

**National Commission for Protection of Child Rights**

**New Delhi**

**1<sup>st</sup> Meeting of the Research Advisory Committee (RAC) of NCPCR**

**July 12, 2011 (10:00 a.m. – 1:00 p.m.)**

Venue: India International Centre (Main Building Complex), Conference Hall-I, New Delhi

**Participants –**

1. Prof. Shantha Sinha, Chairperson, NCPCR
2. Ms Dipa Dixit, Member, NCPCR
3. Mr. Vinod Kumar Tikoo, Member, NCPCR
4. Dr. Yogesh Dube, Member, NCPCR
5. Dr. Dinesh Laroia, Member, NCPCR
6. Mr. Lov Verma, Member-Secretary, NCPCR
7. Mr. Binod Kumar Sahu, Registrar, NCPCR
8. Ms Kiran Bhatta, National Coordinator (RTE), NCPCR
9. Ms Karuna Bishnoi, Child Rights Specialist, UNICEF, Delhi
10. Dr Veena Shatrugna, Pediatrician and Public Health expert, Former Director, NIN, Hyderabad
11. Prof. Babu Mathew, Former Professor, NLSUI & Former Director, ActionAid India; Presently-Professor, National Law University, Delhi
12. Ms. Resmi P. Bhaskaren, Researcher, New Delhi
13. Dr. Ashok Kumar, Addl. Director, NIPCCD, New Delhi
14. Ms Gunjan Wadhwa, Consultant, NCPCR

## **Introduction**

Prof. Shantha Sinha, in her introductory remarks, informed the group that one of the functions of National Commission for Protection of Child Rights (NCPCR) is to advise the government on policy and legal framework for protection of child rights. So far the NCPCR has based its advice by holding consultations at State and regional level with officials, constituting working groups in order to formulate its policies and learning from field visits. However, she emphasized that, policy making requires a considerable amount of research and analysis. Certain large scale researches conducted in the country have yielded both changes in the lives of children and in maintenance of status quo. The aim of NCPCR is to engage research that would lead to enhancement of children's rights. Research therefore is not a neutral activity and requires taking sides. She also mentioned some of the data collection and research conducted by the NCPCR. For example the quantitative data on the status of all institutions under the Juvenile Justice System; Social Audits under the RTE Act; proposed audits of anganwadi centers and so on. In all this the data collected are authentic and in consultation with the community. The challenge is in making this acceptable as sound research.

Mr. Lov Verma thanked Ms Karuna Bishnoi for guiding NCPCR towards preparation of the concept note for putting the research agenda into action and discussed the modalities of the Research Advisory Committee and Technical Support Committee/Group with the group.

## **Identifying Thrust Areas for Research by NCPCR**

Ms Bishnoi stressed that research, in NCPCR's context, should help further the rights of the children, should be relevant and meaningful, and should not lie on the shelves of government departments. There is a dire need to prioritize recent issues and developments as well as focus on the emerging threats to children. In her view, it is significant to concentrate on the 'cost of society for not protecting its children'.

Dr Veena Shatrugna spoke about need for innovative research methods, especially in the context of nutrition. There is a lot of existing research on ICDS but the data essentially consists of measurement of heights and weights of children. Instead a simple checklist could be prepared where concrete details of the foods consumed by children and mothers for that week could be obtained and help ascertain their nutritional status. Such methods could be employed on a pilot basis and their success adjudged.

Prof. Babu Mathew suggested that NCPCR take cognizance of the ongoing research and conduct a survey of topics under which research is being held. NCPCR should use its convening power and synergize this research which might be happening in isolated corners of the country. He

asked whether NCPCR's research can link with CRC's processes and inform the Report to UNCRC. India has most progressive laws, constitutional policies and statutes, and excellent policies. Research on the challenges in implementation should be conducted using scholars who have developed sound research that are at the same time people-friendly methodologies. NCPCR has to use its inherent authority to synergize/convene/coordinate research on child rights and produce a leading journal on child rights. It should bring together the fragmented studies and consolidate them. It should tie up with universities and students already engaged in research projects on child rights. Ms Bishnoi reiterated that NCPCR should not only engage in research but also encourage other institutions – academic and research – which are capable of research and bring them together. She also mentioned that research has to be done to have a concerted framework of Research to feed into reporting to the CRC. She also emphasized the need for decentralized research, to bring out what is happening at the implementational level.

Prof. Sinha agreed with Prof. Mathew and Ms. Karuna Bishnoi on linking research with the CRC's process. She further talked about the need to capture those practices where the government's intervention has made a difference. Ms Karuna Bishnoi concluded the session by asserting that it is of utmost importance to study the child impact of all the major policies of the government.

### **Consideration of Topics for Research by NCPCR**

The following points emerged from the presentations –

1. Research Study on “Making RTE more Effective: Baseline Survey of Elementary Education in Bihar & U.P. - 2011-2012” – *Ms. Kiran Bhatta*, National Coordinator (RTE), NCPCR.
  - Since Bihar has turned around in terms of education and is being shown as a ‘success story’ it would be just to do a comparison of the two States (Bihar and U.P.)
  - Number of districts proposed could be reduced to carry out the research effectively
  
2. Research for the “Estimation of Street Children in India (based on Census Provisional Data – 2011)” – *Ms. Resmi P. Bhaskaren*.
  - Due to urbanization in the country an increase in the population of homeless, shelterless and destitute is inevitable. We should study all the approaches and show discrepancies in methodologies
  - The types of interventions that make sense should be studied in detail as well as the additional data that might be required

- The data should bring out information on minority children (Muslims, tribal) with regard to the street children population
  - NCPCR's job should not only be collecting data but it should also concern itself with the appropriate use of this data
3. Research for "Review of Existing Legislation from Child Rights/Child Jurisprudence Perspective" - *Ms. Dipa Dixit*, Member NCPCR.
- There should be one set of procedures for children and not different procedures with every new law
  - There should be specialized forum, quasi-judicial, which should spend all its time in devising such a jurisprudence
  - CRC should be used as a framework to cull out child jurisprudence
  - NCPCR should learn from comparative exercise
  - Centres in India already involved in the said research should be brought together by NCPCR to avoid duplication
  - There should be standard principles cutting across legislations, such as no further victimization of the child, issue of birth certificates, caseworkers, counseling, and other hand holding processes. Power of the children to say 'no' should be built in to all the legislations
  - Similar to the section on 'children in conflict with law' and 'children in need of care and protection', a section could be added on 'children in contact with law'
  - NCPCR should link with the Ministry of Labour and Employment, Ministry of External Affairs, Law Commissions etc. to prepare a concept note for taking such a research forward
  - The research should also comprise of the best practices in other countries, as done by NCPCR under the 'Protection of Children Against Sexual Offences Bill, 2010'
4. Research on the Implementation of Laws (Child Marriage Prohibition Act, 2006) and Compliance of relevant Court Orders – *Shri B.K. Sahu*, Registrar, NCPCR.
- NCPCR should prepare a compliance report on the implementation of PCMA, 2006 and conduct a regular follow-up (as it did with regard to the JJ system)

- NCPCR should send States a format/checklist to respond to in order to avoid ambiguous responses

RAC gave its approval for all the above topics of research. It stated that all these research proposals are to be vetted through the Technical Support Committees specially constituted for the purpose. Prof. Shantha Sinha concluded the meeting thanking the participants for giving a vision to develop a Research Division at NCPCR. Mr. Lov Verma thanked the group for participating in the meeting and called this first meeting as the very first step towards the beginning of a new journey.