

Annexure 2**ONE DAY TRAINING ON CHILD RIGHTS ISSUES**

Technical Support : Jayaprakash Institute of Social Change, Kolkata

Date : 12-09-2014

Venue : Hotel Heritage, Siliguri

Introduction:

One day training programme on Child Rights Issues in Siliguri is organized by West Bengal Commission for the Protection of Child Rights (WBCPCR) in collaboration with the Directorate of Social Welfare, Govt. of West Bengal with technical support from Jayaprakash Institute of Social Change, Kolkata.

Purpose of the Training:

- To spread awareness on child rights among various stakeholders.
- To promote awareness about the Constitutional Safeguards available for protection of Child Rights
- To sensitize various stakeholders about roles and functions of SCPCR for ensuring Child Rights and Child Protection Issues
- To promote responsiveness through publications, the media, seminars, and other available means.

Session I:**The situation of children in West Bengal and Concept and meaning of Child Rights**

Shri J. Mazumdar, JPISC

Shri J. Mazumdar, Executive Director, JPISC gave some information about the status of children in West Bengal. He provided some statistics on children. Like:

- The state has an adolescent (10-19 years) population of 1.82 crore, of which 49 per cent are girls. The age group of 10-14 years comprises 9.3 per cent of the total population while the age group of 15-19 years forms 9.7 per cent of the total population (Census 2011).
- According to Census 2011, there are more than 5.48 lakh children in West Bengal who suffer from one kind of disability or the other. Of these, 2.65 lakh suffer from a mental disorder or illness. More than 82,000 of the total number of children with special needs are less than 4 years of age, and are too young to be institutionalized.
- An analysis of under-5 mortality rates shows that West Bengal's performance is better than the country average.
- About 37.6 per cent of children under three years of age in West Bengal were underweight, 19.2 per cent suffer from wasting, and 41.8 per cent are stunted (NFHS-3, 2005-06).



Session II:

Roles and Responsibilities of the SCPCR in ensuring the Rights of the Child

Prof. Asokendu Sengupta, Chairperson, WBCPCR

Prof. Asokendu Sengupta briefly discussed about the structure, roles and responsibility of the SCPCR. The commission is mandated to monitor implementation of Provisions of CPCRA Act, JJ Act, RTE Act and POCSO Act. The functions of the commission are the same as those of National Commission for Protection of Child Rights :

- Examine any law or constitutional provisions to ensure that the law protect child rights.
- Provide the state government with recommendations to improve correct the safeguards.
- Inquire into child rights violations.
- Examine the risk factors for children affected by terrorism, communal violence, riots, natural disasters, domestic violence, HIV/ AIDS, trafficking, maltreatment, torture and exploitation, pornography, and prostitution and recommend appropriate remedial measures.
- Look into the special care and protection of children from distress, marginalised and disadvantaged backgrounds.
- Study and ensure implementations of child rights treaties.
- Conduct research in the field of child rights.
- Create awareness through various mediums.
- Inspect any children's home or observations homes where children have been detained.
- Investigate the violation of human rights or the failures of the state or other to prevent a human rights violation.

Identifying and Managing behavior problems among school going children

Dr Rajlaxmi Guha, IIT, Kharagpur

Dr Rajlaxmi Guha, IIT Kharagpur discussed the issues of behavioural problem of School children. She also discussed the relationship between the behavioural problems and academic performance. According to Dr Guha some risk factors for behavioural problems like temperament of the child, Genetic and Neurological contribution, parent-child interaction and family background of the child.

She also mentioned some interventions of behavioural problems of school going children such as: parental education, Family therapy, Cognitive behavioural therapy, social training, Anger management, Positive strokes, time out, storytelling, Role playing, medication etc. Reinforcement is good kind of intervention as she said. Dr Guha emphasized on corporal punishment and its effects on children's behaviour.

Session-III:

Discussion on Roles and Responsibilities of Teachers in ensuring the Rights of the Child focusing on the Corporal Punishment the following:

Taken by Ms Madhumita Halder, JPISC, Mr. Mechbahar Saikh, UNICEF & Prof. Asokendu Sengupta, Chairperson, WBCPCR in Chair.

The session was started with an Audio-Visual on Child Rights.

Ms Madhumita Halder, JPISC discussed on Roles and Responsibilities of Teachers in ensuring the Rights of the Child focusing on the Corporal Punishment.

Then she emphasized some sections of the child protection laws.

Right to Education Act:

The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which has come into force with effect from 1 April 2010, prohibits physical punishment and mental harassment under Section 17(1) and makes it a punishable offence under Section 17(2).

Sections 8 & 9 of the RTE Act place a duty on the appropriate Government and the local authority to ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds.

Juvenile Justice (care and protection of children) Act, 2000:

Section 23 of JJ Act 2000, “Whoever, having the actual charge of, or control over, a juvenile or the child, assaults, abandons, exposes or wilfully neglects the juvenile or causes or procures him to be assaulted, abandoned, exposed or neglected in a manner likely to cause such juvenile or the child unnecessary mental or physical suffering shall be punishable with imprisonment for a term which may extend to six months, or fine, or with both.”

Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989:

To prosecute an adult in the general category who inflicts corporal punishment upon a scheduled caste or scheduled tribe child.

National Policy for Children, 2013:

The National Policy for Children 2013 states that in education, the state shall “ensure no child is subjected to any physical punishment or mental harassment” and “promote positive engagement to impart discipline so as to provide children with a good learning experience”.



Mr. Mechbahar Saikh, UNICEF emphasized that the Role of Teachers in dealing with Challenged Children. In his discussion he mentioned that-



- Prevent negative stereotypical attitudes about children with disabilities by avoiding negative words, such as “disabled,” “crippled,” “handicapped,”
- Depict children with disabilities with equal status as those without disabilities.
- Allow children with disabilities to speak for themselves and express their thoughts and feelings
- Early detection of disabilities
- Refer the child whose disability is identified, for developmental screening and early intervention
- Adapt the lessons, learning materials and classroom to the needs of children with disabilities.
- Sensitize parents, families, and caregivers about the special needs of children with disabilities.
- Actively involve parents of young children with disabilities as full team members in planning school and after school activities

He also highlighted that the Role of school management administration like:

- All staff should ensure that all children enjoy their rights as per the RTE Act.
- No physical punishment or mental harassment or discrimination of any kind should be permitted
- Any instance of corporal punishment, should be dealt with in a time-bound manner in such a way that implications for the child are minimised.
- It should be the responsibility of all staff to create an environment free of all forms of fear, trauma, prejudice and discrimination.
- The treatment of the child in the school should be such that the child feels included and secure.
- Counselling services for children should be made available.

Prof. A. Sengupta Chairperson, WBCPCR chaired this session.

Session – IV:

Discussion on Implementation of Juvenile Justice (Care & Protection of Children) Act, 2000 and POCSO, 2012

- **Shri J. Mazumdar, JPISC.**
- **Mr. I.S. Chatterjee, Asstt. Director, DSW, Govt. of WB as Moderator.**

Implementation of Juvenile Justice (Care & Protection of Children) Act, 2000:

Shri Joydev Mazumdar started his discourse with a brief history of evolution of Juvenile Justice Mechanism in India.

Mr. I.S. Chatterjee, Asstt. Director, DSW, Govt. of WB emphasized on the need for deinstitutionalization and explained in brief how measures for non-institutional care like adoption, foster care and sponsorship can be organized for rehabilitation of orphaned, abandoned, surrendered children.

Protection of Children from Sexual Offences Act (POCSO), 2012:

After this session Prof. Mazumdar briefly discussed about the Protection of Children from Sexual Offences Act (POCSO), 2012.

Mr. I.S. Chatterjee also highlighted some important sections of the act.

At the end of the session, Mr. I.S. Chatterjee pointed out some important part of the act. He mentioned that the state govt. shall prepare guideline for NGOs to assist the child for pre & post trial stages. The Central & State govt. shall do awareness of this Act.