

CHILD PROTECTION BULLETIN

STATE CHILD
PROTECTION
SOCIETY, ASSAM

MONTHLY BULLETIN OF ACTIVITIES CONCERNING CHILD PROTECTION IN ASSAM

EDITORIAL

Adults feel that they have every right to discipline a child. Discipline is not taught, it is learnt. Discipline is an attitude, character, responsibility or commitment. It is basically internal.

What most adults think is that they can discipline children only through corporal punishment, forgetting the fact that physical punishment leaves indelible mark on the child for the rest of his life. Studies have revealed that children who have been victims of corporal punishment to control their antisocial behavior show more antisocial behavior themselves over a long period of time irrespective of race, socio-economic status and regardless of whether they receive any cognitive stimulation and emotional support. As the child grows, depression or violence is more likely to develop.

Recently, we have noticed so many cases of corporal punishment, where children even succumb to death. This cannot go on any longer, we need to stop it and condemn such inhuman atrocities on children. This month's bulletin deals with corporal punishment and on ending Child Labour. Both of these evils are widely prevalent in practice in our society. A concerted effort is needed to combat the problem. Let's all say "No to Corporal Punishment and Child Labour".

*Editorial Board,
State Child Protection Society, Assam*

Corporal Punishment - An Overview

Defining Corporal Punishment:

Corporal punishment is any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. This is a form of violation of rights of children, which is in conflict with the child's dignity and right of child to physical integrity.

Corporal punishment includes physical punishment, mental harassment, discrimination and neglect.

Corporal punishment is rampant in India in different settings: Children are subjected to corporal punishment in schools, institutions like hostels, ashrams, juvenile homes and also in family, work sites and community settings.

Few Facts from Ground Zero:

In Kolkata, a class VIII boy was caned and punished repeatedly and he committed suicide. In Uttar Pradesh, a girl of class VIII who was also from the scheduled caste community was punished and asked to clean latrines. Unable to bear the insult and caste discrimination she too committed suicide. Another breathtaking story of a 4 year old girl named Nisha Patra (Name changed) was beaten up by her step mother Sushila Munda of Keonjhar, Odisha. When Nisha opposed her, Sushila cut her tongue with a blade and abandoned her at a far away place. A 10 years old boy named Mohan Naik (Name changed) was deliberately beaten up and mentally harassed on a daily basis by the hotel owner at Keonjhar district. One day, the owner scorched Mohan with an iron rod at different parts of his body, and Mohan was hospitalized with severe burns. These are only a few instances. But everyday a large number of children are being punished, tormented and tortured all over the globe, making them helpless and vulnerable.

Facets of Corporal Punishment in India:

- Two out of three school going children in India are physically abused says the national report on child abuse by the Ministry of Women and Child Development in 2007.
- Boys are marginally more likely to face physical abuse (73%) than girls (65%).
- Of the children who were abused in family situations, 88.6% were abused by their parents.

Many children do not report their sufferings, hence, many cases go unregistered. This has surely led to a crunch in the data availability regarding the corporal punishment cases.

Impacts of corporal punishment on children:

There are a number of immediate impacts of corporal punishments that includes injury, damage to sensory organs (like ear, eyes, etc), development of fear psychology, attention deficit disorders, emotional turmoil, and so on.

Long-term impacts include behavioural disorder, aggressive behaviour, vandalism, increased dropout rates, phobia, depression, suicidal tendency, anxiety, poor performance in exams, and so on.

What the Law says?

Corporal Punishment and UN CRC (United Nations Convention of Rights of Child):

- Article 28(2) requires the State parties to "take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention."
- Article 37(a) of UN CRC requires States Parties to ensure that "no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment."
- Indian Constitutional Provisions:
 - Article 21 of the Constitution protects the right to life, which has been interpreted to include the right to education for children under 14, and the right to dignity.
 - Article 14 of the Constitution guarantees equality before the law and equal protection of the laws. Although Article 15(3) of the Constitution allows the State to make special provisions for children and protect them as a class from physical abuse to which they are particularly vulnerable this has seldom caught the attention of policy makers.
 - The Directive Principles of State Policy are not justifiable rights, yet, several of the provisions are indicative of the value that the Constitution makers placed for protection of children. Article 39(e) directs the State to work progressively to ensure that the tender age of children is not abused". Article 39(e)

directs the State to work progressively to ensure that "children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment"

Laws & Legislations:

- Juvenile Justice (Care and Protection of children) Amendment Act, 2015: Corporal punishment shall be liable, on the first conviction, to a fine of ten thousand rupees and for every subsequent offence, shall be liable for imprisonment which may extend to three months or fine or with both.
- The Right of Children to Free and Compulsory Education Act 2009 (RTE Act) provides that no child shall be subject to "physical punishment or mental harassment" in schools for those officials that contravene this provision shall be liable for disciplinary action under service rules applicable to them.
- The Abolition of Corporal Punishment in Educational Institutions Bill, 2010: Whoever, contravenes the provisions of this Act and rules made there under shall be liable for the first offence, for imprisonment which may extend to one year of fine of Rupees five thousand or with both. Indian Penal Code
- Several provisions of the Indian Penal Code (IPC) relating to varying degrees of physical harm and intimidation can be used to prosecute perpetrators of corporal punishment against children in an institutional setting. These include:

End child labour in supply chains: It's everyone's business, says ILO

"It is unacceptable that there are still 168 million children in child labour, 85 million of whom are in hazardous work. Child labour is found in agriculture – 99 million – to mining, from manufacturing to tourism, producing goods and services consumed by millions every day," read the ILO website

Child labour occurs predominantly in the rural and informal economies, beyond the reach of labour inspection, the protection of workers' organizations or the governance benefits of employers' and producers' organizations.

It's not just the lack of institutional protection in the rural and informal economies that increases the risk of child labour in supply chains; in household production and on family farms, children are often highly vulnerable because parents' incomes are insufficient or because small family enterprises and farms cannot afford to replace child labour by hiring adults and youth. Piece rate production increases the risk with child labour helping parents to make up quotas and to assure family survival when parents are not earning a living wage.

Global supply chains can offer opportunities for inclusive development for supplier firms, workers and host countries, but targeted action is needed to assure just outcomes. Beyond child labour in high profile, global supply chains, many child labourers are also found in supply chains producing for local and national consumption and they must not be ignored.

There are encouraging signs of a will to act and to prevent child labour, to achieve greater transparency and visibility along supply chains as well as more effective enforcement of relevant laws.

The ILO's Minimum Age Convention, 1973 (No. 138) has been ratified by 168 member States and the Worst Forms of Child Labour Convention, 1999 (No. 182) by 180 – near universal ratification.

Governments are recognizing that the fight against child labour requires coherent policy packages to back child labour legislation: quality education, social protection and decent jobs for parents.

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Companies are increasingly exploring how they might contribute to eliminating child labour by strengthening the capacity of enterprises throughout their supply chains – a complex task requiring partnerships involving governments, industry peers and employers' and workers' organizations. Forums such as the ILO's Child Labour Platform allow enterprises to share good practices and develop new models for collaboration.

Global Framework Agreements between global trade union federations and multinational companies are one expression of global cooperation through social dialogue. At the grassroots of value chains too, rural workers' and informal workers' organizations are expanding innovative approaches to strengthen collective representation.

The ILO's Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy of 1977 recognizes the role of enterprises in the elimination of child labour. With its focus on development and strengthening of enterprise capacity and social dialogue, this Declaration holds great potential to guide action against child labour.

The 2030 Sustainable Development Agenda reaffirms the goal of ending child labour. Acting together, it is within our means to make the future of work a future without child labour.

Courtesy: India Blooms News Service

INTERNATIONAL DAY AGAINST DRUG ABUSE AND ILLICIT TRAFFICKING

Social Welfare Department, Govt. of Assam organized a programme to commemorate the International Day Against Drug Abuse and Illicit Trafficking on 26th June, 2016 at NEDFI House, Ganeshguri, Guwahati, Assam. Speaking at the function inspector of CID's narcotics cell Kumud Sarma said abuse of prescription drugs had emerged as a major concern and the department had clamped down on those involved in it. He said the CID had seized 236 cartons containing 28,882 bottles of codeine-based cough syrup from Guwahati's Narengi locality in April, which showed the gravity of the problem. Two persons were also arrested in this regard. He said the value of the seized contraband was around Rs 22.52 lakh. Despite efforts to tackle the problem, pharmaceutical preparations containing narcotic and psychotropic substances continue to be diverted from pharmaceutical industry. A section

of drug distributors and pharmacies are also suspected to be involved.

Delivering the keynote address at today's programme in Guwahati, principal secretary of the social welfare department, Hermanta Kumar Narzary, pointed out that last year, the highest amount of illicit drugs in the country were seized in Mizoram. Over 80,000 tonnes of drugs were seized from the state, which speaks volumes about the problem in the region. He said the Northeast was one of the worst-affected regions because of its proximity to the Golden Triangle - the trijunction of Myanmar, Thailand and Laos - which accounts for over 60 per cent of narcotics traded across the world. Narzary said youths should be made aware of the consequences of drug abuse and trafficking should be checked. He lauded the NGOs that have taken significant steps to combat the menace of drugs.

AWARENESS CAMPAIGN ON TRAFFICKING OF CHILDREN AND WOMEN

An extensive Awareness Campaign on Trafficking of Children and Women was organised by the Department in its 100 days Action Plan. The awareness campaign is being incorporated phase-wise in 27 districts of the State. In the first phase the awareness campaigns were organised in seven districts i.e., in Chirang, Bongaigaon, Goalpara, Darrang, Morigaon and Nagaon on 29th June, 2016. Accordingly, the awareness campaign will be held in the other districts in the month of July and August, 2016.

Ranju Das, Traulata Hazarika, Rupam Saikia, Barnali Deka, Merina Yasmin

Result of HSLC of Govt. run Children's Homes

Sl. No.	District	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	0	0	3
2	BONGAIGAON	2	4	19	6	4	9
3	BARPETA	7	6	106	9	5	30
4	CACHAR	7	8	63	4	4	6
5	CHIRANG	1	3	26	4	6	4
6	DARRANG	3	8	84	5	5	12
7	DHEMAMI	10	3	52	10	8	2
8	DHUBRI	0	0	101	0	3	9
9	DIBRUGARH	2	8	53	12	8	5
10	DIMA HASAO	0	0	21	0	0	0
11	GOALPARA	17	11	109	4	1	22
12	GOLAGHAT	4	5	14	2	5	15
13	HAILAKANDI	6	2	45	1	1	6
14	JORHAT	4	7	50	4	2	3
15	KAMRUP (M)	12	16	57	89	62	149
16	KAMRUP (R)	1	1	59	11	8	17
17	KARBI ANGLONG	3	1	47	4	2	4
18	KARIMGANJ	5	11	45	0	0	38
19	KOKRAJHAR	1	4	161	2	1	24
20	LAKHIMPUR	1	9	0	11	14	9
21	MORIGAON	3	0	11	4	4	6
22	NAGAON	4	9	240	17	24	32
23	NALBARI	1	6	23	1	1	39
24	SONITPUR	5	9	123	11	6	52
25	SIBSAGAR	1	7	41	3	10	48
26	TINSUKIA	16	10	46	11	12	22
27	UDALGURI	3	3	20	20	5	38
Total		119	151	1616	245	201	604

N.B. If any child have got letter mark in any subject then kindly specify it in the remarks column alongwith the name of the subject and percentage

Status Report on the functioning of the Juvenile Justice Boards and Child Welfare Committees in Assam for the month of May 2016

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11	GOALPARA	17	11	109	4	1	22
12	GOLAGHAT	4	5	14	2	5	15
13	HAILAKANDI	6	2	45	1	1	6
14	JORHAT	4	7				