

Maharashtra State Commission For Protection of Child Rights



Annual Report 2019-20



MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS

Annual Report

2019-20

Office

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

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



Smt. Pankaja Munde,
(01.04.2019 to 24.10.2019)

Hon'ble State Minister,
Women and Child Development



Smt. Vidya Thakur,
(01.04.2019 to 24.10.2019)

Hon'ble Minister
Women & Child Development



Adv. Smt. Yashomati Chandrakant Thakur (Sonawane),

(From 30.12.2019 to till the date)

Hon'ble Minister
State, Women & Child Development



Shri. Omprakash alias Bacchu Baburao Kadu,

(From 30.12.2019 to till the date)

COMPOSITION OF MAHARASHTRA STATE
COMMISSION FOR
PROTECTION OF CHILD RIGHTS

The Commission has one Chairperson and six Members during the reporting year. The Commission had 12 staff.

Chairperson



**Shri. Pravin
Ghuge** Chairperson of
MSPCR

Secretary



Smt. Seema Vyas, IAS Secretary, MSCPCR

Members

MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS



Shri Santosh Shinde
Member, MSCPCR



Dr. Shalini Karad
Member, MSCPCR



Prof. Asma Shaikh (Patel)
Member, MSCPCR



Shri Vijay Jadhav
Member, MSCPCR



Adv. Swarada Shrirang Kelkar
Member, MSCPCR



Dr. Vrushali Deshpande
Member, MSCPCR

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➤ **Abbreviations**

ADGP	Additional Director General of Police
CCI	Childcare Institution
CCSE	Countering Child Sexual Exploitation
CWC	Child Welfare Committee
CWPO	Child Welfare Police Officer
DCPU	District Child Protection Unit
DO	District Officer
DWCD	Department of Women and Child Development
IAS	Indian Administration Services
ICMEC	International Centre for Missing and Exploited Children
IG	Inspector General
IJM	International Justice Mission
IPS	Indian Police Service
JJ Act	Juvenile Justice Act, 2015
JJB	Juvenile Justice Board
MoU	Memorandum of Understanding
MSCPCR	Maharashtra State Commission for Protection of Child Rights

NCMEC	National Centre for Missing and Exploited Children
NCPCR	National Commission for Protection of Child Rights
NCRB	National Crime Records Bureau
PPP	Public-Private Partnerships
PwC	PricewaterhouseCoopers
SC	Supreme Court
SIR	Social Investigation Report
SJPU	Special Juvenile Police Unit
SP	Superintendent of Police

From the Chairperson's writing

“बालो हि नाम राष्ट्रस्य अतुलो ऽ यं निधिर्महान् ।

“Balo hi naam rashtrasya atulo yam nidhirmahan !

वात्सल्येन मित्रेण्णा गोपनीयश्च सर्वदा

॥” Vatsalyean Mahatpremna Gopaniyashch Sarvada. !!!”

The incomparable and great wealth of any nation is the children of that nation. This wealth should always be protected with affection and great love. Only then, the bright future and prosperity of the nation can be achieved. This requires creating a conducive environment for children, freeing them from adversity, protecting them from injustice, and providing a nurturing environment for every child to bloom.

The equal rights which conferred to every person by the Indian Constitution, include the right to life, the right to protection, the right to development and participation. For this purpose, the Maharashtra State Commission for Child Rights has been constituted as per the order of the State Government, dated 24 July, 2007 in order to provide protection to the children all over Maharashtra for the supervision of all the laws that have come into existence only for children.

The Commission is committed to the protection of the rights of the child and also doing most important task to assist the children as much as possible in coordination with various departments, such as the Police Authority, the Child Development Committees, the Women and Child Development Commissionerate, the Department of Education, the Department of Health, the Department of Social Justice, in order to proper implement of the child right protection Act, 2005, the Juvenile justice Act, 2015, the protection of children from sexual offence Act, 2012 as also the right of children to free and compulsory education Act, 2009 at all levels.

For this purpose, the Commission is always ready to give justice to the children by hearing the complaints received by the Commission. Not only this, various activities like workshops, meetings, awareness programs were implemented at the initiatives of the Commission all over Maharashtra with the child and his overall interest at the center. The work of giving relief to the children by holding regular hearings on the complaints received is in full swing. The Commission has made conscious efforts to ensure that the reported crimes related to children are dealt with expeditiously in coordination and follow up with the concerned police system. Awareness workshops were organized to make the concerned agencies more aware, competent and create a generous approach towards the children.

After the establishment of the Maharashtra State Commission for the Protection of Child Rights in July, 2007, the Commission seems to have taken a leap forward in the interest of children. At the same time, the Commission is constantly striving for giving wings of protection and progress to the children. Therefore, it seems that the real success of the Commission lies in the fact that the Maharashtra State Commission for the Protection of Child Rights is inculcating this spirit in children, parents and people in the society.

I am sure that the Commission will always be ready to protect the interests of children and also I am confident that the Maharashtra State Commission for the Protection of Child Rights will play a vital role in making India's future brighter. With the hope of working together, we are committed to the holistic development of children.

**Hon`ble Shri. Pravin Ghuge
President
Maharashtra State Child Right Commission**

PREFACE

Children are the most valuable asset of any nation and if given a conducive and enabling environment, every child blossoms into a productive adult and a responsible citizen of the country. Thus, proper child development is very important for the holistic growth of society and the best way to develop national human resources is to take good care of children. India is the home to the largest child population in the world.

The Constitution of India has granted equal rights to all its citizens including children, irrespective of gender, age, caste and economic status. Child rights are mainly categorised into four, covering all aspects of their life, i.e., Right to Survival, Right to Protection, Right to Development and Right to Participation. Several important legislations have been enacted in line with our constitutional provisions to give effect to these rights. Some of the important legislations include the Commissions for Protection of Child Rights Act, 2005, Juvenile Justice (Care and Protection) Act, 2015, Protection of Children from Sexual Offences (POCSO) Act 2012 and Right of Children to Free and Compulsory Education (RTE) Act, 2009 which inter-alia create a conducive and protective environment for the children of our country.

The coming into force of the Commissions for the Protection of Child Rights (CPCR) Act, 2005 ushered in a new phase in the implementation of measures by the government to promote and protect children's rights. This provided for the constitution of a National Commission for Protection of Child Rights (NCPCR) and State Commissions for Protection of Child Rights (SCPCRs) to ensure that all Laws, Policies, Programmes, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child (UNCRC).

Beginning with the establishment of NCPCR in 2007 at national level, there are now 34 Commissions for the Protection of Child Rights in the states as well which have been established to inquire into violations of Child Rights and to undertake other activities for protection and promotion of Child Rights as mandated in various related legislations.

Chapter :- 2 International and Notational Legislation

For the protection of children's rights, a large number of conventions, treaties, laws and charters have been enacted at the National and International level. This Section outlines the relevant legal frameworks.

1. International Instrument :-

United Nations Convention on the Rights of the Child (UNCRC)

The Convention on the Rights of the Child (CRC) adopted by the UN General Assembly in 1989 is the early accepted UN instrument ratified by most of the developed as well as developing countries, including India. The Convention prescribes standards to be followed by all State parties in securing the best interest of the child and outlines the fundamental rights of children. Countries that ratify Convention agree to be legally bound by its provisions. They report regularly to an expert on the Rights of the Child on the steps they have taken to comply with the provisions of Convention.

According to the UNCRC, the child rights are minimum entitlements and freedoms that should be afforded to all persons below the age of 18 regardless of race, colour, gender, language, religion, origins, wealth, birth status or ability and therefore apply to all people everywhere. The UNCRC has 54 Articles each of which entails a different type of right such as:

- **Survival rights**
- **Developmental rights**
- **Protection rights**
- **Participation rights**

Article 16: of the convention states that:

- i. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honor and reputation.
- ii. The child has the right to the protection of the Law against such interference or attacks.

Article 40: of the convention states that the privacy of a child accused of infringing penal Law should be protected at all stages of the proceedings. In 2005, the Government of India accepted the two Optional Protocols to the UNCRC, addressing the involvement of children in armed conflict and the sale of children, child prostitution and child pornography. India is strengthening its national policy and measures to protect children these dangerous forms of violence and exploitation.

2. National Instruments:- Constitution of India

The Constitution of India recognizes the vulnerability of children and their right to protection. Following the doctrine of protective discrimination, it guarantees in Article 15 special attention to children through necessary and special laws and policies that safeguard their rights.

The Right to Equality, Protection of Life and Personal Liberty and the Right against Exploitation are enshrined in Articles 14, 15, 15(3), 19(1) (a), 21, 21(A), 23, 24, 39(e), 39(f) and 45 of the Constitution and reiterate India's commitment to the protection, safety, security and well-being of all its people, including children. Here is what the relevant Articles say:

Article 14: The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 15: The State shall not discriminate against any citizen on grounds of only religion, race, caste, sex, and place of birth or any of them.

Article 15 (3): Nothing in this Article shall prevent the State from making any special provision for women and children.

Article 19(1) (a): All citizens shall have the Right to Freedom of Speech and Expression.

Article 21: Protection of Life and Personal Liberty: no person shall be deprived of his life or personal liberty except according to procedure established by law.

Article 21 (a): Free and compulsory education for all children from the age of 6 to 14 years.

Article 23: Prohibition of traffic in human beings and forced labour: Traffic in human beings and beggars and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

Article 24: Prohibition of employment of children in factories etc.- No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Article 39: The State shall, in particular, direct its policy towards securing:

- (e) That the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter vocations unsuited to their age or strength;
- (f) That children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

Article 45: The State shall endeavor to provide early childhood care and education to children below the age of six years.

Chapter:- 3 Organizational Structure of The Commission

Sr. No.	Name	Designation
1	Hon. Shri. Pravin Ghuge	Chairperson
2	Shri. Santosh Shinde	Member
3	Dr. Shalini Karad	Member
4	Prof. Smt. Asma Shaikh	Member
5	Shri. Vijay Jadhav	Member
6	Advt. Swarda Kelakar	Member
7	Dr. Vrushali Deshpande	Member

Administrative Structure in the Office of the Commission

Sr. No.	Name of the Post	Sanctioned Post	Filled Post	Vacant Post
1	Secretary	1	1	0
2	Legal Counsel	1	1	0
3	Administrative Officer	1	1	0
4	Asst. Administrative Officer and Accounts Officer	1	1	0
5	Higher Stenographer	2	1	1
6	Probation Officer	2	2	0
7	Clerk	2	2	0
8	Peon	2	2	0

Chapter:- 4 Functions and Powers of the Commission

a) 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;**
 - i. 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.
 - ii. Present to the State Government, annually and at such other intervals, as the Commission may deem fit, Reports upon the working of those safeguards.
 - iii. Inquire into violation of child rights and recommend initiation of proceedings in such cases.
 - iv. 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.
 - v. 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.
 - vi. 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.
 - vii. Undertake and promote research in the field of child rights.
 - viii. 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.
 - ix. 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.

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

2. Functions of the Commission as per Rule 7 of the Maharashtra Commission for Protection of Child Rights Rules, 2010.

- 1) Analyze 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 analyze data on children;
- 7) Promote the incorporation of child rights into the school curriculum, teachers training and training of personnel dealing with children.

Chapter :- 5 Other Acts related to Child Rights

A) Right of Children to Free and Compulsory Education Act (RTE 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)	Not with standing anything 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 by the Commission.

B) 1. The Juvenile Justice (Care and Protection of Children) Act, 2015

The Juvenile Justice (Care and Protection of Children) Act, 2015 is a comprehensive legislation that has replaced the Juvenile Justice (Care and Protection of Children) Act, 2000. It provides for strengthened provisions for both Children in Need of Care and Protection (CICP) and Children in Conflict with Law (CICL) by catering to their development needs, and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under the Act.

Several new offences committed against children, which, are so far not adequately covered under any other law, are included in the Act. These include sale and procurement of children for any purpose including illegal adoption, corporal punishment in child care institutions, use of children by militant groups, offences against disabled children and, kidnapping and abduction of children.

The Act provides clarity in powers, function and responsibilities of JJB and CWC. The Juvenile Justice Board is given the option to transfer cases of heinous offences by child offenders to a Children's Court (Court of Session) after conducting preliminary assessment to determine if they should be tried as adults.

Apart from the Juvenile Justice (Care and Protection of Children) Act, 2015 the Juvenile Justice (Care and Protection) Act, 2000 also contains an important provision under section 21 which prohibits publication of name etc. of Juvenile in Conflict with Law or Children in need of Care and Protection involved in any proceedings under the Act.

As per Section 109 of the Juvenile Justice (Care and Protection of Children) Act the National Commission and the State Commission are assigned with the functions of monitoring the implementation of the provision of this Act. In addition to the function assigned to them under the said Act.

2. Authorities Under JJ Act, 2015

Authorities/Agencies/ Institutions / Functionaries under JJ Act at different levels		
Details	Level at which it is to be set up	Authority Responsible for their establishment
Boards		
Central Advisory Board	National	Union Ministry of Women and Child Development
State Advisory Board	State	State Government through selection Committee
District/City Advisory Board	District	State Government

Juvenile Justice Board (JJB)	District	State Government on recommendation made by Selection Committee
Committee		
Selection Committee	State	State Government
Inspection Committee wrt Children Home's only	State	State Government
Inspection Committee wrt Children Home's only	District	State Government on recommendation made by Selection Committee
Child Welfare Committee (CNCP)	District	State Government on recommendation made by Selection Committee
Children's Committee	In every Institution	Officer-in-charge of the Institution
Management Committee	In every Institution	District Child Protection Unit (DCPU) or District Magistrate/Collector where there is no DCPU
Authorities/Units/Organizations/Agencies		
State Level Aid Services Authority	State	State Government
State Child Protection Unit (SCPU)	State	State Government
District Child Protection Unit (DCPU)	District	State Government
Special Juvenile Police Unit (SJPU)	District	State Government
Homes/institutional Care Facilities		
Children's Homes (CNCP)	District	State Government

Shelter Homes (CNCP)	District	State Government
Specialized Adoption Agencies (CNCP)	District	State Government
After Care Organization (CCL+CNCP)	District	State Government
Observation Homes (CCL)	District	State Government
Special Homes (CCL)	District	State Government
Place of Safety (CCL)	District	State Government
Functionaries		
Chief Judicial Magistrate	District	High Court of that State
Probation Officer	District	State Government
Welfare Officer	District	State Government
Juvenile Welfare Officer	In every police station	DCP/SP
Two Social Workers in SJPU	District	State Government

***Note: State Government means the concerned Department of the State Government dealing with child protection. In some states it is the Department of Women and Child Development/Welfare and in some others, it is the Department of Social Welfare/Social Justice**

The Juvenile Justice Act has established the Child Welfare Committee (CWC) as the competent authority to deal with Children in Need of Care and Protection (CNCP), and the Juvenile Justice Board as the final authority to dispose of the cases for Children in Conflict with Law (CCL).

3. Central Adoption Resource Authority (CARA)

Central Adoption Resource Authority (CARA) is a statutory body of Ministry of Women & Child Development, Government of India constituted under Section 68 of the JJ Act, 2015. It functions as the nodal body for adoption of Indian children and is mandated to monitor and regulate in-country and inter-country adoptions. CARA is designated as the Central Authority to deal with inter-country adoptions in accordance with the provisions of the Hague Convention on Inter-country Adoption, 1993, ratified by Government of India in 2003. CARA primarily deals with adoption of orphan, abandoned and surrendered children through its associated/recognised adoption agencies.

C) 1. Protection of Children from Sexual Offences (POCSO) Act, 2012

The POCSO Act, 2012 strengthens the legal provisions for the protection of children from sexual abuse and exploitation. For the first time, a special law has been passed to address the issue of sexual offences against children. Sexual offences are currently covered under different sections of IPC. The IPC does not provide for all types of sexual offences against children and, more importantly, does not distinguish between adult and child victims.

The POCSO Act, 2012 defines a child as any person below the age of 18 years and provides protection to all children under the age of 18 years from the offences of sexual assault, sexual harassment and pornography.

The Act identifies five sexual offences against children - penetrative sexual assault, aggravated penetrative sexual assault, sexual assault, aggravated sexual assault, sexual harassment, and using a child for pornographic purposes. Abetment of or an attempt to commit these offences is also punishable under the Act. These offences are gender neutral vis-à-vis the perpetrator as well as the victim. The Act requires the State Governments to designate the Sessions Court in each district as a Special Court to try offences under the Act. If, however, a Children's Court under the Commissions for Protection of Child Rights Act, 2005 or Special Court for a similar purpose has been notified in a district, then that court will try offences under this Act.

Under Section 44 of the Protection of Children from Sexual Offences (POCSO) Act and Rule 6 of POCSO Rules, 2012, the National and State Commissions for Protection of Child Rights have been further empowered:

- a) To monitor the implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012;
- b) To monitor the designation of Special Courts by State Governments;
- c) To monitor the appointment of Public Prosecutors by State Governments;
- d) To monitor the formulation of the guidelines described in section 39 of the Act by the State Governments, for the use of non-governmental organisations, professionals and experts or persons having knowledge of psychology, social work, physical health, mental health and child development to be associated with the pre-trial and trial stage to assist the child, and to monitor the application of these guidelines;
- e) To monitor the designing and implementation of modules for training police personnel and other concerned persons, including officers of the Central and State Governments, for the effective discharge of their functions under the Act;
- f) To monitor and support the Central Government and State Governments for the dissemination of information relating to the provisions of the Act through media including the television, radio and print media at regular intervals, so as to make the general public, children as well as their parents and guardians aware of the provisions of the Act;
- g) To call for a report on any specific case of child sexual abuse falling within the jurisdiction of a CWC;
- h) To collect information and data on its own or from the relevant agencies regarding reported cases of sexual abuse and their disposal under the processes established under the Act, including information on the following :-
 - i. Number and details of offences reported under the Act;
 - ii. Whether the procedures prescribed under the Act and rules were followed, including those regarding timeframes;
 - iii. Details of arrangements for care and protection of victims of offences under this Act, including arrangements for emergency medical care and medical examination; and,

- iv. Details regarding assessment of the need for care and protection of a child by the concerned CWC in any specific case.
- i) To assess the implementation of the provisions of the Act and to include A report in a separate chapter in its Annual Report to the Parliament.

3. Key authorities under the POCSO Act, 2012

POLICE/ Special Juvenile Police Unit	<ul style="list-style-type: none"> • Record Information • Preliminary assessment • Report case within 24 hours • Produce before CWC within 24 hours, if required • Adhere to the medical needs of the child • Keeping parent guardian informed
CWC	<ul style="list-style-type: none"> • Placement of child, if required • Provide support person
District Child Protection Unit	<ul style="list-style-type: none"> • Maintain register and make it available to authorities. • Make payments for services of Interpreters translator
Magistrate	<ul style="list-style-type: none"> • Record Statement
Special Court/Judge	<ul style="list-style-type: none"> • Conduct in-camera trial • Ensure child-friendly atmosphere • Respect dignity of child • Maintain anonymity of child • Record evidence of child within 30 days • Complete trial within 1 year
Special Public Prosecutor	<ul style="list-style-type: none"> • Prosecution of cases exclusively under The Act
Support Person	<ul style="list-style-type: none"> • Maintain confidentiality • Keeping parent\ guardian informed • Inform child of his\her role in the judicial process

Central Government	<ul style="list-style-type: none"> • Provide publicity to The Act • Impart training to authorities • Framing rules and guidelines. • Pass orders to remove difficulties that may arise in giving effect to the provisions of the Act, within two years from the commencement of the Act, i.e 13 November 2014
State Government	<ul style="list-style-type: none"> • Designate a court as special court • Appoint special public prosecutor • Provide publicity to the Act • Impart training to authorities • Framing rules and guidelines
National Commission for Protection of Child Rights\State Commission for Protection of Child Rights	<ul style="list-style-type: none"> • Monitor Implementation of the Act • Calling for reports from the CWC on specific cases. • Reporting on the implementation of the Act by way of separate chapter in its annual report

3 PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (POCSO) AMENDMENT ACT, 2019.

The Protection of Children from Sexual Offences Act, 2012 was amended in the year 2019 to introduce more stringent punishment including the death penalty for committing sexual crime on children, with a view to deter the perpetrators and prevent such crime against children. The amendment act of 2019 also seeks to impose fines and imprisonment to restrain child pornography.

The said amendment bill of 2019 was introduced in the Rajya Sabha on 18 th July, 2019, and was passed by the Rajya Sabha on 24th July, 2019 and the Lok Sabha on 01/08/2019. The said amendment act of 2019 was notified in the gazette of India on 06 th August, 2019 and is brought into force on 16th August 2019.

➤ The salient features of the said the Protection of Children from Sexual Offences (Amendment) Act, 2019 are as under.

1. Penetrative Sexual Assault.

Sec. 4 of the POCSO Act, 2012 provides for punishment for Penetrative Sexual Assault. By the said 2019 amendment the said punishment has been enhanced from earlier seven years to ten years, which may extend to life imprisonment and fine.

It is further added that if the age of the victim is below 16 years then the said punishment shall be imprisonment of not less than 20 years to life imprisonment with a fine which shall be paid to the victim to meet the medical expenses and rehabilitation of such victim.

2. Aggravated Penetrative Sexual Assault.

Sec. 5 of the POCSO Act 2012 defines certain actions as Aggravated Penetrative Sexual Assault. These includes when police officer, a member of the armed forces or a public servant and others commits penetrative sexual assault on a child. It also covers cases where offender is a relative of the child, or if the assault injures the sexual organs of the child or the child becomes pregnant. By the said 2019 amendment the two more grounds are added to this definition, viz. (i) assault resulting in death of child and (ii) assault committed during a natural calamity, or in any similar situations of violence.

By the said 2019 amendment, punishment for the said aggravated penetrative sexual assault has been enhanced from the existing “imprisonment between 10 years to life and fine” to “rigorous imprisonment for a term not less than twenty years, which may extent to life imprisonment, and fine or with death, as per Sec. 6 of POCSO Act, 2012. The fine imposed on accused is to be paid to the victim to meet medical expenses and rehabilitation.

3. Aggravated Sexual Assault.

Under Sec. 7 of the POCSO Act, 2012 “Sexual Assault” includes actions where a person touches the vagina, penis anus or breast of a child with sexual intent without penetration. Sec. 9 of the POCSO Act 2012 defines certain actions as Aggravated Sexual Assault. These includes when a police officer, a member of the armed forces or a public servant and others commits sexual assault on a child. By the said 2019 amendment the two more grounds are added to this definition viz. (1) assault committed during communal or sectarian violence or during any natural calamity and (ii) administering or help in administering any hormone or any chemical substance to a child for the purpose of attaining early sexual maturity.

4. Pornographic purposes.

The amendment act of 2019 defines “child pornography” as child pornography means any visual depiction of sexually explicit conduct involving a child which includes photograph, video, digital or computer-generated image indistinguishable from an actual child, and image created. Adapted, or modified, but appear to depict a child, as per Sec. 2(da) of POCSO Act, 2012.

The amendment act of 2019 provides that as per sec. 14 of the POCSO Act, 2012, using a child for pornographic purposes is now punishable with imprisonment of not less than 5 years with fine and in the event of the second or subsequent conviction with imprisonment for a term which shall not be less than seven years and fine. In addition, the amendment Act of 2019 enhances the punishment for certain offences as shown in Table 1 below.

Table 1: Punishment for offences for using child for pornographic purposes

Offence	As per POCSO Act, 2012	As per POCSO (Amendment) Act 2019
Use of child for pornographic purposes	Maximum: 5 years	Minimum: 5 years
Use of child for pornographic purposes resulting in penetrative sexual assault	Minimum: 10 years Maximum: life imprisonment	Minimum: 10 years (in case of child below 16 years: 20 years) Maximum: life imprisonment
Use of child for pornographic purposes resulting in aggravated penetrative sexual assault	Life imprisonment	Minimum: 20 years Maximum: life imprisonment, <i>or</i> death.
Use of child for pornographic purposes resulting in sexual assault	Minimum: 6 years Maximum: 8 years	Minimum: 3 years Maximum: 5 years
Use of child for pornographic purposes resulting in aggravated sexual assault	Minimum: 8 years Maximum: 10 years	Minimum: 5 years Maximum: 7 years

Note: Punishment for using child for pornographic purposes relating to any form of sexual assault is in addition to minimum five years for use of child for pornographic purposes.

The amendment act of 2019 provides that as per sec. 15 of the POCSO Act, 2012, any person who stores or possesses pornographic material in any form involving child, but fails to destroy or report the same to the designated authority with an intention to share or transmit child pornography shall be liable to pay fine not less than five thousand rupees and in the event of second of subsequent offences with fine which shall not be less than ten thousand rupees.

The amendment Act, 2019 provides that any person who stores or possesses pornographic material in any form involving child for transmitting, or propagating or displaying or distributing in any manner, except for the purpose of reporting or for use as evidence in court shall be punished with imprisonment of either description up to three years or with fine or both.

The amendment Act, 2019 provides that any person who stores or possesses pornographic material in any form involving child for commercial purpose shall be punished with imprisonment of either description between three to five years, or fine, or both. In addition, the Amendment Act of 2019 provides for inclusion of two other offences for storage of pornographic material involving children viz. (i) failing to destroy, or delete, or report pornographic material involving a child, and (ii) transmitting, displaying, distributing such material except for the purpose of reporting it.

Chapter:-6 Various Programmes and meetings organized by Commission

A. Workshops

A Brief Report on the Nashik Division Workshop on Strengthening VCPCs for Child Friendly Panchayats Date - 16/12/2019

A Workshop for strengthening Village Child Protection Committees (VCPCs) in all the districts of Nashik Division was organized on 16th December, 2019 at Nashik, for Child Friendly Panchayats (CFPs) in the villages. This was jointly organized by Maharashtra State Commission for Protection of Child Rights (MSCPCR), UNICEF Maharashtra, Rural Development Department (RDD) and Nashik DWCD Divisional Office and attended by MSCPCR Chairperson Shri. Pravin Ghuge, Members - Shri. Santosh Shinde, Smt. Vasanti Deshpande, Member Secretary Smt. Seema Vyas and officials, UNICEF representatives, RDD representative, about 120 VCPC representatives and CFP members from the Division.

The Workshop began with a welcome address by Ms. Anuradha Nair, Social Policy Specialist, UNICEF, who highlighted the importance of CFPs, linking it to the role of VCPCs. Ms. Patil, Nashik Divisional Deputy Commissioner, gave an account of various activities in the Division, expressing the need for such Workshops. Dr. Manjusha Kulkarni, Administrative Officer brought out the role of MSCPCR in addressing child rights violations in the state, asking VCPCs to approach them when required. Shri Pravin Ghuge, Chairman, MSCPCR also highlighted the importance of VCPCs in addressing the issues of children. Dr. Vasanti Deshpande, Member MSCPCR, highlighted the role of giving children happy childhood by making our work child centred. Mr. Santosh Shinde, Member, MSCPCR set the context of VCPCs by bringing out the role of adults in protecting children against neglect, exploitation, harm and abuse and the role of VCPCs in addressing them. Mr. Jagtap, Director, SIRD, brought out the importance of addressing the issues of women and children in GPDP and the role of VCPCs in doing this. Ms. Rajani Pavithran, State Consultant, UNICEF gave an orientation to CFPs, and the CFP team from Nandurbar then expressed how they went about CFP process in their villages. This was followed by a dialogue with the participants on the challenges faced and the ways by which they can be overcome. Process for follow up with DWCD and MSCPCR was then discussed. The Workshop ended with thanks by the Divisional Office.

B. Programmers of the Commission

1. Our collaborative project 'The Invisibles' :-

Mid-term review of our collaborative project 'The Invisibles'. As requested by you, here is the minutes of the meeting as mentioned below:

Members present-

1. Ms. Seema Vyas, Honourable Secretary, MSCPCR
2. Ms. Manjusha Kulkarni, Administrative Officer, MSCPCR
3. Mr. Badgi, Legal Advisor, MSCPCR
4. Ms. Nivedita Golatkar, Deputy Director, UNIQUE IDENTIFICATION AUTHORITY OF INDIA R.O
5. Mr. Luca, MEAL Advisor, Save the Children, Netherlands
6. Mr. Siddhartha Pande, General Manager – Project, National Support Office
7. Mr. Abhik Dutta, Assistant Manager, M & E, Save the Children, National Support Office.
8. Ms. Rupali Goswami, Advocacy, Communications & Campaign, Maharashtra State Programme Office.

I) Following points were discussed-

1. MSCPCR and Save the Children are jointly implementing the project 'The Invisibles' in 3 locations (Mumbai, Pune and Nashik). MSCPCR holds the authority in monitoring the project progress whereas Save the Children is responsible for its grass-root level implementation in collaboration with Salaam Balak Trust (Mumbai), New Vision (Pune) and Nashik (direct intervention by Save the Children).
2. MSCPCR has always supported in mobilizing relevant Govt. Departments and brought them to a common platform as the project requires lot of convergent efforts between various departments like Police, Health, Education, Water & Sanitation, Railways, State Child Protection Systems and so on.
3. With strong support from MSCPCR, Save the Children organised several convergence meetings in Mumbai, Pune and Nashik. 3 sensitization programmes were also organised for the Police Departments in all three locations.

4. Due to the strong support of MSCPCR, UIDAI Department is also equally supportive to the project interventions. UIDAI Department has always actively participating in all the meetings organised, as well as supporting Save the Children in organising Aadhaar Camps.
5. MSCPCR appreciated Save's Course Correction Strategy (along with Aadhaar Card, PAN Card, Birth Certificate, School Identity Card are to be considered under this project)

II) Recommendation and Way forward from MSCPCR:

- Close Monitoring Mechanism has to be in place. Monthly Reporting to the Commission is must. Save the Children is asked to submit monthly progress report, detailing the number of children received identity and linked with social security schemes
- Either 4th week of every month or 1st week of the next month, Save the Children shall submit the report to the commission.
- Save the Children shall inform the commission about the camps to be organised in all three locations. Commission would like to visit the camp site.
- Save the Children has been told to increase the Visibility of such collaborative efforts on Social Media (MSCPCR Website, Twitter, Facebook and Save Website).
- One Success Story to be submitted to the commission which could be promoted on the social media, keeping in mind the privacy aspects of the story

III) Recommendation and Way forward from UIDAI:

- Save the Children is welcomed to hold camps at the regional office in Mumbai. A special provision has been made at the regional office for the children in street situations.
- UIDAI Department is willing to support Save the Children in case there is any challenges related to the Aadhaar enrolment in all three locations.

2. **A meeting was organized jointly by Maharashtra State Commission for Protection of Child Rights and Women and Child Development, Govt. of Maharashtra Mantralaya for the purpose of supervision of health, sports, women and child development committee. Date - 04.07.2019**

Hon'ble Shri. Vijay Jadhav, Member of Commission, Prof. Asma Sheikh, Member of Maharashtra State Child Rights Protection Commission, Prof. Asma Sheikh, Shri. Hivrale, Dy.Commissioner, Women and Child Development, Smt. Patil, Dy. Commissioner, Women and Child Development, Smt. Kamble, District Collector, Child Development Project Officer, District Sports Officer Shri. Awati, Tahasildar, Pune and other officers were present.



C. Public Awareness Programmes Conducted by Commission:-

1. **Report of the workshop conducted for review of awareness for adoption of children. The workshop was Jointly organized by Women and Child Development Department, Govt of Maharashtra and Maharashtra State Commission for Protection of Child Rights, Mumbai**

Date and place – 22.11.2019 at Mata Kacheri Chintan Hall, Dikshabhoomi Chowk, Nagpur

A Workshop was organized for review of awareness for adoption of children. The workshop was jointly organized by Women and Child Development Department Govt of Maharashtra, and Maharashtra State Commission for Protection of Child Rights, Mumbai on 22.11.2019 at Mata Kacheri Chintan Hall, Dikshabhoomi Chowk, Nagpur in presence of Hon'ble Shri. Pravin Ghuge, Chairman, Maharashtra State Commission for Protection of Child Rights, Mumbai. In addition to this, Smt. Seema Vyas, Secretary of the Commission, Smt. Dr. Vasanti Deshpande, Member, of the commission, Smt. Manisha Biraris, Program Manager, Maharashtra State Children Protection Organization, Pune, Shri. M.D. Borkhede, Divisional Commissioner, Women and Children Development Department Nagpur, Smt. M.J. Kolhe, Dist. Women and Children Development Officer, officers in Children's Protection Desk, Superintendent of Govt. / Non govt. Children's Home / Social workers, Superintendents in adoption organization and social workers were present at the workshop.

In the beginning Shri. Mustak Pathan, Dist. Children's Protection Officer, Nagpur presented the information about present status of the organizations engaged in adoption and related statistics by way of power point presentation. Detailed information about the pending matters with the Children Welfare Committee and also the detailed information about the children adopted during last three years and children who have returned back to the institutions during last three years was given. Information was given as to whether the children returned have been taken in "pipe line" on the website "CARA". It is mandatory to make an entry of every children in every institution on the website "CARA" and the orders received from Child Development Committee should be taken in form 18. It is illegal to keep any child in any organization without orders. Similarly, awareness should be created in public regarding authorized adoption. It should be ensured by every institution that illegal adoption does not take place in their district. Such organizations / institutions should give information about the official adoption procedure to each police station, hospital and registered guardians within their jurisdiction for this purpose, so that the unauthorized adoption cases are prohibited in time. In case unauthorized adoption process / matter is found out, the guilty person shall be liable to punishment under Juvenile Justice Act, 2015. In this respect Smt. Vasanti Deshpande, Member of Children Rights Commission stated that the organisations/institutions should put up

Boards/ posters about legal procedure of adoption and IEC material in every clinic / hospital etc. It was informed that the organization/ institution “Varadan” is implementing this programme during adoption week since last many years.

Whenever a child is admitted in an organization/ institution, the child should be classified and if the child is not adopted, the procedure of including the child in adoption process should be started immediately. There should not be any delay or negligence in this process. Following directions were issued. As per the Adoption Act, the children who are brothers / sisters of each other, they are to be given for adoption in one family only. Hence in case such family is not available within prescribed time, because their age is increasing and they are being deprived from family, in case the police receive any complaint about such child mothers (Kumari Mata Girls becoming mother without getting married), zero F.I.R. should be recorded in any police station. In case of adoption matters, many times the adoption is made by notary or in illegal manner. The commission issued directions that in such cases awareness should be created in large scale about provisions of Juvenile Justice Act, 2015 and also about rules and regulation of Central Adoption Authority. The Juvenile Justice Act, 2015 provides for classification of the children as per the age group who are staying in children’s home and keep them separately. Hence the children should be kept in that manner. Similarly, there are provisions for keeping girls and boys separately after they attain certain age. Questions were asked about the issue that whether the children who are kept in open shelter house as per the orders of Children Welfare Committee, can be kept for longer period. It was suggested that the District Women and Child Development Officer should take a meeting with the Children Welfare Committee and sort of the issue. The guardians who want to adopt children should register on website www.cara.nic.in so that they can adopt the children in legal manners by online procedure. Similarly, if they want to adopt child within the family, it is necessary for them to register on website. Subsequently permission has been given under Hindu Adoption and Subsistence Act, 1956 that one Hindu family is allowed to adopt one child in Hindu family through court. All adoption institutions / organization raised question that since last two years the children are not coming. Then following suggestions were made after detailed discussions on this issue– Meetings should be organized with Govt. / Private hospitals and maternity homes by meeting them personally

and information should be imparted to them in respect of above matter. If the underage pregnant girls, women have become pregnant as a result of rape etc. are admitted in the hospital, the information about the same should give to concerned Children Welfare Committee, District Child Protection Desk, Dist. Women and Child Development Officer. So that such mothers can be given proper counselling and the child born out of such situation can be legally abandoned and can be brought in legal adoption process. So that the number of children coming in the organization / institution shall increase. In this respect Smt. Seema Vyas, I.A.S., Secretary of Maharashtra State Commission for Protection of Child Rights, Mumbai expressed opinion that it is necessary to keep regular dialogue with medical officers.

Sometimes two families, one family giving child in adoption and other family taking child in adoption go together directly in office of sub-registrar, register the adoption deed and pretend that the adoption process is done legally, but this process is illegal as per the rules of Central Adoption Authority. During the discussions on this matter Smt. Birasis stated that this adoption process is illegal.

Shri. Nitin Sathavane, Child Protection Officer, Bhandara suggested that the registration of pregnant women should be made at the level of Anganwadi Sevika on village level. He added that follow up can be made by Village Child Protection Committee constituted for this purpose on village level. However for this purpose, it is necessary to train the committee and make them competent for this purpose.

Shri. Ajay Sakharkar, Dist. Child Protection Officer, Chandrapur stated that he has directly gone to all private clinics / hospitals in the district and has given information about legal adoption process and information about minor girls who have become mothers / unmarried women who have become mothers is being given to Dist. Child Protection Desk immediately. Hon'ble Seema Vyas, I.A.S., Secretary of the Commission emphasised the importance of taking with doctors continuously / keeping proper communication. Hon'ble Deshpande Madam, Member of Commission expressed her opinion that if the posters about creating public awareness are displayed in every clinic / hospital, it will be more effective.

It is seen that the guardians of minor girls who become mother or unmarried woman becoming matters or such girls / women are not ready to file complaints with the police. However, the information in such cases is given on institutional level to the police. In this respect Smt. Neeta Vanjalwar, Member of Child Welfare Committee, Wardha stated that

when the member or employee of the organization / institution goes to police station for giving information in such matter, they are forced to sit in police station throughout the day, their complaints are not accepted. No action is being taken in such cases.

Shri. Bhadange, District Woman and Child Development Officer stated that no action is being taken by Nagpur Child Welfare Committee in respect of the children who have been transferred for medical treatment to them. He further directed that information should be given about such children so that appropriate decision can be taken.

Hon'ble Programme Manager, Smt. Manisha Birasis stated that only those children who cannot go in adoption process should be given to foster care. Such children can be given in foster care for maximum three years. If such children are in foster care in a family for more than five years, that family can apply for getting those children by adoption. Shri. Pravin Ghuge, Hon'ble Chairman of Commission stated that consideration should be given to give only those children who cannot be made free legally. Similarly, the foster care family should be explained that the concept of foster care is like Krishna and Yashoda Mata and such families should be given counselling.

Smt. Manisha Birasis, Program Manager explained that it is expected that the children home who have received registration certificate pursuant to section 41 of Juvenile Justice Act, 2015 have not been given recognition as per age group but is expected that those children houses which have license for age group 6 to 18 should admit the children of that age group and should make separate arrangements of separate accommodations for age group 6 to 12 and 13 to 18.

Shri. M.D. Borkhede, Dy. Commissioner, Women and Children Development Department, Govt of Maharashtra stated that a quarterly meeting of all officers on divisional level should be convened and review of pending adoption matters should to taken. He added that regular meeting shall be organized for making the adoption process easy and also for taking review of pending matters.

Smt. Kamadi, Social Worker of National Children Home Kondhali complained that the Children Welfare Committee is not giving admission orders in adoption houses. Hon'ble Shri. Pravin Ghuge, Chairman, Maharashtra State Commission for Protection of Child Rights,

Mumbai stated that separate independent meeting shall be taken about this complaint and appropriate action shall be taken.

Following officers were present at this meeting – District Woman and Child Development Officers on Nagpur divisional level, Chairman and Member of Child Welfare Committee, officers and employees in District Child Protection Desk, and superintendent and social workers were present for this meeting.

Smt. Aparna Kolhe, District Woman and Child Development Officers, Nagpur thanked all officers, employees present and divisional level and adopting agencies on behalf of commission and the meeting ended.

- **2. Public awareness program for Thane District Primary and Secondary Teachers**

A public awareness program was organized jointly by Maharashtra State Commission for Protection of Child Rights and Samtol Foundation on 8th January, 2020.

A public awareness program was organized at Urdu National School, Durgadi Chowk, Kalyan for Zilla Parishad Primary school and Secondary school teachers under “Raksha Abhiyan” jointly by Maharashtra State Commission for Protection of Child Rights and Samtol Foundation on 8th January, 2020. Following persons attended this public awareness program – Smt. Seema Vyas, Secretary, Maharashtra State Commission for Protection of Child Rights, Shri. Pramod Badagi, Legal Advisor, Smt. Manjusha Kulkarni, Administrative Officer, Suresh Lad, Samatol Mitra and an expert who makes one to think positively, Shri. Nipurte Dy. Education Officer, Smt. Attarde, Welfare Panchayat Samitee Group Education Officer, Smt. Suvarna, Employee of Samagra Education, worker of Samtol and founder of Samatal Sanstha and Maharashtra State Commission for Protection of Child Rights Shri. Vijay Jadhav. 245 teachers out 300 teachers were present. All teachers were given a copy of Govt. Resolution about guidelines for safety of children as well as information booklets. Shri. Vijay Jadhav and Dr. Kalidas Shinde guided this session. Similarly, Shri. Abdul Khan, Head Master of Urdu School looked after the arrangements of this programme.



The teachers got training about how to converse and how to speak with students with positive outlook. Accordingly, concerned circular was given to the teachers. In this respect the teachers discussed about the difficulties faced by them. The particulars are as under –

1. C.C.T.V are not installed in the school premises.
2. There are no counsellors, security guards in the school, so unfortunate instances cantake place in the school.
3. The toilets of boys and girls are close to each other's, so the boys use obscene andbad/dirty words about the girls.
4. The parents are not informed about the absence of children by way of SMS. These and many such problems were submitted to the Dy. Education Officer.

It was advised that In this regard, public awareness programs should be held continuously in different places, schools, children's homes, nursing homes, hostels, police systems, hospital systems, societies, private classes, hotels.

3 Report of student's safety Public Awareness Program – Palghar **Dt.17.02.2020**

Place – Anand Ashram English Medium School, Palghar

A one day program was jointly organized as suggested by Hon'ble Shri. Vijay Jadhav, Member, Maharashtra State Child Rights Protection Commission, Mumbai and under his guidance of Hon'ble District Commissioner, Palghar by the District Children Protection Desk, Palghar, District Woman and Child Development Officers, Sakhi One Stop Center, and Samtol Foundation, Thane on following topics – legislation about safety of students, child protection, rights and powers of children, children's rights code, role of Govt. agency. This one day programme was organized at Anand Ashram English Medium School, Palghar for head of center of all primary schools in the district. This program was organized on behalf of Samatol Sanstha center. Heads of all primary schools (150 numbers) in Palghar district were present at this student's Public awareness program.

Following were present.

1. Shri. Vijay Jadhav, Member, Maharashtra State Commission for Protection of Child Rights, Mumbai
2. Dr. Kaildas Shinde – Co-ordinator, Samatol Foundation, Thane
3. Shri. Vinod Rathod - District Child Protection Officer, Palghar
4. Shri. Deepak Sadavarte – Woman Protection Officer, Palghar
5. Father Pradeep Dabare – Principal of Anand Ashram English Medium School, Palghar
6. Mrs. Manda D'Melo - Center Administrator (Sakhi One Stop Center, Palghar)
7. Mrs. Mokshada Mashalkar– Counselor (Sakhi One Stop Center, Palghar)
8. Shri. Milind Donde - Child Protection Officer (within the organization) District Child Protection Desk, Palghar
9. Mrs. Rajkanya Adole -Child Protection Officer (Out of Organisation) District Child Protection Desk, Palghar
10. Shri. Khotkar – Education Officer (Secondary Division) Dist. Palghar
11. All centre heads - Primary School, Dist. Palghar

Introduction to Program –

Shri. Khotkar clarified the background of organizing training program on the topic of student's safety. The center heads of the primary schools appealed for remaining alert about student's study.

Hon'ble Shri. Vijay Jadhav, Chief Guest and trainer, Member of Maharashtra State Commission for Protection of Child Rights, Mumbai guided as to why the safety and security of the students is important. He also gave some examples. He also gave information as to why the security about school of the child which gets admitted in school and the premises is important. He also convinced the people present that the security of the children is the responsibility not only of the teacher, but also of those who stay with him and of all those who come in contact with him. He explained the meaning of term orphan and stated that the orphan child is one who does not have house to live, who doesn't have anybody who says "You are mine".

Dr. Kalidas Shinde explained the experience when he was working with orphan children. Some of the children think that they are orphans. However when the counsellors took information of such children, they found that some of the children belong to rich families but they run out of house due to petty reasons. The number of children running of house due to reasons like discrimination being done in families in girl child and boy child, anger, financial difficulties, disputes in family, lack of education is high. Some children get attracted to the cities. Such children stay on stations, when they feel hungry, they beg and eat. Samatol Foundation gives shelter to such children and do their counselling. There are many such children in our country who face various types of such problems. Such children need our help and our

protection. Information was given about this matter. Similarly information was given through PPT about legislation pertaining to protection of children. These included

1. Juvenile Justice (Care and Protection of Children) Act, 2015
2. Protection of Children from Sexual offences Act, 2012
3. Right of Children Free and Compulsory Education Act, 2009
4. Prohibition of Child Marriage Act, 2016
5. Child Labour (Prohibition and Regulation) Act, 1986

The information about other acts relevant to the children was given. Similarly, review of present facilities and service available in school but security and safety of children was also taken and following guidance was given.

1. At the time of making following appointments in school, character certificate of these persons should be obtained from the police – Educational, employees, drivers, security guards, canteen operator etc.
2. Having separate toilets is right of the children. The toilets for girls and toilet for boys must be separate.
3. As per directions issued by Hon'ble Supreme Court about safety of children, notices giving information about Chirag App, POSCO, E box YANCHI should be displayed in school for filing complaint against the atrocities being done on them. A dialog box should be made available for giving instructions about this. Information about this should be given to students about this.
- 4 A children dialogue box should be provided.
- 5 Male security guards as well as female security guards should be employed inschools.

- 6 It is necessary that CCTV and ASANE is available in school.
- 7 The telephone numbers of children should be available with the teachers. Similarly the telephone numbers of the teachers should be available with the children and their parents.
- 8 The children who need counselling should contact organization DIET.

There should be no discrimination based on sex among the Students /children. It is also necessary to protect the self- respect of the children. It is also necessary to listen what children say. We should answer their doubts. It is necessary to keep the atrocities made on the children confidential. At this time information pertaining to Govt. systems for protection of children, child welfare Board, Juvenile Justice Board, special committee police squad, child welfare officer, district rehabilitation committee, task force against child labor was given. Similarly, at the time of protecting the child, it is necessary to ensure that the child is not neglected.

It is necessary to ensure that the child is protected from exploitation, getting harmed or hurt from the injustice, atrocity etc. Similarly, every child has right to live life, protection, participation and development. The rights approved by the constitution must be given to the child.

After this program was concluded, Shri. Vijay Jadhav, Member, Maharashtra State Commission for protection of child rights visited District Women and Child Development Officer, Palghar took review of the working of office during his tour. The Chairman and Children Welfare Committee were present for this meeting.

4. Training programs were organized for officers of National Child Labor Project and workers of National child Labor project held at Nasik.

Subject - Report of Workshop of National Child Labor Project held at Nasik dt. 06.03.2020.



A Workshop of National Child Labor Project was held at Nasik as per order of Shri. Vijay Jadhav, Member, Maharashtra State Commission for Protection of Child Rights through the commission and under his guidance, on behalf of Navrang Sanstha, Mumbai and “Samtol Foundation”. Detailed information about National Child Labor Project was given to employees working in 15 districts of Maharashtra in the office of National Child Labor Project, Project Director, field officers, vocational trainers and employees of labor officer of Nasik. Various examples were given in respect of following matters through Samtol Sanstha, Thane and one day public awareness seminar was organized – Child (Prevention of labor) Act, 1986, Protection of Children Act, Juvenile Justice (Care and Protection) Act, 2005, POSCO Act 2005, Prevention of Child Marriage Act – 2005, Prevention of Immoral Traffic Act, Children Rights Code, Law pertaining to safety and security of children, Rights and Powers of Children, role of Govt. agencies, children requiring care and protection and their difficulties and how there are connected with legislation pertaining to children.

Hon'ble Shri. Vijay Jadhav, Member of Commission took review of difficulties faced by following while implementation this project – Employees in the office of National child labour project in 15 districts of the Maharashtra State, project directors, field officers, vocational trainers and employees of the Labour Officer, Nasik were present.

The difficulties faced during implementation of this project as well as implementing the prevention of Child Labour Act, 1986 are as follow –

1. The survey being done under National Child Labour Project is done during every 2-3 years. Hence the child labour which are to be connected for informed education, cannot be connected after the survey is done. Hence such children remain out of school and they turn to child labour.
2. There is no co-ordination among National Child Labour and other Govt. departments, District Collector, Education Department, Child Welfare Committee, Juvenile Justice Board, District Women's Child Development Officers, District Child Protection Desk, Anti Child Labour Squad, District Rehabilitation Committee and Human Trafficking Prohibition Squad. Since there is no co-ordination among them, there is no seriousness about topics connected with the children. As a result, the Govt. agencies do not take responsibility about solving children's problems.
3. How are the National Child Labour Projects, other Govt. agencies are connected? What is the role of every agencies about the protection of children so that the implementation of legislation of labour not done?
4. The National Child Labour Project officers have limited powers. Hence difficulties arise at the time of taking some decisions about the children.
5. The National Child Labour Project officers does not participate in anti-child labor search / raid.

6. The National Child Labour Project is implemented under the chairmanship of Hon'ble District Collector, however cases cannot be filed in respect of financial expenditure, planning of work, taking action about child labour case where a child is deceived or cheated and is employed as child labour.
7. The trainers who take informal training in the National Child Labour Project do not get stipend. The amount of stipend is not received in time from Govt. Hence it does not reach till the children.
8. The National Child Labour Project officer is appointed contractual basis, hence they do not co-operate with Labour Department and other Govt. departments regarding action.
9. The National Child Labour Project officers and employees do not get training in time.
10. The financial provision for National Child Labour Project is merger. Hence the necessary material and equipment cannot be provided at the time of vocational training program.
11. The meetings of district level committees of the National Child Labour Commission are not conducted. In case a meeting is held, representations of various departments, members of Child Labour Commission do not attend the meetings.
12. Training should be imparted to the National Child Labour Project officers
13. The employers of special training centre under the National Child Labour Project do not get honorarium every month.

A meeting should be convened among Maharashtra State Commission for Protection of Child Rights, District Collectors, Labor Commissioner, Mantralaya for sorting out problems faced stated above and problems of the employees of National Child Labour Project officer. Meeting also should be organized between Mantralaya, Labour Commission, Maharashtra State Commission for protection of child rights, District Collector, Education Department, Child Welfare Committee, Juvenile Justice Board, District Women and Child Development Officers, District Child Protection Desk, and other Govt. agencies for the purpose of implementing the National Child Labour Commission on district level properly, sorting out the problems and

difficulties faced in the work of project, contacting other agencies, organize discussion, seminars, integrated training, conducting surveys, ensure co-ordination for ensuring that the children get their rights, create safe and secure atmosphere for them in society and explain the provision for the Govt. about this. Similarly, the topic of National Child Labour Commission should be taken up for discussions in the commission. A review meeting should be conducted with the Maharashtra State Commission for Protection of Child Rights in respect of National Child Labour Project.

D) Visits done by Honorable Chairperson & Members of Commission

I). Visit of Hon'ble Pravin Ghuge, Chairperson MSCPCR

Date 8th July – Hon'ble Shri. Pravin Ghuge, Chairman, Maharashtra commission for Protection of Child Rights, Member Dr. Shalini Karad, Shri. Vijay Jadhav and Dr. Vasanti Deshpande, Hon'ble Smt. Seema Vyas, Secretary of Commission, Secretary Dr. Manjusha Kulkarni, Administrative Officer and Shri. Pramod Badagi, Legal Advisor were present at this meeting on 08.07.2019.

Date 9th July – Hon'ble Chairman visited Govt. Boys Home (senior)
Dist. Solapur

Date 10th July – Meeting with Child Welfare Committee, Solapur

Date 11th July – Chairman, member and secretary and officer visited
Palavi H.I.V. Affected Boys Girls Hostel, Dist. Solapur

II) About visit of Hon'ble Shri. Vijay Jadhav, Member, Maharashtra State Child Rights Protection Commission

1. Visit Children's Home, Ulhasnagar – 5, Dated 01.07.2019

The facilities available for children and its implementation in Govt. and Semi Govt. children's homes is always an issue at discussions. It is seen that despite giving instructions the instructions are ignored or there is no change. Out of these, following points are stated.

1. Even today cook is not available in children's home for handicapped children at Ulhasnagar No.5. The inmate children are preparing food even though they are weak. This matter has been discussed many times.
2. Despite completing many years, 15 years, many care takers are still there in many institutions / organizations. They have not been transferred. They are not scared of administration. They do not take any care of inmate children. It is seen that they (Care takes) are behaving as if they are the owners.
3. No work or programme are being organised for children because there are too many vacancies. Since there is no development policy, no development takes place in children even though they stay there.
4. No data is maintained about children. No information is obtained even if request is made. No entry of children is made even though it is required as per Govt. Resolution being issued recently, No record is maintained about the children even though it is required as per Govt. Resolution. The children are called orphans even though they are not orphans.

There are so many matters like this. It is necessary that this matter is seriously discussed and action is taken. In this case information can be obtained from the Divisional Commissioner, Woman and Child Development, Govt. of Maharashtra.

2. Visit at Washim on 31st July

We can see different problems children at every district out of these, the problem of underage girls becoming pregnant / mothers is more severe in Akola / Washim / Yavatmal / Amravati / Buldhana districts. Similarly, the water problem is severe here and as a result, many families are migrating from here. This creates problem of residential school of children. Even though these children are not child labour, they go where their parents go and also help in their parent's work. Similarly, the educational problems of the children are also big. Many children have only one guardian. All these matters were discussed. Smt. Dr. Vasanti Deshpande, Member of Commission for Protection of Child Rights met Smt. Pradnya Parande of Commission for Protection of Child Rights. Discussions were made with Shri. Rushikesh Modak, District Collector about children and also about development policy. Discussions took place about Zilla Parishad Chief Officers in connection with schools in rural area. It was decided to visit some schools in Washim area which are running very well.

A public hearing programme was held in Washim District Niyojan Bhavan in respect of contravention of rights of children on behalf of National Commission for Protection of Child Rights and Maharashtra state Commission for Protection of child rights. The team of National Commission for Protection of Child Rights, New Delhi had come earlier and conducted survey and had ascertained whether there are any complaints regarding children. It was found that there were 124 complaints. This included many complaints that the children required educational help. There were many children who had only one parent. Many children expressed desire to study at home only. It is illegal to disclose the identity of children in respect of POSCO cases. Hence in such seven matters, the hearing was done in camera. The concerned officers were given instructions about some cases. After seventy cases were completed, discussion were held about some cases which the police had not handled properly. Charge sheets were not filed. Discussions were made about such cases. Discussions were also made about such matters and the Superintendent Vijayrao Chavan issued instructions to concerned officers. Complaints were made about not granting admissions to the children. However, no complaints were received about the buildings of school and facilities available therein. At the end instructions were given about 104 complaints out of 124 complaints. A press conference was held and the programme concluded. Officers of all departments were present for this program.

3. Visit to Adhar Ashram, Nasik on 16th December, 2019

Following officers / employees were present at the time of this visit.

1. Shri. Vijay Jadhav, Member, Maharashtra State Commission for Protection of Child Rights
2. Dr. Vrushali Deshpande, Member, Maharashtra State Commission for Protection of Child Rights
3. Smt. Seema Vyas, I.A.S., Secretary, Maharashtra State Commission for Protection of Child Rights
4. Dr. Manjusha Kulkarni, Administrative Officer, Maharashtra State Commission for Protection of Child Rights
5. Shri. Pramod Badagi, Legal Advisor, Maharashtra State Commission for Protection of Child Rights
6. Smt. Patil, District Woman and Child Development Officer, Nasik
7. Smt. Madhavi Bhosale, Superintendent, Maharashtra Education Services
8. Smt. Mane, District Woman and Child Development Officer Office, Ahmadnagar.

During this visit following observations were made:-

- i) Very strong foul bad odour was coming from the area in which the children in age group 3 to 7 were sleeping. When enquiry was made about this, Shri. Rahul Jadhav, Manager told that “the children are peeing on the mattress and their urine is absorbed. Hence the bad odour”. Dr. Vrushali Deshpande, Members suggested that exhaust fans should be put in children’s area, the children should be taught to pee before they sleep and arrangements should be done for cross ventilation. Questions were raised about filthiness in the area, but the answers given were very unsatisfactory.
- ii) Sufficient airy atmosphere was not available in the room. There were no arrangements of windows so there was no cross ventilation.
- iii) The number of present employees was much less as compared to number of children present in the Adhar Ashram.

Following suggestions were made to District Woman and Child Development Officers, Nasik

1. Complete physical examination of all children in Adhar Ashram should be made through the Govt. medical officers and its detailed report should be submitted to the commission within one month.
2. Appropriate changes should be made to ensure that there shall be good ventilation in the rooms. Appropriate instructions shall be given at your level and the compliance report of the same should be submitted to the commission immediately.
3. Directions should be issued in respect of maintaining meticulous arrangements for ensuring cleanliness of food and report of implementation of these directions should be submitted to commission.

Barring these problems, the inspection report of the Adhar Ashram, Nasik was satisfactory.

Following instructions were given to Adhar Ashram, Nasik in connections with this report.

1. Complete list of children registered with the organization / institution along with detailed description should be submitted to the commission.
2. Full list of officers / employees working in management of this institution should be submitted to the commission.
3. Exhaust fans should be installed in children's area.
4. Initiative should be taken in co-ordination with the District Woman and Child Development Officer, Nasik to ensure compliance of all above mentioned points about cleanliness in institution, to make the rooms of the children full of lights and having good ventilation. A report of such compliance along with the relevant photographs should be submitted to the commission within one month

Regarding visit of Prof. Asma Sheikh, Member of Maharashtra State Child Rights Protection Commission –

1. Date – 25.07.2019

A review meeting of public awareness about adopted child was organized.

Following were present –

Prof. Asma Sheikh, Maharashtra State Commission for Protection of Child Rights 2) Dr. Vasanti Deshpande and Smt. Seema Vyas, I.A.S., Secretary, Maharashtra State Commission for Protection of Child Rights Maharashtra State Commission for Protection of Child Rights and Women and Child Welfare Commissionerate, Maharashtra State, Shri. Ravi Patil, Dy. Commissioner of Pune Office, Smt. Biraris, Dy. Commissioner (Administration) and other officers, representative of organization. Subsequently the commission visited organization “Sofosh” and took review of the work done.



Date - 27.07.2019

Prof. Asma Sheikh, Member of Maharashtra State Commission for Protection of Child Rights was present as Chairman of various programme organized by SOS Children Village, Pune on occasion of SOS day. The District Women and Child Development Officer, child welfare committee members, journalists and all officers and employees were present.



3. Date 02.12.2019 and 03.12.2019

The District Women and Child Development Division, Pune, Maharashtra organized “Chacha Nehru Bal Mahostav” Prof. Asma Sheikh, Member was present as Chief guest. At that time Smt. Ashwini Kamble, District Women and Child Development Officer, Pune all officers of Women and Child Development Department were present. Similarly, Prof. Asma Sheikh, member of commission was chief guest in the prize distribution ceremony organized by District Level Child Development, Pune Department.



4. Date 28.12.2019 and 31.12.2019 –

On 28.12.2019, Pune District Women and Child Development Department organized Bal Melava. As the chief guest in the said programs as member of Maharashtra State Commission for Protection of Child Rights Prof. Asma Sheikh was present. Hon'ble Dr. Mr. Rishikesh Yasod IAS, Commissioner Women and Child Development Pune, Mr. Ravi Patil, Dy. Commissioner, Women and Child Development Officer, all the officers of Women and Child Development Department were present in the said meeting. Also, Commission member Prof. Asma Shaikh was present as the chief guest in

the prize distribution ceremony organized by District Women and Child Development Pune Office on 31.12.2019.



5. Dated 18.01.2020 & 19.01.2020

More than 100 N.G.Os / Organizations were present on the day is in seva sangam programs and this was a very pleasing experience. The information of various programs being implemented by the organization was given so that there should be public awareness and people should get maximum service. In this programme, Member of Prof. Asma Sheikh and Shri. Vijay Jadhav were present. They gave valuable guidance.



6. Date 10.02.2020

A workshop of Head Masters of Pune Maha Nagar Palika schools and teachers and Head Masters of Zilla Parishad Schools was jointly organized on topic of security and safety of students. This was organized by Maharashtra State Commission for Protection of Child Rights and Samtol Foundation, Thane. Discussions were made on topic of rights of children, powers of children rules, main agencies in district, rules to ensure that the children get justice and guidance was given to teachers in this respect. Following were present for this discussions. Shri. Vijay Jadhav, Member, Maharashtra State Commission for Protection of Child Rights, Prof. Asma Sheikh (Patel) Smt. Seema Vyas, I.A.S., Secretary of Commission, Shri. Pramod Badagi, Legal Consultant of Commission, Dr. Manjusha Kulkarni, Administrative Officer were present. Head masters of 250 schools and education officer, Smt. Raut, Shri. Patil were also present.



Chapter :- 7 Commission Special Contribution in Education Sector :-

Commissions intervention in providing options to orphan children in SARAL Data base for facilitating their school admission.

1. Some members of the Child Welfare Committee and the Supervisory Staff of the Child Care Institutes had brought to the notice of the Commission the difficulties faced by the orphan children in filling up the data in the **SARAL portal**, for want of necessary details. It was informed that as the orphan children had no knowledge about the names of their parents, Surname, Religion, and Category, they were not able to fill up the data pertaining to these columns in the SARAL portal, and as such the forms of the such orphan children could not be uploaded, because of not filling up of necessary data in the said columns. It was therefore requested that some solution may be provided to meet this contingency.
2. To enable the orphan children's to submit their data on the SARAL portal, and to facilitate their education Hon. Chairman of the Commission had vide letter dated 16 th July, 2019 appraised the Hon. Minister, Ministry of Education, Sports and Youth Development, about the aforesaid difficulties faced by the orphan children's and it was requested that in respect of the information pertaining to "names of the their parents", "Surname", "Religion", the option "**NOT KNOWN**" be made available and in respect of the information pertaining to "Category" the option "Orphan" be made available in the SARAL Portal, for the benefit of orphan children. It was also requested that in cases of adoption of orphan children after their admission in the school, due procedure may be prescribed to update the name, surname of the adoptive parents of such child, by providing NEW ENTRY TAB. It was also requested that in cases of online RTE Admissions, in cases of orphan children, only "the name of student" may be taken into consideration, there should be no criteria of "income" for such orphan children, and preference may be given to the orphan children in RTE Admissions. The Hon. Minister was requested to incorporate these suggestions in the SARAL portal to resolve the difficulties faced by the orphan children in their school admission procedure.

3. This matter was consistently followed up by the Hon. Chairman with the concerned authorities of the Ministry and the Hon. Minister. In response to the initiative taken by the Commission on the said subject, the School Education and Sports Department, Mantralaya, Mumbai vide their letter dated 16/08/2019 addressed to (1) Director of Education (Primary) Maharashtra State, Pune and (2) Smt. Nandini Kshirsagar, Technical Director, NIC Pune, informed them to make available the aforesaid facilities/changes as suggested by the Chairman in the SARAL Portal. The School Education and Sports Department of the Government was pleased to issue GR dated 23rd August, 2019 on the subject matter. Vide this GR in respect of the submissions of the documents by the orphan children's in the

RTE Admission procedure it was directed that:

1. In the RTE Admissions, Category – “Children’s Home/Students in Orphanage” be included, and accordingly such facility be incorporated in the portal by NIC, Pune.
2. In respect of the admissions of the orphan children documents pertaining to Orphanage/Borstal school be considered as valid.
3. In respect of orphan children documents viz. income certificate etc. may not be insisted.
4. In respect of Orphan children, NIT Pune was directed to provide facility of option ‘NOT KNOWN’ against the columns “names of their parents”, “Surname”, “Religion”, in the SARAL portal. So also in respect of information pertaining to “Category” it was directed to facilitate mentioning “Orphan” in the SARAL Portal,
5. In cases of adoption of orphan children after their admission in the school, to update the name, surname of the adoptive parents of such child NEW ENTRY TAB be provided.
4. Copy of the aforesaid letter dated 16/08/2019 and GR dated 23.08.2019 are enclosed herewith for ready reference.

महाराष्ट्र शासन

ई मेलद्वारे

क्र. आरटीई-२०१९/प्र.क्र.१६०/एस.डी-१
शालेय शिक्षण व प्रिन्डा विभाग,
मादाम कामा रोड, हुतात्मा राजगुरु चौक,
मंत्रालय, मुंबई - ४०० ०३२.
दिनांक:- १६/०८/२०१९


प्रति,

- १) शिक्षण संचालक (प्राथमिक), महाराष्ट्र राज्य, पुणे
- २) श्रीमती नंदीनी क्षीरसागर, तांत्रिक संचालक, एन.आय.सी., पुणे

विषय: सरल पोर्टलवर अनाथ विद्यार्थ्यांच्या प्रवेशासंबंधी घेणाऱ्या अडचणीबाबत.
संदर्भ :-अध्यक्ष, महाराष्ट्र राज्य, बाल हक्क संरक्षण आयोग, मुंबई यांचे पत्र
क्र.नरायहसंआ/अध्यक्ष/२६०, दि.१६ जुलै, २०१९.

विषयाकित प्रकरणी संदर्भिय पत्रास अनुसरून कळविण्यात येते की, सरल पोर्टलवर अनाथ विद्यार्थ्यांटे आई, वडील व आडनांव याची माहिती उपलब्ध नसल्यास सरल माहिती पोर्टलद्वारे स्थिकारली जात नाही. त्यामुळे अनाथ मुलांच्या प्रवेश प्रक्रियेत अडचणी निर्माण होत आहेत. थारत सरल पोर्टलमध्ये खालीलप्रमाणे पर्याय उपलब्ध करून देण्यात यावेत.

- १) विद्यार्थ्यांवा पिता/आई यांचे नाव माहित नसल्याकारणाने मधले नाव या ठिकाणी NOT KNOWN सुविधा उपलब्ध असावी.
- २) शेवटचे नाव- या ठिकाणी सुद्धा NOT KNOWN सुविधा उपलब्ध असावी.
- ३) Religion- Religion माहिती नसल्याकारणाने Other सोबत NOT KNOWN सुविधा उपलब्ध करून देण्यात यावी.
- ४) Category- Category यामध्ये अनाथ असे नोंदविण्याची सुविधा उपलब्ध असावी.
- ५) अनाथ मुले शाळेत प्रवेशानंतर पत्रक गेल्यास दत्तक घेणाऱ्या पालकांचे नांव, आडनांव अद्ययावत करण्यासंदर्भात माहिती NEW ENTRY IAB द्वारे उपलब्ध करून देण्यात यावी.



(संतोष गायकवाड)

अवर सचिव, महाराष्ट्र शासन

प्रति :-

अध्यक्ष, महाराष्ट्र राज्य, बाल हक्क संरक्षण आयोग, तिरारा मजला, शासकीय परिवहन सेवा इमारत, सरपोचखानमाला मार्ग, वरळी, मुंबई-४०० ०३०.

आर.टी.ई.२५ टक्के प्रवेशांतर्गत अनाथ बालकांचे प्रवेश तसेच सरल डेटाबेस मध्ये अनाथ विद्यार्थ्यांकरिता सुविधा.

महाराष्ट्र शासन

शालेय शिक्षण व क्रीडा विभाग

शासन परिपत्रक क्रमांक:आरटीई-२०१९/प्र.क्र.१६०/एस.डी.-१

मादाम कामा मार्ग हुतात्मा राजगुरु चौक

मंत्रालय, मुंबई ४०० ०३२

दिनांक : २३ ऑगस्ट, २०१९

वाचा :- शालेय शिक्षण व क्रीडा विभाग, शासन निर्णय क्र.आरटीई-२०१८/प्र.क्र.३१५/एस.डी.-१, दिनांक १६ जानेवारी, २०१८

शासन परिपत्रक:-

शासन निर्णय दिनांक १६ जानेवारी, २०१८ नुसार राज्यात आरटीई २५ टक्के प्रवेश प्रक्रिया राबविण्याबाबतची सुधारित कार्यपध्दती निर्धारित केलेली आहे. सदर शासन निर्णयातील ई (४) मधील तरतूदीनुसार अनाथ बालकांबाबत अनाथालयाची कागदपत्रे ग्राह्य धरण्याचे निर्देश दिलेले आहेत. तथापि, अनाथ बालकांच्या प्रवेशांकरिता इतर कागदपत्रांची मागणी करण्यात येत असल्याची बाब शासनाच्या निदर्शनास आली आहे. सबब, सदर शासन परिपत्रकान्वये खालीलप्रमाणे सूचना देण्यात येत आहेत

- १) आरटीई २५ टक्के प्रवेशाकरिता बालगृह / अनाथालये मधील विद्यार्थी या संवर्गाचा समावेश करण्यात यावा. तशी सुविधा एन.आय.सी., पुणे यांनी पोर्टलमध्ये उपलब्ध करावी.
- २) अनाथ बालकांच्या प्रवेशाकरिता अनाथालयाची / बालसुधारगृहाची कागदपत्रे ग्राह्य धरण्यात यावीत.
- ३) अनाथ बालकांच्या संदर्भात इतर कागदपत्रे उदा.उत्पन्नाचा दाखला इ. विचारात घेण्यात येवू नयेत.
- ४) सरल डेटाबेस मध्ये अनाथ विद्यार्थ्यांकरिता खालील सुविधा एन.आय.सी., पुणे यांनी उपलब्ध करावी.

I. विद्यार्थ्यांचा पिता/आई यांचे नाव माहित नसल्याकारणाने **मधले नाव** या ठिकाणी NOT KNOWN सुविधा उपलब्ध असावी.

II. **शेवटचे नाव**- या ठिकाणी सुध्दा NOT KNOWN सुविधा उपलब्ध असावी.

III. **Religion**- Religion माहिती नसल्याकारणाने Other सोबत NOT KNOWN सुविधा उपलब्ध करून देण्यात यावी.

IV. **Category**- Category यामध्ये अनाथ असे नोंदविण्याची सुविधा उपलब्ध असावी.

Chapter :- 8 **Summary of Commission's recommendation in some important landmark cases**

1. Grievance Case No. 161/2019

On 11/11/2019 at about 5 p.m. applicant vide email informed the Commission that child marriage of one minor Muslim girl of age 16 years 05 months was being solemnised against her wishes with one youth r/o Ahmednagar, at Shivaji Nagar, Govandi, Mumbai under the jurisdiction of Shivaji Nagar Police Station. Enclosing the copy of the birth certificate and marriage invitation card the said informer requested to take serious view and take appropriate action

2. The Commission took immediate cognizance of the said complaint and on that same day vide email informed the Senior Police Inspector of Shivaji nagar Police Station, Govandi, So also the Commission appraised Shri Paithankar PI of the said police station about the seriousness of the matter and asked him to do the needful.
3. In respect of the said matter, Police Inspector, Shivaji nagar police Station, Govandi, Mumbai submitted report on 12/11/2019 informing that –
 - At the venue of the marriage, the mother of the minor girl, and her grandfather informed that the said girl is minor and that her marriage is scheduled.
 - Police appraised the relatives of the said minor girl that child marriage is an offence under the provisions of the Child Marriage Prohibition Act, and that action can be taken against them, bridegroom and his relatives.
 - The relatives of the minor girl informed that they were not aware of the legal position and because of that the marriage was arranged. The relatives of the said minor girl informed that as the said marriage is illegal they are cancelling the said marriage.

- They informed that all relatives, bridegroom and his relatives have been informed that the marriage has been cancelled. So also the relatives of the said girl agreed that the marriage of the said girl would not be solemnised till said girl attains the age of 18.
- The manager of the marriage hall informed that the booking of the marriage hall for the said marriage has been cancelled. As a preventive measure Police has issued notices to the relatives of the said girl viz. Mother, grandfather and the manager of the marriage hall.

Accordingly, in view of the timely intervention of the Commission the child marriage was averted.

2. Grievance Case No. 237/2013

Under Sec.13(1)(j) and 14(1) of the Commission for Protection of Child Rights Act, 2005

Smt. Archana Ashok Tiwari .. Complainant

Versus

**Smt. Vijaya Sakpal, Ex Chairman, CWC Pune,
And seven others** Respondents.

1. The grievance of the complainant vide her application dated 05.02.2014 addressed to Commission contended that her eight-year-old daughter was sexually exploited by fourteen-year boy on 26/11/2013 in the premises of the Respondent No.6 SOS Balgram, Pune and that SOS Balgram authorities did not take cognizance of the said incident over a period of two days. The complainant came to know about the said incident on 28.11.13 at 11:50 Hours when she was informed on telephone and thereafter, the members of the Child Welfare Committee came to the said Child Care Institute, and commenced the enquiry. On 28.11.2013 her daughter did not receive early treatment though she was not well and the aforesaid members of the Child

Welfare Committee gave more preference to the hospitality of the Child Care Institute. Complainants' daughter was admitted in the hospital in the night at 22:00 Hours and during the medical examination she and her daughter has to face a lot of hardships. On receipt of medical report, the complainant came to know that she was raped. Complainant further contends that though the Commission has vide order dated 31.10.2011 issued directions that boys and girls should not be kept together in view of Rule 29 (g) of the Juvenile Justice Act, the said Child Care Institute, and District Women and Child Welfare Officer have not taken cognizance of the said order and have defied the said order.

2. Commission took cognizance of the matter and issued notices to the respondents SOS Balgram, District Women & Child Development officer, Pune, Child Welfare Committee, Pune and listed the matter on 11/03/2014 and 25/03/2014. The SOS Balgram, Pune, District Women & Child Development officer, Pune, appeared in the matter and filed their written statement.

On conclusion of the inquiry, the Commission made the following recommendations on 20/04/2019:

1. Women and Child Welfare Department, Government of Maharashtra to conduct detail inquiry to ascertain and fix responsibility in respect of contravention of the provisions of Rule 29(1)(f) of the JJ Rule 2007 rule 16(2) of the Maharashtra JJ Rules 2002 and amended rules 2011 by the trustees of the Institution, concerned government authorities responsible for implementation of the provisions of the JJ Act, Rules there under and the Government Resolutions as discussed hereinabove. Women and Child Welfare Department, Government of Maharashtra on fixing such responsibility shall initiate action under Sec. 15(1) of the Commission for Protection of Child Rights Act, 2005, against the concerned persons and submit report to the Commission.

2. Women and Child Welfare Department, Government of Maharashtra is directed to take necessary steps to ensure that the compensation of Rs. 50,000/- awarded to the victim girl and directed to be paid by the trustees of the SOS Balgram is paid to the victim girl.
3. The Women and Child Welfare Department, Government of Maharashtra to take necessary steps to ensure that the guidelines as enumerated in the Government Resolutions dated 28/04/2011 regarding inspection of the Children Home and as per Sec. 54 of the JJ Act, 2015 to be carried out by concerned authorities are duly carried out.
4. The Women and Child Welfare Department, Government of Maharashtra to take necessary action to strengthen the Child Welfare Committees in discharge of duties by providing them necessary support system viz. conveyance, secretarial and technical assistance etc. to enable them to discharge their duties efficiently.
5. The Women and Child Welfare Department, Government of Maharashtra to establish the District Child Protection Units in all Districts of the State as per the Central Government guidelines in Integrated Child Protection Scheme, and to provide training and support to the said units.
6. The Women and Child Welfare Department, Government of Maharashtra to ensure that frequent training and capacity building workshops are arranged for all stake holders and service providers including the Management, staff of the Children Home,
7. The Women and Child Welfare Department, Government of Maharashtra to ensure that the registration of Child Care Institutions is carried out expeditiously as per the provisions of Sec 41 of the JJ Act,2015.
8. The Women and Child Welfare Department, Government of Maharashtra to ensure formation of the Child Protection Policy including response mechanism for the Child Care Institutes.
9. The Juvenile Justice Board, Pune to expedite the hearing of the case of the victim in the present case as the said case is pending since 2013.

10. Copy of these recommendations be sent to all concerned for information and necessary action.
11. Copy of the said recommendations were sent to the Complainant and all respondents for information and necessary action. Respondent SOS Balgram has sent to the Commission by email copy of the letter dated 12/07/2019 addressed to the daughter of the complainant. As per the contents of the said letter it appears that they have sent the Demand Draft of Rs.50000/- bearing no. 001192 drawn on Bank of Baroda, Wadia College branch, Pune, to the daughter of the complainant. It appears that the said letter bears acknowledgement of the complainant. So also the complainant has vide letter dated 12.07.2019 informed the Commission about the receipt of the said compensation amount.

Grievance Case No. 3 :- 215/2018-19

Shri Pramod Maruti Dengale Complainant

Versus

The Director, Department of Primary Education,
Pune – 411001 and three others

Respondents

01. The grievance of the complainant is that in April 2012 he had secured admission of his daughter XXXX in the “Chota gat” Marathi medium school by name Modern Shishu Vidya Mandir for the academic year 2012-13. The said school was managed by the same society which manages the respondent no. 4 school.
02. Complainant further contended that since his annual income was less than Rs. 1 lakh seeking recourse to the provisions of the RTE Act, 2009 he submitted application dated 12.01.2013 to the respondent no. 4 school for securing admission for his daughter at the entry level for the academic year 2013-14 within the quota reserved for the children belonging to the disadvantaged group. Complainant further contends that the respondent

no. 4 school displayed names of 34 students including his daughter, shortlisted for admission and it was informed that the admissions for the said academic year would be carried out only after conducting a lottery draw as per rules.

03. In the final list of the selected children, the name of his daughter was not listed. but mysteriously appeared in the list of 20 students finally selected by the Respondent school were added in clandestine manner.
04. The then Director of Education Primary gave recommendations letters dated 12. 11.2013 and 26.11.2013. By giving the said letter to the school, complaints daughter was admitted to senior KG, under the quota of the RTE Act.
05. School expressed its inability to admit the complainant's daughter in mid November of the year 2013 and instead advised him to return in the following academic year starting from June 2014. Complainant therefore preferred to allow his daughter to continue attending her class in the Modern Shishu Vidya Mandir in the month of June 2014 when the mode of admission had been switched from "off line" to the "on line" the Head Mistress of the school asked the complainant to get a further recommendation from the Respondent no. 1. Complainant therefore preferred an application with the Respondent no.1 seeking a direction to the respondent no. 4 school to admit his daughter within quota under the RTE Act. Accordingly the Respondent no.1 by letter dated 19.06.2014 directed the respondent no. 4 to admit the complainants daughter in Senior KG within the quota reserved under the RTE Act.
06. School while admitting his daughter asked him to sign an undertaking pledging his willingness to pay all the school fees in case the State fails to do so.
07. Though his daughter was purportedly admitted within the said quota under the RTE Act, the State never reimbursed the respondent school and he came to known about it after the respondent school issued him communications dated 24.08.2017 and 01.09.2017 asking him to pay the entire fees accrued

for the preceding three years. The Complainant preferred first to challenge the said notices of the respondent school before the Respondent no.1 vide letter dated 31.08.2017. Thereafter the complainant preferred to challenge the decision of the Respondent no.1 before the Hon. Bombay High Court, vide Writ Petition No. 560/2018. The Hon. High Court observed that the process of admission as defined in the RTE Act does not provide for extraneous methods such as the issuance of the recommendation's letters. The Hon. Bombay High Court by its Judgment and order dated 22.03.2018 was pleased to grant leave to the Complainant to withdraw the said petition while permitting him to pay the Respondent school the arrears of fees in four installments. In compliance of the said order the complainant has already paid the first two installments and has submitted post dated cheques of the remaining two installments to the Respondent school.

08. The said authorities acted in most irresponsible, wanton and reckless manner and contrived to deprive his daughter her right to seek education under the quota within RTE Act, and such acts of grave negligence defeat the very purpose of the RTE Act. The Complainant has therefore filed the present complaint seeking the reliefs as prayed for in the complaint.

Commissions made following recommendations :-

1. The Respondent No.1, Director, Department of Primary Education, Pune and the Respondent no. 2 The Education Officer, Board, Pune Municipal Corporation, Pune (Administrative Officer, Primary Education, Pune Municipal Corporation Pune, are directed provide necessary assistance to the complainant and ensure that the complainant's daughter is admitted in appropriate class in Government aided / Government recognized private aided neighborhood school considering the eligibility of the complainants daughter.
3. The Commissioner, Commissionerate of Education, Pune is directed to take appropriate steps to ensure that RTE Admissions are conducted in transparent unbiased, fair and equitable manner and in accordance with the provisions of the RTE Act, 2009 and the relevant rules.

4. The Commissioner, Commissionerate of Education, Pune is directed to initiate inquiry in respect of the RTE Admissions of the year 2013-14 in the respondent no. 4 school, and to take appropriate action, in respect of the shortcomings noticed against the concerned persons and report compliance,
5. The Commissioner, Commissionerate of Education, Pune is directed to take appropriate disciplinary action against the officers responsible for issuance of the recommendation letters dated 12.11.2013, 26.11.2013, and 19.06.2014 and report compliance.
6. The Commissioner, Commissionerate of Education, Pune is directed to take necessary steps to ensure that no such recommendatory letters are issued by any of the officers to the Schools in respect of RTE Admissions.

Grievance Case No. 4. 63/2017-18

Ms. Carmeline P. Dawria, Complainant

Versus

1. The Superintendent, Fatimashray,
r/o. Fatima Mata Sadan, Mahakali Caves Road,
Andheri(East) Mumbai:4000093
And four others. Respondents

01. Ms. Carmeline P. Dawria, the complainant vide her application dated 12/01/contended that minor orphan girl (XXXX), aged 16+, staying in Fatimashray Convent, Andheri since age 3 is harassed, beaten by the nuns in the said convent, as they believed that some of the girls were involved in sexual relationship at very young age and the said girl Pallavi was beaten black sometimes they were forced to do some unnatural things. It is further contended that the said girl became very reserved, lacked confidence and it affecting her studies and she developed health issues as she was suffering from hyper thyroid problems. It is further contended because of the mental

torture and taunting by sisters she was not able to clear her class 10th from National Open School, and as she could not take it anymore, she decided to run away from the convent. On 25th November, 2017, the said girl, called the Child Line on 1098, Child Line met her at Andheri station and after listening to her decided to register her complaint in MIDC police station, and on the same day at 11:30 p.m., the said girl was taken to Dongri Children's Home. Complainant further contended that she was the teacher of the said child and taught her in Std.10th, she came to know about the harassment and the problem faced by the said girl in the convent, and that as they have developed a mother and daughter relationship, the said girl would confide everything to her. The complainant further contended that as the said girl has suicidal tendencies and tendency to harm herself, as a matter of concern she had given mobile to the said girl to know her well-being. The said girl was comfortable talking to the complainant and the complainant would give her moral support and confidence. It is further contended that the said girl had warned her not to disclose and discuss this matter to anyone and if the complainant would do so she would harm herself by committing suicide. The complainant has in the prayer clause of her complaint, raised the issues regarding the complaint filed by the said girl, on 25th November, 2017, filing of missing complaint by the police, filing of kidnap case, non-registration of complaint under POCSO Act, non taking action, lodging of the said girl in Dongri Children's Home for more than one month, her education, her health problems, regarding not allowing to meet to the persons with whom she is comfortable, verification of her age and she had prayed for allowing her to meet the said girl.

02. Notices were issued to the respondents No. 1. the respondent no.1 Superintendent, Fatimashray No. 2. CCDT, Child Line, Bandra (West), Mumbai, No. 3 Superintendent, Children's home, Umarkhadi, Mumbai, No. 4 Child Welfare Committee, Mumbai City 2, and No. 5 Senior P.I, MIDC Police Station, Mumbai.

03. As it was noticed from the contents of the affidavit in reply of Respondent no. 1 that the child care institute run by them was not registered and they had admitted 10 girls in their institute, the respondent no 2. CCDT, Child Line and respondent no. 4. Child Welfare Committee were directed to inspect and submit report in respect of procedure adopted for admission of the said ten inmates by the respondent no.1 institution, procedure of handing over of children to parents and as to how 3 inmates were lodged in the said institution, as per the provisions of Section 13(1)(i) of the Commission for protection of Child Rights Act,2005. Accordingly, the District Women and Child Welfare Officer, Mumbai Suburban has vide letter dated 20th February, 2019, addressed to the Commission submitted the said inquiry report conducted on 15th and 27th January, 2019 by the Committee formed for the said purpose comprising of the members of CWC, members of Child Line, Superintendent of Kasturba Mahila Ashram and the Probation Officer of DWCD. Copy of the said report was made available to the Respondent No.1 Fatimashray and they were asked to submit their reply to the said report. Accordingly, the Respondent no.1 Fatimashray have submitted their parawise reply on 26/03/2019 to the said “inspection report”.

04. The District Women and Child Welfare Officer, Mumbai Sub Urban has vide letter dated 20/02/2019 submitted the inspection report regarding the inspection carried out as per the Commissions direction by the respondent no 2. CCDT, Child Line and respondent no. 4, Child Welfare Committee on 15th and 27th January, 2019. The said report provides for the details of the said institution, the case of child XXXX the subject matter of the present complaint and her current status, and the details of about 21 cases as

enumerated at para nos. 1 to 21 of the said report. The said inspection report further states that from the available record during the period from 2003 to 2018, they found that twenty-three girls were admitted in the said ashram. These girls were admitted through NGO's, and on request made by the parents, referred by the Church and while admitting these children the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 viz. Sec. 31 dealing with production of children in need of care and protection before the Child Welfare Committee, and Sec. 32 dealing with the procedure of Mandatory reporting to the Child Line services, or nearest Police Station, or Child Welfare Committee, or to the District Child Protection Unit, regarding child found separated from guardian, were not followed. The said inspection report further stated records are not maintained as per the norms of DWCD. It is further submitted that they started admitting girls through NGO's and requests made by parents. From the available record it was found that between 2003 to 2018 total 23 girls were admitted in the Ashram. The data shows that out of 23 inmates, 4 inmates were referred by different NGO's and one by Church. The remaining 18 girls were admitted by parents and relatives. It is further stated that at the time of admission of inmates of Ashram the authority did not follow the provisions of the Juvenile Justice Act. The Ashram and NGOs were not bothered to follow the rules prescribed under the JJ Act and have not taken follow up of the cases with CWC.

05. In respect of the child XXXX the subject matter of the present complaint it is reported that she was placed by Anmol Organization, Wadala on 19/09/2003 when she was 3 years old. As per the version of the Respondent no.1 Fatimashray, they made efforts to trace her parents, but were not

traced. The report suggests that - *no evidence of efforts made by the institution to find the parents have been found.* The reports further states about the incident of the said girl running away from the said institution and her subsequent transfer to Ashasadan as per the orders of the CWC. It is submitted by the Respondent no.1 institution that they admit that they are not legal persons and have no legal knowledge. It is further submitted that they have started the procedure for registration under the JJ Act and during the procedure they realized that they do not have staff to meet the requirement of the JJ Act and the trustees have decided to close the center. The CWC Mankhurd was informed about handing over the children to the parents and in the best interest of the children the three girls studying in SSC were allowed to remain till completion of their studies as their future career should not be affected, with the permission of the CWC. As regards the proper documentation and following rules as per the JJ Act the trustees admit that they were not aware of the legal procedures and declare that there was no any malafide intention. Realizing the difficulty to follow the rules and regulations the trustees have decided to close the center. It is further submitted that they are also aware that they are not perfect human beings and that if there is any laxity on their part, they ask for apology.

Taking into consideration the contents of the aforesaid inspection report, reply filed by the Respondent no.1 Fatimashray to the said inspection report, submissions of the parties to the proceedings, and on perusal of the record it appears that Respondent no.1 institution is since beginning till date not registered as per the provisions of the JJ Act and that they have not followed the relevant provisions of the JJ Act in respect of the admission and discharge of the inmates of their institution. Non-registration of the said

institution though involved in the activity of providing care and protection to the children in need of care of protection, till date is not disputed. It appears that the respondent no.1 institution have not followed the prescribed procedure of production of children before the Child Welfare Committee and mandatory reporting regarding child found separated from guardian as per the provisions of the JJ Act. It appears that the respondent no.1 institution has not maintained record as per the norms of the DWCD which would disclose the exact details of the number of the children admitted by them and discharged by them since the inception of their institution. Respondent No. 1 institution appears to have presence in 14 states in India with about 90 branches. This aspect also appears to be undisputed. In the circumstances it appears that there is no substance in the submissions of the respondent no.1 institution that they being not legal persons have no legal knowledge, as it is well settled that ignorance of law cannot be an excuse. It is also undisputed that the Respondent no.1 Fatimashray has barring a few recent cases not produced the children received by them before the Child Welfare Committee as per the provisions of the JJ Act and has neither taken necessary mandatory steps of reporting a child found separated from guardian. If the respondent no.1 institution would have followed the procedure prescribed by law, many of the children would have come within the purview of the Child Welfare Committee, and they would have taken steps to locate the parents of the said children, restore the said children to their parents, or those children whose parents could not be found or who were orphan could be placed for foster care, adoption by following due procedure prescribed by the law and the said children would not have been deprived of the benefits of the rehabilitation and social integrations as per the provisions of the JJ Act. In the circumstances because of the non-registration of the child care institution, non-production of the children before the CWC and failure in mandatory reporting regarding a child found

separate from guardian to the concerned authorities, it appears that the respondent no.1 institution has knowingly or unknowingly indulged in the acts of the commission of offences as per the provisions of the JJ Act. Considering the gravity of the acts of commission and omissions on the part of the respondent no.1 institution, and its consequences affecting the best interest of the children, the Commission is of the opinion that no satisfactory grounds are made out to enable the Commission to consider acceptance of the apology tendered by respondent no.1 institution. In the circumstances, the Commission is of the view that respondent no. 1 institution is not a proper child care institute. Hence the aforesaid point no. 4 was answered in negative.

Commission made the following recommendations in the matter.

1. The Commission is of the view that in the best interest of the child Pallavi, the complainant cannot be allowed to meet the said child Pallavi.
2. The District Women and Child Welfare Officer, is directed to ascertain the officials of the respondent no. 1 institution who are responsible for non-registration of the child care institution, non-production of the children before the CWC and failure in mandatory reporting regarding a child found separate from guardian to the concerned authorities as per the provisions of the JJ Act and to take necessary action regarding registration of offence against the concerned as per the provisions of the JJ Act.
3. In view of the observations in the inspection report, the District Women and Child Welfare Officer is directed to take necessary steps to initiate necessary further investigation, investigation of documents, investigation of relationship, investigation to locate family/parents, rehabilitation, institutionalization of the children as mentioned in the inspection report, and report compliance.

4. The District Women and Child Welfare Officer is directed to ascertain that all children as mentioned in the Inspection report are duly rehabilitated as per the provisions of the JJ Act, take necessary steps in this regard and submit compliance report.
5. The Commissioner, WCD Pune is directed to inquire as to for what reasons the application of registration submitted by the Respondent no.1 Fatimashray in the year 2010 is still pending and to take appropriate action in respect of the said application at the earliest.
6. The Commissioner, WCD Pune is directed to inquire and ascertain the authorities entrusted with the responsibility of carrying out inspection of the Respondent No.1s Home as per the aforesaid Government Resolutions dated 28th April 2011 and 22nd December 2011 and take appropriate action against the concerned for their omission in not taking note of the non - registration of the said Home, initiating appropriate action against the said home for the said home for the said omission and allowing the said home to function without registration.
7. The Commissioner, WCD Pune is directed to take necessary steps to ascertain as to whether the child care institutions in the State are duly registered as per the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 and to take appropriate action in case of non-registration and default as per the provisions of the said Act.
8. The copy of these recommendations be sent to the complainant, respondents, concerned District Women and Child Welfare Officer, and the commissioner, WCD, Pune for the information and necessary actions. Copy of the inspection report referred to above be also sent to the concerned District Women and Child Welfare Officer along with the copy of the present recommendation.

Final action has been taken in connection with following complaints submitted to the commission.

Chapter 9 :- Specimen "A" Particulars of Complaints

Form A

Statement showing the details of complaints received,
disposed off and pending for the period 2019-2020

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
2019-20	325	196	521	132	389

Chapter :- 10 Auditors Report & Balance Sheet Report

Statement sent to A.G. After audit, audited statement will be submitted to legislature separately.

**MAHARASHTRA STATE
COMMISSION FOR PROTECTION
OF CHILD RIGHTS, MUMBAI**

**ACCOUNTANTS REPORT ON
COMPILATION OF
UNAUDITED
FINANCIAL STATEMENTS**



बाल हक्क संरक्षण आयोग
महाराष्ट्र राज्य

**For the Year Ended
31th March 2020**



RATAN RATHI & CO
CHARTERED ACCOUNTANTS,
'KRISHNA NIDHI', NEAR NATRAJ GARDEN,
KHAMGAON 444 303
CONTACT NO.: 7722072117
E- MAIL ID: ratan_rathi@rediffmail.com

Date:02-01-2025

**ACCOUNTANTS REPORT ON COMPILATION OF UNAUDITED
FINANCIAL STATEMENTS**

To,
The Hon, Administrative Officer
MSCPCR
Worli, Mumbai

On the basis of the accounting records and other information and explanation provided to us by the management, we have compiled the unaudited balance sheet of MSCPCR Worli, Mumbai as on March 31, 2020 and the related Income & Expenditure Account and Receipts & Payments Accounts for the period then ended.

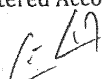
The management of the Administrator Worli, Mumbai- MSCPCR is responsible for

- A. Completeness and accuracy of the underlying data and complete disclosure of all material and relevant information to the accountant.
- B. Maintaining adequate accounting and other records and internal and selecting and applying appropriate accounting policies.
- C. Preparation and presentation of financial statements in accordance with applicable laws and regulations, if any.
- D. Establishing controls to safeguard the Assets of entity and preventing and detecting frauds or other irregularities.
- E. Establishing controls for ensuring that the activities of the entity are carried out in accordance with applicable laws and regulations and preventing and detecting any non-compliance.

The compilation engagement was carried out by us in accordance with standard on Related Services (SRS) 4410 "Engagement to compile Financial Information" issued by the Institute of Chartered Accountants of India.

The Balance sheet and Income & Expenditure Account are in agreement with the books of accounts subject to our notes and remarks. We have not audited or reviewed these financial statements and accordingly we do not express an opinion thereon.

For Ratan Rathi & Co
Chartered Accountants


CA Ratan Rathi
Partner

Membership No.: 036429

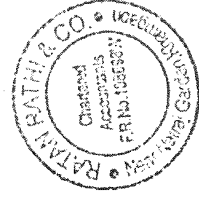


MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS, MUMBAI
3RD FLOOR, TRANSPORT SERVICE S.P ROAD WORLI, MUMBAI
INCOME AND EXPENDITURE ACCOUNTS FOR THE YEAR ENDED 31st MARCH 2020

Expenditure	SALARY	NON SALARY	OTHERS	INCOME	SALARY	NON SALARY	OTHERS
Salary & Allowances	13,885,239			Grant Received	9,203,200		
Bank Charges		416		Salary & Allowance		489,000	
Printing and Stationery		203,582		Grant Received on Non-Salary		7655	
Tour & Travelling Expenses		706,607		Jijau Mission			
Allowance to Secretary		88,000		Other Income			
Electricity Expenses		160,610		Bank Interest			
Internet Charges		57,310		Sales of Scrap		25,162	
GST TDS Expense		5,580		Honorarium	20000		
Office Expenses		113,716		Excess of Expenditure Over			
Meeting Allowance		65,242		Income			
News Paper Expenses		8,870					
Postage Expense		29,941					
Repairs & Maintenance Non Salary		75,533					
Sale of Scrap Deposited			2,540				
Convention UNICEF			6153				
Depreciation	829	191,300	(6,153)				
Excess income over Expenditure	(4,662,868)	(1,184,889)					
	9,223,200	521,817	2,540		9,223,200	521,817	2,540

BOOKS OF ACCOUNTS HAS BEEN COMPLIED BY US ON THE BASIS OF DATA PRODUCED BEFORE US AND We have not audited or reviewed these financial statements and accordingly we do not express an opinion thereon.

For Ratan Rathi & Co.
Chartered Accountant



(Signature)
CA Ratan K. Rathi
Partner

M. No. 036429
UDIN : 25036429BMINKY5400

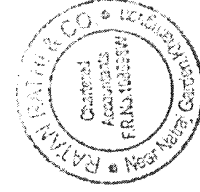
Place: Khamgaon
Date: 02/01/2025

MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS, MUMBAI
3RD FLOOR, TRANSPORT SERVICE S.P ROAD WORLI, MUMBAI
INCOME AND EXPENDITURE ACCOUNTS FOR THE YEAR ENDED 31st MARCH 2020

Expenditure	SALARY	NON SALARY	OTHERS	INCOME	SALARY	NON SALARY	OTHERS
Salary & Allowances	13,885,239			Grant Received			
Bank Charges		416		Salary & Allowance	9,203,200	489,000	
Printing and Stationery		203,582		Grant Received on Non-Salary		7655	
Tour & Travelling Expenses		706,607		Jijau Mission			
Allowance to Secretary		88,000		Other Income			
Electricity Expenses		160,610		Bank Interest			
Internet Charges		57,310		Sales of Scrap			
GST TDS Expense		5,580		Honorarium	20000		
Office Expenses		113,716		Excess of Expenditure Over			
Meeting Allowance		65,242		Income			
News Paper Expenses		8,870					
Postage Expense		29,941					
Repairs & Maintenance Non Salary		75,533					
Sale of Scrap Deposited			2,540				
Convention UNICEF			6153				
Depreciation	829	191,300					
Excess income over Expenditure	(4,662,868)	(1,184,889)	(6,153)				
	9,223,200	521,817	2,540		9,223,200	521,817	2,540

BOOKS OF ACCOUNTS HAS BEEN COMPLIED BY US ON THE BASIS OF DATA PRODUCED BEFORE US AND We have not audited or reviewed these financial statements and accordingly we do not express an opinion thereon.

For Ratan Rathii & Co.
Chartered Accountant



Place: Khangaon
Date: 02/01/2025

(Signature)
CA Ratan K. Rathii
Partner

M. No. 036429
UDIN : 25036429BMINKY5400

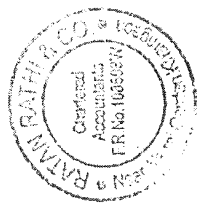
MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS, MUMBAI
3RD FLOOR, TRANSPORT SERVICE S.P ROAD WORLD, MUMBAI
RECEIPT AND PAYMENT ACCOUNTS FOR THE YEAR ENDED 31st MARCH 2020

RECEIPTS	SALARY	NON SALARY	OTHERS	PAYMENT	SALARY	NON SALARY	OTHERS
Opening Balance:							
State Bank of India	20050	387,692		Salary & Allowances	6,292,110	273,091	
RBI PLA(Salary A/C Book)	1,780,303	815,169		Bank Charges		416	
Cash in Hand(Non Salary Petty Cash Book)	0	15,475		Printing & Stationary		184,162	
Cheque in Hand		10		Tour & Travelling Expenses SBI		83,240	
	1,800,353	1,218,336		Meeting Allowance		65,242	
				Advertisement			
				Allowance to Secretary		88,000	
				Cosmos Agencies		156,710	
Grant Received:				Chief Minister Relief Fund - Non Salary	5,555		
Salary & Allowances	9,203,200			Dr Vivek Joshi		18,993	
Non-Salary		489,000		Office Expenses		113,716	
UNICEF				Petrol Expenses			
Ijjau Mission		7,655		Electricity Expenses		160,610	
	9,203,200	496,655		Language Translation Charges			
				Newspaper Expense			
				Postage Expenses		8,870	
				EPBX - Non Salary		29,941	
				TDS Payable - Salary		47,991	
				RTE Expenses		15,491	
				Internet Charges			
Other Receipts				Repairs & Maintenance		57,310	
Bank Interest		25,162		GST TDS Expense		23,552	
Sale of Scrap		2,540		Sitting & Other Allowance		5,500	
Honorarium	20,000			Tour & Travelling Expenses (Petty Cash)		60,125	
				Professional Tax Salary	11,100		
				Fastrack Infotech		68,100	
				Festive Advances given		1,250	
				Sale of Scrap Deposited	6,250		
				Subha Travels		2,540	
				Core Solution		33,972	
				Smt. Kelkar		50,838	
				Sanjay Travels	40,000		
				Grant Refunded			
				RTI Fees			
				GPF Payable - Salary	704,351		
				GPF Payable (Class IV) - Salary	55,000		
By Transfer (To Non Salary Petty Cash)							

GIS Payable - Salary	24,240			
HBA Payable - Salary	510,210			
HRR Payable - Salary	1,725			
DCPS (NPS) Payable - Salary	255,190			
Income Tax Payable - Salary	1,146,598			
By Transfer (To Non Salary Petty Cash)		240,000		
Insurance Payable - Salary	2,478			
Audit Fees				
Convention UNICEF		6,153		
Closing Balance				
Cash in hand			10	
Non Salary Petty Cash Book			28,578	
State bank of India			(204,499)	
RBI PLA				
Total	11,003,553	1,980,153	1,980,153	

BOOKS OF ACCOUNTS HAS BEEN COMPLIED BY US ON THE BASIS OF DATA PRODUCED BEFORE US
AND We have not audited or reviewed these financial statements and accordingly we do not
express an opinion thereon.

For Ratan Rathi & Co.
Chartered Accountant



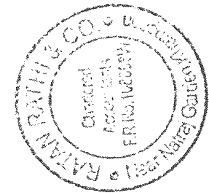
CA Ratan K. Rathi
Partner

M. No. 036429

UDIN : 25036429BMINKY5400

Place: Khangaon
Date: 02/01/2025

BLOCKS OF ASSETS	RATE OF DEPRECIATION	WDV AS ON 01.4.2019 (a)	Addition upto 180 days (b)	Addition after 180 days (c)	Sale/Scrap/Deletion During The Year (d)	Sub Total (a+b+c+d) = (e)	Depreciation (f)	WDV AS ON 31-03-2020 (e+f)=g
<u>Building</u>								
PWD & Civil	10%	504558.00	0	0	0	504558.00	50455.80	454102.20
<u>Computers & Accessories</u>								
Computers	40%	13056.00	0	69632	0	82688.00	19148.80	63539.20
Printer	40%	19188.00	0	0	0	19188.00	7675.20	11512.80
<u>Equipment</u>								
Digital Cameras	15%	5568.35	0	0	0	5568.35	835.25	4733.10
EPBX	15%	23468.50	47991	0	0	71459.50	10718.93	60740.58
LED TV	15%	19124.15	0	0	0	19124.15	2868.62	16255.53
Projector	15%	16416.90	0	0	0	16416.90	2462.54	13954.37
Water Cooler & Purifier	15%	8476.20	0	0	0	8476.20	1271.43	7204.77
Xerox Machine	15%	26912.70	0	0	0	26912.70	4036.91	22875.80
Biomatrix System	15%	5526.70	0	0	0	5526.70	829.01	4697.70
Furniture & Fixtures	10%	918261.00	0	0	0	918261.00	91826.10	826434.90
Total		1560556.50	47991	69632	0	1678179.50	192128.58	1486050.93





बाल हक्क संरक्षण आयोग
महाराष्ट्र राज्य

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