

Recommendations of the Commission is prepared and placed on file 'A' for concurrence.

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Chairman (Incharge) h.h
14/7/15

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15.7. Incharge

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Before the Maharashtra State Commission for Protection of Child Rights.
Enquiry, under sections 13 (1) & 14 (1) of the Child Right Protection Act, 2005

C.R.No.125/2015

Introduction:-

This matter has been brought before the Commission by one Shri Bhimrao Meshram, Chairman, District Advisory Board, Woman and Child Development, Bhandara. The complaint has been addressed to Hon'ble Chief Minister, Government of Maharashtra and copy to the Commission. Complainant has raised the issue regarding act of omission and commission committed by Members and Chairman of Child Welfare Committee, Bhandara, in term of permitting the children to retain in the children homes. In the complaint, it is also mentioned that Children Homes in the Bhandara District are not running in accordance with the provision of Juvenile Justice Act, 2000 and the rule made there under. The contents of Child Welfare Committee with the connivance of the owner of the Children Home and District Woman and Child Development Officer allowing those children to be kept in the Children Homes who does not fall under the category of children who need care and protection as prescribed under provision of 2 (d) (i) to (ix) of Juvenile Justice Act. The Child Welfare Committee does not follow the procedure to allow the children in the Children Home as prescribed under section 32 of Juvenile Justice Act. Other issues have also been raised in the complaint such as lack of basic facilities, infrastructure, mental and physical harassment of children, etc.

2. The Commission listed the matter, called the Chairman of Child Welfare Committee, complainant and District Woman and Child Development Officer. However, no one attended the hearing. A letter received from complainant and District Woman and Child Development Officer, mentioning that for want of receiving the notice within the time, they did not be able to attend the

Commission. No written reply has been received from any persons including the complainant. Therefore, the Commission decided to close this matter and on the basis of available records and Commission's report in the matter of Children Homes situated in the other districts in the States for which enquiries were conducted by the Commission and detailed recommendations were made by the Commission including recovery of the grant, conciliation of the permission, action against the officers and owners of the children home, etc. The contents of the letter and documents, prima facie, reveal that in the district, Children Homes are not running in accordance with procedure as laid down in the Act and rule.

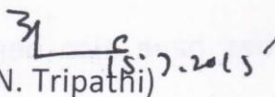
3. Under the above circumstances, the Commission is making the following recommendations:-

(i) To conduct an enquiry by constituting a team to ascertain the number of fit children in the Children Homes who need care and protection.

(ii) To investigate the procedure followed by Child Welfare Committee to allow the children to retain in the Children Homes and submit report to the Commission.



By order and seal of the Commission


(A. N. Tripathi)

I.F.S.

Secretary

Maharashtra State Commission for Protection
of Child Rights.

Date:- 28 JUL 2015