Minutes of the 35th Statutory Meeting of the Commission held on 24th August, 2018 in the Conference Room (5th floor) of NCPCR, Chanderlok Building, Janpath, New Delhi.

The 35th Statutory Meeting of the Commission was held on 24.08.2018 at 4:00 P.M. in the Conference Room (5th floor) of NCPCR. The following were present:

Ms. Stuti Kacker, Chairperson
Shri Yashwant Jain, Member
Shri Priyank Kanoongo, Member
Ms. Rupa Kapoor, Member
Dr. R.G. Anand, Member
Ms. Geeta Narayan, Member Secretary

The meeting commenced with a welcome note and brief introductory remarks by the Chairperson.

Confirmation of the Minutes of 34rd Statutory Meeting of the Commission held on 20.03.2018

The Chairperson informed that the Minutes of the 34th Statutory Meeting of the Commission were treated as confirmed as no comments were received.

Action Taken Reports (ATRs) on decisions taken in the 34th Statutory Meeting of the Commission held on 20.03.2018

Action Taken Reports (ATRs) on decisions taken in the 34th Statutory Meeting of the Commission were reviewed by the Commission. The current status of ATRs is given at Annexure-'A'.

[Action: MS to follow-up pending ATRs]

Pending Action Taken Reports (ATRs) on decisions taken in the 27th to 33rd Statutory Meetings of the Commission.

Pending Action Taken Reports (ATRs) on decisions taken in the 27th to 33rd Statutory Meetings of the Commission were also reviewed by the Commission. The current status of ATRs is given at Annexure-'B'.

[Action: MS to follow-up pending ATRs]
I. AGENDA ITEMS PROPOSED BY SHRI YASHWANT JAIN, MEMBER (CHILD LABOUR/JJ)

Agenda 1: Requirement of additional Staff to JJ & POCSO Division:

For effective monitoring of the Juvenile Justice (Care and Protection of Children) Act, 2015 and the POCSO Act, 2012, there is an acute shortage of manpower in JJ/POCSO Unit. The Commission has also approved setting up of National Resource Centre for Implementation of the POCSO Act, 2012. Therefore, additional manpower is required to cope up with the tasks. Justification for requirement of additional staff has already been conveyed to Admin Division on 17th April 2018.

The Commission may please consider urgent augmenting of these Divisions.

Decision: Member Secretary was asked to review the requirement of additional manpower in JJ and POCSO Division on the basis of progress in on-going recruitments.

[Action: MS]

Agenda 2: SOP for restoration/rehabilitation of survivors of trafficking and commercial child sexual exploitation:

NCPCR is mandated to monitor the implementation of the Juvenile Justice Act, 2015 and the POCSO Act, 2012. At present, the Commission does not have IEC materials on restoration/rehabilitation of survivors of trafficking and commercial child sexual exploitation for use of stakeholders. To facilitate effective coordination between the stakeholders, the JJ/POCSO Division has proposed developing SOP for restoration/rehabilitation of survivors of trafficking and commercial child sexual exploitation with the help of experts/NGOs.

The Commission may kindly like to approve the proposed course of action in the matter.

Decision: The proposal was approved in principle by the Commission.

[Action: Member (YJ)]

Agenda 3: SOP on Escape/Runaway/Sexual Abuse/Death of Children in Child Care Institutions:

NCPCR noticed that there are media reports that children in CCIs are being forced to run away from Child Care Institutions due to various reasons including inadequate physical infrastructure, food, sanitation and other facilities. There are also media reports that children are also being tortured in the Child Care Institutions resulting in deaths. The NCPCR organized one-day consultation on “Death of Children in Child Care Institutions” on 12th October 2017. In
pursuance of decision taken in the meeting, it was recommended to develop SOP to be followed on the escape/runaway/sexual abuse/death of children in Child Care Institutions.

The Commission may kindly like to approve the guidelines developed in this context in collaboration with NHRC.

**Decision:** The Commission took note of the publication.  

**[Action completed]**

### Agenda 4: Developing Handbook on Foster Care:

NCPCR is mandated to monitor the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015. Section 44 of the JJ Act provides provision of Foster Care of Children in need of Care and Protection including Group Foster Care for their care and protection. The MWCD has issued Model Guidelines for Foster Care, 2016 in November 2016. However, at present there is no Manual or the User Handbook for Foster Care for use of stakeholders. NCPCR organized a consultation on 20th September 2017. It was decided to develop User **Handbook on Foster Care** with the help of NGOs.

The Commission may kindly like to approve the User Handbook on Foster Care developed in collaboration with Development Alternatives, New Delhi.

**Decision:** The Commission noted the same.  

**[Action completed]**

### Agenda 5: SOP for use of Child Art as an analytical tool for interpretation of Child Sexual Abuse:

The NCPCR had organized a consultation on Child Sexual Abuse on 20th November 2017. As per the decision taken in the above meeting, a Committee was set up to develop a ‘**SOP for use of Child Art as an analytical tool for interpretation of Child Sexual Abuse**’ as Support Group for victims of Child Sexual Abuse. Dr. Rajesh Sagar, AIIMS, New Delhi was requested to lead the Committee.

The Commission may kindly like to approve the proposed course of action in the matter.

**Decision:** The proposal was approved in principle by the Commission. Further, Member (YJ) was requested to place the SOP on the website of NCPCR to seek public opinion. He was also requested to circulate the same internally also.

**[Action: Member (YJ)]**
In order to discuss the increasing trend of heinous offences being committed against children and to develop and recommend an effective preventive strategy, the Commission organized consultation on 21st May 2018 at Bangalore and on 30th July 2018 at NCPCR. In pursuance of recommendations of these consultations, it has been proposed to develop SOP on Prevention of Crime/Violence against Children, with the help of NGOs.

The Commission may kindly like to approve the proposed course of action in the matter.

Decision: The proposal was approved in principle by the Commission.

[Action: Member (YJ)]

Regular inspection of our Child Care Institutions would provide better institution care for our children. Hence for a clear understanding of requirements of inspection of Child Care Institutions by Inspection Committees under Section 54 of the JJ Act 2015, the Commission, in collaboration with Tamil Nadu Indian Council for Children Welfare, Chennai, has developed guidelines on “Role and Functions of Inspection Committees” and circulated to all concerned.

The Commission may kindly like to consider ratifying action taken in the matter.

Decision: The guidelines on “Role and Functions of Inspection Committees” prepared by NCPCR in collaboration with Tamil Nadu Indian Council for Children Welfare, Chennai, were ratified by the Commission.

Partners for Law in Development, an NGO based in Delhi, has brought out a publication on बाल शोषण और कानून : Child Sexual Abuse and Law, which is a source book for understanding provisions of the POCSO Act, 2012 in Hindi language. NCPCR has proposed to bring out 2nd edition of the book after incorporating relevant provisions of the Juvenile Justice Act, 2015.

The Commission may kindly like to approve the proposed course of action in the matter.

Decision: The proposal was approved in principle by the Commission.

[Action: Member (YJ)]
Agenda 9: Status of Tihar Jail by Panel Members of NCPCR (Court on its own motion Vs Department of Women and Child Development):

In pursuance of directions of the Hon'ble Delhi High Court in the matter of 'Court on its Own Motion Vs Department of Women and Child Development & Ors, W.P. (C) No.8889/2011', NCPCR Panel Members have made 32 visits to various Jails in Delhi till November 2015 to find out if there are any persons lodged in jails who should have been the beneficiaries of the Juvenile Justice (Care and Protection of Children) Act, 2000. The reports have been sent to Delhi State Legal Services Authority (DSLSA).

In pursuance of the above orders, NCPCR Team consisting panel of members, visited Tihar and Rohini Jails of Delhi on 29th April, 27th May, 24th June, 29th July, 26th August, 23rd September, 28th October, 25th November & 30th December 2017; and 27th January, 24th February & 31st March, 2018 respectively during the year 2017-2018, to identify juvenile wrongly confined in these Jails and to take suitable measures.

As intimated by Central Tihar Jail, New Delhi, 101 inmates have been transferred to Observation Home for Boys since April 2017 to January 2018. Further, Central Tihar Jail, New Delhi, vide its letter dated 8th March 2018 has also intimated that three inmates have been transferred to Observation Home for Boys, Delhi during the month of February 2018 and four inmates have been released from Central Tihar Jail, Delhi.

The Commission may kindly like to note the efforts made by the JJ/POCSO Division.

**Decision: The efforts made by JJ/POCSO Division were appreciated and noted by the Commission.**

Agenda 10: Book 'Being Safe on Internet - Awareness Guidelines':

In order to provide useful information on Digital Safety for Children, NCPCR has published 'Being Safe Online - Guideline and Standard Content for Raising Awareness Among Children, Parents, Educators and General Public' with the help of experts and circulated to all concerned.

The Commission may kindly like to consider ratifying action taken in the matter.

**Decision: The Action taken by JJ/POCSO Division was ratified by the Commission.**
NCPCR has been organizing awareness cum training workshops on the Juvenile Justice Act, 2015, POCSO Act, 2012 and other issues related to child rights. As per records available, NCPCR has not organized training programme/workshops in Arunachal Pradesh, Bihar, Kerala, Lakshdweep, Nagaland, Odisha, Puducherry, Telangana, Tripura, Daman & Diu and Dadra & Nagar Haveli during the last two years. Accordingly, NCPCR has requested these States/UTs in May 2018 to organize State Level Training Workshop during the period May – August 2018 as per guidelines of the Commission.

The Commission may kindly like to see the efforts made by the JJ/POCSO Division.

**Decision:** The efforts made by JJ/POCSO Division were noted by the Commission.

Agenda 12: Proposed State Level consultation/orientation workshop in Uttar Pradesh in collaboration with Amity University, NOIDA:

a) Orientation on new Child Labour (Prohibition and Regulation) Act and Rules
b) Orientation on The Bonded Labour System (Abolition) Act, 1976
c) Implementation of “Action Plan for Abolition for Child Labour” State level
d) Functioning of SCPCR, Labour Commission, Revenue Department and CWC etc.
e) Functioning and monitoring of District Task Force on Child Labour
f) Rehabilitation, compensation and social re-integration of rescued children
g) Rescue operations on child labour/domestic child labour
h) Focus on rehabilitating of children and assure jobs to their families under the MGNREGA and various other livelihood schemes.

**Decision:** This Agenda Item was withdrawn by Member (YJ).

Agenda 13: Proposed Inter-State SOP for Rehabilitation and Repatriation of Rescued Child Labour, 2018:

The SOP identifies functions of various departments of the concerned ‘two states’ in cases of child labour and child trafficking. The following components:

1. Repatriation: Repatriation or ‘transfer’ of children from one State to another should be done in accordance with S. 95 & 96 of the JJ Act. The responsibility of escorting the child lies with the Special Juvenile Police Unit (SJPU)
2. Rehabilitation: The individual care plan should be shared between the concerned states. The ‘transferred’ children should continue with their schools/vocational education without any considerable break.

3. Compensation: The States’ respective departments need to ensure that compensation is released in a time bound manner.

4. Restoration: Since the CWC has the power to restore a child to his/her parents, foster parents, guardian or fit person, it should do so in consultation with the ‘source state’ CWC.

5. Prosecution and Adjudication: The District Child Protection Unit should transfer case files with the children and the State Legal Services Authorities should ensure receipt of summons and victims/witness production on due dates.

**Decision:** This Agenda Item was withdrawn by Member (YJ).

**Agenda 14: Proposed National Action Plan for Elimination of the Practices of Child Labour, 2018:**

NCPCR has also decided to draft a National Plan of Action for Combating Child Labour. This Plan of Action takes into consideration the recent amendments in child labour legislation and JJ Act and sets time bound targets that would align with the National Plan of Action for Children 2016. This would help the Government in reviewing its activities as well as developing innovative strategies to tackle various challenges.

**Decision:** This Agenda Item was withdrawn by Member (YJ).

**Agenda 15: Proposed State Level consultation/ orientation workshop on “Model Standard Operating Procedure (SOP) for Post-Rescue Procedure for Repatriation of Trafficked Children Survivors Rescued From Delhi and NCR, 2018” in Chhattisgarh and Maharashtra in collaboration with State SCPCRs:**

a) Orientation on “SOP for Post-Rescue Procedure for Repatriation of Trafficked Children Survivors Rescued From Delhi and NCR, 2018”
b) Functioning of SCPCR, Labour Commission, Revenue Department and CWC etc.
c) Functioning and monitoring of District Task Force on Child Labour
d) Rehabilitation, compensation and social re-integration of rescued children
e) Rescue operations on child labour/ domestic child labour
f) Focus on rehabilitating of children and assure jobs to their families under the MGNREGA and various other livelihood schemes

**Decision:** This Agenda Item was withdrawn by Member (YJ).
Agenda 16: Proposed State/District Level consultation/ workshop on Child Rights in Nagaland, Sikkim, Arunachal Pradesh and Tripura:

(i) Orientation JJ Act & POCSO Act and Rules
(ii) Orientation on The Bonded Labour System (Abolition) Act, 1976
(iii) Implementation of “Action Plan for Abolition for Child Labour” State level
(iv) Functioning of SCPCR, SJPU/CWPO and CWC etc.
(v) Rehabilitation, compensation and social re-integration of rescued children
(vi) Rescue operations on child labour/ domestic child labour

Decision: This Agenda Item was withdrawn by Member (YJ).

Agenda 17: Proposed Visit in CCIs in 8 States of North-East-Region (NER). (Issue relating to violation of Child Rights in CCIs in NER):

Decision: This Agenda Item was withdrawn by Member (YJ).

Agenda 18: Proposed Workshop with officials of the Police Department of North East States in POCSO Act 2012 and Juvenile Justice Act 2015:

Decision: This Agenda Item was withdrawn by Member (YJ).

Agenda 19: Proposed Consultation with Village Head and Tribal Leader of the North East Region on JJ Act 2015 and POCSO Act 2012:

Decision: This Agenda Item was withdrawn by Member (YJ).

II. AGENDA ITEMS PROPOSED BY SMT. RUPA KAPOOR, MEMBER (CHILD HEALTH)

Agenda 20: Action Plan-2018-19 - (April to October) [Child Health] and the activities conducted during April 2018 to August 2018:

Annual Action Plan (2018-19) of Child Health Division was submitted after 34th Statutory meeting of the Commission. Now the Annual Action Plan (2018-19) has been revised as activities pertaining to Child Psychology will be undertaken by Member (Child Psychology & Sociology). The revised Annual Action Plan (2018-19) and the activities conducted during April 2018 to August 2018 are placed at Annexure \(I\) for information of the Commission.

Decision: This was noted by the Commission.

[Action: Member (RK)]

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Agenda 21: Children’s Film Festival:

The National Commission for Protection of Child Right with its larger vision that all children enjoy their basic and inalienable rights, i.e., of Survival, Protection, Participation & Development, in accordance with the constitutional framework, law, policy, and UNCRC, across the country, it is proposed to organize a Children’s Film Festival- “CHILDSCAPE”-(Baal filmotsav) at Mumbai, Maharashtra in the first week of September, 2018. Due to shortage of funds, NCPCR in collaboration with MSCPCR and other stakeholders will organize the programme. Views of Members are invited.

Decision: This activity was approved in principle.

[Action: Member (RK)]

Agenda 22: National Consultation on Action Plan for Substance Use among children:

Substance use among children and adolescents has become a public health issue all over the world and evidence based efforts are being made in all the settings to promote healthy living and intervening successfully. Interventions to reduce the menace of substance use in children and adolescents include a range of preventive and treatment strategies.

Considering these issues in background, Child Health Division, NCPCR with expert group members is planning to formulate an action plan for children and adolescents in different settings with an aim for prevention, identification and management of substance use. In this regard, one National Consultation is proposed at Delhi in the month of September, 2018.

(Budget of 5 lakhs would be required for this consultation).

Decision: This activity was approved in principle.

[Action: Member (RK)]

Agenda 23: Guidelines for making Baby/Child Friendly Hospitals:

As approved in previous statutory meeting of the Commission, Child Health Division, has developed a concept on making Baby/Child Friendly Hospitals in India. This will be given to Dr. Rajesh Sagar, as an expert member from AIIMS for finalization.

(Budget of Rs. 20,000/- will be required for Consultant’s honorarium and printing of guidelines after completion)

Decision: This activity was approved in principle.

[Action: Member (RK)]
Agenda 24: Recommendation for Child Friendly Urban Spaces:

NCPCR will take up with the Ministry of Urban development, GOI, for making Child Friendly Urban Spaces. This will be done jointly with Member Education.

Decision: This was approved by the Commission and it was decided that this should be done latest by 15\textsuperscript{th} September, 2018.

[Action: Member (RK)]

Agenda 25: Concept Note for E-library:

As approved in 32\textsuperscript{nd} statutory meeting of the Commission, a Concept Note for E-library is placed at Annexure – II for approval.

Decision: This was noted by the Commission. However, it was decided that this matter should be placed before the new Commission, if required.

[Action: Member (RK)]

Agenda 26: National Consultation on release of Guidelines for Child Friendly Police Stations:

Guidelines for Child Friendly Police Stations were drafted by NCPCR. Guidelines were shared with the Ministry of Home Affairs. After a meeting with senior officials of Ministry of Home Affairs, it was decided that a National Consultation will be organized by NCPCR with the Ministry to finalize the guidelines.

(Budget of Rs. 3.00 lakhs will be required)

Decision: This activity was approved in principle.

[Action: Member (RK)]

Agenda 27: Awareness generation for Protection of Children in contact with Railways with the Ministry of Railways:

The Ministry of Railways has requested NCPCR to collaborate with them and SCPCRs in capacity building programme of railway officials on Protection of children at Delhi, Mumbai, Secundrabad, Varanasi, Kolkata, and Guwahati. Capacity building programme at Delhi was held on 16\textsuperscript{th} August, 2018 and it will be held at Mumbai on 31\textsuperscript{st} August, 2018.

Decision: This activity was approved in principle.

[Action: Member (RK)]
Agenda 28: Prevention of Early Marriage and Early Pregnancy:

NCPCR in collaboration with Rajasthan Government, SCPCR and Young Lives organization, plans to develop a State Action Plan and Campaign across the State. Similar programme to be conducted at Jharkhand, Gujarat and West Bengal.

Decision: This activity was approved in principle.

[Action: Member (RK)]

Agenda 29: List of work done in Child psychology/Sociology:

As the Member Child Psychology/Sociology has joined NCPCR, a list of work done by Member (RK) as an additional responsibility for Child Psychology/Sociology has been sent to Chairperson on file. The same is placed at Annexure – III for Member (RGA) for further action. STE (SK) will be assisting Member (RGA) in addition to the work being handled with Member (RK).

Decision: This was noted by the Commission.

III. AGENDA ITEMS PROPOSED BY DR. R.G. ANAND, MEMBER(PSYCHOLOGY / SOCIOLOGY)

Agenda 30: Annual Action Plan (2018-19) in addition to work already initiated by Member (RK) in Child Psychology:

In addition to the existing Work Plan by Member (RK) in Child Psychology, some more activities and actions have been planned for next two quarters of the financial year 2018-19. The proposed Annual Work Plan 2018-19 is placed at Annexure – IV.

Decision: This was noted by the Commission.

[Action: Member (RGA)]

Agenda 31: Panel of Experts in Child Psychology/Sociology:

It is very important to create a panel of experts and directory of existing mental health institutions in the country. This will help the Commission in referring children for counselling and necessary support. Such Panel of Experts will be helping the Commission in its activities related to Child Psychology/Sociology. TORs of the experts will be decided.

Decision: Mapping of Mental health experts and institutions was approved in principle.

[Action: Member (RGA)]
Agenda 32: Commemoration of World Mental Health Day, 2018:

Every year on 10th of October, the World Health Organization (WHO) joins in celebrating the World Mental Health Day. The theme of this year’s World Mental Health Day to be observed on 10 October, 2018, covers Young People and Mental Health in a Changing World. To commemorate the World Mental Health Day, the National Commission for Protection of Child Rights (NCPCR) will initiate Inauguration of Y.A.N.A website and Telephonic Helpline.

Decision: This proposal was approved in principle.  
[Action: Member (RGA)]

Agenda 33: Recruitment of additional staff:

As in NCPCR a centre for guidance and counselling for children is going to be functional soon, two Psychologist/Counsellors for Counseling centre will be required. In addition to the present staff in Child Psychology/Sociology Division, STE, TE, JTE, Consultant and DEO (one each) will be required. In this regard, necessary action needs to be taken by the Admn. Section.

Decision: Member Secretary was asked to review the requirement of additional manpower in Child Psychology/Sociology Division on the basis of progress in on-going recruitments.  
[Action: MS]

Agenda 34: Grievance related to mental health issues of children:

Separate complaints heads should be developed to handle grievance related to mental health issues of children. This will be directly under the Member (Child Psychology/Sociology). Registrar is required to take necessary action in consultation with Members (YJ & RGA).

Decision: It was decided that this issue should be discussed with Member (YJ) as he is the In-charge of Grievances Cell and placed before the new Commission, if required.  
[Action: Member (RGA) / (YJ)]

Agenda 35: Refurbishment of Counselling Space as per clinical discretion:

The current provision of space in counselling room lacks privacy: a separate space for counsellor to conduct sessions and interactive resources for engagement of children from a therapeutic perspective is required. Allocation of the afore-mentioned resources is imperative.

Decision: This proposal was approved in principle.  
[Action: MS]
IV. **AGENDA ITEMS PROPOSED BY SHRI PRIYANK KANOONGO, MEMBER (EDUCATION)**

Agenda 36: Annual Work Plan (MHRD) - 2018-19 and progress on approved activities:

Annual work Plan (MHRD) - 2018-19 and progress on approved activities is placed at Annexure-V.

**Decision:** This was noted by the Commission.

[Action: Member (PK)]

Agenda 37: Agenda submitted to MHRD for 65th CABE Meeting held on 15.01.2018:

Member (Education) attended the 65th CABE meeting and submitted a brief note on important issues pertaining to education and safety of children. Prior to this agenda note was also submitted to Secretary, Higher Education, MHRD. The same is placed at Annexure – VI for kind perusal of the Commission.

**Decision:** This was also noted by the Commission.

Agenda 38: Implication of Article 15 (5) of the Constitution of India w.r.t. fundamental right to Elementary Education of Children:

The Commission took cognizance of the complaint received regarding non-implementation of section 12 (1) (c) of the RTE Act, 2009 in a minority status school that is not providing religious education u/s 13 (1) (j). After the enquiry it was observed that the related matter has been decided by Hon’ble Supreme Court’s Order in Pramati Educational and Cultural Trust and Ors v. Union of India and Ors Writ Petition (C) no. 416 of 2012. Further, a discussion was initiated during the National Consultation with all SCPCRs held in Gangtok, Sikkim regarding the impact of 93rd Amendment of Constitution of India on school children from minority communities. A resolution was then passed by all SCPCRs stating that there is a need to assess and review the Act to find out how this Act has actually helped the children of minority communities. Further, these institutions are means for upliftment of minority communities and still there is a need to devise a pathway to ensure that the benefits of such institutions reach the children of minority communities. The report along with resolution was shared with MHRD.

The validity of Article 15 (5) of the Constitution inserted by 93rd Amendment was decided by the Hon’ble SC in the Pramati Educational and Cultural Trust and Ors v. Union of India and Ors AIR 2014 SC 2014 which held that if the RTE Act, 2009 is made applicable to minority schools, aided or unaided, the right of the minorities under Article 30(1) of the Constitution will be abrogated. Thus, the RTE Act shall not apply to minority schools. However, though NCPCR
and SCPCRs are the monitoring authorities u/s 31 and 32 of the RTE Act, 2009; neither NCPCR nor any SCPCR were made party to the discussion by SC. An important issue regarding education of children was decided without any direct/indirect representation of the children.

Hence, it is proposed that keeping in view its role in ensuring fundamental right to education of children under RTE Act, 2009 and fundamental right to participation under UNCRC; the Commission may write to Ministry of Law, Govt. of India seeking suggestion on taking up the matter with the Hon’ble SC under Article 32 of the Constitution of India and u/s 15 (ii) of CPCR Act, 2005 on behalf of all children.

**Decision: The Commission agreed to this proposal.**

*Action: Member (PK)*

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**Agenda Item No.39: Regulation of Fee in Private Unaided Schools:**

NCPCR has formulated Model Framework for Regulating Fee in Private Unaided Schools in India. Some States have specific law/policy to regulate the same in their respective States/UTs. However, it has been observed that the law/policy is not being implemented effectively. The issue of fee regulation of private schools may also be taken up with the Hon’ble SC under Article 32 of the Constitution of India for appropriate directions in the matter.

**Decision: The Commission agreed to this proposal.**

*Action: Member (PK)*

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**Agenda 40: Shoes as part of entitlement of free uniform under the RTE Act, 2009:**

The Commission while redressing the complaints in relation to the violation of the Right to Education Act, 2009 and interactions with the children during visits and other forums has noted that children are asking for shoes as the entitlements that are not been provided to them in the schools. It may be noted that under sub section (d) of the Section 4 of the RTE Rules, 2010; uniforms has been mentioned as one of the entitlements and facilities. However, while examining the implementation of the provision, it is observed that shoes are not considered as part of the uniforms. Sarva Shiksha Abhiyan (SSA) which is the vehicle for implementation of the RTE Act, 2009 in its Framework of Implementation mentions that uniforms are the part of child entitlement (chapter 3, Para No-13).

It may also be noted that Shoes are one of the essential wears that gives dignity and confidence to the children. Given the topographical situation of the country with varied weather conditions and considering the importance of shoes in terms of maintaining health and hygiene of the children; it is imperative for the children to wear it during the school time. It is also observed that some of the children do wear shoes in the government schools as their parents feel the
importance of it and also they have the resources to purchase them. However, children from families without resources go without shoes and may feel humiliated. Accordingly, the NCPCR as provisions provided under section 31 of the RTE Act and sub-section (f) of Section 13 and section (k) of the CPCR Act, 2005 recommended that “Shoes shall be provided in the school uniforms under the RTE Act, 2009 and RTE Rules 2010” and ensure that children get their full entitlements. Letters were sent to all the Chief Secretaries of the States by the Commission.

However, for proper implementation of the provision, the same may be taken-up with the Hon’ble SC under Article 32 of the Constitution of India for appropriate directions.

Decision: The Commission agreed to this proposal.

[Action: Member (PK)]

Agenda 41: Ensuring right to Education of children of Minority Communities:

Article 21 A of the Constitution of India inserted by the Eighty-sixth Amendment Act of 2002 provides for free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine. To provide the fundamental right to education of children as per article 21 A, the Right to Education Act came into force in 2010 and the amendment to the Act in 2012. Due to the amendment, a large number of institutions exempted from the ambit of RTE Act as defined under Article 30 (1), all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice”. The Commission has observed that a large number of children belonging to the Muslim minority availing religious education are deprived of their fundamental right to education under the Article 21 A. Due to the exemption given to minority institutions the fundamental right of children is being violated. The matter has been discussed by the Commission on various platforms and has also been put forward in the 65th CABE meeting held on 15.01.2018. However, no action or discussion has been initiated by any authority in this regard. Hence, the matter may be taken up with the Hon’ble SC under Article 32 of the Constitution of India to bridge the gap in compliance of Article 21-A and Article 30 of Constitution of India and ensure fundamental right to education of children.

Decision: The Commission agreed to this proposal.

[Action: Member (PK)]
Agenda 42: For implementation of Regulatory Guidelines for Hostels of Educational Institutions of Children:

Taking cognizance of the complaint forwarded by MWCD regarding death of class 10+1 student of Jawahar Navodaya Vidhyalaya, Kaloi, Distt. Jhajjar u/s 13 (1) (j) of CPCR Act, 2005, the enquiry team from the Commission headed by Member (Education) conducted a visit to Jawahar Navodaya Vidhyalaya, Kaloi, Distt. Jhajjar. During the enquiry it was found that there is no separate post of a warden in the hostels attached with Navodaya Vidhyalayas. In this regard, a recommendation was also sent to MHRD to guarantee safety and security of children; it should be ensured that Hostel Wardens are appointed in all JNVs, at the earliest. Further, the Commission developed Regulatory Guidelines for Hostels of Educational Institutions of Children. The same were sent to all relevant Ministries/Departments. For effective implementation of the guidelines, the matter may be taken up with the Hon’ble SC under Article 32 of the Constitution of India.

Decision: The Commission agreed to this proposal.

[Action: Member (PK)]

Agenda 43: Uniform curriculum as laid down by the academic authority u/s 29 (1) of RTE Act, 2009:

As per its mandate u/s 31 of RTE Act, 2009 to monitor the implementation of the Act and its responsibilities u/s 13 of the CPCR Act, 2005 to inquire into the matters related to violation/deprivation of child rights, NCPCR took cognizance of C.B.S.E. developing documents on school-based assessment and circulating assessment system at elementary level which was in violation of section 29 (1) of the RTE Act, 2009.

Upon reviewing the system laid down by C.B.S.E., it was observed that while endorsing the idea of continuous and comprehensive evaluation (CCE) at elementary level, C.B.S.E. has not only stepped into the domain of National Council of Educational Research and Training (NCERT), the notified academic authority under RTE Act, 2009 but also misinterpreted the entire objective of CCE. Hence, in September 2017, the Commission ordered C.B.S.E. to get its new uniform system of assessment either approved and validated by NCERT or revoke it by immediate effect. As a result, C.B.S.E. repealed the system for classes VI-VIII vide notification dated 22.01.2018. Commission’s intervention resulting in rolling back of a faulty evaluation system by Central Board having wider implications on quality of education and providing equality in education. With this, the curriculum as prescribed by NCERT will be followed in all schools affiliated to C.B.S.E. including private schools and schools under Central Government such as KVs, JNVs etc.
The NCF, 2005 laid down by NCERT is a framework within which the syllabus, evaluation procedure, teaching methodology etc. and books needs to be formed and followed. However, the schools and boards are interpreting the section differently. Hence, uniform interpretation of Curriculum and Syllabus is significant for effective implementation of Section 29 (1) of the RTE Act, 2009 that lays the responsibility of developing curriculum on the Academic Authority i.e. NCERT. The matter of uniform curriculum needs to be taken up with the Hon’ble SC under Article 32 of the Constitution of India and u/s 15 (ii) of the CPCR Act, 2009 for reducing the academic lead and school weight bag of children.

**Decision:** The Commission agreed to this proposal.

*Action: Member (PK)*

**Agenda 44:** To develop an effective monitoring system for CCIs:

**Decision:** It was decided that in the first instance, we may find out the status of similar digital monitoring system being developed by MWCD from the Joint Secretary (Child Welfare), Ministry of Women & Child Development.

*Action: MS*

**Agenda 45:** Awareness generation of POCSO e-Box in Schools:

It is proposed that to create awareness of e-Box among children, the SCERTs and State Boards may be recommended that the children be informed by the teachers regarding POCSO e-Box and a question on the same may be made mandatory to be integrated in the unit test/written exam/oral Exam of every class.

**Decision:** The Commission agreed to this proposal.

**Agenda Item No.46:** Research Policy in NCPCR:

To fulfill its role under section 13 (1) of the CPCR Act, 2005 it is important that a defined research policy be put in place in the Commission.

**Decision:** This Agenda Item was withdrawn by Member (PK).

**Agenda 47:** Salary of Technical Staff of Education Division as approved by MHRD:

**Decision:** This Agenda Item was withdrawn by Member (PK).

The content of the World Bank Report and the facts of the Commission are as follows: As per the Working Paper (pg.18-19) “it is grossly understaffed (for example NCPCR has only 2 staff members for handling complaints). The report also states that “The right to education relies on the ombudsman role of the National and State Commissions for the Protection of Child Rights (NCPCR & SCPCR) for grievance redress (RTE Act Section 31 and 32). But these bodies have been formed in only 14 of India’s 29 States”.

However, the facts of the matters are that NCPCR has a separate Division dedicated to the monitoring of Right to Education Act, 2009 under Member, Education Shri Priyank Kanoongo with a team of 15 officials including Technical Experts and Junior Consultants. Regarding State Commissions, at present there are 35 State Commissions for Protection of Child Rights functioning in 35 States and UTs, except J & K, where CPCR Act does not apply, and these bodies are also discharging their ombudsman role as provided under Section 32 of the Right to Education Act, 2009.

Therefore, the World Bank India had been informed to take into account observations raised by the Commission and amend their “Background Paper to the 2018 World Development Report. Consequently, a letter has been received from the Country Director, World Bank India dated 12th July, 2018 (copy enclosed) stating that “I would like to assure you that we take all issues of data quality and factual representation associated with World bank publications very seriously, and I have personally reached out to the WDR team to understand the background. It is also mentioned that the researchers that produced the paper will revisit all information presented and a revised paper will be prepared as appropriate.

Decision: This was noted by the Commission.
The Commission had received a complaint from a Member Zilla Parishad, Wardhaa, Maharashtra regarding charging fine for non-maintenance of minimum balance from students for not keeping minimum balance in scholarship account inspite of Circular DBOD. No. Leg BC.37/09.07.005/2014-15 of RBI. The said matter was viewed seriously by the Member (Education), NCPCR and inquiry was initiated into this matter as per Section 13 (1) (j) of the CPCR Act, 2005. After formal procedure, summon was issued to the concerned officers as per Section 14 of the CPCR Act, 2005. During the course of inquiry it was informed by SBI to the Commission that they will reimburse all/any amount deducted from the account of such children who are maintaining direct benefit transfer (DBT) account. In this regard, it was decided by the Commission that the SBI shall designate nodal officers across States/UTs for reimbursement/refund of amount of entitlement/scholarship, if deducted from the account of children who are beneficiaries of the RTE Act, 2009 for non-maintenance of minimum balance account.

In pursuance of the Commission’s Order under Section 14 of the CPCR Act, 2005, SPD SSA were directed to share list of student beneficiaries having Direct Benefit Transfer (DBT) account in SBI to the designated nodal officers. A list of all the nodal officers designated by SBI has been shared with the concerned SPD (SSAs) by the Commission with a direction to initiate urgent action. Also, in this regard, a letter to all Chief Secretaries of States/UTs have been written to by the Commission requesting them to issue requisite directions to the concerned officials of State Education Department and Regional Heads of SBI that the orders of the Commission may strictly be adhered to and the matter be attended to expeditiously, thereby completing the process of refund of all/any such amounts to children within one month from the issuance of the letter.

In compliance to the Commission’s orders, SBI Bank and UBI Bank have shared a list of nodal officers who shall be coordinating with the State Project Directors of SSA to expedite the matter of refund to all/any children beneficiary who have been fined for non maintenance of zero balance account and maintenance of DBT account. Responses are being received from various States/UTs and Directions by the Chief Secretary have been issued to the concerned officers from Department of Education of the States/UTs. Governor RBI has also been written to by NCPCR with a request to issue directions to all Banks for initiating similar action as in the case of SBI and UBI to ensure that rights of children are not being violated.

PMO has received this initiative of NCPCR positively and has sent their appreciation to the Commission’s efforts in this regard.

**Decision: This was noted by the Commission.**
RTE Division has prepared / finalized various reports and the same are placed before the Commission for its perusal:

(i) Report of Study on Devising Pathways for Appropriate Repatriation of Children of Bru-Reang Community
(ii) राष्ट्रीय सलाहकार परिषद् के माननीय सदस्यों के साथ रिपोर्ट का अधिकार अभियंता, 2009 के प्रभावी किराया के लिए रिपोर्ट
(iii) Vocational & Life Skills Training of Out-of-School Adolescent Girls in the age group 15-18 years
(iv) Digitalisation of Education Study of District Dhule
(v) Model Regulatory Fee Framework for Private Unaided Schools
(vi) Report - Consultation Meeting with Members of National Monitoring Committee for Minorities Education.
(vii) Status of Child Labour in Granite Industry

Decision: These Reports were perused and noted by the Commission.

A Meeting Notice received from MHRD to finalise the modalities for preparation of the above stated guidelines. On behalf of Chairperson, NCPCR, Shri Priyank Kanoongo, Member (Education) attended the meeting that was held on 11.06.2018 at 03:00 pm in the Chamber of Shri Maneesh Garg, Joint Secretary (SE-I), MHRD.

The meeting was organized to discuss the way forward w.r.t Hon’ble Supreme Court’s order dated 17.04.2018 directing MHRD to frame the guidelines. In the Writ Petition (Criminal) No. 136 of 2017 and Writ Petition (Civil) No. 874 of 2017 before the Hon’ble Supreme Court Petitioners sought guidance to frame guidelines for fixing accountability of the school managements in the matter of safety of children studying in schools. The order of Hon’ble Supreme Court in the said petitions, states that being a matter of policy and governance, call ought to be taken thereon by the Secretary, Ministry of Human Resource Development, Government of India, and may obtain and consider inputs from all relevant sources and take such decision as may be considered appropriate. It was decided in the meeting that a draft model guidelines will be prepared by NCPCR.

The Guidelines were prepared and submitted to MHRD, a copy of the same is placed at Annexure-VII.

Decision: These Guidelines were perused and noted by the Commission.
V. OTHER AGENDA ITEMS

Agenda 52: Guidelines for carrying out Research activities through Civil Society Organizations/Research Institutions/University Departments:

The draft guidelines were discussed in the 33rd Statutory Meeting of the Commission held on 02-11-2017. As directed by the Commission, amendments were incorporated and final guidelines were sent to Members for comments on 26-12-2017. Further, reminder was sent on 02-01-2018 giving 12-01-2018 as the deadline for furnishing their comments. As no comments were received during the stipulated time frame, guidelines were uploaded on the website of NCPCR.

It was decided in the 34th statutory meeting of the Commission that ATRs of this Agenda Item may be placed before the Commission in the next statutory meeting for ratification. Guidelines are placed at Annexure – VIII for ratification by the Commission.

Decision: It was decided to review these Guidelines and all Members will provide their comments on the existing guidelines.

[Action: All Members]

Agenda 53: CSR Cell:

The Members stressed the need for creation of a dedicated CSR Cell in the 31st Statutory Meeting of the Commission held on 01-02-2017. It was decided to explore the possibility of creation of a dedicated CSR Cell in the Commission. Meanwhile, Member (PK) was requested to prepare a Concept Note in this reference.

Member (PK) was requested vide letter No.A-11012/13/2017-Admn.dated 04-05-2017 to provide a copy of the Concept Note for creation of a dedicated CSR Cell in the Commission. Reminders were issued on 06-06-2017 and 25-09-2017 respectively.

Member (PK) has sought clarification on who is to head the CSR Cell. Accordingly, the Concept Note may be developed by the authority / Member-in-charge of CSR Cell.

This issue is placed before the Commission for taking a decision in this regard.

Decision: This item was withdrawn.
Agenda 54: Bal Diksha:

The Ministry of Law and Justice had been requested on 02.05.2018 through the Ministry of Women and Child Development to advise on the following questions relating to the issue of Bal Diksha:

(i) whether 'Bal Diksha' constitutes deprivation/violation of "Child Rights", as defined in Sec.2(b) of the Commission for the Protection of Child Rights (CPCR) Act, 2005;
(ii) whether the NCPCR can intervene/initiate action in the matter in terms of the provisions of sec.13(1)(a), (c) & (I) of CPCR Act, 2005, if 'Bal Diksha' involves child rights deprivations/violations; and
(iii) whether any intervention by NCPCR for the Protection of Child Rights of the children initiated to 'Bal Diksha' would be in consonance with the provisions of Article 25 & 26 of the Constitution of India;

The Ministry of Law and Justice, vide their order dated 01.06.2018 has rendered the following advice in this regard:

(i) The child has a right to profess any religion as per his/her own wishes. It is the duty of the State to respect the rights of the child to freedom of thought, conscience and religion. No limitations on the ground of public safety, order, health or morals, or the fundamental rights and freedom of others, has been prescribed by the Government of India by law in respect of Child's Rights to 'Bal Diksha'. Hence, 'Bal Diksha' doesn't constitute deprivation/violation of Child Rights;
(ii) NCPCR is not in a position to initiate the action in the matters of Bal Diksha (in view of the above); and
(iii) Children's rights to religion under Article 25 & 26 of the Indian Constitution is protected. Hence, intervention of NCPCR in the issue of Bal Diksha couldn't be in consonance with the provisions on Article 25& 26 of the Indian Constitution.

The Members of NCPCR were requested to take note of the said opinion in the matter vide No.32-121/2018-NCPCR (LC) dated 25-06-2018.

This matter is placed before the Commission for its information.

Decision: This was noted by the Commission.
Agenda 55: Table Item of Member (PK) : Empanelment of Agencies/ Organisations/ Institutions for Preparing Modules & Materials for Sensitization and Providing Training to the Teaching and Non Teaching School staffs (Pro-bono) based on the Manual on “Safety and Security of Children in Schools” prepared by NCPCR.

The National Commission for Protection of Child Rights (NCPCR), a Statutory Body of the Government of India, constituted under the Commissions for Protection of Child Rights (CPCR) Act, 2005, for dealing with Protection of Child Rights and related matters, invited Expression of Interest (EOI) on the above mentioned subject from the agencies/organizations or group of organizations of repute having experience in the field of social sector in developing communication material, training material, providing training preferably in the field of education and child rights.

Expression of Interest was received from 12 agencies for the initiative. The proposals were evaluated by a Committee and 8 agencies were shortlisted. Out of which 7 agencies have made presentations on 21st August, 2018 and 23rd August, 2018. Score sheet has been prepared on the basis of 5 slides presentation including (1) Proposed Activities, (2) Strategies & methodology (3) Unique Selling Point (USP) for conducting the task (4) Coverage & Reach (5) Additional Inputs. After the finalization and approval of agencies, MOU will be signed.

Decision: This was noted by the Commission.

The meeting ended with a vote of thanks to the Chair.
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<thead>
<tr>
<th>Sr. No.</th>
<th>Agenda Item No.</th>
<th>Subject</th>
<th>Decision taken / Action required</th>
<th>Status of action taken</th>
<th>Action Pending with</th>
<th>Remarks</th>
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<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>Review of performance of POCSO Unit with reference to provisions under POCSO Act / Rules, 2012:</td>
<td>The Commission appreciated the work done by the POCSO Unit.</td>
<td>The status of this item was reviewed in the 35th Statutory Meeting of the Commission held on 24-08-2018. It was decided to carry forward this item.</td>
<td>[Action: Member (YJ) / Member (RG)]</td>
<td>Action Pending.</td>
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<td>2</td>
<td>2</td>
<td>Implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015:</td>
<td>The work done by the JJ Unit was noted and appreciated by the Commission.</td>
<td>No action is required.</td>
<td></td>
<td>This item may be dropped.</td>
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**1. AGENDA ITEMS PROPOSED BY SHRI YASHWANT JAIN, MEMBER (CHILD LABOUR / JJ):**

1. 1. Review of performance of POCSO Unit with reference to provisions under POCSO Act / Rules, 2012:

   Member (YJ) placed before the Commission the performance of POCSO Unit with reference to provisions of the POCSO Act / Rules, 2012.

   The Commission appreciated the work done by the POCSO Unit.

   It was desired that the Commission should utilise the services of Special Educators for special children (physically or mentally handicapped) who faced sexual abuses. Member (RK) was requested to explore the possibility of taking help of different NGOs working in this field. Their services can also be utilised in NCPCR's Resource Centre.

2. 2. Implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015:

   Member (YJ) placed before the Commission the performance of JJ Unit with reference to provisions of the JJ Act 2015.

   The work done by the JJ Unit was noted and appreciated by the Commission.

   No action is required.
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<th>Conduct of International Conference on Cyber Crime targeting Children:</th>
<th>The proposal was approved in principle by the Commission.</th>
<th>An International Conference on Cyber Crime targeting Children was organized by UNESCO in technical collaboration with NCPCR on 27-28 June, 2018.</th>
<th>[Action: Member (YJ)]</th>
<th>This item may be dropped.</th>
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<td>3</td>
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<td>Member (YJ) informed that it has been discussed in various meetings / conferences etc. that most of the Cyber Crime Investigating Officers of the States/UTs do not have adequate skills/knowledge on the subject. There are also inadequate infrastructure facilities available in the Cyber Crime Cells of the States. NCPCR is planning to organize 2-day Training Workshop and one-day International Conference on Cyber Crime targeting children during the year 2018-19 with the help of UNESCO.</td>
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<td>4</td>
<td>National / State Level Training Workshops on POCSO Act / Cyber Crime:</td>
<td>The proposal was approved in principle by the Commission.</td>
<td>National Level Training Workshop on JJ Act / POCSO Act / Cyber Crime was organized at NICFS, Delhi on 18-19 May, 2018.</td>
<td>[Action: Member (YJ)]</td>
<td>This item may be dropped.</td>
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<td>Member (YJ) informed that NCPCR intends to organize State Level Training Workshops on POCSO Act/Cyber Crime, JJ Act and other Child Rights Issues in Gujarat during the quarter April-June 2018. Further, NCPCR is also planning to organize 2-Training Workshops on POCSO Act/Cyber Crime and JJ Act, 2015 in LNJN NICFS, Rohini during the same quarter.</td>
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<td>Training Workshop on Cyber Crime targeting children was organized at BPR&amp;D on 26-27 June, 2018.</td>
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<td>5</td>
<td>5</td>
<td>Review of Status of Complaints in NCPCR:</td>
<td>This was noted by the Commission.</td>
<td>No action is required.</td>
<td>This item may be dropped.</td>
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<td>Member (YJ) informed the Commission that 265 complaints under the POCSO Act, were received in NCPCR during the year 2017-18 (till 31st December, 2017); and 441 complaints were disposed off in the aforesaid period, which included the pending cases of previous years also.</td>
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<td>6</td>
<td>Printing of IEC materials on Child Sexual Abuse/Cyber Crime:</td>
<td>This was noted by the Commission.</td>
<td>The status of this item was reviewed in the 35th Statutory Meeting of the Commission held on 24-08-2018. It was decided to carry forward this item</td>
<td>[Action: Member (YJ)]</td>
<td>Action Pending.</td>
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7. The following IEC material is likely to be printed for use of stakeholders during the next quarter of this year by NCPCR:

(i) Book on Child Sexual Abuse in Hindi; and
(ii) Being Safe Online - Guidelines and standard content for raising awareness among children, parents, educators and general public.

This was noted by the Commission and it was unanimously agreed that further visits to Tihar Jail by the Panel Members of NCPCR should continue.

7. Status of Tihar Jail by Panel Members of NCPCR (Court on its own motion Vs Department of Women and Child Development):

Member (YJ) informed that in pursuance of directions of the Hon’ble Delhi High Court in the matter of ‘Court on its Own Motion Vs Department of Women and Child Development & Ors, W.P. (C) No.8899/2011’, NCPCR Panel Members have made 32 visits to various Jails in Delhi till November 2015 to find out if there are any persons lodged in jails who should have been the beneficiaries of the Juvenile Justice (Care and Protection of Children) Act, 2000. The reports have been sent to Delhi State Legal Services Authority (DSLSA).

He further informed that in pursuance of the above orders, the NCPCR Team consisting panel of members, has made 11 visits to Tihar and Rohini Jails of Delhi during the current year 2017-18, to identify juveniles wrongly confined in these Jails and to take suitable measures, as per following schedule during the year 2017-18:

This is an on-going process.

[Action: Member (YJ)]

This item may be dropped.

and all IEC material on Child Sexual Abuse / Cyber Crime should be uploaded on NCPCR’s website bilingually.
It was also informed that as per the intimation given by the Central Tihar Jail authorities, New Delhi, 101 inmates have been transferred to Observation Homes for Boys since April 2017 to January 2018. The Commission may kindly like to take a view for further visits to Tihar Jail by Panel Members of NCPCR.

8. Conduct of study on ‘Combating Child Trafficking’ in the States:

Member (YJ) informed that a meeting of Heads of State CID Units and Nodal Officers of Anti-Human Trafficking Units of the States was held in Bureau of Police Research and Development, Ministry of Home Affairs, on 4.2.2015 to discuss various issues relating to ‘Combating Child Trafficking in India’. The meeting was chaired by Secretary, Ministry of Women and Child Development (MWCD), Government of India. In pursuance of the discussions made in the above meeting, proposals were received from Jharkhand Police, Odisha Police and Manipur Police to conduct a study on ‘Combating Child Trafficking’ in their States. Jharkhand Police and Manipur Police could not undertake the study. However, study has been awarded to Odisha Police at a cost of Rs 7.12 lakh. Sambalpur University conducting the study has submitted the progress through Odisha Police on 4th October 2016 that 10 districts (Rourkela, Baripada, Balasore, Sundargarh, Kalahandi, Raigarh, Balangir, Sambalpur, Berhampur, Keonjha) of Odisha have been covered for data and has filled up 67 schedules comprising information from Households and trafficked/rescued children. The study is in progress. The duration of the study is already over and final report is still awaited. DO letters have

The Commission noted the course of action taken by the Juvenile Justice Unit.

The status of this item was reviewed in the 35th Statutory Meeting of the Commission and it was decided to carry forward this activity.

[Action: Member (YJ)]
been sent to Chief Secretary, Govt of Odisha on 12th December 2017 and 19th February 2018 with a request to look into the matter and direct the concerned authorities to send the report along with related documents or refund the money released by this Commission to settle the account.

The Commission may like to note the course of action taken by the Juvenile Justice Unit.

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<td><strong>Consideration / Adoption of a Resolution in reference to section 31 of CPCR Act, 2005 - for protection of action taken by the Commission or its officials in good faith:</strong></td>
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Section 31 of the Commissions for Protection of Child Rights (CPCR) Act, 2005 provides for the protection of action taken in good faith, it is as under-

"No suit, prosecution or other legal proceeding shall lie against the Central Government, the State Government, the Commission, the State Commission, or any Member thereof or any person acting under the direction either of the Central Government, State Government, Commission or the State Commission, in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules made there under or in respect of the publication by or under the authority of the Central Government, State Government, Commission, or the State Commission of any report or paper."

**RESOLUTION**

"In reference to Sec. 31 of CPCR Act, 2005, it is Resolved that in the event of any case is filed or complaint is made against Member (YJ) placed the aforesaid Resolution before the Commission for consideration and its adoption.

This Resolution was considered and unanimously adopted by the Commission."

No action is required. This item may be dropped.
Chairperson/Members/Member Secretary or any of the official of NCPCR during their tenure/service or after their tenure/service is over, the Commission shall make every effort to defend persons involved in such cases by engaging appropriate level Law officers/Advocates for which entire expenses would be borne by the Commission.

It is further Resolved that this shall be included in the standing procedure to be adopted by this Commission and by the successive Commissions. It is proposed that the aforesaid Resolution may be placed before the Commission for consideration and its adoption.

10. Strengthening of JJ/POCSO Units:
   
   Member (YJ) informed that there is an acute shortage of manpower in JJ/POCSO Unit. As already approved by the Commission, two Consultants may be provided immediately to cope up with the work.

   Member (YJ) was requested to send a note regarding the requirement of staff in JJ / POCSO Units along with proper justification. The chairperson stressed the need to create a separate cell in NCPCR for disabled and physically handicapped / challenged children who have been sexually abused.

   Note for requirement of additional Staff for strengthening of JJ / POCSO Unit was sent to MS on 17-04-2018. The vacancies of STE / TE / JTE have been advertised in the “Hindustan Times” (English) and ‘Hindustan’ (Hindi) on 19-05-2018 and in the Employment News. Further action is being taken by Establishment Section.

[Action: MS] This item may be dropped.
II. **AGENDA ITEMS PROPOSED BY SMT. RUPA KAPOOR, MEMBER (CHILD HEALTH):**

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<th>Item</th>
<th>Description</th>
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<tr>
<td>11.</td>
<td>Immediate recruitment of staff in Health Division, NCPCR:</td>
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Member (RK) informed that Ms. Priyanka Singh, working as JTE in Child Health Division has left the Commission on 27th February, 2018 and Ms. Rashmi who was appointed as TBC is on leave for 20 days (5th March to 26th March, 2018) due to her personal reasons. At present, there is only one STE in Child Health Division. Therefore, two JTEs and one Senior Consultant may be appointed at the earliest.

Further, she mentioned that two people have been shortlisted by Member (RK). However, their remuneration needs to match with what they received in their previous organization. The remuneration structure may be reconsidered so that quality people could be recruited.

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<th>Item</th>
<th>Description</th>
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<tr>
<td>11.</td>
<td>Member (RK) expressed the need to reconsider the remuneration structure of consultants in NCPCR so that quality people could be recruited. She also requested to reconsider the remuneration offered to the two newly engaged consultants in the Health Division, to match what they received in the previous organization.</td>
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This was not agreed by the Commission till the existing guidelines were revised. However, Member (RK) was requested to send a note regarding the additional requirement of staff in the Health Division, along with proper justification. Further, Member Secretary was asked to review the remuneration structure of the contractual staff of NCPCR in totality.

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<th>Item</th>
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<tr>
<td>11.</td>
<td>Positions of STE / TE / JTE have been advertised. Meanwhile 2 Consultant (Ms. Zohra and Ms. Pooja Jaswani) have been engaged in Child Health / Child Psychology Division contract basis, Preliminary screening of applications has been done and the process of selection of candidates is in progress.</td>
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<p>| Action: Member (RK)/MS | This Item May be dropped. |</p>
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<th>12.</th>
<th>Disbursal of bills:</th>
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<td>Member (RK) requested that TA/DA bills should be processed in a timely manner by the Accounts section.</td>
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<td>Member Secretary informed that as on date only two TA bills dated 06.03.2018 and 19.03.2018 were pending.</td>
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<th>13.</th>
<th>System for file movements:</th>
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<tr>
<td>Member (RK) requested that a system for file movement should be developed in the Commission to keep a record of the files.</td>
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<td>Member Secretary informed that there is already a system for file movement in the Commission. It just needs to be implemented exhaustively.</td>
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<th>14.</th>
<th>Payment delays:</th>
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<td>Member (RK) informed that despite repeated requests, the Member and the team have to follow up whether payments to SCPCRs and other organizations etc have been done on time or not.</td>
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<td>Member Secretary informed that all payments to SCPCRs are made in a time bound manner and a lot of effort has to be made for settlement of advances to SCPCRs.</td>
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The status of this item was reviewed in the 35th Statutory Meeting of the Commission. The Chairperson appreciated the work done by AO/Accounts Branch in clearing all pending TA/DA bills.

[Action: AO/MS]
This item may be dropped.

The status of this item was reviewed in the 35th Statutory Meeting of the Commission. It was felt that there is need to make further improvement in the existing system and a common file/dak movement system should be adopted in the Commission to keep a proper track of files.

[Action: MS]
This item may be dropped.

No such details have been received from Member (RK). However, the lists of advances against SCPCR provided to all Members for their early settlements.

[Action: Member (RK)]
This item may be dropped.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th><strong>Travel Issues:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>15. 15.</td>
<td>Member (RK) informed that she and her team have to follow up on private travel approval repeatedly from MWCD, despite sending approvals on time.</td>
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<tr>
<td></td>
<td>It was decided that once the proposal has been moved to MWCD by the General Administration, it is the duty of personal staff of concerned Member to follow up the issue of approval / permission from the Ministry for travel by private airlines.</td>
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<tr>
<td></td>
<td>No action is required by the Administration.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[Action: MS/All Members]</td>
<td></td>
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<tr>
<td></td>
<td>This item may be dropped.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th><strong>Installing CCTV cameras:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>16. 16.</td>
<td>Member (RK) requested that CCTV cameras should be reinstalled at NCPCR keeping in view safety of Members and staff, mainly female staff as they are dealing with serious nature of grievances. It has been noticed that extra duties assigned to the staff on weekends and on gazetted holidays can put a risk on the staff deployed in absence of such security measures.</td>
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<tr>
<td></td>
<td>This issue was discussed in the meeting and it was decided to constitute a team to identify the places in the Commission's premises where the existing CCTV cameras can be installed. It was also decided that all recordings of these cameras are to be saved in a hard disc which can be retrieved in case required.</td>
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<td></td>
<td>Old CCTV cameras have been successfully reinstalled in the second and fifth floors of the Commission with the approval of Competent Authority.</td>
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<td></td>
<td>[Action: MS]</td>
<td></td>
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<tr>
<td></td>
<td>This item may be dropped.</td>
<td></td>
</tr>
</tbody>
</table>

### III. OTHER AGENDA ITEMS

<table>
<thead>
<tr>
<th></th>
<th></th>
<th><strong>Sample survey of TV / Mobile / Internet / Reading and Play habits of children in the age group of 3-18 years of age:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>17. 17.</td>
<td>Advisor (Media) has proposed to get a sample survey conducted by a professional agency to find about the television viewing habits / mobile user's habits / reading habits / internet browsing habits / cyber play habits of children in the age group of 3-18 years in the country.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This is required to frame guidelines for Television Channels and other media as well as protecting</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The proposal was approved by the Commission. It was desired to take quotations from empanelled professional sample survey agencies for the purpose.</td>
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<tr>
<td></td>
<td>In this regard, a letter was written to DG, DAVP for sending us details of empanelled survey agencies that are involved in such activities. No response from DAVP has been received till date. Media Cell has proposed to close the matter.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[Action: Media Cell]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This item may be dropped.</td>
<td></td>
</tr>
</tbody>
</table>
children from malefic influences in the country by NCPCR. The survey can be conducted through empanelled professional sample survey agencies and the outcome of the survey could be available in about two months of time of placing the order for the survey.

18. Discussion on pending action taken notes of 27th to 32nd Statutory Meetings:

Discussion was held on Pending action taken notes of 27th to 32nd Statutory meetings. Member Secretary informed that ATRs of 27th to 32nd statutory meetings of the Commission were reviewed by her after the 33rd meeting held on 02.11.2017 and 144 items were identified on which ATRs were pending. After concerted efforts, 105 items were dropped from the pending list. At present, 39 items are pending on which status of ATR is to be updated.

The Chairperson directed that a consolidated list of pending items carried forward from the 27th to 32nd meetings including the items considered in the 33rd statutory meeting may be circulated to the Members and concerned officers for taking the required actions. All the Members and concerned officers were requested to ensure that the pendency is brought to zero level by the end of April 2018. AD was asked to coordinate and ensure completion of action by the deadline.

All Members and the concerned Division have been reminded time and again for taking the required actions.

[Action: MS/All Members/AD] This item may be dropped.
IV. AGENDA ITEMS PROPOSED BY SHRI PRIYANK KANOONGO, MEMBER(PK):

<table>
<thead>
<tr>
<th>19.</th>
<th>Certificate course on child rights:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Member (PK) informed that u/s 13 (h) of the CPCR Act, 2005 to spread child rights literacy among various sections of society and promote awareness of the safeguards available for protection of these rights, the Education Division of NCPCR and IGNOU are developing a Certificate Course curriculum on Child Rights. The certificate course on child rights will be introduced and certified by IGNOU. To initiate the process of course development, an expert group was formed and its first meeting was held on 10.10.2017 at NCPCR. The aim of the meeting was to discuss the time-line for developing the course content, to understand the modalities involved in the process and to acquaint with the procedure and requirements of the entire process leading to final roll-out of the certificate course. The first meeting of the expert group was held under the Chairpersonship of Shri Priyank Kanoongo, Member (Education), NCPCR and in the presence of Ms. Geeta Narayan, Member Secretary, NCPCR. The meeting was attended by nominated experts from IGNOU, AIIMS, IHBAS, NCERT etc. Thereafter, a workshop on 31.10.2017 was conducted in NCPCR and an outline of the 3-months course have been developed. Further, the course content will be developed as per the outline. The duration of the course was decided to be six months (including theory and practice), with a minimum eligibility of 10+2. The course will carry 18 credits including three courses for Children and Society; Children and the Legal Framework; Children and the Legal Framework; Children and the Legal Framework. This was noted by the Commission.</td>
</tr>
</tbody>
</table>

| Action: | Member (PK) | Action Pending |

This was noted by the Commission.
Framework; Project Work (Capacity Building and Training).
For developing the content, course-content writers will be engaged and a budget of Rs. 2.5 lakh have been approved in principle.

<table>
<thead>
<tr>
<th>20.</th>
<th>Regional Consultations on Effective Implementation of Motor Vehicle Act, 1988 w.r.t. safety of children in schools and SC Guidelines:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Based on the activity conducted by the Education Division- Status of implementation of Hon’ble Supreme Court Guideline for safe and secure transport facilities for children by school- five regional consultations are proposed to be organised to recommend Amendment in the Motor Vehicle Act, 1988 keeping in view the safety and security of children in schools.</td>
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<tr>
<td></td>
<td><strong>Budget required</strong>: 25 lakhs.</td>
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<td></td>
<td>The proposal was approved in principle.</td>
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<td></td>
<td>8 consultations have been approved by MHRD for 2018-19. So far two consultations have been conducted in Chittoor and Durg.</td>
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<td></td>
<td>Third workshop is scheduled for 28.08.2018 at Ranchi (JH).</td>
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<tr>
<td></td>
<td>Remaining workshops were postponed due to non-availability of funds, are being planned in coming months. Approval for revised dates will be sought.</td>
</tr>
<tr>
<td></td>
<td>The status of this item was reviewed in the 35th Statutory Meeting of the Commission. Member (PK) informed that 6 Workshops are yet to be conducted. It was decided to carry forward this activity.</td>
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<table>
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<tbody>
<tr>
<td></td>
<td>Budget required: 10 lakh</td>
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<td></td>
<td>The Commission agreed to the proposal. However, it was desired to submit the proposal to MHRD for their approval.</td>
</tr>
<tr>
<td></td>
<td>The activity was put-up in AWP submitted to MHRD and the activity was not approved. However, it was informed that a similar study has been conducted by NIEPA. The report was sought from NIEPA and has been examined. It has been observed that certain non-academic duties have been left out however education of children suffer due to recurring elections in the country. The observation of the Commission in monitoring</td>
</tr>
</tbody>
</table>

[Action: Member (PK)] Action Pending.
22. Mass Sensitization of Teachers on Manual on Safety and Security of Children in Schools:

The Manual on Safety and Security of Children in Schools includes guidelines on different components of school safety namely, infrastructure; health and hygiene; psycho-social aspects; roles and responsibilities of teachers. It also includes monitoring mechanism specifying the responsibilities of School Management Committees (SMCs)/Parent-Teacher Associations (PTAs), Students, School Management, Block and District Education Officers, District Collector/Magistrate. Recent incidents call for urgent steps towards creating awareness on this important issue. This will require large scale sensitization programmes, especially for teachers. This is significant primarily as amongst the important stakeholders in ensuring safety of children in schools, teachers are the ones who are in direct contact with children and have maximum interaction with the students. Also, teachers are the largest resource group to highlight the issue of safety and security of children in schools. As per DISE Analytical Report 2015-16, there are 80.7 lakh teachers in schools out of which approximately 46.7 lakh are in government.

The proposal was approved in principle.

Video Conference with State Education Departments was conducted on 17-18 April, 2018. Out of 35 States, 27 States attended the VC. Also, a meeting with other stakeholders was held on 18.04.2018. As decided in the VCs, data from States/UTs regarding number of teachers that can be sensitised through VC/webcast was sought vide letter dated 22.05.2018. So far, data from 11 States/UTs have been received.

MHRD has approved 10 state level workshops for sensitisation of teachers.

Also, empanelment is in process, of agencies/Organisations/institutions for preparing modules and materials for sensitization and providing training to the teaching and non teaching school staffs (Pro-bono) based on the Manual on safety and security of children in school prepared by NCPCR.

The activity may be deferred for the time being.
schools; 24.8 lakh teachers in private unaided schools and 6.8 lakh in private aided schools in India. There has been an increase of 76% in total number of teachers from 2005-06 to 2015-16. Hence, it is proposed that a sensitization workshop on a large scale be held for school teachers in all States simultaneously.

Strategy:

1. **Phase one**
   - a preparatory meeting was held on 26.02.2018 with representative from NIC, New Delhi and NCERT for working on the modalities and for an estimate of number of teachers that can be sensitized at a given time, across all States utilizing the current infrastructure available.
   - modules on all sections of the Manual will be prepared.

2. **Phase two** - workshop will be conducted through Very Short Aperture Terminal (VSAT) in video conferencing mode. This facility is available in all the District Institutes of Education Training (DIETs), NICs at District level and SCERTs.

Budget required- Will be put-up after discussion and information received from NIC.
| 23. | Sensitisation workshops on manual on safety and security of children in schools for all educational institutions for 3-18 years: Budget required- 75 lakh (25 consultations @ Rs. 3,00,000 per consultation) | The proposal was approved in principle. The sensitisation workshops have been approved as per the following schedule:  
   i) 30.08.2018 (Ranchi)  
   ii) 03.09.2018 (Patna)  
   iii) 14.09.2018 (Thrissur)  
   iv) 17.09.2018 (Bangalore)  
   v) 21.09.2018 (Delhi/NCR)  
   vi) 26.09.2018 (Jaipur)  
   vii) 01.10.2018 (Mumbai)  
   viii) 05.10.2018 (Bhopal)  
   ix) 11.10.2018 (Allahabad)  
   x) 16.10.2018 (Chandigarh/Punjab)  
The workshop in Allahabad was originally scheduled for 13.08.2018 but could not be organised due to non-availability of funds from MHRD. Further, The consultation in Chandigarh (Pb) was originally planned for 07.09.2018 but has been rescheduled due to another activity on 07th/08th Sept. 2018. 
The status of this item was reviewed in the 35th Statutory Meeting of the Commission. Member (PK) informed that 10 Workshops are yet to be conducted. It was decided to carry forward this activity. | Action: Member (PK) Action Pending. |
| 24. | Consultation on status of vocational education of adolescents and their vulnerability in tribal areas of Kodarma, Girdhi and Navada: Budget required- 15 lakh | The proposal was approved in principle. Two consultative meetings with all concerned authorities/ dept/offices, NGOs, development agencies etc. was organised on 2-3 May 2018 at Kodarma (JH) and Navada (BH) resp. Also, a meeting with States Departments of Education Dept., State Mining Dept., |
| | | |
25. Exhibitions on issues related to child rights and safety in national convention:

Member (PK) informed that the convention is being organised by SSUN (6-8 April, 2018) at Gandhi Samriti, New Delhi on issues related to quality in education and safety of children in schools.

Budget required: 5 lakh

The proposal was approved in principle.

Marking the Birth centenary of Pt. Deen Dayal Upadhyay, theme based child rights models on Child Rights in Integral Humanism developed for awareness generation on various issues of such as effects of substance abuse, prohibition of child marriage, corporal punishment, child sexual abuse, non-discrimination, school uniform, empowering girls through education etc were displayed. Additionally, duties of children for environment conservation and cleanliness were also highlighted. The exhibitions/models were broadly based on the UNCRC's Themes of Right to Survival, Right to Development, Right to Protection and Right to Participation.

The status of this item was reviewed in the 35th Statutory Meeting of the Commission. Member (PK) informed that this activity has been completed. However, he requested that designs made for exhibition may be uploaded on NCPCR’s website. CP directed to put up the matter on file.

[Action: Member (PK)]

This item may be dropped.
<table>
<thead>
<tr>
<th>No.</th>
<th>Item</th>
<th>Description</th>
<th>Action</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>26.</td>
<td>National-level multistakeholder workshop on availability and access to ECCE curriculum in regional dialects and mother tongue: Budget required- 10 lakh</td>
<td>The proposal was approved in principle.</td>
<td>Action Pending</td>
<td>The file has been put-up for approval. The workshop is proposed to be held on 23.10.2018 (Tuesday).</td>
</tr>
<tr>
<td>27.</td>
<td>Meeting with NCERT and NIPCCD for effective ECCE system in India basis of NITI Aayog's interdepartmental meeting on Education:</td>
<td>The proposal was approved by the Commission.</td>
<td>Action Pending</td>
<td>The meeting is proposed to be held on 12.09.2018 at NCPCR.</td>
</tr>
<tr>
<td>28.</td>
<td>Meeting with Ministry of DONOR on issues related to child rights and protection in NorthEast:</td>
<td>The proposal was approved by the Commission.</td>
<td>Action Pending</td>
<td>Suitable time for meeting as per convenience of DoNeR has been sent to Secretary, Ministry of DoNeR.</td>
</tr>
<tr>
<td>29.</td>
<td>National Colloquium on Vocational and Life Skill Training of Adolescent boys in the age group 15-18 years: Budget required- 5 lakh</td>
<td>The proposal was approved in principle.</td>
<td>Action Pending</td>
<td>Action is pending due to non-availability of funds.</td>
</tr>
<tr>
<td>30.</td>
<td>National Consultation on awareness generation in children for eliminating violence in schools through teacher training curriculum and school curriculum: Budget required- 3 Lakh.</td>
<td>The proposal was approved in principle.</td>
<td>Action Pending</td>
<td>The activity was approved by MHRD for 2018-19, with a budget of Rs. 10 Lakh. The consultation is scheduled for 07-08, Sep. 2018.</td>
</tr>
<tr>
<td>31.</td>
<td>National Consultation on awareness generation in children for eliminating violence in schools through teacher training curriculum and school curriculum: Budget required- 3 Lakh.</td>
<td>This proposal is a repetition of Agenda 30 above, hence may be ignored</td>
<td></td>
<td>No action is required.</td>
</tr>
</tbody>
</table>

This item may be dropped.
<table>
<thead>
<tr>
<th>S. No.</th>
<th>National Consultation on fee regulatory framework for private schools:</th>
</tr>
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<tbody>
<tr>
<td>32.</td>
<td>The proposal was approved in principle.</td>
</tr>
<tr>
<td></td>
<td>The Model Fee framework has been finalised after examining the mechanisms in place in the States, hence no consultation is required. The framework has been submitted to MHRD. This activity has been completed.</td>
</tr>
<tr>
<td></td>
<td>However, Hon’ble Chairperson may like to share the Model Framework with all States/UTs</td>
</tr>
<tr>
<td>Budget required- 5 lakh</td>
<td>[Action: Member (PK)] This item may be dropped.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>S. No.</th>
<th>National Consultation on SoP on effective implementation of Section 2(1)(c):</th>
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<tbody>
<tr>
<td>33.</td>
<td>A Draft SoP has been received after examining the mechanism in place in different States.</td>
</tr>
<tr>
<td>Budget required- 5 lakh</td>
<td>[Action: Member (PK)]</td>
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<tbody>
<tr>
<td>34.</td>
<td>The proposal for holding of 3 Camps against 5 proposed by Member (PK), was approved by the Commission.</td>
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<tr>
<td></td>
<td>Due to unavailability of funds, the orientation camps could not be organised. However, MHRD has approved 10 State level Sensitisation workshops on manual on safety and security of children in schools. \n\nAlso, empanelment is in process, of agencies/ Organisations/institutions for preparing modules and materials for sensitization and providing training to the teaching and non teaching school staffs (Pro-bono) based on the Manual on safety and security of children in school prepared by NCPCR. \n\nHence, this activity is withdrawn for the time being.</td>
</tr>
<tr>
<td>Budget required- 50 lakh (5 camps)</td>
<td>[Action: Member (PK)] This item may be dropped.</td>
</tr>
</tbody>
</table>
**Current status of pending Action Taken Reports (ATRs) on decisions taken in the 27th to 33rd Statutory Meetings of the Commission**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Agenda Item No.</th>
<th>Subject</th>
<th>Decision taken / Action required</th>
<th>Status of action taken</th>
<th>Action Pending with</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>1.</td>
<td>D-15 of 27th Meeting</td>
<td>CORD Study final Report.</td>
<td>The matter relates to regularization/authorization of final payments to CORD in re a study conducted by them. Sr. CL (Legal) has to place the matter before Member (PK) for taking a final view in the matter.</td>
<td>In this regard, Member (PK) has sent a note to Sr. CL (Legal), NCPCR on 14th December, 2017 to put up the file to Member (PK) for the view regarding the payment. Sr. CL (Legal) has to place the matter before Member (PK) for taking a final view in the matter. The status of this item was reviewed in the 35th Statutory Meeting of the Commission held on 24-08-2018. It was decided to go with the decision of Ex-Member Secretary for recovery of amounts from CORD in respect of Study conducted by them. In this regard, Senior Consultant (Legal) has to move the files through Member (PK) on top priority.</td>
<td>Legal Cell / Member (PK)</td>
<td>Action pending.</td>
</tr>
</tbody>
</table>

*These are Table Items of Member (PK)*

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**I. 27th Meeting held on 09-07-2013:**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Agenda Item No.</th>
<th>Subject</th>
<th>Decision taken / Action required</th>
<th>Status of action taken</th>
<th>Action Pending with</th>
<th>Remarks</th>
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<td>6</td>
<td>7</td>
</tr>
<tr>
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<td>In this regard, Member (PK) has sent a note to Sr. CL (Legal), NCPCR on 14th December, 2017 to put up the file to Member (PK) for the view regarding the payment. Sr. CL (Legal) has to place the matter before Member (PK) for taking a final view in the matter. The status of this item was reviewed in the 35th Statutory Meeting of the Commission held on 24-08-2018. It was decided to go with the decision of Ex-Member Secretary for recovery of amounts from CORD in respect of Study conducted by them. In this regard, Senior Consultant (Legal) has to move the files through Member (PK) on top priority.</td>
<td>Legal Cell / Member (PK)</td>
<td>Action pending.</td>
</tr>
</tbody>
</table>
II. **29th Meeting held on 10-02-2016:**

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Agenda Item No.</th>
<th>Subject</th>
<th>Decision taken / Action required</th>
<th>Status of action taken</th>
<th>Action Pending with</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>5</td>
<td>Recreation Policy for Children.</td>
<td>The proposal to develop Recreation Policy for Children was approved.</td>
<td>Interim action taken. Recreation Policy for Children has been drafted. This is under process.</td>
<td>Member (RK)</td>
<td>This item may be dropped.</td>
</tr>
</tbody>
</table>

The status of this item was reviewed in the 35th Statutory Meeting of the Commission and it was decided to drop this item from the pendency list.

III. **30th Meeting held on 26-10-2016:**

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<thead>
<tr>
<th>Sr. No</th>
<th>Agenda Item No.</th>
<th>Subject</th>
<th>Decision taken / Action required</th>
<th>Status of action taken</th>
<th>Action Pending with</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td>10</td>
<td>Conduct of study on 'Combating Child Trafficking' in the States.</td>
<td>It was decided that details of and clear recommendations on each such study which have already been awarded, should be put on file before the Commission takes a decision</td>
<td>This study has already been awarded to Odisha Police in December 2015. Odisha Police has sent an interim report which has been examined by the Commission. A letter has been sent to Odisha Police on 17th April, 2017, to send revised report as per the terms and conditions of the Agreement. Odisha Police has been requested on 5th July 2017 and 28th August 2017 to send the final report to this Commission. Progress report received. Odisha Police has informed that they have covered 10 districts and filled up 67 schedules comprising information from various stakeholders. Odisha Police has been requested on 22nd September 2017 to send the final report</td>
<td>Member (YJ)</td>
<td>Action pending.</td>
</tr>
<tr>
<td>No.</td>
<td>17</td>
<td>Review meetings in States/UTs to assess the status of implementation of RTE and measures taken for Out of School Children (OoSC)</td>
<td>This was noted by the Commission.</td>
<td>Review meetings in 17 States have been completed and preparation of a draft report is in the process. The status of this item was reviewed in the 35th Statutory Meeting of the Commission. Since review meetings in 17 States have already been completed, it was decided to drop this item from the pendency list.</td>
<td>RTE Section/Member (PK)</td>
<td>This item may be dropped.</td>
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<tr>
<td>5</td>
<td>22</td>
<td>Sensitisation workshops on Manual on Safety and Security of Children in Schools.</td>
<td>Approved. As regards the funding, it was decided that the proposal be processed on file.</td>
<td>Manual on the Safety and Security in School Setting was submitted to MWCD on 21-12-2017. Approval has been sought for organizing 7 workshops till 31st March, 2018.</td>
<td>RTE Section/Member (PK)</td>
<td>This item may be dropped.</td>
</tr>
</tbody>
</table>
Due to unavailability of funds from MHRD the remaining 3 workshops could not be organised.

In 2018-19, 10 workshops have been approved by MHRD. The sensitisation workshops have been approved as per the following schedule:

i 30.08.2018 (Ranchi)
ii 03.09.2018 (Patan)
iii 14.09.2018 (Thrissur)
iv 17.09.2018 (Bangalore)
v 21.09.2018 (Delhi/NCR)
vi 26.09.2018 (Jaipur)
vii 01.10.2018 (Mumbai)
viii 05.10.2018 (Bhopal)
ix 11.10.2018 (Allahabad)
x 16.10.2018 (Chandigarh/Punjab)

The workshop in Allahabad was originally scheduled for 13.08.2018 but could not be organised due to non-availability of funds from MHRD. Further, the consultation in Chandigarh (Pb) was originally planned for 07.09.2018 but has been rescheduled due to another activity on 07th/08th Sept. 2018.

The status of this item was reviewed in the 35th Statutory Meeting of the Commission. Since this item has been carried forward to 34th Statutory Meeting, it was decided to drop this item from this list.
**Activity Approved.** It was decided that—
- Proposal for the activity to be obtained through proper procedure from EOY/RFP.
- The TOR of the agency should include assessment of vocational needs and tie up for CSR funding.

**Review of education and vocational training of children staying in Child Care Institutions- Children in need of Care & Support.**

1. **Proposed** for the activity to be obtained through proper procedure from EOY/RFP.
2. The TOR of the agency should include assessment of vocational needs and tie up for CSR funding.

**Activity Approved.** It was decided that—
- Proposal for the activity to be obtained through proper procedure from EOY/RFP.
- The TOR of the agency should include assessment of vocational needs and tie up for CSR funding.

**Review of education and vocational training of children staying in Child Care Institutions- Children in Conflict with Laws.**

1. **Proposed** for the activity to be obtained through proper procedure from EOY/RFP.
2. The TOR of the agency should include assessment of vocational needs and tie up for CSR funding.

**Identification and pilot for various digital technologies for monitoring of attendance.**

- Approved. It was decided to work out modalities in consultation with Member (RK). As regards funding, it was decided that the proposal be processed on file.
- The status of this item was reviewed in the 35th Statutory Meeting of the Commission. It was decided to drop this activity due to lack of funds.

**Guidelines on Child/Baby Friendly Hospitals, an initiative of NCPCR.**

- This was noted by the Commission.
- Concept note prepared. This will be given to an expert for drafting the guidelines.
- Meeting was held with the Ministry of Health and Family Welfare and HOD, Department of Paediatrician, Kalavati Saran Children’s Hospital.
- Draft guidelines have been prepared.

<table>
<thead>
<tr>
<th>Table Items of Member (PK):</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. <strong>Eight (8) Sensitization Workshops for organizations running Children Homes in NE States</strong></td>
</tr>
<tr>
<td>This was agreed by the Commission.</td>
</tr>
<tr>
<td><strong>One workshop has been organized. Remaining 7 workshops have been approved in principle and are scheduled as per Annexure-I attached.</strong></td>
</tr>
<tr>
<td>Member (PK)</td>
</tr>
</tbody>
</table>
### IV. 31st Meeting held on 01-02-2017:

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Agenda Item No.</th>
<th>Subject</th>
<th>Decision taken / Action required</th>
<th>Status of action taken</th>
<th>Action Pending with</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>7 (viii)</td>
<td>Regulatory Guidelines for Coaching Institutions need to be framed in the interest of students</td>
<td>Member (PK) was requested to formulate these guidelines.</td>
<td>Matter is in the Court. Clarification has been sought from the Advocate whether the Commission can frame guidelines when the matter is sub judice. Reply awaited.</td>
<td>Member (PK)</td>
<td>Action pending.</td>
</tr>
</tbody>
</table>

**Item No. 7 (viii):**

- Subject: Regulatory Guidelines for Coaching Institutions need to be framed in the interest of students.
- Decision taken: Member (PK) was requested to formulate these guidelines.
- Status of action taken: Matter is in the Court. Clarification has been sought from the Advocate whether the Commission can frame guidelines when the matter is sub judice. Reply awaited.
- Action pending with: Member (PK).
- Remarks: Action pending.

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### V. 32nd Meeting held on 04-07-2017:

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Agenda Item No.</th>
<th>Subject</th>
<th>Decision</th>
<th>Status of Action Taken</th>
<th>Action to be taken by</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Agenda Item No. 2:</td>
<td>Protocols for fact finding on the basis of nature of complaints:</td>
<td>The Commission agreed to the proposal. It was decided that a fact finding team may be constituted which may comprise of one person from Grievances Cell, one from Child Health and one outside expert if required. In this regard, concept note on composition and functioning of the proposed team would be prepared by Member (RK) and then the team will be constituted by the Administration Division.</td>
<td>The status of this item was reviewed in the 35th Statutory Meeting of the Commission and it was decided to drop this item from the pendency list. This issue may be brought before the new Commission, if required. This may be removed from the pendency list.</td>
<td>[Action- Member (RK)/ Registrar]</td>
<td>This item may be dropped.</td>
</tr>
</tbody>
</table>

**Item No. 12:**

- Subject: Protocols for fact finding on the basis of nature of complaints.
- Decision: The Commission agreed to the proposal. It was decided that a fact finding team may be constituted which may comprise of one person from Grievances Cell, one from Child Health and one outside expert if required. In this regard, concept note on composition and functioning of the proposed team would be prepared by Member (RK) and then the team will be constituted by the Administration Division.
- Status of Action Taken: The status of this item was reviewed in the 35th Statutory Meeting of the Commission and it was decided to drop this item from the pendency list. This issue may be brought before the new Commission, if required. This may be removed from the pendency list.
- Action to be taken by: [Action- Member (RK)/ Registrar].
- Remarks: This item may be dropped.
<table>
<thead>
<tr>
<th>Agenda Item No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>13. E-library for children:</td>
<td>To make children aware of their rights and entitlements, the laws relating to child rights &amp; events on child rights across the states, an e-learning platform may be made available on our website.</td>
</tr>
<tr>
<td>14. Performance Appraisal Policy:</td>
<td>Existing policy of Performance Appraisal of Sr. Consultants/Consultants &amp; Technical Experts, may be circulated to the Members for their views/comments.</td>
</tr>
<tr>
<td>15. Draft is under process.</td>
<td>A referral handbook for head of schools regarding their roles and responsibilities in implementing RTE Act, 2009 w.r.t. Child Labour Rules, 2016:</td>
</tr>
<tr>
<td>16. Implementation of RTE Act, 2009 in schools in Plantation Areas:</td>
<td>Phase-wise study will be conducted in North West Bengal, Kerala, Karnataka, Tamil Nadu, Assam.</td>
</tr>
<tr>
<td>TABLE ITEMS OF MEMBER (PK)</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>17.</strong> 1. Study on Child Abuse and vulnerability of children (safety and security issues) studying in KGBVs, Ashram Schools and NVs</td>
<td>The study is proposed to be conducted by QCI which is under consideration. The tentative budget as proposed is Rs.15.52 lakhs.</td>
</tr>
<tr>
<td><strong>18.</strong> 5. A study on creating mechanism to re-engage child labour in the age 11-14 years and develop mechanism and preventive measures for children engaged in e-waste activities</td>
<td>Member (PK) proposed to conduct a study creating mechanism to re-engage child labour in the age 11-14 years and develop mechanism and preventive measures for children engaged in e-waste activities.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Annexure-1

Schedule for Workshops in reference to Table Agenda Item No.6 of Member (PK) considered in the 30th Statutory Meeting of the Commission held on 26-10-2016.


The Schedule for the said Program is as follows:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>State</th>
<th>Place</th>
<th>Tentative Date in 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Arunachal Pradesh</td>
<td>Itanagar</td>
<td>25 September 2018</td>
</tr>
<tr>
<td>2</td>
<td>Assam</td>
<td>Guwahati</td>
<td>03 October 2018</td>
</tr>
<tr>
<td>3</td>
<td>Meghalaya</td>
<td>Shillong</td>
<td>19 September 2018</td>
</tr>
<tr>
<td>4</td>
<td>Manipur</td>
<td>Imphal</td>
<td>21 September 2018</td>
</tr>
<tr>
<td>5</td>
<td>Mizoram</td>
<td>Aizwal</td>
<td>To be decided</td>
</tr>
<tr>
<td>6</td>
<td>Nagaland</td>
<td>Dimapur</td>
<td>27 September 2018</td>
</tr>
<tr>
<td>7</td>
<td>Tripura</td>
<td>Agartala</td>
<td>23 September 2018</td>
</tr>
</tbody>
</table>

1. Objective
   To sensitize administrative/non-administrative personnel and staff of any/all organisations who are actively involved in running Children Homes/Hostels regarding the provisions of the RTE Act 2009 and New JJ Act, 2015 and its Rules.

   It is pertinent to mention that there are several such organisations including NGOs who are running Children Homes and Hostels for the purpose of Educational Institutions without adequate understanding relevant provisions of the RTE Act, 2009 and Juvenile Justice Care and Protection (JJ) Act 2015 and its Rules. Due to this often knowingly or unknowingly children are deprived of their rights as provisioned under the said Act and there are instances of violations of the JJ Act, 2015 by such organisations. Hence, it becomes critical to sensitize such organisations to enable smooth functioning of such Children Homes and Hostels and ensuring that Rights of children are preserved.

2. Participants:
   - Participants of these sensitisation workshops shall be representatives of various Children Homes and Hostels run by NGOs and other CSOs, individuals etc.
   - No. of participants shall be 100 from above mentioned North Eastern States
   - The participants shall be chosen by NCPCR/SCPCR.

3. Resource Persons:
   Resource persons shall be identified by NCPCR.

4. Expected Outcome:
   Generating awareness and sensitizing administrative/non-administrative personnel and staff of NGOs/CSOs organisations running Children Homes and Hostels regarding the provisions of the RTE Act, 2009 and New JJ Act, 2015 and its Rules, NCPCR Guidelines for Hostels for Educational Purposes of Children and CSR initiatives child welfare and well-being.

   The detailed modalities of the said workshops shall be put up soon.