

NCPCR Guidelines on Organizing Public Hearings

Public Hearings are gatherings where specific grievances are aired before a 'jury'. The concerned government officials are also present to present their status report with respect to the particular grievance. After hearing the grievance and the official action-taken report, the jury gives directions on the case.

The preparation for a public hearing can be divided into three phases.

PHASE I – Pre- NCPCR intervention

1. Identify cases of violation of child rights and compile all relevant details of the violation such as:
 - a. Name of victim, age, sex
 - b. Name of parent and residential address.
 - c. Type of violation of child rights.
 - d. Place of violation, full address.
 - e. Accused persons / institutions: name, age, sex, residential address and/or affiliated institution and institution address.
2. Send petitions to the concerned departments in government for redressal and action.
3. Registration of FIR in police station in case of contingencies.
4. The NGO shall ensure follow-up action.
5. In case of non-action the NGO(s) shall consolidate all such petitions and write a letter to the NCPCR about holding a public hearing.
6. Send case-wise documents along with the above petition to the NCPCR. See example in Annexure 1.

PHASE II- Preparation and *Conduction* of the Public Hearing.

7. The NCPCR shall constitute a 'Jury' comprising experts on the issue and other eminent people to hear the cases during the public hearing.
8. A date for the public hearing shall be decided.
9. The NCPCR shall send 'summons' to the concerned officials of the relevant departments to be present at the hearing. See example of summon in Annexure 2.
10. The NGO shall inform the victim and his/her parents/guardians about the public hearing date and venue details. They shall come with all records pertaining to the case.

DURING THE PUBLIC HEARING: Cases will be taken up one at a time.

11. Case testimonies shall be presented by the victim, his parents, or representative.
12. The concerned officials will be called to give their statement and/or action-taken report.
13. The Jury has a right to give interim orders/directions in the course of the Public Hearing, where it deems fit.
14. The entire proceedings shall be video-documented, so that verification can be done through the video-recordings. If necessary the statements shall be transcribed.

PHASE III – Post-Public Hearing

15. The NCPCR shall pass 'final directions' on each case within a fortnight of the public hearing, and send letters to the relevant officers/departments. For an example of a 'directions letter', please see Annexure 3.
16. The officers/departments shall be given one-month's time to implement the 'directions' and present an action-taken report to the NCPCR.

17. If the NCPCR does not receive any response from the officers/departments at the end of one month, it shall send reminders directing them to take immediate action and send report.
18. If no action is taken then a special jury/commission of enquiry is constituted to examine the Action Taken by the Governments and recommend remedial action to the Commission.
19. In furtherance of the above the NCPCR recommends immediate action either to the executive or the judiciary depending upon the evidence, examination and recommendation of the Commission/jury thus constituted.