

ANNUAL REPORT 2019-2020



Assam State Commission for Protection of Child Rights





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अध्यक्ष
Chairperson

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



April 04, 2022



MESSAGE

It gives me immense pleasure to know that the Assam State Commission for Protection of Child Rights is going to publish its Annual Report for 2019-2020, highlighting the achievements with regard to the mandate of the Commission.

The role of the Commission in protecting the rights of the children by effective monitoring and implementation of the Right to Education Act, 2009, Juvenile Justice Act, 2015, POCSO Act, 2012 with its amended Rule, 2020 and other related policies and programmes, is indeed significant.

I appreciate the efforts taken up by the State Commission for successfully discharging its responsibilities in order to achieve the mandate, in the best interest of the children.

I convey my best wishes for successful publication of the Annual Report.


(Priyank Kanoongo)

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Dr Sunita Changkakati
Chairperson



Message from the Chairperson

It is my pleasure to share with you that the Assam State Commission for Protection of Child Rights is coming up with its Annual Report for the year 2019-2020. As Chairperson of the Commission, I have dedicated all efforts to ensure that violence against children is treated with equal seriousness as any other crime. It is the duty of the Commission to recommend strong remedial measures to protect rights of children whenever there has been news or information of violation of child rights in the state.

To save children and protect their rights, it is imperative that all Government duty bearers both directly and indirectly related to providing services to children must work in collaboration. The Commission sincerely believes that strengthening inter departmental networking is a key determinant in ensuring that the message of protection of rights of children reaches far and wide, to the last child. Since assuming charge as Chairperson of the Commission a lot of initiative has been taken to increase awareness among different stakeholders for strengthening convergence, training workshops on child protection laws, acts, schemes and policies pertaining to child rights.

It is our moral responsibility as a society to protect our children from any and every form of abuse. To make Assam a child friendly state, there is a long road ahead which is full of the uncertainties. The Commission will continue to spread the message for protection of child rights always despite any uncertainty and always recommend for swift action in any case of violation of child rights.

I would like to thank the Govt. of Assam for continued support to the Commission. And I would also like to extend my sincere thanks to all the Members, Secretary, and staffs of Assam State Commission for Protection of Child Rights for their sincerity, dedication and hard work without whose efforts the Commission would not have functioned like it is functioning currently.

Joi Ai Asom
Jai Bharat Mata

(Dr. Sunita Changkakati)
Chairperson

Assam State Commission for Protection of Child Rights
Survey, Beltola, Guwahati-28

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Introduction

The UN Convention on the Rights of the Child is a comprehensive, internationally binding agreement on the rights of children, which was adopted by the United Nations General Assembly in 1989. The convention has been ratified in 1989. The convention has been ratified by 192 countries becoming the most ratified of all international Human Rights treaties; India signed and ratified the convention in 1992. The Indian Parliament has passed various child centric legislations such as the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, Protection of Children from Sexual Offences (POCSO) Act, 2012 etc.

National Commission for Protection of Child Rights (NCPCR) was established as a statutory body under the Commissions for Protection of Child Rights (CPCR) Act, 2005 under the administrative control of the Ministry of Women & Child Development, Government of India. The Assam State Commission for Protection of Child Rights (ASCPCR) was constituted under section 17 of the Commissions for Protection of Child Rights Act 2005 read with Govt. Notification No.-SWD79/93/Pt.V/136 dated 4th March 2010 for protection, promotion, development, survival and participation of children.

The Commission has been mandated to ensure that all Laws, Policies, Programmes and Administrative mechanisms are in consonant with the Child Rights perspective as enshrined in the Constitution of India and also in the UN Convention on the Rights of the Children (UNCRC). Since its inception on the 4th March 2010 the Commission is committed towards fulfilling its mandates to protect and promote the rights of the child. The Assam State Commission for Protection of Child Rights (ASCPCR) is committed to monitor all laws, policies, programmes and administrative mechanisms to ensure that all Laws, Policies, Programmes and Administrative mechanisms are in consonant with the Child Rights perspective as enshrined in the Constitution of India and also in the UN Convention on the Rights of the Children (UNCRC).

CHILDREN RIGHTS ARE THE HUMAN RIGHTS

UNCRC is considered as a landmark treaty for children as it provides care and protection of every person less than 18 years of age. It is unique because it is comprehensive, universal, unconditional and holistic. The Rights of Children as per UNCRC are:

RIGHT TO SURVIVAL

Right to survival includes those basic or fundamental rights, which are essential to survive.

RIGHT TO PROTECTION

Right to protection emphasizes on children rights to be prevented and protected from violence, exploitation, abuse and any type of ill-treatment at home or elsewhere.

RIGHT TO DEVELOPMENT

Children have the right to all forms of development: emotional, mental, physical and social.

RIGHT TO PARTICIPATION

Right to participation refers to children's right to speak, express and participate in all the decisions and proceedings (including judicial proceedings) that affect their lives directly or indirectly. A milestone in the international human rights legislation, the "Convention on the Rights of the Child" has been instrumental in putting all the issues pertaining to children issues on the global as well as national agenda. Over the last two decades or so, implementation of the UNCRC and its effect on child well being has varied from one country to another and from one region of the world to another. Though remarkable progress has been achieved, yet in developing countries, particularly in India, there is still a long way to go in realizing the rights of children. There is a definite lack in enforcement initiatives. India has also adopted a National Policy on Children (NPC) in 1974 followed up with National Policy of Children in 1993, 2013 and recently National Plan for Action for Children (NPAC), 2016 for achieving the aforementioned rights of the children.

The National Policy for Children 2013, emphasized that every child has universal inalienable and invisible human rights, that the rights of children are interrelated and interdependent and each one of them is equally important and fundamental to the well being and dignity of the child. The National Policy for Children, 2013 also lays down that all children have equal rights and no child shall be discriminated against on grounds of religion, race, caste, sex, class, place of birth, language, disability, social, economic or any other status reinstating that there should be primary concern of child in all decisions and actions affecting the child. The NPAC 2016 takes into account the current priorities for children in India. It is an initiative to further strengthen and streamline the implementation and monitoring of National, Constitutional and other policies for children.

About ASCPCR

The Assam State Commission for Protection of Child Rights (ASCPCR) is committed to protection of Child Rights in all its facets and one very important activity that it takes up to make its existence all the more meaningful is, inspection and monitoring of Institutions related to Child care, development and protection.

The Assam State Commission for Protection of Child Rights has been constituted under Section 17 of the Commissions for Protection of Child Rights Act, 2005 read with Government notification No. SWD 79/93/Pt. V/136 dated 4th March 2010 for protection and promotion of survival, development, protection and participation rights of the children.

Section 13 and 14 of the Commission for Protection of Child Rights Act, 2005 empowers the Commission to examine and review safeguards provided by the laws pertaining to protection of child rights and recommend measures for their effective implementation.

In addition to the functions assigned to the Commission under section 13 and 14 of the CPCRA Act, 2005, the Commission is also mandated to monitor the implementation of the provisions of the Protection of Children from Sexual Offences Act, 2012, under section 44 and section 31 of the Right of Children to Free and Compulsory Education Act, 2009 empowers the Commission to examine and review safeguards provided under this Act and recommend measures for their effective implementation.

The Commission in pursuance of its role and its pursuit to create a better environment for the children, has visited various districts of the state and conducted review meetings with line departments to review the status of implementation of the Laws, Acts, Schemes, and Programmes meant for child protection and development.

FUNCTIONS AND POWERS OF THE COMMISSION

Functions of the Commission-

- (1) The Commission shall perform all or any of the following functions, namely:
 - (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 organisation; 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.
- (2) The Commission shall not inquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force.

Powers relating to inquiries

- (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 (5 of 1908) and, in particular, in respect of the following matters, namely:

- (l) summoning and enforcing the attendance of any person and examining him on oath;
 - (m) discovery and production of any document;
 - (n) receiving evidence on affidavits;
 - (o) requisitioning any public record or copy thereof from any court or office; and
 - (p) 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 (2 of 1974).

Steps after inquiry

The Commission may take any of the following steps upon the completion of an inquiry held under this Act, namely:

- (1) 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;
- (2) approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary;

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.



Activities conducted by ASCPCR from April 2019- March 2020

Workshop and Consultation

1. Awareness cum Sensitization Camp on Protection of Rights of Children- The Assam State Commission for Protection of Child Rights organized four numbers of awareness cum sensitisation camps in collaboration with Uttar Puba Bikash Kendra in Majuli. The camps were held in Chilakala Panchayat community hall and Kartipar High School on 14th May 2019 and in Shri Shri Aniruddh Deb Kushti Sangha & Ratanpur Miri High School, Majuli, on 15th May 2019 under the leadership of Shri Janardan Dev Goswami, Satradhikar, Sri Sri Uttar Kamalabari Satra. The awareness cum sensitization camps were attended by police officials, officials of dist. administration, school teachers, PRI members, school children and members of the Satras. The camps were organized with a special focus on creating awareness on the JJ Act, 2015 and POCSO Act, 2012.



2. Consultation on the New National Education Policy- The Assam State Commission for Protection of Child Rights organized a one-day consultation among Government and Private Schools of Guwahati, as well as Educational Boards with the aim of providing a framework for feedback on the New National Education Policy on 21st May 2019. The Consultation was chaired by Dr. Sunita Changkakati, Chairperson, ASCPCR, Dr. Dip Kumar Saikia, Former Regional Director, National Institute of Public Cooperation and Child Development and Dr. Sumona Roy, Joint Director, State Council for Education, Research and Training.

At the end of the Consultation, the following points were derived for submission to be included in the National Education Policy:



- a. Orientation on Skill development in Government schools.
- b. For better implementation of the provisions of the Right to Education Act, 2009 the age Limit should be changed to 6-18 years.
- c. There should be a compulsory module on Child Rights in all schools which may be introduced in age appropriate mediums.
- d. Development of norms and SOP keeping in mind the need for school counsellors and better mental health care services to be available in all schools.
- e. Like the CBSE, State Education Boards across the country must also maintain facilities for children with disabilities or disorders like Dyslexia, Spectrum disorder, Autism etc.

- f. There is an urgent need for special schools with trained teachers and therapists for children with special needs in Assam.
- g. It was felt by the stakeholders of the consultation that the Govt. must initiate steps for strengthening of ECCE infrastructure in Govt. schools as a step to prevent children from taking admissions in ill-equipped private play schools and kindergarten schools, which have no monitoring authority.
- h. The consultation also agreed to the need for introduction of age and gender specific career counselling in the Govt. schools of Assam.



2. World Day against Child Labour- In the run-up to the World Day Against Child Labour on 12th June 2019, the Assam State Commission for Protection of Child Rights (ASCPCR) organised an interactive session on child labour with a special focus on this year's theme 'Children should not work in fields but on dreams', in Guwahati. The session was attended by various stakeholders including police, district administration, Legal Services Authority, labour department, education department, Childline, social welfare department and civil society organisations working towards protection of rights of children.

ASCPCR Chairperson Dr Sunita Changkakati in her speech, mentioned the need for greater convergence among stakeholders in terms of combating child labour. While Assam has been proactive in catering to the issues of children, there is still a need for greater convergence among line departments when it comes to addressing issues of child rights protection and rehabilitation of affected children.

Rosy Taba, Member, National Commission for Protection of Child Rights (NCPCR), New Delhi, in her address spoke about the need for inculcating a sense of greater responsibility in society in terms of responding to children who are vulnerable and need immediate care and protection. The Member, NCPCR opined that in order to protect children from exploitation, all stakeholders must respond swiftly instead of waiting for response from their counterparts. Among other guests and dignitaries present were Sri Surendra Tadhelkar, Social Activist, Smt. Geetanjali Doley, APS, Addl SP, CID Assam, Sri Satya Nath Sharma, Member Secretary State Legal Services Authority and Sri Gunajit Kashyap, ACS, Addl. Deputy Commissioner, Kamrup Metro.

3. Celebration of 150 years of Mahatma - In India, much before the UNCRC came into being in 1989, Mahatma Gandhi's idea of 'Sarvodaya' meaning welfare of all, is intrinsically connected with the human rights. Later, in 1992 India ratified the United Nations Convention on the Rights of the Children in 1992. A considerable influence of Mahatma Gandhi is seen in the various articles of the Universal Declaration of Human Rights. The Universal Declaration of Human Rights primarily defines principles that are intended to offer a common standard of achievement for all peoples' and all nations.

Increasing number of incidents of different types of violence against children has made headlines in the recent times. The incidents range from violence on the children; by known and unknown people, in different settings etc. As per NCRB reports, crime against children in India has increased by a sharp 11% from 2015 (94172) to 2016 (106958). Going by absolute numbers, it's an increase of 12,786 reported crimes against children across the country. The cause of incidents and gravity of nature of the incident cannot be attributed to a single factor. However, irrespective of the causes, Mahatma Gandhi's teachings and belief of non-violence and self-rule have found its relevance for contemporary society where children and adults can apply these to themselves in their own lives within personal responsibility at all places.

Similarly, acknowledging the rising trends on violence against children, the theme was included in SDGs 2030 in 2016 when the World began implementing the "2030 Agenda for Sustainable Development", which includes a specific target to end all forms of violence against children. In the spirit of an integrated approach, it is vital to tackle violence against children through broader efforts, such as the promotion of high-quality education and gender equality.

Though Mahatma Gandhi's philosophy, his writings are widely read, the implications of his philosophy have not been adequately explored in terms of rights of children in contemporary India keeping the indigenous culture intact. **The Assam State Commission for Protection of Child Rights in pursuance of its powers and functions under section 13 (h) and rule 17 (f) of the CPCR Act, 2005 and CPCR Rules, 2006, respectively observed the '150th year of celebrating Mahatma' in collaboration with National Commission for Protection of Child Rights and Cotton University in Guwahati on 25th October 2019.**





Dr. Sunita Changkakati, Chairperson, Assam State Commission for Protection of Child Rights began by welcoming the students, professors, and teachers who were present during the talk. Dr. Changkakati, herself alumni of the Cotton University, formerly known as Cotton College delivered her brief lecture by opening with a quote from the Mahatma. As Chairperson, ASCPCR Dr. Changkakati highlighted to the youth and the children present about the changing realities of childhood as Bapu's independent India transforms into a digital India. She stressed further on the need to imbibe among the future generations, the values of non-violence and non discrimination, the moral values and beliefs of the Mahatma. To honor the teachings of the Mahatma, the house

was blessed with a musical performance by Smt. Sudakshina Sarma Hazarika, renowned Assamese singer and sister of musical maestro Late Dr. Bhupen Hazarika who was blessed by the Mahatma during her childhood. Sudakshina Sharma's songs accompanied by Rishi Raj Sharma, her son, on harmonium, and the chorus of the house reflected Bapu's beliefs passed down to generations in songs of peace and love.

Shri Hitesh Shankar, noted scribe and social activist, was the resource person for the talk. Mr. Shankar began by sharing about the presence of the Mahatma among today's current political scenario. He stated that to understand the implied values and beliefs of Gandhi ji, we must try and understand in totality what Mahatma Gandhi believed in, especially his understandings of culture, education, human values to be able to share his valuable teaching with the younger generation. Mr. Shankar further deliberated on the importance of value based education, the need to promote education through mediums other than textbooks which can build a strong base for values and beliefs of the Mahatma, which seems to be long forgotten amidst textbooks and digital knowledge systems in today's changing world.

The preceding lecture was delivered by Dr. Prof Bhabesh Chandra Goswami, Vice Chancellor of Cotton University. Dr. Goswami in his lecture extended heartfelt gratitude to NCPCR and ASCPCR for choosing to celebrate the historic moment of celebration of 150 years of the Mahatma at Cotton University. Acknowledging the fact that contemporary knowledge systems and digital learning platforms in today's times may have led to dissemination of widespread information, but it has also taken away the attention of youth from the values and beliefs, which constituted the works of the Mahatma. Dr. Goswami urged the students to question their inner voices to be able to find a noble path for betterment of society, in which Mahatma Gandhi strongly believed.

4. Launch of 'Sishu Suraksha' mobile application - On the occasion of Children's Day, the Assam State Commission for Protection of Child Rights, ASCPCR launched a mobile application for the protection of rights of children of Assam, in Guwahati. The App was launched by the Honourable Chief Minister of Assam, Sarbananda Sonowal and Minister of Social Welfare Department, Pramila Rani Brahma. A book titled *The Little Sentinels* was also unveiled on the occasion.

The app is available on Android platforms, which can be used by anybody to report any kind of violation of child rights. The complaints lodged will be directly registered at the commission. The commission will further coordinate the matter with the concerned authorities from where the complaint was filed. The app will be applicable all over Assam.

Speaking on the occasion Chairperson, ASCPCR, Sunita Changkakati said, "Sishu Suraksha is a mobile app which any individual can use and report matters of child rights violation, be it child labour, child marriage, or child abuse. We will then take up the matter with higher authorities and provide the required assistance like rescue or rehabilitation for the children. During this year itself a total of 125 complaints have been registered at the commission. However, there are certain issues that do not come to our notice, this app will help the people from all over Assam who do not know the procedure to reach us."

While launching the app, Hon'ble Chief Minister of Assam Sarbananda Sonowal said, "We all have a responsibility towards the children who are the future of the nation. It is necessary to create awareness among the masses including those in the remote parts of Assam about the importance of the app. I will instruct the panchayats to organize special events which will help the children to know their rights and will create a child-friendly environment which will help them to learn and grow in a positive environment. Moreover, each one of us should take the responsibility to ensure safety of our children."

Chairperson of National Commission for Protection of Child Rights, New Delhi, Priyank Kanoongo lauded the efforts of Assam Government and the Commission. He mentioned that the SCPCR has additional mandates to monitor the effective implementation of the RTE Act, 2009, JJ Act, 2015 and POCSO Act, 2012 and the app will help to increase accountability of concerned duty bearers by reporting any case of violation of child rights. He further said that Assam will stand as an example to the entire eastern India.





A dance performance was presented by the children of Destination - A home for the children with special needs and a skit was played by children directed by CHILDLINE sub centre of Assam Centre for Rural Development

The other dignitaries present at the occasion were Dr. Numal Momin MLA, Bokajan legislative assembly, Kuladhar Saikia, DGP, Assam, Hrishikesh Goswami, Media Advisor to Hon'ble Chief Minister of Assam, Prof. Bhabesh Chandra Goswami, Vice Chancellor, Cotton University.

5. Celebration of Pariksha Parv 2.0- The Assam State Commission for Protection of Child Rights (ASCPCR), in collaboration with the National Commission for Protection of Child Rights and State Council of Education Research and Training (SCERT), Assam organized a State-level workshop on Pariksha Parv 2.0 at the conference hall of the SSA, Assam.

The aim of the workshop is to train and orient teachers on the fact that it is their collective responsibility to create an environment where the children are free from stress in educational institutions and that they should prepare to accept the exams as an integral part of their development

Dhramdev Brahmachari, eminent social worker and educationist addressing the audience highlighted his

works with students over the past years and stressed the point that they need to focus on themselves. 'There should be no fear in the minds of the children regarding examinations, and they should happily engage in the exam and embrace it as a festival as education aims to shape the personality and the personality does not depend only on securing grades and accolades,' he said.

Dr. Nirada Devi, Director, State Council of Education Research and Training, Assam addressing the audience stated that though the SCERT's role is to develop curriculum and textbooks yet the focus is to develop it in such a manner that it aims around their holistic development. She recalled her experiences as a student and mentioned that as a parent too one must think to create an environment where the students feel free to discuss their issues.

Shaista K Shah, senior technical expert, National Commission for Protection of Child Rights, speaking to the audience mentioned about the initiatives of the National Commission in protecting the rights of the children with special reference to the theme of the workshop. She mentioned that Prime Minister of India Narendra Modi has a deep inclination towards the issue of exams and children and therefore the venture of 'Pariksha pe Charcha' was started by him. The NCPCR has initiated this campaign of Pariksha Parv and since last year the focus of the Commission has been to sensitize the teachers on the issue and to create resources wherein the children are provided with a platform to raise their questions regarding preparing for the exams and that these queries are addressed to.



6. One Day Sensitization Workshop on Child Rights held in Dhemaji -

The Assam State Commission for Protection of Child Rights (ASCPCR) in association with the District Child Protection Unit, Dhemaji, recently organised a day-long sensitisation workshop on child rights at the Children Educational and Career Development Centre in Dhemaji College. The workshop began with lighting of the lamp by ASCPCR chairperson Dr Sunita Changkakati, Dhemaji College, Principal Dr Dipak Kumar Neog, and Dhemaji Superintendent of Police Dr Dhananjay Ghanawat.



Addressing the inaugural session, the Deputy Commissioner of Dhemaji district Narsing Pauer emphasised on the

importance of organising such programmes on child rights. The inaugural session was addressed by Pradip Kumar Deori, Chief Executive Officer of the Dhemaji Zila Parishad, who was present as a distinguished guest.

The technical session started with a speech by Rajiv Kumar Jha, technical consultant at ASCPCR, on the conceptual framework of child rights and an overview of the functioning of the National Commission for Protection of Child Rights (NCPCR). Jha discussed the entire gamut of child rights, including its origin, evolution and history.

Speaking at the technical session, ASCPCR member Dr Pilu Hazarika highlighted the right of children to education. Referring to the Right of Children to Free and Compulsory Education Act, 2009, Dr Hazarika said the NCPCR has taken up a series of measures to ensure admission of children in schools all over the country.

She said there will not be any screening of children for admission in the elementary stage of education and all children between the age of six and 14 years shall have the right to free and compulsory elementary education.



She stated that in accordance with Section 17 of the RTE Act, 2009, no student can be physically punished in schools. Terming the children as valuable assets of the nation, Dr Hazarika laid stress on taking care of children's education by teachers and guardians, and creating awareness on the RTE Act.

Kunjalata Bora, a member of the Child Welfare Committee (CWC), Dhemaji, spoke on child marriages and said it has become a serious problem in Dhemaji district where many minor girls have eloped with underage boys and got married.

Dr Sunita Changkakati elaborated on the problems of child trafficking, child labour, child sexual abuse and illegal adoption. She said many young girls were lured by false promises of love and marriage, and the person they had fallen in love with tried to force them into the sex trade and if they resisted, they were raped and even murdered.

The programme was attended by a number of headmasters and principals of high and higher secondary schools of Dhemaji and presidents of school management and development committees and students of Dhemaji College and Panchayat Members, Women Self Help Groups, Presidents and Members of Panchayati Raj Institutions.

Celebration of Child Protection Day cum Establishment Day of ASCPCR, 2020

In presence of approximately nine hundred students from all districts of Upper Assam, the Assam State Commission for Protection of Child Rights celebrated its 10th Foundation Day at Dr. M. C. Das Memorial Auditorium, Assam Agricultural University, Jorhat. Focusing on the theme of '**End Violence against Children**', the day began with lighting of lamp by Dr. Sunita Changkakati, Chairperson, Dr. Pilu Hazarika, Member, Smt. Indrani Tahbildar, Member, Shri Phanindra Bujar Baruah, Member, Shri Ajoy Kumar Dutta, Member and Ms. Dinchengfa Boruah, ACS, Asstt. Commissioner Jorhat District.

Assam became the first state to observe child protection day in the year 2014. In exercising what is mandated under the Commission for Protection of Child Rights Act, 2005, the ASCPCR collaborated with REPLICA Theatre Village, Jorhat. REPLICA members by use of their traditional and folk-style theatre methods performed short performances on various issues of violation of child rights. The children who participated in the day-long programme presented various traditional cultural performances and also performances relating to road safety and awareness. The objective of involving 900 children in the programme was to generate awareness on child rights among the children.







Dr. Sunita Changkakati, Chairperson, ASCPCR along with Smt. Roshni Aparanji Korati, IAS, Deputy Commissioner, Jorhat during the Child Protection Day programme at Assam Agricultural University, Jorhat.

Workshops held in collaboration with National Commission for Protection of Child Rights

Under the activities of the North East Cell, the NCPCR in collaboration with ASCPCR organized a series of consultations, workshops and review meetings in both district and state levels as enumerated herein below:

Sl. No.	Date	Activity & District and State	Division
1	09.01.2020	State Level Review Meeting to assess the Health and Nutrition of Children availing MDM in Schools and Anganwadi Centres in Tea Garden Area – Guwahati, Assam.	Child Health
2	10.01.2020	State Level Review Meeting of available facilities and status of New Born and Pediatric Care in NE Region- Analysing the gaps and steps to improve quality of care. - Guwahati, Assam.	Child Health
3	10.01.2020	Consultation cum Review Meetings of available schemes and services for malnourished and stunted children in high prevalent Districts in NE. – Halflong, Assam.	Child Health
4	13.01.2020	Consultation cum Review Meetings of available schemes and services for malnourished and stunted children in high prevalent Districts in NE. – Silchar, Assam	Child Health
5	17.01.2020	District Level Sensitization and orientation of school authorities on Rule 2B of CLPRA Rules 2017 in North Eastern Region. – Hojai, Assam.	Child Labour
6	18.01.2020	Consultation cum Review Meetings of available schemes and services for malnourished and stunted children in high prevalent Districts in NE- Nagaon, Assam.	Child Health
7	20.01.2020	State Level Multi-stakeholder workshop on availability and access to ECCE curriculum in Regional Dialects and Mother Tongue.- Guwahati, Assam.	Education
8	21.01.2020	District Level Sensitization and orientation of school authorities on Rule 2B of CLPRA Rules 2017 in North Eastern Region. – Nalbari, Assam.	Child Labour
9	27.01.2020	To conduct District Level workshop on Child Trafficking- Kokrajhar, Assam.	JJ
10	28.01.2020	District Level Sensitization and orientation of school authorities on Rule 2B of CLPRA Rules 2017 in North Eastern Region. – Kokrajhar, Assam.	Child Labour
11	30.01.2020	One Day State Level Review of Rehabilitation and Counseling approaches for Children staying in Child Care Institutions (CCIs)- Children in need of Care & Protection (CNCP) and Observation Homes-Children in Conflict with Law (CICL). – Guwahati, Assam.	Psychology
12	30.01.2020	District level follow-up workshop on Child Trafficking. – Dibrugarh, Assam	JJ
13	31.01.2020	State Level Workshops on implementation of Hon'ble Supreme Court Guideline for safe and secure transport facilities for Children. – Guwahati, Assam.	Education

Monitoring Visits by the Assam State Commission for Protection of Child Rights from April 2019- March 2020

Date	District	Purpose of Visit
20-21 June 2019	Dibrugarh	CCI visit
23 rd June 2019	Morigaon	Madrassa Visit, Hospital Visit
25 th June 2019	Barpeta	CCI Visit, Hospital Visit
6-7 August 2019	East Karbi Anglong	CCI Visit, Hostel visit
13 August 2019	Dibrugarh	CCI Visit
21 August 2019	Barpeta	Case Visit
6 th September 2019	Dhubri	Madrassa Visit
7 th September 2019	South Salmara	Madrassa Visit
24 September 2019	Darrang	Madrassa Visit, CCI visit
26 September 2019	Nagaon	Madrassa Visit, CCI visit
26 September 2019	Hojai	Madrassa Visit, CCI visit
6 November 2019	Goalpara	Madrassa Visit, CCI visit
10 December 2019	Nalbari	CCI Visit
6 January 2020	Nagaon	Case Visit
17 January 2020	Hojai	Case Visit
21 January 2020	Nalbari	Case visit
26-28 January 2020	New Delhi	NCPCR Consultation
5-8 February 2020	Jorhat	CCI Visit, SAA visit
7 February 2020	Udalguri	CCI visit, SAA Visit
11-13 February 2020	Lakhimpur	CCI visit, SAA Visit,

Case Hearings undertaken during April 2019- March 2020

In pursuance of the powers conferred u/s 14 of the CPC 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 (5 of 1908) and, in particular, in respect of the following matters, namely:

(i) summoning and enforcing the attendance of any person and examining him on oath;

A total of thirty three nos. of case hearings were undertaken by the Commission during April 2019- March 2020.



Visit of ASCPCR Team to Madrasas of Morigaon, Hojai, Nagaon, Darrang, Dhubri and South Salmara Mankachar Districts of Assam

6 – 7 SEPTEMBER, 2019 AND 26 - 27 SEPTEMBER, 2019

The Assam State Commission for Protection of Child Rights during a monitoring visit to Dhubri inspected the Madrassas in Chapar area of Dhubri and found gross violation of child rights on multiple grounds. Immediate necessary recommendations were made to the Dist. Administration and Police department to close down the Madrassas as they did not even have the JJ registration at the time of visit of the Commission. In pursuance of the powers of the Commission as mandated u/s 13 of the CPCR Act, 2005, a team of the ASCPCR visited Madrasas of Morigaon, Hojai, Nagaon, Darrang, Dhubri and South Salmara Mankachar Districts of Assam during September 2019 .

Standards of Care :

It was observed that most of the Madrasas lack minimum standards of care and facilities. The team observed lack of structured basic facilities such as: inadequate bathroom, toilet, kitchen, power backup and absence of gas connectivity. It was also noticed that there were no beds in the living rooms, so the children had to sleep on mats or bed sheets laid down on the floor. Similarly, there were no desks and benches in the class rooms, so teachers and students both sat on the mats for teaching and learning purposes.

Safety and Security :

The team observed that security arrangements were inadequate. The safety and security of the Madrasas is a matter of serious concern as no concrete boundary wall or a gate was observed in some Madrasas. At the time of visit in South Salmara, the team observed that many male persons had gathered in the Madrasas from outside. The team also observed that the Madrasas, especially those housing girls, are accessible to the male teachers who can easily enter the living rooms of the girls at any time because there was no provision of separate class room or educational unit. Only in a few Madrasas there were boundary walls with a gate but there was no security personnel appointed for keeping a vigil on the premises.

The key issues of concern :

The Madrasas do not have any required facility for the students which affect their over-all development and skills of participation. During interaction with the staff and students, it was discovered that they do not feel the necessity of any formal education, physical training and co-scholastic education. They believe in being confined to religious education only. The authorities impose restriction on watching TV, reading newspapers, engaging in games and sports and going out for recreation. In fact, it was observed that children living inside these Madrasas have been kept isolated from the world outside. It is a matter of concern that in Darrang District the children who are admitted in Madrasas have a very strong negative attitude towards women

empowerment and believe that women are meant to be restricted to home and serve their husband and children. They have a strong belief that they are not supposed to see or hear any male voice, other than that of father and brother.

Fund: It has been observed that the Madrasas have been established in the corners of the villages of Assam and there has been a mushroom growth which has become a business for a section of people. As reported, Madrasas are getting financial supports from public donations which are not enough to meet the essential requirements. The Madrasas do not get any grant from the government and so they have to manage all the expenditure by the donations from the people. They have to collect amount from the outside localities also. In addition, the Madrasas charge a nominal amount of fees from the student. During the visit of South Salmara the team came to know that people collect money forcibly from the passengers/ travellers on the roads and highways in the name of Madrasas.

Timing of Madrasas:

The timing of Madrasa is from 9.00 Am to 3.00 PM, but the children start their day between 3.30 AM-4.00 AM for Namaz. Thursdays and Fridays are considered as weekends. Friday remains closed and Thursday is a half-holiday. In Madrasas, Friday is observed as holiday instead of Sunday and Thursday is considered as half-holiday.

Recommendations:

Based on the findings, the Commission records its recommendations as follows:

Infrastructure:

- ❖ The Madrasas should provide minimum standards of care for the children. Emphasis must be given on the maintenance of proper hygienic condition in the living rooms, kitchens, toilets and bathrooms. The rooms should be well ventilated and provided with adequate light and air.
- ❖ Boarders should not be allotted where the infrastructure of Banat Madrasa is not well constructed. Every Banat Madrasa should develop its proper infrastructure such as boundary walls and attached toilet facilities.
- ❖ Necessary action must immediately be taken to construct new classrooms and repair the existing living rooms and kitchens of the Madrasas. Living area/rooms are to be expanded as per the requirement of the children. Sufficient numbers of sitting and reading furniture should also be provided to the Madrasas.
- ❖ Admission should be given as per the capacity of the Madrasas. They should not exceed the limit of children at any cost without having well-furnished infrastructure beforehand.

Education:

- ❖ With the implementation of the Right to Education Act, 2009, it must be ensured that each child is enrolled into formal education system under State Government Education curriculum.
- ❖ Immediate step is to be initiated by the administration to ensure that all the children are linked with formal education in the nearby schools.
- ❖ Necessary steps are to be taken to integrate Madrasa education with formal education system in order to enable the Madrasas to play a more visible and active role in national development. The integration of the two systems will be a key step for the improvement of the quality of education – a step that will be responsible for the socio-economic uplift of the society.
- ❖ To make Madrasa education more purposeful, it is important to prepare a resource group to train the existing and future Madrasa teachers. Besides religious subjects, teachers must be well versed in child psychology and child rights.
- ❖ Most of the Madrasas are residential in nature, so a scientific timetable should be adopted keeping in view of their educational and co-curricular and other aspects of daily life.
- ❖ The team observed that some children have started staying in the madrasas after passing out HSLC exam and are not under undergoing any educational programme. Therefore, it is advised to facilitate necessary action for the children to continue higher formal education. These children may be linked up with NIOS or other open schools/universities in this regard.
- ❖ There should be provision of separate classrooms for the girls so that they can pursue education in a dignified way.

Health & nutrition:

- ❖ It is to be ensured that the children are provided proper nutritious and hygienic food timely for their all-round development.
- ❖ Emphasis must be given to provide safe drinking water. Water purifier should be installed and always be available in functional condition.

Recreational:

- ❖ It is to be ensured that the children are provided need-based recreational facilities for their healthy development.

Corporal punishment:

- ❖ The Madrasas which have residential facilities must ensure that no forms of corporal punishment are used against the students/use of sticks and corporal punishment should be totally banned and counsellors should be appointed.

Life-skill education:

- ❖ Apart from the religious education, teaching of life skills, vocational training, computer training and use of audio-visual aids should be included as an essential part of the curriculum. Importance should be given on providing knowledge on subjects

like English/ Assamese/ Bengali/Hindi, Mathematics, General Science and Social Sciences which contribute to their overall perception/development, while planning the curriculum. There should be recreational and vocational activities in the curriculum along with general and religious education.

Safety & security:

- ❖ The administration should facilitate registration of the Madrasas with residential facilities under the provision of the Juvenile Justice (Care and Protection of Children) Act, 2015.
- ❖ Necessary action is to be taken by the administration for producing the orphan children to the Child Welfare Committee of the concerned district and placement of the children in a registered Child Care Institute as per provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015
- ❖ The administration must monitor these institutions regularly and it must be ensured that the children, living in these institutes, are in healthy state, the place must be hygienic or not, and if not, it is to be made fit for the best interest of the children.
- ❖ No male should be allowed to enter into the living rooms of the girls without following the formal procedure.
- ❖ CCTV cameras should be installed in strategic locations of the Madrasas for the safety and security of children.

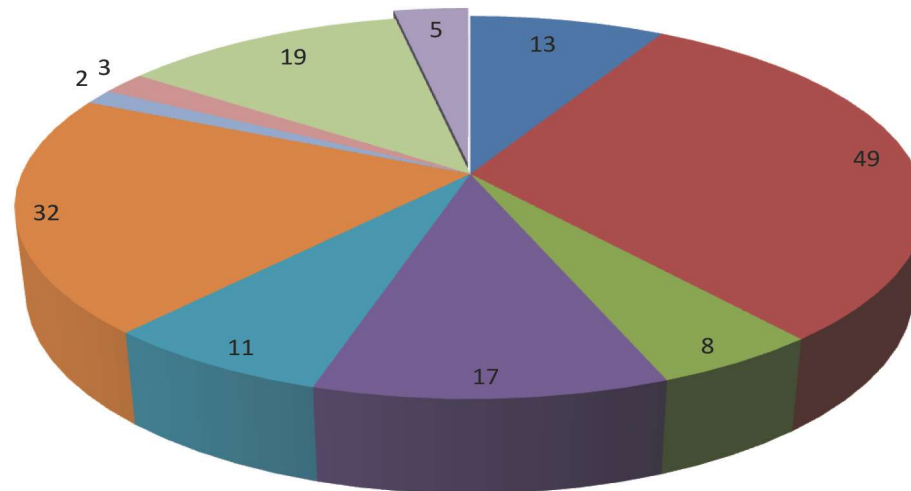
Remarks/ Observations:

If the Madrasas which provide residential facilities to the children fail to get registered under the Juvenile Justice (Care and Protection of Children) Act, 2015, necessary steps should be taken by the Government to close down the offending Madrasas. Keeping the children deprived from bare minimum facilities and education and secluded from the mainstream society has not only affected the future human resources of the country, but also caused depletion of the future human resources of the country.



Cases registered in ASCPCR for the year April 2019-March 2020

- Child Rights Violation
- The Protection of Children from Sexual Offences Act(POCSO)
- Child Labour
- Corporal Punishment
- Child Marriage
- Child in Need of Care and Protection(CNCP)
- Right to Education (RTE)
- JJ Act
- Child Trafficking/Missing/Abduction
- Others(Cyber-crime, Conflict with law, Substance abuse, Illegal Adoption)



Total No of Cases = 159

Annexure-1

Composition of the Commission

Designation : Chairperson
Name : Dr. Sunita Changkakati
Contact Details : sunita_chang@hotmail.com, 0361-2225656



Designation : Member
Name : Dr. Pilu Hazarika
Contact Details : piluhazarika1975@gmail.com, 0361-2225656



Designation : Member
Name : Smt. Rupa Hazarika
Contact Details : rupahazarika1975.rh@gmail.com, 0361-2225656



Designation : Member
Name : Smt. Indrani Tahbildar
Contact Details : tahbildar.indrani@gmail.com, 0361-2225656



Designation : Member
Name : Shri Phanindra Bujar Baruah
Contact Details : naba_yvk@yahoo.com, 0361-2225656



Designation : Member
Name : Shri Ajoy Kr Dutta
Contact Details : ajoydutta632@gmail.com, 0361-2225656



Designation : Secretary
Name : Smt. Sujata Suchibrata, ACS
Contact Details : dipandita03dbr@gmail.com, 0361-2225656





Staff of the Commission



Apurba Das
Superintendent

Maharshi Goswami
P.A to Chairperson, Technical Consultant

Dibyajyoti Kalita
Accounts Consultant

Rajiv Kr. Jha
Technical Consultant

Sumindra Bhuyan
Lower Division Assistant

Manisha Talukdar
Lower Division Assistant

Bidyut Choudhury
Messenger

Kamal Das
Driver

Anil Das
Peon

Annexure-2

SUCCESS STORIES OF THE COMMISSION

(A) Crusade against trafficking by Rights based Commission and Police Force

A news article was published in the Times of India dated 23rd April 2019 which speaks about trafficking of children, especially girls, from Assam to Rajasthan with promises of being married into affluent families.

The ASCPCR taking suo motto cognizance of the news immediately acted on the matter and wrote to the Director General of Police, Assam and Chairperson, Rajasthan State Commission for Protection of Child Rights along with a copy to the IGP (CID) Assam mentioning that on 10th April 2019, a girl from Assam was rescued from being married to one Mr. Arjun from Punasar village of Taranagar district of Rajasthan by the CHILDLINE and produced before the Child Welfare Committee Churu, Rajasthan. The article further pointed out that the dwindling sex ratio in Churu and nearby other districts in Rajasthan has led to a rise to the issue of child trafficking of minor girls from Assam.

Taking stock of ASCPCR's letter, a team of Police from Kamrup (R) was deputed for bringing back the survivor girl who was kept under the Care and Protection of Balika Ashray Greh, Churu, Rajasthan. The girl was brought back to Assam successfully on 30/04/2019 which was informed to the Commission by the Spl. Superintendent of Police, CID, Assam and a case has been registered at Chhaygaon P.S.

(B) Kindergarten Kid's educational rights defended by Assam State Commission for Protection of Child Rights

In a case of choosing academic grades over a kindergarten kid's learning capabilities, a case was published in The Hindu on 23rd April 2019 wherein the Principal of Holy Child School, Guwahati has allegedly expelled a 7-year-old girl student for being a "slow" learner and failing to secure better grades in her class. The news states that the incident came to light weeks after the school reportedly violated the Right of Children to Free and Compulsory Education Act, 2009, and one individual posted about it on Face book.

The news stated that the father of the girl has sought a written apology from the authorities of the School, which called him for further discussion toward readmitting his daughter. School Principal said the child was not expelled and the authorities had only mentioned its possibility to her parents. The father, unwilling to put his child back in the school, said he took up the matter with the Assam State Commission for Protection of Child Rights in March besides approaching an NGO.

The ASCPCR after receiving the complaint immediately acted on the matter and sent out a clear instruction and recommendation to the school authorities to cancel the expulsion order of the child along with copy of the same to the CBSE. The CBSE and the school authorities responded immediately to the Commission's instructions.

After going through the child's school Performance Report and the facts mentioned in the complaint letter, the Commission vide letter dated 10th April 2019 instructed the school to not detain the child and immediately promote her to class- I.

With reference to ASCPCR's recommendation letter, in the best interest of the child, the school authorities have promoted her to class-I and notified the same to the ASCPCR vide letter dated 25th April 2019

The Commission wants to clarify here that the action of the school to promote the child to class-I is due to the prompt and timely efforts of the ASCPCR which has protected the child from any further mental harassment and restored her faith ensuring justice. Similar instances of harassment to school children based on grades as well as instances of corporal punishment whenever found or reported has been effectively dealt by the ASCPCR ensuring that no violations are made by school authorities as far as rights of children are concerned.



Observation of Independence Day by the team of ASCPCR at a venture school with the community members and students in a remote tribal village

Annexure-3

Financial Overview

**ASSAM STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS
SAMANNAY PATH, SURVEY, BELTOLA, GUWAHATI**

BALANCE SHEET AS AT 31ST MARCH 2019

(AMOUNT IN ₹)

	SCHEDULE	CURRENT YEAR	PREVIOUS YEAR
CAPITAL FUND AND LIABILITIES			
GENERAL FUND	1	34,75,807.50	1,67,71,695.50
UNSECURED LOANS	2	1,000.00	1,000.00
TOTAL		34,76,807.50	1,67,72,695.50
ASSETS			
FIXED ASSETS	3	29,49,479.00	28,88,749.00
CURRENT ASSETS, LOANS AND ADVANCES	4	5,27,328.50	1,38,83,946.50
TOTAL		34,76,807.50	1,67,72,695.50
SIGNIFICANT ACCOUNTING POLICIES	8		
NOTES ON ACCOUNTS	9		

In terms of our separate report of even date.

For M. Saquei & Co.,
Chartered Accountants
Firm Regn. No.303126E


Reefat Saquei
Partner

Membership No.058118
(UDIN - 22058118AAAABA8553)



Chairperson
ASCPCR

Secretary
ASCPCR

Guwahati; January 20, 2022

**ASSAM STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS
SAMANNAY PATH, SURVEY, BELTOLA, GUWAHATI**

RECEIPT AND PAYMENT ACCOUNT FOR THE YEAR ENDED 31ST MARCH 2019

(AMOUNT IN ₹)

RECEIPTS	SCHEDULE	CURRENT YEAR	PREVIOUS YEAR
Grant-in-aid	5	1,32,27,638.00	2,20,97,808.00
Refund against Programme Expenses		-	1,26,000.00
TOTAL		1,32,27,638.00	2,22,23,808.00
PAYMENTS			
Programme Expenses	6	98,98,392.00	65,58,061.00
Administrative and Other Expenses	7	1,66,25,134.00	46,14,106.00
Purchase of Fixed Assets		60,730.00	8,54,300.00
Security Deposit		-	80,000.00
Advance		80,000.00	-
TOTAL		2,66,64,256.00	1,21,06,467.00
OPENING BALANCE		1,37,58,946.50	36,41,605.50
EXCESS OF RECEIPT PVER PAYMENT / (EXCESS OF PAYMENT OVER RECEIPT)		(1,34,36,618.00)	1,01,17,341.00
CLOSING BALANCE		3,22,328.50	1,37,58,946.50
SIGNIFICANT ACCOUNTING POLICIES	8		
NOTES ON ACCOUNTS	9		

In terms of our separate report of even date.

For M. Saquei & Co.,
Chartered Accountants
Firm Regn. No.303126E


Reefat Saquei
Partner

Membership No.058118
(UDIN - 22058118AAAABA8553)



Chairperson
ASCPCR

Secretary
ASCPCR

Guwahati; January 20, 2022

ASSAM STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS
SAMANNAY PATH, SURVEY, BELTOLA, GUWAHATI


INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31ST MARCH 2019

(AMOUNT IN ₹)

INCOME	SCHEDULE	CURRENT YEAR	PREVIOUS YEAR
Grant-in-aid	5	1,32,27,638.00	2,20,97,808.00
Refund against Programme Expenses		-	1,26,000.00
TOTAL		1,32,27,638.00	2,22,23,808.00
EXPENDITURE			
Programme Expenses	6	98,98,392.00	65,58,061.00
Administrative and Other Expenses	7	1,66,25,134.00	46,14,106.00
TOTAL		2,65,23,526.00	1,11,72,167.00
BALANCE BEING SURPLUS / (DEFICIT) TRANSFERRED TO BALANCE SHEET		(1,32,95,888.00)	1,10,51,641.00
SIGNIFICANT ACCOUNTING POLICIES	8		
NOTES ON ACCOUNTS	9		

In terms of our separate report of even date.

For M. Saquei & Co.,
Chartered Accountants
Firm Regn. No.303126E


Reefat Saquei
Partner
Membership No.058118
(UDIN - 22058118AAAABA8553)



Chairperson
ASCPCR

Secretary
ASCPCR

Guwahati; January 20, 2022





CHILDLINE : 1098 Service
Toll Free Help Line Number for Children

