



Annual Report 2022-2023

National Commission for Protection of Child Rights
5th Floor Chanderlok Building, 36 Janpath, New Delhi



ANNUAL REPORT 2022-2023

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

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प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson



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Foreword

Under the leadership of our Hon'ble Prime Minister, Shri Narendra Modiji, India has moved towards a multi-dimensional journey of growth and achievements. His vision for inclusive development incorporates the development and protection of millions of children of the country through nutrition, education and protection. Inspired by his vision to take children along on this journey of transformation, the National Commission for Protection of Child Rights (NCPCR) continued its efforts and took steps to make a difference in lives of children, especially those in need of care and protection. Yet another year and the Commission has been successful in meaningfully extending its reach among different parts of the country and among diverse population. I am proud to say that the NCPCR has been working relentlessly and fulfilling its functions as is required from the Commission, true to its role and responsibilities.

The Commission has received continuous support from the Government of India led by Hon'ble Prime Minister Shri Narendra Modi. The presence and guidance of Smt. Smriti Zubin Irani, Hon'ble Minister of WCD, Government of India, and Shri Indevan Pandey, Secretary, MWCD in various programs of NCPCR conducted in 2022-23, show their commitment towards child protection and to the Commission. I want to express my heartfelt gratitude to the Hon'ble Minister of Women and Child Development and her team in the Ministry. This was yet another year where the collaborative effort came into play from various Ministries and Departments of Central and State Governments, the State Commissions, District administration, duty bearers in the child protection systems and various other authorities and stakeholders.

I take this opportunity to acknowledge the cooperation received from the Members of the Commission in the year under report. A special acknowledgment to Mrs. Rupali Banerjee Singh, Member Secretary, for ensuring administrative support in executing the decisions of the Commission and carrying out the functions and statutory roles of the Commission. Consultants have been the backbone and vital pillars of the Commission, who tirelessly perform their roles and responsibilities. They are self-motivated and committed to the cause of children.

The Annual Report 2022-23, containing 12 chapters, gives a glimpse of the spectrum of work done by the Commission, its initiatives, achievements and vision on a range of issues related to rights of children. I hope this report would serve as a source of information for all those who are interested in knowing more about the rights of children in the country and an inspiration for those who want to make a difference in the lives of our children.

Jai Hind!!


(Priyank Kanoongo)
Chairperson, NCPCR

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ABBREVIATIONS

AIIMS	All India Institute of Medical Sciences
AIR	All India Radio
ASHA	Accredited Social Health Activist
AWW	Anganwadi Workers
BDO	Block Development Officer
BEOs	Block Education Officers
BRCCs	Block Resource Centre Coordinators
CAA	Citizenship (Amendment) Act, 2019
CAPF	Central Armed Police Forces
CBSE	Central Board of Secondary Education
CCIs	Child Care Institutions
CPCR	Commissions for Protection of Child Rights
CPGRAMS	Centralized Public Grievance Redress and Monitoring System
CSA	Child Sexual Abuse
CWC	Child Welfare Committee
DARPG	Department of Administrative Reforms and Public Grievances
DCP	Deputy Commissioner of Police
DCPUs	District Child Protection Units
DCPO	District Child Protection Officer
DDO	District Development Officer
DIETs	District Institutes of Education and Training
DLSA	District Legal Services Authority
DLSA	Delhi State Legal Services Authority
DSP	Deputy Superintendent of Police
ECCE	Early Childhood Care and Education
FAA	First Appellate Authority
FCRA	Foreign Contribution (Regulation) Act
FIR	First Information Report
HOD	Head of Department
ICAR	Indian Council of Agricultural Research
ICDS	Integrated Child Development Scheme
ICPS	Integrated Child Protection Scheme
IHBAS	Institute of Human Behaviour and Allied Sciences
IPC	Indian Penal Code
J&K	Jammu and Kashmir

JJ Act	Juvenile Justice (Care and Protection of Children) Act
KVS	Kendriya Vidyalaya Sangathan
MoS	Minister of State
MWCD	Ministry of Women and Child Development
NALSA	National Legal Services Authority
NCERT	National Council of Educational Research and Training
NCPCR	National Commission for Protection of Child Rights
NCRB	National Crime Records Bureau
NCT	National Capital Territory
NCW	National Commission for Women
NER	North Eastern Region
NGO	Non-Governmental Organization
NHM	National Health Mission
NVS	Navodaya Vidyalaya Samiti
PIO	Public Information Officer
POCSO	Protection of Children from Sexual Offences, 2012
POSH	Prevention of Sexual Harassment at Workplace (Act)
PTA	Parent-Teacher Association
QRC	Quick Response Cell
RBSK	Rashtriya Bal SwasthyaKaryakram
RIMS	Regional Institute of Medical Sciences
RTE	Right to Education
RTI	Right to Information
SCERT	State Council of Educational Research and Training
SCPCR's	State Commissions for Protection of Child Rights
SCPS	State Child Protection Society
SJPU	Special Juvenile Police Unit
SLP	Special Leave Petition
SMCs	School Management Committees
SOP	Standard Operating Procedure
SP	Superintendent of Police
UNCRC	United Nations Convention on the Rights of the Child
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UNESCO	United Nations Educational, Scientific and & Cultural Organization
UNICEF	United Nations Children's Fund
UPSCPCR	Uttar Pradesh State Commission for Protection of Child Rights
UTs	Union Territories

INTRODUCTION

National Commission for Protection of Child Rights (NCPCR) was established in March 2007 as per a special provision provided under Article 15(3) of the Indian Constitution that states “Nothing in this article shall prevent the State (both Union and State Govt.) from making any special provision for women and children. The role of the Commission is to fulfill the Constitutional mandate of Article 39(f) that reads “That children are given opportunities and facilities to develop in a healthy manner and conditions of freedom and dignity and that childhood and youth are protected against exploitation and moral and material abandonment.”

The broad objective of the Commission, as provided under the Commissions for Protection of Child Rights (CPCR) Act, 2005, is to take cognizance and redress matters on violation of the rights of the child and to ensure that all laws, policies, programs and administrative mechanisms align with the child rights perspective as enshrined in the Constitution of India as well as the United Nations Convention on the Rights of the Child. Subsequently, the scope of the Commission has also expanded to perform a monitoring role for the implementation of some of the notable acts relating to children, like the Right to Education Act, 2009 (under Section 31), the Protection of Children from Sexual Offences Act, 2012 (under Section 44) and the Juvenile Justice (Care and Protection of Children) Act, 2015 (under Section 109).

This report covers the period from 1st April, 2022 to 31st March, 2023. The year under report functioned under the leadership of Chairperson, Shri Priyank Kanoongo. As administrative head- Ms. Rupali Banerjee Singh, Member Secretary, has been providing continuous administrative support to execute the decisions taken by the Commission and to carry out the functions and statutory roles of the NCPCR. Towards the end of the period under report (2022-2023) in March 2023, three Members: Dr. R. G. Anand-Member, Child Psychology and Sociology); Smt. Preeti Bharadwaj Dalal-Member, Laws relating to Children; and Dr. Divya Gupta- Member, Child Health, Care, Welfare joined the Commission.

Over time, the Commission has established an identity and redefined itself by adopting a 360-degree approach and optimizing its full potential. In complete alignment with the core national interests, the Commission has

undertaken some strategic interventions that have altered the course of history in child protection. The year witnessed the celebration of Azadi Ka Amrit Mahotsav- a festival of awakening of the nation that provided a unique opportunity for the Commission to celebrate the nation's glory with the commitment to make a New India by providing a healthy and protected childhood. The major activities undertaken by the Commission during 2022-23 are as follows-

1. The initiative of organizing Camps/Bench for grievance redressal entered its second phase in 2022-23 and was extended to the Districts with high tribal population along with Aspirational Districts. During the year under report, beginning in September 2022, 14 such Camps/Bench were organized.
2. Pariksha Parv 4.0 and 5.0 was celebrated this year with live sessions by dignitaries from various fields such as Ms. Maithili Thakur, Master Avi Sharma, Ms. Janhavi Panwar, Ms. Abhilipsa Panda, Ms. Pallavi Joshi and Shri Vivek Agnihotri, Dr. Swaroop Rawal, Dr. Jyoti Chauthaiwale and Shri Pranay Kumar, Shri Alok Shrivastav, Dr. Rajesh Sagar and Dr. Geetanjali Kumar, Swami Avdheshanand Giriji Maharaj and Dr. Lakshayraj Singh Mewar.
3. Celebrating its 18th Foundation Day on 2nd March 2023 on “Empowering Girl Child” at Auditorium, Pradhanmantri Sangrahalaya, Teen Murti Marg, New Delhi, Commission took this as an opportunity to dedicate the day to the girl child. To mark the day, NCPCR had invited girl children from bordering villages of 75 districts across the country. Children of BSF families were also invited for the programme. Children from 46 remote bordering villages of bordering districts were present for the event.
4. For more effective monitoring, NCPCR developed a strategy to keep vigil on the issues pertaining to protection of children through various means of interventions including the use of information technology and digitalization of monitoring tools. At present, Commission has eight portals/applications functional for monitoring the implementation of various Acts and ensuring that children get what is rightfully theirs.
5. Continuing the initiative of ensuring that all children enjoy their right to education given by the Constitution, Commission has written to Chief Secretaries of all States/UTs to inquire into all Government

Funded/Recognised Madrasas admitting non-Muslim children and conduct mapping of unmapped Madrasas.

6. To celebrate “World day against Human Trafficking” observed on 30th July, 2022 under the banner of *Azadi ka Amrit Mohatsav (AKAM)*, NCPCR had identified 75 Bordering Districts of our country to roll off a campaign in August 2022 viz. “**बाल तस्करी से आज़ादी**”. The campaign focuses on holding Sensitization Workshops for Special Juvenile Police Units (SJPU)/ Child Welfare Police Officers (CWPOs) of Thanas in the identified 75 Bordering Districts of our country.
7. Safety of children in cyber space has been a focus of Commission’s activities. Cyber Safety experts shared their views and guided children in live streaming sessions for Pariksha Parv programme. Also, the awareness workshops conducted for stakeholders from Education Departments at State/District-level were also made aware about the need and importance of cyber safety for children.

CHAPTER 1
Pariksha Parv 4.0 and 5.0

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Pariksha Parv 4.0 and 5.0

The Hon'ble Prime Minister of India has been interacting with students since 2018 through *Pariksha pe Charcha* on range of issues related to examination, including nervousness, anxiety, concentration, peer pressure, parents' expectations, and the role of teachers. Taking a cue from Prime Minister's initiative and take his ideas to deal with exam stress among children in different parts of the country and living in diverse situations, NCPCR introduced Pariksha Parv- a platform a platform for students to talk about their concerns and anxieties, as well as interact, with renowned counsellors/psychologists, educationalists and eminent experts. This initiative aims at removing the stigma attached to counselling and promoting a positive perception. Thus, Pariksha Parv is an initiative inspired by Prime Minister's *Pariksha pe Charcha* and continuing its endeavour towards changing the outlook/perspective of children towards exams and making it a joyful activity, the NCPCR conducted Pariksha Parv 4.0 and 5.0 during 2022-23.

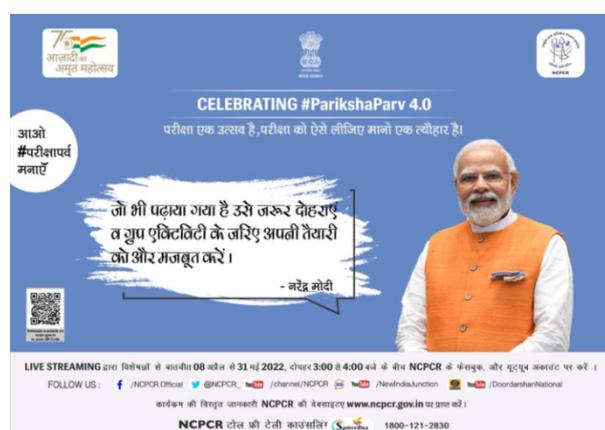
Academic stress among students may have several negative effects such as poor mental health, depression, declining academic performance etc. Besides, students are often driven to suicide due to bullying and negative influence. In the opinion of mental health experts, young people find it difficult to cope with failure in examinations and careers, and neither families nor other social institutions offer adequate support or solace. Exam stress affects most students in varying ways. School students experience high levels of stress due to various reasons, such as lack of preparation, style of their study, parental and peer pressure and lack of needed information. When stress is perceived negatively or becomes excessive, it leads to anxiety before and during examinations and ultimately, affects their academic achievement. It is important to manage this stress and find small ways of helping to eliminate the risk of a burnout.

Considering the seriousness of the nature of incidents of suicides due to examination anxiety, as noticed by the Commission and reported in the media from time to time, the NCPCR, a statutory body under the aegis of Ministry of Women and Child Development, Government of India, had launched a month-long campaign, #ParikshaParv, during the exam period from February to March 2019. This campaign intended to change the

outlook/perspective of children towards exams and motivate them during this time through expert advice. The campaign entailed live streaming of question and answer (Q&A) sessions with renowned experts and psychologists, through Facebook/Twitter/YouTube and radio spots/jingle broadcast through *All India Radio(AIR; Vividh Bharti)*.

1. Pariksha Parv-4.0

In this regard, continuing its endeavour towards changing the outlook/perspective of children towards exams and making it a joyful activity, NCPCR like previous years has conducted **Pariksha Parv- 4.0** from 11th April, 2022 to 31st May, 2022 inspired from Hon'ble Prime Minister of India's "**Pariksha Pe Charcha**" programme. This year in 2022, a multi-pronged approach was followed with the objective to reach out to the teachers and parents in addition to children.



Key Highlights of Pariksha Pav-4.0-

1. "Exam Warrior" included promoting audio-video messages of students giving tips on managing exam/result related stress and anxiety. NCPCR had received more than 4,500 videos from students. Shortlisted videos were uploaded on NCPCR's website and social media after getting consent of the parents.
2. Radio spots broadcast on Vividh Bharati (National), All India Radio.
3. Live streaming sessions from 11th April, 2022 to 31st May, 2022 on Facebook/Twitter/YouTube of NCPCR and YouTube of Doordarshan National to enable students to interact with experts to reduce their exam stress and worries before exam results.

4. State/UTs and District level orientation cum sensitization programmes for Head/Principals/Teachers.
5. **SAMVEDNA-** (1800-121-2830) a toll free Tele counseling service of



NCPCR by trained Counsellors for students to cope up with exam and result related worries, stress and anxiety.

Details of State/District level programme held on Pariksha Parv-4.0

S. No	State	District
1	Manipur	1. Tengnoupal
		2. Kakching
		3. Kakching
		4. Imphal West
		5. Imphal East
		6. Churachandpur
		7. Ukhrul
		8. Thoubal
		9. Bishnupur
		10. Senapati
2	Puducherry	Puducherry
3	Himachal Pradesh	1. Hamirpur
		2. Kangra
		3. Chamba
		4. Una
		5. Bilaspur

4	Tripura	1. Dhalai:
		2. Gomati:,
		3. Khowai,
		4. North Tripura,
		5. Sepahijala,
		6. South Tripura,
		7. Unakoti,
		8. West Tripura
5	Andhra Pradesh	1. Vizianagaram
		2. Visakhapatnam,
		3. West Godavari
		4. East Godavari
		5. Krishna
		6. Guntur
		7. Prakasam
		8. Kurnool
		9. YSR Kadapa
		10. Chittor
6	Odisha	1. Bhubaneshwar (State level)
		2. Jajpur,
		3. Kendrapada,
		4. Puri
		5. Cuttack
		6. Nayagada
		7. Kandhamal
		8. Angul
		9. Dhenkanel
7	Uttarakhand	1. Chamoli (State level)
		2. Naintal,
		3. Haridwar,
		4. Dehradun,

		5. Uttrakashi,
		6. Rudraprayag
8	Chandigarh	Chandigarh
Ca	Meghalaya	Shillong
10	Maharashtra	Online
11	Jharkhand	Ranchi (State level)
12	Madhya Pradesh	Bhopal (State level)

2. Key Highlights of ParikshaParv 5.0

NCPCR launched a-month-long campaign **#ParikshaParv 5.0** during the exam period from **February 7, 2023, to March 31, 2023**. During this year in 2023, ParikshaParv 5.0 entailed the following major activities:-

During this year in 2023, NCPCR launched “ParikshaParv 5.0” with the following major activities:-

a) Live Streaming Sessions telecasted through Social Media of NCPCR- Facebook/Twitter and YouTube on topics related to examination pressure and stress, cyber safety, prevention of drugs and substance abuse, online education, safety and security, POCSO, career counselling etc. Renowned Experts from various fields such as Mental Health, Motivational speakers, Cyber Law experts, Educationist experts, Yoga Gurus etc. interacted with children, parents and teachers.

b) 06 Radio spots were broadcast on Vividh Bharti (National), All India Radio for creating awareness on Pariksha Parv 5.0 with audio messages of Hon’ble Prime Minister’s “Pariksha Pe Charcha, 2023.

c) Invited small audio-video messages from students on “Exam Warrior” through NCPCR website. The Commission received 3251 audio/video messages from all around the Country.

To create awareness on NCPCR’s social media accounts during ParikshaParv 5.0, more than 75 creatives and 06 Radio spots were developed by the Media cell in house team as well as outside media agency.

Key highlights of livestreaming session

The sessions invited dignitaries from various fields such as Ms. Maithili Thakur, Master Avi Sharma, Ms. Janhavi Panwar, Ms. Abhilipsa Panda, Ms. Pallavi Joshi and Shri Vivek Agnihotri, Dr. Swaroop Rawal, Dr. Jyoti Chauthaiwale and Shri Pranay Kumar, Shri Alok Shrivastav, Dr. Rajesh

Sagar and Dr.Geetanjali Kumar, Swami Avdheshanand Giriji Maharaj and Dr.Lakshayraj Singh Mewar.

The first Livestream session of ParikshaParv 5.0 featured Ms. Maithili Thakur, an Indian playback singer trained in Indian Classical music and folk music. She began by signifying the importance of how being aware in classrooms reduces the burden of multiple revisions. Ms. Maithili also highlighted the importance of time management and finding a motivational factor to improve performance in the exam.



The second live stream session featured Mr. Avi Sharma, a young programmer, author of the 'Balmukhi Ramayana', and the recipient of Pradhan Mantri Rashtriya Bal Puraskar Awardee-2022 emphasized on the positive utilization of digital media. He talked about integrating one's inner passion with right knowledge to make learning and exams more enjoyable for oneself. He also gave his mantra of managing exam stress by quoting the famous line from the Bhagvat Geeta "karmkaraur phal kichinta mat kar", which translates to, "give your hundred percent without worrying about the results".

The third live stream session featured 'Wonder Girl of India', Ms. Janhavi Pawar, a motivational speaker, an 18-year old Masters student, she is a polyglot who can speak 9 different languages. She spoke about how one should research well and choose a stream that fascinates them and think about how they can contribute to that field instead of just focusing on the money and giving in peer pressure.



Ms. Abhilipsa Panda, a devotional singer and guest speaker for the fourth session of Pariksha Parv 5.0, spoke that a certain level of anxiety is good to keep our mind focused but too much anxiety can hamper our performance.

The guest speakers for the fifth session were Ms. Pallavi Joshi and Shri Vivek Agnihotri. They remarked that one should not fear exams rather work hard and face it. They also spoke about how there will always be a certain level of stress and anxiety regarding personal and professional life as one grows up but the only way to cope with such stressors is to learn how to manage stress and keep moving forward.



The guest speaker for the sixth session was Dr. Swarup Rawal. She said that students should think of exams as important and life changing and not fear it. Moreover, she also remarked that a certain level of stress stops one from being too casual about important things. It makes the students perform well.

The seventh session took place with speakers Dr. Jyoti Chauthaiwale and Shri Pranay Kumar mentioned on the importance of reading 'Exam Warriors' written by Hon'ble Prime Minister. They also emphasized how important it is for parental support during exam days and that parents should make sure the child is also engaged in some physical activity to keep the mind and body fit.



Next livestream session took place on March 13th, 2023 with Shri Ashok Shrivastav. He is an Indian poet, lyricist and Journalist. He suggested that Exams are a small step towards the next level in life and provide an opportunity for us to grow, assimilate and internalise information. If an individual demotivates the student to think otherwise and feel pressured just to get marks, they must be confronted accordingly. He also emphasized the need to stay hydrated and not go to the examination hall on an empty stomach.

The ninth session took place on March 15th 2023 with Dr Geetanjali Kumar and Dr. Rajesh Sagar. They are psychologist, practising counsellor, trainer, parenting coach, and a motivational speaker, initiated their conversation with the exam warriors by elucidating on their career, what led them to pursue psychology and mentioned how crucial family support is for a child's career choices.



Next live stream session was conducted with Swami Avdheshanand Giriji Maharaj. The conversation concluded with the importance of the physical activity like Yoga to maintain physical and mental health. A student needs to pursue their hobbies, enhance their skills, play, exercise, and socialise to grow more confidence in themselves and overcome the crisis.

Dr. Nishant Goel and Dr. Jitendra Nagpal highlighted the importance of maintaining self-esteem of students. Examinations are a time to focus and put together all the efforts that students have made during last one-year. Hence, it is important that students do not let the pressure overpower them. It is also a responsibility of parents to not let their pressure burden the children. It also important to understand that stressful situations will come throughout one's life, not just during 10th and 12th examination, but at different stages of life one has to face challenges, therefore, life skill training plays an important role in equipping children with skills to manoeuvre through these stressful situations successfully. Not just schools and teachers, parents can also impart life skills in their children.



Dr. Chinmay Pandya highlighted the difference between expectations and aspirations by stating that expectations are simply how we want things to turn out whereas aspiration is to achieve something. Therefore, it not always possible to fulfil the expectations but when a child aspires to do something, only then that aim can be fulfilled. Examinations are just one milestone in the journey of life and children

should pass this milestone without stress as this is not the last landmark. Also, as life is becoming more and more technologically advanced, on the flip side individuals have become isolated and lack patience. If one has someone in life to share their worries and happiness, half of the stress would be gone. But this has become difficult in today's fast paced life.

The last live stream session took place on March 31st 2023 with Dr. Lakshayaraj Singh Mewar. He is philanthropist, educationist, sports patron, business leader and six times Guinness world record holder. He voluntarily and consciously dedicated himself to public service, upholding the cause of righteousness. He advised students to spend less time on social media especially during exams. Moreover, he elaborated that parents need to understand that all children are different and parents need to identify the talent of their kids and help them grow in whatever field they are interested in.



Glimpses of State level Programme



CHAPTER 2
Camps/Benches in Districts
with High Tribal Population
and Aspirational Districts

CHAPTER 2

Camps/Benches in Districts with High Tribal Population and Aspirational Districts

The National Commission for Protection of Child Rights (NCPCR) is committed to reach out to every last child in the country, through its various interventions, under the mandates provided under the Commissions for Protection of Child Rights (CPCR) Act, 2005. In the year 2019–20, under the Chairperson, a strategy was devised to organize benches/camps of the Commission in aspirational districts, as identified by the NITI Aayog. The children and people in these districts are lagging behind in some of the key developmental parameters related to child development, such as education, health and nutrition. In this district-level exercise, the district administration as well as all stakeholder departments—school education, health, labour, women and child development, tribal affairs, social welfare, etc.—non-governmental organizations (NGOs), voluntary organizations, youth clubs, teachers and Anganwadi workers were involved and sensitized to take the message of the NCPCR bench to all the habitations and children in schools. The basic idea was to start a movement to bring all the issues and cases on child rights violation to the table of the NCPCR bench for their redressal, including giving on-spot solutions. This initiative was started in June 2019 and continued till early March 2020, covering 55 districts in 24 states of the country.

It is pertinent to mention that, as per Section 13(1[j]) of the CPCR Act, 2005, the Commission is mandated to enquire into complaints and take suo motu notice of matters relating to deprivation and violation of child rights; non-implementation of laws providing for protection and development of children; and non-compliance of policy decisions, guidelines or institutions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children or to take up the issues arising out of such matters with appropriate authorities. While inquiring into any matter referred to in the above-mentioned clause, the Commission shall have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908, particularly with respect to the following matters:

- a) summoning and enforcing the attendance of any person and examining him under oath;
- b) discovery and production of any document; receiving evidence on affidavits;

- c) requisitioning any public record or copy thereof from any court or office; and
- d) issuing summons for the examination of witnesses or documents.

In view of the identification of districts lagging behind in key parameters; it was decided to reach out to all these districts by the Commission to hear the grievances pertaining to rights of the children in those districts. Thus the NCPCR Bench or NCPCR Camp in Aspirational Districts came into action in providing a platform for the children and communities to place their representations/ complaints, to provide on spot solution along with the district authorities and appropriate direction and follow-up for redressal of the complaints.

Envisaged and led by the Chairperson, the initiative's objectives and methodologies were discussed in the statutory meeting of the NCPCR which is the decision-making body of the Commission. The key methodology and strategies were: to give details of the bench plan to the district administration and ask for a nodal officer; video conference with the district administration to review the preparation; advance team visit to the district; meeting with the NGOs and civil society organizations; meeting with the district administration and the relevant departments; and sample field visits to the schools and institutions, followed by bench hearing by the Chairperson/Members of the Commission, along with district collector or designated officer.

In Phase-I, the Commission had organized 55 grievance redressal Camps/Benches in Aspirational Districts in 2019-2020 in 24 states and covered 62 Aspirational Districts. Further, to celebrate the aim and objective of "Azadi Ka Amrit Mahotsav" **NCPCR has undertaken the task of holding grievance redressal Camps/Benches in 75 districts with high tribal population and Aspirational Districts. Beginning from September, 2022 till 31.03.2023 NCPCR has conducted 14 Camps/Benches to redress grievances of violation and deprivation of child rights.** The participating Districts were-

- a) Districts with more than 50% of Scheduled Tribe population;
- b) Districts with more than 25% of Scheduled Tribe population;
- c) Aspirational Districts where the Camps/Benches were not held in the first Phase;
- d) Districts with high number of children registered on NCPCR's *Baal Swaraj (COVID CARE) Portal*.

Details of the Camps/Benches held from September, 2022 to March 2023 are as follows-

S.No	State	District	Bench held on	Complaints received
1.	Madhya Pradesh	Dhar	09.09.2022	173
2.		Jhabua	10.09.2022	778
3.		Khargone	23.09.2022	888
4.		Harda	24.09.2022	398
5.		Barwani	31.01.2023	173
6.	Gujarat	Dang	16.09.2022	131
7.		Panch Mahal	23.09.2022	534
8.		Bharuch	24.09.2022	837
9.	Assam	Goalpara	28.11.2022	577
10.		Barpeta	05.12.2022	929
11.		Darrang	08.12.2022	876
12.	Karnataka	Raichur	13.02. 2023	599
13.		Uttar Kannada	06.02.2023	385
14.		Udupi	06.01.2023	190

Awareness Generation:

Creating awareness on the rights of the child was the soul of the entire bench activities, wherein all aspects of child rights were covered and communicated to people in general, using different traditional and present-day mediums of social media in a sustained way for about a month. This is in view of the fact that the messages had to be conveyed indifferent ways so that people could understand, comprehend and be sensitized.

The education officer at District level ensured that all schools (government as well as private), hostels and coaching institutions, where children are residing, put up the information on their notice boards and websites. Also, the information was disseminated/percolated to parents, school management committee (SMC) members and parent-teacher associations (PTAs) through appropriate methods and language. This was also announced to school students during the morning assembly. Similar to this,

the district nodal officers from Department of Tribal Affairs, Department of Social Justice, Department of Welfare of Scheduled Castes and Scheduled Tribes, Department of Welfare of Other Backward Classes, Department of Welfare of Minorities, etc., also ensured that all schools and hostels under their respective departments put up the information on their notice boards, websites, as well as informed the parents about the bench.

Social media and information and communication technology platforms were also used to create awareness through creative ways and expressions, touching upon all aspects of rights of the child. Many audio visual clips were created about the camp and circulated through WhatsApp groups. Use of social media was found to be very effective as its circulation is very quick.

Through all these mediums, awareness generation activities were carried out in the districts with an endeavour to reach out to each and every one in the district, especially the children at the last mile who are the most vulnerable, so that their appeal can be heard by the bench. The entire process of awareness and ground activities was monitored by the Commission through video conferencing prior to organizing the bench.

Interactions with District Authorities

The District Magistrate was informed well in advance about all the details of the camp. In all the camps organized, a nodal officer, of the rank of additional district magistrate, was appointed to oversee the activities and to liaison with the NCPCR. A team was formed in the district to help the nodal officer organize the camp. This team also participated in the video conference between the NCPCR and the district. Apart from video conferencing, the advance team, on arrival, interacted with the district team to take stock of the preparation and discuss the detailed plan of action regarding the camp.

Creating an Enabling Environment for Submission of Complaints and Representations

A child-friendly and enabling environment was created for seeking complaints from children, students, parents, victim families, NGOs, teachers, Anganwadi workers, social workers, spirited citizens and others. These complaints were received in written forms as well as verbally. The verbal complaints were later filled in the forms. Complainants appeared before the bench to submit and explain the complaints. A separate room/designated place was also identified in all the benches for victims or complainants who

needed privacy to submit their case. There were numerous cases that were heard privately.

On the day of the Camp/Bench

The camps/benches witnessed unprecedented response from the public, children, all the authorities, duty bearers, stakeholders, civil society organizations and volunteers at large, who performed their designated duties in the best possible way for the cause of children. The children were the focal point of the entire exercise, which was truly a “celebration of rights of the child” in all senses. The smooth functioning of the bench was ensured, starting from an information-cum-help desk to discuss the case, to referring to the desk for filling the complaint forms and issuing the token. There was an arrangement of designated sitting area for the complainants from where the cases were submitted to the bench through designated staff of the Commission. Subsequently, the cases were heard and decision for redressal of the same was given. Officers from all the departments of the districts had their own sitting areas where the cases decided were referred for them to take appropriate action. As per the need, the bench would ask the response of the concerned officer and give orders to take action with a timeline. The District Magistrate was also given the responsibility to look into the matter and address the issue. There was a separate enclosure to hear the cases needing privacy. The district administration made arrangement for food, drinking water and snacks for the participants.

Case Hearing

In the hearing, all the cases were discussed and relevant information or messages were disseminated for the larger benefit or awareness of not only the complainants but also all the attendees. There were many cases where on-spot solutions were given and matters were resolved.

Key Outcomes of the Benches/Camps

1. *Mass awareness on rights of the child:* NCPCR benches/camps set the standard and culture of a mass awareness campaign involving all the duty bearers, stakeholders, institutions and people in general, for a cause like rights of the child. All the duty bearers and stakeholders were sensitized that awareness generation is a part of their duty.
2. *Convergence of all the departments:* The Camps/Benches brought all the stakeholder departments together and set a convergent platform on rights of the child, breaking the silos amongst these departments.

This inter-departmental convergent platform is one of the strategic outcomes through which any matter pertaining to the children can be sorted out in a coordinated way. A new culture of dealing with child-related issues has been set in motion in all the aspirational districts.

3. *Redressal of complaints:* A large number of complaints were redressed by the bench. In addition, awareness was created amongst people of the districts as to how and where to make a complaint pertaining to matters relating to child rights violation. Therefore, people now know the grievance redressal mechanism and how it functions. This will help them in case of any kind of violations of their rights.
4. *Inspection of facilities for children, including health facilities, Anganwadi facilities, schools, CCIs, etc.:* The bench and advance team also reviewed the facilities pertaining to children and as a result, many institutions have been created, facilities provided, corrective actions carried out and functioning improved.

Conclusion: The conception and implementation of the grievance redressal Camps/Benches, as envisaged by the Commission, has set a legacy of sustained movement, wherein district magistrates to the Anganwadi workers, that is, all the duty bearers and stakeholders, have played their designated roles towards the children. The benches have also set in motion; a culture of care, protection and redressing of the various issues of child rights. This culture of redressing grievances and ensuring the rights of the child based on comprehensive awareness, knowledge and understanding being generated in these districts would very well fulfill the aspirations of these districts. Thus, the NCPCR bench campaign has been the unique experiment that has given a major push in improving the situation and in achieving high developmental trajectory.

CHAPTER 3
RIGHT TO EDUCATION OF
CHILDREN IN MADRASAS

CHAPTER 3

RIGHT TO EDUCATION OF CHILDREN IN MADRASAS

As per Section 31(1) of the Right of Children to Free and Compulsory Education Act, 2009, popularly known as RTE Act, 2009 NCPCR is mandated to examine and review the safeguards for rights provided under the Act and recommend the measures for their effective implementation. To fulfil this mandate, it was important that the Commission looks in to identify children under different circumstances who are deprived of their fundamental right to education. One such category of children is those who belong to the minority community and who attend such institutions such as Madrasas that are outside the ambit of the RTE Act, 2009.

For getting a deeper understanding of the matter, NCPCR initiated a massive exercise of introspection on the status of elementary education of such children. For this, the Commission adopted a multipronged approach consisting of the following:

1. Desk Review and document analysis
2. Consultations- Representatives of minority communities, concerned Govt. officials, Heads of the institutions imparting education to these children, SSA, parents and children studying in Madarsas participated in the consultations.
3. Formal and Informal Interactions- CABE, OoSC Review Meetings, Inter-departmental meetings, SCPCR consultations, interactions with UN agencies.

In 2020-21, the Commission, for the first time, endeavoured to examine how the exemptions given to educational institutions under Article 15 (5) of the Constitution have affected education of children from minority communities in light of the fundamental right of children to elementary education under Article 21A. It is pertinent to note that Article 15(5) empowers the Government to form any policy for the upliftment of socially backward class, thus forming the basis of affirmative action in private unaided educational institutions in India. However, since RTE Act, 2009 has been made inapplicable to institutions with minority status and to the institutions imparting religious education, thus denying children of their fundamental right.

Among other findings of the study, the following two findings presented a picture where on one hand the Constitutions talks about

fundamental right of all children to receive free and compulsory elementary; and on the other hand so many children are not devoid of their rights. Unfortunately, the number of these children is unknown-

Enrolment in Madrasas- Based on data from Census 2011 and UDISE, it has been estimated that more than one crore children are studying in these institutions. This number is not reflected in any data by the State Governments since Madrasas are largely unrecognized and even unmapped. Therefore, though children studying in unrecognized and unmapped Madrasas are technically out of school, but data-wise these children do not find place in out-of-school category as well and while these children are being deprived of their fundamental right, they are not even being acknowledged by the States.

Madrasas can be categorized into following types-

1. **Recognized Madrasas:** Though Recognized Madrasas are recognized by State Madrasa Board and are having a UDISE code, yet these Madrasas are imparting formal fundamental education only to some extent and not as per the RTE Act, 2009 introduced to extend the Fundamental Right of Children under Article 21A of the Constitution. The formal education in these Madrasa is provided along with religious education. However, only these Madrasas are taken into consideration in the Sachar Committee Report (2006) that, thus assumes that a mere 4% children attend Madrasas.
2. **Unrecognized Madrasas:** Madrasas are ones that may or may not have been found ineligible for recognition by the State Government. They may be found ineligible for a variety of reasons including, but not limited to, not imparting formal education, having non-compliant infrastructure, appointing unsuitable teachers, etc.
3. **Unmapped Madrasas:** Madrasas that have never applied for recognition are grouped under this category. The UDISE does not take into consideration these madrasas that are established traditionally, which have not applied for recognition to the State Government. These unmapped madrasas may or may not be attached to any religious organization and maybe following their own set of norms or guidelines. It is extremely difficult to ascertain their specific number and the number of children going to these institutions since they have never been mapped formally. However, this is the most common type of Madrasas in India, having largest number of children enrolled.

Inquiry into all Government Funded/Recognised Madrasas admitting non-Muslim children and conduct mapping of unmapped Madrasas:

Another, issue that came into Commission's notice is that many non-Muslim children are also attending Government-funded/recognized Madrasas and do not attend school as defined u/s 2(n) of the RTE Act, 2009 and are not receiving fundamental education. This is violation of Article 28(3) of the Constitution of India that prohibits educational institutions from obligating the children to take part in any religious instruction, without the consent of parents. Further, Commission also observed that these children belong to Tribal communities and State Government is providing them scholarships also. In view of this, the Commission in exercising its powers under Section 13 (1) of the CPCRA Act, 2005 made following recommendations to the Chief Secretaries of all States/UTs vide letter dated 08.12.2022 and sought action taken report:-

- a) Conduct detailed inquiry, including physical verification of children attending Government Funded/Recognised Madrasas operating in your State/UT who are committing irregularities, malpractice, misrepresentation of facts and violations by admitting Non-Muslim children. It is requested that stringent penal action, if found guilty, be taken against any/all erring Madrasas and its functionaries.
- b) Undertake Mapping of any/all such children who are Non-Muslims but attending Unmapped Madrasa in your State/UT and admit any/all such children into Schools for availing formal education with immediate effect.

Child Rights issues among Pasmanda Muslim Community

A meeting was held on 7th February, 2023 regarding Child Rights issues among Pasmanda Muslim Community for the welfare of the children belonging to these children. It was decided in the meeting to conduct a National level meeting will be held and on 16th March, 2023 National Consultative Meeting on deliberation of Child Rights issues among Pasmanda Muslim Community was conducted by NCPCR at Constitution Club of India, Rafi Marg, New Delhi. The representatives from 15 States attended the meeting and MoU was signed between NCPCR and Pasmanada Community that during the NCPCR benches, one of the issues during awareness will be welfare of the children belonging to this community.

CHAPTER 4
18TH FOUNDATION DAY
CELEBRATION

CHAPTER 4

18TH FOUNDATION DAY CELEBRATION

The National Commission for Protection of Child Rights (NCPCR) celebrated its 18th Foundation Day on 2nd March 2023 on **“Empowering Girl Child”** at Auditorium, Pradhanmantri Sangrahalaya, Teen Murti Marg, New Delhi. To mark the day, NCPCR has invited girl children from bordering villages of 75 districts across the country. Children of BSF families were also invited for the programme. Children from 46 remote bordering villages of bordering districts were present for the event viz; Jammu and Kashmir, Ladakh, Uttar Pradesh, Bihar, Rajasthan, Uttarakhand, Punjab, Sikkim, Mizoram, Manipur, Assam, Tripura participated in the programme. Union Minister for Women and Child Development and Minority Affairs, Smt. Smriti Zubin Irani was the Chief Guest of the event. Secretary, WCD, Shri Indevar Pandey and Chairperson, NCPCR, Shri Priyank Kanoongo were present during the celebrations.

Child Rights Champion

NCPCR introduced Child Rights Champion- a quiz competition with the objective that children will learn about their rights through a simple yet interesting quiz. Four options were given for each question out of which only one is correct. Even if the wrong option is chosen, the correct answer to each question was highlighted so that in the process children learn more about their rights. All children who complete the quiz were given an e-certificate. The Quiz competition received encouraging response from more than 5 Lakh children across India.

The Chairperson, NCPCR, welcomed all the dignitaries and children for their active participation. Children from 46 bordering districts were present for the event. No child from West Bengal participated in the event. Children of BSF families with their guardians and escorted by Border Security force (BSF) personnel and children from Bru-Reang resettlement of Tripura were also present for the programme. Chairperson NCPCR in his welcome speech said that houses, schools and basic necessities were insured by the Government for them. He mentioned about the major challenge of our country's border areas is of child trafficking, especially in

Assam, West Bengal, Bihar and Jharkhand. He further added that more than 300 children were rescued from trafficking in Delhi and NCR. New laws for child trafficking are to be introduced and hoped India shall be free from Child Trafficking completely soon. Chairperson, NCPCR shared that on the occasion of Swami Vivekanand's Jayanti on 12.01.2023, NCPCR started a quiz on Child Rights for children called as Child Rights Champion contest. The Quiz competition conducted by NCPCR on their portal has received encouraging response from more than 5 Lakh children across India. He said that taking inspiration from this, NCPCR has decided to make child rights champions among the children in the country, who will work to take forward this campaign of child rights awareness and pave the way for nation building by being empowered. This effort is a small contribution of the Commission in the efforts being made by the Hon'ble Prime Minister for New India, so that a completely child-friendly environment can be created in the country. Secretary, Ministry of WCD, Shri Indevar Pandey in his address praised the NCPCR's work and highlighted the significant contribution it has made over the years. He lauded the efforts of NCPCR to invite children from bordering districts/villages and the efforts put in by BSF to escort them to the event. He highlighted PM's vision of development led by women and children instead of development for women and children. Women and children shall come forward and play major role in uplifting their lives and social status. He also highlighted the fact that in recent times, women and girls are at par with men and boys, and they no longer are the suppressed section of the society. Women excel in all fields whether it is sports or academics. He also reiterated that India is signatory to United Nations Convention on Child Rights and is making best efforts to enforce them. Earlier *Beti Bachao, Beti Padhao* Programme was limited to 405 districts, but today it has been extended to Pan India.

Union Minister, M/o WCD and M/o Minority Affairs Smt. Smriti Zubin Irani interacted with children and expressed her happiness at the event and was overjoyed to see participation of children from vibrant bordering districts of the country. She said that children, according to the Hon'ble Prime Minister of India, are "**crucial to the growth and development of the nation**". She encouraged and motivated the children to strive well in all spheres of life.

She praised NCPCR, especially for putting in efforts and inviting children from more than 40 border districts, which the Hon'ble Prime Minister refers to as the **VIBRANT BORDER VILLAGES**. The Hon'ble Minister also expressed her appreciation for all the outstanding work done by the Commission. She highlighted the G20 Chairmanship of India, and this year's theme, which is also inscribed in today's event title '**Empowering Girl**

Child’. Hon’ble Minister also emphasized the role of men in the empowerment and protection of women and girls in a civil society. The Hon’ble Minister said that in order to ensure participation of boys and men in uplifting of women and girl’s rights, it is important that boys at very young age should be sensitized towards such issues and efforts in this regard may be made by NCPCR on the theme of Empowering Girl Child-Role of Boys. The Hon'ble Union Minister of WCD and Minority Affairs launched "**Child Rights Champions World**" a dedicated feature on NCPCR’s website on child rights literacy. Hon’ble Prime Ministers book “Exam Warrior” was distributed to children. A tour to Pradhanmantri Sangrahalaya, New Delhi was also arranged by NCPCR for all the children and their guardians/escorts.



The programme concluded with a vote of thanks by Ms. Rupali Banerjee Singh, Member Secretary, NCPCR who congratulated all the children for their enthusiastic participation.

CHAPTER 5
Digitalization of Monitoring
Mechanism

CHAPTER 5

Digitalization of Monitoring Mechanism

As India progresses towards building a comprehensive child protection ecosystem, it is important that all authorities and administrations including union, State and local authorities; District administrations; child protection mechanism at all levels; National and State Commissions; Civil Society Organizations work in unison to protect children and in taking quick decisions in the best interest of the children. For more effective monitoring, NCPCR developed a strategy to keep vigil on the issues pertaining to protection of children and worked relentlessly in mitigating hardships through various means of interventions including the use of information technology.

1. MASI- Monitoring App for Seamless Inspection

The Commission has developed an application- *MASI – Monitoring App for Seamless Inspection*- for real time monitoring of the Child Care Institutions (CCIs) and their inspection mechanism across the country. The effective and efficient functioning of the mechanism for inspection of Child Care Institutions provided under the Juvenile Justice Act, 2015 and synchronous monitoring of the system is the rationale behind developing this comprehensive application. The app is linked to the monitoring Portal where the automatic reports will be generated. MASI enables unified inspections by Child Welfare Committees (CWCs), State Inspection Committees, District Inspection Committees, Members of Juvenile Justice Boards (JJBs) and State Commissions for Protection of Child Rights (SCPCRs) as laid down under the JJ Act, 2015. MASI works as a single platform for inspections of all the CCIs across the country by any of the above stated authorities. Regular follow-ups before and after the completion of cycle of inspection. The complete reports of the inspected CCI's are automatically generated on the Portal as soon as the questionnaire is filled and submitted by the authority. In 2022-23, 2874 inspections have been conducted through the App and during this period the Commission also conducted training of all stakeholders of all the Districts for all States/UTs.

2. Baal Swaraj Portal-COVID Care

The Commission had devised an online portal Baal Swaraj to do real time monitoring of children in need of care and protection. Keeping in view of the second surge of COVID pandemic and the number of complaints being received for children who had become orphan by losing their parents to COVID, a link on the portal had been devised-COVID Care link.

- a) This issue of vulnerable children affected by COVID was also taken up by the Hon'ble Supreme Court in SMWP (C) No. 4 of 2020 In Re. Contagion of Covid-19 virus in Children Homes and vide its orders dated 28.05.2021, 01.06.2021 and 07.06.2021, all States/UTs were directed to upload the data of children who had become orphan or lost either of the parent to COVID or otherwise on the Bal Swaraj Portal. In compliance to the orders of the Hon'ble Supreme Court, the data of such children was uploaded on the portal.
- b) There are six stages in the portal which have to be filled by the District Child Protection Unit and State Child Protection Society.
 - Stage1 asks for personal basic details of the child like name, age, address etc.
 - Stage 2 asks for filling up the social investigation report of the child.
 - Stage 3 is the form of individual child care plan wherein it becomes clear that where the child is being placed, recommendation of Child Welfare Committee, sponsorship benefits etc.
 - Stage 4 has been given to upload the Child Welfare Committee order. Stage5, total 34 Government implemented schemes/ benefits have been listed out from which the DCPU can select the benefit of schemes being given to the child in this stage.
 - Stage 6 is for uploading follow-up forms of children. Where the child has been recommended for follow-up, whether in child care institution or in non-institutional care, the follow-up is done by the person assigned by the Child Welfare Committee. So in this stage, if there are any follow-up forms filled by the officer conducting follow-ups of the child, then those forms have to be uploaded.
- c) It is to be seen that as stated above, the six stages, enables the Commission to understand the social and financial status of the child and his/her family and can assess if there are any additional requirements/benefits/compliances to be done for the best interest of the child. The Commission can then report the matter to the appropriate authorities where such necessary requirements/benefits/compliances are required to be done.

- d) In addition to this, it also makes it able for the Commission to verify that whether the recommendations made in the individual care plan of the child are being adhered to or not and that most importantly the follow up of children as mandated under the JJ Act, 2015 and its Rules, 2016 is being done or not in a proper manner. As on 31.03.2023, registrations on Baal Swaraj- COVID Care portal are: Orphan- 11725; Single Parent-172516; Abandoned-471

3. Baal Swaraj Portal-CISS

The Hon'ble Supreme Court has taken cognizance on the issue of children in street situation in SMWP (C) No.6/2021 In Re Children in Street Situations on 15.11.2021. The problems pertaining to the rescue and rehabilitation of children who are on the streets were taken up before the Hon'ble Supreme Court in this case and many directions have been passed to the State Governments to take measures and steps for rescue and rehabilitation of children in street situations. The Hon'ble Supreme Court had observed that the Standard Operating Procedure for rescue and rehabilitation of children in street situations 2.0 formulated by NCPCR provides for steps and role of authorities while dealing with street children which are comprehensive in nature. The Hon'ble Court had thus directed the States/UTs to take steps in accordance with SOP 2.0 of NCPCR for rehabilitation of street children. The SOP 2.0 of NCPCR categorizes children in street situation as follows-

- i. Children living on the streets with their families.
- ii. Children stay on the streets in the day and are back home in the night with their families who reside in a nearby slum/hutments.
- iii. Children without support living on the streets alone.

This matter had been taken up for hearing before the Hon'ble Supreme Court and the following directions have been given to the States/UTs for ensuring care and rehabilitation of children who are in street situations-

- The District Magistrates/ District Collectors are to take steps in accordance with SOP 2.0 that has been formulated by the NCPCR.
- The Secretary, Department of Women and Child Welfare of each State shall be the nodal officer to ensure that all the District Magistrates/ District Collectors take prompt action for implementation of SOP 2.0 formulated by the NCPCR.
- Process has to start with immediate action being taken by the authorities for identification of CiSS and thereafter, providing the required information to the NCPCR for the later stages as well.

- The State Governments/Union Territories are directed to promptly attend meetings that are held by the NCPCR and offer their suggestions, apart from voicing their concerns, if any, in implementation of the SOP 2.0.
- The State Governments/Union Territories are directed to formulate a policy for the rehabilitation of CiSS, with the guidance of the NCPCR. As NCPCR had formulated a model policy for rehabilitation of children in street situation.
- The NCPCR has been directed to hold periodic meetings with the States/UTs to discuss upon the situation of street children in the respective States/UTs.
- The State Governments of Tamil Nadu and Delhi are directed to communicate a copy of their final schemes to the NCPCR. The State Governments of Tamil Nadu and Delhi are further directed to implement the schemes that are formulated by them and take immediate steps for identifying and rehabilitating CiSS.
- The State Governments/Union Territories are directed to implement the guidelines that were circulated by the NCPCR, by way of their compliance affidavit dated 17.02.2022, and take suitable steps for rescuing and rehabilitating CiSS. The suggestions of NCPCR would be in place till the States/UTs do not come up with their own policy.

NCPCR has also developed a Baal Swaraj-CiSS portal for online tracking and digital real time monitoring of children in street situation. The categorization of children in street situations has been done on the portal under the three broad heads as given in the SOP of NCPCR. The individual login accounts of all District Child Protection Units/officers and Principal Secretaries of Department of Women and Child Development/Social Welfare of all States/UTs was made, so that they can fill the required information at every stage of the portal. There are six stages in the portal which have to be filled by the District Child Protection Unit and State Child Protection Society.

- Stage1 asks for personal basic details of the child like name, age, address etc.
- Stage 2 asks for filling up the social investigation report of the child.
- Stage 3 is the form of individual child care plan wherein it becomes clear that where the child is being placed, recommendation of Child Welfare Committee, sponsorship benefits etc.
- Stage 4 has been given to upload the Child Welfare Committee order.
- In stage 5, total 34 Government implemented schemes/ benefits have been listed out from which the DCPU can select the benefit of schemes being given to the child in this stage.

- Stage 6 is for uploading follow-up forms of children. Where the child has been recommended for follow-up, whether in child care institution or in non-institutional care, the follow-up is done by the person assigned by the Child Welfare Committee. So, in this stage, if there are any follow-up forms filled by the officer conducting follow-ups of the child, then those forms have to be uploaded.

As on 31.03.2023, the data of Baal Swaraj-CiSS is as follows-

1.	Children living on the streets with their families	12084
2.	Children stay on the streets in the day and are back home in the night with their families who reside in a nearby slum/hutments	9850
3.	Children without support living on the streets alone	1023
Total		22957

4. BAAL Swaraj – Citizen Login (Portal)

The NCPCR on its Baal Swaraj Portal-CiSS has devised a link <https://ncpcr.gov.in/baalswaraj/citizenlogin>, through which individuals, academic institutions and Non- Government Organisations/ Civil Society Organisations (hereinafter referred to as “NGOs/CSOs” respectively) having varied experience of working towards the cause of children in street situations (hereinafter referred to as “CiSS”) could be involved at the ground level with the appropriate authorities for the identification and rehabilitation of CiSS. Through the link the organizations, institutions, individuals and professionals will be able to-

- Report information about a child in street situation. (A button is created **“Report a CiSS”** on the link)
- Register and provide information about the services which they are willing to give to help the child in street situation. (A button is created **“For providing help to CiSS”** on the link)

By the creation of this link on the Baal Swaraj Portal of NCPCR, any person/organization can now report a child in street situation through a simple process of providing information and can also provide the following services for giving assistance to the authorities in suitable rehabilitation of children in street situation-

- Open Shelter
- Counselling
- Medical services
- Sponsorship
- De-addiction services
- Education services
- Legal/Para-legal assistance
- Volunteering services
- Student volunteer
- Identification of hotspot
- Identification of CiSS
- Any other assistance

After the individual or the organization have submitted their information for providing services on this portal, the information will be shared in District Child Protection Officers account on the portal. The individual or the organization who has submitted their information will be given a registration id and the DCPO can then follow up with the said individual or organization for seeking their assistance in rehabilitation of CiSS. This will help in linking the persons/organizations interested in providing services for children in street situations to the concerned district authorities. The district authorities can then take their assistance in rescue and rehabilitation of the CiSS.

5. GHAR (Go Home and Reunite) Portal

The extent and scope of the NCPCR monitoring role has been significantly increased with respect to the implementation of Juvenile Justice (Care and Protection of Children Amendment Act, 2021 and Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022. As per Rule 81 of the Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022 (Transfer and Repatriation of Child), the role of the Commission has been elaborately defined. Since the implementation of the JJ Act, 2015 and its Rules, 2016, there were many challenges and gaps which came to the notice, especially hindering the process of rehabilitation of children. In an attempt to eliminate those challenges which are being faced by authorities in repatriation and to send the maximum number of children back to their native place with their families/relatives the Commission has prepared Protocol for Restoration and Repatriation of children and GHAR (Go Home and Reunite) portal. The portal has been developed to digitally monitor and track the restoration and repatriation of children according to the protocol.

The main features of this portal are as under:-

- *Digital tracking and monitoring of children who are in the JJ system and have to be repatriated to another Country/State/District.*

- *Digital transfer of cases of children to the concerned JJB/CWC or SCPS of the State. It will help in speedy repatriation of children.*
- *Where there is a requirement of a translator/interpreter/expert, request will be made to the State where that language is spoken.*
- *CWCs can ensure proper restoration and rehabilitation of children by digitally monitoring the progress of the case of the child.*
- *A checklist format will be provided in the forms so that children who are stuck due to various reasons in a place or children who are not getting their entitled compensation or other monetary benefits can be identified.*
- *List of Government implemented schemes will be provided, so that at the time of restoration the CWCs can link the child with the schemes to strengthen the family and ensure that child remains with his/her family.*

6. Tracking Portal for Out of School Children

The Hon'ble Supreme Court has discussed upon the various issues related to children who have either dropped out of school or are likely to drop out of school and expressed its concerns towards the continuation of education of children during the COVID pandemic. In the last order dated 09.05.2022, the Hon'ble Supreme Court has given the following directions for ensuring continuation of education of children and identifying children who have dropped out of school

- *The State Governments/Union Territories are directed to comply with the suggestions made by the NCPCR in its SOP dated 25.06.2021 and the recommendations made in the affidavit of NCPCR dated 07.05.2022.*
- *The NCPCR is directed to have a web portal on which the information relating to the action taken by the State Governments/Union Territories for the continuance of the education of children is updated.*
- *The State Governments/Union Territories may approach the NCPCR for any modification/clarification of the SOP.*
- *The State Governments/Union Territories are directed to instruct the concerned authorities to ensure that migration certificates are issued to those children who are moving away from the place of their education.*
- *The State Governments/Union Territories shall appoint district-wise nodal officers, either from the Education Department or from the Women and Child Welfare Department, who in turn shall instruct Anganwadi workers, Asha workers, health workers etc. to personally inform those parents whose children have discontinued education about the recommendations made by the NCPCR and orders passed by the Court.*

- *The nodal officer shall also take appropriate action to place the children back in the schools from which they have dropped out, so long as continuing in the same school is in the best interests of the relevant child.*
- *The status report about the appointment of nodal officers and the action taken for ensuring the continuation of the education of children shall be filed by the State Governments/Union Territories within a period of 06 weeks from today. The said information shall also be furnished to the NCPCR.*
- *Wide publicity shall be given by the State Governments/Union Territories to the suggestions made by the NCPCR as well as orders passed by the Court*

Therefore, NCPCR to develop a web portal track and monitor children who are drop out and currently out of school so as to bring such children back in the main stream education system.

7. POCSO Tracking Portal

The POCSO tracking portal was launched by Hon'ble Mr. Justice Uday Umesh Lalit, Former Chief Justice, Supreme Court of India on 17th July 2022. The tracking portal was conceptualised in joint collaboration of National Legal Services Authority (NALSA) and National Commission for Protection of Child Rights (NCPCR). In pursuance of Commission's role of monitoring the implementation of the Act as mentioned u/s 44 of POCSO Act 2012 and understanding the need for a dedicated portal to monitor implementation and to facilitate services provided to POCSO victims, the tracking portal is envisioned to track cases of child sexual abuse victims in real time for compensation and facilitate services like victim compensation and rehabilitation for their care and safety.

8. NCPCR's Management Information System (MIS) Portal

The NCPCR being a monitoring authority required data under various Acts in a Performa prescribed by NCPCR. To save financial, human and other resources in carrying out this process, NCPCR under Rule 17 (g) of NCPCR Rules, 2006, has initiated the process of collecting data/information through development of an online Management Information System Portal on various indicators. It is a tool that indicates performance under various indicators that help comparing data from other sources. So far, the portal is capturing data on lead indicators on implementation of Acts related to children including Juvenile Justice (Care and Protection of Children) Act,

2015, Pre Conception & Pre-Natal Diagnostic Techniques Act, 1994, Child and Adolescent Labour (Prohibition and Regulation) Act, 2016, Protection of Children from Sexual Offences (POCSO) Act, 2012, Rights of Children to Free and Compulsory Education Act, 2009. In addition, provisions provided under some of the important schemes like Mid-Day Meals are also captured. By the end of the financial year (2022-23) 5,21,371 datasheets have been submitted and verified by the State authorities.

CHAPTER 6
Activities under Divisions

Education

The NCPCR has been mandated under Section 31 of the RTE Act, 2009 to: (i) examine and review safeguards for rights provided under the Act and to recommend measures for their effective implementation; (ii) inquire into complaints relating to the child's right to free and compulsory education; and (iii) take necessary steps as provided under Section 15 of the CPCR Act, 2005.

In furtherance of its mandate under the RTE Act, 2009 and the functions assigned to it under Sections 13 and 14 of the CPCR Act, 2005, the NCPCR has undertaken a series of initiatives, including redressing complaints, conducting inquiries, undertaking policy interventions and programme and research initiatives. The Commission organized consultations in 2022-23, at National, Regional and State level, with the aim of better implementation of RTE Act, 2009 to address issues concerning education policy in India.

1. Online Workshops on Sensitization for keeping child rights at the core of implementation of NEP 2020 Action Plan

The National Education Policy 2020 is the first education policy of the 21st century and aims to address the many growing developmental imperatives of our country. This Policy proposes the revision and revamping of all aspects of the education structure, including its regulation and governance, to create a new system that is aligned with the aspirational goals of 21st century education, including SDG4, while building upon India's traditions and value systems. The fundamental principles includes- to promote each student's holistic development in both academic and non-academic spheres, to achieving Foundational Literacy and Numeracy by all students by Grade 3, promoting multilingualism and the power of language, ethics and human & Constitutional values, creativity and critical thinking, emphasis on conceptual understanding, extensive use of technology etc. NCPCR, under Section 13 of CPCR Act, 2005, has been assigned the role of reviewing existing policies as well as making recommendations for effective implementation of policies in the best interest of the children. Therefore, the online sensitization meetings for keeping child rights at the core of implementation of NEP 2020 Action plan were conducted at various state level. The details of the meetings are given below:

S. No.	Topic	State	Date
1	Online Workshop on Sensitization for keeping child rights at the core of implementation of NEP 2020 Action Plan	Assam	04.01.2023
2		Andhra Pradesh	03.01.2023
3		Arunachal Pradesh	03.01.2023
4		Bihar	29.12.2022
5		Chhattisgarh	29.12.2022
6		Goa	07.01.2023
7		Gujarat	28.12.2022
8		Haryana	28.12.2022
9		Himachal Pradesh	02.01.2023
10		Jharkhand	27.12.2022
11		Karnataka	07.01.2023
12		Kerala	05.01.2023
13		Maharashtra	30.12.2022
14		Manipur	05.01.2023
15		Mizoram	06.01.2023
16		Nagaland	06.01.2023

2. District level Awareness and sensitization workshops for Safe and Secure Transport facilities for children by school

In recent past, several accidents have occurred from time to time involving children while at the school premises. A large number of accidents leading to deaths that occur in the country are of those children who are below 18 years. Stakeholder Ministries/Departments/Education Boards have issued circulars/instructions to the Schools on Safety and Security of Children in Schools. Thus, it is imperative to discuss the relevant issues round, Orders/Guidelines, State initiatives etc. in this regard. Therefore, the NCPCR organised Awareness Workshops on safe and secure transport facilities for children by school.

S.No.	Topic	District (State)	Date
1	District-level Awareness and sensitization workshops for safe and secure Transport facilities for children by school	Guwahati (Assam)	07.11.2022
2		South Andaman (Andaman & Nicobar Island)	11.10.2022
3		Itanagar capital complex (Arunachal Pradesh)	12.10.2022
4		Patna (Bihar)	10.12.2022
5		Chandigarh	10.01.2023
6		Raipur (Chhattisgarh)	15.10.2022
7		Daman (UT of Dadra and Nagar Haveli and daman & Diu)	14.10.2022
8		Bharuch (Gujarat)	20.10.2022
9		Gandhinagr (Gujarat)	17.10.2022
10		Shimla (Himachal Pradesh)	17.11.2022
11		Kangra (Himachal Pradesh)	15.10.2022
12		Jammu (Jammu & Kashmir)	18.10.2022
13		Ranchi, Jharkhand	18.10.2022
14		Bangalore (Karnataka)	31.10.2022
15		Thiruvanthapuram (Kerala)	02.11.2022
16		Indore (MP)	02.11.2022
17		Satna (MP)	04.11.2022
18		Pune (Maharashtra)	15.11.2022
19		Aizawal (Mizoram)	20.10.2022
20		East Khasi Hills (Meghalaya)	08.11.2022
21		Dimapur (Nagaland)	03.11.2022
22		Chennai (Tamil Nadu)	03.11.2022
23		Ghaziabad (UP)	07.11.2022
24		Kolkata (West Bengal)	31.10.2022

3. Regional Level Workshop on Review and Orientation on accountability framework: Responsibility of school/school management/ Head of school

Realizing the criticality of safety and security of every child, a detailed, comprehensive, and single guideline/document – “Guidelines on School Safety and Security” is prepared for fixing the accountability in the matter of

Safety of Children studying in all schools including Private Schools by Ministry of Education. The purpose/aim of the guidelines is to create an understanding among all stakeholders on the need for co-creating safe and secure school environment; make several stakeholders aware about already available acts, policies, procedures, and guidelines on different aspects of safety and security; empower different stakeholders and enable clarity on their role in implementation; fix accountability for keeping children safe and secure in schools on schools management such as Principal and Teachers in case of Private/Unaided schools and Head/in-charge, Teachers and educational administration in case of government schools; emphasize the “Zero Tolerance Policy” against any negligence on the part of any individual or management when it comes to the safety and security of children in the school. Considering the importance of the Safety and Security of children in Schools and reaching to the wider audience regarding fixing the accountability in the matter of Safety of Children studying in all schools; the Commission organised Five Regional Level workshops on "Review and Orientation on accountability framework: Responsibility of school/school management/ Head of school" . The details of the Regional Level workshops are as follow:

Sr.No.	Activity Name	Venue	Date	Other states
1.	Regional Level workshops on "Review and Orientation on accountability framework: Responsibility of school/school management/ Head of school"	Bhopal, Madhya Pradesh	6th March, 2023	Chhattisgarh, Maharashtra, Gujarat
2.		Hyderabad Telangana,	15th March, 2023	Karnataka, Kerala, Andhra Pradesh, Tamil Nadu,
3.		Ranchi, Jharkhand	23rd March, 2023	Bihar, West Bengal, Odisha
4.		Jaipur, Rajasthan	25th March, 2023	Delhi, Haryana, Punjab
5.		Guwahati, Assam	28th March, 2023	Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and

				Sikkim
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4. Regional Level Workshop- “Roles of Panchayati Raj Institutions (PRIs) in school education system especially w.r.t Village Development Plan and School Development Plans (SDPs)/ Complex/Cluster Development Plans (SCDPs)”

Local authority is an important pillar in fulfilling national and global agenda of educational development. At national level, the RTE Act, 2009 underlines the crucial role of local bodies under sections 6 and section 9 of the Act. The 73rd Amendment to the Constitution of India that was aimed at implementing the article 40 of the DPSP which says that “State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government” and have upgraded them from non-justifiable to justifiable part of the constitution and has put constitutional obligation upon states to enact the Panchayati Raj Acts as per provisions of the Part IX. Further, the 11th schedule enshrines the distribution of powers between the State legislature and the Panchayats and enlists specific areas of responsibility for the PRIs. One of the important areas of 29 subjects is extending education opportunities to all children. Similarly, to provide a universal framework for urban local bodies and to strengthen the functioning of the local bodies, Parliament amended the constitution (74th Amendment Act 1992) and provided constitutional status to “municipalities”. One of the subjects enlisted in 12th schedule for ULBs is Promotion of cultural, educational and aesthetic aspects. It is also noted in the National Education Policy NEP 2020, the School Development Plans (SDPs) are being prepared by School Management Committee (SMCs). These plans will then become the basis for the creation of School Complex/Cluster Development Plans (SCDPs). It will also provide all other relevant support to the school complexes to achieve the educational outcomes. Therefore, the Commission organised Two Regional Level workshops on " Roles of Panchayati Raj Institutions (PRIs) in school education system especially w.r.t Village Development Plan and School Development Plans (SDPs)/ Complex/Cluster Development Plans (SCDPs)". The details of the Regional Level workshops are as follow:

S.No.		Venue	Date	Other states
1.	Roles of Panchayati Raj Institutions (PRIs) in school education system especially w.r.t Village Development Plan and School Development Plans (SDPs)/ Complex/Cluster Development Plans (SCDPs)	Hyderabad Telangana,	13th March, 2023	Karnataka, Kerala, Andhra Pradesh, Tamil Nadu,
2.		Ranchi, Jharkhand	20th March, 2023	Bihar, West Bengal, Odisha

4. National Colloquium on addressing issues of Out Of School Children (OOSC) on 02.02.2023 at Vigyan Bhawan, New Delhi

The Hon'ble Supreme Court in the matter of children who had lost both or single parent to COVID or otherwise post March 2020 had taken cognizance under SMWP (C) No.4/2020 and in the matter of children in street situations had taken cognizance under SMWP (c) No.6/2021. The Hon'ble Supreme Court in both these cases has passed directions to the States/UTs for effective protection of such children and their suitable rehabilitation. In the order dated **09.05.2022** passed by the Hon'ble Supreme Court in these two cases, directions have been given to all States/UTs for rehabilitation of Street children as well as to make an assessment of children who have dropped out of school and enroll them into formal education again. Further, the Hon'ble Supreme Court in its last order **dated 06.01.2023** has directed NCPCR to verify from the States as to whether the order dated 09.05.2022 is being implemented and as to whether the benefit has been really conferred to the children who have lost either of their parent or both the parents during the COVID period. The Hon'ble Court through its order has also directed that any non-cooperation by any State Government or school will be viewed seriously. To discuss and review the issues of Out of School Children, the Commission organised a National level Colloquium on 02.02.2023 at Vigyan Bhawan, Maulana Azad Rd, Kartavya Path, Central Secretariat, New Delhi, Delhi-110011.

In the Colloquium/ review meeting held with States/UTs on 02.02.2023, the following action points were discussed to be followed by the States/UTs-

- i. NCPCR has asked the States/UTs which are not implementing the provision of Section 12(1) (c) of RTE Act, 2009, to implement the same as

the RTE Act, 2009 is a Central Act and the States/UTs should follow the same, keeping in view the best interest of children. A detailed table showing the compliance done by States/UTs of the orders/directions given by the Hon'ble Supreme Court in this matter is as below. However, as per the information received it is observed that the State of Kerala, Nagaland, Punjab, Sikkim, Telangana, Tripura, Mizoram, West Bengal and UT of Puducherry are not implementing the provisions of Section 12(1) (c) of RTE Act, 2009. It is also observed that the although the State of Goa is not implementing Section 12 (1) (c) of the RTE Act, 2009 but they have forwarded the letter regarding implementation of NCPCR's SOP on Section 12(1) (c) of RTE Act, 2009 to all district officials. The details given in the table below is as per the action taken reports received from the States/UTs till 16th February 2023.

States/UTs	Status of implementation of Section 12(1)(c) of RTE Act, 2009	Status of steps taken to implement SOP of NCPCR for implementation of Section 12(1)(c) of RTE Act, 2009
Andaman and Nicobar Islands	It was informed that directions have been passed to all officials for implementation of section 12(1) (c)	No information regarding steps taken for implementation of SOP of NCPCR was given.
Andhra Pradesh	It was informed that the Government has taken all measures to implement the section 12(1) (c) in the State from the academic year i.e. 2022-23.	No information regarding steps taken for implementation of SOP of NCPCR was given.
Arunachal Pradesh	Section 12(1)(c) of RTE Act, 2009 is being implemented in the State	District wise data regarding the compliance of SOP has been provided to the Commission regarding implementation of Section 12 (1) (c) of RTE Act, 2009
Assam	State is implementing provisions of RTE Act, 2009 since 2013.	No information given regarding steps taken to implement SOP of NCPCR.
Bihar	State is implementing Section 12(1)(C) of RTE Act, 2009.	No information regarding steps taken for implementing SOP of NCPCR given.
Chandigarh	Section 12 (1)(c)of the RTE	No information provided

	Act,2009 is being implemented in the UT.	regarding steps taken to implement SOP of NCPCR in the UT.
Chhattisgarh	Section 12(1) (c) of RTE Act is implemented in the State through the online portal.	No information regarding steps taken to implement SOP of NCPCR given.
Dadra and Nagar Haveli and Daman and Diu	It was informed that the State has implemented section 12 (1) (c) of the RTE Act, 2009.	No information regarding implementation of SOP of NCPCR provided.
Delhi	Section 12(1)(c) has already been notified and implemented in private schools and the entire process of admission is digitized through the portal.	SOP of NCPCR is also circulated.
Goa	No information given regarding implementation of RTE Act, 2009.	Information has been provided to all the District Officials to implement the SOP given by NCPCR.
Gujarat	State is implementing Section 12 (1)(c) of RTE, Act 2009 since 2018.	No information regarding steps taken to implement SOP of NCPCR has been given.
Haryana	State is implementing Section 12(1)(c) of RTE, Act 2009 from this year onwards.	No information has been provided regarding implementation of SOP of NCPCR.
Himachal Pradesh	State is implementing the provisions of RTE Act, 2009.	SOP of NCPCR for Section 12(1) (c) of RTE Act, 2009 is being circulated in the State.
Jammu and Kashmir	As the UT came into existence in 2019, the drafting of RTE Rules for implementing the provisions of RTE Act, 2009 is under process.	SOP of NCPCR for implementing Section 12(1) (c) of RTE Act, 2009 has been circulated in each district.
Jharkhand	State is implementing provisions of RTE Act, 2009.	No information given regarding steps taken to implement SOP of NCPCR.
Karnataka	Policy for implementation of Section 12(1) (c) of RTE, Act 2009 has been notified in the State.	SOP of NCPCR for implementing Section 12(1)(c) of RTE Act, 2009 has been circulated in every district of the State.

Kerala	State is not implementing Section 12(1)(c) of RTE Act, 2009.	No information given regarding implementation of SOP of NCPCR
Ladakh	Section 12 (1) (c) of RTE Act, 2009 is not implemented in the UT as Ladakh is newly made UT and they have struggling with definition of neighbourhood as the schools are situated at very high distance and the UT has residential schools.	No information regarding steps taken to implement SOP of NCPCR given.
Lakshadweep	Only Government schools are functioning in the UT.	
Madhya Pradesh	State is implementing the provisions of RTE Act, 2009.	The State has shared their plan of action with regards to admissions to be done under section 12(1) (c) RTE, 2009 the procedure is in accordance with SOP of NCPCR. SOP has been circulated in the state.
Maharashtra	Since 2013-14 implementation of Section 12 (1) (c) of RTE, Act 2009 in the State is going on.	No information regarding steps taken for implementation of SOP of NCPCR was given.
Manipur	The draft guidelines for implementation of section 12 (1) (c) of RTE Act, 2009 is being approved by the Government.	No information regarding steps taken for implementation of SOP of NCPCR was given.
Meghalaya	State shared that Section 12(1) (c) of the RTE Act, 2009 shall be implemented in Meghalaya within the new academic session 2023 as the State is proposing for the rate per child cost.	No information regarding steps taken to implement SOP of NCPCR given.
Mizoram	Draft Policy for the implementation of section 12(1) (C) of RTE act, 2009 has been prepared.	All District Child Protections Officers (DCPOs) are informed to comply and implement SOP of NCPCR for

		implementation of provisions of Section 12 (1) (C) of RTE Act, 2009.
Nagaland	Not implementing Section 12 (1) (c) of RTE, Act 2009 as there are very less enrolments in the Private Schools. Education Department has approached the State Government for implementation of Section 12 (1) (c) of RTE, Act 2009 and the policy to implement Section 12 (1) (c) of RTE, Act 2009 will be notified within a month.	No information regarding steps taken to implement SOP of NCPCR given.
Odisha	Section 12 (1) (c) of RTE, Act 2009 is being implemented in the State.	SOP of NCPCR for implementing Section 12(1)(c) of RTE Act, 2009 has been circulated in every district of the State.
Puducherry	It was informed that the UT is not implementing section 12 (1)(c) of RTE Act, 2009.	No information regarding steps taken to implement SOP of NCPCR given.
Punjab	State is not implementing Section 12(1)(c) of RTE Act, 2009	No information provided regarding implementation of SOP of NCPCR.
Rajasthan	As informed during the meeting, the State is implementing the provisions of RTE Act, 2009.	No information regarding steps taken for implementation of SOP of NCPCR was given.
Sikkim	State is not implementing Sec. 12(1) (c) of RTE Act, 2009	No information regarding steps taken for implementation of SOP of NCPCR given.
Tamil Nadu	It was informed that, the State is implementing section 12(1) (c) of RTE Act, 2009 in their State since 2013-14.	No information regarding steps taken for implementation of SOP of NCPCR has been given.
Telangana	State is not implementing Section 12 (1) (c) of RTE, Act 2009.	No information given regarding steps taken to implement SOP of NCPCR.
Tripura	It was informed that the State is not implementing section 12 (1) (c) of the RTE Act, 2009.	No information regarding steps taken for implementing SOP of NCPCR given.

Uttar Pradesh	The State is already complying with Section 12(1) (c) of RTE Act, 2009.	SOP has been circulated in the state for implementation of Section 12(1)(c) RTE act, 2009.
Uttarakhand	State has issued guidelines for implementation of Section 12(1)(c) of RTE Act, 2009.	No information regarding steps taken for implementing SOP of NCPCR given.
West Bengal	State is not implementing Section 12(1)(c) of RTE Act, 2009	No information about steps taken to implement SOP of NCPCR for implementing Section 12(1)(c) of RTE Act, 2009 has been given.

- ii. It was observed by the Commission that there are some States/UTs remaining who have not yet appointed nodal officers from the Education Department for the purpose of identifying children who are currently out of school and further uploading of data of such children on OoSC portal and Labour Department for notification of such children who fall under the category Rule 2B(2) of CLPR Rules, 2016 states that *“where a child receiving education in a school remains absent consecutively for thirty days without intimation to the Principal or Head Master of the school, then, the Principal or Head Master shall report such absence to the concerned nodal officer referred in Rule 17C for information”*. The Commission informed about the important role played by these officers in mainstreaming of dropout children in formal education and recommended to appoint the officers at the earliest and share the list with NCPCR.
- iii. NCPCR also informed that any child who has not attended school for more than 30 days without intimation should be considered as a dropout child and all efforts should be made to identify such children and mainstream them in formal education.
- iv. NCPCR also informed the representatives from all States/UT’s to start the process of uploading data of children who are Out of school on the Tracking Portal for Out of School children.
- v. NCPCR also expressed its concern regarding the lack of record of information regarding properties, loans, mortgages, bank accounts etc. of children who have been uploaded on Baal Swaraj Portal-COVID Care. NCPCR suggested that the States/UTs should direct all district authorities to record such information of children who have been uploaded on Baal Swaraj Portal-COVID Care, so that the financial

requirements of children could be identified and intervention action to mitigate the financial burden on the children could be taken. With regard to the same, NCPCR also suggested measures that can be taken by the States/UTs like establishing contact with Lead Banks of the district to collect such information and taking assistance of DSLSAs to ensure that the properties of the deceased parents of the children are protected and that the children are not deprived of their properties.

No representatives from the States/ UTs of Rajasthan, Nagaland, Lakshadweep, Goa and Andaman & Nicobar Islands attended the meeting on 02.02.2023 at Vigyan Bhawan, New Delhi to discuss the implementation of orders passed by the Hon'ble Supreme Court in relation to the Out of School Children.

5. Reducing Weight of School Bags, through suitable changes in curriculum and pedagogy in the light of New Education Policy (NEP 2020)

A meeting on the above subject was organized on 29th September, 2022 at NCPCR, 2nd Floor, Conference Hall, New Delhi, in Technical collaboration with Shiksha Sanskriti Utthan Nyas. The discussion with eminent scholars and experts from NCERT/SCERT, School educators, etc were invited for various opinions and views leading to rich outcome on the said subject.

Child Health, Care and Welfare

Child health, care and welfare are the cornerstones on which a positive childhood is built up. Health and nutrition services have thus been the largest interventions in India that have yielded positive results in improving health and nutrition indicators of children in this country. These services have penetrated into every habitation in the country. Moreover, the ICDS is the largest service delivery scheme for children in the age group of 0–6 years in the world. NCPCR has been playing a role, as provided under Section 13 of the CPCRA Act, 2005, in assuring the services to the children through its complaint redressal mechanism, conducting spot inquiries on incidences of violation of the health rights of the children, taking suo moto cognizance, organizing events to promote health services, creating awareness, etc.

1. Rashtriya Poshan Maah,2022

To celebrate Rashtriya Poshan Maah, 2022, a letter was sent to the State Commission for Protection of Child Rights of all States/UTs on 17.08.2022. SCPCRs were requested to observe **Rashtriya Poshan Maah (National Nutrition month)** (1st September to 30th September, 2022) throughout the month by taking up various activities in their respective State/UTs viz;

- i. **Social Media Campaign- #Har Ghar Poshan Utsav** (every house a celebration of nutrition) by disseminating the information, communication and promotion of NNM through social media (*facebook, twitter, Instagram etc*), print media by highlighting the important food and its nutrient through educational material in complementary to the National Nutrition theme for the year 2022.
- ii. By organising Awareness programmes in Anganwadi centers, schools, hostels/PHCs/CHCs, CCIs etc.

Webinars organized by NCPCR during Poshan Maah 2022-

Date	Time	Speaker	Theme
13 th Sep	3:00 pm	Dr Shekhar Seshadri	Impact of Malnourishment on Mental Health of Children
19 th Sep	3:00 pm	Dr Supraja Chandrashekhar	Critical Illness Recovery and Impact of Micronutrients and Malnutrition
23 rd Sep	11:00 am	Dr Neena Ghose and Dr Indu Grewal	Breastfeeding for Holistic Development of a Child
27 th Sep	2:00 pm	Mr Gautam Kumar Deb and Dr A K Singh	Child Health and Nutrition
28 th Sep	3:30 pm	Observer Research Foundation	Health and Nutrition of a Child through traditional Foods
30 th Sep	3:00 pm	Anuvaad Solutions	First 1000 days of life: Importance and Opportunities

Child Psychology & Sociology



1. (Sensitizing Action on -Mental Health Vulnerability through Emotional Development and Necessary Acceptance)

At the time of COVID-19 pandemic many children had experience a range of psychological issues such as anxiety, fear, worry, depression, difficulty sleeping, and loss of appetite. Quarantine and isolation had lead to acute stress disorder, trauma and grief in many children.

In view of the above, National Commission for Protection of Child Rights (NCPCR), had launched a Toll Free Tele- Counseling facility for children affected during COVID-19. This Tele Counseling service was launched to provide psychological first—aid and emotional support to children in quarantine/isolation/Covid Care centers, Covid positive children and parents or family members, children who had lost their parents due to Covid-19.

For this, NCPCR had created a network of qualified and trained Experts/Counsellors/Psychologists for providing psycho-social support to the children over telephone. Technical support was provided by National Institute of Mental Health and Neuro-Sciences (NIMHANS) in training of counselors.

SAMVEDNA-Toll Free Tele counseling -1800-121-2830 at the covid-19 pandemic time addressed stress, anxiety, fear and other issues among children who were isolated due to being diagnosed as COVID positive, and in isolation/quarantine, in hospitals and also children who had lost their parents/family members, and whose parents/siblings, family members were in quarantine centers or hospitals, being COVID positive.

When a child dials at 1800-121-2830, they get to speak to a professional counselor in a safe environment. The tele-counseling support caters to children in all over India and in various regional languages also. Counselors have been specially trained by the expert team of NIMHANS to address the need of children in these difficult times. Further, NCPCR has expanded **SAMVEDNA** for providing counselling to children during examination and before results to overcome their anxiety, stress and other psychological issues.

From April 2022 to March 2023 SAMVEDNA has extended the tele counseling services by answering **93** calls.

2. Supportive Action with Holistic Approach to Build Resilience among the children of Armed Martyrs (SAHARA)

On 19th February, 2021, Director General, Border Security Force (BSF) along with National Commission for Protection of Child Rights (NCPCR) launched '**SAHARA**', an exclusive Tele Counselling–**1800-1-236-236** and Web-link (<https://ncpcr.gov.in/>) for children of BSF personnel who laid down their lives in the line of duty. The launch was physically as well as virtually attended by the DGs of CAPFs and senior officers of the Ministry of Home Affairs, NCPCR and SCPCRs.

“SAHARA” (**S**upportive **A**ction with **H**olistic **A**pproach to build **R**esilience among the children of **A**rmed Police force personnel) is an exclusive portal for children of border security force personnel who laid down their lives in line of duty. The portal is aimed at providing, emotional support, Psycho-Social first aid and counselling for the children and this facility is functional from 10 AM to 5 PM (Monday to Friday). As per the mandate, of the Commission under Section 13 (1) (j) of CPCR Act 2005, NCPCR experts provides counselling, and redress the children’s grievances pertaining to violation and deprivation of their rights & entitlements, issues pertaining to education, health and others on priority. SAHARA also strives to link children of BSF personnel with the welfare scheme of Govt. of India and Border Security Force. Total 54 calls have been received on SAHARA Web Portal in 2022-23.

3. National Review and Orientation Workshop on Accountability Framework: Responsibility of stakeholders on the Implementation of School Safety with reference to Psycho-Social aspects

On the occasion of celebrating “World Mental Health Week”, 2022 to give orientation on Psycho-Social Aspects of safety and security of students in schools and to review the implementation of the Safety and Security Manual and guidelines, NCPCR with technical support from “Expressions India” organized a one-day National Review cum Orientation Workshop on 7th October 2022 at the auditorium, National Council of Educational Research and Training (NCERT), Sri Aurobindo Marg, New Delhi. The main objective of the national workshop was to give orientation on the matter of school safety and security and to review the accountability fixed of the concerned authorities and stakeholders in this regard. The participants for the workshop were representatives’ from SCERT, State Education Boards,

Regional Institute of Education, Regional officers of CBSE, Management board of a group of schools.

National Review and Orientation Workshop on Accountability Framework: Responsibility of stakeholders on the Implementation of School Safety with reference to Psycho-Social aspects held at NCERT on 7.10.2022



Elimination of Child Labour

Child labour in any form is detrimental to the physical, mental and cognitive growth and development of the child. The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 addresses this social concern and prohibits the engagement of children who have not completed 14 years of age in any employment, and of adolescent children in hazardous occupations, and regulates the conditions of work where employment of adolescents is permitted. Further, Sections 22, 23 and 27 of the Factories Act 1948 prohibit employment of children in certain situations in factories. Then, the Beedi and Cigar Workers Act, 1966 strictly prohibits the employment of children in said industry. Plantation Labour Act, 1951, under Section 25, regulates the conditions of work for children in plantation industry. Also, the Domestic Workers (Registration, Social Security and Welfare) Act, 2008 prohibits employment of a child as domestic worker or for any such incidental or ancillary work under Section 14. Thus, as mandated

under Sections 13 and 14 of the CPC Act, 2005, the NCPCR has been dealing with cases of complaints pertaining to child labour, or children in distress, and taking initiatives to address the issues of child labour through different approaches.

1. Child Labour Rescue Operations in Automobile industries

NCPCR commemorated Child Labour Week in honour of World Day Against Child Labour from *12th to 20th June 2022 to celebrate 'Azadi ka Amrit Mahotsav' as part of the 75th-anniversary of India's independence*, as a significance to scrutinize the challenge of child labour and to identify the ways and means to eradicate it. As scrap and automobile markets are recognized to be employing children extensively across the country, the NCPCR undertook rescue operations in 75 places of 41 districts in 18 States. For these rescue operations, Virtual meetings via video-conference were conducted with DMs, officials of SCPCRs, DLSAs, SJPU, Labour Department, Childline and other Stakeholders to discuss the process of Rescue Operations to be taken by them during the Elimination of Child Labour Week. More than 800 officials from 18 States/UTs participated in the meetings.

A rescue team consisting of a team from NCPCR, Labour Department officials and other local authorities reached predetermined areas and retrieved the minors being exploited as child labourers from the scrap and automobile markets. A total of **1025 children** were rescued during this drive **and 271 FIR's** have been lodged in this regard.

2. Complaints received by NCPCR for intervention in the matter of providing compensation to child victims of child labour

The Commission is in receipt of complaints from 12148 children wherein it has been stated that these children have been declared as bonded labour by the authorities and have received their release certificates. FIRs have also been registered in these cases. However, these rescued bonded/child labourers have not received immediate compensation to which they are entitled. The Commission has accordingly taken cognizance in the abovementioned cases and issued letters to District Magistrates of the respective districts for opening of bank accounts of children and release of compensation of bonded and child labourers. In response to the Commission's letters Action Taken Reports have been received wherein these children are now being granted compensation after intervention of NCPCR. Out of 12,148 children, 812 children have

received Rs.20,000 as immediate compensation, back wages and fine from employer. *NCPCR has issued to the district authorities and is under process of getting the children provided with their entitled compensation.*

3. Issue of discrepancy in the number of child labour cases and number of FIRs registered in child labour cases

The Commission has written a letter to NCRB on 02.08.2022 regarding the observations made about the less number of registrations of FIRs in the country in cases of child labour violations. For example, the Commission had been informed by State of Rajasthan that they have lodged 726 FIRs in the year 2020 however; the NCRB data of child labour FIRs in the entire country in 2020 was 476.

Suo motu cognizance of matters related to child labour

The Commission under Section 13 (1) of CPCR is mandated to inquire into complaints and take suo-motu notice of matters relating to-

- i) Deprivation and violation of child rights;
- ii) Non-implementation of laws providing for protection and development of children;
- iii) Non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children;
or take up the issues arising out of such matters with appropriate authorities; and

Following this mandate, the Commission took suo motu cognizance of various cases. The details of select few cases is given in the table below-

Sr. No.	Details
1.	Large number of minors found working in Garbage Mountain in in Bhalswa, Delhi.
2.	A child being used as a labour at the Laxmi Narayan Station, Indian Oil, Petrol Pump in Mohbewala, Dehradun
3.	large number of minors are working in the different outlets of Morena, they were working in various places like shops , restaurant , hotels ,etc.

4.	A child was found dead due to accident while working in a cake shop
5.	A minor seven year old boy was forced into child labour by a man who calls himself the boy uncle in a village near Ettayapuramin Tuticorin (Thoothukodi) district. All the compensation was provided and now the child is under the care and protection of his biological parents.
6.	News published on Twitter in reference to scrap dealer collecting hospital waste from minor children in Delhi Gate Kher Road, Sabzi Bazar, Bajrang Dal Mill Compound, Aligarh
7.	News published on Twitter Road repairing work is being done by the Public Works Department in Ganj Basoda, Vidisha, where 13 year old children are being made to work.
8.	Child labour on Gujarat border, 200 children were freed. Of these children aged 9-14 years, 128 were from Jhadol, Kotra, Gogunda circle of Udaipur alone
9.	A 8 year old young boy, who was doing child labour in a sweet shop in Mohali and the rescued child could not be kept in a shelter home in Mohali because lack of shelter home
10.	Two boys trafficked from Bihar for labour via Chennai rescued in Trichy
11.	A 5 year old selling balloons to supplement his parents income
12.	Two minors were working in a shop in Ambala Cantt.

Laws Relating to Children

1. Cognizance on the issue of Mass Marriages on Akshay Tiritiya

As a special measure for prevention of child marriages on occasions such as Akshaya Tiritiya, also known as Akti or Akha Teej (3rd May, 2022), the Commission requested Principal Secretaries of all State/UTs vide letter dated 07.04.2022 to issue directions to all District Magistrates or Collectors / CMPOs of all districts of their respective State/UT to complete the following :

- i) Undertake awareness programmes at village, panchayat, block, urban/ward, zila tehsil level.
- ii) Conduct meetings regarding awareness programmes on Child Marriage With CDPOs, CWCs, CWPOs, AWWs, religious priests who may be responsible for performing marriages and service providers

- during marriage functions such as printing press, tent providers, managers of marriage halls, caterers, music bands and decorators etc.
- iii) Prepare a school wise list of children who are drop out, out of school and not attending school regularly.
 - iv) Prepare a school wise list of children absent from school without intimation to the Principal or Head Master of the school in accordance with Rule 2B (2) of Child Labour (Prohibition and Regulation) Amendment Rules, 2017.
 - v) This list must be prepared by Education Department of the district and shared with the DM/CMPO of the district.
 - vi) DM/CMPO must identify children from these lists who can be at risk of child marriage. Family counseling and proper inquiry of all such identified children must be ensured to prevent any possible child marriage.

2. Online review meetings regarding Child Marriage:

The Commission continued its efforts to press district level officers for taking appropriate steps for prevention of child marriages. The Commission held 40 virtual meetings with 615 districts of 22 States/UTs (Rajasthan, Gujarat, Karnataka, Madhya Pradesh, Uttar Pradesh, Chhattisgarh, Maharashtra, Tamil Nadu, Bihar, Assam, West Bengal, Arunachal Pradesh, Jharkhand, Telangana , Kerala, Andhra Pradesh , Odisha , Uttarakhand, Nagaland, Haryana , Tripura and Sikkim) during 21st April to 25th May, 2022 to review the activities conducted by the authorities of each district of the State for prevention of child marriage . The participants of the meetings were:

i. Child Marriage Prohibition Officer (not below the rank of ADM)	iv. DPO-ICDS
ii. Head of SJPU (not below the rank of DSP/ACP)	v. DCPO-ICPS/Mission Vatsalya
iii. District Education Officer (DEO)	vi District Programme Coordinator-Samgra Siksha Abhiyan
	vii. CWCs
	viii. Labour officer

3. Regional Consultative Meetings on “POCSO: Factors hindering the Implementation and aspects of assistance to victims”

In order to discuss the major issues related to victim assistance with the officials handling POCSO cases and to discover specific areas of support for NCPDR/SCPRs, regional meetings on “POCSO: Factors hindering the Implementation and aspects of assistance to victims” in different regions

were organised. Participants of the meetings were advocates empanelled with DLSAs or representatives of DLSAs, head of Special Juvenile Police Unit of districts/Police officials handling POCSO cases, Forensic Science Experts and Chairperson/Members of SCPCRs of participating State/UTs. NCPCR collaborated with National Legal Services Authority (NALSA) , National Forensic Science University (NFSU), Sardar Vallabh Bhai Patel National Police Academy (SVPNPA), Bureau of Police Research & Development (BPR&D) as well as State Commissions for Protection of Child Rights (SCPCRs) for regional meetings. Senior officers from above Institutions and experts addressed the participants during the meetings. Shri Ashok Kr. Jain, Member Secretary, NALSA focused on providing the compensation to POCSO victims under various schemes and laws at different stages of the investigation and trials. Shri Anurag Kumar (IPS), Deputy Director -Training, Bureau of Police Research and Training (BPR&D) discussed the procedure and the role of police in cases pertaining to POCSO . Dr. K.P.A Ilyas (IPS), Faculty In-charge, Centre of Children, SVPNPA expressed his views and ground experiences and also explained the nature of training provided to police personnel.

Padma Shri Dr. Sunitha Krishnan shared her views about the role of the stakeholders in the legal process followed for POCSO victims.

Prof. (Dr.) Purvi Pokhriyal, Dean, School of Law, NFSU explained about legal compliance of investigation in relation to the collection of forensic evidence and further discussed the challenges in collection of forensic evidence and stressed on the involvement and training of all the stakeholders, Shri Nayan Shankar Baruah, Member Secretary, Assam State Legal Services Authority highlighted legal process for victim compensation under POCSO Act during regional meeting in Odisha. Dr. Beulah Shekhar , Chair Professor of Criminology, National Forensic Science University (NFSU) elaborated on forensic inputs in investigation of sexual offences during regional meeting in Odisha.

Region wise brief details of the meetings held during 2022.		
State	States Participated	Number of participants Date, Place and Venue :
Northern Zone	Delhi, Uttar Pradesh, Haryana, Punjab, Jammu &Kashmir, Ladakh, Himachal Pradesh, Uttarakhand,	2nd April 2022,Vigyan Bhawan, New Delhi Total Participants : 415

	Chandigarh and Rajasthan.	
Eastern Zone	West Bengal, Bihar and Odisha	30th March 2022, KIITs University Bhubaneswar, Odisha Total Participants: 250
Western Zone	Madhya Pradesh, Maharashtra, Gujarat, Goa, Dadra and Nager Haveli/Daman and Diu, Chhattisgarh and Jharkhand	26th June, 2022, NFSU, Gandhinagar, Gujarat Total Participants : 248
Southern Zone	Andhra Pradesh, Telangana, Tamil Nadu, Kerala, Karnataka, Puducherry, Lakshadweep and Andaman and Nicobar Islands	6th August, 2022 S.V Medical College, Tirupati, Andhra Pradesh Number of Participants : 278
North-East Region	Assam, Manipur, Sikkim, Arunachal Pradesh, Tripura , Meghalaya, Mizoram,	As highlighted in NE chapter 21st - 30th March 2022

4. Spot Inquiries (April 2022-Dec 2022)

Date of Visit	Brief about the Visit/ Inquiry
13.04.2022 to 14.04.2022	Incident of gang rape and death of minor girl in Nadia, West Bengal
04.05.2022 to 06.05.2022	Sexual abuse of a girl child in a Children Home Girls (Snehajyothi) in Ernakulam , Kerala
05.05.2022 to 06.05.2022	Incident of gang sexual assault of a minor girl registered, in Bhopal and Lalitpur , Visit to Lalitpur
27.08.2022	Visit in a case of sexual abuse of a minor boy in an international school in Jhajjar , Haryana
05.09.2022	Visit in a case of sexual abuse of a minor in Dumka,

	Jharkhand
04.09.2022	Visit in a case of sexual abuse of a minor in Mandawali, Delhi
19.09.2022	Visit to Lakhimpur in a case of alleged sexual abuse of minors and their death, Uttar Pradesh .
22.11.2022	Visit in a case of sexual abuse of a minor in SOS children's village Raipur , Chattisgarh
07.12.2022	Visit in a case of sexual abuse of a minor in a residential facility for children, Nashik, Maharashtra
13.01.2023	Incident of Snake found in Mid Day Meal in a Mandalpur Primary School, Ghatkori village, Birbhum, West Bengal
24.03.2023	Visit in a case of sexual abuse of a ten year old minor in a MCD School of Gazipur area , Delhi
31.03.2023	Visit in of sexual abuse and death of a minor in Tijala , Kolkata, West Bengal

5. Incident of gang rape and death of minor girl in Nadia, West Bengal during 13.04.2022 to 14.04.2022

National Commission for Protection of Child Rights (*NCPCR herein referred as Commission*) noticed the matter of sexual abuse of a 14 year minor girl occurred in Nadia district in various news reports. The Commission assessed the case on the basis of highlights given in the various news reports. The allegations of gang sexual assault and sudden death soon after the incident of assault against the minor were found concerning. The matter was considered u/s 13 (1) (j) of the CPC Act 2005 and accordingly, a two member inquiry team under the leadership Ms. Rupali Banerjee Singh (Member Secretary, NCPCR) visited Nadia district in context of the case. Inquiry visit was made to understand the status of investigation, check response of all concerned authorities/officials towards the incident and notice other significant developments in the case. With the support all the available information regarding the case, the team found that the case was of gang sexual assault against the minor which was perpetrated by victim's

friend , the prime accused along with the others. The police instituted the inquiry after five days on 09.04.2022 of actual occurrence of the incident when the mother filed a complaint to the local police . However, they later acted promptly during investigation process. Further, response of CWC was slow. Accordingly, district administration was requested to take suitable measures for proper functioning of all agencies.

6. Sexual abuse of a girl child in a Children Home Girls (Snehajyothi) in Ernakulam, Kerala during 05.05.2022 to 06.05.2022

The Commission under section 13(1)(j) of CPCRA Act, 2005 took cognizance of a complaint received against Snehajyoti Girls Home Annexe, Pulluvazhi, Perumbavoor, Ernakulam where a child placed under the care of the said CCI has been abused sexually U/s 13 of POCSO Act, 2012 for more than two years. It was revealed from the said child's mobile phone, handed over to CWC Ernakulam, by the Social worker that the Government Children's Home Kakkanad where the child is placed now so as to restore the child to her mother. A two-member team of NCPCR visited Ernakulam, Kerala on 5th and 6th May, 2022 to take stock of the situation and conduct fact finding inquiry. During inspection, it was observed that the Director of the said home did not possess necessary documents regarding the grants and sponsorships received from Domestic and International Sources by the society under which the Concerned Children Home is run. It was also observed that the Director did not have appropriate requisite information about the funding of the Children Home and Society. The Director also ignored all the pleadings made by the mother to get the custody of the child under the guise that the child has suicidal tendency of the child. Through enquiry it was discovered that the victim child is from Thrissur District and has been kept in the custody of Sr. Jisa Paul, Director of the CCI Snehajyoti Girls Home, despite the repeated attempts of the mother of the child to get the custody of the child through CWC Ernakulam. Each time Sister Jisa managed to bring the child back to their CCI under some pretext including alleged suicidal tendency of the child.

7. Incident of gang sexual assault of a minor girl registered, in Bhopal and Lalitpur, Visit to Lalitpur on 05.05.2022

NCPCR took suo-moto cognizance on a media report regarding a case registered at Pali Police Station, Lalitpur , Uttar Pradesh about sexual exploitation of a 13 year old minor girl by four youth. The news report mentioned that "on April 22, the minor was lured by four youth and was

taken to Bhopal and allegedly raped. The teenager managed to escape and reached her home, who then went to the police to file a complaint where the station-in-charge allegedly raped the teenager before handing her over to the Child Welfare Committee". A three-member team under the leadership Mr. Shyam Tripathi (Member-UPSCPCR) along with two Consultants from NCPCR visited Lalitpur, Uttar Pradesh on 05th and 06th May to ascertain the status of the case.

Based on statements and available documents, team found that thirteen year old minor was gang raped by four young men and delay was caused in registration of FIR of the case, similarly no prompt action was taken regarding medical examination of the victim and other support services such as counseling etc. Delay in medical examination of the victim was observed and her statements were also not weightage during investigation process.

8. Visit in a case of sexual abuse of a minor boy in an international school in Jhajjar, Haryana on 27.08.2022

The Commission took suo-moto cognizance of the matter which appeared in the News reports wherein it was highlighted that "an 8-year-old boy was sexually harassed at an international boarding school owned by former Indian cricketer Virender Sehwag in Haryana's Jhajjar. On the basis of a complaint received from the student's parents, the Haryana Police has registered a case under the POCSO Act and the Juvenile Justice Act. According to reports, the incident took place on the night of August 15. Shri Priyank Kanoongo, Chairperson- NCPCR lead the inquiry of the case and visited the said school in Jhajjar, interacted with officials, school management and staff and current students of the said school during the visit. It came out that FIR 298 dated 18.08.2022 was registered promptly u/s 21, 4 of POCSO Act, 377 IPC and Section 75 of JJ Act 2015. Further, other due procedures were also followed such as involvement of CWC, conducting medical examination of the child, recording of statements and counseling of the boy child. The team also contacted child's father to share his views on the case but he did not support the fact finding enquiry of the Commission. This was found that the school was not taking appropriate measures to maintain discipline amongst the children and hence there was an environment where children were bullying each other. The sexual intent behind the act of removing lower pants of the said victim boy during the night was not established, however, as per counseling reports the child was under fear and upset about the act occurred with him. The Commission gave directions to school

management to address such issues, maintain child friendly environment and ensure no such incident occur again in future.

9. Visit in a case of sexual abuse of a minor in Dumka, Jharkhand on 04.09.2022

The Commission under Section 13(1)(j) of CPCRA Act, 2005 took suo-motto cognizance of a report wherein it was informed that a minor girl was burned alive by her stalker, Shahrukh and his friend Naeem alias Chotu by pouring petrol on her while she was asleep in her bedroom. Through the said report, it was also informed that the girl in a recorded video of her last words informed that the main accused Shahrukh had been trying to befriend her and he had also called her on her mobile phone 10 days before the incident and threatened to kill her if she did not talk to him. Further, through the said report it was also informed that the said minor girl was first admitted to PhuloJhano Medical College and Hospital in Dumka in critical condition with 90 percent burns and was later shifted for advanced treatment to Ranchi's Rajendra Institute of Medical Science (RIMS).

Seeing the gravity of the situation and the lenient stand of the State Authorities in the present matter, Shri Priyank Kanoongo, Chairperson, NCPCR along with a team of officials visited Dumka, Jharkhand on 4th of September, 2022 for the purpose of conducting a thorough inquiry. During the visit, the team interacted with District Administration, Deputy Superintendent of Police, Investigating Officer, Doctors who treated the minor girl and doctors who conducted autopsy, Child Welfare Committee and Family members of the victim.

The team during their interaction with the family members were informed that the police authorities did not record their statements nor they inquired regarding the age of the minor from the family members. Further, the team was also informed by the family that the investigating agency did not inquire into the social media accounts of the minor victim neither they looked into details as to how the accused was stalking or threatening the victim of taking her life. It was therefore observed that there were numerous lapses in the procedure followed by the investigating officer due to which the investigating agency also failed to timely invoke various provisions of Juvenile Justice Act, 2015 and POCSO Act, 2012 due to which not only the identity of the minor was largely disclosed on social media and other platforms but also investigation was not conducted as per due process of the law.

10. Visit in a case of sexual abuse of a minor in Mandawali, Delhi on 04.09.2022

An incident of sodomise/sexual assault of a Class 3 student of Sarvodaya Vidyalaya No. 3 by a Class X boy student of Sarvodaya Vidyalaya No. 2 of Mandawali East Delhi came to the notice of the Commission through social media. In this regard, a team from the Commission visited the concerned school. During the visit, the school has been inspected and children were also enquired about the safety norms in school. It has been found that the victim child is a student of class 3rd in S.B.V. No. 03 and the accused juvenile is from S.B.V. No. 2 in class Xth. S.B.V. No.03 has classes from Nursery to 12th standard and since the building of S.B.V. No.2 is under construction its students have been accommodated in S.B.V. 03 itself.

It was found that although the school has a Committee on Child Sexual Abuse (CSA) consisting of 2 male and one female staff headed by Vice Principal Sh. Inder Sain himself but after the incident of alleged sodomy was brought to the notice of the Principal, no action/inquiry has been initiated or recorded by the committee. During inspection, prima facie, realized that the staff, permanent or contractual, of the school has not been sensitized about any Child Laws especially on POCSO Act. The staff has not been sensitized on 'Mandatory Reporting' of child sexual offence nor the staff have been informed on the right procedure of dealing with any victim of abuse. The school does not have qualified Child Counsellor/Psychologist full time or on call that can be called when there is a requirement/emergency in school related to children physical and mental health. The concerned children (Minor Victim and Accused) have not been counselled after the incident.

11. Visit to Lakhimpur in a case of alleged sexual abuse of minors and their death, Uttar Pradesh on 19.09.2022

The Commission took suo-moto cognizance under section 13(1) (j) of the Commissions for Protection of Child Rights Act, 2005 of a news report wherein it had been mentioned that two minor girls aged about 15 and 17 years were raped and murdered by 6 men in Tamboli Purva Village, Nighasan area, Lakhimpur Kheri District, Uttar Pradesh on 14th September, 2022. In the said media report, it was alleged rape and murder of two dalit minor sisters, who were found hanging from a tree in a sugarcane farm located about a kilometre away from their house in Nighasan Police Station.

Keeping in view the gravity of the matter, the Chairperson, NCPCR deputed a team comprising of two Consultants to meet the deceased's family at their

residence and investigation team of the crime, in order to conduct an fact finding enquiry in the said matter and to ensure that every measure is being taken in the best interest of deceased minors as per the laws and rules laid down. During the visit, the team interacted with parents of deceased minors, neighbours, investigation team of the present case and doctors who has conducted the post-mortem. It was observed that the family of the deceased were not satisfied with the investigation of the case by local police. Accused are charged under section 3 and 4 of POCSO act along with section 302, 323, 452, 376 of IPC act, section 3 and 4 of POCSO act states about penetrative sexual assault and punishment for penetrative sexual assault. However it was stated that rape has taken place and 3-4 accused were involved in the same, therefore aggravated penetrative sexual assault under section 5 and punishable under section 6 of POCSO act can be compelled upon accused. Due to this incident girls of Tamboli Purva village are scared to go and attend their school as the Lalpur village in the middle of the way to their school.

12. Visit in a case of sexual abuse of a minor in SOS children's village Raipur , Chhattisgarh on 22.11.2022.

The news of sexual abuse was noticed in various media reports wherein it was highlighted that a fifteen year old minor girl was found pregnant while her stay at SOS children's village , Raipur . Reportedly, the accused who assaulted the minor girl, is an employee of the children's village. The officials of SOS reported the matter after a certain time lapse and further, police also did not took prompt action in the matter.

The Commission took suo-moto cognizance and constituted a two member team. The team interacted with officials of WCD department , staff of the home , investigating officer and the victim during the visit .

It was found that all necessary procedures were followed by the police after registration of FIR . The accused was also a previous resident of the Children's village and well acquainted with the minor girl and the home staff. As per the statement of the minor girl, she frequently met him during nights when the house mother / care taker of children was asleep. Since, he was a known face to all none of the staff members realized that both of them have maintain a physical relationship. Everything came out, when the girls fall sick and found pregnant. Appropriate measures to take care of young girls were not proper at children's home. The accused was arrested by the police.

13. Visit in a case of sexual abuse of a minor in a residential facility for children, Nashik, Maharashtra on 06.12.2022

A matter of sexual abuse of minors reported in media reports dated 28.11.2022, wherein it was highlighted that *“Harshal More, who ran a private shelter home for children from the tribal community at Mhasrul, was arrested earlier in the week on the charges of raping a 14-year-old girl from the shelter home. According to police, a relative of the complainant went to meet her at the shelter home and she informed him about the alleged assault.”*

A two member team lead by the Registrar visited Nashik district on 6th December 2022 to ascertain status of the case. Team interacted with officials of WCD department, police and children of the residential facility. It came out that the said accused was arrested by the police who was taking care of a residential facility where the young girls from the nearby villages were accommodated for helping them study in modern public schools of the Nashik city. After filing the FIR, the police took all prompt measures and girls were shifted to a govt run Children home. The girls stated that the said accused (35-40 years old) use to touch them inappropriately and molest them. They are continuing their studies from the children home they were residing at the time of the visit.

14. Incident of Snake found in MidDay Meal in a Mandalpur Primary School, Ghatkori village, Birbhum, West Bengal on 13.01.2023.

The National Commission for Protection of Child Rights noticed a media report published in India Today on 10th January 2023 titled as *‘Several students fall ill after snake found in mid-day meal in Bengal’*. As per the report *“Several students fell ill after consuming a mid-day meal in which a snake was allegedly found in West Bengal's Birbhum District. The incident happened at Mandalpur Primary School in Mayureswar block of Birbhum. While the mid-day meal was being served to students, a dead snake was found in one of the containers filled with lentils (Daal). By then, some of the students had already consumed the food. At least 20 students fell ill, after which they were admitted to Rampurhat Hospital.”* The Commission took suo-moto cognizance of the matter under Section 13 (1) (j) of CPCRA Act, 2005 and a team of NCPCR lead by Smt. Rupali Banerjee Singh, Member Secretary, NCPCR visited Birbhum District, West Bengal on 12th -14th January 2023. During the visit, it was discovered that the administration relies solely on Shiksha Bandhus to oversee schools, and a check from District Level Officers is lacking at the schools. The Officials are mainly focused towards their administrative role with respect to functioning of MDM / Poshan scheme, their field visits and ground level approach of

monitoring was at stake . Further , the coordination required to have robust system for checking the activities at the school was also found lacking.

15. Visit in a case of sexual abuse of a ten year old minor in a MCD School of Gazipur area , Delhi on 24.03.2023

The Commission noticed that a 10 years old girl has been gang raped and sexually assaulted in a Delhi Nagar Nigam Pratibha Baal/Baalika Vidhyalaya, Municipal Corporation of Delhi (MCD) run School, Gadholi Village, Gazipur, Delhi. The alleged crime happened on 14th of March 2023, however the matter was reported to the police on 23rd March 2023. Therefore, the Commission considered this matter under Section 13(1) (j) of the CPC Act, 2005 and a fact-finding visit was made in the leadership of Smt. Preeti Bharadwaj Dalal, Member, NCPCR. The girl had prima-facie received appropriate medical care and examination by the requisite medical officer, and as such, the procedural safeguards guaranteed under POCSO have been taken care of. However, the victim was still shivering with incoherent voice, heavy wheezing, fearful and visibly stressed and in trauma. The Child Welfare Committee, East Delhi was found proactive during the discussions with NCPCR team. Police shared that it has been cooperative towards victim's family and promptly came into action after being informed, FIR was lodged by them. Coordination between Police, CWC and DCPU was found lacking as there was delaying in exchange of information.

16. Cognizance on the issue of Mass Marriages during 2023

During the year 2023 , the Commission held 50 + virtual meetings with all districts of all 36 States/UTs during 31st Jan to 10th May, 2022 to review the activities conducted by the authorities of each district of the State for prevention of child marriage. As a special measure for prevention of child marriages on occasions such as on child marriage Akshaya Tritiya, also known as Akti or Akha Teej (22 April , 2023), the Commission requested Principal Secretaries of all State/UTs vide letter dated 12.01.2023 to issue directions to all District Magistrates or Collectors / CMPOs of all districts of their respective State/UT to complete suggested activities for prevention of child marriages such as awareness programmes , conduct meetings and mapping of vulnerable children in their districts before 31st January, 2023. NCPCR also requested Principal Secretaries of all State/UTs vide letter dated 28.02.2023 to provide list of CMPOs in their districts and give information on child marriages stopped , FIR registered and injunction

orders issued, intervention done in child marriage cases by districts during 2021 and 2022.

17. Data on training module and the programmes on POCSO conducted for police officials Act during 2020 and 2021 from Police Department of State/UTs:

In pursuance of its statutory mandate under Section 44 r/w Rule 12 to monitor the implementation of the POCSO Act, 2012 to understand the implementation of Rule 3 (6) POCSO Rules 2020(Awareness generation and capacity building), the Commission requested Director General of Police of all States/ UTs vide letter dated 12th February 2022 to provide information on the training modules and programmes on POCSO Act conducted by States/UTs for the year 2020 and 2021. So far 28 States/UTs has shared the requisite information.

18. Data on Special Courts and SPPs for POCSO cases as on February 2022 from Department of Justice of State/UTs

The Commission also requested Department of Justice of all State/UTs vide letter dated 11th February 2022 to provide the information with respect to Section 28 of (Designation of Special Courts) and the Section 32 (Special Public Prosecutors) of the POCSO Act 2012. So far 33 States has shared the requisite information.

Juvenile Justice (Care and Protection) of Children

1. Training Module for Chairperson and Members of Child Welfare Committees (CWCs)

As per Rule 91 of the J.J. Model Rules 2016 (as amended in 2021), one of the functions of NCPCR is to develop training module for stakeholders under the Juvenile Justice Act, 2015. Further, as per Rule 89 (5), State Governments, while organizing training programmes for the stakeholders at State or District level, shall ensure that training modules and training manuals to be developed by State Child Protection Society are in consultation with National Institute of Public Cooperation and Child Development or Institutions having requisite expertise in order to maintain uniformity in the training process throughout the country. As a result, the module has been created for the CWCs with a larger goal of providing comprehensive knowledge of the nation's juvenile justice system and its

related laws. The main objective of the programme is to improve the functional knowledge and relevant skills of CWC members and the CWC Chairperson in order to provide effective and timely service for the protection and rehabilitation of children in need of care and protection, children in conflict with the law, and to provide protection to orphans, abandoned children, and children who have been turned over and who are left without a parent.

Objective of the Training Programme-The key objective of the programme is to enhance the functional knowledge, improve relevant skills of the CWC members and the Chairperson-CWC, in order to deliver effective and timely service for protection and rehabilitation of children in need of care and protection, children in conflict with law, and to provide protection to the orphan, abandoned and surrendered children.

Expected Learning Outcomes-The programme is intended to improve the personal, social, methodological and technical skills as required under the JJ Act 2015, JJ Rules 2016, subsequent amendments in Act and Rules, Mission Vatsalya and the Adoption Regulations. The programme should help the CWC members and the Chairperson-to be equipped with knowledge and skills and function as a competent authority to take important decisions in a timely manner and in the best interest of the child.

Highlights of the Module

- Based on interactive pedagogy including opportunities for discussions and activities.
- Principle of learning by doing is followed and field trips are included as a part of the learning experience where participants can visit the CCIs and involve in activities leading development of necessary skills and competencies.
- Module uses participatory methods such as case studies and discussion-based way of learning where participants resulting in gaining skills in critical thinking and team work.
- The topics have been arranged day-wise and in a sequential order.
- Material for handouts and activities and notes for facilitators have been provided along with the details of the day-wise session.
- At the beginning of each day key takeaways are highlighted followed by questions for assessment as a recap of the information of previous day training sessions.

Structure of the Module

The Module is a 15 days programme for training of CWCs. It is divided into 66 sessions of over 75 hours duration. The participants would be required to spend an average of around 5 hours in the training per day. Following information is given for each day/topic-

- Duration
- Objective(s)
- About the Session
- Pedagogy/Pedagogical Tools
- Resource Material for the Facilitator
- Procedure for activity (as applicable)
- Notes for the Facilitator
- Key takeaways

Though the Module is based on the 15-day schedule, however, in case a blended/hybrid model is to be adopted for training programme, an alternate schedule is also suggested that is a mix of face-to-face training (offline) and online training. Based on the training module developed by the Commission for the CWCs and with an objective of giving detailed knowledge about the juvenile justice system in the country and its related laws, face-to-face offline training for CWCs in March 2023 in Arunachal Pradesh (1), Assam (2), Manipur (1).

2. Childline Transition under Mission Vatsalya

Ministry of Women and Child Development (MWCD) being the nodal Ministry for ensuring welfare of children after the approval of the Cabinet in 2021 has now implemented Mission Vatsalya in order to secure healthy and happy childhood for each and every child in India, to ensure opportunities, to enable them to discover their full potential and assist them in flourishing in all respects, in a sustained manner. As proposed, Mission Vatsalya in partnership with the States and Districts shall execute the 24x7-helpline service for children as defined under the JJ Act, 2015, and as amended in 2021. With respect to the same, MWCD has also send a note to the Chairperson, NCPCR to obtain legal opinion from the Ld. ASG for a way ahead to bring ChildLine services directly under the ambit of Government of India.

Accordingly, opinion from Ld. ASG was sought on the following:

1. *Whether Childline mark can be utilized by MWCD for all purposes.*

2. *Whether 1098 can be utilized as National Helpline Number in light of the MOU between the Government and CIF?*
3. *Whether the Ministry can select and appoint other organization like NCPCR for National level operations of ChildLine?*
4. *Whether the Ministry can allocate the charge and responsibility of ChildLine towards a designated institution?*

As ChildLine-1098 services is provisioned under the JJ Act,2015 and as the Commission is mandated to *monitor the implementation of the provisions of the Act* under Section 109, hence monitoring of the ChildLine service also comes within the monitoring role of NCPCR. In view of the above in furtherance of its monitoring powers, the Commission proposed to the Ministry of Women and Child Development along with a Standard Operating Procedure for transition of ChildLine Services.

3. Meeting with UNICEF

On request of UNICEF, NCPCR have had several meetings with the representatives of UNICEF since 2021. In the meetings, NCPCR has raised concerns over the functioning of the agency w.r.t activities undertaken for children. As the issues and data related to children is sensitive matter, Commission has repeatedly asked UNICEF to be transparent with their activities and their association with NGOs. Commission also sought the action taken by the agency on employees indulging in protesting against the Government policies

4. Campaign On “Combating Child Trafficking- बाल तस्करी से आज़ादी” in 75 Bordering Districts of India held in August 2022, on the occasion of “World Day Against Human Trafficking” observed on 30th July, 2022

A campaign on “Combating Child Trafficking –बाल तस्करी से आज़ादी” in 75 bordering Districts of India under the banner of *Azadi ka Amrit Mohatsav (AKAM)* was organized to celebrate and commemorate 75 years of progressive India.

Child trafficking is a serious crime and worst form of human rights violations prevalent in many parts of our country; thereby causing a deterrence in achieving the goal of a New India, a Progressive India. Combating Child Trafficking requires interventions and attention of a cross

section of stakeholders. The porous international borders shared by several districts of our country amplify the conditions that enable and attract traffickers. Children become soft targets who fall prey to the clutches of these predators constantly in search of their prey. The victim children encounter severe forms of exploitation, such as physical, sexual and emotional violence, abuse, torture, and trauma, forced and bonded labour, forced marriages and practices like slavery etc. The cruelty and injustice faced by the victims of child trafficking often go beyond comprehension; their lives are scarred beyond repair; deprived of rights.



To combat the menace of child trafficking, the Commission has been taking ongoing steps under its mandate and jurisdiction. Commission has gathered inputs through various discussions conducted virtually with SCPCRs, other stakeholders, rescue operations conducted, inquiries taken up by the Commission and taking references from the guidelines issued by Ministry of Home Affairs (MHA) i.e. “Advisory on Preventing and Combating Human Trafficking, especially during the period of COVID-19 pandemic” vide dated 06th July 2020. The Commission has noted that impetus is required to be on the “preventive aspects” at the Source, Transit and Destination Hotspots of Child trafficking.

The Commission is working actively on this issue; however, ongoing awareness generation and sensitization was felt required to be undertaken with multi-stakeholders for creating traction on this matter at various *Source, Transit and Destination* Hotspots of Human/Child Trafficking across various States/UTs. Section 107 of the Juvenile Justice (Care and

Protection of Children) Act, 2015 provides for creation of a Special Juvenile Police Unit (SJPU) by State Governments/UT Administrations for every district and city to coordinate all functions of Police related to children. SJPU's play a critical role in combating child trafficking along with other stakeholders. In view of the above facts, NCPCR had identified 75 Bordering Districts of our country to roll off a campaign in August 2022 viz. “बाल तस्करी से आज़ादी” to celebrate “World day against Human Trafficking” observed on 30th July, 2022 under the banner of *Azadi ka Amrit Mohatsav (AKAM)*. The campaign focused on holding Sensitization Workshops for Special Juvenile Police Units (SJPU's)/ Child Welfare Police Officers (CWPO's) of Thanas in the identified 75 Bordering Districts of our country.

The District Administration of each Bordering District were requested by NCPCR to organise a sensitization workshop for Special Juvenile Police Units (SJPU's) / Child Welfare Police Officers (CWPO's), CWCs, JJBs, Officers of Special Forces active in concerned bordering district, at DM/DC conference hall in August 2022 to make Combating Child Trafficking- “बाल तस्करी से आज़ादी” campaign successful observing “World day against Human Trafficking”. The Commission provided a Subject Matter Expert (SME) /Expert Resource Person to take technical session in the said workshop. National Commission for Protection of Child Rights (NCPCR), as an apex statutory body constituted under the Commission for Protection of Child Rights Act, 2005, an Act of Parliament of India, commemorated “World day against Human Trafficking” observed on 30th July, 2022. On this occasion, NCPCR rolled out a campaign i.e. “Combating Child Trafficking - “बाल तस्करी से आज़ादी” in 75 bordering Districts of India under the banner of *Azadi ka Amrit Mohatsav (AKAM)*, to celebrate and commemorate 75 years of progressive India.



LIST OF 75 BORDERING DISTRICTS OF INDIA FOR ROLLING OUT CAMPAIGN ON PREVENTING CHILD TRAFFICKING

Sl. No.	Name of State	Name of Bordering Districts
1	ASSAM 8 Districts	Baksa
2		Udalguri
3		Dhubri
4		Kokrajhar
5		South SalmaraMankachar
6		Cachar
7		Karimganj
8		Chirang
9	BIHAR 7 Districts	Araria
10		Kishanganj
11		Supaul
12		Madhubani
13		West Champaran-Betiah
14		Sitamarhi
15		East Champaran-Motihari
16	MANIPUR 6 Districts	Ukhrul
17		Kamjong
18		Chur Chandpur
19		Pherzawl
20		Tengnoupal
21		Chandel
22	MEGHALAYA 8 Districts	East Khasi Hills
23		West Khasi Hills
24		West Garo Hills
25		South West Garo Hills

26		South Garo Hills
27		South West Khasi Hills
28		East Jaintia Hills
29		West Jaintia Hills
30	MIZORAM 9 Districts	Mamit
31		Saitual
32		Serchhip
33		Hnahthial
34		Lunglei
35		Lawngtlai
36		Siaha
37		Champhai
38		Khawzawl
39	NAGALAND 5 Districts	Kiphire
40		Mon
41		Noklak
42		Phek
43		Tuensang
44	SIKKIM 2 Districts	West Sikkim
45		North Sikkim
46	TRIPURA 8 Districts	Dhalai
47		Gomati
48		Khowai
49		North Tripura
50		Sepahijala
51		South Tripura
52		Unakoti
53		West Tripura
54	UTTAR PRADESH 8 Districts	Baharaich
55		Balrampur
56		Kushi Nagar
57		Lakhimpur Kheri

58		Maharajganj
59		Pilibhit
60		Shrawasti
61		Siddhartha Nagar
62	UTTARAKHAND 3 Districts	Champawat
63		Pithoragarh
64		Udham Singh Nagar
65	WEST BENGAL 11 Districts	Cooch Behar
66		Alipurduar
67		Jalpaiguri
68		Kalimpong
69		Darjeeling
70		Dakshin Dinajpur
71		Malda
72		Uttar Dinajpur
73		North 24 Parganas
74		Nadia
75		Murshidabad

5. Regional Conclaves on PM Cares For Children Schemes

Under the mandate given to the Commission as per Section 13(1) of the CPR Act, 2005, one of the key initiatives undertaken for children of our country is through launch of PM Cares Scheme for Children, launched by Hon'ble Prime Minister of India on 29th May 2021 to provide comprehensive support for children who have lost both their parents or legal guardians or adoptive parents or surviving parents to the COVID-19 pandemic. This scheme enables the well-being of such children through health insurance, empowers them through education, and equips them for self-sufficient existence with financial support. The Ministry of Women and Child Development has been anchoring the scheme, which is leveraging technology to identify, register and support the children through an online portal. In order to foster sensitization regarding various aspects of PM Cares Scheme for Children, the Commission organized four virtual "Regional Conclaves on PM Cares Scheme for Children" on the 22/04/2022 and 23/04/2022. The said conclave shall be hosted virtually,

link of which shall be provided shortly. The details of the said 4 Regional Conclaves is as follows:

Sr. No.	Region	States/UTs	Date
1.	North Eastern and Eastern Region	Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Bihar, Jharkhand, Odisha, West Bengal	22/04/2022
2.	Western Region	Rajasthan, Gujarat, Maharashtra, Goa, Dadra and Nagar Haveli, Daman and Diu, Madhya Pradesh, Chhattisgarh	22/04/2022
3.	Northern Region	Jammu and Kashmir, Ladakh, Chandigarh, Himachal Pradesh, Uttarakhand, Punjab, Delhi, Uttar Pradesh, Haryana	23/04/2022
4.	Southern Region	Andhra Pradesh, Telangana, Karnataka, Tamil Nadu, Kerala, Lakshadweep, Andaman and Nicobar Islands, Puducherry	23/04/2022

The Commission had invited the following stakeholders to attend the said regional Conclave from various States belonging to their respective regions viz. North, East and North East, West South viz;

- Deputy Commissioner/District Collector/District Magistrate
- Chairperson and Members of Child Welfare Committee
- District Child Protection Officer (DCPO)- Unit In-charge of DCPU
- District Program Officer (DPO)
- District Education Officer (DEO)
- District Representative of Higher Education/Representative of Lead College of District for Higher Education
- Chief Medical Health Officer (CMHO)
- District Representative of Department of Tribal Affairs
- District Representative of Department of Minority Affairs
- District Representative of Department of Social Welfare
- District Nodal Officer for NIC.

The four Regional Conclaves were graced by Secretary MWCD, Representative from Ministry of Education, NIC, Ministry of Labour and Employment, Ministry of Minority Affairs and Ministry of Health and Family Welfare. The Commission had coordinated with DM/DCs of all the

Districts of India to join the said Regional Conclaves virtually on the dates and time mentioned in above table. Chairperson NCPCR also addressed the virtual conclave and Member Secretary; NCPCR delivered the vote of thanks.

6. State level Orientation cum Sensitization programme on “Child Rights: Contemporary Challenges in Telangana”

To build an understanding about key concerns emerging children related issues and implementation of laws in favor of children and identify way forward for child rights issues, NCPCR organized a State level orientation programme for the stakeholders on Child Rights in Hyderabad-Telangana on 9th November, 2022.



Hon'ble Governor of Telangana and Hon'ble Lt. Governor of Puducherry Dr. (Smt) TAMILISAI Soundararajan was chief guest of the programme. Dias was shared by Shri. P. Muralidhar Rao, an eminent renowned social activist, Shri. Priyank Kanoongo, Chairperson, NCPCR along with Smt. D. Divya, IAS, Special Secretary to Govt. of Telangana, Commissionerate of Women Development and Child Welfare, Smt. Rupali Banerjee Singh, Member Secretary, NCPCR and Dr. K.P.A Ilyas, IPS, Faculty in Charge, Centre for Children, Sardar Vallabhbhai Patel, National Police Academy. Technical sessions on Cyber safety

Technical sessions on the issue of preventing child trafficking and Cyber

Crime were taken by the expert resource persons. A presentation on Monitoring App for Seamless Inspection (MASI) developed by the Commission for inspections of Child Care Institutions was made by NCPCR.

7. State level orientation cum sensitization programme on “Child Rights and Child Protection” of Zila Panchayats of Madhya Pradesh

One day State level orientation cum sensitization programme on Child Rights and Child Protection of Zila Panchayats (Chairman and Vice Chairman) of Madhya Pradesh was organized by NCPCR in collaboration with Deendayal Research Institute (DRI) at Udyamita Vidyapeeth, Deendayal Parisar, Chitrakoot on 12th October, 2022 at Chitrakoot. In an exhibition NCPCR showcased the work related to child rights at the exhibition area of DRI. An orientation cum sensitization programme on Child Rights for Panchayats was also held.

8. Parliamentary Standing Committee on Labour, Textiles and Skill Development

The Commission was called upon for oral evidence by the Parliamentary Standing Committee on Labour, Textiles and Skill Development for the Examination of 'National Policy on Child Labour'. The said meeting took place on 10th November, 2022, wherein the Commission has submitted its written submission regarding the activities undertaken by NCPCR for Elimination of Child Labour and the tasks undertaken for the same such as District-level Sensitization and Orientation Workshops of School Authorities on “Rule 2B (2) of Child Labour (Prohibition and Regulation) Amendment Rules, 2017” in Assam, Manipur, Nagaland and Tripura, National Consultation on Standard Operating Procedure on Rescue and Rehabilitation of Child Labour, information regarding recommendations which were sent to the Chief Secretaries of all States/UTs in May 2021 for ensuring care and protection to children including Child Labour during COVID-19 and recommendations which were issued for grant of compensation to Bonded Labour to the Govt of NCT of Delhi.

9. Presentation on Working on NCPCR for Members of Parliament in Parliament Standing Committee Meeting

Parliament Standing Committee meeting of Members of Parliament was held on 22.12.2022 at Parliament. A brief presentation on working of NCPCR was given by Chairperson, NCPCR to the members of Parliament.

CHAPTER 7
LEGAL INTERVENTIONS AND
SPECIAL ENQUIRIES

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LEGAL INTERVENTIONS AND SPECIAL ENQUIRIES

1. Inquiry by NCPCR regarding immoral trafficking/selling of minors in Rajasthan

The Commission under Section 13(1) (j) of CPC Act, 2005 took suo moto cognizance into a newspaper report wherein it was brought to the notice of the Commission that minor girls between the age group of 8-18 years were being immorally trafficked/sold through stamp papers by middlemen/known members across various districts of Rajasthan.

Details of Inquiry

- It was observed that the age of a missing minor was 8 years and her mother was 71 years.
- It was observed that the authorities did not raised concern nor conducted a thorough inquiry in the dropping out of the school by the minor girls between the age group of 8-18 years and not updated the records.
- It was observed that the children often didn't receive any support from their parents for their education and were discriminated in the school.

Recommendations

To the Chief Secretary

- To pass directions for mapping of children in the state belonging to Kanjar community and other vulnerable communities and to provide long term care plan in residential facilities for children of such communities who can be a victim of trafficking and further rehabilitating them in KGBV's, Schedule Tribe Hostels, CCI's etc.
- To pass directions for issuing of BPL cards and Caste Certificates to the beneficiaries belonging to Kanjar Communities and such other vulnerable groups.
- For the welfare of children who belong to vulnerable communities welfare schemes must be implemented effectively.
- There is a need for a special scheme meant for the communities engaged in such traditional work and conventional schemes of the

States or Union Government does not address the core issues faced by these communities.

- There is a need for a convergent action by all the Departments at Block, District and State levels to take care of the needs of the communities, prevent the children from becoming victim of trafficking and for their rehabilitation.
- Children after the age of 14 may be provided life skills and handholding till they get a job or capable to earn their livelihood and sustain themselves.

To the DGP

- To pass directions for formation of teams of officers from AHTU and SJPU to track missing children in the state of Rajasthan.
- To pass directions for conducting a thorough investigation and lodging of FIR against any such person involved in illicit trafficking, selling of minors etc.

2. Inquiry by NCPCR in the POCSO case of the inhabitant of SOS Village, Raipur

The Commission had come across a news report published in Times of India wherein it had been brought to the notice of the Commission that a minor girl was raped in International Shelter Home in Raipur. It was further mentioned in the news report that a 15 year old girl had gone through a miscarriage as well and the Shelter Home had tried to hide the incident. The Commission had come to know that the international Shelter Home which was mentioned in the news report was SOS Children's Village, Raipur. Taking cognizance of the matter, the Commission had issued a notice dated 17.11.2022 under Section 13 of CPC Act to the District Magistrate, Raipur and the Superintendent of Police, Raipur, requesting their good offices to initiate necessary inquiry and submit an action taken report to the Commission within 24 hours of the receipt of that notice. No action taken report was received from the said officials.

Details of Inquiry

- It was observed by the team that the structure of SOS Children's village is not like a Child Care Institution.
- It was observed that the victim was pregnant for nearly 5-6 months in the SOS Children's Village but no one could notice the same and that there were discrepancies in the way the CCTV registers are being filled up by the staff.
- It was observed that the records of each girl were filled up on the same day, the records were not being maintained on a monthly basis.

- It was observed that no action by police has been taken regarding complaints filed by the SOS village.
- It was observed that there were two FIRs lodged for the same offence.
- It was observed that the counselling of the victim was not taken in a proper manner.
- It was observed that complete information has not been provided to DCPO and CWC by the staff of the SOS Village and by the police and that there was no proper boundary surrounding the staff quarters and SOS Boys' Hostel.

Recommendations

The Commission in the said matter issued the following recommendations: -

- To initiate a proper inquiry and action against the SOS Children's village, Raipur as per the relevant laws. It was also recommended that the proper inquiry to be initiated against the counsellors of the Children's village.
- The SOS Village, Raipur be ordered to be closed and the DPO, Raipur may be directed to produce the children before the CWC for their rehabilitation to other Child Care Institutions.
- It was recommended that the victim to be provided the support including the medical, educational, counselling help and the compensation as per the POCSO Act and its Rules.
- It was recommended that an inquiry to be conducted as to why the victim was not produced before the CWC and what was the role played by the Inquiry Committee in the said matter.
- It was recommended that Disciplinary/Administrative action must be initiated against the police for not taking appropriate action regarding the complaints filed by the SOS Village.
- It was recommended that an inquiry to be initiated as to why two FIRs were lodged and why the name of the second accused was added in the first FIR itself by the police.

3. Inquiry by NCPCR regarding sexual exploitation of children in an illegal Children Home running in a church at Navi Mumbai, Maharashtra

The Commission under Section 13(l)(j) of CPCR Act, 2005 took suo-motto cognizance into a social media post wherein it was brought to the notice of the Commission that an illegal and unauthorized Children Home has been running in Church. Through the said report it has also been informed that the said Children Home/ Pastor of the Church Rajkumar Yesudasan was

involved in illegal activities and further has been sexually exploiting minor girls.

Details of Inquiry

- It was observed that the Trustee has not been taken into custody for further investigation.
- It was observed that the man named Vinod who had been involved in the trafficking of minor children from various states has not been arrested or been traced by the police.
- It was observed that a major lapse on the part of the administration to permit illegal occupation on government land.
- It was observed that the children were missing and their belongings were kept in the church.

Recommendations

Chief Secretary

- To pass orders to immediately vacate the premises of Bethel Gospel Pente Costal Church registered under Bethel Gospel Pente Costal Trust at Seawoods, Navi Mumbai and Dharavi and also inquire and take action against the officials involved in encroachment on Government land.
- To produce all the rescued children before CWC and further to provide necessary counselling, compensation and rehabilitation to all minors and further also provide the Commission list of all the children rescued from the said Children Home/church.
- To take action against officers of CIDCO and other responsible for illegal use of Government property.

DGP

- For conducting investigation in the said case by a specialised agency preferably CID or Special Investigation Team (SIT).
- To immediately arrest of the Trustee of the said Church.
- To immediately trace and arrest Vinod and his accomplices.
- To pass orders to invoke Section 370 of Indian Penal Code, 1860 and Section 42 of JJ Act, 2015 in the FIR lodged.
- To take disciplinary action against the District Police Officials for not following the due process of investigation and conducting a fair investigation.
- To take statement of all rescued children.

4. Inquiry by NCPCR in the case of death of a 15-year minor girl in Dumka, Jharkhand

The Commission under Section 13(1)(j) of CPC Act, 2005 took suo-motto cognizance of a report wherein it was informed that a minor girl was burned alive by her stalker, Shahrukh and his friend Naeem alias Chotu by pouring petrol on her while she was asleep in her bedroom. Through the said report, it was also informed that the girl in a recorded video of her last words informed that the main accused Shahrukh had been trying to befriend her and he had also called her on her mobile phone 10 days before the incident and threatened to kill her if she did not talk to him. Further, through the said report it was also informed that the said minor girl was first admitted to Phulo Jhano Medical College and Hospital in Dumka in critical condition with 90 percent burns and was later shifted for advanced treatment to Ranchi's Rajendra Institute of Medical Science (RIMS). The Commission in the said regard had also been in receipt of several complaints for requests pertaining to initiate inquiry against the said allegations in connection to the incident.

Details of Inquiry

- It was observed by the Commission that there were numerous lapses in the procedure followed by the investigating officer due to which the investigating agency also failed to timely invoke various provisions of Juvenile Justice Act, 2015 and POCSO Act, 2012 due to which not only the identity of the minor was largely disclosed on social media and other platforms but also investigation was not conducted as per due process of the law.
- It was observed that the investigating agency had not made inquiry as to from where and how the accused got the minor's number.
- It was also observed by the team during the interaction that the statements which were made by the I.O and the DSP had various anomalies. The steps taken by the investigating authorities were observed to be not in line with the rules of procedure that should have been adopted in case of investigation into the death of a minor girl.
- It was also observed that the police authorities have failed to even make thorough investigation into the background as well as nationality of the accused Shahrukh and his maternal uncle.
- It was observed that many pages on social media platforms namely Facebook were surfacing after the incident and these social media pages were using doctored images of the deceased minor with the accused Shahrukh to create a narrative to showcase innocence of the accused.

- It was observed by the team that due process of law as well as procedure established by law has not been followed while conducting the investigation.
- It is observed that the District Administration was very casual in helping the victim at such critical stage.

Recommendations

Chief Secretary

- To recommend investigation by a specialised agency preferably National Investigating Agency.
- To provide necessary counselling, compensation and assistance to the parents of the deceased girl.
- To take disciplinary action against the District Administration for not providing immediate medical attention.

DGP

- It was recommended that the Sh. Noor Mustafa Ansari, Deputy Superintendent of Police, be removed with immediate effect.
- To take disciplinary action against the District Police Officials for not following the due process of investigation and conducting a fair investigation.
- To provide police protection to the family of the victim.
- To issue inquiry into the nationality of the accused and his maternal uncle.
- To provide sensitization to all local mobile vendors and mobile phone recharge shopkeepers regarding effects of circulating or misusing of phone numbers of minors.

5. Inquiry by NCPCR regarding death of a Minor Tribal Girl in Dumka, Jharkhand

The Commission under Section 13(1) (j) of CPC Act, 2005 took suo-motu cognizance of report wherein it was informed that a minor tribal girl was hanged from a tree by a man named Arman Ansari in Village Kuchia Dhangaal, Rangralia, Prakhand Rameshwar, PS Mufassil District Dumka. Through the said report, it was informed that the tribal minor girl was allegedly sexually exploited by the man on the pretext of marriage. Furthermore, it was also informed that the deceased minor girl was pregnant at the time of the said incident.

Details of Inquiry

- It was observed that there were numerous lapses in the procedure followed by the investigating officer.
- It was observed that the police authorities have failed to even make thorough investigation into the background as well as the native place of the accused
- It was observed that the investigating agency was neither aware nor they inquired into the whereabouts of the biological father of the deceased minor.

6. Inquiry by NCPCR in the case of two minor girls who were raped and murdered from Tamboli Purva, Nighasan area, Lakhimpur Kheri District, Uttar Pradesh Village.

The Commission had taken suo-moto cognizance under section 13(1) (j) of the Commissions for Protection of Child Rights Act, 2005 of a news report wherein it had been brought to the notice of the Commission that two minor girls aged about 15 and 17 years were raped and murdered by 6 men in Tamboli Purva Village, Nighasan area, Lakhimpur Kheri District, Uttar Pradesh on 14th September, 2022. In the said media report, it was alleged rape and murder of two dalit minor sisters, who were found hanging from a tree in a sugarcane farm located about a kilometre away from their house in Nighasan Police Station.

Details of Inquiry

- It was observed that all accused except chotu @ sunil are resident of Lalpur village which is 3 km far from the deceased resident/ village.
- It was observed as there are more than 1 accused there and police did not compelled/ implemented section 34 of IPC which talks about common intentions of accused/ offenders neither section 120B of IPC which talks about criminal conspiracy of offenders to commit an offence/ crime.

Recommendations

To the State Government:

- It is recommended that appropriate compensation may be provided to the family of deceased minors considering their financial situations.
- It is also recommended that Counselling may be given to the family of deceased minors.

To the Police Authorities:

- It is recommended that investigation to be completed as soon as possible for speedy disposal of the case.

- Section 34 or 120B of IPC act may be amended and Section 3 and 4 may be replaced with section 5 and 6 of POCSO act in FIR.
- Considering the current situation in the said area, it is recommended that regular round-ups may be conducted.

7. Inquiry by NCPCR in CM Rise School, Kurwai, Vidisha, Madhya Pradesh in relation to unlawful practices including the construction of Mazaars

The Commission had taken suo-moto cognizance under section 13(1)(j) of the Commissions for Protection of child Rights Act, 2005 of a news report wherein it had been brought to the notice of the commission that a "Mazaar-numa-chabutra" has been constructed in CM Rise School of Kurwai town in Vidisha District. It was mentioned in the news report that the said "Mazaar" had been constructed by Mr. Banne Khan, after his retirement, who was a sports teacher in the said school and is the husband of the principal in-charge, Ms. Shahina Firdaus who was recently transferred to some other school. Further, it was stated in the complaint that the teachers of the schools had informed that National Anthem and other patriotic songs were banned in the school. It was mentioned in the news report that the District Education officer had stated that an inquiry was conducted in the said regard and he had written a letter to the Collector to destroy the structure in question (Mazaar).

Details Of Inquiry

- It was observed that there were 02 Mazaars constructed in the premises of CM Rise School. The first Mazaar like-structure was located in the backside area of the school and it was built by former councillor, Mr. Munne Khan Hussaini.
- It was also observed that there was no boundary wall against the said Mazaar and was open to the public for visit.
- It was observed that no information of any kind was provided to the SDM, Kurwai by the School management regarding the construction of 2nd Mazaar.
- It was observed that the Muslim boys in the said school were permitted to leave at 1 PM on every Friday for Namaaz, during the school hours.
- It was observed that such a high drop-out rate of minority Muslim students was due to the non-conducive environment of the school and the teachers in the school had less co-ordination.
- It was observed that the District Education Officer, Kurwai had taken no action to get the unlawful structures removed from the School

premises even after the information being received by him on 15.08.2022.

- It was observed that there exists a possibility that children might be influenced to follow practices under the control of the school administration which are beyond academics.

Recommendations

Chief Secretary

- It was recommended to Mandate regarding singing of National Anthem and State Anthem in the schools of Madhya Pradesh.
- It was recommended that the State Government may also consider getting a thorough investigation carried out in relation to the involvement of organizations like PFI and SIMI in the Kurwai Town of Vidisha.
- It was recommended that the State Government takes necessary action to order inquiry in other schools of the entire State of Madhya Pradesh wherein platforms/ structures like Mazaar are constructed.
- It was recommended that Counselling Services to be provided in the school.
- It was recommended that an order is issued, thereby putting a halt to the practice of allowing the children to leave the school premises for offering Namaaz during school hours. It is also recommended that the said order must direct the schools to abide by the rules regulating the school working hours, study routine, etc.
- It was recommended that the children who have dropped-out of school must be traced and an attempt must be made to get them re-admitted to the school and mainstream them in formal education.
- It was recommended that the inquiry to be conducted in schools/ educational institutions in relation to the construction of mazaars is handed over to some other appropriate officer and it is recommended that the current DEO may be removed from his duties till the removal of all the mazaars from the schools of Kurwai.
- It was recommended that proper investigation is carried out in the matter to find out all the malpractices carried out by the Ms.Shahina Firdaus (former principal) and her husband, Mr. Banne Khan during their association to the concerned school.
- To lodge an FIR against Ms.Shahina Firdaus (former principal) and her husband Mr. Banne Khan for encroachment on Government land of school and constructing the unauthorized structures therein.

8. Inquiry by NCPCR in Anjuman Yateemkhana, Kanpur wherein a POCSO victim tried to commit suicide

The Commission was in receipt of a complaint dated 30.08.2022 wherein it was brought to the knowledge of the Commission that a minor girl was illegally adopted by a family and was persistently sexually abused by her two stepbrothers for 2 years. Taking cognizance of the matter, the Commission had issued a notice dated 13.09.2022 under Section 13 of CPCR Act to the Deputy commissioner of Police, Kanpur Nagar, requesting his good offices to initiate an action against the perpetrators under the POCSO Act and the Indian Penal Code. The Commission was in receipt of yet another complaint through Centralised Public Grievance Redress and Monitoring System (CPGRAMS) portal on 17.09-2022 wherein the Commission was apprised that the Anjuman Yateemkhana, Parade, Kanpur in which the above stated minor girl was staying was unregistered. Moreover, there were other serious allegations in the complaint against the said Yateemkhana and its staff/ members including financial mismanagement, child rights violations, etc. It was also alleged that a child had previously died in the said Yateemkhana and there were major protests after his death by the children residing in the Yateemkhana against the management.

Details of Inquiry

- It was observed that the Anjuman Yateemkhana has been running without any registration under the JJ Act and therefore is in violations of Section 41 of the JJ Act.
- It was observed that the children were residing in the Yateemkhana without any order from the child welfare committee which is a violation of section 32 Of the JJ Act.
- It was observed that the management had no formal/ legal documents available with them whatsoever at the time of inquiry.
- It was observed and verified by the minor victim and other children that there were cases of physical abuse and neglect by the staff of the Anjuman Yateemkhana.
- It was observed that the said Yateemkhana is also in violation of child rights even before the amendment of JJ Act in 2015, the adoption could only take place with proper formalities.

Recommendations

- To initiate Punitive action against the management of Anjuman Yateemkhana under Sections 31 and 42 of the Juvenile Justice Act and other relevant provisions for running an orphanage without proper registration and not producing the children before the Child Welfare Committee. It was also recommended that Anjuman

Yateemkhana is ordered to be closed and proper forensic audit is carried out to delve deeper into the violations in relation to child rights.

- It was recommended that a financial audit of the Anjuman Yateemkhanabe carried out to look into the financial discrepancies being committed by the management.
- It was recommended to produce the children before the Child Welfare Committee and may be rehabilitated to the fit facility for them.
- It was recommended that the disabled adults who were living in the Yateemkhana be sent to the fit facilities for the disabled persons. The other adults who are living in the Yateemkhana may be rehabilitated to either centres made for women or vocational centres where they may learn skills for their sustenance.
- It was recommended that the children who were once residing in the Yateemkhanawere traced back to ensure their safety and to also ensure that they were not trafficked by the management of the Yateemkhana.
- It was recommended that proper investigation is carried out in the matter to find out the violation of Section 75 of the JJ Act by the management and staff members of the Yateemkhana and an FIR must be lodged against the perpetrators.
- It was recommended that proper inquiry and necessary action was also initiated against the Yateemkhana of Banda where the minor victim was initially being kept
- It was recommended that the victim who was residing with her father in Lucknow was provided proper counselling services and legal aid. Moreover, it was recommended that any financial assistance which may be provided to the victim through the schemes run by the DCPU, DLSA or the State Government be provided at the earliest.
- It was recommended that the State Government must carry out a special drive to locate all the Yateemkhanas currently running in the State to check and whether they have been registered under the JJ Act.

9. Fact-Finding and Suo Motu Cognizance taken by NCPCR in the matter of death of a 7-year-old minor girl in Tiljala area of Kolkata

The Commission took *suomotu* cognizance of a complaint received through web news report of Republicworld.com on 27th March, 2023 titled “Minor Girl Murdered in Kolkata’s Tiljala, wherein a chaotic scene was witnessed on the Kolkata’s Tiljala area after the body of a seven year old

minor girl was murdered, found at a neighbour's house". During initial inquiry, it has come to the notice of the Commission through the said report that the Police officials arrested the accused who allegedly killed the girl in the name of human sacrifice. It also came to the notice of the Commission that after the incident came to light, many angry protestors in large numbers including the members of victim girl's family, took to the streets on Monday i.e. on 27th March, 2023 and blocked several roads, Bandel Railway gate and caused disruption on the Southern Railway branch of Sealdah. As a result, around 20 trains were affected due to the blockade. The angry protestors had also blocked the public transport near the Picnic Garden-Howrah route.

Attempt to stop the visit of NCPCR's enquiry team- A team of NCPCR, headed by Chairperson, NCPCR, accompanied by Member Secretary and two Consultants reached Tiljala, Kolkata on 31.03.2023 at about 03:15 p.m for the purpose of conducting a thorough fact finding. The information of this was given to the State Government on 28.03.2023, seeking their assistance to make arrangements for Liaison officer, security, logistic arrangement and to further arrange meetings/interactions with the victim parents, Investigating Officers, and the doctor who conducted the autopsy of the victim girl. However, no information with regard to the same was conveyed to the Commission till the night of 30.03.2023. In the meanwhile, the Commission has come across an information that there might be a strong possibility of security breach during the visit of NCPCR, and the fact finding process of the NCPCR might also be obstructed/interrupted. Accordingly, the same was conveyed to Chief Secretary, Home Secretary, DGP West Bengal, and Union Home Secretary vide Commission's letter dated, 30.03.2023. It was only after the matter brought to the notice of the Union Home Secretary, the details of Liaison Officer and other details were made available to the Commission only through WhatsApp message and no formal communication was given by the Government of West Bengal, although no details of security arrangements for the visit were shared with the Commission.

Criminal conspiracy and recording the proceedings without permission-During the fact-finding, it came to the notice of the Commission, that that two cameras (Camera 1 was a body-cam placed on a table and Camera 2 was a webcam connected to a Wi-Fi with no storage in the room) were covertly put on a predetermined angle within the officer-in charge's room with the intention of illegally monitoring and intercepting the Commission's fact-finding process. The recording was being done without

the Commission's knowledge or agreement, and when confronted with the situation and questioned about it, the Officer-in-charge said that *"the same has been done with the order of the superior officers."* It is pertinent to mention that the recording and a subsequent sharing of the information poses a bigger question on the intention of the West Bengal police. Moreover, it is impossible to rule out any motives for manipulating the victims or even jeopardising the Commission's report. The presence of two cameras, wherein the body-cam placed at a specified angle was being monitored elsewhere and the second camera having no immediate storage in the room was transmitted to a third party is a matter of Cyber Forensic Investigation.

It is to be highlighted that, the conduct of the West Bengal Police was pre planned/arranged and all the requisite motive to record and transmit the information to a 3rd party was premeditated. Therefore, a criminal conspiracy between several officials of West Bengal Police to record and disclose the information without the consent or an agreement with an intention of causing wrongful loss by interfering into the fact finding process violates Section 72 and 72A of IT Act, 2000 r/w Section 120B of the Indian Penal Code, 1860. Also, recording and transmitting the process of NCPCR fact-finding process in which the victim girl's family was also a part, the identity of the victim girl's family may have been compromised which amounts to the violation of the Judgment passed by the Hon'ble Supreme Court in the matter of Nipun Saxena vs UOI, 2019 and also the provisions of Section 228A of IPC, 1860, Section 23 of POCSO Act, 2012 and Section 74 of JJ Act, 2015.

Manhandling and physical assault of Chairperson, NCPCR, Shri Priyank Kanoongo strongly objected on observing the placement of the cameras. Reacting upon the same, the SHO told the Chairperson that the recording of process of NCPCR fact-finding was being done on the directions of the superior authorities. Thereafter, the Chairperson insisted that the camera should be handed over to the superior authority of West Bengal Police. While the Chairperson NCPCR was moving out from the room, Biswak Mukherjee, SHO along with 6-7 Police Personnel blocked the passage by closing the door to confine and restrain the movement of the Chairperson and further manhandled/physically assaulted the Chairperson in Tiljala Police station. The Chairperson was also threatened to life by the SHO on the pretext not to handover the camera to the superior authorities.

Chairperson NCPCR somehow managed to move out from the Police Station and reached the Hotel. Subsequently, Senior Police officers of the

rank of Joint CP and DCP, West Bengal Police came to meet the Chairperson NCPCR and requested to pardon the errant Police Officials for their misconduct. Chairperson then requested the Police Officers to record his statement and lodge an FIR in the said incident and to also ensure that the illegal recording shall not be misused. In response the Police Officers replied that action could only be taken after obtaining the directions from their superior authorities. Subsequently, after 15-20 minutes, the DCP again turned up and recorded the written statement of Chairperson NCPCR, based on which an FIR was registered in PS Tiljala.

After receiving a copy of the FIR, the Commission determined that all applicable Sections were not invoked in this matter and Section 72 and 72A of IT Act, 2000 r/w Section 120B of the Indian Penal Code, 1860 and Sections 186, 187, 189, and 357 of the IPC, 1860 and other relevant provisions of law were not included in the FIR. Also, the disciplinary action against the errant Police Officer, SHO Tiljala, is not equivalent to the serious misconduct committed. Further, transferring the SHO, PS, Tiljala to the Training Academy is merely a formality and is not in accordance with a fair and just procedure of law.

10. Inquiry by NCPCR in the case of a minor girl who was shot by a man in Sangam Vihar, New Delhi

The Commission had taken suo-moto cognizance under section 13(1) (j) of the Commissions for Protection of Child Rights Act, 2005 of a news report wherein it had been brought to the notice of the Commission that a minor girl aged 16 years was shot by a man in Sangam Vihar area of New Delhi on 25th August, 2022. In the said media report, it was mentioned that the accused who is 19 years old, along with two of his friends, shot the minor girl while she was returning from her school. It was further mentioned that the minor girl met the accused on a social networking website from where they became friends. Both the victim as well as the accused frequently talked to each other on the social networking website, but when she stopped talking to him on the online platform, the accused in order to take revenge, shot her. The Commission has also been informed that, at present, all the three accused have been arrested by the police authorities.

Details Of Inquiry

- It was observed that although the minor girl was in the physical health recovery stage, her mental health had been affected due to the incident.

- It was observed that the family was not equipped with much knowledge about how social media platforms are used.

Recommendations

State Government: It was recommended that, counselling services shall be provided to the victim.

Police Authorities: It was recommended that, protection shall be provided to the victim and her family.

District Magistrate: It was directed to the District Child Protection Officer (DCPO) and Child Welfare Committee (CWC) to take the cognizance of the incident.

District Child Protection Unit

- It was suggested that the DCPU should ensure that the victim is benefitted under the relevant compensation schemes.
- It was suggested that DCPU should ensure formulation of Social Investigation Report, Individual Care Plan, rehabilitation plan, financial assistance and any other assistance required by the victim.
- It was suggested that DCPU should also ensure that the relevant child authorities are involved for proper care and rehabilitation of the victim including her education and financial assistance.

South Delhi State Legal Services Authority: The District Legal Services Authority may be suggested to ensure that free legal aid is provided to the victim and her family.

Ministry of Electronics and Information Technology: To issue certain directions/recommendations to the Social Media Platforms which may include but shall not remain limited to the following:

- The policy of allowing children below the age of 18 years to make their personal accounts on social media platforms may be revisited.
- The option of giving the children the right to log in without the permission of their parents/ guardians may be revised in order to protect the children from further child rights violations.
- Further, the children on social media platforms must be made aware about the options such as 'reporting a person' or 'blocking a person' if any abusive/ threatening or insensitive material/ content is shared by them. For this, social media platforms may be asked to create

interactive awareness content which could be made available to the social media platform users below the age of 18 years.

- The interactions of the children on social media platforms may be guarded by adopting strong in-built CSAM/ abusive and threatening language detectors/ systems which may help the parents/guardians in early recognition of any threats.
- The social media accounts of the users below the age of 18 years may be mandatorily required to be linked with the social media accounts of their guardians.

SELECT SUO-MOTO INTERVENTIONS

1. Inquiry by the Commission in relation to the violation of evaluation procedure by Bihar Education Project Council for Class VII for English subject in Kisangani District of Bihar

The Commission under Section 13(1) (j) of CPCRA Act, 2005 took Suo-moto cognizance of a post on Twitter, wherein it has been brought to the notice of the Commission that during the Half Yearly Exams 2022 conducted by Bihar Education Project Council for Class VII for English subject in Kisangani District of Bihar, the Council has asked question which are not only discriminatory in nature but also questions the integrity and sovereignty of the nation. The said question posed by the Council is cited under Question 1 (iv) which states- “The people of Kashmir are called the_____.” The Commission, in the said regard, is of the view that such questions put forward a wrong impression about the Country in the eyes of the minors. Therefore, the Commission issued a notice to the Chief Secretary, Bihar, directing him to initiate an inquiry into the said matter and for taking appropriate legal action.

2. Uploading of Video showing an 80-year-old man sexually assaulting a 6-year-old girl on Twitter Inc.

The Commission under its mandate took suo-moto cognizance of a post on Twitter wherein it was seen that a video was uploaded on Twitter by an account user wherein an 80-year-old man can be seen sexually assaulting a 6-year-old minor girl. The Commission in the said matter, while taking cognizance under Section 13 of the CPCRA Act, 2005, and further as being a competent authority under IT (Intermediary) Rules issued a notice to the DCP, Cyber Cell to commence an investigation in the matter and subsequently undertake appropriate measures. Furthermore, the

Commission also directed the Cyber Cell to notify the Commission regarding the precise whereabouts of the occurrence of the offense and the subsequent recording of the video and requested for lodging of First Information Report (FIR) against the individual(s) involved. The Commission in this matter also issued a notice to Twitter India, to take down the video from the platform immediately and directed the social media site to act against all such accounts for posting such content.

3. Complaint Regarding Illegal Conversion by a couple.

The Commission under Section 13(1) (j) of CPCRA Act, 2005 took Suo moto cognizance of a newspaper report wherein it was brought to notice of the Commission that a couple staying in 'Indirapuram' were involved in illegal religious conversion of minor children. The Commission taking cognizance on the same, issued a notice to the District Magistrate, Rajnagar Ghaziabad (UP) for initiating an inquiry and for issuing necessary directions to identify all the children who have been illegally and forcefully converted by the couple and the organization 'UCPI' till date. The Commission till date has not received any Action Taken Report from the relevant authorities in this matter.

4. Inquiry in relation to forcefully and illegally converting minor children in school in Tamil Nadu.

The Commission under Section 13(1) (j) of CPCRA Act, 2005 took Suo-moto cognizance of a news report through which it was informed to the Commission that a school, namely K.M.G Nursery Primary School, Tirunelveli, Tamil Nadu had been forcefully and illegally converting minor children in school. Further, it was also informed that the said school management called some persons (evangelists) of religion other than Hinduism to convert the minor children from Hinduism to Christianity by luring them to provide them and their families with money and mobile phones. Further it was also informed to the Commission that these evangelists had been portraying sacred Hindu text "Gita" as "Bad". The Commission taking a strict view of the same issued a notice to the Authorities for initiating action against the School and for lodging an FIR in this regard.

5. Inquiry by NCPCR in relation to the use of children in selling of intoxicated substance and psychotropic drugs in Rohini area, Delhi.

The Commission under Section 13(1) (j) of CPCRA Act, 2005 took suo-motu cognizance of a social media report in which children were seen to be

indulged in dealing/selling of intoxicated substance and psychotropic drugs in Rohini area. A video in this matter also surfaced on Twitter clearly showing the said activity. Taking a view of the seriousness of the report, the Commission issued a notice to the DCP, Rohini, Delhi Police and District Magistrate, North-west, Delhi for initiating necessary inquiry and further also recommended to lodge an FIR of the said matter and to rescue the children and produce them before Child Welfare Committee and further to also conduct a special drive to identify similar children involved in the abovementioned activities. The Commission thereafter received an action taken report wherein it was informed that during course of investigation, on 09.09.2022, the victim minor girl was produced before the Child Welfare Committee, Avantika, Sec.01, Rohini, Delhi for counselling, recording of statement and rehabilitation of victim child. The accused persons i.e. parents of the victim child were arrested and sent in judicial custody. Further, the statement u/s 164 Cr.PC of the victim child was also recorded before the Hon'ble Rohini Court, Delhi.

6. Inquiry into a bomb blast on 24.04.2022, at Gopalnagar Village, District Malda, West Bengal.

An incident was brought into the Commission's notice regarding a bomb blast on 24.04.2022 that took place at Gopalnagar Village under jurisdiction of Kaliachak Police Station, District Malda, West Bengal in which 05 children were severely injured. It was further informed that similar incidents have taken place in this region in the past but the perpetrators were not adequately punished. Such cases were shelved by the authorities calling them a cylinder blast. Therefore, seeking expeditious and detailed probe to unearth the violators of child rights and book them for the sake of justice. The Commission under Section 13(1)(j) CPC Act, 2005 took cognizance of the matter had requested Chief Secretary, Government of West Bengal to conduct expeditious and detailed investigation into the incident and to submit their report within 10 days. The Commission in the said regard had also requested the Director General of Police, West Bengal to do the same as above and submit an Action Taken Report within 10 days.

Thereafter, the Commission received a Memo/Action Taken Report from the office of District Magistrate, Malda, West Bengal wherein it was stated that the Children were admitted at Gopalganj Primary Health Centre, Kailachak III block and after receiving primary treatment Bikram Sala, a minor was released and the rest four were transferred to Malda Medical College and Hospital same day at 9:00 pm. Through the said Action Taken Report, it was informed to the Commission that the enquiry was in a progressive stage. The medical reports of the children were also submitted to

the Commission with the action taken report. The Commission had not received any response from the office of the Chief Secretary, Government of West Bengal. As a result, on 13.05.2022, a summons was issued to the Chief Secretary, Government of West Bengal to appear in person, physically before the Commission along with the details of the action taken in this matter at 1500 hours on 20.05.2022, to explain the reasons for not providing the medical assistance to the injured children and on the same date, a summons was also issued to the Additional Director General and Inspector General of Police to appear in person, physically before the Commission along with the details of the action taken in this matter at 1530 hours on 20.05.2022, to explain the reasons for not furnishing the requisite information sought by the Commission.

Further, the Commission received an Action Taken Report from the office of Additional Director General (ADG) and Inspector General of Police (IGP), West Bengal wherein it was informed to the Commission that, the Investigating officer had conducted raids by which 4 accused persons involved in the Bomb blast were arrested and detailed. Further, based on the statement of the arrested persons, the Investigating officer arranged a thorough search operation with the District Intelligence Bureau personnel and detected 34 unexploded crude bombs, which were subsequently diffused with the help of Bomb Disposal Squad on 25.04.2022. On the same date, the Investigating officer held raids and secured arrest of 2 more accused persons involved in the said matter. Thereafter, the Deputy Superintendent of Police in charge of English Bazar Police Station and the Investigating officer visited Malda Medical College and Hospital for ensuring better treatment by involving specialist senior doctors and collected information of their treatment time to time. Through the said Action Taken Report, it was also informed to the Commission that the 4 injured children were already been released from the said hospital on 29.04.2022, 02.05.2022 and 03.05.2022 respectively after receiving proper medical treatment. Further, it was informed that raids were being conducted to secure the arrest of other accused persons involved in the said matter.

Furthermore, the Commission was informed that on 26.03.2022, there was an incident of blast of Gas cylinder causing death of a 4-year-old child. It was claimed by the Police officials from their source that the blast of Gas cylinder was also an incident of bomb blast. The Circle Inspector, Kaliachak Police Station to verify the same visited the spot, interrogated house inmates of the deceased child and nearby witnesses but all of them claimed that the incident was a blast of Gas cylinder. However, a team of

Regional Forensic Science Laboratory (RFSL), Government of West Bengal, Jalpaiguri was requisitioned to the said spot to find out the actual cause of the blast.

The report of the RFSL opined that “The exact cause for Gas explosion is under investigation and could be either mechanical failure in the cooking gas oven or leakage in the gas pipes and gas cylinder, which can only be ascertained after their forensic testing in the laboratory. Therefore, it was an incident of a domestic accidental blast.”

The Commission in the said regard of bomb blast had received a letter from the office of Directorate General Border Security Force, Ministry of Home Affairs wherein it was informed to the Commission that Kaliachak Police officials through search operation have recovered 124 bombs in the surroundings of POO. Further, it was also informed that the Police had arrested 11 suspected personnel who were resident of Gopalnagar village, Malda, West Bengal and presently serving their sentence in Malda Jail. The charge sheet has not been filed by local Police and the matter is still under investigation. Furthermore, it was informed to the Commission that BSF troops have been briefed to carry out the Joint Ops with the Police in Kaliachak area.

Callous approach towards border protection and ignoring danger for children: It is important to highlight here that Kaliachak is close to the India-Bangladesh Border. In December 2017, the then Union Home Minister chaired a meeting with the Chief Ministers of the Indo-Bangladesh Border (IBB) States, in Kolkata. Highlighting the concept of Border Protection Grid (BPG) to secure international border, he stated that BPG will be supervised by a State level Standing Committee under the Chairmanship of respective Chief Secretaries. BPG will ensure greater help for the States in the overall border security. For putting in place the BPG, he sought active participation of all stakeholders including State Government. Later, in accordance with the Department of Border Management (BM.I Division), MHA, Government of India, L/No.11013/40/2017-BM.III dated 02.01.2018, the Chief Secretary, West Bengal was approached to establish a ‘State Level Standing Committee’ to review and monitor the constant strengthening of the Border Protection Grid on the Indo-BD border, as well as to convene meetings every quarter and to constitute a committee on the Border Protection Grid on the Indo-BD border. NCPDR also approached the Chief Secretary, West Bengal regarding the same. However, no communication regarding establishing the Committee or convening a meeting has been received from the office of the Chief Secretary, Government of West Bengal till date.

CHAPTER 8
NORTH EAST CELL

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NORTH EAST CELL

In recent years, under the leadership of Hon'ble Prime Minister Shri Narendra Modi, concerted efforts have been made by the Union Government of India to bridge this gap between various States of NER with the mainland India to create an environment of inclusion, growth and development on all fronts. The region has been accorded top priority for development under the prime minister's agenda of transforming India. The Prime Minister has laid special emphasis on the North Eastern Region in his priority for the country and has envisaged a vision for NER as "India's North East, India's Pride". North East Region, due to its strategic geo-socio politico placement, offers tremendous opportunities for the country to become its growth engine. The Government of India is looking to develop NER as a Gateway to South East Asia under the Prime Minister's Act East Policy. The New India is growing rapidly over the past decade and has seen strong improvements on development indicators.

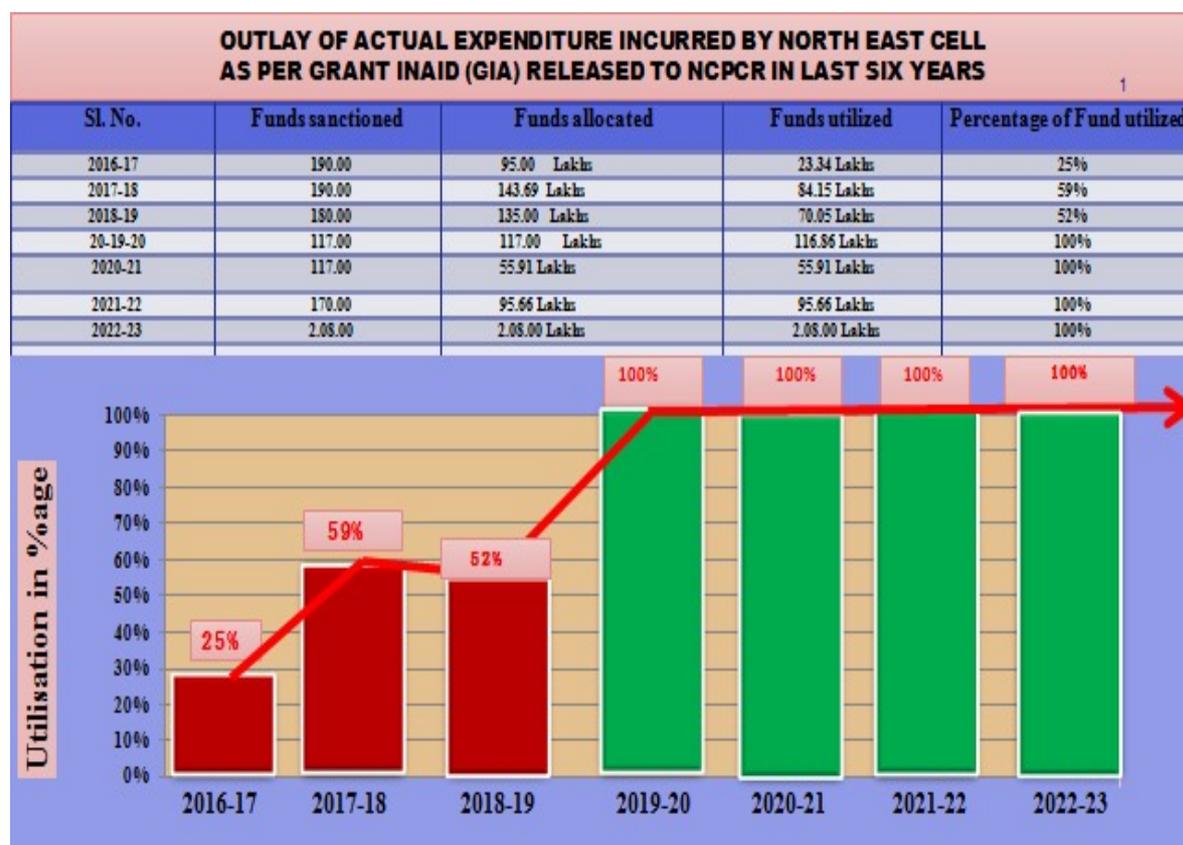
Children being the citizens of India as per the rights conferred to them by the Constitution of India, play a vital role in overall progress of the nation. Investing in children becomes a strong entry point for inclusive growth and breaking inter-generational cycles of exclusion, lack of access, poverty and deprivation in a region like NER. It is imperative that as much as the nation focuses on investing on its children, the more it becomes future ready with an efficient, healthy and promising workforce who would eventually add on the strength and prosperity of the country. To enable a strong, prolific and future ready children and youth, multipronged approaches are required instead of initiating action in silos. The protective mesh for mitigation of inadequacies in children of NER requires to be fostered by focusing on domains of child health, child education, child psychology and sociology, juvenile justice systems, children in labour situations and other laws and legislations relating to children.

In this regard, as an extension to the vision of Government of India and to fulfil the statutorily mandated obligations u/s 13 (1) of the CPCRA Act, 2005, the Commission has created a dedicated North East Cell to ensure that the rights of children as enshrined in the Constitution of India, UNCRC and as provisioned under various Child rights Acts, laws and legislations are made accessible to every child to create inclusion in

NER and thereby negotiate the geo-socio-politico complexities and difficult terrain area issues in NER.

The FY'2022-23, has been a promising year which brought the hope and momentum back after the COVID-19 pandemic times, wherein the Commission persisted with its protection and promotion of its child rights agenda thereby bridging the gap further between the NER and mainland of the country. The Commission focused on multitude of interventions viz.; Regional/State/District/Block and Gram Panchayat Level by organizing various Sensitization/ Awareness/ Consultation/ Convention/ Colloquium/ Seminars/ Conferences and Workshops on various thematic aspects of Child Rights and Child Protection as per the mandate of the Commission under Section 13(1) of the CPCRA Act, 2005. In FY'2022-23, the North East Cell of the Commission for the 4th consecutive time has been able to achieve 100% utilization of the annual allocated budget for NER through various program, policy and research level interventions.

1. Outlay of Actual Expenditure Incurred by North East Cell As Per Grant-in-aid (GIA) Released to NCPCR In Last Six Years



2. State Level Program On Celebrating Pariksha Parv 4.0 in Shillong, Meghalaya-

The NE Cell of the Commission conducted a State Level program on ParikshaParv 4.0 in Shillong Meghalaya on the 26th April 2022. Exam and exam result related stress affects most students in varying ways. School Students experience high level of stress due to various reasons such as; lack of preparation, style of their study, parental and peer pressure and lack of needed information. When stress is perceived negatively or becomes excessive, it leads to anxiety before and during examinations and ultimately affects their academic achievement. It is important to manage this stress and find little ways of helping to eliminate the risk of burnout. More than 550 participants attended the State level Pariksha Parv 4.0 at State Convention Hall, Pine Wood Hotel, Shillong, and Meghalaya on 26 April 2022. Hon'ble Speaker, Meghalaya Legislative Assembly, Shri Kyrmen Shylla, Hon'ble Minister, Social Welfare Department, Government of Meghalaya, Ms. Imonla M. Siem, Chairperson, Meghalaya SCPCR, Smt. Rupali Banerjee Singh, Member Secretary, NCPCR were distinguished guests for inaugural. Prof. Sujatha Sathpathy, Professor, Clinical Psychology Department of Psychiatry, All India Institute of Medical Sciences (AIIMS), New Delhi took a Technical Session on "Clinical aspects of Stress and Anxiety and ways to deal with Exams and Exams Results related Stress and Anxiety". Dr. Jyotsna Bharadwaj, Faculty for Diploma in Guidance and Counselling course, Department of Educational Psychology and Foundations of Education, NCERT "Creating a culture" of emotional wellness and positive mental strength in classrooms and our homes.

3. Vulnerability Mapping Exercise of Children and Families Vulnerable to Child Trafficking in Districts with Tea Garden Areas of Assam

As one of the way forward strategy towards prevention of child trafficking, a thorough mapping exercise of children and families vulnerable to child trafficking is in districts having Tea Garden Areas of Assam and matching them with the relevant schemes of the Government of India and Assam State Government has been felt required. Therefore, the National Commission for Protection of Child Rights commissioned "Mapping Exercise of Children and Families Vulnerable to Child Trafficking during COVID-19 Times – a pilot exercise in five districts of Assam viz. Charaideu, Sivasagar, Kokrajhar, Sonitpur and Biswanath Districts of Assam having Tea Garden Areas. The Commission held virtual meetings with DM/DC/SP/ADC and all the officials of District Administration of five

Districts of Assam for Vulnerability Mapping Exercise along with Organisation executing the vulnerability Mapping Exercise. These meetings were chaired by Hon'ble Chairperson NCPCR and Member Secretary, NCPCR was also present in the meetings. Following officers attended the said District level meeting in DC Conference Hall, joined virtually by NCPCR team, to deliberate upon the mechanism of data collection viz;

- Deputy Commissioner/District Collector/District Magistrate
- Senior Superintendent of Police (SSP)/(SP)
- District Development Officer (DDO)
- Block Development Officer (BDO)
- Panchayat Officer
- Rural Development Officer (RDO)
- Child Development Project Officer (CDPO)
- District Child Protection Officer (DCPO)
- District Labor Officer/District Labour Inspector
- Dist. Education Officer/ District Elementary Education Officer (DEEO)/ District Inspector of School Education (DISE)
- Child Welfare Committee- Chairperson and Members
- Child Welfare Committee, Chairperson and Members
- Juvenile Justice Board-Chairperson and members
- Special Juvenile Protection Unit (SJPU)
- Anti-Human Trafficking Unit (AHTU)
- Chief Medical Health Officer (CMHO)
- Public Health Engineering Department (PHED)
- Road Transport Officer
- District Employment Officer

The said vulnerability Mapping exercise was completed by the Commission in 2023 and was able to identify vulnerable children prone to child trafficking based on the indicators identified by the Commission. The Commission has also matched these vulnerable children and their families with the relevant Welfare Schemes of Government of India and the State Government of Assam which can be availed by these children.

4. State Level Sensitization, Orientation-cum-Consultation Workshops on “Handling POCSO Cases: Factors Hindering the Implementation and Aspects of Assistance to Victims” in North Eastern Region of India

The National Commission for Protection of Child Rights, as provided under Section 44 (1) of the POCSO Act, 2012 and Rule 12 of the POCSO Rules 2020 has been playing the role of monitoring body in respect to the implementation of the Act. While playing its role as monitoring body, the Commission observed some of the key issues of non-implementation of certain provisions, gaps, contentions and debates that need to be presented and discussed. Therefore, the Commission took forward the task of in-depth discussions on handling POCSO Cases in the North Eastern Region of our country, with the key stakeholders viz. the Child Welfare Police Officers from each thana/police station, Special Juvenile Police Units (SJPUs), Advocates of DLSAs and other Prosecutors dealing with cases of POCSO cases is required. In this series of consultative meetings, State-level programmes were successfully conducted in Tripura (11.04.2022) and Meghalaya (14.06.2022).

5. One-day Regional Consultation of Territorial, Autonomous and Development Councils of North Eastern States On Child Rights on 29th June 2022 in Guwahati, Assam

In the North-Eastern Region, apart from the Councils that come under the Sixth Schedule, Autonomous District Councils and Developmental Councils are also present in the State of Manipur and Assam. A sizeable number of children inhabit in the tribal areas under the administrative control of these Councils. Provisions have been made thereby conferring special status with specific powers to Autonomous, District Councils for administration of Tribal region of NER. Regional, Territorial, Autonomous District and Developmental Councils of NER can play a vital role to ensure the rights of children in connection with their health and nutrition, protection against abuse, sexual offences, torture, trauma, maltreatment, neglect, street situations, labour situations, child trafficking and any/all violations and deprivations pertaining to the rights of children. Hence, it was deemed imperative that a consultation come orientation is undertaken with concerned Councils of NER to deliberate upon the prevailing best practices and existing gaps in addressing issues of child rights. More than 150 participants who were Executive members to the rank of EMs, MCLAs, Officers of Social Welfare/ Women and Child Development Departments, Labour and Employment, ICPS, etc. belonging to various Councils of NER attended the said Regional Convention.

6. One-day Consultation-cum-Review Meeting on Child Rights Issues in Kokrajhar and Bodoland Territorial Region (BTR) held on 14.08.2022

A consultation-cum-review meeting on issues concerning the rights of children and child protection aspects was organized on 16.08.2022. The participants who attended the said review meeting included Deputy Commissioner of Kokrajhar, Superintendent of Police, Kokrajhar, DCPU, DEO, CWCJJB and NGOs. During the said meeting the District administration made a presentation on various aspects of child rights in their District. Hon'ble Chairperson took stalk of various aspects of Child Rights in the district viz; Issues pertaining to Child Trafficking in Tea Garden areas, FIRs registered under Trafficking, FIRs under POCSO cases, cases presented in front of CWC, issues of children registered under PM CARES and Bal Swaraj Portal of NCPCR, issues of out of school children, issue of child marriages, education of children, inspection of CCIs and updating information on MASI App of NCPCR etc. During the meeting Hon'ble Chairperson interacted with the Joint Secretary, PA to Principal Secretary of Bodoland Territorial Region (BTR). Also, after conclusion of the meeting Hon'ble Chairperson called on the Principal Secretary, PA to Chief Executive Member of Bodoland Territorial region in BTC Secretariat in Kokrajhar and had a detailed discussion on upcoming Convention on Child Rights planned exclusively with BTR council members in Kokrajhar in the month of September 2022.

7. Flag hosting at a School in Dadgiri Village, Chirang District Of Assam

On 15th August 2022, Hon'ble Chairperson NCPCR visited Government School in Dadgiri Village on the borders of Assam and Bhutan. The Chairperson Hosted the National Flag in school and subsequently interacted with al children, village heads, Panchayat, VCPCs, Youth Groups, ADM and other officers of Chirang District. He interacted with the community members and parents of children and addressed their problems and shared solutions. Chairperson NCPCR and Assam SCPCR oriented the people regarding issues of child trafficking, child labour and child marriages prevalent in the district and gave on the spot directions to the concerned officers of the district administration for needful actions. He also spoke regarding compensation for Child Labours and victims of POCSO.

8. Visit to CCI -Children Home Run by Ratnapeeth Sewa Samitee in Chirang

Chairperson NCPCR visited a Children's Home run by Ratnapeeth Sewa Samitee, P.O. Chapaguri, Dist. Chirang, BTR Assam- 783380. The team of

NCPCR undertook inspection of the said CCI and found the said Home running as per the provisions of JJ Act, 2015 and its Model Rules 2016 for functioning of a CCI. The said CCI was registered under the JJ Act, 2015 and was found to be in proper compliance with the norms prescribed for CCI. The team interacted with 14 children (boys) who were residing in the said CCI who were rescued victims of Child Trafficking from Assam to Sikkim. It was noted by the Commission that the GIA for functioning of the said Home was stopped since last one year. Chairperson gave on the spot directions to the CWC and Dist. Administration for further necessary action for immediate starting of the GIA for running the said CCI in the Best interest of children.

9. Visit to Relief Camps in Flood Affected Areas of Assam

The team lead by Chairperson NCPCR visited the relief camps, in Kamrup Rural District, for flood affected displaced children and their families due to recent floods in Assam in the months of April-May and June 2022. The Commission's team interacted with children, their family members and other members of the community to understand their plight, issues and areas of concern faced by them. Chairperson NCPCR took stalk of Health, Education and Sanitation aspects of children and other members living in these camps. The Chairperson gave on the spot directions to the DCPO and other officials of Health and Education for necessary actions required for children in the said camps. Provisioning of toilets in porta cabins, fans, electricity, medical facilities etc was reviewed by the Commission.

10. One Day State Level Sensitization, Orientation Cum Consultation Workshop On Juvenile Justice (Care And Protection Of Children) Model Amendment Rules, 2022

The National Commission for Protection of Child Rights (NCPCR) organized "One Day State Level Sensitization, Orientation Cum Consultation Workshop on Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022". In collaboration with Tripura State Commission for Protection of Child Rights (TSPCR) at the TIDC Auditorium Hall, Near International Fair Ground, Hapania, Agartala, West Tripura District. The event was attended by 120 delegates from across the State. Apart from the representative of NCPCR and TSCPCR, delegates viz. Hon'ble Minister, Dept. of Fire and Emergency Service, Jail, Welfare of Other Backward Classes, Welfare of Minorities, respective State Government, Legal Expert, NCPCR, Deputy Secretary SLSA, District Magistrate/s etc.

11. One-day State Level Workshop on Prevention of Child Marriages in Tripura

Given the instances of increase in child marriages in various parts of Tripura(NER), the Commission decided to hold a Regional Level Sensitization Workshop on “Preventing Child Marriages” on 22/09/2022. The workshop was attended by CMPOs, DCPO, Welfare Officers, CWCs, Police, Gram Panchayat Pramukh, Zilla Panchayat Pramukh, Child Line. Total number of participants who attended was more than 120 approx.

12. One-day State Level Workshop on Joint Action Plan for Elimination of Drugs and Substance Use Amongst Children And Illicit Trafficking" in 12 Districts of Assam in December 2022

Keeping in view the need to combat the menace of substance use amongst children, a one State Level Workshop on JAP- for elimination of Drugs and Substance Use amongst Children and Illicit Trafficking” was organized in 12 Districts in Manipur from 01.12.2022 to 28.12.2022. These are- Barpeta, Bongaigaon, Chirang, Dhemaji, Biswanath, Dibrugarh, Hojai, Baksa, Morigaon, Karimganj, West Karbianglong, Dima Hasao, and Diphu.

13. Seven day state level awareness workshop-residential training of Child Welfare Committees (CWs) in the north eastern region

Based on the training module developed by the Commission for the CWCs and with an objective of giving detailed knowledge about the juvenile justice system in the country and its related laws, face-to-face offline training for CWCs in March 2023 in Arunachal Pradesh (1), Assam (2), Manipur (1).

14. One Day State Level Sensitization, Orientation-Cum-Consultation Workshop on POCSO Tracking Portal, Out Of School Children Portal, Ghar Portal and MASI App in March 2023

The workshop was organized to sensitize the stakeholders regarding the usage of the digital mechanism viz the portals and apps mentioned developed by the Commission to ensure proper understanding amongst the stakeholders who are responsible for feeding the information on-ground. The Commission has organised five one day on the said topic in Arunachal Pradesh, Assam, Manipur, Mizoram.

15. One-day Convention on Child Rights in Assam on 19.09.2022

During the Regional Convention on Child Rights for Territorial, Autonomous and Development Councils under the Sixth Schedule of Constitution of India and as constituted and functional in various States of NER held in Guwahati Assam on 29th June 2022, as requested by most of the Councils, it was decided that the Commission would engage individually with these Councils and their officers and staff within the area under their administrative control to discuss and dwell in-depth regarding nuances, issues and matters of concerns in connection with Child Rights and Child Protection aspects in the said Councils. Accordingly, the North East Cell of the Commission organised 3 such individual “One Day Conventions on Child Rights”, with Councils under the Sixth Schedule of Assam to begin with. The said Conventions were organised in joint collaborations with the respective Councils by NCPCR on 19.09.2022 at the Legislative Assembly Hall, BTC Secretariat, Kokrajhar, Assam on the 19th September 2022. Hon’ble Chairperson, NCPCR in his inaugural address in BTC Child Rights Convention mentioned that he on behalf of the Commission was keen and eager to reach to every child within such Councils to ensure that no child is deprived of his or her fundamental rights as enshrined under the Constitution of India and as per the UNCRC and other legislative provisions contained in various child rights related Acts and Legislations. In Dima Hasao and Kokrajhar, even children of that community had participated in the said convention, several concerns, suggestions, query related to Child Trafficking, Child Marriage, Child Trafficking, Child Health and Nutrition and Child Labour and Children in Distress were addressed by officers of various departments, CSOs/NGOs, and Individuals were shared with the Commission. The Workshops organised by the Commission in various Territorial/Autonomous Councils of Assam under the sixth schedule of the Constitution were organized in Bodo Land Territorial Region Council (BTC), Kokrajhar; Dima Hasao Autonomous Council, Diphu; and Karbianglong Autonomous Council (KAC).

CHAPTER 9
JAMMU & KASHMIR AND LADAKH
CELL

CHAPTER 9

JAMMU & KASHMIR AND LADAKH CELL

Dedicated Special Cell for Jammu and Kashmir and Ladakh

The NCPCR U/s 13 (1) of CPC Act, 2005 (an Act passed through Parliament of India) is mandated to protect, promote and defend the rights of children in the country. The Commission is also mandated to monitor the special Acts meant for children, such as RTE Act, 2009, POCSO Act, 2012 and JJ Act, 2015.

After abrogation of Article 370, the following Acts are in-force in Jammu & Kashmir:

- CPC Act, 2005;
- JJ Act, 2015;
- POCSO Act, 2012;
- RTE Act, 2009;
- Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994;
- Prohibition of Child Marriage Act, 2006; and other child-related acts

The Commission, in its 39th Statutory Meeting held on 27 August 2019, decided to create a dedicated cell for J&K and Ladakh, which has been constituted vide order dated 11 December 2019 and is now functional. The objectives of the cell are to coordinate inter- departmental consultative-cum-review meetings on rights of children with concerned officials of both the UTs from different departments/ministries and to monitor the redressal of grievances in the Commission received from these UTs.

Initiatives of the Commission in Jammu & Kashmir and Ladakh

- Creation of Online Facility (E-button) for the Children of J&K and Ladakh-
- The Commission has created a dedicated, child-friendly bilingual online portal to register grievances. The portal is active and has been functioning from 7 January, 2020.
- The link of this special portal is available on the home page:- <http://www.ebaalnidan.nic.in/JKL/registercomplaint.aspx>

- In FY' 2022-23, the Commission undertook sensitization of Chairpersons and Members of CWC on salient provisions of various Child Rights legislations and Acts and sensitization on undertaking real time monitoring of CCIs through MASI App in all the districts of Jammu and Kashmir.
- Has undertaken inspections of Child Care Institutions (CCIs) in 20 Districts of Jammu and Kashmir region. So far 82 inspections of CCIs have been completed and reports of the same have been generated on the MASI App of the Commission.

1. District Level Sensitization cum Orientation Workshop on Child Rights related Acts-

- In continuation During the inter-departmental review meeting with the Officials of J&K in March, 2020, NCPCR felt that there is an urgent need of capacity building of staff of ICPS, Department of WCD and Childline in the UT of Jammu & Kashmir.
- In view of the same, so far the Commission organised 9 online District Level Sensitization cum Orientation Workshops covering all the district of Jammu & Kashmir. During these workshops, the participants were made aware about the key provisions of Juvenile Justice Act, 2015; POCSO Act, 2012; Adoption; and Monitoring of Child Care Institutions.
- The workshops were attended by Chairpersons and Members of CWCs and JJBs of all the districts; SJPU's of all districts; District Social Welfare Officer; Child Welfare Protection Officers; District Child Protection Units; Staff of CCIs; and Staff of Childline.

2. Inter Departmental Review Meetings

In order to monitor the smooth execution of various provisions, benefits and entitlements as contained in key child rights legislation the Commission has convened Interdepartmental Review Meetings with all the concerned officers of UT of Jammu and Kashmir. The 2nd Interdepartmental Review Meeting was organised at Srinagar on 10th June 2022. The officers from the following Departments attended the said Inter-departmental meeting viz.: Department of Education, Department Social Welfare, Department of Home, Department of Labour and Employment, Department of Health and Family Welfare, Department of Revenue, Dept. of Panchayati Raj, UT Govt. of Jammu & Kashmir.

CHAPTER 10
GRIEVANCE REDRESSAL

CHAPTER 10

GRIEVANCE REDRESSAL

Redressal of grievances pertaining to violation of the rights of children is one of the core functions provided under the CPCR Act, 2005. As per Section 13(1) of the CPCR Act, 2005, the Commission is to inquire into complaints and take *suo-motu* notice of matters relating to: deprivation and violation of child rights; non-implementation of laws providing for the protection and development of children; and non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardship and ensuring welfare of the children. Also, in order to provide relief to such children, the NCPCR is required to take up the issues arising out of such matters with appropriate authorities. Thus, keeping all this in view, the mandates on redressal of grievances, a to reach out to children of the last mile.

Children, as the future citizens of the country, are the builders of the nation. Thus, it is the responsibility of the nation to provide a safe and conducive environment to the children for their holistic development. However, according to the media reports and data recorded in NCRB, cases of crime against children/child rights violation have been increasing expeditiously, which is horrifying and a threat to the future of our country. The Commission receives complaints through post, in person, email, E-BaalNidan and POCSO e-box. The complaints are also forwarded by a Ministry/Department or registered in Centralized Public Grievance Redress and Monitoring System(CPGRAMS). The Commission has a dedicated system for the effective redressal of these grievances.

During the period 1 April 2022 to 31 March 2023, the Commission received 4243 complaints. During this period,5717 complaints were disposed of, including the pending complaints from the previous years.

**State-wise Data of Grievances, 2022-23
(receipt and redressal of complaints)**

Position of Complaints as on 01-04-2023						
S. No.	States	Pending as on 01-04-2022	Fresh received during April 2022 - March 2023*	Total	Closed during April 2022- March 2023	Pending as on 01-04-2023
		1	2	(1+2) 3	4	(3-4) 5
1	Andaman and Nicobar Islands	16	1	17	1	16
2	Andhra Pradesh	780	68	848	176	672
3	Arunachal Pradesh	20	3	23	1	22
4	Assam	236	103	339	8	331
5	Bihar	818	221	1039	141	898
6	Chandigarh	37	6	43	1	42
7	Chhattisgarh	854	39	893	661	232
8	Dadra and Nagar Haveli	0	0	0	0	0
9	Daman and Diu	0	0	0	0	0
10	Delhi	1005	263	1268	172	1096
11	Goa	84	5	89	3	86
12	Gujarat	757	418	1175	504	671
13	Haryana	354	134	488	72	416
14	Himachal Pradesh	46	6	52	11	41
15	Jammu & Kashmir	21	9	30	0	30
16	Jharkhand	1284	236	1520	712	808
17	Karnataka	893	43	936	58	878
18	Kerala	824	54	878	141	737
19	Ladakh	0	0	0	0	0

20	Lakshadweep	0	0	0	0	0
21	Madhya Pradesh	1960	439	2399	1422	977
22	Maharashtra	1089	75	1164	349	815
23	Manipur	229	1	230	1	229
24	Meghalaya	74	0	74	0	74
25	Mizoram	32	0	32	0	32
26	Nagaland	96	1	97	5	92
27	Orissa	1252	158	1410	82	1328
28	Puducherry	12	11	23	1	22
29	Punjab	285	49	334	42	292
30	Rajasthan	634	105	739	77	662
31	Sikkim	30	0	30	0	30
32	Tamil Nadu	803	85	888	287	601
33	Telangana	944	59	1003	166	837
34	Tripura	98	3	101	15	86
35	Uttar Pradesh	2639	1503	4142	428	3714
36	Uttarakhand	397	31	428	116	312
37	West Bengal	517	93	610	56	554
	Others	25	21	46	8	38
Total		19145	4243	23388	5717	17671

***In addition to the above, the Commission has also received 7468 complaints through Camps/Benches during the year 2022-23**

Subject-wise summary of Complaints (2022-23)					
Heads	Pending as on 01-04-22	Fresh received during April 2022-March 23	Total	Closed during April 2022-March 23	Pending as on 01-04-2023
	1	2	(1+2) 3	4	(3-4) 5
1 Education	2307	1206	3513	819	2694

2	Child Health, care, welfare or child development	4463	219	4682	2371	2311
3(i)	JJ or care of neglected or marginalized children or children with disabilities	3598	854	4452	1657	2795
3 (ii)	Social Audit/ Legal Cell	4439	204	4643	556	4087
4	Elimination of Child labour or children in distress	2243	178	2421	228	2193
5	Child psychology or sociology	21	41	62	27	35
6	POCSO and laws related to children	2014	1541	3555	59	3496
7	NE States (Other than POCSO matters)	60	0	60	0	60
Total		19145	4243	23388	5717	17671

Mechanisms for Redressal of Grievances

Some distinctive mechanisms introduced by NCPCR for redressal of grievances are given below.

1. E-BaalNidan

E-BaalNidan, developed in 2015, is an online Complaint Management System of the NCPCR. It is an online portal with the Web address, www.ebaalnidan.nic.in, wherein any person can register a complaint and get a complaint registration number. Through this number, the progress of redressal of the complaint can be tracked. The registration form is prepared in a way that all the aspects of a complaint can be enumerated and details can be provided. The details that are included are the date of incidence, place, the victims, the authority, the nature and category of complaint, what action was initiated, etc. The home page of the NCPCR website provides the link to login to the E-BaalNidan site and the user has to create a login ID and password. This option is being used mostly by the NGOs and concerned citizens who seriously pursue the matter with the Commission. The complaints registered are electronically forwarded to the concerned

consultant to deal with the matter, and thereafter they are processed and dealt like any other complaint. The progress is updated online so that the action taken report and the progress of the case can be viewed by the complainant.

2. CP GRAMS

Public Grievances Redressal is one of the flagship initiatives for the reformation in general public. Centralized Public Grievance Redress and Monitoring System or CPGRAMS is a web-based application which facilitates Ministries/departments/organizations to receive, forward and monitor grievances. The grievances are received from various sources, like nodal organizations, namely, Department of Administrative Reforms and Public Grievances(DARPG), Directorate of Public Grievances(Cabinet Secretariat), President Secretariat, Prime Minister's Office, Department of Pension, etc. Under the Public Grievance Mechanism, any citizen of India can raise his/her problems, grievances or pleas to the Central Government and State Government Ministries and Departments. The NCPCR is one of the listed statutory bodies receiving grievances directly or forwarded by the MWCD or the office of the Prime Minister.

3. POCSO E-Box

The POCSO e-box is an easy and direct medium for reporting any case of sexual assault under POCSO Act, 2012. The POCSO e- box was launched in August 2016 by the Commission as an additional facility to enable the children to lodge complaints directly to NCPCR, particularly in cases of sexual abuse. It is displayed prominently on the home page of NCPCR website, where the user has to simply press a button named POCSO e-box, which will navigate to a page asking picture options. User has to simply select at least one picture option, fill a simple form and click on submit button to register the complaint. After this, an acknowledgment is received about the complaint being registered along with a complaint number.

During April 2022– March 2023, a total number of **21301** hits were received on the POCSO e-Box and total number of 251 complaints were registered which were received through POCSO E Box. All received cases were given prompt attention and reports were sought from concerned authorities of State/UTs.The month wise status is shown below:

Total no. of complaints received through POCSO E-box during 01-04-2022 to 31-03-2023						
Total no. of hits received on POCSO E-box						21301
Total no. of complaints covered under POCSO Act 2012						251
Sr. No	Months	Total no of Hits received through E-box				Total no of complaint covered under POCSO Act 2012 ,received through POCSO E-Box
		Calls	E-Button	Email	Total	
1	Apr 2022	76	77	23	176	11
2	May 2022	73	41	22	136	16
3	Jun 2022	52	48	20	120	13
4	Jul 2022	66	87	13	166	09
5	Aug 2022	24	497	11	532	17
6	Sep 2022	12	118	09	139	26
7	Oct 2022	28	103	02	133	10
8	Nov 2022	9	93	01	103	11
9	Dec 2022	10	42	02	54	10
10	Jan 2023	03	153	00	156	05
11	Feb 2023	00	17285	00	17285	63
12	Mar 2023	00	2301	00	2301	60
	Total	353	20845	103	21301	251

4. Quick Response Cell (QRC)

A Quick Response Cell (QRC) was constituted by NCPCR in year 2018 to take quick and prompt action in the matters which requires urgent intervention of the Commission to save children involved in situations of distress, such as child labour and others. In order to quickly respond in such rescue operations, protocols were laid down in the Commission. There were cases registered, and rescue operations conducted, under QRC in respect to complaints/grievances/situations that required urgent attention. During the period under report (April 2022 -March 2023), the Commission rescued 119 children in 49 rescue operations. The State-wise details are given in the following table-

Sr. No.	State	No. of Rescue Operation	No. of Children Rescued
1.	Andhra Pradesh	2	2
2.	Bihar	10	57
3.	Delhi	10	31
4.	Gujarat	2	2
5.	Haryana	4	4
6.	Kerala	1	1
7.	Madhya Pradesh	2	2
8.	Maharashtra	2	2
9.	Tamil Nadu	2	2
10.	Telangana	1	1
11.	Uttar Pradesh	9	11
12.	West Bengal	4	4
	Total	49	119

5. Mediation Cell

The Hon'ble Ministry of Women and Child Development (MWCD), vide its order No. 31/59/2016-CW-I dated 27 July 2018, in accordance with the power conferred to the Government of India under Section 33(1) of the Commission for Protection of Child Rights (CPCR) Act, 2005, constituted a "Mediation Cell" in National Commission for Protection of Child Rights (NCPCR). This was created to resolve the cases of children who were taken away by one of the spouses, without the permission of the other spouse, due to marital discord or domestic violence from overseas countries to India, or vice versa, and for preparing a Parental Plan taking into account the best interest of the child. The Cell is actively mediating on cases involving NRI parents.

CHAPTER 11
ADMINISTRATIVE MATTERS AND
REPRESENTATIONS IN COURT

CHAPTER 11

ADMINISTRATIVE MATTERS AND REPRESENTATIONS IN COURT

The role of administration is to ensure efficient and optimum performance of all the divisions and departments at various levels of an organization, as well as coordinate with all in order to facilitate the activities in the best possible way. In the context of NCPCR, administration also looks into the procedures for Transaction of Business by the Commission taking the responsibility of the affairs of the Commission and its day to day management. Accordingly, the administrative wing of the NCPCR has provided support for all the activities geared towards achieving the mandate of the Commission. In the financial year 2021-22, the administration was headed by the Member Secretary with the support of the Registrar, Assistant Director, Consultants in the areas of legal matter, administration and coordination along with a team of support staff. While Registrar looked after the grievance redressal, Assistant Director, Consultants and support staff placed with the administration supported the smooth functioning of the NCPCR, ensuring that the Commission was able to deliver its mandated duties more effectively. Some of the notable works of the administration are highlighted below:

1. Use of Official Language (*Rajbhasha*)

The following activities were undertaken by the Commission during 2022-23: **Diwas and Hindi Pakhwara-** Hindi Diwas is celebrated on 14th September in the country because on this day in 1949, the Constituent Assembly of India has adopted Hindi written in Devanagari script as the official language of India. Assistant Director of Commission participated in the Hindi Diwas program (14th-15th September, 2022) organized by the Department of Official Language, Ministry of Home Affairs in Gujarat. NCPCR also observed Hindi Diwas on 16th September, 2022. The messages of Hon'ble Home Minister and Hon'ble Minister of Women & Child Development were read amongst the staff. Hindi Pakhwara (fortnight) was celebrated in NCPCR from 14th September to 30th September, 2022 wherein various activities to promulgate Hindi Language was carried out in the Commission through competitions like Hindi note-writing, Hindi essay, and Hindi dictation (for MTS employees).. The employees of the Commission participated in these events with great enthusiasm. The winning participants were awarded cash prizes and certificates.

Seminar: An international seminar was organized on the *status of children's literature in literary newspapers and magazines* on 08.02.2023. Eminent litterateurs and writers associated with children's literature participated in the said seminar. National and international participants attended the seminar through virtual medium.

Hindi Workshop- Quarterly workshops were organized to orient the officers and staff of the Commission to work in Hindi instead of depending upon translation. During the Workshop, officials and staff were given practical training to prepare drafts of Letters in Hindi. The participants of the workshop were also given information about official Language Policy of the Government of India.

Meeting of the Official Implementation Committee- Quarterly meetings of the official Language Implementation Committee of NCPCR were held to implement various Constitutional and legal provisions of Official Language Act, 1963 and Rules framed thereunder.

International Mother Language Day: International Mother Language Day was organized in the Commission on 21.02.2023. The objective of this event was to promote the promotion of English and Hindi as well as other Indian languages. The staff of the Commission enthusiastically participated in the said event and explained about the Commission's work in their respective mother tongues.

2. Information under Right to Information (RTI) Act, 2005

The NCPCR has a Public Information Officer (PIO) and First Appellate Authority (FAA) under the RTI Act, 2005. In the year 2022-23, NCPCR had received a total number of 389 applications under the RTI Act, through online and offline mode plus transfer cases. Out of 389 RTI applications, the NCPCR has responded to all as follows: reply was given to 321 applications; 33 were rejected; and the reply to rest 35 applications was issued after 31st March, 2023.

Status of RTI Applications of 2022-23

Applications under RTI Act Received in 2022-23	Applications rejected in 2022-23	RTI applications disposed of in 2022-23	RTI Reply Given in next financial year (after 31st March, 2023)
389	33	321	35

Similarly, the Commission received 30 RTI appeals and reply was furnished on 30 appeals during 2022-23.

Details of RTI Appeal

RTI Appeals received in 2022-23	Appeals disposed of in 2022-23	Appeals which were disposed of in next financial year (after 31st March, 2023)
30	30	Nil

3. Statutory Meetings

Under Section 10 of the CPC Act, 2005 and Rule 18 (1) of the NCPCR Rules, 2006, the Commission is mandated to meet regularly at its office at such time as the Chairperson thinks fit, but three months shall not intervene between its last and the next meeting. These Meetings are called Statutory Meetings where all important decisions of the Commission take place. During the year under report, the Commission conducted 5 Statutory Meetings on 21st April, 2022 (50th Statutory Meeting), 8th July, 2022 (51st Statutory Meeting), 4th October, 2022 (52nd Statutory Meeting), 28th December, 2022 (53rd Statutory Meeting), and 22nd March, 2023 (54th Statutory Meeting) under the chairpersonship of Chairperson, NCPCR. The Minutes of these Meetings are circulated to all concerned and are also available at <https://ncpcr.gov.in/statutory-meetings>

4. Sexual Harassment Committee

In pursuance of the Hon'ble Supreme Court's guidelines and norms to provide a complaint mechanism for prevention of sexual harassment of women at workplace, NCPCR vide its Order No. C-32011/01/2012-Coord/96941 had constituted a Complaints Committee consisting of five members to hear the complaints of women employees posted in NCPCR and take appropriate action on such complaints. The Committee was reconstituted vide Orders of even number dated 16.03.2022 due to completion of the tenure or resignation of some members. One case has been reported to the Committee on which an inquiry for the alleged offence is continuing.

5. Representations in Court

The salient details of important representations undertaken by the Commission in Courts during 2022-23 are mentioned below:

(1) S.M.W.P (C) No. 04 of 2020 In Re Children in Need of Care and Protection Due to Loss of Parents During COVID-19, before the Hon'ble Supreme Court of India

- The Hon'ble Supreme Court took *suo-moto* cognizance in light of the COVID19 which was sweeping the country for children who had lost both or either of their parents due to COVID or otherwise since April 2020. The Hon'ble Supreme Court is closely monitoring the care, protection and rehabilitation of such children and ensuring that their rights are protected.

The following developments took place in the matter:

1. On 28.05.21, the Amicus Curiae had filed an application seeking directions in respect of children who were adversely affected due to the current Covid pandemic by losing either one or both the parents and the increased instances of child trafficking, especially of the girl child. The Commission had informed that its "BaalSwaraj" portal is operational, after which the district authorities were directed by the Hon'ble Court to upload the information of children who have lost either of the parents or both the parents to COVID or otherwise post March 2020. The Hon'ble Court directed the district authorities to upload the said information on the portal of NCPCR before 29.05.2021. The district authorities were further directed to immediately take charge of such children and attend to their basic needs without waiting for any further orders from the Hon'ble Court.
2. On 01.06.2021, the Commission filed its affidavit in which the available data of children as uploaded on the portal by the district authorities was submitted. The learned Amicus Curiae requested the Hon'ble Court to direct the State Governments/ Union Territories to appoint a Nodal Officer at the level of Secretaries, Joint Secretaries of the concerned districts who would interact with him and provide all the necessary information relating to identification of orphans/CNCP's (Children in Need of Care and Protection) along with the steps taken for alleviating the pain and sufferings of the children.
3. On 07.06.2021, the Hon'ble Court permitted the learned Amicus Curiae to have a dialogue with Nodal Officers to be appointed by the State Governments to ascertain the information relating to the implementation of the schemes announced by the Union of India and the State Governments/Union Territories favoring orphans and Children in Need of Care and Protection. The Amicus Curiae submitted various suggestions before the Hon'ble Court regarding the identification of children and immediate reliefs to the affected children.

4. On 27.07.2021, directions were issued to the State Governments/Union Territories to identify children who have become orphans or lost a parent after March, 2020 either due to COVID-19 or otherwise and upload the data on the 'BalSwaraj' Portal. The learned Amicus Curiae focused on two issues during the hearing. The first was related to the identification of the children who have become orphans or lost a parent after March, 2020 and steps taken for their welfare and rehabilitation; and the second pertained to their education. The District Magistrates were directed to issue necessary instructions to the District Child Protection Officers to take assistance of the Police, Child line, civil society organizations, Gram Panchayats, Anganwadi and ASHA Network for identification of affected children. All the State Governments and Union Territories were directed to file a status report before 23.08.2021, giving particulars of the number of children who have become orphans or have lost either parent after March, 2020, the number of children who have been produced before the Child Welfare Committees and the particulars of the children who have been provided with the benefits of the schemes announced by the respective State Governments. On the issue of education, the Hon'ble Court directed the State Governments to ensure that orphans are permitted to continue in the same schools at least for this academic year, be it private schools or Government schools. If there are difficulties, they may be accommodated under the provisions of the Right of Children to Free and Compulsory Education Act, 2009. The State Governments were also asked to furnish information on the number of such students studying in private and Government schools and the mechanisms implemented to permit them to continue studying in their respective schools.
5. On 26.08.2021, the learned Additional Solicitor General submitted that the education of eligible children up to 18 years of age is sought to be provided for under the PM CARES For Children - Empowerment of COVID Affected Children. According to the said scheme, beneficiaries were to be given admission in the nearest Kendriya Vidyalaya or in a private school as a day scholar. On admission of the child in a private school, fees as per the RTE norms would be given from the PM CARES fund. The State Governments/Union Territories had filed their responses pursuant to the order dated 27.07.2021. Directions were given for completion of inquiries by the Child Welfare Committees and continuation of education of children who have become orphans or who have lost an earning parent during COVID.

6. On 09.05.2022, the Hon'ble Court issued certain directions to the NCPCR that the District Education Officers (DEOs) of the district should do the mapping of such children who have been absent from his/her school for 30 consecutive working days, children of 6-14 years of age should be considered out of school if he/she has never been enrolled in an elementary school or if after enrolment has been absent from school without prior intimation for a period of 30 days or more, children who has never been enrolled in school (as defined in Section 2(n) of RTE Act, 2009) for formal education should also fall under the category of out of school, children once enrolled into formal system of education/school, if does not complete 8 years of compulsory elementary education, should be treated as an out of school child, all children above the age of 14 years, who do not fall under the purview of RTE Act, 2009 but have had to drop out of school due to financial constraints during the COVID pandemic, District Education Officers and District Child Protection Officers should identify various reasons responsible for children being out of school, in case of death of one or both parents of child and/or the earning member of the family and/or the parents/guardians have lost their livelihood and the child is studying in private school, the expenditure on elementary education of such children in the same school may be borne by the appropriate Government under Section 12(1) (c) of the RTE Act, 2009 and for this purpose, the child along with guardian/any member of the family where the child is studying shall approach the District Magistrate and the Child Welfare Committee (CWC) of the district, the children who have lost both or single parent or parents/guardians who have lost their livelihood can get their income certificate made through the district authorities. The District Child Protection Officers shall provide assistance to such children in procuring the income certificate. All categories of schools entrusted with the responsibility under Section 12(1) of the RTE Act, 2009 whether aided, unaided or private schools shall implement the provision of Section 12(1)(c) of RTE Act, 2009 and try to include children who have lost their both or either of the parent after April 2020, every school including schools having minority institution status and all residential schools shall also follow the procedure and ensure that no such child is forced to leave the school in any manner against the child's choice and due to non-payment of fees, for the classes above VIII (which is generally beyond RTE application), where children have lost one or both parents of the child and/or the earning member of the family and the child is studying in private school, the State Government shall devise

guidelines for the schools and/or issue necessary directions and/or devise a policy for reimbursing the expenditure on education of these children, District Child Protection Officers through the individual child care plan of the child can assess and examine the educational needs of the child. The data of children who need financial assistance for education can be forwarded to the District Education Officers. The District Education Officers can then provide these children with scholarships (as per their eligibility) and/or provide financial aid through donors, NGOs/CSOs etc.

7. On 06.01.2023, the Hon'ble Court directed the NCPCR to initially verify the data from at least six States as to whether the order is being implemented and whether the benefit has been conferred to the children who have lost either of their parent or both the parents during the Covid period and submit a report to the Court.

(2) S.M.W.P (C) No. 6/2021 InRe Children In Street Situations before the Hon'ble Supreme Court

1. On 26.10.2021, in respect of the recording of evidence of child witnesses through video conferencing, the learned Amicus Curiae in consultation with Ms. AnithaShenoy and Ms. ShristiAgnihotri, submitted a draft Standard Operating Procedure (SOP). The learned Amicus Curiae submitted a note on rehabilitation of street children. He had referred to a Standard Operating Procedure for Care and Protection of Children in Street Situations prepared by the Commission in the year 2020 (NCPCR SOP). In the said document, NCPCR relied upon the National Plan of Action for Children, 2016 and the functions given under Commission for Protection of Child Rights Act, 2005 to highlight the need for rehabilitation of Children in Street Situations (CiSS). The NCPCR suggested in the SOP that teams can be constituted by statutory bodies like SCPCRs and the district child protection mechanism for conducting survey or adopting other means to collect information/data on Children in Street Situations and carry out rescue operations within the ecosystem created by the JJ Act. NCPCR was directed to submit a status report to the Court on the steps taken by the State Governments/Union Territories and the statutory bodies under the JJ Act regarding the implementation of the SOP.
2. On 15.11.2021, NCPCR filed its compliance affidavit bringing to the notice of the Hon'ble Court SOP 2.0 prepared to strengthen the processes and interventions regarding CiSS. The Hon'ble Court was informed that the SOP 2.0 had been circulated to the State

Governments/ Union Territories. The Hon'ble Court was informed that 'Save the Children' mapped about two lakh children in the cities of Lucknow, Kanpur, Agra, Chandauli and Prayagraj in the State of Uttar Pradesh; Pune and Nashik in the State of Maharashtra; Kolkata and Howrah in the State of West Bengal; and Delhi, whose rights to protection, education, health, water, sanitation and welfare have not been addressed so far. The Hon'ble Court was also informed that the NCPCR has identified 51 religious institutions to rescue and rehabilitate children found on streets, from child beggary and child labour. The Commission further informed that a new link 'CiSS' has been developed on the Baal Swaraj Portal of NCPCR for the purpose of receiving data of CiSS from all the State Governments/ Union Territories to track their rescue and rehabilitation. The Hon'ble Court directed the District Magistrates/ District Collectors to take steps in accordance with SOP 2.0 that was formulated by the NCPCR. The Secretary, Department of Women and Child Welfare of each State was directed to be the nodal officer to ensure that all the District Magistrates / District Collectors took prompt action for implementation of SOP 2.0 formulated by the NCPCR. The District Magistrates/ District Collectors were also directed to ascertain the educational status of those children who were eligible for the benefits under the PM Cares Fund and expeditiously consider the applications of those children who did not receive approval and forward the same to the Government of India.

3. On 29.11.2021, the Hon'ble Court was informed by the learned counsel appearing for the State of Chhattisgarh that the 'Chhattisgarh MahtariDular Scheme-2021' was being implemented for children who have lost either or both parents after March, 2020. The learned Amicus Curiae submitted that the State of Haryana had announced the 'MukhyaMantriBalSevaYojana' to provide certain benefits to children who had lost both parents/surviving parent/legal, guardian/adoptive parent and had become orphans due to Covid-19. According to the said scheme, a child would be entitled to payment of Rs.2,000/- per month under the Central Sponsorship Scheme and an additional amount of Rs.500/- per month. Additional financial assistance of Rs.12,000/- per annum was to be provided to extended family/guardian for educational purposes of the child. The Hon'ble Court directed the District Magistrates to review the status of each child who was identified for receipt of benefits under the 'PM Cares for Children Scheme' in respect of their education. The District Magistrates were further directed to ensure that the education of the

children whose cases were sent for approval to the Central Government was not disrupted. In respect of those children who had become orphans or who had lost either of their parents and were not covered by the 'PM Cares for Children Scheme, the authorities from the education department of the State Governments/Union Territories were directed to address the concern of discontinuation of education of such children. If the children were studying in Government schools, they should be permitted to continue without payment of any fee and in respect of those children who were studying in private schools, the district educational authorities were directed to ensure, in consultation with the private schools, that the children continued in their respective schools without any further financial stress.

4. On 13.12.2021, an affidavit was filed by the Commission bringing to the notice of the Hon'ble Court that it had conducted meetings with the concerned authorities for implementation of SOP 2.0 in relation to Children in Street Situations ("CiSS"). On 02.12.2021, 03.12.2021 and 06.12.2021, 28 States/Union Territories had participated in the meetings with NCPCR and provided information relating to the identification of children in street situations. Data provided by the State Governments/Union Territories in respect of rescue and rehabilitation of CiSS was placed on record. The Hon'ble Court directed State Governments/Union Territories to take immediate action for identifying children in street situations without any delay. The Hon'ble Court directed NCPCR to file a status report and the State Governments/Union Territories had to file a status report about the steps taken for rescuing and rehabilitating the children in street situations. In the meanwhile, the District Magistrates were directed to upload the relevant information, not restricted to Stage I, but also the information relating to the other stages.
5. On 17.01.2022, NCPCR filed status report about the information uploaded by the State Governments/Union Territories bringing to the notice of the Hon'ble Court that meetings were held with the authorities of the State Governments/Union Territories on 5th, 6th and 7th January, 2022 to discuss the steps to be taken for implementation of the SOP 2.0 in relation to Children in Street Situations. The data of CiSS which was uploaded on the Baal Swaraj-CiSS portal till 11.01.2022 had shown that only 9945 CiSS were identified till then. Whereas, a rough estimate of CiSS, according to the NCPCR, was around 15 lakhs. The Hon'ble Court directed all the District Magistrates to involve the SJPU, District Legal Services Authorities and voluntary organizations in identification and

rehabilitation of CiSS and to upload the information pertaining to all stages on the Baal Swaraj – CiSS portal of the NCPCR.

6. On 21.02.2022, NCPCR submitted in the Hon'ble Court that the information that was directed to be given by the State Governments/Union Territories relating to the rescue and rehabilitation of CiSS was not being provided by them. Till then, information relating to only 17,914 CiSS was provided when the rough estimate of CiSS in the country was to the tune of 15 to 20 lakh. The Hon'ble Court directed NCPCR to conduct periodical reviews, preferably once a month, to monitor the implementation of the suggestions that were made in addition to SOP 2.0 for Care and Protection of Children in Street Situations.
7. On 28.03.2022, NCPCR had stated in its affidavit dated 24.03.2022, that the State Governments/Union Territories had informed that formulation of policy consequent upon the recommendations made by the NCPCR was under process and would be completed by second week of April, 2022. The Commission had also given particulars of Children in Street Situations (CiSS) who have been identified and the steps taken by various State Governments/Union Territories for rehabilitation of children. The Hon'ble Court directed State Governments/Union Territories to assess the gaps pointed out by the Commission in its affidavit, in the measures so far adopted and to act on the recommendations made by it.
8. On 19.09.2022, the Hon'ble Court directed all the State Governments/Union Territories and High Courts to submit their response, if any, to the three notes for certain direction submitted by the learned Amicus Curiae.
9. On 06.01.2023, the Hon'ble Court directed the NCPCR to verify initially the data from at least six States as to whether the order is being implemented and whether the benefit has been conferred to the children who have lost either of their parent or both the parents during the Covid period and submit a report to the Court.

(3) W.P. (C) No. 884 of 2019 Ms. XXXX and Ors. v. UOI before the Hon'ble Supreme Court of India

- A Petition was filed by the commercial sexual exploitation, prostitution, physical and mental torture of the petitioners (minor children) and vehement violation of their Fundamental Rights enshrined under Articles 21 and 23 of the Indian Constitution and provisions of Immoral Traffic (Prevention) Act, 1956. As per the petitioners, they were trafficked as young girls from West Bengal, Nepal and

Bangladesh and were illegally detained and forced into prostitution. The perpetrators who trafficked the petitioners operated in the infamous Sonagachi red light area of Kolkata inside residential buildings owned by the Respondent property owners.

The following developments took place in the matter:

- The matter was listed on 27.09.2021 but was adjourned by the Hon'ble Court.
- On 05.04.2023 the learned senior counsel for the petitioners Ms.AnithaShenoy produced a draft guideline for damages claimable from the owners of the property used for commercial sexual exploitation of minors and requested the Hon'ble Court for appropriate guidelines be formulated by the Union Government to compensate the victims of trafficking under the said 1956 Act. The Union of India and the National Commission for Protection of Child Rights (NCPCR) prayed for time to obtain instruction on the draft guidelines submitted to the Court through Doc. No. 67342 of 2023, from the concerned authorities. Accordingly, the respondents were granted six weeks' time to consider the proposed guidelines.

(4) W.P. (C) No. 737 of 2020 The Child Rights Trust &Anr. v. UOI &Ors. before the Hon'ble Supreme Court of India

A Writ Petition was filed under Article 32 of the Constitution of India in public interest for enforcement of fundamental rights of migrant workers under Article 14, 19, 21, 21A, 39, 45 and 47 of the Constitution of India in the wake of and as an aftermath of the COVID-19 pandemic and the resultant extended lockdown.

The following developments took place in the matter:

- On 13.04.2021 Hon'ble Court directed all the States/UTs to file their respective reply affidavits wherein they shall state the number of migrant children present in their respective States/UTs and also the conditions of such children.
- On 01.05.2023 the Hon'ble Court directed the Union of India and States/Union Territories which have not responded to the petition to file their counter affidavit dealing with the issues which have been raised by the petitioner within six weeks.

(5) W.P. (C) No. 568 of 2021 Arun Mukherjee &Ors. v. Chief Secretary, State of West Bengal &Ors. before the Hon'ble Supreme Court of India.

A Writ Petition was filed by the petitioners who were being aggrieved by the post electoral violence in Bengal from 02.05.2021 causing bombing, murder, gang rape, outraging modesty of women, arson, kidnapping, loot, vandalism and destruction of public property, which had led to widespread fear and terror in the minds of ordinary residents of the state forcing them to leave their homes.

The following developments took place in the matter:

1. On 25.05.2021, the Hon'ble Court passed an order impleading NCPDR as a respondent in the matter. After that, all orders were passed either adjourning the matter or to issue the notices of appearance to the impleaded parties.
2. No further developments have been made in the said matter.

(6) W.P. (C) No. 634 of 2021 Vinay Vinayak Joshi v. Union of India before the Hon'ble Supreme Court of India

- The petitioner had filed a Writ Petition for being aggrieved by the notification of MHA extending the date of compliance of specific provisions of FCR (Amendment) Act, 2020. The MHA had given the NGOs and individuals holding FCRA license to open the bank account in the designated branch of State Bank of India at New Delhi latest by 30.06.2021 instead of the deadline of 31.03.2021. MHA had also validated the licenses of these NGOs till September, 2021. **The following developments took place in the matter:**
- On 09.11.2021, the Hon'ble Court concluded the arguments and reserved the judgment.
- The Hon'ble Court adjudicated that the amended provisions vide the Foreign Contribution (Regulation) Amendment Act, 2020, namely, Sections 7, 12(1A), 12A and 17 of the 2010 Act are *intra vires* the Constitution and the Principal Act, for the reasons noted by the Hon'ble Court and Section 12A is permitting the key functionaries/office bearers of the applicant (associations/NGOs) who are Indian nationals, to produce Indian Passport for the purpose of their identification which shall be regarded as substantial compliance of the mandate in Section 12A concerning identification.

(7) W.P. (Crl.) No. 274 of 2020 Santosh Vishwanath Shinde &Anr. v. Union of India &Ors. before the Hon'ble Supreme Court of India.

1. The present Writ Petition was filed seeking interim relief/ directions filed under Article 32 of the Indian Constitution in public interest. The Writ Petition sought, inter alia, a writ of mandamus or a writ/direction of a similar nature directing the Respondents that during the Covid- 19 pandemic, the recording evidence of child victims/witnesses of human trafficking across the country, including statements under Section 164 of the Code of Criminal Procedure, be ordinarily undertaken via video- conferencing from a government facility within the local jurisdiction of the residence of such children. The matter was filed for issuance of a direction to record the evidence of child victims/ witnesses of human trafficking through video conferencing from a government facility within the local jurisdiction of the residence of the child victim/ witness concerned.
2. The matter was filed for issuance of a direction to record the evidence of child victims/witnesses of human trafficking through video conferencing from a government facility within the local jurisdiction of the residence of the child victim/witness concerned. The matter had been tagged with **Re- Contagion of Covid-19 Virus in Children Protection Homes Suo-Moto W.P. (C) No. 04 of 2020.**

The following developments took place in the matter:

1. The Hon'ble Court carefully examined the draft SOP which contained minute details about the steps to be taken for recording the testimony of child witnesses at Remote Points. It was also observed that there was no objection taken by any High Court to the SOP being put in practice immediately. The Hon'ble Court directed that the SOP shall be followed in all criminal trials where child witnesses, not residing near Court Points, were examined and not physically present in the courts where the trial was conducted. The Hon'ble Court also directed the RPCs to ensure that child-friendly practices were adopted during the examination of the witnesses. No further developments have been made in the said matter.

(8) W.P. (C) No. 4663 of 2021 Piyush Chhabra v. State &Ors. before Hon'ble High Court of Delhi.

1. A Delhi based Advocate had come up with a PIL under Article 226 of the Indian Constitution, highlighting various incidence depicting the plight of helpless and poor children exploited and being used as tools for begging on the streets, busy markets and other crowded areas in Delhi which is directly in violation of the child rights. As per the

advocate, these vulnerable children on streets of Delhi are exploited and their constitutional rights are violated for the gains of few.

2. The respondents named in the petition included the State of N.C.T of Delhi, Ministry of Women and Child Development of Government of N.C.T of Delhi, National Commission for Protection of Child Rights, Delhi Commission for Protection of Child Rights, Commissioner of Police of Delhi Police, National Human Rights Commission and Child Welfare Committee of New Delhi. The Advocate had mentioned in his petition that the exploitation of children was openly visible at traffic signals and junctions of the Capital where children in the age group of 0-8 years are used in the sale of goods and begging. The petitioner argued that such children living on the streets put at risk of mental and physical dangers. The children are exposed to risks of traffic accident, adverse weather conditions and diseases like dengue, malaria and even the coronavirus. The Advocate has prayed for immediate orders for the protection of children living on the streets. Necessary orders to identify the individuals responsible for using children for begging and for rehabilitation of the children were also prayed for.

The following developments took place in the matter:

1. The Hon'ble Court issued notices to the respondents in this case on various hearings till date and has sought their counter affidavits. The Commission had filed its counter affidavit.
2. No further developments have been made in the said matter.

(9) W.P. (C) No. 4236 of 2021 Khushi Rainbow Home for the Girls through CO Center v. NCPCR, and W.P. (C) No. 4288 of 2021 Umeed Aman Home for Boys through CO Center v. NCPCR before the Hon'ble High Court of Delhi

The petitioners which are the CCIs functional in South Delhi had come up to challenge the Inspection Reports of the Commission and the Show-Cause notice dt. 21.01.2021 issued by the Samagra Shiksha Abhiyan, Delhi Government based on the report of the Commission under Section 15(i) read with Section 13(1)(j) of the Commissions for Protection of Child Rights Act, 2005. The said report and the consequent show-cause notice stated the violations which were found by the Commission during the inspection of two homes.

The following developments took place in the matter:

1. The matters were listed and the Commission had filed its affidavits as well with regard to the procedure that was followed by it while carrying out the inspections. Thereafter, the two homes were asked to file their rejoinders.
2. On 11.10.2022 the learned counsel appeared for petitioner prayed for accommodation since lead counsel was stated to be on his feet before another Court. Therefore, the matter was adjourned. Thereafter, on 02.03.2023 the matter was again adjourned by the Hon'ble Court.

(10) W.P. (C) No. 8210 of 2021 Makarand Suresh Mhadlekar v. Rahul Gandhi &Ors. before the Hon'ble Delhi High Court.

A Writ Petition was filed for issuance of appropriate writ, order or direction to NCPCR and Twitter for taking appropriate legal action against a Member of Parliament for disclosing sensitive information about a rape victim and her family members by publishing a photograph of her parents on his Twitter handle. As per the petitioner, the said conduct was in violation of Section 74 of the JJ Act, 2015 and Section 23 (2) of the POCSO Act, 2012, both of which mandates that the identity of a child victim of a crime shall not be disclosed.

The following developments took place in the matter:

- i. On 11.08.2021, it was submitted before the Hon'ble Court that the twitter account of the MP, had been blocked by Twitter as the tweet in question was against the Policy of Twitter. The Commission was also made a respondent in the said case and was issued a notice. The petitioner had disputed the said submission and since thereafter, the matter has been put on adjournment(s) for further arguments.
- ii. Mr. Saransh Jain, learned counsel appearing on behalf of Respondent No. 4 sought time to file counter affidavit. Further the matter was Listed for 30.11.2021.
- iii. The petitioner's Counsel sought an adjournment because she has been recently engaged in the said matter. Thereafter, the matter was adjourned for 07.12.2022.
- iv. On 24.03.2023, the Learned Counsel for Respondent No. 2 sought an adjournment for six weeks to file a reply. Thereafter, the matter was adjourned for 27.07.2023.

(11) W.P. (C) No. 5927 of 2021 Yasmin Kataria Minor Through Natural Guardian Namley Shalu Kataria & Anr. v. State of NCT of Delhi &Ors. before the Hon'ble Delhi High Court

A Writ Petition was filed seeking expeditious implementation of various schemes as floated by respondents including but not limited to The Union, GNCTD, NCPCR etc. for providing compensation/ex gratia amount and other benefits to families with children, where the sole bread earner has expired on account of lack of supply of oxygen during the second wave of the COVID-19 pandemic. The petition was filed through the mother, being the natural guardian for the petitioners.

The following developments took place in the matter:

- On various occasions, adjournments were sought, citing reasons for filing affidavits and counter affidavits.
- On 23.03.22, the Hon'ble Court observed that the Union as well as GNCTD had placed their position with respect to the issues raised in the petition. The fact that appropriate policy measures for the rehabilitation of children who had lost parents during the COVID pandemic has been duly formulated and adopted was not disputed. The sole issue which now survives in the matter is regarding the continuance of the education of the petitioner with the respondent Institution. The counsel representing the Institution was requested to obtain instructions with respect to the prayers sought in the writ petition.
- The Learned Counsel appearing on behalf of the petitioner submitted that copy of the counter affidavits filed on behalf of respondent nos.1 to 6 has not been received and the same shall be supplied. Further, four week's time granted to file a rejoinder.

(12) W.P. (C) No. 2558 of 2021 Yatharatha Foundation v. The Union of India &Ors. before Hon'ble Delhi High Court

A Writ Petition was filed regarding illegal adoption which are prevailing and pervading in India. The issues being faced by the prospective adoptive parents under the present adoption laws were highlighted in the petition.

The following developments took place in the matter:

- The court had issued notices and given time for the filing of counter affidavits.
- Reply was filed by the Respondents. Learned Counsel for GNCTD stated that the Government needs some further time to ensure that the children are rehabilitated and illegal adoption comes to an end and prayed that four weeks' time may be granted to submit some concrete proposal/steps in the matter. Delhi Commission for Protection of Child Rights was directed to file a fresh Status Report in respect of the number of matters in which they have taken action.

(13) W.P. (Crl.) No. 1489 of 2021 Yasmin v. State (NCT of Delhi) before Hon'ble Delhi High Court.

The Petitioner had come before the Delhi High Court to locate the whereabouts of the missing child (petitioner's nephew). The Hon'ble Court had impleaded NCPCR in this matter through the order dated 03.03.2022 citing the monitoring role played by NCPCR under the JJ Act, 2015.

The following developments took place in the matter:

- On 03.03.2022, the Hon'ble Court took note that the Police Station Mayur Vihar, Phase-I has been unable to locate or produce the minor. Therefore, in view of the mandate of Sub-Rule 5 of Rule 92 of the Juvenile Justice (Care and Protection of Children) Model Rules 2016, the investigation of the case was transferred to the Anti Human Trafficking Unit (AHTU), East District to be supervised by the DCP concerned who was asked to file a status report as well. It was emphasized by the Hon'ble Court that the said report shall elaborate the steps taken by the AHTU, East District to locate and recover the missing minor. The AHTU was further directed to intensify efforts to locate and produce the missing minor child at the earliest. It was observed by the Hon'ble Court that the National Commission for Protection of Child Rights constituted under Section 3 or the State Commission for Protection of Child Rights constituted under Section 17, as the case may be, have been mandated vide Section 109 of the Commission for Protection of Child Rights Act, 2005 to monitor the implementation of the provisions of the said Act as may be prescribed. Therefore, in this light, court mentioned that requisite steps shall be taken by the Commission to ensure compliance of Rule 92 of the Juvenile Justice (Care and Protection of Children) Model Rules 2016.
- The status report dated 03.07.2023 made by Ms.AmruthaGuguloth, IPS, Deputy Commissioner of Police, East District, Delhi, was discussed and perused. The Learned Standing Counsel (Criminal) appearing on behalf of the Delhi Police prayed and was granted more time intensify efforts to locate, recover and produce Master 'S', the missing minor nephew of the petitioner. Further, Delhi Police was asked to file a further status report, elaborating therein the steps taken by them.

(14) W.P. (Crl) No. 1429 of 2020 Mohammad Zubair v. State of GNCT &Ors. before the High Court of Delhi.

On 07.08.2020, the Commission had received a complaint against a person named Mohammed Zubair for giving online threats and repeatedly stalking a minor girl on Twitter. Even his followers had started posting indecent and disgraceful comments on the minor girl's pictures. Thereafter, an FIR was also registered against Mohammed Zubair. He had then approached the

Hon'ble Court to stop any criminal action form being taken against him and to further take criminal action against the respondents including the Commission.

The following developments took place in the matter:

- On 10.02.2022, the new Standing counsel who was appointed had sought the copy of paper book which was permitted by the Hon'ble Court to be supplied within two days to him. Apart from that, the complainant had sought time to file reply affidavit and time of four weeks was granted by the Hon'ble Court, thereby also providing three weeks thereafter for the filing of rejoinder affidavit.
- The State confirmed that since no criminality was found on the petitioner's part, the petitioner's name was not been included in charge sheet dated 31.10.2022 filed in the matter. The court discussed regarding the action taken by the State in relation to the evidently offensive tweets made by respondent No. 3/Jagdish Singh, which may amount to 'hate speech', which tweets were the genesis of the matter.
- Mr. Sanjeev Bhandari, learned ASC appearing for the State sought further time to file a status report setting-out the steps that the State has taken against respondent No. 3 in that behalf. Further, it was also by the learned ASC that is its bounden duty, the State shall take action to effectuate the directions of the Supreme Court, in accordance with law.
- The Court asked that the Status report shall be filed within 06 weeks time

(15) W. P. (C) No. 99 of 2016 Suo Motu v. State of Rajasthan &Ors. before the Hon'ble High Court of Rajasthan at Jaipur.

The Hon'ble High Court of Rajasthan at Jaipur had taken suo moto cognizance on account of incidents relating to suicide committed by students at Kota due to depression and frustration. During the course of the case, it was found necessary to enact a legislation for controlling and regulating the coaching institutes for reducing the level of stress amongst the students so as to contain the number of suicides taking place in the State in general and in Kota in particular. For this, a committee was formulated. It was also directed that the Committee should take into account the report of NCPCR and also consider their views after inviting them for specific meetings.

The following developments took place in the matter:

- On 02.02.2021, it was submitted that the draft legislation was prepared and an adjournment was sought on the ground that some more time was required till its finalization. On 06.07.2021, the Court directed to share the copy of the draft legislation with the Committee which was

constituted. The suggestions of the Committee were also directed to be taken into consideration while finalizing the draft. The draft legislation was directed to be finalized expeditiously, in any case, within two months. After that, on various hearings, only adjournments were sought.

- The present Writ Petition (C) No. 99/2016 titled Suo moto vs. State of Rajasthan and Ors., which is pending before the Hon'ble Division Bench of High Court of Judicature for Rajasthan was pleased to pass an order dated 25.05.2023, directing the Commission to formulate a set of guidelines incorporating some effective psychological interventions and techniques that can be utilised by certified counsellors and help children studying in the coaching institutes to cope with stress and psychological issues that the child might face.
- Subsequently, the Commission in compliance with the aforementioned order of the Hon'ble High Court, the Commission formed a committee and thereafter organized a meeting through hybrid mode on 21.06.2023, at 1500 hours wherein independent mental health practitioners/experts, mental health experts from various institutes, and NGOs were called upon to discuss the said issue further to formulate the said guidelines. During the aforementioned meeting, effective solutions, and recommendations for preventing suicide and improving the psychological well-being of students were received from various experts from the field of mental health and other mental health institutions. However, it is pertinent to mention here that the Commission along with the Committee members is in the process of framing the guidelines and the same is in the process of being finalized.

(16) WP. (C) No. 391 of 2020 Dr.Mithilesh Kumar Gautam v. State of Rajasthan &Ors. before the Hon'ble High Court of Rajasthan at Jaipur.

The petitioner had filed the petition on behalf of the families who had lost their infants due to callous approach of the administration and lack of basic medical facilities in Kota, Rajasthan.

The following developments took place in the matter:

- On 05.01.2022, the Hon'ble Court was informed by the Additional Advocate General that in compliance of the Order of the Court, a committee had already been constituted which is holding an enquiry into the matter. It was therefore requested that more time be granted to complete the enquiry and submit the report.
- On 04.03.2022, a compliance report which was submitted by the Committee was taken on record and the Hon'ble Court granted 4 weeks' time to the petitioner and respondents to submit their comments on the report.

- The Court observed that the as per the report of the National Commission for Protection of Child Rights, the infrastructure and other facilities in the hospital are quite up to the mark and no further action is required to be taken.
- Accordingly, the Court is of the opinion that the purpose of filing this Public Interest Litigation has been sub served and as such, the petitioner was directed to be consigned to the record and the respondents to ensure proper working of the hospital.

(17) S.B. W.P. (C) No. 5071 of 2021 Bhartiya Jan SewaPratisthan through its Secretary v. State of Rajasthan &Ors. before the Hon'ble High Court of Rajasthan at Jaipur.

A registered Trust under the name of Bhartiya Jan SewaPratisthan was the petitioner. The petitioner runs a school- Bhartiya Vidya Niketan for providing school education to economically and socially weak children. It also provides them with residential facilities run by it. 29 students were studying in the school run by the Trust at the institution of this petition. The petitioner had stated that before admitting the children in the hostel, they always took an affidavit stating the consent and free will of the guardian. The petitioner had challenged the applicability of the JJ Act, 2000 (which is not in implementation anymore) on its institutions.

The following developments took place in the matter:

- On 13.05.2021, notice for appearance was issued by the Hon'ble High Court to the respondents.
- On 07.07.2021, the Court observed that despite video calling, counsel for the petitioner failed to join the proceedings.
- No further developments have been made in the said matter.

(18) DB (C) W.P. (PIL) No. 8163 of 2020 Shailesh Nath Singh v. State of Rajasthan &Ors. before the Hon'ble High Court of Rajasthan at Jaipur.

- A Writ Petition was filed in which the Commission was a party as Respondent No. 4, and the Writ had brought up the issue of incapability of people to pay the deferred and applicable school fees of Petitioner's wards in unaided non-governmental schools due to COVID pandemic.

The following developments took place in the matter:

- Only adjournments were sought between April, 2021 to March, 2022. The NCPCR filed its affidavit in the matter.
- The Learned counsel for respondent no.4 sought time to file reply in the matter.
- No further developments have been made in the said matter.

(19) S.M. PIL No. 2 of 2020 Registrar Judicial v. Union of India before the Hon'ble Bombay High Court, Bench at Aurangabad.

The Hon'ble Court had taken suo moto cognizance on the report filed by the Registry in respect of the visit by the President, DLSA, Jalna to "ShishuViharGruh" and "Bal ViharGruh" under a previous PIL. This time, the Hon'ble Court had taken up the matter to direct the respondents to report the compliances of directions issued by the Hon'ble Supreme Court and the Hon'ble Bombay High Court in the PILs earlier.

The following developments took place in the matter:

- On 20.08.2021, the Hon'ble Court observed that stern steps need to be taken against Maharashtra State Commissioner for Persons with Disability including issuance of warrant to secure his presence before the Court as he was not co-operating and giving the instructions about the compliances to the officer of the Court. The Hon'ble Court further directed the Maharashtra State Commissioner for Persons with Disability to give proper instructions to the learned A.G.P. within a period of two weeks, with a warning that the court will be constrained to issue non-bailable warrant against him otherwise. The Hon'ble Court also directed the learned A.G.P. to take instructions from the concerned law enforcement machinery regarding the Crime No. 577 of 2020 and whether the investigation has been conducted from the point of view of financial illegalities and irregularities. The further progress in the investigation qua the Crime No. 585 of 2020 be also placed on record. The learned A.G.P. was further directed to take instructions as to why a particular inmate was still with Maharashtra Marwadi Charitable Foundation and was not transferred to another recognized Child Welfare Home.
- On 07.10.2021, the Hon'ble Court held that the State could not consider the present matter as an adversarial litigation. The State, its officers were expected to be sensitive to the conditions in which the inmates in the Shishugruhas and Balgruhas were required to reside. The Court further held that the officers concerned were expected to take the matter with all seriousness and place the information on record as sought.
- On 15.03.2022, the Amicus Curiae undertook to prepare a synopsis to indicate stages of the case from time to time, and also regarding whether the directions issued by the Court were complied with or not. Synopsis was directed to be filed within a period of two weeks.
- The Court stated that as per the criminal investigation is concerned, the Civil Application No.9707/2022, it is appropriate to convert this PIL into a Sua Moto Criminal PIL and the Civil Application be converted into a

Criminal Application and direct the registry to place the same before the learned Division Bench assigned with criminal PILs in the coming weeks

(20) W.P. (C) No. 5874 of 2021 AvanindranathBartaria v. CBI &Ors. before the Hon'ble High Court of Madhya Pradesh at Jabalpur.

The Petitioners filed a Writ Petition indicating their discontent due to the unsatisfactory investigation carried out by the Madhya Pradesh Police Department in investigation of unnatural death of the 8-year-old daughter of the Petitioners under suspicious circumstances after returning from the school.

The following developments took place in the matter:

- Affidavit on behalf of NCPCR was filed.
- On 22.06.2021, Notice of Appearance was issued to CBI.
- On 12.08.2021, Notice of Appearance was issued to Respondent No. 6. The state prayed for two weeks' time to file the reply.
- The Court stated that let the report of the action taken and report of investigation be brought on record by the concerned Police Officials. If the Action taken and report of investigation in the matter is not taken on record then the Police Commissioner, Bhopal may remain personally present before this Court on the next date of hearing.

(21) W.P. No. 12117 of 2021 Ayyalasomayajula Sai Santosh v. State of Madhya Pradesh &Ors. before the Hon'ble High Court of Madhya Pradesh, Jabalpur.

The petitioner came up with concerns regarding the statements made in the annual report of Persecution Relief- NGO stating that the said statements were false, baseless and contrary to the rights guaranteed to every citizen of the country by the Indian Constitution.

The following developments took place in the matter:

- On 16.07.2021, the Hon'ble Court adjourned the matter with directions to the parties to file the needful documents.
- On 29.03.2022, the Hon'ble Court was of the view that the petitioner was entitled to file a criminal complaint against the respondents if he so desired. The Court observed that it was not necessary to direct the others to file FIR against the concerned respondent. The petitioner was very well entitled to do it under law. There existed no prohibition for him to register a complaint by himself. Hence, the writ petition was disposed of.

(22) CWP No. 8459 of 2020 Rajiv Kumar &Ors. v. State of Punjab &Ors. before the Hon'ble High court of Punjab & Haryana at Chandigarh.

The petitioners had approached the Hon'ble Court against the non-compliance to various provisions under the Right of Children to Free and Compulsory Education (RTE) Act, 2009. The Commission was impleaded as respondent in this matter.

The following developments took place in the matter:

- The matter was listed but was adjourned by the Hon'ble Court with directions to the parties to file the needful documents.
- On 30.03.2022, the matter was first adjourned due to non-filing of process fee by the respondent No.5. Thereafter the matter was adjourned in the interest of justice. On 12.01.2023, the matter was listed but was adjourned to 20.07.2023 by the Hon'ble Court on account of heavy cause list.

(23) W.P. (C) No. 113547 of 2019 Arpita Association Society a Society Registered under Karnataka v. UOI &Ors. before the Hon'ble Karnataka High Court (Dharwad Bench)

The writ petition was filed before the Hon'ble Court, wherein the Commission was impleaded as a respondent. The issue involved in the matter pertains to the alleged fact that NCPCR had directed an inquiry against the Petitioner on the basis of wholly false complaint lodged by the Respondent No.8 (Shri Pa Ya Ganesh) without inquiring into the matter or affording an opportunity to the petitioner to be heard. Further, the Respondent No. 7 had ordered the Petitioner to reinstate the wards of Respondent No.8, who have failed to pay the fee for three full academic years on the basis of the said order of NCPCR and by misinterpreting it.

The following developments took place in the matter:

- On 27.01.2022, the Commission submitted that as the significant impugned orders were by the Karnataka State Commission for Protection of Child Rights and the follow up action were by the authorities, the Commission would not be a necessary party and the proceedings as against the Commission could be dropped. The Court observed that this submission could also be considered at the time of final disposal and the other learned counsel for the parties submitted that the petition could be disposed of on the next date of hearing.
- On 03.02.2022, the Hon'ble Court observed that the question for consideration in the case was- Whether a private institution which does not receive any government aid can be directed to continue the admission of the students even when the parents of the children, for reasons, have not paid the fees prescribed by the institution continuously for certain years. The petitioner, a private institution, had inter alia impugned the order of the Block Education Officer's direction to readmit the Respondent No. 8's children who had been discharged. The petitioner

contended that neither the National Commission for Protection of Child Rights nor the State Commission for Protection of Child Rights had issued any such directions. However, the proceedings before the National Commission for Protection of Child Rights were misread to give such directions and therefore, the Block Education Officer had issued the impugned directions. It was made imperative for the parent, the Respondent No. 8, to place on record the details of educational institutions where the children were pursuing studies for the last three years on the next date. The learned Additional Government Advocate was directed to place on record the policy of the State, if any was there, to ensure that the children's education was not disrupted, for reasons as in the present case or otherwise, during COVID-19 pandemic.

- On 24.02.2022, the Respondent No. 8 submitted that his children were pursuing their education in government school and the respondent was not in favour of prosecuting his grievance any further. Therefore, the petition could be allowed to set aside. The Hon'ble Court allowed it with the observation that the impugned orders will have to yield.
- No further developments have been made in the said matter.

(24) W.P. (C) No. 20655 of 2019 Council for the Indian School of Certificate Examinations v. Union of India &Ors. before the Hon'ble High Court of Orissa.

The present petition was filed by the Council for the Indian School of Certificate Examination against NCPCE's order directing all the school affiliated to the Council for the Indian School Certificate Examination restricting them from prescribing any syllabus or textbook outside what has been prescribed by the academic authority under Section 29 of RTE Act, 2009.

The following developments took place in the matter:

- On 26.07.2021, the Hon'ble Court adjourned the matter.
- No further developments have been made in the said matter.

(25) W.P. (C) No. 9607 of 2019 SafwamulBasar Mondal &Ors. v. Council for India School Certificate Examination &Ors. before the Hon'ble High Court of Calcutta.

The present Writ Petition was filed before the Hon'ble High Court of Calcutta by the petitioners (all minors), against the forceful and illegal transfer of petitioners by the Calcutta Boy's School, Kolkata and the resultant humiliation, depression and negation of fundamental right of petitioners guaranteed under Article 21A of the Indian Constitution. As per the petitioners, 18.12.2018 was the last working day at Calcutta Boy's School

before Christmas Holidays when students of Class VIII- C including the petitioners in spirit of joy, got involved in non-disciplinary acts, resulting in damaging some old furniture of the classroom.

The following developments took place in the matter:

1. The matter was listed but was adjourned by the Hon'ble High Court.
2. On 13.09.2021, Advocate on record of the writ petitioner was directed to serve fresh notice upon the respondents and file affidavit-of-service on the adjourned date. On 13.06.2022, Affidavit-of-service filed was filed in court was taken on record. The writ petitioner was aggrieved by a transfer certificate issued by the School on 28th March, 2019. It appeared from the record that three years had passed and the petitioners have all taken admission in other Schools.
3. Further, the instant writ petitioner was disposed of without any order on 13.06.2022. The petitioners and their parents shall exercise more discretion in their conduct in the future.

(26) PIL No. 29 of 2021 AbhijitSarmah v. Union of India before the Hon'ble Gauhati High Court.

This petition was filed in regard to the incident of post- election riots in West Bengal and inhuman brutality subjected to children in the state.

The following developments took place in the matter:

- On 01.06.2021, PIL 29/2021 and PIL 30/2021 were tagged as per the directions of the Hon'ble Court since in both these petitions, the issue was raised with regard to internally displaced person (IDP) who had been forced to flee from the State of West Bengal to Assam pursuant to the alleged violence post West Bengal Assembly Election. The Hon'ble Court held that the State of Assam would be at liberty to file its objections as to the maintainability of the petitions itself, inasmuch as, if State of West Bengal was a necessary party and in case it was a dispute between the State of Assam and State of West Bengal, then this Court might not have jurisdiction to decide the matter, as the matter would then be for exclusive jurisdiction of the Apex Court, under Article 131 of the Constitution of India.
- Thereafter, the matter was listed but adjourned by the Hon'ble Court with directions to the parties to file response and the needful documents in this matter.
- On 20.01.2022, the Hon'ble Court gave four weeks' time to the respondents for filing detailed affidavit.
- On 07.03.2022, the matter was adjourned. Thereafter on 18.04.2022, the matter was further adjourned because the learned counsel for petitioner sought adjournment for two weeks through mention memo.

Furthermore, the matter was adjourned again to enable Mr. R. Dhar, learned Additional Senior Government Advocate, Assam to file the status report showing the present position. On 02.02.2023, the PIL was closed as the petitioner did not want to proceed further with the same petition.

(27) WPA (P) No. 9 of 2020 Arijit Adhikary v. State of West Bengal & Ors. before the Hon'ble High Court of Calcutta.

The writ petition is in relation to custodial death of a minor boy while he was in police custody. The teenage boy was apprehended by the Mollarpur Police for committing theft and was kept in a police station. While in the police station, the boy hanged himself in the bathroom. The Hon'ble Court, therefore, took suo-motu cognizance of this incident to inquire into the steps leading to the arrest of the boy and the investigation undertaken into the boy's death while in police custody.

The following developments took place in the matter:

- iv. The matter was listed but was adjourned by the Hon'ble Court with directions to the respondents to file the needful documents.
- v. On 21.12.2021, affidavit was filed on behalf of National Commission for Protection of Child Rights.
- vi. On, 19.04.2023, it was submitted by the learned advocate appearing for the petitioner that in page 10 paragraph 16 of the judgment and order dated 4th April, 2023, the year of the Juvenile Justice (Care and Protection of Children) Act has been mentioned as '2017', whereas it should be '2015'. The said inadvertent mistake be corrected.
- vii. Further, it was directed that the said corrected order shall also be communicated to the learned Registrar (L & OM) in terms of the directions issued earlier.

(28) W.P. (C) No. 2133 of 2014 Timpany Senior Secondary School v. The Government of Andhra Pradesh before the Hon'ble Andhra Pradesh High Court.

The present writ petition was filed by Timpany Senior Secondary School, wherein it had prayed to issue a writ in nature of mandamus, declaring the action of Respondent No.2 in issuing proceedings in Rc. No. Spl/DEO/VSP/2014, dated 18.07.2014, as illegal, without jurisdiction and contrary to the principles of natural justice.

The following developments took place in the matter:

- On 26.10.2022, the learned counsel for petitioner filed a memo before the Registry seeking permission of the Hon'ble Court to withdraw the writ petition. Permission for withdrawal was granted by the Hon'ble Court. Accordingly, the writ petition was dismissed as withdrawn.

- No further developments have been made in the said matter.

(29) W.P. (C) No. 14272 of 2019 Minor KanikaIssac v. NCPCR before the Hon'ble Madras High Court.

The minor petitioner was born out of wedlock. However, due to the unbearable torture and harassment inflicted by the father of the minor petitioner, the mother of the minor petitioner filed a Divorce Petition before the Family Court at Port Blair and an order was passed directing the 4th respondent to pay Rs. 20,000/- per month for the minor petitioner and her mother. Petitioner's mother filed another application for enhancement of monthly maintenance and the same was decreed ex parte on 14.06.2018. Tamil Nadu State Commission for Protection of Child Rights (TNSCPCR) conducted an enquiry and passed an order dated 12.11.2018, directing the 4th respondent to pay monthly maintenance of Rs. 35,000/- per month to the minor petitioner. However, the 4th respondent did not comply with the order of the TNSCPCR. The petitioner submitted a representation to NCPCR on 20.04.2019 seeking to direct the 2nd respondent (TNCPCR) to take appropriate action against the 4th respondent under Section 15 of the CPC Act, 2005 but no further action was taken. Thereafter, the minor petitioner approached the Hon'ble High Court of Judicature at Madras for justice.

The following developments took place in the matter:

- On 02.11.2021, the Hon'ble Court directed the father of the minor to pay the arrears of maintenance as ordered by the TNSCPCR, within a period of three weeks from the date of receipt of a copy of the Court's order and also to continue to pay the monthly maintenance on or before 5th of every English calendar month. It was further held that if the father failed to comply with the said direction, the NCPCR and TNSCPCR could act under section 15 of the Commission for Protection of Child Rights Act, 2005. Consequently, the respondents shall also initiate garnishee proceedings against the Executive Officer, PanchayathSamiti, Ferrargunj Port Blair, Andaman & Nicobar Islands for recovery of the amount. Matter was accordingly dismissed by the Hon'ble Court.
- The case was disposed of vide order dated 02.11.2021.
- No further developments have been made in the said matter.

(30) W.P. (C) No. 24882 of 2012 JambeswarNaik v. State and Ors. before the Hon'ble High Court of Orissa.

The petition was filed by the fathers of two innocent young children who died in tragic circumstances in an Anganwadi Centre operating in the premises of a Government School in Angul District on 07.09.2021.

The following developments took place in the matter:

- On 30.09.2021, the Hon'ble Court held that the death of two little children was entirely avoidable and would not have occurred if barricades had been erected around the excavated pits. According to the Hon'ble Court, a clear case was made out for grant of compensation for violation of the constitutional right to life of the two young children resulting in their needless deaths at a very young age. Keeping in view all the facts and circumstances, the Court directed that a sum of Rs.10,00,000/-(ten lakhs) was to be paid to each of the Petitioners for the deaths of their two little children in the capacity as their respective fathers. The amount had to be paid by the District Administration within a period of four weeks from the order and compliance affidavits were to be filed in the Court on or before 1st November, 2021. If there was non-compliance with this direction, the Hon'ble Court directed that the Registry would list this matter before the Hon'ble Court for appropriate orders.
- On 01.11.2021, a report of the Collector and District Magistrate, Angul dated 29th October 2021 addressed to the Advocate General confirming the disbursement of the amount as directed by the Court in the judgment was placed on record. No further direction was given by the Hon'ble Court.
- No further developments have been made in the said matter.

(31) W.P. No. 13405 of 2021 Ku. PariRajoriya v. State of Madhya Pradesh before the Hon'ble High Court of Madhya Pradesh at Gwalior.

The said petition was filed on behalf of a minor who was 03 years old and belonged to Schedule Cast in Madhya Pradesh. Petitioner had submitted an online application before the State Government for admission in capacity of schedule caste as per guidelines of the State Government on 08.07.2021 and provided documents as per the requirement. The State Government portal assigned and confirmed the admission of the petitioner in Gwalior Glory School on 16.07.2021. When the petitioner went to complete the formalities in the school, the administration of the school refused admission.

The following developments took place in the matter:

- On 31.07.2021, the Hon'ble Court issued notice to the respondents.
- On 10.11.2021, the learned counsel for the State submitted that it did not give recognition to any school which was for Class I or II but only to those schools which were atleast from Class I to Class V, so that child could avail the benefit of Right of Children to Free and Compulsory Education Act, 2009.

- On 18.11.2021, the Hon'ble Court directed the State to file additional affidavit in view of submissions made in rejoinder specifying the position whether the petitioner could be given admission in the current session in a school which came under the purview of Right to Education Act, 2009, and if not, then whether the minor could be given admission in LKG from next academic session so that she could continue her education.
- On 06.01.2022, on directions of the Hon'ble Court, parties tried to explore the possibility for settlement with an aim to ensure that child's education in no way got jeopardized. A consensus was arrived at amongst the parties that the Writ Petition could be disposed of as withdrawn with liberty to petitioner to apply afresh for Class-I no sooner she attained the age of five years in schools as defined under Section 2(n) of the Act of 2009. The OIC had submitted that all possible assistance should be provided to the petitioner for admission and the writ petition stood disposed of.
- No further developments have been made in the said matter.

(32) W.P. No. 25356 of 2018 Rajlakshmi Foundation v. State of M.P. &Ors. before the Hon'ble Madhya Pradesh High Court

The petitioner namely Rajlakshmi Foundation had filed the petition in the nature of Public Interest Litigation (PIL) highlighting the inaction of the Child Welfare Committee in protecting and restoring the basic rights of children under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 especially under section 2(14) of the JJ Act. According to the petitioner, the CWC was not properly exercising its power in granting visitation rights to the children who are in need of care and protection as defined under section 2(14) of the JJ Act with the non-custodial parent thereby violating the fundamental right of the child under the Article 21 of the Constitution of India

The following developments took place in the matter:

The matter was listed but was adjourned by the Hon'ble Court.

- On 03.02.2022, the Hon'ble Court observed that the present petition was virtually seeking that the order passed by the Apex Court in writ petition no. 6163/2016 (PriyaYadav's case) be not implemented and that amounts to setting aside the said order. The coordinate Division Bench of this court had already declined to interfere with the order, therefore, the Hon'ble Court could not again examine the validity of the judgment and set it aside. In the aforesaid case of PriyaYadav after considering all the provisions of law especially JJ Act, Family Court Act, Hindu Minority and Guardianship Act, 1956, it was held that the

CWC cannot act as a Family Court in respect of custody of the child. The power lied with the Family Court under the statutes therefore, this petition was found to be nothing but a misuse of the process of law. Accordingly, the Writ Petition was dismissed with a cost of Rs 10,000.00 to be borne by the Petitioner.

- No further developments have been made in the said matter.

(33) Crl. Appeal No. 950/2022 Barun Chandra Thakur v. Master Bholu&Anr before the Hon'ble Supreme Court of India

- The Hon'ble Supreme Court in "Barun Chandra Thakur Vs. Master Bholu&Anr", had passed a judgment dated 13.07.2022 wherein it was observed that the task of Preliminary Assessment which is to be conducted under Section 15 of the Juvenile Justice (Care and Protection of Children) Act, 2015 is a delicate task which requires expertise and has its own implications as regard to the trial of the case.
- Further, it was also noted by the Hon'ble Court that it is appropriate that specific guidelines in this regard are put in place. The Central Government, National Commission for Protection of Child Rights and State Commission for Protection of Child Rights were directed by the Hon'ble Supreme Court to consider issuing guidelines or directions which may assist and facilitate the Board in making the Preliminary Assessment under Section 15 of the JJ Act, 2015.
- The Commission after thoughtful considerations and efforts finalized the Guidelines for Conducting Preliminary Assessment under Section 15 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Further, the Commission have also duly analysed and studied the recommendations and suggestions received from different States, SCPCR's and Experts and accordingly incorporated the same, as deemed appropriate. It is pertinent to note that the Commission has drafted and incorporated the suggestions to the limit of keeping it within the purview of the Juvenile Justice Act, 2015.

(34) SLP(Crl.) No. 2023 NCPCR v. Javed&Ors. before the Hon'ble Supreme Court of India

- The Special Leave Petition had been filed by the Petitioner challenging the final judgement and order dated 30.09.2022 passed by the Hon'ble High Court of Punjab and Haryana in CRWP No. 7426/2022 wherein the Hon'ble High Court allowed the Writ Petition and issue a writ of habeas corpus and with a direction to the in-charge, Ashiana, Sector 16, Panchkula to have over the custody of detenué.

- It was pleaded by the Petitioner that the Respondent No. 2 who is a minor, had allegedly entered into marriage with Respondent No. 1 who is 26 years of age under Muslim rituals. The Hon'ble High Court had not taken this fact into consideration while issuing the writ of Habeas Corpus. Therefore, making the impugned order not sustainable in the eyes of the law.
- The petitioner being NCPCR was given the responsibility u/s 44 of the POCSO Act, 2012 to monitor the implementation of the provisions of the act.

The petitioner sought indulgence of the Hon'ble Court to settle the issue of legality of marriage of 16 years of age and applicability of POCSO Act to prohibit child from sexual abuse for every child below the age of 18 years old shall be applicable in the matter.

The Petitioner also sought leave to Appeal the Impugned Judgment dated 30.09.2022 passed by the Hon'ble High Court of Punjab and Haryana at Chandigarh in Criminal Writ Petition No.7426/2022.

(35) SLP (Crl) No. 010036/2022 NCPCR v. GulamDeen and Anr. before the Hon'ble Supreme Court of India

This present Special Leave Petition has been filed by the Petitioner challenging the final judgement and order dated 30.09.2022 passed by the Hon'ble High Court of Punjab and Haryana in CRWP No. 7426/2022 wherein the Hon'ble High Court allowed the Writ Petition and issue a writ of habeas corpus and with a direction to the in-charge, Ashiana, Sector 16, Panchkula to have over the custody of detenu who is Respondent No. 2 in the instant Petition to the Respondent No. 1. It was pleaded by the Petitioner that the Petitioner was not part of the proceeding before the High Court and stands aggrieved by the impugned order. It was also pleaded by the Petitioner that the Respondent No. 2 herein is a minor, only a little over 16 years of age has allegedly entered into marriage with Respondent No. 1 who is 26 years of age under Muslim rituals. The Hon'ble High Court has not taken this fact into consideration while issuing the writ of Habeas Corpus. Therefore, the impugned order is not sustainable in the eyes of the law. Further, the Petitioner herein, NCPCR is also given the responsibility u/s 44 of the POCSO Act, 2012 to monitor the implementation of the provisions of the act.

- The petitioner sought indulgence of the Hon'ble Court to settle the issue of legality of marriage of 16 years of age and applicability of POCSO Act to prohibit child sexual abuse for every child below 18 years of age and it being a special legislation overrides personal law and should be applicable in the present case

- .On 06.02.2023, permission to file the Special Leave Petitions was granted. No further developments have been made in the said matter.

(36) Matter regarding suicide committed by minor due to illegal and forceful conversion in Sacred Heart Sr. Sec School, Michaelpatti, Thanjavur, Tamil Nadu

The Commission took cognizance of a complaint against Sacred Heart Sr. Sec School, Michaelpatti, Thanjavur, Tamil Nadu wherein it was informed that a minor committed suicide by consuming herbicide as she was forced to convert into Christianity by the school authorities. Through the said complaint, it was informed to the Commission that when the minor refused to convert she was made to clean toilets, wash dishes, and do other chores which a minor child should not be made to do.

The Commission taking a serious view of the same, in view of the prevailing issues connected to the death of a minor girl, deemed it appropriate to issue a letter to the Director General of Police, Tamil Nadu requesting to initiate an inquiry, however, no Action Taken Report (ATR) or response was received within the stipulated time period. Further, the Commission was also in receipt of 3545 odd complaints for requests pertaining to initiate inquiry against the allegations in connection to this incident which made it pertinent on the part of NCPDR to undertake the said inquiry. A team from the Commission headed by the Chairperson visited Thanjavur, Tamil Nadu on 30th and 31st of January 2022 for the purpose of conducting a thorough inquiry in the matter. A detailed inquiry report with recommendations to Chief Secretary and Director General of Police was also issued by the Commission in the said regard. As the said matter pertains to grave injury and violation of child rights, the Commission felt duty bound to submit the findings of its inquiry to assist the Hon'ble Supreme Court hoping that no other child suffers from a similar fate as the deceased minor, the Commission filed an application in the Hon'ble Supreme Court to intervene in the Special Leave Petition (Crl) No. 1053 - 1056/ 2022. Further, the Commission has also submitted its inquiry report and other important details pertinent to the case in a sealed cover before the Hon'ble Court. The matter was last listed on 11.10.2022 and is currently sub-judice.

CHAPTER 12

RECOMMENDATIONS

CHAPTER 12

RECOMMENDATIONS

1. Recommendation regarding awareness programmes on NCPCR's Guidelines on Eliminating Corporal Punishment in Schools

In response to increasing number of cases of "Corporal Punishment in Schools in the guise of disciplining and setting order amongst children, the Commission had formulated Guidelines for "Eliminating Corporal Punishment in Schools. The Commission under Section 13(1) of the CPCR Act, 2005, made recommendations to all States/UTs vide letter dated 20.12.2022 that these guidelines of the Commission may be shared along with an advisory to the concerned in various districts within their respective States/UTs regarding holding sensitization workshops for all in-service teachers on NCPCR's Guidelines on "Eliminating Corporal Punishment in Schools" in all the Districts of respective States/UTs (Annexure 1).

2. Recommendation for safety audit of schools upon re-opening of schools after COVID

In beginning of 2022, it was observed that due to Covid19 pandemic, as the offline classes remained irregular for most part of last two years; upon reopening, schools do not seem to focus on following the guidelines for safe school transport for children. To prevent untoward incidents where safety and security of children was being compromised due to negligence of school authorities and inability to take timely action. NCPCR as per its mandate u/s 13 (1) of CPCR Act, 2005, requested School Education Department of all States/UTs vide letter dated 25.04.2022 to conduct safety audit of all schools in their State/UT(Annexure 2).

3. Recommendation for safety audit of school transportation upon re-opening of schools after COVID

NCPCR requested Transport Department of all States/UTs vide letter dated 25.04.2022 to conduct safety audit of school transportation including buses, autos, mini-vans or any other vehicle used by the schools for transportation of children to schools in their States/ UT. A Copy of the letter was also sent to the Chief Secretaries and Principal Secretaries/ Secretaries, School Education Department of all States/UTs(Annexure 3).

4. Recommendation regarding health of children suffering from Type-1 Diabetes

The prevalence of Type-1 Diabetes symptoms is quite high in India and understanding the gravity of the disease, it becomes extremely important to ensure that children diagnosed with the same are provided with proper safety and steps are taken with regard to their health. During the meeting held on 13th January, 2023 , several points were discussed by the experts regarding the implementation of guidelines and proper medical facilities for children diagnosed with Type-1 Diabetes. As children spend most of their time in schools, it is necessary that steps are taken to ensure a safe and supportive school environment fostering better management of type 1 diabetes. In this regard, letters were sent to all Education Departments, Education Boards of all States/UTs, CBSE, KV, NVS and National Testing Agency for issuing circulars regarding ensuring health of children (Annexure 4). Following recommendations were made through the letter-

1. a child with type 1 diabetes may require checking blood glucose, injecting insulin, taking a mid-morning or mid-afternoon snack, or doing other diabetes self care activities, as advised by a medical person, and should be permitted by the class teacher to do so during exams and during their regular classes.
2. Children should be allowed to participate in sports as advised by medical person.
3. Children with Type-1 diabetes giving their school exams and other competitive exams may be considered to carry sugar tablets with them, medicines/ fruits, snacks, drinking water, some biscuits/peanuts/ dry fruits should be allowed into the exam hall and kept with teacher, if required these items shall be given to children during the examination. The staff should permit the child to carry a glucometer and glucose testing strips along with him/her into the exam hall which mayb be kept with the Invigilator/ Teacher. The child should be permitted to test blood sugar and to consume the mentioned items as per requirements. Children using CGM (Continuous Glucose Monitoring, FGM (Flash Glucose Monitoring) and/ or insulin pumps have to be given permission to retain these devices during exams as they are attached to the body of said children. In case a smart phone is used as a reader, it may be handed over to the Teacher/Invigilator to monitor the blood sugar levels.

5. Recommendation for registration of FIR in cases of Child Labour and Bonded Labour.

The Commission in many cases has observed that FIRs are not being lodge by the police officers or where a FIR is being lodged, undue delay is being caused in registering the FIR, as a consequence of which there is an infringement of rights of the child who are the victims of such offences and the child is deprived of the back wages, compensation and any such monetary entitlement as mandated by the act and schemes. In view of the above stated issues with regard to child labour, the Commission vide letter dated 09.06.2022 recommended the office of the Director General of Police of all States/UTs to direct the police officers and subordinate officers to:

- Register FIR immediately after receipt of information in such cases
- Initiate the investigation into these offences on priority basis
- Provide any other assistance to the victim, child, parents, guardians, DCPO, CWC and Labour department (Annexure 5).

6. Recommendation for grant of compensation for Bonded Labour.

In recent years, the Commission have received various complaints and raids were conducted in various parts of Delhi wherein several children were rescued working as bonded labour. It is pertinent to mention that the rescued children have been declared as bonded labour and have also received their release certificates, however they have not received immediate compensation from the government. As per the Revised Central Sector Scheme 2021, bonded labourers are entitled for immediate compensation of Rs. 30,000 which in this case after repeated requests has not been granted to the recued bonded labourers for years depriving them of their rights. In view of the above stated issues, the Commission vide letter dated 15.09.2022 recommended the office of the Chief Secretary of Delhi to direct the District Magistrate and subordinate officers to release the compensation with immediate effect (Annexure 6).

7. Recommendation for appointing Nodal Officers under CLPR Rules, 2017

The Hon'ble Supreme Court has taken up the issue with regard to the children who have lost both or single parent to COVID or otherwise post March 2020 in SMWP (C) No.4/2020 In Re Care and Protection of Children due to loss of parent during COVID-19. In the order dated 09.05.2022, directions have been given to the State Governments to comply with the suggestions of NCPCR regarding children who have dropped out of school. It has been observed by NCPCR that the nodal officer so appointed under this provision is significant in identification of out of school children and thereafter, for taking steps to ensure that the education of such children

remains continued. The Hon'ble Supreme Court in Para 6 of the said order dated 09.05.2022 has also observed the importance of the nodal officer appointed under Rule 2B (2) of the Child Labour (Prohibition and Regulation) Amendment Rules, 2017. In view of above a letter dated 31.05.2022 was sent to the Principal Secretary of all States/UTs recommending that the nodal officers under Rule 2B (2) of Child Labour (Prohibition and Regulation) Amendment Rules, 2017 may be appointed at the earliest and the name and details of these officers may be shared with NCPCR as well for further correspondence (Annexure 7).

8. Recommendation for appointment of Child Welfare Police Officer by order of Police Headquarters of State/ Union Territories

The Commission issued a letter dated 22.09.2022 to the Director General of Police of all States and Union Territories regarding recommendation for appointment of Child Welfare Police Officer by order of Police Headquarters of State/ Union Territories. This recommendation was made by the Commission in accordance to the provision of Juvenile Justice (Care and Protection of Children) Act of 2015, as laid down under Section 107(1) and Section 107(2) which states that each police station in India shall have at least one officer designated as a Child Welfare Police Officer (CWPO), who should not be below the level of assistant sub-inspector and Special Juvenile Police Units be formed in each district and city, led by a police officer with at least the rank of Deputy Superintendent. These units should also contain CWPOs and two experienced child welfare social workers, one of whom should be a woman. Their major responsibility is to coordinate police functions involving children. The Commission recommended to the Police Headquarters to issue orders appointing at least one CWPO to each police station and establishing Special Juvenile Police Units in each district or union region which would ensure that there was always compliance and accountability. It was also recommended that CWPOs must report to their respective Special Juvenile Police Units, and their contact information must be publicly displayed at all police stations in accordance to the Juvenile Justice (Care and Protection of Children) Rules, 2016 (Annexure 8).

9. Recommendation regarding use of minors for raising funds showcasing minor in deplorable conditions

The Commission received a complaint outlining the practice of certain Non-Governmental Organisations (NGOs) of raising funds by depicting vulnerable children in deplorable and unpleasant situations. Considering that these activities violate child rights and violates the basic principles of the Juvenile Justice Act, the Commission issued a recommendation vide letter dated

01.12.2022 to all State/UTs to issue directives to District Administration instructing all NGOs and organizations in the State/UTs to refrain from using images, videos, or any other material depicting vulnerable children in deplorable conditions for fundraising purposes (Annexure 9).

10. Regarding mandatory reporting of a child found separated from guardian

The Commission vide letter dated 07.12.2022 issued recommendation to the Principal Secretaries of all States/UTs to issue necessary directions to all the District Chief Medical and Health Officers or any other Administrative/Regulatory officer as per their State's Administrative Structure in all the districts of their State regarding mandatory reporting of children if found separated from guardian and to further organize sensitization programmes for matters pertaining to illegal adoption in all government hospitals, private hospitals, nursing homes, maternity homes, primary health care centres, community health centres, ASHA workers, auxiliary nurse and midwives and any other health professional in accordance to the Juvenile Justice Act, 2015. The Commission in furtherance of the same, also recommended that Childline number 1098 and Local Child Welfare Committee details and contact number shall also be displayed at all visible areas of all hospitals, nursing homes and maternity homes for insuring awareness and to safeguard children (Annexure 10).

11. Recommendation for regulating the use of loudspeakers in view of ensuing School Examination

When children prepare for examination, they require a conducive environment for preparation, but the excessive use of loudspeakers during social, religious, and political events is causes severe disturbance to children amidst the exam period. In regard to the same, the Supreme Court of India has set guidelines to limit the noise level generated by loudspeakers, stating that that it should not exceed 10 dB(A) above the ambient noise standards or 75 dB(A), whichever is lower. Further, certain activities like drumming, blowing trumpets, or using sound amplifiers are also prohibited between 10:00 p.m. and 6:00 a.m. unless in emergencies. As per the guidelines issued by the Hon'ble Supreme Court of India, the Privately-owned sound systems should not exceed the ambient air quality standard by more than a certain dB(A) at the boundary of the private placement. Despite these regulations, the Commission continues to receive complaints about the excessive use of loudspeakers, violating the Supreme Court's directions, and Noise Pollution (Regulation and Control Rules, 2000). Therefore, the Commission considering the scheduling of school exams vide

letter dated 20.12.2022 issued recommendation to all States/UTs for issuing necessary directions to all District Magistrates to regulate the use of loudspeakers as prescribed in the guidelines for ensuring a conducive environment for children to study during the examination period (Annexure 11).

CHAPTER 13
AUDIT REPORT AND
CONSOLIDATED ACCOUNT
STATEMENT

Separate Audit Report of the Comptroller & Auditor General of India on the Accounts of the National Commission for Protection of Child Rights (NCPCR), New Delhi for the year ended 31 March 2023

We have audited the attached Balance Sheet of the National Commission for Protection of Child Right (NCPCR), New Delhi as at 31 March 2023, Income & Expenditure Account and Receipts & Payments Account for the year ended on that date under Section 19(2) of the Comptroller & Auditor General's (Duties, Powers & Conditions of Service) Act, 1971 read with Section 29 (2) of the Commissions for Protection of Child Rights Act, 2005. These financial statements are the responsibility of the NCPCR's management. Our responsibility is to express an opinion on these financial statements based on our audit.

2. This Separate Audit Report contains the comments of the Comptroller & Auditor General of India (CAG) on the accounting treatment only with regard to classification, conformity with the best accounting practices, accounting standards and disclosure norms, etc. Audit observations on financial transactions with regard to compliance with the Laws, Rules & Regulations (Propriety and Regularity) and efficiency-cum-performance aspects, etc., if any, are reported through Inspection Reports/CAG's Audit Reports separately.

3. We have conducted our audit in accordance with auditing standards generally accepted in India. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatements. An audit includes examining, on a test basis, evidences supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of financial statements. We believe that our audit provides a reasonable basis for our opinion.

4. Based on our audit, we report that:

- (i) We have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purpose of our audit.
- (ii) The Balance Sheet, Income & Expenditure Account and Receipts & Payments Account dealt with by this report have been drawn up in the Uniform Format of Accounts as prescribed by the Ministry of Finance.
- (iii) In our opinion, proper books of accounts and other relevant records have been maintained by the NCPCR as required under Section 29 (1) of the Commission for Protection of Child Rights Act, 2005, in so far as it appears from our examination of such books except Expenditure Control Register, Travelling Allowance Bill Register, Leave Travel Concession Bill Register and Medical Claim Register.
- (iv) We further report that:

A. General

A.1 Advances of Rs. 46.07 lakh pertaining to the period 2007-08 to 2022-23 were pending for adjustment as on 31 March 2023. The long pending advances lying unadjusted need to be reviewed and settled. Doubtful amounts if any should be stated and provision should be shown as reduction therefrom. This was also pointed out in previous year's report.

B. Grants-in-aid

During the year 2022-23, NCPCR had received Rs. 27.55 crore as Grants-in- Aid from the M/o Women and Child Development and M/o Education (Rs. 22.53 crore and Rs. 5.02 crore respectively) and unspent balance of previous year amounting to Rs. 0.78 crore was also available. NCPCR had internal receipt amounting to Rs. 0.52 crore. Out of total fund available of Rs. 28.85 crore, NCPCR utilized Rs. 28.24 crore leaving unutilized balance of Rs. 0.61 crore as on 31.03.2023.

C. Management letter

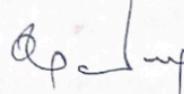
Deficiencies which have not been included in the audit Report have been brought to the notice of the National Commission for Protection of Child Rights (NCPCR) through a management letter issued separately for remedial/corrective action.

v. Subject to our observations in the preceding paragraphs, we report that the Balance sheet, Income & Expenditure Account and Receipt & Payment Account dealt with by this report are in agreement with the book of accounts.

vi. In our opinion and to the best of our information and according to the explanation given to us, the said financial statements read together with the Accounting Policies and Notes on Accounts, and subject to the significant matters stated above and other matters mentioned in Annexure to this Audit Report give a true and fair view in conformity with accounting principles generally accepted in India:

- (a) In so far as it relates to the Balance Sheet of the state of affairs of the National Commission for Protection of Child Rights (NCPCR) as at 31 March, 2023 and
- (b) In so far as, it relates to Income and Expenditure Account of the surplus for the year ended on that date.

For and on behalf of C& AG of India



Director General of Audit (CE), New Delhi

Place: New Delhi

Date: 15-09-2023

Annexure to report

1. Adequacy of internal audit system

Internal Audit of NCPCR, New Delhi was last conducted by internal audit wing of the Ministry of Women and Child Development in August 2022 for the period April 2015 to March 2022.

2. Adequacy of internal control system

The internal control system of NCPCR was not adequate due to:

- (a) Expenditure control register, TA and LTC bill register and Medical Claim expenditure register were not maintained.
- (b) 14 external audit paras pertaining to the period 2007-09 to 2013-14 were outstanding. 26 paras of internal audit paras were outstanding.
- (c) Advances were pending for as long as 2007-08. Despite being pointed out in previous year's report remedial action was not taken.

3. System of physical verification of Assets

Physical verification of Fixed Assets books was conducted up to 2022-23 and assets costing Rs. 4.72 lakh were not traceable.

4. System of physical verification of inventory

Physical verification of Library, Stationery and Consumables were conducted up to 2022-23 and no major deficiency was found.

5. Regularity in payment of statutory dues

As per accounts, no payments in respect of statutory dues were outstanding for more than six months as on 31.03.2023.


Dy. Director (AMG-V)

CONSOLIDATED FINANCIAL STATEMENT
National Commission for Protection of Child Rights
5th Floor, Chanderlok Building 36, Janpath, New Delhi - 110 001
BALANCE SHEET AS AT 31ST MARCH 2023

(9)

(Amount in Rs.)

CORPUS/CAPITAL FUND AND LIABILITIES	Schedule	Current Year	Previous Year
CORPUS/CAPITAL FUND	1	(55,50,882.38)	(42,60,030.24)
RESERVES AND SURPLUS	2	-	-
EARMARKED/ENDOWMENT FUNDS	3	3,37,182.11	19,10,277.39
SECURED LOANS AND BORROWINGS	4	-	-
UNSECURED LOANS AND BORROWINGS	5	-	-
DEFERRED CREDIT LIABILITIES	6	-	-
CURRENT LIABILITIES AND PROVISIONS	7	3,55,37,320.93	3,78,55,031.05
TOTAL		3,03,23,620.67	3,55,05,278.20
ASSETS			
PROPERTY, PLANT & EQUIPMENT	8	1,08,06,703.68	1,00,40,771.00
INVESTMENTS - FROM EARMARKED FUNDS	9	-	-
INVESTMENTS - OTHERS	10	-	-
CURRENT ASSETS, LOANS, ADVANCES ETC.	11	1,95,16,916.99	2,54,64,507.20
MISCELLANEOUS EXPENDITURE (to the extent not written off or adjusted)		-	-
TOTAL		3,03,23,620.67	3,55,05,278.20
SIGNIFICANT ACCOUNTING POLICIES	24		
AND NOTES ON ACCOUNTS	25		

(10)

CONSOLIDATED FINANCIAL STATEMENT
National Commission for Protection of Child Rights

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31ST MARCH, 2023

(Amount in Rs.)			
INCOME	Schedule	Current Year	Previous Year
Income from Sales / Services	12	-	-
Grants / Subsidies	13	27,31,99,986.00	21,89,25,500.00
Fees/ Subscriptions	14	-	-
Income from Investments (Income on Invest from earmarked Funds transferred to Funds)	15	-	-
Income from Royalty, Publication etc.	16	-	-
Interest Earned	17	-	-
Other Income	18	2,36,542.00	4,245.00
Increase/(decrease) in stock of Finished goods and works-in-progress	19	-	-
TOTAL (A)		27,34,36,528.00	21,89,29,745.00
EXPENDITURE			
Establishment Expenses	20	2,37,10,975.00	3,14,38,092.00
Office & Other Administrative Expenses etc.	21	24,40,05,927.15	20,31,00,950.82
Expenditure on Grants, Subsidies etc.	22	-	-
Interest	23	-	-
Depreciation (Net Total at the year-end) (Corresponding to Schedule 8)		25,48,370.16	24,40,959.13
Payment/ Adjustment related to earlier years		30,51,440.00	2,20,379.00
TOTAL (B)		27,33,16,712.31	23,72,00,380.95
Balance being excess of Income/(Expenses) over Expenditure/ Income (A-B)		1,19,815.69	(1,82,70,635.95)
Transfer to Special Reserve (Specity each)			
Transfer to / from General Reserve			
BALANCE BEING SURPLUS/(DEFICIT) CARRIED TO CORPUS / CAPITAL FUND		1,19,815.69	(1,82,70,635.95)
SIGNIFICANT ACCOUNTING POLICIES	24		
AND NOTES ON ACCOUNTS	25		

ANNEXURES



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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



F.No. 25015/39/ 2022-23/ EDUCATION/NCPCR/CP
Dated: 20/12/2022

To
All Principal Secretary of States and UTs- (Elementary Education)
(As per list Enclosed)

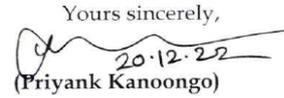
Subject: "NCPCR's Guidelines on Eliminating Corporal Punishment in Schools" reg.

I am inviting your reference to increasing number of cases of "Corporal Punishment" in Schools in the guise of disciplining and setting order amongst children in Schools being frequently reported to the Commission. In several such instances, it has been noted by the Commission that meting of Corporal Punishment to Children has lead to disabling some children (fractures, impaired vision and hearing), mental abuse, cruelty, sexual abuse, harassment and even death due to the severity of Corporal Punishment meted to children.

2. It is pertinent to mention that Children are citizens of this country having Constitutionally guaranteed Fundamental Rights. Article 21 of the Constitution of India which protects the right to life and dignity includes the right to education for children up to 14 years of age. Corporal punishment amounts to abuse and militates against the freedom and dignity of a child. It also interferes with a child's right to education because fear of corporal punishment makes children more likely to avoid school or to drop out altogether. Hence, corporal punishment is violative of the right to life with dignity. Article 21A of the Constitution provides that "the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine." This fundamental right has been actualised with the enactment of Right of Children to Free and Compulsory Education Act, 2009. Section 17 of the RTE Act, 2009 also prohibits physical punishment and mental harassment to child, contravention of which, by any person, makes him/her liable to disciplinary action under the service rules applicable to such person. Apart from these, meting corporal punishment to any child is deemed illegal and is a crime which invites sanctions and punishment against the perpetrator under Section 75 of JJ Act, 2015.

3. In his regard, NCPCR has formulated Guidelines for "Eliminating Corporal Punishment in Schools" (link: <https://nimhanschildprotect.in/wp-content/uploads/2021/03/NCPCR-Guidelines-for-elimination-of-corporal-punishment.pdf>). Under Section 13(1) of the CPC Act, 2005, it is recommended by the Commission that these guidelines of the Commission may be shared along with an advisory to the concerned in various districts within your State/UT regarding holding Sensitization Workshops for all In-Service Teachers within your State/UT regarding holding Sensitization Workshops for all In-Service Teachers on NCPCRs Guidelines on "Eliminating Corporal Punishment in Schools" in all the Districts of your State/UT.

4. You are requested to revert to the Commission within 15 working days regarding action taken by you in your State/UT in connection with the recommendation made by the Commission, as above.

Yours sincerely,

20.12.22
(Priyank Kanoongo)

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
5th Floor, Chanderlok Building, 36, Janpath, New Delhi-110 001
दूरभाष / Ph.: 011-23478212, 23731583 फैक्स / Fax: 011-23731584
ई-मेल / E-mail: cp.ncpcr@nic.in वेब / Web: www.ncpcr.gov.in



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

सत्यमेव जयते

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



F. No. 25019/17/2022-23/NCPCR/EDU/246182

Date: 25.04.2022

To,

The Secretaries, School Education Department, All States/UTs (list enclosed)

Subject: Regarding safety of children upon re-opening of schools.

Madam/Sir,

National Commission for Protection of Child Rights (NCPCR) (hereinafter referred to as 'the Commission') is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009.

2. Attention is invited to the incidents related to safety of school children occurred recently in different States. The incidents are primarily linked to the school infrastructure such as collapsing boundary walls and also death of students on school transport. It has been observed that, due to Covid19 pandemic the focus and irregularity on opening of schools, the focus of school authorities/management has drifted away from safety and security of children in terms of school infrastructure and transport. Also, the sensitization and orientation of school staff including the non-teaching staff on these issues has taken a back seat for a while.

3. It may be noted that besides the protocols and norms related to Covid19 laid down by the Centre as well as States/UTs Administration, there are specific comprehensive guidelines that elaborate the steps to be taken by the school authorities to ensure that children learn in a safe environment. The three major guidelines are-

- i) Manual on safety and security of children in schools- it is comprehensive manual developed by the Commission by compiling the existing guidelines from different Ministries/ Departments/Institutions/Organizations pertaining to safety of children. The manual contains sections on infrastructure, health & hygiene, psycho-social aspects, role of teachers, and cyber safety. It also contains a check-list for safety inspection of schools. The manual is available at <https://ncpcr.gov.in/showfile.php?lid=2084>.

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
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दूरभाष /Ph. :011-23478212, 23731583 फैक्स /Fax: 011-23731584
ई-मेल / E-mail : cp.ncpcr@nic.in वेब / Web:www.ncpcr.gov.in

- ii) Hon'ble Supreme Court Guidelines on School Transport (copy enclosed as Annexure A). Hon'ble Supreme Court of India vide Judgement dated 16/12/1997 in W.P (Civil) in the matter of M.C. Mehta etc. Vs. Union of India, had included guidelines for school transportation as well. Based on the guidelines, C.B.S.E. also issued a circular in 2017 on safety of school children in the school bus available at https://www.cbse.gov.in/cbsenew/Examination_Circular/2017/43_CIRCULAR.pdf.
- iii) Guidelines on School Safety and Security by Department of School Education & Literacy, Ministry of Education, Government of India for fixing the accountability of the School Management in the matter of Safety and Security of Children studying in Government, Government-aided and Private Schools. The same was circulated to all States/UTs by MoE vide letter dated 01.10.2021.
4. It is important that appropriate steps needs to be taken to prevent untoward incidents where safety and security of children is compromised due to negligence of school authorities and inability to take timely action. Hence, NCPCR as per its mandate u/s 13 (1) of CPC Act, 2005, requests your Department to conduct safety audit of all schools in the State/UT. The safety audit is to be carried out using the Safety Checklist provided in the Manual on Safety and Security of Children in Schools. The same is enclosed as Annexure B for your ready reference.
5. A compliance report on the same be sent to the Commission latest by 31.05.2022. Please quote the number and date of this letter mentioned at the top while responding.

Yours sincerely,

 25.4.22

(Priyank Kanoongo)

Copy to: Chief Secretaries of all States/Administrators of all UTs (list enclosed) 1246183



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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



F. No. 25019/17/2022-23/NCPCR/EDU/246184

Date: 25.04.2022

To,

The Secretaries, State Transport Department, All States/UTs (list enclosed)

Subject: Regarding safe transportation for school children

Madam/Sir,

National Commission for Protection of Child Rights (NCPCR) (hereinafter referred to as 'the Commission') is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009.

2. Attention is invited to the incidents related to safety of school children occurred recently in different States. Most of these incidents are linked to injury/death of students on school transport. It has been observed that, due to Covid19 pandemic, as the offline classes remained irregular for most parts since 2020; now upon reopening, schools do not seem to focus on following the guidelines for safe school transport for children.

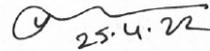
3. It may be noted that with regard to the school transport, Hon'ble Supreme Court Guidelines on School Transport (copy enclosed as Annexure A). Hon'ble Supreme Court of India vide Judgement dated 16/12/1997 in W.P (Civil) in the matter of M.C. Mehta etc. Vs. Union of India, had included guidelines for school transportation as well. Based on the guidelines, C.B.S.E. also issued a circular in 2017 on safety of school children in the school bus available at https://www.cbse.gov.in/cbsenew/Examination_Circular/2017/43_CIRCULAR.pdf.

4. To prevent untoward incidents where safety and security of children is compromised due to negligence of school authorities and inability to take timely action, it is important that timely action be taken. Hence, NCPCR as per its mandate u/s 13 (1) of CPCR Act, 2005, requests your Department to conduct safety audit of school transportation including buses, autos, mini-vans or any other vehicle used for transportation of children to schools. The audit should also include the parameters as per above mentioned guidelines.

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
5th Floor, Chandernlok Building, 36, Janpath, New Delhi-110 001
दूरभाष /Ph. :011-23478212, 23731583 फैक्स /Fax: 011-23731584
ई-मेल / E-mail : cp.ncpcr@nic.in वेब /Web:www.ncpcr.gov.in

5. A compliance report on the same be sent to the Commission latest by 31.05.2022. Please quote the number and date of this letter mentioned at the top while responding.

Yours sincerely,



(Priyank Kanoongo)

Copy to:

1. Chief Secretaries of all States/Administrators of all UTs (list enclosed) | 246185
2. Principal Secretaries/Secretaries, School Education Department of all States/UTs (list enclosed) | 246186



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

सत्यमेव जयते

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



D.O Letter No- 227850/NCPCR/CH(1)-2022-23/DP4454

Date 23.03.2023

To

Chairman/Secretary
Education Boards
Of all States/UTs
(As per the attached list)

Sir/Madam,

The National Commission for Protection of Child Rights (NCPCR) is a statutory body formed under section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 (No.4 of 2006) to ensure that rights of the children are protected especially those who are most vulnerable and marginalized. NCPCR under section (13) (1)(j) of CPCR Act, 2005 has mandate to inquire into the matters pertaining to violation and deprivation of rights and entitlements of children and other related provisions for children provided under the Constitution of India. In addition, the Commission has also been mandated to monitor the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015 (section 109, JJ Act, 2015), the Right to Education Act, 2009 and Protection of children from Sexual offences Act, 2012.

2. According to data from the International Diabetes Federation (IDF) Diabetes Atlas 2021, India has the world's highest number of children and adolescents suffering from Type 1 Diabetes Mellitus (T1DM), with more than 2.4 Lakhs children and adolescents (age group 0-19 years) in south east Asia (SEA region). The T1D Index has estimated, however, that there are 8.75 million persons with T1D in India alone. Persons with T1DM require 3-5 injections of insulin every day, along with 3-5 blood sugar tests every day, for a life time. Absence or disruption of standard care affects their physical and mental well-being, and can even be fatal. Children and adolescents living with T1DM face several challenges, which are made worse by inadequate medical care and/ or inadequate medical supplies

3. Keeping in view, NCPCR under section (13) (1) of CPCR Act, 2005 has taken cognizance on the petitions received from parents of the children diagnosed with juvenile diabetes or Type 1 diabetes in the country.

4. As children spent one third of the day in school, therefore it is duty of schools to ensure that children with T1DM are provided with proper care and required facilities. Commission appreciates the efforts made by CBSE for taking out a circular vide CBSE/Coord/ASC/112567 dated 21/02/2017 for the students suffering from type 1 diabetes and appearing for board exams of class X and XII. However, looking at the current situation, there seems an urgent need or some more efforts to help improve the quality of life of these children

o/k
Mahesh
23/3

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
5th Floor, Chanderlok Building, 36, Janpath, New Delhi-110 001
दूरभाष / Ph.: 011-23478212, 23731583 फैक्स / Fax: 011-23731584
ई-मेल / E-mail: cp.ncpcr@nic.in वेब / Web: www.ncpcr.gov.in

5. A circular may kindly be issued for all the schools to ensure health of children with Type 1 diabetes on the following-

i- A child with Type -1 diabetes, who requires a mid-morning or mid-afternoon snack should be permitted by the class teacher to consume it.

ii- The child can participate in sports as advised by medical person.

iii- Children with Type -1 diabetes giving their school exams and other competitive exams may be considered for the following -

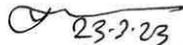
- ✓ Permitted to carry sugar tablets with them.
- ✓ Medicines/ fruits, snacks, drinking water, some biscuits/peanuts/dry fruit should be allowed into the exam hall and kept with teacher, if required these items shall be given to children during the examinations.
- ✓ The staff should permit the child to carry a glucometer and glucose testing strips along with him/her into the exam hall which may be kept with Invigilator/Teacher.
- ✓ The child should be permitted to test blood sugar and to consume the above mentioned items as per requirements.
- ✓ Children using CGM (Continuous Glucose Monitoring, FGM (Flash Glucose Monitoring) and/ or insulin pumps have to be given permission to retain these devices during exams as they are attached to the body of said children. In case a smart phone is used as a reader, it may be handed over to the Teacher/Invigilator to monitor the blood sugar levels.

6. A copy of circular may kindly be shared with NCPCR on cp.ncpcr@nic.in within 30 days times.

With regards,

Enclosure- as above

Yours sincerely,


23.7.23
(Priyank Kanoongo)



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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

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आज़ादी का
अमृत महोत्सव



Letter No. 227850/NCPCR/CH(1)-2022-23
Dated on 29-03-2023

DD4636

CORRIGENDUM

To

Chairman/Secretary,
Education Board of all States & UTs ,
(Through email – as per list attached)

Kind reference is invited to Commission Letter No. 227850/NCPCR/CH(1)/2022-23/DD4454, Dated 23-03-2023 regarding Type1 diabetes.(copy enclosed).

2. In this regard, the following amendment has been made in the above letter :-

- i) In the 4th line of para-2 of Point No. 2, the contents mentioned earlier as 8.75 million persons may be read as 8.75 lakhs persons ,
- ii) The contents mentioned earlier in Point (i) of Para 5 may be replaced with ***“a child with type 1 diabetes may require checking blood glucose, injecting insulin, taking a mid-morning or mid-afternoon snack, or doing other diabetes self care activities, as advised by a medical person, and should be permitted by the class teacher to do so during exams and otherwise also.*”**

There is no change in rest of the letter.

Inconvenience caused is regretted please.

Yours sincerely,

29.3.23
(Priyank Kanoongo)

Copy for kind information to :-

Secretary, Department to Education of all States & UTs (as per list attached).

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
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दूरभाष / Ph.: 011-23478212, 23731583 फ़ैक्स / Fax: 011-23731584
ई-मेल / E-mail: cp.ncpcr@nic.in वेब / Web: www.ncpcr.gov.in



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

सत्यमेव जयते

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

75
आज़ादी का
अमृत महोत्सव



By mail / Speed post

D.O Letter No- 227850/NCPCR/CH(1)-2022-23

DD4572

Date: 28.03.2023

To

Secretary,
Department to Education,
Of all States/UTs
(As per the attached list)

Dear Sir/ Madam,

The National Commission for Protection of Child Rights (NCPCR) is a statutory body formed under section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 (No.4 of 2006) to ensure that rights of the children are protected especially those who are most vulnerable and marginalized. NCPCR under section (13) (1)(j) of CPCR Act, 2005 has mandate to inquire into the matters pertaining to violation and deprivation of rights and entitlements of children and other related provisions for children provided under the Constitution of India. In addition, the Commission has also been mandated to monitor the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015 (section 109, JJ Act, 2015), the Right to Education Act, 2009 and Protection of children from Sexual offences Act, 2012.

2. According to data from the International Diabetes Federation (IDF) Diabetes Atlas 2021, India has the world's highest number of children and adolescents suffering from Type 1 Diabetes Mellitus (T1DM), with more than 2.4 Lakhs children and adolescents (age group 0-19 years) in south east Asia (SEA region). The T1D Index has estimated, however, that there are 8.75 Lakhs persons with T1D in India alone. Persons with T1DM require 3-5 injections of insulin every day, along with 3-5 blood sugar tests every day, for a life time. Absence or disruption of standard care affects their physical and mental well-being, and can even be fatal. Children and adolescents living with T1DM face several challenges, which are made worse by inadequate medical care and/or inadequate medical supplies

3. Keeping in view, NCPCR under section (13) (1) of CPCR Act, 2005 has taken cognizance on the petitions received from parents of the children diagnosed with juvenile diabetes or Type 1 diabetes in the country.

4. As children spent one third of the day in school, therefore it is duty of schools to ensure that children with T1DM are provided with proper care and required facilities. Commission appreciates the efforts made by CBSE for taking out a circular vide CBSE/Coord/ASC/112567 dated 21/02/2017 for the students suffering from type 1 diabetes and appearing for board exams of class X and XII. However, looking at the current situation, there seems an urgent need or some more efforts to help improve the quality of life of these children

o/c
Kanu
29/3/23

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
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ई-मेल / E-mail: cp.ncpcr@nic.in वेब / Web: www.ncpcr.gov.in

5. A circular may kindly be issued for all the schools to ensure health of children with Type 1 diabetes on the following-

i- A child with type 1 diabetes may require checking blood glucose, injecting insulin, taking a mid-morning or mid-afternoon snack, or doing other diabetes self care activities, as advised by a medical person, and should be permitted by the class teacher to do so during exams and otherwise also

ii- The child can participate in sports as advised by medical person.

iii- Children with Type -1 diabetes giving their school exams and other competitive exams may be considered for the following -

- ✓ Permitted to carry sugar tablets with them.
- ✓ Medicines/ fruits, snacks, drinking water, some biscuits/peanuts/dry fruit should be allowed into the exam hall and kept with teacher, if required these items shall be given to children during the examinations.
- ✓ The staff should permit the child to carry a glucometer and glucose testing strips along with him/her into the exam hall are may be kept with Invigilator/Teacher.
- ✓ The child should be permitted to test blood sugar and to consume the above mentioned items as per requirements.
- ✓ Children using CGM (Continuous Glucose Monitoring, FGM (Flash Glucose Monitoring) and/ or insulin pumps have to be given permission to retain these devices during exams as they are attached to the body of said children. In case a smart phone is used as a reader, it may be handed over to the Teacher/Invigilator to monitor the blood sugar levels.

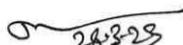
6. A letter in this regard has been sent to State Education Boards on 23-03-2023 (Copy enclosed)

7. A copy of circular may kindly be shared with NCPDR on cp.ncpdr@nic.in within 30 days times.

With regards,

Enclosure- as above

Yours sincerely,


(Priyank Kanoongo)



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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



D.O Letter No- 227850/NCPCR/CH(1)-2022-23/DD444e

Date-23.03.2023

To

Chairperson,
Central Board of Secondary Education,
Shiksha Kendra, 2, Community Centre,
Preet Vihar, Delhi – 110092
Email: chmn-cbse@nic.in

Dear Sir/ Madam,

The National Commission for Protection of Child Rights (NCPCR) is a statutory body formed under section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 (No.4 of 2006) to ensure that rights of the children are protected especially those who are most vulnerable and marginalized. NCPCR under section (13) (1)(j) of CPCR Act, 2005 has mandate to inquire into the matters pertaining to violation and deprivation of rights and entitlements of children and other related provisions for children provided under the Constitution of India. In addition, the Commission has also been mandated to monitor the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015 (section 109, JJ Act, 2015), the Right to Education Act, 2009 and Protection of children from Sexual offences Act, 2012.

2. According to data from the International Diabetes Federation (IDF) Diabetes Atlas 2021, India has the world's highest number of children and adolescents suffering from Type 1 Diabetes Mellitus (T1DM), with more than 2.4 Lakhs children and adolescents (age group 0-19 years) in south east Asia (SEA region). The T1D Index has estimated, however, that there are 8.75 million persons with T1D in India alone. Persons with T1DM require 3-5 injections of insulin every day, along with 3-5 blood sugar tests every day, for a life time. Absence or disruption of standard care affects their physical and mental well-being, and can even be fatal. Children and adolescents living with T1DM face several challenges, which are made worse by inadequate medical care and/ or inadequate medical supplies

3. Keeping in view, NCPCR under section (13) (1) of CPCR Act, 2005 has taken cognizance on the petitions received from parents of the children diagnosed with juvenile diabetes or Type 1 diabetes in the country.

4. As children spent one third of the day in school, therefore it is duty of schools to ensure that children with T1DM are provided with proper care and required facilities. Commission appreciates the efforts made by CBSE for taking out a circular vide CBSE/Coord/A&S/112567 dated 21/02/2017 for the students suffering from type 1 diabetes and appearing for board exams of class X and XII. However, looking at the current situation, there seems an urgent need or some more efforts to help improve the quality of life of these children

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ई-मेल / E-mail : cp.ncpcr@nic.in वेब /Web:www.ncpcr.gov.in

2/11
Rahul
23/3

5. A circular may kindly be issued for all the schools to ensure health of children with Type 1 diabetes on the following-

i- A child with Type -1 diabetes, who requires a mid-morning or mid-afternoon snack should be permitted by the class teacher to consume it.

ii- The child can participate in sports as advised by medical person.

iii- Children with Type -1 diabetes giving their school exams and other competitive exams may be considered for the following -

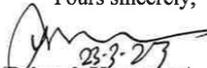
- ✓ Permitted to carry sugar tablets with them.
- ✓ Medicines/ fruits, snacks, drinking water, some biscuits/peanuts/dry fruit should be allowed into the exam hall and kept with teacher, if required these items shall be given to children during the examinations.
- ✓ The staff should permit the child to carry a glucometer and glucose testing strips along with him/her into the exam hall which may be kept with Invigilator/Teacher.
- ✓ The child should be permitted to test blood sugar and to consume the above mentioned items as per requirements.
- ✓ Children using CGM (Continuous Glucose Monitoring, FGM (Flash Glucose Monitoring) and/ or insulin pumps have to be given permission to retain these devices during exams as they are attached to the body of said children. In case a smart phone is used as a reader, it may be handed over to the Teacher/Invigilator to monitor the blood sugar levels.

6. A copy of circular may kindly be shared with NCPCR on cp.ncpcr@nic.in within 30 days times.

With regards,

Enclosure- as above

Yours sincerely,


23-3-23
(Priyank Kanoongo)



प्रियंक कानूंगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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



Letter No. 227850/NCPCR/CH(1)-2022-23/DD4635
Dated on 29-03-2023

CORRIGENDUM

To

Chairperson,
CBSE,
Shiksha Kendra-2,
New Delhi.
Email: chmn-cbse@nic.in

Kind reference is invited to Commission Letter No. 227850/NCPCR/CH(1)/2022-23/DD4448, Dated 23-03-2023 regarding Type1 diabetes.(copy enclosed).

2. In this regard, the following amendment has been made in the above letter :-
- In the 4th line of para-2 of Point No. 2, the contents mentioned earlier as 8.75 million persons may be read as **8.75 lakhs persons**,
 - The contents mentioned earlier in Point (i) of Para 5 may be replaced with **"a child with type 1 diabetes may require checking blood glucose, injecting insulin, taking a mid-morning or mid-afternoon snack, or doing other diabetes self care activities, as advised by a medical person, and should be permitted by the class teacher to do so during exams and otherwise also.**

There is no change in rest of the letter.

Inconvenience caused is regretted please.

Yours sincerely,

(Priyank Kanoongo)

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
5th Floor, Chanderlok Building, 36, Janpath, New Delhi-110 001
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प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

नई दिल्ली-110 001
New Delhi - 110 001

D.O Letter No- 227850/NCPCR/CH(1)-2022-23/DD4447



Date-28.03.2023

To

National Testing Agency,
First Floor, NSIC-MDBP Building,
Okhla Industrial Estate,
New Delhi, Delhi 110020
Email: genadmin@nta.ac.in

Dear Sir/ Madam,

The National Commission for Protection of Child Rights (NCPCR) is a statutory body formed under section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 (No.4 of 2006) to ensure that rights of the children are protected especially those who are most vulnerable and marginalized. NCPCR under section (13) (1)(j) of CPCR Act, 2005 has mandate to inquire into the matters pertaining to violation and deprivation of rights and entitlements of children and other related provisions for children provided under the Constitution of India. In addition, the Commission has also been mandated to monitor the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015 (section 109, JJ Act, 2015), the Right to Education Act, 2009 and Protection of children from Sexual offences Act, 2012.

2. According to data from the International Diabetes Federation (IDF) Diabetes Atlas 2021, India has the world's highest number of children and adolescents suffering from Type 1 Diabetes Mellitus (T1DM), with more than 2.4 Lakhs children and adolescents (age group 0-19 years) in south east Asia (SEA region). The T1D Index has estimated, however, that there are 8.75 million persons with T1D in India alone. Persons with T1DM require 3-5 injections of insulin every day, along with 3-5 blood sugar tests every day, for a life time. Absence or disruption of standard care affects their physical and mental well-being, and can even be fatal. Children and adolescents living with T1DM face several challenges, which are made worse by inadequate medical care and/ or inadequate medical supplies

3. Keeping in view, NCPCR under section (13) (1) of CPCR Act, 2005 has taken cognizance on the petitions received from parents of the children diagnosed with juvenile diabetes or Type 1 diabetes in the country.

4. As children spent one third of the day in school, therefore it is duty of schools to ensure that children with T1DM are provided with proper care and required facilities. Commission appreciates the efforts made by CBSE for taking out a circular vide CBSE/Coord/ASC/112567 dated 21/02/2017 for the students suffering from type 1 diabetes and appearing for board exams of class X and XII. However, looking at the current situation, there seems an urgent need or some more efforts to help improve the quality of life of these children

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दूरभाष /Ph. :011-23478212, 23731583 फैक्स /Fax: 011-23731584
ई-मेल / E-mail : cp.ncpcr@nic.in वेब /Web:www.ncpcr.gov.in

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5. A circular may kindly be issued for all the schools to ensure health of children with Type 1 diabetes on the following-

i- A child with Type -1 diabetes, who requires a mid-morning or mid-afternoon snack should be permitted by the class teacher to consume it.

ii- The child can participate in sports as advised by medical person.

iii- Children with Type -1 diabetes giving their school exams and other competitive exams may be considered for the following -

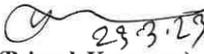
- ✓ Permitted to carry sugar tablets with them.
- ✓ Medicines/ fruits, snacks, drinking water, some biscuits/peanuts/dry fruit should be allowed into the exam hall and kept with teacher, if required these items shall be given to children during the examinations.
- ✓ The staff should permit the child to carry a glucometer and glucose testing strips along with him/her into the exam hall, which may be kept with Invigilator/Teacher.
- ✓ The child should be permitted to test blood sugar and to consume the above mentioned items as per requirements.
- ✓ Children using CGM (Continuous Glucose Monitoring, FGM (Flash Glucose Monitoring) and/ or insulin pumps have to be given permission to retain these devices during exams as they are attached to the body of said children. In case a smart phone is used as a reader, it may be handed over to the Teacher/Invigilator to monitor the blood sugar levels.

6. A copy of circular may kindly be shared with NCPCR on cp.ncper@nic.in within 30 days times.

With regards,

Enclosure- as above

Yours sincerely,


(Priyank Kanoongo)



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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



Letter No. 227850/NCPCR/CH(1)-2022-23/DD4640
Dated on 29-03-2023

CORRIGENDUM

To

National Test Agency,
1st Floor, NSIC, MDBP Building,
Okhla Industrial Estate, New Delhi.
Email: genadmin@nta.ac.in

Kind reference is invited to Commission Letter No. 227850/NCPCR/CH(1)/2022-23/DD4447, Dated 23-03-2023 regarding Type1 diabetes.(copy enclosed).

2. In this regard, the following amendment has been made in the above letter :-

- i) In the 4th line of para-2 of Point No. 2, the contents mentioned earlier as 8.75 million persons may be read as 8.75 *lakhs persons* ,
- ii) The contents mentioned earlier in Point (i) of Para 5 may be replaced with “*a child with type 1 diabetes may require checking blood glucose, injecting insulin, taking a mid-morning or mid-afternoon snack, or doing other diabetes self care activities, as advised by a medical person, and should be permitted by the class teacher to do so during exams and otherwise also.*”

There is no change in rest of the letter.

Inconvenience caused is regretted please.

Yours sincerely,

(Priyank Kanoongo)

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
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प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

भारत सरकार
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D.O Letter No- 227850/NCPCR/CH(1)-2022-23 / DD 46
Date-29.03.2023 45

To

Commissioner,
Navodaya Vidyalaya Samiti,
B-15, Institutional Area, Sector 62,
Noida, Uttar Pradesh 201307
Email:- commissioner.nvs@gov.in

Dear Sir/ Madam,

The National Commission for Protection of Child Rights (NCPCR) is a statutory body formed under section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 (No.4 of 2006) to ensure that rights of the children are protected especially those who are most vulnerable and marginalized. NCPCR under section (13) (1)(j) of CPCR Act, 2005 has mandate to inquire into the matters pertaining to violation and deprivation of rights and entitlements of children and other related provisions for children provided under the Constitution of India. In addition, the Commission has also been mandated to monitor the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015 (section 109, JJ Act, 2015), the Right to Education Act, 2009 and Protection of children from Sexual offences Act, 2012.

2. According to data from the International Diabetes Federation (IDF) Diabetes Atlas 2021, India has the world's highest number of children and adolescents suffering from Type 1 Diabetes Mellitus (T1DM), with more than 2.4 Lakhs children and adolescents (age group 0-19 years) in south east Asia (SEA region). The T1D Index has estimated, however, that there are 8.75 Lakhs persons with T1D in India alone. Persons with T1DM require 3-5 injections of insulin every day, along with 3-5 blood sugar tests every day, for a life time. Absence or disruption of standard care affects their physical and mental well-being, and can even be fatal. Children and adolescents living with T1DM face several challenges, which are made worse by inadequate medical care and/ or inadequate medical supplies

3. Keeping in view, NCPCR under section (13) (1) of CPCR Act, 2005 has taken cognizance on the petitions received from parents of the children diagnosed with juvenile diabetes or Type 1 diabetes in the country.

4. As children spent one third of the day in school, therefore it is duty of schools to ensure that children with T1DM are provided with proper care and required facilities. Commission appreciates the efforts made by CBSE for taking out a circular vide CBSE/Coord/ASC/112567 dated 21/02/2017 for the students suffering from type 1 diabetes and appearing for board exams of class X and XII. However, looking at the current situation, there seems an urgent need or some more efforts to help improve the quality of life of these children

OIC
Kahul
29/3/23

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ई-मेल / E-mail: cp.ncpcr@nic.in वेब / Web: www.ncpcr.gov.in

5. A circular may kindly be issued for all the schools to ensure health of children with Type 1 diabetes on the following-

i- A child with type 1 diabetes may require checking blood glucose, injecting insulin, taking a mid-morning or mid-afternoon snack, or doing other diabetes self care activities, as advised by a medical person, and should be permitted by the class teacher to do so during exams and otherwise also

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iii- Children with Type -1 diabetes giving their school exams and other competitive exams may be considered for the following -

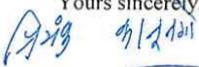
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6. A letter in this regard has been sent to State Education Boards on 23-03-2023 (Copy enclosed)

7. A copy of circular may kindly be shared with NCPCR on cp.ncpcr@nic.in within 30 days times.

With regards,

Enclosure- as above

Yours sincerely,

(Priyank Kanoongo)



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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



D.O Letter No- 227850/NCPCR/CH(1)-2022-23 DD 44

Date-03.03.2023 46

To

Commissioner,
Kendriya Vidyalaya Sangathan,
18 Institutional Area Shaheed Jeet Singh Marg,
New Delhi, Delhi 110016
Email: commissioner-kvs@gov.in

Dear Sir/ Madam,

The National Commission for Protection of Child Rights (NCPCR) is a statutory body formed under section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 (No.4 of 2006) to ensure that rights of the children are protected especially those who are most vulnerable and marginalized. NCPCR under section (13) (1)(j) of CPCR Act, 2005 has mandate to inquire into the matters pertaining to violation and deprivation of rights and entitlements of children and other related provisions for children provided under the Constitution of India. In addition, the Commission has also been mandated to monitor the implementation of the Juvenile Justice (Care & Protection of Children) Act, 2015 (section 109, JJ Act, 2015), the Right to Education Act, 2009 and Protection of children from Sexual offences Act, 2012.

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iii- Children with Type -1 diabetes giving their school exams and other competitive exams may be considered for the following -

- ✓ Permitted to carry sugar tablets with them.
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6. A copy of circular may kindly be shared with NCPCR on cp.ncpcr@nic.in within 30 days times.

With regards,

Enclosure- as above

Yours sincerely,


(Priyank Kanoongo)



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

भारत सरकार
GOVERNMENT OF INDIA
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NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली- 110 001
NEW DELHI-110 001



Letter No. 227850/NCPCR/CH(1)-2022-23/DD4637
Dated on 29-03-2023

CORRIGENDUM

To

Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area, Saheedjeet Singh Marg,
New Delhi.
Email: commissioner-kvs@gov.in

Kind reference is invited to Commission Letter No. 227850/NCPCR/CH(1)/2022-23/DD4446, Dated 23-03-2023 regarding Type1 diabetes.(copy enclosed).

2. In this regard, the following amendment has been made in the above letter :-
- In the 4th line of para-2 of Point No. 2, the contents mentioned earlier as 8.75 million persons may be read as 8.75 *lakhs persons* ,
 - The contents mentioned earlier in Point (i) of Para 5 may be replaced with *“a child with type 1 diabetes may require checking blood glucose, injecting insulin, taking a mid-morning or mid-afternoon snack, or doing other diabetes self care activities, as advised by a medical person, and should be permitted by the class teacher to do so during exams and otherwise also.*

There is no change in rest of the letter.

Inconvenience caused is regretted please.

Yours sincerely,

29.3.23
(Priyank Kanoongo)

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सत्यमेव जयते

Rupali Banerjee Singh
रूपाली बनर्जी सिंह
Member Secretary
सदस्य सचिव

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

राष्ट्रीय बाल अधिकार संरक्षण आयोग

GOVERNMENT OF INDIA

भारत सरकार



File No: 1601/31/2022/Child Labour/NCPCR/249608
Date: 09.06.2022

To,
DGPs of all States/UT

Subject: Recommendation for registration of FIR in cases of Child Labour and Bonded Labour.

The National Commission for Protection of Child Rights (NCPCR) (hereinafter referred to as the Commission) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation.

2. The Bonded Labour System (Abolition) Act, 1976 was enacted with the aim to abolish bonded labour for children as well as adults who are employed as bonded labour. The Act had been enacted with a view to prevent the economic and physical exploitation of the children as well as adults and weaker sections of the society who are vulnerable to be employed as bonded labour.

3. Further, the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (hereinafter referred as Act) has been enacted with the objective of prohibiting the engagement of children in all occupations and processes and to prohibit the engagement of adolescents in hazardous occupations and thereby regulate the working and safety conditions of adolescents working in non-hazardous occupations and processes. Section 2(i) of the Act defines "Adolescent" as a person who has completed his fourteenth year of age but has not completed his eighteenth year and Section 2(ii) of the Act defines "Child" as a person who has not completed his fourteenth year of age or such age as may be specified in the Right of Children to Free and Compulsory Education Act, 2009 whichever is more.

4. Also, it may be seen that Part III of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 provides for certain norms to be followed for regulation of working and safety condition of the adolescent employed in non-hazardous occupations and processes. Further, the schedule of the Act provides a list of hazardous occupations where the adolescents are prohibited to work. Also it needs to be seen that any contravention of the working and safety conditions adolescent (Part III Section 6-13 of CLPRA) is also a violation of Section 75 and Section 79 of JJ Act, 2015

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Ph. : 011-23478228, E-mail : ms.ncpcr@nic.in Web : www.ncpcr.gov.in

and an appropriate investigation in such cases where adolescents are involved should also be taken by the police authorities.

5. It may be seen that Section 14 of the Act provides that whoever employs any child or permits any child to work in contravention of the provisions of Section 3 and whoever employs any adolescent or permits any adolescent to work in contravention of the provisions of Section 3A shall be punished under the Act. Section 14B further states that such offences are cognizable offences. It should also be seen that in such violations of child labour where any person ostensibly engages a child and keeps him in bondage for the purpose of employment or withholds his earnings or uses such earning for his own purposes then that person shall be punishable under Section 79 of the JJ Act, 2015. Also, where an offence under these above-mentioned provisions is said to have been committed against a child, immediately an FIR should be filed by Police and investigation as per the procedure established by law should be initiated.

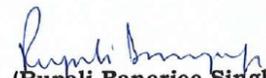
6. The Commission in many of the cases has observed that FIRs are not being lodged by the police officers or where an FIR is being lodged, undue delay is being caused in registering the FIR, as a consequence of which there is an infringement of rights of the child who are victim of such offences and the child is deprived of the back wages, compensation and any such monetary entitlements as mandated by the Act and schemes.

7. In addition to the violations under the JJ Act and CLPRA, the child may also be a victim of trafficking, sexual abuse, bonded labour, drug abuse etc. and in such cases other provisions of POCSO Act, 2012, Plantation & Labour Act, 1954, Mines & Mineral Act, 1956, Factories Act, 1948, IPC 1860 or any other applicable provisions of law should be incorporated in the FIR will also be applicable and investigation as given under these laws shall be initiated.

8. Therefore, in view of the above stated issues with regard to child labour the Commission recommends your good offices to direct the police officers and subordinate officers to:

- a) Register FIRs immediately after receipt of information in such cases
- b) Initiate investigation into these offences on priority basis
- c) Provide any other assistance to the victim, child, parents, guardians, DCPO, CWC and Labour Department.

Yours Sincerely


(Rupali Banerjee Singh)



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



F.No: DL-201317-201798/2021-2022/Child Labour/ 253985
Dated: 15.09.2022

To,
Chief Secretary
Government of NCT of Delhi
Email:kumar.krishan85@gov.in/
Phone: 011-23392311

Subject: Recommendation for grant of compensation for Bonded Labour.

Sir,

National Commission for Protection of Child Rights (NCPCR) (hereinafter referred to as the Commission) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation.

2. The Bonded Labour System (Abolition) Act, 1976 was enacted with the aim to abolish bonded labour for children as well as adults who are employed as bonded labour. The Act had been enacted with the view to prevent the economic and physical exploitation of the children as well as adults and weaker sections of the society who are vulnerable to be employed as bonded labour.

3. The Commission has received 643 complaints from BachpanBachaoAndolan wherein raids were conducted in various parts of Delhi and children were rescued working as bonded labour from 2014 and onwards. It is pertinent to mention that the rescued children have been declared as bonded labour and have also received their release certificates, however they have not received immediate compensation from the government. As per the Revised Central Sector Scheme 2021, bonded labourers are entitled for immediate compensation of Rs. 30,000 which in this case after repeated requests has not been granted to the rescued bonded labourers for years depriving them of their rights. **(List of complaints enclosed)**

4. Therefore, in view of the above stated issues with regards to Bonded Labour, the Commission recommends your good offices to direct the District Magistrate and subordinate officers to release the compensation with immediate effect.

Regards,
Encl as above

Yours Sincerely


(Priyank Kanoongo)

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
5th Floor, Chandernok Building, 36, Janpath, New Delhi-110 001
दूरभाष /Ph. :011-23478200, फ़ैक्स /Fax: 011-23724026
Web:www.ncpcr.gov.in, Lodge your complaint at :www.ebaalnidan.nic.in



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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



F.No.32-362/2021/NCPCR/LC/SC/24893
Date-31.05.2022

To,

Principal Secretaries of all States/UTs,
Department of Labour and Employment

Subject- "Orders of the Hon'ble Supreme Court in SMWP (C) No.4/2020 and SMWP (C) No.6/2021 dated 09.05.2022"

The Hon'ble Supreme Court has taken up the issue with regard to the children who have lost both or single parent to COVID or otherwise post March 2020 in SMWP (C) No.4/2020 In Re Care and Protection of Children due to loss of parent during COVID-19. In its hearing dated 02.05.2022, the Hon'ble Supreme Court had expressed its concerns for the children who had dropped out of school due to various reasons and had thereafter, heard the matter on 09.05.2022 to discuss on this issue and to give directions to State Governments/Union Territories to ensure continuation of education of such children. In the order dated 09.05.2022, certain directions have been given to the State Governments to comply with the suggestions of NCPCR regarding children who have dropped out of school and with the SOP-I of NCPCR for implementing the provision of Section 12(1)(c) of Right to Education Act, 2009 as well. **(Order dated 09.05.2022 enclosed)**

2. In regard to the issue of out of school children, it is informed that in the absence of any uniform definition of out of school children, the NCPCR relies upon the provision of Rule 2B (2) of the Child Labour Rules, 2017 which states that-

"Where a child receiving education in a school remains absent consecutively for thirty days without intimation to the Principal or Head Master of the school, then, the Principal or Head Master shall report such absence to the concerned nodal officer referred to in clause (i) of sub-rule (1) of rule 17C for information."

3. It has been observed by NCPCR that the nodal officer so appointed under this provision is significant in identification of out of school children and thereafter, for taking steps to ensure that the education of such children remains continued. The Hon'ble Supreme Court in Para 6 of the aforementioned order dated 09.05.2022 has also observed the importance of the nodal officer appointed under Rule 2B (2) of the Child Labour Rules, 2017.

4. In view of the above, it is requested that the nodal officers under Rule 2B (2) of Child Labour Rules, 2017 may be appointed at the earliest and the name and details of such nodal officers may be shared with NCPCR as well for further correspondence.

Encl. as above.

Yours sincerely,

(Priyank Kanoongo)

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प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

सत्यमेव जयते

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



F.No.32-308/2022/NCPCR/Misc/LC/ 254238
Date-22nd September, 2022

To,

Director General of Police of all States and Union Territories in India

Subject- "Recommendation for appointment of Child Welfare Police Officer by the order of Police Headquarter of State/ Union Territory"

National Commission for Protection of Child Rights (hereinafter referred to as the Commission) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Juvenile Justice (Care and Protection of Children) Act, 2015 and its Rules; Protection of Children from Sexual Offences (POCSO) Act, 2012 and Right to Free and Compulsory Education (RTE) Act, 2009.

2. Section 107(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015 provides for the designation of at least one officer, not below the rank of assistant sub-inspector, with aptitude, appropriate training and orientation as a Child Welfare Police Officer (CWPO) in every police station to exclusively deal with children either as victims or perpetrators, in co-ordination with the police, voluntary and non-governmental organizations.
3. Further, section 107(2) provides for the constitution of Special Juvenile Police Units in each district and city, headed by a police officer not below the rank of a Deputy Superintendent of Police or above and consisting of all police officers designated as CWPOs and two social workers having experience of working in the field of child welfare, of whom one shall be a woman to co-ordinate all functions of police in relation to children. Furthermore, section 107(3) provides that all police officers of the Special Juvenile Police Units shall be provided special training, especially at induction as child welfare police officer, to enable them to perform their functions more effectively.
4. Rule 8(6) of Juvenile Justice (Care and Protection of Children) Rules, 2016 provides that a list of all designated Child Welfare Police Officers with their contact details shall be prominently displayed in every police station. Moreover, various other provisions under the Juvenile Justice (Care and Protection of Children) Rules, 2016 provide specific roles of a CWPO and the Special Juvenile Police Units in cases of child rights violations.
5. However, during various inspections and visits, it has come to the knowledge of the Commission that the Child Welfare Police Officers have not been designated in all Police Stations and the Special Juvenile Police Units have not been constituted in all districts across India. Additionally, in the States where the Child Welfare Police Officers have been designated, they are so designated by the Station House Officers or at the local level and they do not have any co-ordination with the Special Juvenile Police Unit constituted at the district level. In absence of designated CWPOs or in absence of any co-

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F. No. 32- 367/2022/NCPCR/Misc/LC/DD 6/7
Date: 01.12.2022

To,
Chief Secretaries of all States/UT's

Subject: Regarding use of minors for raising funds

National Commission for Protection of Child Rights (hereinafter referred to as the Commission) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation. **The Commission also has the powers of Civil Court trying a suit under Section 14 of CPCR Act, 2005 and Code of Civil Procedure, 1908.**

2. The Commission has been in receipt of a complaint wherein Hon'ble Member of Parliament has raised concern to the Commission that various Non Governmental Organization (NGO's) are **seen raising funding, domestic as well as international for their NGO's through advertisement on print media, news channels, websites, social media and radio while showing vulnerable minor children in deplorable condition.** The Commission in the said matter has also come across various such advertisements and fund raising activities by prominent NGO's and organizations.

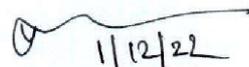
3. The Commission in the said regard observes that such activities is a violation of child rights, which is in contravention of provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015, therefore the Commission recommends your good offices to may kindly pass directions to all the District Authorities to look after all

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NGO's and organizations of your State to refrain from practicing any such activities that involves using of pictures, videos or any such material that showcases vulnerable children in deplorable condition in order to raise funding.

With regards,

Yours sincerely,



(Priyank Kanoongo)
Chairperson, NCPCR



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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F. No. 32-375/2022/NCPCR/Misc/LC DD774
Date: 07.12.2022

To,
Principal Secretaries of all States/UT's

Subject: Regarding Mandatory reporting of a child found separated from guardian

National Commission for Protection of Child Rights (hereinafter referred to as the Commission) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation. **The Commission also has the powers of Civil Court trying a suit under Section 14 of CPCR Act, 2005 and Code of Civil Procedure, 1908.**

2. The Juvenile Justice (Care and Protection) Act, 2015 (JJ Act) has been implemented to provide for the care and protection of children across the country. The Act caters to the needs of children at all levels and ensures that each officer and body is working effectively as intended by the Act. The officials and bodies under the Act have to be well-equipped with the provisions of the Act so as to identify the individual needs of the child and immediately provide for the same.
3. The Juvenile Justice Act 2015 and Amendment Act 2021 and its Model Rules, 2016 and Amendment Rules 2022 is more focused to facilitate the prospective adoptive parents to adopt orphan, abandoned and surrendered children.
4. After the implementation of the JJ Act, 2015 and Amendment Act 2021 and its Model Rules, 2016 and Amendment Rules 2022, it must be seen that officials and stakeholders dealing with children play a multifold role for children and further have to follow multiple steps at each

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and every stage of the process for each child. The Commission would like to draw your kind attention towards one such provision as laid down under Section 32 of the Juvenile Justice (Care and Protection of Children) Act, 2021 which provides for **Mandatory reporting regarding a child found separated from guardian.**

The said provision further provides that:

Section 4(1) Any individual or a police officer or any functionary of any organization or a **nursing home or hospital or maternity home**, who or which finds and takes charge, or is handed over a child who appears or claims to be abandoned or lost, or a child who appears or claims to be an orphan without family support, shall within twenty-four hours (excluding the time necessary for the journey), give information to the Childline Services or the nearest police station or to a Child Welfare Committee or to the District Child Protection Unit, or hand over the child to a child care institution registered under this Act, as the case may be.

Further, the Commission would also like to draw your attention towards Section 81 of the Juvenile Justice (Care and Protection of Children) Act, 2021 and Rule 59 of the Juvenile Justice (Care and Protection of Children) Model Rules, 2022 which provides that:

Section 81 - Sale and procurement of children for any purpose: Any person who sells or buys a child for any purpose shall be punishable with rigorous imprisonment for a term which may extend to five years and shall also be liable to fine of one lakh rupees:

Provided that where such offence is committed by a person having actual charge of the child, including employees of **a hospital or nursing home or maternity home**, the term of imprisonment shall not be less than three years and may extend up to seven years.”

And

Rule 59 - Procedure in case of offence under section 81 of the Act – (5) Where any offence under section 81 of the Act is committed by a Child Care Institution including Specialized Adoption Agency or by a **hospital or nursing home or maternity home**, or a person associated with such an institution or agency, the Committee may also pass appropriate orders for placing the other children placed with such Child Care Institution or Specialized Adoption Agency or hospital or nursing home or maternity home in any other Child Care Institution or Specialized Adoption Agency or hospital or nursing home or maternity home, as the case may be.

(5A) The Committee shall submit a report regarding such children and action taken regarding their rehabilitation to the District Magistrate. The District Magistrate shall ensure action regarding shifting of children to a safe place and closure of the Institution within seven days and recommend cancellation of registration of the agency to the State Government.

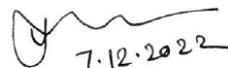
(6) The District Magistrate shall recommend to the State Government that the registration or recognition of such agency or institution or the registration or license of such a **hospital or nursing home or maternity home** or such associated person under any law for the time being in force shall also be withdrawn and the State Government shall take appropriate action within fifteen days.”

5. In exercise of its powers mandated under section 13 of the CPCRA Act, the Commission hereby recommends your good offices to may kindly issue necessary directions to all the District Chief Medical and Health Officers or any other Administrative/Regulatory officer as per your State’s Administrative Structure in all the districts of your State regarding mandatory reporting of children if found separated from guardian and further organize sensitization programmes for matters pertaining to illegal adoption in all government hospitals, private hospitals, nursing homes, maternity homes, primary health care centers, community health centers, ASHA workers, auxiliary nurse and midwives and any other health professional. It is also recommended that Childline number 1098 and Local Child Welfare Committee details and contact number may also be displayed at all visible areas of all hospitals, nursing homes and maternity homes.

6. In view of the above it is also requested that an action taken report in the said regard may also be forwarded to the Commission within 15 days of receipt of this letter.

With regards,

Yours sincerely,



(Priyank Kanoongo)
Chairperson, NCPCR

Copy to: For information-

1. Chief Secretaries of All States/UT’s



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Priyank Kanoongo
अध्यक्ष
Chairperson

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F. No: 32 – 384/2022/NCPCR/Misc./LC/DD-1396

Dated: 20.12.2022

To,

The Secretary, Home Department, All States & UTs

Subject: Recommendation for regulating the use of loudspeakers in view of ensuing School Examinations.

National Commission for Protection of Child Rights (hereinafter referred to as the Commission) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation. **The Commission also has the powers of Civil Court trying a suit under Section 14 of CPCR Act, 2005 and Code of Civil Procedure, 1908.**

2. As exams of children are approaching and it is crucial time of the year for students as they will be preparing for their examinations, for which a conducive environment is necessary for students to prepare for their examination. However, it has been observed by the Commission that use of loudspeakers beyond the permissible limit is a common phenomenon in various social/religious/political events/functions. As a result of which, the students preparing for their examinations are not only disturbed but also not able to give their best in their examinations.

3. In this regard, in the case of Re: Noise Pollution, W.P.(C) No.-72 / 1998 restricting use of loudspeakers, the Supreme Court of India has issued certain guidelines for the use of loudspeakers:-

- The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB(A) above the ambient noise standards for the area or 75 dB(A) whichever is lower.
- No one shall beat a drum or tom-tom or blow a trumpet or beat or sound any instrument or use any sound amplifier at night (between 10.00 p.m. and 6 a.m.) except in public emergencies.
- The peripheral noise level of privately-owned sound system shall not exceed by more than 5 dB (A) than the ambient air-quality standard specified for the area in which it is used, at the boundary of the private place.

Contd....

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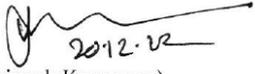
Also, the Noise Pollution (Regulation and Control) Rules, 2000 has laid down the permissible noise levels in India - In industrial areas, the permissible limit is 75 dB for daytime and 70 dB at night. In commercial areas, it is 65 dB and 55 dB, while in residential areas it is 55 dB and 45 dB during daytime and night respectively.

4. Still the Commission is receiving complaints/representations for use of loudspeaker beyond the permissible limit which violates the directions of the Hon'ble Supreme Court of India and provisions of the Noise Pollution (Regulation and Control) Rules, 2000.

5. Therefore, in view of the above stated issues, particularly the approaching schedule of school examinations, the Commission exercising its power under Section 13(1)(j) of CPC Act, 2005 recommends that your good offices may issue necessary directions to all the District Magistrates of your State for regulating the use of loudspeakers as prescribed.

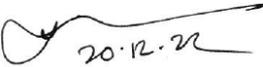
Regards,

Yours sincerely


20.12.22
(Priyank Kanoongo)

Copy for information to :-

The Chief Secretary, All States & UTs


20.12.22
(Priyank Kanoongo)



National Commission for Protection of Child Rights

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