to the death of a minor girl, deemed it appropriate to issue a letter to the Director General of Police, Tamil Nadu requesting to initiate inquiry, however, no Action Taken Report (ATR) or response was received. Further, the Commission was also in receipt of 3545 odd complaints for requests pertaining to initiate inquiry against the allegations in connection to this incident which made it pertinent on the part of NCPCR to undertake the said inquiry. A team from the Commission headed by the Chairperson visited Thanjavur, Tamil Nadu on 30th and 31st of January 2022 for the purpose of conducting a thorough inquiry in the matter.

Key Observations made by the Commission during the inquiry regarding the procedural lapses in investigation and other violations:

- It was observed that the alleged crime scene was not sealed for the purpose of the investigation by the Local Police.
- It was found that the said Child Care Institution (CCI) had made no sincere efforts to provide appropriate medical care to the deceased minor when she had fallen sick. Moreover, before the deceased girl was allowed to be taken for the treatment to the other hospital, the school authorities/ CCI had collected fee from her mother.
- It was observed that the investigating authorities were somewhere trying to conceal material facts pertaining to the care given to the child while she was staying in the CCI and also ignored all the pleadings made by the family to investigate regarding the minor being forced to convert into Christianity.

- The CCI had applied for withdrawal of its registration under the JJ Act, 2015 but the same was rejected. Thereafter, the CCI had applied for the school under the Tamil Nadu Hostel and Homes for Women and Children (Regulation), Act 2014 for housing children, which was in contravention of the provisions laid down under the JJ Act, 2015. Further, the functioning of the School along with a Home for children without due permission of the authorities and clear legal status of the boarding indicates a clear violation of provisions of JJ Act, 2015 and the Hon'ble Supreme Court's order in W.P. (CrI.) 102 of 2007.
- In this particular case, the minor girl despite having parents and family was illegally being kept in the CCI premises and was not produced before the Child Welfare Committee (CWC) by the authorities. Therefore, it was observed that due procedure with regard to institutionalisation of child was clearly not followed by the District Authorities. It was further observed that the deceased girl staying in the CCI was not produced before the CWC and was being kept illegally in violation of Sections 31, 37, 3(xii) of the JJ Act.
- There was a lack of Physical Infrastructure and Child Care Facilities at the said CCI as have been laid down under the provisions of JJ Act, 2015 and JJ (Model) Rules, 2016.
- No inspection by authorities in lines of Section 54, 40(9) and 30(viii) of the JJ Act, 2015- The staff of the institution as well as the CWC informed the Commission that no inspection had been made by the CWC and the Inspection Committee constituted by State Government which is mandatory to be done.
- Child Welfare Police officer (CWPO) and Special Juvenile Police Unit (SJPU)- During the interaction with the S.P. and Investigation Officer (I.O.), it was informed that there was no exclusive officer- Special Juvenile Police Unit in accordance with Section 107 of the JJ Act, 2015. Further, the S.P. also informed that they were not aware regarding who holds the position mentioned in the said provision in the District or what/who exactly are CWPO or SJPU.

Recommendations made by the Commission

- **For Chief Secretary:**
 - a. To take action against the district authorities who had failed to take action as per JJ Act, 2015 despite the school housing children without a valid registration.
 - b. To provide necessary counselling, compensation and assistance to the parents and the brother of the deceased girl.
 - c. To inquire that how many such institutes are functioning under Tamil Nadu Hostel and Homes for Women and Children (Regulation) Act 2014 and Juvenile Justice Act, 2015 and provide a list of the same to NCPCR.
 - d. To shift all the children residing in the said CCI following due procedure immediately.

- **For Director General of Police:**
 - a. To take disciplinary action against the District Police Officials for not following the due process of investigation and conducting a fair investigation.

3. Inquiry conducted regarding the death of a minor in District Hazaribagh, Jharkhand.

The Commission took cognizance of a complaint received on 10th February, 2022 wherein it was brought to the notice of the Commission that on 7th February, 2022, during the immersion of Swaraswati idol, a minor boy was beaten to death by some Anti-Social Elements. It was informed to the Commission that the said minor belonged to Hazaribagh District, Jharkhand. Further, it was also informed to the Commission that the State Authorities were trying to delay the investigation of this whole incident regarding the merciless death of a minor and were trying to falsely implicate the locals and close relatives of the deceased minor to intimidate and influence the witnesses. The Commission keeping in view of the seriousness of this issue of the death of a minor, issued a letter dated 10.02.2022 to DGP, Jharkhand Police in the said regard to take necessary action in the matter, however, the Commission did not receive any Action Taken Report within the stipulated time period. Looking at the leniency of the State Authorities in a matter dealing with the gruesome death of a minor child in a remote village, a team from the Commission headed by the Chairperson visited Hazaribagh district for the purpose of conducting an inquiry and to take the stock of the progress of investigation in this case.

During the visit, the team interacted with the Doctors who examined as well as conducted post-mortem of the deceased minor, Child Welfare Committee, District Child Protection Officer, Investigating officer, Child Welfare Police Officer, Deputy Superintendent of Police, Superintendent of Police, and family members of the minor. Moreover, the team also made a surprise visit to the Observation Home in Hazaribagh where one minor was kept.

Key Observations made by the Commission during the inquiry regarding the procedural lapses in investigation and other violations:

- **Lapses in Investigation:** It was found during the inquiry that the investigation had serious lapses. Moreover, the CWC was not informed about the incident by the I.O. They got to know about the same from a newspaper. The CWC was not informed about the addition of 16 minors as accused persons in the FIR. There were gross violations under the JJ Act like arrest of a minor at 2 AM by a police officer in his uniform. Further, a minor was kept in the police station without being produced before the Juvenile Justice Board (JJB). On interacting with the three minors who had been categorized in the FIR as accused persons who are absconding, it was found that

they were present at the house of the deceased minor. They shared with the team that they were being harassed and were forced to give their statements by the police.

- **Child Welfare Police officer and Special Juvenile Police Unit:** During the interaction with the Deputy Superintendent of Police (DSP) it was informed that he was not aware regarding any exclusive officer- Special Juvenile Police Unit in accordance with Section 107 of the Juvenile Justice Act, 2015. Further the DSP also informed that he is not aware regarding who holds the said post in the District.

Key Observation made during the visit at Observation Home:

After interacting with the officials present in the Observation Home, it was observed that the procedure under the Juvenile Justice Act, 2015 was not being followed by the CDPO, Ranchi who was also the Superintendent of the said Observation Home. On inspecting of documents, it was noticed that the Social Investigation Reports of 4 children were not duly filled and many children were not provided free legal aid. Moreover, the teacher in the said Home was indulged in multiple tasks, and she was not fully aware regarding the children who were due to give their board exams and whether they have been enrolled for the same. It was observed that the Observation Home was not following many norms which have been laid down in the JJ Act and the Rules. There was a need for immediate corrective action.

Recommendations made by the Commission:

- **For Chief Secretary:**
 - a. During the visit of the Team, many lapses were found on the part of the investigating authorities as to how they have failed to follow due process of law as well as procedure established by law while conducting investigation. To look into these lapses, it is necessary that the matter be transferred to some independent Investigating agency. It is recommended that such agency may preferably be a central agency such as CBI to conduct impartial and fair investigation.
 - b. It is recommended that the investigation should take place of the incident as a whole i.e., starting from the murder of the minor till the incidents of mob violence as the same are treated to be two separate instances by the authorities.
 - c. To conduct inquiry and take necessary action on the lacunas found in the functioning of the said Observation Home as per the Juvenile Justice Act, 2015
 - d. To provide necessary counselling, compensation, and assistance to the parents of the deceased minor boy.
 - e. To provide necessary counselling to the three other minor boys (friends of the deceased) and compensation be provided to one minor who was detained for 2 days by the police authorities and take action against such officials who detained the minor illegally.
 - f. To inspect and check whether other Observation Homes in the State are following all norms and rules prescribed for them and are duly registered under the JJ Act.

- g. To provide free legal aid to all the children whose names have been added in the counter FIR's registered by the police.
- h. To instruct the State Legal Services Authority to file an application for quashing of FIR against minors who were not present during violence.

- **For Director General of Police:**

- a. To take disciplinary action against the District Police Officials for not following the due process of investigation and conducting a fair investigation.
- b. To re-investigation the charges framed against one minor who have been arrested and kept in Observation Home.
- c. To provide protection to the witnesses and their family members.
- d. To take action against officials who detained minors illegally.

4. Inquiry of the Commission on CSAM in Social media Platform- Twitter and recommendation for appropriate action

On the basis of complaints , inquiry was conducted on Twitter regarding Child Sexual Abuse Material (CSAM). During the inquiry , Twitter Communication India Private Ltd (TCIPL) informed the Commission that the services in relation to www.twitter.com (for users in India) is provided by Twitter Inc., a company incorporated in the United States of America. Twitter Inc. is a distinct and separate company from Twitter India. Thus, Twitter India doesn't control any information/data pertaining to any of the users of the services on www.twitter.com. Twitter India plays no role in the operation and control of the platform at www.twitter.com and are therefore not in a position to furnish any details as required by the Commission.

It was also observed by the Commission that TCIPL in MOC, GOI for incorporation has mentioned that Mr. XXXX and Mr. XXXX are the directors for TCIPL, and in their LinkedIn profile they both have mentioned themselves as employees of Twitter. These things are contrary to the above stand of TCIPL wherein they have mentioned that Twitter Inc. and TCIPL are two distinct entities and have thereby submitted false information with Meity, GOI and with the Commission during Summon Proceedings under Section 14 of CPC Act, 2005. This fact needs to be thoroughly investigated as it seems to be case of giving false information and an offence under Section 199 of IPC.

In view of false and contradictory information as well as lack of regulation in Twitter, NCPCR recommend Meity, GOI to initiate ban access and use of Twitter by the children till the time Twitter makes its platform safe for the children by ensuring complete stop to the violation of POCSO Act and IPC i.e. start reporting cybercrime cases to the authorities in India and also remove CSAM and pornographic material from their platform

5. Inquiry conducted in an orphanage, Agra.

The Commission had taken cognizance on a complaint received against an orphanage in Agra for violations of Juvenile Justice (Care and Protection of Children) Act, 2015. The complaint included some web links through which it was alleged that the said orphanage was indulging in religious conversions of children and was receiving foreign funding from organizations in Australia. Keeping in view of the serious violations alleged by the complainant, the Commission deemed it appropriate to constitute a team headed by Dr. Shuchita Chaturvedi, Member UP SCPCR to conduct an inspection in the said Home in November 2021. During the said inspection, the said Home was found to be not following the norms laid down under the JJ Act, 2015 and its Rules.

Key Observations made by the Commission during the inquiry regarding the procedural lapses in investigation and other violations:

- **Legal Status and Capacity-** The Commission, during its inspection of the said Home, was made aware of 3 societies being run simultaneously in Agra. According to the information shared with the inspection team, the orphanage functioned from 2006 till 2017, but was not registered as per the mandate laid down in the Juvenile Justice Act of 2015; therefore, the Home was being run illegally for 2 years as per the provisions of the JJ Act, 2015. Similarly, the inspection team was informed that only the xxxxxxxx and xxxxxxxx were functioning, but as per the documents collected by the inspection team, the registration of xxxxxxxx Society expired in 2016 and the school registration expired in 2006, since then, the school was functioning unregistered. The said institutions were running in violation of Section 41 of JJ Act and Sections 18 and 19 of the Right of Children to Free and Compulsory Education Act, 2009 (RTE Act).
- **Non-production of Children before CWC-** As per the information provided by the staff, there were 17 orphan children living permanently in the xxxxxxHome. These 17 children had not been produced before the CWC as therefore it was a violation of Section 31 of the JJ Act, 2015 and Rule 18 of the JJ Rules, 2016.
- **Proof of Restored Children not found-** During the inspection it was informed to the team that the children were restored back to their families/guardians after the Home stopped functioning in 2017. However, restoration of children from the Home to their guardians/families was done without the orders of the Child Welfare Committee. The due process for restoring the child as given under Section 40(3) of the Juvenile Justice Act, 2015 was not followed.
- **Maintenance of Records-** It was observed that there were major discrepancies found in the records of the children maintained. In some records, the names were different and there was no data maintained for the restored children. The number of orphan

children claimed to be admitted in the Home did not match with the number of files available on children staying the Home. Reports of all cases of admission, restoration, transfer, adoption, death & leave without permission of children from the institution were not being sent to the Competent Authority, State Government, DCPU, as the case may be, as the home was running without registration. There were no Individual Child Care Plans of the children living in the Home found by the inspection team and Case History of each child was not maintained.

- **Foreign Contribution (Regulation) Act, 2010 (FCRA Funds)** - During the inspection, it was observed by the inspection team that several funds were received by the xxxxxxxx from international entities from different countries, including Sweden, United States, and Australia. Large sums were received by the xxxxx in their FCRA Account, but it is unclear as to how the large sums of money received by the Organization were utilized. In few of the case files maintained by the Home, several personal letters to and from international sponsors belonging to Evangelical Societies and Christian Trusts and Organizations were found propagating their religious ideals.
- **Religious Propaganda-** During the inspection, the inspection team interacted with the students of the Pentecostal Christian Public School, who informed the team that they are taught and made to learn the Bible verses every day with an intention to profess the said religion. Additionally, large amount of donations have been received from international Evangelical organizations, as has been discussed above.

Recommendations made by the Commission:

- **For the Ministry of Home Affairs and Economic Offences Wing**
 - a. A recommendation was made to the Ministry of Home Affairs for investigating into FCRA funds being received by the said Home.
- **For the Department of Women and Child Welfare, Government of Uttar Pradesh**
 - a. It was recommended that the children who have been restored from the Home, which was functioning till 2017, must be traced and their well-being must be ensured. Appropriate action against the Home must be taken for not adhering to the provisions of restoration under the Juvenile Justice Act, 2015 and restoring the children without the orders of CWC.
 - b. It was recommended to take action against the Home under the appropriate provisions of law for non-production of children before CWC and keeping them in the Home without the orders of CWC.
 - c. It was recommended that action must be taken against xxxxxx School, which was still functioning, and was in violation of Section 18 and 19 of the Right of Children to Free and Compulsory Education Act, 2009.

- **For Uttar Pradesh Police-**

- a. A prima facie offence under Section 42 of JJ Act, 2015 was made out against the said Home as it was running and housing children without a valid registration. An FIR must be registered against the Home for running child care institution without a valid registration.
- b. An investigation into tracing the whereabouts of the children must be initiated who have been restored by the staff of the Home after it closed in 2017, and FIR must be registered against the staff of management of Home under the provisions of Juvenile Justice Act, 2015, Indian Penal Code, Immoral Trafficking Prevention Act and any other relevant provision. If in case, offence under Section 81 of JJ Act, 2015 or any other provisions of law was made out, then an FIR must be registered under the said provision and investigation must be undertaken against the offenders.
- c. It was also recommended that the Uttar Pradesh Police should conduct an enquiry under Section 3 of the Unlawful Conversion of Religion Ordinance, 2020, then an FIR must be registered under the said provision and investigation must be undertaken against the offenders.

- **Department of Secondary Education, Government of Uttar Pradesh**

- a. It was recommended that the Department of Education, Government of Uttar Pradesh must take action against Pentecostal Christian Public School, which is still functioning, and is in violation of Section 18 and 19 of the Right of Children to Free and Compulsory Education Act, 2009.

6. Sexual abuse of a minor girl and fabrication of evidence and pressurizing the minor victim to change the statement - Visit to Bhiwani, Haryana

National Commission for Protection of Child Rights took cognizance of the case of sexual abuse of a minor girl of Assam by a counselor of District Child Protection Unit, Bhiwani. Allegedly, the minor girl was asked objectionable questions on the name of counseling by the counselor. NCPCR promptly took cognizance on the report of sexual abuse of minor girl and issued directions to DM, Bhiwani; DGP Haryana on 23rd May 2021 to take immediate action in the matter, arrest the accused and ensure rehabilitation of the child. NCPCR also requested SLSA, Haryana to intervene to ensure rehabilitation of the child.

However, considering the complex nature of this matter and realizing the reluctant approach of the authorities in taking a prompt action to find out culprits of the case, Shri Priyank Kanoongo, Chairperson- NCPCR visited Bhiwani district on 12th June 2021 along with Ms. Jyoti Binda, Chairperson – Haryana SCPCR and Ms Anu Chaudhary, Registrar-NCPCR.

After interacting with the victim, officials of WCD department, police and examining various other facts of case, it was realized that LPO and DCPO working under DCPU,

Bhiwani attempted to manipulate the counseling report and influence the victim for favouring the accused counselor who was also their colleague. Thus, recommendations for suspension of LPO and DCPO working under DCPU, Bhiwani were given, which was followed and action was taken against them. In addition, show cause notice to the CWC Member who individually took decision to counsel the child to an external counselor and went with the victim along with LPO for counseling.

7. Case of sexual abuse of minor girl in a Children home of Gaya by CCI staff- Visit to Gaya, Bihar

A case of sexual abuse of a minor girl in a children home of Nawada district was reported in the media. Reportedly, the girl alleged that during her stay from 13th July to 10th August in a Children home located in Nawada, she was subjected to sexual abuse by staff of the Home. A two member team visited Gaya district on 16th August 2021 to inquire about the matter. On the basis of interaction with the girls at the Home, authorities and staff of the Home, the allegations were not found true in the inquiry of the team.

8. Incident of Sexual Abuse of a minor girl by CWC Member's brother, in a Children Home in Chennai, Tamil Nadu

Incident of sexual abuse of a 14-year-old minor girl came to notice through various media reports. News reports highlighted that on 28th July 2021, a 20-year-old girl had complained that a relative of CWC Member misbehaved with her as well as another 15-year-old girl. The internal committee of MCCSS conducted inquiries and found that alleged person namely Bennet had raped the girls. A CWC member lodged a police complaint regarding the matter. It was also reported that few other girls were also abused in the home. Hence, a two member team led by Ms Anu Chaudhary, Registrar-NCPCR visited the Chennai district to conduct an inquiry in the case.

9. Incident of sodomy with a 12 year old minor boy by a security guard in Ranchi district.

A case of sexual assault of 12 year old minor child by a security guard in Ranchi district was noticed through media reports. Considering the seriousness of the matter, a two member team visited Ranchi district to conduct an inquiry. On its observations during the inquiry process, the Commission also sent its recommendations to Chief Secretary, Jharkhand.

10. Incident of sexual abuse of minor in Cuddalore:

The Commission received a complaint that a Correspondent namely Mr. S Jesudass Raja (66 years) was arrested by the police for sexually harassing minor girls who were residing in a children's home in Cuddalore district. The entire incident came into light when two girls

went missing from the Home on 25th October 2021 and a complaint was lodged by alleged correspondent to the Aladi police station.

The incident of missing minor girls from the Home and allegations of their sexual abuse against Correspondent of the home were viewed seriously, hence, the matter was considered u/s 13 (1)(j) of the CPCRA Act 2005. Accordingly, a three member team led by Ms Anu Chaudhary, Registrar-NCPCR visited the Cuddalore district on 24.11.2021 for inquiry of the case.

11. Incident of sexual exploitation of a 16-year-old boy living in a CCI in Ludhiana

The Commission took suo-motu cognizance of a newspaper report on 16th November regarding a case registered at a Police Station, Ludhiana about sexual exploitation of a 16-year-old boy living in a CCI. The minor was allegedly thrashed and sodomised by ten of his fellow inmates.

Upon taking the cognizance of the matter, a team from NCPCR visited the place of incident and conducted an enquiry on 17th and 18th November 2021. The NCPCR team inspected the concerned Home and convened a meeting in the district with the District Magistrate, Commissioner of Police, Chief Medical Officer, Members of State Commission, CWC Members, SJPU, DPO, DCPO and other involved stakeholders of the district in the matter.

After the intervention of NCPCR, it was discovered that the offenders have been exploiting children of the home for a long time. Names of some more victims were given to the district Police by NCPCR team after visit of home as confidential information for proper enquiry and necessary immediate action. Encouraged by the enquiry and counselling of the NCPCR team, two more minor residents of the same home came forward and reported their sexual harassment against the same accused inmates. Consequently, another FIR was registered against the same accused inmates for sexual exploitation of more minors in the said home.

12. Incident of Sexual abuse of three students by three teachers and Principal of a Govt. School in Alwar, Rajasthan.

A matter of gang sexual assault of a minor came out from Alwar district in news reports wherein it was said that 4 girls of a Government school were molested by 9 teachers and the Principal of the school.

A three member team visited the district on 9th December 2021. They interacted with the students, teachers, villagers as well as ADM, Alwar, Superintendent of Police, CWC, DCPO and other officials of the district. Though the matter was charged under sections of the POCSO Act, the said victims denied occurrence of any incident of sexual abuse and stated that false allegations were made regarding their sexual abuse. The other discrepancies of

school infrastructure found by the team was conveyed to the district officials present in the meeting.

13. Inquiry in the matter of death of more than 40 children due to mysterious fever: Visit to Mathura/Vrindavan

The Commission u/s 13 (1) (j) of the Commission for Protection of Child Rights Act 2005 took *Suo motu* cognizance based on the newspaper report highlighting “the mystery fever gripped Mathura, Agra, Mainpuri, Etawah and Kasganj. The district reported deaths of more than 40 children due to mysterious viral fever that gripped most of the Western UP”.

In this regard, a three-member team was constituted headed by Registrar, National Commission for Protection of Child Rights (NCPCR). The team visited dengue ward at district hospital and Swarna Jayanti Samudaik District Hospital, Mathura on 7th September 2021 to look into the death of children due to mystery fever and take further necessary action.

Further, the Commission visited NICU/PICU/SNCU in an endeavour to ensure better implementation of health care facilities for children and strengthening each facility. The Commission was accompanied by the District Magistrate, Chief Medical Officer, District Probation Officer, Legal cum Probation Officer, District Programme Officer and other concerned officials such as Anganwadi Workers and other concerned officials from Mathura District.

As per the mandate, the Commission visited Anganwadi centres (AWC), and Nutrition Rehabilitation Centre (NRC) to observe National Nutrition Month, (*Rashtriya Poshan Maah*) celebrated in the month of September to disseminate the message related to maternal, infant and young child care and feeding practices and nutrition. The purpose of the visit was to ensure that all the intended beneficiaries under ICDS such as -children (7 months to 3 years) pregnant and lactating mothers, and adolescents girls are getting supplementary nutrition (7 packets to normal weight and 10 packets to severe underweight) under Take Home Ration (THR) and appropriate wholesome dry ration as per the prescribed norms notified by the concerned department in a time bound manner. The team visited two (2) Anganwadi Centres (AWCs) .

- Anganwadi Centre (Urban), Kankoti
- Anganwadi Centre (Rural), Tehra

The following immediate measures were recommended to the concerned state and district authorities by the Commission for further necessary action(s), follow-up and reporting to NCPCR.

1) District Magistrate, Mathura to ensure the following:

- Sanitisation of rural and urban areas of the district
- With regard to the pandemic, encourage usage of masks and frequent hand wash

- 2) Principal Secretary, Namami Gange and Rural Water Supply Department, Government of Uttar Pradesh
 - to extend the benefits of Jal Jeevan Mission scheme of Ministry of Jal Shakti to Mathura district of the state
- 3) Additional Chief Secretary (H&FW), Department of (H&FW) Government of Uttar Pradesh to ensure
 - immediate utilisation of funds of PICU to make it functional
 - availability of required number of beds at Nutrition Rehabilitation Centre or NRC
 - proper hygiene and ventilation in hospital premises
 - CMO, Mathura district should be directed to hold regular meetings and coordinate with other officials for efficacy of health schemes
 - Recruitment of skin specialist or dermatologist for the district government hospital
 - Recruitment of paediatricians and nurses at Nutrition Rehabilitation Centre or NRC
 - Repairing of obsolescent equipment in SNCU facility at district government hospital
- 4) Director, Women and Child Development Department, Government of Uttar Pradesh to ensure
 - Proper display of AWC Boards at the centre
 - ICDS should direct the land owners of rented AWC to vacate the goods from the rented premises
 - Repairing of washrooms and establishment of child friendly washroom as per the guidelines of AWC
 - Availability of fluoride free drinking water

14. Visit to Refugee Camp - Signature Bridge

A team led by Chairperson, National Commission for Protection of Child Rights (NCPCR) visited resettlement colony of Pakistani Hindu refugees at Signature Bridge, North East Delhi on 28.10.2021 to examine and address the multifarious issues and challenges affecting these children living with their families in refugee camp. Total 83 families having 150 children are staying there. During the visit Chairperson, NCPCR interacted with the local people who expressed deep concern about safety and developmental issues of children. The Commission as per its functions u/s 13(xi) of CPCRA, Act, 2005 has taken cognizance of the matter and sent a letter to Chief Secretary, NCT of Delhi to look into the matter.

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Jail Visits

In pursuance to the directions of the Hon'ble High Court of Delhi vide its judgment dated 11th May, 2012 in the matter of Court on its Own Motion Vs Department of Women and Child Development & Ors, W.P. (C) No. 8889/2011', whereby visits to Jails in Delhi are being carried out by panel members of NCPCR since 2012 to find out if there any inmate who should get the benefit of Juvenile Justice (Care and Protection) Act, 2015. The details of visits from April, 21- March, 22 are as follows:

- ✚ On 31st July, 2021, 97 inmates were interviewed/interacted by the Panel Members of NCPCR out of which 33 inmates were identified to be probable juveniles.
- ✚ On 25th September, 2021, 81 inmates were interviewed/interacted by the Panel Members of NCPCR out of which 45 inmates were identified to be probable juveniles.
- ✚ On 23rd December, 2021, 104 inmates were interviewed/interacted by the Panel Members of NCPCR out of which 60 inmates were identified to be probable juveniles.
- ✚ On 28th February, 2022, 79 inmates were interviewed/interacted by the Panel Members of NCPCR out of which 35 inmates were identified to be probable juveniles.
- ✚ On 31st March, 2022, 83 inmates were interviewed/interacted by the Panel Members of NCPCR out of which 29 inmates were identified to be probable juveniles.

Outcome of the Visit:

The visits have been successful in identifying the probable juveniles who are wrongfully confined in the jails. Further, suitable measures have been taken like transferring the case of these children to the respective Juvenile Justice Board and sending those children to either Observation Homes or Place of Safety, depending on the fact or circumstances of the case.

CHAPTER-18

North-East Cell

Chapter - 18

North-East Cell

North East India comprising of eight States viz. Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim is one of the most important regions of our country. It is traditionally been seen as a region of complex geo-socio-political issues posing unique challenges that is bordering China, Nepal, Bangladesh, Tibet, Bhutan and Myanmar. However, in recent years, under the leadership of Hon'ble Prime Minister, Shri Narendra Modi, concerted efforts have been made by the Government of India to create an environment of inclusion, growth and development on all fronts. The region has been accorded top priority for development under the Prime Minister's agenda of transforming India. The Prime Minister has laid special emphasis on the North Eastern Region in his priority for the country and has envisaged a vision for NER as "India's North East, India's Pride". Further, the Government of India is looking to develop NER as a Gateway to South East Asia under the Prime Minister's Act East Policy.

Children being the citizens of India as per the rights conferred to them by the Indian Constitution, play a vital role in overall progress of the nation. Investing in children becomes a strong entry point for inclusive growth and breaking inter-generational cycles of exclusion, lack of access, poverty and deprivation in a region like NER. It is imperative that as much as the nation focuses on investing on its children, the more it becomes future ready with an efficient, healthy and promising workforce who would eventually add on the strength and prosperity of the country.

To enable a strong, prolific and future ready children and youth, multipronged approaches are required instead of initiating action in silos. The protective net for mitigation of inadequacies in children of NER requires to be fostered by focusing on domains of child health, child education, child psychology and sociology, juvenile justice systems, children in labour situations and other laws and legislations relating to children.

In this regard, as an extension to the vision of Government of India and to fulfil the statutorily mandated obligations u/s 13 (1) of the CPC Act, 2005, the Commission has created a dedicated North East Cell to ensure that the rights of children as enshrined in the Constitution of India, UNCRC and as provisioned under various Child Rights Acts, laws and legislations are made accessible to every child to create inclusion in NER and thereby negotiate the geo-socio-politico complexities and difficult terrain area issues in NER.

The NE Cell is mandated to undertake programmatic, research, policy intervention and grievance redressal related activities pertaining to the core areas of the Commission viz. Juvenile Justice (care and Protection) of Children (JJ), Laws Relating to Children (LRC) which includes Protection of Children Against Sexual Offences (POCSO), Child Health, Child Psychology & Sociology, Child Labour & Children in Distress, Education/RTE and Legal matters.

Also, in consonance with the norms of the Government of India, the Commission has been earmarking 10% of its total budget for undertaking activities in the NER. From the FY'2019-20, the Commission, through its North East Cell has been persistently taking initiatives at the grass root level with grass root organisations of NER by organizing periodic sensitization workshops, seminars,

conventions, review meetings, research initiatives on various thematic aspects of child rights and child protection. The North East Cell of the Commission through its District and State level initiatives has reached out to its stakeholders including children inhabiting in remote areas, border areas, displaced and inaccessible tribal sects, natural and man-made disaster prone areas, and minority communities etc. of NER.

The FY'2021-22, has been a year of challenges due to volatile situation in NER due to disaster situations such as natural calamities like floods in Assam, rains and landslides in few other parts of NER etc and impact of global pandemic due to Novel CORNA Virus SARS COVID-19.

The North East Cell of the Commission constantly kept the momentum of its work against odds and challenges in NER. The Commission after following the due procedural guidelines contained in GFR-2017, North East Cell of NCPCR has achieved 100% of its financial target based on its FY' 2021-22 annual allocated budget for NER through various activities.



In order to address child rights issues in North Eastern States and ensure effective implementation of Acts related to children, the Commission organized a series of State/District/Block level workshops in collaboration with State SCPCRs coordinated by grass root organisations.

Total 27 State and District Level Workshops were conducted in NER in FY'21-22 on the various themes of child rights as per the mandate of the Commission. The details are as follows:

State Level Sensitization, Orientation cum Consultation Workshops on “Handling POCSO Cases: Factors hindering the implementation and aspects of assistance to victims” in North Eastern Region of India

The Protection of Children from Sexual Offences (POCSO) Act, 2012 has been implemented as a gender-neutral special law regulating the sexual offences against children. This Act provides for protection of children from offences of sexual assault, sexual harassment and pornography with due regard for safeguarding the interest and wellbeing of children at every stage of judicial process, incorporating child-friendly procedures for reporting, recording of evidence, investigation and trial of offences and provision for establishment of Special Courts for speedy trial of such offences.

Moreover, the issues of non-reporting of child sexual offences, long delays in disposal of sexual abuse cases and the absence of strict punitive punishment for offences committed against children were addressed through the implementation of this Act. Provisions under this Act make reporting of child sexual offences as mandatory and provides for timelines for each and every authority/stakeholder that needs to be followed for speedy disposal of cases. Though, a decade long implementation of the law since its enactment shows there are still issues being faced by authorities in understanding of the various provisions and building capacity for support services.

National Commission for Protection of Child Rights, as provided under Section 44 (1) of the POCSO Act, 2012 & Rule 12 of the POCSO Rules 2020 has been playing the role of monitoring body in respect to the implementation of the Act. The Commission monitors the status of implementation of the POCSO Act by seeking information from the States/UTs on the following:

1. Setting up of Special Courts,
2. Appointment of Special Public Prosecutors,
3. Formulation of Guidelines by all States/UTs for the stakeholders for the implementation of the POCSO Act, 2012,
4. Designation and Implementation of module for training of police etc,
5. Steps taken by State Govt. for spreading awareness on POCSO Act and
6. Collect information and data on its own or from relevant agencies regarding reported cases of sexual abuse and their disposal under the processes provided under the Act.

While playing its role as monitoring body, the Commission felt that there is a need for an in-depth discussions on handling POCSO Cases in the North Eastern Region of our country, with the key stakeholders viz. the Child Welfare Police Officers from each thana/police station, Special Juvenile Police Units (SJPU), Advocates of DLSAs and other Prosecutors dealing with cases of POCSO is required.

Hence with a view to discuss various aspects of the POCSO Act, 2012 a methodology was developed to organize sensitization cum consultation workshops at the state level.

Objectives:

Following objectives were targeted to be fulfilled for Handling POCSO Cases Sensitization cum Consultation Workshops in various States of NER viz:

- To build a comprehensive understanding on the implementation of the POCSO Act, 2012.
- To discuss important aspects of assistance to POCSO victims of and identify deliverables for NCPCRs/SCPCRs.

Stakeholders:

1. Superintendent of Police
2. Senior Advocates State Legal Services Authority
3. District Child Protection Unit
4. Special Juvenile Police Unit (SJPU)
5. Child Welfare Committee (CWC)
6. Juvenile Justice Board (JJB)
7. Superintendent of Child Care Institutes (CCIs)
8. District Social Welfare Officer
9. Child Welfare Police Officers (CWPOs)

Key observations & required actions:

1. The need for continuous coordination, collaboration and cooperation is vital in order to strengthen the child protection mechanism in the state.
2. With timely dialogues and deliberations amongst stakeholders SCPCR will address the bottlenecks and gaps on issues related to child rights violation.
3. With a common goal to protect children and their rights, SCPCR will make recommendations to ensure effective implementation of the existing legislation and policies in the state.
4. Furthermore, to elucidate the role and responsibilities of SCPCR so that the stakeholders understand its importance and the need for constant updating and collaboration.

Through the North East Cell of the Commission, State Level Workshops on “Handling POCSO Cases” were conducted in Five (5) States by the end of March 2022.

Sl. No.	Name of State	Workshop Venue	Date
1.	Assam	Guwahati	25.03.2022
2.	Mizoram	Aizawl Club, Meghalaya	25.03.2022
3.	Manipur	Imphal East	29.03.2022
4.	Arunachal Pradesh	Conference Hall, Art of Living, Itanagar	30.03.2022
5.	Sikkim	Conference Hall, Social Welfare Dept, Gangtok, Sikkim	31.03.2022

Note: Approx. more than 750 stakeholders attended the above mentioned 5 workshops

NCPCR's North East Cell had organised these workshops in joint coordination with State Commission for Protection of Child Rights (SCPCR's) of the concerned States. The Commission had engaged eminent Resource Speakers such as senior faculty from judiciary such as practicing Advocates from Hon'ble Supreme Court of India, Hon'ble High Courts of Guwahati, Tripura, District and Session Judges, Professors from National Forensic Science University (NFSU), National Law University, Senior officers at the rank of Inspector General of Police, Chairperson/Members from State Commission for Protection of Child Rights (SCPCR's) and Senior Consultants from the Legal Division of NCPCR.

Seventeen (17) "District Level Workshops on Joint Action Plan (JAP) on Prevention of Drugs and Substance abuse among children and Illicit Trafficking": A core initiative on drug abuse free India

Azadi Ka Amrit Mohatsav can be best celebrated on the platform of a healthy society and generations free of drugs and substance abuse. Thus, the Inter-departmental Joint Action Plan (JAP) has been formulated and being implemented as a response to the clarion call and concerns raised by the Hon'ble Prime Minister.

This Joint Action Plan has been formulated as a public policy document taking into account all existing policies, laws, regulations, schemes, programmes and keeping in view the roles and responsibilities of various authorities, administrations, agencies, duty bearers, stakeholders and responsible citizens. The policy defines the roles of various ministries from central Government to the roles to be played by school principals. It is a unique initiative wherein there was no need to bring a new legislation or amend any policy or Act. This document even informs and empowers District Magistrate u/s 133 Code of Criminal Procedure (CrPc) to install CCTV cameras at medical stores selling scheduled H & X drugs which is one of the important strategic interventions of the Joint Action Plan.

The key principles adopted are (1) Total ban on illicit drugs (2) Licit drugs to be kept/dealt away from the reach of children and (3) Scheduled X and H drugs to be sold only through prescription and digitization of sale records. Some of the important interventions prescribed in the JAP are; installation of CCTV at liquor shops u/s 77 & 78 of the Juvenile Justice (Care & Protection of children) Act, 2015; installation of CCTV at Chemist shops selling Scheduled H & X drugs, digitization of sales of Scheduled H & X drugs, Prahari Club of Students for awareness and prevention of substance abuse in school premises, early detection of substance use through RBSK and linking them with counsellors, provision for treatment, sensitization of parents; stopping the sales of inhalants etc.

This is first of its kind comprehensive Inter-Departmental Joint Action Plan on the issue of drugs and substance abuse among children, wherein, all the stakeholders, agencies, duty bearers, authorities, media and parents are to perform their designated roles indicated in

the document. It is hoped that this Action Plan- “एक युद्ध नशे के विरुद्ध” ushers a journey to realize the goal of “नशा मुक्त भारत”- Drugs free India.

In North East Region of India significant issues of drugs and substance abuse amongst children have been reported from time to time through various platforms viz. Review meetings with officials of State and District Administration, State CPCRs, interaction with Civil Society organisations, various visits to schools, CCIs and various districts of NE States have been reported.

Keeping in view the need to combat the menace of substance use amongst children, the NE Cell had pilot launched 17 district level workshops on prevention of drugs and substance abuse among children and illicit trafficking at following locations of NER viz:

Sl. No.	Name of the Workshop	Name of District	Name of State	Date of Workshop
1.	District Level Awareness Workshop on “Joint Action Plan on Drugs and Substance Abuse among children and Illicit Trafficking- “एक युद्ध नशे के विरुद्ध”- in 17 vulnerable Districts of NER	Nagaon	Assam	28.12.2021
2.		Kamrup Rural		24.12.2021
3.		Goalpara		27.12.2021
4.		Cachar		28.12.2021
5.		Hailakandi		29.12.2021
6.		Dhubri		27.12.2021
7.		Udalguri		24.12.2021
8.		Kamrup (Metro)		27.12.2021
9.		West Tripura	Tripura	27.12.2021
10.		South Tripura		24.12.2021
11.		Dhalai		29.12.2021
12.		North Tripura		29.12.2021
13.		Bishnupur	Manipur	24.12.2021
14.		Imphal East		29.12.2021
15.		Imphal West		27.12.2021
16.		Kangpokpi		23.12.2021
17.		Thoubal		28.12.2021
Note: Approximately 1000 stakeholders from 17 districts were oriented by NCPCR on JAP in NER				

NCPCRs North East Cell had organised these workshops in joint coordination with State Commission for Protection of Child Rights (SCPCRs) and District Administration of the concerned Districts. The Commission had engaged eminent Resource Speakers such as Senior Officer, In-charge North East Region, Officers from Narcotics Control Bureau (NCB), Chief Medical Officers, Senior Officers from State Health Department and Excise Department, Chairperson and Members of SCPCRs.

Stakeholders:

1. District Magistrate (DM)/Deputy Commissioner (DC);	10. District Social Welfare Officer
2. Superintendent of Police (SP)	11. Chief Medical Officer
3. District Excise officer	12. District Drugs Control Authority
4. District Education Officer (DEO);	13. CEO- Zilla Panchayat
5. Police Station In-charge and Child Welfare Police Officer;	14. School Principals and Teachers
6. District Child Protection Unit	15. SMC and PTA members
7. Special Juvenile Police Unit (SJPU);	16. NCC/NSS students
8. Child Welfare Committee (CWC);	17. Traders/Market Association
9. Superintendent of Child Care Institutions (CCIs)	18. NGOs/Voluntary Organisations

Key Points of Discussions:

A significant percentage of children in the country are using drugs and substances, with a good number of them needing immediate medical and mental health attention due to their dependency on the same. Therefore, it is important to implement existing laws/rules in a stringent manner to ensure that they refrain from such practices

This “Joint Action Plan on Prevention of Drugs and Substance Abuse among Children and Illicit Trafficking” is a framework to:

1. Wean away children from using drugs and substances.
2. Stop selling drugs and substances in surroundings areas of schools and other educational institutes through enforcement of existing laws.
3. Provide coverage of various existing schemes, programmes and policies for treatment and rehabilitation of children using drugs and substances.
4. Highlight the roles and responsibilities as well as strengthen the capacity of various stakeholders in prevention of drugs and substance use among children and its illicit trafficking.
5. Increase awareness and replicate best practices.

6. Increase surveillance in areas around schools, educational institutions and pharmacies to ensure the drugs and substances are not reaching the children.
7. Strengthen and ensure enforcement of legal provisions provided under different laws in respect to selling drugs and substances to the children, use of children in trafficking drugs and other matters.
8. Adopt zero tolerance policy on drug and substance abuse among children through integrated efforts of all stakeholders in a convergent manner.

Key actions for implementation:

- I. Districts to immediately implement the Joint Action Plan.
- II. Orders to be issued by District Magistrate u/s 133 Code of Criminal Procedure (CrPc) to install CCTV cameras at medical stores selling scheduled H & X drugs.
- III. Districts to conduct meetings with Traders Association in respect to the sales of inhalants
- IV. CCTVs to be installed at liquor shops u/s 77 & 78 of the Juvenile Justice (Care & Protection of children) Act, 2015.
- V. CCTVs to be installed in the schools.
- VI. Hoardings to be placed in appropriate places regarding the prohibition of sale of tobacco/alcohol to children below the age of 18 years.
- VII. Liquor shops to be relocated away from the schools as per the norms.
- VIII. Cases required to be registered u/s 77 & 78 of the Juvenile Justice (Care & Protection of Children) Act, 2015.
- IX. Digitization of register required for Schedule 'X' and 'H' Drugs.
- X. Training programmes to be organised for Child Welfare Police Officers under section 77 and 78 of the Juvenile Justice (Care and Protection of Children) Act, 2015.
- XI. Ongoing awareness programmes to be conducted by the District Administration on elimination of drugs and substance abuse amongst children and illicit trafficking of drugs.
- XII. Exclusive De addiction facilities for children in the districts, if not, than any separate portion in the existing facility identified and partitioned for the children.

Two (2) "One Day State Level Workshop cum Consultation on Role of Stakeholders from Private/Govt. Medical Institutions with Emphasis on Child Adoption" in Mizoram and Tripura.

Adoption means the process through which the adopted child becomes the lawful child of his adoptive parents with all the rights, privileges and responsibilities that are attached to a biological child. It is the social, emotional, and legal process in which children who will not be raised by their birth parents become full and permanent legal members of another family while maintaining genetic and psychological connections to their birth family.

Adoption has many facets and touches people in different ways—depending on their role and perspective. Adoption of children in India, “Adoption is the establishment of a parent-child relationship through a legal and social process other than the birth process”. It is a process by which a child of one set of parents becomes the child of another set of parents.

Any orphan, abandoned or surrendered child can be taken into adoption under the JJ Act, 2015. Adoption can be done of any orphan, abandoned or surrendered child who has been declared legally free for adoption by the Child Welfare Committee after due inquiry. In cases where a child has been found by any person who is not having any parent or legal guardian, the person will have to produce the child before the CWC as per Section 31 of the Juvenile Justice Act, 2015. Whenever a child is found to be orphan or abandoned, Section 32 of the JJ Act, 2015 provides for a mandatory duty of persons to report the child to the Child Welfare Committee (CWC) of the district, Childline Services-1098 or to the District Child Protection Officer (DCPO).

In case of non-reporting, Section 34 of the JJ Act, 2015 provides for imprisonment upto six months or fine of ten thousand rupees or both. Section 80 of the Act-If any person or organisation offers or gives or receives, any orphan, abandoned or surrendered child, for the purpose of adoption without following the provisions or procedures as provided in this Act, such person or organisation shall be punishable with imprisonment of either description for a term which may extend upto three years, or with fine of one lakh rupees, or with both. Provided in case where the offence is committed by a recognised adoption agency, in addition to the above punishment awarded to the persons in-charge of, and responsible for the conduct of the day-to-day affairs of the adoption agency, the registration of such agency under section 41 and its recognition under section 65 shall also be withdrawn for a minimum period of one year.

Section 81 of the Act- Any person who sells or buys a child for any purpose shall be punishable with rigorous imprisonment for a term which may extend to five years and shall also be liable to fine of one lakh rupees. Provided that where such offence is committed by a person having actual charge of the child, including employees of a hospital or nursing home or maternity home, the term of imprisonment shall not be less than three years and may extend up to seven years.

Keeping into consideration the salient aspects related to child adoption and the JJ Act 2015 with Model Amended Rules 2016, it has been felt imperative by the NE Cell of the Commission to have in-depth deliberations with medical fraternity at State level in North Eastern States. With a view to sensitize the nuances related child adoption and prevention of violation of child rights related to child adoption by the doctors, nurses and administrative staff of hospitals and nursing homes etc. (Government and Private), the NE Cell had organised two **“One Day State Level Workshop cum Consultation on Role of Stakeholders from Private/Govt. Medical Institutions with Emphasis on Child Adoption” in Mizoram and Tripura.**

Sl. No	State	City	Date	Stakeholders	No. of Participants
1.	Mizoram	Aizawl	25/03/2022	Doctors, Nurses, and Administrative staff of Government and Private Hospitals, Nursing Homes, Clinics, PHC staff, SCPCR, Dept. of Social Welfare	100
2.	Tripura	Agartala	26/03/2022	Doctors, Nurses, and Administrative staff of Government and Private Hospitals, Nursing Homes, Clinics, PHC staff	150

NCPCRs North East Cell had organised these workshops in joint coordination with State Commission for Protection of Child Rights (SCPCRs) The Commission had engaged eminent Resource Speakers such as Chief Judicial Magistrate, Chairperson/Members of SCPCR, Senior Faculty from NIPCCD, North East Regional Office, Senior Officers from State Department of Women and Child Development, Program manager, State Adoption Resource Agency etc.

Stakeholders:

- Chairperson and Members from State Commission for Protection of Child Rights (SCPCR)
- Officials from Family & Health Welfare Department
- Nurses from Private and Govt. Hospitals
- Doctors for Private and Govt. Hospitals
- Administrative staff from Private and Govt. Hospitals
- Child Welfare Committee (CWC)
- NGOs and Voluntary Organisation
- Media Personnel

Key Points of Discussion:

- Role of Stakeholders from Private/Govt. Medical Institutions, Challenges and Areas of Concern on Child Adoption”.
- Laws relating to Adoption in India
- Types of Adoption under JJ Act
- Salient features on Adoption under the JJ Act, 2015 and its Model Amended Rules 2016
- Section 31, 32, 34, 41, 65, 80, 81 of JJ Act, 2015 and its Model Amended Rules 2016.
- Fundamental Principles of Adoption, Child Eligible for Adoption, In-country and Inter Country Adoption
- Key Features including Roles and Responsibilities of DM/ADM, CMO/Medical Institutions, Medical Care of Child in CCIs (Rule 33 of JJ Act)
- Challenges and areas of concerns in child adoption

Key Recommendations:

Strict adherence to the below mentioned points is required viz:

- Any child found to be orphan, abandoned or separated from guardian u/S 31 of JJ Act, 2015- Such a child may be produced before the Child Welfare Committee of the District.
- Section 32 of JJ Act, 2015- The Act obligates any person who comes in contact with any such child, to mandatorily report the child to the Child Welfare Committee of the district, Childline Services-1098 or to the District Child Protection Officer. The information has to be given within 24 hours
- Section 33 and 34 of the JJ Act, 2015- If any person fails to report such a child within 24 hours then such act shall be regarded as an offence which is liable to imprisonment up-to six months or fine of ten thousand rupees or both.
- In addition, if it is brought to the notice that the child has been illegally given away in adoption, trafficked, sold for money, then the act of the person shall constitute an offence under Section 75, 80 and/or 81 of the JJ Act, 2015 and/or Section 370 of the Indian Penal Code.

SAMVARDHAN- “One Day State Level Workshop on Combating Child Trafficking Post Lockdown Situation due to COVID-19” held in Guwahati, Assam on 27.09.2021 and Imphal, Manipur on 30.03.2022

Several cases of child trafficking, child marriage and sexual assault were reported in various districts of the State of Assam and Manipur especially the bordering districts, districts having tea garden areas and having minority communities and tribal communities in hill districts bear the brunt of child trafficking. **NCPCR and SCPCR of both these States have noted that Assam is Source, Transit and Destination Hotspot while Manipur is a**

Source and Transit Hotspot State for trafficking of children. In the past there were reported cases of children being trafficked to neighboring countries via Assam and Manipur.

Samvardhan an initiative of NCPCR for preventing Child Trafficking was considered for implementation through conducting workshop in Assam and Manipur. The said workshop was conducted by NCPCR in joint collaboration with Assam and Manipur SCPCRs to gain understanding of the situation of child trafficking and find ways to prevent it based on the recommendations formulated by NCPCR on “Preventing Child Trafficking Post COVID-19 Pandemic”.

Sl. No	State	City	Date	Stakeholders	No. of Participants
1.	Assam	Guwahati	27/09/2021	Senior Official from Department of Panchayati Raj and Rural Development,	150
2.	Manipur	Imphal	30/03/2022	Senior Representatives of DM/DC not below the rank of SDM, Senior Official of the Department of Labour & Employment, District Nodal Officers (Department of Labour & Employment), Senior Official from Samgra Siksha Abhiyan, District Social Welfare Officer (DSWO), State Nodal Officers & District Anti-Human Trafficking Unit, Nodal Officers for Child Trafficking,-Police Department, District Child Welfare Police Officer, State Nodal Officers for Human/Child Trafficking-SSB, District Elementary Education Officer (DEEO), State Senior Official from Department of Transport , Nodal Officers, Department of Health, Special Juvenile Police Unit (SJPU) officers in-charge of Human Trafficking , Chairpersons of Child Welfare Committee (CWC) of	150

				Hotspot Districts, Chairman Zilla Parishad of Hotspot District	
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NCPCRs North East Cell had organised these workshops in joint coordination with State Commission for Protection of Child Rights (SCPCRs) The Commission had engaged eminent Resource Speakers such as Chief Judicial Magistrate, Chairperson/Members of SCPCR, Senior Faculty from NIPCCD, North East Regional Office, Senior Officers from State Department of Women and Child Development, Program manager, State Adoption Resource Agency etc.

Key Points of Discussions:

- Understanding Child Trafficking
- Various Laws and Legislations related to Child Trafficking
- Modus operandi of traffickers
- Identification of Vulnerable Hot-spots within State and at District, Block, Village and GP Level
- Mapping of Vulnerable Children and Families
- Indicators of Vulnerability
- Matching with relevant Schemes of GoI and State Government
- Creating safety mesh for children
- Roles and responsibilities of various stakeholders in preventing child trafficking at District, Block, Villages-Urban and Rural Habitation level.

Key Recommendations:

- Setting of Village Level Child Protection Committee for identification of the family and child, who are victims of trafficking.
- Sample Study is recommended. Anti-Human trafficking unit to setup in the entire District in phase manner on priority basis.
- Rehabilitation plan of the Trafficked Child's family should be formulated after linking with Government of India and State Government schemes.
- Co-ordination Committees must be formed at the District level for prevention and Rescue of the Trafficking Woman and Child with full involvement of the police.

- Paramilitary force, Airport Authority and Civil Society. School syllabus must include at least the unit of Child Trafficking.

One Day Regional Level Orientation Workshop of North Eastern States on Child Rights with Media Personnel organised by NCPCR in Collaboration with Meghalaya SCPCR held at Pinewood Hotel Shillong

Children are one of the most vulnerable sections of population of our society. Recognising this vulnerability, our constitution has introduced various provisions for promoting welfare of children. So, it becomes responsibility of every stakeholder of this democratic system to contribute to the protection of children. Media, being such a stakeholder, share the same responsibility. But of late, it has been seen that Indian media has ignored this responsibility and put more focus on propagating sensational news. Children are often easy target and it is seen that Indian media is more focussed on issues related to child exploitation rather than covering actual child right matters. In this whole affair, children's privacy, rights, and emotions get neglected. It becomes imperative to call for a discussion regarding socio-legal perspectives, how children should be represented in Indian context by our Media, and how their rights can be protected. Deliberations are required with both print and electronic media.

Media is an important aspect of communication but in respect to publishing of Child Sexual Abuse content, identity disclosure and other correlated issues, there are some serious concerns that need to be addressed. The following provision of laws related to Children exists such as, U/s 23, 33(7) of POCSO Act, 2012 to be addressed. The Prevention of Child from Sexual abuse (POCSO), 2012, Section 74 of Juvenile Justice (Care and Protection of Children) Act, 2015 and Under Section 228(A) of Indian Penal Code (IPC), 1860. Even disclosure of the identity of a deceased child attracts the penal provisions of Section 74 (1) of the JJ Act, 2015.

Whenever, the rights of children are threatened, the role of Government of India, child rights organisations and the Media becomes paramount importance. Media as the fourth pillar of democracy has the onus of highlighting and bringing forth any violation of rights of children for the concerned authority to take due action.

The significance of media can be felt from the very fact that media is considered the fourth pillar of democracy. It is the most powerful weapon, which, if used efficiently and ethically, can bring about revolutionary changes in the lives of people. But since long Indian media is facing criticism for being non ethical and serving bias content. Generally, the very function of mass media is of a watchdog of the society, but due to growing competition among various media houses or internal and external pressure, media has failed to show the fact as it is, instead it presents that picture which majority love to watch. Children are often easy target and it is seen that Indian media is more focused on issues related to child exploitation rather than covering actual child right matters. In this whole affair, children's

privacy, rights, and emotions get neglected.

NCPCR has been holding workshops on role of Media on child rights from time to time. Keeping in view the above mentioned facts, it was felt imperative to have a regional conclave on child rights in NER for media personnel (both print and electronic) for having detailed discussion on various aspects of reporting matters related to children as per the guideline for media formulated by the Commission.

Accordingly, detailed guidelines were formulated by the Commission for Media. The Commission extended invites to all the leading (Print and Electronic Media) from North Eastern Region.

Sl. No	State	City	Date	Stakeholders	No. of Participants
1.	Meghalaya	Shillong	29/03/2022	Leading News Papers and Electronic Media from all States of North Eastern Region viz. Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Sikkim and Tripura	150

Objectives

- To give an overview on child rights to Media professionals
- To have in-depth interaction with Electronic and Print Media of NER on sensitive Reporting.
- Salient provisions for media persons as per JJ Act, 2015, Model Amended Rules 2016, POCSO Act, 2012, IPC etc.
- Discussions on Media Coverage and Privacy of a Child.
- Guidelines for media reporting on children
- International Laws, Legislations and Guidelines formulated by NCPCR for media personnel.

Key Points Discussed:

Role of Media in Protecting Child Rights as mentioned below:

- Media professionals (Journalists, Photographers, TV Program Producers and Content Writers for TV and Internet) are champions of human rights. They act as the

eyes, ears and voice of the public, drawing attention to abuse of power and human rights, often at considerable personal risk.

- Through their work they can encourage governments and civil society organisations to effect changes that will improve the quality of people's lives. The way in which the Media represents, or even ignores, children's issues, can influence decisions taken on their behalf, and how the rest of the society regards them.
- While the debate is often raised about the impact of news on society, it is the non-news and particularly the so called "entertainment" broadcast that has a much deeper impact on the society primarily because of the aspect and the manner in which it touches lives.
- In fact, all programmes, be it advertising, reality shows, TV serials, or content on the internet needs to be sensitive about the condition of children in our country and their rights.
- Care needs to be taken to ensure that programs should not be misleading, cause offence, or lead to harm, particularly to the vulnerable children.
- Media professionals frequently expose the plight of children caught up in circumstances beyond their control, or abused or exploited by adults. However, it is equally important to consider the 'children's angle' in more conventional news coverage or even in a television serial.
- A good way of testing the value of changes in the law or policy, for example, is to consider the extent to which children will benefit or suffer as a consequence.
- Content writers need to remind themselves that under the Right to Freedom of Expression, when reporting on children's issues, freedom has to be tempered with caution as they hold a child's life in their hands. Stories should be informative and not sensational. Children need to be treated as important subjects for the Media, and never be taken advantage of their vulnerability.
- Media professionals who understand the consequence of their reporting/writing/programs, appreciate the vulnerability of children, and believe in honest and accurate reporting and respect the rights of the children are truly champions of child rights.
- Media has an important role to raise important socio-economic issues related to children. There are codes and guidelines that can be useful in developing content which is also sensitive to children in our country.

Visit to the children and families of Bru/Reang community members residing in re-settlement / relief camps of North Tripura

Subsequent to NCPCR's earlier visits followed by NCPCR's Research Report on "Devising Pathways for Rehabilitation and Reintegration of Children of Displaced Primitive Tribes of Bru/Reang Community", a team under the leadership of Chairperson, NCPCR & Chairperson Tripura SCPCR made a visit to Bru/Reang Re-Settlement and Relief Camps to assess the situation of children and their residents on 25/11/2021.

A survey report in a tabular format was prepared after interacting extensively with the Displaced Bru Reang community currently residing in the Re-settlement sites and the relief camps. As per the Agreement, around 7000 displaced Bru families are to be settled permanently in Tripura, therefore, allowing them to avail the benefits that would follow and provide a better future where they and their progeny can secure a better future.

Recommendations based on Observations:

The team interacted in detail with the Bru/Reang Community members, children and officials/representatives of district administration in charge of the process of Re-settlement of Bru/Reang community in North Tripura districts. The shortcomings and challenges observed have been documented as recommendations of the Commission.

1. **Education:** The education of children is of paramount importance and every child has the right to free and compulsory education as per the RTE Act, 2009. After assessing the situation of various relief camps, the Commission is of the view that provisioning an Eklavya Model School in Khasnampara Relief camp shall be of help for children residing in various adjacent resettlement camps.
2. **Essential Documentation:** In view of the difficulties faced by children and community members of Bru/Reang Tribe settled in re-settlement camps of North Tripura, essential documents such as birth certificates, caste certificates, Adhar card, pan cards etc for availing student Scholarships, health care facilities required etc, District Administration should expedite providing provisional caste certificates or other provisional documents needed to avail scholarships. The essential documents must be arranged before the settlement process is completed. Arrangement to provide these documents is primordial, so that, no aspirant from the displaced Bru community faces difficulties in availing the benefits of scholarships/reservations and in pursuing higher education.
3. **Issues related to Construction of Resettlement Homes:** As observed by the Commission during the visit, most of the re-settlement sites are at hilly terrain and contain steep slopes and gorges. While conducting the survey and diverting land for re- settlement sites, the actual amount of usable land out of the total land diverted maybe be taken into account since it was noted that many families have been allotted housing plots in steep slopes and gorges as observed in Khahamthaipara under the Panisagar subdivision and also in Bandarima under the Kanchanpur subdivision, North Tripura district.



Hamsapara relief camp under Panisagar subdivision is a suitable terrain where at present around 464 (including split families) are residing. The area where the present relief camp is located is demographically dominated by the Bru/ Bru Reang community and share a common faith, culture and language with the displaced Bru community. The local Bru Reang community has reportedly willingly donated land to the displaced Bru people in the Hamsapara relief camp and submitted NOC and other relevant documents to them. The proposal is reportedly pending for consideration of the district administration. Also, the relief ration meant for Hamsapara residents has reportedly been suspended; the same may be looked into.

4. **Involvement of Local Officers in Resettlement Process:** It has come to the notice of the Commission that several Bru Reang civil servants are present within the executive fold of the Tripura Government, it is arguably important that such civil service officers are given the responsibility or are made an important part of the entire settlement process. Such a measure may immediately nullify multiple factors that are current cause of anxiety amongst the community members.
5. **Preserving of Faith of Children:** The children and the families of displaced Bru Reang community have been reportedly vulnerable to proselytization and their faith, culture and traditions are required to be protected as their Constitutionally guaranteed Fundamental Right.
6. **Issues related to Space Management in new Houses under Construction:** Several grievances were put forth to Chairperson, NCPCR by the members of Bru/Reang community regarding inadequate space for construction of house etc, since in most families there are more than 2 to 3 children. New Houses don't have provision of toilet they need to be given model design/drawing. NCPCR is of the view that a model design for construction of the house, with assistance of an architect, is required to be made available by the district administration. The same could be followed during construction of all the other houses.
7. **Infrastructural Issues:** In resettlement sites where Bru have already started settling, basic infrastructure needs like potable water, schools, roads & electricity, anganwadi centres are required to be made available. Water supplied in sites like Haduklau and Bongopha needs to be reviewed at the earliest and proper action for criminal negligence, dereliction duty may be initiated against those found responsible.
8. **Vulnerability Mapping Exercise of Children:** Mapping of children and their families, residing in these re-settlement sites and the existing relief camps, vulnerable to child trafficking and substance abuse is required to be undertaken by the District Administration. The District administration may refer to NCPCRs recommendations on "Combating Child Trafficking Post Lockdown Situation during COVID-19 Pandemic"

Matching of vulnerable children and their families with relevant Schemes of Government of India and Govt. of Tripura is required to be undertaken by the District Administration. Connecting various other central government schemes such as the Van Dhan Yojana, Swachh Bharat Mission, NRLM, etc is necessary to make the community self-sustainable and empowered.

9. **Child Health Care:** Health mapping of children residing in these settlement sites and the existing relief camps is required to be undertaken. Primary Health Centers/CHC/ Welfare Clinic are required to be provisioned. As reported by the residents of re-settlement camps, Khasnampara village having a re-settlement camp is located very close to Bangladesh border where reportedly no PHC or health care facility exists, the nearest health centre being far from the resettlement village. The roads reportedly lack easy access due to road condition and non availability of transportation. The inhabitants of most of the re-settlement camps are reportedly facing acute problems to approach health centre from the outset of re-location. The villagers are reportedly dealing with adverse health conditions viz. outbreak of diseases like Malaria, Cholera, Fever, and Diarrhea thereby causing panic amongst themselves. Also, reportedly one villager has lost life due to the adverse health conditions. This is a matter of concern and requires immediate attention by the District administration.



10. **Skill Development:** Skill development of adolescents of the Bru Community, residing in these settlement sites and the existing relief camps is required to be done. There is also a necessity to update the current relief ration card and also resolve the issue faced by split families who have separated from the original family unit to start their own families.
11. **Issues related to Communication:** It was brought to the notice of the Commission by the residents of resettlement camps that they have been facing issues in connection with communication since no signal tower for communication is installed at their location. The service providers operating in that area may be asked to install signal towers in the re-settlement camp areas at suitable locations for enabling continuous and un-interrupted communication flow for the residents.
12. **Toilets:** During the visit it was noted by the undersigned that the existing houses constructed for the residents of Bru/Reang tribes lack provision of toilets inside the constructed area of the houses. The children, women and other members of families will have to go out in open due to non-availability of toilets in house. The design and construction of new houses for re-settlement must provision for toilets inside the houses keeping into account the safety and security of children and family members.

- 13. Anganwadi Centres:** The construction of AWC centres is reportedly pending in few of the resettlement camp sites. The District Administration is recommended to ensure provisioning of Anganwadi Centres in re-settlement camp areas after rationalization.
- 14. Play Ground:** No allotment for playground is arranged by administration in our village for children to have co-curricular activity. It is therefore, I request you expecting your intervention for the construction of play ground in our location.

Visit to West Karbianglong Assam-Tiwa Community

Majority of the population in the NER has Tribal inhabitants in its States. The region is generally considered to be an enclave requiring sustained progression in a developing economy and one of the most challenging regions yet possessing rich cultural heritage and amalgamation of traditional diversity of various tribes.

To understand and study one such ancient traditional tribal cultural practice observed by the Tiwa Tribe members residing in Silang Khunji, Village, West Karbi-Anglong, Chairperson, NCPCR along with ADC West Karbi-Anglong and Senior Technical Expert, North East Cell, NCPCR, visited the Said village and interacted with the community members, children and youth of the said village. The members of the said tribe explained to the Commission regarding their social practices, folk and dance and their village council.

The Tiwa themselves are divided into six major socio-linguistic group and clan groups called as –Amkhawali, Amsaiwali, Amniwali, Rongkhawali, Makrowali and Lumphuiwali. These are further divided into smaller groups. It was very encouraging to see by the Commission that the said tribe members were able to preserve their ancient cultural, traditional and religious practices without getting influenced and continuing withstanding the wear and tear of time. It was also noted by the Commission that the community members empowered their children and encourage them to avail formal education along with observing their socio-cultural practices.



CHAPTER-19

Jammu & Kashmir (J&K)

and Ladakh Cell

Chapter 19

Jammu & Kashmir (J &K) and Ladakh Cell

The NCPCR U/s 13 (1) of CPC Act, 2005 (an Act passed through Parliament of India) is mandated to protect, promote and defend the rights of children in the country. The Commission is also mandated to monitor the special acts meant for children, such as RTE Act, 2009, POCSO Act, 2012 and JJ Act, 2015.

After Abrogation of Article 370 A, certain key Acts and Legislations related to Rights of Children are applicable in J&K. Accordingly, NCPCR is mandated to monitor the provisions and entitlements laid down under the following Acts in the UT of Jammu & Kashmir and Ladakh. Consequently, a dedicated Special Cell was created in the Commission to monitor the various provisions and entitlements provided for the children.

The following Acts are in force in J&K:

- CPC Act, 2005;
- JJ Act, 2015;
- POCSO Act, 2012;
- RTE Act, 2009;
- Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994;
- Prohibition of Child Marriage Act, 2006; and other child-related acts.

Objectives of J&K and Ladakh Cell

The objectives of the dedicated cell for J&K and Ladakh are to coordinate inter departmental consultative-cum-review meetings on rights of children with concerned officials of both the UTs from different departments /ministries and to monitor the redressal of grievance in the Commission received from these UTs.

Initiatives of the Commission in J&K and Ladakh in FY 2021-22

Inspection of Child Care Institutions

- In the year 2021-22, the Commission has undertaken sensitization of Chairpersons and Members of CWC on salient provisions of various Child Rights legislations and Acts and sensitization on undertaking real time monitoring of CCIs through MASI App in all the districts of Jammu and Kashmir.
- The Commission had undertaken inspections of Child Care Institutions (CCIs) in 20 Districts of Jammu and Kashmir region. Due to COVID-19 related restrictions, only

24 inspections of CCIs conducted in 2021-22 and reports of the same have been generated on the MASI App of the Commission.

District Level Sensitization cum Orientation Workshop on Child Rights related Acts

- In view of the same, so far the **Commission organised 9 online District Level Sensitization cum Orientation Workshops in March, 2022 covering all the district of Jammu & Kashmir**. During these workshops, the participants were made aware about the key provisions of Juvenile Justice Act, 2015; POCSO Act, 2012; Adoption; and Monitoring of Child Care Institutions.
- The workshops were attended by Chairpersons and Members of CWCs and JJBs of all the districts; SJPU of all districts; District Social Welfare Officer; Child Welfare Protection Officers; District Child Protection Units; Staff of CCIs; and Staff of Child line.

CiSS Data for J&K(Data upto 31st March,2022)

State	Total	Pending	Completed	Orphan	Singleparent	Abandoned
Jammu&Kashmir	251	17	234	34	216	1
Total	251	17	234	34	216	1

Status of grievances of Jammu & Kashmir received in NCPCR during 2021-22

S.N	State	Years	No. of Complaints Received	No of complaints Disposed of
1.	Jammu & Kashmir	2021-2022	13	9

CHAPTER-20

Grievance Redressal Mechanism

Chapter-20

Grievance Redressal Mechanism

Redressal of grievances pertaining to violation of the rights of children is one of the core functions provided under the CPCR Act, 2005. As per Section 13(1) of the CPCR Act, 2005, the Commission is to inquire into complaints and take suo-moto notice of matters relating to: deprivation and violation of child rights; non-implementation of laws providing for the protection and development of children; and non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardship and ensuring welfare of the children. Also, in order to provide relief to such children, the NCPCR is required to take up the issues arising out of such matters with appropriate authorities. Thus, keeping all this in view, the mandates on redressal of grievances, a mainstay of Commission's work, have been revamped to reach out to children of the last mile.

Children, as the future citizens of the country, are the builders of the nation. Thus, it is the responsibility of the nation to provide a safe and conducive environment to the children for their holistic development. However, according to the media reports and data recorded in NCRB, cases of crime against children/child rights violation have been increasing expeditiously, which is horrifying and a threat to the future of our country. The Commission receives complaints through post, in person, email, E-BaalNidan and POCSO e-box. The complaints are also forwarded by any Ministry/Department or registered in Centralized Public Grievance Redress and Monitoring System(CPGRAMS). The Commission has a dedicated system for the effective redressal of these grievances.

During the period 1 April 2021–31 March 2022, the Commission received 5249 complaints. A total of 18507 complaints were disposed of, including the pending complaints from the previous year.

State-wise grievances redressal position						
April 2021- March 2022						
Position of Complaints as on 01-04-2022						
S. No.	States	Pending as on 01-04-2021	Fresh received during April 2021 - March 2022	Total	Closed during April 2021- March 2022	Pending as on 01-04-2022
		1	2	3 (1+2)	4	5 (3-4)

1	Andaman and Nicobar Islands	18	0	18	2	16
2	Andhra Pradesh	1267	198	1465	685	780
3	Arunachal Pradesh	28	10	38	18	20
4	Assam	151	112	263	27	236
5	Bihar	1582	145	1727	909	818
6	Chandigarh	20	22	42	5	37
7	Chhattisgarh	3387	206	3593	2739	854
8	Dadra and Nagar Haveli	0	0	0	0	0
9	Daman and Diu	0	0	0	0	0
10	Delhi	784	463	1247	242	1005
11	Goa	81	3	84	0	84
12	Gujarat	1247	279	1526	769	757
13	Haryana	521	188	709	355	354
14	Himachal Pradesh	90	7	97	51	46
15	Jammu & Kashmir	17	13	30	9	21
16	Jharkhand	1987	309	2296	1012	1284
17	Karnataka	1835	83	1918	1025	893
18	Kerala	915	181	1096	272	824
19	Ladakh	0	0	0	0	0
20	Lakshadweep	0	0	0	0	0
21	Madhya Pradesh	5125	220	5345	3385	1960
22	Maharashtra	1126	124	1250	161	1089
23	Manipur	323	3	326	97	229
24	Meghalaya	240	4	244	170	74
25	Mizoram	63	1	64	32	32
26	Nagaland	298	5	303	207	96
27	Orissa	3264	221	3485	2233	1252
28	Puducherry	69	7	76	64	12

29	Punjab	279	140	419	134	285
30	Rajasthan	550	367	917	283	634
31	Sikkim	80	0	80	50	30
32	Tamil Nadu	1723	187	1910	1107	803
33	Telengana	1265	233	1498	554	944
34	Tripura	663	7	670	572	98
35	Uttar Pradesh	2468	1204	3672	1033	2639
36	Uttarakhand	480	166	646	249	397
37	West Bengal	439	128	567	50	517
	Others	18	13	31	6	25
Total		32403	5249	37652	18507	19145

Subject/Head wise Summary						
Work done on Grievances received by NCPCR during April 2021 - March 2022						
Position of complaints as on 01-04-2022						
Heads		Pending as on 01-04-2021	Fresh received during April 2021- March 2022	Total	Closed during April 2021- March 2022	Pending as on 01-04-2022
		1	2	3 (1+2)	4	5 (3-4)
1	Education	6331	751	7082	4775	2307
2	Child Health, care, welfare or child development	7873	162	8035	3572	4463
3(i)	JJ or care of neglected or marginalized children or children with disabilities	6991	1179	8170	4572	3598
3 (ii)	Social Audit/ Legal Cell	7164	185	7349	2910	4439

4	Elimination of Child labour or children in distress	1878	1699	3577	1334	2243
5	Child psychology or sociology	29	46	75	54	21
6	POCSO and laws related to children	1578	1158	2736	722	2014
7	NE States (Other than POCSO matters)	559	69	628	568	60
Total		32403	5249	37652	18507	19145

Mechanisms for Redressal of Grievances

Some distinctive mechanisms introduced by NCPCR for redressal of grievances are given below.

E-BaalNidan

E-BaalNidan, developed in 2015, is an online Complaint Management System of the NCPCR. It is an online portal with the Web address, www.ebaalnidan.nic.in, wherein any person can register a complaint and get a complaint registration number. Through this number, the progress of redressal of the complaint can be tracked. The registration form is prepared in a way that all the aspects of a complaint can be enumerated and details can be provided. The details that are included are the date of incidence, place, the victims, the authority, the nature and category of complaint, what action was initiated, etc. The home page of the NCPCR website provides the link to login to the E-BaalNidan site and the user has to create a login ID and password. This option is being used mostly by the NGOs and concerned citizens who seriously pursue the matter with the Commission. The complaints registered are electronically forwarded to the concerned consultant to deal with the matter, and thereafter they are processed and dealt like any other complaint. The progress is updated online so that the action taken report and the progress of the case can be viewed by the complainant.

CP GRAMS

Public Grievances Redressal is one of the flagship initiatives for the reformation in governance started by the Central Government through addressing the grievances of general public. Centralized Public Grievance Redress and Monitoring System or CPGRAMS is a web-based application which facilitates Ministries/departments/organizations to receive, forward and monitor grievances. The grievances are received from various sources, like

nodal organizations, namely, Department of Administrative Reforms and Public Grievances(DARPG), Directorate of Public Grievances(Cabinet Secretariat), President Secretariat, Prime Minister's Office, Department of Pension, etc. Under the Public Grievance Mechanism, any citizen of India can raise his/her problems, grievances or pleas to the Central Government and State Government Ministries and Departments.

The NCPCR is one of the listed statutory bodies receiving grievances directly or forwarded by the MWCD or the office of the Prime Minister.

POCSO E-Box

The POCSO e-box is an easy and direct medium for reporting any case of sexual assault under POCSO Act, 2012. The POCSO e-box was launched in August 2016 by the Commission as an additional facility to enable the children to lodge complaints directly to NCPCR, particularly in cases of sexual abuse. It is displayed prominently on the home page of NCPCR website, where the user has to simply press a button named POCSO e-box, which will navigate to a page asking picture options. User has to simply select at least one picture option, fill a simple form and click on submit button to register the complaint. After this, an acknowledgment is received about the complaint being registered along with a complaint number.



The POCSO e-box of NCPCR continued to work on the grievance of child sexual abuse cases during April 2021–March 2022. A total number of 1763 hits were received on the POCSO e-box, out of which 163 complaints were found to be tangible cases of child sex abuse. All the cases received were given prompt attention and reports were sought from concerned authorities of the States.

Complaints of Child Sexual Abuse received through POCSO E -Box:

POCSO E –Box has been an effective platform in receiving complaints for redressal and taking them to a logical conclusion. A total number of 1763 hits were received on the POCSO E Box during April 2021 to March, 2022 and 163 complaints were registered . All cases received were given prompt attention and reports were sought from concerned authorities of the districts and State/UTs. The same is indicated below:

Total no. of complaints received through POCSO E-box during 01-04-2021 to 31-03-2022

Total no. of hits received on POCSO E-box							1763
Total no. of complaints covered under POCSO Act 2012							163
Sr. No	Months	Total no of Hits received through E-box				Total no of complaint covered under POCSO Act 2012 ,received through POCSO E-Box	Dispose off/Transferred Out
		Calls	E-Button	Email	Total		
1	Apr 2021	101	53	06	160	12	00
2	May 2021	52	26	10	88	00	00
3	Jun 2021	52	48	20	120	12	02
4	Jul 2021	98	51	15	164	22	08
5	Aug 2021	74	58	10	142	16	03
6	Sep 2021	114	53	14	181	18	00
7	Oct 2021	100	45	08	153	11	108
8	Nov 2021	69	55	13	137	15	00
9	Dec 2021	95	52	28	175	11	00
10	Jan 2022	35	67	12	114	03	02
11	Feb 2022	41	51	15	107	25	05
12	Mar 2022	106	97	19	222	18	00
	Total	937	656	170	1763	163	128

Quick Response Cell (QRC)

Cases registered and Rescue operations conducted under Quick Response Cell (QRC) in respect of serious complaints/grievances/situations-

A Quick Response Cell (QRC) was constituted by Chairperson, NCPCR in year 2018 to take quick and prompt action in the matters which requires urgent intervention of the Commission. NCPCR concerning the rights of children conducted rescue operations to save children involved in situations of distress such as child labour, child trafficking etc. In order to quickly respond in such cases and rescue operations, the Commission set-up a Quick Response Cell (QRC) for taking speedy action and conducting rescue operations in respect of serious complaints/grievances/situations requiring immediate intervention.

The details of rescue operations conducted in the year 2021-22 are given below:

S.No	State	No. of Rescue Operation	No. of Children Rescued
1.	Andhra Pradesh	1	1
2.	Assam	2	2
3.	Bihar	6	36
4.	Delhi	2	3
5.	Haryana	2	2
6.	Kerala	2	2
7.	Maharashtra	1	1
8.	Madhya Pradesh	1	1
9.	Telangana	1	1
10.	Tamil Nadu	1	1
11.	Uttar Pradesh	2	2
	Total	21	52

CHAPTER-21

MASI Monitoring App for Seamless Inspection & MIS Portal

Chapter -21

(A) MASI Monitoring App for Seamless Inspection

The National Commission for Protection of Child Rights (NCPCR) has developed an application- MASI Monitoring App for Seamless Inspection for real time monitoring of the Child Care Institutions (CCIs) and their inspection mechanism across the country.

The effective and efficient functioning of the mechanism for inspection of Child Care Institutions provided under the Juvenile Justice Act, 2015 and synchronous monitoring of the system is the rationale behind developing this sophisticated and comprehensive application. The app is linked to the monitoring Portal where the automatic reports will be generated. The key features of MASI are as follows

- i. MASI enables unified inspections by Child Welfare Committees (CWCs), State Inspection Committees, District Inspection Committees, Members of Juvenile Justice Boards (JJBs) and State Commissions for Protection of Child Rights (SCPCR) as laid down under the JJ Act, 2015.
- ii. It serves as a single platform for inspections of all the CCIs across the country by any of the above stated authorities.
- iii. The Portal has a database of inspections from the social audit of 7163 CCIs. Comparative reports will be generated by matching with these existing data base highlighting the improvements/depreciations.
- iv. The digitized uniform inspection tool used in the app consists of three parts/sections (a) Indicators based on rules and regulations provided for proper mechanism of CCI (b) Focused Group Discussion with children developed in consultation with NIMHANS and Psychiatric Department of AIIMS, New Delhi. (c) The response on each parameter in the report will be colour-coded (red for noncompliance/deficiencies and green for full compliance). The aim is to improve the condition of CCIs and convert red (non-compliance) into green (compliance) and maintain the same thereafter. (d) Reporting of the irregularities and violation to the Authorities.
- v. To minimize bias, the Team/Inspectors and the CCI to be visited will be randomly selected by the App. Auto generated messages will be sent with date and time for the visit. Moreover, the app will be used by the authorities for random inspections if and when required.
- vi. Regular follow-ups before and after the completion of cycle of inspection.
- vii. The complete reports automatically generated on the Portal as soon as the questionnaire is filled and submitted by the authority.

- viii. On completion of the tenure of authorized person, the login ids provided to the authorities for inspection will be automatically blocked/logged out.
- ix. The App will also be GPS-enabled to check any discrepancies in the location of the CCI and that of concerned authority carrying out inspection.

In the year 2021-22 due to COVID-19 related restriction, only 570 inspections could be carried out using this App.

(B) NCPCR'S MANAGEMENT INFORMATION SYSTEM (MIS) PORTAL

NCPCR being a monitoring authority required data under various Acts in a performance prescribed by NCPCR. To save financial, human and other resources in carrying out this process, NCPCR under Rule 17 (g) of NCPCR Rules, 2006, has initiated the process of collecting data/information through development of an online Management Information System Portal on various indicators. It is a tool that indicates performance under various indicators that help comparing data from other sources.

So far the portal is capturing data on lead indicators on implementation of Acts related to children including Juvenile Justice (Care and Protection of Children) Act, 2015, Pre-Conception & Pre-Natal Diagnostic Techniques Act, 1994, Child and Adolescent Labour (Prohibition and Regulation) Act, 2016, Protection of Children from Sexual Offences (POCSO) Act, 2012, Rights of Children to Free and Compulsory Education Act, 2009. In addition, provisions provided under some of the important schemes like Mid-Day Meals are also captured.

By the end of the financial year ; 1,21,540 datasheets had been submitted and verified by the State authorities.

CHAPTER-22

Administrative Matters and Representation in Courts

Chapter-22

Administrative Matters and Representation in Courts

The role of administration is to ensure efficient and optimum performance of all the divisions and departments at various levels of an organization, as well as coordinate with all in order to facilitate various interventions, initiatives and activities in the best possible way. In the context of NCPCR, administration also looks into the procedures for Transaction of Business by the Commission and its day to day management. Accordingly, the administrative wing of the NCPCR provided support for all the activities geared towards achieving the mandate of the Commission. In the financial year 2021-22, the administration was headed by the Member Secretary with the support of the Registrar, Asst. Director, Consultants in the areas of legal matter, administration and coordination along with a team of support staff. While Registrar looked after the grievance redressal, Asst. Director and Consultants and support staff placed with the administration supported the smooth functioning of the NCPCR, ensuring that the Commission was able to deliver its mandated duties more effectively. Some of the notable works of the administration are highlighted below:

Official Language

The Meeting of the Official Implementation Committee

The meeting of the official Language Implementation Committee of NCPCR was held in every quarter to implement various Constitutional and legal provisions of Official Language Act, 1963 and Rules framed there under.

Hindi Workshop

The Commission organized quarterly Hindi Workshops to orient the officers and staff of the Commission and to work in Hindi instead of depending upon translation. During the Workshop, officials and staff were given practical training to prepare drafts of Letters in Hindi. The participants of the workshop were also given information about official Language Policy of the Government of India.

Hindi Pakhwara

Hindi Diwas is celebrated on 14 September in the country because on this day in 1949, the Constituent Assembly of India has adopted Hindi written in Devanagari script as the official language of India. NCPCR also observed Hindi Diwas on 14th September, 2021. The messages of Hon'ble Home Minister and Hon'ble Minister of Women & Child Development were read amongst the staff.

Hindi Pakhwara (fortnight) was celebrated in NCPCR from 14th September to 30th September, 2021 wherein various activities to promulgate Hindi Language was carried out in the Commission through competitions like Hindi Essay, Hindi ashubhashan, Hindi Kavya Path, Hindi Dictation (for MTS only). The employees of the Commission participated in these events with great enthusiasm.

The winning participants were awarded cash prizes and certificates by the Chairperson, Members and Member Secretary, NCPCR.

Information under Right to Information (RTI) Act, 2005

NCPCR has a Public Information Officer (PIO) and First Appellate Authority (FAA) under the RTI Act, 2005. In the year 2021-22, NCPCR received a total number of 378 applications under the RTI Act, through online and offline mode plus transfer cases. Out of 378 RTI applications, the NCPCR has responded to all as follows: reply was given to 321 applications; 34 were rejected; and the reply to rest 23 applications was issued after 31 March 2022.

Status of RTI Applications of 2021-22

Applications under RTI Act Received in 2021-22	Applications Rejected in 2021-22	RTI Applications Disposed of in 2021-22	RTI Reply Given in next financial year (after 31st March, 2022)
378	34	321	23

Details of RTI Appeal

Similarly, the Commission received 44 RTI appeals and reply was furnished on 43 appeals during 2021-22 and rest of the one appeal was replied after 31 March 2022.

Status of RTI Appeals of 2021-22

RTI Appeals Received 2021-22	Appeals Disposed of 2021-22	Appeal Which was Disposed of in next financial year (after 31st March 2022)
44	43	1

Statutory Meetings of NCPCR

The Commission, as per mandate under Section 10 of CPC Act, 2005 and Rule 18 of NCPCR Rules, 2006, is mandated: “...to meet regularly at its office such as the Chairperson thinks fit, but three months shall not intervene between its last and next meeting.”

These meetings are called Statutory Meetings where all important decisions of the Commission take place. During the year under report, as per the mandate, the Commission conducted four statutory meetings on 4th June, 2021 (46th Statutory Meeting), 23rd July, 2021 (47th Statutory Meeting) 29th October, 2021 (48th Statutory Meeting) and 21st

January, 2022 (49th Statutory Meeting) under the chairpersonship of Chairperson, NCPCR. The quorum of the statutory meetings consists of Chairperson, Members and Member Secretary of the Commission. The minutes of these meetings were prepared and circulated to all concerned; these minutes are also available at <https://ncpcr.gov.in/statutory-meetings>

Sexual Harassment Committee

In pursuance of the Hon'ble Supreme Court's guidelines and norms to provide a complaint mechanism for prevention of sexual harassment of women at workplace, NCPCR vide its order No. C-32011/01/2012-Coord/96941 had constituted a Complaints Committee consisting of five members to hear the complaints of women employees posted in NCPCR and take appropriate action on such complaints. The Committee was again reconstituted vide even number dated 16.03.2022 due to completion of the term of some Members. No formal meeting was convened in the year under report due to non-receipt of any complaint from women employees on sexual harassment at workplace.

Swachhata Pakhwada: 1st -15th March, 2022 : Activities including cleanliness drive was conducted in the Commission. A social media campaign was also carried out with messages of cleanliness.

Representation in Courts

The salient details of important representations undertaken by the Commission in Courts during 2021-22 are mentioned below:

- 1. S.M.W.P © No. 04 of 2020 In Re Children in Need of Care and Protection Due to Loss of Parents During COVID-19 before the Hon’ble Supreme Court of India**
 - The Hon’ble Supreme Court took suo-*moto* cognizance in light of the COVID-19 19-19 which was sweeping the country for children who had lost both or either of their parents due to COVID-19 or otherwise since April 2020. The Hon’ble Supreme Court is closely monitoring the care, protection and rehabilitation of such children and ensuring that their rights are protected.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 28.05.21, the Amicus Curiae had filed an application seeking directions in respect of children who were adversely affected due to the current COVID-19 pandemic by losing either one or both the parents and the increased instances of child trafficking, especially of the girl child. The Commission had informed that its “Bal Swaraj” portal is operational, after which the district authorities were directed by the Hon’ble Court to upload the information of children who have lost either of the parents or both the parents to COVID-19 or otherwise post March 2020. The Hon’ble Court directed the district authorities to upload the said information on the portal of NCPCR before 29.05.2021. The district authorities were further directed to immediately take charge of such children and attend to their basic needs without waiting for any further orders from the Hon’ble Court.
- On 01.06.2021, the Commission filed its affidavit in which the available data of children as uploaded on the portal by the district authorities was submitted. The learned Amicus Curiae requested the Hon’ble Court to direct the State Governments/ Union Territories to appoint a Nodal Officer at the level of Secretaries, Joint Secretaries of the concerned districts who would interact with him and provide all the necessary information relating to identification of orphans/CNCP’s (Children in Need of Care and Protection) along with the steps taken for alleviating the pain and sufferings of the children.
- On 07.06.2021, the Hon’ble Court permitted the learned Amicus Curiae to have a dialogue with Nodal Officers to be appointed by the State Governments to ascertain the information relating to the implementation of the schemes announced by the Union of India and the State Governments/Union Territories favoring orphans and Children in Need of Care and Protection. The Amicus Curiae submitted various suggestions before the Hon’ble Court regarding the identification of children and immediate reliefs to the affected children.

- On 27.07.2021, directions were issued to the State Governments/Union Territories to identify children who have become orphans or lost a parent after March, 2020 either due to COVID-19 or otherwise and upload the data on the 'Bal Swaraj' Portal. The learned Amicus Curiae focused on two issues during the hearing. The first was related to the identification of the children who have become orphans or lost a parent after March, 2020 and steps taken for their welfare and rehabilitation; and the second pertained to their education. The District Magistrates were directed to issue necessary instructions to the District Child Protection Officers to take assistance of the Police, Child line, civil society organizations, Gram Panchayats, Anganwadi and ASHA Network for identification of affected children. All the State Governments and Union Territories were directed to file a status report before 23.08.2021, giving particulars of the number of children who have become orphans or have lost either parent after March, 2020, the number of children who have been produced before the Child Welfare Committees and the particulars of the children who have been provided with the benefits of the schemes announced by the respective State Governments. On the issue of education, the Hon'ble Court directed the State Governments to ensure that orphans are permitted to continue in the same schools at least for this academic year, be it private schools or Government schools. If there are difficulties, they may be accommodated under the provisions of the Right of Children to Free and Compulsory Education Act, 2009. The State Governments were also asked to furnish information on the number of such students studying in private and Government schools and the mechanisms implemented to permit them to continue studying in their respective schools.
 - On 26.08.2021, the learned Additional Solicitor General submitted that the education of eligible children up to 18 years of age is sought to be provided for under the PM CARES For Children – Empowerment of COVID-19 Affected Children. According to the said scheme, beneficiaries were to be given admission in the nearest Kendriya Vidyalaya or in a private school as a day scholar. On admission of the child in a private school, fees as per the RTE norms would be given from the PM CARES fund. The State Governments/Union Territories had filed their responses pursuant to the order dated 27.07.2021. Directions were given for completion of inquiries by the Child Welfare Committees and continuation of education of children who have become orphans or who have lost an earning parent during COVID-19 19- 19.
- 2. S.M.W.P © No. 6/2021 In Re Children in Street Situations before the Hon'ble Supreme Court**
- On 26.10.2021, in respect of the recording of evidence of child witnesses through video conferencing, the learned Amicus Curiae in consultation with Ms. Anitha Shenoy and Ms. Shristi Agnihotri, submitted a draft Standard Operating Procedure (SOP). The learned Amicus Curiae submitted a note on rehabilitation of street children. He had referred to a Standard Operating Procedure for Care and Protection of Children in

Street Situations prepared by the Commission in the year 2020 (NCPCR SOP). In the said document, NCPCR relied upon the National Plan of Action for Children, 2016 and the functions given under Commission for Protection of Child Rights Act, 2005 to highlight the need for rehabilitation of Children in Street Situations (CiSS). The NCPCR suggested in the SOP that teams can be constituted by statutory bodies like SCPCRs and the district child protection mechanism for conducting survey or adopting other means to collect information/data on Children in Street Situations and carry out rescue operations within the ecosystem created by the JJ Act. NCPCR was directed to submit a status report to the Court on the steps taken by the State Governments/Union Territories and the statutory bodies under the JJ Act regarding the implementation of the SOP.

- On 15.11.2021, NCPCR filed its compliance affidavit bringing to the notice of the Hon'ble Court SOP 2.0 prepared to strengthen the processes and interventions regarding CiSS. The Hon'ble Court was informed that the SOP 2.0 had been circulated to the State Governments/ Union Territories. The Hon'ble Court was informed that 'Save the Children' mapped about two lakh children in the cities of Lucknow, Kanpur, Agra, Chandauli and Prayagraj in the State of Uttar Pradesh; Pune and Nashik in the State of Maharashtra; Kolkata and Howrah in the State of West Bengal; and Delhi, whose rights to protection, education, health, water, sanitation and welfare have not been addressed so far. The Hon'ble Court was also informed that the NCPCR has identified 51 religious institutions to rescue and rehabilitate children found on streets, from child beggary and child labour. The Commission further informed that a new link 'CiSS' has been developed on the Baal Swaraj Portal of NCPCR for the purpose of receiving data of CiSS from all the State Governments/ Union Territories to track their rescue and rehabilitation. The Hon'ble Court directed the District Magistrates/ District Collectors to take steps in accordance with SOP 2.0 that was formulated by the NCPCR. The Secretary, Department of Women and Child Welfare of each State was directed to be the nodal officer to ensure that all the District Magistrates / District Collectors took prompt action for implementation of SOP 2.0 formulated by the NCPCR. The District Magistrates/ District Collectors were also directed to ascertain the educational status of those children who were eligible for the benefits under the PM Cares Fund and expeditiously consider the applications of those children who did not receive approval and forward the same to the Government of India.
- On 29.11.2021, the Hon'ble Court was informed by the Learned Counsel appearing for the State of Chhattisgarh that the 'Chhattisgarh Mahtari Dular Scheme-2021' was being implemented for children who have lost either or both parents after March, 2020. The learned Amicus Curiae submitted that the State of Haryana had announced the 'Mukhya Mantri Bal Seva Yojana' to provide certain benefits to children who had lost both parents/surviving parent/legal, guardian/adoptive parent and had become orphans due to COVID-19. According to the said scheme, a child would be entitled to payment of Rs.2,000/- per month under the Central Sponsorship Scheme and an

additional amount of Rs.500/- per month. Additional financial assistance of Rs.12,000/- per annum was to be provided to extended family/guardian for educational purposes of the child. The Hon'ble Court directed the District Magistrates to review the status of each child who was identified for receipt of benefits under the 'PM Cares for Children Scheme' in respect of their education. The District Magistrates were further directed to ensure that the education of the children whose cases were sent for approval to the Central Government was not disrupted. In respect of those children who had become orphans or who had lost either of their parents and were not covered by the 'PM Cares for Children Scheme, the authorities from the education department of the State Governments/Union Territories were directed to address the concern of discontinuation of education of such children. If the children were studying in Government schools, they should be permitted to continue without payment of any fee and in respect of those children who were studying in private schools, the district educational authorities were directed to ensure, in consultation with the private schools, that the children continued in their respective schools without any further financial stress.

- On 13.12.2021, an affidavit was filed by the Commission bringing to the notice of the Hon'ble Court that it had conducted meetings with the concerned authorities for implementation of SOP 2.0 in relation to Children in Street Situations ("CiSS"). On 02.12.2021, 03.12.2021 and 06.12.2021, 28 States/Union Territories had participated in the meetings with NCPCR and provided information relating to the identification of children in street situations. Data provided by the State Governments/Union Territories in respect of rescue and rehabilitation of CiSS was placed on record. The Hon'ble Court directed State Governments/Union Territories to take immediate action for identifying children in street situations without any delay. The Hon'ble Court directed NCPCR to file a status report and the State Governments/Union Territories had to file a status report about the steps taken for rescuing and rehabilitating the children in street situations. In the meanwhile, the District Magistrates were directed to upload the relevant information, not restricted to Stage I, but also the information relating to the other stages.
- On 17.01.2022, NCPCR filed status report about the information uploaded by the State Governments/Union Territories bringing to the notice of the Hon'ble Court that meetings were held with the authorities of the State Governments/Union Territories on 5th, 6th and 7th January, 2022 to discuss the steps to be taken for implementation of the SOP 2.0 in relation to Children in Street Situations. The data of CiSS which was uploaded on the Baal Swaraj- CiSS portal till 11.01.2022 had shown that only 9945 CiSS were identified till then. Whereas, a rough estimate of CiSS, according to the NCPCR, was around 15 lakhs. The Hon'ble Court directed all the District Magistrates to involve the SJPU, District Legal Services Authorities and voluntary organizations in identification and rehabilitation of CiSS and to upload the information pertaining to all stages on the Baal Swaraj – CiSS portal of the NCPCR.

- On 21.02.2022, NCPCR submitted in the Hon'ble Court that the information that was directed to be given by the State Governments/Union Territories relating to the rescue and rehabilitation of CiSS was not being provided by them. Till then, information relating to only 17,914 CiSS was provided when the rough estimate of CiSS in the country was to the tune of 15 to 20 lakh. The Hon'ble Court directed NCPCR to conduct periodical reviews, preferably once a month, to monitor the implementation of the suggestions that were made in addition to SOP 2.0 for Care and Protection of Children in Street Situations.
- On 28.03.2021, NCPCR had stated in its affidavit dated 24.03.2022, that the State Governments/Union Territories had informed that formulation of policy consequent upon the recommendations made by the NCPCR was under process and would be completed by second week of April, 2022. The Commission had also given particulars of Children in Street Situations (CiSS) who have been identified and the steps taken by various State Governments/Union Territories for rehabilitation of children. The Hon'ble Court directed State Governments/Union Territories to assess the gaps pointed out by the Commission in its affidavit, in the measures so far adopted and to act on the recommendations made by it.

3. W.P. © No. 884 of 2019 Ms. XXXX and Ors. V. UOI before the Hon'ble Supreme Court of India

- A Petition was filed by the commercial sexual exploitation, prostitution, physical and mental torture of the petitioners (minor children) and vehement violation of their Fundamental Rights enshrined under Articles 21 and 23 of the Indian Constitution and provisions of Immoral Traffic (Prevention) Act, 1956. As per the petitioners, they were trafficked as young girls from West Bengal, Nepal and Bangladesh and were illegally detained and forced into prostitution. The perpetrators who trafficked the petitioners operated in the infamous Sonagachi red light area of Kolkata inside residential buildings owned by the Respondent property owners.

From April, 2021 to March, 2022 following developments took place in the matter:

- The matter was listed on 27.09.2021 but was adjourned by the Hon'ble Court.

4. W.P. © No. 737 of 2020 The Child Rights Trust & Anr. V. UOI & Ors. Before the Hon'ble Supreme Court of India

- A Writ Petition was filed under Article 32 of the Constitution of India in public interest for enforcement of fundamental rights of migrant workers under Article 14, 19, 21, 21A, 39, 45 and 47 of the Constitution of India in the wake of and as an aftermath of the COVID-19 pandemic and the resultant extended lockdown.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 13.04.2021 Hon'ble Court directed all the States/UTs to file their respective reply affidavits wherein they shall state the number of migrant children present in their respective States/UTs and also the conditions of such children.
- 5. W.P. © No. 568 of 2021 Arun Mukherjee & Ors. V. Chief Secretary, State of West Bengal & Ors. Before the Hon'ble Supreme Court of India.**
- A Writ Petition was filed by the petitioners who were being aggrieved by the post electoral violence in Bengal from 02.05.2021 causing bombing, murder, gang rape, outraging modesty of women, arson, kidnapping, loot, vandalism and destruction of public property, which had led to widespread fear and terror in the minds of ordinary residents of the state forcing them to leave their homes.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 25.05.2021, the Hon'ble Court passed an order impleading NCPCR as a respondent in the matter. After that, all orders were passed either adjourning the matter or to issue the notices of appearance to the impleaded parties.
- 6. W.P. © No. 634 of 2021 Vinay Vinayak Joshi v. Union of India before the Hon'ble Supreme Court of India.**
- The petitioner had filed a Writ Petition for being aggrieved by the notification of MHA extending the date of compliance of specific provisions of FCR (Amendment) Act, 2020. The MHA had given the NGOs and individuals holding FCRA license to open the bank account in the designated branch of State Bank of India at New Delhi latest by 30.06.2021 instead of the deadline of 31.03.2021. MHA had also validated the licenses of these NGOs till September, 2021.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 09.11.2021, the Hon'ble Court concluded the arguments and reserved the Judgment.
- 7. W.P. (Crl.) No. 274 of 2020 Santosh Vishwanath Shinde & Anr. V. Union of India & Ors. Before the Hon'ble Supreme Court of India.**
- The present Writ Petition was filed seeking interim relief/ directions filed under Article 32 of the Indian Constitution in public interest. The Writ Petition sought, inter alia, a writ of mandamus or a writ/direction of a similar nature directing the Respondents that during the COVID-19 pandemic, the recording evidence of child victims/witnesses of human trafficking across the country, including statements under Section 164 of the Code of Criminal Procedure, be ordinarily undertaken via video- conferencing from a government facility within the local jurisdiction of the residence of such children. The matter was filed for issuance of a direction to record the evidence of child victims/

witnesses of human trafficking through video conferencing from a government facility within the local jurisdiction of the residence of the child victim/ witness concerned.

- The matter was filed for issuance of a direction to record the evidence of child victims/witnesses of human trafficking through video conferencing from a Government facility within the local jurisdiction of the residence of the child victim/witness concerned. The matter had been tagged with **Re- Contagion of COVID-19 Virus in Children Protection Homes Suo-Moto W.P. I No. 04 of 2020.**

From April, 2021 to March, 2022 following developments took place in the matter:

- The Hon'ble Court carefully examined the draft SOP which contained minute details about the steps to be taken for recording the testimony of child witnesses at Remote Points. It was also observed that there was no objection taken by any High Court to the SOP being put in practice immediately. The Hon'ble Court directed that the SOP shall be followed in all criminal trials where child witnesses, not residing near Court Points, were examined and not physically present in the courts where the trial was conducted. The Hon'ble Court also directed the RPCs to ensure that child-friendly practices were adopted during the examination of the witnesses.

8. W.P. © No. 4663 of 2021 Piyush Chhabra v. State & Ors. Before Hon'ble High Court of Delhi.

- A Delhi based Advocate had come up with a PIL under Article 226 of the Indian Constitution, highlighting various incidence depicting the plight of helpless and poor children exploited and being used as tools for begging on the streets, busy markets and other crowded areas in Delhi which is directly in violation of the child rights. As per the advocate, these vulnerable children on streets of Delhi are exploited and their constitutional rights are violated for the gains of few.
- The respondents named in the petition included the State of N.C.T of Delhi, Ministry of Women and Child Development of Government of N.C.T of Delhi, National Commission for Protection of Child Rights, Delhi Commission for Protection of Child Rights, Commissioner of Police of Delhi Police, National Human Rights Commission and Child Welfare Committee of New Delhi. The Advocate had mentioned in his petition that the exploitation of children was openly visible at traffic signals and junctions of the Capital where children in the age group of 0-8 years are used in the sale of goods and begging. The petitioner argued that such children living on the streets put at risk of mental and physical dangers. The children are exposed to risks of traffic accident, adverse weather conditions and diseases like dengue, malaria and even the coronavirus. The Advocate has prayed for immediate orders for the protection of children living on the streets. Necessary orders to identify the individuals responsible for using children for begging and for rehabilitation of the children were also prayed for.

From April, 2021 to March, 2022 following developments took place in the matter:

- The Hon'ble Court issued notices to the respondents in this case on various hearings till date and has sought their counter affidavits. The Commission had filed its counter affidavit.
- 9. **W.P. © No. 4236 of xxxxx v. NCPDR, and W.P. © No. 4288 of 2021 xxxxx v. NCPDR before the Hon'ble High Court of Delhi**
 - The petitioners which are the CCIs functional in New Delhi had come up to challenge the Inspection Reports of the Commission and the Show-Cause notice dt. 21.01.2021 issued by the Samagra Shiksha Abhiyan, Delhi Government based on the report of the Commission under Section 15(i) read with Section 13(1)(j) of the Commissions for Protection of Child Rights Act, 2005. The said report and the consequent show-cause notice stated the violations which were found by the Commission during the inspection of two homes.

From April, 2021 to March, 2022 following developments took place in the matter:

- The matters were listed and the Commission had filed its affidavits as well with regard to the procedure that was followed by it while carrying out the inspections. Thereafter, the two homes were asked to file their rejoinders.
- 10. **W.P. © No. 8210 of 2021 Makarand Suresh Mhadlekar v. Rahul Gandhi & Ors. Before the Hon'ble Delhi High Court.**
 - A Writ Petition was filed for issuance of appropriate writ, order or direction to NCPDR and Twitter for taking appropriate legal action against a Member of Parliament for disclosing sensitive information about a rape victim and her family members by publishing a photograph of her parents on his Twitter handle. As per the petitioner, the said conduct was in violation of Section 74 of the JJ Act, 2015 and Section 23 (2) of the POCSO Act, 2012, both of which mandates that the identity of a child victim of a crime shall not be disclosed.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 11.08.2021, it was submitted before the Hon'ble Court that the Twitter account of the MP, had been blocked by Twitter as the Tweet in question was against the Policy of Twitter. The Commission was also made a respondent in the said case and was issued a notice. The petitioner had disputed the said submission and since thereafter, the matter has been put on adjournment(s) for further arguments.
- 11. **W.P. © No. 5927 of 2021 xxxx Minor Through Natural Guardian Namley xxxxx & Anr. V. State of NCT of Delhi & Ors. Before the Hon'ble Delhi High Court**

- A Writ Petition was filed seeking expeditious implementation of various schemes as floated by respondents including but not limited to The Union, GNCTD, NCPCR etc. for providing compensation/ex gratia amount and other benefits to families with children, where the sole bread earner has expired on account of lack of supply of oxygen during the second wave of the COVID-19 pandemic. The petition was filed through the mother, being the natural guardian for the petitioners.

From April, 2021 to March, 2022 following developments took place in the matter:

- On various occasions, adjournments were sought, citing reasons for filing affidavits and counter affidavits.
- On 23.03.22, the Hon'ble Court observed that the Union as well as GNCTD had placed their position with respect to the issues raised in the petition. The fact that appropriate policy measures for the rehabilitation of children who had lost parents during the COVID-19 pandemic has been duly formulated and adopted was not disputed. The sole issue which now survives in the matter is regarding the continuance of the education of the petitioner with the respondent Institution. The counsel representing the Institution was requested to obtain instructions with respect to the prayers sought in the writ petition.

12. W.P. © No. 2558 of 2021 XXXXX v. The Union of India & Ors. Before Hon'ble Delhi High Court

- A Writ Petition was filed regarding illegal adoption which are prevailing and pervading in India. The issues being faced by the prospective adoptive parents under the present adoption laws were highlighted in the petition.

From April, 2021 to March, 2022 following developments took place in the matter:

- The Court had issued notices and given time for the filing of counter affidavits.

13. W.P. (Crl.) No. 1489 of 2021 XXXX v. State (NCT of Delhi) before Hon'ble Delhi High Court.

- The Petitioner had come before the Delhi High Court to locate the whereabouts of the missing child (petitioner's nephew). The Hon'ble Court had impleaded NCPCR in this matter through the order dated 03.03.2022 citing the monitoring role played by NCPCR under the JJ Act, 2015.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 03.03.2022, the Hon'ble Court took note that the Police Station has been unable to locate or produce the minor. Therefore, in view of the mandate of Sub-Rule 5 of Rule 92 of the Juvenile Justice (Care and Protection of Children) Model Rules 2016, the investigation of the case was transferred to the Anti Human Trafficking Unit (AHTU), East District to be supervised by the DCP concerned who was asked to file a status

report as well. It was emphasized by the Hon'ble Court that the said report shall elaborate the steps taken by the AHTU, East District to locate and recover the missing minor. The AHTU was further directed to intensify efforts to locate and produce the missing minor child at the earliest. It was observed by the Hon'ble Court that the National Commission for Protection of Child Rights constituted under Section 3 or the State Commission for Protection of Child Rights constituted under Section 17, as the case may be, have been mandated vide Section 109 of the Commission for Protection of Child Rights Act, 2005 to monitor the implementation of the provisions of the said Act as may be prescribed. Therefore, in this light, court mentioned that requisite steps shall be taken by the Commission to ensure compliance of Rule 92 of the Juvenile Justice (Care and Protection of Children) Model Rules 2016.

14. W.P. (Crl) No. 1429 of 2020 Mohammad Zubair v. State of GNCT & Ors. Before the High Court of Delhi.

- On 07.08.2020, the Commission had received a complaint against a person named Mohammed Zubair for giving online threats and repeatedly stalking a minor girl on Twitter. Even his followers had started posting indecent and disgraceful comments on the minor girl's pictures. Thereafter, an FIR was also registered against Mohammed Zubair. He had then approached the Hon'ble Court to stop any criminal action from being taken against him and to further take criminal action against the respondents including the Commission.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 10.02.2022, the new Standing counsel who was appointed had sought the copy of paper book which was permitted by the Hon'ble Court to be supplied within two days to him. Apart from that, the complainant had sought time to file reply affidavit and time of four weeks was granted by the Hon'ble Court, thereby also providing three weeks thereafter for the filing of rejoinder affidavit.

15. W. P. © No. 99 of 2016 Suo Motu v. State of Rajasthan & Ors. Before the Hon'ble High Court of Rajasthan at Jaipur.

- The Hon'ble High Court of Rajasthan at Jaipur had taken suo moto cognizance on account of incidents relating to suicide committed by students at Kota due to depression and frustration. During the course of the case, it was found necessary to enact a legislation for controlling and regulating the coaching institutes for reducing the level of stress amongst the students so as to contain the number of suicides taking place in the State in general and in Kota in particular. For this, a committee was formulated. It was also directed that the Committee should take into account the report of NCPCR and also consider their views after inviting them for specific meetings.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 02.02.2021, it was submitted that the draft legislation was prepared and an adjournment was sought on the ground that some more time was required till its finalization. On 06.07.2021, the Court directed to share the copy of the draft legislation with the Committee which was constituted. The suggestions of the Committee were also directed to be taken into consideration while finalizing the draft. The draft legislation was directed to be finalized expeditiously, in any case, within two months. After that, on various hearings, only adjournments were sought.

16. WP. © No. 391 of 2020 Dr. Mithilesh Kumar Gautam v. State of Rajasthan & Ors. Before the Hon'ble High Court of Rajasthan at Jaipur.

- The petitioner had filed the petition on behalf of the families who had lost their infants due to callous approach of the administration and lack of basic medical facilities in Kota, Rajasthan.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 05.01.2022, the Hon'ble Court was informed by the Additional Advocate General that in compliance of the Order of the Court, a committee had already been constituted which is holding an enquiry into the matter. It was therefore requested that more time be granted to complete the enquiry and submit the report.
- On 04.03.2022, a compliance report which was submitted by the Committee was taken on record and the Hon'ble Court granted 4 weeks' time to the petitioner and respondents to submit their comments on the report.

17. S.B. W.P. © No. 5071 of 2021 XXXXXX through its Secretary v. State of Rajasthan & Ors. Before the Hon'ble High Court of Rajasthan at Jaipur.

- A registered Trust under the name of XXXXXX was the petitioner. The petitioner runs a school- Bhartiya Vidya Niketan for providing school education to economically and socially weak children. It also provides them with residential facilities run by it. 29 students were studying in the school run by the Trust at the institution of this petition. The petitioner had stated that before admitting the children in the hostel, they always took an affidavit stating the consent and free will of the guardian. The petitioner had challenged the applicability of the JJ Act, 2000 (which is not in implementation anymore) on its institutions.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 13.05.2021, notice for appearance was issued by the Hon'ble High Court to the respondents.

18. DB © W.P. (PIL) No. 8163 of 2020 Shailesh Nath Singh v. State of Rajasthan & Ors. Before the Hon'ble High Court of Rajasthan at Jaipur.

- A Writ Petition was filed in which the Commission was a party as Respondent No. 4, and the Writ had brought up the issue of incapability of people to pay the deferred and applicable school fees of Petitioner's wards in unaided non-governmental schools due to COVID-19 pandemic.

From April, 2021 to March, 2022 following developments took place in the matter:

- Only adjournments were sought between April, 2021 to March, 2022. The NCPCR filed its affidavit in the matter.

19. S.M. PIL No. 2 of 2020 Registrar Judicial v. Union of India before the Hon'ble Bombay High Court, Bench at Aurangabad.

- The Hon'ble Court had taken suo moto cognizance on the report filed by the Registry in respect of the visit by the President, DLSA, Jalna to "xxxxx" and "xxxxx" under a previous PIL. This time, the Hon'ble Court had taken up the matter to direct the respondents to report the compliances of directions issued by the Hon'ble Supreme Court and the Hon'ble Bombay High Court in the PILs earlier.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 20.08.2021, the Hon'ble Court observed that stern steps need to be taken against Maharashtra State Commissioner for Persons with Disability including issuance of warrant to secure his presence before the Court as he was not co-operating and giving the instructions about the compliances to the officer of the Court. The Hon'ble Court further directed the Maharashtra State Commissioner for Persons with Disability to give proper instructions to the learned A.G.P. within a period of two weeks, with a warning that the court will be constrained to issue non-bailable warrant against him otherwise. The Hon'ble Court also directed the learned A.G.P. to take instructions from the concerned law enforcement machinery regarding the Crime No. 577 of 2020 and whether the investigation has been conducted from the point of view of financial illegalities and irregularities. The further progress in the investigation qua the Crime No. 585 of 2020 be also placed on record. The learned A.G.P. was further directed to take instructions as to why a particular inmate was still with xxxxx and was not transferred to another recognized Child Welfare Home.
- On 07.10.2021, the Hon'ble Court held that the State could not consider the present matter as an adversarial litigation. The State, its officers were expected to be sensitive to the conditions in which the inmates in the xxxxx and xxxxx were required to reside. The Court further held that the officers concerned were expected to take the matter with all seriousness and place the information on record as sought.
- On 15.03.2022, the Amicus Curiae undertook to prepare a synopsis to indicate stages of the case from time to time, and also regarding whether the directions issued by the Court were complied with or not. Synopsis was directed to be filed within a period of two weeks.

20. W.P. I No. 5874 of 2021 Avanindranath Bartaria v. CBI & Ors. before the Hon'ble High Court of Madhya Pradesh at Jabalpur.

- The Petitioners filed a Writ Petition indicating their discontent due to the unsatisfactory investigation carried out by the Madhya Pradesh Police Department in investigation of unnatural death of the 8-year-old daughter of the Petitioners under suspicious circumstances after returning from the school.

From April, 2021 to March, 2022 following developments took place in the matter:

- Affidavit on behalf of NCPCR was filed.
- On 22.06.2021, Notice of Appearance was issued to CBI.
- On 12.08.2021, Notice of Appearance was issued to Respondent No. 6. The state prayed for two weeks' time to file the reply.

21. W.P. No. 12117 of 2021 Ayyalasomayajula Sai Santosh v. State of Madhya Pradesh & Ors. before the Hon'ble High Court of Madhya Pradesh, Jabalpur.

- The petitioner came up with concerns regarding the statements made in the annual report of XXXXXX stating that the said statements were false, baseless and contrary to the rights guaranteed to every citizen of the country by the Indian Constitution.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 16.07.2021, the Hon'ble Court adjourned the matter with directions to the parties to file the needful documents.
- On 29.03.2022, the Hon'ble Court was of the view that the petitioner was entitled to file a criminal complaint against the respondents if he so desired. The Court observed that it was not necessary to direct the others to file FIR against the concerned respondent. The petitioner was very well entitled to do it under law. There existed no prohibition for him to register a complaint by himself. Hence, the writ petition was disposed of.

22. CWP No. 8459 of 2020 Rajiv Kumar & Ors. v. State of Punjab & Ors. before the Hon'ble High court of Punjab & Haryana at Chandigarh.

- The petitioners had approached the Hon'ble Court against the non-compliance to various provisions under the Right of Children to Free and Compulsory Education (RTE) Act, 2009. The Commission was impleaded as respondent in this matter.

From April, 2021 to March, 2022 following developments took place in the matter:

- The matter was listed but was adjourned by the Hon'ble Court with directions to the parties to file the needful documents.

23. W.P. I No. 113547 of 2019 XXXXX Registered under Karnataka v. UOI & Ors. before the Hon'ble Karnataka High Court (Dharwad Bench)

- The writ petition was filed before the Hon'ble Court, wherein the Commission was impleaded as a respondent. The issue involved in the matter pertains to the alleged fact that NCPCR had directed an inquiry against the Petitioner on the basis of wholly false complaint lodged by the Respondent No.8 without inquiring into the matter or affording an opportunity to the petitioner to be heard. Further, the Respondent No. 7 had ordered the Petitioner to reinstate the wards of Respondent No.8, who have failed to pay the fee for three full academic years on the basis of the said order of NCPCR and by misinterpreting it.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 27.01.2022, the Commission submitted that as the significant impugned orders were by the Karnataka State Commission for Protection of Child Rights and the follow up action were by the authorities, the Commission would not be a necessary party and the proceedings as against the Commission could be dropped. The Court observed that this submission could also be considered at the time of final disposal and the other learned counsel for the parties submitted that the petition could be disposed of on the next date of hearing.
- On 03.02.2022, the Hon'ble Court observed that the question for consideration in the case was- Whether a private institution which does not receive any government aid can be directed to continue the admission of the students even when the parents of the children, for reasons, have not paid the fees prescribed by the institution continuously for certain years. The petitioner, a private institution, had inter alia impugned the order of the Block Education Officer's direction to readmit the Respondent No. 8's children who had been discharged. The petitioner contended that neither the National Commission for Protection of Child Rights nor the State Commission for Protection of Child Rights had issued any such directions. However, the proceedings before the National Commission for Protection of Child Rights were misread to give such directions and therefore, the Block Education Officer had issued the impugned directions. It was made imperative for the parent, the Respondent No. 8, to place on record the details of educational institutions where the children were pursuing studies for the last three years on the next date. The learned Additional Government Advocate was directed to place on record the policy of the State, if any was there, to ensure that the children's education was not disrupted, for reasons as in the present case or otherwise, during COVID-19 pandemic.
- On 24.02.2022, the Respondent No. 8 submitted that his children were pursuing their education in government school and the respondent was not in favour of prosecuting his grievance any further. Therefore, the petition could be allowed to set aside. The Hon'ble Court allowed it with the observation that the impugned orders will have to yield.

24. W.P. I No. 20655 of 2019 Council for the Indian School of Certificate Examinations v. Union of India & Ors. before the Hon'ble High Court of Orissa.

- The present petition was filed by the Council for the Indian School of Certificate Examination against NCPCE's order directing all the school affiliated to the Council for the Indian School Certificate Examination restricting them from prescribing any syllabus or textbook outside what has been prescribed by the academic authority under Section 29 of RTE Act, 2009.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 26.07.2021, the Hon'ble Court adjourned the matter.

25. W.P. I No. 9607 of 2019 XXXXX & Ors. v. Council for India School Certificate Examination & Ors. before the Hon'ble High Court of Calcutta.

- The present Writ Petition was filed before the Hon'ble High Court of Calcutta by the petitioners (all minors), against the forceful and illegal transfer of petitioners by the XXXX School, Kolkata and the resultant humiliation, depression and negation of fundamental right of petitioners guaranteed under Article 21A of the Indian Constitution. As per the petitioners, 18.12.2018 was the last working day at xxxxx School before Christmas Holidays when students of Class VIII- C including the petitioners in spirit of joy, got involved in non-disciplinary acts, resulting in damaging some old furniture of the classroom.

From April, 2021 to March, 2022 following developments took place in the matter:

- The matter was listed but was adjourned by the Hon'ble High Court.

26. PIL No. 29 of 2021 Abhijit Sarmah v. Union of India before the Hon'ble Gauhati High Court.

- This petition was filed in regard to the incident of post- election riots in West Bengal and inhuman brutality subjected to children in the state.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 01.06.2021, PIL 29/2021 and PIL 30/2021 were tagged as per the directions of the Hon'ble Court since in both these petitions, the issue was raised with regard to internally displaced person (IDP) who had been forced to flee from the State of West Bengal to Assam pursuant to the alleged violence post West Bengal Assembly Election. The Hon'ble Court held that the State of Assam would be at liberty to file its objections as to the maintainability of the petitions itself, inasmuch as, if State of West Bengal was a necessary party and in case it was a dispute between the State of Assam and State of West Bengal, then this Court might not have jurisdiction to decide the matter,

as the matter would then be for exclusive jurisdiction of the Apex Court, under Article 131 of the Constitution of India.

- Thereafter, the matter was listed but adjourned by the Hon'ble Court with directions to the parties to file response and the needful documents in this matter.
- On 20.01.2022, the Hon'ble Court gave four weeks' time to the respondents for filing detailed affidavit.

27. WPA (P) No. 9 of 2020 Arijit Adhikary v. State of West Bengal & Ors. before the Hon'ble High Court of Calcutta.

- The writ petition is in relation to custodial death of a minor boy while he was in police custody. The teenage boy was apprehended by the Mollarpur Police for committing theft and was kept in a police station. While in the police station, the boy hanged himself in the bathroom. The Hon'ble Court, therefore, took suo-motu cognizance of this incident to inquire into the steps leading to the arrest of the boy and the investigation undertaken into the boy's death while in police custody.

From April, 2021 to March, 2022 following developments took place in the matter:

- The matter was listed but was adjourned by the Hon'ble Court with directions to the respondents to file the needful documents.
- On 21.12.2021, affidavit was filed on behalf of National Commission for Protection of Child Rights.

28. W.P. I No. 2133 of 2014 XXXXX v. The Government of Andhra Pradesh before the Hon'ble Andhra Pradesh High Court.

- The present writ petition was filed by XXXXX, wherein it had prayed to issue a writ in nature of mandamus, declaring the action of Respondent No.2 in issuing proceedings in Rc. No. Spl/DEO/VSP/2014, dated 18.07.2014, as illegal, without jurisdiction and contrary to the principles of natural justice.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 26.10.2022, the Learned Counsel for petitioner filed a memo before the Registry seeking permission of the Hon'ble Court to withdraw the writ petition. Permission for withdrawal was granted by the Hon'ble Court. Accordingly, the Writ Petition was dismissed as withdrawn.

29. W.P. I No. 14272 of 2019 Minor xxxxxx v. NCPDR before the Hon'ble Madras High Court.

- The minor petitioner was born out of wedlock. However, due to the unbearable torture and harassment inflicted by the father of the minor petitioner, the mother of the minor petitioner filed a Divorce Petition before the Family Court at Port Blair and an order was passed directing the 4th respondent to pay Rs. 20,000/- per month for the minor petitioner and her mother. Petitioner's mother filed another application for

enhancement of monthly maintenance and the same was decreed ex parte on 14.06.2018. Tamil Nadu State Commission for Protection of Child Rights (TNSCPCR) conducted an enquiry and passed an order dated 12.11.2018, directing the 4th respondent to pay monthly maintenance of Rs. 35,000/- per month to the minor petitioner. However, the 4th respondent did not comply with the order of the TNSCPCR. The petitioner submitted a representation to NCPCR on 20.04.2019 seeking to direct the 2nd respondent (TNCPCR) to take appropriate action against the 4th respondent under Section 15 of the CPC Act, 2005 but no further action was taken. Thereafter, the minor petitioner approached the Hon'ble High Court of Judicature at Madras for justice.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 02.11.2021, the Hon'ble Court directed the father of the minor to pay the arrears of maintenance as ordered by the TNSCPCR, within a period of three weeks from the date of receipt of a copy of the Court's order and also to continue to pay the monthly maintenance on or before 5th of every English calendar month. It was further held that if the father failed to comply with the said direction, the NCPCR and TNSCPCR could take action under section 15 of the Commission for Protection of Child Rights Act, 2005. Consequently, the respondents shall also initiate garnishee proceedings against the Executive Officer, Panchayath Samiti, Ferrargunj Port Blair, Andaman & Nicobar Islands for recovery of the amount. Matter was accordingly dismissed by the Hon'ble Court.
- The case was disposed of vide order dated 02.11.2021.

30. W.P. I No. 24882 of 2012 Jambeswar Naik v. State and Ors. before the Hon'ble High Court of Orissa.

- The petition was filed by the fathers of two innocent young children who died in tragic circumstances in an Anganwadi Centre operating in the premises of a Government School in Angul District on 07.09.2021.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 30.09.2021, the Hon'ble Court held that the death of two little children was entirely avoidable and would not have occurred if barricades had been erected around the excavated pits. According to the Hon'ble Court, a clear case was made out for grant of compensation for violation of the constitutional right to life of the two young children resulting in their needless deaths at a very young age. Keeping in view all the facts and circumstances, the Court directed that a sum of Rs.10,00,000/-(ten lakhs) was to be paid to each of the Petitioners for the deaths of their two little children in the capacity as their respective fathers. The amount had to be paid by the District Administration within a period of four weeks from the order and compliance affidavits were to be filed in the Court on or before 1st November, 2021. If there was non-

compliance with this direction, the Hon'ble Court directed that the Registry would list this matter before the Hon'ble Court for appropriate orders.

- On 01.11.2021, a report of the Collector and District Magistrate, Angul dated 29th October 2021 addressed to the Advocate General confirming the disbursal of the amount as directed by the Court in the Judgment was placed on record. No further direction was given by the Hon'ble Court.

31. W.P. No. 13405 of 2021 xxxxxx v. State of Madhya Pradesh before the Hon'ble High Court of Madhya Pradesh at Gwalior.

- The said petition was filed on behalf of a minor who was 03 years old and belonged to Schedule Cast in Madhya Pradesh. Petitioner had submitted an online application before the State Government for admission in capacity of schedule caste as per guidelines of the State Government on 08.07.2021 and provided documents as per the requirement. The State Government portal assigned and confirmed the admission of the petitioner in XXXX School on 16.07.2021. When the petitioner went to complete the formalities in the school, the administration of the school refused admission.

From April, 2021 to March, 2022 following developments took place in the matter:

- On 31.07.2021, the Hon'ble Court issued notice to the respondents.
- On 10.11.2021, the learned counsel for the State submitted that it did not give recognition to any school which was for Class I or II but only to those schools which were at least from Class I to Class V, so that child could avail the benefit of Right of Children to Free and Compulsory Education Act, 2009.
- On 18.11.2021, the Hon'ble Court directed the State to file additional affidavit in view of submissions made in rejoinder specifying the position whether the petitioner could be given admission in the current session in a school which came under the purview of Right to Education Act, 2009, and if not, then whether the minor could be given admission in LKG from next academic session so that she could continue her education.
- On 06.01.2022, on directions of the Hon'ble Court, parties tried to explore the possibility for settlement with an aim to ensure that child's education in no way got jeopardized. A consensus was arrived at amongst the parties that the Writ Petition could be disposed of as withdrawn with liberty to petitioner to apply afresh for Class-I no sooner she attained the age of five years in schools as defined under Section 2(n) of the Act of 2009. The OIC had submitted that all possible assistance should be provided to the petitioner for admission and the writ petition stood disposed of.

32. W.P. No. 25356 of 2018 Rajlakshmi Foundation v. State of M.P. & Ors. before the Hon'ble Madhya Pradesh High Court

- The petitioner namely Rajlakshmi Foundation had filed the petition in the nature of Public Interest Litigation (PIL) highlighting the inaction of the Child Welfare Committee

in protecting and restoring the basic rights of children under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 especially under section 2(14) of the JJ Act. According to the petitioner, the CWC was not properly exercising its power in granting visitation rights to the children who are in need of care and protection as defined under section 2(14) of the JJ Act with the non-custodial parent thereby violating the fundamental right of the child under the Article 21 of the Constitution of India

From April, 2021 to March, 2022 following developments took place in the matter:

- The matter was listed but was adjourned by the Hon'ble Court.
- On 03.02.2022, the Hon'ble Court observed that the present petition was virtually seeking that the order passed by the Apex Court in writ petition no. 6163/2016 be not implemented and that amounts to setting aside the said order. The coordinate Division Bench of this court had already declined to interfere with the order, therefore, the Hon'ble Court could not again examine the validity of the judgment and set it aside. In the aforesaid case of xxxx after considering all the provisions of law especially JJ Act, Family Court Act, Hindu Minority and Guardianship Act, 1956, it was held that the CWC cannot act as a Family Court in respect of custody of the child. The power lied with the Family Court under the statutes therefore, this petition was found to be nothing but a misuse of the process of law. Accordingly, the Writ Petition was dismissed with a cost of Rs 10,000.00 to be borne by the Petitioner.

CHAPTER-23

Webinars

Chapter- 23

Webinars

Webinar on “Forensic inputs in investigation of Sexual Offences: Scope, Challenges and Way Forward”

With an objective to have an expert view from the point of law enforcement agencies and to understand the issues relating to investigation in POCSO cases, the Commission organized a live webinar on 25th November 2021, on the topic “Forensic inputs in investigation of Sexual Offences: Scope, Challenges and Way Forward. Dr. G.K Goswami, Chief of ATS, Uttar Pradesh elucidated the topic. This was followed by Q & A session. The online webinar live streamed through the social media handle – Facebook.

Webinar on Child Nutrition and Behaviour Change Communication

A webinar to celebrate Poshan Maah, 2021 was organised by NCPCR on its social media. Webinar was held in collaboration with Harvard T.H Chan School of Public Health. Webinar was chaired by Chairperson, NCPCR. Speakers of the event were Dr. K.Viswanath, Professor, Health Communication Harvard T.H Chan School of Public Health, Dr. Harish K Pemde, Joint Secretary, Indian Association of Paediatrics. Webinar was moderated by Dr. Ananya Awasthi, Assistant Director, Indian Research Centre Harvard T.H Chan School of Public Health and Member Advisory Group, Child Health.

Webinar to mark International Day against Drug Abuse and Illicit Trafficking (IDADA&IT) on 2nd July, 2021

National Commission for Protection of Child Rights (NCPCR) with Narcotics Control Bureau (NCB) organised a webinar to mark International Day against Drug Abuse and Illicit Trafficking (IDADA&IT) on 2nd July, 2021, 3.00pm-4.00pm. Webinar was inaugurated by Chairperson, NCPCR. Speakers’ were - **Shri. Sachin Jain**, Deputy Director General (DDG), Narcotics Control Bureau (NCB), **Ms. Radhika Chakravarthy**, Joint Secretary, (SD), Ministry of Social Justice and Empowerment (MoSJ&E), GOI, **Dr. Sumita Ghosh**, Additional Commissioner In Charge (Child Health, RBSK, AH, CAC & AD) Ministry of Health and Family Welfare, GOI and **Dr. Anju Dhawan**, Professor, National Drug Dependence Treatment Centre and In-charge Adolescent Drug Abuse Treatment Clinic at National Drug Dependence Treatment Centre (NDDTC), AIIMS.



National Commission for Protection of Child Rights (NCPCR)

with Narcotics Control Bureau (NCB) is organising a webinar to mark





Inaugural Address by:
Shri Priyank Kanoongo
Hon'ble Chairperson
National Commission for Protection
of Child Rights



Vote of Thanks by:
Smt. Rupali Banerjee Singh
Member Secretary
National Commission for Protection
of Child Rights

INTERNATIONAL DAY Against DRUG ABUSE AND ILLICIT TRAFFICKING

Speakers



Shri Sachin Jain
Deputy Director General
Narcotics Control Bureau



Ms. Radhika Chakravarthi
Joint Secretary, (SO),
Ministry of Social Justice & Empowerment
(SRSD & S)



Dr. Sumita Ghosh
Additional Commissioner in Charge
Ministry of Health and Family Welfare
(Child Health, NHBK, AP, CAG & AS)



Dr. Anju Dhawan
Professor
NIMHES & Department of Psychiatry
(NIMHES)



Moderator
Ms. Richa Dandoli
(New India Junction)



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DATE : 02nd July 2021 | TIME: 3:00 pm to 4:00 pm

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National Commission for Protection of Child Rights (NCPCR)

5th Floor, Chanderlok Building 36- Janpath, New Delhi-110001





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Inaugural Address by:
Shri Priyank Kanoongo
Hon'ble Chairperson
National Commission for Protection
of Child Rights

Celebrating Poshan Maah 2021 WEBINAR On Child Nutrition and Behaviour Change Communication

DATE : 30th Sept 2021 | TIME: 5:00 pm to 6:00 pm

Speakers



Dr. K. Viswanath
Professor
Health Communication
Harvard T.H. Chan Public Health &
Dana-Farber Cancer Institute

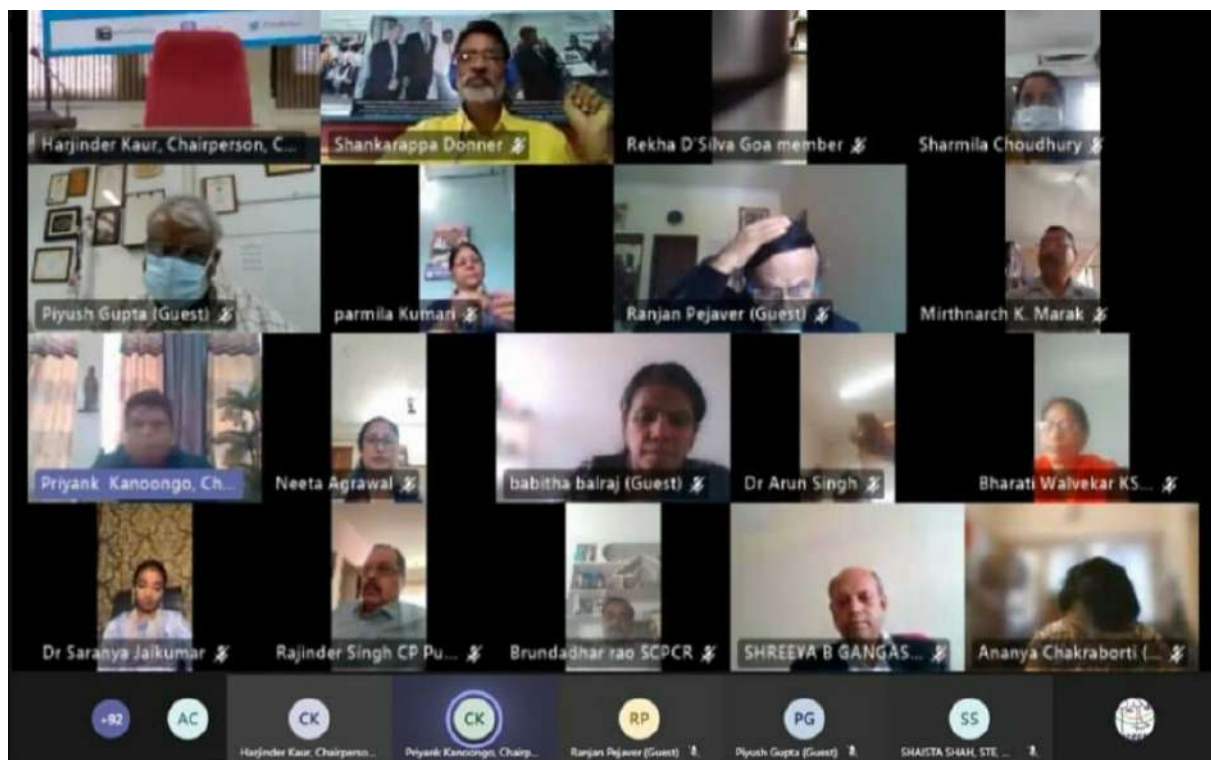


Dr. Harish K Pemde
Incharge, Center for Adolescent Health,
Kalawati Saran Children's Hospital
& Joint Secretary IAP



Moderator
Dr. Ananya Awasthi
Assistant Director, India Research Center
Harvard T.H. Chan School of Public Health &
Member Advisory Committee, Child Health NCPCR

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CHAPTER-24

Recommendations

Chapter-24

Recommendations

- (1) **Recommendations of NCPCR to district authorities for taking steps to maintain status quo of property rights of the children and alleviate the burden of financial liabilities left behind by the deceased parents.**

Commission issued a set of recommendations on 16.03.2022 to take several measures including the property matters of children who have lost both the parents or one parent due to COVID-19.

- (I) **Process of ensuring monetary benefits to children-** The child may be entitled to the monetary benefits incurred from his/her own insurance policies, fixed deposits, any joint bank accounts, etc. and similarly, from his/her parents bank accounts, job compensations, pension, insurance money, etc.
- a. **The District Magistrate** must ensure that these entitled benefits are provided in favour of the child.
 - b. The **Lead Bank of the district** should appoint a nodal officer for ensuring the protection of such properties and assets left behind by the parents and provide details of the same to the concerned District Magistrate/Collector.
 - c. The Nodal Officer of the Lead Bank should collect such data of children who have lost both or either of the parent to COVID-19 or otherwise and then through the PAN card details of the deceased parent(s) gather details of financial assets and liabilities of the deceased parent(s). This information should be then reported to the District Magistrate/Collector by the Lead Bank.
 - d. The DMs shall then take adequate steps to maintain the status quo of the property rights of the children and shall take up these issues with Banks/Insurance companies and the Department of Revenue.
 - e. The DMs may seek assistance of District Legal Services Authority for preparing legal heir certificates/succession certificates of children and may ensure that the properties of the children are protected.
 - f. A legal guardian for operating the bank account of the child may be appointed through the procedure prescribed by law.

- g. The **DCPU/Social Worker** must ensure that the money from the bank account of the parent(s), job compensation, insurance policies, pension etc. is directly transferred to the child's account only.
- h. The follow-up on the utilization of the funds from the bank account of the child must be done by **DCPU at regular intervals and in case of any unauthorized usage of the funds, DCPU must inform about the same to CWC and DM for necessary action.**

(II) Legal Heir and Succession Certificate- The child who has lost both or either of its parents to COVID-19 or otherwise may be entitled to moveable as well as immoveable property of his parents. All legal and administrative support/assistance must be ensured in procurement of legal heir and succession certificate in favour of the child/children whether through its guardian or through the concerned authority.

- a. **DCPU/Child Welfare Officer/Social Worker** may provide assistance to the child in procuring the legal heir certificate and the succession certificate (whichever is applicable) from the respective concerned authority/Court.
- b. **The District Legal Services Authority** may be approached for providing free legal assistance/legal aid to the child or its parent/guardian in procurement of these certificates. DCPU may liaise and coordinate with the District Legal Services Authority for the same.
- c. **The District Legal Services Authority** may provide a support person or para legal volunteer to the child and its parent/guardian for assisting them before the concerned authority/Court.

(III) Death Certificate- Where the child has lost both or either of the parents to COVID-19 or otherwise, the death certificate of both the parents or either of the parents should be provided to the CWC to ensure that the child is not abandoned, trafficked, lost, etc. The CWC may after receiving the copies of the death certificate proceed for inquiry under Section 36 of the JJ Act, 2015 and pass necessary orders for the child.

2. Recommendation to take cognizance on the issue of Mass Marriages on Akshay Tiritiya

The Commission has observed that Akshay Tiritiya or Akha Teej has been celebrated in various parts of India as a day of good fortune and in various parts of the country there is practice of solemnizing large number of child marriages on this day. Therefore, on 7th April 2021 the Commission sent recommendations to Principal Secretaries of Women and Child Development Department of all States/ UTs to direct District Magistrates or Collectors, Deputy Inspector General of Police or Superintendent of Police, Sarpanch, Civil Society Organizations and Child Marriage Prohibition Officers and Child Welfare Committees (CWCs) in States/ UTs to take proactive steps to stop child marriages on the occasion of Akshay Tiritiya. The following activities were recommended for actions:

- i. Undertake **awareness programmes at village, panchayat**, block, urban/ward, zila tehsil level.
- ii. Conduct **meetings regarding awareness programmes** on Child Marriage With CDPOs, CWCs, CWPOs, AWWs, religious priests who may be responsible for performing marriages and service providers during marriage functions such as printing press, tent providers, managers of marriage halls, caterers, music bands and decorators etc.
- iii. Prepare a **school wise list** of children who are drop out, out of school and not attending school regularly.
- iv. **Prepare a school wise list of children absent from school** without intimation to the Principal or Head Master of the school in accordance with Rule 2B (2) of Child Labour (Prohibition and Regulation) Amendment Rules, 2017.
- v. This list must be prepared by Education Department of the district and shared with the DM/CMPO of the district.
- vi. DM/CMPO must identify children from these lists who can be at risk of child marriage. **Family counseling and proper inquiry** of all such identified children must be ensured to prevent any possible child marriage.

The recommendations of the Commission was well received by the states like; Arunachal Pradesh, Assam, Himachal Pradesh, Madhya Pradesh, Maharashtra, Puducherry and Sikkim. These States took actions and create awareness toward prevention of child marriage.

1. Recommendation to extend services of district mental health programme to the DCPU

Over a period of time the Commission has observed that children; victims of POCSO, Child labour, child marriage that are produced before Child Welfare Committee (CWC) need counselling and psycho-social support and due to shortage of Counsellors in District Child Protection Unit (DCPU) in some of the cases they don't get proper counselling and mental

healthcare services. It has been noted that District Child Protection Unit (DCPO) needs to be strengthen to provide counseling and mental health care services to such vulnerable children. Therefore, it was recommended by the Commission that Mental Health workers (Psychiatric Social Worker /Clinical Psychologist) appointed under District Mental Health Programme (DMHP) under NMHP of MOH&FW may kindly be extended to DCPUs for providing counselling and mental health care services to children Where counsellors are not available. The letter was sent to the State Department of WCD and Health of all the States/UTs.

CHAPTER-25

Consolidated Account Statement and Audit Report

Separate Audit Report of the Comptroller & Auditor General of India on the Accounts of the National Commission for Protection of Child Rights, New Delhi for the year ended 31 March 2022

We have audited the attached Balance Sheet of the National Commission for Protection of Child Right (NCPCR), New Delhi as at 31 March 2022, 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 NCPCR's management. Our responsibility is to express an opinion on these financial statements based on our audit.

1. 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.
2. 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.
3. 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 & Payments 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 by the NCPCR as required under Section 29 (1) of the Commission 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 Liabilities

A.1.1 Current Liabilities & Provision (Schedule-7): Rs. 3.79 crore.

NCPCR had unspent grant of Rs. 0.78 crore as on 31 March 2022. However, the Commission depicted an amount of Rs. 0.24 crore as Grants in aid refundable under Current Liabilities. This resulted in understatement of Liabilities by Rs. 0.54 crore and overstatement of Corpus/Capital Fund by the same amount.

B. General

B.1 NCPCR has not made provision for 'retirement benefits' on actuarial basis as required in AS-15 and as per Uniform Format of Accounts in respect of its regular post i.e. two posts of clerk and one post of Hindi Translator.

B.2 Advances of Rs.83.83 Lakh pertaining to the period from 2007-08 to 2021-22 were pending for adjustment as of 31 March 2022. The long pending advances lying unadjusted need to be reviewed and settled. The provision for doubtful advances needs to be made in the accounts. This was also pointed out in previous year's report, but no action has been taken by NCPCR.

C. Grant-in-aid

During the year 2021-22, NCPCR had received Rs. 21.89 crore as Grants-in-Aid from the Ministry of Women and Child Development and Ministry of Education (Rs. 17.17 crore and Rs. 4.72 crore respectively) out of which an amount of Rs.0.56 crore was received during the month of March 2022. An unspent balance of previous year amounting to Rs. 1.15 crore was also available. NCPCR had internal receipt amounting to Rs. 0.27 crore. Out of total available fund of Rs. 23.31 crore, NCPCR utilized Rs. 22.53 crore leaving unutilized balance of Rs. 0.78 crore as on 31.03.2022.

D. Management letter

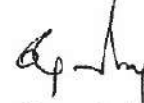
Deficiencies which have not been included in the audit Report have been brought to the notice of the National Commission for Protection of Child Rights (NCPCR) through a management letter issued separately for remedial/corrective action.

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 book of accounts.

vi. In our opinion and to the best of our information and according to the explanation 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 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 the National Commission for Protection of Child Rights (NCPCR) as at 31 March, 2022 and
- (b) In so far as, it relates to Income and Expenditure Account of the deficit for the year ended on that date.

For and on behalf of C&AG of India



Director General of Audit (CE)

Place: New Delhi

Date: 30.03.2022

Annexure

1. Adequacy of Internal Audit System

Internal audit of NCPCR was conducted by the Ministry of Education (O/o the Principal Chief Controller of Accounts) for the period from 2015-16 to 2021-22 during the period from 22.08.2022 to 31.08.202. Internal audit report was awaited.

2. Adequacy of Internal Control System

The Internal Control system of NCPCR was not adequate due to:

- (i) Physical check of cash in hand was never conducted.
- (ii) Expenditure Control Register and Register of Contract were not maintained. Fixed Asset register was improperly maintained.
- (iii) 14 external audit paras pertaining to the period 2007-09 to 2013-14 were outstanding. 19 paras of internal audit report were outstanding.
- (iv) Advances were pending for as long as 2007-08. Despite being pointed out in previous years' reports, remedial action was not taken.
- (v) As per Schedule-10 of the Uniform Format of Accounts prescribed by the Ministry of Finance, each entity is to disclose the accounting policy in relation to investments for both long term and current investments. Audit noted that NCPCR kept huge balance in savings bank account maintained with banks, which yielded low interest. NCPCR had no investment policy for the unspent balance lying in the Bank Account. In the absence of short term FDRs, auto-sweep accounts, etc. for these balances NCPCR lost the opportunity to earn interest income over and above the saving bank interest given by the bank.

3. System of physical verification of fixed assets

Physical verification of fixed assets was conducted during 2020-21 and assets costing Rs. 4.72 lakh were not traceable. The Fixed Assets register maintained didn't depict details of all the items shown in the accounts. No action was taken by NCPCR to ensure proper maintenance of records despite being pointed out in previous year's report. The NCPCR noted this for reconciliation of assets.

4. **System of physical verification of inventory**

The physical verification of library books and other consumable items was conducted by NCPCR during 2021-22.

5. **Regularity in payment of dues**

No amount was outstanding on account of statutory dues for more than six months as on 31 March 2022.

दमयंता शिरलाट
20.06.2022
Director (AMG-V)

ANNEXURES



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



Letter No. NCPCR/2021-22/Legal-CCIs

Date: 21st April, 2021

To,

Principal Secretary/Secretary
Department of WCD/Social Welfare,
Of all States/UTs
(As per the attached list)

Sir/Madam,

The National Commission for Protection of Child Rights (*hereinafter referred as the Commission*) being a statutory body constituted under section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 (4 of 2006) is responsible for ensuring that all children enjoy their rights provided under different legislations. Specifically, NCPCR has been mandated with the responsibility of monitoring the implementation of legislations relating to child rights such as Juvenile Justice (Care and Protection of Children) Act, 2015 (u/s. 109); POCSO Act, 2012 (u/s. 44) and RTE Act, 2009 (u/s. 31). Section 13 of the CPCR Act has enlisted various functions of NCPCR. The Commission further ensures that all laws, programmes, administrative mechanism, its own policies, recommendations, campaigns, advisories, etc. should be in complete alignment with the child rights perspective as enshrined in United Nations Convention on Rights of the Children (UNCRC).

2. The ongoing second wave of corona virus is hitting all of us badly and unlike last year it is affecting children in a large number. Protection of children in Child care Institutions (CCIs) has been a major concern in the aftermath of the Covid-19 pandemic. As per the news reports, children from CCIs across the country are allegedly contracting the infection of Crona Virus in COVID-19 pandemic.

3. Therefore, keeping in view these alarming concerns to the safety and security of the children staying in Child Care Institutions (CCIs), the Commission as per its powers conferred under section 13 and 14 of the CPCR Act, 2005 and as per its mandate under section 109 of the JJ Act, 2015 read with Rule 91 of the Juvenile Justice Rules, 2016 has initiated the exercise of monitoring of the situation of vulnerable children living in Child

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Care Institutions and further require the information as below-

- a) Information on number of Children in Need of Care & Protection (CNCP) found COVID positive while staying in the Children Homes in last one month.
- b) Out of total children staying in Children Homes, How many children have been declared CNCP under section (2)(14)(v) of the Juvenile Justice (Care & Protection of Children) Act, 2015 reads as- "*Who has a parent or a guardian and such parent or guardian is found to be unfit or incapacitated by the Committee or the Board, to care for and protect the safety and well-being of the child*". Kindly furnish copy of Individual Care Plan (ICP) and Social Investigation Report (SIR) of each such child as declared CNCP under this section of JJ Act, 2015 as mentioned above and declared CNCP due to poverty.
- c) Information on number of Children in Conflict with Law (CICL) found COVID positive while staying in the Observation Homes in last one month.
- d) Information on CICL children (apprehended under petty offences) who are staying in the Observation Homes for more than three months.
- e) Measures taken by the State Government to prevent children from Corona Virus while staying in Child Care Institutions of respective State/UT.

4. It is further recommended by the Commission the State Government shall proactively review the status of preventive steps by the States/UTs in the light of second surge of COVID-19 pandemic to ensure safety of children staying in Child Care Institutions. Children should be kept in the CCI considering the best interest, health and safety concerns *as per the* provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015. All the measures should be taken by the State Government to prevent children residing in the Children's Homes, SAAs, Observation Homes and Open Shelters from risk of harm arising out of COVID-19 pandemic.

5. In light of the above and keeping in view the gravity and seriousness of the issue, it is hereby requested to your good office to kindly initiate the process of reconciling the data of children living in different CCIs within your jurisdiction and a comprehensive report along with copies of all the documents (legible, clear and translated in English) as mentioned in point (3)(b) above be sent to the Commission within **15 Days** from the date of receipt of this letter.

Yours Sincerely
Sd/-

(Priyank Kanoongo)
Chairperson, NCPCR

Copy for necessary action to

Chairperson(s)

State Commission for Protection of Child Rights (SCPCR)

Of all States/UTs

(As per the list attached)



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



F. No.(5)-2021-22/NCPCR/CH

Dated: 20.05.2021

To

Principal Secretary/Secretary

Department of Health & Family Welfare
All States/UTs (as per the list attached)

Dear Sir/Madam,

National Commission for Protection of Child Rights is a statutory body constituted under Section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing second wave of the Covid-19 pandemic is impacting slightly a greater number of younger people. Doctors have confirmed that even new born and infants are testing Covid-19 positive, though their condition remains under control and rarely turns fatal. A third wave of COVID-19 is projected to hit the country and according to the experts it will affect children too.

3. Keeping in view, high risk involved for infants and children in upcoming third wave of COVID-19, NCPCR has developed a format to collect information on functioning of NICU/PICU & SNCU from the States/UTs. For this, all States/UTs, Health & Family Welfare Departments are requested to assign a nodal officer, who would be responsible for providing data of the State, on the online form (Link for online form is <https://forms.office.com/r/hzGK6acEC6>). This information would enable the Commission in ensuring the better implementation of facilities and strengthening of each NICU/PICU/SNCU of State/UTs. Kindly ensure that the requisite information duly filled and verified in attached form shall reach to the Commission within 7 days from the date of receipt of this letter.

With Regards,

Yours sincerely,

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Web: www.ncpcr.gov.in, Lodge your complaint at : www.ebaalnidan.nic.in

Copy to-

Secretary (H&FW)

Ministry of Health & Family Welfare, GOI
Nirman Bhavan, New Delhi-110011
E.mail-secyhfw@nic.in

Copy for information and necessary action to-

Chairperson(s)

State Commission for protection of Child Rights (SCPCRs)
All States/UTs
(As per the attached list)

Yours sincerely,
Sd/-
(Priyank Kanoongo)
Chairperson, NCPCR



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GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



F. No.NCPCR/(6)-2021-22/CH
Dated: 11.06.2021

To,

State Drugs Controller Authority
Of all States/UTs (As per the attached list)

Sir/Madam,

As you are aware that the ongoing Covid-19 pandemic is impacting several children and adolescents as our nation is fighting with escalating virus cases in the second wave of this pandemic situation.

2. Keeping in view high risk involved for children in COVID-19, NCPCR has requested Indian Council of Medical Research (ICMR) to send guidelines/protocols for management of Covid -19 in the paediatric age group and list of medicines and investigations suggested for treatment of children. ICMR has sent the guidelines/protocols along with list of medicines. Further, list of scheduled medicines received from ICMR was sent to National Pharmaceutical Pricing Authority (NPPA) Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers to get information on price regulation of the medicines. List of scheduled medicines and Remdisiver injection with price regulation received from National Pharmaceutical Pricing Authority (NPPA) Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers has been circulated to all the State Commissions for Protection of Child Rights (SCPCRs) (Copy attached for kind information).

3. In this regard SCPCRs will be holding periodic meetings with respective State Drugs Controller Authority to review the stock, availability of the scheduled medicines mentioned in the attached list in the State/UTs.

4. You are requested to provide information as mentioned above in point (3) and stock position of the schedule medicines for children to the SCPCRs and NCPCR at the earliest on cp.ncpcr@nic.in.

With Regards,

Yours sincerely,
Sd/-
(Priyank Kanoongo)
Chairperson, NCPCR

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Web:www.ncpcr.gov.in, Lodge your complaint at :www.ebaalnidan.nic.in

Copy for information to-

Drugs Controller General of India (DCGI)
Central Drugs Standard Control Organisation (CDSCO)
Directorate General of Health Services,
Ministry of Health & Family Welfare, GOI,
FDA Bhavan, ITO, Kotla Road, New Delhi-110002
E.mail- dcgi@nic.in



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



F. No.NCPCR/(4)-2021-22/CH

Dated: 15.05.2021

Dear Sir,

National Commission for Protection of Child Rights (NCPCR) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing Covid-19 pandemic is impacting several children and adolescents as India grapples with escalating virus cases in the second wave of this pandemic situation. Doctors have confirmed that even newborns and infants are testing Covid-19 positive, though their condition remains under control and rarely turns fatal. Further, a third wave of Covid-19 is projected to hit the country and according to experts it may affect children in large numbers. There are guidelines on the management of the new born in a maternity ward and in the Neonatal Intensive Care Unit (NICU), but there is an urgent need to reorganize a Neonatal/children Emergency Transport Service (NETS) to prepare specifically for neonatal and children for third wave of Covid-19.

3. Keeping in view high risk involved for infants and children in upcoming third wave of COVID-19, you are requested to kindly issue necessary directions for emergency transport services/ambulances suitable for children and neonatals. In this regard NNF clinical guidelines for neonatal emergency transport services may kindly be referred. Steps taken in this regard may kindly be shared with the Commission on cp.ncpcr@nic.in.

With Regards,

Yours sincerely,

Sd/-

(Priyank Kanoongo)
Chairperson, NCPCR

Shri. Rajesh Bhushan,
Secretary (H&FW)
Ministry of Health & Family Welfare, GOI,
E.mail-secvhw@nic.in

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Web: www.ncpcr.gov.in, Lodge your complaint at : www.ebaalnidan.nic.in

Copy to-

Dr. Arun Kumar Singh,

National Advisor

Rashtriya Baal SwasthyaKaryakaram (RBSK), MOH&FW

E-mail-drarunsingh61@yahoo.co.in



भारत सरकार
GOVERNMENT OF INDIA
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NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



F. No.NCPCR/(6)-2021-22/CH
Dated: 11.06.2021

To

Chairperson(s)

State Commission for Protection of Child Rights (SCPCR)s
Of All States/UTs(As per the attached list)

Dear Madam/Sir,

As you are aware that the ongoing Covid-19 pandemic is impacting several children and adolescents as our nation is fighting with escalating virus cases in the second wave of this pandemic situation.

2. Keeping in view high risk involved for children in COVID-19, NCPCR has requested Indian Council of Medical Research (ICMR) to send guidelines/protocols for management of Covid -19 in the paediatric age group and list of medicines and investigation suggested for treatment of children. The guidelines/protocols received from ICMR has been circulated to all the SCPCR's vide this Commission's letter dated 25th may, 2021. Further, list of medicines received from ICMR was sent to National Pharmaceutical Pricing Authority (NPPA) Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers to get information on price regulation of the medicines. List of medicines with price regulation received from National Pharmaceutical Pricing Authority (NPPA) Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers is attached herewith for information of all the SCPCR's.

3. We request all the SCPCR's to kindly hold the meeting with respective State Drugs Controller Authority of your State/UT to review the stock, availability in the State/UTs of the scheduled medicines mentioned in the attached list. Further to disseminate information with general public, kindly upload this list of scheduled medicines with prices on website of the State Commission. You may kindly get the creatives made in regional language on this information for wider dissemination.

4. Initiatives by SCPCR's in this regard may kindly be shared with the Commission for information on cp.ncpcr@nic.in.

With Regards,

Yours sincerely,
Sd/-

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Web:www.ncpcr.gov.in, Lodge your complaint at :www.ebaalnidan.nic.in

Copy to

State Drugs Controller Authority

Of all States/UTs (As per the attached list)



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



F. No. (3)-2021-22/NCPCR/CH

Dated: 13.05.2021

Dear Sir,

National Commission for Protection of Child Rights (*hereinafter referred to as the 'Commission'*) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing second wave of the Covid-19 pandemic is impacting slightly a greater number of younger people. A third wave of COVID-19 is projected to hit the country according to experts and will affect children too, the Supreme Court of India has emphasised upon the need to prepare for the same including vaccinating people of age groups with young children.

3. In view of the above, you are requested to kindly share protocols/guidelines developed by ICMR for treatment and clinical management of children with COVID-19 positive with the Commission. These protocols/guidelines shall be further shared by NCPCR with the State Commissions for Protection of Child Rights (SCPCRs) for dissemination in States/UTs. Further keeping in view, high risk involved for children in upcoming third wave of COVID-19, you may kindly apprise the Commission, if additional protocols/Guidelines have been developed by ICMR for prevention and clinical management of children. This information may kindly be shared at the earliest with NCPCR on cp.ncpcr@nic.in.

With Regards,

Yours sincerely,

Sd/-
(Priyank Kanoongo)
Chairperson, NCPCR

Prof. Balram Bhargava
Secretary DHR & Director General,
Indian Council of Medical Research (ICMR),
Ansari Nagar, New Delhi - 110029
E mail- secy-dh@icmr.gov.in

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NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



F. No.NCPCR/(4)-2021-22/CH

Dated: 15.05.2021

Dear Sir,

National Commission for Protection of Child Rights (NCPCR) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing Covid-19 pandemic is impacting several children and adolescents as India grapples with escalating virus cases in the second wave of this pandemic situation. Doctors have confirmed that even newborns and infants are testing Covid-19 positive, though their condition remains under control and rarely turns fatal. Further, a third wave of Covid-19 is projected to hit the country and according to experts it may affect children in large numbers. There are guidelines on the management of the new born in a maternity ward and in the Neonatal Intensive Care Unit (NICU), but there is an urgent need to reorganize a Neonatal/children Emergency Transport Service (NETS) to prepare specifically for neonatal and children for third wave of Covid-19.

3. Keeping in view high risk involved for infants and children in upcoming third wave of COVID-19, you are requested to kindly issue necessary directions for emergency transport services/ambulances suitable for children and neonatals. In this regard NNF clinical guidelines for neonatal emergency transport services may kindly be referred. Steps taken in this regard may kindly be shared with the Commission on cp.ncpcr@nic.in.

With Regards,

Yours sincerely,

Sd/-

(Priyank Kanoongo)
Chairperson, NCPCR

Shri. Rajesh Bhushan,
Secretary (H&FW)
Ministry of Health & Family Welfare, GOI,
E.mail-secvhw@nic.in

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Web:www.ncpcr.gov.in, Lodge your complaint at :www.ebealnidan.nic.in

Copy to-

Dr. Arun Kumar Singh,

National Advisor

Rashtriya Baal SwasthyaKaryakaram (RBSK), MOH&FW

E-mail-drarunsingh61@yahoo.co.in



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NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



File No. NCPDR/2020-21/Comp/Health/DL
Date: 3.05.2021

To,

Shri. Vishwendra
District Magistrate & Deputy Commissioner,
District South East Delhi District Magistrate Office,
Collectorate, South East, New Delhi
E-Mail: dcse.rev.delhi@nic.in

Subject: Regarding immediate liquid oxygen supply to children at Madhukar Rainbow Children Hospital, Malviya Nagar, New Delhi-

Sir/Madam,

National Commission for Protection of Child Rights (NCPDR) has been constituted under the provisions of the Commissions for Protection of Child Rights (CPCR) Act, 2005 for protection of child rights and other related matters, one of the functions assigned to the Commission under Section 13 (1)(j) of CPCR Act is to inquire into complaints and *suo motu* cognizance in relation to deprivation and violation of child rights.

The Commission after taking cognizance of twitter report regarding the need for immediate and consistent supply of liquid oxygen to children at Madhukar Rainbow Children Hospital, Malviya Nagar, New Delhi has sent a letter to DM, South Delhi vide letter no NCPDR/2020-21/Comp/Health/DL on 2.05.2021. After Commission's intervention and constant follow up with SDM South Delhi and Shri. Praveer, South East Delhi the liquid oxygen supply (15 cylinders) was provided to the hospital yesterday night. (Twitter report attached). The oxygen supply provided last night will last for some hours and the said hospital requires regular oxygen supply for children who are in ICU due to COVID-19.

As the matter related to supply of oxygen falls under jurisdiction of South East Delhi, keeping in view the seriousness of the matter, it has directed by Chairperson, NCPDR, that you may kindly ensure regular oxygen supply to the above-mentioned hospital. Further you are requested to nominate a nodal officer for follow up for oxygen supply with the said hospital. A preliminary action taken report in the matter may kindly be sent to the Commission within 48 hours on cp.ncpdr@nic.in.

Sd/-
(D. Bhandari)

Principal Private Secretary to Chairperson, NCPDR

Copy to-

DCP, South East Delhi
Pocket C, Sarita Vihar, New Delhi,
Delhi 110076 E.mail- dcpsed@gmail.com

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प्रियंक कानूंगो
Priyank Kanoongo
अध्यक्ष
Chairperson

भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS



नई दिल्ली-110 001

New Delhi - 110 001

D.O Letter No- NCPCR/CH(1)-2021-22

Date-01.04.2021

31-3-2021

To

Principal Secretaries/Secretaries

Department of Women and Child Development (WCD) of All States/UTs
(As per the list attached)

Sir/Madam,

As you are aware, the National Commission for Protection of Child Rights (NCPCR) is a statutory body formed under CPCR Act, 2005 to ensure that rights of the children are protected especially those who are most vulnerable and marginalised. NCPCR under section (13) (1)(j) of CPCR Act, 2005 has mandate to inquire into the matters pertaining to violation and deprivation of rights and entitlements of children and other related provisions for children provided under the Constitution of India. In addition, the Commission has also been mandated to monitor the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015 (section 109, JJ Act, 2015), the Right to Education Act, 2009 and Protection of children from Sexual offences Act, 2012.

2. It has been observed by the Commission that children; victims of POCSO, Child labour, child marriage that are produced before Child Welfare Committee (CWC) needs counselling and psycho-social support and due to shortage of Counsellors in District Child Protection Unit (DCPU) in some of the cases they don't get proper counselling and mental healthcare services. It has been noted that District Child Protection Unit (DCPU) needs to be strengthen to provide counselling and mental health care services to such vulnerable children.

3. Keeping in view of the above NCPCR u/s 13 (1)(a) of CPCR Act, 2005 recommends that services of Mental Health workers (Psychiatric Social Worker/Clinical Psychologist) appointed under District Mental Health Programme (DMHP) under NMHP of MOH&FW may kindly be extended for help by DCPUs for providing counselling and mental health care services to children where counsellors are not available. (List of DMHP is attached).

Yours sincerely

(Priyank Kanoongo)

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ई-मेल / E-mail : cp.ncpcr@nic.in वेब /Web:www.ncpcr.gov.in

Copy to

1. **Principal Secretaries/Secretaries**
Department of Health of All States/UTs
(As per the list attached)
2. **Principal Secretaries/Secretaries**
Department of Education of All States/UTs
(As per the list attached)



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नई दिल्ली- ११०००१
NEW DELHI-110 001



F.No. CP/NCPCR/Legal/Misc/2021

Date-13.06.2021

To,

1. Shri Rachit Ranjan,
Public Policy Manager,
WhatsApp India and South Asia
Email: rachitranjan@fb.com
2. Smt Shagufta Kamran,
Twitter Communications
India Private Limited,
Email: skamran@twitter.com
3. Mr. Vikram Langeh,
Facebook Inc. & Instagram Inc.
Email- vikraml@fb.com
4. Mr. Sandeep Yadav,
Telegram Messenger Network,
Email: sandeep@telegram.org

Subject- "Regarding – social media posts being published online for giving children who have become orphan during COVID-19 for adoption and the Hon'ble Supreme Court's order in the matter thereof"

National Commission for Protection of Child Rights (hereinafter referred to as the **Commission**) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. During the second surge of COVID-19, the Commission had been made aware of many social media posts and had received complaints also against these social media pages/posts which had been posted for giving children who have become orphan during COVID-19 for adoption. It is noted that children who have lost both the parents are child in need of care and protection under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 and that the procedure as laid down under the Act has to be followed for placing these children in adoption with families willing to adopt. All or any of such adoptions which happen without following the procedures of the Act are illegal and violation of Section 80 and 81 of the Juvenile Justice Act, 2015. The Act under these provisions lays down strict punitive punishment for not following the procedure for adoption, as laid down under the Act.



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3. Further, the Commission would like to inform that **Section 32 of the Juvenile Justice Act, 2015 provides for mandatory reporting of all children** who are found to be separated from guardian. It states that any child who is without family support, orphan, abandoned or lost must be reported to ChildLine services, nearest police station, child welfare committee or to a district child protection unit. The information regarding such child is to be given to the authorities the time prescribed i.e. within 24 hours. In case of failure of reporting of such a child within the prescribed limit, the Act provides for punitive punishment for the same under Section 34. Therefore, non-reporting of such a child and placing the child in adoption without following the due procedure is illegal and liable to punishment.

4. The Commission, keeping in view of this serious offence, had issued advisory dated 02.05.2021 and taken cognizance of such illegal posts/complaints received, and asked the State Governments and the law enforcement authorities to take necessary action in this matter and report about the same to the concerned child protection authorities. **(Copy of advisory dated 02.05.2021 of the Commission enclosed)**

5. Presently, The Hon'ble Supreme Court, while discussing the above-mentioned issue regarding the children who have become orphan, has passed directions for the same in its order dated 07.06.2021, in the matter **SMW (C) NO.4 OF 2020 In Re Contagion Of COVID 19 Virus In Children Protection Homes**. In the said order, the Hon'ble Supreme Court has stated that no adoption of affected children should be permitted contrary to the provisions of the Juvenile Justice Act, 2015 and directed the State Governments/Union Territories to take action against those NGOs/individuals who are indulging in illegal adoptions. **(Copy of order dated 07.06.2021 enclosed)**

6. Therefore, in light of the implemented provisions of Juvenile Justice Act, 2015 and order of the Hon'ble Supreme Court, it is requested that in cases where such posts are posted on your online social media platforms, information about the same must be reported to the law enforcement authorities and/or National Commission or State Commission of the concerned State/UT and provide the details of the IP Address, origin of the post and other such relevant details, so that Commission can recommend for necessary action in the matter. In case of inaction or non-reporting of the same from your end, to the Commission or to the law enforcement authorities, the Commission will be compelled to take strict action against your good offices. This matter is of a serious nature connected with the safety and security and protection of rights of children in the country and must be treated with utmost commitment and priority by your good offices.

7. It is requested that a compliance/action taken report of the same, may be sent to the Commission within 10 days.

Encls. As above.

Sd.
(Priyank Kanoongo)
Chairperson

Copy to:

1. Shri Ajay Prakash Sawhney, Secretary, Ministry of Electronics & Information Technology, Government of India. Email: secretary@mcity.gov.in For necessary action.
2. Shri Manish Maheshwari, Managing Director, Twitter Communication India Private Limited, Mumbai, India. Email- skamran@twitter.com For necessary action and submission of action taken report within 03 days.

Sd..
Chairperson



5वा तल, चन्द्रलोक बिल्डिंग, ३६ जनपथ, नई दिल्ली-११०००१
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प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



F.No.32-222/2020/NCPCR/SC/24/286
Date-16.03.2022

To,
Chief Secretaries of all States/UTs

Subject- "Regarding- Care and Protection of Children who have lost either or both the parent due to COVID or because of any other reason and compliance of orders of the Hon'ble Supreme Court in SMWP (C) No.4/2021 In Re care and protection of children due to loss of parents during COVID-19"

Sir,

As you are aware, the Hon'ble Supreme Court in the aforementioned court case has taken cognizance of the issue related to children who have lost either or both the parent due to COVID or because of any other reason post March 2020. In this regard, the Hon'ble Supreme Court has passed the following directions to the State Governments for ensuring care and protection to such children-

- i) Identification of children who have become orphans or lost either of the parent post March, 2020 whether it be due to the pandemic or otherwise, and take steps for attending to their basic needs.
- ii) The District authorities are directed to upload the information of children who have become orphans after March, 2020 on the portal "Bal Swaraj".
- iii) Immediate relief should follow the identification of such children without any delay. Thereafter, the Child Welfare Committees (CWC) should conduct inquiries and pass suitable orders expeditiously which have to be implemented without any delay.
- iv) Monitoring of children by CWC and the District Child Protection Officer (DCPO) should be conducted on a periodical basis.
- v) Suitable steps should be taken by CWC's to ensure that the benefits announced by the Central Government/State Governments should reach the children.
- vi) The DCPO should provide his contact number and the name of the local official who can be contacted by the guardian. There should be a follow-up with the child at least once a month to ascertain his/her well being.
- vii) The financial benefit that was announced by Integrated Child Protection Scheme (ICPS) to the tune of Rs.2000/- per month per child has to be provided immediately by the DCPOs.
- viii) There should be continuous monitoring regarding the welfare of the child by the District Child Protection Units (DCPU) even after the financial order is passed by the CWC.
- ix) This should be done periodically every three to six months.
- x) The DCPU shall ensure that adequate provision is made for the ration, food, medicines, clothing etc. to the child.
- xi) The DCPO should produce the child before CWC if he is not prima facie satisfied that the guardian is capable of taking care of the child.
- xii) During the pendency of the inquiry, the CWC is directed to ensure that the basic needs of the child are taken care of.
- xiii) If the affected children are studying in Government schools they should be permitted to continue.

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- xiii) If the affected children are studying in Government schools they should be permitted to continue.
- xiv) In so far as the children who are studying in private schools, the State Governments/Union Territories should take steps and direct the continuance of the children in those schools at least for period of six months by which time some arrangement can be worked out.
- xv) The State Government/Union Territories should ensure that there is no break in the education of children who have become orphans or lost either one parent during COVID-19 Pandemic. If there are difficulties in the cases of students being permitted to continue their education in private schools, they may be accommodated under the provisions of the Right of Children to Free and Compulsory Education Act, 2009. In case, the children who have lost both of their parents or either parent after March, 2020 have dropped out of school, steps be taken by the State Governments for free admission of such students towards continuation of their education.

2. With regard to the issue of children who have lost either or both the parents to COVID-19 or otherwise, it is stated that the NCPCR has come across complaints in the past two months, wherein it has been informed to NCPCR that despite children losing their single parent during the pandemic, the State Departments (WCD/Social Welfare) have not identified them and linked them with the Central Government/State Government implemented schemes. The NCPCR also came across a case where a father of two children had lost his life and details of only one child had been uploaded on Baal Swaraj Portal-COVID Care and the authorities had not produced the other sibling before CWC. After perusal of the complaints, it was seen that these children who had lost their single parent during pandemic had not been produced before CWC and their details had not been uploaded on Baal Swaraj Portal-COVID Care. The NCPCR has accordingly issued notices to district authorities and conducted visits to meet these children.

3. It is understood that after looking at such complaints that the data of Baal Swaraj Portal-COVID Care needs to be reviewed and identification of such children who have lost either or both parents during COVID-19 Pandemic needs to be continued. This will be to ensure that all children who have lost both or either of the parent to COVID-19 or otherwise are identified and necessary benefits are given to them. It has also come to the notice of NCPCR that, when it comes to providing benefits/entitlements to the children and their families, the respective WCD/Social Welfare State Departments are working in isolation and that there is a need of convergence of working of State Departments for identification and providing benefits to these children. There is a need for monitoring the work of all departments at village level, block level and State Level to check whether the benefit of the schemes is being received by the beneficiaries.

4. Therefore, in view of the complaints received by NCPCR and the directions of the Hon'ble Supreme Court, the NCPCR makes the following recommendations for ensuring care and protection to children who have lost either or both the parents to COVID-19 or otherwise-

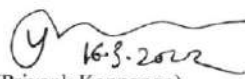
- i) Review the process of Identification of children who have lost either or both the parents to COVID-19 or otherwise post March 2020 and update the Baal Swaraj Portal- COVID Care accordingly.
- ii) Periodical review of data of Baal Swaraj Portal-COVID Care should be done to identify beneficiaries and link them with various schemes.

- iii) It should be ensured that education of children should not be disrupted. There should be continuance of education of children as per directions given by the Hon'ble Supreme Court.
- iv) The single parent (left behind parent) of the child should be linked with various schemes of the urban and rural livelihood schemes. The list of beneficiaries entitled to welfare schemes should be shared with the concerned departments (administrative departments of those welfare schemes) under the supervision of District Magistrates, so that the DMs/DCs can ensure that the schemes are being linked to the children and their families.
- v) The State Government should inform NCPCR about its State specific schemes implemented for such children who have lost both or either of the parent during pandemic, so that those schemes could be added on the NCPCR's portal.
- vi) The DMs should discuss to provide immediate benefits to children who have lost both or either of the parent during pandemic in periodical time limit meetings. The data of such identified children should be shared with all concerned departments for their necessary action.
- vii) The details of property, insurance, loans etc. of such children and their parents should be uploaded on the Baal Swaraj Portal and that DMs/DCs shall ensure and take steps regarding the financial liabilities due on the children and the insurance claims. The Heads of Lead Bank should take up these issues with Banks/Insurance companies under supervision of DMs/DCs. The DMs/DCs shall see that if any property has been left behind by the deceased parent/parents and shall take steps to ensure to maintain the status quo of the property rights of the children.

5. It is requested that the aforementioned recommendations of NCPCR may be implemented by your good offices and the data on Baal Swaraj Portal-COVID Care may be uploaded/updated accordingly. It is further requested that an order to the respective departments/DMs may be issued by your good offices for taking effective steps in the best interest of children. It will be highly appreciated if a response regarding the steps taken by your good offices on the above-mentioned recommendations may be provided to NCPCR within 10 days.

With regards,

Yours sincerely,


(Priyank Kannongo)

Copy to-

Shri Indevar Pandey, Secretary, Ministry of Women and Child Development, Government of India. Email: secy-wcd@nic.in



प्रियंक कानूंगो
Priyank Kanoongo
अध्यक्ष
Chairperson

भारत सरकार
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NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



Letter No-NCPDR/2021-22/(2)/Child Health
Dated-07.01.2022

Dear Sir/Madam,

The National Commission for Protection of Child Rights is a statutory body constituted under Section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the rights and entitlements of children and other related matters in the Country. The Commission is further mandated to monitor the effective implementation of the Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section (13) of the CPCR Act, 2005, the Commission has been assigned with the function to 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.

Over the course of two years, the Covid-19 pandemic has taken an extreme toll on all of us. India has one of the largest proportions of population in the younger age groups in the world and 41% of the population account for less than 18 years of age. To protect children of country in the age group of 15 to below 18 years against the Covid-19 pandemic, an important step has been taken by the Government. COVID vaccination (first dose) program for children of age group of 15 to below 18 years has been started from 3rd January, 2022. It is an overwhelming step by the government wherein in a weeks' time approx. 22.7% of children (15 to below 18 years) of our country has been vaccinated with first dose of vaccine against Covid-19 pandemic.

The Commission u/s 13(1) of CPCR is in a process of assessing the steps taken by the State/UT Government in protecting children and providing safeguards from Covid-19 pandemic. In this regard Commission has observed that during the vaccination drive for first dose for children in the States/UTs in one week some of the states have shown excellent performance whereas some of the states viz-Punjab, Nagaland, Meghalaya, Manipur has shown poor performance in providing vaccination to the children. As per the data of vaccination of children in age group of 15-17 on COWIN app in comparison to child population of the State/UT-it shows that percentage of children (15 to below 18 years) vaccinated with first dose in your state is comparably lowest with 1.31% than other States/UTs.

It has observed by the Commission that in comparison to other states and national data of vaccination of children, your state has not made enough efforts in providing vaccination to the most vulnerable population of our country which might be putting them on a huge risk of life. In this regard, Commission request you to take immediate steps towards increasing number of vaccinations for children in a speedy manner. An early response in this regard may kindly be sent to the Commission on cp.ncpcr@nic.in.

Yours sincerely


(Priyank Kanoongo)

Shri Anirudh Tewari, IAS,
Chief Secretary
Chief Secretary Office, Government of Punjab, 6th Floor, Punjab Civil Secretariat 1
Sector 1, Chandigarh, Punjab 160001.
E-mail- cs@punjab.gov.in

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प्रियंक कानुंगो
Priyank Kanoonga
अध्यक्ष
Chairperson

भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



Letter No-NCPCR/2021-22/(2)/Child Health
Dated-07.01.2022

Dear Sir/Madam,

The National Commission for Protection of Child Rights is a statutory body constituted under Section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the rights and entitlements of children and other related matters in the Country. The Commission is further mandated to monitor the effective implementation of the Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section (13) of the CPCR Act, 2005, the Commission has been assigned with the function to 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.

Over the course of two years, the Covid-19 pandemic has taken an extreme toll on all of us. India has one of the largest proportions of population in the younger age groups in the world and 40% of the population account for less than 18 years of age. To protect children of country in the age group of 15 to below 18 years against the Covid-19 pandemic, an important step has been taken by the Government. COVID vaccination (first dose) program for children of age group of 15 to below 18 years has been started from 3rd January, 2022. It is an overwhelming step by the government wherein in a weeks' time approx. 22.7% of children (15 to below 18 years) of our country has been vaccinated with first dose of vaccine against Covid-19 pandemic.

The Commission u/s 13(1) of CPCR is in a process of assessing the steps taken by the State/UT Government in protecting children and providing safeguards from Covid-19 pandemic. In this regard Commission has observed that during the vaccination drive for first dose for children in the States/UTs in one week some of the states have shown excellent performance whereas some of the states viz-Punjab, Nagaland, Meghalaya, Manipur has shown poor performance in providing vaccination to the children. As per the data of vaccination of children in age group of 15-below 18 on COWIN app in comparison to child population of the State/UT-it shows that percentage of children (15 to 17 years) vaccinated with first dose in your state is comparably lowest with 1.99% than other States/UTs.

It has observed by the Commission that in comparison to other states and national data of vaccination of children, your state has not made enough efforts in providing vaccination to the most vulnerable population of our country which might be putting them on a huge risk of life. In this regard, Commission request you to take immediate steps towards increasing number of vaccinations for children in a speedy manner.

An early response in this regard may kindly be sent to the Commission on cp.ncpcr@nic.in.

Yours sincerely

(Priyank Kanoonga)

Dr. Rajesh Kumar, IAS
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