

**GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:1370
ANSWERED ON:17.08.2012
PROTECTION OF CHILD RIGHTS
Owaisi Shri Asaduddin

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether during its recent visit to Kashmir the National Commission for Protection of Child Rights (NCPCR) took note of a large number of children being put in jail even for very minor offences and also noticed grave/wide misuse of the Armed Forces Special Powers Act;
- (b) whether the NCPCR has submitted its findings to the Union Government;
- (c) if so, whether the Government has taken up the matter with the State Government for release of innocent children; and
- (d) if so, the details thereof and the other corrective steps taken/being taken by the Union Government in this regard?

Answer

MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

(a): The Commissions for Protection of Child Rights (CPCR) Act, 2005 is applicable to the whole of India except the State of Jammu and Kashmir. However, NCPCR set-up under the CPCR Act made a visit recently to encourage the State Government to set-up State Commission for Protection of Child Rights (SCPCR). The NCPCR team took note of school going children who were in conflict with law, lodged in Juvenile cum Observation Home, Harwan, Srinagar. At the time of the visit, only 12 children were staying in the Juvenile cum Observation Home, out of which one child each was lodged for attempting rape and reported murder, five children were lodged under the charge of theft, three children under the charge of pelting stones, and two children were lodged for petty quarrels. The NCPCR team has requested the J&K High Court Legal Services Committee to provide appropriate legal aid to the juveniles kept at Harwan Observation Home. The team however, did not notice any misuse of the Armed Forces Special Powers Act in the Juvenile Home.

(b)to(d):The NCPCR submitted its report about this visit to the Ministry of Women & Child Development on 13.08.2012. The Commission has also sent its report to the State Government for taking necessary action.