



**MANUAL**

**on**

**Right to Information**

**National Commission for Protection of Child Rights**

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## CHAPTER – 1

### Introduction

- 1.1 Background: - This Handbook has been prepared in compliance with the provisions of the Right to Information (RTI Act), 2005; RTI Rules as amended from time to time and other instructions of the Ministry of Personnel on the subject. This book gives relevant information in respect of the National Commission for Protection of Child Rights (NCPCR), which has been set up under the Commissions for Protection of Child Rights Act, 2005 by the Ministry of Women and child development, Government of India, for protection of child rights in the country.
- 1.2 Objectives/Purpose of the Handbook: - The book intends to give the information required under the provisions of RTI Act and RTI Rules pertaining to the NCPCR to the general public and other users.
- 1.3 Users of this Handbook:- The Handbook has been prepared for the use of general public especially the children, parents, NGOs and other organizations involved in the protection of child rights, Central government Ministries and their offices, State governments especially the offices involved in the protection of child rights, Experts/Researchers in the area of child rights, etc.
- 1.4 Organization of the Handbook: - This handbook has been divided into 18 chapters as per the relevant provisions of the RTI Act. These chapters give information about the organization, functions and duties of the NCPCR and its officers, various categories of documents held by it, names, designation and other particulars including the salaries of the officers of the Commission, the procedure followed by the Commission in decision making etc.
- 1.5 Contact person for getting more information: - Officer, who could be contacted to obtain more information, is –

Member Secretary  
National Commission for Protection of Child Rights  
5<sup>th</sup> Floor, Chanderlok Building  
36-Janpath, New Delhi-110001  
Tele. No. 23724020, Fax No. 23724026

Email: [lov\\_56@yahoo.com](mailto:lov_56@yahoo.com)

Website: [ncpcr.gov.in](http://ncpcr.gov.in)

1.6 [Procedure and fee structure for getting information not available in the Handbook:-](#)

The detailed information on the Commission is available in the website ([www.ncpcr.gov.in](http://www.ncpcr.gov.in)) of the Commission. The Member Secretary, whose details have been given in Para 1.6 above, can be contacted to obtain more information either in person, by telephone or by sending written communication/e-mail, etc. No fee is charged to provide any information except those cases, where the information is sought under RTI Act.

## CHAPTER – 2

### Particulars of the NCPCR, its Functions and Duties

2.1 Objectives/Purpose of NCPCR: NCPCR has been set up under the provision of the Commissions for Protection of Child Rights (CPCR) Act 2005 by the Ministry of Women & Child Development for protection of child rights and all matters connected with or incidental thereto in the context of the United Nations Convention on the Rights of Child (CRC) as acceded to by India on 11<sup>th</sup> December 1992.

2.2 Mission/Vision of the NCPCR:

#### VISION

To protect, promote and defend child rights in the country in the context of the United Nations Convention on the Rights of Child (CRC) as acceded to by India.

#### MISSION

To ensure that the rights of all children irrespective of their gender, religion, caste etc. are protected.

- (i) To inquire into cases of violations of child rights and recommend action against violators of child rights.
- (ii) To examine factors which inhibit enjoyment of child rights and recommend appropriate remedial measures.
- (iii) To undertake research and studies in the field of child rights.

2.3 Brief History of the NCPCR: The NCPCR started functioning with effect from 5<sup>th</sup> March, 2007 consequent upon the CPCR Act 2005 coming into force with effect from 15<sup>th</sup> February, 2007.

2.4 Duties of the NCPCR: The duty of the NCPCR is to take measures for ensuring protection of child rights by performing the functions assigned to it under the CPCR Act 2005, NCPCR Rules 2006 and other guidelines issued by the Government under the Act.

## 2.5 Main Activities/Functions of NCPCR:

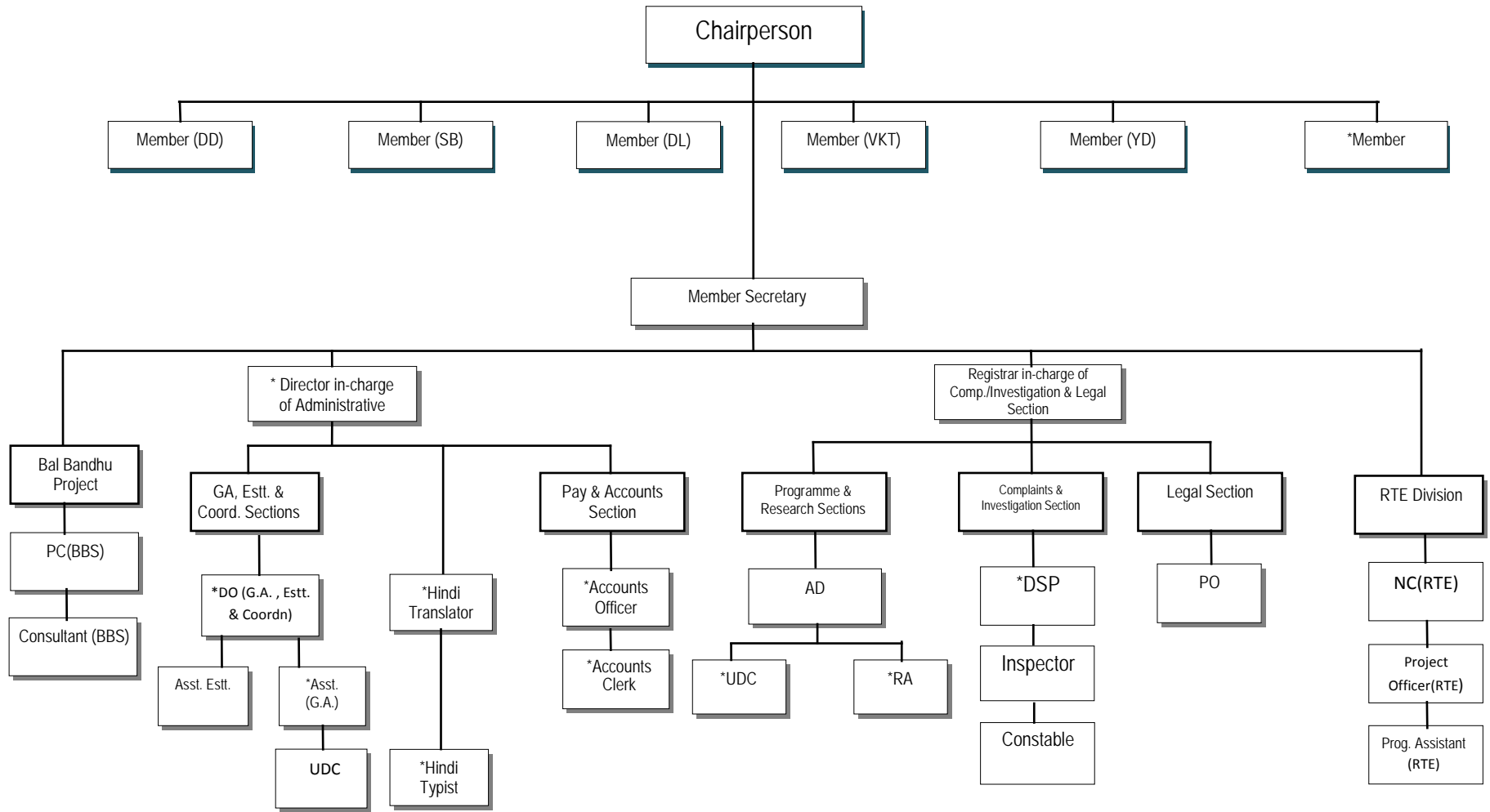
Functions of the Commission are: -

- (a) 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;
- (b) To present to the Central Govt., annually and at such other intervals, as the Commission may deem fit, reports upon the working of those safeguards;
- (c) To inquire into violation of child rights and recommend initiation of proceedings in such cases;
- (d) To examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disasters, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;
- (e) To look into matters relating to children in need of special care and protection including children in distress, marginalized & disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures;
- (f) To study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;
- (g) To undertake and promote research in the field of child rights;
- (h) To spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, media, seminars and other available means;
- (i) To inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of Central Govt. or any State Govt. or any other authority including any institution run by a social organization; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;
- (j) To inquire into complaints and take *suo moto* notice of matters related to
  - (i) Deprivation & violation of child rights;
  - (ii) Non implementation of laws providing for protection and development of children;
  - (iii) Non compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children, or take up the issues arising out of such matters with appropriate authorities;
- (k) To analyze existing law, policy and practice to assess compliance with Convention on the Rights of the Child, undertake inquiries and produce reports on any aspect of policy or practice affecting children and comment on proposed new legislation from a child rights perspective;

- (l) To present to the Central Govt. annually and at such other intervals as the Commission may deem fit, reports upon the working of those safeguards;
- (m) To undertake formal investigations where concern has been expressed either by children themselves or by concerned person on their behalf;
- (n) To ensure that the work of the Commission is directly informed by the views of children in order to reflect their priorities and perspectives;
- (o) To promote, respect and serious consideration of the views of children in its work and in that of all Govt, Departments and Organizations dealing with child;
- (p) To produce and disseminate information about child rights;
- (q) To compile and analyze data on children;
- (r) To take action for promotion and incorporation of child rights into the school curriculum, teachers training and training of personnel dealing with children; and
- (s) To perform such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions.

#### 2.6 [List of Services being provided by the NCPCR:](#)

- i. It makes recommendations to the Ministries/Departments dealing with laws for protection of child rights by examining and reviewing the safeguards provided by such laws with a view to ensure effective implementation of the laws;
- ii. It enquires into the complaints received by it or *suo moto*, relating to deprivation and violations of child rights; and
- iii. It recommends appropriate remedial measures to be taken up by the concerned authorities by examining factors that inhibit the enjoyment of the rights of children specially the children in need of special care and protection of the children belonging to weaker section of the society, minorities, etc.



\* Vacant posts  
 Acronyms:  
 PO=Presenting Officer; AD=Assistant Director; DO=Desk Officer; PA=Personal Assistant;  
 UDC=Upper Divisional Clerk; RA=Research Assistant; PC=Project Coordinator; NC=National Coordinator;

## 2.8 [Expectations of the NCPCR from the public for enhancing its effectiveness and efficiency:](#)

Every organization, public or private and all citizens, are expected –

- ❖ To interact with the Commission to improve its effectiveness & efficiency
- ❖ To imbibe the spirit of protection, safeguarding & promoting child rights
- ❖ To honour and abide by the Rules and Regulations framed by Govt. towards protection of child rights.
- ❖ To share information with other citizens on protection of child rights
- ❖ To bring cases of violation of child rights to the notice of the Commission
- ❖ To offer suggestions to streamline the functioning of the institutions engaged in child rights, promote accountability and responsibility, and
- ❖ To adopt the precepts of protection of child rights.

2.9 [Arrangements and methods made for seeking participation/contribution:](#) The Commission interacts with public in general and stake holders like NGOs, experts, beneficiaries, etc. in particular, on matters involving protection of child rights by holding seminars, meetings, public hearing, etc. Their suggestions are also invited through advertisement etc.,

2.10 [Mechanism available for monitoring the service delivery and public grievance resolution:](#) All the complaints including public grievances received in the Commission are registered in a computerized 'Complaints Management System' which has inbuilt system for control and monitoring at various levels.

2.11 [Address of the NCPCR:](#) The NCPCR is located at Janpath near Connaught Place in New Delhi and its address is as under:

National Commission for Protection of Child Rights  
5<sup>th</sup> Floor, Chanderlok Building,  
36 – Janpath, New Delhi – 110001  
Ph – 23724027-29, Fax- 23724026

## 2.12 [Office Timings:](#)

Opening hour	9.00 A.M.
Lunch Break	1.30-2.00 P.M.
Closing hours	5.30 P.M.

## CHAPTER-3

### Powers and Duties of Officers and Employees

Powers and duties of the officers and employees of the NCPCR are as under:-

1. Chairperson: He/She is the head of the NCPCR and his/her appointment is made as per the provisions of the CPCR Act, 2005. He/She ensures that Commission functions strictly as per the provisions of the Act and discharge its functions as stipulated in the Act. He/She is to ensure that the Commission meets regularly at its office once in a period of three months. He/She is to ensure that for the purpose of meeting, an agenda as provided in the Act is prepared at least two working days before the meeting and minutes are recorded immediately after the meeting. He/she is also to ensure that the decisions taken in the meetings are in conformity with the CPCR Act and implementation is as per the decision taken by the Commission. He/She is to ensure that all matters where a specific approval of the Central Government is required are referred to the Central Government well in time through self-contained notes. He/She is to ensure that all provisions of the CPCR Act for enquiring into complaints on violation of child rights are taken up by the Commission as per the provisions of the Act. He/She is also to ensure that effective measures are taken up for ensuring protection of child rights and cases of violation of child rights are taken up *suo moto* for taking remedial measures. He/She is authorized to take decision on all financial matters subject to observance of the provisions of FR/SR/GFR, etc. excepting those cases where specific approval of Central Government is required.
2. Members:
  - i) to be part of the decision-making process of NCPCR;
  - ii) to deal with complaints / suo motu notices of violations / deprivations of child rights, non implementation of laws providing for protection and development of children as well as non compliance of policy decisions, guidelines or instructions aimed at mitigating hardships and ensuring welfare and relief to children;
  - iii) to deal with thematic issues relating to child rights as envisaged under Section-13(1) (a) to (j) and as allocated by the Chairperson /full Commission from time to time;
  - iv) any other activities incidental to the above.

- i. Member Secretary: Member Secretary is responsible for proper administration of the affairs of the Commission and its day-to day management. He can take decisions in all financial matters subject to observance of the provisions of FR/SR/GFR, etc. upto Rs.1.00 lakh in each case.
  
- ii. Other Officers: All other officers are required to exercise such powers as are delegated to them by the Commission, Chairperson, Member Secretary from time to time. They perform the duties and responsibilities assigned to them from time to time through general or special orders to support the activities of the Commission.

## CHAPTER – 4

### **Rules, Regulations, Instructions, Manuals and Records, for Discharging Functions**

For discharging its functions, the Commission strictly follows the provisions of the CPCR Act, 2005; NCPCR Rules, 2006 and instructions issued by the Govt. under the Act.

The Commission also follows in administrative/financial matters, the provisions of the Rules/Instructions issued by the nodal ministries of the Govt. viz. Ministry of Personnel, Ministry of Finance such as the Fundamental/Supplementary Rules (FRs/SRs); General Financial Rules (GFR); Delegation of Financial Power Rules (DFPR) etc.

## CHAPTER – 5

### **Particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof**

The functions of the Commission are listed in the Section 13 of the CPCR Act, 2005 and Rule 17 of the NCPCR Rules, 2006. The Commission as such does not frame any policy affecting the public.

## CHAPTER – 6

### **A statement of the categories of documents that are held by it or under its control**

The Commission does not hold any documents, on its own. However for its day-to-day functions, the Commission has copies of the CPCR Act, 2005; NCPCR Rules, 2006.

## CHAPTER – 7

### **A statement of boards, council, committees and other bodies constituted as its part**

There are no boards, councils, committees and other bodies which have been constituted as the part of the Commission.

## CHAPTER – 8

### **The names, designations and other particulars of the Public Information Officers**

The names, designation and other particulars of the Public Information Officer of the Commission are as under-

- (1) Public Information Officer;  
Desk Officer,  
5th Floor, Chanderlok Building,  
36-Janpath, New Delhi-110 001.  
Phone: 011-23478240
  
- (2) Appellate Authority  
Registrar,  
5<sup>th</sup> Floor Chanderlok Building,  
36-Janpath, New Delhi-110 001.  
Phone: 011-23724023

## CHAPTER – 9

### **Procedure followed in Decision Making Process**

The decision are taken by the respective competent authorities as per the powers vested in them in accordance with the provisions of the CPCR Act, 2005; NCPCR Rules, 2006 and other instructions of the Govt.

## CHAPTER – 10

### **Directory of Officers and Employees**

The directory of the officials of the Commission is as under:-

S.No.	Name	Designation	Address	Telephone
1	Smt. Shantha Sinha	Chairperson	NCPCR, 5 <sup>th</sup> Floor, Chanderlok Building, 36/Janpath, New Delhi-110 001.	23731583 23731584
2	Ms. Dipa Dixit	Member	-do-	23724022
3	Ms. Sukanya Bharatram	Member	-do-	23313533
4	Dr. Dinesh Laroia	Member	-do-	23724029
5	Dr. Yogesh Dube	Member	-do-	23724021
6	Shri Vinod Kumar Tikoo	Member	-do-	23753701
7	Shri Lov Verma	Member Secretary	-do-	23724020
8	-	Director (Vacant)	-do-	-
9	Shri B.K.Sahu	Registrar	-do-	23724023
10	Shri Naresh Kumar Verma	Presenting Officer	-do-	23724024
10	Shri R.Krishnamurthy	Assistant Director	-do-	23724028
11	Ms. Sushma Ghai	PPS	-do-	23753701
12	Shri Anil Kumar Madan	PPS	-do-	23313533
13	Shri Vedpal Khatri	PPS	-do-	23724021
14	Ms. Suman Jain	PPS	-do-	23724029
15	Ms. Gomathi Anil	Assistant	-do-	23724028
16	Shri S.C.Sharma	Inspector	-do-	23724028
17	Shri Ravinder Kumar	UDC	-do-	23724028
18	Shri Dharam Raj Rathee	Constable	-do-	23724028

## Directory of Consultants

The directory of the Consultants of the Commission is as under:-

S.No.	Name of the Consultant	Address/Contact No.	Contact No.
1.	Ms. Kiran Bhatta,	National Commission for Protection of Child Rights, 5 <sup>th</sup> Floor, Chanderlok Building, 36/Janpth, New Delhi – 110 001.	Ph: 23724027-29
2.	Sh. S.K. Ravi (Project Coordinator-Bal Bandhu Project)	-Do-	Ph: 23724027
3.	Sh. Manoj Kumar (IT Consultant)	-Do-	Ph: 23724027
4.	Sh. Sanjay Tiwari Sr. Consultant (Child Labour)	-Do-	Ph: 23724027
5.	Dr. Ramanath Nayak Sr. Consultant (Prog.Div)	-Do-	Ph: 23724027
6.	Ms. Sinu Jain (Attached with Ms.Dipa Dixit, Member)	-Do-	Ph: 23724027
7.	Sh. A.K. Sidhana (RTE Div)	-Do-	Ph: 23724027
8.	Dr. U.C. Bajpai (Complaints Section)	-Do-	Ph: 23724027
9.	Ms. Bhavana Yadav Kumar (Complaints Section)	-Do-	Ph: 23724027
10.	Ms. Shaistha Khan (Complaints Section)	-Do-	Ph: 23724027
11.	Sh. Sandeep Jindal (Complaints Section)	-Do-	Ph: 23724027
12.	Ms. Jyoti Dharmendra (Complaints Section)	-Do-	Ph: 23724027
13.	Sh. Azizzuddin (Bal Bandhu Project)	-Do-	Ph: 23724027
14.	Ms. Shaifali Awasthi (Attached with Dr. Dinesh Laroia, Member)	-Do-	Ph: 23724027
15.	Ms. Gunjan Wadhwa (Professional Support to Chairperson)	-Do-	Ph: 23724027
16.	Ms. Sameen Almas (Attached with Ms. Sukanya Bharatram, Member)	-Do-	Ph: 23724027

## CHAPTER – 11

### **The pay scale of the Officers and Employees, including the system of compensation as provided in regulations**

#### National Commission for Protection of Child Rights

Sl. No.	Name	Pay Band	Corresponding Pay Structure of Pay Bands	Grade Pay
1	Prof. Shantha Sinha Chairperson	Cab.Sec/Eqv.Scale	90000/- (fixed)	0
2	Ms. Dipa Dixit , Member	Apex Scale	80000/- (fixed)	0
3	Ms. Sukanya Bharatram Member	Apex Scale	80000/- (fixed)	0
4	Dr. Dinesh Laroia Member	Apex Scale	80000/- (fixed)	0
5	Dr. Yogesh Dube, Member	Apex Scale	80000/- (fixed)	0
6	Mr.Vinod Kumar Tikoo Member	Apex Scale	80000/- (fixed)	0
7	Shri Lov Verma Member Secretary	PB-4	37400-67000	10000/-
8	Director (Vacant)	PB-4	37400-67000	-
9	Shri B.K.Sahu, Registrar	PB-4	37400-67000	8700/-
10	Shri Naresh Kumar Verma, Presenting Officer	PB-3	15600-39100	6600/-
11	Ms. Sushma Ghai, PPS	PB-3	15600-39100	6600/-
12	Shri Anil Kumar Madan PPS	PB-3	15600-39100	6600/-
13	Shri Vedpal Khatri PPS	PB-3	15600-39100	6600/-
14	Ms. Suman Jain PPS	PB-3	15600-39100	6600/-
15	Shri R.Krishnamurthy	PB-2	9300-34800	5400/-
16	Ms. Gomathi Anil Assistant	PB-2	9300-34800	4200/-
17	Shri S.C.Sharma, Inspector	PB-2	9300-34800	4200/-
18	Shri Ravinder Kumar, UDC	PB-1	5200-2020	2400/-
19	Shri Dharam Raj Rathee, Constable	PB-1	5200-2020	2400/-

## CHAPTER-12

### **The Budget Allocated to each Agency (Particulars of all plans, proposed expenditures and reports on disbursement made)**

Not applicable as no agency has been set up by the Commission. The Commission has been allocated a budget of Rs. 950 Crores for the year 2010-11 for implementation of its programme/ activities. The Commission has received a grant of Rs. 6.36 Crores.

## CHAPTER – 13

### **The Manner of Execution of Subsidy Programmes**

There is no provision for the grant of subsidy by the Commission.

**CHAPTER – 14**

**Particulars of Recipients of Concessions, permits or authorization  
granted by the Commission**

Not applicable as the Commission is not authorized to grant Concessions, permits or authorization.

## CHAPTER – 15

### **Norms set by it for the discharge of its functions**

The Commission carries out inquiry, investigation, field verification, inspections issues guidelines/directives, ensures production of documents and witnesses related to any case, carries out meetings/workshops/seminars etc., makes recommendations for discharging its duties as listed out in the CPCR Act and NCPCR Rules as per the provisions contained in CPCR Act.

## CHAPTER – 16

### **Information available in an electronic form**

The information including the copy of this booklet is available in the official website of the Commission.  
The address of the website is [www.ncpcr.gov.in](http://www.ncpcr.gov.in)

## CHAPTER – 17

### Particulars of the facilities available to citizens for obtaining information

Citizens can obtain information about the Commission in the following manner:

- (i) By visiting the Commission's website. The address of the website is [www.ncpcr.gov.in](http://www.ncpcr.gov.in);
- (ii) From the Brochure titled "National Commission for Protection of Child Rights". Copies of the Brochure can be obtained from the Commission either by visiting the office of the Commission or by writing to the Member Secretary; and
- (iii) Office Library.

## CHAPTER – 18

### OTHER USEFUL INFORMATION

#### 18.1 QUESTIONS FREQUENTLY ASKED BY PUBLIC AND ANSWERS THERETO

**Question :** What are 'Child Rights' under the Commission for Protection of Child Rights Act, 2005 ?

**Answer :** Under the CPCRA Act, 2005, child rights are the constitutional and legal rights of children. These also include children's rights adopted in the United Nations Convention on the Rights of the Child on 20<sup>th</sup> November 1989 and ratified by the Government of India on the 11<sup>th</sup> December, 1992.

**Question :** What is the composition of the Commission?

**Answer :** As per Section 3 of the Commissions for Protection of Child Rights Act, 2005, the Commission shall consist of the following Members, namely:-

- (a) A Chairperson, who is a person of eminence and has done outstanding work for promoting the welfare of children; and
- (b) Six Members, out of which at least two shall be women, from the following fields, to be appointed by the Central Government from amongst persons of eminence, ability, integrity, standing and experience in,-
  - (i) Education;
  - (ii) Child health, care welfare, or child development;
  - (iii) Juvenile justice or care or neglected or marginalized children or children with disabilities;
  - (iv) Elimination of child labour or children in distress;
  - (v) Child psychology or sociology; and
  - (vi) Laws relating to children.

**Question :** Who is the Chairperson of the Commission?

**Answer :** Prof. Shantha Sinha

**Question :** Who are the Members of the Commission?

- Answer :**
- (i) Ms. Dipa Dixit
  - (ii) Ms. Sukanya Bharatram
  - (iii) Dr. Dinesh Laroia
  - (iv) Shri Vinod Kumar Tikoo
  - (v) Dr. Yogesh Dube

**Question :** Who is the Member Secretary of the Commission?

**Answer :** Shri Lov Verma

**Question :** Whether Commissioner has any office in States/Union Territories?

**Answer :** No

**Question : Whether State Commissions for Protection of Child Rights are constituted/set up by National Commission for Protection of Child Rights/Whether State Commissions for Protection of Child Rights are under the control of National Commission for Protection of child rights?**

**Answer :** No

**Question :** What functions have been assigned to the Commission under the CPCR Act?

**Answer :** Under Section 13 of the CPCR Act, the functions assigned to the Commission are as under:

- (a) 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;
- (b) To present to the Central Government, annually and at such other intervals as the Commission may deem fit, reports upon the working of those safeguards;
- (c) To inquire into violation of child rights and recommend initiation of proceedings in such cases;
- (d) To examine all factors that inhibit the enjoyment of rights of children affected by terrorism communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;
- (e) To look into the matters relating to children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children or prisoners and recommend remedial measures.
- (f) To study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;
- (g) To undertake and promote research in the field of child rights'
- (h) To spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, the media seminars and other available means;
- (i) To inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the central Government or any State Government or any other authority, including any institution run by a social organization; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;
- (j) To inquire into complaints and take *suo moto* notice of matters relating to –
  - (i) deprivation and violation of child rights;
  - (ii) non-implementation of laws providing for protection and development of children;
  - (iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children, or take up the issues arising out of such matters with appropriate authorities; and
- (k) To discharge such other functions as it may consider necessary for the promotion of such rights and any other matter incidental to the above functions.

The Commission shall not inquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force.

**Question: What powers have been vested with the Commission relating to inquiries?**

**Answer :** While inquiring into any matter referred to in (j) above, the Commission has all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 and in particular in respect of the following matters:

- (a) Summoning and enforcing the attendance of any person and examining him on oath
- (b) discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office; and
- (e) issuing commissions for the examination of witnesses documents.

The Commission also has the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.

**Question : How does the Commission inquire into complaints?**

**Answer :** In cases which are taken cognizance of by the Commission on the basis of complaints received by it or *suo moto*, the Commission writes to the concerned authority/authorities to investigate/inquire into the matter and send report to the Commission within the stipulated time limit. If there is no response, reminder is issued to furnish report within a stipulated time. If still information not received, Notice is issued by the Commission to the concerned authority. If report/information not received despite issue of Notice, Summons are issued to the concerned authority to appear before the Commission to explain along with relevant records/documents.

**Question : What steps are open to the Commission after the Inquiry?**

**Answer :** The Commission may take any of the following steps after receipt of inquiry report/information from the concerned authority.

- (i) If on receipt of inquiry report/information, the Commission is satisfied that no further inquiry is required or that required action has been taken by the concerned authority, it may not proceed with the complaint further and inform the complainant accordingly.
- (ii) Where the inquiry discloses the commission of violation of child right(s) or negligence in prevention of violation of child rights(s) by a public servant, it may recommend to the Government or authority concerned to initiate proceedings for prosecution or such other action Commission may deem fit against the concerned person(s).
- (iii) Approach the Supreme Court or the High Court concerned for such directions, orders as the Court may deem necessary.
- (iv) Recommend to the concerned Government or authority for the grant or such immediate relief to the victim or the members of his/her family as the Commission may consider necessary.

**Question : Can the complaint be written in any language?**

**Answer :** Complaints can be made in any language included in the Eighth Schedule of the Constitution. Complaints should be self-contained and neatly written/typed. The Commission may ask for further information and affidavits to be filled in support of all whenever considered necessary.

**Question : What kinds of complaints are not entertained by the Commission?**

**Answer :** Ordinarily, complaints of the following nature are not entertained by the Commission –

- (i) Illegible
- (ii) Anonymous/pseudonymous,
- (iii) Matters sub-judice before another Central/Tribunal.
- (iv) Matters pending before another Central/State Commission.
- (v) Matters is trivial or frivolous or vague and does not make out any specific violation of child rights.
- (vi) The issue raised relates to civil dispute, such as property rights, contractual obligation, labour or industrial dispute.
- (vii) The issue raised relates to service matter not involving the children's rights.
- (viii) The matter has already been decided by the Commission.
- (ix) The matter is outside the purview of the Commission.
- (x) Any other reason/ground, which Commission considers justifiable in not entertaining the complaint.

## **18.2 RELATED TO SEEKING INFORMATION**

### **Application Form**

There is no format prescribed for seeking information. Application can be made through a simple legible letter.

### **Fee**

A Fee of Rs. 10/- is charged, which is to be submitted with the application in the form of a postal order.

### **How to write a precise information request –Few Tips**

The complaint should be self-contained and specific. The nature of information and the purpose of seeking information should be clearly mentioned in the application. The applicant should write in his application his name and complete postal address, including Pin Code. The applicant should also indicate his Telephone No. (s), if any.

## **Right of the Citizen in case of denial of information and procedure to appeal**

In case of denial of information within a period of 30 days of the receipt of the application by the PIO, the applicant may prefer an appeal with Appellate Authority of the Commission. If the appeal is rejected, the rejection will be communicated to the applicant through a letter. On receipt of the rejection letter, the applicant may prefer a second appeal with the Central Information Commissioner under Section 12 of the Right to Information Act, 2005.

### **18.3 With relation to training imparted to public by Public Authority**

The Commission does not impart any kind of training to public.

### **18.4 With relation to Certificate, no Objection certificate etc. issued by the Public Authority not included in Manual – 13**

The Commission does not issue any certificate or No Objection Certificate.

### **18.5 With relation to registration process**

The Commission does not register any organization, individual, etc. for any purpose.

### **18.6 With relation to collection of Tax by Public Authority**

The Commission does not collect any tax, etc.

### **18.7 With relation to issuing new connection of electricity/water supply, temporary and permanent disconnection etc.**

The Commission does not carry out any such activity.

### **18.8 Details of any other public services provided by the Public Authority**

No service other than those listed in the handbook are provided.

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