

Structures and Mechanisms at the State and District Level for Protection of Children

(Excerpts taken from Training and Resource Manual for the Special Juvenile Police Unit Training and Resource Manual for the Special Juvenile Police Unit, Published by Karnataka State Police, Department of Women and Child Development and UNICEF, 2010)

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- 1. State Level Implementation, monitoring and response**
- a. Available Service
 - i. Directorate of Women and Child Development
 - ii. State Child Protection Unit at DWCD
 - iii. Additional Director General of Police (R&T) Nodal for issues related to women and children
 - iv. Karnataka State Commission for the Protection of Child Rights
 - v. Karnataka State Legal Services Authority – for free legal aid and legal advice
 - vi. Anti-trafficking Prevention Cell – Police and DWCD
 - vii. Special Juvenile Police Units of the state
 - viii. Government Homes for Children both girls and boys – shelters/crisis intervention centres
 - ix. Child Line 1098 – APSA, BOSCO and MSV – for Bengaluru city
 - x. Fit Institutions – NGO run, recognised by Government that provide crisis, short stay and other shelter programmes
 - xi. NGOs and NGO networks working on child marriage issues like CACL-K. CACT – K, including legal issues

2. District Level

a. Available Services/redressal mechanisms

i. District Administration – DC

ii. Deputy Director – DWCD

iii. District Superintendent of Police

iv. CEO of the District

v. ZP President and Secretary

vi. Child Welfare Committee – 5 members including Chairperson

vii. Special Juvenile Police Unit

viii. Government Homes for Children both girls and boys – shelters

ix. Specialised Adoption Agency

x. District Anti-trafficking Vigilance Committee

xi. Child Line (1098) in 8 districts

xii. District Legal Services Authority (for free legal aid)

xiii. Fit Institutions managed by NGOs (recognised by Government)

xiv. NGOs working on Child Marriage issues

xv. Swadhar/Santhwana centres run by NGOs for women/girls in distress or trafficked – short stay homes

xvi. 24 Ujjwala Centers run by NGOs for rescue, rehabilitation and repatriation of victims/ survivors of trafficking

3. Local level mechanisms

- a. Child Welfare Officers in every Police Station across the state – already appointed

 - b. Other Prohibition Officers under the PCM Act 2006 – CDPO, BEOs, Tasildar, Subregistrar of Dept of Births, Deaths and Marriages, TP president and secretary, etc.

 - c. Taluk level Anti-trafficking Vigilance Committee

 - d. GP secretary/president at GP level

 - e. GP level Anti-trafficking Vigilance Committee

 - f. Village Accountant at village level

 - g. Anganwadi workers
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4. National and State Commissions for Child Rights

The National Commission for the Protection of Child Rights was constituted in the year 2007 with its headquarters at Delhi. The State Commission for the Protection of Child Rights in Karnataka started functioning officially from July 2009.

The National and State Commissions are committed to the well being of all children and protection of Children's Rights. They focus on-

- Creating widespread awareness that all those under the age of 18 years are to be considered as children.
- Extending immediate and maximum support to children in distress in the most vulnerable geographical areas and social groups.
- Ensuring that all rules, regulations, laws, policies and programmes are child friendly.

The Commission is also empowered to:

- Inspect or direct inspection of Children's Homes / Hostels
- Receive petitions from the public and inquire into them
- Act suo moto on any instance of denial / violation of CRs or lack of action on implementation of child related laws that might have come to its notice
- Oversee implementation of policies, rules, directions to enforce laws, plans, decisions passed in the interest of the child & suggest appropriate action in these matters
- Recommend amendments to existing Acts and changes in existing policies after considering the shortcomings and difficulties in enforcing them
- To document its experience and those of others in the field of child development, to support research in this field

Powers of the Commission:

- The Commission is empowered to function as a Civil Court to take up any case that comes before it. The Commission has the following powers:
 - To direct any person / groups in the state /country to be present, to give statement on oath and to record the same
 - To order to search for and inspect any type of documents/records relating to any case

- ☐☐ To record evidence by an affidavit/self declaration
- ☐☐ To ask for any public documents or copies of the same from any officer of the Court
- ☐☐ To appoint persons to scrutinise witnesses or evidence materials
- ☐☐ To transfer any case to the concerned/geographically appointed Judges after hearing a case
- ☐☐ The Commission is empowered to act as follows, after hearing a case
- ☐☐ To direct the government concerned to take appropriate action against specific person/group/department found guilty of deceit or violation of child rights during inquiry of any case
- To take a case either to High Court ☐☐ or to Supreme Court requesting for an appropriate judgement
- ☐☐ To direct for the payment of compensation to the child or children if it is found that wrong decisions/ denials were meted out to the child or children

Lodging a Complaint with the Commission:

- Written complaints in any language (mentioned in the 8th Schedule of the Constitution of India) can be submitted to the Commission.
- There will be no fees.
- There must be specific information on the issue. Mere suggestions cannot be a complaint.

- The Commission may seek more information on the petitioned issue. However, complaints having no specific name and address will also receive due attention in the Commission.