

MINUTES OF THE ALL INDIA MEETING OF THE CHAIRPERSONS AND MEMBERS OF JUVENILE JUSTICE COMMITTEES OF HIGH COURTS AND REPRESENTATIVES OF CENTRAL AND STATE GOVERNMENTS UNDER THE AEGIS OF SUPREME COURT OF INDIA HELD VIA VIDEO CONFERENCING
(November 28-29, 2020)

Coram : HON'BLE MR. JUSTICE S. RAVINDRA BHAT,
Judge, Supreme Court of India and
Chairperson, Juvenile Justice Committee.

In Attendance : (i) Sh. Anil L Pansare,
Registrar, Supreme Court of India and
Member Secretary, Juvenile Justice Committee
(ii) Sh. Ajay Agrawal
Additional Registrar, Supreme Court of India

A two day meeting of the Chairpersons and members of Juvenile Justice Committees of High Courts and representatives of Central and State Governments under the aegis of Supreme Court of India was held via video conferencing on November 28-29, 2020. The list of participants is placed at Annexure -1.

November 28, 2020

Introductory Addresses (10:30-10:50 AM)

Welcoming all the participants in the two day All India Meeting, **Hon'ble Mr. Justice S. Ravindra Bhat**, Judge, Supreme Court of India and Chairperson, Juvenile Justice Committee, outlined the purpose of convening the meeting. Justice Bhat stated that over the next two days the focus of the deliberations will be on health, education and safety concerns of children in need of care and protection, challenges faced due to transportation and restoration, strengthening mechanism of Child Care Institutions (CCIs), social investigation reports, meetings of Juvenile Justice Boards and Child Welfare Committees. The Chair stated that Covid 19 pandemic has had a lasting impact on children and child rights and reports in the press have exposed serious child right violations during the pandemic with a spike in child sexual abuse cases trafficking, forced labour etc. Justice Bhat pointed that thrust for developing community and family-based options to rehabilitate vulnerable children has taken a backseat, and Child Care Institutions have gained prominence. Talking about the difficulties

faced by CCIs, Justice Bhat stated that the lockdown triggered by COVID 19 brought additional burden on the limited residential staff in the CCIs who were forced to perform additional roles as social workers, counselors, tutors etc. in addition to their regular work. Justice Bhat stressed that during lockdown the role of mental health professionals and counselors has become even more important in reducing the risk of child sexual abuse and monitoring the condition of children under care and protection. Highlighting the issue of the digital divide, the Chair mentioned that, to carry on educational activities, many CCIs may struggle in providing adequate hardware devices and internet connectivity.

Talking about the challenges going ahead, Justice Bhat stated that the first challenge is to develop a quarantine area in limited space. Secondly, restoring the children, without prior investigation with the families already grappling with unemployment issues, increases children's vulnerability and may jeopardize the restoration system. Third challenge is with regard to the plight of care givers, many of whom have been laid off. Justice Bhat said it was essential that their plight be looked into as the CCIs have hardly any system in place to support these care givers. Fourthly, the Chair stated that it is high time that innovative strategies be developed for meeting the financial needs of CCIs in Covid 19 era where the funds crunch has been accelerated due to donors diverting their resources to other direct relief works. Fifthly, the chair raised the issue of rushing with restoration of children to dysfunctional families in post-Covid 19 era which may not be in the best interest of children especially those who are extremely vulnerable such as rape victims. Justice Bhat emphasized that all institutions, both at State and Central level should continue to engage closely with civil society and practitioners to know the ground realities and come up with new practices and priorities. The Govt. schemes alongwith community led effort will continue to be key in preventing the children from separating from their own families.

Mr. Ram Mohan Mishra, Secretary, Ministry of Women and Child Development, Government of India in his speech, urged the State Govts. to come up with a detailed action plan to be applied in times of emergency, which should include the management of CCIs and the management of children in these communities. Mr. Mishra urged the UNICEF to recognize the short-term measures that are to be taken in accordance with the need of each state, for mobilization of the resources in the right direction. He stated that the State bodies and the educational institutions should together provide care, for which the benchmark should be parental care. Mr. Mishra suggested that the states and institutions should take feedback from the beneficiaries of the program in addition to reports from the management, to know the reality of the implementation and improving the action plans.

Session on “Restoration of Children in Need of Care and Protection” (10:50 -12:20 PM)

In this session the **High Courts of Kerala, Orissa, Madhya Pradesh, Jharkhand and Patna** in coordination with State Govts. made presentations on the issues of analysis of children restored to families, identification of next steps to restore children permanently when possible and analysis of the situation of children in alternative care, regarding access to formal or informal learning opportunities.

Making a presentation before the meeting, **Hon’ble Mr. Justice Shaji P. Chaly**, Judge, High Court of Kerala and Chairperson, Juvenile Justice Committee for the High Court highlighted the steps taken by the State Govt. on extensive restoration plan. It was mentioned that State Govt. has issued directions that re-admission of children in CCIs during lockdown should be done only on the order of CWCs. Women Cell Development Departments have been asked to conduct home study for children who have gone to their homes for de-institutionalization. Detailed list of children who can be sent to foster care and adoption will have to be compiled by District Child Protection Unit and sent to Women Commission for processing. Justice Chaly also outlined the steps taken by the State Govt.

for ensuring the well-being of the children who have been restored to their own families. Justice Chaly stated that the Kerala government has paid attention to other steps like, adoption, repatriation, *Vijnanadeepthi* and Foster Care for restoration of children on permanent basis. Special attention has been given to the *Sanadhabalyam* programme, to provide foster care placement for orphaned children and to ensure a healthy and joyful family life of the children placed in foster care.

Hon'ble Mr. Justice Biswanath Rath, Judge, High Court of Orissa and Member, Juvenile Justice Committee for the High Court spoke about the interventions taken by the State Govt including steps for de-institutionalization of children having the support of extended family. Justice Rath during his presentation stated that when a vulnerable child is produced before the CWC, the first preference is being given for his/her restoration to the family. This has resulted in de-institutionalizing of 22,000 children and restoring them to various family based care in past 3 years. These restored children are being followed up by a robust mechanism at the district level through the District Child Protection Unit (DCPU) and by the CWC on the basis of a Home Study report (HSR). The project officer with social workers and outreach workers of the DCPU visit the child and family to monitor the progress and status of the child. Justice Rath informed that the State Government with the aid of 6798 Gram Panchayat level child protection committees and 314 block level committees, have also started conducting orphan surveys to identify children at risk in the family. The identified children are being tracked and supported, with rehabilitative support to prevent institutionalization and other violations of their rights. Justice Rath also highlighted the challenges in follow up on the child restored due to lack of staff . He shared his own experience of visiting various CCIs , many of them without proper infrastructure, healthcare and sanitation facilities. Follow-up meetings were conducted to ensure appropriate interventions for ensuring corrective measures.

Smt. Swati Meena Naik, Director of Women and Child Development, making presentation on behalf of State of Madhya Pradesh spoke about the vulnerability assessment being carried out by the state government for creating a State Action Plan in collaboration with the community and stakeholders. She stated that online counseling sessions and various meetings were organized and the CWC closely monitored Child Care Institutions (CCIs) to ensure the safety and well-being of the children. It was informed that capacity building in mental health counseling of children was carried out through 69 trained psycho-social counselors. 3921 sessions were held and 14026 group counseling programmes were conducted. Regular health check-up of children were conducted and protocols have been set up for sanitization, cleanliness, cooking of meals, distancing amongst children. She said that 10 Divisional Quarantine Centers were established to facilitate the entry of new children and state specific sponsorship and foster care guidelines were laid down to simplify the process for family gathering and restoration and reducing the minimum period for adoption eligibility from 5 years to 3 years. Ms. Naik stated that from April 2020, 451 out of 2236 children staying in CCIs were restored, and weekly follow up with the parents is being carried out through telephonic video calls and personal visits. She spoke about the Launchpad Scheme for after-care by the State Government. Through this scheme, vocational courses such as graphic designing, computer applications, fashion designing, etc. have been organized. She mentioned about the challenges faced during the restoration process such as transporting Children from one district to another, difficulties in contacting the parents of children from their hinterlands, ensuring availability of police guards, tracing of parents, interruptions in adoption.

Hon'ble Dr. Justice S.N. Pathak, Judge, High Court of Jharkhand and Chairperson, Juvenile Justice Committee for the High Court emphasized on the mechanism adopted by the state for restoration and follow-up of the status of children during the pandemic enforced lockdown. Justice Pathak in his presentation informed that 972 children have been identified to be linked with the sponsorship program. 2166 children were restored and 78% follow up was done. Justice Pathak listed out

challenges faced by CCIs such as insistence of parents to keep their children in CCIs for their education, restoration of children with special needs, missing children, children affected by addiction, runaway children issues, survivors of trafficking, procedural delays in sponsorship and foster care linkages. Justice Pathak highlighted the initiatives undertaken to promote restoration and deinstitutionalization including capacity development programmes. He further informed that Counselors of District Child Protection Units, CCIs and Childline are being established to address the mental health concerns of children. Showing the way forward Justice Pathak suggested target-oriented approach for linkages with sponsorship and foster care, creating convergence amongst different functionaries at the district level, engaging PLVs at the block level for support in restoration and creating an aftercare programme.

Hon'ble Mr. Justice Ashwani Kumar Singh Judge, High Court of Judicature at Patna and Chairperson, Juvenile Justice Committee for the High Court informed that this year number of children restored to their families exceeded the number of children admitted in children homes. In his presentation, it was mentioned that 1,645 children were admitted to 34 children's homes in the state and 1,724 children reunited with their families, many of whom were residing for a long time in children's homes. There was a decline in admission of these children after March because of the complete lockdown owing to Covid-19. Justice Singh said the reasons for long period of stay in the children's homes were mainly due to the children face some disability like mental disability or whose families/addresses are not traceable. While comparing the data on restoration from previous year, Justice Singh stated that there was a drop in number of children staying in the children's homes and restored mainly because of restricted movement of DCPO's and its functionaries' to carry out the outreach and rescue programme of the children in vulnerable conditions. Delay in discharging the children's from observation homes was primarily due to absence of quality psychologist or psychosocial worker and frequent change in CWPO, which effects the quality of Social Background Report and delay in its submission before Hon'ble Court. Justice Singh also informed about

“Parvarish”, a kinship care programme benefiting 16,930 children including orphans, and children suffering from HIV or leprosy. It was mentioned that State Government enhanced after care assistance given to child from Rs. 2,000/- to Rs. 4,000/- per child. Justice Singh said that a Psychological Support Programme was launched by the social welfare departments along with the support of UNICEF to combat the mental & psychological stress faced by the children at Child Care Institutions. He emphasised on the utility of web enabled child protection management information system including child labour tracking system in monitoring the rehabilitation of children. Showing the way forward, Justice Singh suggested linking of CCIs with institutions under the skill development mission of the State government, formation of a State Task Force for restoration and rehabilitation to ensure that the families are linked with at least two social protection schemes.

Session on ‘Good Practices on Bail and Diversion for Children in Conflict with Law’ (12.45 to 1.30 PM) (12:20-1:00 PM)

In this session the **High Courts of Gauhati and Bombay** in coordination with State Govts. made presentations on the issues of Identification of practices on bail and diversion measures from states for children in conflict with law and follow up and monitoring of cases and ensuring sustenance of these practices in the long term.

Hon’ble Mr. Justice N. Kotiswar Singh, Acting Chief Justice, Gauhati High Court highlighted the difficulties faced by the children in conflict with the law during the Covid-19 pandemic. Applying for bail in time, fear of losing close ones, isolation, mental stress and restrictions on physical movement were the primary reasons. Justice Singh stated that internal state level committee was

constituted to collect data from observation homes, juvenile justice boards, and CCIs, to analyse and categorize the data crime-wise and recommend the JJBs to grant bail to children. Good practices adopted in the State Government including fast tracking of cases where bail could be granted by the juvenile justice boards, facilitating appearance of children in conflict with the law through virtual platforms, completing pending SIRs within 7 days by the police with the support of child welfare officers, making logistical arrangements for transportation, utilizing emergency funds in surety for release of children on bail were highlighted. Justice Singh mentioned that follow up measures including online and offline counselling support to families and children, and coordination through Whatsapp groups of children/parents to keep track on safety and well-being were undertaken. He suggested setting up of separate online court system for juvenile justice boards which could later be integrated with the larger e-courts system. Juvenile diversion programme, a counseling method instead of formal court proceedings for juvenile offenders, diverting young people away from the penal system into informal network of control support and care we addressed in presentation. Justice Singh stated that key to ensuring speedy justice is timely issuance of guidelines/ standard operating procedures, instructions to state departments, and prompt sharing of information among key institutions. Showing the way forward Justice Singh suggested classifying child protection services as essential services under Disaster Management Act, 2005 to avoid difficulties in future emergencies.

Hon'ble Mr. Justice A.K. Menon, Judge, Bombay High Court, in his presentation highlighted that bail is a critical window of opportunity for rehabilitation and requested all the stakeholders to ensure that bail is granted at the earliest and the conditions imposed are personalized for each child in conflict with the law. Justice Menon informed that, during the lockdown 2232 children were released and only 154 remained in observation homes. It was mentioned that the CCIs typically lack infrastructure such as internet service, laptops, etc. and to overcome such challenges during the lockdown staff and children were allowed to use personal devices, and use options such as Whatsapp calls. Justice Menon stated that UNICEF also undertook special training programs for self-care and

psycho-social care for children. Information regarding Covid-19 and its prevention were provided to children remotely via mobile telephony or video calls. Justice Menon said police is now issuing character certificates, which help to place children in good institutions. Restorative circles and sessions on financial planning, work ethics, career planning, anger management are being conducted and parents and children undergo group counseling thereby reducing communication gap. Showing the way forward Justice Menon recommended that community service bail orders must be life affirming and not standard orders, social investigation reports must be personalized to each child. Justice Menon also recommended 'D-factor assessment to assess dark factor which could help in determining nature of intervention required for children. He suggested setting up an audit mechanism for assessment and follow up of all the measures that State claims to have taken to determine where improvements can be made and shared with other States. He highlighted the fact of delay in children's courts due to Covid -19 and recommended presenting individual care plans to Juvenile Justice Boards.

NOVEMBER 29, 2020

SESSION ON "ACCESS TO SPONSORSHIP AND SOCIAL PROTECTION SCHEMES TO CHILDREN IN FAMILY-BASED ALTERNATIVE CARE/ REHABILITATION/ RESTORATION" (10.30 AM TO 12 NOON)

In this session the **High Courts of Karnataka, Gujarat, Calcutta** in coordination with State Govts. made presentations on the issues of analysis of access to sponsorship, social protection and social welfare schemes for rehabilitation/restoration and de-institutionalisation including challenges to mental health and identification of priorities and next steps to ensure vulnerable families have access to sponsorship and social protection schemes.

Hon'ble Ms. Justice B.V. Nagarhna Judge, High Court of Karnataka and Chairperson, Juvenile Justice Committee for the High Court, in coordination with **Ms. Pallavi Akurathi, Director of ICPS**

made the presentation. Justice Nagarathna stated that during Covid-19 children suffered due to the lack of food and closure of schools which lead to education being affected except for the use of technology. Child marriages increased as girls were at home. Surrendering of children migration increased as the poor families were not able to look after them. Justice Nagarathna mentioned that child and adolescent psychiatry services, follow up camps and exclusive child helpline was set up in collaboration with NIMHANS. She highlighted a programme of the State Government where students were classified on the basis of availability of mobile and internet facility to ensure that there was no disruption in education.

Ms. Akurathi in her presentation stated that there were 986 CCIs in Karnataka and mentioned about ICPS Scheme where Rs. 1000 per month with priority to children of single mothers/ widows, children of leprosy patients/HIV patients and children whose parents/bread earners of the family are in jail. She informed that 2,078 children had received sponsorship in the year 2020-21. She also mentioned about '*Visheshha Palana Yojna*' where children affected by HIV are given Rs. 1000 per month. She stated that State Government was focused on increasing the adoption opportunities for *divyang* and older children and are developing a pool of mental health professionals. She briefed about an innovative programme called 'ROOTS' (Rehabilitation Of Orphaned abandoned and surrendered children Trauma and Special needs) to implement a hybrid approach to address physical and psycho-social requirements of *divyang* children to increase their adoption opportunities and rehabilitation and a cradle scheme called '*Mamateya Thottilu*' set up to ensure surrender of children while maintaining the confidentiality of surrenderer. Ms. Akurathi explained that '*Makkala Grama Sabhas*' of children are an effective tool to ensure access of vulnerable children to social protection scheme and around 4,31,114 children attended these *Grama Sabhas*. State Government has also set up an after-care scheme called 'UPKAR' extending financial support of Rs. 5000/- per month per child up to a maximum of 3 years or till they become economically independent. She stated that due to effective de-institutionalization, the number of children reduced from 34,507 to 7,428 during the lockdown. The '*Naanu Samarth Scheme*' an online certificate course on life skills, conflict resolution, decision

making was conducted for children in conflict with the law. For the identification of vulnerable children and families, dedicated cells in the Directorate of Child Protection were created and necessary training was imparted to DCPUs to collect data and carry out follow ups. A bridge school programme has been implemented for rescued children who were working as labourers, rag pickers, or children of migrant workers. Through intervention by the UNICEF and the State Government, 1795 children were de-institutionalized and 2888 children were kept away from institutionalization by helping CCIs and Juvenile Justice Boards in passing appropriate orders. It was suggested that funding of CCIs by ICPS be allowed and child protection facilitators be employed at the village and taluk level so that child welfare schemes are taken to the grassroots.

Hon'ble Ms. Justice Bela Trivedi, Judge, High Court of Gujarat began with an explanation of the PPP model used in child services in Gujarat, which operated through public-private partnership. Though the primary duty to protect and care for the children falls on the Government, the Government of Gujarat believes that other sectors also play an important role. Justice Trivedi said that the whole idea of PPP and in particular, Samaj Suraksha Sankul is to provide and nurture all children with or without special needs, a safe and supportive environment through family support, education and intervention. Other initiatives included partnership with SOS Children's Village to promote after-care facilities, partnership with GNLU to carry out research, partnership with UNICEF and Samvedna Trust to introduce a pilot project on family-based care, and co-operation with Miracle Foundation for capacity building of various CCIs, DCPUs, JJBs for de-institutionalization and family integration. Justice Trivedi recommended that such PPP models be followed in other states too, as academic and private institutions should bear some responsibility for the protection of children. She highlighted the lack of coordination between Govt. departments and lack of monitoring as a common feature which can be seen in most of the States. It was recommended that with the advent of technology, all departments can be linked to have automatic transmission of data for better functioning and coordination.

Mr. Manoj Aggarwal, Additional Chief Secretary, SJED, Govt. of Gujarat began by elaborating on the Paalak Mata Pita scheme which has been working as a gatekeeping scheme to prevent a large number of children from ending up in CCIs. The criteria under this scheme was orphans from 0-18 years of age, or children whose father had died and mother had remarried. The financial assistance under this scheme had gone from Rs. 75 in 1978 to Rs. 3000 per child per month in 2020. Mr. Aggarwal pointed out that education was a major concern with respect to the children in the CCIs or who are with their families during the COVID-19 period. Classes were conducted through television channels in CCIs and books and materials were provided for ensuring least disruption in education. The gap between education in CCIs and in normal schools is being brought to a minimum. He emphasised the importance of capacity building of functionaries who are involved with child protection. This was being done in a big way by the State Govt. through online as well as face to face training. Special classes were conducted for awareness of the Juvenile Justice Act, POSCO Act, regarding protection of children from unsafe touch, Disaster Management Act, child trafficking, beggary etc. All these were included in the training module. He emphasized that an important part of the system of the State are the block and village child protection committees which act as representatives of the social defence system for child protection. Monitoring of child care institutions was being done through the Chief Minister's Dashboard. A juvenile justice fund had also been established, for a sum of Rs. 2.5 Crores. A child protection and management information system was also initiated.

Hon'ble Mr. Justice Harish Tandon, Judge, Calcutta High Court stated that in order to ensure the safety of children in various child care institutions, a drive was taken to restore the children with their families after conducting the SIRs. Despite these efforts, around 4,500 children continued to stay at these institutions and have undergone severe mental stress. To combat this issue, several steps have been taken to strengthen their mental energy through therapeutic sessions viz. the Dance Movement

Therapy and the Integrated Intervention through Music Therapy in four different CCIs with the help of Samdev, an NGO. The entire intervention project is supervised by the psychology department of the Calcutta University. Training programmes were also carried out at the CCIs and DCPUs with the support of the Health and Family Department, Govt. of West Bengal and experts at NIMHANS where the counsellors were trained to understand the technicalities in providing remote counselling over telephone or through virtual mode. Justice Tandon then spoke of the new initiatives for these children that will commence soon which are in linkage with the Utkarsh Bangla and the Deen Dayal Upadhyay Gramin Kaushal Yojna. Career counselling was also undertaken in different CCIs at the state level workshops with the technical education departments, National Rural Livelihood Mission, and Horticulture Department. Initiatives were undertaken to deinstitutionalize and post restoration follow-up during the lockdown, where a structured mechanism for follow up was devised. He apprised the meeting of a project/scheme which at present is underway which includes a customized money back policy with life insurance scheme for children having no family which would provide these children a lump sum amount at the time of attaining the age of 21 years, so as to allow them to excel in the future in the mainstream world. Justice Tandon also spoke about the specific challenges faced by the State like no revision in the remuneration of the ICPS staff since 2017; issue with respect to the repatriation of children from Myanmar because of the home identification of these children and non availability of sufficient number of psychologists and psychiatrists in the State. Justice Tandon then went on to make the presentation for the Union Territory of Andaman & Nicobar as the Calcutta High Court also exercises jurisdiction there. Highlighting the fact that Union Territories are completely funded by the Central Government. Justice Tandon stated that they have proposed to engage tutors and the clinical psychologists in the CCIs and the Ministry of Women and Child Development approved the said proposal.

Ms. Sanghamitra Ghosh, Secretary, Department of Women and Child Development, Govt of West Bengal enlightened about the online information system developed by the West Bengal task force, using the Rescue, Restoration, Repatriation and Integration (RRRI) model which is an arm of Track Child and it delivers on aspects that the Track Child Portal (a National Portal) did not cover, specifically with regards to monitoring the repatriation process of the child. The need was felt because the State of West Bengal has a very long international border and this geographical location makes the incidence of human trafficking high in the State. Therefore, children from neighboring countries are often brought to CCIs in the State of West Bengal. She explained that repatriating such children back to their countries was a complex task for which, methods such as the Track Child Portal have been devised which has been keeping pace with the rapidly changing juvenile justice ecosystem in the country since 2012.

SESSION ON “WAY FORWARD – OUTSTANDING CHALLENGES AND ACTION NEEDED” (12.00 NOON TO 12.30 PM)

In this session the **High Courts of Rajasthan and Delhi** in coordination with State Govts. made presentations on the issues of sustaining restoration, diversion/bail and family-based care in post Covid-19 period and challenges to education.

Hon’ble Mr. Justice Sandeep Mehta, Judge of High Court of Rajasthan spoke about challenges in restoration, diversion, bail and family-based care in the post COVID period, and the challenges to education. Justice Mehta said that child protection services are emergency services, and it is essential to cater to the needs of children who are in difficult circumstances. He enlisted the many challenges being faced by the authorities in Rajasthan such as the issues relating to restoration of children, protection of children from being the victim of sexual abuse and lack of assessment process for

mainstreaming or re-admission of children. Justice Mehta then highlighted the initiatives taken by the State of Rajasthan in restoration of children during COVID which included setting up of quarantine homes for children coming into the JJ System, issue of necessary directions to the CWCs and DCPUs to productively consider resotation and de-institutionalization, providing necessary financial support after assessing vulnerability of families in which children have been restored, organization of programme with the assistance of NIMHANS in order to sensitize the officers regarding psychological issues faced by children. He suggested that Govt. of India should consider implementing such program nation -wide. Focusing on the issue of bail as a restorative measure, Justice Mehta stated that problems arise because of lack of qualitative social investigation reports. Directions have been given to the JJBs to consider and decide the bail application on the same day. Further, Protection Officers were directed to comply with pre-protection measures, which include non-registration of FIRs and limited apprehension bail application to be brought online through legal aid. Instructions have also been issued to conduct meetings through virtual mode. Capacity building programs are being conducted by the Rajasthan State Legal Service Authority and the Rajasthan Judicial Academy. Speaking on family-based care, Justice Mehta stated that the challenges which have been faced are regarding alternative care programs being at the nascent stage. There are complications in the legal framework which creates fear in the mind of the foster parent that the custody of the child is temporary and they might lose custody. Justice Mehta requested the Secretary in the Ministry of Women and Child Development, Govt. of India, to consider the diversion of the ICPS funds amounting Rs. 9.5 Crores lying unutilized to take care of the particular situations that have arisen in the pandemic and for providing counselling training and mental healthcare to the staff and children in the CCIs. Justice Mehta concluded by stating that in the State of Rajasthan, providing more human resources to re-start the secretariat has proven to be very successful and this can be implemented in other States too.

Ms. Gayatri Rathore, Secretary, Women and Child Development, State of Rajasthan stated that first and foremost requirement of a child is to grow up in a family environment, rather than going to an institution. Realizing this need, the State of Rajasthan has developed a very robust family- based care mechanism under the Palanhar Yojna. Under this scheme, the families of the children right from birth till they attain eighteen years of age are provided support by the State Government, keeping in view the economic constraints of the families. The only requirement is that the child needs to be registered in the Anganwadi system if the child is less than 6 years and to registered in schools if the child belongs to the next slot. Due to COVID-19 pandemic, the schools and anganwadis were closed so this year the Govt has given the exemption of upgrading the children without certificate from the school. For this year the government has earmarked Rs. 450 crores for this scheme. Next, Ms. Rathore spoke on the launch of Vatsalya, a foster care scheme for children who are in CCIs and have not been given up for adoption. If any society or individual wants to take the responsibility of the upbringing of the child, the State government will be providing Rs. 2,000/- per month. Ms. Rathore stated that the State of Rajasthan has launched a scheme named SAMARTH, for children who have completed eighteen years and were residing in anganwadis. Under this scheme the government will be providing them housing facilities, skill training, loan and mentoring facilities for 3 years and if the child shows any interest then it will be extended to 5 years.

Hon'ble Mr. Justice Rajiv Shakti, Judge of High Court of Delhi focused on the statistics in State of Delhi during the lockdown. Justice Shakti stated that from March till November 15th, the State has given enhanced focus on restoration of the children to their families. Delhi Police has also praised and acknowledged the efforts of the officers by giving them Out of Turn promotion. Recent example highlighted was that of lady officer Ms. Seema Dhaka being given promotion for successfully restoring 76 children to their families within a span of about two and a half months. With regard to bail, Justice Shakti stated that the Juvenile Justice Boards have taken a liberal approach and from

March till November 15th, 876 children in conflict with law have been granted bail. Further, regular supervision is being maintained on the CCIs by the Probation Officers after the children are released on bail. Justice Shakder further stated that under the directions issued by the Delhi Government on the behest of JJC, every child is being given Rs. 1500 along with dry ration on release of bail in order to remove the reluctance of the parents from accepting the children due to financial crisis. Justice Shakdher stated that State of Delhi has focused upon restoration of victims of Drug Abuse by conducting a ground interactive meeting at site in one such hub in Delhi, that is, Sultanpuri by the Juvenile Justice Committee of Delhi High Court. The Committee had one-on-one interaction with the children as also their parents and pursuant to a spot decision taken, a medical-cum-counselling Centre was set up in Sultanpuri. With regard to education, Justice Shakdher stated that CCIs are providing facilities for online education. There is a provision for non-formal educational kits and other learning material. There are videos which are being downloaded for the consumption of the children. Further, CCIs ensure that the children get admitted to their original schools immediately after leaving the institution. The challenges are regarding the use of technology for online education as there is a lack of facilities. Further, there is the issue of prevention, most of these children who leave homes are either trafficked or enter into child labour because of lack of basic necessities and homes. Therefore, the focus should be on the skill development and employability of these children. Justice Shakdher suggested that as a way forward, the focus should be on better coordination and accountability between stakeholders. Aadhar Cards can be used to track the families of these children. Counselling has to be provided to the children and their families and post-restoration assessment of the children has to be mandatorily done.

Justice Shakdher pointed out that there was no uniformity of standard of care being provided in all the States from the Central Govt. and need for common benchmark. Further, he suggested that allocation of funds should come forth from the government instead of sending it through private parties to the CCIs in order to ensure the proper use of the funds in the institutions.

CONCLUDING SESSION

During her address, **Ms. Soledad Herrero**, Chief, Child Protection, UNICEF India mentioned, ‘what started as a health pandemic, evolved into a full blown socio-economic but also human rights crisis, with children among its biggest victims’. Ms Herrero highlighted that detention of children must be the last resort in the case of children in conflict with the law, as stipulated by international legal frameworks. She said that bail and diversion should be the rule, not the exception which is also aligned with the main objective of Juvenile Justice which is reintegration of children in society. Ms. Herrero reiterated UNICEF’s commitment to fulfill these plans of action and to realize the vision for each and every child of India to have the right to be protected, the right to a family, and most importantly, the right to realize his/her full potential.

In his concluding speech **Hon’ble Justice S. Ravindra Bhat**, Judge, Supreme Court of India and Chairperson, Juvenile Justice Committee highlighted the health and safety concerns of children and care givers at child care institutions, and the challenges faced by these institutions because of the pandemic. The key challenges were with respect to deinstitutionalization, and wherever the same was not possible the health and safety of children staying in these institutions was a primary concern. They also faced challenges in providing proper education and essential services. The pandemic posed challenges like online education, mental stress, availability of electronic & digital infrastructure at the administrative level, slow restoration process, slackening monitoring mechanisms, and lack of coordination. Justice Bhat said that though the challenges faced by all were common, the solutions weren’t. Each state and its specific institutions, after factoring in the prevalent situation in the area and the available resources, devised unique solutions to tackle the crisis. Justice Bhat pointed to some innovative schemes, such as the Single Window Resource, Makkala Grama Sabha and Childline of Karnataka, Palanhaar scheme of Rajasthan, Palak Mata Pita Yojna of Gujarat, community foster care in Kerala, the helpline in Madhya Pradesh, and the psychosocial counselling, training, dance, music

& community based mental health support in West Bengal, which would be worth examining for their effectiveness and wider acceptance.

Concluding the two day conclave, Justice Bhat summarised the following action points for different stakeholders for consideration:-

1. Suggestion made to designate childcare services as essential services should be examined.
2. There is a need to have a universal protocol to deal with the pandemic or pandemic-like situations arising due to the climate change, riots etc.
3. The issue of lack of funding by governments and increase in fiscal resources for child protection schemes should be looked into.
4. The state governments as well as the central government may like to treat the departments and schemes of the child and women development with pre-eminent importance.
5. Institutionalization of children should be avoided and it shall be borne in mind that pushing away these children may have future negative results like bonded labour or trafficking.
6. The learnings brought by pandemic should be noted viz. (i) Need of a universal protocol to deal with future disruptions of various kinds; (ii) Ensuring effective & swift coordination of efforts to assure that all services are provided; (iii) Development of IT Platforms for education not only to cater to disruptive situations but also to provide universal education to bridge gaps in learning; (iv) Providing laptops and monthly data subscriptions to caregivers to allow them to work remotely; and (v) Devising a digital platform to monitor these on a daily basis.
7. Remotely monitoring child care institutions on parameters such as cleanliness, hygiene, security, provision of basic amenities, education and supplies etc. through hand-held devices be examined.
8. Central Government may like to consider ways to make the monitoring mechanism efficient.
9. Assessing the efficacy of care institutions in every state through a comprehensive audit, maybe on a sample basis should be looked into.

10. Incentivizing by giving awards to the State Government, caregivers and institutions will have impact of streamlining these care services and should be examined.
11. Model adopted by the State of Madhya Pradesh and Karnataka deploying NIMHANS trained counsellors can be considered after examination for replication at the national level.
12. The Central Government, in coordination with the concerned Department of Health should continuously organize training programmes and ensure regular services by trained counsellors.
13. Online platforms which are effective and time efficient for the restoration process, and thereafter for monitoring follow ups should be used to the optimum.
14. All juvenile justice committees should convene meetings at periodic intervals preferably once in a month to take stock of progress and to address challenges and deficiencies.
15. The idea of CSR funding suggested during the meeting where such funds are routed and funneled through tax exemptions where the corporate donor benefits substantially through deductions should be examined.

The meeting ended with thanks to the Chair.

List of Participants

S. No.	Institution	Participants
1.	Allahabad HC	Hon'ble Mr. Justice Rajan Roy, Chairman, HCJJC Hon'ble Mr. Justice Karunesh Singh Pawar, Member, HCJJC
2.	U.P Govt.	Shri Mukesh Chandra Sahu, Commissioner and Secretary, Department of Social Welfare Ms. S. Radha Chauhan, Addl. Chief Secretary, Women & Child Development Sh. Manoj Kumar Rai, Director, Women & Child Development,
3.	Andhra Pradesh HC	Hon'ble Ms. Justice K. Vijaya Lakshmi, Judge & Chairperson, HCJJC Hon'ble Mr. Justice N. Jayasurya, Judge & Member, HCJJC Hon'ble Ms. Justice Lalitha Kanneganti, Judge & Member, HCJJC
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5.	High Court of Bombay	Hon'ble Mr. Justice A.K. Menon, Judge, High Court of Bombay
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7.	Dadra & Nagar Haveli Govt.	Smt. Pooja Jain, Secretary, Department of Women and Child Development Shri Rakesh Das, Director, Department of Women and Child Development
8.	Goa Govt.	Smt. Dipali Naik, Dy. Director, Department of Women and Child Development
9.	Calcutta High Court	Hon'ble Mr Justice Harish Tandon, Chairperson, Hon'ble Juvenile Justice Committee Hon'ble Mr Justice Soumen Sen, Member, Hon'ble Juvenile Justice Committee Hon'ble Justice Samapti Chatterjee, Member, Hon'ble Juvenile Justice Committee
10.	West Bengal Govt.	Ms. Sanghamitra Ghosh, Secretary, Director, Department of Women and Child Development Ms. Nilanjana Dasgupta, Director, Deptt. Of Child Rights and Trafficking
11.	Andaman & Nicobar Govt.	Smt. Geetika Sharma, Secretary, Department of Social Welfare Shri Shailendra Kumar Singh, Director, Department of Social Welfare Ms. Reeta Devi, Nodal Officer, Women Welfare
12.	High Court of Chhattisgarh	Hon'ble Mr. Justice Manindra Mohan Shrivastava, Chairman, Juvenile Justice Committee, High Court of Chhattisgarh Hon'ble Mr. Justice R.C.S. Samant, Member, Juvenile Justice Committee, High Court of Chhattisgarh
13.	Chhattisgarh Govt.	Smt. Divya Umesh Mishra, IAS, Director, Department of Women and Child Development
14.	High Court of Delhi	Hon'ble Mr. Justice Rajiv, Shakti, Chairperson, JJC Hon'ble Ms. Justice Mukta Gupta, Member, JJC Hon'ble Ms. Justice Anu Malhotra, Member, JJC
15.	Delhi Govt.	Ms. Madhu K. Garg, Secretary, Deptt. of Women and Child Development, GNCT of Delhi Ms. Rashmi Singh, Director, Deptt. of Women and Child Development, GNCT of Delhi

16. Gauhati High Court Hon'ble Mr. Justice N. Kotiswar Singh, Chief Justice (Acting)
Hon'ble Mr. Justice Manash Ranjan Pathak, Judge
Hon'ble Mr. Justice Michael Zothankhuma, Judge
Hon'ble Ms. Justice Rumi Kumari Phukan, Judge
Hon'ble Mr. Justice Songkhupchung Serto, Judge
17. Assam Govt. Mr. Mukesh Chandra Sahu, Commissioner & Secretary,
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21. High Court of Gujarat Hon'ble Ms. Justice Bela M. Trivedi, Judge, High Court of Gujarat
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Hon'ble Mr. Justice Ajay Mohan Goel, Member, Juvenile Justice Committee
24. Himachal Pradesh Govt. Shri Sanjay Gupta, IAS, Additional Chief Secretary(SJ&E)
25. High Court of Jammu and Kashmir Hon'ble Mrs. Justice Ali Mohammad Magrey, Chairperson, Juvenile Justice
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Hon'ble Mr. Justice Dhiraj Singh Thakur, Member, Juvenile Justice Committee
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26. Jammu & Kashmir Govt. Ms. Shabnam Shah Kamili, Mission Director, ICPS
27. High Court of Jharkhand Hon'ble Dr. Justice S.N. Pathak, Chairperson, Juvenile Justice Committee
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28. Jharkhand Govt. Shri Avinash Kumar, Principal Secretary, Department of Social Welfare
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29. High Court of Karnataka
Hon'ble Mrs. Justice B.V. Nagarathna, Judge & Chairperson, Juvenile Justice Committee
Hon'ble Mrs. Justice S. Sujatha, Judge & Member, Juvenile Justice Committee
Hon'ble Mrs. Justice Uma M.G., Judge & Member, Juvenile Justice Committee
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Hon'ble Mrs. Justice Anu Sivaraman, Member, Juvenile Justice Committee
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33. High Court of Madhya Pradesh
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Hon'ble Shri Justice Rohit Arya, Judge, High Court of M.P. Bench Indore & Member Juvenile Justice Committee
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34. M.P. State Govt.
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35. Madras High Court
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38. High Court of Manipur
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39. Manipur Govt.
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40. High Court of Meghalaya
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44. High Court of Judicature at Patna Hon'ble Mr. Justice Ashwani Kumar Singh, Judge and Chairperson, Juvenile Justice Monitoring Committee
Hon'ble Mr. Justice Ahsanuddin Amanullah, Judge and Member, Juvenile Justice Monitoring Committee
Hon'ble Mr. Justice Arvind Srivastava, Judge and Member, Juvenile Justice Monitoring Committee
Suvash Chandra Sharma, Additional Registrar, Juvenile Justice Secretariat
45. Bihar Govt. Shri Dayanidhan Pandey, IAS, Special Secretary, Department of Women and Child Development
46. High Court of Punjab and Haryana Hon'ble Mr. Justice Jaswant Singh, Chairperson, Juvenile Justice Monitoring Committee
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Hon'ble Mr. Justice Inderjeet Singh, Judge, Rajasthan High Court & Member, Juvenile Justice Committee
51. Rajasthan Govt. Sh. K.K. Pathak, Secretary, Women & Child Development
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52. High Court of Sikkim Hon'ble Ms. Justice Meenakshi Madan Rai
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53. Sikkim Govt. Tshewant Gyachho, SCS, Secretary, SJ&WD,
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54. High Court for the State of Telangana Hon'ble Mr. Justice M.S. Rama Chandra Rao, Judge
Hon'ble Mr. Justice P. Naveen Rao, Judge
Hon'ble Ms. Justice Sri Devi, Judge
55. Telangana Govt. Divya Devarajan, Spl Secty to Govt, Department of WCD&SC
56. High Court of Tripura Hon'ble Mr. Justice S. Talapatra, Chairman, Juvenile Justice Committee
Mr. Angshuman Debbarma, Member Secretary, Tripura SLSA and Member, Juvenile Justice Committee
57. Tripura Govt. Ms. Princee Rani, IPS, Director, Social Welfare & Social Education, Govt. of Tripura and Member, Juvenile Justice Committee of High Court of Tripura
58. High Court of Uttarakhand Hon'ble Mr. Justice Lok Pal Singh, Member, Juvenile Justice Committee
59. Uttarakhand Govt. Sh. Hari Chandra Semwal, Secretary, Women Empowerment & Child Development
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60. Ministry of Women & Child Development, Govt. of India
- Shri Ram Mohan Mishra, Secretary
 - Smt. Aastha Saxena Khatwani, Joint Secretary

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6. Neha Naidu, Child Protection Specialist, Bhubaneswar
7. Priti Srivastava, Child Protection Specialist, Ranchi, India
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9. Alpa Krishnadas Vora, Child Protection Specialist, Mumbai, India
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11. Sonykutty George, Child Protection Specialist, Hyderabad, India
12. Sharmila Ray, Child Protection Specialist, Gandhinagar, India
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