



CAMP/BENCH REPORT

GUNA, MADHYA PRADESH

14th December, 2019

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
NEW DELHI

Working Report

INTRODUCTION

The National Commission for Protection of Child Rights (NCPCR) conducted its Bench/Camp in Guna District which is situated in the state of Madhya Pradesh. The Commission conducted its bench/camp in Guna District in Madhya Pradesh on 14th December 2019. Shri. Yashwant Jain, Honorable Member (POCSO) of National Commission for Protection of Child Rights (NCPCR) along with Sh. Ashish Kapoor Member from Madhya Pradesh State Commission for Protection of Child Rights (MPSCPCR); and Sh. Lakshya Bhaskar District Collector of Guna constituted the bench/camp. The Bench/Camp at Guna district received a restricted response from the participating District Administration of Guna and 46 NGOs involved from the districts across the various sectors of health, education, juvenile justice, child labour etc. despite prevailing child-centric issues in all the core indicators of development as stated by NITI AAYOG.



The key highlights of the Bench/Camp were:-

- The Bench/ Camp received complaints and passed orders on complaints on the same day.
- Honorable Member Sh. Yashwant Jain (POCSO) directed to visit all center and send a report to Commission within 15 days as different types of problems were identified in Anganwadis;
- Various Anaemic and Hyponatraemia cases were presented in front of the camp and Member (POCSO) directed that a proper medical checkup camp and awareness campaign to be organized at all the levels in the district within 20 days.

- Cases of non availability of caste certificate due to which admission in school were denied also reported. Member (POCSO) directed to issue the certificate to all such children in district within 15 days.
- Complaint of school accommodating 600 children who had disreputable building was presented, Member (POCSO) directed to take the necessary actions.
- Furthermore, since the district of Guna is predominant in tribal population, the response from public was also limited to significant insufficiencies in infrastructure, health, education etc. However, the field-work required from the end of district administration and NGOs in rural areas could have otherwise extended as the building block in getting attention to the issues of tribal population and getting their complaints registered on the day of the bench.

BEFORE THE SITTING OF BENCH

NGO CONSULTATION MEET

Before the sitting of the bench/camp, National Commission for Protection of Child Rights held a consultation meeting with the NGO's on 12th December 2019. Shri J S Jadon District Programme Officer Guna chaired the consultation meeting along with NCPCR team constituted for the present bench/camp. In that session, NCPCR team informed the NGOs' about the roles and responsibilities of NCPCR and the objective of conducting the Bench/Camp. NGO's were also informed about their responsibility in this whole process and asked them to bring complaints related to child rights violation on the day of the sitting of the bench/camp from their districts. There were only 12 NGO's who participated in this meeting.

The key highlights from the Consultation Meeting were:-

1. From the list of 46 NGOs' registered in NITI Darpan portal only 12 NGOs attended the consultation meeting at Collectorate meeting hall.
2. The 12 NGOs from Guna district were representative from the area of children education and literacy, health & family welfare, CCI & rural development.
3. Based on the emails communicated to all 46 NGOs and follow-up initiated over call over a span of one week before the bench, there were no complaints presented by the NGOs'.

4. Since the meeting to brief the NGOs was conveyed two days before the bench, the NGOs effectively had one more day to initiate field work and generate complaints from public or based on the evaluations of their previous work done in the district.
5. They were encouraged to spread awareness about the sitting of NCPCR bench/camp and report as much as complaints possible.
6. Only few NGO's participated on the day of the sitting of the bench/camp and predominantly.

S.No	Name of the District	Total No. of NGO's	No. of NGO's at Consultation Meeting	Representation of the NGO's from the district (in %)
1	Guna	46	12	27%

Table 1: Representation of NGO's at Consultation Meeting in Guna district.

INSPECTION VISIT

Field visits to various child care institutions, Anganwadis and schools were conducted on 12/12/2019 and 13/12/2019. NCPCR team was accompanied by officers from District Child Protection Unit (DCPU). The objective of conducting the inspection was to review the performance and standards of the facilities provided to the children and simultaneously take suo-moto cognizance on the matters pertaining to child rights violations in these institutes. Based on the observation of irregularities or violations existing in their current infrastructure or discharge of their responsibilities w.r.t the governing laws under relevant acts, suo-motu cognizance was taken of Anganwadis and 1 high school.

i. Adarsh Anganwadi Kendra Gopalpura District-Guna

Based on the visit of the NCPCR officials dated 12/12/2019 at Adarsh Anganwadi following irregularities were observed:

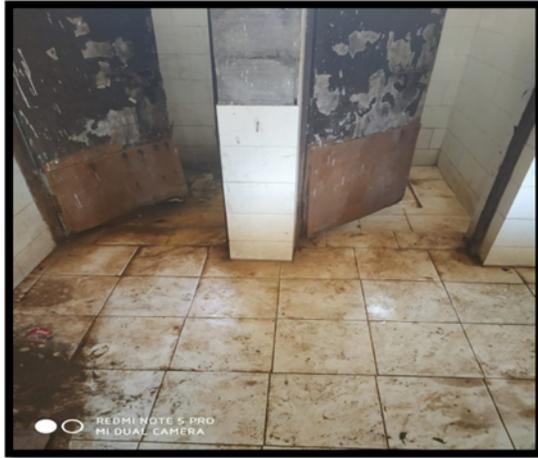
- Suo-motu cognizance was taken of the severe infrastructural deficits observed in the Anganwadi which included non-availability of child friendly toilets and
- The Anganwadi Kendra had no electricity facility.
- It was observed that Anganwadi had no cooking gas facility
- Anganwadi lacked the drinking water facility.
- The Anganwadi did not maintain the registers .



1. SCHOOL VISIT

i. **Guna high school,**

The total strength of the school was 750 students. Based on the visit to the School dated 13/12/2019, suo-motu cognizance was taken of the severe infrastructural deficits observed in the school premises. The size of the classroom was such which can only accommodate 40 children max but the current strength exceeds 55 for class 6th and 7th respectively. Of the 2 available washrooms, both were non-operational and in a pathetic condition. Children were reported to be defecating in open. Overall the entire infrastructure of the school seemed in a poor condition with not adequate means and amenities for children.



ii. Government High School, Guna

Based on the visit to the School dated 13/12/2019, suo-motu cognizance was taken with regard to the infrastructural and other issues pertaining therein.

- a) The toilets present in the school premises were non-functional.
- b) The School had no proper playground.

ON THE DAY OF THE BENCH/ CAMP

The Commission conducted its bench/camp in Guna District in Madhya Pradesh on 14th December 2019, Shri. Yashwant Jain Member of National Commission for Protection of Child Rights (NCPCR) along with Sh. Ashish Kapoor Member from Madhya Pradesh State Commission for Protection of Child Rights (MPSCPCR); and Sh. Lakshya Bhaskar District Collector of Guna constituted the bench/camp. The Commission received 430 complaints, out of which 350 cases were heard by the bench/camp. The details of the complaints received by the bench/camp district wise are given below:

Name of the District	Education	Juvenile justice	Child Health	Laws related to children (POCSO)	Child Labour	Child Marriage	Total	Sum Total
Guna	87	177	165	01	0	0	430	430

DISCLAIMER: The data presented above is the initial data as per the day of the Camp/ Bench.

The said complaints were segregated based on the 6 areas that come under section 3 of CPC Act, 2005. The highest number of cases, that is, 177 were registered under Juvenile Justice 87 cases were registered under Education, 165 under Child Health and 01 under POCSO .

JUVENILE JUSTICE

The bench/camp received 177 complaints on the day of the sitting of the bench/camp. The complaints were received in the broad areas of:

SECTION	NATURE OF COMPLAINTS	TOTAL COMPLAINTS
1	Cases related to issuance of Caste and birth certificate	21
2	Cases related to adoption of children	1
3	Cases related to missing children/ kidnapping/ murder	03
4	Cases related to issuing of Voter card/ aadhar card/Ration Card	60
5	Cases related to financial assistance	78
6	Cases related with foster care	06
7	Any other	08
	Total	177

Table 2: Nature of complaints received under Juvenile Justice on the Guna bench/camp

LAWS RELATED TO CHILDREN (POCSO)

The bench/camp received 01 complaint on the day of the sitting of the bench/camp. The complaint was pertaining to sexual abuse & harassment of Minor girl.

SECTION	NATURE OF COMPLAINTS	TOTAL COMPLAINTS
1	Sexual assault of minor Girl	01
	Total	01

Table 3: Nature of complaints received under Laws Related to Children (POCSO) on the Guna bench/camp

CHILD LABOUR

The bench/camp did not received any complaint regarding child labour on the day of the sitting of the bench/camp.

CHILD HEALTH

The Commission received 165 complaints on the day of the sitting of the bench/Camp. The complaints were pertaining to the broad areas of:-

SECTION	NATURE OF COMPLAINTS	TOTAL COMPLAINTS
1	Cases related to Anganwadi functioning	01
2	Cases Cases related to issuing of disability certificate or disability pension	04
3	Cases Cases related to issuing of disability certificate or pension with treatment	141
4	Cases related to health treatment	08
5	Cases related to financial assistance for treatment	04
6	Cases related to improper functioning of hospital/clinics	0
7	Cases related to issuing of Birth certificate	05
8	Cases related to sanitation, water and road problems	0
9	Cases related to Mid-Day Meal	0
10	Any other	2
	Total	165

Table 6: Nature of complaints received under Child Health on the Guna bench/camp

EDUCATION

87 complaints were registered on the day of the sitting of the bench. The complaints were pertaining to the following broad areas:-

SECTION	NATURE OF COMPLAINTS	TOTAL COMPLAINTS
1	Cases related to Scholarship and Financial Assistance	20
2	Cases relating to Physical and mental Haressment by school	06
3	Cases relating to admission of children in school with Special needs	28
4	Cases Related to Mid day Meal Scheme	01
5	Cases Related to Infrastructure Issues	11
6	Cases Related to issuing of certificates	02
7	Cases Related to Hike in Fees	04
8	Cases related to Unavailibility of Books	04
9	Cases Related to Child Safety	02
10	Cases Related to drop out Children	01
11	Miscellaneous	08
	Total	87

Table 7: Nature of complaints received under Child Education on the Guna bench/camp

HIGHLIGHTS OF COMPLAINTS

- **(JJ)-** A variety of cases were received with respect to Juvenile Justice, however, the major concern felt by the bench was regarding the number of orphan children having their respective grandparents as their sole guardian. Also, the issue of lack of identity proof and caste certificate with children was a pertinent issue, which was addressed by Honorable Member, Shri. Yashwant Jain
- **(Laws Relating to Children (POCSO))-** Directives were issued by Honorable Member, Sh. Yashwant Jain to the Additional Superintendent of Police, to look into the POCSO matters

received during the bench, at the earliest and on priority basis and to provide an Action Taken Report to NCPCR.

- **(Child Labour)**- The cases received by the Bench during the Hearing showed that majority of children are forced to do child labour, as a result of lack of financial stability. Complaint was also received by the Bench with regard to the concern over eradication of Child Labour from the District of Guna in totality, to which Honorable Member, Sh. Yashwant Jain gave her valuable suggestions and also directed the authorities to work more proficiently and actively.
- **(Health of Children)**- Appalling situation was witnessed by the Bench, during the hearing, with respect to Health of Children in the district of Guna. Many children were found to be suffering from different disabilities and diseases like Polio and Fit Keeping in view the huge number of children suffering due to health problems, various equipment were given to the Divyang Children on the spot, under the supervision of Hon'ble Member, NCPCR, Sh. Yashwant Jain with the help of the district officials. Along with that, UDID Cards and Disability Certificates were issued immediately to the children in need of the same, immediately. Hon'ble Member Sh.Yashwant jain also directed that a proper medical check-up and awareness camp to be organized at all the levels in the district within 20 days and submit the Action Taken Report regarding the same to NCPCR.
- **(Education)**- The bench during the hearing came across the issue of lack of finance to children above the age of 14 years, who are interested to continue their education and go for higher and advanced education in future, which was addressed appropriately during the bench. Case with respect to school with major infrastructural problem was also received, to which Hon'ble Member, Sh. Yashwant Jain directed the respective district officials to take the matter seriously and carry out the necessary action.

IV. COMPLAINT ANALYSIS ACCORDING TO NITI AAYOG INDICATORS

The National bench/camp of NCPCR is being conducted in those districts which are declared 'aspirational' by NITI Aayog. The NITI Aayog analyzed these districts based on 49 indicators

segregated in five sectors- Health, Education, Agriculture & Water resources, Financial Inclusion and Basic Infrastructure. Since NCPCR has a mandate to take complaints in the matters related to child rights violations. Therefore, the Commission has placed its focus on two key sectors- Education & Health & Nutrition focusing on the facilities provided to children. Then again while examining the complaints that Commission received while conducting the bench/camp in aspirational district, not all complaints could be analysed based on the indicators laid down by the NITI Aayog.

S.NO	SECTOR	NITI AAYOG INDICATORS	COMPLAINTS RECEIVED BASED ON THE INDICATORS	DISTRICT
1	E D U C A T I O N	Transition rate from primary to upper primary school & Upper primary to secondary	Tribal Children Dropping out from school & denial of admission of children to school	Guna
2		Toilet access: percentage schools with functional girls' toilets	2 suo-motu complaints were taken in schools where toilets were dysfunctional	Guna
S.NO	SECTOR	NITI AAYOG INDICATORS	COMPLAINTS RECEIVED BASED ON THE INDICATORS	DISTRICT
1	H E A L T H	Proportion of Anganwadis with own buildings	1 Case of Inadequate facilities in Anganwadi situated in tribal area along with major infrastructural issues in the existing Anganwadi Centers.	Guna

In child health sector, the Commission received complaints related to construction or infrastructural issues of Anganwadi Centers (AWCs) in the District. Severe evident lapses were observed in terms of construction of toilets in the AWCs, provision of kitchen, facility of drinking water and standard of hygiene and sanitation in toilets.

In the Education Sector, the Commission received complaints related to accessibility of toilets in schools since there was still a prevalence of open toilets and open defecation. Given the lack of sustainable school infrastructure for disabled children, a complaint also raised concern for constructing a special school for blind children. The bench/camp also received complaints where complainants were demanding the transport facility and construction of roads near their village so that children can continue going to school. Furthermore, complaints of infrastructural deficits across primary Z P schools were also reported across the two districts.

V. OUTCOMES

Major issues that were identified by the Commission while conducting bench/camp in Guna were related to the lack of basic amenities like education, health and nutrition in tribal areas. Basic survival facilities have seemingly always been out of reach for people living in tribal areas leading to a substantial increase in absenteeism from school, malnutrition and fundamental health problems. Connectivity to other areas has also proven to be a major hindrance in the community leading the tribal people to live in isolation. Inadequate condition of Anganwadi's, absence of referral centers and lack of health clinics in the tribal areas have also added to the undermining condition of the people in the District. Consequently, major steps are required to be taken to get the concerned people a chance at Right to subsistence.

VI. CONCLUSION

National Commission for Protection of Child Rights registered 430 complaints on the day of the bench/camp. 350 complaints were resolved and submitted to the respective departments to take action on the issues related to child rights violation on the day of the sitting of the bench/camp under a stipulated time period. The Bench/Camp received the representation of

the cases related to child rights violation under the broad areas of child health, education, prohibition of child labour and juvenile justice. The Commission received extensive support from the district administration, Guna. However, the response of DCPO, Guna was lacking inexplicably. The volunteers apart from the district administration helped in running the proceedings of the bench/camp smoothly. Childline and teachers helped the complainant from registering the complaint to helping them write the complaint and translating the local language to English/Hindi for the bench/camp. Nevertheless, significant directions were issued in monitoring and implementation of various child rights related laws and policies.

ANNEXURES

S.NO	NAME OF THE NGO	CONTACT DETAILS	EMAIL ID
1.	Human World	9993838331	humanworldngo@gmail.com
2.	Sonali Public Shiksha	9752531443	lambalovely@gmail.com