

राजस्थान सरकार
निदेशालय बाल अधिकारिता

जी 3/1 अम्बेडकर भवन विस्तार, 22 गोदाम पुलिया के पास, जयपुर

क्रमांक: एफ 14(2)0 आई.सी.पी.एस./नि.बा.अ./सान्याअवि/13/14389

जयपुर दिनांक: 23.07.13

आदेश

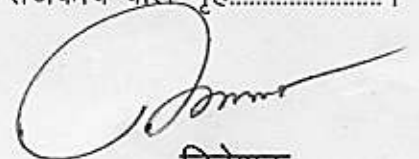
राजस्थान किशोर न्याय (बालकों की देखरेख एवं संरक्षण) नियम 2011 के नियम 31 एवं 60(1) की अनुपालना में विभिन्न संस्थाओं में बच्चों के साथ दुर्व्यवहार, शोषण एवं उपेक्षा से बचाव हेतु विस्तृत अधिसूचना मय दिशा निर्देशों (संलग्न) को तुरन्त प्रभाव से लागू किया जाता है।

(डॉ. मनजीत सिंह)
प्रमुख शासन सचिव

जयपुर दिनांक: 23/7/13

क्रमांक: एफ 14(2)0 आई.सी.पी.एस./नि.बा.अ./सान्याअवि/13/14390-640
प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु:-

1. अतिरिक्त मुख्य सचिव, महामहिम राज्यपाल महोदया, राजस्थान।
2. प्रमुख सचिव, माननीय मुख्यमंत्री महोदय, राजस्थान।
3. निजी सचिव, माननीय मंत्री महोदय, सान्याअवि., राज. जयपुर।
4. निजी सचिव, मुख्य सचिव, राजस्थान सरकार।
5. निजी सचिव, अतिरिक्त मुख्य सचिव/प्रमुख शासन सचिव सामाजिक न्याय एवं अधिकारिता/बाल अधिकारिता/ग्रामीण विकास एवं पंचायतीराज/चिकित्सा एवं स्वास्थ्य/गृह/महिला एवं बाल विकास/विधि विभाग/शिक्षा/परिवहन/अल्पसंख्यक मामलात/श्रम/जनजातीय क्षेत्रीय विकास विभाग राजस्थान सरकार।
6. मुख्य कार्यकारी अधिकारी, राजस्थान स्टेट चाइल्ड प्रोटेक्शन सोसायटी, जयपुर।
7. सदस्य सचिव, राजस्थान राज्य बाल अधिकार संरक्षण आयोग, 2, जल पथ, गांधी नगर, जयपुर।
8. समस्त जिला कलक्टर एवं अध्यक्ष, जिला बाल संरक्षण इकाई।
9. समस्त सहायक निदेशक, जिला बाल संरक्षण इकाई।
10. समस्त पुलिस अधीक्षक/उपायुक्त.....।
11. समस्त अध्यक्ष बाल कल्याण समिति.....।
12. समस्त प्रिंसीपल मजिस्ट्रेट, किशोर न्याय बोर्ड.....।
13. समस्त अधीक्षक/व्यवस्थापक, राजकीय सम्प्रेक्षण एवं बाल गृह/गैर राजकीय बाल गृह.....।
14. रक्षित पत्रावली।



निदेशक
बाल अधिकारिता

Government of Rajasthan

Directorate for Child Rights

G3/1, Ambedkar Bhawan Extension, Near Rajmahal Residency, Jaipur

S. No- F 14 (2)()/PCA/JJA/DCR/SJE/13/

Jaipur, Dated:

Notification

In pursuance of the powers vested under Rule 31 and 60(1) of the Rajasthan Juvenile Justice (Care & Protection of Children) Rules, 2011, the State Government hereby makes the following guidelines namely:-

Chapter I

Preliminary

1. Short title & commencement

- (1) These guidelines may be called the Rajasthan Guidelines for Prevention of Child Abuse, 2013.
- (2) These extend to the whole of the state of Rajasthan.

2. Definitions

(1) In these guidelines, unless the context otherwise requires:-

- (a) "Acts" means the Juvenile Justice (Care & Protection of Children) Act, 2000 and The Protection of Children from Sexual Offences (POCSO) Act, 2012;
- (b) "best interest of the child" means a decision taken to ensure the physical, emotional, intellectual, social and moral development of a child;
- (c) "child" means any person below the age of 18 years;
- (d) "child abuse" means any form of maltreatment inflicted on a child including physical abuse, sexual abuse, emotional abuse and any kind of exploitation such as child labour, forced labour, trafficking, begging and so on;
- (e) "child sexual abuse" means and includes all offences defined in The Protection of Children from Sexual Offences (POCSO) Act, 2012 as amended from time to time;
- (f) "emotional abuse" means and includes acts or omissions by person(s) in a position of responsibility, authority, and trust over a child that have caused or could cause, distress, serious behavioural, cognitive, emotional, or mental trauma to the child;
- (g) "person(s)" means any person above the age of 18 years who is in a position of responsibility, authority, and trust over a child;
- (h) "expert" means a person trained in mental health, medicine, child development or other related discipline, who may be required to facilitate communication with a child whose ability to communicate has been affected by trauma, disability or any other vulnerability;
- (i) "health centre" includes the precincts of a hospital and the precincts of any institution for the reception and treatment of persons during convalescence or of persons requiring medical attention or rehabilitation;

(j) "institution" means all formal, non-formal, registered or unregistered organizations or residential homes founded for a religious, charitable, educational, professional, commercial or social purpose including those which fall under the following legislations:-

- a) The Juvenile Justice (Care & Protection of Children) Act, 2000
- b) The Protection of Children from Sexual Offences Act, 2012
- c) The Right of Children to Free and Compulsory Education (RTE) Act, 2009
- d) The Religious Institutions (Prevention of Misuse) Act, 1988
- e) Bonded Labour System (Abolition) Act, 1976
- f) Child Labour (Prohibition and Regulation) Act, 1986
- g) Contract Labour (Regulation and Abolition) Act, 1970
- h) Factories Act, 1948
- i) Guardians and Wards Act, 1890
- j) Hindu Adoptions and Maintenance Act, 1956
- k) Immoral Traffic (Prevention) Act, 1956
- l) Maternity Benefit Act, 1961
- m) Medical Termination of Pregnancy Act, 1971
- n) The Transplantation of Human Organs Act, 1994
- o) Mental Health Act, 1987
- p) Orphanages and other Charitable Homes (Supervision and Control) Act, 1960
- q) The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
- r) National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999
- s) Religious Institutions (Prevention of Misuse) Act, 1988
- t) Hospitals/Nursing Homes/Health Centre
- u) Institutions established or run by Minority Communities
- v) Any institution or infrastructure which is established and maintained for the reception, care, protection, education and/or development of children

Explanation: For the purposes of this section, institution includes those unregistered organisations such as play-schools, temporary and permanent crèches, day care centres, private tuition centres, coaching centres, paying guest facilities and other organisations that provide or run child services or temporarily hold children in need of care and protection or juvenile in conflict with law or child victims.

(k) "physical abuse" means use of force and/or inflicting of physical injury upon a child and includes burning, hitting, punching, shaking, kicking, beating or otherwise harming a child by depriving him of adequate food, medicine or any other thing initial for sustaining life;

(l) "neglect" is the failure to provide for the child's basic needs and denying the child opportunities for all round development. Neglect can be physical, educational, or emotional;

(m) "maltreatment" means any act or omission that defiles the dignity of a child;

(n) "RTE" means The Right of Children to Free and Compulsory Education Act, 2009 as amended from time to time;

(o) "school" includes schools as defined in Section 2(n) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009, and any other institutional set up which brings in children for the purpose of imparting education and residential facilities attached to such institutions;

(p) "SJPU (Special Juvenile Police Unit)" means a unit of the police force of a State designated for handling of juveniles or children as provided under Section 63 of the Act;

(q) "person familiar with the manner of communication of the child" means a parent or family member of a child or a member of his shared household or any person in whom the child reposes trust and confidence, who is familiar with that child's unique manner of communication, and whose presence may be required for or be conducive to more effective communication with the child;

(r) "State Commission for Protection of Child Rights" means the State Commission for Protection of Child Rights constituted under Section 17 of the Commission for Protection of Child Rights Act, 2005;

(s) all words and expressions defined in the Acts and used, but not defined in these guidelines, shall have the same meaning as assigned to them in the Acts.

Chapter II

Guiding Principles

Principles to be followed in the administration of these guidelines

(1) The State Government, the District Child Protection Unit (DCPU), the Juvenile Justice Board (JJB), the Child Welfare Committee (CWC), the School Management Committee/SDMC, or institutions or competent authorities or agencies or local authorities, as the case may be, while implementing these guidelines, shall abide and be guided by the principles specified in sub-rule (2).

(2) The following principles shall, inter alia, be fundamental to the application, interpretation and implementation of these guidelines-

1. **Best Interest of the Child:** In all actions, processes and decisions taken to prevent Child Abuse, the best interest of the child shall be the primary consideration.

2. **Safety:** For ensuring safety of children, restrictive and coercive measures and processes shall not be resorted to in the name of care and protection.

3. **Non stigmatizing decisions & actions:** All decisions and actions taken should be in the best interest of the child. In furtherance of this, all initiatives should strive to reduce the stigma and taboo around child abuse and sexual abuse related issues and the language used should be child friendly and inclusive.

4. **Empowering Children:** Children's participation in peer to peer sharing and learning, shall be promoted in all settings and children shall be assisted by all possible means to be able to effectively participate in such exercises. Any disability, which might prevent a child from his or her participation in such sharing and expressions shall be specifically addressed.

5. **Family Responsibility:** All precautions must be taken to ensure that the family environment is safe, comfortable and peaceful and parents fully comprehend and have the necessary tools, ability and resources to keep their children safe.

6. **Simplicity:** All measures to prevent child abuse must be practical and it should be easily replicable on a large scale. There are a number of institutions and spaces where children spend time and all such spaces should be able to absorb and implement these guidelines easily and within a short span of time, without requiring complicated training and rules.

7. **Zero Tolerance:** Child Abuse is perpetuated within the contours of the larger community and hence all actors within the community should be used to ensure that potential abusers and hazardous situations do not fester. There will be zero tolerance of child abuse.

Chapter III

Recruitment Process

i. No candidate with a criminal record of sexual and/or physical violence will be recruited or appointed for any position within an institution. In furtherance of the same, all selected candidates must provide a signed undertaking to the institution that they have not been accused of offences under POCSO, the JJ Act and any other sexual and/or violent crimes under any other Act for the time being in force.

ii. 2 references (including a character certificate) shall be provided by the person seeking employment.

iii. A thorough investigation shall be conducted by the institution into the prior employment and engagement of the person. All references shall be obtained in writing and maintained as part of the records of the institution.

iv. During the selection or appointment process, the candidate must also be tested on attitude towards children and child abuse, knowledge of the institution's child protection policy and central and state legislation covering child protection.

v. All candidates, along with the appointment letter will be presented with a copy of the institution's child protection policy document and will be required to sign it.

vi. In case of an employee or other person providing child services being accused of an offence under POCSO, the JJ Act or any other sexual crime or violence, the person so accused shall be suspended with immediate effect pending enquiry and action shall be taken as per the due process established by law.

vii. Employment of person below the age of eighteen years shall be strictly prohibited.

Chapter IV

Capacity Building

i. A uniform and standard training module shall be developed or adopted by the institution which covers a broad spectrum of child protection issues ranging from recognising suspicious behaviours, being aware of a child who displays erratic and/or unusual behaviour and the ability

to engage a child and create a safe environment as well as the legal mechanisms covering the issue of child abuse.

ii. Training can be divided into Basic and Advanced Level training. Basic training includes knowledge of the relevant child care legislation, national and local agency policies, procedures and protocols (as well as a knowledge of the local network within which they work) and skills in the use of these. Advanced Training includes knowledge, skills and critical perspectives in specific areas of policy and practice, for example, risk assessment and working in partnership with parents/guardians.

iii. All institutions must adhere to this module and ensure the training at frequent interval. Such training shall be properly recorded.

iv. Training materials should be simple, easy to understand and given to all personnel who hold a position of authority and influence over the child.

v. The module and material should also exist electronically (CD's, in a separate folder on the school computers) such that it is easy to access.

vi. If the need arises, these courses must be refreshed each academic year and a refresher course will be conducted annually to remind the staff and teachers of procedures and updates on new developments.

vii. A full day orientation on Child Protection issues for all new recruits [staff, teachers, trainees and volunteers etc.] shall be held within 1 month of joining.

viii. The local police and SJPU shall also undergo a specially customised training in order to upgrade their knowledge of laws as well as to sensitize them towards child friendly behaviours.

ix. At least one training session shall include a group session along with parents, local police and school/institution personnel etc.

Chapter V

Child Protection Safeguards

i. As part of the framework for child protection, each institution shall have a standard and uniform Child Protection Policy applicable to all persons employed or connected by the institution. The Child Protection Policy is appended (1) to and forms part of these guidelines.

ii. This policy document will be signed by all personnel, outside instructors and anyone who is put in a position of responsibility and authority over children.

iii. Every institution shall maintain proper an online database for children in the institution and place it on the website of concerned administrative department.

- iv. The institution shall strive for the prevention of ragging within its premises.
- v. The Child Protection Policy shall become a part of the human resource policies of the institution. The Child Protection Policy should be displayed at prominent place.
- vi. Complaints mechanisms for children must be established as mandated under JJ (C&P) Act, 2000 and made known to children and their parents/guardians.
- vii. Children and their representatives should be informed of the outcomes or resolutions of their complaints and should get the information they seek from time to time.
- viii. All decisions taken by the management should be in the best interest of the child and explained to the complaining child and to her/his representative.
- ix. Complaint redressal mechanism as defined under Guidelines for Eliminating Corporal Punishment in Educational Institutions and Institutional Care made and issued by SCPCR shall be strictly followed. (These guidelines are appended (2) for ready reference.)
- x. All paying guest accommodation and residential facilities for children shall be notified to the concerned police station and owner of the facility shall be responsible for the safety of children.

Chapter VI

Therapeutic Intervention

- i. Therapeutic intervention in the form of counselling services must be made available to every child and the availability of such intervention should be made apparent through relevant signage and indicators.
- ii. Counselors should be adequately trained, well versed in child psychology and sensitized to children needs. Their prime responsibility would be to act as an interface between child in care and management. Children should be able to voice their concern freely without any fear and coercion in the presence of counselor.
- iii. Institutions may designate an area/space as a counselling centre. This centre shall be a child friendly space with adequate provisions to protect the privacy of a child who has come to share his/her grievances. Confidentiality must be maintained at all times during counselling and any other therapeutic intervention. The institution shall be liable for any breach of confidentiality of the identity of the child or details of the issues brought to the counsellor.
- iv. Each institution should employ at least one recognized expert and may make use of the services of para counsellors as and when required in addition to a career counsellor.
- v. The Counselling centre must have the capacity to cover the needs of special children and/or disabled children. For children with intellectual disabilities who may be unable to express their

thoughts, suitable mechanism should be developed. Similarly for hearing and speech impaired children, counselor would be sign language interpreters. All counsellors/special educators for special needs children should be professionals with relevant qualifications from a recognized university or an institution recognized by Rehabilitation Council of India.

vi. If requested by family members, in case of an incident of abuse, the onus shall be on the institution to provide access to counselling services for the family.

vii. First-aid and emergency medical care must be available to children.

Chapter VII

Committees

i. Every institution shall constitute or designate a committee as stipulated for institutions under Guidelines for Eliminating Corporal Punishment in Educational Institutions and Institutional Care made and issued by SCPCR. (These guidelines are appended (3) for ready reference.)

ii. All incidents of child abuse shall be reported to the committee and the committee shall be responsible to make all persons and children within the institution or availing of services or providing services to the institution, aware of the procedure of reporting incidents of child abuse.

iii. Confidentiality of cases will be maintained in case they are brought to the notice of the children's committee and reported to the concerned teacher or care giver.

iv. The functioning of these committees and the record maintained by them shall be subject to the inspection of concerned CWC, JJB, DCPU which shall ensure compliance of these guidelines.

Chapter VIII

Awareness and Education

i. Efforts should be made to educate children residing in the institutions about their rights and duties.

ii. Institutions should have standard and uniform training modules on sexuality and gender education where the thrust has to be inculcation of respect for another person especially that of the other gender.

iii. Training modules focussing on children should be developed or adopted which teach sexual safety, gender awareness and notions of sexual activity and appropriate sexual behaviour.

iv. In schools, teachers should promote group interactive practices so that the idea of a male child having masculinity which necessarily implies a repudiation of femininity or sensitivity is

discouraged. The attempt of education should be to liberate children from social constructs and not to reinforce them.

v. The training should remove the taboo on gender sensitisation and education such that it does not allow abusers to hide behind the shame that is usually associated with a victim.

vi. Schools must encourage learning modules which are uniform, consistent and rendered in child friendly language. Moreover, they must be clinical and objective, allowing no space for it to be misunderstood.

vii. Training modules must be age appropriate.

viii. Training modules can also be in electronic form so that it is easy to use and understand. Certain easy to use applications can be developed for children with cell phones and computers with internet.

ix. The training modules must be easily accessible from the computer laboratory.

x. Children must be trained to recognise predatory and suspicious behaviour and what constitutes abuse.

xi. The staff of the institution must develop a manual in child friendly language to be used specially in relation to sexuality topics and abuse. This ensures that children are able to express themselves in a comfortable manner and are not ashamed of using certain taboo words and expressions.

xii. Institutions must have a clear and simple mechanism for outside organisations and individuals to carry out vocational training activities and non-formal education for children.

xiii. All residential institutions must have adequate extra-curricular and vocational activities to create an environment for the overall growth and development of a child. For this purpose, institutions can use the services of NGO's, the community and other individuals trained to provide such courses and activities.

xiv. A time table must be developed within residential institutions for extra-curricular and vocational activities being conducted after school hours. This schedule must be displayed at prominent places within the institution and every child should be made aware of the same.

xv. Children should be taught "Safety Rules" such as moving in groups, alerting school personnel if a stranger is on institution premises, and reporting situations that threaten their own and others safety, etc.

xvi. Provide the child with the relevant helplines (i.e. 1098 & 100) and other numbers which the child can reach out to in case of any potential danger.

Chapter IX

Making Institution's Safe for the Child

1. Improving institutions designs

Safety should be an essential element of the design layout.

- (i) Office areas should be centrally located for easy accessibility from other locations in the building or campus.
- (ii) Hallways should have convenient exits and should be well lit.
- (iii) Dead-end hallways and staircase hideaways should be eliminated, and restrooms should be located closer to administrators to prevent resident from hanging out.

2. Monitoring visitors carefully

- (i) Institutions should be assertive in screening visitors, and require them to register when entering the building or campus and by employing security personnel.
- (ii) No visitors shall be allowed to stay in the institution for any reason.
- (iii) The visitor shall be accompanied by a staff of institution during the entire period of visit. No visitor shall be left alone within the precincts of the institution.
- (iv) All gates should be duly manned by security personnel. Registered visitors can be given a pass or badge to display prominently to let staff and resident know that they have been acknowledged by the administration.
- (v) Staff and resident should be instructed to report people without proper identification to an administrator.
- (vi) Institutions should ask parents or guardian give the names of adults who are allowed to pick up a child, and require those individuals to show identification to school personnel when signing a student out.

3. Rules for use of institutions premises by outsiders

- (i) Any arrangements for use of institutions premises by outsiders or by the institutions staff after school hours/during non-working days should be after proper scrutiny of the

antecedents of the organisation/persons using institution premises and the purpose for which it is to be used.

- (ii) All such arrangements should be formalized and proper documentation should be maintained.

4. Participatory Management of Institutions

- (i) The institutions and the parents or guardian or care giver have to work as a team to ensure a foolproof protective environment necessary for the healthy and secure growth of the child.
- (ii) All decisions, which may affect the physical or mental well-being of the children of the institutions, should be taken in consultation with the parents or guardian.
- (iii) A prior written informed consent of the parents or guardian must be taken in matters involving their child's safety and security. For example, fieldtrips, camps, excursions, medical check-ups etc.

Chapter X

Empowering the Child

1. Administration of the institution shall bear the responsibilities of infusing children with safety norms such as-

- Be aware of your surroundings so that you can prevent trouble before it happens
- Avoid places where you feel unsafe and leave if you sense danger
- Look and speak with confidence so that people will listen to you more.
- Always leave with your parents/ guardian, your contact number and information about people you go out with, the place where you will be, and any other related information.
- Always carry relevant contact numbers to be able to call in case of an emergency

2. Take Charge

- Your safety is in your hands.
- Assess a situation to know what your safest choices are.
- Move your body in order to create more space between yourself and people who might cause problems for you.
- Talk to or take things from strangers with care. Do tell your parents or guardian or administrative staff if anyone offers you toys, money, gifts, lift/ride, or other stuff without their knowledge.
- Check in with adults in charge before they change the plan about where they are going, what they are doing or who they are going with.
- Stop unwanted touch and teasing. You have the right to say NO.
- There is safety in numbers. Play and move in a group.

3. Get Help

- Raise an alarm to attract attention if you perceive an immediate threat. Elk your co-residents in raising such alarms.
- Persist until you get the help you need
- Tell your parents, guardian or any trusted adult if you feel threatened by someone's behaviour
- Do call 1098 or 100 immediately if you feel threatened and your parents or guardian are not home.

4. Don'ts

- Don't go alone into dimly lit areas outside your home.
- Don't accept sweets, gifts or favours from strangers.
- Don't ask for and/ or accept a ride from any strangers.
- Don't go alone into the home of unknown person.
- Don't help unknown people look for their lost puppy or kitten.
- Don't go to toilets in public places, schools and other institutions alone
- Don't play outside alone
- Don't reveal your name, address, age, photo to anyone on the internet or otherwise
- Don't leave your school under any circumstances in the event you are told of some emergency in or regarding your family, without getting your school to verify the same and to provide the necessary assistance.

5. Stand with Children

- Believe the child. Children rarely lie about child abuse.
- Comfort the child
- Tell the child that it is not her/ his fault.
- Never blame the child.
- Commend the child for telling you about the experience.
- Assure the child that you will protect him or her.
- Express your support for the child. Children's greatest fear is that they are at fault and responsible for the incident. Helping child remove self-blame is of paramount importance.
- Recognize that your acceptance is important to the child. Control your own reaction. Do not express your horror or anger about the abuse.
- Report the suspected abuse to a social services agency, child-line, CWC and/or the police and then, approach the school authority or the caregiver under whose charge the child was placed.
- Find a specialized agency that evaluates sexual abuse victims—a hospital, child welfare expert/agency, community mental health program or child abuse treatment center. Keep asking until you find a group or an individual with appropriate knowledge to assist you.
- Talk with other parents or guardian to ascertain if their children exhibit unusual behavior or physical symptoms.
- Remember that taking action is important because other children will continue to be at risk if nothing is done. Child abuse is a community concern.

Chapter XI

Positive Discipline

1. **Children Committees/Parliament:** School/ Hostels/ Residential institution wise elected Committees should be established where the children have been given several posts and responsibilities as President, Prime minister, and other ministers. Several ministries as cleanliness, Legal, Development, and Sanitation etc can be established. These needs to be made on rotation basis and with democratic processes. Here the Minister would be solely responsible for their respective duties. The committees will give the children space to participate and solve issues among children or that of the class as a whole.

2. **Rule-making:** The Committee should be entrusted with the task of rule making in a participatory manner. This can be done by firstly involving children in making the rules of class-behavior and discipline. If children feel empowered by making the rules, then they are more likely to follow it. Once agreed upon, they should be displayed in classes in the form of charts for regular reference. The children should be encouraged to develop self disciplinary measures and made to imbibe skills as – self control, self reliant, coping with stress and emotions.

3. **Dispute Resolution:** resolution of class disputes should also involve children. The organization of meeting with the concerned ministers heading the hearing in the presence of a teacher. This class room practice starts with stating the issue of dispute in front of the class. Then the involved parties (children) present their arguments justifying their actions. The ministers with the class decide the judgment and finalize the directions to be followed. The entire exercise is facilitated by the teacher.

4. Guidelines that should be adopted in different situations

Some of the strategies that should be employed based on the level i.e., severity and frequency of problem behaviors are discussed below:

Levels 1–2: Not keeping to time and cleanliness regulations and academic related issues

- Give the child an opportunity to explain
- Give opportunities for child to find solutions for the problem when he/she doesn't meet expectations.
- Give a warning and a chance before taking any further action
- When the frequency increases, involve family members who could supervise the student

Level 3: Not meeting institutional expectations, e.g. inattentive, talking, making noise, etc.

- Ensure whatever has been decided by the group has been followed
- Set limits (in a clear tone without being angry) for mutually agreed behavior in institution.

- Strategies like seating in front to limit distractions, frequent one-to-one attention (every third task), buddy support (seating with another child who is of low risk for such behavior), etc. should help children
- Try managing a problem with minimal disruption to other children
- A simple verbal warning e.g. by drawing his/her attention by calling out the name of the child who is talking in the group or asking him/her question could help
- With older children, humor could be used to get across the point
- Use a time-out chair if behavior continues, only if it has been discussed and agreed to by the children
- Check for underlying causes such as learning difficulties, attention deficit and hyperactivity, difficult home environment, trauma
- Consult the institutional counselor/Physical Educator to provide attention enhancing tasks/games
- Discuss the problem with parents or guardian or caregiver, the efforts made and give them the choice of consultation

Levels 4-5: Troublesome behavior, causing hurt or injury to others:

- Not only administrators, but children should have an idea of other children's right.

5. When children violate the rights of others:

- Give the child an opportunity to explain his/her behavior without threatening Set clear limits and discuss the possible consequences of such behavior
- Have a plan for dealing with violence that is also discussed with child
- If the child regrets his action have the child visualize appropriate response to provocation (other than aggression)
- Clarify if the behavior is recent or longstanding
- Look for learning difficulty, underlying emotional disturbance/family situation that are contributing to the problem or conduct disorder or refer to institutional counselor for the same
- For behavior such as engaging in fighting/lying, when occasional, give assignments on writing down possible consequences of such behavior, writing alternative solutions (with assistance from parents or guardian or caregiver), and possible ways of dealing with anger-provoking situations
- Involve parents or guardian or caregiver early; explain what was tried at institution and how this is affecting child's academic and social development and overall success. Prepare the parents or guardian or caregiver before suggesting consultation with a specialist for guidance as to how the problem behavior could be tackled by institutional authorities
- When the issue is serious or acute – such as, unprovoked aggression, vandalizing, disrupting the institutional routine – explain to the parents or guardian or caregiver the need for immediate consultation with a child and adolescent psychiatrist to prevent harm to the child and other children
- For truancy, have parents notify parents or guardian or caregiver when student leaves the house in the morning; check if child is avoiding any test/class due to learning disability or fear

- Identify where school or institute may contact the child if child does not show up on time
- Keep records of each child and mark for misbehavior.

Chapter XII

Transport

- I. The bus/auto/van shall be driven by a driver having valid public service vehicle badge issued by the Transport Department.
- II. Details of the driver (i.e name , address, licence number, badge number) and telephone no. of the owner of the bus, Transport Department's helpline, Police helpline, Child-line and registration no. of the vehicle shall be displayed at a conspicuous place in the bus/auto/van.
- III. Check antecedents of drivers and other accompanying staff of the institutions transport.
- IV. Outsiders should not be allowed to use the institutions transport and routine surprise checks should be carried out to ensure this.
- V. Institutions buses including auto/van should be painted yellow.
- VI. Bus/auto/van of the institution must be written on the back and front of the bus/auto/van. If it is hired bus/auto/van "On School/Institution Duty" should be clearly indicated.
- VII. Global Positioning System (GPS) shall be installed in vehicles and it shall be ensured by the owner of the bus that the GPS thus installed, is kept in working condition at all time.
- VIII. The bus/auto/van shall not be fitted with curtains or glasses having films.
- IX. The bus/auto/van shall have sufficient internal white lighting in the vehicle. Activities inside the vehicle should be visible from outside whenever the bus is plying on road.
- X. Bus/auto/van should be fitted with speed governor of specified standard.
- XI. The windows of bus/auto/van should be fitted with horizontal grills.
- XII. Bus/auto/van should have a First Aid Box.
- XIII. There should be a fire extinguisher in the Bus.
- XIV. The doors of the bus/auto/van should be fitted with reliable locks.

- XV. No vehicle shall carry more than 1-1/2 times the number of authorized passengers.
- XVI. The bus/auto/van shall carry a copy of the valid agreement with the institute and complete list of the school children along with the route plan duly attested by the Head of the Educational institution.
- XVII. At least one female ward/guard should be present on the bus until the last child is dropped home, irrespective of whether the child is male or female.
- XVIII. The child and women helpline numbers, the number of the police stations in the locality as well as the contact details of the DCP/SP, CWC must be prominently displayed inside the bus/auto/van in Hindi as well as the local language.
- XIX. The Institution's child protection policies and protocols for reporting offences must be prominently displayed in Hindi as well as the local language inside the bus/auto/van.
- XX. Any and all reports of bullying and/or physical dominance reported or seen in the bus/auto/van must be quelled immediately and the victims separated immediately from the perpetrator.
- XXI. While dropping off a child at a bus/auto/van stop/public place, the bus/auto/van must wait until the parent/caregiver is present. For this purpose, all teachers/guards traveling on the bus/auto/van should have the phone numbers of the parents/guardian/caregiver, as well as the emergency contact person to facilitate easier communication.
- XXII. Institutional bus/auto/van which are not in use shall be locked and parked in the institution allotted parking facility and the keys shall remain with the administration.
- XXIII. Old institutional bus/auto/van which are in disrepair or a dilapidated condition shall not be parked or housed anywhere on institution premises.

Chapter XIII

Travel, Picnics and Outdoor Activities

- i. Parents/guardians and caregivers must give their permission in writing before children can be taken out of the institution premises for activities and outings.
- ii. The exact route, destination and timings must be communicated well in advance to parents/guardians and caregivers as well as the local police/SJPU at the destination.
- iii. There must be a training given to all participants at least 3 days prior to the program on safety precautions, helpline numbers etc.

- iv. The relevant applicable guidelines mentioned in Chapter XII will also apply to this chapter.
- v. In case of public transportation, the institution must ensure that all local rules in force applicable to public vehicles are adhered to.
- vi. It is preferable that the institution conducts an initial recce of the destination to ensure that adequate safety mechanisms and precautions are in place.
- vii. In case of outstation travel, at least one female teacher or care giver must accompany the group for the duration of their stay.
- viii. No outing or trip should be initiated after dark.
- ix. No outing or trip should be made compulsory for children.

Chapter XIV

Online Safety

- i. Internet safety protocols must be established and implemented in institutions.
- ii. Teachers/Staff should not be allowed to email or call children except and unless it is related to prescribed institutional routine work.
- iii. All emails sent to children by teachers/staff should be copied to the parent/guardian or caregiver.
- iv. Teachers/Staff should not engage in any relationships with students on social media platforms unless in officially approved group settings.
- v. No child must be recorded in any manner that makes them uncomfortable and children must always be asked permission before taking of any photographs/recording videos.
- vi. Access to obscene/objectionable contents through internet or mobile shall be effectively averted/prevented by the administration.
- vii. All institutions and schools must have the facility of having an online "suggestion box" or "Complaint box" so that the child can also report suspicious behaviour in anonymity.
- viii. Maintaining confidentiality of the child victim and providing him/her guidance and support to deal with the after effects of such crimes should be ensured.

ix. Obtaining help and support of NGO's working in the field of online child protection.

x. Mobile Internet security must be promoted among parents and children.

xi Parents/Guardian/Care Giver/Teacher & children should be encouraged to play an active role by reporting suspicious behaviour and give information regarding websites hosting exploitative images, videos and efforts to recruit or groom children for child abuse. Special precautions will need to be taken to monitor and regulate the spreading awareness of cyber crime among children so that it does not have any negative effect. Use of electronic and print media may also be made appropriately.

Chapter XV

Residential Facilities and Infrastructure

i. Residential Facilities, including bathrooms in a institution shall be maintained separately for boys and girls and at a suitable distance from each other.

ii. The corridors and landings shall be well lit and airy and have convenient exits.

iii. CCTV cameras must be installed and maintained at appropriate public spaces within the premises.

iv. Institution shall be made completely accessible and barriers free for the children with special needs. Appropriate assistive devices like ramps, special toilets, sines, wheelchairs, tricycles shall also be provided to children with special needs.

v. Building for housing girls shall be structurally separate from the building meant for housing boys. They shall not have a common entrance.

vi. At every institution where girls reside, all staff shall consist of female members as far as possible. In case of employment of a male staff on appropriate reason of the same shall be placed and record.

vii. Strict rules and timings will be adhered to for residential institutions and male visitors should not be allowed in female residential institutions, or vice versa after sunset.

viii. Child and women helpline numbers and the numbers of the local police/SJPU/CWC/DCPU/SCPCR must be prominently displayed inside dormitories. There must be at least 1 phone for the use of residents within easy access.

ix. Dormitories must be divided by age and care must be taken to see that no opportunities are left open for older children to be left alone with younger children without the supervision of a teacher/counselor/caregiver.

x. All gates should be duly manned by security personnel. Registered visitors can be given a pass or badge to display prominently to let staff and children know that they have been acknowledged by the administration.

xi. Institutions should ask parents/guardian/caregiver to give the names of adults who are allowed to pick up a child, and require those individuals to show identification to institution personnel when signing a student out. In case of a visitor, other than the parent or guardian or care giver of the child, taking a child outside the premises, a proper check, including a phone call to the child's parent, guardian or care giver, must be done by the administrator prior to sending away the child.

Explanation: In case of a child in need of care and protection, or any child without a known relative, the phone call should be made to a responsible person from the place of residence of the child.

Chapter XVI

Family & Community Awareness

i. In case of a child in need of care and protection, or a child who is abused, once the family of a child is located, and just prior to being restored to the family, the CWC shall organise a counselling session with the help of the institution with children and the family. The family shall be counselled on matters including sexuality, sexual violence and abuse and how to recognise the symptoms and behaviours.

ii. There must be at least 1 phone available within the institution which children can use. Children and women helpline numbers, as well as the numbers of the CWC, DCPU local police and SJPU must be displayed next to the phone.

iii. Local resident's welfare associations, community associations, traders associations etc should be approached by institutions and the police in order to help build awareness and spread the message.

iv. Certain days such as Children's Day, World Disability Day and World Day for Prevention of Abuse and Violence against Children can be used to run community programmes through skits, plays and music.

v. Neighbourhood watch teams can be formed to patrol/keep a vigilant eye out for predatory behaviour or inform the residents welfare association or local police about strangers in the locality who display suspicious behaviour.

vi. Parent-Teacher Associations/SMC/SDMC of various schools should set aside a day every month to have a meeting and exchange ideas and strategies on how best to be involved in creating more awareness.

Chapter XVII

Media Reporting on Children

- I. Involvement of children in news/programs/documentaries etc. must evidently be editorially justified including from a child rights perspective.
- II. Media must ensure that due consideration is given to a child's right to privacy and to prevent the child from being exposed to anxiety, distress, trauma, social stigma, risk to life and safety and further suffering in relation to reporting/broadcasting/publication of news/programs/ documentaries etc. on and for children.
- III. The media shall proactively promote the children's right to information and freedom of expression.
- IV. The use of children in TV Serials, Reality Shows and Advertisements shall be governed by the guidelines issued on this behalf by National Commission for the Protection of Child Rights (NCPCR).
- V. Guidelines for Media Reporting on Children developed and issued by the SCPCR shall also be strictly followed.

Chapter XVIII

Review & Reporting

i. The State Government shall review the implementation and impact of these guidelines from time to time but the gap between two reviews shall not exceed one year. These guidelines shall be reviewed and, if necessary, recast by the SCPCR in every three years.

Chapter XIX

Monitoring of Implementation of the Guidelines

- i. These guidelines shall be implemented by the State Government through the concerned Government departments.
- ii. The SCPCR shall, in addition to the functions assigned to it under that CPCR Act, also monitor the implementation of the provisions of these guidelines.

iii. Any institution that does not have in place existing guidelines for the prevention of child abuse or in the event that such existing guidelines are conflicting with these guidelines, shall adhere to these guidelines and will implement the same within one month of the guidelines being notified.

iv. In rural settings, it takes a village to raise a child therefore Block and Gram Panchayat level Child Protection Committees, PRI's members shall be involved in the effective monitoring of these guidelines.

v. The Head of the institution will be overall responsible for the implementation of these guidelines. Head of the Institution shall also comply with the directions of Hon'ble Courts and Advisories issued by Government from time to time.

vi. All the institutions which are established and maintained for the reception, care and protection of children shall be governed under Juvenile Justice (Care & Protection of Children) Act, 2000.

vii. The implementation of these guidelines shall be checked from time to time by the concerned authority including CWC, JJB, DCPU in addition to their existing functions, and this shall be an assessment indicator for registration of institutions.

viii. It shall be the responsibility of all concerned Government departments to ensure that institutions under their jurisdiction become aware of the existence of these guidelines.

ix. Where needed, the State Government shall set apart needed funds for the implementation of these guidelines.

Appendix 1

Child Protection Policy for Institutions

Vision, Mission, Values & Principles of the Institution (To be filled by Institution)

Who is a child?

Any person below the age of 18 years is considered a child.

What is a Child Protection Policy?

A Child Protection Policy is a statement of intent that demonstrates the commitment to safeguarding children from harm and makes clear to all in an institution and who come into contact with it what is required in relation to the protection of children, and that child abuse in any form is unacceptable. It consists of child safe practices that protect children from harm, abuse, neglect, maltreatment and exploitation in any form.

A Child Protection Policy is a broad term to describe philosophies, policies, standards, guidelines and procedures to protect children from both intentional and unintentional harm. It applies particularly to the duty of individuals associated with children in their care. Though the main purpose of the policy is to protect children from all forms of harm and create an enabling environment, it is also a tool to enhance

the commitment of the organisation to provide a child friendly environment through sensitising persons associated and enforcing this policy.

What is Child Abuse?

Child abuse means any form of maltreatment inflicted on a child including physical abuse, sexual abuse and emotional abuse.

Child sexual abuse means and includes all offences defined in The Protection of Children from Sexual Offences (POCSO) Act, 2012 as amended from time to time.

Emotional abuse means and includes acts or omissions by parents or caretakers that have caused or could cause, distress, serious behavioural, cognitive, emotional, or mental trauma to the child.

Physical abuse means use of force and / or inflicting of physical injury upon a child and includes burning, hitting, punching, shaking, kicking, beating or otherwise harming a child.

Neglect is the failure to provide for the child's basic needs and denying the child opportunities for all round development. Neglect can be physical, educational, or emotional.

Maltreatment means any act or omission that defiles the dignity of a child.

Indicators of Abuse

Physical Abuse

- Unexplained burns, cuts, bruises or welts in the shape of an object
- Bite marks
- Anti social, violent and/or abrasive behaviour
- Problems in school
- Fear of adults
- Drug or alcohol abuse
- Self destructive or suicidal behaviour
- Depression or poor self image

Sexual Abuse

- Nightmares and bedwetting
- Drastic changes in appetite
- Over compliance or excessive aggression
- Fear of a particular person
- Withdrawal, secretiveness or depression
- Suicidal behaviour
- Eating disorders
- Self-injury

Emotional Abuse

- Apathy
- Depression

- Hostility
- Lack of concentration
- Eating disorders

Note: these are indicative and not exhaustive indicators

Appropriate Standards of Behaviour for Staff & Employees

Adults should:

- i. Provide an enabling environment for children's personal, physical, social, emotional, moral and intellectual development
- ii. Encourage and respect children's voices and views
- iii. Be inclusive and involve all children without selection or exclusion on the basis of gender, disability, ethnicity, religion or any other status
- iv. Be aware of the potential for peer abuse (eg: children bullying, discriminating against, victimising or abusing children)
- v. Develop special measures/supervision to protect younger and especially vulnerable children from peer and adult abuse
- vi. Be aware of high risk peer situations (eg: unsupervised mixing of older and younger children and possibility of discrimination against minors)
- vii. Avoid placing oneself in a compromising or vulnerable situation when meeting with children
- viii. Meet with a child in a public, central location whenever possible
- ix. Immediately report the circumstances of any situation which occurs which may be subject to misinterpretation
- x. Make oneself aware and educated on the laws, rules and guidelines related to child protection as amended from time to time
- xi. Educate adolescent children about their specific needs of health and sanitation.

Inappropriate/Offensive behaviour for staff and employees

- i. Use of alcohol, tobacco, smoking or any other intoxicant is strictly prohibited.
- ii. Hit or otherwise physically assault a child
- iii. Turn out a child from the residential facility
- iv. Use language that will mentally or emotionally abuse the child
- v. Act in any way that intends to embarrass, shame, humiliate or degrade a child

- vi. Show discrimination of race, culture, age, gender, disability, religion, sexuality, political persuasion or any other status
- vii. Develop a relation of physical pleasure with a child
- viii. Kiss, hug, fondle, rub or touch a child in an inappropriate or culturally insensitive way
- ix. Do things of a personal nature that a child could do for him/herself, including dressing, bathing and grooming
- x. Initiate physical contact unless initiated by the child (eg: holding hands)
- xi. Suggest inappropriate behaviour or relations of any kind
- xii. Allow children to engage in sexually provocative games with each other
- xiii. Stand aside when they see inappropriate actions inflicted by children on other children because it is frequent and commonplace

Behaviour Protocols for volunteers & other visitors

- i. Should not give cash or any kind of gifts directly to the children, but always channelize the same through officials
- ii. Should not collect photos, videos, or stories of children and/or upload the same on blogs or any social networking sites without prior permission from the authority
- iii. Should not ask personal details of the child and if known, then not to divulge it to others
- iv. Should not enter without accompanying staff to girls or boys residential facilities
- v. Should not encourage any kind of infatuation especially in cases of adolescent children
- vi. Should not ask any child to meet alone outside campus
- vii. Should take children for outings only in groups and with prior permission of senior staff

Behaviour protocols for children

- i. Respect all staff, teachers, parents, guardian, care givers and outsiders
- ii. All relevant information should always be given to the concerned staff
- iii. Share information and learning with other children
- iv. Never physically assault or sexually abuse another child
- v. Never tease another child or call out nicknames
- vi. Never threaten another child

vii. Never spread rumours about another child, or details about the child which could be socially humiliating

viii. Never force another child to give away his/her personal belongings

ix. Never use abusive or derogatory language

This protocol must be encouraged by staff among children.

Institutional Responsibilities

i. This institution maintains a zero tolerance policy towards child abuse and towards that end, will immediately suspend any staff/employee/teacher accused of abuse.

ii. All laws, rules and guidelines related to child protection and children shall be adhered to strictly

iii. The recruitment policy will ensure that potential child abusers are screened through all reasonable means

iv. The premises will be a child safe space and all necessary safeguards and precautions will be taken towards this end

v. The institution will work actively with parents, the community, police and other engaged stakeholders to prevent incidents of child abuse

vi. Discrimination will not be tolerated and towards this end, the guidelines issued by the Govt of India, under Section 35(1) of the Right of Children to Free and Compulsory Education Act, 2009 and guidelines issued by SCPCR for Eliminating Corporal Punishment in Educational Institutions and Institutional Care will be implemented.

vii. All residential and classroom premises will be constructed in a manner so as to keep children in a safe and protected zone

viii. In all decisions, the best interest of the child will be taken as the primary consideration. This also implies that in case of conflicts, the child's welfare will be a priority

ix. Counselling services and therapeutic intervention will be available to all children and/or family if and when the need arises and/or it is requested

x. It is the responsibility of this institution to ensure that the child protection policies are understood and signed by all employees, teachers, care givers, staff and volunteers

Complaint Mechanism

i. Children in institutional care or their representatives can make individual requests or complaints to the director / management of the institution

ii. In case of complaints against professional staff such as care givers or nurses or teachers, among others, working with and for children, a mandatory complaint can be made to the competent authority

iii. The Committee will appoint a person responsible for attending to all complaints brought before it

iv. In case of complaints on living conditions, children or their representatives can put forward their grievances to the Management through the suggestion/complaint box or otherwise

v. The outcome of complaints and the redressal mechanism shall be informed to the child or their representative.

vi. All complaints shall be immediately record in a complaint book and action shall be taken in accordance with Rule 6o (2) of Rajasthan Juvenile Justice (Care and Protection of Children) Rules, 2011.

vii. Children or their representative may contact directly to CWC, JJB, SJPU, DCPU, if complaint is against institutional head.

Quantitative Elements of the complaints mechanism

i. Monthly date on the number of complaints from or on behalf of children received

ii. Number of complaints from or on behalf of children referred to police and/or the criminal/civil justice system

iii. Information about the complainant i.e. whether the complaint is made by the child victim or a friend or teacher or any other staff or parent of the child etc.

iv. Information on the number of complaints filed by children themselves and those filed by representatives or third parties on behalf of children in formal care

v. Data showing number of complaints from or on behalf of children in formal care which received a resolution, either judicial or non-judicial, during the last 12 months

vi. Data regarding complaints dismissed by judicial or non-judicial bodies on formal or substantial grounds.

vii. Average time elapsed between the date and time of receipt of the complaint and action taken and the date of its resolution.

UNDERTAKING

I/We have read and understood the Child Protection Policy of [Institution name]_____. I hereby declare and affirm that I agree to adhere and abide by the said policy and guidelines. In case of any violations of the said policy in my direct and indirect interactions with the children, the institution may terminate the partnerships/relationship/ employment/association and/or take suitable disciplinary and legal actions as per the applicable laws and rules.

Signed _____

Name _____

Date _____

Signature of the Head of the Institution & seal _____

It is in this context, that the onus of responsibility in safeguarding children from punishment lies with the head of the institution, management and administration at all levels.

Internal Mechanism

- a. All the stakeholders in reference to Institutional Care need to understand that abuse and exploitation are part of corporal punishment thus strict actions needs to be taken against them.
- b. Each staff member to sign a Child Protection Policy/Code of conduct Declaration which will include all offences and punishment in regards to Corporal Punishment
- c. **Child Protection Policy/ Code of Conduct Declaration of the Institutional Care**
 - Every Institute providing institutional care to children need to develop their child protection policy- with code of conduct and other procedures as part of their annual plans by engaging children and Management committee. The policy need to be revived and modified every year.
- d. **The Rule 60 of the Rajasthan Juvenile Justice (Care and protection of children) Rule 2011 states on the several actions that should be taken in case of abuse and exploitation of the juvenile or child - In the event of any physical, sexual or emotional abuse, including neglect of juveniles and children in an institution by those responsible for care and protection, the following action shall be taken:**
 - the incidence of abuse and exploitation must be reported by any staff member of the institution immediately to the Officer-in-Charge on receiving such information;
 - when an allegation of physical, sexual or emotional abuse comes to the knowledge of the Officer-in-Charge, a report shall be placed before the Juvenile Justice Board or Child welfare Committee, who in turn, shall order for special investigation;
 - the Juvenile Justice Board or Child Welfare Committee shall direct the local Police Station or Special Juvenile Police Unit to register a case, take due cognizance of such occurrences and conduct necessary investigations;
 - the Juvenile Justice Board or Child Welfare Committee shall take necessary steps to ensure completion of all inquiry and provide legal aid as well as counselling to the juvenile or child victim;
 - the Juvenile Justice Board or Child Welfare Committee shall transfer such a juvenile or child to another institution or place of safety or fit person;
 - the Officer-in-charge of the institution shall also inform the Chairperson of the Management Committee and place a copy of the report of the incident and subsequent action taken before the management committee in its next meeting;

- in the event of any other crime committed in respect of juveniles or children in institutions, the Board or Committee shall take cognizance and arrange for necessary investigation to be carried out by the local Police Station or Special Juvenile Police Unit;
 - The Juvenile Justice Board or Child Welfare Committee may consult Children's Committee set up in each institution to enquire into the fact of abuse and exploitation as well as seek assistance from relevant voluntary organizations, child rights experts, mental health experts or crisis intervention centres in dealing with matters of abuse and exploitation of juveniles or children in an institution.
- e. **Capacity Enhancement**
- Regular on-site training for child facing staff and care takers including child rights, childcare and development, special needs and referral processes.
 - All institutions should have mandatory in-house or access to professional counseling resources with regular individual and group level counseling services provision in Homes to handle emotional, socialization and disciplinary problems.
 - Counselors, psychologists and medical staff should ensure that they are alert to signs of corporal punishment as defined in the definitions during check-ups and counseling sessions and refer to the concerned department or agencies
 - In house training of all the wardens and caretakers on issues related to child development and behavior modification of delinquents. The trainings should also include concept of corporal punishment and ill effects of it on children
- f. **Performance Assessment** - As a part of the annual assessment process all the staff members should have a yearly appraisal where they have to justify actions and where they should be rewarded for their achievements. In case of regular reporting on Corporal punishment in the institution, appropriate action will be taken by the statutory body
- g. **Notice Board** - A notice-board in every institution must display the names and contact details of the Childline – 1098, Child Welfare Committee/Juvenile Justice Board members and District Child Protection Unit, Rajasthan State Child Protection Society, RSCPCR. The children could get in touch with the authority directly in case the other mechanisms fail.
- h. **Suggestion/Complaint box** - The Rule 55 of the Rajasthan Juvenile Justice (Care and protection of children) Rule 2011 states the establishment of Suggestion Box with specific duties. The Management Committee shall set up a complaint and redress mechanism in every institution and a Children's Suggestion Box shall be installed in every institution at a place easily accessible to juveniles and children away from the office set up and closer to the residence or rooms or dormitories of the children.
- The Children's Suggestion Box, whose key shall remain in the custody of the Chairperson of the Management Committee, shall be checked every week by the Chairperson of the Management

Committee or his representative from District Child Protection Unit, in the presence of the members of the Children's Committees.

- If there is a problem or suggestion that requires immediate attention, the Chairperson of the Management Committee shall call for an emergency meeting of the Management Committee to discuss and take necessary action.
- The quorum for conducting the emergency meetings shall be five members, including two members of Children's Committees, Chairperson of the Management Committee, Member of Committee or the Board as the case may be and the Officer-in-Charge of the institution.
- In the event of a serious allegation or complaint against the Officer-in-Charge of the institution, he shall not be part of the emergency meeting and another available member of the Management Committee shall be included in his place.
- All suggestions received through the suggestion box and action taken as a result of the decisions made in the emergency meeting or action required to be taken shall be placed for discussion and review in the monthly meeting of the Management Committee.
- A Children's Suggestion Book shall be maintained in every institution where the complaints and action taken by the Management Committee are duly recorded and such action and follow up shall be communicated to the Children's Committees after every monthly meeting of the Management Committee.
- The Board or Committee shall review the Children's Suggestion Book at least once in three months.

External Mechanism

- Social Audit** - The Rule 64 of the Rajasthan Juvenile Justice (Care and protection of children) Rule 2011 states that the state government will evaluate and annually review matters concerning to corporal punishment in terms of any form of abuse or neglect of children under institutional care, functioning of staff of the institutions in relation to corporal punishment. The social audit shall be carried out with support and involvement of organizations working in the field of mental health, child care and protection and autonomous bodies like the National Institute of Public Co-operation and Child Development, Indian Council for Child Welfare, Childline India Foundation, Central and State level Social Welfare Boards, School of Social Work and School of Law.
- Child Welfare Committee and Juvenile Justice Board**
 - All Homes should have access to dedicated, specialized rehabilitative resources and facilities for children with special needs including mandatory access to de-addiction centers.
 - Regular visits to homes (atleast twice a month)

- Interaction with children must be ensured during the visits
- Ensuring that all children are receiving basic requirements without any discrimination and neglect.
- Check the Complaints and suggestions of from the suggestion box and take appropriate action

k. **Inspection Committee**

- **The Rule 63 of the Rajasthan Juvenile Justice (Care and protection of children) Rule 2011 states the establishment of Inspection Committees** by the State Government. These committee shall constitute State, District or city level inspection committee on the recommendation of the Selection Committee constituted under rule 61 of these rules.
- The inspection committees shall visit and oversee the conditions in the institutions and appropriateness of the processes for safety, well being and permanence, review the standards of care and protection being followed by the institutions, look out for any incidence of violation of child rights, look into the functioning of the Management Committee and Children's Committee set up under rules 55 and 56 of these rules and give appropriate directions.
- The team shall also make suggestions for improvement and development of the institution.
- The team shall consist of a minimum of five members with representation from the State.
- Government, the Juvenile Justice Board or Child Welfare Committee, RSCPCR, medical and other experts, voluntary organizations and reputed social workers.
- The inspection shall be carried out at least once in every three months.
- The inspection visit shall be carried out by not less than three members.
- The team may visit the institutions either by prior intimation or make a surprise visit.
- The follow up action on the findings and suggestion of the children shall be taken by all concerned authorities.
- The action taken report, findings and suggestions from the Inspection Committee shall be sent to the State and District Child Protection Unit and the State Government.

6.3 Awareness Building - "Knowing one's Rights "- The awareness generation should be done by using appropriate target group specific IEC materials -

- All children should be informed through **campaign and publicity** drives that they have a right to speak against corporal punishment and bring it to the notice of the authorities. They must be given confidence to make complaints and not accept punishment as a 'normal' activity of the school.
- Wall paintings on Educational Institution, Anganwadi Centers and Government Homes on the ill effects of corporal punishment and the important phone numbers of officials to report Corporal Punishment
- It would be strategic to develop and disseminate short films/video clips on the vulnerability of children and the responsibility of adults.

- Wall paintings on homes on the ill effects of corporal punishment and the important phone numbers of officials to report Corporal Punishment
- Developing small handy booklets on Rights of children, mechanisms for reporting etc.
- Involvement of Child Protection Units and Officers at various levels – Panchayat, Block, District and state under the integrated child protection Scheme to promote positive discipline and the various methods that could be used.

Appendix 3

A. Children's Committees — The Rule 56 of the Rajasthan Juvenile Justice (Care and protection of children) Rule 2011 states on establishing Children's Committees. The details of the committee are –

(1) Officer-in-Charge (Superintendent of Home) of every institution for juveniles or children shall facilitate the setting up of Children's Committees for three different age groups of children, viz. 6-10 years, 11-15 years and 16-18 years and these Children's Committees shall be constituted solely by children.

(2) Such Children's Committee shall be encouraged to participate in following activities:

- (a) Improvement of the condition of the institution;
- (b) Reviewing the standards of care being followed;
- (c) Preparing daily routine and diet scale;
- (d) Developing educational, vocational and recreation plans;
- (e) Supporting each other in managing crisis;
- (f) Reporting abuse and exploitation by peers and caregivers;
- (g) Creative expression of their views through wall papers or newsletters or paintings or music or theater;
- (h) Management of institution through the Management Committee.

(3) The Officer-in-Charge shall ensure that the Children's Committees meet every month and maintain a register for recording its activities and proceedings, and place it before the Management Committee in their monthly meetings.

(4) The Officer-in-Charge shall ensure that the Children's Committees are provided with essential support and materials including stationary, space and guidance for effective functioning.

(5) The Officer-in-Charge shall, as far as possible, seek assistance from local voluntary organization or child participation experts for the setting up and functioning of the Children's Committees.

(6) The local voluntary organization or child participation expert shall support the Children's Committees in the following:

- (a) Selecting their leaders;
- (b) Conducting the monthly meetings;
- (c) Developing rules for the functioning of Children's Committees and following it;
- (d) Maintaining records and Children's Suggestion Book and other relevant documents; and
- (e) Any other innovative activity.

(7) The Management Committee shall seek a report from the Officer-in-Charge on the setting up and functioning of the Children's Committees, review these reports in their monthly meetings and take necessary action where required.

B. Facilitating the age-wise separation of children: Harsh ragging and physical, sexual abuse by older children are found to be the most serious forms of corporal punishment at the Homes. Thus age-wise separation of boys/girls in homes should be done to curb the incidents. Active supervision during bed and bath times can be considered.

C. Staff and Children Interaction: There is a need to increase the Staff and Children interaction in Institutional care. The Children Committee with the help of the voluntary organizations should organize for meetings for the interaction.

d. Role of Counselors – The staff and children can take help from the counselors in the Juvenile guidance bureau. They can act as a helping hand to the staff in dealing with difficult children through therapy and can act as a link between the staff and children.

D. Governance and Monitoring

- Every Home or NGO working on the protection issues should have a Child Protection Policy, which should be guiding document during the intervention
- A standardized discipline code of conduct should be developed for all child care takers in Homes and should be reinforced through on-going training and linkages with performance measurement of staff.
- Management Committees must be strengthened/activated in all Homes to ensure appropriate governance, oversight and transparency of Homes and together with civil society ensure a focus on prevention of child abuse and need to monitor
- Mandatory development of individualized care plans, which incorporate input from social workers, probation officers, care takers, parents and children regarding stress factors, trauma and behavioral linkages and feed into individual remedial/rehabilitative measures should be regularly monitored / appropriately shared with child care takers
- Ethical enquiry processes regarding abuse must be established for the protection of both children and staff and prevention of exploitation
- Configuration of Homes to allow small group care with each unit having primary care giver to promote family based care environment versus regimental correctional facility based, dormitory style arrangements.
- Parent and guardian involvement in Homes must be established as a cornerstone of Juvenile

Homes with regular parent/guardian visitation, phone communication, home visits and involvement of parents/guardians in care plan development and participation in joint parent/child counseling.


E. Management Committee: The Rule 55 of the Rajasthan Juvenile Justice (Care and protection of children) Rule 2011 states the establishment of management committees with specific duties.

- Every institution shall have a Management Committee for the management of the institution and monitoring the progress of every juvenile and child.
- In order to ensure proper care and treatment as per the individual care plans, a juvenile or child shall be grouped on the basis of age, nature of offence or kind of care required, physical and mental health and length of stay order.
- The Management Committee should meet every month and some of the issues to consider and review are —
 - vocational training and opportunities for employment;
 - education and life skills development programmes;
 - social adjustment, recreation, group work activities, guidance and counseling;
 - review of progress, adjustment and modification of residential programmes to the needs of the juveniles and children;
 - daily routine;

F. Inspection Committees: The Rule 63 of the Rajasthan Juvenile Justice (Care and protection of children) Rule 2011 states the establishment of State, District or City level inspection committees with specific duties.

- The inspection committees shall visit and oversee the conditions in the institutions and appropriateness of the processes for safety, well-being and permanence, review the standards of care and protection being followed by the institutions, look out for any incidence of violation of child rights, look into the functioning of the Management Committee and Children's Committee set up under rules 55 and 56 of these rules and give appropriate directions.
- The team shall also make suggestions for improvement and development of the institution.

By Order of the Governor


(Dr. Manjit Singh)

Principal Secretary to Government of Rajasthan

23/7/12