

**IN THE SUPREME COURT OF INDIA**  
**ORIGINAL JURISDICTION**  
**SUO MOTO WRIT PETITION (C)NO. 4 of 2020**

IN THE MATTER OF:

RE CONTAGION OF COVID 19 VIRUS IN CHILDREN PROTECTION  
HOMES:

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**DATE: 31.05.2021**

**DELHI**

**IN THE SUPREME COURT OF INDIA  
ORIGINAL JURISDICTION  
SUO MOTO WRIT PETITION (C) NO. 4 of 2020**

IN THE MATTER OF:

**RE CONTAGION OF COVID 19 VIRUS IN CHILDREN  
PROTECTION HOMES:**

**AFFIDAVIT ON BEHALF OF THE NATIONAL COMMISSION FOR  
PROTECTION OF CHILD RIGHTS (NCPCR) IN COMPLIANCE OF  
THE ORDER DATED 28.05.2021 PASSED BY THIS HON'BLE COURT  
IN ABOVE MENTIONED SUO MOTU WRIT PETITION**

I, G Suresh, S/o Sri Late Shri S. Ganpathy Poty aged about 50 years, presently working as Assistant Director, National Commission for Protection of Child Rights at 5<sup>th</sup> floor, Chanderlok Building, 36, Janpath, New Delhi-110001 do hereby solemnly affirm and declare as under:

1. That, the deponent is filing this affidavit on behalf of National Commission for Protection of Child Rights (NCPCR) (hereinafter referred as “the Commission”) in the above mentioned petition in compliance of the order dated 28.05.2021 passed by this Hon’ble Court and as per official capacity mentioned above, I am well versed with the facts and circumstances of the matter on the basis of available records and as such competent & authorized to affirm this affidavit.
2. That the plight of children who have lost their parents/ guardian/ earning members of the family after 01.04.2020 was brought to the notice of this Hon’ble Court through the I.A. No. 64373/2021 for direction filed by the

learned Amicus Curiae. After hearing, this Hon'ble Court has passed the order dated 28.05.2021, in compliance of which, the Commission is filing this affidavit where the steps taken by the answering respondent to safeguard the interest and security of the children is explained. The Commission is also providing data on the basis of the information uploaded by District officers on "Bal Swaraj" (Covid Care) portal as on 29.05.2021. True Copy of the order of this Hon'ble Court dated 28.05.2021 is annexed herewith and marked as **Annexure R-1 (Pg No. 22 to 29 )**

3. That it is humbly submitted that considering surge of COVID-19, and consequently large number of death, it has become essential that additional efforts to be taken to ensure that the rights of children protected and for that the first step is to identify the child in need and then developing a mechanism for tracking of each child who has become orphan or has lost either of the parent to COVID-19 and may not have any financial support. The Commission considered that children in aforesaid situation are "children in need of care and protection" under Section 2(14) of the Juvenile Justice Act, 2015 and all provisions provided under the Act for such children must be provided to ensure the well-being and best interest of children.
4. That it is respectfully submitted that Child Welfare Committees, under Section 27 of the Juvenile Justice Act, 2015 have been established at District level for exercising its powers and to discharge the duties conferred on them in relation to children in "need of care and protection" under the Act. Therefore, every such child affected by COVID-19 and found to be in distress and without family support must be produced before the concerned Child Welfare Committee under Section 31 of the Juvenile Justice Act, 2015.
5. That considering afore-mentioned, the Commission devised the portal namely, "Bal Swaraj" which is getting used to collect data of children who

have lost both or either of the parent to COVID-19. The individual login accounts of all District Child Protection Units/officers and Principal Secretaries of Department of Women and Child Development/Social Welfare of all States/UTs was made, so that they can fill the required information at every stage of the portal. There are six stages in the portal which have to be filled by the District Child Protection Unit and State Child Protection Society.

- a. Stage 1 asks for personal basic details of the child like name, age, address etc.
  - b. Stage 2 asks for filling up the social investigation report of the child.
  - c. Stage 3 is the form of individual child care plan wherein it becomes clear that where the child is being placed, recommendation of Child Welfare Committee, sponsorship benefits etc.
  - d. Stage 4 has been given to upload the Child Welfare Committee order.
  - e. In stage 5, total 34 Government implemented schemes/ benefits have been listed out from which the DCPU can select the benefit of schemes being given to the child in this stage.
  - f. Stage 6 is for uploading follow-up forms of children. Where the child has been recommended for follow-up, whether in child care institution or in non-institutional care, the follow-up is done by the person assigned by the Child Welfare Committee. So in this stage, if there are any follow-up forms filled by the officer conducting follow-ups of the child, then those forms have to be uploaded.
6. That it is further humbly submitted that the Commission has been receiving many complaints in recent past alleging that there are private individuals and organizations, who are involved in data collection of such children stating that they want to provide assistance to the children and the families and also, these organizations/individuals are giving away these orphaned children to families in adoption without following the procedure given

under the Juvenile Justice Act, 2015. In response to these complaints, the Commission took out an advisory dated 02.05.2021 to Chief Secretaries of all States/UTs informing about the growing problem of illegal adoption during the second surge of COVID-19 and advising to produce the children before the Child Welfare Committees, so that necessary action can be taken in the best interest of those children. Copy of the advisory dated 02.05.2021 is annexed herewith and marked as **ANNEXURE R- 2 (Pg No. 30 to 31 )**.

7. That the Commission also held discussion and consultation with all State Commissions to discuss about this growing problem of children becoming orphan during COVID-19. It is humbly submitted that based on the discussions held with all State Commissions and in accordance with the procedure laid down under J. J. Act, 2015 and its Rules, 2016, NCPCR prepared a document, which outlined the procedure and functions of each child protection authority/officer as given under the Juvenile Justice Act, 2015 and simultaneously, also made certain recommendations for the State Government and the other concerned authorities, which if implemented, can ensure the welfare and well-being of the child.

It is respectfully submitted that detailed functions and duties of all concerned authorities (Child Welfare Committee, District Child Protection Unit, Case Worker, Child Welfare Officer, local bodies issuing death certificate/ legal heir certificate/succession certificate and implementing Government schemes, financial institutions etc.) have been provided in this document and specific recommendations have been made for every authority/officer by the Commission regarding dealing with such children. This document along with recommendations of the Commission has been circulated to Chief Secretaries of all States/UTs for implementation of recommendations by the concerned authorities (Department of WCD, Department of Education, Department of Urban/Rural/Panchayati Raj,

District Magistrates, Director General of Police(s), State Legal Services Authority) at the District/Block Level. Copy of document is annexed herewith and marked as ANNEXURE R-3 (from Pg No. 32 to 61).

8. That it is further submitted that the Commission had also been receiving complaints of disclosure of children's (children who have lost both or either of the parent to COVID-19) information by Government authorities to private NGO's and organizations which was observed to be in violation of Section 74 of the Juvenile Justice Act, 2015. The said provision prohibits disclosure of identity of children with regard to the name, school, age, address etc. of the child, which would reveal the essential details of the child and could help in identifying the child. The Commission has been taking cognizance on these complaints under Section 13(1)(j) of the CPC Act, 2005 and asking the State Government and law enforcement authorities to take necessary actions. A letter informing about these complaints was also issued to Chief Secretaries of all States/UTs on 26.05.2021 to look into this matter and ensure that no information of any child is disclosed with any person/entity/organization. Copy of letter issued to Chief Secretaries of all States/UTs dated 26.05.2021 is annexed herewith and marked as **ANNEXURE R-4 (Pg No. 62 to 66 )**
9. That it is respectfully submitted that the Commission, in furtherance to its function as a monitoring authority under Section 109 of the Juvenile Justice Act, 2015, has devised an online tracking portal "Bal Swaraj" for children in need of care and protection, especially for children living in street situations. This portal has been created for online tracking and digital real time monitoring mechanism of children who are in need of care and protection. Keeping in view, the current situation of COVID-19, the Commission has extended the use of this portal for tracking children who have lost both its parents or either of the parent during COVID-19 and

- provided a link under the name of “COVID-Care” for uploading the data of such children on the portal by the concerned officer or the department.
10. Further, it is submitted that the portal aim to track the children affected by COVID-19 right from the production of children before the Child Welfare Committee to the restoration of the children to their parent/ guardian/ relative and its subsequent follow-up. The forms for preparing “Social Investigation Report and Individual Child Care Plan” of the child have been provided to the nodal officers which have to be uploaded by them on the portal. After the data is filled by the District Child Protection Unit (DCPU) and State officers for each child on the portal, the Commission will be able to get information about whether the child is being able to get his/ her entitlements, benefits and monetary support, for which the child is entitled. Also, if the data is being filled by concerned officers at district level then the Commission would know within no time that whether the child being produced before the CWC and the orders are being passed regarding that child or not.
  11. That it is respectfully submitted that the Commission has organized a National Consultation on “Health and wellbeing of children and adolescents in COVID-19 pandemic” with State Commissions on 27.05.2021. The technical sessions in the said consultation were taken by representatives of India Council of Medical Research (ICMR), Ministry of Health, Indian Academy of Paediatrics, National Neonatology Forum (NNF), NIMHANS, who provided tips to State Commissions regarding taking care of children in present pandemic situation for prevention and safety of the children.
  12. That the Commission has also launched “SAMVEDNA” a tele-counselling service for children in COVID times. It provides support to children under stress or trauma because they are in Quarantine, or whose parents are in quarantine, or who has lost any family/ parent/ relative/ near or dear one in

pandemic due to COVID-19. It is respectfully submitted that till date more than **1100 tele-counselling** have been undertaken/ provided by the Commission through this service.

13. That it is also submitted that the Commission in furtherance of its powers conferred under section 13 and 14 of the CPCR Act, 2005 and as per its mandate under section 109 of the JJ Act, 2015 read with Rule 91 of the Juvenile Justice Rules, 2016 had initiated the exercise of monitoring of the situation of vulnerable children living in Child Care Institutions and asked them to provide information on number of Children in Need of Care & Protection (CNCP) found COVID positive while staying in the Children Homes in last one month. Out of total children staying in Children Homes, How many children have been declared CNCP under section (2) (14) (v) of the Juvenile Justice (Care & Protection of Children) Act, 2015. Kindly furnish copy of Individual Care Plan (ICP) and Social Investigation Report (SIR) of each such child as declared Child in Need of Care and Protection (CNCP) under this section of JJ Act, 2015 as mentioned above and declared Child in Need of Care and Protection (CNCP) due to poverty. Information on number of Children in Conflict with Law (CICL) found COVID positive while staying in the Observation Homes in last one month. Information on CICL children (apprehended under petty offences) who are staying in the Observation Homes for more than three months. In addition to aforesaid, the information regarding measures taken by the State Government to prevent children from Corona Virus while staying in Child Care Institutions of respective State/UT are also asked.

The Commission also recommended State Governments to proactively review the status of preventive steps already taken by the States/ UTs in the light of second surge of COVID-19 pandemic to ensure safety of children staying in Child Care Institutions. Copy of the letter dated 21.04.2021

issued to the State Government/UTs is annexed herewith and marked as **ANNEXURE R-5 (Pg No. 67 to 69 )**

14. That it is respectfully submitted that in regard to the child health and anticipated vulnerability associated amongst children in upcoming third wave of COVID-19 and its double mutant and various strains, the Commission has taken the following preventive steps.

13.1. Commission has sent a letter to Indian Council of Medical Research (ICMR) seeking information on protocols/guidelines developed by ICMR for treatment and clinical management of children with COVID-19 positive and if additional protocols/Guidelines have been developed by ICMR for prevention and clinical management of children in upcoming third wave of COVID-19. These protocols/guidelines shall be further shared by the Commission with the State Commissions for Protection of Child Rights (SCPCRs) for dissemination in States/UTs. Copy of the letter dated 13.05.2021 issued to ICMR is annexed herewith and marked as **ANNEXURE R-6 (Pg No. 70 to \_\_\_\_\_)**.

13.2. To prepare for neonatal and children emergency situation for expected third wave of Covid-19, the Commission has requested Ministry of Health & Family Welfare to issue necessary directions for emergency transport services/ambulances suitable for children and neonatal. Copy of the letter dated 15.05.2021 issued to Ministry of Health & Family Welfare is annexed herewith and marked as **ANNEXURE R-7 (Pg No. 71 to 72 )**.

13.3. The Commission has written to Indian Academy of Pediatrics seeking technical assistance on preventive aspects to be undertaken to monitor and mitigate the risk factors for children in upcoming third wave of COVID-19. Copy of the letter dated 19.05.2021 issued to Indian

Academy of Pediatrics is annexed herewith and marked as **ANNEXURE R-8 (Pg No. 73 to \_\_\_\_\_)**.

**13.4.** For effective monitoring of functioning of Neonatal Intensive Care Units (NICUs), Special Newborn Care Units (SNCUs) and Pediatric Intensive Care Units (PICUs) in Districts, the Commission has developed an online mechanism for seeking information from various Districts of States/ UTs. In this regard, a letter has been sent to Department of Health & Family Welfare, of all States/UTs with a copy to State Commissions for Protection of Child Rights (SCPCRs). Copy of the letter dated 20.05.2021 issued to Department of Health & Family Welfare, of all States/UTs is annexed herewith and marked as **ANNEXURE R-9 (Pg No. 74 to 75 )**.

**13.5** That it is respectfully submitted that the Commission has written to National Pharmaceutical Pricing Authority (NPPA), Department of Pharmaceuticals, Ministry of Chemical and Fertilizers requesting them to provide information on price regulation of the medicines and to provide information, in case NPPA regulates price of tests/investigation, testing kits or material etc. Copy of the letter dated 28.05.2021 issued to Department of Pharmaceuticals, Ministry of Chemical and Fertilizers, is annexed herewith and marked as **ANNEXURE R-10 (Pg No. 76 to 77 )**.

**15.** That it is most respectfully submitted that children affected by COVID-19 situation may also face problems in continuing their studies in case of death of the earning parent/ guardian and this further affects child's mental health, adding to the struggle in coping with the loss. Therefore, Commission is of the view that all efforts must be made by the concerned authorities and the school that the child without disrupting its studies is able to continue in the same school and environment. The Commission vide its

letter dated 27.05.2021 have made some recommendations for the State Governments, District Education Officers (DEO) and Schools and in addition the Commission also recommended the following-

- a) In case of death of one or both parents of the child and/ or the earning member of the family and the child is studying in private school, the expenditure on elementary education of such children in the same school may be borne by the appropriate Government under section 12 (1) (c) of the RTE Act, 2009.
- b) For this, the child along with guardian/ any member of the family; and/or the school where the child is studying shall approach the Child Welfare Committee (CWC) of the district. Based on proceedings before the CWC, the child may be included in the list of children already admitted in the school under section 12 (1)(c) of the RTE Act, 2009. The school shall then follow the appropriate procedure to raise the demand for reimbursement of the expenditure as per respective State RTE Rules.
- c) The implementation of these recommendations made in the enclosed documents and herein shall apply to all categories of schools entrusted with the responsibility under section 12(1) of the RTE, Act- aided, unaided private schools; specified category schools. Schools with minority institution status and all residential schools shall also follow the procedure and ensure that no such child is forced to leave the school in any manner against the child's choice due to non-payment of fees.
- d) For classes above VIII (beyond RTE), the State Government shall devise guidelines for the schools and/ or issue necessary directions and/or devise a policy for reimbursing the expenditure on education of these children.

Copy of letter dated 27.05.2021 issued to Principal Secretary, Department of Education/Directorate of Education of all States/UTs is annexed herewith and marked as **ANNEXURE R-11 (Pg No. 78 to 80 )**.

16. That in addition to above measures, the Commission has also conducted a national level multi-stakeholder “E-Consultative Meeting to Combat Child Trafficking Post Lockdown Situation due to COVID-19” on 8<sup>th</sup> May, 2020 comprising of stakeholders from the background viz. Representative from the NITI Aayog, SCPCRs, Police, State CID, AHTUs, Experts in the field of Human Trafficking, NGOs viz. UNODC & grass root Civil Society Organisations (CSOs) working on ground in the field of child trafficking prevention.
17. That it is to be noted that based on the inputs received and observations made by the Commission through various meetings, rescue operations conducted during lockdown period and inquiries taken up by the Commission, the Commission has outlined and formulated recommendations in consonance with the Advisory issued by MHA dated 06th July 2020 for “*Preventing and Combating Human Trafficking especially during COVID-19 Pandemic period*”. Further, it is submitted that the Commission has laid out specific recommendations at Source, Transit and Destination Hotspots, which outlines basic indicators for identification of vulnerable families and children at risk of trafficking at the village/urban habitation level and provided with a safety mesh at the family level. The Commission has also observed that providing benefits of various welfare schemes to the vulnerable family shall reduce the risk of a child getting trafficked. The Commission’s Recommendations on “Preventing Child Trafficking Post Lockdown Situation due to COVID - 19 Pandemic” is annexed herewith and marked as **ANNEXURE R-12 (Pg No. 81 to 115 )**.

18. That it is humbly submitted that Commission has also formulated 5M Strategy for preventing child trafficking during COVID-19 times.
- a) MEETING - Discussions by concerned stakeholders at village level on the basis of vulnerability indicators.
  - b) MAPPING - Identification of the vulnerable families at village level on the basis of prescribed indicators through people's participation
  - c) MATCHING - Opportunity to link with the Schemes on the basis of eligibility with transparency in prioritizing beneficiary on the basis of vulnerability
  - d) MOBILISING - the entire system to expedite linking process of the vulnerable family with the Schemes. i.e. documentation, verification, opening of bank accounts etc.
  - e) MONITORING- NCPCR/ SCPCR may take cognizance in any /all cases of mapped vulnerable families to ensure benefits of Schemes reach the vulnerable

That it is humbly submitted that the Commission has initiated action and pilot launch mapping of Children & Families vulnerable to child trafficking and matching them with benefits under various Schemes of Government of India and State Governments. The Commission recommends that such extensive mapping exercise of children and their families vulnerable to child trafficking is required to be undertaken in all the Districts of all the States within the country which are potential "Source", "Transit" and "Destination" Hotspots of Child Trafficking, as per the information available with Anti Human Trafficking Units (AHTUs) and NCRB. All such children and their families should be matched with relevant schemes and entitlements of the Government of India and State governments and the same should be made available to them under the monitoring of NCPCR and State SCPCRs.

19. That under the scheme, PM-CARES for Children, number of benefits got announced by the Prime Minister of India to support children, who are impacted by the current COVID Pandemic. As per the Scheme, children will get benefited from PM CARES Fund in three forms- first, Fixed Deposit in the name of the child, where a corpus of Rs. 10 lakh for each child will be created, which will be used to give monthly financial support/stipend from 18 years of the beneficiary's age for the next five years to take care of his or her personal requirements during the period of their higher education and on reaching the age of 23 years, he or she will get the corpus amount in a lump-sum amount for personal and professional use. Second, for school education for children under the age of 10 years. In this, the child will be given admission in the nearest Kendriya Vidyalaya or in a private school as a day scholar. If the child is admitted in a private school, the fees as per the RTE norms will be given from the PM CARES. The expenditure for uniform, text books and notebooks will also be taken care from this fund. Third, for school education for children between the age of 11-18 years, the child will be given admission in any Central Government residential school such as Sainik School, Navodaya Vidyalaya etc. In case the child is to be continued under the care of Guardian/ grandparents/ extended family, then he or she will be given admission in the nearest Kendriya Vidyalaya or in a private school as a day scholar. If the child is admitted in a private school, the fees as per the RTE norms will be given from the PM CARES. The expenditure on uniform, text books and notebooks will be borne from the Fund. Fourth, support for Higher Education, the child will be assisted in obtaining education loan for Professional courses/Higher Education in India as per the existing Education Loan norms. The interest on this loan will be paid from the Fund. As an alternative, scholarship equivalent to the tuition fees / course fees for undergraduate/ vocational courses as per Government norms will be

provided to such children under Central or State Government Schemes. For children who are not eligible under the existing scholarship schemes, PM CARES will provide an equivalent scholarship. Fifth, health Insurance, all children will be enrolled as a beneficiary under Ayushman Bharat Scheme (PM-JAY) with a health insurance cover of Rs. 5 lakhs. The premium amount for these children till the age of 18 years will be paid from the Fund.

The Commission is also receiving proposals from private donors for supporting the children in need of care and protection. It is to be seen that Section 105 of the JJ Act, 2015 provides for a creation of a fund in such name as it thinks fit, for the welfare and rehabilitation of the children dealt with under the JJ Act, 2015. All the States have Juvenile Justice Fund as per the said provision. It is submitted that these private donors/ organisations/ etc. who are willing to financially support these children may be directed to support them by donating in the Juvenile Justice Funds of the State, so that there will be uniformity in the providing support to each child.

- 20.** That the Commission is of the opinion that the children who have lost either of the parent to COVID-19 and have been placed with the surviving single parent are also in need of financial assistance and can be entitled to implemented Government schemes. Therefore, it is necessary that the children who are living with surviving single parent are given the benefit of Government implemented schemes and financial assistance. The financial assistance would ensure that the child could continue his or her education while continuing to live in the same environment, which is essential for the mental health of the child, who is already trying to cope up with that loss of a parent. Financial support to such family of single parent would be of significance.

21. That it is further respectfully submitted that in pursuance to the orders of the Hon'ble Court in this matter on 28.05.2021, the Commission had written letter to all States/ UTs to direct their district officials to upload the data of children who have become orphans post March-2020 on the Bal Swaraj portal by 29.05.2021 evening. Copy of letters dated 28.05.2021 issued to Principal Secretary, Department of Women and Child Development/Social Welfare of all States/UTs, Chief Secretary of all States/UTs and Principal Secretary, Department of Women and Child Development/Social Welfare of all States/UTs are annexed herewith and marked as **ANNEXURE R-13** (Pg no. 116 to 119).
22. That the virtual portal is a new exercise and therefore, the Commission has set up a technical help desk right after the order was passed on 28.05.2021 to answer all queries related to data upload on portal. Phone numbers to answer all queries including technical issues were also intimated to all States. On the basis of queries made, the Commission issued letter to all States to clarify that the upload of the data of all children who have become orphan post March 2020 is expected as per order of the Hon'ble Supreme Court and not just limited to children who have become orphan due to loss of parents to COVID-19.
- Its been indeed a team effort of States as well as the Commission, which lead to collect the information of children from all corners of the Country but considering the situation, the answering respondent would pray to this Hon'ble court to extend the time of submission of the data as the data upload on Bal Swaraj is expected to be an ongoing process and the same should not be misunderstood by anyone to be restricted till 29.05.2021. Copy of the Letter dated 29.05.2021 is annexed herewith and marked as **ANNEXURE R-14**. (Pg. No. 120)

23. That it is further respectfully submitted that the uploaded data got collated by the Commission and then the same was divided into categories for clarity but as and when Hon'ble Court directs the uploaded data can be made available to the Hon'ble court in sealed cover. The Commission has presented numbers based upon uploaded data on Baj Swaraj portal in compliance of the order of this Hon'ble Court dated 28.05.2021. The Commission could not annex copy of uploaded data in the affidavit having concern to the privacy of children whose name and details are provided in uploaded data. On the basis of information uploaded on the Bal Swaraj portal upto 29.05.2021, the data at national level is produced below in Table A.

**TABLE A**

<b>Total</b>	<b>Children</b>	<b>9346</b>
<b>Status of child in need and protection</b>	Abandoned	140
	Orphan	1742
	Lost Either Parent	7464
<b>Gender</b>	Boys	4860
	Girls	4486
<b>Age group</b> (divided in various age group to identify their immediate need)	0 to 3 Year	788
	4 to 7 Years	1515
	8 to 13 Years	3711
	14 to 15 Years	1620
	16 to 17 Years	1712
<b>Present Shelter Status of Child</b> (Only children whose information uploaded)	Children Home	275
	Open Shelter Home	19
	Observation Home	1
	Orphanage	38

on the Bal Swaraj portal)	Special Adoption Agency	31
	Single Parent	6612
	Guardian	1221
	Family Member	985
	Any Other	164
<b>Status of Child</b> (For children who have been produced before CWC and orders have been passed - completed forms on the portal)	Children Home	128
	Open Shelter Home	2
	Observation Home	0
	Orphanage	0
	Special Adoption Agency	10
	Single Parent	51
	Guardian	54
	Family Member	26
Any Other	9	

24. That on the basis of information uploaded on the Bal Swaraj portal upto 29.05.2021, the State wise data is produced below in Table B.

**TABLE B**

State	Orphan	Abandoned	Single Parent	Total
Andhra Pradesh	103	0	13	116
Assam	3	0	0	3
Bihar	292	0	1035	1327
Chandigarh	0	0	2	2
Chhattisgarh	102	9	79	190
Dadra & Nagar Haveli & Daman and Diu	2	0	0	2

Delhi	2	0	3	5
Gujarat	39	0	395	434
Haryana	44	0	732	776
Himachal Pradesh	89	0	473	562
Jammu & Kashmir	10	0	365	375
Jharkhand	36	0	123	159
Karnataka	21	0	15	36
Kerala	49	8	895	952
Ladakh	0	0	13	13
Madhya Pradesh	318	104	290	712
Maharashtra	80	0	716	796
Meghalaya	1	0	1	2
Nagaland	1	0	12	13
Odisha	14	0	10	24
Puducherry	2	0	19	21
Punjab	5	2	108	115
Rajasthan	87	6	64	157
Sikkim	0	0	1	1
Tamil Nadu	16	0	143	159
Telangana	123	0	0	123
Tripura	9	1	13	23
Uttar Pradesh	270	10	1830	2110
Uttarakhand	23	0	114	137
West Bengal	1	0	0	1
<b>TOTAL</b>	<b>1742</b>	<b>140</b>	<b>7464</b>	<b>9346</b>

25. That it is respectfully submitted that the Commission has taken steps considering the need of the hour and Commission has made all data provided on the basis of information uploaded on portal Bal Swaraj as on 29.05.2021. If we divide complete data in two broader categories, one, where all information got received as the portal was filled upto final stage and informations where all steps were not completed and therefore there are incomplete information about children then the number of children of different categories are as per Table C:.

**TABLE C**

State	Incomplete information filled on Portal (A)			Complete information filled on Portal (B)			Total (A+B)
	Orphan	Single Parent	Abandoned	Orphan	Single Parent	Abandoned	
Andhra Pradesh	103	13	0	0	0	0	<b>116</b>
Assam	3	0	0	0	0	0	<b>3</b>
Bihar	292	1035	0	0	0	0	<b>1327</b>
Chandigarh	0	2	0	0	0	0	<b>2</b>
Chhattisgarh	3	0	0	99	79	9	<b>190</b>
Dadra & Nagar Haveli & Daman and Diu	2	0	0	0	0	0	<b>2</b>
Delhi	2	3	0	0	0	0	<b>5</b>
Gujarat	39	395	0	0	0	0	<b>434</b>
Haryana	43	732	0	1	0	0	<b>776</b>
Himachal Pradesh	85	473	0	4	0	0	<b>562</b>

Jammu & Kashmir	10	365	0	0	0	0	<b>375</b>
Jharkhand	30	118	0	6	5	0	<b>159</b>
Karnataka	5	13	0	16	2	0	<b>36</b>
Kerala	49	895	8	0	0	0	<b>952</b>
Ladakh	0	1	0	0	12	0	<b>13</b>
Madhya Pradesh	297	283	103	21	7	1	<b>712</b>
Maharashtra	80	714	0	0	2	0	<b>796</b>
Meghalaya	1	1	0	0	0	0	<b>2</b>
Nagaland	1	12	0	0	0	0	<b>13</b>
Odisha	8	4	0	6	6	0	<b>24</b>
Puducherry	2	19	0	0	0	0	<b>21</b>
Punjab	5	108	2	0	0	0	<b>115</b>
Rajasthan	87	64	6	0	0	0	<b>157</b>
Sikkim	1	0	0	0	0	0	<b>1</b>
Tamil Nadu	16	143	0	0	0	0	<b>159</b>
Telangana	121	0	0	2	0	0	<b>123</b>
Tripura	8	13	1	1	0	0	<b>23</b>
Uttar Pradesh	270	1830	10	0	0	0	<b>2110</b>
Uttarakhand	23	113	0	0	1	0	<b>137</b>
West Bengal	1	0	0	0	0	0	<b>1</b>
<b>Total</b>	<b>1587</b>	<b>7349</b>	<b>130</b>	<b>156</b>	<b>114</b>	<b>10</b>	<b>9346</b>

The Commission respectfully submits that the upload of information of the “children in need for care and protection” is an ongoing process and at whatever time interval the Hon’ble Court directs the Commission to submit the information, the Commission is duty bound to do so.

26. That it is most respectfully submitted that the deponent is filing this affidavit to comply with the order of this Hon’ble Court and seeks liberty to file additional affidavit if the same is required at later stage.



**DEPONENT**

जी. सुरेश / G. SURESH  
 सहायक निदेशक / Assistant Director  
 राष्ट्रीय बाल अधिकार संरक्षण आयोग  
 National Commission for Protection of Child Rights  
 महिला एवं बाल विकास मंत्रालय  
 Ministry of Women & Child Development  
 भारत सरकार, नई दिल्ली / Govt. of India, New Delhi

**VERIFICATION**

Verified at New Delhi on this 31<sup>st</sup> day of May, 2021. I, the above-mentioned deponent, do hereby verify that the contents of the above affidavit are true and correct and best to my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.



**DEPONENT**

जी. सुरेश / G. SURESH  
 सहायक निदेशक / Assistant Director  
 राष्ट्रीय बाल अधिकार संरक्षण आयोग  
 National Commission for Protection of Child Rights  
 महिला एवं बाल विकास मंत्रालय  
 Ministry of Women & Child Development  
 भारत सरकार, नई दिल्ली / Govt. of India, New Delhi

OUT TODAY

ITEM NO.37 Court 7 (Video Conferencing) SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SMW (C) NO. 4 OF 2020

IN RE CONTAGION OF COVID 19 VIRUS IN  
CHILDREN PROTECTION HOMES

Petitioner(s)

VERSUS

Respondent(s)

(MR GAURAV AGRAWAL, ADVOCATE (A.C)

(IA No. 64373/2021 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 28-05-2021 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

FOR NCPDR

Mr. Tushar Mehta, S.G.  
Mrs. Swarupama Chaturvedi, AOR  
Mr. Ashutosh Mohan, Adv  
Ms. Neha Rai, Adv.

Union of India

Ms. Aishwarya Bhati, ASG  
Mr. Akshay Amritanshu, Adv  
Mr. B.V. Balram Das, AOR  
Mr. S.S. Rebello, Adv.  
Ms. Swati Ghildiyal, Adv.  
Mr. G.S. Makker, Adv.  
Mr. Raj Bahadur, AORMs. Anitha Shenoy, Sr. Adv.  
Ms. Srishti Agnihotri, AOR  
Mr. Abhishek Jebaraj, Adv.  
Ms. Sanjana Grace Thomas, Adv.  
Ms. Anmol Gupta, Adv.  
Mr. Chandratany Chaube, Adv.Signature Not Verified  
Date of  
Gatisgarh  
Digital signed by  
Jayan Kumar  
Date: 2024.05.28  
20:04:01 IST  
Reason: Mr. S. C. Verma, Adv. (Adv. Genl.)  
Mr. Manoj Kumar Singh, AAG  
Mr. Sumeer Sodhi AOR  
Mr. Arjun Nanda, Adv.  
Ms. Shreya Nair, Adv.

State of Chhatis	Mr. Nishant Patil, AOR Mr. Vidit Monga, Adv. Ms. Shubhika Saluja, Adv.
State of W.B.	Mr. Suhaan Mukerji, Adv. Ms. Liz Mathew, Adv. Mr. Vishaal Prasad, Adv. Mr. Nikhil Parikshith, Adv. Mr. Abhishek Manchanda, Adv. Mr. Sayandeep Pahari, Adv. PLR Chambers & Co.
State of Mizoram	Mr. Siddhesh Kotwal, Adv. Mr. Divyansh Tiwari, Adv. Ms. Ana Upadhyay, Adv. Ms. Manya Hasija, Adv. Mr. Nirnimesh Dube, AOR
State of Haryana	Ms. Bansuri Swaraj, Adv. Dr. Monika Gusain, AOR  Mr. Shekhar Raj Sharma, Adv. Mr. Sanjay Kumar Visen, AOR Mr. Sanjeev Prakash Upadhyaya Adv
U.T. of J&K	Ms. Shashi Juneja, Adv. Ms. Pinky Behera, Adv.  Mr. G. M. Kawoosa, Adv. Ms. Taruna Ardhendhumauli Prasad, Adv. Mr. Parth Awasthi, Adv.
State of Karnataka	Mr. V. N. Raghupathy, AOR
State of Assam	Mr. Nalin Kohli, AAG Ms. Diksha Rai, Adv. Ms. Palak Mahajan, Adv.
State of Assam	Mr. Raghvendra Kumar, Adv. Mr. Narendra Kumar, AOR
State of A.P.	Mr. Mahfooz A. Nazki, Adv. Mr. Polanki Gowtham, Adv. Mr. Shaik Mohamad Haneef, Adv. Mr. T. Vijaya Bhaskar Reddy, Adv. Mr. Amitabh Sinha, Adv. Mr. Shrey Sharma, Adv.
U.T. of Andaman & Nicobar	Mr. K.V. Jagdishvaran, Adv.

	Ms. G. Indira, Adv.
State of Bihar	Mr. Gopal Singh, AOR. Mr. Manish Kumar, AOR
State of H.P.	Mr. Himanshu Tyagi, AOR
State of Arunachal Pradesh	Mr. Abhimanyu Tewari, AOR Ms. Eliza Bar, Adv.
State of Arunachal Pradesh	Ms. Eliza Bar, Adv. Mr. Pai Amit, AOR
State of Manipur	Mr. Pukhrambam Ramesh Kumar, AOR Ms. Anupama Ngangom, Adv. Mr. Karun Sharma, Adv.
State of Manipur	Mr. Sharan Thakur, Adv. Mr. Mahesh Thakur, AOR Mr. Siddhartha Thakur, Adv.
U.T. of Puducherry	Mr. V.G. Pragasam, AOR Mr. S. Prabhu Ramasubramanian, Adv.
State of Goa	Mr. Ravindra A. Lokhande, Adv. Dr. Vidyottma Jha, Adv. Ms. Ambika Atrey, Adv. Dr. Abhishek Atrey, AOR
State of Goa	Mr. Arun R. Pedneker, Adv. Ms. Mukti Chowdhary, AOR
State of Kerala	Mr. Jishnu M.L., Adv. Ms. Priyanka Prakash, Adv. Ms. Beena Prakash, Adv. Mr. G. Prakash, AOR
State of Odisha	Mr. Sibho Sankar Mishra AOR Mr. Umakant Misra Adv Mr. Rajiv Sinha Adv Mr. Ashok Kumar Singh Adv Mr. Nranjan Sahu, Adv
State of Odisha	Dr. Anindita Pujari, AOR Mr. Deval Singh, Adv. Mr. Om Narayan, Adv.
State of Tripura	Mr. Shuvodeep Roy, Adv. Mr. Kabir Shankar Bose, Adv.

	Mr. Rahul Raj Mishra, Adv.
State of Gujarat	Ms. Deepanwita Priyanka, Adv. Ms. Vishakha, Adv. Mr. A. P. Mayee, Adv.
State of Meghalaya	Mr. Amit Kumar, Sr. Adv. Mr. Avijit Mani Tripathi, AOR Ms. Rekha Bakshi, Adv. Mr. P. S. Negi, Adv. Ms. Tarini K. Nayak, Adv. Mr. Shaurya Sahay, Adv. Mr. K.V. Kharlyngdoh, Adv.
State of Punjab	Ms. Jaspreet Gogia, AOR Ms. Mandakini Singh, Adv. Mr. Karanvir Gogia, Adv. Ms. Shivangi Singhal, Adv. Ms. Ashima Mandla, Adv
State of Rajasthan	Dr. Manish Singhvi, Sr. Adv. Mr. Sandeep Kumar Jha, Adv.
State of U.P.	Ms. Garima Prashad, Adv Mr. Rohit K. Singh, Adv.
State of Telengana	Mr. S. Udaya Kumar Sagar, AOR Ms. Sweena Nair, Adv.
State of T.N.	Mr. Balaji Srinivasan, AAG Mr. M.Yogesh Kanna, AOR Mr. RajaRajeswaran.S, Adv. Mr. Aditya Chada, Adv. Ms. Uma Prasuna Bachu, Adv
State of Nagaland	Mr. K N Balgopal Sr. Adv-AG Of Nagaland, Ms. K. Enatoli Sema, AOR Mr. Amit Kumar Singh, Adv Mr. Apratim Animesh Thakur, Adv. Ms. Prachi Hasija, Adv. Mr. Nitya Nambair, Adv, Mr. Vitso Rio, Adv
NCT Delhi	Mr. Chirag M. Shroff, AOR Ms. Abhilasha Bharti, Adv Mr. Sushant Dogra, Adv.
State of Mah.	Mr. Sachin Patil AOR. Mr. Rahul Chitnis, Adv. Mr. Aaditya A. Pande, Adv Mr. Geo Joseph, Adv.

State of Jharkhand Ms. Pragya Baghel, Adv  
Ms. Pallavi Langar, AOR

State of Uttarakhand Ms. Rachana Srivastava, AOR  
Mr. Ashutosh Sharma, Adv.

5State of Sikkim Mr. Raghvendra Kumar, Adv.  
Mr. Anand Kumar Dubey, Adv.  
Mr. Narendra Kumar, AOR

State of M.P. Mr. Pulkit Agarwal, Adv.  
Mr. Pashupati Nath Razdan, Adv.  
Mr. Palav Agarwal, Adv.  
Mr. Ashutosh Kumar, Adv.  
Mr. Sudhanshu Kaushesh, Adv.  
Mr. K.P. Jayaram, Adv.  
Mr. Astik Gupta, Adv.  
Ms. Maitreyee Jagat Joshi, Adv.

State of Guahati Mr. Abhimanyu Tewari, AOR

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Mr. R. K. Gupta, Adv.  
Ms. Sneha Kalita, AOR  
Ms. Astha Sharma, AOR  
Ms. Uttara Babbar, AOR  
M/S. Knc, AOR  
Mr. Ajay Pal, AOR

\*\*\*\*\*

By Courts Motion, AOR  
Mr. Gaurav Agrawal, AOR

Mr. G. Prakash, AOR  
M/S. Knc, AOR  
Ms. G. Indira, AOR  
Ms. Mukti Chowdhary, AOR  
Mr. Sumeer Sodhi, AOR  
Mr. Pashupathi Nath Razdan, AOR  
Ms. K. Enatoli Sema, AOR  
Mr. Pukhrambam Ramesh Kumar, AOR  
Mr. Sandeep Kumar Jha, AOR  
Ms. Pallavi Langar, AOR  
Mr. Pai Amit, AOR  
Mr. Raj Bahadur Yadav, AOR  
Mr. M. Yogesh Kanna, AOR  
Mr. Gurmeet Singh Makker, AOR  
Ms. Deepanwita Priyanka, AOR  
Mr. Ankit Goel, AOR  
Ms. Pinky Behera, AOR

Ms. Anindita Pujari, AOR  
Ms. Astha Sharma, AOR  
Mr. Ajay Pal, AOR  
Ms. Jaspreet Gogia, AOR  
Dr. Monika Gusain, AOR  
Mr. Narendra Kumar, AOR  
M/S. Plr Chambers And Co., AOR  
Mr. Mahfooz Ahsan Nazki, AOR  
Mr. Himanshu Tyagi, AOR  
Ms. Diksha Rai, AOR  
Mr. Nirnimesh Dube, AOR  
Mr. Chirag M. Shroff, AOR  
Mr. Sachin Patil, AOR  
Mr. Abhimanyu Tewari, AOR  
Mr. Manish Kumar, AOR  
Mr. V. G. Pragasam, AOR  
Ms. Rachana Srivastava, AOR  
Mr. Shuvodeep Roy, AOR  
Mrs. Swarupama Chaturvedi, AOR  
Mr. Avijit Mani Tripathi, AOR  
Mr. Gopal Singh, AOR  
Ms. Garima Prashad, AOR  
Mahesh Thakur, AOR  
Mr. S.. Udaya Kumar Sagar, AOR  
Mr. V. N. Raghupathy, AOR

UPON hearing the counsel the Court made the following  
O R D E R

I.A. No. 64373/2021

Sh. Gaurav Agarwal, learned Amicus Curiae, has filed this interlocutory application seeking directions in respect of children who are adversely affected due to the current Covid pandemic by losing either one or both the parents and the increased instances of child trafficking, especially of the girl child. The cataclysmic Covid-19 pandemic devastated the vulnerable sections of the society. It has been brought to our notice by the learned Amicus Curiae that there are a number of children who have become orphans due to the demise of either the breadwinner of the family or of both their parents. The learned Amicus Curiae expressed his concern about the well being of such children.

The Union of India has already issued instructions to the concerned authorities regarding the steps to be taken for protection of children who have lost their parents due to Covid-19.

The provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 make it clear that there is an obligation on the part of the authorities to take care of children in need.

We are informed by Ms. Aishwarya Bhati, learned Additional Solicitor General and Ms. Swarupama Chaturvedi, learned counsel appearing for NCPDR that a portal "Bal Swaraj" is operational and all the concerned District authorities have been given access along with passwords to the said portal with instructions to upload the information pertaining to identification of children who have become orphans during the pandemic.

The learned Additional Solicitor General and Ms. Swarupama Chaturvedi have submitted that all the concerned District authorities may be directed to upload the information relating to the children who have become orphans during the pandemic latest by Saturday evening i.e. by 29.05.2021.

After hearing the learned Amicus Curiae, we are of the view that the learned Additional Solicitor General appearing for Union of India and the learned counsel appearing for the State Governments should furnish the latest information about the identification of children who have become orphans post March, 2020, whether it be due to the pandemic or otherwise, and steps taken for attending to their basic needs. The learned counsel for the State Governments shall provide the information that they receive from the State Governments to the learned Amicus Curiae,

latest by Sunday evening i.e. by 30.05.2021. We also make it clear that no affidavits need be filed at this stage by anyone. However, as requested by the learned counsel appearing for NCPCR, an affidavit may be filed by 31.05.2021 (Monday). The learned Additional Solicitor General shall also provide additional material to the learned Amicus Curiae by Sunday evening i.e. by 30.05.2021 and file it in the Registry by Monday evening i.e. by 31.05.2021.

The learned Amicus Curiae is requested to prepare a note after receipt of the information from the Union of India, NCPCR and the State Governments and circulate to us by Monday evening i.e. by 31.05.2021.

The District authorities are directed to upload the information of children who have become orphans after March, 2020 on the portal "Bal Swaraj" before tomorrow evening. They are further directed to immediately take charge of such children and attend to their basic needs without waiting for any further orders from this Court.

List this matter on 01.06.2021 (Tuesday) at the end of the Board.

(JAYANT KUMAR ARORA)  
COURT MASTER

(ANAND PRAKASH)  
COURT MASTER

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भारत सरकार  
GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली- ११०००१  
NEW DELHI-110 001



F.No. CP/NCPCR/CH/2021

Date-02.05.2021

To,

Chief Secretary,  
All States/UTs

**Subject- “Regarding- the issue of children who have become orphan due to death of both parents from COVID-19”**

National Commission for Protection of Child Rights (NCPCR) (hereinafter referred to as ‘the Commission’) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009.

2. The Commission has been made aware of instances where it has been seen that many NGOs are advertising about the children who have become orphan after losing both their parents to COVID-19. In such a sad situation of surge in COVID-19 cases in the country there are situations arising where the child has lost both its parents or is found to be abandoned. It may be noted that the Juvenile Justice (Care and Protection of Children) Act, 2015 provides for the procedure to be followed for children who have lost their family support and have become child in need of care and protection. The procedure under the JJ Act, 2015 ensures that the child is provided with all the minimum standards of care and the rights of such child are upheld and protected. Therefore, it is of utmost importance that these children who have lost their family support must be produced before the child protection authorities of the district and information about these children must be shared with the authorities.

3. These children who have lost family support due to COVID-19 or are found to be abandoned due to the loss of parents to COVID-19 are child in need of care and protection as per the JJ Act, 2015 and such children must be produced before the Child Welfare Committee as per Section 31 of JJ Act, 2015, so that necessary orders for care of the child can be passed. It is necessary for every individual, entity, organisation, NGO to ensure that if any such information is received for orphaned and abandoned children by them during these COVID times, then the same must be informed to the childline helpine 1098 and the child must be produced before the Child Welfare Committee of the district.

4. Similarly, it is further requested that if any such information for an abandoned or orphaned children is received by any entity, organisation, NGO then the same can be also be informed to the National Commission for Protection of Child Rights either through email ([cp.ncpcr@nic.in](mailto:cp.ncpcr@nic.in)) or through telephone (011-23478250) for assistance and help to the children. This information can also be shared with the respective State Commissions of the said State/UT for the same. **(list of State Commission with their contact details is enclosed)**

Encl. as above.

Yours sincerely,  
Sd/-  
(Priyank Kanoongo)  
Chairperson



5वा तल, चन्द्रलोक बिल्डिंग, ३६ जनपथ, नई दिल्ली-११०००१  
5<sup>th</sup> Floor, Chanderlok Building, 36 Janpath, New Delhi-110001  
दूरभाष/Ph:011-23478200, फैक्स / Fax:011-23724026  
eb: [www.ncpcr.gov.in](http://www.ncpcr.gov.in), , Lodge your complaint at : [www.ebaalnidan.nic.in](http://www.ebaalnidan.nic.in)



WWW.LIVELAW.IN

भारत सरकार  
GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली- ११०००१  
NEW DELHI-110 001



31

Copy to:

1. The Secretary, Ministry of Women and Child Development, Shastri Bhawan, New Delhi-110001. Email: [secywcd@nic.in](mailto:secywcd@nic.in)
2. The Chairperson, All State Commissions for Protection of Child Rights
3. The Director General of Police, All States/UTs
4. Shri Ravi Pokharna, Joint Coordinator-Standing Committee on CSO, NITI Aayog. Email- [ravip@rmponweb.org](mailto:ravip@rmponweb.org)

Sd/-  
(Priyank Kanoongo)  
Chairperson



5वा तल, चन्द्रलोक बिल्डिंग, ३६ जनपथ, नई दिल्ली-११०००१  
5<sup>th</sup> Floor, Chanderlok Building, 36 Janpath, New Delhi-110001  
दूरभाष/Ph:011-23478200, फैक्स / Fax:011-23724026  
eb: [www.ncpcr.gov.in](http://www.ncpcr.gov.in), , Lodge your complaint at : [www.ebaalnidan.nic.in](http://www.ebaalnidan.nic.in)

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**PROCEDURE AND RECOMMENDATIONS OF NCPCR TO DEAL WITH  
CHILDREN WHO HAVE BECOME ORPHAN OR HAVE LOST  
EITHER OF THE PARENT DUE TO COVID-19**

**I. INTRODUCTION**

1. National Commission for Protection of Child Rights (*hereinafter referred to as the Commission*) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation.
2. The Commission has come across and has been made aware of many social media posts and advertisements by private NGOs and people reaching out to the general public for helping and providing assistance to the children who have become orphan during this second surge of COVID-19 cases in the country. It has been noticed that in this ongoing wave of COVID-19 there are many children who have lost their parents to this disease and are now orphan without any family support. In these circumstances, it is to be noted that the children who have lost their parents and have become orphan fall under the category of children in need of care and protection as defined under Section 2(14) of the Juvenile Justice Act, 2015, and such advertisements make them susceptible to abuse, threat, trafficking, illegal adoption, etc.
3. In cases where the child has become the child in need of care and protection, the procedure prescribed under the Juvenile Justice Act, 2015 has to be followed to ensure the best interest and well-being of the child and therefore, the child must, first and foremost, be produced before the Child Welfare Committee (CWC) of the district as per Section 31 of the Juvenile Justice Act, 2015. The CWC may then, keeping in view the best interest of the child pass appropriate orders and directions for providing support and assistance to the child and ensure the child's well-being.
4. The Commission, in addition, has also come across many complaints about people/organizations facilitating the adoption of children who have lost their parents to COVID-19. It is stated that such adoptions being facilitated by people and such advertisements made by NGOs for the adoption of orphan children are in contravention to the provisions of the Juvenile Justice Act, 2015, and are thereby not only illegal, but also amounts to an offence. It further provides for a procedure that has to be followed for an orphaned/abandoned/surrendered child to be placed for adoption. The Child Welfare Committee is entrusted with the responsibility of declaring the child legally free for adoption and then only the adoption process for the child is initiated and finalized upon the orders of the

prescribed authority. Further, section 80 of the Act prescribes punitive punishment for any person or organization who gives away a child in adoption without following the due procedure given under the Juvenile Justice Act, 2015. Section 81 of the Act provides for punishment with rigorous imprisonment for a term which may extend to five years and a fine of one lakh rupees to any person who sells or buys a child for any purpose. Therefore, in view of the provisions laid under the Juvenile Justice Act, it is necessary that all adoptions of children must be in adherence to the procedure provided under the Juvenile Justice Act, 2015 and any other form of adoption is deemed to be illegal.

5. In cases where any person/social worker/anganwadi worker/hospital management etc. have information about children having no one to take care of them due to both the parents being hospitalized for COVID-19, the information about these children must be given to the local bodies/district authorities/CWC/DCPU. The child may then be produced before the CWC under Section 31 of the JJ Act, 2015 and then the CWC may after examination of the case place the child in short term care in a child care institution/fit facility having a COVID Care Centre (as established by the State Government and if the child is a suspected case of COVID-19) and in absence of a COVID Care Centre and the child not being infected in COVID-19, in any CCI or fit facility, as deemed appropriate by the CWC for the welfare of the child. The children can be then restored to their parents after the parents have returned from their hospitalization and are fit to take care of the child.
6. In such an event where the child has lost both parents or has lost either of the parents, there are also serious consequences on the continuation of their education especially when the earning parent/guardian have lost their life in this pandemic and the child is studying in a non-government school i.e. a private school. Elementary education is a fundamental right of every child and the responsibility to provide free and compulsory elementary education to a child, till its completion, lies with the appropriate Government. It is equally a responsibility of the Government that no child is forced to leave a school or is forced to take transfer to another school, unwillingly.
7. As per section 12(1)(c) of the RTE Act, 2009, the private schools have to admit at least 25 percent of children belonging to socially disadvantaged groups or weaker sections at the entry level for which the expenditure is reimbursed by the Government as per the defined criteria. The children affected by COVID-19 situation may face problem in continuing their studies in case of death of the earning parent/guardian and this further affects child's mental health, adding to the struggle in coping with the loss. Therefore, efforts must be made by the concerned authorities and the school that the child without disrupting its studies is able to continue in the same school and environment.
8. The Commission, in view of these complaints about the children who have been affected by COVID-19, organized a consultation with the State Commissions for Protection of Child Rights from all States/UTs virtually on 30.04.2021 to discuss the issues related to children who have become orphan or lost a single parent to COVID-19. During the discussions held in the consultation, the Commission was apprised by the State Commissions about the efforts being undertaken by the States to address this problem and made certain recommendations for

protection and best interest of such children. The key points noted from the discussions with the State Commissions and recommendations made by them have been incorporated in this document for implementation by the concerned child protection authorities.

9. The Commission has devised an online tracking portal “**Bal Swaraj**” for child in need of care and protection, especially for children living in street situations. This portal of the Commission has been created with a purpose for online tracking and digital real time monitoring mechanism of the children who are in need of care and protection and keeping in view of the current situation of COVID-19 has now extended this portal for tracking children who have lost both its parents or either of the parent during COVID-19 under the name of “**COVID Care**”. The portal under “**COVID Care**” is aimed at tracking the children affected by COVID-19 right from the production of children before the Child Welfare Committee to the restoration of the children to their parent/guardian/relative and its subsequent follow-up. The Commission, in light of the unprecedented situation of COVID-19 is also providing the Social Investigation Report and Individual Child Care forms in which the data with regard to such children may be recorded and duly updated on the Commission’s portal. **(Forms as annexures enclosed)**
10. The Commission has hence, prepared this document with procedure to be followed by the authorities to deal with and ensure the safety and well-being of such children for keeping a track of such orphan/abandoned children who have lost their parents to COVID-19 and made certain recommendations for the benefit of the child which can be implemented at the State and District level in the present situation.
11. It is also recommended that the procedure given in this document and the recording of data in enclosed forms may be adhered to by all concerned authorities, at every stage, while dealing with the child and the data so recorded in these forms must be uploaded on the portal of the Commission as soon as a child is identified and produced before CWC.

## II. OBJECTIVES OF THIS DOCUMENT AND BAL SWARAAJ PORTAL-

The objectives of the SOP and the online tracking portal of the Commission as per the norms of Juvenile Justice (Care and Protection of Children) Act, 2015 and Juvenile Justice (Care and Protection of Children) Model Rules, 2016 are-

- a. To prevent children who have lost family support from getting into trafficking, illegal adoption, abuse, etc.
- b. To keep a track of every such child who has become orphan or has lost either of its parents due to COVID-19 and maintain such a database.
- c. To ensure that timely financial, mental and social support and assistance is given to such children.
- d. To provide conditional assistance to ensure that the child continues his/her education.
- e. To provide support and supervise financial assistance to families, individuals, groups of children by linking the various implemented Government schemes for their benefit.

- f. To mitigate the trauma and safeguard the best interest of children to uphold the General Principles given under Section 3 of the Juvenile Justice (Care and Protection of Children) Act, 2015.
- g. To monitor the implementation of the provisions of the JJ Act, 2015 and subsequent amendments which are applicable for such children in need of care and protection.

### III. PROCEDURE AND RECOMMENDATIONS FOR DEALING WITH CHILDREN WHO HAVE BECOME ORPHAN DUE TO COVID-19 AND USE OF BAL SWARAJ PORTAL

The children who have lost both of their parents or either of their parent to COVID-19 are children who fall under the category “**child in need of care and protection**” under Section 2(14) of the Juvenile Justice (Care and Protection of Children) Act, 2015. The Act and Rules made under the JJ Act, 2015 and JJ Rules, 2016 mandate functions and powers of child protection authorities for institutional and non-institutional care of these children. The procedure given hereunder is prescribed in accordance with the procedure laid down under the Juvenile Justice (Care and Protection of Children) Act, 2015 and powers and functions assigned to the child protection authorities under the Act and its subsequent Rules. The procedure under the JJ Act, 2015 and JJ Rules, 2016 with recommendations of the Commission are listed below-

S. No.	Stakeholder Responsible	Procedure/Recommendations for dealing with children who have become orphan or have lost one parent to COVID-19 disease
1.	<ol style="list-style-type: none"> <li>a. Police officer</li> <li>b. Special Juvenile Police Unit</li> <li>c. Child Welfare Officer</li> <li>d. DCPU</li> <li>e. Childline services</li> <li>f. Public servant</li> <li>g. Social worker</li> <li>h. Any individual</li> <li>i. Nurse, doctor, management of hospital, nursing home, etc.</li> <li>j. By the child himself/herself</li> <li>k. Child Protection Committees at the village and block level</li> <li>l. Anganwadi/ASHA workers</li> <li>m. Department of Urban/Rural Development</li> </ol>	<ol style="list-style-type: none"> <li>(a) Any child which is found to have lost parents without anyone to look after them or has lost a single parent due to COVID-19 or have both parents hospitalized due to COVID-19 and have no one to take care of them, they ought to be produced before the Child Welfare Committee under Section 31 of the JJ Act, 2015.</li> <li>(b) Section 31 of the JJ Act, 2015 provides for the said persons/officers/organizations (as given in the previous column) that can produce the child before CWC.</li> <li>(c) The child has to be produced within 24 hours before the Child Welfare Committee.</li> <li>(d) The Child Protection Committees established at the block and village level which are headed by an elected representative with block development and head of the Gram Sabha respectively, may also, having knowledge about such children who have been orphaned or lost either of the parent to COVID-19 inform about the same to the DCPU or CWC or any other child protection authority for necessary action.</li> <li>(e) The Asha/Anganwadi workers may inform Department of WCD/Social Welfare about the left behind children who are in distress and may also inform about any other incidence related to children which may require intervention.</li> <li>(f) The Department of Urban/Rural Development- the local authorities working under their administration having information about the people who have died and the left</li> </ol>

		<p>behind children (<i>as they are issuing death certificates and would have the data maintained about the people living in the concerned district and are responsible for implementation of various schemes mentioned in the document</i>) must also inform about the same to the Child Welfare Committee/Department of WCD, so that such children can be identified and necessary action can be taken.</p> <p><i>*The State Governments may use digital platform for interaction in exceptional cases where physical interaction is not possible due to COVID related restrictions.</i></p>
2.	<p><b>a. Any individual</b>  <b>b. A police officer</b>  <b>c. Any functionary of any organisation or a nursing home or hospital or maternity home</b></p>	<p>As per <b>Section 32 of the Juvenile Justice Act, 2015 (mandatory reporting of a child)</b>, any individual or a police officer or any functionary of any organisation or a nursing home or hospital or maternity home, who or which finds a child who appears or <b>claims to be abandoned or lost, or a child who appears or claims to be an orphan without family support</b>, shall within twenty-four hours give information to the <b>Childline Services or the nearest police station or to a Child Welfare Committee or to the District Child Protection Unit</b>.</p>
3.	<b>Child Welfare Committee</b>	<p><b>Inquiry of CWC at the time of production-</b> The CWC shall ascertain the immediate need of the child and pass appropriate orders as prescribed under the JJ Act and Rules. The child may be restored to the care givers or may be placed in institutional or non-institutional care on case to case basis. However, CWC may make efforts to try to keep the children in their family and community environment as far as possible, while ensuring their safety in their surroundings and safeguarding their interest, as prescribed under the Act.</p> <p><b>Section 36 of JJ Act, 2015</b> provides that on production of a child or receipt of a report under section 31, the Committee shall hold an inquiry in such manner as may be prescribed.</p> <ol style="list-style-type: none"> <li>a. The Committee, on its own or on the report from any person or agency, may pass an order to send the child to the children's home or a fit facility or fit person, and for speedy social investigation by a social worker or Child Welfare Officer or Child Welfare Police Officer.</li> <li>b. The Committee shall, <i>prima facie</i> determine the age of the child in order to ascertain its jurisdiction, pending further inquiry as per section 94 of the Act, if need be.</li> <li>c. Further, the CWC shall assign the case to a Social Worker or Case Worker or Child Welfare Officer or to any recognised Non-Governmental Organisation for conducting</li> </ol>

		<p>the social investigation under sub-section (2) of section 36 of the Act.</p> <p>d. <b><i>*The social investigation shall be completed within fifteen days so as to enable the Committee to pass final order within four months of first production of the child.</i></b></p> <p>e. <b><i>*Where an orphan/abandoned child has to be declared legally free for adoption, the timeline for preparation of SIR and passing of CWC orders will be in accordance to Section 38 of the JJ Act, 2015.</i></b></p> <p>f. In case of orphan or abandoned child, the Committee shall make all efforts for tracing the parents or guardians of the child and on completion of such inquiry, if it is established that the child is either an orphan having no one to take care, or abandoned, the Committee shall inquire into the possibility of declaring the child legally free for adoption.</p> <p>g. The Committee shall use the designated portal to ascertain whether the abandoned child or orphan child is a missing child while causing the details of the orphan or the abandoned child to be uploaded.</p> <p>h. The Committee, after taking into account the risk factors, and in the best interest of the child, may direct the publication of the particulars and photograph of an orphan or abandoned child in national newspapers with wide circulation within seventy-two hours from the time of receiving the child for the purposes of tracing out the biological parents or the legal guardian(s).</p> <p>i. Where the parent/guardian of the child is traced/known, CWC may, based upon its inquiry and the SIR submitted order for restoration of the child. If the parent/guardian requests for assistance under the sponsorship programme, CWC may examine and recommend for Sponsorship for the child.</p> <p>j. Before the Committee releases or restores the child, both the child as well as the parents or guardians may be referred to the Counsellor by the Committee.</p> <p>k. However, in cases where after the completion of the inquiry, CWC is of the opinion that the said child has no family or support or is in continued need of care and protection, it may send the child to Children's Home/SAA or to a Fit Facility/Person or Foster Family or sponsorship programme or restore the child to its guardian/relative.</p>
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		<p>l. This decision of placement of child in institutional or non-institutional care may be reviewed by the Committee.</p> <p>m. Where the child has been placed under institutional/non-institutional care, the CWC shall direct <b>any Person/Organization/Social Worker/Case worker/Child Welfare Officer</b> concerned to develop an individual care plan including a suitable restoration plan.</p> <p>n. The orders of the Committee shall be in writing and contain reasons.</p> <p>o. In case the parent/guardian is willing to surrender to the child, the same shall be done in accordance to procedure prescribed under Section 35 of the JJ Act, 2015. Elaborate procedure for surrendering the child has been given under point no.4 (see below).</p> <p>p. In cases where both the parents of the children have been hospitalized and have no one to take care of them, the CWC may after examination of the case, place the child in short term care in a child care institution or fit facility, whichever the CWC may deem appropriate for the welfare of the child. The child may be then restored to his/her parents, as and when the parents are fit to take care of the child and have returned from their hospitalization. The parents, if after returning from the hospitalization are in need of support to take care of the child, DCPU may link them to the concerned Government Departments/Schemes.</p> <p><i>Persons willing to adopt orphan children may approach central adoption resource authority (<a href="http://www.cara.nic.in">www.cara.nic.in</a>) for lawful adoptions.</i></p>
4.	<b>Social Worker/Child Welfare Officer/Case Worker</b>	<p>a. On the directions of CWC, a Social Investigation Report may be prepared by the Social Worker/Child Welfare Officer/Case Worker.</p> <p>b. The social investigation conducted by a Social Worker or Case Worker or Child Welfare Officer of the institution or any Non-Governmental Organisation must provide an assessment of the family situation of the child in detail and explain in writing whether it will be in the best interest of the child to restore him to his parent/guardian/relative or to place him/her in institutional care. <b>The form for preparation of SIR is enclosed at Annexure-A.</b></p> <p>c. The Child Welfare Officer or Case Worker shall forthwith conduct social investigation of the child through personal interviews with the child and his family members, social agencies and other sources, inquire into antecedents and family</p>

		<p>history of the child and collect such other material as may be relevant, and submit the Social Investigation Report to the Committee within fifteen days.</p> <p><i>*The SIR as given in Annexure-A has to be uploaded on the Bal Swaraj portal (Under the link “Covid-Care”)</i></p>
5.	<p><b>a. Child Welfare Committee</b>  <b>b. DCPU</b>  <b>c. Case Worker/Child Welfare Officer</b></p>	<p><b>Surrender by parent/guardian-</b> Any child who is relinquished by the parent or guardian to the Committee, on account of physical, emotional and social factors beyond their control, and declared as such by the Committee is defined to be a surrendered child under <b>Section 2(60) of the JJ Act, 2015.</b></p> <p><b>a. As per Section 35 of the JJ Act, 2015,</b> the CWC, in situations, where the parent/guardian is willing to surrender the child to the CWC, shall execute the surrender deed by the parents in the manner prescribed by the JJ Act, 2015 and ensure that the parent/guardian are given time of two months to reconsider their decision as well as making all efforts to keep the family together.</p> <p><b>b.</b> Such parent or guardian willing to surrender the child shall do so by making an application to the CWC. DCPU/Social Worker/Child Welfare Officer may assist the parent/guardian in making the application to surrender before the CWC.</p> <p><b>c.</b> Where such parent or guardian is unable to make an application due to illiteracy or any other reason, the Committee shall facilitate the same through the Legal Aid Counsel provided by the Legal Services Authority.</p> <p><b>d.</b> The surrendered child, after the lapse of sixty days from the date of surrender may be declared legally free for adoption as given under Section 38 of the JJ Act, 2015 and after completing its due inquiry.</p> <p><b>e.</b> The inquiry under sub-section 3 of section 35 of the Act shall be concluded by the Committee expeditiously.</p>
6.	<p><b>a. Child Welfare Committee</b>  <b>b. DCPU/CWO/Case Worker</b>  <b>c. District Education Officer</b>  <b>d. School</b></p>	<p><b>Right to Education of the child-</b> While passing orders for a child, it must be ensured that there is no disruption in the education of the child and according to the wishes of the child, all efforts must be made to assist the child and mitigate its distress. First and foremost, the CWC should endeavour to let the child continue its education in the same school and deem transfer of school/admission in other school as a last resort.</p> <p><b>a.</b> The child (who has lost both or either of the parent to COVID-19) along with guardian/any member of the family; and/or the school where the child is studying may also</p>

		<p>approach the Child Welfare Committee (CWC) of the district.</p> <p>b. In case of death of one or both parents of the child and/or the earning member of the family and the child is studying in private school, the expenditure on elementary education of such children in the same school be borne by the appropriate Government under section 12 (1) (c) of the RTE Act, 2009 or any scheme/policy/provision. For this, the appropriate Government may issue necessary notifications/guidelines at the earliest.</p> <p>c. In cases of classes above VIII, to ensure that the child's education is not disrupted and the child continues her/his education in same school and environment, the CWC may make all efforts and make recommendations to the Appropriate Government for implementation of the same.</p> <p>d. The SIR as prepared for the child and the orders of the CWC, will then be forwarded to the District Education Officer (DEO) (of the concerned district where the school is located) and the school for necessary action on its part and implementation of the recommendations of CWC in a time bound manner.</p> <p>e. After the case of the child has been referred to the DEO of the concerned district, the DEO must also examine through the National Scholarship Portal at <a href="http://www.scholarships.gov.in">www.scholarships.gov.in</a> for any other implemented Central or State scholarships/schemes under which the child can get benefit and facilitate the same. The DEO should inform the CWC (under which the case of the child is going on) about the other scholarships/benefits that the child may be eligible for or is getting the benefit of, so that the same can then be incorporated in the ICP of the child and follow-up can be done accordingly.</p> <p>f. The DEO, as per recommendations of CWC, may get the child included in the list of children admitted in the school under section 12 (1) (c) of the RTE Act, 2009 so that the child is able to continue its education in the same school.</p> <p>g. The School may then follow the appropriate procedure to raise the demand for reimbursement of the expenditure as per respective State RTE Rules.</p> <p>h. The DEO and DCPU should ensure that no such child who have lost both their parents or either of their parents to COVID-19, is forced to leave the school in any manner against the child's wishes due to non-payment of fees, etc. and that the State Government must ensure that these</p>
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		<p>children must be able to continue their education in the same school, even in the cases where RTE Act, 2009 does not apply to the said school.</p> <p>i. In case a guardian/relative/single parent of the child applies for a transfer certificate to the school for taking out the child from the school, the written application of the guardian/relative/single parent must be accompanied with the CWC orders recommending the transfer of child from the school. Only then, should the school accept the request for a transfer certificate. The school must ensure that for children who have become orphan or lost a parent due to COVID-19, the transfer certificate must only be issued, if there are CWC orders recommending the same.</p>
7.	<p>a. DCPU/Social Worker/Child Welfare Officer</p> <p>b. National Legal Services Authority</p> <p>c. State Legal Services Authority</p> <p>d. State Government</p>	<p><b>Legal Heir and Succession Certificate-</b> The child who has lost both its parents to COVID-19 or has lost either of his/her parents to COVID-19 may be entitled to moveable as well as immoveable property of his parents. All legal and administrative support/assistance must be ensured in procurement of legal heir and succession certificate in favour of the child/children whether through its guardian or through the concerned authority.</p> <p>a. DCPU/Child Welfare Officer/Social Worker may provide assistance to the child in procuring the legal heir certificate and the succession certificate (whichever is applicable) from the respective concerned authority/Court.</p> <p>b. The State Legal Services Authority may be approached for providing free legal assistance/legal aid to the child or its parent/guardian in procurement of these certificates. DCPU may liaise and coordinate with the State/District Legal Services Authority for the same.</p> <p>c. The Legal Services Authority may provide a support person or para legal volunteer to the child and its parent/guardian for assisting them before the concerned authority/Court.</p> <p>d. National Legal Services Authority may issue notification/guidelines to the State Legal Services Authorities for providing free legal assistance/legal aid to the children who have become orphan or lost either of the parent to COVID-19. NALSA may also, in its notification/guidelines, inform the SLSA to provide a para-legal volunteer or support person for assistance to the child and its parent/guardian before the authority/Court.</p> <p><b>Death Certificate-</b> Where the child has lost both the parents to COVID-19, the death certificate of both the parents should be provided to the CWC to ensure that the child is not abandoned, trafficked, lost, etc. The CWC may after receiving the copies of the</p>

		<p>death certificate proceed for inquiry under Section 36 of the JJ Act, 2015 and pass necessary orders for the child.</p> <ol style="list-style-type: none"> <li>a. DCPU/Child Welfare Officer/Case Worker may provide assistance in applying for the death certificate of the child's parents to the local authorities under the Department of Rural Development and Panchayati Raj and Department of Urban Development (whichever is applicable).</li> <li>b. The DCPU/CWO/Case Worker may procure the required documents to be submitted for registration of death and getting the death certificates.</li> <li>c. The State Government may issue notification to the Department of Urban/Rural Development/Panchayati Raj to provide special assistance to cases where the parents have died due to COVID-19 leaving behind their child/children without any family support. The notification may direct the department to expedite the process of giving the death certificate in such cases.</li> <li>d. The DCPU/CWO/Case Worker after receiving the death certificate must submit the same before the CWC for their information and case records and also upload the same on the Baal Swaraj Portal under the assigned head/column.</li> </ol> <p><b>Other monetary benefits-</b> The child may be entitled to the monetary benefits incurred from his/her own insurance policies, fixed deposits, any joint bank accounts, etc. and similarly, from his/her parents bank accounts, job compensations, pension, insurance money, etc.</p> <ol style="list-style-type: none"> <li>a. DCPU/Social Worker must ensure that these entitled benefits are provided in favour of the child.</li> <li>b. Where any difficulty is faced by the DCPU/Social Worker in expediting the realisation of the money from banks and insurance policies, the DCPU/Social Worker may inform about the same to the CWC.</li> <li>c. The CWC may then under its inquiry of the said child, make recommendations for facilitating the process of receiving the entitled money to the State Government.</li> <li>d. The State Government may, in accordance with its rules and procedure make efforts to provide entitled monetary benefits to the child without undue delay.</li> <li>e. The DCPU/Social Worker must ensure that the money from the bank account of the parent(s), job compensation, insurance policies, pension etc. is directly transferred to the child's account only.</li> </ol>
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8.	<p>a. State Government/SCPS</p> <p>b. Child Welfare Committee</p> <p>c. DCPU</p>	<p><b>Juvenile Justice Fund and other Government implemented schemes and scholarships - Section 105 of the JJ Act, 2015</b> provides for a creation of a fund in such name as it thinks fit, for the welfare and rehabilitation of the children dealt with under the JJ Act, 2015.</p> <p>a. In the present situation of COVID-19, the children affected by COVID-19 and have lost both or either of the parent are child in need of care and protection and will be entitled to the benefit under the Juvenile Justice Fund of the State/UT.</p> <p>b. The State Government through the State Child Protection Society (SCPS) may allocate these funds for welfare and support to the children who have become orphan or lost either of the parent due to COVID-19 and ensure smooth dispense of funds at the district level by the DCPU/ concerned local authority/child protection</p>

		<p>committees at the village and block level for the benefit of the children.</p> <p>c. The CWC may during its inquiry, as it deems fit, provide for financial support to the child from such government implemented funds/schemes. Wherever the children produced before it are beneficiaries of any implemented schemes, funds, scholarships, etc. the same must be facilitated and provided to the child through a written order as per Section 45 of the Juvenile Justice Act, 2015.</p> <p>d. Local authorities may also facilitate the benefit/entitlement of any implemented schemes to the child or his/her family/guardian wherever applicable or recommended by the CWC. For these special cases involving children, the department must take up these cases on priority.</p> <p><b>Sponsorship-</b> The sponsorship programme may provide supplementary support to families, to meet medical, nutritional, educational and other needs of the children, with a view to improving their quality of life.</p> <p>a. In cases, where the CWC thinks that the child may be placed under a sponsorship programme or where a guardian/relative/single parent under whom the child is to be placed requests for assistance under the sponsorship programme, the CWC may recommend to the SCPS for the same.</p> <p>b. The SCPS may then, within a period of 07 days approve/reject the recommendation of placing the child under sponsorship programme recording its reasons in writing for the same.</p> <p>c. If there is a delay in taking a decision by the SCPS for placing the child under sponsorship programme, then the DCPU shall liaise and assist the SCPS in any manner so required for reaching a decision on the recommendation of CWC on sponsorship.</p> <p>d. If the SCPS approves the benefit of sponsorship for the child and its family, then the CWC may pass orders under Section 37 and 45 of the Juvenile Justice Act, 2015, for placing the child under the sponsorship programme and decide on the amount to be given under the sponsorship as per the implemented policy/rules of the State Government.</p> <p>e. DCPU shall facilitate and ensure smooth implementation of the sponsorship programme. <b>In case of individual sponsorship</b>, DCPU will open a bank account in the name of the child preferably to be operated by mother (<i>in cases where mother is not there, then the father/relative/guardian that the CWC may declare as a fit person for the child</i>) and the</p>
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		<p>money shall be transferred directly from the account of DCPU to the child's bank account.</p> <p>f. In view of the ongoing COVID-19 pandemic and an increase in the number of cases where children are left without any family/financial support, the State Child Protection Society (SCPS) may look into development of more non-institutional care programmes such as foster care, sponsorship, etc., as provided under the JJ Act, 2015.</p> <p><i>*In case, if any difficulty arises, in providing the assistance/support in sponsorship to the child whether due to paucity of funds or otherwise, the same may be intimated to the National Commission through the Bal Swaraj portal (Under the link "Covid-Care") or otherwise by the SCPS/DCPU/State. The Commission will try and recommend to ensure all necessary help/support through private donors, etc.</i></p>
9.	<p><b>Any person/organization/social worker/Case worker/Child Welfare Officer</b></p>	<p><b>"Individual Care Plan"</b> is a comprehensive development plan for a child based on age and gender specific needs and case history of the child, prepared in consultation with the child, in order to restore the child's self-esteem, dignity and self-worth and nurture him into a responsible citizen and shall address to the needs of a child.</p> <p>a. Where the child has been placed under institutional/non-institutional care, the CWC shall direct <b>any person/organization/social worker/Case worker/Child Welfare Officer</b> concerned to develop an individual care plan including a suitable restoration plan.</p> <p>b. The individual care plan (ICP) prepared for every child in the institutional/non-institutional care shall be developed with the ultimate aim of the child getting its entitled monetary benefits, right to education, restoration with its guardian/relative or single parent and overall social development.</p> <p>c. The ICP must be based and prepared on the basis of the case history, SIR, circumstances and individual needs of the child.</p> <p>d. After the inquiry is conducted under <b>Section 36 of the JJ Act, 2015 and the preparation of SIR</b>, the CWC while passing orders for the child shall incorporate the ICP in its order also.</p> <p>e. Thereafter, the implementation of ICP is to be ensured during the follow-up and monitoring of the child placed in institutional/non-institutional care.</p> <p>f. Regular and timely follow-ups and review of the ICP must be also undertaken by the DCPU.</p>

		<i>*The form for preparing the ICP is enclosed as Annexure-B and has to be uploaded on the Bal Swaraj Portal (Under the link "Covid-Care").</i>
10.	<p>a. Child Welfare Committee</p> <p>b. DCPU</p>	<p><b>CWC orders for the child after preparation of SIR and ICP-</b></p> <p>a. After the preparation and assessment of SIR by the CWC, the CWC may direct for preparation of ICP as mentioned above.</p> <p>b. CWC may then based on the documents submitted before it (<i>SIR, ICP, surrender deed, insurance policies, any other document of the child</i>) and the inquiry conducted under Section 36 of the JJ Act, 2015, shall pass orders as mandated under Section 37 of the JJ Act, 2015. (<i>the orders of CWC that can be passed under S.37 of the JJ Act, 2015 have been mentioned in point no.3 above</i>)</p> <p>c. CWC, based on its inquiry and documents submitted before it may recommend the child to institutional/non-institutional care in accordance with the procedure laid down under the JJ Act, 2015 and its Rules, 2016.</p> <p>d. If the Child is restored with single parent/guardian/relative, CWC through DCPU will continue to check the well-being of the child on regular basis. <b>The follow up reports and CWC orders pursuant to it shall mandatorily and regularly be uploaded on the Bal Swaraj Portal by the DCPU.</b></p> <p>e. If the child is being restored with its parent/guardian/relative in another State, then the CWC should transfer all the documents, SIR, ICP, orders related to the child to the concerned CWC of that State. The CWC, where the case has been transferred to, shall likewise follow- up the individual care plan as if it had passed such order.</p> <p>f. Care must be taken by the CWC/DCPU/CWO/Case Worker dealing with the child in need of care and protection to keep the identity of the child confidential to avoid undue distress to her/him as provisioned under Section 74 of the Act.</p> <p><i>*The CWC orders and follow up Reports as passed for the child must be uploaded on the Bal Swaraj portal (Under the link "Covid-Care").</i></p>
11.	<p>a. Child Welfare Committee</p> <p>b. DCPU</p>	<p><b>Restoration of a child under Section 40(3) of the JJ Act, 2015-</b></p> <p>a. The CWC shall have the powers to restore any child in need of care and protection to his parents, guardian or fit person after determining the suitability of the parents or guardian or fit person to take care of the child, and give them suitable directions.</p>

		<p>b. The Committee may, while making an order for placing a child under the care of a parent, guardian or fit person, at the time of restoration, direct such parent, guardian or fit person to enter into an undertaking.</p> <p>c. While passing an order for restoration, the CWC shall take into account the reports of Case Worker/CWO/NGO and/or any other report/document brought before the CWC.</p> <p>d. The order for restoration will include an individual care plan prepared by the Case Worker/CWO/NGO.</p> <p>e. The Committee while directing for restoration of the child, may pass order for an escort, where necessary.</p> <p>f. The copy of the restoration order of the CWC to be provided to the DCPU which shall then provide for funds for restoration of child, including travel and other incidental expenses.</p> <p>g. The child may not be restored back, where SIR prepared by the Case Worker/CWO/Social Worker/NGO suggests that restoring the child back to the family may not be in the best interest of the child.</p> <p>h. Where a child has to be sent or repatriated or restored to its parent/relative/guardian to another district or state or country the Committee shall direct the District Child Protection Unit to take necessary permission as may be required, such as approaching the Foreigners Regional Registration Offices (MHA) and Ministry of External Affairs for a no-objection certificate, contacting the counterpart Committee, or any other voluntary organisation in the other district or state or country where the child is to be sent.</p>
12.	<p>a. <b>Child Welfare Committee</b></p> <p>b. <b>DCPU/CWO/Case Worker/Social Worker/NGO</b></p>	<p><b>Post order follow-up-</b> In accordance with <b>Rule 19 of the JJ Rules, 2016</b>, the CWC, while passing its orders for the child, shall give date for follow-up of the child not later than one month from date of passing of order and, Thereafter, once every month for the period of six months and, Thereafter, every three months for a minimum of one year till such time as CWC deems fit.</p> <p><b>In case restoration orders are passed by CWC for the child-</b> a follow-up plan shall be prepared by Child Welfare Officer/Case Worker/Social Worker/NGO. The follow-up report shall state the situation of the child post restoration and measures necessary in order to reduce further vulnerability of the child.</p> <p><i>* The CWC orders and follow up Reports as passed for the child must be uploaded on the Bal Swaraj portal (Under the link "Covid-Care").</i></p>

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## Annexure-A

**SOCIAL INVESTIGATION REPORT FOR CHILD IN NEED OF CARE AND PROTECTION FORM**

[Rule 19(8)]

**Juvenile Justice (Care and Protection of Children) Act, 2015****Child in Need of Care and Protection**

Sl. No.....

Produced before the Child Welfare Committee.....

Case No.....

Social Investigation Report Prepared by: Child Welfare Officer/ Social Worker/Case Worker/  
Person in-charge of Home/ representative of Non- Governmental Organization

Details of child in need of care and protection:

1. Name.....
2. Age/Date/Year of birth.....
3. Sex.....
4. Caste.....
5. Religion.....
6. Father's Name.....
7. Mother's Name .....
8. Guardian's Name.....
9. Permanent Address.....
10. Landmark of the address.....
11. Address of last residence.....
12. Contact no. of father/mother/family member.....
13. Details of Adhaar card/voter id/pan card of the Parents of the child.....
14. Whether the child is differently abled: Yes/ No
  - (i) Hearing Impairment
  - (ii) Speech Impairment
  - (iii) Physically disabled
  - (iv) Mentally disabled
  - (v) Others (please specify)

15. Whether child is orphan/abandoned/surrendered: Yes/No

16. Whether both the parents of the child are deceased: Yes/No

17. Whether the child has any sibling: Yes/No; details thereof:

18. Family Details:

S.N. (1)	Name and Relationship (2)	Age (3)	Sex (4)	Educatio n (5)	Occupation (6)	Income (7)	Healt h status (8)	Histor y of Ment al Illnes s (9)	Addictions (10)

19. Relationship among the family members:

i. Father & mother	Cordial/ Non cordial/ Not known
ii. Father & child	Cordial/ Non cordial/ Not known
iii. Mother & child	Cordial/ Non cordial/ Not known
iv. Father & siblings	Cordial/ Non cordial/ Not known
v. Mother & siblings	Cordial/ Non cordial/ Not known
vi. Child & siblings	Cordial/ Non cordial/ Not known
vii. Child & relative	Cordial/ Non cordial/ Not known

19. Present living conditions .....

20. Other factors of importance if any.....

21. Habits of the child

**A**

- i) Smoking
- ii) Alcohol consumption
- iii) Drug use (specify)
- iv) Gambling
- v) Begging
- vi) Any other

**B**

- i) Watching TV/movies
- ii) Playing indoor/outdoor games
- iii) Reading books
- iv) Religious activities
- v) Drawing/painting/acting/singing
- vi) Any other

22. Extra-curricular interests.....

23. Outstanding characteristics and personality traits.....

24. The details of education of the child (tick as

- applicable)(i). Illiterate
- (ii). Studied up to V Standard
- (iii). Studied above V Standard but below VIII Standard (iv). Studied above VIII Standard but below X Standard (v). Studied above X Standard
25. The details of the school in which studied last(tick as applicable) :
- Corporation/Municipal/Panchayat
  - Government/SC Welfare School/BC Welfare School
  - Private management
  - School under NCLP
26. Attitude of class mates towards the child.....
27. Attitude of teachers and classmates towards the child.....
28. The reason for leaving School (tick as applicable)
- Failure in the class last studied
  - Lack of interest in the school activities
  - Indifferent attitude of the teachers
  - Peer group influence
  - To earn and support the family
  - Sudden demise of parents
  - Bullying in school
  - Rigid school atmosphere
  - Absenteeism followed by running away from school
  - There is no appropriate level of school nearby
  - Abuse in school
  - Humiliation in school
  - Corporal punishment
  - Medium of instruction
  - Others (pl. specify)
29. Vocational training, if any.....
30. Employment Details, if any.....
31. Details of income utilization.....
32. Work record (reasons for leaving vocational interests, attitude towards job or employers).....
33. Majority of the friends are (tick as applicable)
- Educated

- b) Illiterate
  - c) The same age group
  - d) Older in age
  - e) Younger in age
  - f) Same sex
  - g) Opposite sex
  - h) Addicts
  - i) With criminal background
34. Attitude of the child towards friends.....
35. Attitude of friends towards the other child/sibling.....
36. Observation about neighbourhood (to assess the influence of neighbourhood on the child).....
37. Mental condition of the child: (Present and past).....
38. Physical condition of the child: (Present and past).....
39. Health status of the child
- i. Respiratory disorders - present / not known / absent
  - ii. Hearing impairment - present / not known / absent
  - iii. Eye diseases- present / not known / absent
  - iv. Dental disease- present / not known / absent
  - v. Cardiac diseases- present / not known / absent
  - vi. Skin disease-present / not known / absent
  - vii. Sexually transmitted diseases- present / not known / absent
  - viii. Neurological disorders- present / not known / absent
  - ix. Mental handicap- present / not known / absent
  - x. Physical handicap- present / not known / absent
  - xi. Urinary tract infections –present / not known / absent
  - xii. Others (pl. specify) -
40. Whether the child has any addiction: Yes/ No
41. With whom the child was staying prior to production before the Committee
- (i) Parent(s) – Mother / Father / Both
  - (ii) Siblings / Blood relative
  - (iii) Guardian(s) – Relationship
  - (iv) Friends
  - (v) On the street

- (vi) Night shelter
  - (vii) Orphanages / Hostels/ Similar Homes
  - (viii) Other (pl. specify)
42. Whether the child is a victim of any offence: Yes/No
43. Types of abuse met by the child (tick as applicable)
- (i) Verbal abuse – parents/siblings/ employers/others (pl. specify)
  - (ii) Physical abuse
  - (iii) Sexual abuse parents/siblings/ Employers/others (Pl. specify)
  - (iv) Others – parents/siblings/ employers/others (pl. Specify)
44. Types of ill-treatment met by the child (tick as applicable).
- i) Denial of food – parents/siblings employers/other (pl. specify)
  - ii) Beaten mercilessly –parents/ Siblings/employers/other (pl. specify)
  - iii) Causing injury –parents/ siblings/employers/other (pl. specify)
  - iv) Detention -parents/ siblings/employers/other (pl. specify)
  - v) Other(please specify)\_\_\_\_\_parents/siblings/employers/others(pl. specify)
45. Exploitation faced by the child
- i) Extracted work without payment
  - ii) Little (low) wages with longer duration of work
  - iii) Others (pl. specify)
46. Whether the child has been bought or sold or procured or trafficked for any purpose: Yes/ No
47. Whether the child has been used for begging: Yes/ No
48. Whether the child is used by any gangs or adults or group of adults or has been used for drug peddling: Yes/ No
49. Previous institutional/case history and individual care plan, if any...
50. Whether the child's parents had any property/FD/Cash/Insurance/bank accounts prior to their sudden demise: Yes/No; Details thereof...
51. Whether the child's parents have any loans, mortgages, financial liabilities? A. Yes B. No (Details thereof)
52. Whether the child's parents have any collateral against that mortgage? A. Yes B. No (Details thereof)
53. Whether the child's parents have any family business? A. yes B. no (details thereof)
54. Whether the child acquires any right/share in the property (self-acquired/ancestral) from the demised parent: Yes/No; details thereof...
55. Whether child is eligible for the benefit of sponsorship: Yes/No
56. Whether child has received any kind of compensation in regard to the demise of any parent: Yes/No; details thereof...

57. Whether child should get benefit under Section 12(1)(c) of RTE: Yes/No

**OBSERVATIONS OF INQUIRY**

1. Emotional factors.....
2. Physical condition.....
3. Intelligence.....
4. Social and economic factors.....
5. Suggestive causes of the problems.....
6. Analysis of the case, including reasons/contributing factors for the offence...
7. Reasons for child's need for care and protection.....
8. Opinion of experts consulted.....
9. Psycho-social expert's assessment.....
10. Religious factors.....
11. Risk analysis for the child to be restored to the surviving parent/relatives/guardian  
.....
12. Previous institutional/case history and individual care plan, if any...
13. Recommendation of Child Welfare Officer/Case Worker/Social Worker regarding  
psychologicalsupport, rehabilitation and reintegration of the child and suggested  
plan.....

\*\*\*

**Annexure-B****INDIVIDUAL CHILDCARE PLAN****Juvenile Justice (Care and Protection of Children) Act,  
2015 and Rules, 2016****Child in Need of Care and Protection**

1. **Name of Case Worker/Child Welfare Officer/ .....**
2. **Date of preparing the ICP**  
.....
3. Case/Profile No.....of 20.....
4. Full Address of the  
Committee.....  
District  
Pin Code
5. Contact details: Phone No. \_\_\_\_\_ Email \_\_\_\_\_
6. Where is the child being placed? a. guardian b. institution c. sponsorship d.  
single parent
7. Whether the child is being placed under sponsorship? A. Yes B. No
8. Whether the child is being surrendered by the single parent/Guardian? A. Yes B. No  
C. N/A
9. If yes, then whether the surrender deed has been made? A. Yes B. No
10. If the child has a sibling/siblings, then details of the sibling-
11. Whether the child and his/her sibling are being placed together? A. Yes B. No
12. Whether the child and his/her siblings are being surrendered by the single parent/  
Guardian? A. Yes b. No C. N/A
13. Case/Profile No. of the sibling/siblings-
14. Admission No.(if child is in an  
institution).....
15. Date of Admission (if child is in an institution) .....dd/mm/yy format
16. Date of placement of child with the guardian- dd/mm/yy format
17. Stay of the child (Fill as applicable)

- (i) Short term (up to six months)
- (ii) Medium Term (six months to one year)
- (iii) Long term (more than 1 year)


**A. PERSONAL DETAILS**

(to be provided by child/parent/guardian/case worker/child welfare officer/DCPU)

- i. Name of the Child.....
  - ii. Age/Date of Birth.....
  - iii. Sex: Male/Female/Other .....
  - iv. Father's name .....
  - v. Mother's name.....
  - vi. Guardian's name (if applicable)
  - vii. Parents/Guardian's Nationality.....
  - viii. Parents/Guardian's Religion.....
  - ix. Child's nationality-
  - x. Details of Adhaar card/voter id/pan card of the child.....
  - xi. Details of Adhaar card/voter id/pan card of the child's parents.....
  - xii. Caste.....
  - xiii. Language spoken.....
  - xiv. Level of Education.....
  - xv. Details of Savings Account of the child, if any.....
  - xvi. Details of child's belongings, if any.....
  - xvii. Details of child's parents' property, if any-
  - xviii. Details of child's parents bank accounts, if any-
  - xix. Details of child's insurance policy, if any-
  - xx. Details of child's parents' insurance policy, if any-
  - xxi. Details of child's parents job compensation, pension if any-
  - xxii. Details of child's fixed deposits, savings, financial policy, mutual funds if any-
  - xxiii. Details of property to be inherited, if any-
  - xxiv. Whether succession certificate issued or not?- a. yes b. no
  - xxv. Details of succession certificate-
  - xxvi. Whether legal heir certificate issued or not?- a. yes b. no
  - xxvii. Details of legal heir certificate-
  - xxviii. Whether the child is suffering from any disability? A. Yes b. No
  - xxix. Details of disability-
  - xxx. Recommendation made by CWC for the child for his/her disability
-

**EDUCATION-**

1. Name of the school-
2. Government/Private-
3. Class in which the child is studying in-
4. Whether the child has been enrolled in school under Section 12(1)(c) of RTE Act, 2009?  
A. Yes B. No C. N/A
5. The CWC has recommended for continuing of education of the child in the same school as he/she was studying in?  
A. Yes B. No
6. On the basis of the recommendation, whether the child is continuing education in the same school as he was studying in? -  
A. Yes B. No
7. The CWC has recommended for transfer of school for the child?  
A. Yes B. No
- a. If yes, then what are the reasons given by the CWC for recommending transfer of school? (Text box)
8. Whether the child has been admitted to/transferred to a new school?  
A. Yes B. No
9. Details of new school-
10. Address & Contact Details-
11. Class in which admission/transfer taken place-
12. Class in which the child from transferred from previous school-
13. On the basis of the recommendations of CWC, whether the school in which the child is studying in is giving the benefit under Section 12(1)(c) of RTE Act, 2005 to the child?  
A. Yes B. No
14. Whether the child is being given free education by the appropriate government under any scheme/policy?  
A. Yes B. No
15. If yes, then under what scheme/policy-
16. Is the child availing any scholarship?  
A. yes B. no
17. If yes, name of the scholarship \_\_\_\_\_
18. amount of scholarship \_\_\_\_\_

Any other observation and recommendation made by the CWC for education of the child-

**ADOPTION-**

1. Whether the child has been declared legally free for adoption?  
A. Yes B. No c. N/A
2. Whether the child has been placed in a SAA/CCI?

- A. Yes b. No
3. Inquiry report of Child Welfare Officer/Case worker/social worker submitted- A. Yes b. No
  4. Deed of surrender executed by the parents/guardian before the Committee? A. Yes b. No
  5. Declaration submitted by DCPU and CCI/SAA that all restoration efforts have been made for the child- A. Yes b. No
  6. Nobody has approached DCPU and CCI/SAA for claiming the child as biological parents or legal guardians- A. Yes b. No
  7. All timelines under Section 38 of the JJ Act, 2015 have been adhered to before declaring the child legally free for adoption- A. Yes b. No

### **SPONSORSHIP-**

1. The child has been recommended to the State for sponsorship by the CWC? A. Yes B. No
2. The State Child Protection Society has approved the child for getting benefit under sponsorship programme? (to be filled by SCPS) A. Yes B. No
  - a. If no, then on what basis did the SCPS reject the recommendation of CWC for sponsorship? (to be filled by SCPS) (Text box)
  - b. Was the sponsorship recommendation rejected by the SCPS due to paucity of funds? (to be filled by SCPS) A. Yes B. No
3. In how many days/months did the SCPS approve/reject the sponsorship recommendation of the child? (to be filled by SCPS) (text box)
4. If the child is approved for getting sponsorship then under which programme has the child been placed in? (to be filled by SCPS) A. Individual to Individual sponsorship B. Group Sponsorship c. Community sponsorship d. Any other
  - a. If other, please specify-
5. The nature of sponsorship programme under which the child has been placed? A. Government B. private donors
6. In case of private donors, details of sponsorship agency/individual sponsor, if any-
7. Memorandum of Understanding between the sponsoring agency and individual sponsor (Attach a copy)
8. Assistance is required from NCPCR is getting funds under a sponsorship programme of the State- (to be filled by SCPS) A. Yes B. No
9. Any other information-

### **RESTORATION OF THE CHILD TO SINGLE PARENT-**

1. Whether the child is being restored to single parent? A. Yes B. No
2. Name of the single parent to whom the child is being restored to-
3. Address and contact details of person where the child is being restored to-
4. Whether the child will be staying in the same State where he/she was found? A. Yes b. No
5. Whether the child needs to be transferred to another State for restoration? A. Yes b. No

6. Name of the State where the child is restored to-
7. An escort is required for transfer of the child to another State? A. Yes B. No (if the answer is no, then subsequent question no.6 not required)
8. Identification Proof of escort such as driving license, Aadhar Card, etc- upload (only required when answer to question no.5 is yes)
9. DCPU/CWC of the concerned district of the State where the child is being transferred to has been informed about the transfer orders? A. yes B. no
10. If the child is being transferred to another State, then the child's documents/SIR/ICP/Orders of CWC have been transferred to the concerned CWC of the State? A. yes B. No
11. Details of CWC where the case is transferred-
12. CWC has recommended follow-up of the child post restoration- A. yes B. No
13. Status of bank accounts of the child-
14. The belongings of the child are handed over to the child/parent - A. yes b. no
15. Identity Cards and Compensation

IDENTITY CARDS	Present status (Please tick whichever is applicable)		Action taken
	Yes	No	
Birth Certificate			
School certificate			
Caste certificate			
BPL Card			
Disability Certificate			
Immunization card			
Ration Card			
Adhaar Card			
Received compensation from Government			

#### **RESTORATION OF THE CHILD TO GUARDIAN/RELATIVE-**

1. Whether the child is being restored to Guardian/Relative? A. Yes B. No
2. Name of the guardian/relative to whom the child is being restored to-
3. Address and contact details of person where the child is being restored to-
4. Relationship of the child with the guardian/relative-
5. Does the guardian/relative have children of its own? A. yes b. No
6. Details of guardian/relatives' children-
7. Social and financial condition of the guardian/relative-
16. Whether the child will be staying in the same State where he/she was found? A. Yes b. No
17. Whether the child needs to be transferred to another State for restoration? A. Yes b. No
18. Name of the State where the child is restored to-
19. An escort is required for transfer of the child to another State? A. Yes B. No (if the answer is no, then subsequent question no.6 not required)

20. Identification Proof of escort such as driving license, Aadhar Card, etc- upload (only required when answer to question no.5 is yes)
21. DCPU/CWC of the concerned district of the State where the child is being transferred to has been informed about the transfer orders? A. yes B. no
22. If the child is being transferred to another State, then the child's documents/SIR/ICP/Orders of CWC have been transferred to the concerned CWC of the State? A. yes B. No
23. Details of CWC where the case is transferred-
24. CWC has recommended follow-up of the child post restoration- A. yes B. No
25. Status of bank accounts of the child-
26. The belongings of the child are handed over to the child/guardian- A. yes b. no
27. Identity Cards and Compensation

IDENTITY CARDS	Present status (Please tick whichever is applicable)		Action taken
	Yes	No	
Birth Certificate			
School certificate			
Caste certificate			
BPL Card			
Disability Certificate			
Immunization card			
Ration Card			
Adhaar Card			
Received compensation from Government			

**Government schemes/entitlements under which child/family of the child is being given benefit-**

1. Rashtriya Bal Swasthya Karyakram (RBSK)
2. Scheme for Adolescent Girls- under ICDS umbrella scheme
3. National Scholarship Schemes-
  - i. Pre-Matric Scholarship Scheme for Minorities
  - ii. Post-Matric Scholarship Scheme for Minorities
  - iii. Pre-Matric Scholarship for Students with Disabilities
4. Scholarship Schemes-
  - i. Financial Assistance for Education of the Wards of Beedi/Cine/IOMC/LSDM Workers: Post-Matric and Pre-Matric
  - ii. Scheme for Award of Financial Assistance for Education (Scholarship) to the Children of Beedi Workers
  - iii. Scheme for Award of Financial Assistance for Education (Scholarship) to the Children of Iron Ore, Manganese Ore & Chrome Ore Mine (IOMC) Workers
  - iv. Scheme for Award of Financial Assistance for Education (Scholarship) to the Children of Limestone & Dolomite Mine (LSDM) Workers
  - v. Scheme for Award of Financial Assistance for Education

(Scholarship) to the Children of Cine Workers

vi. Pre-Matric Scholarship for SC/ST/OBC Students

5. National Child Labour Project(NCLP)
6. Central Sector Scheme for rehabilitation of bonded labour, 2016
7. Crèches under Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)
8. Ujjwala
9. NALSA- (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015
10. Pradhan Mantri Kaushal Vikas Yojana (PMKVY)
11. MGNREGS—Employment Guarantee of 130 days in a year
12. Pradhan Mantri Garib KalyanYojana
13. Deen Dayal Upadhyay Antyodaya Yojana
14. Schemes under Pradhan Mantri's Atma Nirbhar Bharat
15. Pradhan Mantri Kisan KalyanYojana
16. Ayushman Bharat Yojana
17. Swarnajayanti Gram Swarozgar Yojana
18. Deendayal Disabled RehabilitationScheme
19. National Career Service (India) orNCS
20. Pradhan Mantri Gramin AwaasYojana
21. Pradhan Mantri AwaasYojana
22. Pradhan Mantri Suraksha BimaYojana
23. Pradhan Mantri Jeevan Jyoti Bima Yojana
24. Pradhan Mantri Jan DhanYojana
25. Atal Pension Yojana
26. Deendayal Antoday Yojna- Aajivika (National Rural Livelihood Mission- NRLM)
27. Deendayal Antoday Yojna-National Urban Livelihood Mission (NULM)
28. Pradhan Mantri Van Dhan Yojana
29. Schemes for good roads, safedrinking water and schools
30. Janani SurakshaYojanaBACK
31. Stand-Up India Scheme
32. Rashtriya Bal Swastha
33. Juvenile Justice Fund
34. National Talent Search Scheme (NTSS), NCERT
35. Any other scheme- (Text Box)

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TRUE COPY



F.No. CP/NCPCR/Legal/2021

Date-26.05.2021

To,  
Chief Secretary,  
All States/UTs

**Subject- “Document prepared by NCPCR with its recommendations for dealing with children who have been orphaned or have lost either of the parent due to COVID-19 along with information about the NCPCR’s Covid-Care link on Bal Swaraj portal”**

Sir / Madam,

National Commission for Protection of Child Rights (**hereinafter referred to as the Commission**) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation.

2. The Commission has been made aware of instances where it has been seen that many NGOs are advertising about the children who have become orphan after losing both their parents to COVID-19. There are also situations arising where the child has lost either of the parent, who in most cases, is the breadwinner of the family. In such arising situations during this surge of COVID-19, it has become essential that the rights of children are upheld and protected and there is tracking of each child who has become orphan or has lost either of the parent to COVID-19. The children involved in these situations are children in need of care and protection under **Section 2(14) of the Juvenile Justice Act, 2015** and all procedures given under the Act for such children must be followed to ensure the well-being and best interest of children. The Child Welfare Committees, under Section 27 of the Juvenile Justice Act, 2015 have been established at District level for exercising its powers and to discharge the duties conferred on them in relation to children in need of care and protection under the Act. Therefore, every such child affected by COVID-19 and found to be in distress and without family support must be produced before the concerned Child Welfare Committee under **Section 31 of the Juvenile Justice Act, 2015**.



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[www.ebaalnidan.nic.in](http://www.ebaalnidan.nic.in)



:: 2 ::

3. The Commission has been receiving many complaints in the past month or so alleging that there are private people, organizations who are involved in data collection of such children stating that they want to provide assistance to the children and the families and also, these organizations/people are giving away these orphaned children to families in adoption without following the procedure given under the Juvenile Justice Act, 2015. The Act, besides providing for an extensive procedure for children who have lost family support or are in need of assistance, also provides for an exhaustive procedure for adoption of orphan/abandoned/surrendered children. It is only after following the adoption procedure as given under the Juvenile Justice Act, 2015 and the final adoption orders of the prescribed authority that the adoptions of orphan/abandoned/surrendered children are finalized and lawful in nature.

4. In view of the complaints received by the Commission and in accordance with the provisions and rules laid down under the Juvenile Justice Act, 2015 and Juvenile Justice (Model Rules), 2016 respectively, the Commission has prepared a document for dealing with children affected due to COVID-19. The Commission has, by way of this document outlined the procedure and functions of each child protection authority/officer as given under the Juvenile Justice Act, 2015 and simultaneously, also made certain recommendations for the State Government and the other relevant authorities, which if implemented, can ensure the welfare and well-being of the child. **(Copy of the document enclosed)**

5. The Commission, in furtherance to its function as a monitoring authority under **Section 109 of the Juvenile Justice Act, 2015**, has devised an online tracking portal **“Bal Swaraj (COVID-Care)”** for child in need of care and protection, especially for children living in street situations. This portal of the Commission has been created with a purpose for online tracking and digital real time monitoring mechanism of children who are in need of care and protection. Keeping in view, the current situation of COVID-19, the Commission has extended the use of this portal for tracking children who have lost both its parents or either of the parent during COVID-19 and provided an link under the name of **“COVID-Care”** for filling of data of such children by the concerned officer/department on the portal. **“COVID-Care”** is aimed at tracking the children affected by COVID-19 right from the production of children before the Child Welfare Committee to the restoration of the children to their parent/guardian/relative and its subsequent follow-up. The forms for preparing Social Investigation Report and Individual Child Care Plan of the child are also enclosed which will be required to be uploaded on the portal under the **COVID-Care link. (Forms of SIR and ICP enclosed with the annexed document)**





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6. It is requested that this document may be circulated in your respective State/UT to the following departments/officers-

- i. **Director General of Police-** for circulation to all Police Stations and Special Juvenile Police Unit.
- ii. **Department of Women and Child Development/Social Welfare-** for circulation to all DCPUs, Child Welfare Officers, Child Welfare Committees, Block and Village level Child Protection Committees, Anganwadi workers. The Asha/Anganwadi workers may inform Department of WCD/Social Welfare about the left behind children who are in distress and may also inform about any other incidence related to children which may require intervention.
- iii. **Directorate/Department of Education-** for circulation to all Schools (Government and Private), District Education Officers
- iv. **Department of Urban Development/Rural Development and Panchayati Raj Department-** for facilitation of and providing legal heir certificates and death certificates in a time bound manner in cases involving children who have lost both or either of the parent to COVID-19. Further, these departments, having information about the people who have died and the left behind children (as they are issuing death certificates and would have the data maintained about the people living in the concerned district and are responsible for implementation of various schemes mentioned in the document) must also inform about the same to the Child Welfare Committee/Department of WCD, so that such children can be identified and necessary action can be taken.
- v. **State Legal Services Authority-** for providing free legal assistance/legal aid to the child or its parent/guardian in procurement of the succession certificate for the child from the concerned Court. The Legal Services Authority may also be requested to provide a support person or para legal volunteer to the child and its parent/guardian for assisting them before the concerned authority/Court.
- vi. **District Magistrates-** for overall monitoring and implementation of the provisions of Juvenile Justice Act, 2015 and recommendations of the Commission.





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It is requested that the recommendations made by the Commission in the document may be implemented with respect to each State and District Level department/officer. The COVID-Care link of the Bal Swaraj Portal which will go live by tomorrow ie. 25.05.2021 will be made available to every State/UT and the details will be shared with the nodal officers at the State and District Level as well as the Principal Secretary of the WCD/Social Welfare Department. The States/UTs are requested that they may direct the nodal officers both at the State and District Level to provide data on the Bal Swaraj portal-Covid Care link as required. It is of utmost importance that the nodal officers are filling in the data on the portal in a timely manner of each such child as categorized to have become orphan or lost either of the parent to COVID-19 under the COVID-Care link of Bal Swaraj Portal. Further, if there is recommendation of CWC to State Child Protection Society (SCPS) for giving sponsorship to a child, then in that case the link is being provided to the Principal Secretary (Department of WCD) for filling up data concerned with the SCPS.

7. It is requested that a **compliance report of the above-mentioned may be sent to the Commission within 10 days.**

8. Further, the Commission is also receiving complaints of disclosure of children's information by Government authorities to private NGO's and organizations which is observed to be in violation of Section 74 of the Juvenile Justice Act, 2015. The said provision prohibits disclosure of identity of children with regard to the name, school, age, address etc. of the child, which would reveal the essential details of the child and could help in identifying the child. Therefore, no such confidential information about children must be provided to any person/entity/organization which would make them susceptible trafficking, abuse, illegal adoption etc. It is requested that your good offices may also look into this issue and ensure that unless there is an order/recommendation of CWC for disclosing the identity of the child in any manner or the same is required for the purpose of sponsorship/financial support, the identity of the child must not be disclosed and no information related to children should be given to any person/entity/organization.





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NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
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9. The Commission would also like your good offices to communicate about any difficulties being faced by your respective State/UT in providing monetary assistance to the children affected by COVID-19, so that the National Commission/ State Commissions can help in facilitating donations, contributions, funds etc. for providing financial assistance to the children. The Commission requests that the bank account details, name of the account holder, IFSC code and other such requisite details of State Juvenile Justice Fund or any other fund created under **Section 105 of the Juvenile Justice Act, 2015** by your respective State/UT may be provided to the Commission for furthering assistance.

Encls. As above.

Yours sincerely,

Sd/-  
(Priyank Kanoongo)  
Chairperson



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**Letter No. NCPDR/2021-22/Legal-CCIs**

**Date: 21<sup>st</sup> April, 2021**

To,

**Principal Secretary/Secretary**

Department of WCD/Social Welfare,

Of all States/UTs

(As per the attached list)

**Sir/Madam,**

The National Commission for Protection of Child Rights (*hereinafter referred as the Commission*) being a statutory body constituted under section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 (4 of 2006) is responsible for ensuring that all children enjoy their rights provided under different legislations. Specifically, NCPDR has been mandated with the responsibility of monitoring the implementation of legislations relating to child rights such as Juvenile Justice (Care and Protection of Children) Act, 2015 (u/s. 109); POCSO Act, 2012 (u/s. 44) and RTE Act, 2009 (u/s. 31). Section 13 of the CPCR Act has enlisted various functions of NCPDR. The Commission further ensures that all laws, programmes, administrative mechanism, its own policies, recommendations, campaigns, advisories, etc. should be in complete alignment with the child rights perspective as enshrined in United Nations Convention on Rights of the Children (UNCRC).

2. The ongoing second wave of corona virus is hitting all of us badly and unlike last year it is affecting children in a large number. Protection of children in Child care Institutions (CCIs) has been a major concern in the aftermath of the Covid-19 pandemic. As per the news reports, children from CCIs across the country are allegedly contracting the infection of Corona Virus in COVID-19 pandemic.

3. Therefore, keeping in view these alarming concerns to the safety and security of the children staying in Child Care Institutions (CCIs), the Commission as per its powers conferred under section 13 and 14 of the CPCR Act, 2005 and as per its mandate under section 109 of the JJ Act, 2015 read with Rule 91 of the Juvenile Justice Rules, 2016 has initiated the exercise of monitoring of the situation of vulnerable children living in Child

Care Institutions and further require the information as below-

- a) Information on number of Children in Need of Care & Protection (CNCP) found COVID positive while staying in the Children Homes in last one month.
- b) Out of total children staying in Children Homes, How many children have been declared CNCP under section (2)(14)(v) of the Juvenile Justice (Care & Protection of Children) Act, 2015 reads as- “ *Who has a parent of a guardian and such parent or guardian is found to be unfit or incapacitated by the Committee or the Board, to care for and protect the safety and well-being of the child*”. Kindly furnish copy of Individual Care Plan (ICP) and Social Investigation Report (SIR) of each such child as declared CNCP under this section of JJ Act, 2015 as mentioned above and declared CNCP due to poverty.
- c) Information on number of Children in Conflict with Law (CICL) found COVID positive while staying in the Observation Homes in last one month.
- d) Information on CICL children (apprehended under petty offences) who are staying in the Observation Homes for more than three months.
- e) Measures taken by the State Government to prevent children from Corona Virus while staying in Child Care Institutions of respective State/UT.

4. It is further recommended by the Commission the State Government shall proactively review the status of preventive steps by the States/UTs in the light of second surge of COVID-19 pandemic to ensure safety of children staying in Child Care Institutions. Children should be kept in the CCI considering the best interest, health and safety concerns *as per the* provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015. All the measures should be taken by the State Government to prevent children residing in the Children’s Homes, SAAs, Observation Homes and Open Shelters from risk of harm arising out of COVID-19 pandemic.

5. In light of the above and keeping in view the gravity and seriousness of the issue, it is hereby requested to your good office to kindly initiate the process of reconciling the data of children living in different CCIs within your jurisdiction and a comprehensive report along with copies of all the documents (legible, clear and translated in English) as mentioned in point (3)(b) above be sent to the Commission within **15 Days** from the date of receipt of this letter.

Yours Sincerely  
Sd/-

**(Priyank Kanoongo)**  
Chairperson, NCPCR

**Copy for necessary action to-**

**Chairperson(s)**

State Commission for Protection of Child Rights (SCPCRs)  
Of all States/UTs  
(As per the list attached)

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**F. No. (3)-2021-22/NCPCR/CH**

**Dated: 13.05.2021**

**Dear Sir,**

National Commission for Protection of Child Rights (**hereinafter referred to as the 'Commission'**) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing second wave of the Covid-19 pandemic is impacting slightly a greater number of younger people. A third wave of COVID-19 is projected to hit the country according to experts and will affect children too, the Supreme Court of India has emphasised upon the need to prepare for the same including vaccinating people of age groups with young children.

3. In view of the above, you are requested to kindly share protocols/guidelines developed by ICMR for treatment and clinical management of children with COVID-19 positive with the Commission. These protocols/guidelines shall be further shared by NCPCR with the State Commissions for Protection of Child Rights (SCPCRs) for dissemination in States/UTs. Further keeping in view, high risk involved for children in upcoming third wave of COVID-19, you may kindly apprise the Commission, if additional protocols/Guidelines have been developed by ICMR for prevention and clinical management of children. This information may kindly be shared at the earliest with NCPCR on [cp.ncpcr@nic.in](mailto:cp.ncpcr@nic.in).

With Regards,

Yours sincerely,

Sd/-

**(Priyank Kanoongo)**  
Chairperson, NCPCR

**Prof. Balram Bhargava**

Secretary DHR & Director General,  
Indian Council of Medical Research (ICMR),  
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**F. No.NCPCR/(4)-2021-22/CH**

**Dated: 15.05.2021**

**Dear Sir,**

National Commission for Protection of Child Rights (NCPCR) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing Covid-19 pandemic is impacting several children and adolescents as India grapples with escalating virus cases in the second wave of this pandemic situation. Doctors have confirmed that even newborns and infants are testing Covid-19 positive, though their condition remains under control and rarely turns fatal. Further, a third wave of Covid-19 is projected to hit the country and according to experts it may affect children in large numbers. There are guidelines on the management of the new born in a maternity ward and in the Neonatal Intensive Care Unit (NICU), but there is an urgent need to reorganize a Neonatal/children Emergency Transport Service (NETS) to prepare specifically for neonatal and children for third wave of Covid-19.

3. Keeping in view high risk involved for infants and children in upcoming third wave of COVID-19, you are requested to kindly issue necessary directions for emergency transport services/ambulances suitable for children and neonatals. In this regard NNF clinical guidelines for neonatal emergency transport services may kindly be referred. Steps taken in this regard may kindly be shared with the Commission on [cp.ncPCR@nic.in](mailto:cp.ncPCR@nic.in).

With Regards,

Yours sincerely,

Sd/-

**(Priyank Kanoongo)**  
Chairperson, NCPCR

**Shri. Rajesh Bhushan,**  
Secretary (H&FW)  
Ministry of Health & Family Welfare, GOI,  
[E.mail-secyhfw@nic.in](mailto:E.mail-secyhfw@nic.in)

**Copy to-**

**Dr. Arun Kumar Singh,**

National Advisor

Rashtriya Baal SwasthyaKaryakaram (RBSK), MOH&FW

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**F. No. NCPDR/(5)-2021-22/CH**

**Dated: 19.05.2021**

**Dear Sir,**

National Commission for Protection of Child Rights (NCPDR) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing Covid-19 pandemic is impacting several children and adolescents as India grapples with escalating virus cases in the second wave of this pandemic situation. Doctors have confirmed that even new born and infants are testing Covid-19 positive, though their condition remains under control and rarely turns fatal. Further, a third wave of Covid-19 is projected to hit the country and according to experts it may affect children in large numbers.

3. Recently Ministry of Women and Child Development (MWCD), GOI has acknowledged the support by Indian Academy of Paediatrics by providing expert care for children residing at Govt. Child Care Institutions. In addition, in view of the anticipated vulnerability associated amongst children in upcoming third wave of COVID-19, NCPDR would like to deliberate upon preventive aspects to be undertaken to monitor and mitigate the risk factors for children with Indian Academy of Paediatrics and Paediatric Association of India, its State bodies and State Commissions for Protection of Child Rights (SCPCR) through a virtual meet.

4. You are requested to kindly give convenient suitable date in last week of May, 2021. A line of confirmation on [cp.ncpdr@nic.in](mailto:cp.ncpdr@nic.in) will be appreciated.

With Regards,

Yours sincerely,

Sd/-

**(Priyank Kanoongo)**  
Chairperson, NCPDR

**Dr. Piyush Gupta,**

President,  
Indian Academy of Paediatrics  
E.mail- [centraloffice@iapindia.org](mailto:centraloffice@iapindia.org)

**Dr. S. A. Krishna**

President,  
Paediatrics Association of India  
E-mail: [ped.asso.ind@gmail.com](mailto:ped.asso.ind@gmail.com)



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**F. No.(5)-2021-22/NCPCR/CH**

**Dated: 20.05.2021**

**To**

**Principal Secretary/Secretary**

Department of Health & Family Welfare  
All States/UTs (as per the list attached)

**Dear Sir/Madam,**

National Commission for Protection of Child Rights is a statutory body constituted under Section (3) of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing second wave of the Covid-19 pandemic is impacting slightly a greater number of younger people. Doctors have confirmed that even new born and infants are testing Covid-19 positive, though their condition remains under control and rarely turns fatal. A third wave of COVID-19 is projected to hit the country and according to the experts it will affect children too.

3. Keeping in view, high risk involved for infants and children in upcoming third wave of COVID-19, NCPCR has developed a format to collect information on functioning of NICU/PICU & SNCU from the States/UTs. For this, all States/UTs, Health & Family Welfare Departments are requested to assign a nodal officer, who would be responsible for providing data of the State, on the online form (Link for online form is <https://forms.office.com/r/hzGK6acEC6>). This information would enable the Commission in ensuring the better implementation of facilities and strengthening of each NICU/PICU/SNCU of State/UTs. Kindly ensure that the requisite information duly filled and verified in attached form shall reach to the Commission within 7 days from the date of receipt of this letter.

With Regards,

Yours sincerely,

Sd/-

**(Priyank Kanoongo)**

Chairperson, NCPCR

**Copy to-**

**Secretary (H&FW)**

Ministry of Health & Family Welfare, GOI  
Nirman Bhavan, New Delhi-110011  
[E.mail-secyhfw@nic.in](mailto:E.mail-secyhfw@nic.in)

**Copy for information and necessary action to-**

**Chairperson(s)**

State Commission for protection of Child Rights (SCPCRs)  
All States/UTs  
(As per the attached list)

Yours sincerely,

Sd/-

**(Priyank Kanoongo)**  
Chairperson, NCPCR

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**F. No. NCPCR/(6)-2021-22/CH**

**Dated: 28.05.2021**

**Dear Madam,**

National Commission for Protection of Child Rights (NCPCR) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned the function of inquiring into complaints and to take *suo-moto* notice of matters related to deprivation and violation of child rights in the country.

2. The ongoing Covid-19 pandemic is impacting several children and adolescents as India grapples with escalating virus cases in the second wave of this pandemic situation. Doctors have confirmed that even new born and infants are testing Covid-19 positive, though their condition remains under control and rarely turns fatal.

3. Keeping in view high risk involved for infants and children in COVID-19, NCPCR has requested ICMR to send guidelines/protocols for management of Covid -19 in the paediatric age group and list of medicines and investigation suggested for treatment of children. List received from ICMR is enclosed for your kind reference.

4. You are requested to kindly provide information on price regulation of the medicines mentioned in the attached list. Further, please provide information, in case NPPA regulates price of tests/investigation, testing kits or material etc. kindly share the requisite information with the Commission at the earliest on [cp.ncPCR@nic.in](mailto:cp.ncPCR@nic.in).

With Regards,

Yours sincerely,

Sd/-

**(Priyank Kanoongo)**  
Chairperson, NCPCR

**Smt. Shubhra Singh,**

Chairman

NPPA, Department of Pharmaceuticals, Ministry of Chemical and Fertilizers, GOI  
3rd/5th Floor, YMCA Cultural Centre Building 1, Jai Singh Road,  
New Delhi, India - 110001

[E.mail- chairman.nppa@nic.in](mailto:chairman.nppa@nic.in)

**List of drugs required**

1. Paracetamol – Syrup formulation in 2 strengths – 125mg/5mL and 250mg/5mL.
2. Amoxicillin – Syrup
3. Dexamethasone- Tab
4. Methyl prednisolone – Injection
5. Methyl prednisolone – Tab
6. Prednisolone – Tab
7. Remdesivir
8. IVIG
9. Aspirin
10. Enoxaparin
11. Liposomal Amphotericin B

**List of investigations suggested**

- RT PCR for SARS-CoV2
- CBNAAT/TrueNaat for SARS-CoV2
- Rapid antigen test for SARS-CoV2
- Hemogram
- Liver function test, kidney function test
- CXR
- HRCT chest if required
- CRP, LDH, D-Dimer, Ferritin ( at least CRP and D-Dimer if not all)
- IL-6 (optional)

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F.No. CP/NCPCR/Legal/Misc/2021

Date-27.05.2021

To,  
Principal Secretary  
Department of Education/  
Directorate of Education  
All States/UTs

**Subject- “Ensuring fundamental right to education of every child amid Covid19 and Document prepared by NCPCR with its recommendations for dealing with children who have been orphaned or have lost either of the parent due to COVID-19”**

National Commission for Protection of Child Rights (*hereinafter referred to as the Commission*) is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009. In one of the functions laid down under Section 13 of the CPCR Act, 2005, the Commission has been assigned with the function to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation.

2. As we are witnessing, the current pandemic has affected lives of many people all around the country. Among them, children are the ones whose life have been disturbed in more than one way irrespective of their current living condition. Not only has their routine changed significantly, some have lost their one or both parents, or someone close in family that may have an everlasting impact on their growth and development.

3. One of the first consequences of such an event is on the continuation of their education especially when the earning parent/guardians have lost their life in this pandemic and the child is studying in a non-government i.e. a private school. Elementary education is a fundamental right of every child and the responsibility to provide free and compulsory elementary education to a child, till its completion, lies with the appropriate Government. It is equally a responsibility of the Government that no child is forced to leave a school or is forced to take transfer to another school, unwillingly.

4. As per section 12 (1)(c) of the RTE Act, 2009, the private schools have to admit at least 25 percent of children belonging to socially disadvantaged groups or weaker sections at the entry level for which the expenditure is reimbursed by the Government as per the defined criteria. The children may face problem in continuing their studies in case of death of the earning parent/guardian and this further affects child's mental health, adding to the struggle in coping with the loss.

Contd...

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5. Therefore, keeping in view of the issues involved for children who have lost their family support or have lost either of the parent due to COVID-19, the Commission has prepared a document after due consultations with SCPCRs (State Commissions) for dealing with children affected due to COVID-19 which is in accordance with the provisions and rules laid down under the Juvenile Justice Act, 2015 and Juvenile Justice (Model Rules), 2016 respectively. The Commission has, by way of this document outlined the procedure and functions of each child protection authority/officer as given under the Juvenile Justice Act, 2015 and simultaneously, also made certain recommendations for the State Government and the other relevant authorities, which if implemented, can ensure the welfare and well-being of the child.  
**(Copy of the document enclosed)**

6. Hence, with regard to the issue of right to education of such children and to prevent the children from discontinuing their studies due to financial crisis, there are some recommendations that have been made by the Commission in the enclosed document for the State Governments, District Education Officers (DEO) and Schools and in addition the Commission also recommends the following-

- i. In case of death of one or both parents of the child and/or the earning member of the family and the child is studying in private school, the expenditure on elementary education of such children in the same school may be borne by the appropriate Government under section 12 (1) © of the RTE Act, 2009.
- ii. For this, the child along with guardian/any member of the family; and/or the school where the child is studying shall approach the Child Welfare Committee (CWC) of the district. Based on proceedings before the CWC, the child may be included in the list of children already admitted in the school under section 12 (1)© of the RTE Act, 2009. The school shall then follow the appropriate procedure to raise the demand for reimbursement of the expenditure as per respective State RTE Rules.
- iii. The implementation of these recommendations made in the enclosed documents and herein shall apply to all categories of schools entrusted with the responsibility under section 12(1) of the RTE, Act- aided, unaided private schools; specified category schools. Schools with minority institution status and all residential schools shall also follow the procedure and ensure that no such child is forced to leave the school in any manner against the child's choice due to non-payment of fees.
- iv. For classes above VIII (beyond RTE), the State Government shall devise guidelines for the schools and/or issue necessary directions and/or devise a policy for reimbursing the expenditure on education of these children.





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GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली- ११०००१  
NEW DELHI-110 001



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7. The Commission requests and recommends your good offices to direct all officers/authorities under your department to implement the recommendations made in the enclosed document and in this letter of the Commission and would like to further request that all schemes/entitlements/scholarships which are applicable/recommended by the CWC for the child must be given to him/her on priority. For this, it is recommended that the State Government may issue appropriate notification/guidelines with directions to officers/authorities at District/Block level for implementation of recommendations at the earliest.

**Encls. As above.**

**Yours sincerely,**

**Sd./  
(Priyank Kanoongo)  
Chairperson**

Copy to-

Smt. Anita Karwal, Secretary (School Education & Literacy), Ministry of Education,  
Government of India, New Delhi. Email- [secy.sel@nic.in](mailto:secy.sel@nic.in)



स्नेह, शिष्टा,  
स्वास्थ्य और सुरक्षा  
करो बालपन की रक्षा

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## **NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS (NCPCR)**



**"PREVENTING CHILD TRAFFICKING POST LOCK DOWN SITUATION  
DUE TO COVID-19 PANDEMIC"**

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GoI	GOVERNMENT OF INDIA
MHA	MINISTRY OF HOME AFFAIRS
MWCD	MINISTRY OF WOMEN AND CHILD DEVELOPMENT
MHRD	MINISTRY OF HUMAN RESOURCE DEVELOPMENT
MoSJE	MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
MoL&E	MINISTRY OF LABOUR AND EMPLOYMENT
MoRD	MINISTRY OF RURAL DEVELOPMENT
MoMA	MINISTRY OF MINORITY AFFAIRS
MoTA	MINISTRY OF TRIBAL AFFAIRS
MoHFW	MINISTRY OF HEALTH AND FAMILY WELFARE
MHUPA	MINISTRY OF HOUSING AND URBAN POVERTY ALLEVIATION
MoUD	MINISTRY OF URBAN DEVELOPMENT
PFDA	PENSION FUND REGULATION DEVELOPMENT AUTHORITY
NHRC	NATIONAL HUMAN RIGHTS COMMISSION
SCPCR	STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS
JJ ACT	JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015
MGNREGA	MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE ACT
CNCP	CHILD IN NEED OF CARE AND PROTECTION
DC	DEPUTY COMMISSIONER/DISTRICT COLLECTOR
DM	DISTRICT MAGISTRATE
SSP	SENIOR SUPERINTENDENT OF POLICE
DDO	DISTRICT DEVELOPMENT OFFICER
BDO	BLOCK DEVELOPMENT OFFICER
DCPO	DISTRICT CHILD PROTECTION OFFICER
CDPO	CHILD DEVELOPMENT PROGRAMME OFFICER
DSWO	DISTRICT SOCIAL WELFARE OFFICER
DLO	DISTRICT LABOUR OFFICER
DEO	DISTRICT EDUCATION OFFICER
DISE	DISTRICT INSPECTOR OF SCHOOL EDUCATION
AHTU	ANTI HUMAN TRAFFICKING UNIT
SJPU	SPECIAL JUVENILE PROTECTION UNIT
CWC	CHILD WELFARE COMMITTEE
JJB	JUVENILE JUSTICE BOARD
CMO	CHIEF MEDICAL OFFICER
VCPC	VILLAGE CHILD PROTECTION COMMITTEE
VLEC	VILLAGE LEVEL CHILD EDUCATION COMMITTEE
SMC	SCHOOL MANAGEMENT COMMITTEE
NGO	NON GOVERNMENT ORGANISATION
CSO	CIVIL SOCIETY ORGANISATION

**“PREVENTING CHILD TRAFFICKING POST LOCK DOWN SITUATION DUE TO COVID-19 PANDEMIC”**

This document is WITH reference to the Minutes of the Meeting shared by the Commission regarding “National Level Multi-stakeholders E-Consultation Meeting to Combat Child Trafficking Post Lock Down Situation due to COVID-19” held virtually on 8<sup>th</sup> May 2020. Further, the document also refers to the inputs received and observations made by the Commission through various discussions conducted virtually with SCPCRs, other stakeholders, rescue operations conducted during lockdown period, inquiries taken up by the Commission and the guidelines issued by Ministry of Home Affairs (MHA) i.e. “Advisory on Preventing and Combating Human Trafficking, especially during the period of COVID-19 pandemic” vide dated 06<sup>th</sup> July 2020.

It has been noted that recommendations to “*Combat Child Trafficking, Post Lock Down Situation due to COVID-19*” needs to be focused on *Preventive* aspects at the *Source, Transit and Destination* Hotspot States. Since apprehensions have been raised by various stakeholders that Child Trafficking may rise during and after COVID-19 lockdown situation, NCPCR has outlined recommendations from preventive aspects, to be referenced to for the time being, during extra ordinary circumstances due to COVID-19 lockdown. However, it may be noted that comprehensive Standard Operating Procedures (SOP) for “Combating of Trafficking for Persons in India” has already been published by NHRC in 2017 which can be referred to at ([https://nhrc.nic.in/sites/default/files/sop\\_CTPI\\_19012018.pdf](https://nhrc.nic.in/sites/default/files/sop_CTPI_19012018.pdf)). In case of any confusion related to preventive aspects recommended by NCPCR, the SOP of NHRC and Advisory issued by MHA vide dated 6<sup>th</sup> July 2020 (*Annexure-E*) may be referred to, which shall prevail over and above NCPCRs recommendations.

The key recommendations from preventive aspects, emanating from the discussions of the Commission as mentioned above requiring immediate attention to be taken on priority are as follows;

**PREVENTION IS THE KEY TO COMBATING CHILD TRAFFICKING:**

Though human trafficking is a continuous process wherein perpetrators operate in different manners throughout the year, however, in the aftermath of a calamity, disaster or pandemic there is an exponential increase in this phenomenon. Such circumstances amplify the conditions that enable and attract traffickers. Children become soft targets who fall prey to the clutches of these predators constantly in search of an easy catch offline and online. The crime committed is serious and often committed through an organised nexus. The children they exploit are extremely vulnerable. With family members, bread-earners deceased or affected by disaster, land and livelihoods destroyed and food and shelter hard to come by, people are more inclined than ever to take desperate actions.

Often the predators are known people from within the community and/or village and operate by means of allurements of children in the guise of good education, employment and better life.



For online cyber crimes, Ministry of Home Affairs has approved a Scheme namely ‘Cyber Crime Prevention against Women and Children (CCPWC)’ under which an online Cyber Crime reporting portal, ([www.cybercrime.gov.in](http://www.cybercrime.gov.in)) has been launched to enable public to report complaints pertaining to Child Pornography/ Child Sexual Abuse Material, rape/gang rape imageries or sexually explicit content. This portal facilitates the public to lodge complaints anonymously or through report and track option. Steps have also been taken to spread awareness, issue of alerts/advisories, training of law enforcement agencies, improving cyber forensic facilities etc. These steps help to prevent such cases and speed up investigation. A handbook on Cyber Safety for Adolescents/Students has been released (Copy available on [www.cybercrime.gov.in](http://www.cybercrime.gov.in) and [www.mha.gov.in](http://www.mha.gov.in)) and sent to all States/ Union Territories for wide circulation. Cyber Crime awareness campaign has been launched through Twitter handle (@CyberDost) and radio across the country.

This information related to cyber crimes needs to be disseminated at the time of District, Block and Village level meetings. Grievances/complaints related to this aspect needs to be made at the National Cyber Crime portal of cyber crime of Ministry of Home Affairs.

Apart from conventional methods of modus-operandi, the traffickers are also found to be in the guise of placement agents promising lucrative jobs or education, leveraging online technological platforms for targeting children. Hence, as preventive measures, it should be ensured that vulnerable children at their *Source* and *Destination* States are mapped and they receive the benefits and entitlements enlisted in various schemes provisioned by the Government of India or State Government.

During post lock-down situation of COVID-19 pandemic, the Commission is of the view that a distinct process comprising of preventive measures at *Source*, *Transit* and *Destination* Hotspots is required to be undertaken.

The aforementioned process should outline the basic indicators for identification of vulnerable families and children at risk of trafficking at the village/urban habitation level and provided with a safety mesh at the family level. The Commission has observed that providing benefits of various welfare schemes provisioned by the State/Centre Governments to the vulnerable families makes the preventive process more family centric. Once the family is provided with benefits of the relevant Government Welfare Schemes from the perspective of the best interest of child, the family in turn becomes child centric; family being considered as the primary unit of child security. Hence, the Commission feels that providing the vulnerable family with the social protection cover shall reduce the risk of a child getting trafficked.

To enable this process, discussions at District, Block and Village levels are required to be undertaken and identification and matching of the vulnerable families at *Source*, *Transit* and *Destination* is

important. Hotspots having children at risk with the available Governmental Welfare schemes beneficial for the family is required to be done. The entire process needs to be tracked at the Village, Block, District, State and National level. State Commission for Protection of Child Rights (SCPCRs) and National Commission for Protection of Child Rights along with CSOs and other stakeholders shall play a key role in monitoring this process. Also, it may be ensured that the discussions are held keeping into consideration that some of the Hotspots may be treated as *Source* as well as *Destination*.

**During the process of discussions at various levels mentioned herein, it must be ensured that preventive measures with regards to containment zones prescribed in the Advisory issued by MHA are strictly adhered to “During” and “Post Lockdown Situation”. Social distancing and usage of face masks should be ensured along with other prescribed measures for prevention of COVID-19 spread. Discussions should be conducted virtually wherever possible with available means of digital platforms.**

[https://www.mha.gov.in/sites/default/files/MHAOrder\\_29062020.pdf](https://www.mha.gov.in/sites/default/files/MHAOrder_29062020.pdf).

The preventive measures to combat child trafficking at the *Source*, *Transit* and *Destination Hotspots* post COVID-19 lock down is as follows;

#### **SOURCE HOTSPOTS:**

In the process of evolving coordination mechanism, the State Government may undertake may undertake identification of the Hotspot ‘*Villages*’ and ‘*Urban Habitations*’ prone to child trafficking in the Districts. Assessment of any/all such “*Children and Vulnerable Families at Risk*” of being trafficked in such *villages* and *urban habitations* is required to be undertaken. To enable this process, routine discussions of concerned stakeholders is required to be held at District, Block and Village Levels. NGOS/CSOs wherever active must also be part of all such discussions.

#### **Initiatives at the Level of Child Welfare Police Officer as mentioned in Section 107 of JJ Act, 2015:**

The Child Welfare Police Officers of Thana/Police Station of trafficking prone areas should hold a discussion with Village/Town/ Mohalla Safety Committee to keep a tab on all suspected persons, trafficking convicted persons, previously accused in trafficking etc. SJPU, based on their existing mechanism, should alert the Safety Committees regarding such persons who are under scanners of police with regard to trafficking related activities.

#### **District Level Initiatives:**

- Deputy Commissioner/District Magistrate should hold a meeting with concerned officials viz. Senior Superintendent of Police (SSP)/(SP), District Development Officer (DDO), Block Development Officer (BDO), Panchayat Officer, Rural Development Officer (RDO), CDPO, DCPO, DSWO, DLO/DLI, DEO/DEEO/Dist.ISE, CWC, JJB, SJPU, AHTU, CMO, PHED, RTO, District Employment Officer and prepare duty chart of officials regarding their individual roles and

responsibilities for discussions to be conducted at Village Levels and Urban Habitations for identification of “*Children and Vulnerable families at Risk*” of being trafficked in every Village Level discussions. Also, the data of the families, labourers and migrants who have migrated from towns to villages during COVID-19 pandemic should also be considered during the discussions.

- The officials concerned present in the discussions presided by DM/DC or his representative shall issue subsequent orders not later than 2 working days regarding roles and responsibilities of village/ block level officials of their department to be executed during the Village/Urban Habitation Level discussions.
- The District Child Protection Officer (DCPO), under the direction of DM/DC needs to prepare a Block wise schedule for conducting “Village/Urban Habitation Level Discussions” with concerned stakeholders at Village Level and at Block Level (if required or necessary) so that no child or vulnerable family at risk is left out under any circumstances.
- The DCPO should present all the requisite information collected from the Block and Village Level for DM/DC to examine every case and take appropriate action based on the recommendations made at the village level discussions.
- The information with the *Schedule of Village Level Discussion* to be organised by the authority, the schedule of which shall be sent timely by the DM/DC to the State Commission for Protection of Child Rights (SCPCR), State Level Authorities (State Child Protection Society, State Education Department etc) , Public Representatives of the district and NCPCR for the purpose of monitoring. NCPCR/SCPCR may like to participate in any of the scheduled discussions randomly through virtual means. The names and contact details of the above mentioned members should be part of the minutes of the discussions. **The contact details of nodal person from each village to be provided to SCPCR/NCPCR and other State Level Officials by the DC/DM.**

#### ***Panchayat Level Initiatives***

- In extension to the role of Panchayat mentioned at pt. no. 7 (v) in the Advisory issued by MHA on 6 July 2020, i.e. “Because children can be transported on a large scale for wage labour, prostitution and trafficking, **Panchayats may be asked to maintain a register** of complete information about the persons living in the village and keep track of their movement”, additionally, the Panchayat may also identify the “Children and Vulnerable Families at Risk” of child trafficking at village/urban habitations. To maintain profiles of such “Children and Families”, deliberations are required to be held at the village level discussions based on the Indicators mentioned at *Annexure A* and the Schemes of Centre and State Government as beneficial for them should be matched as per *Annexure B*. Various Committees/officials are required to be part of discussions scheduled at Village Level viz.:

Sl. No.	Name of Committee/ Official	Responsibility
1.	Sarpanch	<ul style="list-style-type: none"> <li>- Overall Supervision. Ensuring distribution of Ration under Pradhan Mantri Garib Kalyan Yojana, over and above the provision of 5 kilograms of grain per month under the NFSA as announced by Prime Minister under the said scheme.</li> <li>- Gathering and providing information of all such children and families at risk in accordance to the indicators mentioned at <b>Annexure A</b></li> </ul>
2.	Panchayat Secretary	<ul style="list-style-type: none"> <li>- Provide Assistance to various Committees in overall coordination and execution of discussions. Ensuring, as their mandate, the vulnerability of family at risk. Gather information of all such children and families at risk in accordance to the indicators mentioned at <b>Annexure A</b> and matching them with Governmental schemes mentioned at <b>Annexure B</b></li> <li>- Gathering and providing information of all such children and families at risk in accordance to the indicators mentioned at <b>Annexure A</b></li> </ul>
3.	Village Level Child Protection Committee (VCPC)	<ul style="list-style-type: none"> <li>- Along with Panchayat Secretary, coordinate with other committees to ensure that all rights are being guaranteed to children at risk and vulnerable families and undertake identification, mapping and matching process as per <b>Annexure A, Annexure B and Annexure C.</b></li> </ul>
4.	Village Resource Group/ Village Committee of MGNREGA (VRG/ VCM- MGNREGA)	<ul style="list-style-type: none"> <li>- Ensuring, as per their mandate, to reduce vulnerability of families at risk.</li> <li>- Gathering and providing information of all such children and families at risk in accordance to the indicators mentioned at <b>Annexure A</b></li> </ul>
5.	Gram Panchayat Level Education Committee (VLEC)	<ul style="list-style-type: none"> <li>- Ensure that all children are enrolled in School; especially children of migrant families who have returned to the village after lock-down and all children who are out of school due to various reasons.</li> </ul>
6.	School Management Committees (SMCs)	<ul style="list-style-type: none"> <li>- Provide information of all such children who are not attending schools or are facing difficulties due to certain family related issues or other concerns which can put a child at risk.</li> </ul>
7.	Head Masters of Schools	<ul style="list-style-type: none"> <li>- Ensure that the ration of MDM is being provided to all children and families, especially families who have reached to the village after migration post lock-down due to COVID-19.</li> <li>- Ensure scholarship Scheme to the beneficiary</li> <li>- Focus on education of children with special needs.</li> <li>- Implementation of instructions issued by State Government and MHRD during schools physically</li> </ul>

Sl. No.	Name of Committee/ Official	Responsibility
		<p>remaining closed due to COVID-19 lockdown.</p> <ul style="list-style-type: none"> <li>- Information and awareness regarding “Swayam Prabah” scheme through various means including local radio station etc.</li> <li>- Gathering and providing information of all such children and families at risk in accordance to the indicators mentioned at <b>Annexure A</b></li> </ul>
8.	Gram Panchayat Level Women and Child Protection Committee (GPWCPC)	<ul style="list-style-type: none"> <li>- Ensure supply of Ration/Food/THR especially for the families who have reached the villages after migration. Aanganwadi facilities to children, undertake vaccination assessment and mapping of all children requiring the same, assessment of disability, serious ailments amongst children and in families</li> </ul>
9.	Aanganwadi Worker/s	
10.	ASHA Worker/s	
11.	ANM	
12.	Doctor of PHC (if located in that Village)	
13.	Common Service Centre/Digital Kiosk	<ul style="list-style-type: none"> <li>- To assist families in filling up forms and online uploading necessary documents for availing schemes.</li> </ul>
14.	NGOs/CSOs	<ul style="list-style-type: none"> <li>- NGOs/CSOs active in the District working on child rights/human trafficking issues may assist the process at village level in coordination with various committees and provide any other assistance as indicated by the concerned District Level Authority to be executed at village level, under intimation to the office of DM/DC.</li> </ul>

**Note:** Panchayat level initiatives includes- villages under the panchayat, hence the expectation is (Sarpanch/Sachiv) of Panchayat.

- The Basic Indicators positioned as **Annexure A** may be leveraged during identification of children at risk of trafficking and vulnerable families whose risks can be reduced by linking them with benefits of Schemes of Centre & State Governments suiting their profiles and as beneficial to them keeping into consideration the best interest of child.
- The Panchayat Secretary and Village Child Protection Committee (VCPC) shall ensure that proper matching of profiles of children at risk in vulnerable families requiring advantage of Government Schemes as beneficial to them is done thoroughly at village level as per **Annexure B** and documenting the list as per table provided at **Annexure C**.

### **Block Level Initiatives**

- The Block Level Child Protection Committee (BLCPC) including the local police unit shall ensure that the village level initiatives are organised and conducted as per the Block Level Schedule prepared by DCPO. The list of “Children at Risk” and “Vulnerable Families” received from village level should be vetted at the Block level. The Block Level Committee should also

hold Block Level Assessments, if required to ensure that all children at risk and vulnerable families are covered and no such child or family is left out due to any reason for availing benefits of schemes of Centre/State Governments beneficial for them. For example, Sponsorship, Scholarship, Foster Care, Open Shelter as per JJ Act 2015 and other applicable schemes as indicated in **Annexure B**.

- The BLCPC should also facilitate restoration of the trafficked children, rehabilitation, reintegration and repatriation, if called for.
- The measures taken at Village Level and Block Level should also include making necessary recommendations for children at risk and vulnerable families at risk wherever required. The information of same should be provided to the District Administration. DM/DC shall ensure that the information recorded as per **Annexure C** must be shared to the District Administration must share this information with SCPCR and NCPCR for monitoring purposes.

**Note:**

- The Basic Indicators and Schemes should be translated in regional language by State Child Protection Society under the direction of SCPCR for convenience of use during Village Level and Block Level meetings.
- The indicators at **Annexure-A** and **Annexure B** may be customised at the District/State Level as per requirements. Matching of profiles of families and children at risk should be done as per Schemes indicated at **Annexure B**. The data for documenting the records of children at risk and vulnerable families should be as per **Annexure C**. The indicative list for identification of Hotspot Districts is placed at **Annexure D**.
- NCPCR/SCPCR should be provided information in the prescribed format at **Annexure C** by the DC/DM for the purpose of Monitoring.
- Minutes of the discussions are required to be maintained by respective Committees and the same is required to be shared with SCPCRs/State Level Authorities/DM/DC/Other District Level Authorities and NCPCR for monitoring.
- Wherever the children at risk or vulnerable families face technical glitches i.e. non availability of documents like PAN card, Aadhar card, BPL card, ration card, income proofs, birth certificates, photographs, basic stationary material etc. the concerned Local Authority should bear expenses related to filling of forms and other basic requirements viz photographs, stationary etc., the expenses should be borne by the Committees from their contingency funds.
- The documents required should be provisioned on priority. Any hurdles faced by the Committee in provisioning the same should be informed to the District Administration immediately. Also, in case contingency funds are not available at village level/ urban habitation level, information of the same should immediately be provided to the Block Level and subsequently to District level with

immediate effect. DCPO shall ensure that all such requirements are expeditiously met by the District Authorities.

- SCPCR/NCPCR may monitor this process and take cognizance of the matter wherever violations or lacunas are found for immediate redressal u/s 13 (1) of the CPC Act, 2005. Under no circumstances any child or family should remain deprived of their entitlements/ benefits due to technical glitches.
- The District level committee and the DM as well as the SSP may ensure to strengthen and mentor the Anti Human Trafficking Clubs of colleges to become watch-dogs using virtual platforms during the extra ordinary situation during and post lock down period due to COVID-19 pandemic by attending to all that can prevent the ‘demand’ of child trafficking
- The information collection from Villages should be received at Block and District Level in a time bound manner without any delay. District Administration should ensure that the entire exercise should be completed within one (1) month. It should be ensured that no child is left out during the completion of the exercise.

*\* It should be ensured that the information of vulnerable children should not reach traffickers or such notorious elements under any circumstances.*

## TRANSIT HOTSPOTS

The Transit Hotspot areas are typically the route through which the victim is taken to the place of intended exploitation by the trafficker. It is also possible that some of the Hotspots maybe treated as Source. and/or Destination as well apart from being Transit Hotspot. As preventive strategy at Transit Hot Spots, following could be undertaken;

- Anti Human Trafficking Units (AHTUs) under monitoring of Superintendent of Police (SP), Law Enforcement Agency may assess the inter-State and intra-State source, *Transit* and *Destination* routes of child trafficking and to cooperatively work out modalities to prevent child trafficking post lock-down situation of COVID-19 pandemic. During the first discussions at District Level, Transit Hotspots viz. Bus STATIONS, Routes, Highways, Villages connected with Highways, Villages with Stations which work as potential inter-state trafficking hotspot, Railway Stations, State and National borders, Airports, Hotels, Dharamshalas, Immigration offices at borders, Custom offices at borders should be identified and recorded.
- Transit points such as railway stations and bus stops be kept under continuous surveillance and any one taking a child or woman along with him/herself who does not appear to be comfortable in his/her company should immediately be checked/questioned by GRP personnel or men from the District Police.
- In case of inter- State and intra State transit hotspot, the Deputy Commissioner/District Magistrate

(DC/DM) may ensure that adequate information sharing on the rights of migrants, how to reach out to help, if required, the details of the help-lines and contact person etc. in various languages should be displayed through posters, electronic display of messages etc.

- Convergence meetings maybe chaired by DM/DC to ensure convergence as indicated on pt. no. 7 (1) of the “Advisory on Preventing and Combating Human Trafficking, especially during the period of COVID-19 pandemic” issued by MHA vide dated 06 July 2020. (Ref page 34 of this document).
- It should be ensured that the every Transit Hotspots should have provision of Children Homes.
- DCPO should create awareness and generate sensitization of GRPs, Railway Officials, Station Masters, Coolies, Porters, Vendors inside the Railway stations, Trains, Bus Stops, Airways, Sea ways, State Transport Officers regarding transit hotspots and combating child trafficking should be done. If they are inter State; -intra State hotspots identification of language experts for translation of information dissemination should be done.
- Proactive action needs to be undertaken to prevent trafficking by involving other stakeholders apart from those identified here. Form networks with transit service providers and law enforcement agencies in transit route and destination areas. Ensure meticulous collection of intelligence to ensure that the crime of trafficking is prevented before it occurs.
- Regular vigil by NFS, NCC, Youth Groups, AHT Clubs may also be undertaken virtually, keeping in mind the COVID-19 situation at the Transit Hotspots to alert the authorities and help in prevention of child trafficking in their surroundings and adjacent areas.
- Centralized database to be created to organize all the information collected overtime for speedy sharing of information and tracking of accused persons, transit routes and detection of multiple offenders. Store information regarding the profile of the victim, the convicted persons and placement agencies, massage parlors, begging rings, escort agencies etc. Also use existing databases such as ‘track the missing child’, ‘PENCIL’, etc.
- The list of previously identified traffickers and suspected persons should be shared by VCPC with BCPC and local Thanas and AHTUs who in turn share the same with stakeholders like police thanas, GRPs, Railway Police, Transport Commissioners etc. SCPCRs in coordination with the State Police and DCPUs should ensure that a confidential system of sharing information/intelligence regarding such traffickers is undertaken.
- During collection of Intelligence following points should be kept in mind viz; (a) Identify sources for information collection (b) Analyze information of Clients and Complainants c) Remain informed about important role players (d) Intelligence of Beat constable is vital (e) a reasonable SWOT analysis of the information should be done (e) Background study of area and people should

be done (f) Stakeholders involved in organized crime should be identified (g) Possible stumbling blocks in respective teams should be identified.

- It should be displayed in local languages at prominent locations of Transit Hotspots that; If in transit, then can also report at the following, besides the above. Railway: GRP, RPF Cross Border: BSF, CRPF, CBI, SSB Childline or Women's helpline or any other helpline.
- The Process mentioned in Source and Destination Hotspots may be followed if the Transit Hotspot area is also identified as Source/Destination Hotspot.
- Advisories/Guidelines issued w.r.t Human/Child Trafficking by MHA is required to be followed up strictly. Any gaps in implementation should be discussed by SCPCRs with the concerned stakeholders and monitoring of the adherence may be done by the SCPCRs.
- Involvement of NGOs/CSOs active in the District working on child rights/human trafficking issues is desirable to assist the office of DC/DM/SP in coordination work and any other assistance as indicated by DC/DM/SP or the concerned District Level Authority.

## DESTINATION HOTSPOTS

Destination Hotspot is the area or place where the victim of trafficking is brought to be exploited for economic gain and other forms of exploitation. Trafficking is a basket of crimes; hence, while the victim maybe being trafficked for the end exploitation, he/she maybe the victim of many crimes even before reaching the destination. The crime starts at a source area where the first actor in the chain of trafficking takes an action to recruit a victim, follows through transit areas through which the victim is transported to the destination where he/ she is exploited for some form of economic gain. However, exploitation may happen at various stages by multiple traffickers during the chain of the crime of trafficking. Some of the Destination Hotspots may also qualify to be Source and Transit. However, the recommendations for Destination Hotspots for Combating Child Trafficking are as follows:

- As mentioned in Advisory published by MHA at pt. no. 7 (viii) police personnel in outposts on borders should be trained to look-out for trafficked children on the borders. They should be sensitized to question and detect unaccompanied minors/children or accompanying adults with suspicious behavior during checking of vehicles/public transport. Railway and Transport Department personnel may be associated with the crime meetings conducted by AHTUs from time to time as keeping a watch on suspicious movement of people from one place to another can play a crucial role in checking this crime.
- As mentioned in advisory issued by MHA at pt. 7 (ii), **Generation of Awareness at all levels** is considered a very potent and effective weapon to fight against the crime of human trafficking and exploitation of women and children. Therefore, special awareness generation campaigns may be organised by the District Administration to spread awareness at all levels, Panchayat, Taluka,

Districts, every nook and corner of the State to protect vulnerable sections of society. **Making the community** aware of the perils of falling in the hands of unscrupulous persons who try to dupe them with promises of better life is of vital importance. Media plays a critical role in the spread of information. States and UTs may strengthen their digital and online channels and **generate awareness by all means of communication** viz. radio, television, newspapers, mobile phones and other publicity mediums. Ensure translation and audio-visualization of messaging and communication materials and other information into languages and formats commonly spoken and easily understood by all children and youth on the move.

- Special Juvenile Police Units (SJPU), based on their existing mechanism, should alert the Safety Committees regarding such persons who are under scanners of police with regard to trafficking related activities. Review of missing/lost and found children's list should also be done on routine basis.
- A discussion with placement agencies should be done at local Thana level to ensure no child has been brought for the purpose of child labour. CWCs and DCPUs and AHTUs may undertake random checks and inspection visits of such placement agencies.
- A complete record of all placement agencies should be documented at the Thana level. Placement agencies should mandatorily have identity proof including the copies of Aadhar Cards of labourers engaged by them for any purpose.
- DC/DM should also review in the discussions with officials, District, Block and Village wise list of Private & Regular Placement Agencies existing and active in the area and it should be ensured that all placement agencies are mapped, registered, and regularized.
- DC/DM shall ensure strict adherence to zero engagement of child labour is done at District, Block, Village/Urban Habitation level for the identified businesses, processing units, example Bricklins etc., the DM/DC should coordinate with the concerned departments' viz. labour, mining, panchayat and fix duties for mapping, identification and checking to ensure that at the place of work, no child has been engaged for the purpose of child labour.
- At the identified Destination Hotspots by State Government, District Administration/Public Representatives should hold discussion with Resident Welfare Associations (RWAs) and members other residential areas that no child is engaged as a domestic help in their Society. The RWAs should be motivated to raise complaints regarding any child being used as domestic help in their society. Child helpline numbers, emergency response number 112 and 1098 etc. should be displayed in public places to keep a check on child trafficking. Emergency Response Support System may be widely publicized to provide quick response.



- The Labour Department should undertake inspections of factories, processing units etc on daily basis and hold discussions with associations of traders, factories etc. to ensure that no child has been trafficked for the purpose of labour situation.
- Since child trafficking can also happen in the guise of child marriage, DCMPO should ensure that any cases of child marriage are immediately reported to District Level Authority and child marriages are prohibited at village/urban habitation levels.
- As mentioned in the Advisory of MHA mentioned above, at pt. no. 7 (vii) viz. Police Officers should be advised to undertake preventive steps such as identification of children in distress, watching out for suspicious persons, keeping special vigil at transit points, viz. Railway Stations, Bus Depots, Airports, Seaports, Border areas etc., and identify vulnerable population and susceptible pockets in the State etc.
- As mentioned in Advisory issued by MHA vide 06<sup>th</sup> July 2020 “It may be ensured that shelters for destitute women and children in need remain open and additional facilities are made available for women and girls; virtual and/or telephone counselling services should be provided and appropriate measures should be undertaken to ensure privacy for women and girls” . In districts where there is scarcity or lack of such shelter home, children or additional facilities in such case as per Section 51 (1) of the Juvenile Justice (Care and Protection of Children) Act, 2015, “the Board or the Committee shall recognize a facility being run by a Governmental organisation or a voluntary or Non-Governmental organisation registered under any law for the time being in force to be fit to temporarily take the responsibility of a child for a specific purpose after due inquiry regarding the suitability of the facility and the organisation to take care of the child in such manner as may be prescribed.”
- SCPCR/NCPCR may monitor this process and take cognizance of the matter wherever violations or lacunas are found for immediate redressal u/s 13 (1) of the CPC Act, 2005. Under no circumstances any child or family should remain deprived of their entitlements/ benefits due to technical glitches.
- The VCPC and other committees/members/NGOs/CSOs/youth groups at village level should give information of any unidentified/unregulated/secretly operating placement agencies/persons offering jobs to families/children in cities or any other place should be informed to SJPU and District Level Authority and ensure compliance of zero engagement of children i.e. below the age of 18 years in any kind of domestic labour or servitude.
- Youth groups and community/village leaders should be mobilized to become watchdogs for predators of trafficking in hunt of children.

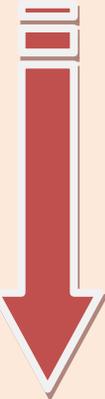


#### **4. ROLE OF NGOs /CIVIL SOCIETY ORGANISATIONS**

Civil Society Organisations play a vital role in the process of preventing child trafficking at Source, Transit and Destination Hotspot areas at the District, Block and Village Level. The Civil Society organisations, active in Source; Transit and Destination Hotspots may assist in the following role viz;

- May Provide secretarial assistance in conducting of discussions at the District Level
- May track village level discussions
- May assist in customizing of Indicators based on local issues
- May assist in tracking, mapping and matching of profiles of *Children at Risk* and *Vulnerable Families* who shall require availing of Schemes, provisioned by State and Centre Government, as beneficial to them.
- May support law enforcement agencies in their work.
- Civil Society Organisations may also bring to the notice of NCPCR/SCPCR wherever lacunas, gaps, challenges, insufficiencies in process and emerging child rights related issues are observed during the process of identification of child and family at risk at Village, Block and District Levels.
- The Commission shall intervene in all such matters put forward by CSOs/NGOs regarding violations, deprivations and lacunas in smooth execution of the preventive process outlined by MHA in its Advisory dated 06 July 2020 and suggestions as indicated in this document. The Commission shall treat such matters as grievances/complaints, take cognizance u/s 13 (1) of the CPCR Act, 2005 and issue necessary directions as appropriate to the concerned official/authorities in the matter, The Commissions shall not redress such complaints till the time satisfactory action is completed by the concerned authority/official and report of which is shared by the Civil Society Organization to NCPCR/SCPCR. Commission shall monitor and track all such cases through the CSOs.
- Provide any/all other assistance in effective completion of the process of identification, mapping and matching as per Annexure A, B and C.
- NCPCR shall hold discussions with various Civil Society Organisations active in various parts of the country wherever their field presence is available.
- The Commission shall also reach out to all the NGOs registered on the DARPAN portal of NITI Aayog. The Commission shall also request the NGO platform of NITI Aayog to request all the concerned NGOs to extend their support the exercise of identification.

**DEFINING VULNERABILITY AMONGST CHILDREN****BASIC INDICATORS TO IDENTIFY “CHILDREN AT RISK” & “VULNERABLE FAMILIES”:**

- 
- 
- Status of Enrolment in School
    - (a) Never enrolled (b). enrolled but not attending, (c) dropped out.
  - Status of Enrolment in Aanganwadi
    - (a) Never enrolled (b). enrolled but not attending, (c) dropped out.
  - Family Condition:
    - (a) Neglect of children (b) Gender discrimination
  - Families having:
    - Having children requiring sponsorship as per Section 45 of the JJ Act 2015; Child requiring sponsorship; where the mother is a widow or divorced or abandoned by family; where children are orphan and are living with the extended family; where parents are victims of life threatening disease; where parents are incapacitated due to accident and unable to take care of children both financially and physically.
  - Children with special needs (CWSN)
  - Disability in Family
  - Transgender Children
  - Poor health conditions making the children vulnerable
  - Old age Parents
  - No access to health services
  - Unable to obtain Gainful Employment
  - Relatives or family members already migrated or settled in cities
  - Families whose children are survivors of trafficking
  - Family members in contact with suspected people
  - Debts/Loan burdens
  - Affected by natural calamities
  - Affected by COVID-19 cases:
    - Causality in family due to any reason

- Accident in Family
- Marital Discords
- Abuse in the Family: Misbehavior/ Discrimination/Children Unhappy due to various Reasons
- History of alcoholism
- Children who are victim of Substance Use or Risk of Substance Use
- Victim of child labour activity in village or possibility of getting indulged into child labour
- History of children absconding/Running away from home
- Economic deprivation condition of family which makes child vulnerable to trafficking

**Note:**

- The indicators listed above are broad and suggestive. The list is required to be customized and prepared at District/Block/Village Level based on individual families habiting in the community.
- The customization of the basic indicators can be customized at *Source, Transit* and *Destination* Hotspots.
- To facilitate the process of preventive aspects recommended by NCPCR in seamless manner, it is extremely important to garner Community participation. Community members, youth groups, NGOs/CSOs must become part of this in close coordination and intimation of the District Level Authority.
- Sarpanch & Panchayat Secretary along with various committees mentioned in this document at village level should ensure that the proper “Matching of the profiles of “Children at Risk” and “Vulnerable families” who should get benefits to Government Schemes beneficial for them.
- Match children 'missing' in the village with that of 'rescued children' elsewhere and also the children rescued in the village with that of the children 'missing' elsewhere. If this convergence of missing and rescued can be facilitated, it will help in preventing child trafficking.



## SCHEMES/PROGRAMS/ACTS AND AUTHORITIES OF GOVERNMENT OF INDIA

Sl. No.	Scheme/Program	Ministry	Purpose
1.	Aadhar	MoE&IT	Aadhar number is a 12-digit random number issued by the UIDAI (“Authority”) to the residents of India after satisfying the verification process laid down by the Authority. Any individual, irrespective of age and gender, who is a resident of India, may voluntarily enroll to obtain Aadhaar number. Person willing to enroll has to provide minimal demographic and biometric information during the enrolment process which is totally free of cost. An individual needs to enroll for Aadhaar only once and after de-duplication only one Aadhaar shall be generated, as the uniqueness is achieved through the process of demographic and biometric de-duplication.
2.	MNREGA	MoRD	<p>Mahatma Gandhi National Rural Employment Guarantee Act is the way by which the people belonging to the rural areas of India are given an employment opportunity up to 100 days in the financial year to for their families.</p> <p>The nature of the work under this scheme is unskilled Labour work. States have notified their respective Mahatma Gandhi NREGA Schemes, as per the requirement of the Act. The Scheme formulated by the State Government, should provide for the minimum features specified in Schedule I. Persons employed under any State Scheme made under the Act shall be entitled to minimum facilities listed in Schedule II of the Act.</p> <p>These State Schemes have to be consistent with the amendments made, from time to time, to the Act and its Schedules. MGNREGA provides a number of legal entitlements to rural workers through a series of provisions in the law. While the Act makes provision for a hundred days work per rural household in a year, it is the strong legal framework of rights and entitlements that come together to make the hundred days of work per year possible. It is therefore essential that the implementation of Mahatma Gandhi NREGA is read, understood and implemented keeping the entitlements in view.</p>
3.	Ujjwala	MoWCD	A Comprehensive Scheme for Prevention of Trafficking and Rescue, Rehabilitation and Re- Integration of

Sl. No.	Scheme/Program	Ministry	Purpose
			Victims of Trafficking for Commercial Sexual Exploitation
4	Pradhan Mantri Garib Kalyan Yojna	Department of Food and Public Distribution under Ministry of Consumer Affairs	To overcome the economic impact of novel corona virus COVID-19 induced lockdown on the poor, Prime Minister Narendra Modi, soon after the imposition of lockdown on March 24,2020 announced a relief of Rs 1.70 lakh crore under the Pradhan Mantri Garib Kalyan Yojana which is extended till November 2020 over and above the provision of 5 kilograms of grain per month under the NFSA.
5.	Deen Dayal Upadhyay Antyodaya Yojana	MoRD	Issue of ration cards following the recognition of Antyodaya families; unique quota cards to be recognised and "Antyodaya Ration Card" must be given to the Antyodaya families.
6.	Child Protection Scheme (ICPS)	MoWCD	<p>The Integrated Child Protection Scheme (ICPS) is a centrally sponsored scheme aimed at building a protective environment for children in difficult circumstances, as well as other vulnerable children, through Government-Civil Society Partnership.</p> <p><b>The CPS : Objectives</b></p> <p>CPS brings together multiple existing child protection schemes of the Ministry under one comprehensive umbrella, and integrates additional interventions for protecting children and preventing harm. CPS, therefore, would institutionalize essential services and strengthen structures, enhance capacities at all levels, create database and knowledge base for child protection services, strengthen child protection at family and community level, ensure appropriate inter-sectoral response at all levels.</p> <p>The scheme would set up a child protection data management system to formulate and implement effective intervention strategies and monitor their outcomes. Regular evaluation of the programmes and structures would be conducted and course correction would be undertaken.</p>
7.	After Care u/s 43 of JJ Act, 2015	Central Government Act JJ Act, 2015	<p>After-care organization.—The State Government may, by rules made under this Act, provide—</p> <p>(a) for the establishment or recognition of after-care organisations and the functions that may be performed</p>

Sl. No.	Scheme/Program	Ministry	Purpose
			<p>by them under this Act;</p> <p>(b) for a scheme of after-care programme to be followed by such after-care organisations for the purpose of taking care of juveniles or the children after they leave special homes, children homes and for the purpose of enabling them to lead an honest, industrious and useful life;</p>
8.	Foster Care u/s 44 of JJ Act, 2015	Central Government Act JJ Act-2015	<p>The children in need of care and protection (CNCP) may be placed in Foster Care, including group foster care for their care and protection through orders of the Child Welfare Committee, after following the procedure as may be prescribed in this regard, in a family which does not include the child's biological or adoptive parents or in an unrelated family recognised as suitable for the purpose by the State Government,</p> <p>for a short or extended period of time.</p>
9.	Sponsorship of Children u/s 45 of JJ Act, 2015	Central Government Act	<p>The State Government shall make rules for the purpose of undertaking various programmes of sponsorship of children, such as individual to individual sponsorship, group sponsorship or community sponsorship.</p> <p>2. The criteria for sponsorship shall include,—</p> <ol style="list-style-type: none"> <li>i. where mother is a widow or divorced or abandoned by family;</li> <li>ii. where children are orphan and are living with the extended family;</li> <li>iii. where parents are victims of life threatening disease;</li> <li>iv. where parents are incapacitated due to accident and unable to take care of children both financially and physically.</li> </ol> <p>3. The duration of sponsorship shall be such as may be prescribed.</p> <p>4. The sponsorship programme may provide supplementary support to families, to Children's Homes and to special homes to meet medical, nutritional, educational and other needs of the children, with a view to improving their quality of life.</p>
10.	Production before Child Welfare	As per JJ Act, 2015 with its Model	<p>As per 31 of the JJ Act, 2015 (1) Any child in need of care and protection may be produced before the Committee by any of the following persons, namely:— (i) any police</p>

Sl. No.	Scheme/Program	Ministry	Purpose
	Committees Welfare Committee (CWC)	Rules 2017	officer or special juvenile police unit or a designated Child Welfare Police Officer or any officer of District Child Protection Unit or inspector appointed under any labour law for (ii) any public servant; Production before Committee. (iii) Childline Services or any voluntary or non-governmental organisation or any agency as may be recognised by the State Government; (iv) Child Welfare Officer or probation officer; (v) any social worker or a public spirited citizen; (vi) by the child himself; or (vii) any nurse, doctor or management of a nursing home, hospital or maternity home: Provided that the child shall be produced before the Committee without any loss of time but within a period of twenty-four hours excluding the time necessary for the journey
11.	National Scholarship Schemes	MoMA	<b>1. Pre Matric Scholarships Scheme for Minorities</b> The scholarship at pre-matric level will encourage parents from minority communities to send their school going children to school, lighten their financial burden on school education and sustain their efforts to support their children to complete school education. The scheme will form the foundation for their educational attainment and provide a level playing field in the competitive employment arena. Empowerment through education, which is one of the objectives of this scheme, has the potential to lead to upliftment of the socio economic conditions of the minority communities.
12.		MoMA	<b>2. Post Metric Scholarship Scheme</b> The objective of the scheme is to award scholarships to meritorious students belonging to economically weaker sections of minority community so as to provide them better opportunities for higher education, increase their rate of attainment in higher education and enhance their employability
13.		MoSJ&E	<b>3. Pre Metric Scholarship for Students with Disabilities</b>
14		MoL&E	Financial Assistance for Education of the Wards of Beedi/ Cine/ IOMC/ LSDM \Workers - Post-Matric & Pre-Metric (a) Scheme for Award of Financial Assistance for Education (Scholarship) to the Children of Beedi Workers (b) Scheme for Award of Financial Assistance for

Sl. No.	Scheme/Program	Ministry	Purpose
			<p>Education (Scholarship) to the Children of Iron Ore, Manganese Ore &amp; Chrome Ore Mine (IOMC) Workers (</p> <p>(c) Scheme for Award of Financial Assistance for Education (Scholarship) to the Children of Limestone &amp; Dolomite Mine (LSDM) Workers</p> <p>(d) Scheme for Award of Financial Assistance for Education (Scholarship) to the Children of Cine Workers</p>
15	National Child Labour Projects(NCLP)	Ministry of Labour and Employment	<p>The objective of this project is to eliminate child labour in hazardous industries. Under this scheme, the target group is all children below 14 years of age who are working in occupations and processes listed in the Schedule to the Child Labour (Prohibition &amp; Regulation) Act, 1986 or occupations and processes that are harmful to the health of the child.</p>
16.	Central Sector Scheme for Rehabilitation of Bonded Labourer – 2016	MoL&E	<p>(i) The Scheme is a Central Sector Scheme which comes into effect from 17th May, 2016.</p> <p>The State Governments are not required to pay any matching contribution for the purpose of cash rehabilitation assistance. (ii) The Rehabilitation package is Rs.1,00,000/- per adult male beneficiary. Beneficiary shall have the option to either deposit it in an annuity scheme or receive cash grant. The District Administration will assess the cash requirement of the beneficiary and exercise its best judgment in the matter and put the money under annuity scheme with the consent of the said adult male. (iii) For special category beneficiaries such as children including orphans or those rescued from organised and forced begging rings or other forms of forced child labour. and women. the amount of rehabilitation assistance shall be 2 lakhs out of which at least 1,25,000/- shall be deposited in an annuity scheme in the name of each beneficiary and the balance amount shall be transferred to the beneficiary account through ECS. (iv) In cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as trans-genders, or women or children rescued from ostensible sexual exploitation such as brothels, massage parlours, placement agencies etc., or trafficking, or in cases of differently abled persons, or in situations where the District Magistrate deems fit, the rehabilitation assistance shall be 3 lakhs, out of which at least</p>

Sl. No.	Scheme/Program	Ministry	Purpose
17.	NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015	MoL&J	<p>The objective of the Scheme is to provide legal services to address the concerns of victims of trafficking including women of all age groups and at every stage: i.e. prevention, rescue and rehabilitation.</p> <p>The thrust of the scheme is to provide economic and social pathways for these marginalized groups so that they are socially included and thus get all social protections available to an ordinary citizen. The interventions of the legal services authorities should be to ensure the protection of the dignity of the victims which is as much their fundamental right to a life as of any other citizen.</p> <p>In order that the already marginalized voluntary sex workers are not excluded from the assistance of the legal services authorities, they are also considered victims of commercial sexual exploitation, apart from those children and adults who are trafficked for the purpose.</p> <p>The DLSA with support of concerned department could facilitate the applicant to fulfill the procedure stipulated under each scheme and comply with all the due diligence processes. This would include enabling the applicant to get supportive documents that are required to be furnished in order to establish eligibility for the benefits under any scheme, such as getting proof of residence, age certificate, etc. Once all the due diligence is over and the scheme sanctioned, DLSA should provide support to the community till the scheme gets delivered or the benefit reaches the beneficiary.</p> <p><b>The Available Schemes</b></p> <ol style="list-style-type: none"> <li>1. ICDS or Childcare development ---0-6 years, pregnant women and lactating mothers (as care givers)</li> <li>2. Food security or ration cards</li> <li>3. Social security or Pension for the elderly women</li> <li>4. Educational schemes including mid-day meal, bridge schools, residential schools of Samgra Siksha Abhiyan, scholarships for primary, secondary and higher education etc.</li> </ol>



Sl. No.	Scheme/Program	Ministry	Purpose
18.	Schemes under Pradhan Mantri's Atma Nirbhar Bharat		To deal with the economic situation of COVID-19 Pandemic, the Prime Minister, Shri. Narendra Modi, announced a special economic package of Rs 20 lakh crore (equivalent to 10% of India's GDP) with the aim of making the country independent against the tough competition in the global supply chain and to help in empowering the poor, labourers, migrants who have been adversely affected by COVID. Some major highlight announcements in various have been listed below:
19.	Pradhan Mantri Kisan Kalyan Yojana	MoF&FW	<p>Pradhan Mantri Kisan Samman Nidhi (PM- KISAN) is a Central Sector scheme with 100% funding from Government of India.</p> <ul style="list-style-type: none"> <li>- The Scheme is effective from 1.12.2018.</li> <li>- Under the Scheme an income support of Rs.6000/- per year is provided to all farmer families across the country in three equal installments of Rs.2000/- each every four months.</li> <li>- Definition of family for the Scheme is husband, wife and minor children.</li> <li>- The entire responsibility of identification of beneficiary farmer families rests with the State / UT Governments.</li> <li>- The fund is directly transferred to the bank accounts of the beneficiaries.</li> <li>- Farmers covered under the Exclusion Criteria of the Operational Guidelines are not eligible for the benefit of the Scheme.</li> <li>- For enrollment, the farmer is required to approach the local patwari / revenue officer / Nodal Officer (PM-Kisan) nominated by the State Government.</li> <li>- The Common Service Centres (CSCs) have also been authorized to do registration of the farmers for the Scheme upon payment of fees.</li> <li>- Farmers can also do their self-registration through the Farmers Corner in the portal.</li> <li>- Farmers can also edit their names in PM-Kisan database as per their Aadhaar database / card through the Farmers Corner in the portal.</li> <li>- Farmers can also know the status of their payment through the Farmers Corner in the portal.</li> </ul>

Sl. No.	Scheme/Program	Ministry	Purpose
20.	Ayushman Bharat Yojana	MoH&FW	The National scheme that aimed at making necessary interventions in primary, secondary and tertiary health-care systems, in a holistic fashion.
21.	Swarnajayanti Gram Swarozgar Yojana (SGSY).	MoRD	Self-employment programme to raise the income-generation capacity of target groups amongst poor
22.	Deendayal Disabled Rehabilitation Scheme	MoSJ&E	Create an enabling environment to ensure equal opportunities, equity, social justice and empowerment of persons with disabilities.
22.	National Career Service (India) (NCS)	MoL&E	Under this scheme, an online job-portal named as National Career Service portal has been launched which acts as a common platform for Job-seekers, employers, skill providers, govt. departments, placement organisations and counsellors.
23.	Pradhan Mantri Kaushal Vikas Yojana	MoSD&E	To provide encouragement to youth for development of employable skills by providing monetary rewards by recognition of prior learning or by undergoing training at affiliated centres.
24.	Pradhan Mantri Gramin Awaas Yojana (PMAY)	MoRD	Provides financial assistance to rural poor for constructing their houses themselves
25.		MoHUPA	To enable better living and drive economic growth stressing on the need for people centric urban planning and development.
26.	Pradhan Mantri Suraksha Bima Yojana	MoF	Accidental insurance with a premium of Rs. 12 per year.
27.	Pradhan Mantri Jeevan Jyoti Bima Yojana	MoF	Life insurance of Rs. 2 lakh with a premium of Rs. 330 per year.
28.	Pradhan Mantri Jan Dhan Yojana	MoF	National Mission for Financial Inclusion to ensure access to financial services, namely Banking Savings & Deposit Accounts, Remittance, Credit, Insurance, and Pension in an affordable manner.
29.	RNTCP	MoHFW	Tuberculosis control initiative.

Sl. No.	Scheme/Program	Ministry	Purpose
30.	Swarnajayanti Gram Swarozgar Yojana	MoRD	Pension scheme to the workers in unorganised sector. Any citizen who is not part of any statutory pension scheme of the Government and contributes between Rs. 1000 and Rs. 12000/- per annum, could join the scheme. The Central Government shall contribute Rs.1000 per annum to such subscribers.
31.	Atal Pension Yojana	PFRDA	Atal <b>Pension Yojana</b> is a pension scheme introduced by the Government of India in 2015–16. It was implemented with an objective to provide pension benefits to individuals in the unorganised sector. This scheme is regulated and controlled by the Pension Funds Regulatory Authority of India (PFRDA). One of the primary conveniences of the <b>Atal Pension Yojana</b> is the facility of automatic debit. The bank account of a beneficiary is linked with his/her pension accounts and the monthly contributions are directly debited. On that account, individuals who have subscribed to this scheme shall ensure that their account has sufficient finances to entertain such automatic debit, failing which shall attract a penalty.
32.	National Rural Livelihood Mission (NRLM)	MoRD MoRD	This scheme will reduce poverty of urban poor households specially street vendors who constitute an important segment of urban poor by enabling them to access gainful self-employment and skilled wage employment opportunities.
33.	National Urban Livelihood Mission (NULM)	MoHUPA	The scheme primarily ensures equitable share to a girl child in resources and savings of a family in which she is generally discriminated as against a male child.
34.	(Girl Child Prosperity Scheme)		A scheme initiated by the Government of India, which literally means Girl Child Prosperity Scheme. The prime aim of the scheme is to encourage parents of a girl child in order to create a fund for the future education and marriage expenses for their child
35.	AMRUT	MoUD	To enable better living and drive economic growth stressing on the need for people centric urban planning and development.
36.	Pradhanmantri-Van Dhan Yojana		The Ministry of Tribal Affairs and TRIFED launched the Van

Sl. No.	Scheme/Program	Ministry	Purpose
			Dhan scheme in 2018. The Van Dhan scheme aims at the economic development of tribals involved in the collection of Minor Food Produces (MFPs) by helping them in optimum utilization of natural resources and providing them with a sustainable livelihood.
37.	Schemes for good roads, safe drinking water, school		For villages where vulnerability is higher amongst its inhabitants due to lack of facilities of good roads, drinking water and schools etc. which enhances the risks of being vulnerable, the benefits of above listed schemes beneficial for them should be made available.



1. Name of Village:
2. Panchayat/ Block Address:
3. Pin Code:

<b>FORMAT FOR MATCHING ELIGIBILITY OF GOVERNMENT SCHEME/S</b>						
<b>Sl. No.</b>	<b>Name of Head of the Family</b>	<b>Name of the Child</b>	<b>Mobile No./Email ID</b>	<b>Eligible for State/Centre Government Scheme (Name of the Scheme)</b>	<b>Documents Available</b>	<b>Documents not Available</b>
1						
2						
3						
4						
5						
5						
6						
7						
8						
9						
10						
11						
12						
18						
19						
20						

**Note: 1 Form each is required to be filled for each family.**

## INDICATIVE LIST OF DISTRICTS WITH NO. OF VILLAGES

WEST BENGAL

Sl. No.	District	Sub Division	Blocks	Gram Panchayat	Villages	
1	North 24 Parganas		22	200	1609	
		<i>Barasat</i>		9	81	
		<i>Barrackpur-I</i>		8	38	
		<i>Barrackpur-II</i>		6	21	
2	South 24 Parganas		29	312	2042	
		<i>Dimond Harbor</i>		8	67	
		<i>Kolkata</i>		150	982	
3	Paschim Mednipur		29	290	8694	
4	Nadia		17	187	2639	
5	Murshidabad		26	254	1937	
6	Malda		15	146	3701	
7	South Dinajpur		8	64	2317	
8	North Dinajpur		9	98	1494	
9	Darjeeling		12	134	687	
10	Jalpaiguri		13	146	733	
11	Alipurduar		6	66	47	
12	Cooch Behar		12	128	1194	
13	Kalimpong		3	42	51	
Grand Total			201	2067	27145	

Source: Census 2011

**ASSAM**

The following table depicts the indicative Hotspot Districts and the probable reasons for trafficking and the destination in Assam viz:

Sl. No.	Name of the District	Reasons for Trafficking	Probable destinations
1	Dhemaji (Tribal and Backward communities)	Labour	Arunachal Pradesh, Delhi, Bengaluru, Hyderabad, Kerala, Tamilnadu
2	Lakhimpur (Tribal, Tea garden and Backward communities)	Labour	Arunachal Pradesh, Delhi, Bengaluru, Hyderabad, Kerala, Tamilnadu
3	Tinsukia (Tea garden communities)	Labour	Arunachal Pradesh, Delhi, Mumbai
4	Baksa (Tribal and Tea garden communities)	Marriage, Labour, Prostitution	Delhi, Mumbai, Haryana, Rajasthan
5	Chirang (Tribal Communities)	Marriage, Labour, Prostitution	Delhi, Mumbai, Haryana, Rajasthan
6	Kokrajhar (Tribal and Adivasi communities)	Marriage, Labour, Prostitution	Delhi, Mumbai, Haryana, Rajasthan, Karala, Tamilnadu
7	Dhubri (Minority and Backward communities)	Marriage, Labour, Prostitution	West Bengal, Hyderabad, Karala, Tamilnadu
8	Barpeta (Minority community)	Marriage, Labour, Prostitution	West Bengal, Hyderabad
9	Sonitpur (Tea garden community)	Marriage, Labour, Prostitution	West Bengal, Haryana, Kerala, Tamilnadu, Bengaluru
10	Biswanath (Tribal and Tea garden communities)	Marriage, Labour	Delhi, Mumbai, West Bengal, Haryana, Kerala, Tamilnadu, Bengaluru, Rajasthan
11	Darrang (Minority community)	Marriage, Labour, Prostitution	West Bengal, Haryana, Kerala, Tamilnadu, Bengaluru
12	Nagaon (Minority community)	Marriage, Labour, Prostitution	West Bengal, Haryana, Kerala, Tamilnadu, Bengaluru
13	Morigaon (Tribal and Minority communities)	Marriage, Labour, Prostitution	West Bengal, Haryana, Kerala, Tamilnadu, Bengaluru

Source::Assam SCPCR

**By Speed Post**

No. 24013/4/2020-ATC  
Government of India  
Ministry of Home Affairs  
\*\*\*

Women Safety Division, 2<sup>nd</sup> Floor,  
Major Dhyan Chand National Stadium,  
India Gate, New Delhi-110002  
July 6, 2020

To

**The Chief Secretaries of all States and UTs  
The Director General of Police of all States and UTs**

Sub: Advisory on preventing and combating human trafficking especially during the period of COVID-19 pandemic.

Sir/Madam,

Trafficking in Persons is a serious crime affecting a large number of people across the globe. Human trafficking not only affects women and children but also men. Trafficking in persons can be both cross-border as well as within the country, from one State to another. Traffickers often exploit the vulnerabilities of people by making false promises of a new job, better income, better living conditions and support to their families etc. While such promises of perpetrators appear legitimate to people, unfortunately it makes many men, women, and children easy prey for exploitation.

2. Domestic violence, psychological or emotional abuse, neglect and other forms of trauma and violence makes a person vulnerable to human trafficking, who may be looking for a release from his present situation. Children and youth are more likely to be persuaded or tricked by criminals who take advantage of their emotional instability and missing support system. Once trafficked, the victims fall prey to many forms of unfair treatment such as forced prostitution, forced labour, forced begging, forced marriages etc.

3. The outbreak of COVID-19, starting about mid-March, has put the world under enormous strain and continues to affect the lives of a large number of people. The Government of India has taken various measures to flatten the infection curve. In close consultation and coordination with State/UT Governments, the Central Government has continuously endeavoured to provide guidance to States and UTs on a range of issues through various advisories issued from time to time.

4. For strengthening the law enforcement response against trafficking in persons, the Ministry of Home Affairs has released funds to State Governments from time to time for setting up Anti Human Trafficking Units

1

(AHTUs) in 50% Police Districts of States. An amount of Rs. 25.16 crore was released to States during the period 2010 to 2019 for setting up AHTUs in 332 Districts. **Recently, a decision was taken to establish AHTUs in all Districts of States and UTs** and also establish AHTUs under the border guarding forces such as BSF and SSB in border areas to check and curb transnational trafficking. Rs. 100 crore were allocated from Nirbhaya Fund for setting up new AHTUs and for strengthening existing AHTUs, covering all districts of States/UTs. Funds have been released to States and UTs in March, 2020. Guidelines for setting up new AHTUs and upgrading the existing AHTUs were also issued to all States and UTs. **It is expected that the States/UTs would have initiated necessary action to set up and upgrade AHTUs in all Districts of States/UTs.**

5. To recapitulate the scheme of AHTUs, it may be noted that AHTUs are integrated task forces to prevent and combat trafficking in persons and comprise of a group of trained sensitive officials of Police, Women and Child Welfare Department and other relevant Departments of the State. AHTUs function as coherent units to prevent and combat trafficking. The objectives and responsibilities of AHTUs include, taking up the crusade against all criminal aspects of the crime of human trafficking; ensuring focused attention in dealing with offences of human trafficking; conducting rescue operations whenever they receive information about trafficking activities either from police sources, NGOs or civil society; ensuring a victim-centric approach; functioning as the grass root unit for collection and development of an exhaustive database on all law enforcement aspects of the crime, including information on traffickers and trafficking gangs etc. While the Central Government has provided financial assistance for setting up physical infrastructure in these Units, it is the responsibility of States to depute suitable manpower to manage these Units.

6. **States/UTs are advised to immediately set up new AHTUs and upgrade the infrastructure of existing AHTUs** in all Districts of their State/UT with the financial assistance provided by the Central Government and **make these Units functional on most urgent basis.** Suitable officers of Police and other Departments of the State/UT, especially from Women and Child Welfare Department, Labour Department, Social Welfare Department, Health and any other Department or agency of the State, considered appropriate by the State/UT, may be nominated without delay. Immediate instructions are required to be issued to these AHTUs to take proactive action in preventing human trafficking. **Labour Department of States** need to play a significant role at the present juncture and needs to pool all its resources to address the situation of exploitation of vulnerable people.

7. The following measures may be followed in all States and UTs, in close coordination and cooperation with neighbouring State authorities as well, where considered necessary:

(i) **State Governments should immediately evolve a coordination mechanism** among various departments in the States and UTs (Home Department, Police, Labour Department Social Welfare Department, Women and Child Welfare Department, Juvenile Justice Boards, Child Welfare Committees, Health Department, Railways and border guarding agencies like BSF, SSB, etc.) to handle issues of human trafficking. **This mechanism may be monitored at the highest level in the State/UT.** Periodic reviews should be held with all stakeholders and appropriate guidelines may be issued to them.

(ii) **Generation of Awareness at all levels** is considered a very potent and effective weapon to fight the crime of human trafficking and exploitation of women and children. Therefore, special awareness generation campaigns may be organised by the District Administration to spread awareness at all levels, Panchayat, Taluka, Districts, every nook and corner of the State to protect vulnerable sections of society. **Making the community aware** of the perils of falling in the hands of unscrupulous persons who try to dupe them with promises of better life is of vital importance. Media plays a critical role in the spread of information. States and UTs may strengthen their digital and online channels and **generate awareness by all means of communication** viz. radio, television, newspapers, mobile phones and other publicity mediums. Ensure translation and audio-visualization of messaging and communication materials and other information into languages and formats commonly spoken and easily understood by all children and youth on the move.

(iii) **Community awareness programmes** on the issue of missing children and its links with human trafficking should be undertaken by the District Administration. Periodic interface should be organised with Public and Safety Awareness Campaign should be conducted in vulnerable areas, jointly by the district administration.

(iv) The law enforcement agencies may **engage with representatives of local Panchayats, community leaders, Village Watch and Ward, Municipal Committees/Neighbourhood Committees/ Resident Welfare Associations** etc. This will enable the community to get involved with the administration/police in identification, tracing and recovery of missing and trafficked persons.

(v) Because children can be transported on a large scale for wage labour, prostitution and trafficking, **Panchayats may be asked to maintain a register** of complete information about the persons living in the village and keep track of their movement.

(vi) Specific 'intelligence' and 'surveillance' mechanism to identify gangs, gather information about its history, affiliations, modus operandi to deceive people, activities of gang members, links with others, etc should be worked out by the Police Department. They may be appropriately sensitised about

this. Local police should keep a close watch on known criminals and traffickers.

(vii) Police Officers should be advised to undertake preventive steps such as identification of children in distress, watching out for suspicious persons, keeping special vigil at transit points, viz. Railway Stations, Bus Depots, Airports, Seaports, Border areas etc., and identify vulnerable population and susceptible pockets in the State etc.

(viii) Police personnel in outposts on borders should be trained to look-out for trafficked children on the borders. They should be sensitized to question and detect unaccompanied minors/children or accompanying adults with suspicious behaviours during checking of vehicles/public transport. Railway and Transport Department personnel may be associated with the crime meetings conducted by AHTUs from time to time as **keeping a watch on suspicious movement of people from one place to another can play a crucial role in checking this crime.**

(ix) Child helpline numbers, emergency response number 112 etc. should be displayed in public places to keep a check on human trafficking. Use of 112 Emergency Response Support System may be widely publicised to provide quick response.

(x) Police force should **make full use of CCTNS and CriMAC application** launched by the National Crime Records Bureau in March this year, which facilitates dissemination of information about significant crimes including human trafficking cases across the country on real time basis. These portals can help in locating and identifying the trafficked victims as also in prevention, detection and investigation of crimes. **Police officers at all levels may be sensitised about this.**

(xi) Police officers, especially those handling cases of human trafficking, **should be trained and sensitized at regular intervals.** It should focus on imparting knowledge of the substantial and procedural laws, court rulings, administrative procedures, skills in child friendly investigation, including interviewing, interrogation, scientific data collection, presentation in the court of law, networking with the prosecutors, facilitating victims/witness protection programmes etc.

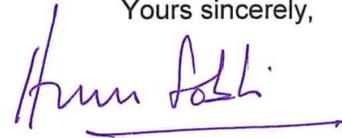
(xii) It may be ensured that **shelters for destitute women and children in need remain open and additional facilities are made available** for women and girls; virtual and/or telephone counselling services should be provided and appropriate measures should be taken to ensure privacy for women and girls.

8. The aforementioned measures are indicative and illustrative in nature. States and UTs may devise, develop and implement further strategies to counter and curb the crime of trafficking in their jurisdictions and provide relief to such victims on top priority basis. Officials at all levels may be suitably

briefed and provided guidelines in their regional/local language for better understanding and implementation of the instructions. This Ministry may be kept informed of the measures introduced in respective jurisdictions which can be emulated and adopted by other States as well.

9. **States and UTs are requested to issue suitable instructions** to all concerned in the State and sensitise officers at all levels to combat this serious and deplorable crime of human trafficking and prevent victimisation of vulnerable persons, especially women, children and youth.

Yours sincerely,



(Arun Sobti)  
Deputy Secretary (PR & ATC)  
Tele: 2307 5297  
Email: [dspr.atc@mha.gov.in](mailto:dspr.atc@mha.gov.in)

**Copy, for information and action as necessary, to:**

1. Secretary, Ministry of Women and Child Development, Shastri Bhawan, New Delhi.
2. Secretary, Ministry of Labour & Employment, Shram Shakti Bhawan, New Delhi.
3. Ministry of External Affairs, Protector of Emigrants, Akbar Bhawan, New Delhi.
4. Director General, Border Security Force, BSF HQR, Block No. 10, CGO Complex, Lodhi Road, New Delhi.
5. Director General, SSB, Force Head Quarters, East Block-V, R.K. Puram, New Delhi-110066.
6. Chairman, Railway Board, Rail Bhawan, New Delhi.
7. Principal Secretary/Secretary (Home) of all State Governments and UTs.
8. Nodal Officers for Anti Human Trafficking Units in all States and UTs.



भारत सरकार  
GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली- ११०००१  
NEW DELHI-110 001



F. No. CP/NCPCR/Legal/Misc/2021  
Date-28.05.2021

To,  
Principal Secretaries,  
Department of WCD/Social Welfare,  
All States/UTs

**Subject- "Uploading of data of children who have lost both or either of the parent to COVID-19 on NCPCR's portal- Bal Swaraj (COVID Care link)"**

This is with reference to the Commission's letter dated 26.05.2021 sent to all States/UTs regarding the issue of children who have become orphan or lost either of the parent to COVID-19. **(Copy of letter enclosed)**

2. The children who have lost both or either of the parent or are found to be without family support are child in need of care and protection under Section 2(14) of the Juvenile Justice (Care and Protection of Children) Act, 2015 and therefore, it is necessary that the right of such children are upheld and protected. These children who have become child in need of care and protection have to be produced before the Child Welfare Committee under Section 31 of the Juvenile Justice Act, 2015 and the procedure as laid down under the Act has to be followed for them.

3. The Commission, keeping in view of the rising number of children who are affected due to COVID-19 and are without family support has prepared a document outlining the procedure and functions of each child protection authority/officer as given under the Juvenile Justice Act, 2015 and simultaneously, also made certain recommendations for the State Government and the other relevant authorities. The Commission has prepared this document after holding consultations with the SCPCRs (State Commissions). **(Copy of document enclosed)**

4. The Commission has in furtherance to its function as a monitoring authority under **Section 109 of the Juvenile Justice Act, 2015**, has devised an online tracking portal "**Bal Swaraj**" for child in need of care and protection. This portal of the Commission has been created with a purpose for online tracking and digital real time monitoring mechanism of children who are in need of care and protection. Keeping in view of the current situation of COVID-19, the Commission has extended the use of this portal for tracking children who have lost both its parents or either of the parent during COVID-19 and provided an link under the name of "**COVID-Care**" on this portal for filling of data of such children by the concerned officer/department.

Contd...



5वा तल, चन्द्रलोक बिल्डिंग, ३६ जनपथ, नई दिल्ली-११०००१  
5<sup>th</sup> Floor, Chanderlok Building, 36 Janpath, New Delhi-110001  
दूरभाष/Ph:011-23478200, फैक्स / Fax:011-23724026  
Web: [www.ncpcr.gov.in](http://www.ncpcr.gov.in), , Lodge your complaint at :  
[www.ebaalnidan.nic.in](http://www.ebaalnidan.nic.in)



:: 2 ::

5. It is pertinent to note that **the Hon'ble Supreme Court in SMWP No. 4 of 2020 "In Re. Contagion of Covid-19 virus in Children Homes**, vide order **dated 28.05.2021** has directed all district officers across the States/UTs to fill data related to children who have become orphan or have lost either of the parent to COVID-19 **within 24 hours** on Bal Swaraj portal under the COVID-Care link. **(Copy of order dated 28.05.2021 enclosed)**

6. The login id's of district child protection officers for uploading the data on the portal and filling up the forms of social investigation report and individual child care plan as provided by the Commission have already been issued by the Commission. The login id's for all the Principal Secretaries, Department of Women and Child/Social Welfare for uploading of data on the portal concerned with the State Government is issued. Letter informing about the same has been sent to the Chief Secretaries of all the States/UTs. **(Forms of Social investigation report and individual child care plan enclosed)**

7. Therefore, it is requested that to ensure compliance of the Hon'ble Supreme Court's order dated 28.05.2021 in the aforementioned matter, all States/UTs must upload the required data of all such children who have become orphan or lost either of the parent to COVID-19 on the Bal Swaraj portal under the COVID-Care link at [www.ncpcr.gov.in/baalswaraj](http://www.ncpcr.gov.in/baalswaraj)

**Note – In case of any technical difficult in regard to portal, uploading of data or user id & password, Shri Hariom Bhardwaj Consultant IT, NCPCR may be contacted at Email: [it.ncpcr@nic.in](mailto:it.ncpcr@nic.in); Ph. +91 94166 93219.**

**Encls. As above.**

Sd/-  
**(Priyank Kanoongo)**  
Chairperson, NCPCR





F.No.CP/NCPCR/Legal/Misc/2021

Date-29.05.2021

To,  
Chief Secretaries  
All States/UTs

**Subject- “Uploading of data of children who have lost both or either of the parent to COVID-19 on NCPCR’s portal- Bal Swaraj (COVID Care link)”**

This is with reference to the Commission’s letter dated 26.05.2021 sent to all your good offices regarding the issue of children who have become orphan or lost either of the parent to COVID-19. **(Copy of letter enclosed)**

2. It is reiterated, the Commission has in furtherance to its function as a monitoring authority under Section 109 of the Juvenile Justice Act, 2015, has devised an online tracking portal “Bal Swaraj” for child in need of care and protection. This portal of the Commission has been created with a purpose for online tracking and digital real time monitoring mechanism of children who are in need of care and protection. Keeping in view of the current situation of COVID-19, the Commission has extended the use of this portal for tracking children who have lost both its parents or either of the parent during COVID-19 and provided a link under the name of “COVID-Care” on this portal for filling of data of such children by the concerned officer/department.

3. It is pertinent to note that the Hon’ble Supreme Court in SMWP No. 4 of 2020 “In Re. Contagion of Covid-19 virus in Children Homes, vide order dated 28.05.2021 has directed all district officers across the States/UTs to fill data related to children who have become orphan or have lost either of the parent to COVID-19 within 24 hours on Bal Swaraj portal under the COVID-Care link. **(Copy of order dated 28.05.2021 enclosed)**

4. The login id’s of district child protection officers for uploading the data on the portal and filling up the forms of social investigation report and individual child care plan as provided by the Commission have already been issued by the Commission. The login id’s for all the Principal Secretaries, Department of Women and Child/Social Welfare for uploading of data on the portal concerned with the State Government is issued. Letter informing about the same has been sent to the Principal Secretaries, Department of Women and Child/Social Welfare of all the States/UTs. **(Copy of letter dated 28.05.2021 to all Principal Secretaries enclosed)** **(Forms of Social investigation report and individual child care plan are available with enclosed Document prepared with regard to Children during Covid-19 is also enclosed)**

5. Therefore, it is requested that to ensure compliance of the Hon’ble Supreme Court’s order dated 28.05.2021 in the aforementioned matter, all States/UTs must upload the required data of all such children who have become orphan or lost either of the parent to COVID-19 on the Bal Swaraj portal under the COVID-Care link at [www.ncpcr.gov.in/baalswaraj](http://www.ncpcr.gov.in/baalswaraj)

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5वा तल, चन्द्रलोक बिल्डिंग, ३६ जनपथ, नई दिल्ली-११०००१  
5<sup>th</sup> Floor, Chanderlok Building, 36 Janpath, New Delhi-110001  
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GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली- ११०००१  
NEW DELHI-110 001



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:: 2 ::

Note – In case of any technical difficult in regard to portal, uploading of data or user id & password, Shri Hariom Bhardwaj Consultant IT, NCPCR may be contacted at Email: [it.ncpcr@nic.in](mailto:it.ncpcr@nic.in); Ph. +91 94166 93219.

Encls. As above.

Yours sincerely,  
Sd/-  
(Priyank Kanoongo)  
Chairperson, NCPCR



5वा तल, चन्द्रलोक बिल्डिंग, ३६ जनपथ, नई दिल्ली-११०००१  
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GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली- ११०००१  
NEW DELHI-110 001



F.No. CP/NCPCR/Legal/Misc/2021

Date-29.05.2021

To,  
Principal Secretary,  
Department of WCD/Social Welfare  
All States/UTs

**Subject- "Uploading of data of children who have lost both or either of the parent to COVID-19 on NCPCR's portal- Bal Swaraj (COVID Care link)"**

As you are already aware, about the Bal Swaraj-COVID Care portal of the Commission devised for online real time tracking of children who have lost both or either of the parent to COVID-19. A letter in this regard had also been issued to all States/UTs by the Commission dated 28.05.2021 informing about the same. The order of Hon'ble Supreme Court dated 28.05.2021 in SMWP No. 4/2020 directing all District level officers to upload data of all children who have become orphan is to be submitted on portal by the evening of 29.05.2021, was also sent to all States/UTs with the letter.

2. It is clarified that in the light of the aforesaid order of the Hon'ble Supreme Court that the data of all children who have become orphan post March 2020 is to be uploaded on the Bal Swaraj-COVID Care portal, the Commission recommends that while uploading data, concerned district officers ignore the date from which the Commission has asked to submit data in its earlier letter and upload the data from of children who have lost their parents after 1st March 2020. The Commission further clarifies that the order of the Hon'ble Supreme Court does not limit to the orphan's who have lost their parents due to COVID only, therefore, it is further advised that the data of children who have lost their either of the parents after 1<sup>st</sup> March 2020, irrespective of the reason of the death of their parents shall be uploaded.

3. The Commission requests your good offices to ensure compliance of the directions of the Hon'ble Supreme Court and upload the data of all children who have become orphan post March 2020 and not just limited to children who have become orphan due to loss of parents to COVID-19. It is further requested, that in order to comply with the directions of the Hon'ble Supreme Court, the necessary data may be uploaded on the Commission's portal at the earliest.

Yours sincerely,

Sd/-  
(Priyank Kanoongo)  
Chairperson

Copy to:

Chief Secretary, All States/UTs.



5वा तल, चन्द्रलोक बिल्डिंग, ३६ जनपथ, नई दिल्ली-११०००१  
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**IN THE SUPREME COURT OF INDIA  
ORIGINAL JURISDICTION  
SUO MOTO WRIT PETITION (C)NO. 4 of 2020**

IN THE MATTER OF:

RE CONTAGION OF COVID 19 VIRUS IN CHILDREN PROTECTION HOMES:

**APPLICATION FOR EXEMPTION FROM FILING ATTESTED  
AFFIDAVIT**

TO,  
THE CHIEF JUSTICE OF INDIA AND  
HIS COMPANION JUSTICES OF THE  
HON'BLE GAUHATI HIGH COURT

**THE HUMBLE APPLICATION OF THE  
APPLICANT ABOVE NAMED:**

**Most Respectfully Showeth: -**

1. That this Hon'ble Court has passed the order dated 28.05.2021 in the instant petition bearing SMWP(C) No. 04/2020, in compliance of which, the Commission is filing this affidavit where the steps taken by the answering respondent to safeguard the interest and security of the children is explained. The Commission is also providing data on the basis of the information uploaded by District officers on "Bal Swaraj" (Covid Care)
2. That due to urgency in filing the affidavit as well as the lockdown imposed in NEW Delhi, the answering respondent could not get the present affidavit attested.

3. That in light of the facts stated above this Hon'ble Court may kindly allow the present application in terms of the prayer made hereunder.

**PRAYER**

In the view of the above answering respondent respectfully prays that this Hon'ble Court may be graciously pleased to: -

- (a). kindly exempt the Petitioner from filing attested Affidavit; and  
(b). pass such other and further order(s) as may deem fit in the circumstances of the case.

**AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY**

**FILED BY**



**SWARUPAMA CHATURVEDI  
ADVOCATE-ON-RECORD**

**DATE: 31.05.2021  
DELHI**