

MOST IMMEDIATE/OUT TODAY

No.NCPCR/WG-CP/2007  
Government of India  
(National Commission for Protection of Child Rights)

5<sup>th</sup> Floor, Chanderlok Building,  
36, Janpath, N.Delhi-110001

Dated the 24<sup>th</sup> October, 2007

**ORDER**

Subject: Constitution of Working Group for 'Juvenile Justice System'

For the purposes of reviewing and providing recommendations with regards to the Juvenile Justice Act, its implementation and related issues in the country, it has been decided to set up a Working Group for 'Juvenile Justice System in the Country' under the National Commission for Protection of Child Rights (NCPCR).

The Composition of Working Group is given at Annex-I.

The Chairperson of the Working Group, if deemed necessary, may constitute sub-groups and/or may co-opt additional members.

The Working Group will finalize its Report by 31<sup>st</sup> January 2008.

The expenditure on TA/DA etc. of official members in connection with the meetings of the Working Group will be borne by the parent Department/Ministry/Organization to which the member belongs. Non-official members will be entitled to TA/DA as admissible to Grade I officers of the Government of India and this expenditure will be borne by the NCPCR.

The 1<sup>st</sup> meeting of the working group will be held on 29<sup>th</sup> and 30<sup>th</sup> October 2007 at 11 a.m. under the Chairpersonship of Ms Dipa Dixit, Member, NCPCR in Conference Room of NCPCR, 5<sup>th</sup> Floor, Chanderlok Blg, Janpath, New Delhi. You are requested to make it convenient to participate in the 1<sup>st</sup> Meeting of the Working Group.

(Gopal Krishan)  
Desk Officer  
Tel. 011-23724025

Copy forwarded to:

1. Members of the Working Group
2. Chairperson/ Member(DD) /Member(SB), (NCPCR)
3. Joint Secretary (LK), MWCD, Shastri Bhawan, New Delhi
4. Secretary/Head of Departments of Office (which the Member nominated in the Working Group represents) for his information.

**Composition of NCPCR's Working Group for 'Juvenile Justice System in the Country'**

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Chairperson of Working Group

Ms. Dipa Dixit, Member, NCPCR

Members of Working Group

1. Ms. Rashmi Chopra, Senior Fellow, NCPCR
2. Dr. Sameer Dalwai, Dalwai Nursing Home, Saira Mension, Pahadi School, Road No. II, Goregaon East, Mumbai – 400 063. 09820026503 (M), [samyrdalwai@gmail.com](mailto:samyrdalwai@gmail.com)
3. Mr. Arvind Narrain, No. 4, III Cross, Vasanth Nagar, Bangalore – 560 052., 09980010933 (M), 080 – 22356845 (T), [arvind@altlawforum.org](mailto:arvind@altlawforum.org)
4. Mr. S B Agnihotri, Joint Secretary, Cabinet Secretariat, Rashtrpati Bhawan, New Delhi – 110 004, 23015861(O), 23019701 (fax), [sbagnihotri@gmail.com](mailto:sbagnihotri@gmail.com)
5. Hon'ble Justice V. Vasanth, Kerala High Court,
6. Mrs. Nina Nayak, 09980497590 (M), [nayaknina@gmail.com](mailto:nayaknina@gmail.com)
7. Mr. Sony Kutty George, 24606565 (O), 9811260888 (M), [sogearge@unicef.org](mailto:sogearge@unicef.org)
8. Mrs. Kabir, 9871930601

Dear All,

Based on the discussions with the Working Group for Juvenile Justice System on 29<sup>th</sup> and 30<sup>th</sup> October, 2007, it was agreed that the following sub-committees would be found to address the following items:-

**I. Juvenile Justice Board:**

Sub-committee to consist of

1. Dr. Sameer Dalwai, Dalwai Nursing Home, Saira Mension, Pahadi School, Road No. II, Goregaon East, Mumbai – 400 063. 09820026503 (M), [samyrdalwai@gmail.com](mailto:samyrdalwai@gmail.com)
2. Mr. Arvind Narrain, No. 4, III Cross, Vasanth Nagar, Bangalore – 560 052., 09980010933 (M), 080 – 22356845 (T), [arvind@altlawforum.org](mailto:arvind@altlawforum.org)
3. Mr. S B Agnihotri, Joint Secretary, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi – 110 004, 23015861(O), 23019701 (fax), [sbagnihotri@gmail.com](mailto:sbagnihotri@gmail.com)
4. Hon'ble Justice V. Vasanth, Kerala High Court

**The Terms of Reference of this sub-committee are given below:**

**National Commission for Protection of Child Rights (NCPCR)**

**Establishment of Expert Committee - Review of Operation of Observation and Children's Homes**

DRAFT TERMS OF REFERENCE

Committee Members: Mrs. Kabir, Mr. SonyKutty George, Ms. Nina Nayek

Steering Group: Ms. Shantha Sinha, Chairperson NCPCR; Ms. Dipa Dixit, Member NCPCR; Process co-coordinator, NCPCR

**Objective**

To conduct a policy application and implementation review on the **establishment and operation of observation and children's homes** which provide the primary temporal and longer term 'ex-family' custodial care infrastructure enabling rescue, rehabilitation and restoration of children in need of care and protection

**Scope of Review:**

1. Review and Analysis on **state-by-state basis on the gaps (and their causal factors)** between the provisions of the Act and accompanying Rules and implementation to date.
2. Development of **issue specific and state specific recommendations** on how to address the above implementation gaps noting state specific constraints; development of proposals for any **required legislation reform**.
3. Development of recommendations on how best to **mobilise systemic transformation in an achievable manner directed by a hierarchy of prioritised outcomes**.

Key Issue Areas [Outlined in attached long form TOR]:

The NCPCR would like in particular to direct the Committee to the key areas of review noted below which are by no means exhaustive and should be added to as appropriate:

1. Financial / Budgetary allocations and disbursement (Centre/State)
2. NGO – State partnership basis
3. De-criminilisation & de-institutionalisation (Implementation of operational quality of care standards within homes and prioritised family restoration processes)
4. Education – Formal schooling access and alternatives, in-home temporal education provision, supplementary after-school support, child specific remedial /mainstreaming process (e.g. child labour), post family-restoration follow-up
5. Rehabilitation –In-home psycho-social needs assessment and delivery; and special needs counselling /treatment (drug abuse etc)
6. Rehabilitation – Vocational Training (ability based technical/professional etc platform tied to viable employment path development)
7. Data management
8. Governance & Monitoring

**Role of Committee Members:**

- (i) To lead review of home operation guided by their respective expertise/knowledge through access to existing assessment data as well as through undertaking/directing appropriate additional field
- (ii) To issue state by state reports outlining recommendations for key short-term priority actions, medium-term operational reform implementation plans and legislative reform proposals

**Role of NCPCR:**

Access to government personnel, facilities and records as well as provision of support resources as appropriate.

**Role of NCPCR Steering Group:**

Oversight, periodic review & consultation and sign-off on final report; Overall programme management of Committee's review process and report delivery, facilitation of any consultation 'roundtables'.

**Reporting Timeframe**

[December 2007]

## II. Juvenile Justice Homes

Sub-committee to consist of

1. Mrs. Kabir
2. Mrs. Nina Nayak, 09980497590 (M), [nayaknina@gmail.com](mailto:nayaknina@gmail.com)
3. Mr. Sony Kutty George, 24606565 (O), 9811260888 (M),  
[sogorge@unicef.org](mailto:sogorge@unicef.org)
4. Mrs. Vandan Khandhari, Consultant

Sub-committee will meet on 5<sup>th</sup> November, 2007 at 11 a.m. at NCPCR Office Building.

The Terms of Reference of this sub-committee are given below

**National Commission for Protection of Child Rights (NCPCR)**

**Establishment of Expert Committee - Review of Operation of Observation and Children's Homes**

**DRAFT TERMS OF REFERENCE**

Committee Members: Mrs. Kabir, Mr. Sonykutty George, Ms. Nina Nayek

Steering Group: Ms. Shantha Sinha, Chairperson NCPCR; Ms. Dipa Dixit, Member NCPCR; Process co-coordinator, NCPCR

**Objective**

To conduct a policy application and implementation review on the **establishment and operation of observation and children's homes** which provide the primary temporal and longer term 'ex-family' custodial care infrastructure enabling rescue, rehabilitation and restoration of children in need of care and protection

**Scope of Review:**

1. Review and Analysis on **state-by-state basis on the gaps (and their causal factors)** between the provisions of the Act and accompanying Rules and implementation to date.
2. Development of **issue specific and state specific recommendations** on how to address the above implementation gaps noting state specific constraints; development of proposals for any **required legislation reform**.
3. Development of recommendations on how best to **mobilise systemic transformation in an achievable manner directed by a hierarchy of prioritised outcomes**.

Key Issue Areas [Outlined in attached long form TOR]:

The NCPCR would like in particular to direct the Committee to the key areas of review noted below which are by no means exhaustive and should be added to as appropriate:

2. Financial / Budgetary allocations and disbursement (Centre/State)
2. NGO – State partnership basis
8. De-criminalisation & de-institutionalisation (Implementation of operational quality of care standards within homes and prioritised family restoration processes)
9. Education – Formal schooling access and alternatives, in-home temporal education provision, supplementary after-school support, child specific remedial /mainstreaming process (e.g. child labour), post family-restoration follow-up
10. Rehabilitation –In-home psycho-social needs assessment and delivery; and special needs counselling /treatment (drug abuse etc)
11. Rehabilitation – Vocational Training (ability based technical/professional etc platform tied to viable employment path development)
12. Data management
8. Governance & Monitoring

**Role of Committee Members:**

- (iii) To lead review of home operation guided by their respective expertise/knowledge through access to existing assessment data as well as through undertaking/directing appropriate additional field
- (iv) To issue state by state reports outlining recommendations for key short-term priority actions, medium-term operational reform implementation plans and legislative reform proposals

**Role of NCPCR:**

Access to government personnel, facilities and records as well as provision of support resources as appropriate.

**Role of NCPCR Steering Group:**

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**Reporting Timeframe**

[December 2007]