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20/5/24

ਦਫਤਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ -ਕਮ-ਜ਼ਿਲ੍ਹਾ ਮੈਜਿਸਟਰੇਟ, ਬਠਿੰਡਾ।
Office of the Deputy Commissioner & Distt. Magistrate Bathinda.

(ਸ਼ਿਕਾਇਤ ਅਤੇ ਪੜਤਾਲ ਸ਼ਾਖਾ)

ਪੱਤਰ ਨੰ...1628.../ਸਪਸ/ਸਕ2
ਸੇਵਾ ਵਿਖੇ,

ਮਿਤੀ...16/5/24

1. ਸੀਨੀਅਰ ਕਪਤਾਨ ਪੁਲਿਸ, ਬਠਿੰਡਾ।
2. ਜਿਲ੍ਹਾ ਪ੍ਰੋਗਰਾਮ ਅਫਸਰ, ਬਠਿੰਡਾ।
3. ਜਿਲ੍ਹਾ ਬਾਲ ਸੁਰੱਖਿਆ ਅਫਸਰ, ਬਠਿੰਡਾ।
4. ਜਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਸੈਕੰਡਰੀ/ ਪ੍ਰਾਇਮਰੀ) ਬਠਿੰਡਾ।

8
2)-1
20/5/24

ਵਿਸ਼ਾ:-

Recommendation to prevent illegal transportation of children regarding.

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਪਾਸ ਡਾਇਰੈਕਟਰ, ਸਮਾਜਿਕ ਸੁਰੱਖਿਆ, ਇਸਤਰੀ ਅਤੇ ਬਾਲ ਭਲਾਈ ਵਿਭਾਗ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਹੋਏ ਪੱਤਰ ਮਿਤੀ 16/5/24 ਸਮੇਤ ਐਨ.ਸੀ.ਪੀ.ਸੀ.ਆਰ. ਦੇ ਪੱਤਰ ਦੀ ਕਾਪੀ ਨੱਥੀ ਕਰਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਪੱਤਰ ਵਿੱਚ ਦਰਸਾਏ ਗਏ ਤੱਥਾਂ ਸਬੰਧੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਅਮਲ ਵਿੱਚ ਲਿਆਂਦੀ ਜਾਵੇ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਜਿਲ੍ਹਾ ਬਠਿੰਡਾ ਵਿੱਚ 6 ਤੋਂ 14 ਸਾਲ ਤੱਕ ਦੇ ਸਮੂਹ ਬੱਚਿਆਂ ਨੂੰ ਨੇੜਲੇ ਸਕੂਲਾਂ ਵਿੱਚ ਭਰਤੀ ਕੀਤਾ ਜਾਣਾ ਯਕੀਨੀ ਬਣਾਇਆ ਜਾਵੇ ਅਤੇ ਬੱਚਿਆਂ ਸਬੰਧੀ ਕਿਸੇ ਤਰ੍ਹਾਂ ਦੀ ਗਤਤੀਵਿਧੀ ਚੈਕ ਕਰਨ ਲਈ ਸਮੇਂ ਸਮੇਂ ਤੇ ਰੋਡਾਂ ਕਰਦੇ ਹੋਏ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਬੱਚਿਆਂ ਦੇ ਅਣਅਧਿਕਾਰਤ ਟਰਾਂਸਪੋਰਟੇਸ਼ਨ ਸਬੰਧਤੀ ਸਮੇਂ ਸਮੇਂ ਤੇ ਪੜਤਾਲਾਂ ਕਰਦੇ ਹੋਏ ਸਰਕਾਰ ਵੱਲੋਂ ਸਮੇਂ ਸਮੇਂ ਤੇ ਜਾਰੀ ਹਦਾਇਤਾਂ ਦੀ ਪਾਲਣਾ ਵਿੱਚ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਣੀ ਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ ਜੀ।

ਨੱਥੀ ਉਕਤ ਅਨੁਸਾਰ 3 ਪੰਨੇ

ਸੁਪਰਡੈਂਟ (ਰਿਕਾਰਡ ਤੇ ਮਾਲ)
ਡੀ.ਸੀ.ਦਫਤਰ ਬਠਿੰਡਾ

ਦਫਤਰ ਜਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਸੈ.ਸਿ) ਬਠਿੰਡਾ

ਪਿਠ ਅੰਕਟ ਨੰ. ਜੀ-1/1 ()2024/ 9034 ਮਿਤੀ: 20/05/2024

ਉਕਤ ਦਾ ਉਤਾਰਾ ਸਮੂਹ ਸਕੂਲ ਸੁੱਖੀਆਂ ਨੂੰ, ਭੇਜਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਪੱਤਰ ਵਿਚ ਦਰਜ ਹਦਾਇਤਾਂ ਦੀ ਇੰਨ-ਬਿੰਨ ਪਾਲਣਾ ਕਰਨੀ ਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ।

ਜਿਲ੍ਹਾ ਸਿੱਖਿਆ ਅਫਸਰ (ਸੈ.ਸਿ)
ਬਠਿੰਡਾ।

Directorate of Social Security and Women & Child Development Punjab
SCO No. 102-103, Sector 34-A Chandigarh.

To

All Deputy Commissioners,
State of Punjab.

Memo No: ICPS/ PO-TRG/2024/ 16147-169
Dated, Chandigarh. 16-5-2024

Subject: Recommendation to prevent illegal transportation of children regarding.

Please refer to Letter No.99-05/2024/NCPCR(PD)/DD21793 dated 03.05.2024, received from Chairperson, National Commission for Protection of Child Rights, New Delhi on the subject cited above (Copy enclosed).

As per information given by NCPCR, 95 children were rescued while allegedly being illegally transported from Bihar to Uttar Pradesh. These children were found to be attending unregistered Madrasas in the Saharanpur District of Uttar Pradesh. They disclosed that they were coerced into carrying bricks, cleaning toilets, and endured physical and mental abuse. Instead of attending formal schools, these children were confined to the Madrasa. It appears that in name of religious education, the children are deprived of their fundamental rights given under the Constitution of India and the Right to Education Act, 2009. Section 5 of the Act provides to every child of the age of six to fourteen years the right to free and compulsory education in a neighbourhood school till the completion of elementary education. However, as per the reports the children were not sent to any formal school and subsequently were devoid of their right to benefit from the entitlements given under Right to Education Act, 2009.


Instances where such religious institutions are found to be fundraising in name of children and illegally transporting children could potentially amount to child trafficking, may attract the provisions of Juvenile Justice (Care and Protection of Children), Act, 2015 and Section 370 of the Indian Penal Code(IPC).

In accordance with the mandate outlined in Section 13(1) of the CPC Act, 2005, the commission has passed instructions to take action on the following:

- i. Ensure that all children in the age of 6 to 14 years are enrolled in neighbourhood schools and receive formal education.
- ii. Ensure that in all such cases where it is found that money is being raised in name of children and children are illegally taken from one place to another, the concerned investigating officer may consider taking action in light of Juvenile Justice Act, 2015 and Section 370 of the Indian Penal Code;
- iii. To enhance vigilance in your respective districts, thereby preventing the illegal transportation of children between locations. Additionally, the District Child Protection Unit, Anti Human Trafficking Unit and Special Juvenile Police Units should be instructed to conduct routine inspections and monitoring to deter such occurrences.

This is for your information and necessary action please.

Page Enclosed: (2)



Director
Social Security and Women &
Child Development, Punjab

Dated 16-5-2024

Ends. ICPS/PO-TRG/2024/ 16170 - 239

A copy of the above is forwarded to following for information and necessary action please:

1. Chairperson, National Commission for Protection of Child Rights, New Delhi in reference to Letter No.99-05/2024/NCPCR(PD)/DD21793 dated 03.05.2024, for information please.
2. All Senior Superintendents of Police, State of Punjab.
3. All District Programme Officers, State of Punjab.
4. All District Child Protection Officers, State of Punjab.


Director
Social Security and Women &
Child Development, Punjab



प्रियंक कानुंगो
Priyank Kanoongo
अध्यक्ष
Chairperson

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



F. No. 99-05/2024/NCPCR (PD) (6621793)
Date: 03.05.2024

To,
Chief Secretaries/Administrators of All States/UTs

Subject: Recommendation to prevent illegal transportation of children_reg.

Madam/Sir,

As you are aware, the National Commission for Protection of Child Rights (NCPCR) is a statutory body formed under CPCR Act, 2005 to ensure that children enjoy their rights and look into matters related to children from child rights perspective and is also the monitoring authority for implementation of the Right to Education Act, 2009 and other education related provisions for children provided under the Constitution of India.

2. Over the past few days, both the National and State Commissions have intervened to rescue numerous children who were being unlawfully transported across state borders. In one such incident, April 26, 2024, 95 children were rescued while allegedly being illegally transported from Bihar to Uttar Pradesh. The Uttar Pradesh State Commission for Protection of Child Rights (UP SCPCR) rescued the children in Ayodhya and presented them before the Child Welfare Committee (CWC). Following counseling sessions, orders were issued to relocate these children to the Government Children's Home for Boys in Lucknow.

3. Such incidents once again underscore the reality that many children in India continue to remain out of school and are susceptible to violence. The 95 rescued children were found to be attending unregistered Madrasas in the Saharanpur District of Uttar Pradesh. They disclosed that they were coerced into carrying bricks, cleaning toilets, and endured physical and mental abuse. Instead of attending formal schools, these children were confined to the Madrasa. It appears that in name of religious education, the children are deprived of their fundamental rights given under the Constitution of India and the Right to Education (RTE) Act, 2009. Section 3 of the Act provides to every child of the age of six to fourteen years the right to free and compulsory education in a neighbourhood school till the completion of elementary education. However, as per the reports the children were not sent to any formal school and subsequently were devoid of their right to benefit from the entitlements given under Right to Education (RTE) Act, 2009. Instances where such religious institutions are found to be fundraising in name of children and illegally transporting children could potentially amount to child trafficking, may attract the provisions of Juvenile Justice Act, 2015 and Section 370 of the Indian Penal Code (IPC). Section 370 of the IPC states that- *Whoever, for the purpose of exploitation, (a) recruits, (b) transports, (c) harbours, (d) transfers, or (e) receives, a person or persons, by—*

Cont...

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001
5th Floor, Chandernlok Building, 36, Janpath, New Delhi-110 001
दूरभाष / Ph. : 011-23478212, 23478200
ई-मेल / E-mail : cp.ncpcr@nic.in वेब / Web: www.ncpcr.gov.in

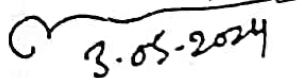
- i. using threats, or
- ii. using force, or any other form of coercion, or
- iii. by abduction, or
- iv. by practising fraud, or deception, or
- v. by abuse of power, or
- vi. by inducement, including the giving or receiving of payments or benefits, in order to achieve the consent of any person having control over the person recruited, transported, harboured, transferred or received, commits the offence of trafficking

4. In accordance with the mandate outlined in section 13 (1) of the CPCRA Act, 2005, the Commission recommends following steps-

- i. Ensure that all children in the age of 6-14 years are enrolled in neighbourhood schools and receive formal education;
- ii. Ensure that in all such cases where it is found that money is being raised in name of children and children are illegally taken from one place to another, the concerned investigating officer may consider taking action in light of Juvenile Justice Act, 2015 and Section 370 of the Indian Penal Code;
- iii. Issue necessary directions to the District Collector/Magistrate of all Districts in your State/UT to enhance vigilance in their respective districts, thereby preventing the illegal transportation of children between locations. Additionally, the District Child Protection Unit (DCPU), Anti-Human Trafficking Unit (AHTU), and Special Juvenile Police Units (SJPU) should be instructed to conduct routine inspections and monitoring to deter such occurrences.

5. The compliance of the above recommendations may be send to the Commission within 15 days of issue of the letter.

Yours sincerely,


3.05.2024
(Priyank Kanoongo)

Copy to-

1. Secretary, Department of School Education & Literacy, Ministry of Education, New Delhi.
Email: secy.sel@nic.in -- for issuing necessary directions as per point 4(i)
2. Chairman, Airport Authority of India. Email: chairman@aai.aero --to issue necessary directions to all concerned officers to be vigilant for any signs of child trafficking
3. Chairman, Railway Board & Chief Executive Officer (CEO). Email: crb@rb.railnet.gov.in --to issue necessary directions to all concerned officers including RPF and GRP to be vigilant for any signs of child trafficking
4. Director General of Police of all States/UTs.