

National Commission for Protection of Child Rights

Report on the activities carried out during February-March, 2019

Major Activities undertaken

JJ Act

- Member, NCPCR visited Government Girl's Homes and Boy's Homes at Purasavakkam, Tamil Nadu on 11.02.2019. The Girl's home was found running as per norms. For Boys Home, Member suggested to the functionaries of Home to start a bridge course for the inmates due to heterogeneous grouping of children. Also, he instructed them to clear the unused junk material stacked in the dormitories and vocational center.
- Member, NCPCR visited Children Home for Boys, Alipur, Delhi on 13.02.2019. During the visit, Member gave recommendations to the concerned authorities related to safe drinking water, non-availability of teachers, arrangement of vocational courses, etc.
- The Commission received an email on 20.02.2019 from Kolathur, Tamil Nadu alleging that a 15 yrs old boy was assaulted and abused at Kolathur police station. The Commission constituted a fact finding team under the leadership of Member (Child Psychology), NCPCR which made a visit to the said child on 14.03.2019. Representatives from SCPCR, CWC, and Police Dept. were also present during the visit. On 15.03.2019, the team met with Assistant DGP and discussed the matter. It was informed by the Assistant DGP that a circular shall be forwarded to all the police stations in Tamil Nadu to ensure and curb the occurrence of such cases in future.
- Chairperson, NCPCR visited Raisen, Vidisha and Ganj Basoda (M.P.) on 7th & 8th March, 2019 from where he rescued 24 children. Out of these 24 children, 02 children were found to be affected from substance abuse. CWC placed these children in private rehabilitation center as there were no Govt. CCI and Rehabilitation Center in the area.
- Team of two experts from NCPCR visited Paskim Mary Cross child shelter in Ludhiana, Punjab on 07.03.2019 to inquire into the matter of a closing of said Home by the concerned authority. During the visit, it was found that the said Home was in pathetic condition and all children of the Home were restored to other Homes.

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Laws related to Children

- The Commission received a complaint through POCSO e-box regarding sexual abuse of a minor girl by her close relative in Hisar. Taking cognizance in the matter, the Commission directed Childline and Local Police to take immediate action. Based on the rigorous follow-up by NCPCR, an FIR was registered at women police station u/s 376(2) (f), 506 IPC and sec. 6 of POCSO Act, 2012 against the said accused.
- Based on a complaint of non-registering of FIR in a matter of sexual abuse of a 13 year old minor received through POCSO e-box, the Commission directed Hamirpur Police to register the complaint. As a result, a FIR got registered u/s 354, 452 IPC & u/s 7& 8 of POCSO Act, 2012 against the accused on 13.03.2019.

Child Health

- The Commission took cognizance of a complaint forwarded by the MWCD originally received from Sh. Pramod Madhav dated 20.02.2019 alleging that while taking treatment at Coimbatore Medical College (CMCH), a two yrs. girl child got blood transfused and infected with HIV. A fact finding team lead by Member (Child Psychology), NCPCR along with representative from National AIDS Control Organization (NACO) went to Coimbatore on 27th February, 2019 and visited the child alongwith the hospital and District administration. Based on the observations of the team, a set of recommendations were sent to District Collector, Coimbatore along with copy marked to Secretary (H & FW), Tamil Nadu and Project Director, Tamil Nadu State AIDS Control Society (**Annexure-I**).
- The Commission took *Suo-Motu* cognizance of a news article published in Times of India titled as, "a rare viral illness has caused scare at South Delhi School". It was alleged in the news report that a child in a school in South Delhi suffered HFMD, a viral infection that is contagious and caused fever and rashes or blisters on the hands and feet as well as in or around the mouth. Taking cognizance in the matter, a detailed action taken report was sought from District Magistrate, South Delhi and Delhi State Commission. In response, an action taken report from the office of Chief District Medical Officer, South East District, Directorate General of Health Services, Govt. of NCT of Delhi was received stating that the child recovered and has resumed his school.

MA

- Member (Child Psychology), NCPCR conducted on-spot inspection at Institute of Child Health Egmore, Chennai on 12.02.2019 along with Director & Superintendent and RMO of the Hospital to assess the services being provided by the hospital. During the visit, the hospital was found running as per norms and clean and tidy.

Education

- NCPCR organized four one-day district level sensitization workshops on Hon'ble Supreme Court's Guidelines on safe and secure transport facilities for school children at Bhiwani (15.03.2019) and Kaithal (18.03.2019), Haryana; Nahan (25.03.2019), Himachal Pradesh and Warangal (30.03.2019), Telangana.
- The Commission organized a state-level sensitization workshop on Manual on Safety and Security of Children in Schools at Karnal, Haryana on 19.03.2019. The workshop was attended by school management, principals, teachers, representatives from State/District Education Department and Haryana SCPCR.
- To ensure right to free and compulsory elementary education to the children of the minority community under RTE Act, 2009, NCPCR organized four state level one-day consultations at Maharashtra (27.02.2019), Rajasthan (01.03.2019), Uttar Pradesh (06.03.2019) and Bihar (23.03.2019). The consultations were attended by representatives of Madarsa Boards, Teachers from Madarsas, students from Madarsas and their parents and respective SCPCRs.
- NCPCR requested and recommended to CBSE vide letter dated 15.02.2019 to extend relaxation/flexibility in ongoing/upcoming board exams for children of the martyred soldiers of Pulwama attack. In response, CBSE accepted the request of NCPCR and issued a circular for the same (**Annexure-II**).
- NCPCR prepared Guidelines for fixing accountability of the school management in the matter of safety of the children studying in private and government schools and submitted to MHRD. During the period under report, MHRD conducted a meeting on 14.02.2019 and constituted an expert group for finalizing the Guidelines.

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- The Commission initiated a Study on 'Education Status of Children of Women Prisoners in India'. During the period under report, questionnaires were drafted to conduct the study.
- NCPCR is in process of conducting a study on child abuse and vulnerability of children (Safety and Security issue) studying in Kasturba Gandhi Balika Vidyalayas (KGBVs), Ashram Schools and Jawahar Navodaya Vidyalayas (JNVs). During the period under Report, the field work is completed in Navodaya Vidyalayas and preparation is on to start in Ashram Schools.

Grievance Redressal Mechanism

- During the period under report, the Commission received 779 new complaint cases and disposed off 292 cases including pending ones.
- During the period under report, the Commission conducted two summon hearings:
 - In the matter of a found missing child wherein DCPO appeared before the bench and presented the case on 06.03.2019.
 - In the matter of death of a 5 year child due to negligence of school and non-compliance of Hon'ble Supreme Court's guidelines on school transport wherein it was found that a defective bus was ferrying children on the road, RTO & Additional Deputy Commissioner, Panipat appeared before the bench on 20.03.2019.
- During the period under report, Quick Response Cell (QRC) of the Commission carried out 3 rescue operations in Madhya Pradesh, Jharkhand, and Telangana and rescued 38 children from child labour.

Child Labour

- The Commission received a complaint forwarded by MWCD on 04.02.2019 with a subject 'Fact Finding Exercise on existence of child labour in a Poultry Farm Supply Chain' in Hyderabad. It was alleged that the poultry farms have restored to child labour and are therefore, violating the rights of children. After taking cognizance, Member (Child Psychology) along with his team conducted a fact finding visit in the concerned district i.e. Ranga Reddy, Telangana. On 21.02.2019, the team held a meeting with District Administration and concerned department and discussed the observations of its fact finding exercise.

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North Eastern Region

- The Commission organized three one-day district level workshops on Child Trafficking at districts Kokrajhar on 16.03.2019; Tezpur on 19.03.2019 and Dibrugarh on 22.03.2019, Assam. The workshops were participated by Police Officials, Media Professionals, Members of JJBs & CWCs, DCPUs, DCPOs, SJPU and Law Students.
- The Commission organised four one-day district level consultations cum review meeting on Available Schemes and Services for Malnourished and stunted children in Districts with High Incidence of Malnutrition in Assam. The consultations were conducted at district Darrang (20.03.2019), Golpara (25.03.2019), Dhubri (27.03.2019) and Morigaon (28.03.2019). The consultations were participated by Anganwadi workers, Nutrition experts, ANMs, representatives of Education Department, Health Department, ICDS, Medical Students, NGOs, Swasth Bharat Preraks from Poshan Abhiyan, Public Health Engineering Department, etc. The consultations were concluded with certain recommendations.
- NCPCR organised three State-level Consultations on Drug/Substance use among children in North Eastern States at Aizwal, Mizoram on 20.03.2019; Agartala, Tripura on 23.03.2019; and Itanagar, Arunachal Pradesh on 23.03.2019. The consultations were participated by representatives of State Departments of Education, Health, Social Welfare, Panchayat, Medical Officers from District Hospitals, Police, Members of CWCs, JJBs, Students and Teachers of nearby schools and Civil Society Organisations. The consultations were concluded with certain recommendations.

Further, a Regional level Consultation on Drug/Substance use among children in North Eastern States was organised on 26.03.2019 at Guwahati, Assam. The consultations were attended by representatives from State Education Dept., Health Dept., NACO, UNDOC, JJBs, CWCs, Civil Societies, etc.

- NCPCR organised a Regional Consultation to review the Status of drop-out rate in North-Eastern States and Devising Pathways for addressing High Drop Out Rate in the region on 25.03.2019 at Guwahati, Assam. The consultation was participated by representatives of North Eastern States Education Dept., Social Welfare, SCPCR, District Education Officers, etc. The representatives shared the present status of drop-out, challenges, issues and good practices being implemented in their respective states.

- NCPCR organised a Multi-Stakeholder Meeting on Availability and Access to ECCE Curriculum in Regional Dialects and Mother Tongue at Guwahati, Assam on 27.03.2019. The meeting was attended by representatives from State Education Department, DEO, SCERT, NIPPCD, Private schools providing pre-school education for children in the age 3-6 years, Independent experts/organisations working for ECCE, etc. The meeting was concluded with certain recommendations.

Other Activities

- In order to deal with the issue of stress and its negative effects on children during board examination, NCPCR carried out a month long campaign 'Pariksha Parv' during exam period i.e, February-March, 2019. During the campaign, Radio Spots were broadcast and Live streaming sessions on Q & A with experts were arranged through Facebook/Twitter/YouTube from 21st February to 15th March, 2019.
- The Commission organised a Hindi Workshop on 09.02.2019 to orient the Officers and staff of the Commission to work in Hindi instead of depending upon the translation. The subject of the workshop was 'Types of official letters in Hindi'. During the workshop, officers and staff were given practical training to prepare drafts of letters in Hindi. The participants of the workshop were also given information about Official Language Policy of the Govt. of India.
- NCPCR celebrated International Mother Language Day on 28th February, 2019 in the presence of Member (Laws related to Children). The officers as well as staff of the Commission expressed their views on Child Rights issues in their respective mother language.

Visits

Chairperson

- Visited Guwahati, Assam from 2nd - 4th Feb, 2019 to attend workshop-cum-training programme for the selected local volunteers/workers under Niramoy Project jointly implemented by Sewa Bharti Purvanchal (SBP) & Foundation for Integrated Support and Solution (FISS).
- Attended a meeting to finalize Guidelines for fixing accountability of school managements in the matter of safety of children studying in schools organized by MHRD at IHC, New Delhi on 14.02.2019.

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- Participated as Chief Guest at 'Swabhiman Betiyan', a programme for girls rescued from child trafficking organized by Bhartiya Kisan Sangh, Ranchi, Jharkhand on 16.02.2019.
- Attended training programme for law students on the issues related to child sexual abuse and implementation of POCSO Act, 2012 organized by Bar Council of India at their Office in New Delhi on 17.02.2019.
- Participated in 11th meeting of विश्व हिन्दी सम्मलेन organized by Ministry of External Affairs at Jawahar Lal Nehru Bhawan, New Delhi on 22.02.2019. The minutes of the meeting were received in the Commission on 15.03.2019 directing to comply the four recommendations passed in the 8th parallel session. In this regard, a letter was sent to Sh. Mahesh Sharma, Hon'ble Minister of State (Independent Charge) Culture as well as Sh. Divik Ramesh, Hindi Scholar vide which it is suggested to organize a National Level conference on 'The status of Children's Literature in Literary Magazines' in near future and requested to discuss the other recommendations related to Children's Literature.
- Attended workshop on 'Child Friendly Panchayats' on 25th -26th February, 2019 at Indian Institute of Tourism & Travel Management, Gwalior, MP.
- Gave concluding remarks in 'Presentation of summary of Discussions on 9th National Stocktaking Convention' organized by RTE Forum at Constitution Club, New Delhi on 13.03.2019.
- Attended 'National Conclave on Food' organized by Centre for Science & Environment (CSE) on 15th March, 2019 at IHC, Delhi and made a presentation on NCPCR's initiatives on limiting food High in Sugar and Salt (HFSS) in schools.

Member (Law related to Children)

- Attended a meeting as Member of Presentation Committee, with NGOs and stakeholders at Guwahati on 16.02.2019 in regard to the selection procedure for upcoming workshops/consultations scheduled for March, 2019 in north-east region.
- Gave orientation to students of ITI-Chhattisgarh on child rights issues on 19.02.2019.
- Chaired a meeting organized by Rajbhasha Division on Hindi Diwas at NCPCR on 26.02.2019.
- Visited Chhattisgarh from 16th to 22nd March, 2019. During the visit, Member conducted surprise visits to Children Homes, Anganwadis, CCI, Observation Homes and addressed Programmes of POCSO awareness in Schools in various districts of the State.

- Participated in a meeting organized by Plan India, an NGO on Child Marriage at New Delhi on 26.03.2019.

Member (Child Psychology or sociology)

- Participated in National Consultation of UTs on creating Child Friendly Cities organized by Chandigarh CPCR on 07.02.2019 at Chandigarh Judicial Academy.
- Visited Chennai, Tamil Nadu on 11th -12th February, 2019 to assess the situation of children in CCIs. Held a meeting with Commissioner, Social Defence at Directorate of Social Defence Office, Tamil Nadu and suggested measures to enhance the existing infrastructure as well as institutional facilities within the premises of the CCIs.
- Participated in National Conference on Inclusive Rehabilitation, Converging Mental Health & Special Education Needs organized by National Institute of Empowerment of Persons with Multiple Disabilities, Department of Empowerment of Persons with Disabilities on 26.02.2019.
- Attended a Consultation on Custody of children in event of dispute in NRI Marriages organized by NCW at their Office on 28.03.2019.

NSH



डा० आर.जी. आनंद
Dr. R.G. ANAND
एम.बी.बी.एस., एम.डी., एफ.एच.एम.
M.B.B.S, M.D, F.H.M
सदस्य
MEMBER



भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001

D.O Letter No- TN-104683/2018-19/Comp/Health

Dated: 11.04.2019

Dear Sir,

National Commission for Protection of Child Rights (NCPCR) had received a complaint regarding case of two years old baby turned HIV+ve allegedly after blood transfusion in Coimbatore Medical College and Hospital.

2. After examination of the contents of the complaint, a Fact Finding team had been deputed to inquire into the said complaint on 27th -28th February, 2019. A team led by Dr. R.G.Anand, Member Child Psychology & Sociology, Senior Technical Expert, NCPCR and Blood Bank Medical Officer nominated by NACO visited the said Hospital and met the family and concerned officials.
3. On the basis of observation of fact finding team, you are requested to take action on the following points and submit a detailed report with all the documents to this Commission within 10 days-

On reviewing the blood bank records and interacting with the Blood Bank in charge, staff and parents of the said child, following points were noted by the fact finding team:

- i. A blood donation camp was conducted on 4-07-2018 at L & T PDC, Redfields, Coimbatore which was organized by Lions club of Coimbatore wherein 100 units of blood were collected. Out of these, blood unit labeled 6397 which is alleged to be responsible for the child being infected with HIV, was collected from a donor of about 24 years of age. He has been a regular donor and has donated 5 times earlier. Blood was collected in a top and bottom triple bag. It was subjected for component separation and was separated into packed red blood cell, fresh frozen plasma and platelets. Screening for the said unit was done on the same day (04-07-2018) by ELISA and the blood bag was found to be seronegative for HIV, HBsAg, HCV, VDRL and Malarial Parasite.
 - Details of the kit: 3rd generation ELISA, Erba Lisa
 - Cut off value was calculated by using the formula: $0.1 + \text{Mean of negative control}$
 - Negative control values: 0.024, 0.057, 0.043
 - Cut off: $0.1 + 0.042 = 0.142$
 - OD value of this sample: 0.042
- ii. A request was received in the Department of Transfusion Medicine & Blood bank, CMC Hospital from the Department of Pediatrics for one unit of A Positive packed red blood cells for a patient by name Karpagam aged 1 year on 12-07-2018 with a clinical diagnosis of Global developmental delay / Pneumonia / Anemia / Rickets. On the same day, blood bag labelled 6397 was issued. This unit is alleged to be responsible for the child developing HIV infection in the child.
- iii. It has also been found that, the same blood unit was issued to three other patients (One each of packed red cells - small volume, plasma and platelet). All the issues have been documented in the issue register.

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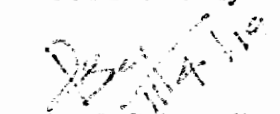
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- iv. It is mentioned in the reply given by Coimbatore Medical College Hospital that, following this allegation, the donor has been traced to be available in Chennai and he was convinced to donate blood again at Chennai. Blood collected post donation was subjected for screening and it was told that the donor was seronegative (ELISA reports received over *Whats's app*). On inspecting the donor form, it is noted that the signature of the donor on the donor form of this time's collection in Chennai does not match with the one which has been produced by the blood bank of Coimbatore medical college. There is gross discrepancy in the signature of the donor on three donor forms.
- v. As there is gross discrepancy in the signature of the donor on the donor forms, a detailed enquiry needs to be undertaken in order to arrive at a conclusion. As the confidentiality of the donor is of utmost importance, this issue needs to be addressed carefully.
- vi. All the blood units are screened only by ELISA in the blood bank. If the blood units were subjected for Nucleic acid testing (NAT), it would decrease the window period of detection of transfusion transmitted infection.
- vii. Authorities of Coimbatore Medical College Hospital should be instructed not to arrive at any conclusion and only submit their observations.
- viii. It was informed by the parents of the said child that the complaint was reported by in Police Station but no case was registered by Police. An enquiry may be conducted by in the matter and notice may be issued to the concerned Police official for not reporting the case and not taking any action.
- ix. Proper treatment and support should be provided to the child wherever the best facility is available preferably in Coimbatore Medical College. Regular follow up of treatment from ART centre. A written order from District Magistrate, Coimbatore should be given to the Hospital. The family of the child should also be provided with adequate financial help by the District Administration for meeting their travel expenses.
- x. All the blood units are screened only by ELISA in the blood bank. If the blood units were subjected for Nucleic acid testing (NAT), it would decrease the window period of detection of transfusion-transmitted infection. All the screenings must take into consideration this crucial component.

In view of the above points, you are requested to take necessary actions as recommended by the fact finding team and send a detailed Action Taken Report (ATR) at the earliest by 25th April, 2019.

Yours sincerely'


(Dr. R.G. Anand)
Member, NCPCR

Thiru. K. Rajamani I.A.S.
District Collector
Coimbatore, Tamil Nadu
Collectorate Building Coimbatore- 641018

डॉ. आर. जी. आनंद / Dr. R. G. ANA
सदस्य / Member
राष्ट्रीय बाल अधिकार संरक्षण आयोग
National Commission for Protection of Child Rights
महिला एवं बाल विकास मंत्रालय
Ministry of Women & Child Development
भारत सरकार, नई दिल्ली / Govt. of India, New D

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Copy for necessary action:

1. **Secretary (H&FW)**, Department of Health & Family Welfare, Government of Tamilnadu, 4th Floor, Fort St. George, Secretariat, Chennai - 600009, Tamil Nadu, Phone : 044 25671875, 25665671, Fax No : 044-25671253, Email : hfwsec@gmail.com 9071
2. **Project Director**, Tamil Nadu State AIDS Control Society, 417, Pantheon Salai, Egmore, Chennai, 600008, Tamil Nadu. Phone: 044-2819 0261 Fax: 044-28190465, Email: tansacs.pd@gmail.com 9072

Copy for Information to:

Dr Girija Vaidyanathan, IAS, Chief Secretary to Government, Government of Tamil Nadu, Secretariat, Chennai-600009, Email: cs@tn.gov.in 9073

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प्रियंक कानूंगो
Priyank Kanoongo
अध्यक्ष
Chairperson

भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
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Annexure-III
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F.No. 25019/02/2016-17/NCPDR

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Date: 15.02.2019

To

Ms. Anita Karwal,
Chairman, CBSE
Shiksha Kendra, 2, Community Centre,
Preet Vihar, Delhi - 110092
Fax: 011-22515826
Email: cbse@nic.in

Subject: Regarding exemption from ongoing/upcoming exams for children of martyred soldiers in Pulwama attack

Ma'am,

This is to draw your kind attention towards the unfortunate incidence of attack on CRPF Jawans in Jammu and Kashmir that led to death of many Indian Soldiers. This is a time of grief and pain for the entire nation and demands our support for their families in best of our abilities.

The National Commission, as per its functions u/s 13 (d) of CPCRA Act, 2005, requests and recommends CBSE to extend relaxation/flexibility for children of the martyred Jawans in the schedule of ongoing/upcoming Board exams and lay down an alternate arrangement for the same. It is also recommended that CBSE may issue a circular to schools affiliated to the Board to exempt children of the martyred soldiers in yesterday's Pulwama attack from the ongoing/upcoming exams.

For this, an early intervention on your part is requested.

With regards

Yours sincerely

(Priyank Kanoongo)

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MSL Madhulika Sharma
Adv. (Edu.)