



**Government of Gujarat**

**Gujarat State Commission for  
Protection of Child rights**



**Annual Report**

**2014-15**

**Block No.19, 3<sup>rd</sup> Floor,**

**Dr.Jivaraj Mehta Bhavan, Gandhinagar**

## **Introduction**

The child is one of the integral basic constituents of the society and it is important part of the society. A secured, Healthy and Educated child builds robust society in future. Taking that into account, various rights are conferred on children. But, many impediments are coming in the way of free enjoyments of these rights by children. In this context, for overall development of child, it is important to make provisions for protection of child rights.

## **Formation of the Gujarat State Commission for Protection of Child Rights.**

The Government of India had ratified United Nations Convention of child rights in the year 1992. In pursuance thereof, the Parliament enacted “The Commissions for Protections of Child Rights Act, 2005” for Protection of child rights and H.E the President of India has assented to the Act on 20<sup>th</sup> June, 2006. According to section 17 of the Act, the Gujarat State Commission for Protection of Child Rights, has been formed vide a notification dated 28<sup>th</sup> September, 2012.

## **Chairperson and Members of the Gujarat State Commission for Protection of Child Rights**

The Chairperson of the Commission has been appointed under notification dated 28/09/2012 and 06 members have been appointed vide notification dated 21/02/2013.

The Chairperson and Members of the Commission during the year 2014-15 were as under.

- (1) Prof.Rameshwari M.Pandya (Chairperson)
- (2) Dr.Nayanaben J.Ramani (Member)
- (3) Sushri Rasilaben Sojitra (Member)
- (4) Sushri Bhartiben Virsangbhai Tadavi (Member)
- (5) Sushri Madhuben Vishnubhai Senama (Member)
- (6) Sushri Jignaben Sanaykumar Pandya (Member)
- (7) Sushri Hemaxiben Manjobhai Chauhan (Member)

## **Child Rights**

As per section 2 (b) of the Commission for Protection of Child Rights Act, 2005 child rights includes the rights as adopted in the United Nations convention of Child Rights on the 20<sup>th</sup> Nov.1989 and Child Rights ratified Assented by the Government of India on the 11<sup>th</sup> Dec.1992.

### **Existing Child Rights Acts.**

- (1) Commissions for Protection of Child Rights Act-2005
- (2) Rights of Children to Free and Compulsory Education Act-2009
- (3) Protection of Children from Sexual offences Act-2012
- (4) Bonded Labour System (Abolition) Act-1976
- (5) Child Labour (Prohibition and Regulation) Act-1986
- (6) Factories Act-1948
- (7) Hindu Minorities and Guardianship Act-1956
- (8) Guardians and Wards Act-1890
- (9) Immoral Traffic (Prevention) Act-1956
- (10) Infant Milk Substitutes, Feeding Bottles and Infant Foods  
(Regulation of Production, Supply and Distribution) Act-1992
- (11) Juvenile Justice (Care and Protection of Children) Act-2000
- (12) Medical Termination of Pregnancy Act-2006
- (13) Mines Act-1952
- (14) Prohibition of Child Marriage Act-2006
- (15) Parental Diagnostic Techniques (Regulation and Prevention of Misuse)  
Act-  
1994
- (16) Young Person (Harmful Publication) Act-1956

### **Functions of the Commission**

- To inquire into the cases of violation and infringement of child rights and to recommend the authorities concerned to take action.

- To inquire into and to review all the matters regarding protection of rights of security of children by or under any law and to take steps for effective implementation thereof.
- To examine into 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.
- To inspect children home where juvenile offenders are lodged for treatment, counseling or protection and to undertake the matter for remedial measures with the concerned authorities.
- Monitoring and inquiring under Rights of children to free and Compulsory Education Act-2009 and protection of children from sexual offences Act-2012
- To initiate inquiry on receipt of complaints of violation of child rights and to take Suo Moto note and undertake the following :-
  - (1) Deprivation and violation of child rights
  - (2) Non-implementation of laws providing for protection and development of children.
  - (3) Non-compliance of policy decision, 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.
- To examine the existing policies, program and other activities regarding safeguarding child rights and to make recommendation for effective implementation thereof in the interest of children.
- Spread child rights literacy among various sections of society and promote awareness of the safeguards available for protection of these rights through publications media, seminars, and other available means.
- To submit annually, periodical report to the state Government about the effectiveness of the work relating to safeguarding of Child Rights.

- To conduct and get conducted special studies in the field of Child Rights.

## **Powers of the Commission**

- (1) While inquiring into any matter the Commission has all powers of a civil court trying a suit under code of civil procedure, 1908 and in particular in respect of the following matters :-
  - (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 commission for the examination of witnesses or documents.
- (2) The commission shall have powers to send any case to a magistrate having Jurisdiction to try the same.

## **Action after inquiry**

On Completion of inquiry conducted under this Act, the Commission may take any of the following steps, namely

- Where the inquiry discloses, violation of Child rights of a serious nature or contravention of provisions of any law for the time being in force, the Commission may recommend to the concerned Government or authority for the initiation of proceedings for prosecution or such other action as the Commission may deem fit against the concerned person or persons;
- Approach the Supreme Court or the High Court concerned for such directions, order or writs as that Court may deem necessary;
- 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.

## **Allocation of grant to the Commission**

### **Government of Gujarat**

The Government of Gujarat had allocated Rs.89,06,000 for pay and allowances, travelling as well as for office expenses for the year 2014-15, out of which expenditure of Rs. 89,06,000 has been incurred. Government of Gujarat allocated Rs. 41.60 Lakhs for organizing workshops, seminars, conferences for creating awareness for child rights protection, out of which Rs. 3,44,556/- were incurred. The Government also allocated Rs. 10.00 Lakhs for public awareness on child rights through advertisements out of which Rs.9,99,486 has been incurred. **Sarva Shiksha Abhiyan**

Under Right of Children to Free and Compulsory Education Act-2009, grant of Rs.29.27 lakhs was allocated by Sarva Shiksha Abhiyan for the purpose of monitoring. The fund was allocated on 03-02-2014. Rs.29.15 lakhs was also allocated for this purpose on 12/06/2014. The expenditure out of this amount, allocated for the purpose will be incurred in the next year.

## **Meetings of the Commission**

Seventh meeting	dt. 05-05-2014
Eighth meeting	dt. 25-06-2014
Ninth meeting	dt. 17-07-2014
Tenth meeting	dt. 08-09-2014
Eleventh meeting	dt. 03-12-2014
Twelfth meeting	dt. 21-02-2014

## **Meetings with Heads of Departments**

- A meeting with Director, Social Defense department, Gandhinagar and Chief Executive Officer, Integrated Child Protection Society was held on 17/07/2014 to review the targets and real achievements of Child Protections in the year 2013-14 and also to review planning for the year 2014-15.
- A meeting with State Project Director, Sarva Shikash Abhiyan, and Director, Primary Education, Gandhinagar was held on 08/09/2014 to review the implementation of Right to Education Act-2009 in the state.
- A meeting with Director General of Police, Gandhinagar was held on 29/01/2015 to review status of children still missing and not found

as of now, child tracking system, crimes worth to be registered under “Protection of Children from Sexual offences Act-2012, but not registered under the act so far, figures of children living with women inmates in all the jails of the state and facilities provided to children in the jails, arrangements made to verify the real age of inmates under trial who are on the verge of 18 and whose date of birth is unknown and arrangements made to impart training to police personnel to make them be aware about rights of children under various acts.

- The Chairperson met Chief Secretary to the state on 29/01/2015 to apprise him of the activities being carried out by Gujarat state commission for protection of child rights, Gandhinagar.
- A meeting was also held with Additional Secretary, Education department, Government of Gujarat to plan the role of school management committees for protection of rights of children.

## **Distribution of Districts among Chairperson and Members**

All matters of the Commission for the whole state of Gujarat are monitored by the Chairperson, but for facilitating work, the Districts of the State are distributed among the Chairperson and Members. Details of which are annexed in the statement-1.

## **Visits of Districts by the Commission**

During the year the commission extensively visited various districts of the state which include, Banaskantha, Patan, Mahesana, Sabarkantha, Surat, Tapi, Navasari, Valsad, Kheda and Anand and during the visits, the Chairperson and Members of the Commission held meetings with District Collectors and officers of various offices of districts engaged in welfare of children and discussed and offered suggestions on implementation of protection of child rights and reviewed the activities being carried out for protection of rights of children in the districts.

Institutions were visited and the Commission was acquainted about their activities and conditions of children. Moreover, feedbacks from children were received.

## **Visits of Districts and Organizations by the Members of the Commission**

During the period of the report, visits of various Districts and Government/Non-Government organizations of the State were taken by the members of the Commission during which discussions were held with district officials in context with the condition of protection of child rights and suggestions were made.

Details of visits of organizations are annexed in the statement-3.

### **Suo Moto investigation by Members.**

- Three children died due to collapse of a compound wall of Swami Vivekanand Institute, Anad nagar, near Jawahar nagar, Ahmedabad. The investigation into the incident has been handed over to three members of commission namely, Smt.Rasilaben Sojitra, Smt.Madhuben Senma and Smt.Hemaxiben Chauhan by order dated 15/06/2014 and investigation into the incident is being carried out by them.
- A child fell into a borewell at a depth of 70 ft.on 21/06/2014 in Gokulpara hamlet of latipur village, Ta.dhrol of Jamnagar district. The investigation into the incident has been handed over to three members of commission namely, Smt.Rasilaben Sojitra, Dr.Nayanaben Ramani and Smt.Jignaben Pandya by order dated 15/06/2014 and investigation into the incident is being carried out by them.

### **Establishment of the Commission**

Details showing sanctioned and filled in posts of the Commission as on 31/03/2015 is shown in statement-4

### **Complaints/Applications received by the Commission**

The Commission had received 26 complaints during the period of report and

Out of 26 complaints 06 complaints have been disposed off.

### **Seminars/Workshops/Conferences organized by the Commission.**

- A workshop on “Training cum Awareness” for creating awareness among members of school management committees on rights of children was organized on 13/08/2014 at Narmada Resort, Kevadia colony.



- A state level seminar on “children’s rights- a responsibility of all of us” was organized on 20/02/2015 at Mahatma Gandhi Labour Institute, Ahmedabad. The seminar was presided by Hon.Minister for Education (state level) shri Nanubhai vanani, shri Sanjay Prasad, Principal Secretary, Labour and Employment Department, Director General of Police (Women and Child cell) who delivered commendable lectures on rights of children. The seminar was participated by more than 150 participants i.e. Districts’ Primary Education Officers, Deputy Superintendents of Police, District Child Protection Officers looking after child welfare activities.

### **District level Workshop by Commission**

- A one day district level work shop on “child right-a responsibility of all of us” was organized on 03/02/2015 at police training center, Surendranagar under chairmanship of chairmen of Commission in which school principals, members of school management committees and students of standard 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> participated in the workshop.
- A one day district level work shop on “child right-a responsibility of all of us” was organized on 24/02/2015 at Pastoral hall, Nadiad under chairmanship of chairmen of Commission in which school principals, members of school management committees and students of standard 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> participated in the workshop.
- A one day district level work shop on “child right-a responsibility of all of us” was organized on 10/03/2015 at Gram Vikas and Panchayati Raj Bhavan, Junaghadh under chairmanship of chairmen of Commission in which school principals, members of school management committees and students of standard 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> participated in the workshop.
- A one day district level work shop on “child right-a responsibility of all of us” was organized on 18/03/2015 at police training center, Bharuch under chairmanship of chairmen of Commission in which school principals, members of school management committees and students of standard 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> participated in the workshop.

## Success Story

- A member of the Commission Smt. Jignaben Pandya came to know that a minor girl namely Bina is being forced to do household work, by her aunt at Sughad village of Gandhinagar district and a girl namely Mira, aged 13 has been forced to elope by a boy. So, member of the Commission Smt. Jignaben Pandya coordinated with District Child Welfare Office, Gandhinagar and went to Adalaj Police station and after rescuing them admitted both the girls in Children Home, Ahmedabad.
- Chairperson of Commission received a telephonic message that marriage of two daughters of shri Parasbhai Govaji saragar is going to take place at “poornima Bunglow” Shanti nagar, Nadiad on 17/03/2015 and out of both the daughters, one daughter namely Daxa is minor and her age is 16. So, it was requested to stop the minor’s marriage. Acting upon the message, on instruction of the Chairperson, Member of the Commission Smt.Hemaxiben Chauhan coordinated with District Social Defence Officer cum Child Marriage Prohibition Officer, District Child Welfare Officer and district Police and stopped the child marriage.