

# Juvenile Justice Newsletter

Monthly Newsletter of Activities Concerning Child Protection in Assam

## Editorial

The Supreme Court of India defined a Missing Child as "a person below 18 years of age whose whereabouts are not known to the parents, legal guardians or any other person who may be legally entrusted with the custody of knowing the whereabouts, well being of the child, whatever may be the circumstances or causes of disappearance. The child will be considered missing and in need of care and protection, until located and his or her safety and well being is established." The Apex Court has taken the issue of missing children very seriously in the light of the facts presented before it by Bachpan Bachao Andolan (A Non-Governmental Organisation). There are thousands of children, who have gone missing and only a few FIRs have been registered and few investigations have been launched.

There is a massive movement to trace the missing children whose whereabouts are not known. The Supreme Court in this regard on November, 2014 has directed all the States and Union Territories to search for the missing children and trace them. The Ministry of Women and Child Development has also taken an initiative to track children who have been missing and are lodged in Child Care Institutions through a web portal - www.trackthemissingchild.gov.in/trackchild. It is a national portal which not only has data on 'missing' children but it also has live database to monitor the progress of the 'found' children who are availing various services in different Child Care Institutions (CCIs) under the ICPS and the JJ Act.

This month's news letter brings to our readers about the State level Consultation held in Guwahati on for preparing a State Plan of Action on Missing Children in Assam. This is an initiative taken by the Government of Assam for tracing its missing children.

### Editorial Board,

State Child Protection Society, Assam

## State level Consultation on preparing a State Plan of Action on Missing Children for Assam

A countless number of children go missing every year. The category of missing children include a number of problems including abduction or kidnapping of children by family members and by non-family members, run-away children or those forced to run away by family or surrounding circumstances, children who are in a difficult or aggressive environment, trafficked children and lost children. Children who go missing may be exploited and abused for various purposes. There are also a large number of children who run away from homes after dropping out of school or facing difficulties at home. They usually run away or lure to the glamorous big cities where they fall prey to exploiters and are employed in tea stalls, brothels, beggary, etc.

In a recent sub-judge case in Supreme Court of India, filed by Bachpan Bachao Andolan on missing children in India, the Apex court directed few States to trace out all their missing children. Assam also had a substantial number of missing children as such the apex court also directed the Government of Assam to trace its missing children. As such the department of Social Welfare in an initiative organised a State Level consultation to address this problem and to come up with specific recommendations and suggestions on the already developed Standard Operating Procedure on Missing Children to make it more Assam Specific.

The consultation was attended by more than 130 participants on 4th December; comprising stakeholders from various government machinery. Officials from Dept. of Home, Police, Department of Social Welfare, State Child Protection Society, Members of Child Welfare Committees, Social Workers of Juvenile Justice Boards, representatives from NIPPCD regional centre, State NIC (national informatics centre), officials from UNICEF Assam and UNICEF Delhi attended this consultation and provided their valuable inputs in the Standard Operating Procedure on Missing Children to adapt it with Assam Specific Changes.

Shri. Jitesh Khosla, IAS, Chief Secretary to the Government of Assam in his speech mentioned various social and economic factors for children going missing. He emphasized the importance of a child being with a family and the protective environment that the child receives from one's own family and the possibilities of a child ending in situations prone to abuse and getting exposed to factors leading to criminalisation, if the child is not within a family's protective environment. As such, he mentioned that the issue of missing children is a matter of serious concern and the stakeholders dealing with this issue should be more sensitive and pro-active in handling cases of missing children. Lastly he mentioned that schools play a very important role in reporting missing children.

Ms. Tannistha Datta, Child Protection Specialist, UNICEF, India Country Office put forth facts before the gathering so that everyone gets a better understanding of the present scenario of missing children across the country and more specifically for the State. She mentioned that every year a staggering 45,000 children go missing across the country and 40 % of these children are never found. She also mentioned that every 8 minutes a child goes missing and only 10 % of the cases are registered with police. In the backdrop of the infamous Nithari Case, the Supreme Court then directed all the State Govts. to ensure that for every case of missing child, an F.I.R is to be registered. She mentioned the importance of the National Flagship Programme – the Integrated Child Protection Scheme; which came into effect in 2009 and mentioned that every case of Missing Child falls under the category of Child In Need of Care and Protection, bringing it under the frame work of Juvenile Justice Act, 2000. She shared the experience of West Bengal in missing children and the online portal of "Track the Missing Child" which later got translated into a national initiative – track child. She mentioned the importance of data-feeding into this online portal by stakeholders to ensure that missing children could be traced out and by integrating the issue of missing children with other element of the ICPS structure – Child Welfare Committee, Juvenile Justice Boards and Child Care Institutions; it envisioned a holistic approach to the issue – to the stage to recovery, repatriation and rehabilitation. Lastly mentioning that as per the online portal of "Track the Missing Child", during a period between 2008 and 2014; 1161 children were missing of which only 28 could recovered and that out of 359 police stations in Assam, only 125 (37 %) are entering information on track child. Whereas the actual numbers of registered cases of missing children with police is far more, this reflects that there is a minimal usage of the portal by police officials.

Mr. H. K. Sharma, IAS, Commissioner and Secretary, Department of Social Welfare, mentioned that, there is a greater need to develop a systematic approach to address the issue of missing children. He mentioned that the issue of missing children is very serious but is perceived to be not so serious. As such there has to be change in the attitude of the Stakeholders to deal with this issue. He mentioned the important role that Education Department can play in reporting cases of missing children.

Ms. Neelaskshi Sharma (State MIS Coordinator) made a presentation on Track-Child, wherein she laid out the brief objective of the Track Child Portal. She mentioned that the, portal will set up a Web-enabled Child Protection Management Information System (MIS). She stated that once all stakeholders fill necessary data in the portal it will work as a database for all children covered under the Juvenile Justice Act, 2000 and

Integrated Child Protection Scheme. Further it will facilitate the matching of missing children being reported at Police Station with children found across the country and presently being placed in a Child Care Institutions. She mentioned that in Assam the portal is launched/ initiated in December, 2012, presently 37 children's institutions are feeding data online, three trainings have already been organised for state level (social welfare stakeholders) and lastly that all CWCs and JJBs are using the portal. There are 4 critical and primary stakeholders entrusted to fill in data at the state level, which are :

- Women and Child Development : SCPS, SCPCR, DWCD
- Police : CID, SCRB, DGP, MPS
- Legal : SLSA
- Panchayati Raj Institutions : Department of Panchayat and Rural Development.

At the district level she mentioned the following stakeholders are responsible to fill data in the Online Portal;

- WCD : DCPS/DCPU, DSWO, JJB, CWC, CCIs
- Police : DCRB, S.P, ASP, SJPU, AHTU
- Legal : DALSA
- PRI : Zila Parishad
- General Admin : DM, ADM

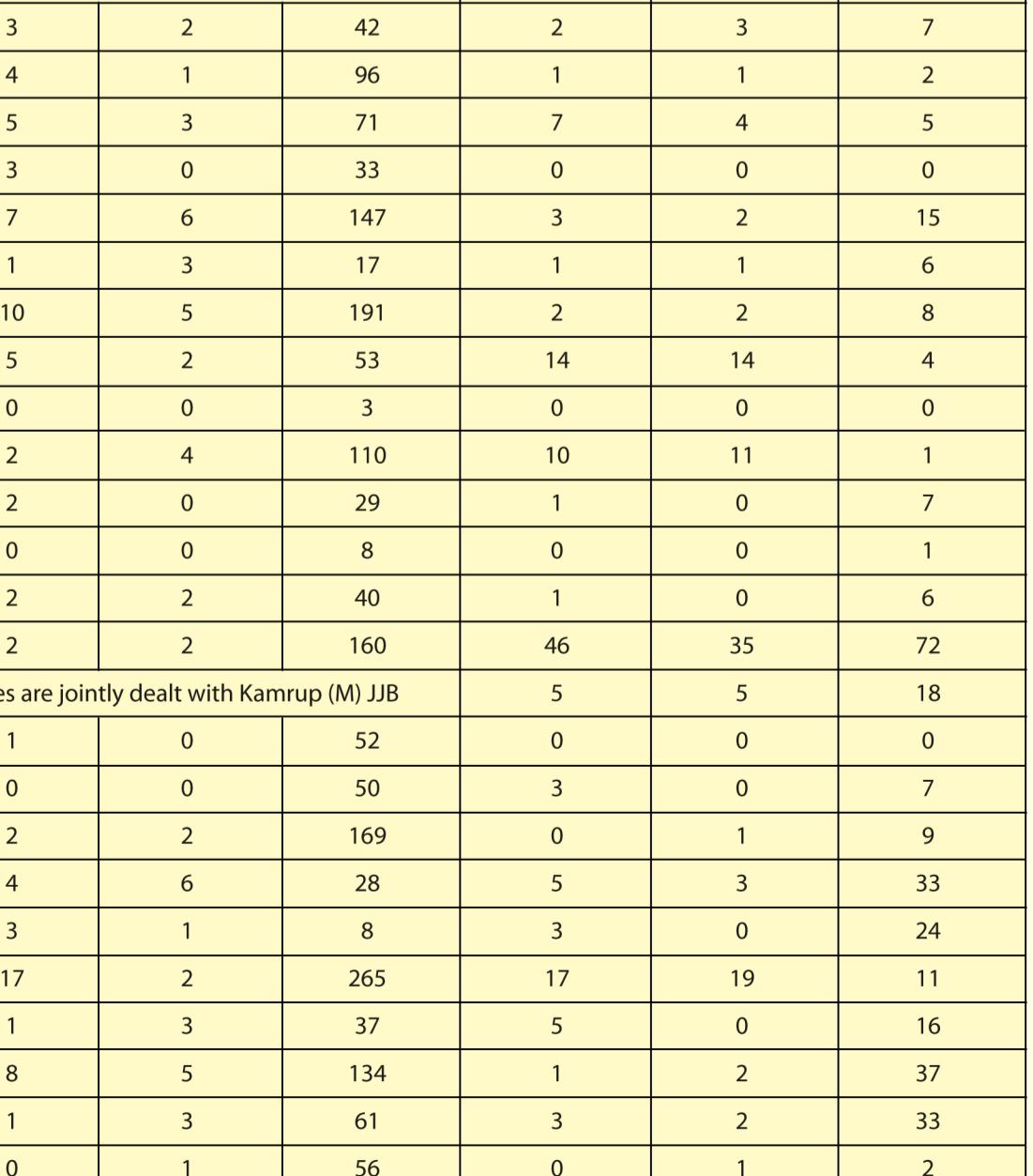
Lastly she mentioned the various kinds of services that are available to stakeholders through the online portal, like e-file for every child, monitoring of individual care plan, track every child residing in Child Care Institution, facilitate the matching of missing and found children, to report missing and found cases online, to receive e-alerts from citizen and other stakeholder, online Management Information System, etc.

The valuable suggestions on the Standard Operating Procedure which was shared with all participants are as follows:

- School teacher and School management committee should be entrusted with the duty to investigate in cases where a child has not been attending school without prior information for more than a week. The school teacher has to visit the child's home as to find out the reason behind his/her absenteeism. In cases the child or his family is not found in their place of residence, the police officer of the nearest Police Station/Outpost is to be informed. In this regard Department of Education will take necessary steps to issue directions.
- For all schools (Govt. or Private) Dept. Of Education will issue a Child Protection Policy, which has to be followed by every school. This CP Policy will ensure that every child is protected from various kinds of perceived or un-perceived threats, which will also provide a protective and preventive window to safeguard children from going missing.

- The Department of Panchayat and Rural Development to issue an instruction to all Gram Panchayat in Assam to establish a 'Migration-Facilitator Register' at the Gram Panchayat level and initiate a process to register all local agent/Facilitators of migration' in a time bound manner. All such local agents will inform the concerned Gram Panchayat whenever they are facilitating the migration of a family or group of people that includes children and/or women.
- Success stories and good practices of rescued children should be published among all stakeholders to generate sensitiveness for the issue and to encourage working promptly in cases of missing children. The success stories could be published in the monthly Juvenile Justice News Letter.
- There has to be resource directory comprising contact details of all Child Welfare Committees of the Country to ensure quick repatriation.
- District level time bound training programmes should be initiated.

These suggestions and recommendations on the SoP were duly incorporated and Govt. of Assam will notify it in due course obligating all stakeholders to perform their duties as mentioned in the SoP to prevent children going missing and also to trace and rescue children who go missing.



Source: MIS Cell, SCPS, Assam

For any feedback, write to :

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DSW, Government of Assam

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			0	5	12
2	BONGAIGAON	3	2	42	2	3	7
3	BARPETA	4	1	96	1	1	2
4	CACHAR	5	3	71	7	4	5
5	CHIRANG	3	0	33	0	0	0
6	DARRANG	7	6	147	3	2	15
7	DHEMAJI	1	3	17	1	1	6
8	DHUBRI	10	5	191	2	2	8
9	DIBRUGARH	5	2	53	14	14	4
10	DIMA HASAO	0	0	3	0	0	0
11	GOALPARA	2	4	110	10	11	1
12	GOLAGHAT	2	0	29	1	0	7
13	HAILAKANDI	0	0	8	0	0	1
14	JORHAT	2	2	40	1	0	6
15	KAMRUP (M)	2	2	160	46	35	72
16	KAMRUP (R)	Cases are jointly dealt with Kamrup (M) JJB			5	5	18
17	KARBI ANGLONG	1	0	52	0	0	0
18	KARIMGANJ	0	0	50	3	0	7
19	KOKRAJHAR	2	2	169	0	1	9
20	LAKHIMPUR	4	6	28	5	3	33
21	MORIGAON	3	1	8	3	0	24
22	NAGAON	17	2	265	17	19	11
23	NALBARI	1	3	37	5	0	16
24	SONITPUR	8	5	134	1	2	37
25	SIBSAGAR	1	3	61	3	2	33
26	TINSUKIA	0	1	56	0	1	2
27	UDALGURI	0	4	17	5	3	18
<b>Total</b>		<b>83</b>	<b>57</b>	<b>1877</b>	<b>135</b>	<b>114</b>	<b>354</b>