

MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS



ANNUAL REPORT 2017-18





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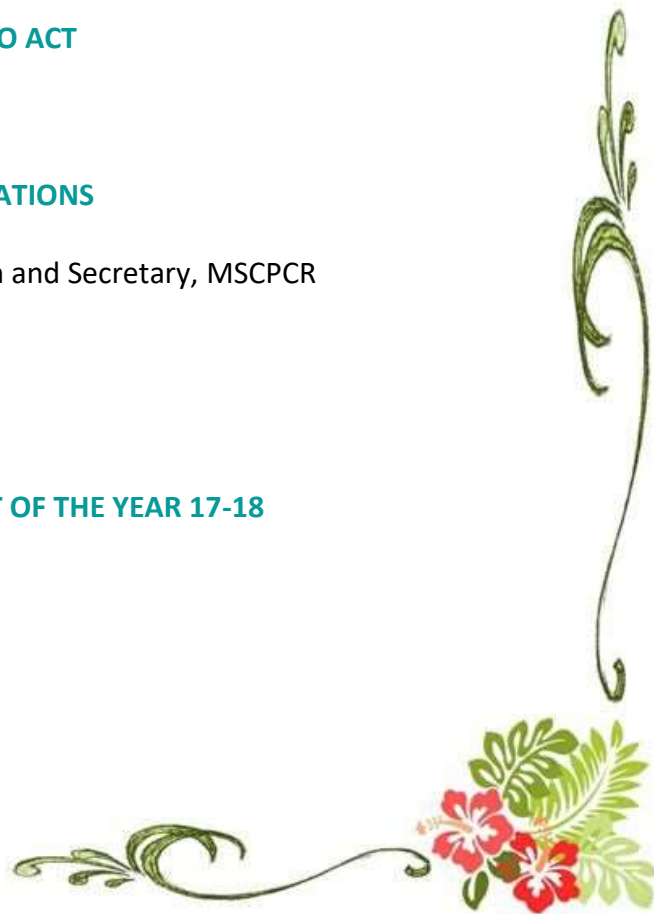
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Hon'ble Ministers Women and Child Development, Government of Maharashtra



Smt. Pankaja Munde, Hon'ble Minister, Women and Child Development

**Hon'ble State Minister, Women and Child Development, Government of
Maharashtra**



Smt. Vidya Thakur, Hon'ble State Minister, Women and Child Development

COMPOSITION OF MSCPCR

The commission has Chairperson and six Members and one Member Secretary. Following persons were appointed as Chairperson and Members in May 2017 during the reporting year. The commission has 12 staff.

Chairperson & Members



Mr. Pravin Ghuge, Chairperson of MSCPCR



Shri. Santosh Shinde
Member, MSCPCR



Dr. Shalini Karad
Member, MSCPCR



Prof. Asma Shaikh (Patel)
Member, MSCPCR



Shri Vijay Jadhav
Member, MSCPCR



Adv. Swarada Shirang Kelkar
Member, MSCPCR



Dr. Vrushali Deshpande
Member, MSCPCR



Shri A.N. Tripathi
I.F.S.
Member -Secretary, MSCPCR

THE CONSTITUTION OF THE COMMISSION

The Maharashtra State Commission for Protection of Child Rights has been set up in July, 2007 as a statutory body under Commission for Protection of Child Rights Act 2005 (4 of 2006) to protect, promote and defend child rights in the state. In the act, a child has been defined as a human being below the age of eighteen years. Child Rights as per Section 2 (b) of the Act, includes the rights provided under the CRC. The major standards for children prescribed in the CRC are as follows:

- The child is protected against all forms of discrimination, based upon race, colour, sex, language, religion, political or other opinion, national ethnic or social origin, property, disability, birth or other status.
- In all actions concerning children, the best interests of the child shall be a primary consideration
- The child shall have the right to identity, name & nationality
- Every child has an inherent right to life, survival and development, including the right to the highest attainable standard of health to facilities for the treatment of illness, the right to education, which shall be directed to the development of the child's personality their fullest potential; and the right to benefit from social security.
- A child has right to rest & leisure, & to engage in play and recreational activities
- Every child has right to a standard mental, spiritual, moral and social development
- No child shall be subjected to illicit transfer, abduction, sale or traffic for any purpose or in any form.
- Views of the child are to be given due weightage.
- A child shall not be separated from parents against their will, except when such separation is necessary for the best interest of the child.
- A child deprived of family environment, shall be entitled to special protection and assistance provided by the State.
- Institutions, services and facilities responsible for the care or protection of children shall conform to the standards established.
- Children are protected from economic exploitation.
- Children are not subjected to illicit use of narcotic drugs and psychotropic substances.
- A mentally or physically disabled child should enjoy a full & decent life, in conditions which ensure dignity, promote self-reliance & facilitate active participation in the community.
- Children are protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.
- Every child is protected from all forms of sexual exploitation and sexual abuse.
- No child is subjected to torture or other cruel, inhuman or degrading

treatment or punishment or be deprived of his liberty unlawfully or arbitrarily.

- All appropriate measures shall be taken to promote physical and psychological recovery and social re-integration of a child victim of any form of neglect, exploitation or abuse, torture.
- The rules of international humanitarian law applicable to children in armed conflicts are respected.
- Every child alleged as, accused of, or recognized as having infringed the penal law has right to be treated in a manner sense of dignity and worth
- No child is subjected to arbitrary or unlawful interference with his/her privacy, home or to unlawful attacks on his/her honor and reputation.

MANDATE

The functions of the Commission as laid out in the Commissions for Protection of Child Rights Act 2005 are as follows:

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 State 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 disasters, domestic violence, HIV/ AIDS, trafficking, maltreatment, torture and exploitation, pornography, and prostitution and recommend appropriate remedial measures.
 - e) look into 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 society and promote awareness of the safeguards available for protection of these rights through publications, 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 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 related 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 .
- k) such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions

ADDITIONAL FUNCTIONS OF THE COMMISSION

As per Rule 7 of the Maharashtra Commission for Protection of Child Rights Rules, 2010.

- 1) Analyse existing law, policy and practice to assess compliance with Convention on the Rights of the Child,
- 2) Present to the state Govt. annually and at such other intervals as the Commission may deem fit, reports upon the working of those safeguards;
- 3) Undertake formal investigations where concern has been expressed either by children themselves or by concerned person on their behalf;
- 4) Promote, respect and serious consideration of the views of children in its work and in that of all Govt. Departments and Organizations dealing with child;
- 5) Produce and disseminate information about child rights;
- 6) Compile and analyse data on children;
- 7) Promote the incorporation of child rights into the school curriculum, teachers training and training of personnel dealing with children.

UNDER RIGHT TO FREE AND COMPULSORY EDUCATION ACT 2009

Under Section 31 & 32 of Right to Education Act 2009 the State Commission for Protection of Child Rights have been assigned following functions

I) examine and review the safeguards for rights provided by or under this act (Right to Education Act 2009) and recommend measures for their effective implementation.

II) inquire into complaints relating to child Right to free and compulsory education

III) Take necessary steps as provided under Section 15 and 24 of the said commission for protection of Child Right Act 2005.

IV) the commission shall while inquiring into any matter relating to child rights and compulsory education have the same power as assigned to them respectively under Section 14 and 24 of the commission for protection of child right act 2005.

V) Notwithstanding any thing contained in Section 31, any person having any grievance relating to the right of a child under Right to Education Act may make a written complaint to the local authority having jurisdiction.

VI) After receiving the complaints under sub section 32(1) the local authority shall decide the matter

VII) Any person aggrieved by the decision of local authority may prefer an appeal to the state commission. Under section 32 (3) of the Act, the appeal as preferred shall be decided

COMPLAINT MECHANANISM

NOTIFICATION 1

1. State Commission for Child Right is a Statutory Organization created under Commission for Protection of Child Right Act 2005. The State Government has created State Commission order No. C.R.C./2006/ C.R.139/D-3/dated 24/7/2007
2. Provisions as mentioned under Sub section (1) J and (1) J (i) (ii) (iii) of section 13 and sub section (1) k of section 13 along with the sub sections , section (1) of section 14 , with respect to power as given to the State Commission , the proposal to frame procedure to implement the said provisions was under consideration. Proposal has been accepted by the Commission; accordingly the procedure have been framed and made as follows.
 - (1) In order to follow sub-section (J) (i) (ii) (iii) of section 13of Child Rights Commission Act 2005, work have been allocated among the members of the commission on the line of information commission and Maharashtra Administrative Tribunal as under.
 - (a) The main bench of the Commission shall be in Mumbai and circuit benches at Aurangabad and Nagpur respectively.
 - (b) Complaints under sub section of the Commission for Protection of Child Rights Act, 2005, shall be received in Mumbai and after receiving the complaint the same has to be allotted to respective benches.
3. Within their jurisdictions the change of place to conduct the hearing shall be decided by the members of respective benches.
4. Quorum of at least two members required for hearing.
5. Transfer of members from one bench to others shall be decided in the meeting of the commission.
6. If there is involvement of any important matter then the said matter shall be heard at Mumbai before full house of commission. The nature of matter whether important or not shall be decided by the chairman, & Secretary (members, Secretary referred as). The full house hearing shall be held at least once in every month at Mumbai. Full house hearing and meeting of commission probably shall be arranged on same day.
7. The members may be sent for hearing from one division (bench) to other by chairman

after considering the work load.

8. Any earlier orders issued in this regard are here by cancelled.

NOTIFICATION 2

Maharashtra State Commission for Protection of Child Rights is constituted by the State Government vide Order dated 24/07/2007, as per the Commission for protection of Child Rights Act, 2005 and rules made there under.

PROCEDURE

Any person / authority / organizations shall have liberty to move the state Commission for protection of Child Right here in after referred to as the commission by filing any application for seeking suitable relief against commission/omission or any action taken by State Government/Central Government or any other authorities/ organizations whether under the control of State Government or otherwise or suomoto notice of matter regarding:

- Deprivation and Violation of child right.
 - Non implementation of laws providing for protection and development of children
 - Non compliance of policy decision, guideline or restriction aimed at mitigating hardship to and ensuring welfare of the children and to provide relief to such children.
 - Such other function as it may consider necessary for the promotion of child right or any other matter incidental to the above function.
2. All applications should be addressed to Secretary, Maharashtra State Commission for protection of Child Rights, IIIrd floor, G.T.S. Building, Sir Pochkhanwala Road, Worli, Mumbai 400 030.
 3. Every application shall set on the name, description and complete postal address of the applicant & respondents. It should be typed in double space on a fullscape (Legal size paper) and shall set forth in chronological order and in correctively numbered paragraphs, all facts grounds and relief claimed and shall be signed by the applicants or his advocate.
 4. Six copies of the application shall be filed and it shall be accompanied by copies of such documents as are the possessing an application, which shall be supported by a duly attested affidavit of the applicant. All the pages of the application shall be numbered.
 5. A Copy of the application shall be sent by the applicant to all the respondents and photo copy of postal or courier receipt of proof of the same shall be filed along with the application.
 6. Every application shall have index.
 7. After the receipt of the application, a notice of hearing shall be issued to the parties through the counsel, Central Government, State Government, any other authority, electronic mode or through any other means. The notice shall specify the date and place

- of hearing before the commission.
8. Where there are a number of applications in which common issues have been raised and similar subjects are sought, the commission may issue notice to the parties through public notice/ advertisement in news papers. The commission in such cases may determine that who shall bear the cost of publication of such notice.
 9. The respondents shall be at liberty to file written objections to the application in the form of a counter affidavit (reply) with proof of service of advance copy to the applicant. The counter affidavit shall give para-wise reply on merits and no general replies or denials would be entertained. In case where the respondent(s) is an office of the Central Government, the State Government, Government Undertaking or any authority owned, managed or controlled by the Central/State Government, the counter affidavit shall be signed by the Head of such Department, Authority or Undertaking.
 10. The Commission shall have the powers to.
 - a. Call for any documents from any person or the Government of the Union or the State or any other official.
 - b. Summon any person and receive evidence from such person on oath either on affidavit or otherwise.
 - c. Seek assistance/ presence of any person(s) /official(s) required by it in relation to its work.
 11. A quorum comprising two minimum members will be competent to hear the applications and pass orders.
 12. The Commission may , as and when necessary, undertake field visits, hold public hearing with officials and NGOs through one or more of its members or through Special Invitees or such Central Government/ State Government officials, NGOs, institutions, and experts as the Commission may deem fit.
 13. The Commission may pass interim order(s) to meet the ends of justice in such cases, as far as feasible; the Commission will pass final order within 90 days from the date of issue of the interim order.
 14. The Commission, after giving opportunity of hearing to the parties passes orders in writing, copies of which shall be sent to the concerned parties.
 15. All orders passed by the Committee shall be authenticated by the Secretary and shall bear the seal of the Commission.

COMPLAINTS INVESTGATED AND INQUIRES MADE

Total of 118 fresh cases were received during the year 2017-18 by the Commission. The complaints were filed under the Commissions for Protection of Child Rights Act, RTE Act . In all 33 cases were disposed off by the Commission during the year. Out of these, Commission made recommendations in the following cases and in the remaining cases instructed the concerned authorities to decide and take action.

RECOMMENDATIONS MADE BY THE COMMISSION UNDER THE COMMISSION FOR PROTECTION OF CHILD RIGHTS ACT 2005

1) C.R. 120/2017-18

This matter came before the Maharashtra State Commission for Protection of Child Rights hereinafter referred to as the "Commission" on 17th June, 2017 through an unsigned letter mentioning only the name of the Complainant alleging various issues against RBK School and its authorities. The contents of the letter show that the daughter of the Complainant was a student of the RBK School and the Complainant is a member of the Parents Teachers Association. The Complainant's child was confined and detained by the school's authority on 5th June, 2017 from 12.45pm to 3.00pm. Instead of taking the child back to the classroom, a letter was drafted and kept in her bag. Her mother received a call from the school saying that the letter is kept in the bag and that she should read and revert. Further, on 6/6/2017 the daughter of the Complainant went to school and she was isolated by the school and was forced to sit in the library room for half day. Further, on 7/6/2017 the same thing was repeated with the child. The Complainant received a call from school to keep her daughter back as a result of the complaint made by the Complainant to the Police against the school. Various complaints have been made by the Complainant through various agencies such as education officers, police officers and commissions. Further, the Complainant requested the Commission to provide justice for her daughter and enable her to complete her education in the RBK School. After receiving the complaint, the Commission called for report from education officer on 6/7/2017 and a copy was sent to the school and others. The Commission also directed the education officer to ensure that the education of the daughter of the Complainant was not hampered and also to ensure that she was not deprived of education. Accordingly, the Commission issued a direction to the education officer to enquire the matter and submit report to the Commission. The Commission did not receive any reply from the Education Department. However, it received a reply from the school dated 10th July, 2017. The school submitted its reply on the contents of the complaint and refuted all charges raised by the complainant and raised charges against the Complainant saying that the Complainant is a miscreant and has a habit of sending letters to various agencies in order to tarnish the image of the school. A detailed history has been given in the reply filed by the school.

Culminating all the relevant documents, legal provisions, expert opinions, submissions of the parties and considering all the answers and questions that were raised on the basis of the contentions; the recommendations convened by the Commission are as follows:

1. The school authorities are directed to re allow the admittance of the children of the Complainant to the school subject to the payment of fees.
2. The State Government is directed to constitute a committee consisting of officers not below the rank of PI in police department, education officer in the education department and district child protection officer to inquire this matter regarding the harassment conducted by the respondent school and its authorities including the trustees upon the daughter of the Complainant and also removal of the son of the complainant on account of the act of revenge committed by the school and its authorities.
3. The state government is directed to inquire whether the school has taken any benefit in terms of land, taxes, electricity etc by the state to run the school. If the school has taken the benefit, the matter be placed before the competent authority that decides the fee structure so that the children may not face the financial barrier in continuing their schooling in the said school.
4. If in the report of the team it is established that rights of the children have been violated then, strict action may be initiated against the school authorities including the trustees under the purview of law.
5. Show Cause notice be issued against the Complainant for raising the allegation against the authorities of the Commission under the purview of law.

2) **Case No. 138 /2017-18**

This matter came before the Maharashtra State Commission for Protection of Child Rights, by way of filing of a complaint against the Principal of School, Trustee of the School and Deputy Secretary ICSE Board. It was alleged by the Complainant that her son studied in 9th standard of the same school. The complainant's son was denied admission into the 10th standard even though he was a student of the same school since playgroup.

The complainant's son is suffering from mild Autism Spectrum and various recommendations have been received from the doctors of the LTMG Hospital, Sion, Mumbai regarding his health condition. The doctors suggested that some parameters have to be considered when the complainant's son takes examinations in school such as no granting penalty in case of spelling errors, extending time for completion of answer sheets etc. The copy of the medical report has been placed along with the complaint. The contents of the complaint states incidents that have happened with the complainant's son when he appeared in 9th standard exams. He took his exams from 1st March to 14th March, 2017.

On 23rd March, 2017 the complainant was called by the school authorities to attend the school and she was informed by the school authorities that her child had not performed well in academics in 9th standard. On hearing this, the applicant requested the school for a progress report but the school failed to furnish details of the complainant's son's progress report. The school instead provided a verbal explanation and asked her son to be admitted in a NIOS board

and also suggested to conduct re-examination for the complainant's son. As discussed, the re-examination was conducted from 15th April to 19th April, 2017. It was alleged by the complainant that during the retests, the complainant's son was mentally harassed by School. Trustee of the School informed that the complainant's son failed to secure good marks in the retest and therefore he would have to repeat Standard 9.

It is further alleged that the exam and re exam conducted by the respondent was not done as per the parameters suggested by the doctors. The respondents refused to hand over the progress report despite the repeated requests from the complainant. The contents of the complaint state that the acts committed by the respondents are against the order of the Hon'ble Supreme Court and Hon'ble Bombay High Court. The complainant also paid the fee amount of Rs. 68,389 to the school for Standard 10th admissions. With respect to this, the complainant sent a legal notice through her advocate and also approached the Hon. Minister of Maharashtra and other dignitaries to resolve this issue. The complainant received assurance from the Hon'ble Minister to consider the issue of the complainant; yet no step has been taken by the respondents in admitting the complainant's son to standard 10. Thus, the complainant failed to receive justice and appeared before the commission and made the prayer: -

- a) This Hon'ble Commission be pleased to pass an order thereby directing the Respondent no.1 and Respondent no.2 to give admission to Complainant Son to 10th Std.
- b) This Hon'ble Commission be pleased to pass an order thereby directing Respondent no.1 and Respondent no. 2 to forthwith furnish the copy of progress report of Complainant Son for the examinations of 9th standard conducted from March 1st, 2017 to 14th March, 2017.
- c) That this Hon'ble Commissioner be pleased to pass an order thereby
- d) directing the Respondent No.1 and Respondent No. 2 to allow the complainants son to appear for 10th standard examination (ICSE) through the Respondent No.1 and Respondent No. 2 and all relevant study material be provided to the son of the Complainant to enable him to appear for final examination.
- e) That pending the hearing and final disposal of this application the Hon'ble Commission be pleased to pass an order thereby allowing Complainant Son to pursue his classes of 10th standard of Respondent No. 2 school;
- f) Ad interim and interim in terms of prayer clause (c) above;
- g) That this Hon'ble Commission be pleased to pass appropriate interim orders and meet the ends of justice in the fact of Complainant's son case.

The Commission took cognizance and issued notices to the parties, called the parties, listed the matter to conduct the enquiry. Culminating all the relevant documents ,legal provisions, expert opinions , submissions of the parties and considering all the answers and questions that were raised on the basis of the contentions; the recommendation convened by the Commission are as follows :

1. The child may be allowed to appear for the std 10th exams as scheduled to be held in 2018. ICSE Board should modify the rules in matters of children who need special care and protection and fall under the disabled category.

3) Case No. 62 /2015-16

This matter came before the commission on the basis of letter received from Government of India addressing to the Principal Secretary of Women & Child Development Department requesting to take cognizance of the matter related to one child named X. The State Government referred this matter to the commission along with all documents submitted by the complainant father of the child. The contents of the matter reveal that the complainant and his wife are living separated and the procedure under the divorce is underway before the Bandra Family court. The child is in the custody of the wife of the complainant against whom the divorce proceedings are on. It is alleged in the complaint that being a working woman his wife has to go to office leaving behind her child in the custody of her parents thus resulting into the physical and mental exploitation of the child by the parents of his estranged wife. The incident as indicated in the complaint has happened on 23/12/2015 as narrated by the complainant in the complaint showing that the child was beaten by the parents of his wife. The photographs of such incident have been attached with the complaint showing the condition of the child is not looking good. After the incident the child was admitted in the hospital. It was observed by the doctor the child is in mental stress and needs to be treated by a psychiatrist. The commission took cognizance of the matter issued notices to the parties and asked the complainant to file written complaint mentioning contents as shown in the complaint. The same was filed by the complainant. The complainant has requested the commission to take necessary measures and ensure the safety and well being of the child and also requested to grant custody of the child to the complainant. The operative order passed by the Principal Judge of the Family court was issued on 19/8/2016. The order of the principal judge consists as the permanent custody of the minor is granted to the complainant. The respondent i.e. the mother of the child is directed to hand over the custody of the child to the complainant. The respondent mother has been granted access with certain conditions.

Culminating all the relevant documents, legal provisions, expert opinions, submissions of the parties and considering all the answers and questions that were raised on the basis of the contentions; the recommendation convened by the Commission are as follows:

The report of the DCPU may kindly be placed either before Family Court or appellate court, if the matter is in the appellate court. The Hon'ble family court may relook the matter on the basis of the report raised on the basis of the report filed by the DCPU, if law prescribes so relook the matter on the basis of the report filed by the DCPU if law prescribes so and if otherwise, then place report before the appellate court.

4) Case no.108/2016-17

This matter came before the commission against the Principal, Teacher and Trustee of the Seven Square Academy hereinafter called as the "Academy" mentioning that on 3/2/2008 the son of the complainant Master X admitted in the said school in Std 1 and passed with good grades from std 1 to std 6th and was promoted to class 7th. On 6/4/2015 the complainant paid the school fees of an amount of Rs.56,500. However, on 11/12/2015 the school issued a school leaving certificate and sent same to the residential address of the complainant. As the complainant was not in the city and after returning, she came to know the incident from her sister. The complainant was shocked as she never asked the school leaving certificate from the school for her child. Thereafter the complainant approached the Hon'ble HC Bombay by filing a Writ petition. The Hon'ble High Court on 8/1/2016 passed the direction against the school.

The commission took the cognizance issued notices to the parties fixed the matter for hearing on 2/9/2016. The complainant along with the advocate appeared before the commission and placed the issue along with the order passed by the Hon'ble High Court in the writ petition no 25/2016 and subsequent order in the contempt matter. The commission questioned if the matter has been disposed of by the High Court, then on what grounds this matter is brought before the commission. The advocate placed the reason and requested to allow her petition under the CRC Act. The respondent has admitted that they have obeyed the order passed by the Hon'ble High Court. Culminating all the relevant documents, legal provisions, expert opinions, submissions of the parties and considering all the answers and questions that were raised on the basis of the contentions; the recommendation convened by the Commission are as follows:

1. The local authority i.e., the school education department is directed to investigate this matter and submit the report on the issue of corporal punishment.

5. Case no. 248/2016-17

The matter has been filed by the school, from Nagpur against the order passed by the Municipal Corporation Committee, directing the school, Nagpur to admit the son of Respondent No.1. In the appeal contended by the school Nagpur, that the child of the Respondent No.1 was admitted under the freeship scheme of Right to Education Act 2000 on the basis of his income. However, in one application filed by Respondent No.1 the income has been shown as Rs. 80000 per annum while in another the monthly income was shown Rs. 20000. It is also contended that Respondent No.1 while applying for application under general category has shown income more than 1 lakh and under reserve category has shown Rs. 80000/- per annum. Therefore, the school Nagpur rejected the application of son of Respondent No.1. When the Respondent No.1 approach the Municipal Corporation Committee, he had decided the case without applying his mind and directed the school of Nagpur to admit the child of Respondent No.1 under the freeship scheme. The School of Nagpur has rejected application on the ground as stated in this matter by the Respondent No.1. And thus requested the Commission to set aside the order dated 30/8/2016 passed by Municipal Corporation Committee and requested the commission to pass injunction order dated 30/8/2016 for effect and operation. Culminating all the relevant documents, legal

provisions, submissions of the parties, on the basis of the contentions; the order of the Commission is as follows:

1. The appeal is rejected.
2. The order passed by Respondent No.2 is confirmed with direction to the Respondent No.2 to ensure the admission of the child of Respondent No.1 in the school run by the petitioner.

6. Case No 92/ 2017-18

Issue came before the Commission by complainant, after filing the complaint, who is legally wedded wife of Respondent No. 4 i.e. X and Daughter in law of Respondent No.5 XI having two grown up daughters age 5 years and 14 years. Raising the issue of rights of her children and her ordeal face due to wrong committed by her husband such as forcing to go through various forceful abortions and miscarriages followed by physical and mental torture for want of male child. Failing to get male child both the Respondents No. 4 & 5 pressurizing her to go for surrogacy saying that there is a place where getting a male child is guaranteed. Accordingly, she was accompanied by Respondent No. 4 to visit the hospital and to meet Dr. i.e. Respondent No.2 where they met a person kind of ward boy and discussed the issue and got the assurance of male child in exchange of heavy amount. After the discussion complainant went to meet Doctor i.e. Respondent No.2 and she was advised by the doctor to mentioned in the agreement saying that three miscarriages have already been happened after last delivery. After waiting some time complainant went for Sonography and has been examined by Respondent No. 2, who instructed nurse present at that time to give the prescription of high doses of hormonal changes considering the age and size of uterus of complainant. Respondent No. 4 was also suggested to control blood sugar and be in touch with ward boy for favourable result. After coming out of hospital the complainant, indicated her reluctance to go for surrogacy for male child. Hence, she was threatened by Respondent No. 4 and warned not to disclose this issue to anyone, but after developing the courage, the complainant discussed issue with her sister and opposed the surrogacy, on which she was pressurized by Respondent no. 4 for initiating divorce proceeding, there after regular harassment, fighting started with the complainant and Respondent No. 4. Failing to bear the mental & physical torture committed by Respondents No. 4 & 5 upon her, the complainant approached the Mulund police station and filed F.I.R. on 27/09/2016 and on 27/10/2016 her statement was recorded, but police did not include the statement covering the issue of allegation against Respondents No. 2 & 3 and unidentified doctor and ward boy. Respondent No. 6 i.e. officer in-charge of police station persuaded, complainant to put her signature on the paper concern with the statement whatever recorded by police saying that rest would be added later on. Further Respondent No. 6 informed the Complainant that no action can be taken in view of the Hon'ble Supreme Court's order being the matter in the nature of family dispute. However, after some time complainant received phone call from Respondent No.

6, calling her to come at the Police Station for collecting the copy of F.I.R. The Complainant accompanied one Advocate and got surprise after observing the content of wherein sections 498(A), 34, 323, 504, 506 are applied leaving other sections of I.P.C. and other relevant laws dealing the issues related with Respondents No. 1, 2 and 3. The Complainant was also treated badly by the police officer while Respondent No. 4 was treated well. Issue of providing incorrect information by the Respondent No. 6 has also been raised. Finally by invoking the provision of R.T.I. Act the documents related with the surrogate mother, surrogate child, papers of agreement related with this issue including copies of agreement between Respondent No. 4 and surrogate mother, affidavit filed by Respondent No. 4 claiming to be a single person as well as affidavit filed by Respondent No. 5 rectifying the single status of Respondent No. 4 and witnessed by Respondents No. 2 & 3 received by the Complainant and placed along with copies of complaint. It reveals by documents that agreement between the surrogate mother and Respondent No. 4 has made without the consent of spouse i.e. complainant who is legally wedded wife of Respondent No. 4 having 2 daughters. It also reveals that documents have been witnessed by both the doctors i.e. Respondents No. 2 & 3. A letter written by Dr.Y dated 06/08/2014 addressing to Dr.Z wherein she has mentioned about the Complainant showing as wife of Respondent No. 4 has been referred by the Complainant. Amount of payment made to surrogate mother has not been mentioned in the agreement. While relying on these documents the Respondents No. 2 & 3 initiated the process of surrogacy. On the issue of pre-mature birth as claimed by the Complainant on account of recorded date of birth of child in the hospital and finalization of surrogacy agreement as shown on 20/09/2016 and 15/01/2016, the Complainant has presumed the foul play in the transaction, alleging that commitment and abetment of crime may not be ruled out. Respondent No. 5 was aware about the status of Complainant but she did not disclose this fact and mentioned in the affidavit that Respondent No. 4 is single; therefore, she is criminally liable as alleged by the Complainant. Act of omission and commission has also been raised against the Respondent No. 6. She has raised the content of Chapter three of guidelines issued by Indian Council of medical research which prescribe the consent of the spouse mandatory. The complainant has raised the content of sub section 2(o) of P.C.P.N.D.T. Act 1994 dealing the issue of sex selection and alleged that all the Respondents No. 1 to 5 are indulgent in act of sex selection. Therefore, act as committed by Respondents No. 2 & 3 along with Respondents No. 4 & 5 attracting the purview of said Act. Thus, act of Respondents No. 1, 2, 3 is appearing suspicious therefore by act of omission & Commission of Respondents No. 1 to 5 the complainant and her two daughters, as well as surrogate child are being deprived from love and care of mother this is extreme cruelty against the child. Thus, she made the following prayer:

- a) Take strict action against the Investigating officer at Mulund Police Station for the acts narrated above.

b) Appoint special team to investigate the matter properly as it involved huge transaction of cash money and crime against women and children and there is a possibility that there is an organized crime wherein big Racket is involved.

c) Take appropriate action against X, and Ms. XI for sex selection, for forceful abortion, for giving false affidavit to the effect that the status of X is single and for obtaining a male child through sex selection.

d) Take appropriate action against Jaslok Hospital, Dr. Y and Dr. - for indulging into sex selection and witnessing an agreement of Affidavit which they knew to be false and being instrumental in the crime committed by X and XI, narrated above.

e) Director Hospital, Dr. Y, Dr. - and Mr. X to compensate the complainant with Rs.10 crore jointly or severally towards irreparable damage caused to the Complainant and her two daughters.

2. Record reveals that the Complainant also approached the N.C.P.C.R. whereas N.C.P.C.R. referred this matter to this Commission to initiate proceeding as issue falls under jurisdiction of this Commission. It also reveals that the Complainant also approached the State Human Rights Commission and State Women Commission by sending letters

After culminating all the issues, going through the relevant provisions of Laws, facts, the Commission is propounding following recommendations:

1. To initiate criminal action against Respondents No. 4 & 5 under provisions of I.P.C. for hiding the facts and preparing and submitting false affidavit, and apply provision of section 75 of juvenile justice (care and protection act, 2015) against respondent No.4 after filing the additional charge sheet. Respondent No.4 shall ensure, maintenance, education, protection etc and other requirements for development of child as envisaged under Child Rights Act, to both the minor girls and surrogate child and also ensure that they shall not be deprived from parental love and affection.

2. To create Task Force consisting District officers from Health, Police departments and representatives of reputed N.G.O.s working in the districts, for every district to act on following terms of reference:

a. To ascertain that guideline issued by I.C.M.R. has been followed in this matter by the Respondents Nos. 1, 2 and 3 in particular and are being followed in general in the State where this type of clinics / centers / hospitals are in existence.

b. To ascertain the role of hospitals and Respondents No. 2 & 3 in this matter on the issue of permission to run the Clinic / Center, registration of Clinic / Center, Welfare of surrogate mother, child etc and others Clinics / Centers / Hospitals running in the State.

3. To create a monitoring cell at the State level to monitor the applicability of provision of guidelines issued by the I.C.M.R and other issues such as registration and permission to run Clinics / Centers / Hospitals.
4. All the actors i.e. desiring couple who need the child, surrogate mother and spouse, egg donors or sperm donors (female / male) shall register themselves with clinics / centers / hospitals.
5. All the clinics / centers / hospitals desiring to start surrogacy shall register with the appropriate authority in the Government.
6. The Government shall by issuing notification prescribe the competent / appropriate authority and shall prescribe procedure for registration.
7. Verification of records / home studies / legal and financial aspects and other requirements including counselling of couple shall be conducted by the team consisting of District Women & Child Development Officer and District Health officer and team shall prepare report.
8. The report prepared by the team shall be produce before the children court constituted under Section 25 of Child Rights Commission Act.
9. The Children Court on the basis of reports and after following due process of law shall pass, order for initiating the surrogacy process.
10. The clinic / centers / hospitals shall initiate technical procedure after receiving order of the children court.
11. Rest of the technical aspects shall be followed as prescribed in the existing I.C.M.R. guidelines.
12. These arrangements shall be applicable till the creation of Law on surrogacy.
13. Any person aggrieved by an order of children court may file an appeal before the Hon'ble High Court as prescribed under sub section 5 of Section 101 of J. J. Act 2015.

7. Case No. 123 /2017-18

This matter came before the Maharashtra State commission for Protection of Child Rights hereinafter referred to as the "Commission" by way of filing complaint by one organization Samatol foundation hereinafter referred to as the "organization" requesting the commission to issue necessary instructions to the government to allow the opening of a shelter for rescued children (mainly on railway platforms) in Thane and Pune. The Commission took cognizance of this matter and issued notices to the concerned authorities in the government.

In view of the above forgoing paragraphs and culminating all the relevant documents, legal provisions, expert opinions, submissions of the parties; the recommendations convened by the commission are as follows:

- i. The State Government is directed to undertake studies and conduct surveys in the district of Pune and other cities to identify the number of children who are required to be placed in the open shelter home and on that basis fix the number of shelter homes required to be opened in the Pune and other Districts.
- ii. Prior to advertising and calling of applications from voluntary organizations to run the shelter homes; logical, reasonable and quantitative criteria in terms of qualifications of the applicants must be mentioned in the advertisement.
- iii. The criteria to scrutinize the application, the appointment of the committee to scrutinize the application etc. must be clarified in the advertisement.
- iv. A fresh advertisement may be issued after considering the facts as opined by the commission in para 1,2 and 3. Within 15 days from issuing the recommendation.

8) Case No. 154 /2017-18

This matter came before the Maharashtra State Commission for Protection of Child Rights hereinafter referred to as the "Commission" by the Samatol Foundation hereinafter referred to as the "Organization". The organization approached the commission alleging that the Railway department failed to take cognizance on the order recommendation made by the commission on 4/11/2016; wherein the commission directed the railway authorities to consider the request made by the organization pertaining to activities as undertaken by the organization of rescuing and rehabilitating the children who are being transported from other states and within the states for the purpose of labour and trafficking through the railways.

2. In view of the above forgoing paragraphs and culminating all the relevant documents, legal provisions, expert opinions, submissions of the parties; the recommendations convened by the commission are as follows:

- i. To Initiate proceeding of prosecution against the concern officer who failed to attend The Commission and disobeyed the recommendation of the Commission. Under the section 174 and 188 of Indian Pinal Code and also initial disciplinary actions against them.

**RECOMMENDATIONS MADE BY THE COMMISSION UNDER RIGHT TO FREE AND COMPULSORY
EDUCATION ACT 2009**

1. RTE Case No. 215/2015

The matter came by one Mr. Manish Desai saying that his son aged 15 years is a student of Activity school and is studying in Div B of Std 10th. On 24/12/2015 his son was compelled to chop his hair during the school hours by the Principal of the school. The length of the hair was cut so short that the child felt embarrassed which led to low self-esteem. Even though the hair of the child was already cut in the private salon, yet in the name of discipline not only did the Principal do this wrongful act but also demanded Rs.150 towards haircut. On 29/12/2015 his son was humiliated by the principal and fellow teacher by passing jokes before fellow students. On 30/12/2015 a payment of Rs.150 was given to the school authorities. Therefore, the action as committed by the school authorities attracts the provision of corporal punishment which is eliminated by the Right to Education Act, 2009 hereinafter referred to as, "RTE Act,2009" and guidelines issued by National Commission for Protection of Child Right hereinafter referred to as "NCPCR". Thus, the act of omission and commission by the school authorities fall under the purview of penal provision. Thus, the school authorities are liable to be punished under section 17 of the RTE Act.

Culminating all the relevant documents, legal provisions, expert opinions, submissions of the parties and considering all the answers and questions that were raised on the basis of the contentions; the recommendations convened by the commission are as follows :

- i. The school is directed to prior issuing any code, the matter may be taken before the Parents Teachers Association and School Management Committee.
- ii. The school is directed to modify the guidelines in accordance with law.
- iii. The school authorities are directed to take appropriate steps to avoid such incidents in future
- iv. The concerned District Child protection officer is directed to investigate the matter and submit the report in this issue.

2. C.R.164/165/166-2016-17

Mohan Shamrao Kirpan (Complainant) against Bhartiya Vidhya Bhawan. NTPC, Vidya Mandir (Respondent School) raising various issues pertaining to the admission of their children in the Respondent school. The contents of the complaints reveal that children of the Complainant had taken admission in the Respondent School and were studying there. However, in the mid academic year, the school started demanding fees and threatened to remove the children from the school unless the fees were paid, claiming that the matter of the Complainant did not fall under the purview of the Right of Children to free and Compulsory Education Act 2009 (RTE ACT)

Complainants jointly filed the complaint and placed before the Commission the chronology of the history of events that had taken place since the Respondent school had claimed that since matter of the Complainants did not attract the provisions of the RTE Act, they would be liable to pay the fees. The Complainant claimed that they approached the Education Officer. However, they failed to get their grievance redressed and therefore approached the Commission.

Culminating all the relevant documents, legal provisions, expert opinions, submissions of the parties and considering all the answers and questions that were raised on the basis of the contentions; the recommendations convened by the commission are as follows :

1. Respondent school is directed to re-admit the children of the Complainant if de-enrolled.
2. School is directed to consider the claim of the Complainant under the category of deprived class and Freeship Scheme.
3. The School Education Department is directed to take appropriate action against the school under the purview of law for de-enrolling the children from the school.

3. Case No. 103/2017-18, 126/2017-18

The Complainant approached the Maharashtra Child Rights Commission hereinafter referred to as the "Commission" and raised the issue of his daughter who had been denied admission by the Respondent school. He had applied on the grounds of transfer from Amravati to Nagpur district in Maharashtra.

In the complaint against the Respondent no.1, it is mentioned that the Respondent No.1 school conducted an entrance test on 20-6-2017 and the complainant's daughter along with the rest of the children appeared for the test. The complainant's daughter was also refrained from taking home the question paper of test. The complainant's daughter and the rest were informed by the Respondent school to check the results on 23.6.2017. The complainant's daughter was not granted admission to the Respondent School. The Complainant's alleged that his daughter was denied admission due to the screening test taken by the Respondent school which clearly contravenes the provisions of the Rights to Education Act, 2009 hereinafter referred to as the "RTE Act". The complainant prayed before the commission to initiate action against the Respondent School no.1 for carrying out an entrance test to get admission in the school. He alleged the respondent school no.1 has violated the right of the child by contravening the provisions of the RTE Act.

Culminating all the relevant documents, legal provisions, expert opinions, submissions of the parties and considering all the answers and questions that were raised on the basis of the contentions; the recommendations convened by the commission are as follows

1. The state Government is directed to take appropriate action against the Respondent no.1 for contravening the provision of RTE Act. 2009 as prescribed under section 13(2) (b) of RTE Act.
2. The Education Officer is directed to ensure the admission of the child of complainant, it not admitted in the school.

- 4. Case No.255/2016-17**
- 5. Case No. 42 /2015-16**
- 6. Case No. 43 /2015-16**
- 7. Case No. 44 /2015-16**
- 8. Case no 176**
- 9. Case No. 177/16-17**
- 10. Case No. 179/16-17**
- 11. Case No. 317/16**
- 12. Case No. 153/16-17**

The Maharashtra State Commission for Protection of Child Rights (hereinafter referred to as the "Commission") was flooded with complaints regarding the admissions in the schools under the Right to Education quota by the above-mentioned complainants who are minors aged between 3 to 6 years appearing through their parents. They alleged that all the complainants had been denied admission in nursery, KG, elementary education by the respective schools. Despite of the allotment letter by the School Education department under the government of Maharashtra and Brihan Mumbai Municipal Corporation. They were denied admissions by the schools by citing various reasons. The complainants approached the concerned authorities of school education department designated as local authorities. However, they failed to get any response. Thus, they approached the Commission in order to redress their grievances. The nature of the cases are similar involving various schools and in most of the cases the schools are common. The commission took up this matter separately and issued notices accordingly. However, after considering the nature of the cases the Commission clubbed all the matters.

Culminating all the relevant documents, legal provisions, submissions of the parties and considering all the answers and questions that were raised on the basis of the contentions; the recommendations propounded by the Commission are as follows:

1. The State government is directed to resolve the issue and grant admissions to the children and;

If the schools fail to admit the children then initiate strict action against the schools, including the withdrawal of license to run the school, imposing the fines etc.

2. To modify the notification issued in month of April 2014

3. If some matters are before the Hon'ble High Court then the recommendations of the Commission may be placed before the High Court.

WORKSHOPS/ PUBLIC HEARINGS CONVENTIONS / SEMINARS

Building awareness on Child Rights in Maharashtra

MUMBAI- On 7th Nov,2016, the Hon'ble Minister, WCD had launched MSCPCR's mobile app CHIRAG (Child Helpline for Information on Rights and Address Grievances) which is now available for smartphones with android and IOS operating systems. MSCPCR partnered with International Justice Mission (IJM) to develop CHIRAG and to create awareness among all the actors who are working in the field of Child Rights regarding the applicability of CHIRAP APP. The programme was organised along with them. Re- launched the mobile application CHIRAG (Child Helpline for Information on Child Rights and to address their Grievances) and organized a Child Rights Awareness programme in Mumbai on 07/06/2017 with an additional focus on the success stories and confidence building of street children in the city of Mumbai. This program was called *Tamaso Maa Jyotirgamaya, (From darkness to light)*. This was attended by Hon'ble Minister for Women and Child Development, Government of Maharashtra, Smt. Pankaja Munde, as well as representatives from UNICEF, The Confederation of Indian Industry, representatives of NGOs, Save the Children, International Justice Mission, Samatol Foundation, Hamara Foundation and Salam Balak Trust present.



Mobile application is aimed to further awareness on the rights of children across the state. While the event brought awareness to the children in attendance, it sends out a larger message of empowerment to every citizen. Through the 'CHIRAG' app, people in Maharashtra can contact the Commission for redressal of their grievances in respect of violation of child rights.



Smt. Pankaja Munde, Hon'ble Minister, Women and Child Development Department, Chairperson, Members and Secretary of the Commission, Shri. Sanjay Macwan from International Justice Mission

CONFIDENCE BUILDING PROGRAM FOR STREET CHILDRENS



The State Commission along with Save the Children, UNICEF, IJM, CII, Samatol Foundation, Salam Balak Trust, and Hamara Foundation decided to collaborate and organize this confidence building program. The purpose of the event was threefold: 1) to acknowledge and honour street children who have overcome hurdles, made significant achievements and demonstrated courage and resilience, 2) to build public support for interventions that have worked to address the needs of street children, to harness their potential and assure them a life of safety and dignity, and, 3) sensitize the public to the struggles and hardships faced by young street children, their positive contribution to society and the possible areas for citizens' support and action.

The program also included the launch of three Standard Operating Procedures, the Prevalence Study, Analysis of Orders, and the SOP for Street Children.

The event included a beautiful cultural program by the children from SAMATOL Foundation, Salam Balak Trust, and Hamara Foundation.

The event was an occasion for the State and citizens of Maharashtra to recognize the achievements of street children, their needs and rights, as well as organizations who are working together to provide them with sustainable options for their future. It was an occasion for a collective commitment to assure that children are cared for, protected, and given a life of respect and dignity

MONITORING THE IMPLEMENTATION OF PROTECTION OF CHILDREN FROM SEXUAL OFFENCE (POCSO ACT 2012)

On the occasion of the visit of Dr. Kailash Satyarthi, a Nobel Laureate winner for the 'Child Sexual Exploitation-Sensitivity Programme' was held on 28th September, 2017 at Yashwantrao Chavan Hall, Mumbai on behalf of Maharashtra State Commission for Protection of Child Rights. Maharashtra State Women and Child Development Minister, Hon'ble Mrs. Pankajatai Munde, Dr. Kailash Satyarthi, Smt. Varshatai Vinod Tawade, Chairman of the Commission Shri. Pravin Ghuge, Member Shri. Vijay Jadhav, Adv. Swarada Kelkar, Secretary Shri. A. N. Tripathi, I.F.S. were present for the programme.



Review Meeting regarding implementation of Protection of Children from Sexual Offence Act and Juvenile Justice (Care and Protection) Act at Sangli.

Review Meeting regarding implementation of Protection of Children from Sexual Offence Act and Juvenile Justice (Care and Protection) Act was organized on 21st June, 2017 at Sangli. Chairperson of the Commission Shri. Pravin Ghuge, Member Shri. Santosh Shinde, Shri. Vijay Jadhav and Adv. Svarada Kelkar and Secretary of the Commission Mr. A.N. Tripathi, I.F.S, were present.



Six Divisional level Training Programmes for Judges and Government officials of all over the Maharashtra organised by Maharashtra Child Rights Commission in association with International Justice Mission (IJM).

On 25 March 2018, Judicial and Government Officials in six divisions across Maharashtra met for a state level training programme hosted by the Maharashtra State Commission for the Protection of Child Rights (MSCPCR) in association with International Justice Mission (IJM). The training programme aims to bring attention to protection of child rights within the justice delivery system.

This training programme was the brainchild of Mr. Pravin Ghuge, Chairperson of MSCPCR in the light of the recent Supreme Court judgment in *Sampurna Behura vs. Union of India*. Mr. Ghuge decided to partner with international human rights organization, IJM to organize the conference across six divisions in Maharashtra.

On Sunday 25 March 2018, over 600 members of the Judiciary and Government participated in the convention hosted at Divisional Headquarters of Konkan, Nagpur, Aurangabad, Pune, Nashik and Amravati divisions. The objective of the convention was to bring an opportunity for convergence of participating Presiding Officers of Children Courts, Special Courts under the Protection of Children from Sexual Offences Act, 2012, (POCSO ACT) and Chairman/Members of Juvenile Justice Board under Juvenile Justice (Care and Protection of Children) Act, 2015 (JJA) in Maharashtra, to discuss the implementation and interaction of the provisions of law to ensure sustainable protection of child victims and the effective prosecution of the perpetrators.

The Supreme Court in *Sampurna Behura v. Union of India* on 9 February 2018, took a long hard look at how our country treats its children, particularly those who come through the legal system. The Apex Court concluded that “it is time for the State to strongly and proactively acknowledge that, children in our country have fundamental rights and human rights and they need to be enforced equally strongly.”

The agenda comprised of trainings conducted by 30 resource persons comprising members of the Judiciary, high ranking police officials and experts from the field from across the six divisions. Through the sessions appropriate solutions were identified and proposed for the benefit of the practitioners of the law.

Mr. Pravin Ghuge, Chairperson of the Maharashtra Child Rights Commission, reiterated the need for this training programme by remarking that - “Children are victims of numerous crimes primarily those related to sexual offences and trafficking, it is thus necessary for the Judiciary to treat them with the necessary care and protection in order for them to recover from their trauma”. The Training Programme set the ground to develop a forum for members of the judiciary across the various courts and committees to share best practices. “We are honoured to partner with the Maharashtra Child Rights Commission to better provisions for child protection in the state.” said Michael Yangad, Director of Operations, International Justice Mumbai.

Regional Training

1) Training at Konkan Division

Training at Mumbai for Konkan Division was attended by Shri. Pravin Ghuge, Chairperson, MSCPCR and Shri. P.M. Badigi, Legal Adviser. The participants were the presiding officers of the children's courts, Special Courts under POCSO Act and Chairman/Members of Juvenile Justice Board under JJ Act, government officials of the Department of Women and Child Development and SDPO officials. Districts covered are Mumbai City, Mumbai Suburban, Thane, Palghar, Raigad, Ratnagiri, and Sindhudurg.



L-R Mr. Sanjay Macwan,
Hon'ble Justice Mr. S.C. Dharmadhikari ,
Hon'ble Justice Mr.V.M.Kanade (Retd.),
Mr.Pravin Ghuge, Chairperson MSCPCR

2) Training programme at Amravati Division

Training programme for Amravati Division was held on 25th March, 2018 at Amravati. Districts covered were Amravati, Buldhana, Akola, Washim and Yavatmal. The participants were the presiding officers of the children's courts, Special Courts under POCSO Act and Chairman/Members of Juvenile Justice Board under JJ Act, government officials of the Department of Women and Child Development and SDPO officials.



3) Training programme at Nagpur Division

Dr. Vrushali Deshpande, Member, MSCPCR attended the Training Programme for Judges and Government officials on POCSO Act and J.J. Act at Nagpur for Nagpur Division. Districts covered were Nagpur, Wardha, Bhandara, Gondia, Chandrapur and Gadchiroli. The participants were the presiding officers of the children's courts, Special Courts under POCSO Act and Chairman/Members of Juvenile Justice Board under JJ Act, government officials of the Department of Women and Child Development and SDPO officials.



4) Training programme at Aurangabad Division

Shri. Santosh Shinde, Member, MSCPCR attended the Training Programme for Judges and Government officials on POCSO Act and J.J. Act at Aurangabad on 25th March, 2018 for Aurangabad Division. The participants were the presiding officers of the children's courts, Special Courts under POCSO Act and Chairman/Members of Juvenile Justice Board under JJ Act, government officials of the Department of Women and Child Development and SDPO officials. Districts covered are Aurangabad, Jalna, Parbhani, Hingoli, Beed, Nanded, Osmanabad and Latur.



5) Training programme at Pune Division

Prof. Asma Shaikh, Member, MSCPCR attended the Training Programme for Judges and Government officials on POCSO Act and J.J. Act at Pune on 25th March, 2018, for Pune Division. The participants were the presiding officers of the children's courts, Special Courts under POCSO

Act and Chairman/Members of Juvenile Justice Board under JJ Act, government officials of the Department of Women and Child Development and SDPO officials.



6) Training programme at Nashik Division.

Shri Vijay Jadhav, Member, MSCPCR attended the Training Programme for Judges and Government officials on POCSO Act and J.J. Act at Nashik on 25th March, 2018 for Nashik Division. The participants were the presiding officers of the children's courts, Special Courts under POCSO Act and Chairman/Members of Juvenile Justice Board under JJ Act, government officials of the Department of Women and Child Development and SDPO officials. Districts covered were Nashik, Dhule, Nandurbar, Jalgaon and Ahmednagar.



**PUBLIC HEARING / Monitoring /Training of stake
holders under POCSO Act / R.T.E. Act/ J. J. Act.**

Under the Chairmanship of Mr. A. N. Tripathi (I.F.S.) Secretary, Maharashtra State Commission for Protection of Child Rights, Mumbai, on 3th May 2017, at Alibaug, Raigad.

On 3rd May 2017, at 'Rajasva Hall', Collector Office, Raigad, under the Chairmanship of Shri. A. N. Tripathi, I.F.S., Secretary, Maharashtra State Commission for Protection of Child Rights, Mumbai, meetings / public hearings were organized to monitor and review the implementation of the Protection of Children from Sexual Offence Act 2012, Juvenile Justice (Care and Protection) Act 2015, Right to Free and Compulsory Education Act 2009. The Legal Adviser of the Commission, the Police Officer of Raigad District, the District Women and Child Development Officer, the Members of Juvenile Justice Board and Child Welfare Committee, the Officers of Zilla Parishad, the Officers of Education Department and Labour Department as well as the representatives of Non-Governmental Organisations were present for the meeting.

Mr. A. N. Tripathi, Secretary directed the Upper/Additional Superintendent of Police to conduct training on "Child Law and Enforcement" for all Police Inspectors, Sub-inspectors, Assistant Sub-Inspectors and female Police Constables working in all the taluka wise Police Stations in the district with the help of the Superintendent of Police Raigad through the District Women and Child Development Commission Office.

While reviewing the cases under "Manodhairya Yojana" in Raigad district, District Women and Child Development Officer pointed out during the hearing that most of the cases were reported as missing child. The Secretary of the Commission directed the police that the investigation of a minor who has left home should be continued at such time, by registering the case as abduction without using the term 'missing child' in the Police Station, according to the P.O.C.S.O. Act.

The Secretary of the Commission Mr. A. N. Tripathi asked the Education Officer, Zilla Parishad, Raigad, whether the functioning 'Brick Kilns' in Raigad district especially in Karjat, Panvel and the language wise minors who are engaged in other businesses for example, horse riding in Matheran have been surveyed. And he also asked if the survey has been completed; how many language wise schools have been established; and how many needy children have taken its benefit. The Education Officer conveyed to it that the survey of such children has been completed and the statistics will be presented through the District Women and Child Development Officer. When the difficulties in starting a new school were pointed out, the Secretary of the Commission suggested that there would be no shortage of funds for starting a new school for language wise child workers under the Right to Education Act (R.T.E.).

If cases of child labour / child abuse / care and protection of children in need of immediate protection, shelter and rehabilitation are brought before the police, the question often arises as whom to contact in this regard. In this connection, Upper Superintendent of Police was directed to put up the Information Boards of the Members of the "Juvenile Justice Board and the Child Welfare Committee" in all the Police Stations in the district. The Police Department was also directed to take it from the Secretary of the Housing Organization in the district.

**16th and 17th April, 2017 at Ahmednagar under the chairmanship of
Secretary Shri. A. N. Tripathi.**

Organised public hearing and meeting with stakeholders, N.G.O. Government officers at Ahmednagar to monitor the provisions of P.O.C.S.O. Act, R.T.E. Act, Juvenile Justice (Care and Protection) Act and also functioning of children courts. Several issues were raised by the concerned officers and N.G.O.s in order to effectively implement the provision of Act. Main issue was to provide training to concerned officers, sensitising the stakeholders, training to police officers, CWC and JJB. The issues were discussed in detail and orders were given to concerned authorities to look into issues. The issues particularly having great concern, were viz. non disposal of cases under P.O.C.S.O. Act within specific time limit as envisaged in the Act, not filing chargesheet, non-appearance of witness etc. It was also observed that police officers are not well acquainted with the proceeding to be followed under P.O.C.S.O. Act.

On the basis of observations, following recommendations were made:

1. To provide long and short-term training to the police officers regularly.
2. To provide training to the members of C.W.C. and J.J.B. regularly in order to deal the cases as per provision as envisaged under new Act.
3. To organise periodical meeting between, police department, Women and Child Development Department, Labour department.
4. To organise training for doctors who performed medical test.

**Public hearing at Nagpur on May 19, 2017 / monitoring of the POCSO, RTE and JJ Act under the
Chairmanship of Secretary Shri. A. N. Tripathi.**

Organised public hearing and meeting with stakeholders, N.G.O. Government officers at Nagpur to monitor the provisions of P.O.C.S.O. Act, R.T.E. Act, Juvenile Justice (Care and Protection) Act and also functioning of children courts. Several issues were raised by the concerned officers and N.G.O.s in order to effectively implement the provision of Act. Main issue was training to concerned officers, sensitising the stakeholders, training to police officers, CWC and JJB. The issues were discussed in detail and orders were given to concern authorities to look into the matter. Various issues mainly distribution of fund under Manodharya schemes, problems pertaining to POCSO matters, providing allowances to the Members of CWC and appointment of

full-time members of CWC for Nagpur, were raised. On the basis of observations, following recommendations were made:

1. State Government is requested complete the procedure to appoint the members of CWC.
2. To provide training to the Police Officers / Members of CWC / JJB.
3. To organise regular awareness programmes for public, stake holders, N.G.O. etc.

Public Hearing at Sangli on June 21st, 2017

Organised public hearing and meeting with stakeholders, N.G.O. Government officers at Sangli in presence of Members to monitor the provisions of P.O.C.S.O. Act, R.T.E. Act, Juvenile Justice (Care and Protection) Act and also functioning of children courts. Several issues were raised by the concerned officers and N.G.O.s in order to effectively implement the provision of Act. Main issue was training to concerned officers, sensitising the stakeholders, training to police officers, CWC and JJB. The issues were discussed in detail and orders were given to concern authorities to look into issues.

Member Smt. Asma Shaikh and Secretary Mr. A. N. Tripathi, I.A.S. of Maharashtra State Commission for Protection of Child Rights were present at the Public Hearing on 18th August 2017 in Pune.

To monitor the provision of implementation of POCSO Act, R.T.E. Act, J.J. Act, meeting was called by the Secretary of the Commission asking all the stakeholders i.e. Police department, J.J.B., C.W.C., W.C.D., representatives of NGOs, to attend the meeting. However, except member of C.W.C., some N.G.O.s, one representative from Police, Labour, Women and Child Development, other stakeholders did not join meeting despite of specific instructions issued by the Commission.

2. Various issues were raised during the meeting covering the matters of children, falling under need of care & protection, conflict with law, decision taken by CWC, JJB, role of police officers in term of trial and pre trial, conducting cases under POCSO Act, creation of committees under R.T.E. Act, Conditions of Children Home etc.

3. Police Inspector representing police department did not have requisite information on the issue of POCSO. He was asked to collect information and inform the status, pendency of cases, completion of investigation, finalization of chargesheet, however he failed to get information.

4. J.J.B. has crucial role under new J.J. Act. Therefore, Commission prepared a proforma so as to be able to monitor the implementation of Provision of J. J. Act, on the basis of information

receiving from JJB. However JJB Pune (C.P. and Members) neither attended meeting nor supplied the information. Various issues regarding orders passed by CWC, Pune were raised, Members and Chairperson of CWC attended meeting, but failed to give the answer regarding the procedure as being followed by them to deal matter under new J. J. Act. They demanded training (short term & long term) for members & Chairman. Officers from W.C.D. were not equipped with information sought by the Secretary during the meeting.

5. Yerwada observation home and Shivaji Nagar children home were inspected by Secretary and Member Smt. Asma Shaikh. Condition of Yerwada observation home is not good in term of infrastructure, and lack of protection staff. Adverse incident happened is under enquiry before the Commission as reported by the member of the Commission. Similar condition was observed in Shivaji Nagar Children Home. Set up of CWC including their court premises, seating arrangements etc are not child friendly thus required to be upgraded by the Government. CWC-II is running its office in the hospital campus without any proper infrastructure for which they are regularly demanding with the Government, but failed to get any response from the Government.

5. On the basis of outcome of meeting and inspection, following recommendations were made:

- i. To inform the concerned departments in the Government to take appropriate step pertaining to issue of instructions to the field officers regarding attending meeting called by the Commission, as stipulated under Acts.
- ii. The Hon'ble High Court may be requested to issue instructions to all Chairpersons of J.J.B. to follow directions prescribed under Section 109 of J.J. Act.
- iii. To provide adequate staff and infrastructure to the CWC, Pune so as to enable them to act properly in child friendly atmosphere.
- iv. To provide adequate staff and infrastructure to Yerwada observation home.

Public hearing at Nashik on 27thOctober , 2017 / monitoring of the Protection of Children from Sexual Offences, Act

Right Act 2009 and Juvenile Justice Act.

On 27/10/2017 meeting was called to assess the implementation of provisions of P.O.C.S.O. Act, J.J. Act, 2015, R.T.E. Act, 2009, Commission for Protection of Child Rights Act, 2005. The officers of concerned departments, Members and Chairman of J.J.B., C.W.C., representative of N.G.O.s were directed to attend the meeting. Meeting was attended by the officers of line department, Chairman and members of C.W.C., representative of N.G.O.s etc. Public hearing also took place. Various issues prevailing in the district of Nashik pertaining to the rights of child as envisaged under the various laws / conventions were raised and discussed, particularly non compliance of provisions of P.O.C.S.O. Act, Child Marriage Prohibition Act, non existence of child friendly environment in the Children Court, Pendency of cases with J.J.B. and C.W.C. etc.

On the basis of issues as raised and replies / feedback on the issues as received from the actors in this matter, following have been observed.

1. Lack of awareness amongst public and state actors about the laws related with the child rights.
2. Non coordination among the line departments, mandated to deal the issues as prescribed under laws.
3. Inadequacy in term of infrastructures, training to the officers and employees.
4. Non imparting periodic training on the matter relating to implantation of provisions of P.O.C.S.O. Act, J.J. Act to the presiding officer of children court, J.J.B., C.W.C., public prosecutor, investigating officers etc.
5. Non compliance of the procedure as laid down in the P.O.C.S.O. Act by the presiding officer of children court.
6. Non application of Section 370((1) of I.P.C. (Criminal law amendment Act 2013) against the employer in case child has been found, as labour.

On the basis of observations, following recommendations were made.

1. To impart wide publicity through media including Electronic and print media among general public and other actors in Government, Social organizations, working on the issue of provisions of child rights related issues.
2. To provide long term and short term training to the presiding officers of children court.
3. To organize sensitization programmes for officers of children court, J.J.B., public prosecutor.

4. To strengthen the children court in term of infrastructure and to create child friendly atmosphere.
5. To organize periodical meeting between J.J.B., C.W.C., police and labour department.
6. To organize special drive, in order to reduce pendency of cases with the C.W.C. and J.J.B.
7. To issue direction to the police officer to apply Section 370(1) of I.P.C. (Criminal law amendment Act 2013) in the matter of child engaged as labour against the employer.
8. Child labour rescued from the site / premises should not be retained in the children home only for nonpayment of the compensation by the employer
9. Victim's statement under Section 164 may be recorded at the place of victim, if victim is in the children home.

On 1st November, Palghar,

To monitor the implementation of the Juvenile Justice Act (Care and Protection) Act, 2015 and the Protection of Children from Sexual Offences Act, 2012, as well as to monitor the work of the Juvenile Justice Board and the Child Welfare Committee and to discuss other issues, a meeting was held with the concerned officials at the Collectorate Office on 1st November. The Officers of Police, Education Department, Women and Child Development Department, Labour Department, Minorities Department as well as District Collector and Superintendent of Police were present for the meeting. The following topics were mainly discussed in the meeting.

1. The status of cases under the Protection of Children from Sexual Offences Act, 2012, from the time the case was filed to the time of the decision of the court.
2. Current cases under Juvenile Justice Board and Child Welfare Committee.
3. To act with the procedure laid down in the "Protection of Children from Sexual Offences Act, 2012" in cases handled by Juvenile Courts and to create a child-friendly environment in the court premises.
4. Rehabilitation of children released from child labour and taking action against employers who employ them; overcoming the problem of malnutrition. To provide education like other children to the children of Ashram schools run by the Tribal Department under the Free and Compulsory Education Act, 2009.

Based on the discussion on the above topics and the current status of the cases, the following issues came up:

1. The Superintendent of Police said that as the present Police Officers are not aware of the entire process, the cases at trial and pre-trial stage would be reported later. In order to be aware of Protection of Children from Sexual Offences Rule, the police and the people working in the concerned field need to be trained by the concerned department.
2. The discussion on this subject could not take place as the office bearers of the Juvenile Justice Board were not present. The office bearers of Child Welfare Committee were present. It is necessary to prepare an action plan on how to settle their pending cases.
3. The present police officers were of the view that the premises of Juvenile Courts should be of child friendly nature as well as the cases are handled under the Protection of Children from Sexual Offences Rule as they are handled in the law such as Judge is not on dais. Lawyers are not in uniform. The questions that are asked by the children are asked in a simple way.
4. The problem of child labour is very high in Palghar district, but after the release of child labourers, it was found that the concerned authorities were not aware of the process of their rehabilitation. The present Child Labour Officer informed that 38 child labourers were released in Palghar district, while a few times more cases have come before the Child Welfare Committee this year. It seems that there is no cooperation among the Child Labour Officers, the Police and the Child Welfare Committee. The office bearers of the

Child Welfare Committee did not know anything. Earlier, the Commission had directed the Department of Police to take action against the employers under Indian Penal Code 370(1) in all child labour cases, but the Police Officers were not aware of it.

5. The problem of malnutrition is serious in the tribal areas. The Commission, in its earlier recommendation, had suggested a change in the way they cooked their meals. In this regard, the concerned officials said that training and workshops are needed.
6. Ashram schools provide education only to the children of tribal people and children from Std. 1st to 12th live there. They do not study with the mainstream children and they do not get the protection of their parents as they live in a hostel. According to the rules about child rights that are framed at global level, the best place for the protection of children is the family. At present, after the implementation of the Free and Compulsory Education Act, it is mandatory to provide education to all children in the age group of 6 to 14 years. Therefore, the Free and Compulsory Education Act has suggested that the children in the age group of 6 to 14 years should be provided education by letting them stay in their families.

Recommendations are being made as per the points presented above.

1. The detailed information of cases filed under the Protection of Children from Sexual Offences Rule in Palghar district should be given.
2. To provide short-term and medium-term training to Police Officers.
3. To create awareness about Protection of Children from Sexual Offences among the masses.
4. To reduce the number of cases by launching a special campaign on pending cases by the Juvenile Justice Boards and the Child Welfare Committee.
5. To impose Section 370(1) of Indian Penal Code against employers after finding child labourers and to have co-ordination among Child Labour Department, Police, Non-Governmental Organizations and to review the work of Child Labour Prevention Task Force at the district level.
6. To develop a micro-action plan to overcome the problem of malnutrition and to train women to change their eating habits and to give money to the parents instead of the food provided by the government and to train them about how to use the food.
7. To keep children between the ages of 6 to 14 with their families instead of keeping them in the Ashram School and to arrange their education under the Free and Compulsory Education Act, to admit children from other communities in the Ashram School.

A meeting / public hearing was held on 10th November 2017 in Thane to monitor the implementation of Protection of Children from Sexual Offence Act 2012, Juvenile Justice (Care and Protection) Act 2015, Right to Education Act 2009. District Police Officer, District Women and Child Development Officer, Education Officer, Assistant Labour Commissioner, Members of Child Welfare Committee and Non Governmental Offices were present at the hearing of the meeting.

Shri. A.N. Tripathi, I.F.S., Secretary, Maharashtra State Commission for Protection of Child Rights visited Thane to assess the implementation of provision of R.T.E., P.O.C.S.O., J.J. Act, calling the N.G.O.s, general public and other stakeholders affecting rights of child. Meeting was attended by officers of police department, Women and child department, labour department, members of J.J.B., C.W.C., and health department officers etc. Issue as raised during meeting and observations made on the basis of reply from concern departments and gap between action point and action plans are as follows :

Issues :

- 1) Pendency of cases under P.O.C.S.O. Act.
- 2) Non cooperation amongst concerned departments to deal the issue of child labour.
- 3) Non conducive atmosphere before children court dealing with cases of P.O.C.S.O. Act.
- 4) Pendency of cases before J.J.B. & C.W.C.
- 5) Cases related with children between 16 to 18 years of age and committed heinous crime.
- 6) Non application of provisions of I.P.C. against employer in the matter of children engaged as a labour.
- 7)

Observations on these issues ;

- 1) Under P.O.C.S.O. Act in the Thane district cases are pending at both levels i.e. trial and pre-trial stage. Majority of police officers present were not in position to place the status of cases pending for trial, as they have no concern with the court proceeding, and as once chargesheet is filed then their concern with the case is over.
- 2) Doctors who prepare medical reports are not equipped with the procedure of P.O.C.S.O. Act.
- 3) No coordination among C.W.C., labour officer and police. Task force at the District level to stop the child labour is completely ineffective.
- 4) Non application of provision of Section 370(1) of I.P.C. in the matter of child labour against the employers.

- 5) Lack of awareness on the issue of J.J. Act and P.O.C.S.O. Act as prescribed under Section 108 and 43 of the said Acts respectively.
- 6) Lack of child friendly environment with the children court dealing matter under P.O.C.S.O. and J.J. Act.

Recommendations :

1. Periodical review of the status of cases pending before the Court under P.O.C.S.O. by the senior officer of the police so as to enable to get the status of cases.
2. To provide the regular training to the doctors on the procedure of P.O.C.S.O. Act.
3. To issue necessary instructions, to the concern departments to make the taskforce effective.
4. To issue instructions to the police officers for applying section 370(1) of the Indian Penal Code to make compliance the Commission's earlier direction.
5. To prepare appropriate action plan for publicity by the nodal department.

Public Hearings on 8th January 2018 at Akola, on 9th January 2018 at Buldhana
and on 10th January 2018 at Jalgaon@ monitoring of implementation of
provision of Protection of Children from Sexual Offences Act,
Right to Education and Juvenile Justice Act.

Secretary of Commission visited Akola, Buldhana, Jalgaon to organise training programme for the various actors associated with the field of rights of children, to monitor the implementation of R.T.E., P.O.C.S.O. & J.J. Act and to visit Ashramshalas run under Tribal Development Department. Participants, including officers, stakeholder, N.G.O.s.

Regarding Akola District :

Issues, related to function of C.W.C., J.J.B., Children Courts, training to the police officers, members and chairperson of C.W.C., J.J.B., non child friendly atmosphere in court premises and police stations, Non co-operative attitude among officers of labour department, police, C.W.C., were raised & discussed. Outcome of discussion & questions raised by participants, followings are being emerged, to take up by the Commission:

- 1) Non application of provisions of Section 370(1) of I.P.C. in the matters of child labour reported against the employers, who are employing the children and using them for various illegal activities.
- 2) Non performance of task force constituted to deal the issue of child labour, prohibition, rescue & rehabilitation of child labour in district.
- 3) Inadequate and insufficient knowledge in dealing matter of P.O.C.S.O. by investigating officer.
- 4) Lack of coordination, cooperation between C.W.C., J.J.B., Police, Labour department
- 5) Insufficient knowledge on the issues of implementation of new provision of J.J. Act 2015.

On the basis of feedback received from officers on the issues as mentioned above, the following recommendations were made:

- 1) Even though Commission has earlier made recommendations in various cases and sent hand written letters to the Director General of Police requesting to issue necessary instructions to all police personnel to apply provision of Section 370(1) of I.P.C., in the matter of child labour reported against employer, not a single case is placed by police or labour officers. This shows that provisions of law has not been applied and still the police & labour officers are not taking case seriously, and they are handing over rescued children to the guardians without moving the process through C.W.C. No. of cases placed by employer is minimal even though officers are not aware about new provisions of Labour Act enacted by Government in 1986. Therefore, concerned head of department i.e. Commissioner & Secretary of Labour and Additional Chief Secretary of the Home and Director General of Police to take necessary action, so that provision of law may be complied.
- 2) Task force is constituted to deal the issue of child labour under the Chairmanship of Collectors. However, it is surprising that officers representing the various department have shown their ignorance on the issue of constitution of Task Force. Even constitution of task force which needs to be amended by virtue of new labour Act, but nothing happened in this regard. Hence respective Collectors may be directed to sensitize the team members of task force in order to deal with the problem of child labour and to reconstruct task force, following the provision of new Law & Rules made there under.
- 3) Police officers are neither aware of procedural aspects under P.O.C.S.O. Act nor guideline issued by the Government. It is unfortunate that provisions of guidelines made on Section 39 of P.O.C.S.O. Act have not been percolated among the law enforcing authority. Guidelines is comprehensive including experts to assist the Investigating officer while dealing the matter of P.O.C.S.O. at pre-trial stage thus taking their services shall be beneficial at pretrial and trial stage. Therefore, concerned head of department of Police and Women & Child Development may kindly take up this issue to ensure that police officers may be acquainted with the procedural aspect of Act. The Commission is fully equipped to provide help to police if same is asked by the police department.

- 4) It is appearing that organizations mandated to deal the issue of children rights are lacking in coordination & cooperation. Even officers who appeared during meeting were unable to explain roles what they will have to act and domain of various organization. Therefore, this task should be given to District Legal Service Aid Service Authority headed by Principal District Judge to take the stock of pending cases, disposal of cases etc filed under J.J. Act and other P.O.C.S.O. Act.
- 5) As per the new J.J. Act enacted in year 2015 the procedure as well as fundamental parts of Act have been changed entirely. Therefore, Officers should have knowledge of both parts of law. However, it appeared during the meeting that Officers are not aware of the procedural and fundamental part of law related to deal with the issues of children, who are in need care & protection and matters of foster care. Role of J.J.B. is also not clear with the Officers of Women & Child Development Department and police who deal this issue. Therefore, necessary instructions may kindly be issued by the concerned departments at the field level.

Visit of Ashramshalas

Visited two Ashramshalas, one run by Government other by private organisation with the grant of the Government situated at Dhabavillage. The Government Ashramshala is having adequate infrastructures in term of building, teaching staff etc. Only illegality noticed is that classes of elementary education are conducted only up to seventh standard, though R.T.E. Act prescribes elementary education up to eighth standard. Condition of private Ashramshala is very pathetic, organisation is neither having infrastructure nor teachers. Overall conditions of children who are there is amounting to violation of the provision of child rights laws and R.T.E. Act. Probation Officer is asked to submit detail report, as basic rights of children are not being protected. Direction may be issued to the Tribal Development Department to ensure that provision of R.T.E. Act are applied.

Regarding Buldhana District

Visit of Sailani Baba Dargah

The village of Sailaniat Buldhana District is attracting people from various groups mainly women & children, keeping in mind that their problem shall be solved after reaching at Dargah. More than four thousand huts have been constructed for accommodation without any basic facilities. Most of the victims reside there. During time of Holi gathering reached into lakhs. They have faith with the Dargah. However, the basic human rights are not being followed and it is observed that basic rights are being violated and nothing is done by the state authorities. It is very surprising that neither human rights activist, and other stake holders, have raised the issue, which is inhuman in nature against the Women & Children. On the basis of observation following recommendations were made.

1. To provide basic facilities including providing drinking water, cleanliness, medical etc.
2. To establish medical center having facility of speciality mental health care.
3. To create awareness among the visitors on the ill effects of blind faith.
4. The visitors / victim should be provided medical treatment before entering into the Dargah.

A public hearing for the rights of girls was organized by the Maharashtra State Commission for the Protection of Child Rights on 16 February 2018 in Beed district. The Chairman of the Commission Hon'ble Mr. Pravin Ghuge and the members Mr. Santosh Shinde and Dr. Shalini Karad were present at the public hearing.



Chacha Nehru Children's Festival

The Chairman of the Commission, Shri. Pravin Ghuge attended the “Chacha Nehru Children's Festival” 2017 organized at Divisional level on 29th December 2017 at Bhanudas Chavan Hall, Aurangabad.



Hon'ble Chairperson Mr. Pravin Ghuge inaugurated “Chacha Nehru Children Festival” on 3rd February 2018 at Matoshri Vimalabai Edatkar Children Home, Digras, District Yavatmal run by Ahilyabai Holkar Smarak Sanstha, Pusad. Minister of State for Revenue and Guardian Minister Washim Mr. Sanjay Bhau Rathod and Chairman of the Commission Mr. Pravin Ghuge were present.



Hon'ble Chairperson of Commission for Protection of Child Rights, Mr. Pravin Ghuge attended the Children's Festival on 16th December 2017 at 'Our Home (AplaGhar)' in Naldurg Taluka, Tuljapur, Osmanabad. Boys and girls from all the kindergartens in the district participated enthusiastically.



Interaction with Children of labourers

Uniforms were distributed in collaboration with National Child Labour Project Jalna on the occasion of Anti-Child Labour Day on 12th June.



Mr. Pravin Ghuge, the Chairperson of the Commission, along with the Child Labour Project Officers attended the study class for the children of brick kiln workers conducted by Mrs. Vandana Matekar and her husband and informed them about various schemes of the government.



Meetings

Various agreements / MOUs were finalised with UNICEF, UN-Women and the Government of Maharashtra on various issues related to children in Maharashtra. On this occasion, the Chairperson of the Child Rights Commission was present in the meeting held with the Hon'ble Finance Minister Shri. Sudhirji Mungantiwar, Smt. Rajeshwari Rao of UNICEF, Shri. Sumit Malik, Chief Secretary of Government of Maharashtra, Smt. Vinita Ved, Principal Secretary, Women and Child Development Department.



The National Child Labour Project Scheme is functioning to bring out-of-school children who are likely to become child labourers into the mainstream of education. The project, which is in progress in 16 districts of Maharashtra, needs to be coordinated. In view of this, a review meeting of Aurangabad Child Labour Project was organized. The Deputy Collector Smt. Anjali

Dhanorkar, Project Director, Shri Vijay Jadhav and all the directors were present in the meeting.



SPECIAL VISIT OF THE COMMISSION

Visits of the Hon'ble Chairperson of the Commission, Mr. Pravin Ghuge

1. Children Home and Observatory at Chembur on 29th June 2017.
2. On 1st July 2017, he visited the Observation Homes, Children Home run by the District Probation and Maintenance Association of Aurangabad District, Aurangabad, undertook inspection and had discussion. Meeting was held with the Chairperson and Members of the Child Welfare Committee, the Office Bearers of Juvenile Justice Board, as well as the Office Bearers of the Non-Governmental Organisations in the area at Aurangabad.
3. Inspection of Children Home and Observation Homes at Beed was done on 3rd July 2017 and Meeting was held with the Chairman and Members of the Child Welfare Committee, the Office Bearers of Juvenile Justice Board, as well as the Office Bearers of the Non-Governmental Organisations.
4. Inspection of Children Home and Observation Homes at Beed was done on 7th July 2017 and Meeting was held with the Chairman and Members of the Child Welfare Committee, the Office Bearers of Juvenile Justice Board, as well as the Office Bearers of the Non-Governmental Organisations.
5. A school girl was kidnapped and brutally killed on 17th July, 2017 in Hanumant Kheda Taluka, Soygaon District, Aurangabad. Hon'ble Mr. Pravin Shivajirao Ghuge, the Chairman of Maharashtra State Commission for Protection of Child Rights visited the victim's family met the family members of the girl, discussed and consoled them. He consoled the girl's parents and assured that her killers would be dealt with severely.
6. On 23rd July 2017, the Chairman of the Commission visited the Government Ashram School at Jawhar, District Palghar. In the morning, the Hon'ble Chairperson attended the programme organized by residential school for mentally retarded children run by Shri Gurudev Multi-Purpose Sevabhavi Sanstha. In the afternoon, he visited the Government Secondary Ashram School, Sakhare, Taluka Vikramgad, which comes under the office of Integrated Tribal Development Project, Jawhar. The Chairman made a survey of the school building and facilities and also inspected the facilities in the girls' hostel. In the evening, the Hon'ble Chairman inspected the school building at Government Primary School Aina, Taluka Jawhar (Headquarters Sakhare) and took school information from the Headmaster.
7. On 12th August 2017, the Chairman of the Commission, Mr. Pravin Ghuge, visited organizations working through Government Observation Homes, Children Home and Non-Governmental Organisations under the Department of Women and Child Development at Buldhana which are working for destitute and homeless children and got information about it.
8. Visited the Tribal Ashram School at Mahur Kinwat on 14th August, 2017.
9. On 22nd August 2017, Prof. Asma Sheikh, Chairperson and Member of the Commission visited Pandit Jawaharlal Nehru Industries Center, Yerawada, Pune and inspected the Institute, and also discussed various topics and guided the participants and got information about the difficulties of the Organization.

10. Inspection of Children Home and Observation Homes, at Osmanabad on 29th August 2017 and Meeting with the Chairman and Members of the Child Welfare Committee, the Office Bearers of Juvenile Justice Board, as well as the Office Bearers of the Non-Governmental Organisations.

11. On 14th November 2017, in Kolhapur, the President had a discussion with the Office Bearers of Non-Governmental Organisations working in the field of child development and also paid a goodwill visit to Avni Children's Home. On the occasion of Children's Day, he congratulated the children who were present there and had a discussion. After that, the President visited the District Probation and Maintenance Association, Kolhapur. Then, the President visited the District Child Protection Cell and got information about the ongoing process of setting up Balgram Committees as well as a separate meeting was held between the Chairman / Member of the Child Welfare Committee and the members of the Juvenile Justice Board to review the work.

12. On 16th February 2018, he visited Shri Shankar Maharaj children's home (Balkashram), Takli Maner Taluka, Pathardi and held a meeting regarding the rights of children with the Superintendent, Child Welfare Committee, the Office Bearers of Juvenile Justice Board.

13. On 17th December 2017, the Chairman of the Commission, Hon'ble Mr. Pravin Ghuge and the member Smt. Asma Shaikh visited Maharshi Karve Institute of Women's Education.



14. On 17th February 2018, on behalf of Bajaj Social Service Center at Aurangabad, the Chairperson of the Commission, Mr. Pravin Ghuge guided the teachers of Government and Private Schools in the area on the topic 'Children's Rights and Our Responsibility'.



15. The Chairperson of the Commission, Mr. Pravin Ghuge, visited the Children Home in Delhi to bring back the children from Maharashtra from various Children Homes in Delhi.



Visits of the Members of the Commission

- The Member of the Commission Mr. Vijay Jadhav visited Children Home at Shivaji Nagar Pune on 10th July 2017, Observation Home at Bhivandi on 14th July 2017, Children Home at Ulhasnagar on 5th October 2017, Children Home at Nagar on 10th December 2017 and inspected these Children Homes. Guidance was given on discrepancies found during the inspection.



- **Hon'ble Member of Commission for Protection of Child Rights Prof. Asma Shaikh (Patel) and Hon'ble Member Mr. Vijay Jadhav conducted a meeting with District Collector and Concerned Officers, Divisional Commissioner, Child Labour Officer, Chairman and Members of Child Welfare Committee and Superintendent of Police, Pune (Rural) on 20th November, 2017 in the morning at Pune.**



- On 15th July 2017, the Chairperson of the Commission Hon'ble Mr. Pravin Ghuge, Member Mr. Vijay Jadhav, Smt. Asma Sheikh Patel and Secretary Mr. A. N Tripathi visited Byculla Jail to inquire about the news in Mumbai Mirror newspaper titled 'use of children as shield during time of protest by women inmates' and the present condition of children living with their mothers.
- Hon'ble Member of Commission for Protection of Child Rights Dr. Shalini Karad held a meeting on 14th November 2017 at Beed with District Labor Officer, Education Officer, Police Officer, Child Welfare Committee and Juvenile Justice Board's Officers, as well as I.C.D.S. Officer.
- Member of the Commission Prof. Asma Sheikh Patel visited Anganwadi. Similarly, Attended Vishal Maharashtra Society School's Women's Day Programme.



Attended Programme of Cleanliness Visit to S O S BALGRAM i.e. Children Home.

Campaign at Talegaon Dabhade



- **Dr. Shalini Karad, Member, Maharashtra State Commission for Protection of Child Rights attended one day workshop on the topic Village Child Protection Committee and**

School Management Committee' on 3rd November, 2017 at District Beed organized Bal Hakk Abhiyan.



- On Saturday 4th November 2017, President Mr. Praveen Ghuge and Mr. Vijay Jadhav, Member, Maharashtra State Commission for Protection of Child Rights, visited “Manparivartan Kendra” Mamnoli, Kalyan-Murbad Road. Meanwhile, Manparivartan Camp was concluded. Out of twenty children, ten children were transferred to the parents with the consent of the children and the counseling of the parents. The children shared their experiences by sharing nice information. In presence of Maharashtra State Commission for Protection of Child Rights - President, Child Welfare Committee Thane District, Smt. Meenal Thakur, Women and Child Department Officer, Mr. Ajay Phadol and People's Representative Mr. Sanjay Kelkar, the children embraced their parents.

The balanced-working was appreciated by all but the system created to studied children's problems, solutions and children's mentality was appreciated more. Mr. Praveen Ghuge assured that the Commission will co-operate to help more children in this way. During the Dipotsava Celebrations, Guests and Children lit lamps and celebrated.



- Advocate Swarada Kelkar, member was present at the programme on “female feticide”.



- Mr. Pravin Ghuge, Chairperson, Maharashtra State Commission for Protection of Child Rights attends the programme of Haryana Commission for Protection of Child Rights.



Visits made by the Secretary of the Commission

1. 1st April and 2nd April 2017

Visited Shilong and Meghalaya to attend programme organised by Samtol Foundation on the issue of child labour & Trafficking along with the Stake holders working in the field.

2. On 07/04/2017 attended meeting held by NCPCR to review the implementation of POCSO Act. 2012 and J.J. Act. 2015

3. Programme on Akashvani at Sahyadri Channel on the issue of child rights on 26th April 2017.

4 On 15/5/2017 meeting with Hon'ble Chairperson, Assam Child Right Commission on issue of data sharing and other issues related with children trafficked from the state of Assam and follow up action with both states.

5. On 16/5/2017 attended conversion meeting on the issue of trafficking covering rescue, rehabilitation, follow up etc organized by International Justice Mission with the West Bengal Child Rights Commission and Maharashtra Child Rights Commission, and discuss various issues with Chairperson, West Bengal SCPCR, NGOs working in the field of trafficking.
6. As a Resource Person, attended the conference AWARD (Association of Voluntary Agreement for Rural Development) including issues of women for the Programme Gandhi 150 as well as 'Gandhi's 18 Creative Programmes' organized by Acharya Kripalani Memorial Trust.
7. On 08/09/2017 visited New Delhi and held discussion with Advocate at Hon'ble Supreme Court on the issue of filing the case u/s 15(2) of C.R.C. Act and also issues related with early childhood care and education under RTE Act, discussion with V.C., National University of educational planning and administration and discussion with N.G.O.s working in field of child behavior and science.
8. Participated in the event held at NUEPA from 3rd to 5th October, 2017 on the topic National Discussion Meet/Seminar on Educational Ideas of Gandhi in Policy perspective at NUEPA, New Delhi.
9. Secretary Mr. A. N. Tripathi visited and inspected the Observation Home at Bhiwandi on 10th October 2017.
10. On 25th October, 2017, visited "Observation Home" at Ulhasnagar, to review the pending cases with Juvenile Justice Board and Children Welfare Committee.
11. Visit to Nashik on 27th and 28th October. On 27th October 2017, from 11.30 a.m. to 2.30 p.m., monitoring and review of implementation of Protection of Children form Sexual Offences, Juvenile Justice Act and Right to Education Act. Inspection of Nashik Jail from 4 p.m., discussion with the authorities regarding the care and protection of the children with the inmates. Visited the Ashram School at Kalvan, Nashik of the Tribal Department on 28th October 2017.
12. Inspection of Ashram Schools under Tribal Development Department in Palghar District on 1st November, 2017.
13. Visit to Dongri Children Home on 9th November, 2017.
14. Meeting with Member, National Commission for Protection of Child Right on the issue of Protection of Children form Sexual Offences Act as called by National Commission for Protection of Child Right on 27th November, 2017.
15. Public Hearing Meeting and Training at Akola, Buldhana and Jalgaon from 8th January, 2018 to 11th January, 2018.

Visit of other dignitaries, Member / Chairperson of NCPCR and other SCPCR

On 12/04/2017 : Ms. Rupa Kapoor, Member, NCPCR attended programme organised by MSCPCR on the issue of formulating the S.O.P. for rescue, rehabilitation of children residing at street. This programme was attended by UNICEF, YUVA, Salam Balak Trust, Prerna, Save the Children, Samtol Foundation, I.J.M., Government officer and draft S.O.P. was prepared.

MEDIA COVERAGE



Hon'ble Minister for Women and Child Development Smt. Pankaja Munde was given a grand welcome by the orphans at Aurangabad. She was accompanied by the Chairperson of the Commission, Mr. Pravin Ghuge. The Maharashtra Government has decided to give one percent reservation to orphans. The decision sparked a wave of happiness among orphans in the state.



Interview was conducted on 13th March, 2018 in 'Jai Maharashtra' Programme organized by Directorate General of Information and Public Relations. Mr. Pravin Ghuge, Chairperon of Maharashtra State Commission for Protection of Child Rights, gave an overview of the composition, functioning of the Child Rights Commission, personality development, social security, child sexual abuse law as well as Chirag App.



Mr. Pravin Ghuge, explaining the “Role and Contribution of the Child Rights Commission” in the Awareness Programme for children broadcasted by Doordarshan's Sahyadri Channel on the occasion of Children's Day on 14th November.

सरोगसीसारख्या वैद्यकीय तंत्रज्ञानाच्या माध्यमातून जन्माला येणाऱ्या मुलांचे हक्क व अधिकारासंदर्भातील नवीन पेच आता राज्य बाल हक्क आयोगापुढे येत आहेत.

जसलोक रुग्णालयातील घटनेप्रमाणे कोणालाही तंत्रज्ञानाचा अनिर्बंध वापर करता येणार नाही, असे स्पष्ट निर्देश राज्य बालहक्क आयोगाने दिले आहेत. आरोग्य विभागाने दिलेल्या निर्देशाचे काटेकोरपणे पालन करावे, असे स्पष्ट मत बालहक्क आयोगाचे अध्यक्ष

प्रवीण घुगे यांनी व्यक्त केले.



शिफारशी

गांधीर्याने घ्याव्यात

■ सरोगसीसंदर्भात कोणताही ठोस कायदा अद्याप अस्तित्वात आलेला नाही. या तंत्रज्ञानाचा वापर करून फायदा घेणारे मुलांच्या हक्कांवरही यदा आणतात, असे वाटत नाही का ?

सरोगसीचा पर्याय हा ज्या जेडप्यंन नैसर्गिकरित्या मूल होऊ शकत नाही त्यांच्यासाठी आहे. भारतीय वैद्यकीय संशोधन संस्थेने यासंदर्भात जो नियमावली दिली आहे, तिचे पालन केंद्राकडून केले जाते. मात्र, हे वैद्यकीय तंत्रज्ञान कुणी वापरते त्याच खेडेस्कर विसर पडते. प्रकाश भोस्लेकर प्रकरणामध्ये हे पुन्हा अधोरेखित झाले. बाल हक्क आयोगाकडून शाळेत जाणाऱ्या, बालमजुरी करणाऱ्या विविध वयोगटातील मुलांचे हक्क व अधिकारासंदर्भात न्याय्य भूमिका घेतली जात असताना, तंत्रज्ञानाचा गैरवापर करून मुलांचे हक्क डावलले जात असतील, तर त्यासंदर्भातही कडक भूमिका घेण्याची वेळ आता आली आहे.

■ अशा केंद्रांना चाप लावण्यासाठी सरकारने काय भूमिका घ्यावी ?

राज्य बालहक्क आयोगाने सरोगसीसंदर्भात जो मार्गदर्शक तत्त्वे दिली आहेत, त्यांचे पालन होते का हे पाहण्यासाठी राज्यस्तरावर नियंत्रण मंडळ नेमणे आवश्यक आहे. ज्या रुग्णालयांमध्ये या केंद्रांमध्ये सरोगसीच्या नावाखाली गैरप्रकार सुरू आहेत, त्यांची चौकशी करण्यासाठी विशेष चौकशी समितीची स्थापना करणे अपेक्षित आहे. ही चौकशी समिती रुग्णालयाची मान्यता, नोंदणी, मुलांचे हक्क व अधिकार, मूल जन्माला घालण्यामागील वैद्यकीय उद्देश अशा विविध पातळींवर तपासणी करेल. आयोगाने सरकारला दिलेल्या या सर्व निर्देशांचा गांधीर्याने विचार करून तातडीने कृती आराखडा निश्चित करण्यात आला आहे. या प्रकरणातील दोषींना कडक शिक्षा व्हायला हवी. राज्य बाल हक्क आयोग दिलेल्या निर्देशाचे काटेकोरपणे पालन करण्यासंदर्भात आग्रही आहेच.

टॉक टाइम

■ मुलांच्या हक्कांबाबत समाजाची भूमिका कशी असायला हवी ?

लहान मूल वगळता समाजातील शारीरिक, मानसिकदृष्ट्या सक्षम असलेल्या प्रत्येक व्यक्तीला त्यांचे हक्क व अधिकाराविषयी मोकळेपणाने सांगता येते. किमान तसे सांगणाऱ्या व्यक्ती, संस्थापर्यंत कुणाच्या ना कुणाच्या माध्यमातून जाता येते. मुलांची समज, वय आणि आकलन लक्षात घेता अनेकदा अन्वय्य होतोय, हेच मुलांच्या लक्षात येत नाही. मुले ही हिंसेची स्फोट टार्गेट असतात. त्यामुळे त्यांना त्रास दिला जातो. आतापर्यंत आपण आपल्या भोक्तालयाच्या मुलांच्या प्रश्नाविषयी, समस्यांविषयी पोटतिडकीने बोलत आलोय. जन्माला येण्यापूर्वी मुलगा-मुलगी असू केला जाणारा भेद, मुलगा हवा या अड्डासतून दिली जाणारी औषधे, केले जाणारे उपचार या सगळ्याकडे सजगपणे पाहण्यात आले. मुलांचे हक्क व अधिकार डावलले जात असतील, त्यांना त्रास दिला जात असेल तर १०९८ या हेल्पलाइनवर तक्रार नोंदवण्यात हवी.

■ आयोगाच्या शिफारशींमुळे काय परिणाम साधता येईल ?

या वैद्यकीय तंत्रज्ञानाचा खर्च आता सर्वसामान्यांच्याही आवाक्यात आला आहे. मात्र, या सगळ्या प्रक्रियेत सरोगसी का करायची आहे, मूल होण्यामागील आग्रह नेमका कोणत्या कारणांसाठी आहे, त्यातील वैयक्तिक, सामाजिक आणि भावनिक कंगोरेही तपासून पाहण्यात आले. सरोगेट माता आणि जन्माला येणाऱ्या बाळाच्या हक्क व अधिकारांचाही विचार यात प्राधान्याने करण्यात आला आहे. कायदा तयार होईपर्यंत त्या दिशेने वाटचाल करणारा एक भक्कम आराखडा तयार करण्यासाठी या शिफारसी निश्चितच मदत करतील.

(मुलाखत- शर्मिला कलगुटकर)

The Chairman of the Commission Mr. Pravin Ghuge and the Members Mr. Santosh Shinde and Mr. Vijay Jadhav, while training Sixty Child Welfare Police Officers of all Police Stations in Mumbai at Navrang Hall Railway Police Ground, Pantnagar about the topic “care and protection of street children.” The event was held in collaboration with Save the Children. This event was held in collaboration with “Save the Children.”



Shri. Pravin Ghuge, Chairperson, MSCPCR attended State consultation on child Protection in Maharashtra organised colabration with Banchpan Bachao Andoalanon 13th March, 2018



Shri. Pravin Ghuge, Chairperson, MSCPCR attended Stake holder consultation meet on perception of girls safety across different spaces and fallout of this on their rights along with NGO 'Save the children' on 9th January, 2018



Looking at Aadhar database as a resource to track missing children Discussion about the processes involved in getting Aadhar registration done for Children in Child Care

Institutions and Children living in street situations.

Looking at Aadhar database as a resource to track missing children and reunite them with their families.

Shri. Pravin Ghuge, Chairperson, MSCPCR along with Save the Children staff and Chairperson, CWC at Mumbai.



**10th Foundation Day of the Commission on
11th July, 2017**

The children of the David Sassoon Matunga Organization enthusiastically celebrated the 10th Foundation Day of the Commission. The children of the Organization presented cultural programmes. An alumnus performed magic experiments.





The Commission for Protection of Child Rights and UNICEF jointly organized a Seminar on 'Pre-Primary Education' on Specific Rules, Curriculum, Staff Regulations, Facilities, etc. for running Kindergartens, Anganwadis, Nurseries, Creche. The Chairman of the Commission was Mr. Pravin Ghuge and the Member Mr. Santosh Shinde were present.

Prof. Asma Shaikh, the Member of the Commission, had a conversation with the parents at the Municipal School about the role of the Government in the further education of girls. Uniform and book distribution programme was held in Municipal Schools.



FORM A

Statement showing the details of complaints received, disposed of and pending for the period
2017-2018


Year	Pending cases at the beginning of the year	New Complaints	Total	Disposed Cases	Pending cases at the end of year
1	2	3	4	5	6
2017-18	118	162	280	33	247


Financial Statement of the Year 2017-18

MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS, MUMBAI
 3RD FLOOR GOVT. TRANSFORKI SERVICE S.F. ROAD WORLI, MUMBAI
 BALANCE SHEET FOR THE YEAR ENDED 31st MARCH 2018

LIABILITIES	SALARY	NON-SALARY	TOTAL	ASSETS	SALARY	NON-SALARY	TOTAL
Capital Fund				Fixed Assets			
Opening Balance	3,95,183.00	25,75,098.00	29,70,281.00	As per Schedule	6,502.00	17,38,823.00	17,45,325.00
Add/(Less): Adjustment in Opening Balance	-	-	-				
Add/(Less): Advances written off	(9,02,604.00)	(3,08,471.00)	(12,11,075.00)	Current Assets			
Add/(Less): Surplus/ (Deficit)	(5,07,421.00)	22,66,627.00	17,59,206.00	Loan & Advances	10,000.00	-	10,000.00
				Loan & Advances Salary		1,63,975.00	
				Advance to Salary Fund			
Current Liabilities				Cash & Cash Equivalent			
Salary Payable	2,70,984.00	-	2,70,984.00	Cash in Hand		10.00	10.00
Festival Advances	12,000.00	-	12,000.00	State Bank of India		4,34,439.00	4,34,439.00
DCPS Payable	9,684.00	-	9,684.00	RBI			
GIS Payable	1,680.00	-	1,680.00				
GPF Payable	15,000.00	-	15,000.00				
HBA Payable	38,000.00	-	38,000.00				
Professional Tax Payable	600.00	-	600.00				
TDS Payable	12,000.00	-	12,000.00				
Other Current Liabilities							
K K Channani & Associates	-	9,730.00	9,730.00				
Electricity Expense Payable	-	5,890.00	5,890.00				
Telephone Expense Payable	-	55,000.00	55,000.00				
Audit Fees Payable	-	-	-				
Advance from Non-Salary Fund	1,63,975.00	-	1,63,975.00				
	16,502.00	23,37,247.00	21,89,774.00		16,502.00	23,37,247.00	21,89,774.00


 Assistant Administrative Officer
 cum-Accounts Officer
 Maharashtra State Commission for
 protection of child Rights, Mumbai


 Secretary
 Maharashtra state
 commission for protection
 of child rights, Mumbai


Bikash Kumar Gupta
 Partner, K. K. Channani & Associates
 Chartered Accountants
 Membership No. 202730

MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS, MUMBAI
 CHILD FOR GOVT. TRANSPORT SERVICE, S.P. ROAD WORLI, MUMBAI

INCOME AND EXPENDITURE ACCOUNTS FOR THE YEAR ENDED 31ST MARCH 2018

EXPENDITURE	SALARY	NON-SALARY	OTHERS	INCOME	SALARY	NON-SALARY	OTHERS
Salary & Allowances	63,95,797.00			Grant Received:	54,94,341.00		
Audit Fees		52,740.00	6,232.00	Salary & Allowances		11,74,400.00	
Convention Expenses		85,665.00	2,758.00	Non-Salary			9,26,885.00
Conveyance Expenses		22,757.00	23,544.00	UNICEF			61,00,000.00
Printing & Stationery		2,82,835.00	83,015.00	RTE			
Tour & Travelling Expenses		18,900.00		Other Income		20,466.00	
Advertisement		79,200.00		Bank Interest			1,400.00
Allowance to Secretary				RTI Fees			1,610.00
RTE Expenses		1,00,188.00	3,07,925.00	Sale of Scrap			
Electricity Expenses		3,10,179.00		Excess of Expenditure over Income	9,02,604.00	4,39,590.00	
Car Running Charges		44,459.00	5,53,649.00				
Event Expenses		1,06,593.00	14,800.00				
Misc. Expenses		40,914.00	6,751.00				
Postage Expenses		1,08,957.00					
Professional Fees		25,800.00					
Sitting & Other Allowance		50,744.00	4,984.00				
Telephone Expenses		61,761.00	1,400.00				
Repairs & Maintenance							
RTI Fees		1,610.00					
Sale of Scrap Deposited	1,148.00		58,93,518.00				
Refund of Grant		2,39,154.00					
Depreciation			1,31,119.00				
Excess of Income Over Expenditure			70,29,895.00		63,96,945.00	16,34,456.00	8,29,895.00

Bhaskar Kumar Gupta
Bhaskar Kumar Gupta
 Partner, K. K. Charani & Associates
 Chartered Accountants
 Membership No. 302730

Mumbai, the 10th September 2020

[Signature]

[Signature]
Secretary
 Maharashtra state
 commission for protection
 of child rights, Mumbai

[Signature]
 Assistant Administrative Officer
 Accounts Officer
 Maharashtra State Commission for
 protection of child Rights, Mumbai

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MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS, MUMBAI
FLOOR GOVT. TRANSPORT SERVICE S.P ROAD WORLI, MUMBAI

RECEIPT AND PAYMENT ACCOUNTS FOR THE YEAR ENDED 31ST MARCH 2018

RECEIPTS	SALARY	NON-SALARY	OTHERS	PAYMENTS	SALARY	NON-SALARY	OTHERS
Opening Balance:				Salary & Allowances	66,29,540.00		
State Bank of India		2,72,165.00	1,42,928.00	Convention			6,232.00
RBI PLA	11,35,199.00	5,631.00	1,09,361.00	Printing & Stationery		22,757.00	23,544.00
Cash in Hand			1,511.00	Tour & Travelling Expenses		2,82,835.00	83,015.00
Cheque In Hand				Conveyance Expenses		85,665.00	2,758.00
	11,35,199.00	2,77,796.00	2,53,800.00	Advertisement		18,900.00	
				Allowance to Secretary		79,200.00	
Grant Received:				AMC of Computers			
Salary & Allowances	54,94,341.00			Car Running Charges		3,10,179.00	
Non-Salary		11,74,400.00		Electricity Expenses		1,00,188.00	
UNICEF			9,26,885.00	Language Translation Charges		1,08,593.00	14,800.00
RTE	54,94,341.00	11,74,400.00	61,00,000.00	Misc. Expenses		40,914.00	6,751.00
			70,26,885.00	Postage Expenses			3,07,925.00
				RTE Expenses		50,744.00	4,984.00
Other Receipts				Telephone Expenses		61,761.00	
Bank Interest		20,455.00		Repairs & Maintenance		44,459.00	5,53,849.00
Festive Advances	20,000.00			Event Expenses		25,800.00	
Sale of Scrap		1,610.00		Sitting & Other Allowance		4,321.00	40,832.00
RTI Fees			1,400.00	Transfer	20,000.00		
Transfer		40,832.00	4,321.00	Professional Fees		1,610.00	
				Festive Advances given			
				Sale of Scrap Deposited			58,93,518.00
				Grant Refunded			1,400.00
				RTI Fees			
				Audit Fees		52,740.00	
				Closing Balance:			
				Cash in Hand		10.00	
				State Bank of India		87,641.00	
				RBI PLA			
Total	66,49,540.00	15,15,104.00	72,86,406.00	Total	66,49,540.00	15,15,104.00	72,86,406.00



Bhish Kumar Gupta
Bhish Kumar Gupta
 Partner, K. K. Channani & Associates
 Chartered Accountants
 Membership No. 302730

Mages
Secretary
 Maharashtra state
 commission for protection
 of child rights, Mumbai

Poo Lade
Assistant Administrative Officer-
Genl-Accounts Officer
 Maharashtra State Commission for
 protection of child Rights, Mumbai

Mumbai, the 10th September 2020



**बाल हक्क संरक्षण आयोग
महाराष्ट्र राज्य**

**3rd floor, Government Transport Service Building,
Sir Pochakhanwala Road ,Worli,
Mumbai, Maharashtra.**

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