

खण्ड VII
वर्ष 2022

Volume VII
Year 2022



रक्षिण् RAKSHIN

A Journal of Rajasthan Police Academy

ISSN 2230-8288

**Child Protection Issues -
Role of Police and
other Stakeholders**

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Annual Subscription

India

For Individual: Rs. 150

For Institution : Rs. 200

Abroad

For Individual : £15

For Institution : £20



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Editorial

According to a recently published report by Economist impact, over 400 million children around the world are exposed to child sexual exploitation and abuse. For long, this had been a suffering in silence till we saw a global awakening on this issue. Sexual violence against children happens in different forms and is not restricted to rape, online sexual abuse, bullying or mal-treatment. The worst aspect is, in many situations, the sufferers may not even be aware of their own victimization. Further, the trauma associated with sexual abuse at young age may cause arrested development and lead to lifelong psychological and emotional disorders. Undoubtedly, it is a serious human rights concern and calls for action from all stakeholders.

The situation in India is no different when we look at the trend of crime children. As per the NCRB latest report, 149404 cases of crime against children were registered in 2021 out of which 53874 (36.05%) were under the Protection of Children from Sexual Offences Act (POCSO). There was 16.2% rise in cases of crime against children in 2021 from the previous year. Thus, there is a serious challenge before the law enforcement agencies and all other concerned authorities.

However, we can take solace in the fact that India has one of the most robust legal and operational frameworks for tackling the sexual exploitation of children. This is evident from the fact that India has been ranked 15 out of 60 countries in the Out of the shadows Index on the country's response to child sexual exploitation and abuse, developed by the Economist Intelligence Unit. The Index has been calculated based on assessment of prevailing legislation, government policies and response of national governments. It may be worthwhile for the practitioners to have a look at the report to identify areas which need further attention to consolidate our response to the growing menace.

The present issue of RAKSHIN is a compilation of articles detailing the response of various stakeholders across the country. A special section is on best practices in this area which will be

beneficial to all responders. The entire exercise is aimed to contribute towards improvement of criminal justice system and civil society response.

The list of contributors bears distinguished subject experts well known for their services to this cause across the country. I am grateful to each one of them for sharing their knowledge and achievements. A special word of gratitude for our guest editor Sri H. O. Attri, RHJS for providing key support in finalization of this issue. I genuinely appreciate the contributions made by the eminent academicians, police officers, and other contributors to this subject, and I wish them the best in their future endeavors.

As we tread on the path of learning, research and excellence in training, we solicit support from the fraternity of learners, researchers and practitioners for our cause.

We would appreciate suggestions and comments from our readers and welcome contributions for future issues of our journal 'Rakshin'.

Rajeev Sharma, IPS

Editor-in-Chief, Rakshin &

Director, Rajasthan Police Academy

Role of Police & other Stakeholders in Child Protection

Sh. Amod Kanth, IPS
Former DGP
(Goa & Arunachal Pradesh)

Both in India and in the global context, the role of police and other stakeholders in child protection is inextricably interwoven with varying definitions of 'child' and the provisions and perceptions of 'child protection' within the given situations, policies, laws and programs and the budgetary allocations. In this article, we propose to limit ourselves to the Indian context since we are addressing the police and other stakeholders of India connected to the juvenile justice system along with the plethora of child related legislations which define and provide for child protection from different angles and perspectives. The Police is decidedly the 'prime movers' within the criminal justice system with other stakeholders being the Judiciary, Lawyers as

the prosecutors and defenders of the accused and the jails or correctional systems; the experience of the actual child protection practices indicate, arguably, that the police has to now play no less significant role among the stakeholders of the child protection related activities. The other stakeholders primarily fall in three categories, namely, judicial and quasi-judicial, statutory and non-statutory institutions and services, and the civil society organisations and social work professionals in different roles. India's evolving juvenile justice system-which uniquely covers almost all categories of the children in need of care and protection including those in conflict with law-theoretically creates world's most comprehensive-albeit

challenging child protection system.

Who Is A Child?

A child is broadly defined under the United Nations Convention

on the Rights of Child (UNCRC) and the basic law for the Children in India, the Juvenile Justice (Care and Protection of Children) (JJ) Act, 2015 as any person under the age of 18 years old.

| Children (below 18 years) constitute 37.83 % of India's population | | |
|---|--------------------------------------|---|
| Acts/Laws | Section(s) | Age |
| IPC (Indian Penal Code) | 82 83 317 375(6) 372-373 | Under 7 years – No offence 7 to 12 years (Immaturity) – No offence 12 years -Abandoned Child 16 years – (Rape) Consent Age 18 years- Selling & Buying Minors for Prostitution, Immoral/Unlawful purposes |
| Juvenile Justice (Care & Protection of Children) Act 2015 (J. J. Act) | 2 (12) & (35) | Juvenile/Child – not completed 18 years of age However, 16-18 years can be tried as an adult if they committed a heinous crime |
| The Child and Adolescent Labour (Prohibition & Regulation) Amendment Act, 2016 | 2 (II) | Under 14 years- Prohibit engagement in all occupations & processes, except household enterprises, artistic work, sports etc. 14-18 years of age- hazardous occupations and processes (prohibited as per the Schedule of the Act) |
| Immoral Trafficking (Prohibition) Act 1956 | 2(aa), (ca), (cb) | Child under 16 years Minor – under 18 years |
| Indian Majority Act 1875 | 3 | On Completion of 18 years |
| Child Marriage (Prohibition) Act 2006 | 2(a) | Male Child - Under 21 years Female Child – Under 18 years |
| (Bombay) Prevention | 2(1)(iv) | Child – as under Children Act (JJ Act 2000) |

| | | |
|---|-------------|---|
| of Begging Act 1959 | | |
| Protection of Children Against Sexual Offences (POCSO) Act 2012 | 2(i)(d) | Upto 18 years |
| Criminal Law (Amendment) Act, 2013 | 375 (6) IPC | Under 18 years-Rape. with or without consent Exception 2-sexual acts with wife, not being under 15 |
| Right to Free & Compulsory Education Act 2009 | 2(c) | 6-14 years of age |

Defining Child Protection:

Protecting children from or against any perceived or actual harm to their life, personhood, or childhood is what "Child Protection" is all about. Protection of all children's rights, particularly those who require special care, and creation of plans to assure their realization constitutes child protection. It involves creating a safe atmosphere to reduce children's exposure to abuse and exploitation. It also emphasizes that special steps are necessary for children who do not have any safety net and for anyone else who is likely to join the ranks of children in challenging situations. Child protection policies address the fundamental requirements for health,

nutrition, education, safety, and overall development and aims to provide protection for kids from abuse, exploitation, violence, labour, beggarly, trafficking, sexual and physical abuse of all types, pornography, corporal punishment, and other cruel practises.

Constitutional Provisions:

- Article 15(3) enjoins the state to make special provisions for children.
- Article 23 prohibits the trafficking of human beings & forced labour.
- Article 24 forbids the employment of children below the age of 14 years in factories, mines & other hazardous occupations.

○ Article 39(e) directs the state to safeguard the tender age of children from entering into jobs unsuited to their age & strength forced by economic necessity.

○ Article 39(f) directs the state to secure facilities for the healthy development of children & to protect children & youth against exploitation & moral & material abandonment.

○ Article 45 directs the state to provide free & compulsory education to all children upto 14 years of age.

Children Under Child Protection Categories

The Juvenile Justice (Care and Protection of Children) Act, 2015, and other laws related to children identify different categories of children in need of protection as:

- Children in need of care & protection
- Children in conflict with law
- Children as Victims/ Witnesses of Crimes
- Children as Victims of Crisis & Disaster
- Children in Especially Difficult Circumstances
- Missing, Found &

‘Nowhere’ Children

- Marginalized & Deprived Girl Child
- Children as Victims of prohibited forms of Child labour
- Children abandoned by parents or caregivers

Child In Need Of Care And Protection:

Children, who are **472 million**¹ in India under the age of 18 years, representing 39% of the country's total population out of which a large percentage, 29% of that figure constitute children between the ages of 0 to 6 years. Children are said to be our ‘supreme assets’, yet they are the most vulnerable, often abused and exploited, segments of our society. Of them, nearly 35 million children are estimated to be the ‘children in need of care and protection’. They are defined under Section 2 (14) of Juvenile Justice (Care and Protection of Children) Act 2015² as follows:

“child—

- (i) Who is found without any home or settled place of abode and without any ostensible means of subsistence; or

(ii) Who is found working in contravention of labour laws for the time being in force or is found begging, or living on the street; or

(iii) Who resides with a person (whether a guardian of the child or not) and such person-

(a) Has injured, exploited, abused or neglected the child or has violated any other law for the time being in force meant for the protection of child; or

(b) Has threatened to kill, injure, exploit or abuse the child and there is a reasonable likelihood of the threat being carried out; or

(c) Has killed, abused, neglected or exploited some other child or children and there is a reasonable likelihood of the child in question being killed, abused, exploited or neglected by that person; or

(iv) Who is mentally ill or mentally or physically challenged or suffering from terminal or incurable disease, having no one to support or look after or having parents or guardians unfit to take care, if found so by the Board or the

Committee; or

(v) Who has a parent or guardian and such parent or guardian is found to be unfit or incapacitated, by the Committee or the Board, to care for and protect the safety and wellbeing of the child; or

(vi) Who does not have parents and no one is willing to take care of, or whose parents have abandoned or surrendered him; or

(vii) Who is missing or run away child, or whose parents cannot be found after making reasonable inquiry in such manner as may be prescribed; or

(viii) Who has been or is being or is likely to be abused, tortured or exploited for the purpose of sexual abuse or illegal acts; or

(ix) Who is found vulnerable and is likely to be inducted into drug abuse or trafficking; or

(x) Who is being or is likely to be abused for unconscionable gains; or

(xi) Who is victim of or affected by any armed conflict, civil unrest or natural calamity; or

(xii) Who is at imminent risk of marriage before attaining the age of marriage and whose parents,

family members, guardian and any other persons are likely to be responsible for solemnisation of such marriage;”

Within a larger block of approximately 172 million children at risk, India is estimated to have nearly **32.2 million** being out-of-school children being socioeconomically deprived groups and nearly 20 million without any form of support system. Many of these either have no families, or cannot safely be repatriated to them, and they fall under the protection of the JJ Act. Without Homes, Settled place and ostensible means

- Begging, Street & Working
- Threatened to kill, Abused, Injured and Neglected
- Mentally and Physically Challenged, Ailing, Incurable and Terminal Disease
- Incapacitated Parents / Guardians, Unwilling to take care
- Abandoned, Runaway, Missing – Parents not traceable
- Being, likely to be Abused and/or Tortured

- Exploited for Sexual Abuse and Illegal Acts
- Vulnerable to Drug Abuse, Trafficking and unconscionable gains
- Victims of an Armed Conflict, Civil Commotion and Natural Calamity
- Mentally or physically challenged
- Mentally or physically ill, suffering with terminal diseases, AIDS/HIV affected

United Nations Convention On Child Rights:

The United Nations Convention on the Rights of the Child was ratified by India in 1992. Based on the idea that "ALL children are born with essential freedoms and ALL human beings have some inherent rights" the Charter of Child Rights (CRC) was created. All children worldwide are granted the following broadly categorised fundamental rights under the Charter:

1. The right to **Survival**
2. The right to **Protection**
3. The right to **Participation**
4. The right to **Development**

The Convention has broken all records as the most widely ratified human rights treaty in history. **Its uniqueness stems from the fact that it is the first legally binding international instrument to incorporate the full range of human and child rights - children's natural and need-based rights, civil and political, as well as their economic, social and cultural rights - thus giving all rights equal status.**

In situations of exploitation, the Convention on the Rights of the Child (CRC) pronounces that children have the right to be protected from economic exploitation and from work that threatens their health, education or development. States shall set minimum wages for the employment suitable for their age and regulate working conditions. Children have the right to protection from the use of narcotic and psychotropic substances, as well as from being involved in their production and distribution. The State shall protect children from sexual exploitation and abuse, including prostitution and involvement in pornography. The CRC stipulates that it is the

State's obligation to make every effort to prevent the sale, trafficking and abduction of children.

In situations of exploitation, the Convention on the Rights of the Child (CRC) pronounces that children have the right to be protected from economic exploitation and from work that threatens their health, education and development. Regarding the administration of 'Juvenile Justice', children who come in conflict with the law have the right to proper redressal that promotes their dignity and self-worth, taking the child's age into account and aiming at her or his reintegration into society.

The rights as envisaged in the Convention, including rights to protection, survival, development and participation provide guidelines for strengthening the juvenile justice system in India of which the government or non-government run homes are a necessary component.

Current Scenario With Data:

Laws And Schemes Related To Child Rights & Child Protection In India:

India has a fairly comprehensive

policy and legal framework addressing rights and protection for children, providing opportunities to ensure that all children have equal access to quality protection services. Flowing out of the Indian Constitution and the International Instruments ratified by the Govt. of India and others, there are multiple local and special laws which protect the children and their rights. However, besides the Indian Penal Code (IPC) the core child protection legislations are enshrined in five main laws: The Commissions for Protection of Child Rights Act 2005, The Juvenile Justice (Care and Protection of Children) Act (2000, amended in 2015); The Prohibition of Child Marriage Act (2006); The Protection of Children from Sexual Offences Act (2012 amended in 2019), and The Child and Adolescent Labour (Prohibition and Regulation) Act (1986, amended in 2016).

1. The Juvenile Justice (Care and Protection) Act, 2015:

The Juvenile Justice (Care & Protection of Children) Act, 2015 (hereinafter to be referred as J. J. Act, 2015) is a

comprehensive legislation to provide justice, opportunities for growth, development of character and rehabilitation of Juveniles/children. The law provides certain protection which the stakeholders, including police should keep in mind while handling the child/juvenile:

- Handling by Special Juvenile Police (Juvenile / Child Welfare Officer)
- Handcuffing of juvenile/ child prohibited
- No detention in lock up or prison
- Crimes against children are cognizable (some made non-cognizable) offences (Chapter IX of J.J. Act, 2015)
- No death penalty or life imprisonment without subject to remission
- Proceedings informal, participatory & private – Probation officers, social workers
- Parents/Guardians involvement in Juvenile process
- Right to free legal aid,

- but no lawyers to argue

- Information about Juvenile/child cannot be released to media
 - Immunity from offence IPC (Secs. 82/83 IPC)
 - No FIR for Petty Offence & Serious Offences (Rule 8 of J. J. Model Rules, 2016)
 - Child / Juvenile cannot
- be tried in the normal court

- JJB for Juveniles (JJ Act), Children’s Court (CPCRAct)

Chapter IX of the Juvenile Justice (Care & Protection of Children) Act, 2015 talks about Offenses against children. Following are the statistics from the National Crime Records Bureau.

Year-wise Data of overall India for Juvenile Justice (Care and Protection of Children) Act (Total):

| 2016 | | | 2017 | | | 2018 | | | 2019 | | | 2020 | | |
|------|------|-----|------|------|-----|------|------|-----|------|------|-----|------|------|-----|
| I | V | R | I | V | R | I | V | R | I | V | R | I | V | R |
| 2253 | 3317 | 0.5 | 2452 | 3510 | 0.6 | 2030 | 2514 | 0.5 | 1968 | 2699 | 0.4 | 1713 | 2295 | 0.4 |

In the table, I = Incidence
V = Victim
R = Rate of Cognizable Offense

Chapter IX covers offences like putting children into beggary and labour, use of children by organised gangs or militant groups, exploitation of children

and neglect etc. In common understanding we see these incidents happening everywhere, for example we see children on street begging or

doing gymnastic activities. Definitely children are not in this situation on their own and there are organised groups doing these activities but there is neither awareness nor implementation of the statutory provisions. Implementation of these provisions may be an effective tool to curb the menace of offences against children.

2. The Protection of Children from Sexual Offences Act (2012):

The Protection of Children from Sexual Offences Act, 2012 (also known as the "POCSO Act, 2012") is a piece of legislation that attempts to shield children from all forms of sexual abuse or harassment.

India is home to the largest child population in the world, with about 39 per cent of the total population under eighteen years of age. Needless to say, the health and security of the country's children is integral to any vision for its progress and development. National Crime Records Bureau statistics stated that a total of 48,338 child rape cases was recorded from 2001 to

2011 (the year before POCSO Act came into force). India saw an increase of 336% of child rape cases from 2001 (2,113 cases) to 2011 (7,112 cases). During the post-POCSO period, i.e., 2014 onwards there has been a dramatic increase in the cases of Child Sex Abuse, partly breaking the barriers and the 'conspiracy of silence' that inhibited the children, families and caregivers to speak up. In 2014, there were 8904 cases disclosed/reported under POCSO by 8,990 victims and the figures kept on increasing and in 2020 the reported cases were 47,221 with 47,659 child victims disclosing them. POCSO happens to be the most implemented Child Protection Law in the country, the pendency in the courts at national level being 2,26,728 cases in January,

2022. However, the pendency is a big concern. Hon'ble Supreme Court in 2019 took cognizance of this fact and asked the states to create Special Fast Track Courts wherever the total number of pending cases are higher than 100 but still it is not implemented at all places.

Statistical Analysis of Incidences, Victims And Rate Of Crimes Under PocsO Act

| | Incidence | Victim | Rate of Cognizable Offence |
|------|-----------|--------|----------------------------|
| 2020 | 47221 | 47659 | 10.6 |
| 2019 | 47335 | 48043 | 10.6 |
| 2018 | 39827 | 40810 | 8.9 |
| 2017 | 32608 | 33210 | 7.3 |
| 2016 | 36022 | 36321 | 8.1 |
| 2015 | 14913 | 15039 | 3.3 |
| 2014 | 8904 | 8990 | 2.0 |

According to the Statistical Analysis of crimes under POCSO Act, the rate of cognizable Offences can be seen most in the year 2020 and 2019, i.e. 10.6% as compared to the past 7 years. The no. of incidents and victims can be seen increasing yearly.

3. Child Labour:

As per the 2011 Census Data, there were 10.1 million children working in India. We are in the process of estimating the actual number of the Child Labour as per the amended Child & Adolescent Labour (Prohibition & Regulation) Act 2016, the global figure (ILOUNICEF) of

Child Labour being 160 million- India’s share being not less than 35 million, besides out-of-school socioeconomically deprived children being 32.2 million. However, even if we consider a 50 percent decrease in child labour in India by the year 2022, considering the 2011 figures as the benchmark, we can

still assume that around 5 million children are still working. Considering this, the data reporting offences under the

Child Labour (Prohibition & Regulation) Act is extremely low as evidenced below.

Year-wise Data (of overall India) for Child and Adolescent Labour (Prohibition & Regulation) Act, 2016:

| 2016 | | | 2017 | | | 2018 | | | 2019 | | | 2020 | | |
|------|-----|-----|------|-----|-----|------|-----|-----|------|------|-----|------|-----|-----|
| I | V | R | I | V | R | I | V | R | I | V | R | I | V | R |
| 204 | 384 | 0.0 | 462 | 685 | 685 | 464 | 810 | 0.1 | 770 | 1215 | 0.2 | 476 | 705 | 0.1 |

4. Child Marriage:

Trend from 2016-2020 under Prohibition of Child Marriage Act:

| 2016 | | 2017 | | 2018 | | 2019 | | 2020 | | |
|-----------|------------|-----------|------------|-------|------------|-------|------------|-------|------------|--------------------------------------|
| Incidence | Crime Rate | Incidence | Crime Rate | Cases | Crime Rate | Cases | Crime Rate | Cases | Crime Rate | Percentage Share in Total SLL Crimes |
| 326 | 0.1 | 395 | 0.1 | 501 | 0.1 | 523 | 0.1 | 785 | 0.2 | 0.0 |

5. Mission Vatsalya:

● Integrated Child Protection Scheme (ICPS) was launched in 1975 seeking to provide an integrated package of services in a convergent manner for the holistic development of the child from 0-6 years. In the year 2021-22, the nomenclature of ICPS was changed to ‘Vatsalya

Mission’. Six services are provided under the Scheme: (i) Supplementary nutrition, (ii) non-formal pre-school education, (iii) Immunization, (iv) Health Check-up, (v) Referral services and (vi) Nutrition and Health Education. For the allocation of funds, the Government of India has

embarked upon a programme of expansion of ICDS Scheme with emphasis on Quality. The mission seeks to provide for the care and protection of "Children in Need of Care and Protection" and "Children (Juveniles) in Conflict with the Law." and strengthening and preventing family dissolution, preventing homeless and destitute children -

- Give care, protection, development, and rehabilitation support and emergency outreach services.
- Building a safety net for children and adolescents who require care and protection
- Develop a plan for communities and families to stop putting kids in institutions
- Programs that provide services to children in vulnerable categories
- Links to reunify children with their birth family, promote adoption, foster care, and sponsorship
- Establishment and use of Child Protection Units at the National, State, and District Levels

- JJB, CWC, SJPU, and CPU supporting and bolstering the juvenile justice infrastructure

6. Out-of-School Children: Samagra Shiksha Abhiyan

The Union Budget, 2018-19, has proposed to treat school education holistically without segmentation from pre-nursery to Class 12. Samagra Shiksha³ - an overarching programme for the school education sector extending from pre-school to class 12 has been, therefore, prepared with the broader goal of improving school effectiveness measured in terms of equal opportunities for schooling and equitable learning outcomes. It subsumes the three erstwhile Schemes of Sarva Shiksha Abhiyan (SSA), Rashtriya Madhyamik Shiksha Abhiyan (RMSA) and Teacher Education (TE). The scheme envisages the 'school' as a continuum from preschool, primary, upper primary, secondary to Senior Secondary levels. The vision of the Scheme is to ensure inclusive and equitable quality education from preschool to senior secondary stage in accordance with the Sustainable Development Goal (SDG) for

Education.

The major **objectives** of the Scheme are provision of quality education and enhancing learning outcomes of students; Bridging Social and Gender Gaps in School Education; Ensuring equity and inclusion at all levels of school education; Ensuring minimum standards in schooling provisions; Promoting Vocationalist of education; Support States in implementation of Right of Children to Free and Compulsory Education (RTE) Act, 2009; and Strengthening and up-gradation of SCERTs/ State Institutes of Education and DIET as a nodal agencies for teacher training. The main **outcomes** of the Scheme are envisaged as Universal Access, Equity and Quality, promoting vocationalist of Education and strengthening of Teacher Education Institutions (TEIs).

For detailed information, you may refer to “ **Child Care & Protection Manual For SJPU – A Manual For SJPU / Police Officers**” Prepared By: Prayas

Institute Of Juvenile Justice in collaboration with **National Institute Of Public Cooperation And Child**

Development (nipccd).

ROLE OF STAKEHOLDERS FOR CHILD PROTECTION:

Role of family and Community in Child Protection

From the birth of the child, she / he spends her / his most of the time with his family. The family provides a sense of happiness, safety and security to the child in most vulnerable times. The parents of the child or other members of the family, therefore, can provide the best environment a child needs to grow into his full potential. The parents or member of the family with whom the child resides can educate the child about the abuse and the contact persons when in distress and can be alert around the persons, whether their relatives, around whom the child feels uncomfortable or unsafe. Further, as a community, we can be aware and be active when finding any child in distress and contact and report the adequate authorities to help the child.

All the compulsory statutory services regarding child protection, in each district of India:

● **Juvenile Justice Board for CCL:** The objective behind the

Constitution of the Juvenile justice board was to provide reformation and rehabilitation to a child who has committed any offence and not to hold the child guilty by punishment. The board consists of Metropolitan Magistrate or Judicial Magistrate of First Class who must have at least 3 years of experience and two other members who should be social workers and at least one of whom should be a woman. Those social workers should be active participants of social work, public welfare, health or education activities for at least 7 years or practising degree holders in child psychology, psychiatry or law. Some roles of JJB are as follows:

- Board (Section 8(3) of the (J. J. Act, 2015) will ensure informed participation of the child, parents or guardians in the whole process.
- Ensure that the child's rights are being protected in the whole process of inquiry, apprehension and rehabilitation.
- Ensure that legal aid should be available for the child through various

legal services institutions.

Child Welfare Committee (CWC) for CNCP: The Child welfare committee is constituted to deal with the child in need of care and protection under Section 27 of the J. J. Act, 2015. Under this, there shall be one or more than one child welfare committee in every district of the state to perform duties in respect of the children in need of care and protection. It consists of Chairman and other 4 members out of which at least 1 should be a woman and another one should be an expert with regard to matters concerning children. The members of the committee also undergo through 2 months training when they first become members of the committee.

Role of CWC are as follows:

- Conduct inquiry on the matters related to the safety of the children and will direct to investigate and submit reports in issues related to the child to District child protection unit, child welfare officers, and non-governmental organisations.
- 'Conduct the inquiry to

find a fit person who can take care of children who are in need of care and protection.

- The committee will select the institution to shift the child that requires special support on the basis of the child's age, disability, gender and need.
- The committee will ensure rehabilitation, restoration, care and protection to the child. It can give instructions to parents or guardians or the people who are fit to provide facilities necessary for the well-being and proper development of the child

● **Child Protection Units:**

Some functions of the CPUs are to:

- Ensure that there is an individual care plan and that the plan for every recovered/traced child and that the plan is regularly reviewed. Monitor the implementation of the plan.
- Map all child related service providers and services in the district for creating a resource directory, and link the missing/recovered child to the schemes. Share the available information with the Board and Committee from time to time
- Identify and support credible voluntary organizations to implement program components of the ICPS
- Facilitate transfer of children at all levels for either restoration to their families or placing the child in long or short-term rehabilitation through sponsorship, kinship care, in country adoption, foster care
- Maintain record of run-away children from child care institutions
- Maintain a district level database of missing/traced children in institutional care and upload the same on designated portal. DCPU also has to update and share details of children availing the facility of open shelter and of

children placed in foster care

- **Special Juvenile Police Units:**

As per JJ Act, Special Juvenile Police Units (SJPU) are to be set up in every district and city to co- ordinate and upgrade the police interface with children. All the police officers, designated as child welfare officers (now known as Child Welfare Police officers) in the district/city are members of SJPU.

Special Juvenile Police Unit means a unit of the police force of a State designated for handling of juveniles or children. In every police station at least one officer with aptitude and appropriate training and orientation may be designated as the 'juvenile or the child welfare officer' who will handle the juvenile or the child in coordination with the police. A Special Juvenile Police Unit, of which all police officers designated as Juvenile/Child Welfare

officers, to handle juveniles or children will be members, may be created in every district and city to coordinate and to upgrade the police treatment of the juveniles and the children.

- The police in India, created as a by-product of 1857-Indian war of Independence under the Indian Police Act 1861, were traditionally trained to enforce the provisions of the Indian Penal Code, 1860, and the local and special laws, in accordance with the Indian Evidence Act and Code of Criminal Procedure, 1973. Few police-officers were exposed to the modern concepts of the Juvenile Justice System, rights of the child, child protection, welfare and development, National Policy on Children, juvenile detention and institutional services, non-institutional alternatives, juvenile aftercare, public participation in juvenile correction and the like. Over the years, the police

across the country have become aware of the various provisions of the JJ Act and other child related legislations.

● **Role of voluntary organizations:**

As of today the most important role in child protection is played by the voluntary organizations. They have established various children homes, provide education through creating education schemes or programs or enrolling the children in the nearby schools, providing meals and ensuring safety of the children by providing a secure environment and counselling to the children. The voluntary organisations such as Prayas are working day and night to protect these children in need of care and protection and securing their rights and providing as best they can for the better future of these children by providing vocational courses as well and legal aid, if needed.

- Work with police for conducting awareness generation programmes to ensure collection of information from the community.
- Inform the police in case information regarding a trafficker or of a possible crime is received. Complaint can also be filed in case a victim requires any help.
- File a complaint with the police in order to report an incident of trafficking.
- Ensure logistical support is available with the rescue team prior to rescue operation.
- Assist in formation of the rescue team as per requirements of law.
- Help the police in explaining the situation to the victim and counseling him/her.
- **I n s t i t u t i o n a l F r a m e w o r k** – Observation Home, Special Home, Place of Safety for juveniles & Children's Home & Shelter Home-cum-Drop in Centres for Children in

need.

- **Non institutional care approach:** It is a range of facilities and services that reach out to children who are without family or family support. Non institutional care can either be provided by keeping the child in the family itself or in a familylike or family-based environment. The primary non institutional care provisions are adoption, foster care, sponsorship, and aftercare. The non-institutional approach and rights of a child to grow in a family or in a family-based environment has been included or stated in several key documents/legislation/policy/scheme directly or indirectly pertaining to children in India⁵..

Prayas' Experience:

Prayas originated out of the Missing Persons Squad, a Unit of the Delhi Police Crime Branch of which the author happened to be the Deputy Commissioner during 1985 to 1990. The so-called 'Neglected Children' taken charge of by the

police themselves or through organisations and social workers who could not be restored or taken further in the legal course as laid down under the Juvenile Justice act 1986, had to be looked after temporarily. They were kept in one of the designated places-which was designated as the Juvenile Aid Centre (JAC), later in 1988 connected to a Jahangirpuri (North Delhi) slum-based Centre set up for the fire-disaster affected children, named Prayas JAC⁶.

Realising that Delhi Police did not have wherewithal to run this organisation and the facilities being created for these Street, homeless, slum-based and vagrant children-at times indulging in petty offences which didn't call for any legal action, this Organisation was registered as the 'Prayas Juvenile Centre (Society) in 1989 with the Police Commissioner Vijay Karan as the President and this author as the General Secretary with eleven other highly motivated policemen and Policewomen drawn from different ranks. Genesis of Juvenile Justice

processes evolving from Delhi Police, subsequently joined by Delhi Social of Social Work & Shramik Vidya Peeth (turned into massive national level organisation called Jan Shikshan sansthan with presence in over 300 districts now under the Ministry of Education and Skill Development) – Prayas Juvenile Aid Centre, initially comparable to Juvenile Aid Police Unit (JAPU) of Mumbai Police, has grown into one of the largest NGOs in the country. They adopted the legal concept of care, protection, treatment, development, rehabilitation and social reintegration of Neglected & Delinquent juveniles under Juvenile Justice Act, 1986, now called the Children in Need of Care & Protection (CNCP) and Children in Conflict with Law (CCL) under the Juvenile Justice (Care & Protection of Children) Act 2000/2015.

Prayas JAC centre thus initiated the first ever integrated partnership project between police along with the social workers and agencies for the children's protection/holistic development & the stakeholders

of the Juvenile Justice System, presently called Juvenile Justice Board (JJB), Child Welfare Committee (CWC), Special Juvenile Police Units (SJPU), District Child Protection Unit (DCPU) Child Helplines (1098) and a range of Institutional and non-Institutional alongside the Statutory and non-statutory services- which became an important segment forming the nucleus for the evolution of the Child Protection etc. within the juvenile justice System. Prayas Institute of Juvenile Justice (apex body of Prayas JAC) participated in the drafting of the Amendments of the J.J. (Care & Protection) Act 2000. It contributed in expanding the charter of activities, responding to children's needs in the community setting, dynamics of police & social work, conflicts on resolution courses and the developing model of juvenile justice.

Prayas JAC Society is now a national level, child, youth and women centric communitybased non-profit service delivery organization, directly accessing marginalized, vulnerable,

destitute, deprived, trafficked, run-away and missing children besides the marginalized women, youth and homeless people. Presently, run by 701 professionals, through 252 Centres & Units, it directly serves day-to-day nearly 40,000 beneficiaries running intensive outreach programs in 10 States/Union Territories, namely, Delhi, Bihar, Assam, Arunachal Pradesh, Andaman & Nicobar Islands, Gujarat, Rajasthan, Haryana, Jharkhand and Kashmir. Mostly carrying out direct interventions for the children, youth, women, homeless and others in need of care and protection through 38 Homes/Shelters/Children Homes, 06 Child Helplines (1098) for distressed children, Women and girl children related, Crisis Intervention Centre. Prayas is running other programs concerning the communities in disaster and multiple service delivery programs on the issues relating to education, nutrition, health services, vocational training and lifeskills. These programs are being run by Prayas JAC Society and connected the entities (Societies)

like, the 5 Jan Shikshan Sansthan (JSSs) and a Section 8 Non-profit Coy called, Sanchay Prayas Swavlamban Sansthan (SPSS).

National Study On Child Abuse

As the Indian Chapter of the UN-Studies on Global Violence Against Children, in 2005-7, on behalf of the Ministry of Women and Child Development, GOI, supported by UNICEF and Save the Children Fund, Prayas conducted the largest-ever Study on Child Protection, called the National Study on Child Abuse-which became the basis for several policy and legislative changes, including the POCSO (Protection of Children against sexual Abuse) Act 2012.

The study was conducted across 13 states of India. The country was divided into 06 zones: North (Delhi & Rajasthan), South (Kerala & Andhra Pradesh), East (West Bengal & Bihar), Western Zone (Goa, Gujarat & Maharashtra), Central Zone (Madhya Pradesh & UP), North-Eastern Zone (Assam & Mizoram) A multi stage sampling design used for the study, State, District, Block and

Respondents constitute the four stages of sampling. This was one of the largest empirical country studies of its kind in the world with a total of 17,500 respondents covered against the targets of 18,200.

The various forms of abuse specified for the study included:

- Emotional abuse
- Physical abuse
- Sexual abuse
- Girl Child neglect

Problems

Across different kinds of abuse, generally, the age of maximum abuse is between 9 to 12 years.

The national study found that the abuse gained momentum at the age of 10 and peaked between 12 to 15 years. Children between the 5-12 years age group are most at risk of abuse and exploitation. In UNCRC the globally accepted standard is 18 years.

Sexual Abuse:

- 53.22% of children reported having faced one or more forms of sexual abuse.
- 21.90% of child respondents reported

facing severe form of sexual abuse.

- Out of the child respondents 5.69% reported being sexually assaulted.

Physical Abuse:

- Two out of every three children were physically abused
- Out of 69% children physically abused in 13 sample states 54.88% were boys.
- Over 50% of children in all the 13 sample states were being subjected to one or the other form of physical abuse.
- Out of these children physically abused in family situations, 86.6 % were physically abused by parents.
- 65% school going children reported facing Corporal Punishment i.e. two of the three children were victim of corporal punishment.
- 62 % of Corporal punishment was in Government and Municipal schools.

- Most children did not report the matter to anyone.
- 50.2 % of children worked seven days a week.

Emotional Abuse and Girl Child Neglect:

- Every second child reported Emotional Abuse
- Equal percentage for both girls and boys reported facing Emotional Abuse.
- In 83% cases parents /close family were the abusers.
- 48.4 % of girls wished they were boys.

Recommendations from the Study:

- Training of various stakeholders on issues related to child abuse
- Capacity building of children
- Formulation of state level plan of action to address child abuse
- Developing program based on targeted interventions
- Developing IEC materials

- Media campaigns
- Review of existing laws
- Legislation of new act on child abuse
- Clearly, this will not be enough, the Government, civil society and communities need to complement each other and work towards creating a protective environment for children
- Recommendations and Outcome emerging out of the Study presented to the Planning Commission and the MWCD, GOI
- Enactment of POCSO, 2012

Categories Of Intervention:

The various levels/categories of intervention involved in child protection - early childhood care and development (0-6 years), elimination of child labour under hazardous/non hazardous conditions (up to 14 years), all children to go to school to fulfill their basic right to education (06 to 14 years), protecting children from being trafficked for commercial and sexual exploitation including forced labour, protection of children

affected by mental & physical disabilities, serious health problems and HIV/AIDS, adolescents and youth in difficult circumstances need to be addressed as an inclusive vulnerable category (14-18 years), education coupled with skills for economic empowerment (12-18 years)

Role And Responsibilities of Police In Protection of Vulnerable Group

In a civil society, the police have a critical role to play. They maintain peace and tranquillity; and they uphold the rule of law, which is a hallmark of democracies. Furthermore, in modern times, they are called upon to shoulder several welfare functions, esp. in respect of weaker and vulnerable sections of society. This is abundantly shown by their handling of vulnerable groups and in the protection of their rights in difficult circumstances.

Role of the Police in Child Protection

Provisions

- Setting of special juvenile police unit in every police station
- Police officers to be

instructed and trained in child issues

- Handcuff of juvenile/child prohibited
- Child / Juvenile can't be kept in jail or lock-up

Production Of Juvenile

- Special Juvenile police to produce juvenile before juvenile justice board
- Police officer may hand over the juvenile to VO
- Produce the juvenile before the JJB
- Juvenile must be produced immediately before the JJB
- Police must inform the parents about apprehension of the juvenile

PRODUCTION OF CHILD

- Special juvenile police to produce the Child in need of care and protection before the child welfare committee
- Besides police, social worker, public servant, public spirited citizen, child himself,
- Childline and voluntary

organizations can produce a child before the CWC

- The conviction that children are subjects, possessing rights, is central to the UN Convention on the Rights of the Child, 1989.

Functions Of Special Juvenile Police Unit:-

1. The Special Juvenile Police Unit and Child Welfare Police Officer at the Police Station will handle cases of both Juveniles in Conflict with Law (JICL) and Children in Need of Care and Protection (CNCP) and the Social Worker at the Special Juvenile Police Unit shall be the first line of intervention in all cases, as far as possible.

2. The Special Juvenile Police Unit shall coordinate and function as a watch-dog for providing legal protection against all kinds of cruelty, abuse and exploitation of children and report instances of non-compliance for further legal action.

3. The Special Juvenile Police Unit shall take serious cognizance of adult perpetrators of crimes against children and ensure that they are apprehended

immediately and booked under the appropriate provisions of the law.

4. The Special Juvenile Police Unit shall ensure the registering; linking and monitoring of information regarding missing children received at the police station, and shall investigate immediately with the cooperation of the Missing Persons Squad, Crime Branch being the Nodal Agency of Missing Persons.

5. The Special Juvenile Police Units shall work with voluntary organisations, local governing bodies, community based organisations in identifying juveniles in conflict with law as well as reporting cases of violence against children, child neglect, child abuse and exploitation.

6. The Special Juvenile Police Unit shall maintain a list of NGOs/voluntary organisations in their respective jurisdiction, and shall monitor the activities to prevent all crimes against children, specifically trafficking, illegal adoption and detention of children.

7. The Special Juvenile Police Unit to establish & maintain

contacts with experts from various fields with the right credentials for their assistance/cooperation in child related matters, as and when required⁷.

Police Organization And Functioning

One can see that the role of police in the enforcement of JJ Act, which is extant throughout the country, is as substantial as it is critical. The moot question is: Is the law being enforced in spirit and letter? Are law enforcement authorities alive, aware and informed about their legal and organization responsibility?

Way Forward: Child Friendly Policing

To improve the implementation of the Act, the role of state agencies, such as the police handling juvenile delinquency cases need to be reviewed carefully and objectively. The role of the police officer in the Justice system is noteworthy and has an evident impact on the juvenile. Typically, children come into contact with the police either when they are in need of care and protection or in conflict with the law. This contact therefore occurs at times when a

vulnerable child is most in need of support and guidance. Prayas, set up with the contributions of the police community, in its objective to serve the vulnerable children, contributed to the formation of the Special Juvenile Police Unit. Through Police, the first interaction of a child with the criminal justice system takes place. Therefore, from there the perspective of the child regarding the criminal justice system takes its shape. If the Police officer is rude or ill-treats the child, it can impact the child in the long term which is why it is necessary to sensitize the police officers regarding handling/dealing with the victim child and the juvenile in conflict with law.

Prayas prepared a manual for the training of Special Juvenile Police Unit/Police Officer in partnership with National Institute of Public Cooperation and Child Development (NIPCCD), Ministry of Women and Child Development, Government of India. the form of Standard Operational Procedure (SOP) to enable the Police Officers to take appropriate action at every step i.e., from the moment he comes across a child in need of care and protection or a juvenile in conflict with law, to

understand how to interpret and apply in the given circumstances, the measures that are supposed to be taken while tackling a given situation.

Further, Statutory Monitoring & Social Audit of the enforcement through central, state, districts & city advisory boards need to be held to keep a regular check on the workings of the various stakeholders of JJ Act. Moreover, the adequate facilities & services should be provided as per the different categories of juveniles & children, including beggars, street and working children. The fit institutions & persons besides places of safety provided with large-scale designations to ensure safety and growth of the child. There has to be a Restoration, rehabilitation & social reintegration to be flexible & comprehensive. Furthermore, there needs to be complete separation of juvenile justice/ child care provision from the routine judicial proceedings so that the negative impact on the child can be minimised.

From the time when the path breaking Children Act 1960 was passed as a national legislation, combining various states/UTs laws on children, till now when

the Juvenile Justice (Care and Protection of Children) Act 2015, operates in the country, there has been a sea change in the legal and policy perspectives and the given role of police, however the actual role is yet to come in the relation between the children and the Police, to enable the latter to be called child friendly. Instead of bringing about the changes in law, which is passing through the Indian Parliament today, there is a definite need to just implement the law in its letter and spirit, as has been strongly ruled by the Honorable Supreme Court in the cases of Salil Bali and Subramaniam Swamy.

Conclusion:

The empowerment of children by ensuring their human rights and dignity provides an opportunity to change, the change which is required for the growth and development of our country. The way we deal with our children speaks volumes of our own character and ensures in laying a concrete foundation for the future generations to follow. Undermining the value of a child undermines the value of our nation.

To conclude, it may be

mentioned that the Government of India has over the years brought progressive policies, legislations and programmes for the well-being of children of India. The Integrated Child Development Scheme (ICDS) or Mission Vatsalya and Childline Services are two programmes that are the largest in the world which supports the development and protection of children in India. However, despite all the best efforts, the situation of children and child rights in India

is grim and far beyond any satisfactory level. Thus, nothing less than a consolidated and holistic approach from all the stakeholders is necessary and desirable towards integrating income generation, providing access to education, health services, access to safe water and a healthy, protective environment. This can change the lives of millions of children and ensure their rights for survival, protection, development and participation.

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Child Protection: Incomplete With Existence Of Child Labor In The Society

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Abstract

Child labor is a worldwide occurrence taking place mostly in countries with lower socioeconomic status and resources. Societal and familial poverty, loss/incapacitation /illness of parents, lack of social security and protection, limited access to, education are among the myriad reasons for the involvement of children in the labor. Child labor is a barrier to the development of children and their society and economy. Global data states 152 million children (64 million girls and 88 million boys) are engaged in child labor, accounting for almost one in 10 of all children globally. Currently, the COVID-19 pandemic and the resulting

economic consequences are having a major impact on people's lives and livelihoods. Unfortunately, poverty – stricken families and their children are often the first to suffer, which push many more vulnerable children into child labor. Child labor in India is more widespread than in many other countries, with approximately 10 million children actively engaged in, or seeking, work. The paper shall delve into the definition of child and child labor as per law, significance of World day Against Child Labor, and the status of child labor in India. The paper further broadly details the status of child labor in Rajasthan and sectors where they are employed in masses. The paper

concludes by providing some insight into the actions that can be taken to strengthen the system and at the same time work in a manner that the child is benefitted in the end.

Key words: *Child Labor, Child Protection, Children, Awareness, child development, child abuse, child exploitation, child safety*

Introduction

Problems encountered by children have always been a less talked about topic in the Indian Society. Childhood is an important stage of human development as it holds the potential to the future development of any society. Children who are brought up in an environment, which is helpful to their overall development, go on to become a responsible citizen of the country. If we are engaging children in work when they are young we are reducing their future income earning capabilities, by limiting their choices and productivity. It is said that due to economic problems children are forced to go without education and other development and take up employment which exploits them. Parents engage their child

in an employment with the hope of solving the financial crisis. It is therefore, no surprise that children from the poor households represent the largest segment of child labor. One of the major drawbacks of child labor is that children are getting money at the expense of education. There is a strong effect of child labor on child's education as either their attendance rate is lowered or they drop out of school. Child labor restricts the right of children to access their Right to Education.

Who is a Child?

- i. As per UNCRC Article 1 and UNICEF child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.
- ii. Juvenile Justice (Care & Protection) Act, 2015 define child as "child" means a person who has not completed eighteen years of age.

What is Child Labor?

- i. THE CHILD LABOUR (PROHIBITION AND REGULATION)

AMENDMENT ACT, 2016 states 'child' means a person who has not completed his fourteenth year of age or such age as may be specified in the Right of Children to Free and Compulsory Education Act, 2009, whichever is more; Further Article 21A, of the Indian constitution says that the State has been entrusted with the task of providing free and compulsory education to all the children in the age group of 6-14 years.

- ii. International Labor Organization (ILO) asserts that child labor may be defined with varied perspective in varied situations According to ILO, children or adolescents who participate in work that does not affect their health and personal development or interfere with their schooling, is not child labor. Such harmless work includes activities such as helping their parents at home, assisting family or earning pocket money outside school hours and

on holidays. Such kinds of activities may contribute to children's development by providing them with skills and experience, and help to prepare them to be productive members of society during their adult life.

- iii. UNICEF definition of child labor is different. A child is involved in child labor activities if between 5 to 11 years of age, he or she/he did at least one hour of economic activity or at least 28 hours of domestic work in a week, and in case of children between 12 to 14 years of age, she/he did at least 14 hours of economic activity or at least 42 hours of economic activity and domestic work per week. UNICEF in another report says, "Children's work needs to be seen as happening along a spectrum, one end being destructive or exploitative work and beneficial work - promoting or enhancing children's development without interfering with their schooling, recreation and rest' being the other

end. And between these two ends there are vast areas of work that may or may not negatively affect a child's development."

- iv. In India, The Child Labor (Prohibition & Regulation) Amendment Act, 2016 has defined the child as anyone who is "a person who has not completed his fourteenth year of age".

While all the above mentioned definitions stay true and differ from situation to situation, to ensure proper justice to the child, on ground sec 75 and sec 79 of the Juvenile Justice (Care & Protection) Act, 2015 are introduced in the FIR so as to safeguard the rights of the children as they talk about punishment of the person who abuses a child.

Not all work done by children is child labor and hence it should not be targeted as an issue. Children's or adolescents' involvement in work that does not affect their overall development is not considered as child labor.

Child labor is work carried out by a child in violation of

international law and national laws. Child labor deprives the children with their basic right of education and also puts an economic burden on them. Child labor includes:

- All "unconditional" worst forms of child labor, such as slavery or practices similar to slavery, the use of a child for prostitution or illicit activities;
- Work done by children under the minimum legal age for that type of work, as defined by national legislation by international standards.

Separating the children from their families and engaging them in hazardous activities and, exposing them to child trafficking and sexual abuse, leaving them on the streets on their own either for begging or for some other kind of work are believed to be the worst form of child labor.

Multiple factors are put in place to recognize whether a particular work can be called child labor or not. Factors namely nature of work, time duration of work, conditioning in which it is performed and lastly the most important factor is the age of the child. After observing all these

factors a country can decide whether a particular work will come under the category of child labor or not. The opinion will vary from country to country.

Child labor that is specified under global law falls into three categories:

- The most terrible forms of child labor, which are globally defined, are slavery, trafficking, debt bondage and other forms of forced labor, pressed employment of children for use in armed war, prostitution and pornography and illicit activities.
- Labor accomplished by a child who is under the minimum age stipulated for that kind of job (as clarified by national law, in line with the international laws), and is thus likely to impede the child's education and development.
- Labor that harm the physical, psychological or moral welfare of a child, either because of its nature or because of the surroundings in which it is carried out, known as

“hazardous work”.

Significance of World Day against Child Labor

The International Labor Organization (ILO) observed the first World Day against Child Labor in 2002 to focus attention on extent of child labor and the steps needed to extinguish it. Each year on 12 June, governments, civil societies and citizens all across the world observe World Day against Child Labor to focus on the pitiable condition of child laborers and jointly explore the solutions to solve the issue. This day aims to encourage advocacy around child labor and to stop it in its various forms all over the globe, from children working as domestic help, to being employed in clothing, fireworks, and other factories. The day fundamentally is concentrated on the development of children and protection of their rights. Therefore it is necessary to accomplish the Sustainable Development Goals (SDGs) by 2030. Multiple institutions are working to eradicate the problem of child labor. Once the child is emerged from the child labor a new world of opportunities and growth awaits him. Their overall

development leads them to become an responsible citizen of the country thus leading the country and the world on the path of progress.

Goal 8 of the the Sustainable Development Goals (SDGs), adopted in 2015 talks to promote inclusive and sustainable economic growth, full and productive employment and decent work for all. Target 8.7 of this goal talks about the elimination of worst forms of child labor, including the recruitment and use of child soldiers, as well as to end all forms of child labor by 2025. Today, throughout the world, around 218 million children are working as child labor.

Child Labor in India

ILO states that there are approximately 12.9 million Indian children plighted in child labor between the ages of 7 to 17 years. Thousands of Indian children are engaging in work on daily basis in factories and restaurants or on the streets selling various items. The majority of these children are adolescents who are working 16 hours a day to fulfill the burden of responsibilities that lay on their shoulder. While the

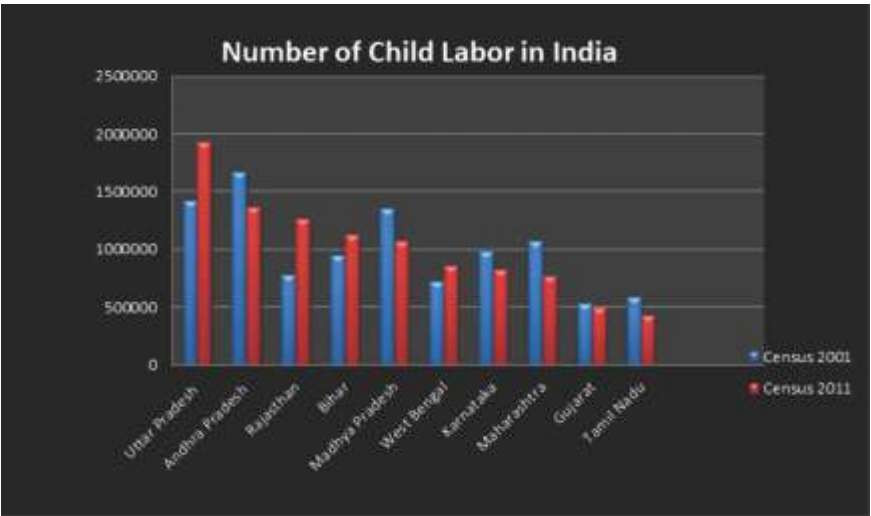
majority of the children are adolescents this number is not limited to them and children from younger age group of 5 -14 years are also engaged in child labor in India.

As children get older, their participation in work also grows. In India, 20 percent of all adolescents involved in child labor are engaged in hazardous work and employment. To identify the exact number of child labor in India is a tough task because a wide range of child labor cases are hidden or under – reported. As per a study conducted by SOS children there are almost 18 million children between the ages of 7 to 17 years who are considered “inactive” in India, neither in employment nor in school. These missing girls and boys in India are potentially subject to some of the worst forms of child labor. According to a publication by the ILO, a large number of the world's child labor (around 71 percent) is engaged in the agriculture sector mainly cotton plantations and rice fields. Around 17 percent are employed as service staff, mainly as domestic workers or in restaurants and another 12 percent of child labor is spread across jobs in the industry sector,

including dangerous activities in mines.

A large number of child laborers in India are employed for petty wages in factories and industries. Children are also involved in sale of cigarettes, called "Bidis", on the streets of cities. Astonishing number of girls are victims of child trafficking in India, either by the traditional bondage or

through other forms of assembled crime. Sexual exploitation of children for commercial purpose is the worst form of labor the humanity can involve them. It is saddening to know that India is home to around 1.2 million children who are involved in prostitution. The following data show the number of child labor in Indian States as per census 2001 and 2011.



Rajasthan – Major Employer of Child Labors

A study by ‘Save the Children’ states that Rajasthan comprises of approximately 10% of the total child labor in the country. The study highlights the reasons behind the involvement of children in child labor and major reason that has come up is poverty and domination of

economically and socially backward tribal population in the area. The issue of child labor is more widespread in the districts of Udaipur, Jaipur, Dausa, Baran, Hanumangarh, Dholpur, and Bikaner. Rajasthan is also seen as a destination for importing children from other states like Bihar and Uttar Pradesh. The concept of seasonal

child labor also exists in Rajasthan where children are brought from other states and districts through mediators for working in fields for a particular season/harvest. School closure/summer vacations are a great example of this methodology.

Employment of Child Labor in Jalor, Jaipur, Bikaner, Ajmer, Dhaulpur, Banswara, and Bhilwara, is because of high concentration of industries in the area, resultant high economic activities and demand of cheap labor. Tribal population concentration and their low economic status are the reason behind child labor in Banswara, Chittor, Dungarpur, and Udaipur. Children along with their family are engaged in agricultural fields and allied agricultural activities such as sowing, weeding, harvesting, grazing, and tending livestock and poultry. The majority of the child labor working in Rajasthan is migrants. Major sectors employing child labor in Rajasthan

- Gem
- Embroidery
- Beedi
- Carpet Weaving

- BT Cotton Agricultural Fields
- Stone Mining
- Limestone and stone quarry
- Brick Industry
- Domestic Servants
- Restaurants and Dhabas

Child Protection – Possible solutions to curb the issue of Child labor

In world economies where child labor has been eradicated, multi-pronged strategies were used. Stringent laws were made making child labor illegal. Strengthen of educational system also played an important role in removing children from child labor. In the Indian context things are unlike from the rest of the world. Factors such as curse of poverty, lack of educational resources, social and economic backwardness, addiction, disease or disability, poor compliance of laws, lure of cheap labor, etc. play a vital role in the increased number of child labor in India.

The Indian Parliament has acted various time in past by passing laws and acts to ensure the protection of children from child labor in India. The Fundamental

Rights of the Indian Constitution prohibit child labor below the age of 14 years in any factory or mine or engaged in any hazardous employment under Article 24. In addition to this Article 21-A of the constitution provides that state shall dispense resources and logistics for free and compulsory education for children up to age of 14 years. There exists a set of laws which under the Constitution govern the protection of children from child labor. The Factories Act of 1948 prohibits the working of children below 14 years in any factory. The Mines Act of 1952 forbids the working of children below the age of 18 years. The Child Labor (Prohibition and Regulation) Amendment Act of 2016 prohibits the employment of children below the age of 14 years in life-threatening occupations identified in a list by the law. Further, the Juvenile Justice (Care and Protection) of children Act of 2015 draw up provision that made the employment of children a punishable crime.

Ironically, despite this huge array of laws, there seems to be no improvement in the working conditions of the child laborers and employers also freely flout

the provisions of the Act covering the prohibition of child labor in India.

Two elements that can play a crucial step to resolve the problem of child labor in India are action against the employer and proper rehabilitation of child.

Child labor law of India well known with the name of Child Labor Amendment (Prohibition and Regulation) Amendment Act, 2016 says any person who employs a child or an adolescent in any illegal labor work will be punished under the law. And while there is a law in place there is no strict implementation of this particular provision on the ground. So bitter is the reality of the ground that when an employer is engaging a child in child labor he has no agitation in his mind regarding the punishment and somewhere he feels that he can escape the law. This perception has been created because of the irregularities in the law that has been going on for years. One thing that has to be especially taken care of if we want to make the country child labor free, is to take strict action against the employer and to create a sense of responsibility

among them. Severe punishments can be introduced through Model FIR.

Model FIR is a FIR in which maximum sections of the various child protection laws are introduced to make the case stronger. The motive behind preparing a stronger case by introducing various sections is to ensure that the culprit doesn't get spared by the law and a sense of fear is installed among the public. The case being registered should not only be taken under one section of child labor but layers of the case needs to be explored. Model FIR also play a very critical role in victim compensation. The stronger the case is, the more are the chances that a higher compensation could be paid to a victim. For instance, if the case of child labor is being registered then it could be investigated through counseling whether POCSO or Juvenile Justice are violated and if the violation has happen then how can it be linked to the case to make it stronger.

The second element - Proper Rehabilitation of the rescued child, plays a pivotal role for dissolving the problem of child labor from society. There is a

need to understand that if a rescued child is not rehabilitated completely he will stumble and fall again into the vicious cycle of child labor. Studies have stated that abuses suffered during childhood could lead to development of criminal tendencies among some people. Rehabilitation of the rescued child can be divided into 3 segments namely – economical, educational and psychological. Unless and until the child is rehabilitated in all the 3 segments his rehabilitation is incomplete. Only linking the children to the schools will not solve the problem as economic and psychological barrier will hinder their growth. One example of psychological barrier is when children run away from the shelter homes thinking that they have been put in some kind of jail for committing a crime. This can be overcome through line counseling. In the present children are admitted to the shelter homes on a temporary basis with the help of Child Welfare Committee. A major step that can be added here is investigating about the socio economic background of the child through home visits and counseling and on that basis

child is admitted to the shelter home and linked to the social schemes rolled out for their benefit. When the child has to be kept somewhere for day or two, temporary shelter homes are considerable but they do not eliminate the problem from the root. Moreover it creates a diversion from the real problem. Looking back at the causes of child labor, its linkage with poverty is evident and for solving the issue children need to be secured in terms of education, nutrition, and health and can be best done with the permanent shelter homes where children are provided with all the prerequisite of development. In mapping out the policy guiding the working of permanent shelter homes special focus can also be given to the element of including extracurricular activities for the development of the child staying in the shelter home.

Alternate to establishing permanent shelter homes, proper rehabilitation can be accomplished by establishing a tracking system with the Police department, Anti Human Trafficking Unit, schools and civil organizations. Once the child's name has been entered in the system when he/she is rescued from child labor, his enrollment in school can be ensured through the government school of the area near his residential area mentioned in the government idea proof. Once the enrollment is done, monthly/quarterly follow up at home can be introduced to keep a check that the child is continuing his schooling. Schools play a crucial role in eliminating the problem of child labor as the frequency of the engagement of the child in school could be traced through attendance.

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Ending Violence against Children

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Abstract

Ending violence against children (EVAC) is no longer just a catch phrase but a grim reality check which concerns us all. Children are vulnerable to violence from their early childhood in one or the other ways. The current trends indicate that they are not safe inside their home too as there are increasing reports of abuse by family members. The forms of violence have widened over the last two decades which calls for urgent attention on the part of families, society, institutions and the Government. The statistics on violence against children in varied forms is shocking and demands urgent attention. The present paper discusses the forms of violence against children and its impact on children. It brings forward the response on the part of

various International agencies and the measures taken by the Indian Government in the form of legislative reforms, development and implementation of policies and programs ensuring safety and protection of children from different forms of violence. Police, being responsible for law enforcement, holds the major responsibility, thus it is imperative to discuss the role they must play and the way forward.

Key words: *Violence against Children, Safety & Protection, International Response to Violence, Sustainable Development Goals, Zero violence, Government's Response to VAC, Police & Law Enforcement*

Violence against Children

In simple terms, it can be

described as maltreatment or abuse of in varied ways and degrees done to people under 18 years of age. The culprits of such crime can be anyone including parents, relatives, neighbours, friends, peers and unknown persons. The incidences of violence against children are not limited to any place or time as the children are susceptible to it at any point of time irrespective of geographical sphere and thus a global problem. The worst aspect of this crime is the lifelong trauma and the lasting impact on the overall health and well-being of the victim.

Forms of Violence against Children

World health Organization (WHO) has categorized six forms of violence against children as follows¹

- **Maltreatment:** This type of violence is most likely to occur either at home or educational institutions. It may involve violent punishment, sexual, emotional/ psychological, or neglect by parents or caregivers.
- **Bullying:** It is an unwanted aggressive behaviour by another child or group of children who are not in any relationship with the victim child. It causes social, psychological and physical harm to the victim. It may happen in reality or virtual (cyber bullying).
- **Youth violence or Gang violence:** This can happen between known or unknown persons in community setting. It may also involve use of weapons.
- **Domestic violence:** It includes emotional, physical or sexual violence by partners specially applicable in cases of child marriage. Even dating violence among young unmarried adolescents has been included in this category.
- **Sexual Violence:** It refers to non-consensual sexual act or an attempted sexual contact. It may happen either in physical settings. It can be any type of sexual harassment, exploitation or abuse which can take place even online.

- **Psychological or Emotional Violence:-** It refers to restricting a child's movements through threat, rejection, discrimination, etc. The intensity and impact of such kind of violence can often leave a permanent scar on the psyche of children.

Impact of Violence

Irrespective of the type of violence faced during childhood, the experience per se is likely to cause serious and lifelong consequences. Violence can result in physical injury, sexually transmitted infections, anxiety, depression, suicidal thoughts, unplanned pregnancy and even death. The stress associated with violence in early childhood can even permanently impair brain development and damage other parts of the nervous system. Other long-term behavioural impacts on children include aggressive and anti-social behaviour, substance abuse, risky sexual behaviour and criminal behaviour². Violence has a significant and lifelong impact on children. It not only affects at personal level but also at societal level.

According to WHO factsheet, some of the most common impacts of violence are³:

- **Injuries or Fatalities-** Violence leads to injuries caused from physical assault and violence. Severe or grave injuries often lead to fatalities as well. Such an impact is more commonly in adolescents as compared to younger children.
- **Impaired Cognitive/ Mental Development-** Brain development may be adversely affected or impaired due to exposure to violence at an early age. The adverse effect may be on other parts of the nervous system as well. The damage is often said to have lifelong consequences leading to other complexities. The result is also depicted in educational and cognitive development. The impact is also likely to be on carried on to their future generations and to the peers⁴.
- **Negative Health Risk Behaviours-** Children facing or having faced

violence or other forms of adversities tend to develop negative health risk behaviours such as smoking, intoxication, drug/ alcohol misuse, unintended pregnancies, engagement in high-risk sexual behaviour, psychological disorders like anxiety, stress, depression, etc.

● **Increased Risk of Non-Communicable Diseases-**

As children grow older, there arises greater risk of developing non-communicable diseases such as diabetes, cardiovascular diseases, cancer, etc. This majorly happens because of negative coping and health risk behaviours associated with violence.

● **Impact on Personal Achievements-** Children having experienced violence at any stage, tend to drop out from school, have difficulty in demonstrating achievements, non-performance in school or at work, etc. The stigma

goes on for the lifetime.

● **Impact on Personal Relations-** Personal relations get affected to a large extent because of the psychological trauma that the child is left with. They also tend to lose faith in people around and build trust in them. The guilt and the trauma do not permit a child to mingle up even with the close family/ relatives.

● **Impact on Economy-** The social and economic development of communities and nations gets significantly undermined because of violence against children. the estimated global economic cost as a resultant of violence against children is roughly 8 percent of the global GDP annually⁵. The costs are incurred on the public expenditure in the form of welfare schemes, special education, medical and psychological services for the children having faced violence irrespective of its nature and degree or

intensity.

Trends of Violence against Children

Global perspective:

The data on acts of violence against children present a very grim picture. Available data regarding 24 countries shows that sexual violence in childhood ranges from 8 per cent to 31 per cent for girls and from 3 per cent to 17 per cent for boys. An estimated 750,000 individuals worldwide attempt to connect with children online for sexual purposes at any one time. In case of trafficking, children now account for 30 per cent of those who are trafficked. Children with disabilities are almost four times more likely to experience violence than other children. There is also an evidence that children with mental or intellectual disabilities face a higher prevalence and risk of violence than children with other types of disability. Almost one third of school students aged 11–15 years have been bullied by their peers at least once in the past month. Close to 300 million children worldwide aged 2–4 years face violent discipline on a regular basis by their caregivers. One in four children under the

As per the Global Status Report on Preventing Violence Against Children 2020:

- Each year, 1 out of 2 children or 1 billion children suffer some form of violence
- Nearly 3 in 4 children or 300 million children aged 2-4 years regularly suffer physical punishment and / or psychological violence at the hands of parents and caregivers
- 1 in 4 children aged under 5 years live with a mother who is a victim of intimate partner violence
- 1 in 3 students aged 13-15 years were in a physical fight in the year 2019 (Boys: 45% and Girls: 25%)
- 120 million girls and young women under 20 years of age have suffered some form of forced sexual contact

age of five lives with a mother who is a victim of intimate partner violence. Globally, emotional abuse is estimated to have an impact on the lives of more than one in every three

children. The global prevalence of physical teen-dating violence in young people aged 13–18 years is estimated to be around 20 per cent, with the prevalence of sexual teen-dating violence standing at an estimated 9 per cent. The effects of exposure to violence on adolescents can also include depression and suicidal thoughts, dating violence, substance abuse and the use of violence as a control tactic. As per the statistics, up to 20 per cent of adolescents (aged 15–19 years) globally experience mental health conditions.

Crime in India Report 2020 by NCRB:

According to the Crime in India Report 2020 by National Crimes Record Bureau, a total of 1,28,531 cases of crime against children were registered during 2020, showing a decrease of 13.2% over 2019 (1,48,090 cases). The rate of total crime against children was highest in Sikkim with 71.4%, among states. The State with second highest rate of total crime against children was Madhya Pradesh with 59.1%. Among UTs, highest percentage recorded in this category was in A&N Islands, and the second highest was Delhi with 96.8%. In

percentage terms, major crime heads under ‘Crime Against Children’ during 2020 were Kidnapping & Abduction (42.6%) and Protection of Children from Sexual Offences Act, 2012 (38.8%) including child rape. The crime rate registered per lakh children population is 28.9 in 2020 in comparison with 33.2 in 2019. The key crimes against children in the year 2020 were murder, murder with rape/ POCSO, Abetment of suicide of child, attempt to commit murder, infanticide, foeticide, exposure and abandonment and kidnapping & abduction.

Crimes against Children: Incidences in Rajasthan

The figures and statistics of Rajasthan reveal that a total of 6580 cases were registered under crimes against children in Rajasthan in the year 2020. This was a decrease of 10.90 percent as compared to the number of cases registered in the year 2019 (7385). The highest number of 451 cases were registered in Udaipur followed by Ajmer (375), Jhalawar (307), Dungarpur (257), Baran (237), Sri Ganganagar (230), Kota City (229), Bharatpur (208), Bhilwara & Barmar (205 cases

each), Chittorgarh (194), Nagaur (190), Jaipur City South (185), Jaipur City North (183), Hanumargarh (182), Jaipur City West (180), Bhiwadi (172), Sikar (165), Rajsamand (155), Jaipur Rural (147) and Jaipur City East with 143 cases. The crimes against children reported in 2020 were primarily of infanticide, murder, child rape, attempt to commit rape, kidnapping & abduction of children, buying and selling girls for prostitution and foeticide.

Ending Violence against Children in the Purview of Sustainable Development Goals

It has enshrined as a fundamental right in the UN Convention on the Rights of the Child demands that children be protected from all forms of violence. It has been brought as a specific target (SDG 16.2) in the agenda for Sustainable Development for the year 2030. It refers to recognition and realization of each and every right of children including freeing them from abuse, neglect, exploitation, etc. The global figure of children facing some or the other form of physical, emotional or sexual violence every year stands at one

billion. Despite the figure been extremely high, the violence against children often remains hidden and forgiven at societal level⁶.

Children get victimised at almost all levels and places irrespective of culture, class/ caste, educational background, economic status, ethnicity, etc. They are not safe even in the institutions meant and designed for their care and protection including Schools. Moreover, they are unsafe at home too. One of the prime reasons of the inclusion of the issue in the SDGs 2030 is the social and psychological impact of violence on children. Those facing or having faced violence, get lonely and live in isolation and develop a sense of fear and suspicion for everyone around them. This gets graver when the perpetrator is known or someone close whom they have always trusted. Since younger children are less able to speak against it or seek any support, they are more prone and hence the reason of the irreversible damage to their development⁷.

A view at the magnitude of the problem as presented by UNODC, brings forward a scary

picture. It reveals that among adolescents, homicide stands among the top five causes of death and the victims comprise 80 per cent of boys. Beyond this, more children affected by violence are tens of millions. It is also a remarkable and shocking fact that 1 out of 4 children suffer physical abuse. About 1 out of 5 girls is sexually abused by a known/ unknown person at least once in her life. Hence, there is a need for a framework for the safety and protection of children from all forms of violence⁸.

The Sustainable Development Agenda for the year 2030 provides an opportunity to place the protection of children at high priority of policy actions of every action and building a world in which children enjoy freedom from fear, violence, harassment, etc. of all kinds. Hence, the ultimate goal is **ZERO violence against children by 2030**⁹.

Response and Strategies adopted by International Agencies to combat VAC

Multi-level approaches and efforts are being brought in place when it comes to an alarming threat of violence against

children. Several International and National organizations are making efforts in terms of their response to the crisis. The Sustainable Development Goals are aimed at bringing an end to abuse, exploitation, neglect and violence against children by the end of 2030. In the light of this, the countries are committed to bring an end to Violence against children in both, the sustainable Development Goals and The Convention on the Rights of the Child¹⁰. The response by different bodies is as below:

● UNICEF's Response-

UNICEF works with the Government and has partners all across the Globe to prevent violence against children and to respond to any of its forms in the most focussed and effective manner. Collaborations with Governments across sectors are done in the fields of health, justice system, education and other social services. To prevent and respond to violence against children, UNICEF has partners in civil society, business, faith based organizations and media. Among response in

other forms includes supporting parents and caregivers through parenting initiatives while working with young people so as to ensure that their voices are in alignment to UNICEF's action plan. Another essential response is in the form of establishment of global alliances and setting technical guidance for addressing violence against children in the most comprehensive manner¹¹.

- **WHO's Response-** The WHO Global plan of action on strengthening the role of health system within a National multi-sectoral response to address interpersonal violence, in particular against women and girls, and against children was endorsed by the May 2016 World Health Assembly resolution. As per the plan, WHO in collaborative association with the Member States and other partners, is committed to monitor the characteristics and magnitude of violence against children at global

level and to support the efforts made by the country to document and measure such kind of violence. An electronic information system has to be maintained to summarize the scientific data on the burden, associated risks and outcomes of violence against children and the evidences for its prevention. Evidence based technical guidance documents, norms and standards for the prevention and to respond to violence against children is to be developed and disseminate. Global status reports on various efforts made by the countries to address violence against children by the means of National policies, laws, action plans, programmes for prevention and response delivery services are to be published on regular basis. WHO is also committed to render support to countries and partners in the implementation of evidence based prevention and response strategies as those included in the seven

strategies for ending violence against children. The response on violence against children also provisions for collaborating with International agencies and organizations to reduce and eliminate the violence against children at global level through the initiatives like Global Partnership to End Violence against Children, Together for Girls and the Violence Prevention Alliance, etc.¹².

- **Inter-Agency Working Group on Violence against Children-** The working group comprises of organisations such as United Nations High Commissioner for Refugees (UNHCR), Office of the Special Representative of the Secretary-General on Violence Against Children, United Nations Human Rights, International Organization for Migration (IOM), UNICEF and International Labour Organization (ILO). The group strongly supports the appeal by United Nations Secretary-General Antonio

Guterres on protection of the rights of children and to safeguard their wellbeing in the times of CoVID-19 pandemic. The group emphasizes specifically on the pandemic when it comes to preventing children from violence given the risk of resulting economic vulnerability. It is likely to increase the incidences of child marriage, child labour, sexual exploitation, criminal activities, etc. Not only this, but there are restrictions on movements, loss of income/ monetary sources, social isolation, increased states of psychological distress, etc. With these factors, children are at increased risk of experiencing physical, psychological and sexual violence, abuse, exploitation, neglect, etc. at home and outside. The UN Inter-Agency Working Group on VAC calls on Governments, civil society, international community, human rights institutions, private sector organizations, leaders, etc. for ensuring the rights of

children and prevention of violence against them¹³.

- **UNODC's Response-** UNODC's Global Programme to End Violence against Children focuses on child safety and global development. There is a realization of the need to prevent victimization and re-victimization of those children who into the justice system. The rights of child alleged offenders are well understood. UNODC stresses on enhancing rehabilitation and reintegration and on addressing the challenges by facilitating access to justice, strengthening the institutions and capacities within the justice system so as to prevent and respond to violence against children. The essentiality for the justice system to engage and coordinate efforts in close coordination with the actors and institutions and ensuring that children in contact with the law are provided all necessary support for promoting their rehabilitation and reintegration¹⁴.

- **ECPAT's Response-** The core mandate is to end sexual exploitation of children. Since, the problem is prevalent in almost all settings; it becomes essential to eliminate it. Prostitution, trafficking, forced and early child marriage, and other forms of violence against children are worked on. Research is one of the ways through which a better understanding of the problem is built and social changes are designed to bring an end to sexual exploitation of children in association with the Governments, Inter-Governmental institutions, civil society, private sector and the general public including children themselves¹⁵. In addition to conducting primary researches and gathering data and information, ECPAT also educates children on their rights, access justice and seek medical, psychological and social support services in case of sexual abuse and exploitation.

Indian Government's Response to Violence against Children

In the past few years, the efforts by the Government have increased rapidly. Some specific forms of violence such as abuse and exploitation are being addressed effectively through a variety of instruments. Legal frameworks have been strengthened for preservation of the rights of children, implementation of policies at various levels, engagement with corporate sector and dialogue with civil society. A few of the important measures taken by the Government are as below¹⁶:

- **Protection of Children from Sexual Offences (POCSO) Act, 2012-** The Act has been brought in place to protect children from offences of sexual assault, sexual harassment and pornography. The Act also provisions for establishing special courts for trial of such offences. It enables fast tracking and effective prosecution in sexual offences with children. The amendments in the Act come with the nature of punishment and

the duration.

- **Corporate Social Responsibility-** A large number of corporates are working for the rights of the children and safeguarding them from any forms of abuse and violence as their social responsibility. They tie up with NGOs and other institutions for running several programs and making a measurable impact. The efforts made by the corporates in such a manner enable the escalation of welfare activities being done in various regards, specifically focusing on children and violence against them. Researches are being done to figure out the areas demanding intervention and designing of appropriate strategy to tackle the problem. Apart from the investigative aspect, mass campaigns, awareness drives, distribution of awareness generation material is also being done for education and empowerment of children and their families.

- **Special schemes/ programs-** Some special schemes are being run the Government for saving girl child, facilitating education of children from underprivileged groups/ communities, providing healthcare facilities, etc. For eg. 'Beti Bachao, Beti Padhao' programme launched in the year 2014 not only aims at the survival of the girl child but also ensures the safety and education of girl child. Another such example is the 'Operation Smile'. It is the Union Home Ministry's initiative under which rescue drives for children are run and rehabilitation of children in prostitution and bonded labour is done. The program also protects children who are ill-treated by their parents/ caregivers at home. The State Police and Child Rights Departments come together for the rescue of missing/ trafficked children. Under the program, the Police Officers at various ranks are trained on the issues of child protection, Acts and

legal remedies, issues related to missing children, etc.

Role of Police in Protecting Children from Violence and Way Forward

As key law enforcers, Police have a duty and responsibility to prevent crime and maintain law and order thereby protecting the citizens, and in particular the children, given their vulnerability and susceptibility to get victimized to various forms of abuse and harassment. Police must realise that children have the right to full protection as given by the criminal law.

Police have a duty to investigate all crimes and offences with precision and detailing. In cases of children, it becomes even more important as the offences with children are as important as any other crimes of serious nature. Offences with children being sensitive in nature often demand Police to exert collaborative efforts with other departments/ institutions, etc. there must recognition of importance of inter-agency functioning in dealing with violence against children. The training and resources invested in Police, enhance their ability to

address the crimes against children with utmost importance and with the best possible resolution in the benefit of child victim¹⁷.

The Police have a critical role when it comes to provide support to children in distress and ensuring prevention from violence. They must be vigilant and responsive on any complaints or reports of violations of children's rights¹⁸. A prompt action is very much required in the desired direction. Wherever applicable, the cases must be sent to special services such as the child care institutions, educational services or for other rehabilitative measures. They are the ones to be the first responders in any situation where children are in distress. Children representing about 40 per cent of the total population in India, must be treated on priority and effective measures must be taken for their safety and security from any form of violence. Police must realize the power of collaborative efforts and partnerships for getting children justice in the best possible manner while protecting their primary needs and basic rights.

Conclusion

Children are sensitive and vulnerable to violence and harm at all levels and in every form. It is important to realize this as violence can have tremendous negative impact on the physical and mental health of children and cast a long-term influence on their development. Violence against children is a complex issue and happens in various forms. It may affect the children not only personally but also at societal level. In order to deal with all this, various UN/ International agencies have responded to it and have strategized to ensure that preventive measures may be taken, and the problem recognized at global level as 'a critical concern'. Indian Government has taken numerous measures in the last two decades in the form of policies, programmes, introducing the legal remedies with periodic amendments for protecting the rights of children and keeping them safe from any form of violence, specifically physical abuse. The rules and punishments have been made stringent. There still need to put in more efforts for a larger goal

orientation. Police has a major role to play here. As the first responders, they must respond to every crime and handle the cases related to children with a higher degree of dedication and accountability. They can play a proactive role in not only enforcement of laws but also in creating awareness among

people specially children about preventive measures and reporting mechanism. With such efforts in place, a positive change and decline in the incidences of violence against children may be achieved, thereby making it a safer and better place for children.

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*Best Practices
Adopted for
Child
Protection
across the
Country*

Child Protection Issues – Role of Police and other stakeholders

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‘Child Protection’ is about protecting children from or against any perceived or real danger or risk to their life, their personhood and childhood. It is about reducing their vulnerability to any kind of harm and protecting them in harmful situations. It is about ensuring that no child falls out of the social security and safety net and, those who do, receive necessary care, protection and support so as to bring them back into the safety net. While protection is a right of every child, some children are more vulnerable than others and need special attention. The Government recognizes these children as ‘children in difficult circumstances’, characterized by their specific social, economic and geo-political situations. In addition to providing a safe environment for these children, it is imperative to ensure that all other children also remain protected. Child protection is

integrally linked to every other right of the child.

[1] Role of Police

“Missing Children” is a sensitive subject in the state of Gujarat. A Missing cell has been created in the state CID Crime since May 2003. It is headed by a DySP rank officer. It has Inspector, Sub Inspectors and Police staff. This cell monitors the work of recovering missing children all over the state. As per instruction given by hon’ble Supreme Court in Writ Petition (Civil) No.75 of 2012, FIR is being registered in case of a complaint of missing child. The investigation of the case is taken up in right earnest. If the child remains untraced, the investigation is transferred to the district Anti Human Trafficking Unit for further investigation. CID Crime through the missing cell collects statistical information of the children missing in the state.

S O P (S t a n d a r d Operating Procedure) of missing children has been prepared and circulated in all cities/districts of state. It includes following instructions.

- To carry out all the investigative proceedings as per the SOP issued from here on the announcement of missing child in the police station.

- The disappearance of a child between the ages of 0 and 18 is announced as soon as the kidnapping/abduction case is registered.

- To send TP message to all the cities / district heads and SHOs of the state regarding missing child at national level.

- File a case of missing child and hand over the investigation to a non-rank officer below PSI.

- And will immediately notify the police control room and will inform the mobile and foot patrolling parties of the area, police check posts at the border, railway stations, inter-state bus terminals.

The state government has shown sympathy for the prevention of incidents against women and children and incidents of rape. The “KEY

PERFOMANCE INDICATOR” has been appointed for timely investigation of crimes against women and children and for speedy judgment review and writing of ACR. Based on the review of eight (8) “KEY PERFOMANCE INDICATOR” such as (1) Investigation of missing children as per SOP (2)Track the missing child website (3) Percentage of missing children (4)SJPU-DCPU coordination meeting (5) FFWC - Use for investigation (6)Performance as per JJ Act (7) Performance by AHTU (8) Investigate the offenses assigned to AHTU - on the basis of which a letter is sent to the city/district which is performing poorly.

[2] State perform the following duties for the safety and security of the children:

1. Writ Petition -75/2012 (Bachpan Bachavo vs UoI & others)

- As per Writ Petition No.- 75/2012 (Bachpan bachavo Vs Union of India & others) Hon'ble Supreme Court New Delhi's letter dated 17/1/2013 and DGP Gandhinagar's letter No.G-1(Crime)/T-2/239/ 2013/ Circular dated 28/1/2013

According to the child i.e. a person between the ages of 0 to 18 years, such a child is missing and his parents / guardians or the legally appointed guardian do not know where he is. Assuming the child has been abducted, an order has been issued to immediately file a case of kidnapping.

2. Track the Missing Child website

- Website www.trackthemissingchild.gov.in created by NIC New Delhi, in which M form, R form and matching operations are done, the main objective of which is to find missing / abducted children between the ages of 0 to 18 from all the city / district police station areas of the state.
- On this website, from the police station level to other organizations such as child care organization, details of the case, I-form information as well as entries are also made by the Child Welfare Committee Juvenile Justice Board.
- Matching missing/

abducted children from this website by entering them in that state can be helpful in finding out if the child is in another state.

3. A system set up to bring back the children living in CCI outside the state to Gujarat

- In order to bring back the children in CCI from outside the state, the website www.Trackthemissingchild.gov.in is used to check the list of children in CCI in other states and to bring back the children mentioned in it by sending a letter to the DGP of that state.
- On the website www.trackthemissingchild.gov.in, the task of bringing back and verifying the children of Gujarat State from CCI of other states is given to the CID crime teams; the work of bringing back the children is done.

4. Co-ordination with Gujarat State Child Protection Society (GSCPS)

- The Gujarat State Child

Protection Society as an autonomous body of the Department of Social Justice and Empowerment is functioning in the Government of Gujarat under the Public Trust Act, 1950.

- GSCPS coordinates with UNICEF and various other departments to train police officers / staff.
- As well as rehabilitating the children kept in the child protection group as per the need.

[3] Child Protection Innovative Ideas:

1. SJPU & CWPO meeting arrangements

- CWPO & DCPU coordination meetings are organized every month to exchange legal guidance and information.
- Child Welfare Police Officers (CWPOs) have been appointed in all the police stations in the state of Gujarat.

2. POCSO monitoring Committee

The Government of Gujarat accords utmost priority to safety of Children in the state. State government has set up a committee to monitor the incidents of atrocities and rape of women and children in the state in a timely manner and for effective monitoring to ensure speedy verdicts.

- As per the directions of MHA in the committee, quantitative action has been taken to issue a compensation report in the POCSO case as well as directions to file a chargesheet in cases registered against women and children within a time limit of 60 days.
- Timely investigation into atrocities and rapes of women and children in the state and for effective monitoring of such cases, the following committee has been formed by Secretariat, Home Department, Gandhinagar, Gujarat state on 07/12/2019.

1. Secretary of Law Department
2. Secretary of Home

Department

3. DGP of Gujarat State
4. Director of Prosecution, Gujarat State
5. ADGP of CID Crime & Railways, Gujarat State.
- The committee meets every 15 days. The following other officers are participant's in this meeting.
- (1) Additional Chief Secretary, Department of SJED
- (2) Secretary, Department of WCD
- (3) DGP and Chief Police Officer, Gujarat State, Gandhinagar
- (4) Secretary of Law Department
- (5) Director, Justice Auxiliary Science Laboratory
- (6) Director of Prosecution,
- (7) Director General of Police, CID Crime and Railways
- (8) Director General of Police, (Women's Cell)
- (9) Secretary of Home

Department

3. Implementation as per Instruction by MHA in POCSO Cases

- 24 fast track special courts have been started in POCSO cases.
- There are 11 special courts for serious crimes against women and children.
- A special public prosecutor has been appointed in such cases.
- A prosecution officer has been appointed in such serious incidents
- Fifty Special Public Prosecutors have been appointed to handle cases of rape and gang rape of minors.
- The incidents of rape against women in the state are reviewed twice a month by the committee.
- POCSO cases should be investigated in 60 days and trial should be conducted in 6 Month.

4. Friends for women & Child (FFWC)

- FFWC whose full name is (Friends for women &

Child) which has been formed under the Suraksha Setu Society of the state government.

- The main objective of FFWC is to help people from the general public with the help of police and to bridge the gap between the people and the police.
- The Suraksha Setu Society is taking steps by the state government to find the missing children and persons as well as to provide care and protection to the children.
- The main purpose is to make it work well with the cooperation of the people.
- The FFWC scheme under Suraksha Setu Society has been launched on 13/08/2014 by Hon'ble Chief Minister of Gujarat Shri Anandiben Patel.
- The FFWC has been appointed in the state by the CID Crime, Missing Cell to assist in the case of women and children, such as - (1) Matters of legal aid to women (2) To provide confidential information about

atrocities against women (3) Not to portray women in an obscene manner (4) To bring women out of trauma and rehabilitate them (5) Freedom from immoral trade (6) To prevent child labor (7) To prevent child marriage (8) Finding missing children

- FFWC list has been sent to all the cities / districts. According to this list, help should be sought in the city/districts for finding the missing and abducted (in the investigation work) as well as the help of NGOs and para legal volunteers.

5. Operation Smile and Operation Muskan as well as a drive to find children

- Operation Smile-2, Muskan-2, Muskan-3 drive has been organized by CID Crime in all cities / districts of Gujarat, in which Operation Smile-2 from 1/1/2016 to 31/1/2016 total - 124 children, Operation Muskan-2 from 1/7/2016 to 31/7/2016 Total-98 children, Operation Muskan-3 from 1/7/2017

to 31/7/2017 Total-345 children have been traced.

- Then a special drive is organized in all the cities / districts from our office.

6. Use of FRS (Facial Recognition System)

- The FRS (Facial Recognition System) is used to compare the data of missing children / persons with the data of children / persons found.
- As well as the search for missing / abducted children / persons by comparing them with unknown dead body.

7. Study of missing children (data analysis) conducted by RRU and action taken in other departments and city/district.

- MoU signed between Rashtriya Raksha University, Ahmedabad and CID Crime Gandhinagar for conducting research on missing children by analyzing the information of missing / abducted children of 0 to 18 years in all cities / districts of

Gujarat.

- The research conducted on the information of missing children will be more successful in investigating the missing children.

8. Talash Application

- An Android application / portal called "Talash" has been created in the state using technology through cyber cell to find missing children.
- This application works with face recognition technology.
- The Talash application mobile application has also been created.
- The details of all the missing children in the state have to be updated on the web portal "Talash".
- By uploading a photo of any child in the mobile through the "Talash" mobile application and comparing it with the data of this web portal, the details will be known if the child is missing and has been complained about.
- The details of where and when the child went missing

as well as the details of the police station can be found in this detail.

[4] Success Story Missing Child Matters (Cities & Districts Operations)

- Due to its continuous monitoring, the status of pending cases under investigation of POCSO Act in the state is under control.
- On the website www.trackthemissingchild.gov.in, the task of bringing back and verifying the total 132 children of Gujarat State from CCI of other states has been assigned to four teams of CID Crime.
- These four teams verified the above 132 children and sent a report here, According to the report, a total of 8 children from Gujarat have been brought back from Missing Cell CID Crime on 20/02/2017 and handed over to their guardian heirs.
- On 17/2/2016 Jetpur resident and businessman Kishorebhai Narshibhai Rakhodia Patel his wife

and youngest son Rudra age 4 years who went to the Rajwadi party plot opposite Rotary Club on Jetpur-Junagadh road on the occasion of marriage where his son Rudra could not be found. A case of kidnapping was registered under Jetpur City Police Station G.R.No.15/2016.

- As mentioned above, a four-year-old child was abducted so that the police could report the incident to different media channels and different journalists.
- According to the report, PSI Shri Rambhai Jiwabhai Ram, who was on duty in Rajkot Rural, was going by train for training at Utsav NEPA Academy in Meghalaya State. At that time, it was reported that a child was abducted in Jalgaon district of Maharashtra state. They took the child into custody, enlisted the help of local police, rescued the abducted child and returned the

child to his parents.

- Justice of Patna Drycourt was on a visit to the Child Protection Home at Begusarai, Bihar Sajay. When the child complained that his name was Mahfooz, he said, "I live in Ahmedabad. The first was approached.

➤ In order to bring this child to Gujarat, Mrs. Noman Ghanchi, a woman and child friend (FFWC) appointed by CID Qaim under Suraksha Setu, was assigned to search for the relative of the child mentioned above so that the woman and child friend Mr. Asked about the child found in the area, it was clarified that their 4-year-old child was separated from the family in 2014 when we

got off the train at our hometown Sultanpur, Uttar Pradesh to drink water, and say our son has not been returned yet. His name is Mahekuz.

- So Mr. Noman, a member of FFWC (Friends for Women & Child) contacted the ADGP of CID Crime, took custody of the child, took custody of the child, went to Bihar with the child's guardian and took possession of the child and handed over the child to his guardian.
- In this operation, with the help of FFWC member, it has been rehabilitated from Bangusarai in Bihar state to Ahmedabad Gujarat.

Tracing Missing Children – An Experiential Account Of Police Operations

Sh. Arun Bothra, IPS
ADGP (CID- Crime) Odisha

During a debriefing session of the Operation Muskan in year 2018, Inspector Mamta Panda told me that it was the most rewarding assignment in her 15 years of career till then. She said that the task of tracing missing children and reuniting them with their parents and families fulfilled her heart with joy. It was an unimaginably satisfying experience for her and all the officers involved in the exercise.

In one case, two children aged 6 and 8 were traced from a shelter home in Vizag. They used to beg in trains with their visually challenged parents. One day both the children could not alight from train in time. The train left Balasore station with the kids on board while the parents were crying at the station. They could get down at Vizag railway station where the local police deposited them in a shelter home. After some two years a team of Odisha

Police brought them back. When the parents were contacted they could not believe the news. They had lost all hopes to meet their children.

In the MHA mandated Operation Muskan and Operation Smile thousands of children were traced and brought back to their native states. Other than the unique experience that officers like Inspector Panda had, these operations provided lot of insights into the issue of missing children.

First of all, the genesis of the operations was also rooted in a realisation that the problem was huge simply because of the number of children involved. In the PIL filed in the hon'ble Supreme Court by Bachpan Bachao Andolan it was mentioned that the more than a lakh children go missing in our country every year. In most cases

police simply make an entry in the man missing register at the police station and that is generally the end of it. There was hardly any effort in tracing these children. During the hearings it was also mentioned that many of these children might have been kidnapped by criminal gangs who could exploit them in various wrong ways.

In its far reaching judgement on the PIL in year 2013 the hon'ble Supreme Court ordered that:

1. In case of every missing child reported, there will be an initial presumption of either abduction or trafficking, unless, in the investigation, the same is proved otherwise and an FIR will be registered under Section 154 Cr.P.C.

2. In case a missing child is not recovered within four months from the date of filing of First Information Report, the matter may be forwarded to the Anti-Human Trafficking Unit in each state in order to enable the said Unit to take up more intensive investigation regarding the missing child.

3. In cases where First Information Reports have not been lodged at all and the child is still missing, an F.I.R should be

lodged within a month from the date of communication of the Order and further investigation may proceed on that basis.

4. Once a child is recovered, the police authorities shall carry out further investigation to see whether there is an involvement of any trafficking in the procedure by which the child went missing and if, on investigation, such links are found, the police shall take appropriate action there upon.

5. The state authorities shall arrange for adequate Shelter Homes to be provided for missing children, who are recovered and do not have any place to go to.

6. Any private Home, being run for the purpose of sheltering children, shall not be entitled to receive a child, unless forwarded by the Child Welfare Committee and unless they comply with all the provisions of the Juvenile Justice Act, including registration.

The judicial order subsequently got translated in operation Smile and Operation Muskan. The MHA advised all states to launch operations to trace out missing children and

reunited them with their families after due legal proceedings.

During our childhood, we all have heard stories of child lifter gangs roaming in our neighbourhood. Gangs that take away children and make them beg on the roads. However, during the operations Smile and Muskan it soon became clear that the age old apprehension of child lifter gangs was not so well founded. In very few cases it was handiwork of such gangs. In most cases the children had left on their own. The main reasons of leaving home were:

1. Poverty
2. Ill treatment by parents or other family members.
3. Not able to cope up with pressure of studies.
4. Love affair
5. Inducement to enjoy city life by some friend who was himself working in some city.

Interestingly, most of these children thought to return to their native place but due to lack of information and resources they could not do so. In many cases they were lodged in local shelter homes

by police of other agencies but not much effort were made to send them back to their native place. It was interesting to note that some children had informed the shelter home authorities about their address but they did not take any interest in sending them back. The shelter homes get govt grants and public donations depending on the number of children they house. As such it is not in their commercial interest to send the children back to their native place.

In Odisha, the operations had three phases:

A. Phase one-Preparations

a. Team formation: A team of 7-8 police personnel including female staff was selected at each Range Level by the DIG/IG Range. The team also includes one official of the Women and Child Department.

b. Training of Team members: One-day training programme was organized at CID-CB for the teams. Experts from the WCD Department, Labour Department and NGOs

working on rescue and rehabilitation of children were invited to sensitize the teams about the role and responsibilities of each member including that of the team leader.

c. Selection of Nodal Officer: IGP CID was designated as Nodal Officer to coordinate with destination states. He was assisted by the Integrated Anti Human Trafficking Unit of CID-CB for correspondences with the destination states to provide logistic support to the team during their visit/verification of the missing children.

d. Plan of Action: Before proceeding to the destination state each team prepared a detailed plan of action. It included:

- i. Collection of names and locations of NGOs, Child Lines, Shelter Homes of their respective destination states.
- ii. Collection of photographs and DRs of the Missing Children.
- iii. Discussion and meeting

with the Nodal Officer/ Liaisoning officer of the destination state /district of Anti Human Trafficking Unit.

- iv. Mobile nos. Of all teams were shared with each other to keep in touch among them.
- v. WhatsApp groups were created to share information.

B. Phase Two- Visits to destination states to trace missing children

During second phase ten teams were despatched to various destination states including Andhara Pradehs, Maharashtra, Delhi, Gujarat, West Bengal etc. During this phase the teams

- a. Visited Child Care Institutions, Observation Homes, Shelter Homes, railway stations, bus stands, important temples and market areas to trace out / locate children missing from Odisha. Besides, places like tea stalls, hotels, vending zones, vehicle stands, garages etc.
- b. Informed the Nodal Officer/IAHTU, CID-CB Odisha after each rescue/recovery of missing

children.

- c. Produced the children before local Child Welfare Committee.
- d. After production of the children, due procedure were followed for their safety return to Odisha and subsequent rehabilitation with the help of W&CD department
- e. If any rescued child needed medical treatment while in custody, the team provided medical treatment to the child locally.
- f. If the rescued children were found to be of other states, their detailed description like name, address communicated to the Nodal Officer / IAHTU, CID, CB for further follow up action for their rescue by the parent state.

C. Third Phase- Return and reuniting traced children with their families

- a. **Welcome:** The children and teams were received at the railway stations by senior officers and given a warm welcome with sweets, chocolates and drinks.

- b. **Counselling:** The children were provided counselling by experts on their arrival in Odisha
- c. **Tracing families:** The team took all out effort to establish identities of rescued children and trace out their families.
- d. **Legal process:** Rescued children were produced before local CWC. The CWC after following due process of law took steps for reuniting rescued children with their families. Orphan children were sent to shelter homes.
- e. **Reunion with families:** After reuniting the rescued children with their parents or legal guardians they were networked with other departments like Social Welfare Department, Education Department, Labour Department, etc. For their rehabilitation.
- f. **Uploading of Data on Track Child Portal:** The team then upload the details of the rescued children in the 'Track Child Portal' of WCD Deptt. Govt of India, New Delhi.

During different phases of the operations more than 10,000 children were rescued. However, the problem is far from over. Even today thousands of children are missing and many of them are living in some shelter home far from their families without any hope to go back. Sustained efforts with use of technology can help in mitigating the misery of these children and their families. The learnings of various police organisations can help in developing SOPs for the same.

The search of missing children should not be a seasonal affair.

Similarly the limited search in a few big cities will leave large number of children who might be staying in shelter homes of smaller places. Technological interventions in terms of live updating of missing children portals, continuous interactions among various police forces, on boarding various stake holders and well meaning NGOs are highly essential to keep the momentum. The number of missing children is too big and problems in tracing and reuniting them with their families are too many. However, this is one responsibility that is too rewarding to be ignored by any police force.

Protecting The Rights Of Children-Assam Police Shishu Mitra-A Holistic Approach

Sh. Harmeet Singh, IPS
Commissioner of Police, Guwahati

“I believe that children are our future,
Teach them well and let them lead the way,
Show them all the beauty they possess inside,
Give them a sense of pride, to make it easier,
Let the children’s laughter remind us how we used to be.”

The above lines, though from a popular song, are the essence of what society needs to commit itself to, for ensuring the protection of every child, not only for their future but for their today, too. All stake holders must realize that only when you ensure a child’s today is when you can ensure the future of society itself.

While, there is a tendency for different stake holders to act in silos, unless there is a convergence, there is no way that society can ever consider

reaching its ultimate goal of protecting every child. In the succeeding paragraphs this article tries to explore the role of the Police and how the Assam Police Shishu Mitra program has tried to bring in critical stake holders on the same page for the common goal of protecting the rights of children.

1. Role of Police in Child Rights

The Police has the constitutional role of responding to crimes, with a mandate of providing justice for victims¹. Therefore,

any person, including children, are bound to come into contact with the police system either as victims or as offenders. In India, the Code of Criminal Procedure Act, 1973, (hereinafter, 'CrPC') lays down the standard operating procedures of police action with regards to investigation, and treatment of victims and offenders.

The procedures set forth in the CrPC have been optimized over the years to encompass certain facets of human rights. For example, in Section 154 of the CrPC, where a Police Officer is dutybound to record the statement of victim or informant of a cognizable offence in writing, a proviso had been inserted through an amendment in 2013 where in cases related to acid attack, sexual harassment, assault/use of criminal force with the intent to disrobe, voyeurism, stalking, rape, insulting modesty - crimes that are committed against women – the information has to be recorded by woman Police Officer. Likewise, if the victim is a person with physical or mental disabilities, the recording of information under section 154 of the CrPC has to be taken at the residence of the victim or at a

convenient place of the victim's choice. These amendments were inserted to incorporate the aspect of sensitivity² in police procedures with regards to crimes against women or persons with disability.

In the arena of international law, post-World War II, the conversation around the Polices' role vis-à-vis children began with a dialogue of experts in the various sessions of the UN Congress on Prevention of Crime and Treatment of Offenders. The concluding observations of the 1st UN Congress on the Prevention of Crime and Treatment of Offenders organized by the United Nations, in the year 1955, talked about the duties of the police in relation to children who commit offences (then termed as juvenile delinquents). The concluding remarks of the 2nd UN Congress on the Prevention of Crime and Treatment of Offenders, 1960, while elaborating on the role of police vis-à-vis children who commit offences, stressed upon the point that policing must be subordinate to the observance of human rights. The resolution of the 6th UN Congress on the Prevention of Crime and

Treatment of Offenders, 1980, recommended that the UN Committee on Crime Prevention and Control must prepare a Standard Minimum Rule for Administration of Juvenile Justice and Care of Juveniles, that can serve as a model for Juvenile Justice administration for Member Nations. The concept of Juvenile Justice encompasses two approaches – response and prevention. As opposed to the limited view of perceiving Juvenile Justice only as a system of legal response and treatment to children who have alleged to have or have committed penal offences(response), the 6th UN Congress clarified that juvenile justice also constitutes a system of justice that provides social justice to children living in vulnerable(socio-economic) contexts, in general, and contexts that can predispose children towards committing crimes, in specific (prevention). As an outcome of this recommendation, the UN adopted the Standard Minimum Rules for the Administration of Juvenile Justice in their sitting in Beijing (therefore, called the ‘Beijing Rules’) in the year 1985. The Beijing Rules set forth

the framework for establishment and administration of an ideal juvenile justice system, as a useful reference point for Member Nations of the United Nations General Assembly (in short, ‘UNGA’). The Beijing Rules, while stressing on the importance of conceiving ‘Juvenile Justice’ as an integral part of the national development process of each country, laid down indicators necessary for the design and implementation of a robust Juvenile Justice System. One of the important indicators incorporate in the Beijing Rules was to have specialized training for Police Officers to deal with children and the formation of Special Juvenile Police Units.

In 1989, the UN adopted the Convention on the Rights of the Child (hereinafter, ‘UNCRC’), the first international treaty on Child Rights that made signatory nations legally bound towards fulfilment of the provisions of the treaty. After the ratification of the UNCRC in 1992, the subject of Child Rights gained momentum in all policy matters in India. There was also an attempt made by the Indian State to include the child rights perspective in all affairs related

to policing in the country. All cases related to offences against children or offences committed by children require Police response as per laws, and therefore it was necessary for the Indian Government to introduce the concept of child-friendly policing, a style of policing that upholds the rights of children who come in contact with the police system – as victims or as offenders.

The Juvenile Justice (Care and Protection of Children) Act, 2015, [hereinafter, ‘JJ(CPC) Act’] is a comprehensive special law that provides for a system of treatment, rehabilitation and reform of children who commit offences, and for the social justice and welfare of children who are victims of offences and children who are living in vulnerable or difficult circumstances. This Act, that incorporates the standards rules of the Beijing Rules and the rights of children in the UNCRC, establishes the Juvenile Justice System in the country.

Under the JJ(CPC) Act, all children who commit penal or status offences (termed as Child in Conflict law or in short CICL)

are protected from procedures and sanctions otherwise applied to adult offenders under the CrPC-IPC framework. For example, if a child commits dacoity, he or she would not be tried at an adult court but in a Juvenile Justice Board (hereinafter, ‘JJB’), a juridical institution established under the JJ(CPC) Act. Moreover, if found to have committed an offence of dacoity, such a child will not be punished under IPC 395 (to life imprisonment, rigorous imprisonment for a term which may extend to 10 years), but will be dealt under the sanction/reform framework under the JJ(CPC) Act.

On the other hand, children who are victims of crime [under the Indian Penal Code (IPC), Child and Adolescent Labour (Prohibition and Regulation) Act (in short, ‘CALPRA’), Immoral Trafficking Prevention Act (in short, ‘ITPA’), Prohibition of Child Marriage Act (in short, ‘PCMA’), Protection of Children from Sexual Offences Act (in short, ‘POCSO Act’) or any other law] are traditionally handled by the Police under the procedures of the CrPC. However, CrPC processes have been optimized through special

procedures and safeguards laid out in child-related laws, including the JJ(CPC) Act. Children who are victims of crime are also entitled to welfare and rehabilitation support under the JJ(CPC) Act³. For example, a victim of child labour, while availing justice in form of rescue, financial aid and conviction against an employer under the CALPRA is also entitled to social justice in the form of rehabilitation in a children's home, sponsorship support and educational or vocational support, through the Child Welfare Committee (hereinafter, 'CWC'), an institution that is formed under the JJ(CPC) Act. Therefore, children who are victims of crime and children who are in conflict with law, have to come under the purview of the JJ (CPC) Act.

The JJ(CPC) Act is the Indian law that provides for the formation of Special Juvenile Police Units (hereinafter, 'SJPU') and for appointment of Child Welfare Police Officers (hereinafter, 'CWPO'), to deal with child related issues within the District and the Police Station respectively.

2. Child Welfare Police Officer

The JJ(CPC) Act introduces the concept of CWPOs. Section 107 (1) of the JJ(CPC) Act, provides for the designation of CWPOs, who are officers not below the rank of an Assistant Sub-Inspector (in short ASI), at the police station level, to exclusively deal with children who come into contact with the Police Station as victims or as offenders. Therefore, Officer-In-Charges (OCs), Sub-Inspectors (SIs) and ASIs can play the role of CWPO within the Police Station.

A three-Judge bench of the Supreme Court of India directed, in *Bachpan Bachao Andolan v. Union of India*, 2013, that each State must set up a SJPU (if not set up already) and ensure that at least one officer of said SJPU is deployed at every police station within two months from date of decision. Similarly, in the matter of *Sampurna Behura v. Union of India*, the Supreme Court ordered "the Home Departments and the Director Generals of Police of the states/Union Territories to ensure that SJPU comprising of all police officers designated as CWO be created in every district and city to

coordinate and to upgrade the police treatment to juveniles and the children as provided in Section 107 (2) of the JJ(CPC) Act.”

The JJ(CPC) Act does not provide a detailed, step-by-step, explanation with regards to the specific duties of a CWPO. However, an in-depth reading of the Act, provides ample clues about the role and functions of CWPOs. For example, Section 10 of the JJ(CPC) Act states that as soon as a CICL is apprehended by the Police, such a child must be placed under the charge of a CWPO. In cases of CNCP, the JJ(CPC) Model Rules states that in all cases of offences against children, the investigation must be conducted by a CWPO⁴.

Since the CWPO is mandated to ‘exclusively deal’ with children, to take charge of all CICL and to investigate all cases of offences against children, it can be implied that the CWPO should be the Investigating Officer (hereinafter, ‘IO’) in all cases related to CICL and CNCP.

In relation to cases of CICL, the CWPO has the mandate of ensuring that as soon as a CICL comes in contact with the Police

system, such a child is placed under his or her custody. Thereafter, it is the responsibility of the CWPO to deal with the case within the framework of principles and procedures set forth in the JJ(CPC) Act and the corresponding JJ(CPC) Model Rules.

In relation to cases of CNCP, the major role of a CWPO is to deal with cases of children who are victims of crime. When a child, who is a victim of crime, comes in contact with the Police Station, it is the CWPO that has to investigate the crime and provide justice to the child, as per the law that deals with the specific crime, along with the principles and procedures set forth in the JJ(CPC) Act and the JJ(CPC) Model Rules.

The subject of Child Rights is comparatively new to policing. For a Police Officer, who is accustomed to dealing with cases within the traditional CrPC-IPC and the adult criminal justice framework, there is a constant need for training in child-related laws and procedures. In fact, Section 107(3) of the JJ(CPC) Act and Rule 86(3) of the JJ(CPC) Model Rules provides for special

training of CWPOs vis-à-vis dealing with children, so as to enable them to perform their functions effectively.

3. Special Juvenile Police Unit

The JJ(CPC) Act also introduces the concept of SJPU. Section 107 (2) of the JJ(CPC) Act, provides for the constitution of district-level and city-level SJPU, a special unit mandated to co-ordinate all the functions of the police related to children. As per the JJ(CPC) Act, this police unit is to be headed by a police officer not below the rank of a DSP, and must have all the CWPOs of the district as its members. The SJPU must also have two social workers who have experience in the field of child welfare, and one of whom must be a woman. As per Section 107(4) of the JJ(CPC) Act, the SJPU must also have representation from the railway police.

Section 107 (2) of the JJ(CPC) Act, read with Rule 86(1) the JJ(CPC) Model Rules, while directing the State Government to constitute SJPU in every district, states that the function of an SJPU is to co-ordinate all functions of the police related to children. The meaning of ‘co-

ordination’ or the ‘functions’ of the police related to children has, however, not been clearly defined in the JJ(CPC) Act nor the JJ(CPC) Model Rules.

Though the amended JJ(CPC) Model Rules of 2016 do not spell out the overall nature of the function of an SPJU, the older JJ(CPC) Model Rules of 2007, aptly defined the role of the SJPU " as watchdog for providing legal protection against all kinds of cruelty, abuse and exploitation of child.". Though this provision of the older JJ(CPC) Model Rules does not have any legal validity (since it has been amended), it can be used as a plausible reference point to ascertain the larger objective of an SJPU.

The Oxford dictionary defines the meaning of ‘co-ordinate’ as “to organize the different parts of an activity and the people involved in it so that it works well.”. Therefore, it can be deduced that the main role of the SJPU is to effectuate an oversight mechanism whose responsibility is to organize policing in a way that can ensure the rights of children, who come into contact with the district or city-level policing system, are

being protected within the framework of international child rights laws, and children-related national laws and procedures. Such an oversight mechanism must ideally include instituting of systematic review process, through recurrent conferences and report submission schedules – to be informed about the status of implementation of child rights laws, to identify and examine gaps in implementation, and to take decisions for better execution and promotion of child rights laws and procedures within the district or the city, across all police stations.

4. The Assam Police Shishu Mitra Programme

Child-friendly policing connotes a style of policing that upholds the rights of children, accommodates law-defined special provisions for children, adheres to the principles and procedures set forth in children-related laws and affirms to the definition of ‘child-friendly’ explained in the JJ(CPC) Act. Section 2(15) of the JJ(CPC) Act defines “child-friendly” as any behaviour, conduct, practice, process, attitude, environment or treatment that is humane, considerate and in the best

interest of the child. Such a practice of policing also attempts to uphold the “best interest” of children who come in contact with the police system. Section 2(9) of the JJ(CPC) Act, defines “best interest of child” as the basis for any decision taken regarding the child, to ensure fulfilment of his basic rights and needs, identity, social well-being and physical, emotional and intellectual development.

The Assam Police Shishu Mitra Programme is a child-friendly policing programme that was launched in Assam in the year 2019. This programme, which is coordinated by the Assam Police, was envisaged as a comprehensive and aspirational programme and is being administered through a professional collaborative partnership with UNICEF (a UN Agency) and UTSAH Child Rights Org (as Assam-based Expert Civil Society Organisation). The aim of the programme is to address capacity gaps, provide technical assistance, strengthen monitoring structures – to transform the entire Assam Police executive force into a child-friendly Police force; well-capacitated, in terms of

knowledge, attitude and skills, to handle child-related cases under the framework of the principles set forth in the JJ(CPC) Act.

The components include - regular on-site training and workshops on child-related laws and procedures for Police Officers; regular designing and publication of child-related informative content on various thematic issues on Assam Police's social media platforms; periodic on-site district-level review of case pendency of POCSO cases and technical feed-back to IOs on addressing case pendency; providing periodic feedback and technical handholding support to SPs for activation and strengthening of Police structures like SJPU and AHTUs; updating of the Police Training Curriculum to incorporate various aspects of child rights laws and procedures, especially newer amendment and case laws, to be able to provide high quality pre and in-service training to police officials across the State; and finally, providing case-by-case technical handholding support to Investigating Officers across the State in child-related cases (including cases under the POCSO Act, the JJ(CPC) Act,

the PCMA etc.) through the Assam Police Shishu Mitra Resource Centre (integrated within the Assam Polices' CID Office). The Centre also develops and circulates easy-to-understand resource material on various substantive and procedural aspects of laws among all field-level Police officials across the State (in both English and Assamese).

One of the critical aspects that has been addressed through the Assam Police Shishu Mitra Resource Centre is effectuating convergence between the Police and the various stakeholders like the CWC, District Child Protection Unit (in short, 'DCPU'), JJB, District Legal Services Authority (in short, 'DLSA') and Child Care Institution's (in short, 'CCI). The Centre assists Investigating Officers in connecting with the various stakeholders for the purpose of accessing support services for children during the stage of investigation. For example, if an Investigating Officer rescues a child at odd hours, and is unaware of an institution for placing the child for overnight protective stay, the Centre helps in connecting the Police Officer with the nearest

CCI. Similarly, if the Investigating Officer wishes to have certain legal opinions, the Centre helps them connect with the Secretary of the DLSA.

5. Progress of the Assam Police Shishu Mitra Programm

Since the inception of the Programme, in 2019, the following activities were undertaken - 1000 Police Officials across the State were trained in Child Rights and Child Protection, Juvenile Justice and POCSO Act; 50 Informative posters on various Child Protection themes were designed and published on Assam Police' Social Media Handles (over 7 lakh views/reach); the DGP, ADGP, IGP and DIG organized four webinars through which each officer reached out to children across the State addressing queries on Child Protection during COVID (5000 children across the State participated in the webinars); the DGP HQ, the CID HQ along with major Police Stations have illuminated its buildings in the color blue on World Children's Day to reinforce its commitment to children; 579 Pre-Service Sub Inspectors from Assam, who are

currently, under training at the Northeast Police Academy in Meghalaya, have been trained in Child Rights, Juvenile Justice and POCSO; 79 Police Stations have been constructed under the MOITRI Programme and each newly upgraded Police Stations have functional Child-friendly corners.

Additionally, Investigation Officers across the State have been provided with technical handholding support in 352 POCSO Cases, in terms of investigating, quality of case diary management and timeline reminders with regards to filing of chargesheet (the Assam Police Shishu Mitra Resource Centre infrastructure office space has been sanctioned by the Assam Police and is currently under construction at the CID HQ. Once the infrastructure is functional, the Assam Police Shishu Mitra Programme would be administered from the Centre.); and in-depth review of pendency of POCSO cases in 5 high intensity districts (Dhubri, Goalpara, Barpeta, Chirang, and Kokrajhar) and regular follow-ups have been conducted with SPs to overcome technical gaps and case pendency.

Through the Assam Police's

constant commitment to the programme, the Assam Police seeks to achieve

(a) 100 per cent coverage in terms of training of CWPOs and OCs (b) child friendly corners in all Police Stations (c) 100 per cent compliance to special procedures established in laws like the JJ(CPC) Act and the POCSO Act (d) activated SJPU and Anti Human Trafficking Units in all the Districts of Assam

(e) an updated curriculum and training schedule at the Police Training School to ensure sustainability of police trainings within the State.

The accomplishment of the aforementioned objectives, the Assam Police endeavors to enhance the positive experiences of children who come into contact with the Police system, which is envisioned in the UNCRC and the child-related laws of the country.

Conclusion

Even while the programme is very nascent and a formal impact assessment of the programme is yet to be conducted, progressive indicators have been observed in certain areas. For example,

progressive compliance has been recorded in the procedures pertaining to recording of statements u/s 161 and 164 of the CrPC, information and production to CWC and filing of timely chargesheets. The constant engagement of the Assam Police leadership with the district-level policing system has been successful in bringing Child Protection to the forefront of policing affairs in Assam.

The Assam Police Shishu Mitra Programme is a unique programme insofar that it is the largest comprehensive programme in the country that has been designed, anchored and executed by the Police Headquarter, with technical support from a UN Organisation (UNICEF) and a local Civil Society Organisation (UTSAH), with a focus on Child Rights-affirmative policing. We believe that social sector policing can be enriched only through partnerships with expert development organizations, and through our collaborative approach the Assam Police constantly seeks to make the Police interface reassuring for each and every child. SDG No. 16 aims to create strong institutions for justice, and

therefore the Assam Police Shishu Mitra Programme is an appropriate step towards the direction of making the Assam Police a strong institution in terms of its services towards children.

References

¹Section 57(f) & (g), Model Police Act; Section 47(f) & (g), Assam Police Act

²Oxford: the ability to understand other people's feelings

³Children who are victims of crime fall under the category of "Child in Need of Care and Protection(in short, 'CNCP')"

 defined in Section 2(14) of the JJ(CPC) Act.

⁴Rule 54(4), JJ(CPC) Model Rules

Heaven-Born Child, All Meanly Wrapt

**Ms. Anuradha Shankar, IPS
ADGP (Training),
Madhya Pradesh**

A unique project with children, curated through UNICEF, has changed many fundamentals of officers involved in the exercise. As part of the Safe City Initiative in Bhopal, it involved adolescents in serious conversations with government machinery. Though the mediation and hand-holding of Civil Society Organisations played an important role, the highly technical work of surveys, mapping and analyses were done by children primarily. The articulate arguments put forth by children made aware of their challenges through their own study and observation, were a mild shock to staid old officials whose condescension vanished when they realised that the young people knew their facts and figures. As young

Nargis said in a recent online meeting, children are not merely inheritors of

the past, they have ownership of the present. As equal stakeholders they must have a voice in the State's covenant with its citizenry to guarantee a life of dignity and freedom from violence of all variety.

A life of dignity involves many basics including but not limited to nutrition, healthcare, education, choice of appropriate livelihood, freedom from fear and persecution... Most of these are the responsibility of departments other than the police. The essential guarantee of freedom from violence is a core duty of the police. The guardianship model that Indian police follows, presupposes an

understanding of societal fault lines and individual crises. This needs proactive engagement at various levels. In practice however, our 'Guardian' police sits back like an elderly patriarch, waiting for a 'complaint'. Quiet people are happy people, the presumption goes. The truth is far from this. Socio-economic disparities quieten the people as they go lower on the privilege ladder. It takes a lot of pressure from within and without for the have-nots to have a voice. Children, by their very position in the socio-economic hierarchy are the most vulnerable of these.

The Constitution of India guarantees equal rights and opportunities to all citizens of all ages. But the 'System' that accrues from it works on 'credentials', which children can pick up only with age and good fortune. This creates a huge gap in their guaranteed rights and actual situation. Denial of conversational space in the name of discipline acclimatises children to suffering without complaint. A tragic aspect of the matter is that majority of the perpetrators are known to the child victim, deepening the silence.

A cursory view of crime data paints a worrisome scene. Where 1,48,185 cases of crime against children were recorded in 2019 making a sorry average of about 400 cases per day, NCRB data reveals a total of 1,28,531 cases for 2020, an year of lockdowns and confinements. The last decade has seen an exponential rise in crimes against children. The regular excuse of free registration and increased awareness might work for some increase but an analysis by the NGO CRY (Child Rights and You) shows an increase of 381 per cent over the last decade (2010-2020) with 50 percent increase in child marriage and 400 per cent increase in online child abuse during 2019-2020.

There is much lament about the frayed moral fibre of the society particularly the demons unleashed in cyber space and the easy accessibility of children who cannot avoid using it in the era of online classes. The IT act was drafted in innocent times and doesn't take into account crushing offences like cyber bullying unless it has sexual overtures. A child can be severely traumatised through threats of ostracism, profiling, segregation etc. Much of this is

conjecture, not backed by rigorous research.

Home, cyberspace and the outdoors - no part of the environment considers the child. Erratic traffic, no space for walkers or cyclists, incomprehensible or absent road signs are part and parcel of a child's negotiations in space. A disturbing data from NCRB reports that since 2009, over 40 children have died after falling into borewells and over 70 % of rescue operations in such cases failed. Such incomprehensible disasters lurk about for the hapless child! There is cold comfort for the family as nothing more than S. 304-A IPC is applicable for this murderous negligence, a bailable offence with mere two years of imprisonment and a teasing little fine. There is almost no accountability of any overseeing agency for allowing dangers in the environment, so there's no question of deterrence.

The principle of deterrence itself is debatable though. When the death sentence was added to various subsections of S. 376 for rape of a minor, it has increased the killing of the violated child. I recall many cases of rape of

minor with murder in which death sentence was pronounced, sometimes within a month through fast track courts. However, this did not stop rapes of minors even for a few weeks.

This brings us to the core of Child Protection Issues - who are the stakeholders who can prevent rather than lament after the act is done? Family is a primary party along with the school, the government departments entrusted with child welfare, civil society organisations and the police whose role is most external and limited due to the composition of our civic life. The most important stakeholder is the child, someone who is rarely, if ever, consulted.

Kathryn S. Collins of University of Pittsburgh writes in her article *Children's Perceptions of Safety and Exposure to Violence*, in the *International Journal of Adolescence and Youth*, "Lack of firsthand information from children as to where, with whom, when, why, and how they feel safe, leads to inadequate programs for addressing community violence." A small sample study of children's perception of safety has been done and analysed by her with

surprising results in the dissonance between children of varied exposures. (1)

Such studies need to be taken up in our context too. Madhya Pradesh Police is collaborating with academia to work through this. The tendency of the police to work on anecdotal evidence makes its reactions staccato and creates no templates. This is more pronounced in working with children as the police is naturally oriented towards and trained for dealing with adults.

The Role of Police in Child Protection is an ancillary one albeit the most accountable and blameworthy in contemporary public perception. It is

imperative then that the police engages with other stakeholders, not leaving out children themselves and has the humility to first engage with them, allow gathering of data, collate empirical evidence and inform policy with consultative strategy. As the UNICEF says in Claiming Citizenship, its report on the Safe City Initiative, “It is clear...that when structures are put in place for adolescent participation, adolescents respond remarkably well.” Let us initiate the dialogue, identify the problems and work towards ensuring safety for every child to ensure a life of dignity to the little citizen as promised by the Constitution of India.

References

¹(1) Kathryn S. Collins MSW, Ph.D. (2001) Children's Perceptions of Safety and Exposure to

²Violence, *International Journal of Adolescence and Youth*, 10:1-2, 31-49, DOI:

³10.1080/02673843.2001.9747890

⁴(With inputs from Smt. Irmeen Shah, AIG and Sri Shailendra Sirothia, DPO)

Worksite School Model Of Rachakonda Commissionerate- Details Of Project, Coverage, Functionality And Implementation In Rachakonda

Sh. Mahesh Bhagwat,
Commissioner of Police,
Rachakonda, Telangana

During 2017, the Rachakonda Police Commissionerate under the “Operation Muskan” has identified and rescued 350 children from 32 brick kilns in Yadadri district in Telangana state. Necessary legal steps were taken on the matter and an innovative program was launched to link the rescued brick kiln migrant children with education. Mr. Mahesh Bhagwat, IPS, the Commissioner of Rachakonda Police Commissionerate requested Aide et Action an International NGO works with migrant children to support this noble initiative. He further mobilised the support of the Yadadri Bhongiri district administration to enroll the children in the local government schools located near the brick kilns. Since the children were from Odisha, Education

Volunteers from Odisha were mobilized to impart the children education in mother tongue. The brick kiln owners came forward to support the program and the parents were overwhelmed to see their children finding schooling in an alien place which they never expected. The name of the school thus popularly became Worksite Schools which has become a reality and hopes for the brick kiln children to pursue their right to education with dignity.

The Brick kiln Children:

Brick kiln are a labour intensive sector and fully operate on piece rate wage system. The brick kiln worker prefers to move with the able bodied family members and children to the brick kilns to work together to accomplish the target. Majority

of the workers are belongs to the weaker section of the society and also know as debt migrant laborer. About 90% of the workers in brick kiln in Telangana are Odia laborers who come from western Odisha which is known for its chronic drought and backwardness. A brick kiln labor unit is known as Pathuria in Odia, which consist of two adult and a child/an adolescent labor. The children are engaged brick kiln in drying, flipping and molding of bricks and the adolescent are used as head-loaders. These children are either paid or informally assist parents. Often, children encounter extreme abuse, violence and exploitation and live in a testing environment and

live an invisible life. Due to frequent mobility, the brick kiln children move away from education, health care, Anganwadi services both at source and destination.

Worksite schoolphase-2

After successful demonstration of the Worksite School initiative in 2017, the partnership between Rachakonda Police commissionerate, district administration, Aide et Action international and brick kiln owners to further reinforce and continue the partnership to provide education, child care and make the brick kiln free from child labour. Accordingly the roles and responsibilities of each of the players were delineated.

| Rachakonda police commissionerate, Govt of Telangana | Dist administration (Yadardi, RRedy & Medchal, Govt of Telangana | Aide et Action international (Telangana & Odisha) | Brick kiln owners association, Telangana |
|---|--|--|---|
| Rescue of child labor | Education Volunteer (EV) salary support | Mobilization and deployment of interstate EV | Contribution for EVs honorarium |
| Mobilisation of brick kiln owners | Space for worksite school and enrolment of children | School text book | transport for children |
| Coordination with stakeholders for running Worksite schools | Midday meal | Training and capacity building of EVs | Uniforms, school bags and other support |
| Inter-state linkages | Teaching learning materials | Baseline survey, monitoring & reporting | Supporting children events and fairs |
| | School monitoring and school leaving certificates | Reintegration of children at source state | |

Launching of the Worksite school



January 20th, 2018, the inauguration of phase-2 operation began in Pedakonduru village of Choutuppall mandal, Yadadri Bhongir district. Mr. Mahesh Bhagwat, CP, Rachakonda Police Commissionerate, Ms Anita Ramchandran, District Collector and Magistrate, Mr. Umi Daniel, Aide et action and Mr. M. Rajendar Reddy Brick kiln owners association and officers from department of Police, Revenue, Education, Labor and CWC and other civil society organization attended the grand event where 180 children were enrolled into the Pedakonduru Primary School of Choutuppall Mandal in Yadadri Bhongir District.

Similarly a second event was organized at Raviryala

village under Maheswaram Mandal of Rangareddy district where the District Collector along with other officials grace occasion with Commissioner of Police Shri. Mahesh Bhagawath IPS.

Worksite School and Coverage of Children:

Mapping of brick kilns, children and neighborhood government primary school was carried out to identify eligible children and creating linkages to the schools. Aide et Action initiated the mapping and the data was shared with the concerned district administration. The district administrations of Yadadri Bhuvangiri and Rangareddy have allotted the local schools to accommodate the children.

| Year wise children cover ed in Rachakonda Police Commissionerate in Brick Kilns- Aide et Action | | | | |
|--|----------------------|------------------------|-------|-------|
| Year | Name of the District | No of children covered | | |
| | | Boys | Girls | Total |
| 2016-2017 | Yadadri | 96 | 89 | 185 |
| 2017-2018 | Rangareddy | 413 | 28 | 441 |
| | Yadadri | 183 | 169 | 352 |
| 2018-2019 | Yadadri | 130 | 138 | 268 |
| | Rangareddy | 233 | 194 | 427 |
| 2019-2020 | Rangareddy | 260 | 254 | 514 |
| | Yadadri | 113 | 107 | 220 |
| 2020-2021 | Rangareddy | 114 | 110 | 224 |
| | Yadadri | 96 | 75 | 171 |
| Total | | 1638 | 1164 | 2802 |

The brick making season has just started and migrants from Odisha state were engaged in the brick kilns units, in Dec 2021, 39 brick kilns were identified having children population of 395. The worksite schools facilitated in these sites which are nearer to Govt Schools in the village. The children number will be gradually increases as migrants will reach to these locations by January 2022. It is expected that this season, the no of odia migrant children will reach to 1000 and fifteen schools and five mini anganwadi centers are being planned.

Mobilisation and Capacity Building of Education Volunteer:

From the source state

Odisha, 16 Education Volunteers were mobilized and deployed for the education initiative. A five days training was provide to the teacher on multi-grade and joyful teaching and use of teaching learning materials by the resources from Odisha.

Text Book and TLM:

The Commissioner of Police has written to the Labor Department, Govt of Odisha and Sarva Siksha Abhiyan, Govt of Odisha for supply of text book. Further, Aide et Action arranged the text book and supplied it to the Worksite Schools.

MidDday Meal:

The Yadadri Bhongir and Rangareddy district administration have instructed

the schools to enrol the children in accessing midday meal for the brick kiln children. The Mid day meal was also continued during the summer vacations for the children who were in the brick kilns.

Sensitizing Parents and Workers:

Aide et Action field staff and the EVs have sensitized the brick kiln workers, parents about the safety, education and child care and seeking government entitlements through the brick kiln owners.

Child Care Initiative Inside Brick Kilns:

Besides making access to education of children, close to 400 infant and young children below 5 years were identified in the brick kiln. The teachers have created awareness among the mothers for healthy child care and linked them with the local Anganwadi centers.

Support from Brick Kiln Owners Association (Telangana Itukabattila Yajamanula Sangham)

The Brick kiln Owners Association, Telangana has played an excellent and critical role in supporting the Education

and child care initiative. The association also made significant contribution for the salary of the education volunteers, helped renovation of schools, construction of toilets, arranged drinking water, provided school uniforms and arranged transport for the migrant children to commute to the school from brick kiln. The Education Volunteers salary was also borne by the association which was timely. Moreover, the association also actively linked the infants and other kids in the kilns with government entitlements.

Examination and Reintegration at Source:

Remedial coaching session was also organized for the children in the worksites to prepare the children to study better and do well in the examination which is being conducted in the worksite school.

Reintegration at Source:

After the completion of seasonal migration, the children are back in their respective villages and so the Education Volunteers. Aide et Action preparing the village wise and

school wise reintegration plan and submitted the same to the SSA, Odisha. The EVs also help the children in reintegration with their native schools.

Management and Monitoring:

The DEO of both the district, MEO's of the concerned schools, Government teachers and local PRI leaders played key role in

the management and monitoring of the school. Moreover, the DCPs and ACP's other police officials of the nearby police station have made regular visit to the schools for its smooth functioning.

The overall monitoring and reporting was undertaken by Aide et Action Regional office in Hyderabad.





AWARDS AND RECOGNITION



Shri Mahesh. M. Bhagwat IPS received the US State Department's 2017 Trafficking in Persons Report Hero Award for prevention of forced labor, the award was in recognition of his initiative in setting up schools for the children of Odia migrant workers employed in brick kilns in two districts of Telangana. Under his able leadership and convergence with different departments of Government and NGOs (Non Government Organisation) steered the process of avoiding the child labor practices in Brick Kilns in Telangana. The schools are set up in Odia medium and classes

between 1 and 4 were set up on the premises in government schools for 6 to 7 months. Midday meals, Rs 1 per kg of rice were provided by the district administration, while transport for the children, uniforms and teachers's salaries were provided the Brick Kiln Owners Association. Aide et Action mobilized and trained the teachers from Odisha, provided books and continues to track the children on return to their home state.



U.S. Consul General Katherine Hadda presented the 2017 Trafficking in Persons (TIP) Hero Award to Mahesh Muralidhar Bhagwat, Commissioner of Police, Rachakonda,

In last four consequent years, this initiative has helped 2802 children in age group of upto 14years were enrolled into schools and ensured their continuity of schooling and education in their mother tongue. After completion of their parents migration, initiated to ensure they are repatriated to

normal school in Odissa with support of NGO – Aide et Action which also works in Odissa. The worksite school are functional from Dec to June and during this period, all children are ensured to go to school to learn and not to miss-out their education despite of migration.

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1. Articles/research papers are welcome for publication on the understanding that these contain original unpublished work not submitted for publication anywhere else.
2. Articles/papers should be between 3000 to 5,000 words including notes, references and tables.
3. All articles/papers should be emailed to rakshin.rpa@gmail.com
4. Article should be in Times New Roman with font size 12 and 1.5 spacing in between.
5. Article should be accompanied by an abstract of around 250 words, as well as 10-12 keywords.
6. Authors are requested to provide full details for correspondence: postal and e-mail addresses and daytime phone numbers.
7. The article should be proof-read.
8. References should be cited in the text (in-text citations) by using the last name(s) of author(s) and year of publication, using page numbers only in the case of a quote. For example: “Delhi police runs a mobile app by the name of “Himmat” which enables women to send a distress call to police control room in case of any emergency (Roy, Sharma, and Bhattacharya, 2015).
9. At the end of the article, full bibliographical references must be given. A few examples are given below.
 - <http://iscp.gg/article/118083/Police>
 - <https://www.theprotector.in/re-imagining-the-role-of-the-police-in-covid-19times/>
 - https://www.ohchr.org/sites/default/files/Documents/Events/COVID-19/Agenda_for_Action_IAWG-VAC.pdf
 - https://www.unodc.org/unodc/en/justice-and-prison-reform/globalprogramme-to-end-violence-against-children_overview.html
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**If You want peace,
work for justice**

- Pope John Paul VIth

**न्याय शांति का
प्रथम न्यास है।**

-राष्ट्रकवि 'दिनकर'

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