

सत्यमेव जयते

**LOV VERMA, IAS**  
Member Secretary

भारत सरकार  
GOVERNMENT OF INDIA

राष्ट्रीय बालक अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

जनपथ, नई दिल्ली-110 001  
JANPATH, NEW DELHI - 110 001

F.No.16/4/2011/UP/NCPCR/CL-18/83-85

24th May, 2011

Dear Anoop,

A team of NCPCR comprising Dr. Yogesh Dube, Member, NCPCR accompanied by Mr. Sanjay Kumar Tiwari, Sr. Consultant, NCPCR has made a visit to Allahabad, Sant Ravidas Nagar (Bhadohi) and Jaunpur districts of Uttar Pradesh between April 14-18, 2011. During this visit, the team reviewed the situation of Child Rights in these districts and interacted with different Government /Non-Government Stakeholders including children and the members of Panchayats, District Panchayats, NGOs, School teachers/principals and Senior Officials from concerned District Administration in different forums.

2. We deeply appreciate the facilities provided to our team and all the efforts put in to make this visit fruitful and secure.

3. Based on the interactions and visits of the team the following concerns listed below have been identified that need immediate attention:

#### 4. Issues Raised /Observations on Child Labour

- It was informed by District Child Labour Officer that a total of 795 families of child labourers were identified during 10<sup>th</sup> December, 1996 to 31st March, 2011 in which total 37 families had been linked with employments.
- As per survey data provided by Labour Department of the district that a total of 5276 children labourers have been identified in different hazardous and non-hazardous occupations and process in 2010. It was noticed that 1708 child labour were identified in Carpet industries and 34 were in Bidi making. Children working in Carpet and Bidi making industry are prohibited under Section 3 of Child Labour (Prohibition and Regulation) Act, 1986.
- It was mentioned in the survey report, total 830 child labourers had been identified in hazardous occupations and process between 10<sup>th</sup> December, 1996 to 31<sup>st</sup> March, 2011 in which 114 children were rehabilitated educationally by linking them to schools, 8 children are yet to be rehabilitated and a large number of children were not eligible for educational rehabilitations because they were from migrant families.

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- d. It was found that report/data provided by labour department were too vague, inappropriate and having discrepancies. This fact has been conveyed to the concerned department by the Commission in the meeting itself.
- e. It was learnt that the rescue operations were not held properly and systematically.
- f. District Task Force on Child Labour headed by Additional District Magistrate has been constituted but it was not appropriate and functional. Though it was informed that the meeting of the task force convenes quarterly basis, but there are no records available about the meetings.
- g. Officer of labour department informed that approximately 75 NCLP schools were being run in collaboration with civil society organizations in last financial year but due to unavailability of the funds from centre Government, most of NCLP Schools were closed.

#### **4.1. Recommendations**

- a. All identified children by Labour Department must be rescued and rehabilitated within 3 months period in the district of Sant Ravidas Nagar and ensured that they all are educationally rehabilitated.
- b. Prepare a report on the children rescued from labour during 2010 and document their case details with present status (Rehabilitation, Compensation etc.) of these children within a month.
- c. Reconstitute the District child labour task force under the Chairpersonship of District Magistrate/ Collector and convene meetings regularly.
- d. Rescue operations of Child labour should follow the provisions of "Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour" issued by Ministry of Labour and Employment, Government of India, 2008.
- e. Investigate the issues of child labour in Bidi Industry, ensuring compliance of the child laws and send a report to NCPCR within one month. Special attention should be paid to rescue of child labour in Bidi industry, as it is scheduled in hazardous list under CLPR Act, 1986.
- f. The Labour Department should carry out a fresh survey for identification of children involved as child labour in various sectors including the hazardous occupation and process, (e.g. Carpet, Bidi making, Brick kilns, Dhaba and restaurant and domestic help etc) and send a report to NCPCR within 3 months.

## 5. Issues Raised /Observations on ICDS

- a. The team was informed by District Administration that there were a total of 1234 Anganwadi Centres established.
- b. Most of the Anganwadi Centers do not have a physical structure and are operating out of houses of community members.
- c. It was brought to the notice that weight charts and list of malnourished children are not displayed in prescribed way in most of the Anganwadi Centres. District Programme Officer (DPO), Department of Women and Child Development, informed that only list of children coming under grade 4th of malnutrition level is displayed publicly at every Anganwadi Centre.
- d. The DPO informed about monitoring mechanism of AWC that at least 15 surprise inspections were conducted by them in a month. If an Anganwadi centre are found irregular 3 times then departmental actions is taken.
- e. It was informed that total 15 children were found from Grade IV of malnutrition categories in the District and all these children are being treated by a medical team under supervision of Chief Medical officer of the District.
- f. It was claimed that New Weighing Machines have been provided to all Anganwadi Centres in the District.

### 5.1. Recommendations

- To constitute a committee under chairpersonship of the District Magistrate for monitoring the ICDS project effectively by conducting a monthly review meeting on the functioning of ICDS, conducting surprise visits to AWCs.
- The mother attending the malnourished children under medical supervision should be paid minimum wage during that period.
- A specified time has to be given for pre-school education in each and every AWCs and AWWs should be sensitized on the issue of pre-school education.
- **Capacity building of grass root level workers:** The WCD department shall organize training workshops to develop understanding of functionaries at the levels of CDPO, supervisor and AWWs regarding child health.

## 6. Issues Raised /Observations on Mid-day-Meal (MDM)

- a. It was informed by concerned officer of Education department that the responsibility of cooking and distributing the Mid-day-meals in Bhadohi has been given to NGOs whereas in the rest of Uttar Pradesh it has been given to the concerned Gram Panchyats. Every NGO provides MDM to around 35000-45000 children in a block at once. It was brought to light that the NGO which is responsible for the mid-day-meal in Bhadohi is based in Ghaziabad.
- b. It has come to the knowledge that most of NGOs have no previous experience in terms of handling food related work.
- c. It has also come to the knowledge that quality of food is bad and food does not reach school in time.

### **6.1. Recommendations**

- a. The responsibility of cooking and distributing Mid-Day-Meals could be given to Gram Panchyats of the concerned and it should be uniform throughout the State.
- b. Quality of food must be maintained as per W.H.O. Guideline.

### **7. Issues Raised /Observations on Education**

- a. It was informed that the educational infrastructure is of low standard and there are no initiatives to propagate and strengthen the RTE Act.
- b. It was also informed that State Rule on RTE Act, 2009 is yet to be notified in Uttar Pradesh.
- c. It was found that all there were many out-of-school children in the District.

### **7.1. Recommendations**

- a. To do the following regarding implementation of RTE Act.
  - ✓ Awareness programme
  - ✓ Formation of School Management Committees and their orientation
  - ✓ Compulsory and age appropriate admission.

### **8. Issues Raised /Observations on Juvenile Justice System**

- a. **Child Welfare Committees** have been formed in Sant Ravidas Nagar but due to the lack of separate building for the office, other infrastructure and secretarial help, most

of the committee members were not able to perform in the manner prescribed by the Juvenile Justice Act.

- b. It was shared that 2 members of the committee has been regularly remaining absent in the committee meetings.
- c. CWC is sitting thrice in a week but most of the stakeholders, who deal with children, are not aware about the CWC and its functions.
- d. There is not a single Children/Juvenile Home in the District.
- e. There is no home for children in category of special need, or any alternative arrangement in this regard.
- f. **The Special Juvenile Police Unit (SJPU)** is not formed yet in the District even though the State Government has claimed that they have been formed. All the Superintendent of the Police informed that a police constable has been deputed as Special Juvenile Police Officer.

#### **8.1. Recommendation:**

- a. It is suggested that a circular be issued to District Courts, Government organizations, e.g., WCD, Health, Education and Police and NGOs working on child rights by District Authority of Sant Ravi Das Nagar about legal status and role & responsibility of Child Welfare Committees along with details of address, sitting time and contact details of Chairperson and Members of CWCs.
- b. Capacity building of the members of the Child Welfare Committee of the District to make them more child-friendly to deal with the children in need of care and protection. Ensure that CWC meets regularly.
- c. The District Magistrate should ensure that a direct interface between CWC and member of civil society organization is organized at the earliest through DWCD.
- d. There should be efforts to establish Children's Homes (for Girls and Boys), Home for Children in Special Need under JJ Act with immediate effect.
- e. **Special Juvenile Police Unit (SJPU)** must be formed as per the provisions of JJ Act without further delay and organize sensitization and training programme for the members of SJPU.

- f. Make effort to establish CHILDLINE in Sant Ravi Das Nagar. CHILDLINE is a 24 hour, toll free telephonic emergency help line for children in need of care and protection, sponsored by Ministry of Women and Child Development, Government of India.

### **9. Other recommendations**

- a. To establish a District level coordinating committee under the chairpersonship of the DM on child rights, comprising of all concerned departments/ authorities and members of civil society. The committee will review the child rights issue in District on monthly basis and will send a report to NCPCR.
- b. The Director of Women and Child Development shall immediately initiate a sensitization programme on rights of children. The programme will particularly focus on health, nutrition and development rights of children and will be provided to all functionaries of the ICDS department

### **District Visit: Allahabad**

### **10. Issues Raised /Observations**

#### **Poore Kanta Purva Madhyamik Vidhyalaya**

- a. It was observed by the Member that 08 out of total 105 registered students were present in the Poore Kanta Purva Madhyamik Vidhyalaya at Dhanupur Block, Allahabad. The attendance register was evident that the attendance of children was very low.
- b. Head Master of the school informed that Most of the students come school only for getting scholarships because they have already enrolled in another school.
- c. Mr. Rajmani Bind, Head Master of the concerned School, informed that only 2 teachers have been appointed in the school.

#### **d. Anganwadi Kendra**

It was found during the spot visit at Anganwadi Kendra in Danupur, Allahabad that only 6 children were present in the centre although total 70 children have been registered in the centre.

- e. Weighing Machine has remained out of order since last 3 years.
- f. The office register of the Anganwadi Kendra was not being maintained since 2007.

- g. The Anganwadi centers have no prescribed infrastructure and facilities for children so children will not even wish to play, let alone study in the Anganwadi center.
- h. It was informed that that the food for children are not being cooked at the Centre and are bringing from outside.

**NCLP School**

- i. The venue of NCLP School at Minto Road is running in basement type place in a rented house.
- j. The NCLP School was found very small, inconvenient and dirty.
- k. Total 45 children were present in the NCLP School, they were not vaccinated.
- l. The children of the NCLP School have to go to the Yamuna bank as there are no toilets in the NCLP School.
- m. Supply of drinking water for children was not appropriate. An out of order hand pump was seen in the school.

**n. Conference with Anganwadi Workers**

During the conference, worker of Anganwadi Centres demanded following:

- ✓ Every Anganwadi centre should have an own building.
- ✓ Anganwadi worker should be regularized as Government servant.
- ✓ There should be provision of holiday during summer and winter for the Anganwadi workers.
- ✓ The Menu chart for the nutrition food should be revised frequently.


**10.1. Recommendations:**

- a. Conduct investigation on the issue of fake admissions in the Poore Kanta Purva Madhyamic Vidhyalaya and send a report to NCPCR within one month.
- b. The concerned department must ensure that the schools are running regularly and the community is empowered to monitor the attendance of both teachers and children.
- c. There is urgent need for propagation of the RTE Act and compliance with all the given provisions.

- d. Conduct an investigation of the functioning of NCLP schools in Allahabad District and report back to NCPCR within one month, so as to improve the infrastructure.
- e. A detail status report of NCLP schools of the district (child-wise details from last 5 years) should be sent to NCPCR at the earliest.
- f. Prepare and submit a proposal to concerned department at State level for establishing a Children Home for child labourers and other children in need of care and protection in Allahabad under Juvenile Justice Act.
- g. Initiate making use of building space at Naini Hitkari Kendra in Allahabad for rehabilitating the child labourers as well as children in need of care and protection until unless new children home has been established.
- h. Residential bridge Course should be established in the district for the child labourer.
- i. A child tracking mechanisms should be developed for who has left the NCLP School after completing their education.
- j. Undertake surprise visits by a team headed by District Magistrate or a senior authority at district level to monitor the NCLP Schools and report to the NCPCR regularly. Ensure participation of representative from civil societies in the process.

We therefore request you to please look into the recommendations and ensure the same are implemented at the earliest.

With warm regards!  
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Yours sincerely,  
  
(Lov Verma)

**Shri Anoop Mishra**

Chief Secretary

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(Lov Verma)