



CHILD PROTECTION BULLETIN

STATE CHILD
PROTECTION
SOCIETY, ASSAM

MONTHLY BULLETIN OF ACTIVITIES CONCERNING CHILD PROTECTION IN ASSAM

EDITORIAL

Month of November is very special for all the children. Two very important milestones mark the importance of the month. In India, Pandit Jawaharlal Nehru's birthday was declared as Children's Day and is celebrated annually to cherish his love and attachment for children. The main purpose of this day is to encourage the welfare of children all over the country.

The idea of a universal Children's Day was suggested by Mr. V.K. Krishna Menon and it was adopted by the United Nations General Assembly. At first it was celebrated universally in the month of October. After 1959, 20th November was chosen as Children's day as it marked the anniversary day when the Declaration of the Child Rights was adopted by the U.N. General Assembly. In 1989, the Convention on the Rights of the Child was also signed on the same date.

The celebration of these two events should instil in the minds of every Indian the Child Friendly Attitude, to uphold the rights and the dignity of children in our Society.

Editorial Board,
State Child Protection Society, Assam

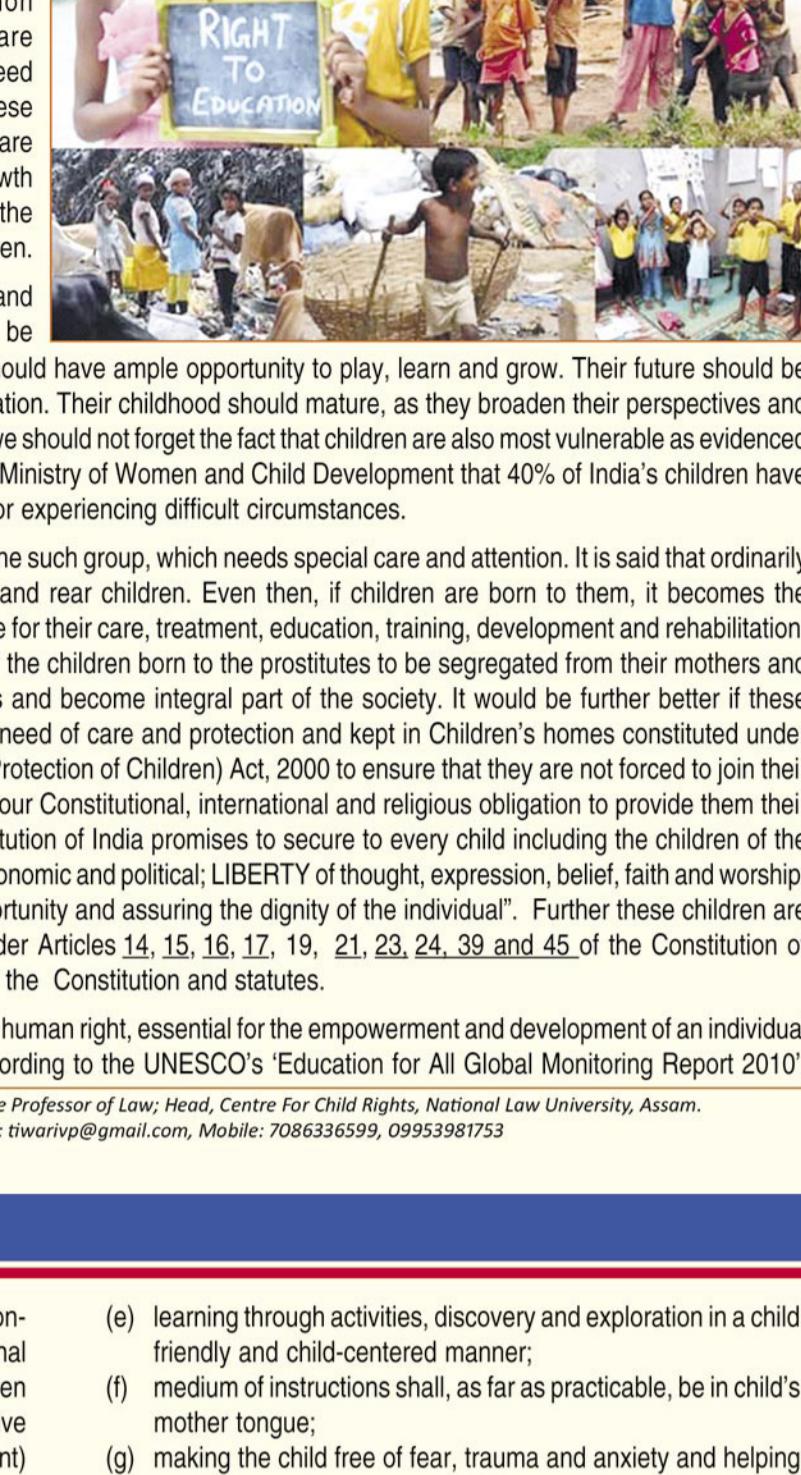
RIGHT TO EDUCATION OF UNDERPRIVILEGED CHILDREN*

India is home of 19% of the world's children. This means that India has world's largest youngest human resource, which could be nurtured to be world leaders in almost all spheres of life. The importance of these youngsters becomes more significant at a time when most of the developed countries like China, Japan, etc. have an ageing population. Children are 'supremely important national asset' and the future well-being of the nation depends on how its children are groomed and trained. But we need to be careful in upbringing of these children for the fact that the welfare of the entire community, its growth and development, depends on the health and well-being of its children. The children are curious, active and full of hope that their life should be full of joy and peace and they should have ample opportunity to play, learn and grow. Their future should be shaped in harmony and co-operation. Their childhood should mature, as they broaden their perspectives and gain new experience. However, we should not forget the fact that children are also most vulnerable as evidenced from the report submitted by the Ministry of Women and Child Development that 40% of India's children have been declared to be vulnerable or experiencing difficult circumstances.

The children of prostitutes form one such group, which needs special care and attention. It is said that ordinarily prostitutes do not want to bear and rear children. Even then, if children are born to them, it becomes the solemn duty of the state to ensure for their care, treatment, education, training, development and rehabilitation. It would be in the best interest of the children born to the prostitutes to be segregated from their mothers and be allowed to mingle with others and become integral part of the society. It would be further better if these children are considered to be in need of care and protection and kept in Children's homes constituted under The Juvenile Justice (Care and Protection of Children) Act, 2000 to ensure that they are not forced to join their mothers' profession. Indeed it is our Constitutional, international and religious obligation to provide them their due. The preamble to the Constitution of India promises to secure to every child including the children of the prostitutes- "JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity and assuring the dignity of the individual". Further these children are entitled to special protection under Articles 14, 15, 16, 17, 19, 21, 23, 24, 39 and 45 of the Constitution of India besides other provisions of the Constitution and statutes.

Basic education is a fundamental human right, essential for the empowerment and development of an individual and the society as a whole. According to the UNESCO's 'Education for All Global Monitoring Report 2010',

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about 135 countries have constitutional provision for free and non-discriminatory education for all. In 1950, India too made a Constitutional commitment to provide free and compulsory education to all children up to the age of 14, by adding this provision in Article 45 of the Directive Principles of State Policy. The Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India to provide free and compulsory education to all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine and fulfilled its constitutional obligation. The Right of Children to Free and Compulsory Education Act, 2009, which represents the consequential legislation envisaged under Article 21-A, means that **every child has a right to full time elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards**. The Act requires every local authority to:

- (a) provide free and compulsory elementary education to every child: Provided that where a child is admitted by his or her parents or guardian, as the case may be, in a school other than a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or a local authority, such child or his or her parents or guardian, as the case may be, shall not be entitled to make a claim for reimbursement of expenditure incurred on elementary education of the child in such other school;
- (b) ensure availability of a neighbourhood school;
- (c) 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;
- (d) maintain records of children up to the age of fourteen years residing within its jurisdiction, in such manner as may be prescribed;
- (e) ensure and monitor admission, attendance and completion of elementary education by every child residing within its jurisdiction;
- (f) provide infrastructure including school building, teaching staff and learning material;
- (g) provide special training facility specified in section 4;
- (h) ensure good quality elementary education conforming to the standards and norms specified in the Schedule;
- (i) ensure timely prescribing of curriculum and courses of study for elementary education;
- (j) provide training facility for teachers;
- (k) ensure admission of children of migrant families;
- (l) monitor functioning of schools within its jurisdiction; and
- (m) decide the academic calendar.

Further the Act provides that the academic authority, while laying down the curriculum shall take into consideration the following, namely:

- (a) conformity with the values enshrined in the Constitution;
- (b) all round development of the child;
- (c) building up child's knowledge, potentiality and talent;
- (d) development of physical and mental abilities to the fullest extent;

(e) learning through activities, discovery and exploration in a child friendly and child-centered manner;

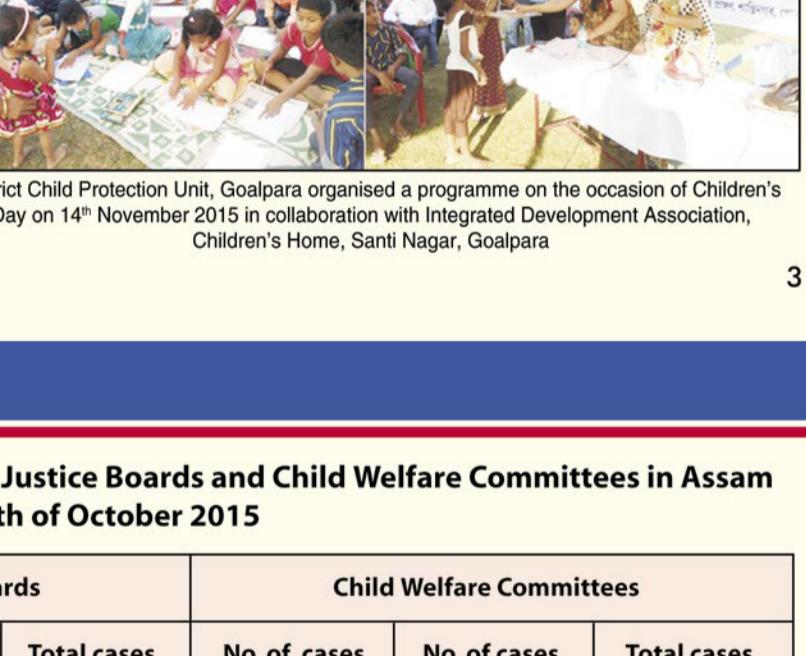
(f) medium of instructions shall, as far as practicable, be in child's mother tongue;

(g) making the child free of fear, trauma and anxiety and helping the child to express views freely;

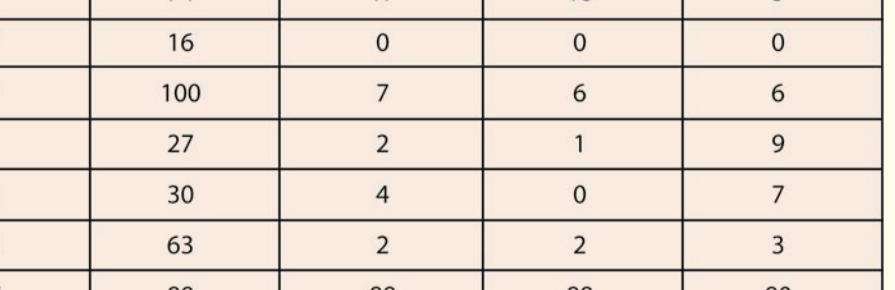
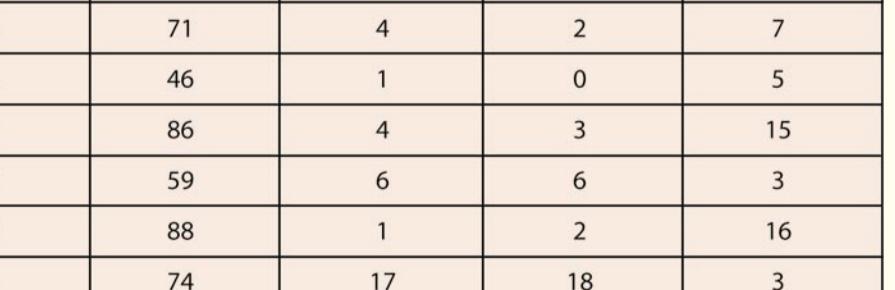
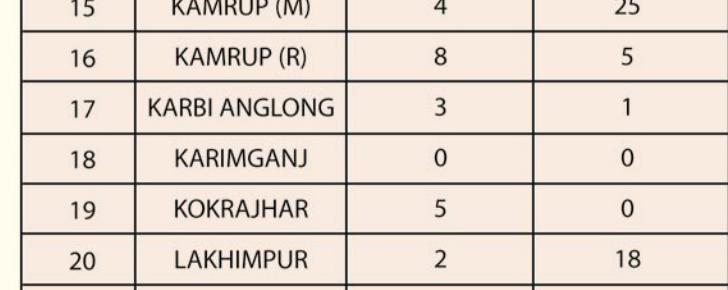
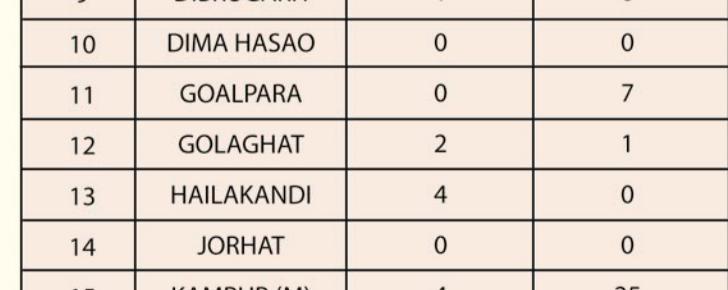
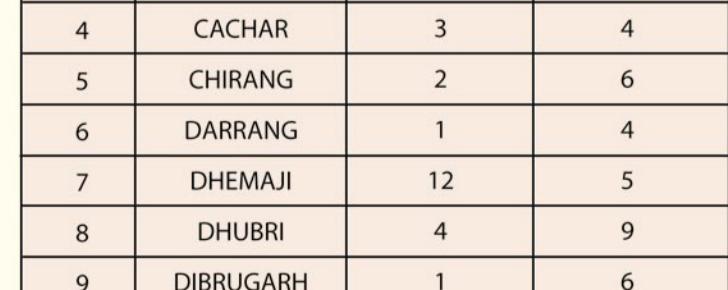
(h) comprehensive and continuous evaluation of child's understanding of knowledge and his or her ability to apply the same.

The Act is very unique and innovative in the sense that it has envisaged the School Management Committee (consisting of the elected representatives of the local authority, parents or guardians of children and teachers (with the provision that at least three forth of the members of such committee shall be parents or guardians; proportionate representation shall be given to the parents or guardians of children belonging to disadvantaged group and weaker section and that fifty per cent of the Members of such Committee shall be women) to - (a) monitor the working of the school; (b) prepare and recommend school development plan; and (c) monitor the utilisation of the grants received from the appropriate Government or local authority or any other source. No only this, the National Commission for Protection of Child Rights and State Commission for Protection of Child Rights have also been mandated to ensure effective implementation of this Act.

Right to education is most important fundamental right which has the capability to transform Indian society and make India a developed nation. It is expected that the governmental agencies and Commission for Protection of Child Rights will ensure effective and proper implementation of The Right of Children to Free and Compulsory Education Act, 2009 so that each and every child of the country, especially the children of underprivileged classes get quality education and fulfill all other aspirations of their life.



Glimpses of the conference on the "New Adoption Guidelines" held on the occasion of the 26th "International Child Rights Day", at Shiligram, Guwahati. The occasion was graced by Dr. Jaganath Pati, Jt. Director of CARA; Dr. Raja Markandam, SSP, CID, Assam; Dr. Jeuti Baruah, Former Director, Law Research Institute; Mr. Kumud Ch. Kalita, IAS, Director, Social Welfare & Member Secretary, SCPS, Assam; CWC Members & a host of friends from NGOs running children's Home and Adoption Agencies in Assam. Children from Jalukbari Children's Home performed a dance before the august gathering on the occasion.



Status Report on the functioning of the Juvenile Justice Boards and Child Welfare Committees in Assam for the month of October 2015

Sl. No.	Districts	Juvenile Justice Boards			Child Welfare Committees		
		No. of cases instituted	No. of cases disposed	Total cases pending	No. of cases instituted	No. of cases disposed	Total cases pending
1	BAKSA	Cases are jointly dealt with Nalbari JJB			3	1	2
2	BONGAIGAON	5	3	26	1	0	10
3	BARPETA	4	10	121	4	4	14
4	CACHAR	3	4	71	4	2	7
5	CHIRANG	2	6	46	1	0	5
6	DARRANG	1	4	86	4	3	15
7	DHEMAJI	12	5	59	6	6	3
8	DHUBRI	4	9	88	1	2	16
9	DIBRUGARH	1	6	74	17	18	3
10	DIMA HASAO	0	0	16	0	0	0
11	GOALPARA	0	7	100	7	6	6
12	GOLAGHAT	2	1	27	2	1	9
13	HAILAKANDI	4	0	30	4	0	7
14	JORHAT	0	0	63	2	2	3
15	KAMRUP (M)	4	25	89	89	88	80
16	KAMRUP (R)	8	5	61	1	2	24
17	KARBI ANGLONG	3	1	38	0	0	2
18	KARIMGANJ	0	0	56	0	0	31
19	KOKRAJHAR	5	0	132	3	2	11
20	LAKHIMPUR	2	18	0	7	5	17
21	MORIGAON	2	0	8	4	7	23
22	NAGAON	16	12	248	6	10	14
23	NALBARI	8	9	51	1	1	37
24	SONITPUR	5	7	126	3	2	36
25	SIBSAGAR	2	14	50	7	6	46
26	TINSUKIA	7	5	69	6	9	17
27	UDALGURI	0	2	15	5	0	18
Total		100	153	1750	187	177	455

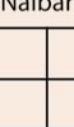
Source: MIS Cell, SCPS, Assam

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DSW, Government of Assam