



Annual Report

2015-16



**West Bengal Commission
for Protection of Child Rights**

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Humbly Yours

– From the Desk of Chairperson

One of the major objectives of the Commission was to make its domain visible to all quarters. Almost everyday I have been receiving complaints as regards violation of child rights, OR news regarding good practices, OR novel and innovative schemes and almost daily one/two news items were aired or published. All these clearly indicate that we are in the right track to achieve our goal. The goal was, the issue of visibility apart, to raise awareness among society and individuals, caregivers and beneficiaries.

I am convinced that our society in unequivocal terms wants to recognize the rights of the child in right earnest and this desires have been reflected in Indian Constitution, ratification of CRC in Indian Parliament; and, not only that, Acts (JJ Act 2000, CPCr Act, 2005, RTE Act 2009, POCSO Act 2012, new JJ Act 2015) and Schemes (ICDS, ICPS, MDM, SSA etc) at regular intervals reaffirm the commitments of our lawmakers towards ensuring a comfortable space for our children. In West Bengal, in particular, schemes like Kanyashri, Sabujasathi have made tremendous positive impacts on the lives of children. All

such child-friendly acts/rules/schemes, notwithstanding, we must admit that we have not yet been able to create and ensure a protective & cheerful space for all children. But why? Lack of quality education, century old superstitions and above all defects & shortfalls in delivery mechanism are stumbling blocks. The Commission has tried its best with its limitations to overcome all hurdles. SUO MOTU cognizance of cases of violation of rights; awareness campaign through workshops etc are examples of our initiatives. Here, I want to say that district/state level authorities have a tendency to hide facts. In many cases we are getting information from other sources. Many DM still think that they have some more important jobs to attend than to take note of rights related issues and they often engage SW officers/staff for other works. We are happy to note that the NGOs of the state, almost all, have extended cooperation to the Commission to ensure child rights.

The activities of the Commission is stated in this report briefly with the hope that the report will help people understand the situation better. However, I am tempted to mention a few points here for perusal of all concerned.

I strongly feel that it is the responsibility of the rights organizations to bring to the notice of the Commission cases of violations of child rights. But, I am sorry to say that in most cases they preferred silence. This lackadaisical attitude has pained me most. In many cases ignorance of stakeholders and their indifferences also shocked me. Bureaucratic framework and its red-tapism, ignorance apart, at times put us in difficult situation to provide services to victims/survivors. I venture to suggest that Judiciary may also encourage introspection; there are cases where Judicial officers do not pay attention to the basic principles of child related acts and activities.

My experiences prompt me to state that child rights are violated most within family and schools. I am of the opinion that to curb violation of child rights within family it is our duty to be more active and alert. To





make people aware of the importance of child rights we need quality education, we need continuous campaign against evil practices. The Commission has constituted two high powered committees to examine the scope of child rights education. The SCPCRs are, by virtue of the CPCr Act and RTE Act, monitoring agency indeed, but in the state of West Bengal the School Education Department is fully ignorant of the provisions of the Acts and prefers not to respond to the Commission's clarion calls. For the first time in West Bengal we organized two public hearings on violation of RTE Act – one at Jalpaiguri and one at Maldah.

Problems of Adoption have also been noticed by the Commission and WBCPCR constituted a Committee to examine the problem and make recommendations thereon.

To assess the situation & to exchange ideas, to share experiences we met teachers & other caregivers frequently. It was brought to our knowledge that children of tea garden areas have been suffering and are deprived of many rights. I personally visited tea garden areas many times and made certain recommendations to appropriate authorities. I am glad to say that some major steps have been taken. Still, there are problems and to study the situation the WBCPCR in collaboration with NGOs is working in this field.

I am inclined to say on record that WBCPCR has taken a few notable steps to examine the status of child rights prevailing in this state. One such step is the 'Child Inspectorate' programme. The underlying motto of this programme is to allow children to examine through their own eyes the status of some aspects of child rights & to encourage Child participation in such innovative programmes. This programme is certainly unique in India. Formation of child protection committees at different levels helped implement the scheme.

The WBCPCR is also engaged itself to study problems of migration. Apart from NGOs, the organizations like NSSO, ISI, Kolkata, Tea Board extended cooperation.

An NGO in collaboration with the Commission is studying the growing trend of presence of children in flesh trade in places of tourist interests. Brief descriptions of all initiatives with a few recommendations have been included in this report. I hope that concerned authorities will examine those recommendations seriously and will try to implement those as far as practicable.

In discharging our duties we have received immense cooperation from the Department of WCD & SW and its very dynamic young Secretary Ms Roshni Sen. And most importantly, I must admit, the administrative acumen of Honourable Minister of State (IC) Dr Shashi Panja has entirely transformed the functioning of the Department & Directorates. I also want to offer my thanks to the staff members of WBCPCR; their tireless efforts and smiling gestures have instilled courage and enthusiasm among all concerned.

Lastly I take this opportunity to say on record that it is the presence of SCPS / DCPU staff members, who have been trying hard to ensure child rights in the districts, that has brought in notable changes. And we must not forget the important contributions of NGOs of the state. The contributions of our NGO partners have made us proud. We are grateful to organizations like ISI, NSSO etc for their valuable inputs; WB Higher Education Council in the Department of Higher Education, GoWB, Vice Chancellors of NSOU, Kalyani, Bankura, Rabindra Bharati, Gour Banga; Chairpersons of Assam & Manipur, Shri Aveek Majumdar, Chairman, State syllabus Board.

Asokendu Sengupta
Chairperson
WBCPCR

Dated the 6th June, 2016

Place : ICMARD Building, Kolkata



Annual Report 2015-16

List of Members of The Commission

G.O. No. - 5694-SPO/JJA-37/12 Dated : 20-02-2014
read with 4723-SW/JJA-37/12 (Pt-I) Dated : 04-09-2015

Annexure A

LIST OF MEMBERS

1.	Prof. Asokendu Sengupta	-	Chairperson
2.	Ms. Chaitali Maitra	-	Member
3.	Ms. Suma Mukherjee	-	Member
4.	Ms. Anita Basu	-	Member
5.	Shri Joy Bhadra	-	Member
6.	Vacant	-	Member
7.	Vacant	-	Member

Managing Pattern of the Commission

POSTS SANCTIONED VIDE G.O. No.- 2051-SW/JJA-58/11 Dated 26-06-2014
read with 2392-SW/JJA-58/11 Dated 05-06-2015

Sl No.	Name of the post	Filled up (✓)	Vacant (X)
1	Secretary		X
2	Joint Secretary	✓	
3	Asst Secretary	✓	
4	Law Officer	✓	
5	Accountant-cum-UDA	✓	
6	Stenographer (Two)	✓	
7	Section Officer		X
8	UD Assistant (One)	✓	
9	LD Assistant (Two)		XX
10	LD Assistant with computer knowledge (Two)		XX
11	Peon (Six)	✓✓✓	XXX
12	Night guard-cum-Darwan (One)		X
	TOTAL	10	10

NB:

1. Joint Secretary is acting as Secretary.
2. Law Officer is acting on part time basis.
3. AD, Social Welfare is currently serving as part time Accounts Officer.
4. Section Officer retired on 31-03-2016
5. Chiranjeeb Acharya, Seema Ganguly and Swarup Kumar Roy are posted in the Commission by the order of the Department of WCD & SW.
6. The Commission has taken initiatives to engage a few consultants from different child related fields. Advertisements were given in a leading newspaper (The Telegraph on 07-09-2015) and in the Commission's website. The short listed candidates have been interviewed on 01-03-2016 and going to engage consultants shortly.



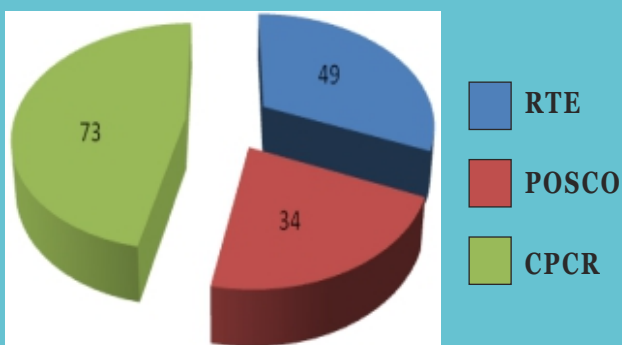
Complaints received and action taken by the Commission

During the year 2015-16, the Commission has received several complaints on cases related to Right to Education Act (RTE), Protection of Children from Sexual Offence Act (POCSO) and CPR. The violation under RTE includes cases like school admission fees, corporal punishment, absence of neighbourhood school etc. The violation of cases under POCSO includes sexual abuse, sexual harassment, rape, forced prostitution etc. The violation of CPR includes; Missing /Kidnapping/ /Trafficking /forceful selling /Acid Attack;

Death/Suicide/ Serious injury; Physical & Mental Abuse/ torture; Violation of Child Rights in Beedi Factories; Forcible acquisition of land; Custody of minors etc.

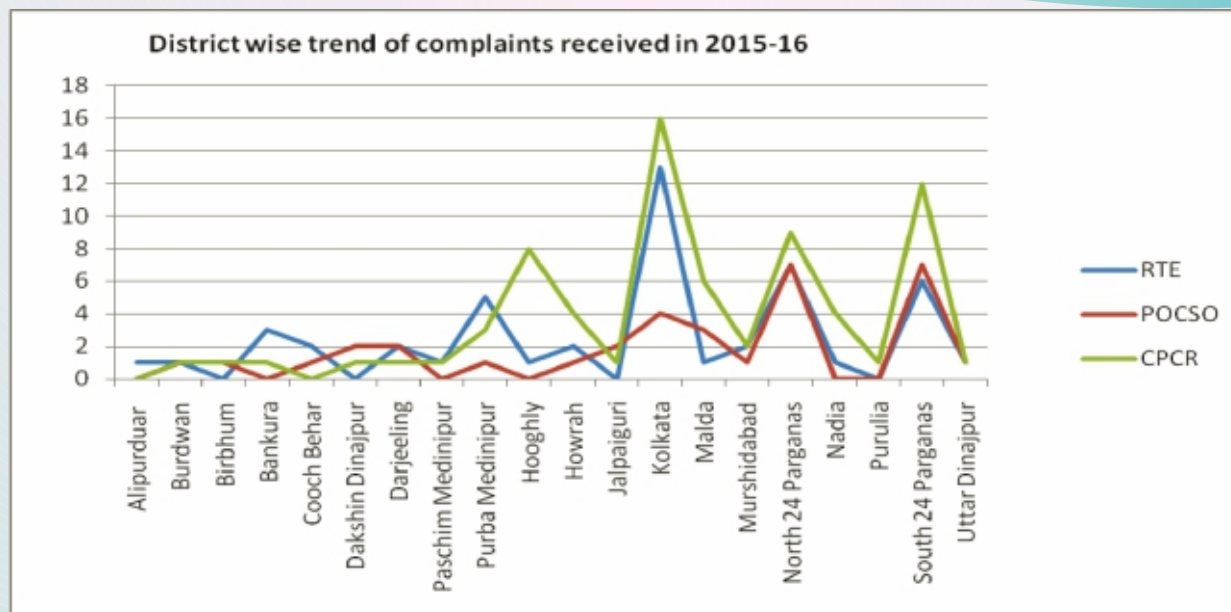
Maximum cases have been registered under CPR followed by cases related to violation of RTE Act and POCSO Act

Number of complaints received and action taken



District wise details of Complaints received and action taken by the Commission

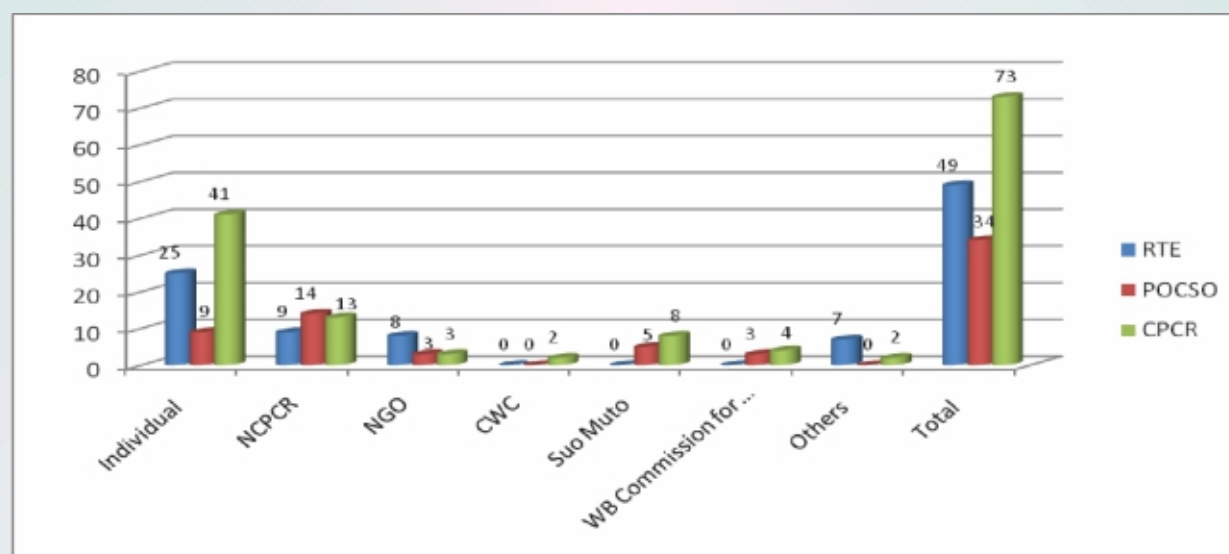
Alipurduar	1	0	0	1
Burdwan	1	1	1	3
Birbhum	0	1	1	2
Bankura	3	0	1	4
Cooch Behar	2	1	0	3
Dakshin Dinajpur	0	2	1	3
Darjeeling	2	2	1	5
Paschim Medinipur	1	0	1	2
Purba Medinipur	5	1	3	9
Hooghly	1	0	8	9
Howrah	2	1	4	7
Jalpaiguri	0	2	1	3
Kolkata	13	4	16	33
Malda	1	3	6	10
Murshidabad	2	1	2	5
North 24 Parganas	7	7	9	23
Nadia	1	0	4	5
Purulia	0	0	1	1
South 24 Parganas	6	7	12	25
Uttar Dinajpur	1	1	1	3
Total	49	34	73	156



Number of Complaints received from various Sources

Sources	RTE	POCSO	CPCR	Total
Individual	25	9	41	75
NCPCR	9	14	13	36
NGO	8	3	3	14
CWC	0	0	2	2
Suo Motu	0	4	9	13
WB Commission for Women	0	3	4	7
Others	7	0	2	9
Total	49	34	73	156

**Actual number of complaints is much higher*





SUO MOTU Cases

Sl. No.	Nature of Complaints Case under... Act	Location	Date	Action Taken
1.	POCSO	Dhupguri, Jalpaiguri	20-04-2015	Report sought from SP and received
2.	CPCR	Bhahmonbar, Pingla, Paschim Medinipur	07-05-2015	Report sought from DM, SP and received; Case Transferred to CID
3.	CPCR	Khagragar, Burdwan	16-06-2015	Preliminary report has been received but final report Awaiting
4.	POCSO	Taherpur, Nadia	03-07-2015	REPORT Annexed*
5.	POCSO	Kakdwip, South 24 Parganas	23-11-2015	Report Awaiting
6.	CPCR	Howrah	07-12-2015	Report received
7.	CPCR	Simlapal, Bankura	05-02-2016	Report received
8.	CPCR	Samsi Railway Station, Chanchal, Malda	12-02-2016	Report Awaiting
9.	CPCR (Child death)	Barasat Hospital, North 24 Parganas	12-02-2016	Report received Unsatisfactory, matter is being reviewed
10.	CPCR	Brick field in Pandua, Hooghly	15-02-2016	Report received
11.	CPCR	Srinath Jagatguru, Shankaracharya Baidik Vidyapitham, Shankarmath, Ramrajatala, Santragachi, Howrah	16-02-2016	Report Awaiting
12.	POCSO	Coochbehar	18-01-2016	Recommendation has been sent to the Department WCD & SW
13.	CPCR	Bankura	05-02-2016	Report awaiting



*Description of the Case

Date & Time of call received by CHILDLINE Nadia (1098): 22/06/2015 at 11:30am Type of Case- Protection from abuse and Sexual abuse Other Details: Name of the Child- Sangita Biswas, Age-17+ D/O- Niran Biswas, Address- Ushagram, Nazirpur Road Para, PS- Taherpur, Nadia. The information received from the written complain of the victim girl are as mentioned under: On 19th June 2015, at evening (around 7:45 PM) when Sangita returned to her home from coaching centre at Birnagar, two boys, named- Kartik Saha and Mrinal Sikder obstructed her way and turned her forcefully at the dark place of roadside. Then they showed her a knife and tried to rape her. They molested her. Her clothes became tear when she scuffled with them. They cut her hair. At that time when some people were passing on the road they escaped from there.

Intervention Steps taken by CHILDLINE

On 22/06/2015 two team members of CHILDLINE Nadia visited to the victim girl's house and talked to with family members of that girl. On 24/06/15 discussed with OC, AHTU, at SP office On 01/07/15 present at Krishnagar Judge Court and Women PS at Krishnagar.

Networking with Allied Systems and their involvement

After visited the victim girl's house team members of CHILDLINE Nadia went to the Taherpur PS for talked to with the OC, but at that time the OC was out of PS and they could not talked to with him. On 23/06/15 Centre Coordinator CHILDLINE Nadia tried to contact with the OC Taherpur PS over telephone, but she also couldn't contacted with him. On 24/06/2015 both City & Centre Coordinator met with OC, AHTU, at SP office and discussed about this case. City & Centre Coordinator requested him for conducting medical test of the victim as early as possible. The OC, AHTU informed that two accused arrested by Taherpur police and he also assured that he will talked to with OC Taherpur about this case. On 01/07/2015 OC Taherpur PS produced the girl before session court (ADJ-II) at Krishnagar for conducting 164 of that girl. As per the order of the court OC Taherpur PS took the girl to Women PS at Krishnagar for 161. There OC Women PS recorded 161. After that the girl was produced before the Magistrate of 6th Court of Krishnagar Judge Court and 164 was recorded there. City Coordinator of CHILDLINE Nadia presented at the court and the Women PS with the parents of victim girl for any cooperation. After requesting of City Coordinator of CHILDLINE Nadia, one of the member of CWC who is also a lawyer of Krishnagar Judge Court talked to with the victim girl and gave her mental support. There City Coordinator requested to OC Taherpur, again for the medical test of that girl. On 02/07/2015 police of Taherpur PS took the girl at Anulia Hospital (Ranaghat) for medical test and the test has done.

Output of the Case

- 1) Two accused name- Kartik Saha & Mrinal Sikdar arrested.
- 2) 161 & 164 has recorded.
- 3) Medical test has done.

Present Situation

The child is in trauma till now.



Few Important Programmes Attended by Chairperson at Districts, WBCPCR

Sl.	DATE	DISTRICT	LOCATION	ORGANIZED BY
1)	03-05-15	Seminar Organized by Pratichi, North 24 Parganas	Barackpur, North 24 Parganas	Pratichi
2)	05-04-15	Visit : Tea gardens in Alipurduar	Bandapani	WBCPCR
3)	06-04-15	Visit : Tea gardens in Alipurduar	Khuntimari	WBCPCR
4)	01-07-15	Meeting with North Bengal Officials & Superintendent of Police on preparation of Public Hearing	Circuit House, Jalpaiguri	WBCPCR
5)	05-08-15-	Visiting Homes and Schools;	Purulia	DCPU, PURULIA
6)	08-08-15	meeting with Stakeholders	Manikpara and	DCPU,
	10-11-15	Visited Nivedita Home, Manikpara and Bikash Bharati, Salbani, Pashim Medinipur	Salbani, Paschim Medinipur	Pashim Medinipur
7)	27-11-15	Shishu Aaloy, Howrah	Domjur, Howrah	WCD
8)	30-11-15	Programme on Child Protection, Purba Medinipur	Nimtouri, Purba Medinipur	DCPU, Purba Medinipur
		Programme on Child Protection, Purba Medinipur	Nanda Kumar BDO Office, Purba Medinipur	DCPU, Purba Medinipur
9)	16-12-15	Public Hearing on violation of RTE, Malda	Malda	DCPU, MALDA & WBCPCR
10)	12-12-15-	Visit to DSWS, Sandeshkhali;	North 24	DSWS & DCPU,
	13-12-15	Visit to Madrasa	Parganas	North 24 Parganas
11)	18-12-15	Public Hearing on violation of RTE, Jalpaiguri Visit to Korak home and Tea Gardens ICDS. Jalpaiguri	Jalpaiguri	DCPU, JALPAIGURI & WBCPCR
12)	19-12-15	i) Meeting with stakeholders on status of the children in the Tea gardens, Alipurduar	Alipurduar	DCPU, Alipurduar
		ii) Visit : Dhumchipara TE, Alipurduar	Alipurduar	Action Aid
13)	22-12-15	Meeting organized on POCSSO	DC Office, Darjeeling	DCPU, Darjeeling
14)	14-01-16	Naihati School Visit + Seminar	Naihati, North 24 Parganas	An NGO

15)	16-01-16- 18-01-16	Meeting with stakeholders, Murshidabad	Baharampur, Kandi, Murshidabad	DCPU, Murshidabad
16)	25-02-16	Seminar on Education; Meeting with Stake holders, North 24 pgs	Barasat Govt. College North 24 parganas DM Office, North 24 pgs Parganas	Dept of Higher Education DCPU, North 24 pgs
17)	27-02-16	Meeting with DCPU, Purba Medinipur and other Stake holders	Tamluk, Purba Medinipur	DCPU, Purba Medinipur
18)	28-02-16	Meeting with Children at Kajla Janakalyan Samity	Contai, Purba Medinipur	Kajla Janakalyan Samity
19)	05-03-16	Visit to Burdwan CMS Primary School; Meeting with CWC, Burdwan	Burdwan Circuit House, Burdwan	DCPU, Burdwan
20)	06-03-16	Visit to Indira Pragati Society, SAA	Durgapur, Burdwan	DCPU, Burdwan
21)	07-03-16	Meeting with District Officials, Purulia; visit to homes / hostels	Circuit House, Purulia	DCPU, Purulia

Only a few visits are mentioned here.





Important Seminars / Workshops attended by Chairperson, WBCPCR

Sl.	DATE	SEMINAR / WORKSHOP	VENUE	ORGANIZED BY
1.	16.04.15	CPC Roll out	Bikash Bhavan, Salt Lake, Kolkata	WCD
2.	24.04.15	Workshop on Anti Human Trafficking	CDTS, Kolkata	CDTS, Kolkata
3.	24.04.15	Valedictory Address on Workshop on Anti Human Trafficking	CDTS, Kolkata	CDTS, Kolkata
4.	03.05.15	RTE	Barrackpore	Pratichi Trust
5.	09.05.15	Meeting with DCPU of Darjeeling	Darjeeling	DCPU, Darjeeling
6.	11.05.15	Meeting of CR Committee for School	ICMARD	WBCPCR
7.	12.05.15	Meeting of Executive Committee, SCPS	Bikash Bhavan	WCD
8.	13.05.15	Meeting of CR Committee for College / University	ICMARD	WBCPCR
9.	22.05.15	Visit : District of Murshidabad including SUTI	Suo Motu	WBCPCR & DCPU, Murshidabad
10.	28-29.5.15	Training of CWC Members	ATI	WCD
11.	30.05.15	Meeting of Task Force on Adoption	NSOU	WBCPCR
12.	03.06.15	Seminar on NSQF	NSOU	NSOU
13.	09.06.15	State Child Protection Day	EZCC	WBCPCR
14.	11.06.15	Meeting with RCI	ICMARD	WBCPCR
15.	14.06.15	Meeting with NGOs on Migration	ICMARD	WBCPCR
16.	24.06.15	Meeting with Secretary, WCD	Bikash Bhavan	WCD
17.	01.07.15	Meeting with North Bengal Officials & Superintendent of Police on preparation of Public Hearing	Jalpaiguri Circuit House	WBCPCR
18.	04.07.15	NCHR programme	ICMARD, Kolkata	Ekla Chalo.
19.	08.07.15	College/University Sub- committee meeting	ICMARD, Kolkata	WBCPCR
20.	10.07.15	i) State level Dissemination ii) Meeting on report on observance of the State Child Protection day on 9th June, 2015	Swabhumi, Salt Lake, Kolkata ICMARD, Kolkata	Save the children WBCPCR
21.	17.07.15	Meeting with NGOs on Child Inspectorate	ICMARD, Kolkata	WBCPCR
22.	22.07.15	Meeting with NGOs on Internal Migration	ICMARD, Kolkata	WBCPCR
23.	28.07.15	Meeting of Transgender Coordination Committee	Bikash Bhavan, Salt Lake, Kolkata	WCD
24.	29.07.15	Seminar on One Stop Crisis Management Centre	ICMARD, Kolkata	Action Aid

25.	04.08.15	Meeting regarding School Education Sub-committee & Meeting with CINI regarding child care etc. at Sealdah Station	ICMARD, Kolkata Sealdah	WBCPCR CINI
26.	11.08.15	Meeting with Secretary, West Bengal Higher Education Council	WBHEC	WBHEC & WBCPCR
27.	12.08.15	Meeting of College/University Sub-committee regarding Child Rights Education	Kalyani University	Kalyani University
28.	13.08.15	Seminar of Child Rights	Kalyani University	Kalyani University
29.	17.08.15	Summon: Principal, St. Merry's School, DumDum, North 24 parganas	ICMARD, Kolkata	WBCPCR
30.	20.08.15	Meeting with Durbar, an NGO	Office of Durbar, an NGO	Durbar, an NGO
31.	21.08.15	Meeting of the Task Force on Adoption	Bikash Bhawan, Kolkata	WCD
32.	31.08.15	i) Meeting on Internal Migration ii) Child Inspectorate	ICMARD, Kolkata	WBCPCR
33.	04-09-15	Meeting with SW officers regarding Public Hearing	ICMARD, Kolkata	WBCPCR
34.	08.09.15	Meeting with representatives of Railway Children & Pratichi	ICMARD, Kolkata	WBCPCR
35.	12.09.15 - 13.09.15	Meeting organized by High Court Committee	Kolkata High Court	J J Committee & UNICEF
36.	14.09.15 -16.09.15	Tripura (Agartala) Programme	AGARTALA	TPCPCR
37.	17.09.15	Meeting with Australian High Commission	ICMARD, Kolkata	JABALA
38.	30.09.15	i) Workshop on survey of Street children in Kolkata and Howrah	Sonnet HOTEL	Save the Children WBCPCR
39.	02.10.15	i) ICDS Programme ii) Meeting of the Task Force on Adoption	i) Peerless Inn ii) Chamber of Vice Chancellor, Netaji Open University	WCD NSOU





40.	03.10.15	State Level National Children's Science Congress (NCSC), 2015	Science Education Forum	Loreto Convent School, Sealdah
41.	05.10-15	i) A State Level Orientation Programme on New Adoption Guidelines. ii) State Advisory Committee on Trafficking for Commercial Sexual exploitation.	NSOU Bikash Bhavan	WCD WCD
42.	19.10.15	NATIONAL MEET	NCPCR Office, New Delhi	NCPCR
43.	28.10.15	Meeting with Chief Secretary	Nabanna, Howrah	WCD/ WBCPCR
44.	02.11.15	Meeting with UNICEF & NGOs regarding Observance of International Child Rights Day.	ICMARD, Kolkata	WBCPCR
45.	03.11.15	Meeting with West Bengal Right to Education Forum on Child Centric Education & Importance of CCE in West Bengal	Academy of Fine Arts	WBEN
46.	04.11.15	Meeting with Mayor, Bidhannagar	Bidhannagar Municipality Office	WBCPCR
47.	06.11.15	Meeting with DSWO & DCPO	ICMARD, Kolkata	WBCPCR
48.	14.11.15	i) Meeting with supporting members regarding CRC programme on 26-11-15. ii) Child Friendly Police Station iii) All India Radio Programme,	Jalsampad Bhavan Watgunge P.S., Kol. Akashvani Bhavan	WBCPCR Sanlaap PRD
49.	18.11.15	Meeting with DCPOs & DSWO regarding Public Hearing	ICMARD, Kolkata	WBCPCR
50.	20.11.15	Meeting with NGOs regarding International Child Rights Day	ICMARD, Kolkata	WBCPCR
51.	26.11.15	International Child Rights Day Programme	ICMARD, Kolkata	WBCPCR
52.	03.12.15	Programme on International Handicapped Day	Rabindrasadan, Kolkata	WCD
53.	14.12.15	Meeting with Action Aid, an NGO	ICMARD, Kolkata	WBCPCR
54.	06.01.16	Delhi visit to met Chairperson of DSCPCR	DSCPCR Office, Delhi	DSCPCR & WBCPCR
55.	07.01.16	Meeting with NCPCR	NCPCR Office	NCPCR

56.	10.01.16	Meeting with Science education Forum	Seva Kendra, Kolkata	Science education Forum
57.	11.01.16	Meeting with CRY, WBEN	ICMARD, Kolkata	WBCPCR
58.	19.01.16	Workshop on Women Empowerment	Thakurpukur, Kolkata	Ebong Alap
59.	20.01.16	Seminar on Child Rights	Muslim Institute, Kolkata	Maulana Azad College
60.	22.01.16	NGO meet	ICMARD	WBCPCR
61.	25.01.16	Programme on Girl Child Day	Sisir Mancha, Kolkata	WCD
62.	27-31.01.16	Conclave on "Gender Equality and Child Rights"	Mussoorie	LBSNAA
63.	02.02.16-03.02.16	Inter-state convergence workshop on Anti Trafficking	Hotel Hindusthan International	Save the Children
64.	04.02.16	Meeting with representatives of NGOs, Education Department, Tea Board etc.	ICMARD, Kolkata	WBCPCR
65.	05.02.16-06.02.16	Child Rights & Protection policy dialogue and achievements, Seminar on Child Rights	ICMARD, Kolkata	EKLA CHALO & WBCPCR
66.	08.02.16	Summon: DCPO, South 24 Parganas	ICMARD, Kolkata	WBCPCR
67.	09.02.16	i) Meeting with WBEN, ii) Summon: Manager, Cafe Coffee Day	ICMARD, Kolkata	WBCPCR
68.	11.02.16	Meeting with NHRC; Meeting on Migration with ISI, NSSO & Ors.	NUJS, Kolkata	NHRC
69.	12.02.16	Meeting of NHRC	NUJS, Kolkata	NHRC
70.	16.02.16	Meeting on Tea Garden's issues	ICMARD	WBCPCR
71.	18.02.16	Meeting with Bankura DCPU & CWC	ICMARD, Kolkata	WBCPCR
72.	21.02.16	Blind School programme	Blind School, Salt Lake	Blind School
73.	22.02.16	Rusi Modi Lecture	Academy of Fine Arts	SLARTC
74.	01.03.16	Seminar on Teachers' Training	David Hare Training College	David Hare Training College
75.	05.03.16	Visit to Burdwan CMS Primary School; Meeting with CWC, Burdwan	Circuit House, Burdwan	DCPU, BURDWAN
76.	06.03.16	Visit to Indira Pragati Society, SAA	Durgapur	DCPU, BURDWAN
77.	07.03.16	Meeting with District Officials, Purulia; Circuit House, visit to homes/ hostels Walk in Interview for Consultant	Circuit House, Purulia ICMARD	DCPU, PURULIA WBCPCR





**Summary of total SEMINARS / WORKSHOPS / MEETINGS attended
and visits done by Chairperson, WBCPCR**

আমার ছড়া

ললিতা কিস্কু, চতুর্থ শ্রেণি,
বল্লভপুরডাঙ্গা, প্রাথমিক বিদ্যালয়



A FEW VISITS OF COMMISSIONERS *

Name	Date	Case ; referred by	Place of Visit	Purpose	Remarks
Shri Bidhan Bhattacharjee	11-04-15	WCD	Keuti, P.S.- Golabari Howrah	To Visit SAA	Quite satisfactory
Dr Siddhartha Gupta	21-04-15	WCD	CHITTARANJAN AVENUE ANUSILANI (CAA) SAA	Enquiry	Recommended strong disciplinary action
AGP, Siliguri	06-06-15	Summons issued by Ld. Civil Judge, Siliguri (T. S. 70 /2015) NCPDR		To act as Defence Council	
Prof Amit Kumar Roy Chowdhuri & Shri Bidhan Bhattacharjee	30-06-15	Suo Motu	Districts of Jalpaiguri	Inspection of Children's Home	satisfactory
Dr Siddhartha Gupta & Shri Bidhan Bhattacharjee	23-11-15	WCD	Chak Kumar, Paschim Medinipur	Enquiry	Satisfactory
Shri Bidhan Bhattacharjee & Dr Mayukh Sarkar	15-01-16	Suo Motu. two minor girl children approx 12 years, 10 years old sexually abused	Shahid Bandana Home; Cochbehar	Enquiry	Recommended strong disciplinary action
Dr Siddhartha Gupta	19-01-16	West Bengal Commission for Women	Bhatpara, Naihati, Barrackpur Commissionerate	Rape of two minors	Recommended for Compensation & Treatment
Prof Anjan Chaki, Dr. Phatik Chand Ghosh, Dr. Santanu Ghosh	06-02-16	Suo Motu	Simplapal, Bishnupur, Bankura	Enquiry	Recommended Mapping of CCIs
Dr Madhubrata Chowdhuri	23-03-16 to 25-03-16	Suo Motu	District of Darjeeling	Condition of Tea Garden Children	Immediate Implementation of provisions of RTE Act, CPCDR Act & J J Act.

* A few persons on the request of the Chairperson, WBCPCR acted as Commissioner.





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Meeting of WBCPCR during 2015-16

Dt. of Meeting	Members Present	Remarks
09-04-2015	1. Shri. Asokendu Sengupta, Chairperson, WBCPCR 2. Shri. Joy Bhadra, Member, WBCPCR 3. Shri. D.P. Bandopadhyay, Secretary	Postponed in absence of quorum
12-05-2015	1. Shri. Asokendu Sengupta, Chairperson, WBCPCR 2. Shri. Joy Bhadra, Member, WBCPCR 3. Shri. D.P. Bandopadhyay, Secretary	Postponed in absence of quorum
10-07-2015	1. Shri. Asokendu Sengupta, Chairperson, WBCPCR 2. Shri. Joy Bhadra, Member, WBCPCR 3. Smt. Anita Basu, Member, WBCPCR 4. Shri. D.P. Bandopadhyay, Secretary 5. Shri. Amalendu Naskar, Additional Director, DSW 6. Shri. Uttam Kuar Chowbe, Law Officer, WBCPCR	Postponed in absence of quorum
30-09-2015	1. Shri. Asokendu Sengupta, Chairperson, WBCPCR 2. Shri. Joy Bhadra, Member, WBCPCR 3. Smt. Chaitali Moitra, Member, WBCPCR 4. Smt. Anita Basu, Member, WBCPCR 5. Shri. D. P. Bandopadhyay, Secretary 6. Shri. Amalendu Naskar, Additional Director, DSW	Meeting was held
16-11-2015	1. Shri. Asokendu Sengupta, Chairperson, WBCPCR 2. Shri. Joy Bhadra, Member, WBCPCR 3. Shri. Sourav Chakraborty, Member, WBCPCR 4. Smt. Chaitali Moitra, Member, WBCPCR 5. Shri. D.P. Bandopadhyay, Secretary 6. Shri. Amalendu Naskar, Additional Director, DSW	Meeting was held
16-03-2016	1. Shri. Asokendu Sengupta, Chairperson, WBCPCR 2. Shri. Joy Bhadra, Member, WBCPCR 3. Smt. Anita Basu, Member, WBCPCR	Postponed in absence of quorum





VISIT BY THE MEMBERS OF WBCPCR

Name of the Member: Shri Joy Bhadra

Date	Visit / Inspections etc	Venue	Organized by
16.12.2015 & 18.12.2015	Attended Public Hearing	Malda, Jalpaiguri	WBCPCR

Name of the Member: Smt. Anita Basu

Date	Visit / Inspections etc	Venue	Organized by
07.02.2016 - 08.02.2016	Consultation on New Delhi	India Habitat Centre, New Delhi	NCPCR

Name of the Member: Smt Chaitali Moitra

Date	Visit / Inspections etc	Venue	Organized by
24.06.2015	Bodhona Home	Salt Lake, North 24 Parganas	WBCPCR
08.04. 2015	Darjeeling	Darjeeling	WBCPCR

ডাকাডাকি

কুকুর ডাকে ঘেউ ঘেউ,
বিড়াল ডাকে ম্যাঁও।
কোকিল তুমি কেমন করে,
সুন্দর গান গাও ?
ছাগল ডাকে ম্যাঁ ম্যাঁ,
ভেড়া ডাকে ভ্যা,
কাক তোমার ডাক শুনে
সবে করে ছা।

রুমা পাল, দ্বিতীয় শ্রেণি,
চকমণ্ডলা প্রাথমিক বিদ্যালয়

মজার দিন

মেঘের কোলে মেঘ জমেছে
রোদের দেখা নাই।
সারাদিনই ছটোপাটি
মন যে খুশি তাই।
বৃষ্টি হবে ভিজব মোরা
মাখব গায়ে মাটি,
জলে কাদায় দারুণ মজা
দারুণ ছুটোছুটি।

সুমিতা হাঁসদা, দ্বিতীয় শ্রেণি,
বিনুরিয়া নিম্ন বুনিয়াদী বিদ্যালয়

IMPORTANT EVENTS AND ACTIVITIES

Initiatives : Few initiatives taken by the Commission during the year 2015-16.

- Child Inspectorate
- Adoption
- Child Rights Education
- Study on Child Migration
- Study on Children of Tea Gardens
- Study on Child Sex Tourism

Events :

- Celebration of Child Protection Day on 9th June, 2015 at Eastern Zonal Cultural Centre, Salt lake, Kolkata in collaboration with NGOs.
- Celebration of CRC Day on 26th November, 2015 at Eastern Zonal Cultural Centre in collaboration with UNICEF and NGOs.
- Public Hearing on Violation of Right to Education Act at Malda on 16th December, 2015 and at Jalpaiguri on 18th December, 2015.



CHILD INSPECTORATE An Initiative of the Commission to Ensure Child Participation

West Bengal Commission for Protection of Child Rights in collaboration with NGOs working in the field of child rights in the State has spearheaded an initiative to engage **Child Inspectorates** to assess the status of child rights across the State.

The concept of '**Child Inspectorate**' is based on the concept of **child participation**. A core premise is that children and adolescents have the right to express themselves freely and to have their views taken into account in all matters affecting them; that right must be respected and promoted. Often children and young people are much better placed than the duty-bearers to take the lead in assessing and analysing their own situation, and coming up with possible solutions. Another purpose is to give exposure to children and make them aware of their surroundings and issues concerning them. Keeping this in mind, it was decided to commission a study where children themselves would assess the situation of their local surroundings and community based institutions like schools, ICDS centres, etc in their village and in the adjacent villages in the same block or in a different block.

In a meeting held on 17th. July, 2015 the nodal and supporting organisations were selected by the Commission from 10 districts viz Alipurduar, Birbhum, Jalpaiguri, Murshidabad, Nadia, North 24 Parganas, Paschim Midinipur, Purba Medinipur, South 24 Parganas and Howrah. The structure of the study was discussed and specific roles and responsibilities were given to each NGO by the Commission. The Nodal Organisations were given the responsibility for coordinating and linking with the supporting NGOs and were asked to share updates with the Commission on the development related to the study. The NGOs were primarily selected on the basis of the list prepared by the WCD for the purpose of BLCPC/VLCPC. It was decided to select the child members of BLCPCs in the age group of 14-18 years who are school going (preferably those studying in class IX & X) as '**Child Inspectorates**'. Although priority was given to select children from BLCPCs, flexibility was allowed for places where BLCPCs have not been formed or are yet to be functional. In such situations, the members of children's groups formed through the initiatives of local organisations were decided to be considered.

Another meeting was held by the Commission on 6th. October, 2015 to finalize the nodal and the supporting NGOs from 10 other districts and to discuss the framework of the study. The Nodal NGOs were asked to identify the child representatives from the BLCPCs in consultation with the respective DCPOs. Further, the nodal NGOs were asked to organise a district level planning meeting to finalise the list of the children, schedule of the field visit, the logistic arrangements etc and also to organise orientation programmes for the district functionaries and the children in consultation with the NGOs and DCPUs.

Accordingly, orientation workshops were held in phases with the NGOs/ child volunteers to orient/ capacitate them on the purpose and background of the study, briefing them on the questionnaire and how to collect information on developmental issues, document the same and present their findings. Children have been particularly asked to briefly narrate their experiences/ expectations and recommendations.

Letters were issued by the Commission to all the District Magistrates for extending support through the local authorities so as to enable children to conduct the programme smoothly.

Initially, it was decided to pilot the project with two children from the Block Level Child Protection Committees from all the 341 blocks of the State and to scale it up further based on the experiences. The child inspectorates from each block visited a village adjacent to their own

village block to reflect upon the status of child rights by covering schools, ICDS centres, VLCPC, Health Care Institutions, other local stakeholders/important sites etc.

A committee is formed with following persons to monitor the exercise :

- 1) Sri Satya Gopal Dey, 2) Ms Moumita Saha,
- 3) Ms Susmita Chanda, 4) Ms Ushree Roy

1) Findings of the survey done in 10 districts (till 31-03-16).

The findings from the 10 districts surveyed by the child inspectorates have been summarised below in a nutshell.

Village : In most of the villages, the drainage and sewerage conditions are bad. The road conditions are also not good. Prevalence of child labour, child marriage and school drop outs are high in districts like Jalpaiguri, Coochbehar, South 24 Parganas and North 24 Parganas. Child Protection Committees are yet to be formed in some villages. In terms of availability and accessibility of basic services and amenities, Purba Medinipore has shown good results.

Primary Schools : Lack of basic infrastructure like boundary wall, playground, library facilities and shortage of benches exists in some schools. Insufficient teaching learning and play materials have also been reported. Toilets are mostly unclean. In few schools, children have taken the initiative to clean the toilets on a weekly basis. Teachers have also joined hands with children in cleaning of toilets. Schools normally discuss nothing on child rights. Children are mostly unaware of childline or 1098. Corporal punishment still exists. It has been found that some schools charges fees from students on different grounds like admission charges, electricity fees or sometimes special charges before any occasion or festival. The Health check- up facilities is mostly irregular in schools. The Sishu Sansads have either not been formed or are non functional. There is no arrangement for the children with special needs in schools.

However, the situation is not same everywhere. There are also schools which are in complaints with RTE provisions. Children in such schools have access to quality, child friendly and child centred education particularly in districts like Purba Midnapore and North 24 Parganas.

ICDS: The service delivery conditions were found dismal in most of the ICDS centres. Very few centres have their own building; mostly the centres run in rented buildings/ space like the clubs, verandas of primary schools or Panchayat Office. The infrastructural facilities are fragile. For example, there are no storage facilities for keeping the teaching learning materials and other equipments.

In absence of storage facilities, the study and play materials are kept in the AAWs' home. The non availability of water (for both drinking and other purposes) is another big problem. The quality of food served in the centres ranges from average to bad. There has been instance where only rice is given and that too of an inferior quality. Also, there are centres where food is not given on a regular basis; it's been served only three days in a week. All children below 6 year of age do not attend the ICDS centres. Often the centres remain closed as workers are engaged in other activities like immunization programme, collection of village data etc.





Committee for reviewing the existing Adoption mechanisms

West Bengal Commission for Protection of Child Rights was receiving several complaints on adoption. Realising the need, the Commission decided to review the principle and practices of adoption being followed in the State. A Committee was set up to study the prevailing practices related to adoption, the new guidelines of CARA and suggested measures for improvement in the management of adoption related matters. The Committee consisted of following members:

1. Dr. Subha Shankar Sarkar, V. C. NSOU
2. Dr. Sabyasachi Basu Roy Choudhuri, V. C., Rabindra Bharati University
3. Sri. Dilip Ghosh, IAS (Retd)
4. Sri K.P.Sinha, IAS (Retd)
5. Sri. Kalyan Nandi, Accounts Officer, NSOU
6. Sri. D.P. Banerjee, IAS (Retd), Secretary, WBCPCR

The Committee headed by Dr. Subha Shankar Sarkar, the Vice Chancellor of Netaji Open University as Chairman sat on several dates between March-October, 2015 to identify the problems related to adoption and came up with a set of recommendations for improving the system.

The primary role of the Committee was to i) review the CARA Guidelines and to suggest recommendations, ii) study the practices being followed by different implementing agencies viz SAAs, CWCs, Hospitals, Nursing Homes etc, iii) Identify instances of violations, possible areas of miscomprehensions and misunderstanding of the guidelines and iv) suggest possible remedial measures.

It is important to mention that Mr. Supriya Sarkar, Programme Manager, SARA who was deputed by the Director of Social Welfare, provided guidance to the Committee to arrive at some valuable recommendations for improving the procedures for adoption.

A report is submitted to the Govt. of West Bengal.

Some of the key recommendations suggested by the Committee are given hereunder:

- I. As per the new adoption Guidelines launched by the Government of India in 2015, the Prospective Parents have to register online by using the PAN card No. In absence of PAN card, aspiring parents presently do not have any other alternative options for online registration. Therefore, it was suggested to introduce AADHAR/EPIC/Proof of any Nationalized Bank Account as an alternative option for PAN card for online registration.
- II. The new adoption procedure is online, but the rural or the marginalised people may not have access to internet/ technology. Therefore, it was suggested that the State Govt should take this up with the Govt of India and develop an alternative mechanism so that the rural or marginalised people can also avail the opportunity for adoption. Suggestion was given to take help from the CPCs at appropriate levels to facilitate the entire process of online submission of application for registration.
- III. In the new guidelines, the role of DCPUs in adoption has been augmented. Therefore, it was suggested to equip the DCPUs with trained man power and infrastructural support. The State Govt should take suitable actions to fill up the vacant posts in the DCPUs.
- IV. The Child Welfare Committees (CWCs) play a pivotal role in adoption by issuing legally free for Adoption Certificates (LFA) in respect of the abandoned/ surrendered children. But the

CWCs are non functional in some of the districts and the members of the CWCs often make unnecessary delays in issuing the LFA. In this respect, it was proposed that the CWCs be immediately constituted in every district in compliance with the relevant provisions of JJ Act, 2000 and its subsequent amendments and all the existing CWC members need to be properly oriented about their role in adoption.

- V. It was proposed that the licensing/ registration procedures of SAAs be made minimal time bound and executed through a single window system.
- VI. The State Government should publicize the new adoption guidelines through TV/ Radio/ Newspaper as many Prospective Adoption Parents are still unaware and remain confused about the new adoption procedure.
- VII. There is no clear mandate in the new Guidelines whether the CWC can issue LFA in respect of children whose parents are either mentally challenged or are serving life time imprisonment. It was proposed that the State Govt should take this up with the CARA for clear cut guideline so that such children may be placed in specially designated homes and CWCs can issue LFA on recommendations of the Home authorities. A general guideline can also be issued by the Government to constitute medical boards duly empowered to identify the extent of mental retardation in parents where they are incapable for child rearing.
- VIII. There should be at least one SAA in every district.
- IX. In view of the malpractices reported against many NGO run SAAs, the State Government should take necessary steps for setting up Government run SAAs in some selected Govt run Child Care Institutions (CCIs)
- X. The linkage of SAAs with nearby ICDS centres should be done with consent of the CWCs to enable children in the SAAs to avail the facilities under ICDS.

Child Rights Education

In terms of sec 13(1)(h) the Commission is given the responsibility to spread Child Rights Literacy and promote awareness. The Commission has observed that to spread awareness regarding child care & protection and to ensure rights of the child quality education is the key. WBCPCR is convinced that to make the society right based in a welfare state adequate measures are to be taken for our children. In some other states of India there are institutions where one can get opportunity to study in this field*. But, in West Bengal our young minds do not get enough scope for it. It is needless to say that to ensure rights and to protect children from abuses we need, apart from favourable schemes etc., a brigade of qualified, trained care givers. Keeping that in mind the Commission, with active support of WB State Council of Higher Education, constituted two high-powered committees (one to consider all aspects at School Level & the other to examine possibilities of introducing several courses to study the scope of such education in West Bengal in 2014 at College/ University Level)**.

It may be noted here that West Bengal State Council of Higher Education organized a meeting of Vice Chancellors of state Universities on 11/11/2014 to discuss the appropriate steps to be taken to spread child rights literacy; measures to be taken to introduce (a) UG Foundation Course, (b) UG Degree Course, (c) PG Course, (d) PG Diploma and Certificate Course, (e) Ph.D. Programme, (f) Optional Courses etc. Prof N. Dabir of TISS was also present in the meeting.

Members of the Committees put their heads together to discuss various aspects of the issue and they roped in some other eminent experts working in this field. The first meeting of School Sub-Committee was held on 11th. May, 2015. And the first meeting of College/University Sub-Committee was held on 13th. May, 2015. College/University Sub-Committee members again met on 8th. July, 2015. Prof Subha Sankar Sarkar,



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V.C. NSOU also join the meeting, being inducted. School Sub-Committee also met on the same day. Subsequently they met again on 4th. August, 2015. College/University Sub-Committee members met on 12th. August, 2015. School Education Secretary was approached with the request of including Child Rights in School Text Books (Memo No. 816/WBCPCR/CCCVVE/P₁ – 2/15 DATED 2//15), but, unfortunately no response was obtained.

It may be noted that some of the members have left / changed their respective institutions due some important reasons. That causes delay in preparing final report. We may have to reconstitute those Committees.

***Courses in Child Rights etc offered by Universities etc :**

IGNOU

1. Certificate in Nutrition & Child Care(CNCC).
2. Certificate in Child Care & Development.
3. Diploma in Early Childhood Care & Education (DECE).
4. Diploma Course in Child Rights (***Proposed***).
5. Ph.D. in Child Development (PHDCDEV).

TATA INSTITUTE OF SOCIAL SCIENCE

1. Post Graduate Diploma in Child Rights.

NATIONAL LAW SCHOOL, BANGALORE

1. PG Diploma in Child Rights Laws (PGDCRL).

ASSAM DON BOSCO UNIVERSITY

1. M. A. Degree in Child Rights & Development.

UNIVERSITY OF PUNE

1. Diploma in Child & Family Counseling.
2. Diploma in Child Guidance.

S. KULA WOMEN'S COLLEGE, MANIPUR

1. Diploma in Early Childcare & Education (DECE).
2. Certificate in Nutrition & Childcare.

REHABILITATION COUNCIL OF INDIA

1. Foundation Course on Education of Children with Disability.

**** COMMITTEES**

A. School Committee

1. Prof. Samita Sen, Chairperson.
2. Prof. Aveek Majumdar.
3. Prof. Maqbul Islam.
4. Dr. Malayendu Saha.

B. College University Committee

1. Prof. R.L. Hangloo, Chairperson.
2. Prof. Debnarayan Bandopadhyay.
3. Prof. Subhasankar Sarkar.
4. Prof. Saikat Maitra.
5. Dr. Malayendu Saha.

CELEBRATION OF CHILD PROTECTION DAY

West Bengal Commission for Protection of Child Rights celebrated 9th June, 2015 as the 'State Child Protection day'. In this occasion, arrangement for cultural programme was made in Eastern Zonal Cultural Centre, Bidhanagar from 11am-3 pm.

The programme was inaugurated by Dr. Sashi Panja, Hon'ble Minister of State (Independent Charge) of the Department of Women and Child Development & Social Welfare.

The programme was attended by more than 800 children from different corners of the State. Also present on the occasion was Shri Altamas Kabir, Former Chief Justice of India; Shri Asadur Rahaman, State Chief of UNICEF; Shri Rinchen Chopel, Director General of South Asia Initiative to End Violence Against Children and Shri Asokendu Sengupta, Chairperson of the West Bengal Commission for Protection of Child Rights and NGOs were present.

In his welcome speech, Shi Asokendu Sengupta informed that the Commission is committed towards protection of child rights in the State and have taken several initiatives to sensitize the civil society, Government Departments and Institutions. Smt. Roshni Sen spoke about the different initiatives taken by the State Government to ensure child protection in the State. Shri Altamas Kabir praised the initiatives taken by the State Government and requested the Department to take special care for rescue and rehabilitation of children who have become victims of drug addiction. Shri Rinchen Chopel applauded the Kanyashree Prakalpa launched by the State Government for empowering girl children. He congratulated State Child Protection Commission for observing the day as State Child Protection Day and assured that he would move forward to declare 9th June as the 'World Child Rights Day'.

On this occasion the logo and the website of the Commission was also launched. A child from Nadia who designed the Commission's logo was felicitated. She was awarded Rs.100000/- by Dr. Kalyan Rudra, Chairman of West Bengal Pollution Control Board. The Department of Women & Child Development and Social Welfare also felicitated five children for their excellence in the Madhyamik Examination.

There was dance performance by Smt Debalina Kumar and her team from Rabindra Bharati University, magic show by Shri Indranil Mukherjee and captivating songs by Shri Pratul Mukhopaddhyay. Children from Darjeeling and Bankura staged dance and drama. NGOs like CINI and Sanlaap also performed in the programme.

Initiatives were also taken by the Department of Child Development & Women Development & Social Welfare, Government of West Bengal to celebrate the day in different districts by hosting different programmes.

Celebration of 26th years of the Convention on the Rights of the Child

The West Bengal Commission for Protection of Child Rights (WBCPCR) along with UNICEF and other NGOs celebrated the 26th year of United Convention on the Rights of the Child on 26th November, 2015 at Eastern Zonal Cultural Centre in Salt Lake.

Among the dignitaries present were Dr. Sashi Panja, MOS (Independent Charge), Department of Women and Child Development & Social Welfare, Smt. Roshni Sen, IAS, Secretary of the Department, Mr. Asadur Rahaman, Chief UNICEF Field Office, West Bengal. The event was also attended by various Government officials, celebrities and around 800 children from



government schools, private schools, shelter homes and NGOs from different parts of the State.

A very special and yet the most important aspect of the programme was felicitation of two young change agents viz Ms. Santanu Murmu of Dakshin Dinajpur and Ms. Rekha Kalindi of Purulia for their outstanding contribution in combating the evils of child marriage.

There were scintillating dance & drama performances by young children from different districts showcasing their budding talents. The whole auditorium was revelled in an intoxicating atmosphere of fun, frolic and excitement.

INITIATIVE TO CONDUCT A STUDY ON MIGRATION

The Commission decided to conduct a state wide study on migration and its impact on children. The study aims to focus on violations of rights of the children during migration in search of livelihood by their parents. The idea of the study triggered from a workshop conducted by GOAL India on 28th March, 2015 at ICMARD on promoting rights and entitlements of seasonal migrants in an enabling policy framework.

In order to make the study plan workable, the Commission held several rounds of meetings with NGOs and decided to form two groups- the Advisory Committee and the Working Committee. The role of Advisory Committee would be to support the study by providing their insights, support and advice, whereas the Working Committee would work actively in the realm of researching, report writing, collation of data and information.

ISI, Kolkata & NSSO also came forward to help WBCPCR study this issue.

Study has not yet been completed.

STUDY ON CHILD SEX TOURISM

A field study is being conducted by SANLAAP, a leading NGO of West Bengal, with active collaboration of WBCPCR & with technical support from Jayaprakash Institute of Social Change (JPISC) to understand the nature, mode & mechanism of involvement of children for COMMERCIAL SEXUAL EXPLOITATION in the TRAVEL & TOURSIM INDUSTRY in West Bengal & to identify the ACTORS involved in such EXPLOITATION.

From January 2016 field data is being collected from popular TOURIST DESTINATIONS of West Bengal from six districts viz. Kolkata (Sonagachi), South 24 Parganas (Diamond Harbour), Purba Medinipur (Digha & Mandarmoni), Birbhum (Tarapith), Darjeeling (Siliguri, Kalimpong & Mirik) & Alipurduar (Jaigaon).

The methodology adopted for the study is one to one interviews of various STAKEHOLDERS which includes Police Personnel, CWC Members, Rescued Child Survivors staying at Government / NGO run Homes, Care Givers running such facilities, Children of local Red Light Areas who are taken to such TOURIST DESTINATIONS, Travel Operators/ Workers (Van / Rickshaw Pullers, Bus / Taxi operators), Hotel / Guest House Owners / Managers, and even CUSTOMERS. Focussed Group Discussions(FGDs)were also conducted with victims through local CBOs running similar interventions.

The office of the WBCPCR had requested the respective District Magistrates to extend co-operation to the study team & the District Authorities had been providing immense help.

While the process of data collection is still ongoing, listed below certain observations made during the field work conducted during the period JAN- MAR 2016:

- ☞ There are a number of minor girls in RLAs of Siliguri, most of who had been trafficked from adjoining districts, states like Assam and other countries like Bangladesh, Bhutan & Nepal. Customers access these girls through pimps & they are taken to Darjeeling, Gangtok, Kalimpong and Lataguri. They stay at hotels / resorts booked by pimps/ customers for two days mostly & are paid Rs.2000-5000 per day. Such monetary transactions are usually conducted by the pimps who keep the lion's share with them. In most of the cases, the hotels / resort owners / managers are fully aware of such visits. These girls don't have identification papers and those are rarely checked by the hotels. They felt that there are risks involved in the process; there had been an instance of a girl being killed.
- ☞ A girl (15 yrs) from Bhutan stays in a rented accommodation at Jaigaon with her sister, both of whom are dancers in a local club. The interviewee admitted to have accompanied customers of the dance club to tourist destinations in Dooars. In her case, also the monetary transaction is done by the pimp, the customer pays Rs.5000 but the pimp keeps 50%.
- ☞ A middle aged women who works as a pimp in a Siliguri RLA said that there is a demand for minor girls. She said that the police are aware of everything and such minor girls are rarely rescued. Some hotel owners in Siliguri said that they check the identification papers of the customers but not of the accompanying minor girl. There are girls who come and go back from adjacent areas; they are popularly referred as flying sex workers.
- ☞ A good number of girls from poor families of Purba Medinipore, North 24 Parganas, Nadia, Howrah and Burdwan districts are trafficked to Digha for prostitution where they stay in rented accommodations. It has been observed that transport operators, hotel owners & pimps form an unholy nexus through which these girls are sent to tourists. Here, also a girl was reported to be killed by a customer. Some of the hotels at Digha had been observed running prostitution rackets and the police intervention is not very satisfactory. The police when interviewed claimed to have rescued children who had run away from their homes with their lovers. Almost no coordination between the police and the CWC could be noticed.
- ☞ The transport operators interviewed at Diamond Harbour said that in addition to them; hotel workers, shop keepers and even hawkers work as pimps and there is demand for minor girls who are usually trafficked from Purba Medinipore (across the river) and the huge district of South 24 Parganas. However they referred to a police raid in a hotel from where 3 minor girls were rescued. There are hotels in Diamond Harbour exclusively for prostitution. However there are continuous police raids also.





STUDY ON CHILD SEX RATIO

In pursuant to the resolution adopted in a workshop held on 7th June, 2015 under the chairmanship of Sri. Asokendu Sengupta, Chairperson of WBCPCR, the District Magistrate of Purulia desired to cross check the sex ratio of children (0-6 years) in any one block in the district of Purulia and Jayaprakash Institute of Social Change may be entrusted with responsibility for the field work and subsequent submission of the report.

After having discussion with the District Child Protection Unit (DCPU) of Purulia, the Joypur block II was identified which is having around 30000 families as per census 2011.

The Chairperson requested DM, Purulia to undertake such a study in another block by DCPU.

JPISC with support from local CBOs has already initiated the work and report will be submitted by end of June, 2016.

Study on Conditions of Children in the Tea Gardens of Alipurduar district, West Bengal*

*Abridged version of the draft report is placed here.

* Comments and recommendations are based on the observations made by the study teams

INTRODUCTION

The workers of a number of tea gardens of North Bengal are suffering from lack of access to health, alternative job, housing, drinking water, electricity and so on. The picturesque valleys of Dooars which have nearly 150 tea gardens are no more source of sustenance to the tribal & Nepalese who migrated from their ancestral land long ago. Gardens are being closed or becoming sick, workers are not getting job, underemployed, deprived of subsidized rations, medical care, gratuity, provident fund & insurance; children not getting access to education and other facilities as receivable as per the Plantation Labour Act (PLA), 1951 and the West Bengal Plantation Labour Rules, 1956.

Action Aid Association in collaboration with WBCPCR launches a study to explore the conditions of children in terms of access to education, nutrition, health services and protection mechanism. The aim of the study is to showcase the areas of vulnerabilities of such children which need immediate actions from relevant stakeholders.

EXECUTIVE SUMMARY

- ✿ Low wage (lower than the minimum wage), deprival of kind components of the wage and above all closure and sickness of the tea estates of Dooars in North Bengal have created a situation of uncertainty and insecurity among the plantation labours. Geographic and cultural seclusion without alternative sources of livelihood has made the condition more acute. Prolonged governmental neglect has added to it. Although there are media coverage of death of hundreds of tea garden workers due to malnutrition since the beginning of this century, little is talked about the state of affairs in which the children in this distressed “enclave economy” are growing.
- ✿ Poverty essentially threatens every aspects of child rights : survival, development,

participation and protection. Children in the area under study are deprived of adequate nutrition, safe drinking water, decent sanitation facilities, health, shelter, education, information and protection from abuse and exploitations through trafficking and child labour.



- ❁ To assess and to have first-hand experience, this study has been taken up in the 20 tea estates of **Madarihat & Kalchini** community development blocks of Alipurduar districts including closed, sick and distressed and running gardens. Data collected from 3727 respondents (parents and children 18 years'), analyzed and interpreted.
- ❁ In both Madarihat & Kalchini blocks, additional AWCs have been sanctioned and established. There are 565 AWCs in Madarihat and 776 centres in the Kalchini block. General presence of children in centres has increased in last few years primarily due to closure and sickness of the tea gardens and virtual collapse of the crèche system in the tea gardens. But it is reported that most of the AWWs concentrate only on the task of providing supplementary food (khichdi) to the children with little attempt to give them basic lessons, but reluctant on other services like nutrition & health education, immunization, health check-up and referral services.
- ❁ Crèche system in the gardens of the study area has virtually collapsed.
- ❁ Although MDM has been introduced in almost all the government run schools, most of the schools have adverse PTR and poor infrastructures.
- ❁ There is no SMC in any school under the study area. Respondents are not even aware of it.
- ❁ Both Madarihat & Kalchini blocks are educationally backward with poor rate of literacy.
- ❁ Recreation facility for the children is extremely poor all over the area.
- ❁ 333 cases of drop outs have been detected during the survey primarily due to poor financial condition of the family, engagement as child labour, distance of the school and poor transport. Dropout is high among the STs.
- ❁ Lack of medical facility. Dispensaries & hospitals of the gardens in the study area are virtually non-functioning. Transport of patient to PHC or state general hospital at Birpara is a problem to the tea garden workers.
- ❁ It has been observed that the immunization is high among children of literate mother than children of illiterate mother. Same observation is also for higher income households when compared with low income ones.



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- ❁ The level of nutrition of the children in these closed and sick tea gardens is alarmingly bad. Protein intake is very negligible.
- ❁ Not only the adults are migrating, children of varying age group are also leaving the gardens. In this survey, 45 cases of migration of children starting from the age of 7 years have been detected. Like the adults, teenagers are migrating to faraway places.
- ❁ Closed & sick tea gardens of Dooars of North Bengal is now a hot bed of trafficking. Agents, both local (mainly Nepalese and few Adivasis) as well as outsiders are playing havoc in the disguise of so called “**placement agencies**” to allure to provide the girls and boys with better job and life in the top cities of the country. Apart from men, women also work as agent and notably, the agents are not unknown.
- ❁ Poverty, unemployment, lack of awareness, promise of better job/comfortable life elsewhere, broken family, poor wage, large family, illiteracy, false promise, drop out, earn more money, greedy parents, peer group influence, domestic violence, attraction of silver screen and entertainment medias, no action by police or local authorities /protest, lack of facilities, alcoholism etc. are causes of trafficking in the area.
- ❁ Traditional modes like child marriage, fake marriage, abduction or kidnapping are used to traffic a girl (few cases of child marriage have been found in this survey, but those are not related to trafficking).
- ❁ In this survey 16 trafficked survivors have been detected who have been rescued mostly with the help of NGOs. To mainstream them is a big challenge.
- ❁ Madarihat & Kalchini blocks and even the district has practically no proper mechanism for the protection of children.

RECOMMENDATION

PART A – GENERAL

1. Management should pay at least the minimum wage.
2. Arrangement for giving clear title of the house/ land to the workers where they are living. This will pave way to access IAY, bank loans etc.
3. Unused dispensaries or hospitals of the tea estates may be used officially as primary health centre, immunization centre or by ASHA workers.
4. It is suggested to regularize the health services in the tea gardens. There must be emergency health care services with referral system in closed and sick tea gardens. Health care support also needs to be provided to the adolescents.
5. The gaps of MGNREGA need to be addressed. There must be immediate actions to address delay payments, immediate sanction of appropriate work for the closed garden workers. .
6. Roads within the gardens may be constructed under MNREGA scheme.
7. Alternative employment opportunities (which currently are limited to tourism) is necessary which can be explored through NRLM and SRLP programmes
8. In the Central Budget for 2016-17, vermin-compost is included in MNREGA schemes. This may be introduced here and supplied to the tea gardens. Along with mushroom culture can be initiated as a byproduct.
9. Availability & supply of drinking water is a major perennial problem. Attempts are to be taken to bring fund from RIDF/ BADP to supply drinking water. PHE coverage should also be extended.



10. In the Bundapani tea estate, the water pipe lines passing through the forest area are regularly being damaged by elephants. Local Panchayet may adopt a scheme of maintenance.
11. Six tea estates in the area under study and the local inhabitants are severely affected by dolomite dust of hugely loaded trucks carrying dolomites from Bhutan. Low capacity roads are unable to bear the burden and generate dust too. **People cannot agitate much being afraid of the local mafias who control the trade. This is a very serious issue and needs to be addressed immediately.**
12. Formation of co-operatives by the workers in case of tea gardens closed for long time and where there are no or little disputes regarding lease holding of the land of the garden (as in the case of Bundapani tea estate) may be attempted with all care and caution. MNREGA may be applied with proper amendment to make garden reusable.

PART B – CHILD SPECIFIC

1. To arrest drop out & create interest among the students, particularly in the primary level, introduction of 'Sadri' as the medium of instruction is recommended.
2. More teachers are to be appointed from the tribal communities so that they can easily connect the child and family.
3. Provisioning of free safe transport to schools for the students for all seasons.
4. Regular monitoring of undue levy of exorbitant admission and other fees at the time of getting admission in the schools. This has been complained by many respondents.
5. PTR in a number of schools is far above the prescribed limit. Attention is to be drawn in this respect.
6. Immediate actions need to be taken to recruit teachers in the schools close to the tea gardens. Children often reported lack of interest in schools due to no educational environment because of absence of teachers.
7. Many a school lack essential infrastructures including rooms, toilets, drinking water, play ground, boundary wall etc. This should be looked into.
8. Special classes for the weaker children need to be initiated in schools.
9. School Management Committees (SMC), conspicuously totally absent in the area under study, are to be formed and operative urgently.
10. AWCs may be set up in the non-functioning fixed crèches of the tea gardens.
11. There should be coordination among the AWW, ASHA worker and ANM of the PHC regarding immunization of the children and expecting mothers.
12. Information, education and communication (IEC) activities should be revitalized at these belts to increase the awareness and to improve their practices and attitudes for the full implementation of Universal Immunization Programme (UIP).
13. Supervision of ongoing UIP, reorientation of health services may be considered as key components in order to touch the untouched.
14. Fund for hiring of ANM/GNM for conducting session in un-served and underserved areas in both rural and urban areas [(Rs.450/session) as per government norms] is to be utilized.
15. Vitamin A enriched candy [as given in Howrah and Dakshin Dinajpur Districts] is to be introduced in the AWCs in these areas.

16. Premix (micronutrients like Iron, Vitamin A & Iodine) is to be used in Khichri under SNP programme of ICDS in these areas.
17. Uses of sanitary napkins and sense of menstrual hygiene is highly poor as revealed from interviews & FGDs. Project of manufacturing low cost sanitary napkins may be undertaken which will also generate employment & enterprise.
18. Extra efforts to be taken to form and put into operation the child protection committees at various levels – whereby children can be sensitized their rights and entitlements. Activation of the village level child protection committees and empower them to act as effective referral bodies to respond to child protection related issues have to be taken up in war footing.
20. DCPU, SSB, Police and AHTU all need to collectively work to prioritize to prevent and act on cases of missing and trafficking of children from tea gardens.
21. District administration should formulate mission mode programs to stop trafficking in the tea gardens.
22. Regular campaign against trafficking involving Self -Help Groups, NGOs, school teachers, AWW, AWH, ASHA workers, Panchayat members etc. is needed.
23. **There must be control and monitoring of the Placement agencies related to their authenticity and work.**
24. Generate awareness among parents using different tools like posters, leaflets, street drama and documentary films
25. Protection and rehabilitation of rescued victims are important issues to be looked into.



Public Hearing on Violation of Right to Education Act



West Bengal Commission for Protection of Child Rights conducted public hearings on violations against Children's Right to Free and Compulsory Education Act at Malda and Jalpaiguri on 16th and 18th December, 2015 respectively. This was for the first time that such public hearings on violation of RTE Act were held in West Bengal.

After receiving huge number of complaints from individuals as well as from several NGOs, the commission organized the public hearing to ensure that the public grievances on RTE are being addressed.

The purpose of the hearing was to (a) take stock of the violation of RTE and the level of violation by directly paying attention to the beneficiaries of the Act, (b) discuss and deliberate on the amicable and socially acceptable solution to the situation within legal framework, and (c) formulate a set of recommendation for the state government.

Sl. No.	Name of the Districts	No. of Complaints Received	No. of Complaints taken up for Public Hearing
1.	Darjeeling	10	4
2.	Jalpaiguri & Alipurduar	15	17
3.	Cooch Behar	45	5
4.	Murshidabad	46	4
5.	Dakshin Dinajpur	13	1
6.	Uttar Dinajpur	28	5
7.	Malda	15	6
	Total	308	32

As a first step, the commission forwarded the complaints to the respective departments and school authorities to a) present their version of the complaints, b) inform what action they have taken till date to remedy the ills, if any d) be present physically for the occasion of a public hearing.



The notice for public hearing was published in two News papers (Bartaman & The Statesman) on 21st July, 2015 and also in the website of the Commission (www.wbcpcr.org) to give wide publicity to the event. Against this notice large numbers of complaints were received. In the first phase, complaints from Malda, Uttar Dinajpur, Dakshin Dinajpur and Murshidabad were shortlisted for hearing on the first day. In the second phase, complaints from Coochbehar, Alipurduar, Darjeeling and Jalpaiguri were shortlisted for hearing on another day. About 16 complaints were short listed for the hearing for each phase.

The Hearing for dealing with the complaints from the Districts of Malda, two Dinajpurs (Uttar & Dakshin) and Murshidabad was held at Malda Town Hall on 16th December 2015.

Members of Jury Board at Malda :

- i. Prof. Asokendu Sengupta, Chairperson, WBCPCR;
- ii. Sri Joy Bhadra, Member, WBCPCR;
- iii. Prof. Subha Sankar Sarkar, Vice-Challencor, Netaji Subhash Open University;
- iv. Sri Gopal Chandra Misra, Vice-Challencellor, Gour Banga University;
- v. Smt. Ruchira Goswami, Faculty, National University of Juridical Science;
- vi. Sri Sabir Ahamed, Pratichi Institute;
- vii. Sri Mechbahar Saikh, Consultant, UNICEF.

The Hearing for dealing with the complaints from the districts of Coochbehar, Alipurduar, Darjeeling and Jalpaiguri was held at Prayas Hall, Jalpaiguri Municipality on 18th December, 2015.

Members of Jury Board at Jalpaiguri :

- i. Prof. Asokendu Sengupta, Chairperson, WBCPCR;
- ii. Sri Sarat Kumar Sharma, Chairperson, SCPCR, Manipur;
- iii. Smt. Runumi Gogoi, Chairperson, SCPCR, Assam;
- iv. Sri S. A. Khan, Faculty, National University of Juridical Science;
- v. Dr. Kalyan Ganguli, Administrator, West Bengal Board of Secondary Education;
- vi. Sri Joy Bhadra, Member, WBCPCR.

Over 300 people attended the hearing in both the places. In addition, government officials such as DI (Primary), DI (Secondary), DPO, SSM, CWC Members, DPSC Chairperson of the respective districts were present at the respective venues.

The jury panel heard complaints on issues relating to sanitation facilities in schools, formation of SMC, high pupil teacher ratio, collection of fees/funds, denial of admissions in absence of birth certificates, unavailability of upper primary schools in the neighbourhood, absence of special educators for CWSN in schools.

Among the key recommendations of the public hearings, the following are particularly significant.

1. The G.O. regarding school fees (No1133-SE(Law) –ES/S/1A-01/2009 (Section 3), dated 30TH August, 2011) goes against the spirit of RTE Act, 2009 and hence needs to be withdrawn immediately.
2. Disciplinary actions may be taken against the school authorities who have been charging fees from students in some cases. It is established during the hearing that the schools are charging fees (even beyond the stipulated limit) which may be termed as extortion.

3. DIs may take initiative to implement Sec 12 (2) of RTE Acts, in particular, fully.
4. The State Government may provide yearly special maintenance grants to schools for not taking any fee.
5. The management structures of SSKs & MSKs are confusing. These schools may be brought under Education department fully.
6. The State Government needs to make clear its guidelines regarding formation of SMC. Lack of existence of SMC poses problems in most places.
7. The State Government may reconsider the model guidelines regarding CORPORAL PUNISHMENT.
8. The child helpline number 1098 may be displayed in every school prominently.
9. A circular from the Education department on the flexibility of asking for the birth certificate at the time of admission should be issued.
10. Better toilet and sanitation facilities should be provided in every school and School toilet Programme may be integrated with Nirmal Bangla Programme. SMC/PRI may devise plans for toilets cleaning.
11. Education department should take initiative for filling up the vacant posts in order to improve the pupil-teacher ratio. Local authorities may be allowed to engage teachers on contract to take care of the local needs.



RECOMMENDATIONS OF WBCPCR : 2014-15

- I) Recommendations of the SLIT & SLIM Committee may be implemented.
- II) Delay in constitution of CWCs / JJBs causes serious disruption in protecting interest of the children. The rules regarding constitution of CWCs/JJBs may be reconsidered to make the procedure quicker and transparent and the State Government may follow the model rules framed by the Central Government for selection.
- III) All CCIs, including Cottage homes may be registered under section 34(3) of JJ Act immediately.
- IV) The State Government may take initiatives to establish at least one after care home, one home for MR/MI children in each district.
- V) The Secretary, Dept of CD & WDSW, may be asked to create JJ Fund in terms of the provision of JJ Act/Rules & fully implement ICPS (Revised).
- VI) It is observed that the department could not utilize fully the fund available under ICPS (Revised). Further, it is learnt that many posts are still lying vacant in SCPS/DCPU and children's homes of the state though the state has received Central share of required fund for these recruitments. The matter may be looked into with all seriousness. The Secretary, Dept of CD & WDSW may take immediate action and ATR may be shared with the Commission.
- VII) The Commission desires to put it on record that general standard of service delivery mechanism have been improved since 2013. For sustainable improvement staffs of SCPS/DCPU may be offered better service conditions and entitlements like I-cards, transport facilities, longer period of contract, insurance coverage, leave rules etc.
- VIII) The honorarium and entitlements, salary and allowances of Chairperson & Members need to be revised and be made reasonable so as to attract more competent persons. The State Government may engage



a committee to study the matter. As an interim measure the State Government may follow the rules framed by the Central Government.

IX) The Commission may be given full autonomy for financial matters.

X) The Commission, if fund permits, may be allowed to engage experts without seeking concurrence.



Note: Various State Commissions engage experts/consultants to look into matters related to RTE Act, POCSO Act, CPCR Act, JJ Act etc to do justice to Commissions' mandate. WBCPCR also needs to engage a few experts on contract for serving better the interests of children of the state. We also need to undertake some research work and training programmes where also the services of these experts may be utilised.

XI) A few more posts need to be created for smooth functioning of the Commission.

Note: A number of posts at different levels have been created taking approval of the Cabinet; All these posts may be filled up immediately. In the manpower structure of the Commission two posts have been created for assistants with knowledge in computer. No person has joined against these sanctioned posts. The Commission may be allowed to engage one Software developer and one Data entry operator on contract basis immediately. A post of Registrar should be created for the Commission which was not considered at the time of notifying the posts. This is being suggested since the Commission will have to initiate quasi judicial proceedings the records for which will have to be maintained properly.

This Commission is planning to hold regular public hearings on matters related to child rights & child protection. But that would require fund and other infrastructural support from the Govt. It is the duty of State Commission to publish reports at regular intervals for the consumption of the State Government and all stakeholders on issues like Child Marriage, Child Trafficking, Child Labour, Free & Compulsory Education etc. For this also the Commission is required to be strengthened and adequately funded.



- XII) The rules of WB Women's Commission may be revised in the light of JJ Act, CPCR Act, RTE Act & POCSO Act etc.
- XIII) Notification No.(Law)/S/1A-01/09-14th February for allowing schools to charge fees may be scrapped. Following NCPCR suggestions the government may constitute one fee structuring committee for private educational institutions.
- XIV) It appears that the Department of School Education has deliberately ignored the provisions of RTE Act/Rules as regards REPA & SMC. Erring officers may be brought to book. It may be noted that a notification as regards winding up of REPA was published but that was not formally communicated to the WBCPCR. The Commission is in the dark about the assets & liabilities of REPA.
- XV) At least one teacher, preferably a lady teacher, may be asked to interact with students & guardians at regular interval, say once a week, to monitor protection of child rights.
- XVI) The Government may take active interest in implementing "Street to School" programme.
- XVII) The actions as regards enumeration of Child Labour and rescue of Child Labour have grossly been neglected; the department of labour may be asked to take serious actions immediately.
- XVIII) Special Courts may be instituted in all 20 districts.
- XIX) Different aspects of ICDS/ICPS and Social Welfare schemes may be implemented through NSS activities The Department of Higher Education may be asked to chalk out effective programme in consultation with WBCPCR.
- XX) For any violation of child rights any person may contact CIF (Toll-free Contact Number 1098) – this information need to be displayed prominently in all Educational & Healthcare Institutions of the State.
- XXI) The Department of CW & WDSW may be asked to take steps to strengthen Coordination and linkages between various governmental, non- governmental, corporate & other agencies. This is urgently required to ensure effective implementations of child related programmes.
- XXII) All line departments may be asked to ensure production / sharing of all documents / ATRs, related to children, regularly.



RECOMMENDATIONS OF WBCPCR : 2015-16

1. The Commission recommends that it may be given such powers as to implement its recommendations to certain limits.
2. Strengthening of Commission's reach: Staff pattern of the Commission deserves a relook; posts like advisors, directors, accounts officer etc need to be created. An officer not below the rank of Deputy Secretary/ Additional Director of the administrative department/ Directorate may be deputed in the Commission.
3. The victim compensation procedure may be suitably amended so as to allow the Commission to pay interim compensation directly and immediately.
4. Recommendations made by WBCPCR in 2014-15 may be taken note of and ATR may be sent to the Commission.
5. The NSS/NCC units of Universities/Colleges/Schools may be pressed into service in ensuring child rights under Commission's umbrella.
6. In pursuance of provisions of RTE Act & rules the School Education department may be asked to transfer fund sanctioned by MHRD and other agencies for monitoring directly to WBCPCR.
7. The state government may take note of and take appropriate actions on the recommendations made by WBCPCR in its report in respect of Public Hearings on violations of RTE Act.
8. Private schools may be asked to implement section as regards free admission of 25% learners from economically or otherwise backward classes directly and concerned DIs may approve the list after proper scrutiny.
9. The state government may take note of and take appropriate actions on the recommendations made by WBCPCR in its report in respect of Child Inspectorate.
10. Delay in formation of CWCs hampers the interests of CNCs; also noted that provisions of Acts/rules have not been adhered to in many cases. The WBCPCR expressed its strong reservation for such failure of the concerned department in the government of West Bengal. DCPUs may be given full authority to constitute CWCs in time and in a transparent way. WBCPCR may also be consulted in this regard and in every Selection Committee there should be one representative of the Commission.



11. The SLIT & SLIM Committee played an important role in protecting the rights; these may be reconstituted immediately.
12. It is noted that the young contractual DCPU staff members have made the ICPS in particular and JJ Act in general visible and a trustworthy tool to protect rights of child and deliver goods to society. But, they are not getting benefits of leave rules, gratuity etc which are given to some other contractual employees working in some other governmental sectors. WBCPCR feels that they deserve benefits of regular government employees as enjoyed by contractual staff of some other government departments.
13. Despite several reminders the government of West Bengal has not yet taken effective measures to study conditions of Street & Railway Children. Only three railway stations namely Sealdah, Howrah & NJP has figured in the SOP signed by Railway Board & MWCD. At least 3 more stations namely Asansol, Kharagpur & Malda need to be brought under the purview of the SOP.
14. Registration of CCIs in this state u/s 41(1) of JJ Act, 2015 is grossly neglected; erring officials may be brought to book for their carelessness.
15. Many a person is not aware of Toll-free child helpline 1098. Department of School Education, Health and above all, DMs of all districts may be asked to make this number visible and effective everywhere – schools, colleges, hospitals & nursing homes, public places like bus/rail stations, police stations, panchayet office etc.
16. Despite deficiencies, it is observed that Government-run homes in West Bengal are better managed. However government may take expedient steps to tackle problems of coach-teacher and school infrastructure; fund release in time is another problem for all CCIs and department may please take of note it.
17. It is practically impossible to impart training on Child rights to all caregivers, schools, hospitals etc. **The State government may consider establishing one Child rights training institution** where students may undertake certificate course/ Diploma Course/ Degree Course / P.G. Diploma Course etc and this institute may provide research activities. If government accepts this proposal WBCPCR may work out details.
18. Arrangement of Vocational Training for better rehabilitation of CNCs/JCLs needs to be upgraded/modernized.
19. PRIs need to have records of presence of and movement of children of its



- jurisdiction. PRIs may be asked to keep Child registers.
20. Pendency of cases in JJBs is a great concern; Judiciary may take note of it. Better coordination of SLSA, DLSA with all concerned may be required and for that Judiciary may take initiatives. Speedy trials of POCSO related cases the Judiciary may take special care of.
 21. The conditions of ICDS centres have improved much in recent years but it needs much more improvement. The Department may take special care to implement provisions and goals of ECCE scheme and better support to ICDS. Special attention towards HEALTH & NUTRITION of children be given. There should not be any NGO-run ICDS anymore.
 22. A task force may be constituted to study problems of substance abuse among street children, slum dwellers etc.
 23. In West Bengal number of CCIs is considerably good but, dearth of shelter homes for MR, MI, PH children is a big problem. The State government with the help of NGOs may take initiatives in this regard.
 24. The department of WCD & SW may take initiatives for Show casing Good Practices.
 25. Step towards formation of CPCs is a commendable move, but point is to make them functional. PRIs may be entrusted with monitoring CPCs at their end.
 26. It is observed that children are the worst sufferers of Domestic Violence; WBCPCR recommends that the related act may be suitably amended to protect children.
 27. Many NGOs have been making commendable contribution in the field of child rights and protection. But, it is observed that they lack coordination planning and the government in many cases is unaware of their activities. The government may take appropriate steps for proper mapping of NGOs and monitoring of their functions.

Further, there are reasons to believe that some international/national funding agencies have hidden agenda to influence the governmental policies or policy makers. Departments in any government, the department of WCD & SW in particular, may be careful in taking assistance from NGOs and international organizations – keeping in mind that there may not be any ‘free lunch!’



FUNCTIONS AND POWERS OF THE COMMISSION

13. (1) The Commission shall perform all or any of the following functions, namely:—

- (a) Examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation;
- (b) Present to the Central Government, annually and at such other intervals, as the Commission may deem fit, reports upon the working of those safeguards;
- (c) Inquire into violation of child rights and recommend initiation of proceedings in such causes;
- (d) Examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;
- (e) Look into the matters relating to children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures;
- (f) Study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendation for their effective implementation in the best interest of children;
- (g) Undertake and promote research in the field of child rights;
- (h) Spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, print media, seminars and other available means;
- (I) Inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority, including any institution run by a social organisation; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;
- (j) Inquire into complaints and take *suo motu* notice of matters relating to,—
 - i) deprivation and violation of child rights;
 - ii) non-implementation of laws providing for protection and development of children;
 - iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children, or take up the issues arising out of such matters with appropriate authorities; and



- (k) Such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions.
- (2) The Commission shall not inquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force.
14. (1) The Commission shall, while inquiring into any matter referred to in clause (j) of sub-section (1) of section 13 have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 and, in particular, in respect of the following matters, namely:—
- (a) summoning and enforcing the attendance of any person and examining him on oath;
 - (b) discovery and production of any document;
 - (c) receiving evidence on affidavits;
 - (d) requisitioning any public record or copy thereof from any court or office; and
 - (e) issuing commissions for the examination of witnesses or documents.
- (2) The Commission shall have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.
15. The Commission may take any of the following steps upon the completion of an inquiry held under this Act, namely;—
- (i) where the inquiry discloses, the Commission of violation of child rights of a serious nature or contravention of provisions of any law for the time being in force, it may recommend to the concerned Government or authority the initiation of proceedings for prosecution or such other action as the Commission may deem fit against the concerned person or persons;
 - (ii) approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary;
 - (iii) recommend to the concerned Government or authority for the grant of such interim relief to the victim or the members of his family as the Commission may consider necessary.





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AUDITOR'S REPORT

We have audited the attached Balance Sheet of **West Bengal Commission for Protection of Child Rights**, an autonomous entity under the Commission for protection of Child Rights Act 2005, as at 31st March 2016, the Income and Expenditure Account and the Receipts and Payments Account for the year ended on that date annexed thereto. These financial statements are the responsibility of the Commission's Management. Our responsibility is to express an opinion on these financial statements based on audit.

We conducted our audit in accordance with auditing standards generally accepted in India. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by the management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

We further report that:

- a** we have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purpose of our audit.
- b** in our opinion the Commission has kept proper books of accounts so far as appears from our examination of such books.
- c** the Balance Sheet, Income and Expenditure account and Receipts and Payments account dealt with by this report are in agreement with the books of accounts.

In our opinion and to the best of our information and according to the explanations given to us the said Balance Sheet and the Income and Expenditure give a true and fair view:

1. In so far as it relates to the Balance Sheet, of the state of affairs of the Commission as at 31st March 2016 and
2. In so far as it relates to the Income and Expenditure account of the surplus for the year ended on that date.

Place : Kolkata

Date : 14-05-2016



Abhyuday & Associates

Chartered Accountants

Firm No. 317156E

Abhyuday Chowdhury

Partner

Membership No. 053354

West Bengal Commission for Protection of Child Rights

ICMARD Building, 9th floor, Block 14/2, C I T Scheme, Ultadanga, Kolkata - 700 067

Balance Sheet as at 31st March 2016

Previous Year	Liabilities	Amount	Previous Year	Assets	Amount
2014-15		2015-16	2014-15		2015-16
4,697,768.09	Capital Fund Balance B/F Surplus-Transfer from I & E A/c.	4,697,768.09 5,253,233.64		Fixed Assets Furniture A C Machine	7,51,253.40 5,01,534.00
			1,461,560.00	Computer Current Asstes Closing Balance Cash in hand at Corporation Bank (A/C. No. 005200301140007)	1,51,732.80
			3,221,000.00 15,208.09	Fixed Deposit Savings A/C.	8,535,801.29 10,680.24
4,697,768.09	Total	9,951,001.73	4,697,768.09	Total	9,951,001.73

Date: 14-05-2016
Place: Kolkata

Secretary
W.B.C.P.C.R.

SRI ASOKENDU SENGUPTA
Chairperson
State Commission
For Protection of Child Rights
Govt. of West Bengal



For Abhyuday & Associates
Chartered Accountants
Partner



West Bengal Commission for Protection of Child Rights

ICMARD Building, 9th floor, Block 14/2, C I T Scheme, Ultadanga, Kolkata - 700 067



Annual Report 2015-16

Income and Expenditure account for the year ended on 31 st march 2016

Previous Year 2014-15	Expenditure	Amount 2015-16	Previous Year 2014-15	Income	Amount 2015-16
104,414.00	Remuneration of CP& Members	10,96,071.00	350,000.00	Grant For RTE from NCPCR	330,680.00
6,940.00	Vehicle	3,52,816.00			
261,808.00	Telephone	15,237.00	6,306,276.00	Grants received from Govt of West Bengal	11,000,000.00
38,090.00	Travel & Stay for RTE	4,18,872.00			
96,520.00	Food	1,11,528.00		EZCC	22500.00
310,018.00	Decoration	3,10,018.00			
14,647.00	Service Tax	75,708.00	10,870.09	Bank Interest	490,482.44
1,859.00	Stationery				
7,875.00	Repairing Charges				
45.00	Printing	2,11,021.00			
2,514,982.00	Cheque Book	300.00			
55,409.00	Rent	2,508,240.00			
18,331.00	Electricity Charges	180,763.00			
	Water Tax	19,577.00			
	Car Allowances	20,400.00			
	Wages of Gr-D	1,83,785.00			
	Reimbursement of Tel Charges	30,868.00			
	Hiring charges of -				
	Hall & Room	2,33,510.00			
	Audit Fees	5,618.00			
	Office expenses	2,05,006.00			
	Traveling & Conveyance	79,117.00			
	Web site Expenses	38,304.00			
	Advertisement	42,210.00			
	Public Hearing	1,55,785.00			
	Other Charges	22,541.00			
	Depreciation				
3,236,208.09	Surplus	63,17,295.00			
	Transfer to the capital a/c.	2,73,133.80			
		52,53,233.64			
6,667,146.09	Total	11,843,662.44	6,667,146.09	Total	11,843,662.44

Date: 14-05-2016
Place: Kolkata

Secretary
W.B.C.P.C.R.

SRI ASOKENDU SENGUPTA
Chairperson
State Commission
For Protection of Child Rights
Govt. of West Bengal



For Abhyuday & Associates
Chartered Accountants
Abhyuday
Partner

West Bengal Commission for Protection of Child Rights

ICMARD Building, 9th floor, Block 14/2, C I T Scheme, Ultadanga, Kolkata - 700 067

Receipt and Payment account for the year ended on 31st March 2016

Previous Year	Receipts	Amount	Previous Year	Payments	Amount
2014-15		2015-16	2014-15		2015-16
350,000.00	Opening Balance Savings Bank A/c Fixed Deposit Grants received for RTE from NCPDR	15,208.09 3,221,000.00	1,04,414.00 6,940.00 2,61,808.00 38,090.00 96,520.00 3,10,018.00 14,647.00 1,859.00 7,875.00 45.00 2,514,982.00 55,409.00 18,331.00	Remuneration of CP & Members Vehicle Telephone Travel & Stay for RTE Refreshments Decoration Service Tax stationery repairing charge Printing Cheque Book Rent Electricity Charges Water Tax Car Allowances Wages of Gr. D Reimbursement of Tel Charges Hiring Charges of Hall & Room Audit fees Office expenses Travelling & Conveyance Web site expenses Advertisement Public Hearing Other Charges Furniture Computer & Accessories Closing Balance : Cash in Hand At corporation Bank (A/c. No. 005200301140007) Fixed Deposit Savings A/c.	1,096,071.00 352,816.00 15,237.00 4,18,872.00 1,11,528.00 310,018.00 75,708.00 211,021.00 300.00 2,508,240.00 180,763.00 19,577.00 20,400.00 183,785.00 30,868.00 233,510.00 5,618.00 205,006.00 79,117.00 38,304.00 42,210.00 155,785.00 22,541.00 64,006.00 152,088.00 8,535,801.29 10,680.24
7,076,996.00	Grant received from	330,680.00 11,000,000.00	770,720.00		6,317,295.00 216,094.00
10,870.09	Bank Interest	490,482.44			
	EZCC	22,500.00			
74,37,866.09	Total	15,079,870.53	74,37,866.09	Total	15,079,870.53

Date: 14-05-2016
Place: Kolkata

Secretary
W.B.C.P.C.R.

C. S. ASOKENDU SENGUPTA
Chairperson
State Commission
For Protection of Child Rights
Govt. of West Bengal



For Abhyuday & Associates
Chartered Accountants
Abhyuday
Partner



West Bengal Commission for Protection of Child Rights

SIGNIFICANT ACCOUNTING POLICIES and NOTES TO THE ACCOUNTS :

West Bengal Commission for Protection of Child Rights has been formed to meet the objectives stated under the Commission for Protection of Child Rights Act 2005 at the state level. It is formed as an autonomous entity under the Child and Woman Development & Social Welfare Department, Government of West Bengal, having separate set of books of accounts and bank accounts.

1. BASIS OF PREPARATION OF FINANCIAL STATEMENTS

- i) The financial statements have been prepared in accordance with the historical cost Convention following cash basis of accounting.

2. FIXED ASSETS AND DEPRECIATION

- i) Fixed assets are stated at cost. The cost comprises of Purchase price / Departmental valuation inclusive of duties, taxes, incidental expenses if any, as applicable.

3. REVENUE RECOGNITION

Revenue is recognized as and when received. Grants are recognized in the accounts only when the grant is received by the Commission.

Notes to the Accounts :

Nil

Place: Kolkata
Date : 14-05-2016



Abhyuday & Associates
Chartered Accountants
Firm No. 317156E

Abhyuday Chowdhury
Partner
Membership No. 053354



WEST BENGAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
Government of West Bengal

ICMARD Building, 9th Floor, Block-14/2, C.I.T. Scheme, Ultadanga, Kolkata - 700 067
Telefax : 033 2356 0385 e-mail : wbcpcr@gmail.com website : www.wbcpcr.org

Toll free help line no. for children in distress “CALL 1098”