

Email

17<71-12V/6>
20-01-2023
Dr. Abhishek Jain

23, 1:51 PM

Email

Fwd: Regarding uploading of Data on "Tracking Portal for Out of School Children" as per directions of Supreme Court order dated 09.05.2022 and 06.01.2023.

Wed, Jan 18, 2023 12:56 PM

4 attachments

From : Prabodh Saxena <cs-hp@nic.in>

Subject : Fwd: Regarding uploading of Data on "Tracking Portal for Out of School Children" as per directions of Supreme Court order dated 09.05.2022 and 06.01.2023.

To : Dr. Abhishek Jain <secy-hedu-hp@nic.in>, Ms Sudha Devi <socialjsecy-hp@nic.in>

Sir/ Madam,

For kind information and immediate necessary action please.

regards,

o/o CS, HP

From: "Priyank Kanoongo" <cp.ncpcr@nic.in>

To: "Dr K. S. Jawahar Reddy, IAS" <cs@ap.gov.in>, "Dharmendra" <cs-arunachal@nic.in>, "PABAN KUMAR BORTHAKUR, IAS" <cs-assam@nic.in>, "Chief Secretary Bihar" <cs-bihar@nic.in>, "Chief Secretary Office" <csoffice.cg@gov.in>, "Puneet Kumar Goel IAS Chief Secretary" <cs-goa@nic.in>, csguj@gujarat.gov.in, "Sanjeev Kaushal, IAS" <cs@hry.nic.in>, "Prabodh Saxena" <cs-hp@nic.in>, "cs-jandk" <cs-jandk@nic.in>, "Shri Sukhdev Singh" <cs-jharkhand@nic.in>, cs@karnataka.gov.in, "Dr.V.P.Joy IAS" <chiefsecy@kerala.gov.in>, "Iqbal Singh Bains" <cs@mp.nic.in>, cs@maharashtra.gov.in, "cs-manipur" <cs-manipur@nic.in>, "cso-meg" <cso-meg@nic.in>, "cs-mizoram" <cs-mizoram@nic.in>, "Jan e Alam, Chief Secretary Nagaland" <csngl@nic.in>, "Suresh Chandra Mahapatra" <csori@nic.in>, "Chief Secretary Punjab" <cs@punjab.gov.in>, csraj@rajasthan.gov.in, "Vijay Bhushan Pathak" <cs-skm@nic.in>, cs@tn.gov.in, "cs-tripura" <cs-tripura@nic.in>, "CS Telangana" <cs@telangana.gov.in>, "CHIEF SECRETARY OFFICE GOVT OF UP" <csup@nic.in>, "chief secretary" <cs-uttaranchal@nic.in>, "chief secretary" <cs-uttarakhand@nic.in>, "Shri H K Dwivedi" <cs-westbengal@nic.in>, "Chief Secretary Andamans" <cs-andaman@nic.in>, "ADMR CHD" <admr-chd@nic.in>, "Dharam Pal" <adviser-chd@nic.in>, "Administrator DNH DD" <administrator-dd-dnh@nic.in>, "Praful Patel" <administrator-dd@gov.in>, "Shri Naresh Kumar" <csdelhi@nic.in>, "Praful Patel" <lk-ladakh@gov.in>, "Mr Rajeev Verma IAS" <cs.pon@nic.in>, "Advisor to LG" <advisor-lg>

Cc: "KATYAYANI ANAND" <katyayani.ncpcr@nic.in>

Sent: Tuesday, January 17, 2023 6:43:04 PM

Subject: Regarding uploading of Data on "Tracking Portal for Out of School Children" as per directions of Supreme Court order dated 09.05.2022 and 06.01.2023.

Sir,

In continuation to NCPDR letter dated 12.1.2023 (copy attached with enclosures), I am directed to send the attached letter on the above subject for kind perusal and necessary action.



प्रियंक कानूंगो
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:32-362/2021/NCPCR/LC/SC/23*9
Date: 12.01.2023

To,
Chief Secretaries of all States/UT's (by email)

Subject- National Colloquium on addressing issues of Out Of School Children (OOSC) on 02.02.2023 at Vigyan Bhawan, New Delhi.

The Hon'ble Supreme Court has discussed upon the various issues related to children who have either dropped out of school or are likely to drop out of school and expressed its concerns towards the continuation of education of children during the COVID pandemic. In the last order dated 09.05.2022, the Hon'ble Supreme Court has given the following directions for ensuring continuation of education of children and identifying children who have dropped out of school :-

- i. The State Governments/Union Territories are directed to comply with the suggestions made by the NCPCR in its SOP dated 25.06.2021 and the recommendations made in the affidavit of NCPCR dated 07.05.2022.
- ii. The NCPCR is directed to have a web portal on which the information relating to the action taken by the State Governments/Union Territories for the continuance of the education of children is updated.
- iii. The State Governments/Union Territories may approach the NCPCR for any modification/clarification of the SOP.
- iv. The State Governments/Union Territories are directed to instruct the concerned authorities to ensure that migration certificates are issued to those children who are moving away from the place of their education.
- v. The State Governments/Union Territories shall appoint district-wise nodal officers, either from the Education Department or from the Women and Child Welfare Department, who in turn shall instruct Anganwadi workers, Asha workers, health workers etc. to personally inform those parents whose children have discontinued education about the recommendations made by the NCPCR and orders passed by the Court.
- vi. The nodal officer shall also take appropriate action to place the children back in the schools from which they have dropped out, so long as continuing in the same school is in the best interests of the relevant child.
- vii. The status report about the appointment of nodal officers and the action taken for ensuring the continuation of the education of children shall be filed by the State Governments/Union Territories within a period of 06 weeks from today. The said information shall also be furnished to the NCPCR.
- viii. Wide publicity shall be given by the State Governments/Union Territories to the suggestions made by the NCPCR as well as orders passed by the Court.

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2. In said order, the Hon'ble Supreme Court had also provided with suggestions and measures for ensuring the continuance of education of such children, which are as follows:-

- i. That the District Education Officers (DEOs) of, the district should do the mapping of such children who have been absent from his/her school for 30 consecutive working days and that those children should be treated as dropout children.
- ii. That a child of 6-14 years of age should be considered out of school if he/she has never been enrolled in an elementary school or if after enrolment has been absent from school without prior intimation for a period of 30 days or more.
- iii. A child who has never been enrolled in school [as defined in Section 2(n)(i) of RTE Act, 2009] for formal education should also fall under the category of out of school.
- iv. That child once enrolled into the formal system of education/school, does not complete 8 years of compulsory elementary education, should be treated as an out of school child.
- v. That all children above the age of 14 years, who do not fall under the purview of RTE Act, 2009 but have had to drop out of school due to financial constraints during the COVID pandemic shall be treated as out of school child.
- vi. That the District Education officers and District Child Protection Officers should identify various reasons responsible for children being out of school.
- vii. That in case of death of one or both parents of child and/or the earning member of the family and/or the parents/guardians have lost their livelihood and the child is studying in private school, the expenditure on elementary education of such children in the same school may be borne by the appropriate Government under Section 12(1) (c) of the RTE Act, 2009.
- viii. That for this purpose, the child along with guardian/any member of the family where the child is studying will approach the District Magistrate and the Child Welfare Committee (CWC) of the district.
- ix. That the children who have lost both or single parent or parents/guardians who have lost their livelihood can get their income certificate made through the district authorities. The District Child Protection Officers shall provide assistance to such children in procuring the income certificate. Based on the income certificate and the child's eligibility, the child shall be then admitted into a school under Section 12(1)(c) of the RTE Act, 2009.
- x. That all categories of schools entrusted with the responsibility under Section 12(1) (c) of the RTE Act, 2009 whether aided, unaided or private schools shall implement the provision of Section 12(1)(c) of RTE Act, 2009 and try to include children who have lost their both or either of the parent after April 2020 under the provision so as to ensure that their education is not disrupted.
- xi. That every school, including schools having minority institution status and all residential schools shall also follow the procedure and ensure that no such child is forced to leave the school in any manner against the child's choice and due to non-payment of fees.

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- xii. That for the classes above VIII (which is generally beyond RTE application), where children have lost one or both parents of the child and/or the earning member of the family and the child is studying in private school, the State Government shall devise guidelines for the schools and/or issue necessary directions and/or devise a policy for reimbursing the expenditure on education of these children.
- xiii. That the District Child Protection Officers through the Individual Child Care Plan of the child can assess and examine the educational needs of the child. The data of children who need financial assistance for education can be forwarded to the District Education Officers. The District Education Officers can then provide these children with scholarships (as per their eligibility) and/or provide financial aid through donors, NGOs/CSOs etc.

3. In furtherance to the compliance with the orders of the Hon'ble Supreme Court, NCPCR had issued letters to Principal Secretaries, Department of Women and Child and Department of Labour & Employment of all States/UTs on 24.06.2022 and Principal Secretaries, Department of Education of all States/UTs on 01.07.2022 for seeking action taken reports on the compliance of the orders of the Hon'ble Supreme Court. The said letter was also issued to invite Principal Secretaries to the review meeting of NCPCR held at Vigyan Bhawan, New Delhi on 16.07.2022 to discuss the compliance of the orders of the Hon'ble Supreme Court passed in this matter with regard to steps taken by the States/UTs for identification and rehabilitation of children in street situations and the status of implementation of policy for rehabilitation of children in street situations.

4. The Hon'ble Supreme Court vide its order dated 06.01.2023 has directed NCPCR to verify from the States as to whether the order dated 09.05.2022 is being implemented and as to whether the benefit has been really conferred to the children who have lost either of their parent or both the parents during the Covid period. The Hon'ble Court through its order has also clarified that any non-cooperation by any State Government or school will be viewed seriously. (Copy of order dated 06.01.2023 enclosed)

5. Therefore, to discuss and review the issues of Out of School Children, the Commission is organising a **National level Colloquium** on 02.02.2023. In view of the same, your good offices is requested to hold a meeting with all the Head of the Departments of your State i.e :-

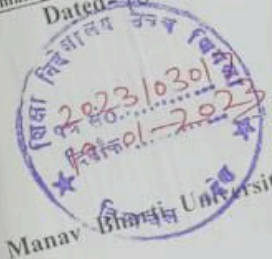
- i. Department of Education (Nodal Department)
- ii. Department of Labour
- iii. Department of Women and Child Development
- iv. Department of Persons with Disabilities
- v. Department of Tribal Affairs
- vi. Department of Social Justice
- vii. Department of Minorities Affairs
- viii. Department of Panchayati Raj Institutions
- ix. Department of Rural Development
- x. Department of Urban Development

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Dated-10-01-2023



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This is to be done in the compliance to the orders of the Hon'ble Supreme Court dated 06.01.2023. This meeting may be convened in such a manner that you may be able to provide the requisite information/data, in the link <https://ncpcr.gov.in/ncoosc>, latest by 28.01.2023. The data/information so provided would be the action points for discussion in the National level Colloquium.

6. In compliance to the above-mentioned orders of the Hon'ble Supreme Court, the NCPCR requests your good offices to provide an action taken report to NCPCR on the following:-

- i. Status report of implementation of SOP of NCPCR for implementation of provisions of section 12 (1)(c) of RTE Act, 2009
- ii. Status report of appointment of district-wise nodal officers. List of officers to be shared with NCPCR
- iii. Status report of nodal officer for steps taken for ensuring continuation of education of children in school at district level.
- iv. Issue orders to concerned district authorities and share the copy of the orders with the Commission.
- v. Status report on the steps taken for wide publicity to the aforementioned. Suggestions made by the NCPCR for out of school children as well as aforementioned orders passed by the Hon'ble Supreme Court.

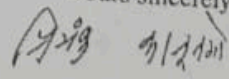
7. Further, the Commission would also bring to your kind notice that in compliance with the directions of the Hon'ble Supreme Court, the Commission shall analyze the data as submitted by the concerned departments and shall further submit a report to the Hon'ble Supreme Court.

8. The Commission, therefore, requests your good office to kindly depute the following functionaries of your State to make it convenient to attend the National level Colloquium on 02.02.2023 at Vigyan Bhawan, Maulana Azad Rd, Kartavya Path, Central Secretariat, New Delhi, Delhi-110011, from 10.30am onwards along with data/information as sought by the Commission :-

- i) Principal Secretary (Department of Education)
- ii) Principal Secretary (Department of Women and Child Development)
- iii) Principal Secretary (Department of Labour)
- iv) Principal Secretary (Department of Persons with Disabilities)
- v) Principal Secretary (Department of Minority Affairs)

With regards,

Yours sincerely,



(Priyank Kanoongo)

Email

आज़ादी का
अमृत महोत्सव

भारत सरकार

प्रियंक कानूंगो
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:32-362/2021/NCPCR/LC/SC/2422
Date: 17.01.2023

To,
Chief Secretaries of all States/UT's

Subject- Regarding uploading of Data on "Tracking Portal for Out of School Children" as per directions of Supreme Court order dated 09.05.2022 and 06.01.2023.

This is in continuation to the Commission's letter vide F.No:32-362/2021/NCPCR/LC/SC dated 12.01.2023 wherein the Commission in furtherance to the compliance with the orders of the Hon'ble Supreme Court dated 06.01.2023 is organising a National level Colloquium on 02.02.2023 to discuss and review the issues of Out of School Children.

2. In the said regard, the Commission would also like to inform your good offices that in compliance to para 4 of Hon'ble Court's order the Commission has developed a portal - "Tracking Portal for Out of School Children".

3. Therefore, the Commission would like to request your good offices to kindly upload data of all Out of School of all Districts of your State/UT's on the portal- "Tracking Portal for Out of School Children" before 28th of January 2023 so that the same may be reviewed in the National level Colloquium on 02.02.2023.

With Regards,

Yours Sincerely,

Handwritten signatures and dates:
- 19/01/23
- 19/1/2023
- Bl. Roy

Handwritten signature and date:
17.01.2023
(Priyank Kanoongo)