

Minutes of the 47th Statutory Meeting of the Commission held on 23rd July, 2021 in the Conference Room (2nd Floor) of NCPCR, Chanderlok Building, Janpath, New Delhi.

The 47th Statutory Meeting of the Commission was held on 23.07.2021 at 12:00 noon in the Conference Room (2nd Floor) of NCPCR. The following were present:

1. Shri Priyank Kanoongo, Chairperson
2. Shri Yashwant Jain, Member
3. Ms. Pragna Parande, Member
4. Ms. Rosy Taba, Member
5. Ms. Rupali Banerjee Singh, Member Secretary

The meeting commenced with a welcome note and brief introductory remarks by the Chairperson.

Confirmation of the Minutes of 46th Statutory Meeting of the Commission held on 04.06.2020:

The Chairperson informed that the Minutes of the 46th Statutory Meeting of the Commission were treated as confirmed as no comments were received.

Ms. Pragna Parande, Member (JJ) made a submission before the Commission that virtual presence of Members may be indicated in the minutes of the 46th Statutory Meeting. The Chairperson informed that a clarification in this regard has been sought from the Ministry of Women and Child Development. Any further action in this regard, will be taken on receipt of a response from the Ministry.

Action Taken Reports (ATRs) on decisions taken in the 46th Statutory Meeting of the Commission held on 04.06.2020:

Action Taken Reports (ATRs) on decisions taken in the 46th Statutory Meeting of the Commission were reviewed by the Commission. MS was asked to put up the current status of ATRs on file.

Pending Action Taken Reports (ATRs) on decisions taken in the 34th to 45th Statutory Meetings of the Commission:

Pending Action Taken Reports (ATRs) on decisions taken in the 34th to 45th Statutory Meetings of the Commission were also reviewed by the Commission. MS was asked to put up the current status of pending ATRs on file.



I. AGENDA ITEMS PROPOSED BY CHILD HALTH DIVISION:

Agenda Item No.1: National Consultation with the State Commissions for Protection of Child Rights (SCPCRs) on "Health and well-being of children and adolescents in Covid-19 pandemic-":

The National Commission for Protection of Child Rights (NCPCR) had organized a one-day National Consultation (virtually) with all the State Commissions for Protection of Child Rights (SCPCRs) on "*Health and well-being of children and adolescents in Covid-19 pandemic*" on 27th May, 2021. The Consultation was conducted with an aim to discuss the adverse impact of ongoing Covid-19 pandemic on children and adolescents as India grapples with escalating virus cases in the second wave. The meeting further deliberated upon the preventive aspects to be undertaken to monitor and mitigate the risk factors for children in impending third wave of COVID-19 and its double mutant and various strains.

The Commission invited experts from Indian Academy of Paediatrics (IAP), RBSK-MoH&FW, NIMHANS, Indian Council for Medical Research (ICMR) and National Neonatology Forum (NNF) who enlightened the participants on various ways to prevent the adverse effects of covid-19 among children and adolescent. *Report of the consultation is placed at Annexure-I.*

Decision: This was noted by the Commission.

[Action: Child Health Division]

Agenda Item No.2: Recommendations/Advisories/Letters issued:

- (i) Letter sent to ICMR- The National Commission for Protection of Child Rights (NCPCR) has sent a letter to Indian Council of Medical Research (ICMR) on 13.05.2021 seeking protocols/guidelines developed by ICMR for clinical management of children with Covid positive and list of medicines for children.
- (ii) Guidelines/Protocols and price list of regulated medicines circulated to all the SCPCRs- Protocols/guidelines developed by ICMR for clinical management of children with Covid positive and list of medicines received from ICMR and list of price regulation by NPPA was circulated to all the SCPCRs by NCPCR through e-mail.
- (iii) Letter sent to MoH&FW- A letter dated 15.05.2021 was sent to the Ministry of Health and Family Welfare (MoH&FW) to issue necessary directions for emergency transport services/ambulances suitable for new born and children.
- (iv) Letter sent to NPPA- A letter was sent to National Pharmaceuticals Pricing Authority (NPPA), Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers on



28.05.2021 to provide information on price regulation on medicines for clinical management of children during Covid-19 sent by ICMR.

- (v) **Information on Functioning of NICU, PICU and SNCU State / UT-wise-** Keeping in view expecting third wave of Covid-19 pandemic, NCPCR has developed an online format to collect information on functioning of NICU, PICU and SNCU of States/UTs. Based on the data received, a report is being compiled by the Commission.

Decision: This was noted by the Commission.

[Action: Child Health Division]

II. **OTHER AGENDA ITEMS:**

Agenda Item No.3: COVID Care link on BalSwaraj Portal (for tracking children who have become orphan or lost either of the parent to COVID-19):

The Commission came across and has been made aware of many social media posts and advertisements by private NGOs and people reaching out to the general public for helping and providing assistance to the children who have become orphan during this second surge of COVID-19 cases in the country. It has been noticed that during the second wave of COVID-19 many children have lost their parents and have become orphan without any family support. In these circumstances, it is noted that the children who have lost their parents and have become orphan fall under the category of children in need of care and protection as defined under Section 2(14) of the Juvenile Justice Act, 2015, and such advertisements make them susceptible to abuse, threat, trafficking, illegal adoption, etc.

The Commission, in addition, also came across many complaints about people/organizations facilitating the adoption of children who have lost their parents to COVID-19. Since such adoptions and advertisements for the adoption of orphan children are in contravention to the provisions of the Juvenile Justice Act, 2015, and are thereby not only illegal but also amount to an offence. The Commission in furtherance of its function as a monitoring authority under Section 109 of the Juvenile Justice Act, 2015, devised an online tracking portal "BalSwaraj" for child in need of care and protection. This portal was created for online tracking and digital real-time monitoring of children who are in need of care and protection. Keeping in view of the prevailing situation of COVID-19, the Commission extended the use of this portal for tracking children who have lost both their parents or either of the parent during COVID-19 and provided a link under the name of "COVID-Care" on this portal for uploading of data of such children by the concerned officer/departments.



There are six stages in the portal which have to be filled by the District Child Protection Unit and State Child Protection Society.

- (a) Stage1 - asks for personal basic details of the child like name, age, address etc.
- (b) Stage 2 - asks for filling up the social investigation report of the child.
- (c) Stage 3 - is the form of individual child care plan wherein it becomes clear that where the child is being placed, recommendation of Child Welfare Committee, sponsorship benefits etc.
- (d) Stage 4 - has been given to upload the Child Welfare Committee order.
- (e) Stage5 - total 34 Government implemented schemes/ benefits have been listed out from which the DCPU can select the benefit of schemes being given to the child in this stage.
- (f) Stage 6 - is for uploading follow-up forms of children. Where the child has been recommended for follow-up, whether in child care institution or in non-institutional care, the follow-up is done by the person assigned by the Child Welfare Committee. So in this stage, if there are any follow-up forms filled by the officer conducting follow-ups of the child, then those forms have to be uploaded.

The Hon'ble Supreme Court in SMWP (C) No. 4 of 2020 In Re. Contagion of Covid-19 virus in Children Homes, vide order dated 28.05.2021 and 07.06.2021 directed all district officers across the States/UTs to upload the data related to children who have become orphan or have lost either of the parents to COVID-19 on BalSwaraj portal under the COVID-Care link.

In compliance of the Hon'ble Supreme Court orders, the States/UTs are uploading data on this portal. The State/UT-wise data received regarding children who have lost either of their parents or both parents as on 05.06.2021 on BalSwaraj portal is given at **Annexure-II**.

Decision: This was noted by the Commission.

[Action: MS / Sr. CL (Legal)]

The meeting ended with a vote of thanks to the chair.

