



CURRENT AFFAIRS



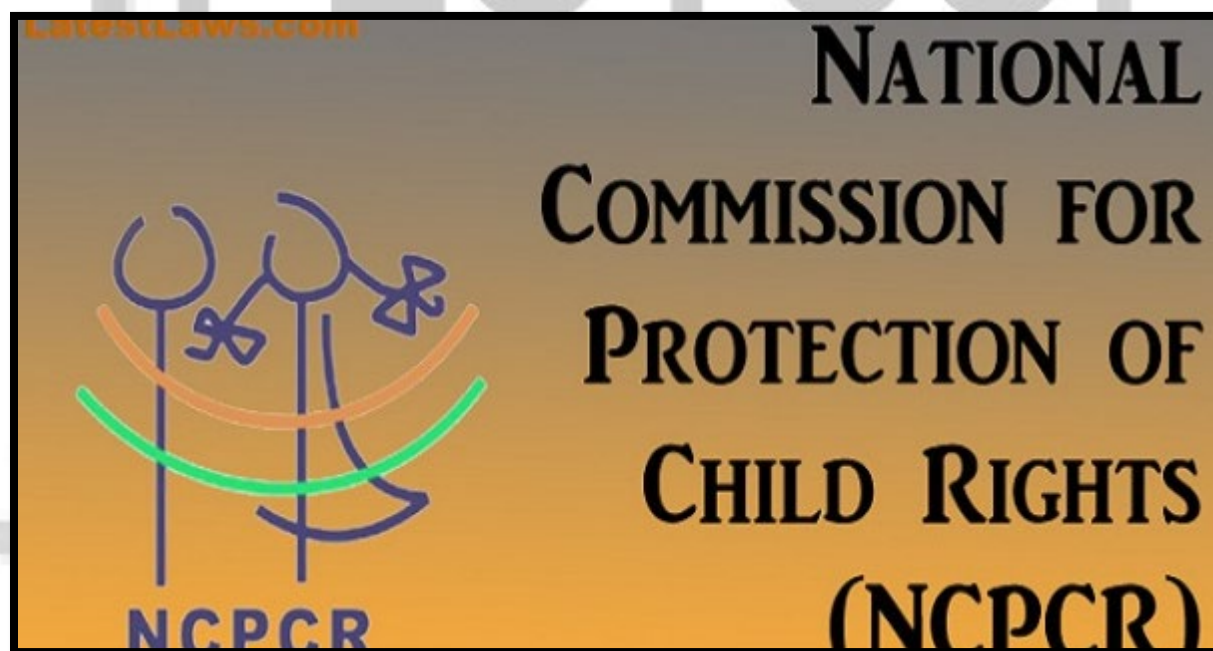
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NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS (NCPCR): SAFEGUARDING CHILDHOOD

WHY IN THE NEWS?

Recent deaths of students on the campus of Ashoka University in Haryana led the NCPCR to issue a notice to the DGP of Haryana to take detailed action.



WHAT IS NCPCR?

The National Commission for Protection of Child Rights (NCPCR) is a statutory body established under the Commission for Protection of Child Rights Act, 2005, by the Government of India. It is mandated to ensure the protection and promotion of the rights of all children aged 0–18 years. NCPCR upholds the principles of universality and inviolability of child rights, emphasising the urgency in implementing child-related policies. While prioritising vulnerable children, such as those in backwards regions or distressing circumstances, it warns against the “fallacy of exclusion”, where many deserving children may be overlooked due to narrow

targeting. The Commission advocates a holistic, inclusive approach to ensure that no child is left behind, thereby strengthening the overall impact of child welfare programs.

STRUCTURE OF THE NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS (NCPCR)

- 1. Chairperson:** The Commission is headed by a Chairperson, who must be a person of eminence with an outstanding record in promoting child welfare.
- 2. Total Members:** The Commission comprises six members, in addition to the Chairperson.
- 3. Gender Representation:** Out of the six members, at least two must be women, ensuring gender sensitivity in the Commission's composition.
- 4. Appointing Authority:** All members, including the Chairperson, are appointed by the Central Government.
- 5. Eligibility Criteria:** Members must be persons of eminence, ability, integrity, and experience in relevant fields concerning children.
- 6. Field 1 – Education:** Members may be experts in education, especially in areas impacting child learning and access.
- 7. Field 2 – Child Development and Care:** Includes experience in child health, care, welfare, or child development.

CONSTITUTIONAL PROVISIONS RELATED TO CHILDREN IN INDIA

- 1. Right to Life with Dignity – Article 21:** Ensures every child the right to life and personal liberty, including the right to live with dignity, privacy, and personal security.
- 2. Right to Equality and Non-Discrimination – Articles 14 and 15:** Article 14 guarantees equality before the law. Article 15 prohibits discrimination on the grounds of religion, race, caste, sex, or place of birth, safeguarding children from biased treatment.
- 3. Right Against Exploitation – Articles 23 and 24:** Article 23 prohibits trafficking in human beings and forced labour. Article 24 prohibits the employment of children below 14 years in hazardous industries or occupations.
- 4. Right to Free and Compulsory Education – Article 21A:** Guarantees free and compulsory elementary education to all children aged 6 to 14 years as a Fundamental Right.
- 5. Holistic Development and Protection – Article 39(f) (DPSP):** Directs the State to ensure that children are given adequate opportunities to develop in a healthy manner and are protected from exploitation, abuse, and neglect.
- 6. Early Childhood Care and Education – Article 45 (DPSP):** Mandates the State to strive towards providing early childhood care and education for all children below the age of six years.
- 7. Role of Panchayats in Child Welfare – Article 243G:** Empowers Panchayats to undertake programs related to women and child development, thereby institutionalising child care at the grassroots level.

MANDATE AND RESPONSIBILITIES OF NCPCR

- 1. Review Legal Safeguards:** Examine existing laws protecting child rights and recommend measures for their effective implementation.
- 2. Investigate Violations:** Inquire into child rights violations and suggest legal or remedial actions against offenders.
- 3. Identify Hindrances to Child Rights:** Assess factors limiting children's rights, such as terrorism, violence, trafficking, abuse, and exploitation, and recommend preventive and corrective measures.

4. Protect Vulnerable Children: Focus on children needing special care, including those in distress, marginalised groups, juveniles in conflict with the law, or children without family support, and propose suitable interventions.

5. Review International Treaties and Policies: Study global treaties and evaluate national policies to ensure alignment with international child rights standards.

6. Complaint Redressal and Suo Motu Action: Address complaints related to child rights violations and take suo motu action on serious issues affecting children.

RECENT INITIATIVES TO PROTECT CHILDREN

1. Addiction Free Amrit Kaal Campaign: Launched on 31st May 2023 (World Tobacco Day), this national campaign aims to protect children from substance abuse. 'Prahari Clubs' have been formed in schools to involve children in raising awareness against tobacco and drug use.

2. GHAR Portal (Go Home and Reunite): Developed during the COVID-19 pandemic, this portal facilitates the repatriation and rehabilitation of children from child care institutions to their families in a structured manner.

3. MASI Portal (Monitoring App for Seamless Investigation): A real-time digital monitoring tool for overseeing the functioning and investigations related to Child Care Institutions (CCIs), ensuring timely action and accountability.

4. Directive Against Exploitation in Fundraising: NCPCR issued guidelines to civil society organizations to prevent the misuse of images and information of vulnerable children for fundraising purposes, upholding their dignity and rights.

5. Bal Swaraj Portal: An online platform for tracking and monitoring children in need of care and protection, ensuring timely interventions and better coordination among child protection authorities.

CHALLENGES IN THE PROTECTION OF CHILD RIGHTS

1. Non-Binding Nature of Recommendations: NCPCR's recommendations are not legally binding, limiting their impact and weakening the enforcement of child rights protections.

2. No Time Frame for Case Disposal: The absence of statutory timelines for inquiries and investigations leads to delays in resolving cases and undermines the delivery.

3. Underreporting of Complaints: While the NCPCR received 50,857 complaints from 2016–2021, NCRB reported 1,28,531 cases of crimes against children in 2021 alone, indicating low public awareness and trust in reporting to the Commission.

4. Lack of Proactive Functioning: Parliamentary reports highlight that NCPCR is often reactive, not taking timely suo motu action or highlighting critical child rights issues effectively.

5. Limited Involvement in Policy Formulation: The Commission is rarely consulted during the initial stages of policy-making, reducing its role in shaping child-focused policies.

WAY FORWARD

1. Strengthen Institutional Synergy: Improve coordination between the Ministry of Women and Child Development and NCPCR without compromising the Commission's autonomy.

2. Enhance Civil Society Engagement: Collaborate more actively with NGOs and civil society to raise awareness, encourage reporting, and ensure broader outreach.

3. Expand Commission's Powers: Grant powers such as awarding monetary relief or imposing penalties to make the Commission more effective and authoritative.

4. Optimise Use of Existing Powers: Train members to fully utilise current powers, such as conducting inspections, summoning individuals, and launching inquiries.

5. Timely Case Disposal through Reforms: Introduce structured timelines and case-tracking systems to ensure timely and transparent resolution of child rights cases.

CONCLUSION

The National Commission for Protection of Child Rights (NCPCR) plays a pivotal role in safeguarding and promoting the rights of India's children. Its mandate to monitor laws, investigate violations, and advocate for policy reforms reflects the country's constitutional and moral commitment to child welfare. However, to translate this mandate into tangible outcomes, the Commission must be empowered with enforceable authority, strengthened institutional mechanisms, and greater engagement with civil society. Bridging the gap between intent and implementation, and ensuring timely, child-centric interventions, is crucial for building a secure and inclusive future for all children. A rights-based, proactive, and collaborative approach will be key to fulfilling the vision of a child-friendly India.

PRELIMS QUESTIONS

Q. Consider the following statements about the National Commission for Protection of Child Rights (NCPCR):

1. It is a constitutional body established under Article 45 of the Indian Constitution.
2. It has the power to take suo motu cognisance of child rights violations.
3. It falls under the administrative control of the Ministry of Women and Child Development.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Answer: B

MAINS QUESTIONS

Q. Discuss the mandate, structure, and recent initiatives of the National Commission for Protection of Child Rights (NCPCR). Highlight the major challenges faced by the Commission and suggest measures to strengthen its effectiveness in safeguarding child rights in India

(250 words, 15 marks)




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
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