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The Annual Report 2014-2015 of the Delhi Commission for Protection of Child Rights (DCPCR) incorporates the initiatives taken by the Commission in terms of its various activities, consultations, workshops, trainings and inspections relating to the welfare and protection of the rights of children of the NCT of Delhi. The Commission brought out a number of important documents / study reports in the course of the year and all of these have been placed on the website of the Commission in the interest of transparency of functioning.

The Commission continues to engage with all important stakeholders in the child rights sector and regularly involves them in its programmes and activities. A major event in the financial year was the participation by the Chairperson in a first of its kind National Consultation Workshop to develop modules on child rights which could be used as an instruction manual in the Lal Bahadur Shastri National Academy of Administration (LBSNAA) – Mussoorie, besides other training institutions of the country. These modules now stand finalized and are a regular part of training at the IAS Academy at various levels.

Besides organizing consultations, meetings and trainings on important issues, a highlight of the Commission’s work in 2014-2015 was the bringing out of a Compendium which included Guidelines for Media Reporting on Children. For the first time, important laws, rules, regulations and guidelines, including the guidelines approved by Hon’ble High Court of Delhi, have been put together in one booklet for use of all stakeholders, including media professionals.

The Commission also finalized a detailed study on the Implementation of the Action Plan for Abolition of Child Labour in Delhi. This Action Plan had been approved by the Hon’ble High Court of Delhi. The DCPCR report lists out the various issues and challenges in the implementation of the Action Plan for abolition of Child Labour in Delhi.

Other important studies and reports of the Commission included one on the children of HIV Infected / Affected People in Delhi; a Report on Children’s Committees in juvenile and child care institutions of Delhi; Study on Status of Adolescent Girls in the Slums of Delhi; and a Special Report on the Mental Health Care of Children.

In the Education sector, as part of the efforts to ensure the protection of the rights of children as per the Right to Free and Compulsory Education Act, DCPCR put together a Compendium on the Status of Implementation of the Provisions of the RTE Act in various Schools in Delhi.

The DCPCR is committed to closely interacting and coordinating with all child rights practitioners, representatives of civil society, other State Commissions as well as concerned Departments of the NCT of Delhi in the interest of promoting the best interest of the children of Delhi.

(Arun Mathur)
Chairperson
August, 2015
Role of DCPCR

The Delhi Commission for Protection of Child Rights (DCPCR) was constituted under the Commissions for Protection of Child Rights Act, 2005 by the Govt. of NCT of Delhi on 7 July, 2008. The Act empowers the Commission to act as a Civil Court, to undertake suo-motu enquiry and also look into complaints relating to deprivation and violation of child rights and non-implementation of laws for protection and development of children. The Commission monitors rescue & rehabilitation of child labour, cases falling under the RTE Act, medical crisis in schools, children’s right to play in parks, prevention of sexual abuse of children, checking child trafficking and all issues connected with children in need of care and protection and children in conflict with law.

Function and Powers of the Commission

Section 13 (1) of the Commissions for Protection of Child Rights Act, 2005 lays down the functions of the Commission as follows :-

a) 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;

b) Present to the Central Government, annually and at such other intervals, as the Commission may deem fit, reports upon the working of those safeguards;

c) Inquire into violation of child rights and recommend initiation of proceedings in such cases;

d) Examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV / AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;

e) Look into the matters relating to children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures;

f) Study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;

g) Undertake and promote research in the field of child rights;
h) Spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminars and other available means;

i) Inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority, including any institution run by a social organization; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;

j) 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

k) Such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions.

Powers Relating to Inquiries

As per Section 14 (1) of the CPCR Act, 2005

1) The Commission shall, while inquiring into any matter referred to in clause (j) of sub-section (1) of section 13 have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 and, in particular, in respect of the following matters, namely:

   a) Summoning and enforcing the attendance of any person and examining him on oath;
   b) Discovery and production of any document;
   c) Receiving evidence on affidavits;
   d) Requisitioning any public record or copy thereof from any court or office; and
   e) Issuing commissions for the examination of witnesses or documents.

2) The Commission shall have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.

Steps after inquiry

As per section-15 of the CPCR Act 2005
The Commission may take any of the following steps upon the completion of an inquiry held under this Act, namely-

i) Where the inquiry discloses, the Commission of violation of child rights of a serious nature or contravention of provisions of any law for the time being in force, it may recommend to the concerned Government or authority the initiation of proceedings for prosecution or such other action as the Commission may deem fit against the concerned person or persons;

ii) Approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary;

iii) Recommend to the concerned Government or authority for the grant of such interim relief to the victim or the members of his family as the Commission may consider necessary.
Statement of Cases

CASES RECEIVED AND DISPOSED OFF DURING 2014-2015

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Balance of Cases as on 1 April 2014</td>
<td>488</td>
</tr>
<tr>
<td>Total Cases received during 2014-2015</td>
<td>742</td>
</tr>
<tr>
<td>Total Disposal</td>
<td>647</td>
</tr>
<tr>
<td>Balance cases as on 31 March, 2015</td>
<td>583</td>
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</tbody>
</table>
Consultations/Workshops/Meetings

(i) The DCPCR had commissioned a study report to assess the impact of the implementation of the Action Plan for Abolition of Child Labour in Delhi. In order to deliberate on the findings of the draft report, a consultation was held on 16 April, 2014 in DCPCR in which all Members of the Commission, Director from NCPCR, representative of the Department of Women & Child Development, Labour Department, CWCs, SDMs, Education Department (MCD) besides civil society organizations like Child Line, Bachpan Bachao Andolan and others involved in the area of child protection as well as rescue and rehabilitation of child labour were also associated. The meeting was presided over by Chairperson, DCPCR Sh. Arun Mahur. The Study Report is already on the website of the DCPCR.

(ii) Chairperson DCPCR participated in the meeting of Chairperson of State Commissions for Protection of Child Rights held at India Habitat Centre, New Delhi on 21.05.2014. Matters relating to the RTE, inspection of schools and child care institutions, training programmes on child rights issues, status of implementation of POCSO Act were among the various important issues discussed in the meeting in which, besides NCPCR, 17 State commissions were represented.

(iii) An interdepartmental coordination meeting on the importance of a safe environment for children and to review the available child protection mechanisms was organized in DCPCR on 23.05.2014. The campaign for creating awareness against sexual abuse of children (Chuppi Todo) launched by the Commission along with Plan India and Dr. A.V Baliga Memorial Trust was also reviewed. The participants included representatives from the departments of WCD, Delhi Police, North & South Municipal Corporations, Labour and Education. Publicity material, banners, hoardings for dissemination on the POCSO Act developed by DCPCR along with CASP Plan were released on this occasion by Chairperson, DCPCR, Mr. Arun Mathur.

(iv) An Advocacy Meeting with NGOs and RWAs was held on 16.12.2014 at Conference Hall, DCPCR on issue of prevention of child abuse, guidelines, POCSO Act and Child Protection Policy. The objective of this meeting was to build capacities of management of different NGOs and RWAs regarding POCSO Act and related guidelines for Prevention of Child Sexual Abuse so that they could prevent child abuse incidents and create child safe institutions and environment. Mr. K.V Sareen and Mr. Sudesh and District Child Protection
Unit (North & North-West) shared about the achievement of compensation awarded to 46 victims and explained about the procedure / mechanism of the Delhi Victim Compensation Scheme. The police officials SI Seema and SI Shashi Dixit shared about the experiences of role of Juvenile Police Officers under POCSO Act. In this meeting NGO representatives and RWAs were made aware about POCSO Act and guidelines for prevention of incidents related to child abuse and creating safe environment for children. A compendium of related material on child abuse besides POCSO Act and rules, Delhi Victim Compensation Scheme established in hospitals etc was circulated. The meeting was attended by 30 representatives from various stakeholder organisations.

(v) An Interdepartmental Coordination Meeting to address the issues of Child abuse, specially child sexual abuse, was held on 16.01.2015 at Conference Hall, DCPCR.

DLSA offered to organize training programme for child protection volunteers / para legal workers to strengthen the child protection mechanisms. Issues to address incidence of child abuse, trafficking, Placement agencies was also discussed and Department of Labour indicated that on Executive Order has been issued for registration of placement agencies. List of these agencies needs to be shared with all stakeholders to create awareness on POCSO Act, guidelines and child protection policy.

Plan India shared their plan for prevention of child abuse prepared under guidance of DCPCR with schools, children homes, shelter homes managed by DUSIB, resident welfare associations and civil society organizations. It was agreed to organize an awareness campaign in collaboration with DCPUs and Child Welfare Committees, as well as SJPUs.

(vi) An advocacy meeting with Education Officials on POCSO and related guidelines was held on 28.01.2015 at Pitampura, New Delhi. The meeting was attended by DCPCR Members besides principals, teachers and school inspectors from NDMC. The objective of this meeting was to build capacities of education officials so that they could prevent child abuse incidents and create child safe institutions and environment. DCPCR representative shared
about the POCSO Act and its implementation, guidelines on prevention of child abuse, protection and grievances redressal mechanism under RTE Act and Child Protection Policy. All the representatives of the schools were requested to implement the child protection policy in their respective schools.

(vi) For the first time, an important initiative was taken by the National Gender Centre at the LBSNAA, Mussoorie to develop training modules on child rights which could be used as an instruction manual not only in the IAS Academy but across various other training institutions of the country. The Ministry of WCD, Govt. of India, Non-Government organizations, UNICEF and others were associated with this important exercise for which a National Consultation Workshop was held on 7-8 April, 2014 at LBSNAA, Mussoorie. In the workshop, a thorough brainstorming exercise was done by all experts to identify the critical child related issues to be incorporated in the different levels / phases of the trainings conducted at the Academy. Chairperson, DCPCR, Sh. Arun Mathur was associated with this exercise which was a first of its kind initiative. In a follow up workshop held on 7-8 July, 2014, the Training Modules prepared were again deliberated upon and the modules were subsequently finalised. They are now a regular part of the Academy training process for officers at different levels.
Delhi Commission for Protection of Child Rights has been proactively dealing with the issue of missing children of Delhi. DCPCR has adopted a two pronged approach to deal with the matter;

1. Case Wise Initiative
2. Policy Wise Initiative

The Commission pursues cases reported to it either personally by the parents of the missing child or reported during the sharing of experience with the parents of missing children. The Commission also takes suo-motu cognizance of such cases.

Delhi Police, at the behest of DCPCR, has appointed a Nodal Officer to deal with such cases which are reported to this Commission. The Commission is continuing with operation “Khoj”, as one of its initiatives. Commission is regularly circulating photographs of missing children of Delhi to different child care institutions of Delhi. Although response received is not very encouraging from different child care homes, DCPCR is trying to institutionalize the process. DCPCR has also collected information with respect to missing children of Delhi, residing in different Homes of Delhi. The information has been catalogued and circulated to different DCPs of Delhi, to facilitate the identification of the child. A list of almost 300 children has been circulated.

In the current year the Commission has organized three meetings for experience sharing with parents of missing and found children and other stake holders. One such meeting was held on the auspicious occasion of Children’s day and was attended by a large number of police personnel and Child Welfare Committee Members. This forum is developing as a very important and interactive platform for different stake-holders. Meetings held are as follows:

**Interfacing**

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting with</th>
<th>No. of participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.02.2014</td>
<td>Parents and other stakeholders including police</td>
<td>27</td>
</tr>
<tr>
<td>13.03.2014</td>
<td>-Do -</td>
<td>32</td>
</tr>
<tr>
<td>14.11.2014</td>
<td>-Do -</td>
<td>37</td>
</tr>
<tr>
<td>16.04.2015</td>
<td>Held at Prayas, Jahangirpuri Home</td>
<td>22</td>
</tr>
<tr>
<td>12.05.2015</td>
<td>Held with DBS at Tahirpur</td>
<td>54</td>
</tr>
</tbody>
</table>
DCPCR has held following sessions with personnel from homes for their sensitization and awareness regarding Operation Khoj

**Meeting with Children Home Staff**

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting with</th>
<th>No. of participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.06.2014</td>
<td>DCPCR with Home staff</td>
<td>21</td>
</tr>
<tr>
<td>15.07.2014</td>
<td>-Do -</td>
<td>18</td>
</tr>
<tr>
<td>18.09.2014</td>
<td>-Do -</td>
<td>18</td>
</tr>
<tr>
<td>17.10.2014</td>
<td>DCPCR with CWC only</td>
<td>08</td>
</tr>
</tbody>
</table>

The Commission decided to publish a compendium on Missing Children which includes Delhi Police circulars, notifications, SOPs, etc. besides various important judgments and orders of Hon’ble Supreme Court and Delhi High Court. It also includes MHA Guidelines and recommendations by the NHRC. At the time of the Annual Report going to press, this compendium on Missing Children had been published and is now available on the website of DCPCR.
Annual Report 2014-15

Child Labour

DELHI PLAN OF ACTION FOR ABOLITION OF CHILD LABOUR : STATE STEERING COMMITTEE MEETING

In the light of the Hon’ble Delhi Court Order in case NO. 2069 / 005 and disposal of the case on 05.11.2014, Hon’ble Chairperson had sent a communication to Divisional Commissioner and Labour Commissioner Govt. of NCT of Delhi to strengthen the rehabilitation process of child labour in Delhi as per revised plan of action submitted by the petitioners and accepted by the concerned stakeholders. Some of the important recommendations made in the court order were as follows:

1. All enforcement agencies should understand Child Labour as meaning the system of employing or engaging a child to Provide labour or service to any person, for any payment or benefit, paid to the child or to any other person exercising control over the said child.

2. Constitution of a Steering Committee on Child Labour at the State level headed by the Divisional Commissioner, to ensure compliance of all laws and court directions.

3. Action on complaints of child labour within 24 hours of the receipt of the complaint and latest within three days if number of child labour is above 100.

4. Compulsory registration of all factories and other places of production employing young labour, by the Labour Department.

5. Conducting at least 20 large scale child rescue operations per month and laying down a target of rescuing at least 500 children in a month.

6. The police, while registering FIR in a case of child labour should also invoke Sections 370, 370A of the IPC, Section 23 and 26 of the Juvenile Justice ( Care and Protection of Children) Act, 2000, Section 3 and 14 of Child Labour (Prohibition and Regulation) Act, 1986, Section 16 of Bonded Labour System (Abolition) Act, 1976 and on rescue of girl children, if any sexual exploitation is found, appropriate provisions of the Protection of Children from sexual offences Act, 2012.

7. Intensive investigation by the Investigating Officer throughout the chain of trafficking.

8. Collection of material evidence in respect of age, as per Rule 12 of Juvenile Justice ( Care and Protection of Children) Act, 2000 by the Investigation Officer and for providing proper counseling by the officer of Child Welfare Committee before recording statement under Section 164 Cr. P.C. before the Metropolitan Magistrate.
9. Laying down a target of completing investigation within 45 days from the rescue of the child, so that necessary formalities for rehabilitation and compensation can be completed within the said time.

10. The Investigation Officer should forward the cases of child labour to the appropriate authorities/department for recovery of due back wages, compensation for victims and if applicable, compensation under Section 357A Cr.P.C.


12. Constitution of teams at the District Level under the supervision of Steering Committee of Delhi for identification of child labour and for such identification drives to be conducted at least once in a month.


14. Sealing of premises from where children have been rescued.

15. Immediate recovery of Rs.20,000/- from the employer of child labour as an arrear of land revenue.

16. Action including of sealing of establishment/ cancellation or suspension of license failing the recovery of fine within one week.

17. If the facts and circumstances in which child labourers are found for drawing the presumption that child labour is forced/ bonded labour within the meaning of Bonded Labour System (Abolition) Act, 1976 and action there under.

18. Divisional Commissioner to preside over the meetings of the Steering Committee on monthly basis.

19. Divisional Commissioner to formulate schemes for providing incentives, scholarships etc. to children from Delhi who are unable to continue their education.

20. Formulation of schemes for identification, rescue and withdrawal of child labour engaged or employed in begging or selling various items at traffic junctions.

Commission has previously also requested Chief Secretary and Labour Commissioner for organizing State Steering Committee Meeting for rehabilitation of Child Labour as per Delhi Action Plan. Department of Labour had organized the State Steering Committee meeting on 04.12.2014 at Delhi Secretariat which was attended by senior government officers, DCPCR, and other stakeholders. Department is in process of institutionalizing the rehabilitation mechanism and reviewing Child Labour-Cum-Welfare Rehabilitation Society at Labour Department, Govt. of NCT of Delhi. Executive Order has also been passed for registration and regulation of placement agencies in Delhi.
In the meeting labour department has also shared that more than 4620 children have been rescued since July 2009 and rehabilitated to different source states. Rehabilitation amount of Rs.20,000/- per child is also recovered at site in most of the cases wherever children of age below 14 year are found employed in hazardous occupations and processes. Minimum wages wherever due were also recovered at site from the erring employers. 399 establishments/units had been sealed and 1719 challan/prosecutions had been filed and sum of Rs.2,62,25,000/- had been disbursed to source states such as Bihar (Rs.1,76,00,000/-) for 704 Child Labour), UP.(Rs.55,25,000/-), West Bengal (Rs.24,25,000/-) and other states (Rs.6,75,000/-) for rehabilitation amount by Department of Labour, Govt. of NCT of Delhi. Linkage and better coordination with source states are concerns for further strengthening the plan of action and rehabilitation of Child Labour.
1. Guidelines for Media Reporting on Children.

Media, both print and electronic, is an important stakeholder in safeguarding the rights of children. It is vital that the rights and dignity of a child are protected and media coverage channelized to promote the best interest of children. The present compendium has several relevant regulations / Advisories relating to reporting of issues on child rights by the media besides the Guidelines for Media Reporting on Children as approved by the Hon’ble High Court of Delhi on 5 December, 2012. A more pro-active role by media in sensitizing the community in general and all stakeholders in particular about the rights of the child will go a long way in addressing the rights and needs of a child.

DCPCR, as part of its initiatives to create awareness about the guidelines, has been reaching out to the media in Delhi and apprising them about these guidelines. These guidelines were also sent to the Broadcasting Content Complaints Council (BCCC), Press Council of India, Press Trust of India, News Broadcasters Association, Prasar Bharti, and the Directorate of Information and Publicity of the Govt. of NCT of Delhi.

2. Implementation of the Action Plan for Abolition of Child Labour in Delhi

Child Labour continues to be a reality all over the country inspite of the Child Labour (Prohibition and Regulation) Act, 1986. Appreciating child labour in the NCT of Delhi as a serious child protection concern, the Hon’ble High Court of Delhi had in October, 2008 constituted a Committee chaired by the Chairperson, NCPCR with Secretaries of Labour, Social Welfare, Education, Revenue and Health Departments of the NCT of Delhi and Commissioner of Police and Commissioner MCD as Members of the Committee to formulate a detailed action plan for implementation of the Child Labour (Prohibition and Regulation) Act, 1986 and other related legislations. This Committee put together an Action Plan for Abolition of Child Labour in Delhi in 2010 and the same is regularly being monitored by the Hon’ble High Court of Delhi through an on-going petition in the Court.
The DCPCR has not only been monitoring the implementation of the said Action Plan but has also facilitated, from time to time, meetings, consultations and trainings of various stakeholders on different aspects of child labour. In fact, the Commission organized in September 2013 an Interface Meeting on Rehabilitation of Rescued Child Labour in which, besides the Chairperson and Members of NCPCR and concerned officers of the various departments of the Govt. of NCT of Delhi, Chairpersons/ Members of a number of State Commissions for Protection of Child Rights (Bihar, Madhya Pradesh, Uttrakhand, Rajasthan, Jharkhand, Odisha and Chhattisgarh) also participated. This national consultation on inter-state coordination for rehabilitation of rescued child labour brought into sharp focus not only the need for strengthening the rehabilitation mechanisms of child labour in source States as well as in Delhi, but also the necessity of improving inter-state coordination. In order to take this effort forward, the DCPCR decided to commission a study in order to assess and analyse the available data regarding rescue, recovery and post rescue procedures besides other issues of Inter-State coordination. Research teams met officials from the department of labour, Members of CWCs and Deputy Commissioners / SDMs. Meetings were organized with all stakeholders departments besides representatives of civil society, including Child Line India Foundation, Prayas and Bachpan Bachaao Andolan. The study report has been a compilation of detailed consultations, discussions and inputs from various stakeholders.

While the study acknowledges that there is a well laid-down process for rescue, shelter, restoration and rehabilitation and most stakeholders are aware of their duties and responsibilities, there are still several challenges relating to coordination and convergence of service. The aspects of prosecution and conviction also need to be more appropriately addressed. There is need for greater flow of information both intrastate and inter-state regarding rehabilitation and restoration of children. There is also need for awareness and capacity building at different levels.

3. HIV Infected and Affected Children in Delhi
A Status Report.

HIV / AIDS has emerged as a major issue affecting children in our society. Children infected and affected by HIV face a lot of apathy and are one of the most vulnerable sections of our society. Children affected by HIV / AIDS include a relatively small number of children who are HIV-positive and a far larger number who are not infected but whose parents are living with, or have died of AIDS. In addition, there is an even larger group of adolescents who are at a heightened risk of HIV infection because they engage in unsafe behaviour or live in communities which are vulnerable to HIV.

A 2012 Delhi State Aids Control Society (DSACS) study estimates that the total number of Orphan and Vulnerable Children (OVC) in Delhi was 1,908, of which 766 were infected with HIV and 1,142 were affected by HIV / AIDS. The data was gathered during the period April 2010- March 2012 from nine antiretroviral treatment centres, Children Affected by AIDS (CABA) pilot scheme, and two institutions providing residential care of CABA in Delhi.
Being HIV positive, children face rejection within their own families, schools, medical care facilities and are ostracised by society at large. They are stigmatized and face a lot of discrimination as well as abuse. People are scared to come in contact with them and take care of their basic needs. Families refuse to share living spaces, utensils, clothes, toilets with HIV positive children in the household.

Media has been constantly reporting on how children are forced to leave schools given their status. At times, other parents withdraw their children leading to pressure on these children to drop out of educational institutions. Even health care providers, despite their sensitisation, refuse to take care of HIV positive patients. Pregnant women are not attended to leading to transmission of the infection to the child. Surgeries are not performed on HIV positive individuals. Children are also pulled out of school to take care of their ailing parents. In the absence of parents, they are forced to become breadwinners of the family, having already suffered the trauma of the death of their near and dear ones. Malnourished, living with opportunistic infections, lack of access to treatment often leads to early death. Most often they lose their property and inheritance rights and are subjected to abuse and exploitation. In other words, HIV / AIDS compromises children’s right to survival, protection, participation and development. It cuts short their childhood.

Over the years, with improvement in testing facilities, medical intervention, free roll out of paediatric ART (antiretroviral therapy), and increase in awareness, their life span has enhanced and we need to ensure they have access to care and protection like any other child in this country. ART has transformed AIDS from a terminal illness to a treatable chronic condition.

The objective of this study is to understand the status of HIV infected and affected children in the Capital city of Delhi which has been categorised as a “highly vulnerable but low prevalence” city. It also looks at the global and national context, the various interventions and initiatives at different levels and the schemes and programmes which can be accessed by these children in difficult circumstances.

This status report on HIV and children began with a desk review of the available material on HIV as well as children’s rights in the context of their positive status. This included policy documents, various guidelines laid down by the Government of India, reports related to children and their rights and laws, and reports of various donor agencies. Reports by experts in this field as well as of NGOs working in different parts of the country were studied to understand the programmes, schemes and initiatives and their impact on the children infected and affected by HIV. Media reports related to HIV and children were scanned to understand the debate and discussion on the issue within the media.


WHO identifies adolescence as the period of human growth and development that occurs after childhood and before adulthood, between the ages of 10-19 years. Adolescence represents one of the most critical transitions in the life of an individual and is characterised by a tremendous pace of mental and physical growth and change, which is second only to that of an infant. In India, of the total adolescent (10-19 years) population of
about 22.8% (232 million), adolescent girls (10-19 years) constitute close of half (111 million) of this population group. Social constructs around gender roles inevitably place a high burden of care work on women. When a woman of a family is unable to cope with the triple burden of domestic and reproductive responsibilities, and paid employment, more often than not, the onus of care work falls on the older girl child in the family. Also, girls are more often likely to be married at an early age. They also experience early child bearing and parenting. It is estimated that the country loses crores of rupees in potential earnings because of adolescent pregnancy, high secondary school drop out rates and joblessness among young women. Further gender related challenges and disparities create unfair disadvantages for girls, especially in the spheres of education and work-force participation.

The DCPCR has been aware of the lack of comprehensive studies or reports specifically addressing important areas of concern regarding the wellbeing and development of adolescent girls. In the context of the NCT of Delhi, it was noted that there was not enough information or studies focusing on the four important aspects in the life of an adolescent girl, namely, health nutrition, education and protection. The present study aims to address this gap and looks at the status of an adolescent girl in respect of the aforementioned four parameters by evaluating the situation in 55 urban slums spread across 11 districts of the NCT of Delhi. For this purpose, a sample of 550 adolescent girls from these 55 slums was adopted as the universe for the study which took shape after a series of discussions and consultations with several stakeholders. For the purpose of obtaining the relevant information, not only were the views of the adolescent girls taken, but structured questionnaires were designed for eliciting information from NGOs, Gender Resources Centres (GRCs), Anganwadi workers, ward councillors and parents.

5. Children's Committees in Juvenile and Child Care Institutions of Delhi

The Juvenile Justice (Care and Protection of Children) Act, 2000 provides for the care, protection, treatment, development and rehabilitation of neglected or delinquent juveniles. The Act seeks to consolidate and amend the law relating to juveniles in conflict with law and children in need of care and protection. It adopts a child friendly approach in the adjudication and disposition of matters in the best interest of children. The Juvenile Justice (Care and Protection of children) Rules, 2007 were made with a view to provide for better implementation and administration of the provisions of the Juvenile Justice Act. Rule 56 of the Juvenile Justice (Care and Protection of children) Rules, 2007 provides for active participation of children in the institutional management and delivery of services in all childcare institutions through the mechanism of Children's Committees.

In our interactions with various stakeholders and practitioners of child rights, the DCPCR found that not all provisions of the JJ Act and Rules were being implemented or put in practice in letter and spirit. Of particular concern to the Commission was the less than adequate compliance on the
subject of formation of Children’s Committees in childcare institutions. DCPCR decided to do a quick assessment of the status of Children’s Committees in various homes, both government-run and those managed by NGOs, in the National Capital Territory of Delhi.

The current status paper is based on the feedback received from 45 juvenile and child care institutions of Delhi. The analysis of the data in the status paper was further subjected to a consultation process with the stakeholders which included Chairpersons / Members of Child Welfare Committee, representatives of Government-run Children Homes and other NGOs.

6. Mental Health Care of Children

It is often forgotten that in order to lead productive and creative lives, mental energy and emotional stability for children is of great importance. Lack of adequate awareness about mental health care issues is a significant stumbling block in the achievement of optimal health care for children. It is very important that all stakeholders including families, schools, communities as well as the State appreciate their responsibility in developing an understanding of the mental health needs of our children. This includes understanding their fears, anxieties as well as stresses and tensions and work towards finding rights-based and child-centred solutions for them.

In order to address this need for a deeper understanding of the mental health and well being of children, the Commission set up an Expert Committee to discuss and deliberate on the subject and come up with suitable recommendations and measures for handling the mental health care needs of children. The Committee drew support from a number of experts and professionals from reputed institutions and organizations working in the area.

The report has analyzed the mental health problems of children in different settings besides the role of the family, professional services and other care-givers in the prevention and treatment of these problems.

7. Subjective Well being of Children Living in Institutions in Delhi-A Rights Based Perspective

The present document is an interesting analysis of the concept of “Subjective Wellbeing” and its role in the overall well being and quality of life of children. It believed that the protections and promotion of their well being could be central to the realization of all other rights of children. The detailed exercise in this document aims to analyse, measure and understand child well being and provide a framework for the development of different child centric policies, programmes and guidelines.
8. Implementation of the RTE Act in Delhi - A Compendium

The present document seeks to put in place, for the first time, information regarding the role and functions of DCPCR as per the RTE Act, a brief summary of the number/type of cases handled/disposed off during the past few years as also a narration of some examples of Commission's interventions in resolving issues/grievances of children relating to their right to education under the Act. Effort has also been made to include some of the orders/circulars/guidelines issued by the Directorate of Education of the Government of NCT of Delhi from time to time in order to comply with different provisions of the RTE Act. These orders/instructions etc have also been placed on the website of DCPCR (www.dcpcr.delhi.gov.in).
Greater Awareness in the general public about the right to education of children has resulted in a number of complaints/grievances being filed with DCPCR. The Commission had set up an RTE cell with the objective of ensuring proper implementation of the Right to Free and Compulsory Education Act, 2009 in Delhi. After the Mechanism for Grievance Redressal was put in place by the authorities of the Directorate of Education, this Commission has started receiving appeals against the decision taken by the authorities of the Directorate of Education with regard to their grievances. 195 cases were processed in DCPCR in the year 2014-15 out of which 175 cases have been disposed off. The remaining 20 cases are in process. In the Commission, cases which were reported in the previous years were also followed up in the year 2014-15 for appropriate disposal. The Commission has also taken suo-motu cognizance in child right violation cases reported in print and mass media. The cases reported to this Commission in the year in reference can be broadly grouped into the following categories:-

**CATEGORY WISE CASES, 2014-15**

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Admission</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Holding of entrance test or interaction with parents.</td>
</tr>
</tbody>
</table>
|       | Collection of capitation fee from parents. | 2  
|       | Denial of admission to children in a neighborhood school | 31  
| 2     | Corporal Punishment               |  
|       | Corporal punishment in schools    | 15  
|       | Child subjected to mental harassment | 19  
|       | Injury to children/ death of a child in school | 11  
|       | Sexual harassment/ assault /molestation of children in school | 4  
| 3     | Denial of Entitlements            |  
|       | Denial of entitlements such as uniform / scholarship /stipend /stationary items/text books in school | 1  
| 4     | Systemic Issues                  |  
|       | SMC non functional                | 2  
|       | No arrangement of special educators in schools | 1  
|       | Increase in school fees without resorting to prescribed procedure | 8  
|       | The security & safety of children | 2  
|       | Corrections in schools records   | 2  

cont......
<table>
<thead>
<tr>
<th></th>
<th>Infrastructure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>(i) Lack of basic amenities in school</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>(ii) Closure of schools/sale of recognized school</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>(iii) Lack of teachers in Schools</td>
<td>2</td>
</tr>
<tr>
<td>6</td>
<td>EWS/DG Quota</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) Denial of entitlements to children admitted under EWS/DG Quota</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>(ii) Charging of amount/fees for children under EWS Quota</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>(iii) Denial of admission under EWS Quota.</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>(iv) Discrimination with children admitted under EWS/DG quota in schools</td>
<td>1</td>
</tr>
<tr>
<td>7</td>
<td>Holding Back/Expulsion</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) Holding back of children before completing elementary education</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>(ii) Expulsion of children from schools</td>
<td>8</td>
</tr>
<tr>
<td>8</td>
<td>Miscellaneous</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) Corruption in schools</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>(ii) Engagement of teachers in non academic work other than permitted under RTE Act.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>(iii) Non availability of mechanism for redressal of grievances</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>(iv) Policy issues</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>(v) Denial of admission to Child With Special Needs</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>195</td>
</tr>
</tbody>
</table>

**Check List for schools being RTE compliant**

**A  Infrastructural facilities-All weather building consisting of**

I. Separate, usable toilet blocks for boys and girls

II. Safe & adequate drinking water facility

III. Water facility in toilet blocks

IV. Barrier free access

V. Boundary Wall

VI. Room for Principal/HOS

VII. One classroom for every teacher

VIII. Play ground

IX. Usable toilets for CWSN

X. Electricity in school, functional electrical fittings/fixtures/fans/tube lights
XI. Teaching Learning Equipment, play material, games and sports for each class as required

B Staff/Personnel

School should have:

I. Principal/HOS
II. No. of teachers as per parameters (Pupil Teachers Ratio as per norms)
III. Special Educators (at least 2 in each school)
IV. Teachers to cater to the special training needs of children admitted in age appropriate class

C Welfare Schemes /Incentives/Entitlements

V. Mid Day Meal
VI. Free Text Books
VII. Stationery items
VIII. Free uniform/subsidy for uniform
IX.

D SMC/SDP

X. Properly constituted SMC
XI. Functional SMC
XII. SDP prepared

E Other Arrangements

I. Admission to all children living in the vicinity
II. Admission to children with special needs
III. Quality education
IV. No Screening/No interview at the time of admission
V. No holding back of children in any class
VI. No corporal punishment
VII. No mental harassment
VIII. Free education in all respects upto elementary level
IX. No capitation fees from parents
X. 25% free ship for EWS/DG in Unaided Recognised Schools
XI. Safety & Security of children in schools
XII. Directions w.r.t. transportation of children are followed
XIII. No deployment of teachers for non-academic duties
XIV. Mechanism in place for Grievance Redressal
XV. Library in school with newspapers, magazine & books on all subjects

**Training of School Management Committee Members**

A Parent Teacher Association or its equivalent has always existed at the school level with a view to bring the community and the school together although its role and formation has changed from time to time. The Right to Education Act, 2009 has redefined this relationship in which it has been established that the participation of the community can ensure effective quality education for all the children. Under Section 21 of the RTE Act there exists a provision of School Management Committees which have been made democratic, decentralized and equity based. To strengthen the RTE mandate for strong school community relations and for promoting community role in the management and overall functioning of the school an initiative has been taken by DCPCR for capacity building of School Management Committees. The objective of these trainings has been not only to apprise SMC members of their roles and responsibilities but also sensitize them towards other important aspects of education and child protection. With these motives in mind a number of training programmes for members of School Management Committees have been conducted by DCPCR in collaboration with civil society organizations. The objectives of these training programmes have been multifold as detailed below:-

i. To develop an understanding on Child Rights, especially in the school context amongst the members.

ii. To develop an understanding on Child Abuse (nature, forms etc.) in the context.

iii. To highlight the roles and responsibilities of the SMC members.

**Programmes conducted**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Dates</th>
<th>Venue</th>
<th>Number of participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>19 March, 2015</td>
<td>Hotel Sherwani, Nehru Place</td>
<td>66, Principals from schools with two members of SMC</td>
</tr>
<tr>
<td>2.</td>
<td>20 March, 2015</td>
<td>Hotel Zara Grand, Jasola</td>
<td>64, Principals from schools with two members of SMC</td>
</tr>
<tr>
<td>3.</td>
<td>24 March, 2015</td>
<td>Community Hall Madanpur Khadar, Phase-III</td>
<td>62, Principals from schools with two members of SMC</td>
</tr>
</tbody>
</table>
INTERVENTIONS BY DCPCR

(i) Harassment to a child and expulsion from school before completing elementary education.

The Commission received a complaint from father of a child enrolled in a reputed school in Central Delhi in class VII in which it was alleged that the school authorities were harassing his son and were not allowing him to attend his class. It was also stated that the matter was being heard in the National Commission for Minorities, New Delhi.

Since the matter was already being heard by another Commission, DCPCR decided not to take up the matter in the light of the provision contained in Section 13(2) of the Commissions for Protection of Child Rights Act, 2005. This decision of DCPCR was made known to the complainant.

Father of the child decided to withdraw his matter from National Commission for Minorities and filed a petition to this effect before them. Granting the request of the complainant National Commission for Minorities issued a NOC for the matter to be taken up by Delhi Commission for Protection of Child Rights.

DCPCR issued a notice to the authorities of the concerned school for taking the child back and for stopping his mental harassment. Copy of the notice was forwarded to the Regional Director, (Delhi Region), CBSE, New Delhi, to inform them regarding the violation by the school concerned. Taking note of the initiative taken by DCPCR, CBSE made a communication to the school about their misconduct, asking them to comply with the order of the Commission.
The school responded to the notice by saying that the child had some behavioural problems and required regular counseling. The complainant informed that the child had Attention Deficit Hyperactivity Disorder (ADHD) and there was regular monitoring of his medication.

School authorities, who were earlier unwilling to allow the child to continue with his education in their school, softened their stand and agreed reluctantly to take back the child with certain conditions, which was objected to by the Commission as well as the complainant.

A meeting of the full Commission chaired by its Chairperson was convened which was attended by the Secretary and all the Members of DCPCR. A senior official from the school along with his legal consultant and the complainant attended this meeting.

After deliberations it was decided that school shall accept the child, who shall have regular counseling with an expert in the field. The parents shall submit monthly counseling report in respect of the child to the school authorities along with the prescription of medical consultant. Both the parties agreed to abide by the decision arrived at in the meeting.

The child is presently pursuing his studies in the school and has not reported any difficulty/problem.

(ii) Ban on construction of dhalaos near schools

Consequent upon reporting of a matter regarding construction of a garbage dhalao in front of Public Schools located in I.P. Extn. Area, Delhi, a notice was served by the DCPCR upon the concerned authorities. The matter was forwarded to this Commission by President, Delhi State Public School’s Management Association in which it was stated that the construction of dhalao in the area shall be detrimental to the health, security & safety of approx 10,000 children enrolled in a number of schools functioning in the area. The complainant also moved an application before the National Green Tribunal, Principal Bench, New Delhi from where notices were issued to the concerned parties.

After hearing the matter at length an order was passed by the Tribunal on February 21, 2014 directing the authorities not to use the said place for the purpose of garbage dhalao.

It was made clear that in future whenever the Municipal Corporations and other authorities decide to choose the place for the purpose of dumping yard, they shall take into consideration that such places shall not be chosen nearby the hospitals and schools where people gather in large number.

The show-case notice of DCPCR was an important input in the complaint before the Tribunal.

(iii) Use of safe transport for children in schools

The Commission took suo-motu cognizance of a news item captioned “School Van Driver Fined For Driving Drunk” that appeared in a newspaper on 29.01.2014. A notice was served upon the concerned authorities. The Commission received a reply /Action Taken Report from the concerned authorities of the Directorate of Education in which it was stated that neither the driver
involved was an employee of the school nor was the van involved under any contract with the school. This in fact was a purely private arrangement made by a few parents themselves. In view of the above said reply a letter was sent to the authorities directing them to keep an eye on the arrangement made by the parents for transportation of their children with a view to ensure the security & safety of children studying in schools. It was also desired that such parents and the transporters/vehicle owners also need to be sensitized about the directions passed on the subject by the Apex Court of India.

The matter was also taken up with the authorities of Directorate of Education, GNCT of Delhi to issue directions to the Principals of all Public Schools in Delhi. This effort of DCPCR brought favourable results when Additional Director of Education Act I issued a circular number No.DE.15(173)/Act-1/Pt./2013/24150-24161 dated: 10.6.2014 to the Managers/HOS of all Unaided Recognised Private Schools regarding the use of safe and legal vans/RTVS for transporting school children. In the said circular it was desired that the authorities of Public Schools should exhort the parents in PTA meetings & at other interactive forums to make use of safe transport for sending their children to schools.

(iv) Regulation of play schools

DCPCR had taken suo-motu cognizance of several cases of child sexual abuse reported in the recent past in play schools in the National Capital Territory of Delhi. Instances were reported of 2 & 3 year old children being sexually abused in play schools which do not fall under the direct supervision and control or any regulatory mechanism of any one department of the Govt. of Delhi. In this context Chairperson, DCPCR had addressed the Chief Secretary of the Govt. of NCT of Delhi recommending that some framework should be put in place for registration of such play schools so that there is some element of accountability. In the absence of any mandatory requirement of registration, there has been unchecked mushrooming of such play schools without any Standard Operating Procedure or norms laid down for their establishment and functioning. The DCPCR expects Govt. to take note of this suggestion so that the concerns of the public can be appropriately addressed and young children are afforded the care and protection they deserve.

(v) Distribution of school uniforms / books

(i) The Commission took suo-motu cognizance of a news item captioned “Chattro Ko Thand Ke Baad Milenge Sweater” that appeared in Dainik Jagaran dated 04.12.2014. In the news item it was reported that more than 10 lakhs children enrolled in MCD Schools are not likely to get sweater/jersey this winter. The process of release of funds for purchase of jerseys by the parents or the supply of jersey itself is likely to take some time. Notice and subsequent reminders were issued to the concerned authorities for submitting an Action Taken Report on the subject.

An Action Taken Report/Status Report was received from the ADE(Purchase), in which it was stated that approx. 2.14 lacs children were enrolled in EDMC schools. As per decision taken cash subsidy @ Rs. 500/- cash was given to the parents of the children studying in EDMC schools in lieu of Schools Uniform Cloth (Suiting & Shirting), Jersey, two pairs of Socks, one pair of shoes.
After that an Action Taken Report was received from the Director(Education), in which it was stated that Education Department, North DMC was already provided Note Books & Diaries in the month of September, 2014 for the session 2014-2015 for all the children studying in municipal schools falling under jurisdiction of North DMC. Cash amount in lieu of purchase of schools bags was already allocated vide letter dated 23.12.2014 to all the zones for onward distribution to the parents of the children enrolled in class I of Municipal schools falling under jurisdiction of North DMC.

The intervention by this Commission helped in resolving the matter by the concerned authorities and speeding up the process of distribution of materials under welfare schemes to children enrolled in North Delhi Municipal Corporation schools.

(vi) Removal of garbage from inside school

The Commission received a complaint from President Sampurna Vikas Trust, 187 G-2, Sultanpur, Mehrauli, New Delhi-30 in which it was stated that there was a Dhalao near the boundary wall of Govt. SKV, Sultanpur, New Delhi-30. It was also stated that stray dogs and other animal hovering on this Dhalao were causing a threat to the security of children and teachers of this school. Notice and subsequent reminders were issued to the concerned authorities.

An Action Taken Report/Status Report was received from the Sanitation Superintendent, South Zone, South Delhi Municipal Corporation, Green Park, New Delhi-16, in which it was stated that the concerned SI/SS was directed to monitor this site on regular basis to maintain the daily cleaning/removal of garbage by DWM. Moreover, it was pertinent to mention that a new tender for Collection and Transportation of Municipal Solid Waste was in active consideration in which MSW will collect from primary collection points(Generators) and will transfer it directly energy plant/SLF sites through mobile transfer stations, due to which very little quantity of MSW would come to Dhalao/Open sites.

The dependence on these Dhalao would be almost eliminated/minimized. This will also ensure the compliance of the directions of the Hon’ble National Green Tribunal as well as the consequent request/directions of DCPCR.

It is a matter of satisfaction that intervention by the Commission has persuaded the concerned authorities of South Delhi Municipal Corporation to remove garbage from the site on daily basis. They have also started searching for alternative site/arrangement to give permanent relief to the school going children.

(vii) Harassment of child in school

The Commission received a complaint from Shri Lallan Jha, F/o Nitesh Jha a student of St. Mary’s Senior Secondary School, Ambica Vihar, Paschim Vihar, New Delhi regarding the alleged harassment of the child by the school authorities. The child was issued School Leaving Certificate by the school on account of alleged indiscipline, behavioural, emotional problems shown by the child.
This Commission under section 13(j)(1) of the Commissions for Protection of Child Rights Act, 2005 took notice of deprivation and violation of Child Rights by school management. Notice was issued to the Principal of the school and the concerned DDE to appear before this Commission on 28.7.2014.

On the above stated date after hearing it was decided that the transfer certificate issued to the child should be taken back by the school and the child alongwith the family members should be put to counseling in IHBAS for the period of two months. In pursuance of this resolution of the Commission the child alongwith his parents was asked to appear before the IHBAS which was complied by them. IHBAS conducted a detailed assessment of child and reported that no behavioural or emotional problems have been reported by parents and they denied any of the behavioural emotional problems identified by the school authorities. In the meanwhile the complainant got his son admitted in a Government School namely Sarvodaya Vidyalaya, B-4, Paschim Vihar, New Delhi.

(i) Alleged mental torture of a child

The Commission received a complaint from Mr. Pankaj Narula and Ms. Reema Narula, parents of Master Rajveer Narula, R/o Saieesh, 2B/12, East Punjabi Bagh, New Delhi-26 regarding the alleged mental harassment and torture to their ward a student of class III in G.D. Goenka School, Vasant Kunj, New Delhi. In the complaint it was alleged that the class teacher Mrs. Nalini Gautam was harassing the child in one way or the other and the school authorities were threatening to expel the child from school. The child was being punished everyday on one ground or the other. A notice for violation of section 17 of RTE Act, was served upon the school authorities by special messenger and by fax. After the service of notice school did not allow the child to appear in his unit test on 17.12.2014 & 18.12.2014.

The Commission received a reply from the Principal of the school on 19.12.2014 in which it was stated that the behaviour of the child in reference was unacceptable to the school authorities. He has misbehaved with the class teacher on some occasions. The incidence of bullying other children in the class and injuring them was also reported in the reply.

In the best interest of the child, a notice was served upon the concerned authorities to attend a special meeting of this Commission on 29.12.2014 alongwith the class teacher, the School Counselors and/or any other teacher associated with this episode.

The meeting was attended by the Principal of the school, Sr. Counsellor, In-charge, class teacher and the parents of the child. The Principal of the school explained that the child in reference was making noise at the time of holding of the unit tests and therefore was taken away from his classroom. The parents present in the meeting insisted upon the normal continuance of the education of the child in the said school and requested that the harsh treatment being meted out to the child be stopped by all concerned in the school.

The Commission made it very clear to all present that for them the best interest of the child was to be kept in view while dealing with the child. The school Principal and other representatives assured that in future there would not be any cause for any complaint from their side. The
Chairperson insisted that the cooperation between the school and the parents was a sine qua non in the best interest of the child. The parents also assured that they would be cooperating with the school authorities in future. Both the parties were satisfied with the Commission’s decision.

On 19.01.2015, the Commission received a fresh complaint from the Father of the child that his son who went to the school after the reopening of the school after winter vacation was not allowed to attend his class. He was made to sit in the office of the Principal for the entire day.

The Commission found it to be a fit case for investigation U/S 17 of RTE Act 2009 and section 23 of JJ Act 2000. The Commission recommended an enquiry into the matter by a committee on priority basis and apprising the Commission of the action taken.

The parent filed a petition in the High Court and the Hon’ble High Court recommended an amicable resolving of the conflict. The High Court disposed off the case on the request of the counsel of the petitioner who wanted to withdraw the case.

The school authorities informed this Commission the matter regarding the unit test was discussed with the parent of the child and as desired by them the child was not re-tested. Grades were given to him as per the CCE norms.

The intervention by this Commission helped in resolving the matter amicably by both the parties so as to continue with the education of the child uninterruptedly.
POCSO Act has been implemented with effect from 14 November, 2012. DCPCR had been dealing with a large number of cases related to Sexual abuse of children even before this Act came into existence. DCPCR, in coordination with NGOs, had launched a campaign known as “Chuppi Todo” to make children aware regarding, “Good touch and bad touch”. This Campaign was launched by DCPCR, even before the POCSO Act was enacted. “Chuppi Todo” is a social campaign whereas POCSO came as a legal instrument. DCPCR has also formulated “Guidelines for Prevention of Child Abuse” under the provisions of Rules 31 and 60(1) of Delhi Juvenile Justice (Care & Protection of Children) Rules 2009.

POCSO Act protects children (any person below the age of 18 years) from offences of sexual assault, sexual harassment and pornography and provides for establishment of Special courts for trial of such offences and for the matters connected therewith or incidental thereto. Section 44 of the Act empowers this Commission to monitor implementation of the Act in Delhi.

Keeping in view the legal obligations of the Commission to monitor the implementation of the Act in NCT of Delhi under u/s 44 of the Protection of Children from Sexual Offences Act, 2012 and Rule 6 of the POCSO Rules, this Commission issued communications to different government officials including Secretaries and Directors of concerned departments, Child Welfare Committees, Delhi Police etc. The Commission also wrote to the Hon’ble Lieutenant Governor, Delhi, Hon’ble Chief Minister, Delhi and the Hon’ble Minister, Women and Child Development, GNCTD regarding the relevant provision of the Act and apprised them that we would be taking up this issue with the Secretaries of Health, Department of Women and Child Development, Social Welfare, Home, Education and Law as well as the Commissioner of Police for further action regarding the modalities of the implementation pertaining to their area of work.

**STEPS TAKEN BY DCPCR:**

1. This Commission has further undertaken orientation programs for other stakeholders including members of different Child Welfare Committees. DCPCR also monitored the implementation of the provisions of section 39 of the Act, which reads as follows: “Subject to such rules as may be made in this behalf, the State government shall prepare guidelines for use of non-governmental organizations, professionals and experts or persons having knowledge of psychology, social work, physical health, mental health and child development to be associated with the pre-trial and trial stage to assist the child”. Ultimately
at the request of different state governments, the department of WCD, Government of India, has come up with the guidelines.

ii) DCPCR, in a pioneering effort, formulated “Guidelines for Prevention of Child Abuse”, as stipulated in Rule 31 of the J.J. Act for the prevention of sexual abuse of children. These guidelines have already been adopted by the Govt. of NCT of Delhi for implementation in the state of Delhi.

It would be relevant to mention here, that DCPCR has been providing orientation to different stakeholders including teachers and counselors of various private and government schools, directly or through NIPPCID or other governmental organisations. We have already conducted more than 20 such orientation programs through NIPPCID, Lal Bahadur Shastri National Academy of Administration, Haryana Institute of Public Administration, Haryana police Training Academy, etc.

The highlight of the guidelines is that in its definition of 'Institution' it embraces any institution or infrastructure which is established and maintained for the reception, care, education and development of children which includes institutions for which no legal provision is in place. It includes Play schools, temporary and permanent crèches, day care centres, private tuition centres and other organisations that provide or run child services.

DCPCR, on 13.10.2014, in view of its concern regarding the large number of reported cases of sexual abuse, in play schools, issued a communication to the Chief Secretary, Govt. of Delhi, mentioning therein, “I am sure you will agree that the protection of children from sexual abuse would be an important responsibility of all stakeholders, including the government. It would be appropriate for some department of the government of NCT of Delhi to take ownership of the supervision and monitoring of play schools and that some norms are put in place for their mandatory registration and functioning. In the light of increasing demand from parents of young children for some form of regulatory framework to be in place for play schools and in order to effectively deal with the menace of child abuse, this is a pressing requirement.”

iii) This Commission has also issued communications to Department of WCD. GNCTD, Delhi Police, CWCs, Department of Health and Family Welfare etc. from time to time, as part of the discharge of its statutory duty to monitor the implementation of the Act in Delhi.

iv) The Commission has also requested the Ministry of Women and Child Development, Govt. of India on the importance of earmarking sufficient funds to enable proper awareness measures to be taken in pursuance of the implementation of various provisions of POCSO. Since this is a new legislation for which budgetary arrangements have not been put in place earlier and also because the State Commissions have a specific monitoring mandate as per the Act, this would be an essential requirement for ensuring that training/ sensitization/ awareness generation etc. is pursued in right earnest.
DATA ANALYSIS:

Data related to cases registered under the POCSO Act has been put together and analysed on the basis of information received from the Delhi Police and other stakeholders. Broadly, the data relating to POCSO Act cases, in so far as Delhi Police is concerned, is with reference to December, 2012 till March, 2014. The total number of cases registered during this period in the NCT of Delhi by Delhi Police were 1492.

Out of the total number of 1492 POCSO Act cases registered by Delhi Police, the district wise break up of these cases is as follows:-

<table>
<thead>
<tr>
<th>S.No.</th>
<th>District</th>
<th>No. of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Central</td>
<td>99</td>
</tr>
<tr>
<td>2.</td>
<td>Crime &amp; Railways</td>
<td>02</td>
</tr>
<tr>
<td>3.</td>
<td>East</td>
<td>121</td>
</tr>
<tr>
<td>4.</td>
<td>New Delhi</td>
<td>16</td>
</tr>
<tr>
<td>5.</td>
<td>North</td>
<td>84</td>
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<tr>
<td>6.</td>
<td>North-East</td>
<td>157</td>
</tr>
<tr>
<td>7.</td>
<td>North-West</td>
<td>164</td>
</tr>
<tr>
<td>8.</td>
<td>Outer</td>
<td>226</td>
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<tr>
<td>9.</td>
<td>South</td>
<td>128</td>
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<tr>
<td>10.</td>
<td>South-East</td>
<td>176</td>
</tr>
<tr>
<td>11.</td>
<td>South-West</td>
<td>119</td>
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<tr>
<td>12.</td>
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</tbody>
</table>

From these broad figures, it may be seen that the maximum number of cases under POCSO Act were registered in Outer district (226), closely followed by West (200) and South –East (176) districts. Since POCSO Act came into force only w.e.f. from November, 2012 and cases would have begun to get registered only w.e.f. a few months thereafter, it can safely be presumed that registration and investigation under the POCSO Act gained momentum only from the middle of 2013 onwards. Another relevant factor to be noted is that, with increasing awareness about POCSO Act, there was an increase in the reporting of cases under the said Act.

In so far as further detailed analysis is concerned, the same is based on 4 Tables which form a part of this report. These Tables are as follows:-

Table 1:- District wise FIR analysis vis-a-vis major POCSO Provisions
Table 2:- District wise percentage of Crime (Sexual Abuse) committed against children by “known persons”
Table 3:- Percentage of different POCSO crimes committed against children, District wise
Table 4: Maximum no. cases reported in the P.S. in each police district
Table 5:- Disposal of POCSO Cases (1st April, 2013 to 31st March, 2014)

Analysis of Table-1

This table looks at POCSO crimes registered under different sections of the Act in various districts of Delhi. It mentions the various sections under which FIRs were filed under the POCSO Act. Offence for which different districts registered cases may be seen as follows:-

a) Penetrative Sexual Assault (Section-3)

- South East District – 66 cases
- West district- 61 cases
- Outer Delhi- 52 cases

All other districts put together registered just about a little more than the same number of cases as the above three districts.

b) Aggravated Penetrative Sexual Assault (Section-5)

Under this category of offence, the three districts reporting largest number of cases were:-

- Outer District: 46
- North-East District: 27
- South-East District: 27

c) Sexual Assault (Section-7)

Sexual Assault cases were also the maximum in Outer district. The three highest reporting districts were:-

- Outer district: 64
- West district: 62
- North-East district: 62

Under this Section, except for New Delhi district, all districts recorded upwards of 23 cases with South-East recording 51 cases.

Aggravated Sexual Assault (Section-9)

Hence again, the top three districts recording come under this section of POCSO Act were:

- Outer district: 23
- North-West district: 20
- Central district: 14
Sexual Harassment (Section-11)

- South district: 57
- West district: 45
- East district: 35

Bearing New Delhi, most districts reported sexual harassment cases around 20 or above.

The Table also shows that Outer district had the maximum number of cases (218) closely followed by West district (198) and North-East district (165). New Delhi district reported only (15) cases.

**TABLE-2:** District wise percentage of Crime (Sexual Abuse) committed against children by” Known persons”

While analyzing the data available in Table-2, Data related to Crime and Railways and New Delhi District, are not considered because of their immaterially small number.

Highest percentage of sexual abuse of children by known persons are reported from Outer, South East and South/Central districts which are 94,93 and 91 respectively. The average of such crimes is 89%. This percentage is contrary to the findings of Child Abuse Study, i) 50% abuses are persons known to the child or in a position of trust and responsibility. ii) Most children did not report the matter to anyone.

This shows that more and more cases are being reported to Delhi Police.

**TABLE-3:** Percentage of different POCSO crimes committed against children, District wise

While analyzing the data available in Table-2, Data related to Crime and Railways and New Delhi District, are not considered because of their immaterially small number.

Maximum percentage of crime u/s 3/4 of POCSO Act is 38%, in South East district, Maximum percentage of crime u/s  5/6 of POCSO Act is 17%, in Central district, Maximum percentage of crime u/s  7/8 of POCSO Act is 36%, in South -West district, Maximum percentage of crime u/s  9/10 of POCSO Act is 14%, in Central district, Maximum percentage of crime u/s  11/12 of POCSO Act is 45%, in South district.

**Table-4:** Maximum no. cases reported in the P.S. in each police district

Maximum no. of cases of cases are reported in P.S. Govindpuri and Uttam Nagar, each having 36 such cases reported, whereas in Outer District six cases have been reported in Kanjhawala P.S. and four cases to Bawana P.S., contrary to common perception.

**Table-5:** Disposal of POCSO Cases (1st April, 2013 to 31 March, 2014)

The table draws a very sorry picture related to disposal of cases by Children’s Court. Highest percentage of pending cases is about 93% in West district. The average percentage of pending cases is about 85%. Average percentage of conviction is about 2%. 15% of cases are disposed. There are 05 cases of discharge.
This Commission feels that such a high percentage of pendency and low percentage of conviction can be attributed to the fact that Children’s Courts are not fully dedicated to the Children's cases. They handle matters related to children over and above the usual cases allotted to them. As a result the legal requirement of disposal of the case within one year is not being adhered to.

**Table 1**

**District wise FIR analysis vis-a-vis major POCSO Provisions**

<table>
<thead>
<tr>
<th>POLICE DISTRICT</th>
<th>*Sec.3/4</th>
<th>*Sec.5/6</th>
<th>*Sec.7/8</th>
<th>*Sec.9/10</th>
<th>*Sec.11/12</th>
<th>*Sec.13/14</th>
<th>other</th>
<th>*Sec.21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central</td>
<td>20</td>
<td>17</td>
<td>29</td>
<td>14</td>
<td>19</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Crime &amp; Railways</td>
<td>02</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>East</td>
<td>28</td>
<td>17</td>
<td>34</td>
<td>06</td>
<td>35</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>New Delhi</td>
<td>07</td>
<td>None</td>
<td>05</td>
<td>02</td>
<td>01</td>
<td>None</td>
<td>None</td>
<td>01</td>
</tr>
<tr>
<td>North</td>
<td>16</td>
<td>09</td>
<td>23</td>
<td>11</td>
<td>24</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>North-East</td>
<td>41</td>
<td>27</td>
<td>62</td>
<td>05</td>
<td>30</td>
<td>None</td>
<td>Sec 16/01</td>
<td>Sec 18/01</td>
</tr>
<tr>
<td>North-West</td>
<td>35</td>
<td>22</td>
<td>44</td>
<td>20</td>
<td>29</td>
<td>01</td>
<td>Sec 18/02</td>
<td>None</td>
</tr>
<tr>
<td>Outer</td>
<td>52</td>
<td>46</td>
<td>64</td>
<td>23</td>
<td>32</td>
<td>01</td>
<td>Sec 18/01S</td>
<td>Sec 17/01</td>
</tr>
<tr>
<td>South</td>
<td>22</td>
<td>08</td>
<td>33</td>
<td>08</td>
<td>57</td>
<td>None</td>
<td>Sec 18/01S</td>
<td>Sec 22/01</td>
</tr>
<tr>
<td>South-East</td>
<td>66</td>
<td>27</td>
<td>51</td>
<td>07</td>
<td>23</td>
<td>01</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>South-West</td>
<td>31</td>
<td>16</td>
<td>43</td>
<td>05</td>
<td>24</td>
<td>None</td>
<td>Sec 23/01</td>
<td>None</td>
</tr>
<tr>
<td>West</td>
<td>61</td>
<td>19</td>
<td>62</td>
<td>10</td>
<td>45</td>
<td>01</td>
<td>Sec 18/01</td>
<td>Sec 15/01</td>
</tr>
</tbody>
</table>

Table is drawn on the basis of data made available to the Commission by Delhi Police as on 15th March 2014 since the implementation of the Act. The provisions of law are taken on the basis of the first section in FIR.

* Section 3/4 stands for the crime Penetrative Sexual Assault and its punishment.
Section 5/6 stands for the crime Aggravated Penetrative Sexual Assault and its punishment.
Section 7/8 stands for the crime Sexual Assault and its punishment.
Section 9/10 stands for the crime Aggravated Sexual Assault and its punishment.
Section 11/12 stands for the crime Sexual Harassment and its punishment.
Section 13/14 stands for the crime use of child for pornographic purposes and its punishment.
Section 15 stands for punishment for storage of pornographic material involving child for and its punishment.
Section 16/17 stands for abatement of an offence and its punishment
Section 18 stands for Punishment for attempt to commit an offence
Section 21 stands for punishment for failure to report and record a case and its punishment.
Section 22 stands for punishment for false complaint or false information

**TABLE-2**

**District wise percentage of Crime (Sexual Abuse) committed against children by “Known persons”**

<table>
<thead>
<tr>
<th>POLICE DISTRICT</th>
<th>Total no. of FIR A</th>
<th>NO. of cases where the accused are unknown B</th>
<th>NO. of Cases where the status of the accused cannot be ascertained</th>
<th>No. of cases in which the accused are known A-B</th>
<th>% of cases in which the accused are known</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central</td>
<td>99</td>
<td>08</td>
<td>09</td>
<td>81</td>
<td>91</td>
</tr>
<tr>
<td>Crime &amp; Railways</td>
<td>02</td>
<td>02</td>
<td>00</td>
<td>00</td>
<td>00</td>
</tr>
<tr>
<td>East</td>
<td>121</td>
<td>13</td>
<td>05</td>
<td>108</td>
<td>89</td>
</tr>
<tr>
<td>New Delhi</td>
<td>16</td>
<td>02</td>
<td>01</td>
<td>14</td>
<td>88</td>
</tr>
<tr>
<td>North</td>
<td>84</td>
<td>12</td>
<td>10</td>
<td>72</td>
<td>86</td>
</tr>
<tr>
<td>North-East</td>
<td>157</td>
<td>27</td>
<td>12</td>
<td>130</td>
<td>83</td>
</tr>
<tr>
<td>North-West</td>
<td>164</td>
<td>16</td>
<td>10</td>
<td>148</td>
<td>90</td>
</tr>
<tr>
<td>Outer</td>
<td>226</td>
<td>13</td>
<td>09</td>
<td>213</td>
<td>94</td>
</tr>
<tr>
<td>South</td>
<td>128</td>
<td>12</td>
<td>07</td>
<td>116</td>
<td>91</td>
</tr>
<tr>
<td>South-East</td>
<td>176</td>
<td>12</td>
<td>11</td>
<td>164</td>
<td>93</td>
</tr>
<tr>
<td>South-West</td>
<td>119</td>
<td>15</td>
<td>18</td>
<td>102</td>
<td>87</td>
</tr>
<tr>
<td>West</td>
<td>200</td>
<td>23</td>
<td>11</td>
<td>177</td>
<td>89</td>
</tr>
<tr>
<td>POLICE DISTRICT</td>
<td>*Sec. 3/4</td>
<td>*Sec 5/6</td>
<td>*Sec. 7/8</td>
<td>*Sec. 9/10</td>
<td>*Sec. 11/12</td>
</tr>
<tr>
<td>-----------------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>Central</td>
<td>22%</td>
<td>17%</td>
<td>29%</td>
<td>14%</td>
<td>19%</td>
</tr>
<tr>
<td>Central - East</td>
<td>23%</td>
<td>14%</td>
<td>28%</td>
<td>05%</td>
<td>29%</td>
</tr>
<tr>
<td>Central - West</td>
<td>23%</td>
<td>14%</td>
<td>29%</td>
<td>14%</td>
<td>19%</td>
</tr>
<tr>
<td>North</td>
<td>19%</td>
<td>11%</td>
<td>28%</td>
<td>13%</td>
<td>29%</td>
</tr>
<tr>
<td>North - East</td>
<td>25%</td>
<td>16%</td>
<td>38%</td>
<td>03%</td>
<td>18%</td>
</tr>
<tr>
<td>North - West</td>
<td>23%</td>
<td>14%</td>
<td>29%</td>
<td>13%</td>
<td>19%</td>
</tr>
<tr>
<td>Outer</td>
<td>24%</td>
<td>20%</td>
<td>29%</td>
<td>11%</td>
<td>15%</td>
</tr>
<tr>
<td>South</td>
<td>17%</td>
<td>06%</td>
<td>26%</td>
<td>06%</td>
<td>45%</td>
</tr>
<tr>
<td>South - East</td>
<td>38%</td>
<td>15%</td>
<td>29%</td>
<td>04%</td>
<td>13%</td>
</tr>
<tr>
<td>South - West</td>
<td>26%</td>
<td>13%</td>
<td>36%</td>
<td>04%</td>
<td>20%</td>
</tr>
<tr>
<td>West</td>
<td>31%</td>
<td>10%</td>
<td>31%</td>
<td>05%</td>
<td>23%</td>
</tr>
</tbody>
</table>

Data in table 1 and 3 show that maximum number of Penetrative Sexual Assault cases reported from South East Delhi (38%)
### TABLE-4

Maximum no. cases reported in the P.S. in each police district

<table>
<thead>
<tr>
<th>POLICE DISTRICT</th>
<th>Total no. of FIR</th>
<th>Maximum no. of cases reported in the P.S. in the given police district</th>
<th>No. of Cases / % of total case reported in the district.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central</td>
<td>99</td>
<td>Patel Nagar</td>
<td>16/16%</td>
</tr>
<tr>
<td>Crime&amp; Railways</td>
<td>02</td>
<td>H.Nizamuddin &amp; New Delhi</td>
<td>1 each</td>
</tr>
<tr>
<td>East</td>
<td>121</td>
<td>Gazipur</td>
<td>15/12%</td>
</tr>
<tr>
<td>New Delhi</td>
<td>16</td>
<td>Chanakya puri</td>
<td>08/50%</td>
</tr>
<tr>
<td>North</td>
<td>84</td>
<td>Sarai Rohilla</td>
<td>21/25%</td>
</tr>
<tr>
<td>North- East</td>
<td>157</td>
<td>Gokulpuri</td>
<td>20/13%</td>
</tr>
<tr>
<td>North - West</td>
<td>164</td>
<td>Ashok Vihar</td>
<td>24/15%</td>
</tr>
<tr>
<td>Outer</td>
<td>226</td>
<td>Sahabad Dairy</td>
<td>32/14%</td>
</tr>
<tr>
<td>South</td>
<td>128</td>
<td>Mehrauli</td>
<td>24/19%</td>
</tr>
<tr>
<td>South-East</td>
<td>176</td>
<td>Govindpuri</td>
<td>36/20%</td>
</tr>
<tr>
<td>South- West</td>
<td>119</td>
<td>Dabri</td>
<td>19/16%</td>
</tr>
<tr>
<td>West</td>
<td>200</td>
<td>Uttam Nagar</td>
<td>36/18%</td>
</tr>
</tbody>
</table>
### Disposal of POCSO Cases (1st April, 2013 to 31st March, 2014)

Note: - The matter of compensation award is being dealt by the Delhi State Legal Service Authority.

<table>
<thead>
<tr>
<th>S.N</th>
<th>District</th>
<th>Fresh Cases</th>
<th>Transferred</th>
<th>Sent Back to the court from where it was transferred</th>
<th>No. of cases quashed</th>
<th>Total Convicted</th>
<th>Acquitted</th>
<th>Discharged</th>
<th>Total disposed off till 30th March 2014</th>
<th>% of Conviction</th>
<th>Pending</th>
<th>No. of cases in which compensation awarded</th>
<th>Total amount of compensation</th>
<th>Name of ASJ who is handling POCSO Cases</th>
<th>Name of Spl. Public Prosecutor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>New Delhi</td>
<td>116</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>115</td>
<td>11</td>
<td>14</td>
<td>25</td>
<td>44</td>
<td>90</td>
<td>DLSA</td>
<td>DLSA</td>
<td>Ms Neena Bansal Krishna</td>
<td>Sh. Saleem Khan</td>
</tr>
<tr>
<td>2.</td>
<td>East</td>
<td>84</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>84</td>
<td>4</td>
<td>11</td>
<td>0 15</td>
<td>27</td>
<td>69</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Ms Sujata Kohli</td>
<td>Sh. S.K. Tripathi</td>
</tr>
<tr>
<td>3.</td>
<td>North East</td>
<td>95</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>95</td>
<td>2</td>
<td>20</td>
<td>0 22</td>
<td>10</td>
<td>73</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Sh. P. S. Malik</td>
<td>Sh. Sukhbir Singh</td>
</tr>
<tr>
<td>4.</td>
<td>Shahdara</td>
<td>65</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>65</td>
<td>1</td>
<td>11</td>
<td>2 14</td>
<td>7</td>
<td>51</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Sh. Sidharth Sharma</td>
<td>Sh. Anil Kumar</td>
</tr>
<tr>
<td>5.</td>
<td>South West</td>
<td>135</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>135</td>
<td>0</td>
<td>9</td>
<td>2 11</td>
<td>&quot;</td>
<td>124</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Sh. Vikas Dhul</td>
<td>Sh. Aditya Kumar</td>
</tr>
<tr>
<td>6.</td>
<td>Central</td>
<td>147</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>147</td>
<td>10</td>
<td>14</td>
<td>0 24</td>
<td>42</td>
<td>123</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Sh. Arvind Kumar</td>
<td>Sh. R.K. Tanwar</td>
</tr>
<tr>
<td>7.</td>
<td>West</td>
<td>235</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>230</td>
<td>1</td>
<td>14</td>
<td>0 15</td>
<td>7</td>
<td>215</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Sh. P.K. Mattoo</td>
<td>Sh. Vijender Verma</td>
</tr>
<tr>
<td>8.</td>
<td>North</td>
<td>159</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>159</td>
<td>3</td>
<td>9</td>
<td>1 13</td>
<td>23</td>
<td>146</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Sh. Gautam Manan</td>
<td>Ms. Suchitra Singh</td>
</tr>
<tr>
<td>9.</td>
<td>North West</td>
<td>217</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>217</td>
<td>16</td>
<td>8</td>
<td>0 24</td>
<td>66</td>
<td>193</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Sh. Vinod Kumar</td>
<td>Ms. Raj Rani Kataria</td>
</tr>
<tr>
<td>10.</td>
<td>South East</td>
<td>155</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>153</td>
<td>1</td>
<td>25</td>
<td>0 26</td>
<td>4</td>
<td>127</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Ms Renu Bhatnagar</td>
<td>Sh. Tofeeq Ahmad</td>
</tr>
<tr>
<td>11.</td>
<td>South</td>
<td>113</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>112</td>
<td>1</td>
<td>9</td>
<td>0 10</td>
<td>10</td>
<td>102</td>
<td>&quot;</td>
<td>&quot;</td>
<td>Sh. Gulshan Kumar</td>
<td>Ms. Anju Rathi</td>
</tr>
</tbody>
</table>
Press Coverage of DCPCR

Blind kids’ rape: Rights body wants progress report from cops

**ACTION** Report sought by November 24; father seeks justice

**NEW DELHI:** A glimmer of hope has emerged for the blind children who were allegedly sexually assaulted by a teacher at the Institution for the Blind in Amar Colony.

The Delhi Commission for Protection of Child Rights (DCPCR) has asked the police and the department of social welfare to submit a report on the action taken in the case by next week.

Hindustan Times had on November 8 reported how two children of the school were allegedly raped by a teacher on Children’s Day last year but no FIR was registered by the police.

The accused teacher, who is also blind, continues to teach at the school and no action has been taken against him despite his written confession.

“We asked the police and the department of social welfare to send us a report and tell us what they are going to do in this matter. They will have to submit the report by November 24. If there is no complaint from the students and the institution, the police should have converted it into an FIR immediately. The investigation and the statement of the children should have been taken later,” said Arun Mathur, chairperson, Delhi Commission for Protection of Child Rights.

**REMOVE THE TEACHER**

The father of one of the boys who was allegedly sodomised by the teacher has been trying to get justice for his son.

The father, a resident of Kolkata who works in a sawmill, had sent his child to Delhi with the hope that he gets a proper and good education.

“There are no good institutions for the blind here and I didn’t have enough money to send him to a private school. My only option was to send him to Delhi. He is 1,500 kilometers away from us and we can’t afford to go meet him every month,” he said.

It was only when his son came home for his summer vacation that he learnt what had happened.

“I went back to the school and asked them to remove the teacher. What more can I ask for. Whatever he did to my son was wrong and I want to make sure that the same thing is not repeated. When I went back and asked the school to take action they made me and my son meet a lady. I have no idea who she was, but she listened to the entire story and said she would help us,” he added.

The only demand that he now has is that the child should not be discriminated in school and the teacher should be removed.

“I don’t know how the law worked and the procedures. My child should not be victimized since I decided to speak out. The accuser should not be allowed to be near any child, let alone teach them,” he said.
Blind kids raped last Children's Day, no FIR

As per the POCSO Act, any cases of sexual assault have to be reported to the police and an FIR filed as soon as the complaint is received," said Arun Malakar, chairperson, Delhi Commission for the Protection of Child Rights. In his reply to the show cause notice, the accused accepted the allegations and said he would not 'make the same mistake again'.

Despite the commission, the institution did not file a police complaint. That was not all. In July, the institution also moved to expel one of the victims from the hostel when the vice principal went to the warden, asking him to expel the child as he was bad and of 'bad character'. School authorities only took the matter forward when the father of one of the boys repeatedly wrote to them, urging them to act against the alleged perpetrator. The father wrote a series of letters to the school in July.

In August, the institution's principal finally sent a written complaint to the SHO of the Amar Colony Police Station. Three copies of the complaint. The school abnormally started enquiries both of which established the guilt of the teacher.

School authorities now claim they have filed a case against the teacher. "We have lodged an FIR with the police and are cooperating with them," said Davinder Singh, president of the institution. The police, however, deny this and said a curious twist, a senior police official told PTI that no FIR has been filed as the alleged victim denied they were sexually assaulted. "We recorded the statement of the two blind students on different dates in the past year. The victims have maintained that they were not sexually abused," the officer said.

Child labour panel hasn't met in 3 yrs

Steering Committee chaired by Chief Secy formed on orders of HC in 2011

The steering committee was set up in 2011 to draft a national action plan for the elimination of child labour and to examine the issue of child labour in the country. It was set up by the Ministry of Labour and Employment, which is responsible for formulating policies and implementing programmes related to child labour. The committee was chaired by the Chief Secretary of the Ministry of Labour and Employment, who was also the Secretary of the Child Poverty Alleviation and Work Programme (CAPWP) in the Ministry.

The steering committee was required to conduct consultations with various stakeholders, including government agencies, non-governmental organizations, and civil society groups, to gather information and insights on the issue of child labour. The committee was also required to consider the experiences of other countries in addressing child labour and to provide recommendations to the Ministry of Labour and Employment on how to address the issue.

The committee was scheduled to meet in 2011, but it has not met since then. The Ministry of Labour and Employment has not provided any reason for the lack of meetings, and the committee has not been formally dissolved. As a result, the committee has been unable to fulfill its mandate and has not provided any recommendations to the government on how to address the issue of child labour.
Child rights body push for missing children hunt

RELATIVES OF MISSING CHILDREN ASKED THE POLICE TO BE PROACTIVE IN TRACING THEIR CHILDREN WHO HAVE BEEN MISSING

heard and interact with the authorities.

Four such meetings have taken place so far in the past, where parents of outer, north-west, northeast and east districts were invited to discuss their problems.

I even looked in hospitals. I cycled to as many places as I could during the hunt for my boy. For the police, my son might just be another case but as a father, my son is everything to me,” Kumar said during the interaction with the Delhi police and DCPCR on Friday.

Over two dozen parents from the southeast district participated in the interaction organised by DCPCR.

There were parents from Radarpur, Sarai Kale Khan and neighbouring areas, who wanted the Delhi police to make serious effort in tracing their children who had been missing in the city.

“There is an organised gang operating in the area and despite identifying it as a vulnerable spot, the police have failed to check the number of cases of missing children,” said Sarita (name changed), whose 14-year-old son had gone missing from Harsh Vihar.

“We have received good response and parents found a platform to raise their concerns. We will analyse the details of the incident and will issue certain directions to the Delhi police,” said Arun Mathur, DCPCR chairman.

Shreyo Roychowdhury
at timesgroup.com

New Delhi: The unregulated status of playschools has bothered child rights body Delhi Commission for Protection of Child Rights too. Reacting to cases of sex abuse in playschools reported in September, the commission has written to the chief secretary to consider bringing play-schools under the administrative control and responsibility of a government department.

Noting an increase in abuse cases from playschools, DCPCR chairman Arun Mathur writes, “The lack of accountability on the part of such playschools and the absence of monitoring of their functioning is a concern.”

Play-schools are the only part of the city’s education system that is unregulated and generally unanswerable to any department.

“It appears neither the education department nor any other authority has any administrative control over these playschools in the city. As a result, unregistered playschools have mushroomed all over,” says the letter. “It is not the case of the commission and the government that there is no requirement for such playschools. However, it is quite likely that incidents of sexual abuse would proliferate in the absence of supervision or regulation,” Mathur says.

The letter reminds that DCPCR had drawn up guidelines for prevention of child abuse which have been approved and notified. It also said it’ll be “appropriate for some department...to take ownership of the supervision of playschools and for some norms to be put in place.”
HIV relief for only 52 kids
'Scheme Criteria Block Acces

**Too Less for Too Few**

In 2014, the NACO, in their 2013-14 Annual Report, stated that 52 children were receiving relief for HIV/AIDS. However, the criteria for eligibility were strict and only those children who met all the following criteria were eligible for relief:

1. **Age**: Children must be below 18 years of age.
2. **HIV Status**: Children must be HIV-positive.
3. **Economic Status**: Children must come from economically disadvantaged families.
4. **Access to Care**: Children must have access to quality healthcare services.

Despite the strict criteria, only 52 children were eligible for relief. This is a stark contrast to the thousands of children who are affected by HIV/AIDS globally. Considering the scale of the problem, 52 children is a paltry number.

**DCPCR Study**

The DCPCR (District Child Protection Committee) study was conducted in 2014 to identify the number of children affected by HIV/AIDS in Delhi. The study found that only 52 children were eligible for relief under the criteria set by the NACO.

**Conclusion**

The study highlights the need for better policies and programs to support children affected by HIV/AIDS. It calls for a review of the eligibility criteria to ensure that more children can receive the relief they need.
**Find our kids: Parents of missing children will appeal to police today**

Neelam Pandey  
*neelam@abroadindia.com*

NEW DELHI: Children's Day over 100 parents from various parts of Delhi will get together on Thursday to press for urgent action, police officials with the hope of finding their missing children.

According to the Delhi Children's Protection Act (DCPCR), the police are not paying enough attention on tracing missing children.

To ensure the police take cases of missing children more seriously, the child rights body has been organizing such sessions between aggrieved parents and police officials concerned to fasten the process of recovery.

"To better appreciate the complexities and ground realities involved in the cases of missing children, DCPCR has been conducting meetings with the parents of missing children and other stakeholders such as police and child welfare committees. This has proved to be quite useful. We usually invite parents, whose child has been missing for over a year, and they have not got any response from the police," a DCPCR official said.

The situation in the other city too is not much better. At least 400 cases of missing children are reported every day in the city. Children are seen in different parts of the city, but very few are traced.

In the last month, the Delhi police has recovered 100 children, but only 40% of the children have been traced.

"We are trying our best to trace the children, but it is not possible to trace all the children," a police official said.

**School complaint procedure split up**

Shyam Vipulneyaary  
*shyanne@abroadindia.com*

New Delhi: The Department of Education, which has been-pressing to introduce school complaints procedure, has been split up.

The procedure has been split into two parts: the first part deals with complaints related to the schools, and the second part deals with complaints related to the state.

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"We have been trying to introduce school complaints procedure, but it has not been successful," a Department official said.

The government has been trying to introduce school complaints procedure, but it has not been successful. The government has been trying to introduce school complaints procedure, but it has not been successful.

**Annual Report 2014-15**

"Very crucial and precious first few hours after a child goes missing are lost due to inaction by parents or by police," DCPCR spokesperson Arun Mathur said.

"To ensure the police take cases of missing children more seriously, the child rights body has been organizing such sessions between aggrieved parents and police officials concerned to fasten the process of recovery.

Health experts are pushing for engaging kids in outdoor activities and courts have ordered that they can't be barred from playing in parks.

However, little has changed on the ground. There is a lack on the society, which is not paying enough attention to trace missing children.

There is an urgent need to develop a mechanism to make the process of recovering missing children more effective."

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**LETTER TO GOVT**

"We have discussed this. Playgrounds should be monitored," Education Minister says.

But, the minister has not explained how the playgrounds will be monitored or regulated.

"We have been trying to introduce school complaints procedure, but it has not been successful," a Department official said.

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World celebrates Nobel but Delhi slips on child labour

Satyarthi's City Misses Rescue Target

A n time when the capital is baskinig in the glow of it's own—Rajesh Satyarthi—basking the Nobel Peace Prize for his work on child rights and trafficking, a study titled ‘Action Plan for Abolition of Child Labour in Delhi’ shows that the capital is way behind the target set by the Delhi high court for freeing child workers.

Crying Shame

- 26,473 children (6-14 years) work in capital, according to Census 2011.
- Only 3,734 child workers rescued from Delhi between July 2009 and June 2013, according to labour dept data.
- 6,000 kids were to be rescued every year, as per target set in 2009. This would have meant freeing 24,000 kids in 4 yrs, wiping out 90% of child labour in Delhi.

Protection of Child Rights (PCR) report dated December 2015 cites figures from July 2009 to June 2013 which show that just 3,734 children were rescued over four years, i.e. an average of 935 children each month. But the Delhi high court had directed the labour department to begin implementing the Delhi Action Plan in 2009 “by accommodating the time being, about 300 children every month”. If this target of 300 rescues a month had been met over those four years, 24,000 child workers would have been freed — well over 90% of such children counted in the 2011 census.

What is even more horrifying is that as many as 490 children across all districts were less than 10 years of age. “The fact that children less than 10 years of age are working makes the intervention even more urgent,” said a recent study by DCPCR. Of the 3,734 children rescued, 2,307 were below the age of 14 years.

Children are mostly trafficked from rural areas of Bihar, Uttar Pradesh, West Bengal, Jharkhand, Madhya Pradesh and Nepal through agents.

Continued on P. 4
DCPCR LAUNCHES OPERATION ‘KHOJ’- AN INITIATIVE FOR SEARCHING THE MISSING CHILDREN

EXPRESSES CONCERN OVER INCREASING NUMBER OF MISSING CHILDREN

7235 MISSING CHILDREN FROM DELHI IN YEAR 2013 REPORTED

SHASHANK SHEKHAR, A MEMBER OF DCPCR TO SUPERVISE THE OPERATION

A NETWORK OF 45 CHILDREN’S HOMES IN DELHI HAS BEEN CREATED; MORE HOMES TO ENLARGE THE NETWORK

New Delhi: 19th August, 2014

Delhi Commission for Protection of Child Rights (DCPCR) has launched an operation namely ‘Khoj’ for finding out/searching the missing children under the supervision of its member Shri Shashank Shekhar. The Chairperson of DCPCR Shri Arun Mathur informed that DCPCR was highly concerned over the increasing number of missing children in the Capital. He said that under the operation ‘Khoj’ the DCPCR will tap information regarding missing children from all sources and circulate the same along with photographs to all networked Homes for immediate action. A network of approximately 45 Children’s Homes in Delhi has been created and in case the child is...
found in one of the Home, DCPCR will take appropriate steps to identify and rehabilitate the children with his/her family, as per law. The information will be sought through email ID missingchild.dcpcr@gmail.com and the reply is also expected on the same ID, Shri Mathur informed.

Shri Mathur also informed that DCPCR intends to enlarge the network to include more Homes and organize regular meetings for sensitization of the Home In-charge/home manager/house father/house mother. The Commission expects that through proper follow up many more cases related missing children will be solved.

The Chairman further informed that in the year 2008, 6258 children reported missing from Delhi. In the year 2009, 2010, 2011, 2012 & 2013 the number of missing children reported in Delhi was 5946, 5091, 5111, 5248 and 7235 respectively.

Shri Mathur informed that DCPCR has been monitoring the issue both at an individual case level as well as the policy level. In individual cases the Commission issues notice to the concerned police station for an Action Taken Report in the matter. It was seen that generally at the police station level compliance of the notice given by the Commission is within the stipulated time but these replies reach the Commission quite late as they are sent through proper channel by the office of the ACP concerned.

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MAURYA/Jitendra

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GOVERNMENT OF DELHI

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MAURYA/Jitendra
Profile of Chairperson

Mr. Arun Mathur has 35 years of experience, in the Indian Administrative Services at State and Central Government level, including in the Home and Finance Ministries of the Government of India besides 3 years in the Prime Minister’s office. In the course of his career, he acquired exposure, among other issues, to handling schemes and programs related to social sector, health, education, poverty alleviation and women and child development. He served as the Deputy Commissioner for Delhi at a time when Delhi was only a single district and all block, sub-division and district level schemes were supervised and coordinated by the Administrator for Union Territories of Daman and Diu and Dadra & Nagar Haveli, an appointment made under Article 239(1) of the Constitution of India. He was responsible for formulation of policy as well as its implementation, in all development programs in the two territories.

In his tenure as the Director of Enforcement, Ministry of Finance, Govt. of India, the Prevention of Money Laundering Act was amended in 2009, to include in its schedule some offences under The Bonded Labour System (Abolition) Act, The Child Labour (Prohibition and Regulation) Act and the Juvenile Justice (Care and Protection of Children) Act. Specifically, cruelty or exploitation of a child or juvenile, or employing one for begging, or giving intoxicating liquor or narcotic drug or psychotropic substance to a child were made scheduled offences under Prevention of Money Laundering Act (PMLA). These changes would now enable action against the accused, who, if found guilty, could face attachment of property besides criminal prosecution in Court of Law.

Mr. Arun Mathur has done his graduation and Masters from St. Stephens College, Delhi University and is also a Law Graduate. He took over as Chairperson of Delhi Commission for Protection of Child Rights (DCPCR) in July, 2012.

As Chairperson of the Delhi Commission for Protection of Child Rights, Sh. Mathur took initiative to bring out comprehensive Guidelines for Prevention of Child Abuse. These have been on the Commission’s website and will serve as a model for all States in the country. These have also been approved by the Lt. Governor of the NCT of Delhi for implementation by all stakeholders.

Sh. Arun Mathur was also actively associated with the exercise of developing a Child Rights Module for incorporation in the Training Programme at different levels for IAS Officers at the National Academy of Administration, Mussoorie. For the first time, Child Rights will be a part of the training of IAS Officers in a structured manner.

Under his stewardship, the Commission has broadened its approach to include in its sphere of activities various child rights organizations/NGOs/academics besides engaging with Government
departments in securing the best interests of a child. Due to Mr. Mathur’s painstaking efforts, the Commission worked pro-actively to produce useful Study Reports/ Status Papers and documents on issues like Child Labour, Children of HIV Infected/ Affected Children in Delhi, Children’s Committees in Child Care Institutions of Delhi, Position of Adolescent Girls in Slums of Delhi, Mental Health Care needs of Children, Guidelines on Media Reporting of Children besides an FAQ booklet on DCPCR and Child Rights.

Due to the initiative of Mr. Mathur, the Annual Reports of the Commission are brought out ahead of time, besides the quarterly magazine of the DCPCR called ‘Endeavour’. The recent work of the Commission under his supervision includes a Compendium on the RTE Act, besides two Status reports on implementation of various aspects of the RTE Act in Delhi. Conscious of the mandate of the Commission to monitor implementation of the provisions of the POCO Act, an updated Status Report on the POCSO Act was published. Other recent works include a Report on Substance Abuse by Children of Delhi, a Compendium on Missing Children and a Report on Children in Conflict with Law. Keeping various aspects of child rights in focus was a part of the efforts of Mr. Mathur to keep the DCPCR in the forefront of projection of all issues of concern regarding children of Delhi. The tenure of Mr. Mathur as Chairperson stands extended till February, 2017

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