PREVENTION OF ALL FORMS OF DISCRIMINATION AND VIOLENCE AGAINST CHILDREN IN EDUCATIONAL INSTITUTIONS, BILL - 2018

Draft Prepared by:

Campaign towards Zero Discrimination in School Education (CZDE)

Secretariat - National Dalit Movement for Justice – NDMJ (NCDHR)
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DRAFT BILL – 2018

PREVENTION OF ALL FORMS OF DISCRIMINATION AND VIOLENCE AGAINST CHILDREN IN EDUCATIONAL INSTITUTIONS, BILL - 2018

Note: The contents of this Bill is the sole responsibility of Swadhikar – NDMJ which is drafted and proposed as a joint initiative of children, parents, teachers and civil society to the Government of India

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Prevention of All Forms of Discrimination and Violence against Children in Educational Institutions, Bill 2018
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<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADVC</td>
<td>Anti-Discrimination and Violence Committee</td>
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<tr>
<td>BEO</td>
<td>Block Education Officer</td>
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<tr>
<td>BMO</td>
<td>Block Monitoring Officer</td>
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<tr>
<td>CBD</td>
<td>Caste based Discrimination</td>
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<td>CWC</td>
<td>Child Welfare Committee</td>
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<td>DEO</td>
<td>District Education Officer</td>
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<tr>
<td>DNT</td>
<td>De-notified Tribes</td>
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<td>ICPS</td>
<td>Integrated Child Protection Scheme</td>
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<tr>
<td>MHRD</td>
<td>Ministry of Human Resource and Development</td>
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<tr>
<td>MWCD</td>
<td>Ministry of Women and Child Development</td>
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<tr>
<td>MSJE</td>
<td>Ministry of Social Justice and Empowerment</td>
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<tr>
<td>NCSC</td>
<td>National Commission for Scheduled Castes</td>
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<td>NCST</td>
<td>National Commission for Scheduled Tribes</td>
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<tr>
<td>NCM</td>
<td>National Commission for Minorities</td>
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<tr>
<td>NCPCCR</td>
<td>National Commission for Protection of Child Rights</td>
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<td>NCRB</td>
<td>National Crime Records Bureau</td>
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<td>NT</td>
<td>Nomadic Tribes</td>
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<td>POCSO</td>
<td>Prevention of Children from Sexual Offence (POCSO) Act</td>
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<tr>
<td>SCPCR</td>
<td>State Commission for Protection of Child Rights</td>
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<td>SC</td>
<td>Scheduled Castes</td>
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<td>ST</td>
<td>Scheduled Tribes</td>
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<tr>
<td>SED</td>
<td>State Education Department</td>
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<td>UNCRC</td>
<td>United Nation Convention on the Rights of the Child</td>
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PREFACE

Children need an enabling environment to be free, be listened to, treated with love - care, and be protected from abuse, neglect and violence. Memories formed from the womb to the age of 6 to 7 years remain strong memories influencing thought-process which get reflected in a person’s self-construct and has lifelong impact. Thus it’s important to raise a happy childhood as it’s the most precious and significant stage in human life which requires attention, guidance, nurturing, and all the energy by all support givers - parents, teachers and relatives. It is during this phase that a child develops cognitive thinking, learning ability, speech and discovers her own talents and is able to distinguish between all kinds of emotions in different environments. For this purpose a free, safe and value-based parenting is necessary for the child’s survival, healthy development and protection in the family and community.

Similarly schools are meant to be safe spaces for children to discover themselves and learn. However, given the present times children reflect the skewed value system of the adults in families, schools and the society at large. Young minds are exposed to the culture of violence, abuse, indifference, discrimination, aggressive competition, indecent adult content and substance abuse. Safe, free and happy childhood is not a reality for all the children in India because of no or dearth of child friendly environment, lack of guidance and preparation of parents, socio-economic challenges, caste and gender based social norms and structures.

According to 2011 Indian census, ‘4% of children below 14 years of age’ and ‘23% of children between 15-18 age groups are working’. As an impact we see children are burdened to be ‘earners’ and are withheld from enjoying their childhood. To the extent that the Indian State has legalized labour by children of 14 + age group in certain sectors; however, this remains largely unmonitored. This is a reality for many children who belong to Dalit, Adivasi, and nomadic tribe communities, they are forced into child/bonded labour of various forms and are targets of trafficking, abuse and discrimination. NCRB reported, violence against children crossed 1lac cases in 2016, and many of these incidents happened in and around the schools, hostels and home.

Indian education system aims on increasing literacy rate and is only focused on enhancing read, write and memorizing methodology with the expanding syllabus. However, the focus has to be on building the skills of young minds to ‘think’ be aware of surroundings and nurture values of sharing, freedom, equality, equal treatment of all children, social justice, value of acceptance and self-discovery. There is a need to redesign the curriculum and teaching method by Education departments, boards, teacher training institutes and teachers to include human rights, children’s rights, and important guidelines as an integral part of learning curriculum. When institutions talk and act on building value systems this will gradually assist in bringing about a social transformation in families, learning spaces and society.

Therefore, this bill aims to fill the policy and legal gaps in the present frameworks available for children; institutionalizes accountability of authorities; and seeks to build a value system based on equality, freedom, dignity of all, in the learning and teaching institutions. We hope that the process
of experience sharing-consultations, research, documentation and final drafting of this Bill on Prevention of Discrimination and Violence in Educational Institutions is accepted by the Indian State as an essential step forward for securing rights of all children.

As we go ahead with our campaign towards zero discrimination in educational institutions, I appreciate and congratulate the contribution of students and parents to the development of the draft Bill as they expressed their experiences during the consultations and meetings organized at state and district levels across states and have been participating in monitoring discrimination as part of the campaign on zero discrimination in their respective states.

I would like to acknowledge and thank the Bill Drafting Committee membersMs. Annie Namala, Director CSEI;Ms. Judith Anne Lal, Research Associate NDMJ, Dr. P.S. Krishnan, Retd. Secretary of State, Government of India, Social Justice Activist and Advisor;and Adv. Rahul Singh, Programme Coordinator, NDMJ for their efforts and time in preparation of the Bill. Especially thank Ms. Judith Anne for coordinating and collating inputs from Expert groups.

Further, expressing gratitude to the Expert group - Academicians, Child Rights and Legal Experts who have added value to the Bill with their inputs - Dr. Asha, General Secretary, AIDMAM; Adv. Amritananda Chakravorty, Supreme Court of India; Ms. Beena J. Pallical, General Secretary, DAAA;Adv. Henry Tiphane, Lawyer, Human Rights Trainer and Defender, Director People’s Watch India, Adv. Monica Vincent, Madras High Court, Mr. Paul Divakar, Chairperson ADRF, Ms. Rachel Thomas, Programme Coordinator, KNH, Mr. Sathish Reginald Samuel, Independent child rights Consultant, Prof. Selvi Semmalar, Asst. Prof. Loyala College Chennai, Dr. Uma Saumya, Asst. Prof. Ambedkar University Delhi, Adv. Vincent Manoharan, National Convener, National Dalit Christian Watch.

Our campaign leaders Mr. Daulrat Ram, BJS, Ms. Jhansi Geddam, DSS, Adv. Keval Ukey, NDMJ – Maharashtra, Adv. P.L Mimroth, CDR, Adv. I. Pandiyar, SASY, Mr. Sangram Mallik, ALVM, Adv. Satish Kumar, CDR, Ms. Pooja Singh, CDR and Mr. Vidyanand Ram, NDMJ – Bihar and Mr. Vinod Kumar, SGVK in the states have been regularly engaged in the field guiding the network for the Campaign towards Zero Discrimination, Monitoring and Capacitation of civil society and community based organizations. I am thankful to all of them for promoting rights of children, particularly Dalit and Adivasi Children. Lastly I appreciate the Teams with the state partners and the team at NDMJ National and State for their commitment.

Dr. V.A Ramesh Nathan
General Secretary,
National Dalit Movement for Justice (NDMJ-NCDHR)
CONTEXT INTRODUCTION

I. Situational Mapping

India’s 0-18 population is a ‘substantial potential comprising of 37 percent’, as recorded in the last population census in 2011. Given the volume of schemes and existing National Policy for children, there is a large gap in the policy vision, policy information-dissemination, mechanisms and its implementation. The overall review of the human rights status of children indicates the situation of 0-18 age group as still deplorable as many are deprived of childhood, basic rights, necessities and dignity. This gets worse when assessing the conditions of children from specific marginalized social groups. An important point of concern, rather of ‘national concern’ should be the rising violence against children. However, it’s important to point out that the nature of violence is also ‘identity based’. Along with ‘age’, their gender, caste location or ethnic identity makes children vulnerable due to the biased mindsets and unequal social systems that are operating. Pervasive caste and gender biased social structures have hierarchized social relations and in the process has institutionalized discrimination and violence based on these identities. This is percolating in learning spaces as well subjecting children to biases and the related trauma.

Growing forms of violence in educational institutions - corporal punishment was/is often used as a means to enforce discipline. Particularly identity based violence in schools and hostels impacts the marginalized (Dalit, Adivasi and Minority) children. Gender, caste, ethnicity, colour, language or religious identity of a child remain the markers for being targeted and subjected to bullying, caste based verbal abuse, humiliation, educational neglect and any other form of injury. Also, in recent times, there’s an increase in cases of sexual assault in state run schools and hostels by teaching, non-teaching staff and fellow students. These incidents are gross violation of human rights of children and are indicative of regressive societal values. From 2010-15, as many as 882 deaths were reported in state run residential schools; Odisha tops the list on sexual abuse followed by Maharashtra in state run residential schools. 1 Similarly, the recent incidents of abuse in Bihar2 and Uttar Pradesh3 Shelter homes for children are again horrific tales of sexual violence, organized trafficking with involvement of state actors.

Alarming Trends: National Crime Record Bureau recorded cases of violence on children across India. 58,224 reported cases in 2013, increased to 89,423 in 2014 and to 94172 incidents in 2015. In 2016, crime against children was 106958, marking an 11% increase in crime rate. These numbers are frightening pointing towards the level to which the society is moving. Cases related to untouchability practices were submitted to our organization and partner organizations across states, which were clearly reflective of caste mindset. Dalit children were not allowed to drink water from the common tap; dalit school boy in the school premises was made to pick up carcass of a dog; cases related

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3 https://indianexpress.com/article/india/up-shelter-home-abuse-case-district-magistrate-inspection-survey-government-order-12-hours-5294088/
4 Cases were taken up for national public hearing on Identity Based Discrimination and Violence in School Education. The cases were submitted to National commission for Scheduled Castes and Tribes for intervention. A Report on National Public Hearing, National Dalit Movement for Justice – NDMJ (NCDHR), 19 May 2015, Neelkanth, New Delhi.
to abuse in caste name were also received. Since then there is an increase in reporting cases of discrimination by the media. In 2015 MP, a dalit minor girl was beaten up by dominant caste women for her shadow fell on the muscleman (pehelwan) of their community. Recently, a cook in primary girls’ government school humiliated a dalit girl for picking up chapatties during meals.

Indifference, acceptance, silencing, combined with the authoritarian structure of authorities/schools, and the stigma attached to such incidents allow violence against children in education settings to often go unreported, unnoticed and normalized. Children fear shame, punishment, ridicule or threat from the offenders thus making them vulnerable. The absence of redressal mechanisms, lack of its visibility and awareness; insignificant or absence of guidance from teachers and parents; mostly wrong or no guidance and the inability to articulate experiences have worsened the situation for children and young adults.

II. Campaign Process for an Enabling Learning Environment

The biggest obstacles confronting children from dalit (SCs), adivasi (STs), DNT, other minority communities and differently abled to attain education remain identity based bias, discrimination, violence, bullying, economic instability, neglect, layered caste beliefs, taboos, and prevailing mindsets. With increase in cases of identity based atrocities on children in schools and hostels, National Dalit Movement for Justice (NDMJ-NCDHR) initiated intervention in cases of assault and discrimination against children in educational spaces. The primary strategy was to monitor discriminatory practices in schools and to build a campaign towards zero discrimination with the support of state partners and also to evolve a policy document on Prevention of Discrimination and Violence in Schools. In 2013 the process began as a conscious effort in a consultation organized by NDMJ, Centre for Social Equity and Inclusion (CSEI) and Human Rights Forum (HRF) to initiate a discussion and assessment of the status of children in schools. National Commission for Protection of Child Rights (NCPCR), National Council of Educational Research and Training (NCERT), and Indian Council of Social Science Research (chairpersons and Members) and child rights activist, students, teachers and SMC members were also part of the consultation to discuss the challenges and situation. The decisions were to launch a campaign, build awareness on zero discrimination and work on curriculum in schools and teachers trainings. Since that time the process has evolved to involve larger stakeholders – teachers, students, parents, state education departments, commissions and civil society networks in diverse capacities.

Evidence based Public Hearings and Interventions- On 19th May 2015, a National Public Hearing was organized to investigate and visibilize the various forms of torture children undergo due to their identity vis-à-vis caste, ethnicity, gender and religious identity. Apart from visibility the goal was to prepare authentic evidence to engage with the state authorities to raise the issue of biased and unsafe institutions. In all 40 cases were received and 26 cases were deposed. The cases reflected the gravity of discrimination children face in terms of being subjected to abuse and untouchability

5 https://indianexpress.com/article/india/india-others/dalit-girl-severly-beaten-as-her-shadow-falls-on-high-caste-muscleman/
8 Ibid 4
practices, sexual assault, suicides, murders, physical and verbal abuse, discrimination in mid-day meal distribution, made to sit separately in some cases, there were segregated plates for dalits and non-dalits, delay in scholarships of SC/ST/Minority students, forced to perform menial work as the Dalit students were made to clean toilets and class rooms. The national public hearing unmasked the reality of schools.

Similarly, in the year 2017, state level public hearings were organized in 8 states in collaboration with state organizations—Dalit Stree Shakti (Andhra Pradesh), NDMJ-Bihar (Bihar), Sampurna Gram Vikas Kendra (Jharkhand), NDMJ-Maharashtra (Maharashtra), Ambedkar Lohia Vichar Manch (Odisha), Dalit Manav Adhikar Kendre (CDR-Rajasthan), Social Awareness Society for Youth (Tamil Nadu) and Bhartiye Jan Seva Ashram (Uttar Pradesh). Cases again highlighted sexual violence in schools, caste abuse, abetment to suicide, untouchability practices in accessing water, seating arrangement, denial of admission, delay in receiving scholarships, no access to scholarships and discrimination against Dalit Cooks in schools. State Commission for Protection of Child Rights - Members, students, activists, lawyers, and media persons were jury members in the hearings.

National and State Consultations/Meetings- With first evidence based public hearing in 2015, the campaign further evolved into series of meetings and consultations at national and states. A call for National Consultation on Zero discrimination in 2016 and 2017 were given for a wider network of civil society collaboration to monitor and engage with schools and hostels against discriminatory practices focusing on awareness building and dialogue. Two to three rounds of consultations were further conducted at the state levels, namely, Andhra Pradesh, Bihar, Delhi, Jharkhand, Maharashtra, Odisha, Rajasthan, Tamil Nadu and Uttar Pradesh. These consultations have provided opportunities for students, parents, teachers and civil society to discuss and share incidence of discriminatory practices. Many issues similar in terms of relational discrimination faced by children as well as in terms of lack of facilities available for students in schools, especially in government and residential hostels for the marginalized came up. The consultations became platforms for students, parents and teachers to voice their experiences and challenges in the education system and also became reference and evidence for a study to be conducted.

Formation of Children and Youth Clubs – this campaign has also brought many children and young adults together in their own blocks, districts, and state with affiliation to NDMJ and State member organizations. Monthly meetings or quarterly meetings were conducted. Many of these groups also celebrate important days such as Savitri Phule, Jyotiba Phule, Baba Saheb Ambedkar centenary (Jayanti) as well as monitor discrimination in their own schools. In UP, Odisha, and Tamil Nadu strong students groups have emerged. In Odisha the young students group has opened a library in Kendrapada district for younger and older members of the community to be educated on Indian Constitution, Ambedkarite thought, Human Rights and mechanisms and other subjects. Some young adults are also engaging in assisting the young ones in their studies free of cost in order to do better in their education.

Research Advocacy – to initiate discussions around discrimination free school environment, along with the consultations and meetings, NDMJ conducted research based study. The study was to map out identity based discrimination in schools to further review existing mechanisms, its implementation
and ground reality. The study titled as “Exclusion in Schools – A Study on Practice of Discrimination and Violence” has documented all forms of discrimination as discussed during the consultations, analysed the policies, schemes and budget and also has a chapter on recommendations for the state government, commissions and education departments to amend certain structures and build more mechanisms for a safe learning environment. Study was submitted to the concerned Commissions and Ministries in 2017-18.

Developing Draft Guidelines on Prevention of all forms of Discrimination and Violence in Educational Institutions – the zero discrimination campaign evolved to include evidence based interventions, public hearings, consultations, and meetings as well as study on discriminatory practices. All these processes assisted in developing the Draft Guidelines in consultation with stakeholders - students, parents, teachers, civil society members during consultations and meetings since July 2016. The draft was shared with the state partners for further inputs in August 2017. Another round of sharing was carried out with legal and child rights experts in 2018. It was further discussed that the guidelines should be replaced as a Bill, given the large numbers of existing guidelines on papers, but poor implementation. Thus, a strategic shift from Guidelines to Bill proposing prevention of discrimination and violence in educational institutions has evolved and is proposed to government.

III. Existing Legal Mechanisms and Policy on Child Rights in India

The Indian State has many policy initiatives and legislative mechanisms in place for children. The Indian Constitution is the principle binding document on the Union Government to ensure rights and protection of children. The Constitutional safeguards, namely the fundamental rights ensure the rights of children as well under Articles 14, 15, 17, 21, 21A, 23, 24; and Directive Principles of State Policy are the guiding source. The National and International mechanisms to which India is signatory such as the guidelines on CRC are the key policy mechanisms for protecting and promoting rights of children.

Existing Key Policy Initiatives of India

1. National Policy for Children
2. National Plan of Action for Children
3. National Policy on Education
4. Budgetary Allocation
5. Guidelines
   - Regulatory Guidelines for Hostels of Educational Institutions for Children (NCPCR -2018)
   - Guidelines on safety and Security of children in Schools (MHRD -2014)
   - Integrated Child Protection Scheme – (MWCD)
   - Guidelines under section 35(1) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 for Implementation of clause (c) of sections 8 & 9 of the RTE Act- 2012 (Discrimination against SCs and STs)
6. **Key Educational Schemes**

- BetiBachaoBetiPadhao
- Child Protection Services (Previously ICPS)
- Dindayal Disabled Rehabilitation Scheme
- JananiSurakshaYojana
- JananiShishuSurakshaKaryakram
- Mid-Day Meal
- RashtriyaMadhyamikShikshaAbhiyan
- RashtriyaBalSwasthyaKaryakram
- National Crèche Scheme
- RashtriyaKishorSwasthyaKaryakram
- SarvaShikshaAbhiyan
- Scholarship Schemes
- Schemes under National Trust Act

7. **Key Legislations Specific to Children**

- The Right of Children to Free and Compulsory Education Act 2009
- The Protection of Children from Sexual Offences Act, 2012
- The Juvenile Justice (Care and Protection of Children) Act 2015
- The Orphanages and other charitable Homes (Supervision and control) Act 1960
- Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act -1989 (2018),
- The Prohibition of Child Marriage Act 2006
- The Child Labour (Prohibition and Regulation) Act, 1986
- The Bonded Labour System (Abolition) Act, 1976
- The Commissions For Protection of Child Rights Act, 2005
- The Commission For Protection of Child Rights Rules, 2006
- The National Food Security Act, 2013
- The Immoral Traffic (Prevention) Act 1956
IV. Assessing Key Gaps

1. Delay in the formulation of the National Plan of Action for Children (2016) post the National Policy in 2013;

2. Inconsistency between policies and laws protecting children;

3. No guidelines define ‘discriminatory practices as an experience of varied identities’ based on caste, ethnicity, ability of student/s and the measures towards elimination of such acts in schools and hostels;

4. Policies and guidelines do not focus much on ‘precautionary measures’ but more on post incident response which most of the time reflects no preparedness;

5. Entitlements as guaranteed under the RTE act doesn’t extend under the Rashtriya Madhyamik Shiksha Abhiyan (RMSA) because of contradictory age definitions for ‘children’ as per varied legislations and policies – leading to denial of entitlements as u/s of RTE for the 14 years age above group of children to have free education and entitlements, thus leading to dropout rate, pushing them to join labour force, impacting the transition from childhood to adolescence, early marriages and negative influences;

6. Inadequate budgetary allocation by the central and state governments to education and protection sectors for children;

7. Delay or non-disbursal of Pre-Matric scholarships for students and emergence of middle men in banks;

8. Non-development of State policy for children by state governments except for Tamil Nadu and West Bengal;

9. Duplications of structures as per different guidelines by MHRD, MWCD and Legislations;

10. ICPS talks of committee structures at District and Block levels, however, does not clearly define the mandate, capacity and accountability aspects of the committees;

11. Leading to non-implementation of basic guidelines;

12. Non-adherence of pupil-teacher ratio;

13. Lack of implementation of the provision of 25% EWS admissions under RTE due to delay or no reimbursement by the Governments to private schools,

14. Non implementation of the provision of setting up of POCSO E box as per the POCSO Act

15. Ill-equipped schools and hostels in many districts with lack of facilities such as clean drinking water, benches, toilets, bedding, proper food etc.;

16. No or lack of inspection and supervision by the appellate authorities under various guidelines and legislations

17. Disconnected education systems failing to interlink issues affecting children;

18. No counselors in schools and hostels for children;

19. No monitoring of health, equity, safety and security standards in schools and hostels;
20. No or dearth of authentic review by government agencies on impact and needs based assessment of formulated policies, schemes, and guidelines for children in the country;

21. Lack of awareness on child abuse, and knowledge of abuse, as policy initiative;

22. Dearth of right information and awareness on sexual health and facilitation of smooth transition into adolescence and adulthood;

23. Cybercrime is a growing trend and is making children targets in the cyber space by adults and also children themselves engaging in such activities, this also involves bullying, potential to physically - mentally harm;

24. Children (students) are exposed to sexual harassment on the way to school due to unsafe transportation or no transportation facilities, as many use public transportation. This issue needs government’s urgent attention for safety measures and transportation facility to be made available for children;

25. Privatization of school education is increasing the gap between the children from privileged and marginalized backgrounds;

26. Lack of quality and well paid human resource also impacts quality of education, safety measures, planning and grievance redressal mechanisms in institutions;

27. Establishment of several private institutions providing teaching training courses leading to incapacitated teachers who are not trained to handle various issues including identity issues, disaster management, and psychological and emotional concerns of students.

V. Proposed Bill

Proposed bill on *Prevention of All Forms of Discrimination and Violence Against Children in Educational Institutions* aims to address the gaps that are evident in policy framework and legal mechanisms adopted by the country. This Bill recognizes the heterogenous child population in India and seeks to protect rights, dignity and identity of all children as enshrined in the Indian Constitution. The Bill also recognizes multiple identities a child can possess; from belonging to a community or tribe to identifying with a particular gender; and who can also be differently abled. Secondly, the bill aims at promoting equality and protection for all children (students) as a group; and particularly children from marginalized sections i.e., Scheduled Castes; Scheduled Tribes; Nomadic, Semi –Nomadic and Denotified tribes; gender non-conforming children; Female students; children who are differently abled –(recognized as persons with disability by law); children from linguistic, religious, ethnic minority communities such as Muslims, Christians, Jains, Buddhists, Anglo-Indians, Atheists, children of sex workers and similar groups from any form of discrimination and violence to enable non-discriminatory and safe environments for students. This requires the state and concerned authorities to take steps to ensure survival, protection, development and participation of all children, thus prioritizing them as national assets.

Therefore, the objective of the Bill is prevention of all forms of discrimination and violence in primary, secondary, senior secondary schools, angadwaries and hostels to ensure an enabling learning environment for students by making the authorities institutionalize safety standards and equality for all children keeping in mind children’s talent, potential, protection and development and at the same time, seeks to make all the concerned authorities ‘accountable’.
PREVENTION OF ALL FORMS OF DISCRIMINATION AND VIOLENCE AGAINST CHILDREN IN EDUCATIONAL INSTITUTIONS, BILL, 2018

I. INTRODUCTION

Identity based Discrimination and Violence in educational institutions has not been recognized by law in India. Though the Indian Constitution upholds the principle of equality, still there are layered discriminatory practices in the Indian society that are pervading down into learning institutions, such as schools. Exclusionary practices operate based on grounds such as gender, caste, ethnicity, mixed origins, religious identity, disability, language, colour, economic status and region. Though these are prohibited by the constitution; however, prejudices based on these grounds continue to exist in mindsets, which are visible in behavior, interactions, institutions, its administration and governance. In addition, the increasing violence against children in schools and hostels is an alarming situation in the country.

II. STATEMENT OF REASONS AND OBJECTIVES

This Bill recognizes the heterogenous child population in India and seeks to protect rights, dignity and identity of all children as enshrined in the Indian Constitution. And recognizes multiple identities a child can possess; from belonging to a community or tribe to identifying with a particular gender; and who can also be differently abled. The varied identities require the state’s attention to take steps to ensure survival, protection, promoting development and participation of and from the child, thus prioritizing children as national assets. Hence, the bill aims at promoting equality and protection for all children (students) as a group; and particularly children from marginalized sections i.e., Scheduled Castes; Scheduled Tribes; Nomadic, Semi–Nomadic and Denotified tribes; gender non-conforming children; Female students; children who are differently abled - recognized as persons with disability by law; children from linguistic, religious, ethnic minority communities such as Muslims, Christians, Jains, Buddhists, Anglo-Indians, Atheists, children of sex workers and similar groups from any form of discrimination and violence in educational institutions to enable non-discriminatory and safe environments for students.

In conformity with the Indian Constitution’s Article 15 (1-5) the Bill upholds the principle of “equality”, which, confers upon state the powers to make special provision for children, women, marginalized groups Scheduled Castes, Tribes, Minority and other backward groups. Further, Article 17 abolishes practices of untouchability in any form, this extends to premises of schools and hostels as well; many cases of untouchability are being practiced such as segregated seating, separate sitting during distribution of Mid-Day Meals (MDM) in schools, denial to access water, structural bias as many special schools do not have infrastructure and facilities as required to function as a school or hostel as per the NCPCR Guidelines on Hostels.
Therefore, it is proposed to enact an all-encompassing legislation to protect children from all forms of discrimination and violence in educational institutions which includes angadwaries, prep schools, primary to high schools, and hostels (government, aided, private, minority institutions and shelter homes) to ensure an enabling learning environment for students by making the authorities to institutionalize safety and equality for all children keeping in mind children’s protection and development in so as;

to give effect to the letter and spirit of the Constitution, in particular-

i) equal enjoyment of all rights and freedom by children in educational institutions;

ii) promotion of equality and of rights of all children in educational institutions;

iii) the values of non-discrimination against any citizen on grounds of religion, race, caste, sex, place or any of them under Article 15 is maintained;

iv) promotion and implementation of special provisions for the advancement of any socially and educationally backward groups or for the SCs and STs Article 15(4);

v) the values of right to life under Article 21 are upheld;

vi) provision for securing the right to education under Article 21 A;

vii) Article 39 (e), inter alia, provides that the state shall in particular direct its policy towards securing that the tender age of children are not abused and their childhood and youth are protected against exploitations and citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

viii) the bill values Article 39 (f) of the Constitution which directs the State to work progressively to ensure that “children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment”;

ix) educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and protection from social injustice and all forms of exploitation under Article 46;

x) similarly, the UNCRC requires that states respect, and ensure that all children can enjoy the rights contained within the UNCRC "without discrimination of any kind, irrespective of the child's or their parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status". In addition, states shall take all legislative and administrative measures to ensure "such protection and care as is necessary for his or her well-being" Article 2, UNCRC.
III. The bill further directs the state:-

i) to provide for measures to educate the educational fraternity and public and raise public awareness on the importance of equality and prohibiting discrimination and harassment based on aforementioned grounds in schools and hostels;

ii) to promote equality of opportunity and protection of human dignity of all children by protecting them from all forms of discrimination and harassment;

iii) eliminate caste based discrimination and harassment in all forms in educational institutions in the country by prohibiting under the proposed Bill, and preventing its occurrence and punishing those who indulging in discrimination and untouchability;

iv) the right to education to be extended till 18 years of age, in accordance with notified definition in the National Policy for Children by the Government of India and UN Convention on Rights of Children;

v) the central/state/UT government are to provide required human resource and budgetary allocation for protection of children in the educational institutions in order to implement the mandate as per the National Policy for Children 2013;

vi) the state is responsible to provide transport facility to all children in order to ensure safety of children, especially girl children in accordance with the National Policy for Children and Directive Principles of State Policy to protect children;

vii) every 5 years the local authority/governments is to monitor the number of children born in the block and conduct survey to map the number of school going children and drop out and reasons for drop out in order to initiate retention measures as per the need;

viii) government/s shall take steps (quality, human and financial resource, hygiene standards and monitoring) to establish safe angadwaries centres and or affordable crèche facilities in localities (for rural, semi-rural, urban and semi-urban spaces) in accordance with plan of action under National Policy for Children and promote its usage amongst working parents across communities.
DRAFT BILL – 2018

PREVENTION OF ALL FORMS OF DISCRIMINATION AND VIOLENCE AGAINST CHILDREN IN EDUCATIONAL INSTITUTIONS, BILL - 2018

CHAPTER – 1

PRELIMINARY

(1) SHORT TITLE, EXTENT AND COMMENCEMENT-

The Bill may be called the

(a) “PREVENTION OF ALL FORMS OF DISCRIMINATION AND VIOLENCE AGAINST CHILDREN IN EDUCATIONAL INSTITUTIONS, BILL - 2018”

(b) It extends to the whole of India.

(c) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

(d) The implementing authorities shall be the Central/State/UT governments, ministries, departments under the government such as the Department of Education, Schools – public, private and aided, and Hostels.

(2) Definitions- In the Bill, unless the context otherwise requires,-

(a) “appropriate Government” means—

   i. in relation to a school established, owned or controlled by the Central Government, or the administrator of the Union territory, or State Government,

   ii. in relation to a school, other than the school referred to in sub-clause (i), established within the territory of—

       A. a State, the State Government;

       B. a Union territory having legislature, the Government of that Union territory;

(b) “capitation fee” means any kind of donation or contribution or payment other than the fee notified by the school;

(c) “child” means a person below the age of eighteen years as per the UNCRC - Convention on the Rights of The Child (UNCRC);

(d) “child with disability” includes, (A) a child with "disability" as defined in clause (r) of section 2 of the Rights of Persons with Disabilities, Act 2016 (B) a child, being a person with
disability as defined in clause (j) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999; 44 of 1999 (C) a child with "severe disability" as defined in clause (o) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999.]

(e) "discrimination" for the purpose of this Bill means and includes any act, treatment or omission, which, directly or indirectly, expressly or by effect makes a distinction, exclusion, or limitation or neglect a child on the basis of their identity such as caste, gender, ethnicity, religion, race, language, region, ability or health status having an effect of nullifying or impairing equality of treatment, opportunity, participation in learning spaces, and in particular:

i. deprives a child or a group of children belonging to the Scheduled Castes, Scheduled Tribes, Nomadic, Semi-nomadic, De-notified tribes, child identifying as a female or transgender, children who are differently abled, religious, linguistic and ethnic minorities from accessing education of any type or at any level;

ii. or limiting any child or group of children belonging to the above mentioned communities to education of an inferior standard or conditions that are incompatible with the dignity of child’s personhood;

iii. denial or withholding of any entitlement, benefit, opportunity or advantage to a child on the basis of their identity;

iv. the bill prohibits caste based discrimination against Scheduled Castes /Scheduled Tribe children by the schools during admission process making admission contrary to regulations determined in accordance with declared admission policy of school;

v. irregularity in admission process adopted by the school; withhold or refuse to return any document in the form of certificates or any other award or other document deposited with the purpose of seeking admission in such school by a student from the above mentioned communities;

vi. demanding excess money against the specified declaration in admission policy or approved by competent authority to be charged by such school or breach of the policy for reservation in admission as may be applicable;

vii. nonpayment or delay in payment of scholarships that such school is committed, under the conditions imposed by government or by any other authority etc.;
(f) “notified - denotified tribes’ (NT & DNT) includes the tribes that are traditional nomads in India shifting seasonally grazing their animals, involved in trade and entertainment etc., and now find themselves in the urban slum spaces as well and are most marginalized;

(g) “gender identity” in the Bill is not restricted to only female and male identity it seeks to also include individual experience of gender which may or may not correspond with the sex assigned at birth leading to other expressions of gender including modification of appearance, dress, speech and mannerism which a child develops over the period of growth and self-recognition;

(h) “student” means a person between the age of three to eighteen years in the educational institutions (preparatory school, angadwari, schools and hostels);

(i) “parent” means either the natural or step or adoptive parents/single parent of a student/child;

(j) “guardian”, in relation to a child or a student, means a person having the care and custody of a child and includes a natural guardian or guardian appointed or declared by a court or any law for the time being in force;

(k) “educational institutions” in the bill extends to include angadwaries centres which are run by the governments and allied NGOs, Schools and Hostels (government, private, aided);

(l) “pre-primary education” means the education from preparatory schools or angadwaries to kindergarten;

(m) “primary education” means the education from first class to eighth class;

(n) “secondary and senior secondary education” means education from ninth class to twelfth class;

(o) “local authority” means a Municipal Corporation or Municipal Council or Zila Parishad or Nagar Panchayat or Panchayat, by whatever name called, and includes such other authority or body having administrative control over school or empowered by or under any law to function as a local authority in any city, town or village;

(p) “school” any recognized school imparting primary to high school education and includes—

i. a school established, owned or controlled by the appropriate Government or a local authority;

ii. an aided school receiving aid or grants to meet whole or part of its expenses from the appropriate Government or the local authority;
iii. a school belonging to specified category; and

iv. an unaided school not receiving any kind of aid or grants to meet its expenses from the appropriate Government or the local authority;

(q) “hostel” means a wide range of boarding establishments – for example, residential special schools, hostels run by the schools imparting elementary or secondary education as per the definition of school under this bill;

(r) “harassment” means unwanted acts or conduct which are persistent which demeans, humiliates or creates a hostile unsafe environment meaning by bullying, teasing, hurt, physical and mental torture resulting in adverse consequences on psychosomatic health, induces physical threat and insecurity on the affected child/student;

(s) “violence” means any act which intends to physically hurt, violate, damage or kill anyone also leading to mental or emotional imbalance of the survivor (victim);

(t) “screening procedure” means the method of selection for admission of a child, in preference over another, other than a random method;

(u) “specified category schools or hostels”, in relation to a school, means a school known as Kendriya Vidyalaya, Navodaya Vidyalaya, Sainik School or any other school having a distinct character which may be specified, by notification, by the appropriate Government;

(v) “teachers” includes any person in the specified list of teachers, whether full time, temporary, ad-hoc, part-time, visiting or on special duty or deputation and shall include teachers employed on a casual or project basis.

(w) “non-teaching staff” includes any person on the staff of the school, who is not included in the category of teacher;

(x) “minority groups” means to include religious, linguistic and ethnic communities which also includes Anglo Indians – as defined Article 366 of the Indian Constitution –of mixed Indian and European Descent).
CHAPTER -II

(3) PROHIBITING DISCRIMINATION BASED ON CASTE, ETHNICITY AND RELIGIOUS MINORITY (IDENTITY) AND HARASSMENT IN EDUCATIONAL INSTITUTIONS

Discrimination by appropriate government authority

1. appropriate government authority shall not discriminate any child and particularly a child or a group of children belonging to a Scheduled Caste, Scheduled Tribe, Notified, De-notified Tribes, Religious Minority, Anglo Indian and other social groups by-

   (a) not establishing schools within the neighborhood or vicinity of these communities;
   (b) not admitting 25% of children belonging to weaker section & disadvantage group in the school;
   (c) discrimination in giving admission in the neighborhood schools;
   (d) not providing infrastructure, such as school building, clean toilets, library, drinking water, playground, mid-day meal scheme in the schools/hostels in predominantly in SC/ST/ and religious minority areas;
   (e) not providing or not appointing teaching staff, teaching aids and support staff in the predominant SC/ST or Religious Minority neighborhood schools;
   (f) not admitting children of migrant families/SCs/STs/denotified/anglo-indians/other backward communities;
   (g) not monitoring the functioning of schools in the marginalized concentrated jurisdictions.

Discrimination by appropriate authority /Schools at the time of Admissions

2. A school shall not discriminate against any child particularly belonging to the Scheduled Caste, Scheduled Tribe, Religious Minority, Anglo Indians, Notified and Denotified tribes-

   (a) at the time of admission in the neighborhood schools or make parents of the children belonging to the aforesaid groups to pay capitation fee;
   (b) conducting a particular screening procedure for children from the mentioned groups;
   (c) in accepting an application for admission of a student belonging to the member of a Scheduled Caste/ Scheduled Tribe/Religious Minority/Notified-Denotified Tribes;
   (d) in the way in which application is processed; or
(e) in the arrangements made for, or the criteria used in, deciding who should be offered admission as a student; or

(f) breach of the policy for reservation in admission or refusing admission to the members of Scheduled Castes, Scheduled Tribes/Religious Minority/Notified-Denotified Tribes/Anglo Indians;

(g) withholding or refusing to return any document, certificates or any other document deposited by any student for the purpose of seeking admission in such school;

(h) demand of money in excess of that specified in the declared admission policy or approved by the competent authority to be charged by such school from the children of the mentioned groups;

(i) non-provision of student amenities as may have been promised or required to be provided by the school such as free or subsidized uniforms, books, and other facilities;

(j) not providing books, reading materials or uniforms on time to the children belonging to the said communities;

(k) asking questions about the social background from the child or parents at the time of admission with the intention of insulting or humiliating;

(l) excluding children belonging to the Scheduled Castes/ Scheduled Tribes/ Religious Minority from school before enrolling;

(m) not given admission to the survivors/witnesses of atrocity due to delay in producing Transfer Certificate;

(n) non maintenance of records of all the children including children belonging to a Scheduled Caste/Scheduled Tribe/Religious Minority and the children residing within its jurisdiction by the authority;

(o) by deterring to give representation to parents or guardians of child belonging to the mentioned communities to the school management committee;

(p) by not maintaining Pupil-Teacher Ratio in schools, and in particular Scheduled Castes or Scheduled Tribes concentrated neighborhood schools.
Discrimination in schools and hostels –

3. A teacher shall not discriminate against any student, particularly belonging to Scheduled Caste/s or a Scheduled Tribe/s Religious Minority/Denotified Tribes and Community-

(a) The bill prohibits any conduct by a teacher or student or any other non-teaching staff of the school/hostel against the student belonging to the SCs/STs/Minority Group whether by words spoken or by any act which is derogatory to human dignity or practices "Untouchability" or caste based discrimination or any other form of discrimination which has the effect of humiliating, teasing, treating or handling with rudeness, which causes or is likely to cause annoyance, psychological or mental harm or to raise fear or apprehension or asking students to do any act which the student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, humiliation, torment, loneliness or embarrassment affecting the physique or psyche of a student/s belonging to marginalized groups as mentioned above;

(b) by making particularly children belonging to SC or a ST communities to sit on the ground/ floor or on mats, while other children are made to sit on the chair/bench;

(c) by asking children belonging to SC/ST/Minority groups to sit at the end of the classroom and giving preference only to the children not belonging to SC/ST/Minority to sit in front row of the class;

(d) by discriminating and assigning work which follows the caste structure in any form such as, giving responsibilities to the children belonging to SC and ST to sweep the classroom, clean the toilets and floor mats etc.;

(e) by intentionally punishing only the students belonging to SC and ST communities and not the other students even when they are also at fault;

(f) not giving important responsibilities and tasks to the children belonging to Scheduled Castes/ Tribes/Minority in the class rooms such as not appointing them as monitor or captains on the ground that they cannot be considered ‘good’ enough;

(g) by abusing or beating children belonging to Scheduled Castes or Scheduled Tribes for touching the glass of the teacher or other children;

(h) forcing children belonging to Scheduled Castes or Scheduled Tribes to clean the shoe of the class teacher;
(i) by only penalizing children belonging to Scheduled Castes or Scheduled Tribes and beating due to non-completion of homework and not the other children;

(j) by projecting in classrooms the admission of SCs/STs/Minority children on the basis of reservation as a negative aspect;

(k) by labeling SC/ST/Minority students as reserved category in the class;

(l) by passing derogatory remarks indicating caste or social background of SC or ST student as reason of under-performance in the class;

(m) harassing SC or ST student by commenting on their caste and religious identity;

(n) on the basis of caste denying use of common places such as playing grounds, wash rooms, canteen, drinking water taps etc;

(o) not allowing to drink water from the tap and forcing children belonging to the SCs and STs to make way/stand at a distance when other children not being the member of the Scheduled Castes or Scheduled Tribes come to drink water;

(p) segregated sitting arrangement based on caste identities in the canteens, class rooms or any other place inside the school or hostel campus;

(q) by not allowing students belonging to SCs/STs or minority group to participate in extracurricular/cultural programmes/games, functions such as school assemblies, to lead prayers, and acts of similar nature;

(r) by not giving attention and not assessing the learning ability of the children belonging to Scheduled Castes/Scheduled Tribe/Religious Minorities;

(s) not holding regular meetings with parents or guardians to appraise about the child belonging to a Scheduled Caste or Scheduled Tribe;

(t) by not serving food to children belonging to Scheduled Castes or Scheduled Tribes during school functions.

Discrimination by the Teachers in evaluations –

4. A teacher shall not discriminate against children belonging to a member of a SC/ST/ Minority/Denotified communities -

(a) by not properly evaluating exam answer sheets of the students and giving less marks as compared to non-SC-ST students for writing correct answers;
(b) delay in declaration of results of the SC-ST students;

(c) unfairly failing Scheduled Caste/ Scheduled Tribe/ marginalized students;

(d) by scheduling classes meant for improving the ability of Scheduled Caste, Scheduled Tribes and minority students in such a way that the student cannot attend the classes,

(e) by not sharing information about the rescheduled classes, timings, extra-classes, not sharing study materials and books.

5. **Discrimination by students not being the member of a Scheduled Caste/Scheduled Tribe/Minority** - shall not discriminate or bully a student belonging to a SC/ST/Minority/ Denotified on the basis of their identity-

(a) by calling SC/ST/Minority groups students in a derogatory way such as by their caste names or any other derogative language, any act of caste abuse by spoken words, emails, post, public insults physically or on social media which would also include deriving perverted pleasure, or sadistic thrill from actively or passively participating in the discomfiture to the affected student;

(b) by any conduct by student/s not belonging to the SC/ST/Minority, whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a student belonging to a member of a SC/ST/Minority;

(c) any conduct by student/s not belonging to SC/ST/Minority and indulging in rowdy or undisciplined activities, which causes or is likely to cause annoyance, hardship, physical or psychological harm or to raise fear or apprehension thereof to students belonging to SC/ST/ Minority;

(d) any act by a student not belonging to a SC/ST/denotified/minority prevents, disrupts or disturbs academic activity of a student belonging to SC/ST/denotified/minority;

(e) locking inside the toilets, class rooms from outside;

(f) indirect pressure thereby forcing to leave the schools;

(g) derogatory caste based or insulting graffiti and other written insults or bringing caste based abusive or humiliating material such as posters, leaflets or magazines into the schools/hostels;

(h) making threats against or physically intimidating a person or group merely because he belongs to a Scheduled Caste or a Schedule Tribe or any specified community;

(i) any act that affects the mental health and self-confidence of a member of a Scheduled Caste or a Scheduled Tribe;

(j) any act by a student in the form of physical abuse including all variants: sexual abuse, stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to a fellow student junior or senior;
6. **Discrimination in Mid-Day Meal Schemes** – A teacher/non-teaching staff shall not discriminate a student belonging to Scheduled Caste or Scheduled Tribe or minority communities by -

(a) serving children belonging to the Scheduled Castes or Scheduled Tribes on leaf and children not belonging to the Scheduled Castes or Scheduled Tribes on plates.

(b) serving children belonging to the Scheduled Castes or Scheduled Tribes or minority community last,

(c) punishing or verbally abusing or not allowing children belonging to the Scheduled Castes or Scheduled Tribes/minority community for asking or taking second helping of food.

(d) serving children belonging to the Scheduled Castes or Scheduled Tribe s from distance or height,

(e) schools and hostels shall not follow segregated seating during meals particularly making SCs, STs, Muslims and other backward class students to sit separately;

(f) the schools has to maintain food safety standards and follow the menu as ascribed by NCPCR 2018 Guidelines,

(g) in no situation student/s should be forced to serve food to teaching/non-teaching staff.

7. **Physical punishment and Mental Harassment** - A teacher/non-teaching staff shall not subject any student, particularly a student belonging to SC/ST/Minority Community to any action that causes pain, hurt/injury and discomfort to a child, however light. Or any act that is detrimental to the academic and psychological well-being of a child, examples of physical punishment and mental harassment includes but are not restricted to the following:

a) Causing physical harm by hitting, kicking, scratching, pinching, biting, pulling the hair, slapping on ears, smacking, slapping, spanking or with any instrument (scale, cane, stick, shoe, chalk, dusters, belt, whip, giving electric shock etc.);

b) Making children assume an uncomfortable position (standing on bench, on one leg, standing against the wall in a chair-like position, standing with schoolbag on head, holding ears through legs, kneeling etc.);

c) Forced ingestion of anything (for example: washing soap, mud, chalk, hot spices, etc.);

d) Detention in the toilet or any closed space in the school or hostel campus.

e) **Mental harassment** includes and is not restricted to only Sarcasm that hurts or lowers the child’s dignity;
f) Using derogatory remarks by name calling, scolding using humiliating adjectives, intimidation including pinning of derogatory slogans;

g) Ridiculing a child with regard to her background status or parental occupation/ religion or caste;

h) Ridiculing the child with regard to her health status or that of the family – especially HIV/ AIDS and tuberculosis;

i) Punishing or disciplining a child not recognizing that most children who perform poorly in academics are actually children with special needs like learning disability, attention deficit hyperactivity disorder, mild developmental delay, non-supportive environment at home or in the family, issues related to first generation learners, etc.;

j) Using punitive measures to correct a child and even labeling him/her as difficult; such as a child with attention deficit hyperactivity disorder who may not only fare poorly in academics, but also pose a problem in management of classroom behaviors;

k) ‘Shaming’ the child to motivate the child to improve his/her performance;

l) School authorities shall not ‘shame’ a student on delay in payment of fees but shall address the matter with the parents directly; and also assist the child or parents for applying for scholarships in the appropriate category.

8. **Other forms of Physical Violence** - A teacher/non-teaching staff commits any related offence under **Indian Penal Code (45 of 1860)** or **SCs and STs (Prevention of Atrocities) Act 1989** or **Protection of Civil Rights Act, 1955** or **The Protection of Children from Sexual Offences Act (POCSO Act) 2012** or **The Right of Children to Free and Compulsory Education (RTE) Act, 2009** or **The Juvenile Justice (Care and Protection of Children) Act, 2000** shall be prosecuted with the same degree of punishment as specified under the legislations.
CHAPTER- III

(4) PROHIBITION OF DISCRIMINATION AND HARASSMENT BASED ON GENDER IDENTITY IN EDUCATIONAL INSTITUTIONS

1. Discrimination by appropriate government/authority –

(a) shall not discriminate against any citizen of India [Article 15(1) (2)] based on sex or gender identity;

(b) every child shall have the right to identify in their chosen gender identity and the appropriate government shall take all the measures that a student is recognized in all schools and hostels in their gender identity;

(c) no student will be subjected to discrimination, harassment or violence for failing to express behavior stereotypically associated with their sex, or be forced to express such behavior or for expressing any behavior stereotypically associated with another sex or who articulates the right to identify with a gender of their own choice over the years;

(d) the appropriate government is responsible to hold awareness camps in schools on diversity of identities to promote diverse and inclusive learning spaces for all children;

(e) the appropriate government has to enable an inclusive learning environment for all students with different identities based on their genders (or any other identity) by providing access to information on ‘difference’ and ‘nurturing acceptance’ for inclusive learning;

(f) the appropriate government is responsible to make schools accessible to all students especially the girl child and for students from different gender identities in urban, rural and in remote areas; especially those from the marginalized sections of society;

(g) the government-state/union/local authorities are responsible to ensure removal of social and physical barriers, for children to access quality education and safety;

(h) the government authorities/institutions have to ensure need based assessment and gender just budgeting allocations with respect to overall enhancement and reach of educational infrastructures; such as buildings, laboratories, libraries, facilities like sanitation, equipment, drinking water and electricity and health centers are accessible to all students;

(i) the state government and local authorities together are responsible to provide safe hostels for children, especially the girl child to assist her in completion of her High School education;

(j) state government, state education department officers, panchayat heads and school management are responsible for lack of facilities in schools and hostels such as regular clean drinking water supply and clean toilets with water facilities in schools and hostels, so that education of students especially of girls is not hampered due to lack of facilities;
(k) the state government, state education department and officers, Panchayat Heads and School management are responsible for lack of facilities in schools and hostels such as electricity, equipment, furniture, learning material, uniforms and medical centres for all children, especially in hostels and schools exclusively for girls and marginalized groups such as the SCs/STs/Minorities;

2. **Discrimination by Authorities at Schools and Hostels:** the educational institutions, teacher, non-teaching staff, other students, outsiders, local government official has to ensure that no child is discriminated on the basis of ‘gender’ in the schools and hostels -

(a) the identity of a child as ‘female’, ‘transgender’, ‘male’ or a child’s ‘effeminate’ body language or a sensitive nature in no way should be treated as the reason to discriminate, harass or humiliate their personhood;

(b) that no student shall be discriminated or harassed who identifies as female, male or a child who does not fit rigid masculine or feminine characteristics, or if a student identifies as a transgender, or exhibits or articulates the right to identify with a gender of their own choice over the years;

(c) the schools and hostels have to ensure that every child or student has the freedom to identify with the gender of one’s choice or preference;

(d) no child should be humiliated on the basis of gender or any other identity the child belongs to whether caste, religious minority, tribe, region or any other community;

(e) not giving admission to a child in accordance with the provisions of the Right of Children to Free and Compulsory Education, Act 2009 on the basis of their gender;

(f) quality education for all children has to be ensured, no school can deny admission to girls, or other children who fulfills the required admission criteria;

(g) out of the 25% at least 50% of girl children from the weaker – disadvantaged sections (SC/ST/Minority/Denotified/marginalized) should get admission in schools;

(h) no girl child is made to clean the toilets in schools or the principal’s room on any circumstance;

(i) female students have the right to participate in all activities of the school as per her interest to participate in the extra-curricular activity and no teacher should discourage the interest of the child based on the gender of the student;

(j) students are to be promoted in areas of their interest; and not to be pushed into gender
stereotyped activities such as making female students attend the cooking class or as the case may be;

(k) the teaching and non-teaching staff is to be aware of following a gender neutral way of communication in order to be gender sensitive;

(l) the teachers and other staff cannot assign tasks such as cleaning, fetching water or serving, or any other tasks that are gendered in nature to female students;

(m) the school and hostels have to appoint required Human Resource in order to avoid asking students to perform the tasks of cleaning and maintenance of schools and hostels;

(n) no school management, teaching and non-teaching staff shall discriminate against a girl child in accessing the right to meals in schools and hostel;

(o) all students, irrespective of their gender identity have the right to be informed about pre-matric scholarship and other various scholarships available under the basket of schemes of the Government of India by the school management;

(p) school and hostel management needs to visualize and inform the students about the scholarships and assist students accessing the entitlements especially about the pre-matric scholarships (PMS), scholarships for girl students, the religious minority students, children of parents engaged in unclean occupations etc.;

(q) the required health concerns of girl children and adolescents have to be taken care of by school and hostels management by appointing counselors and medical facilities in the schools and hostels;

3. **Prevention of violence and harassment and ensuring safety in angadwaries, schools and hostels:** the management is completely responsible for -

(a) the care, safety and protection of children and students in the angadwaries, including prep-play schools, schools, hostel campuses, and also when the students are taken for picnic, adventure or excursions;

(b) the management is to take stern safety measures in and around the educational institutions as well as safety in transportation facilities by installing cameras, appointing female drivers and conductors having ids of drivers and conductors as well as monitoring number of students per bus or cab to avoid over-crowding;

(c) the institutions are to monitor harassment based on gender on any student by an employee or fellow students by visibalizing mechanisms to report such issues to the school management committee (SMC)/Anti-Discrimination and Violence Committee (ADVC) or bal sansands-students groups/Principal of the schools and hostels;
(d) in case a staff or non-teaching staff is found to be involved in harassment of a student in any form (sexual abuse, mental and physical harassment) is to be reported by school Principal and/or management to parents, Block Monitoring Officer (BMO) and CWC and the police for legal action and sections of POCSO shall be applied;

(e) in case the Principal is involved in such a case the student and the parents has to report the case to the SMC, Block Monitoring Officer or take the matter to the police directly;

(f) in case an incident of assault (sexual abuse/mental abuse/hurt/stalking) is perpetrated by another student, the parents of both sides, BMO and CWC has to be informed of the incident by the SMC for necessary action and JJ Act should be referred in the said case;

(g) Block Monitoring Officer (BMO) and Child Welfare Committees (CWC) along with the block and district education officers are responsible to monitor the schools in their area to check quality education is imparted to students, and monitor any incident of discrimination and violence;

(h) The school management is responsible to have Rights based teaching in schools to raise awareness on gender sensitivity, dignity, human rights, and promotion of equality from early classes itself;

4. **Education & Health departments with NGOs and schools shall educate Students, Teachers, and Parents on Gender, Heath, and Understanding Adolescence by:-**

(a) conducting every 4th quarter basic health camps or workshops for students, teachers and parents to provide awareness on safe childhood and environment;

(b) specific orientation programmes to be held for adolescent students on mental and physical health care in their institutions of learning, to address age specific issues of health, knowledge on bodily, psychological, emotional changes and impacts to deal with attraction and the provide guidance on building healthy relationships, sexual health, precautions and for mental and emotional balance;

(c) female and male students are to be provided with sensitivity classes on menstrual health and hygiene to be aware and sensitized on the phase of menstruation from 8th standard onwards or as the case may be to remove taboo and superstitions in order to educate and sensitize;

(d) school and hostels to appoint trained counselors to conduct regular counseling sessions for students;

(e) counselors in schools and hostels to conduct half yearly age appropriate sessions with the students of all ages to address the challenges of student life in the present tech savvy age on thematic areas “gender sensitivity, understanding adolescence, acceptance of difference of identities, study management, dealing with peer pressure and importance of assertiveness”.
CHAPTER- IV

(5) PROHIBITING DISCRIMINATION AND HARASSMENT TOWARDS CHILDREN WITH DISABILITY (Differently Abled Students)

1. The Central and State Government/s and the local authorities shall endeavour to take measures to ensure that children with disability having specific needs enjoy their rights equally and all schools /educational institutions funded or recognized under the definition of this bill shall be constructed and provide inclusive education to differently abled children and do the following;

(a) recognize the various forms of conditions of children such as Autism Spectrum Disorder, Blindness, Cerebral Palsy, Chronic Neurological conditions, Dwarfism, Hearing Impairment (deaf and hard of hearing), Low-vision, Leprosy Cured persons, Locomotor Disability, Intellectual Disability, Mental Illness, Muscular Dystrophy, Multiple Sclerosis, Specific Learning Disabilities, Speech and Language disability, Sickle Cell disease, Parkinson's disease, Thalassemia and Hemophilia etc., as the condition may be;

(b) in accordance with the Rights of Persons with Disabilities Act, (2016), the appropriate authority (central/state) is to conduct survey of school going children in every five years for identifying children who are differently abled, ascertaining their special needs and the extent to which these are being met;

(c) admit children with disabilities without discrimination and provide education and opportunities for sports and recreation activities equally with others as specified in the rights of PwDs Act section 16;

(d) making buildings, campuses and various facilities accessible to all students;

(e) provide reasonable accommodation according to the individual’s requirements;

(f) build institutions which provide necessary support and environments that maximise academic and social development of children in consistency with the goal of inclusion;

(g) ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication in Braille or Sign languages with sufficient material and experts;

(h) detect specific learning disabilities in children at the earliest and take suitable pedagogical and other measures to overcome them;

(i) monitor participation, progress in terms of attainment levels and completion of education in respect of every student with disability;
(j) provide transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs;

(k) ensure that the children with disability are not discriminated or harassed by any teacher, student, outsider, government official or school staff;

(l) to provide and monitor reach of appropriate scholarships to students who are differently abled;

(m) BMO has to monitor and visit hostels and schools for disabled (differently abled) to monitor the status of building’s accessibility available required learning material monitor and safety measures by visiting regularly every two months and also conducting surprise visits along with nodal authorities under the said act;

2. **Appropriate government, local authorities, universities and educational bodies on professional special teacher training programmes shall take the following measures for the purpose, namely:**—

(a) to establish adequate number of special teacher training institutions in order to have more trained teachers who are specialists for teaching students with different abilities;

(b) to train and employ teachers, including teachers with disability who are qualified in sign language and Braille and also teachers who are trained in teaching children with cerebral disability;

(c) to train professionals and staff to support inclusive education at all levels of school education;

3. **Duty of educational institutions** are to take specific measures to promote and facilitate inclusive education by the following steps:-

(a) shall take measures to promote, protect and ensure participation of differently abled children in educational institutions to continue their education and life skill trainings;

(b) establish adequate number of resource centres to support educational institutions;

(c) to promote the use of appropriate augmentative and alternative modes including means and formats of communication, Braille and sign language to supplement the use of one’s own speech to fulfill the daily communication needs of child;

(d) to provide books, other learning materials and appropriate assistive devices to students with benchmark disabilities free of cost up to the age of eighteen years;

(e) to make suitable modifications in curriculum and examination system to meet needs of students with disabilities such as extra time for completion of examination paper, facility of scribe or amanuensis, exemption from unnecessary courses;
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(f) Institutions - public, private and aided have to assure safety of children who are in the schools and hostels;

4. The appropriate Government shall take measures to protect differently abled children from all forms - abuse, violence, exploitation and to prevent the same, shall—

(a) take cognizance of incidents of abuse, violence and exploitation and provide legal remedies available against such incidents;

(b) take steps to rescue, protect and rehabilitate victims of such incidents;

(c) ensure safety measures in special schools and hostels for children with disabilities;

(d) create awareness through information among the public to recognize the rights of the differently abled children and remove the stigma associated with the condition.
CHAPTER- V

(6) PREVENTIVE MEASURES AND REFORMATIVE ACTIONS FOR ADDRESSING DISCRIMINATORY BEHAVIOR IN SCHOOLS/HOSTELS

1. Measures for prevention of all forms of discrimination and harassment based on caste/gender/religious/ethnic identity/ability in Schools and Hostels, the following steps are to be adopted by schools and hostels:-

   a) create and ensure a safe environment that is free of Discrimination and Harassment in schools to promote an atmosphere of equality and freedom;

   b) formation of an Anti-Discrimination and Violence Committee at the School and Hostel level to monitor and arrange awareness camps to counter discrimination, violence and ragging in schools and hostels;

   c) formation of Human Rights Club or Bal Sansads in Schools and Hostels to promote and impart the values of Human Rights, Equality, Respect and Social Justice in innovative ways through plays, debates, dance, writing competition or celebrating thematic weeks at schools-hostels etc.;

   d) the schools shall launch a campaign on values of equality, social justice and respect to address issues of discrimination, harassment and bullying through platform of debates and discussions, posters-making competitions, dance and plays as may be desirable or required, to promote the objectives of this Act;

   e) for this the Anti-Discrimination & Violence Committee (ADVC), SMC or hostel management members (as the case may be) are responsible for organizing awareness drives on child rights, human rights, life skills, Discrimination and Harassment free school premises, celebrating rights based leaders centenaries as well as providing legal knowledge to students, teaching and non-teaching staff of schools and hostels;

   f) a public declaration by educational institutions stating - “discrimination and harassment based on Abilities, Caste, Gender, Ethnicity, and Religious identity is totally prohibited in school, and anyone found guilty, is liable to face action in accordance with nature of offence and Act as applicable” to be on display in electronic, audio-visual, braille, print and online, and an undertaking by teachers, non-teaching staff and students shall be taken,

   g) the school websites/brochures of admission/or the prospectus, whether in print or electronic format, shall prominently have a declaration on prohibition of identity/ caste/gender/colour/disability based Discrimination and Harassment in full view;
h) students seeking admission to the schools or hostels at the time of admission shall submit declarations countersigned by their parents/guardians thereby stating that they have understood the prohibition of caste/gender/religious, language, identity based discrimination and harassment in schools and hostels;

i) mailing address and telephone numbers of the Block Monitoring Officer, District Education Officers and State Commission for Protection of Child Rights, respective Hostel Wardens, Head of Institutions, SMC or ADVC who are responsible for safety of Child Rights shall be published in the brochure of admission/instruction booklet or the prospectus as well as be displayed in schools or be given as printed leaflet as SOS contact for help and guidance, to enable the student to contact the authority;

j) before the commencement of academic session in any school, the Head of school shall convene an awareness camp for staff, students, parents/guardians, district education officers including police to discuss measures to prevent discrimination and harassment against students - Scheduled Castes/Scheduled Tribes/Female Students/ Religious Minorities in the schools and steps to identify those indulging in practice;

k) an undertaking has to be obtained from every employee of the institution including teaching and non-teaching staff, contract workers in the premises either for running canteen, security guard, or support start for maintenance of cleanliness of buildings/lawns within school-hostels, that he/she will not indulge and would report promptly any case of discrimination and harassment in school;

l) all teachers and staff should successfully complete the anti-discrimination training at least every two years;

m) installing POCSO E-box in every school and hostel as per the provision of POCSO Act and provide awareness on its use

n) regular inspection of the POCSO e-box by head of the institution in the presence of Anti-Discrimination and Violence Committee of the School, SMC and concerned police station officials;

o) the staff shall ensure that that all children enjoy their rights as per the Act and all forms of interaction with children and amongst children shall be geared towards ensuring the objective of equality;

p) all staff shall ensure that students from marginalized sections SCs, STs, Minority groups and the girl students are treated in a manner that encourages them to stay in school and learn to their potential;

q) any instance of discrimination against the child belonging to scheduled Castes or a Scheduled Tribes is dealt within a time bound manner such that the implications on the child are minimized;
r) it shall be the responsibility of all teachers and staff to create an environment free of all forms of fear, trauma, prejudice and discrimination;

s) the treatment towards students in the school is to be such that they feel included and secure;

t) in schools and hostels counselling services for children and adolescents to be made available and approachable in order to deal with study stress, peer pressures and challenges of growing up;

u) the schools and hostels have to maintain open structures to monitor activities of staff and students keeping no dark corners or spots unattended;

v) separate and clean toilets for girls and boys in prep school, primary section, elementary sections and High school sections of the schools and hostels;

w) schools and hostels to take measures to be accessible to all children, especially children who are differently abled.

2. **Reformative and Transformative actions for addressing discriminatory behavior in case students are involved in identity based discrimination or minor incidence of fight, arguments, or bullying the school and hostel authorities can take the following disciplinary action :-**

a) Corrective counseling on human rights, human dignity and value;

b) Understanding behavior of students indulging in wrong acts and counseling as required;

c) Calling the parents and holding a meeting with regard to the action of the child;

d) Warning and signing bond of good behavior;

e) Suspension for a specific period of time;

f) Withholding results

g) Debarring from exams;

3. **Child in conflict with law in grave cases of violation following measures are to be incorporated:**

a) The matter should be reported to the concerned parents, Block Monitoring Officer and the members of the CWC;

b) If the case involves sexual assault/ grievous hurt/ stalking or any other atrocity as specified under various Legislations – Juvenile Justice (care and protection of children) Act will apply and the child will be produced before the JJ Board;

c) In such matter the school management shall inform the parents, Block Monitoring Officer (BMO), CWC and police to bring the matter to notice and should not suppress the incident.
CHAPTER - VI

(7) CORRECTIVE MEASURES / PUNISHMENT FOR DISCRIMINATION AND PHYSICAL VIOLENCE BY STAFF IN SCHOOLS AND HOSTELS:

1. **disciplinary action could be** decided in accordance with the nature of the violation - in case of Teachers or non-Teaching Staff, disciplinary action in cases where milder forms of discrimination is practiced which can be corrected through counseling the following actions can be done:-
   a) Counseling and Warning
   b) Written apology
   c) Bond of good behavior
   d) Adverse remarks in the Confidential Report
   e) Stopping of increments/promotion
   f) Suspension for casteist mindset

2. **In case forms of discrimination and violence are grave and are covered under specific legislation the following actions can be done against teaching and non-teaching staff engaging in violent acts or grave discriminatory practices :-**
   a) Suspension
   b) Denial of re-employment
   c) The school to suspend the alleged harasser from school if his/her presence is likely to interfere with the enquiry or intimidates the child;
   d) The victim of caste discrimination will have the option to seek transfer of the perpetrator or their own transfer to any other school of own choice;
   e) In cases of grave violence the school/hostel authorities have to inform the Block Monitoring Officer, parents and police to take action in the case;
   f) to take action in any grave cases of caste based discrimination, violence, physical and sexual assault against a child in an institution FIR is to be lodged in conjunction with relevant legislations as stated below:
      i. **Provisions under Indian Penal Code (IPC);**
      ii. **“The Protection of Children from Sexual Offences Act (POCSO Act) 2012”** to be applied in incidents of sexual abuse it makes persons in a position of trust or authority of a child like a family, teacher, police officer, or doctor in the responsible position in conjunction with other relevant Acts;
iii. *The Right of Children to Free and Compulsory Education (RTE) Act, 2009*, prohibits ‘physical punishment’ and ‘mental harassment’ to a child under Section 17(1) and makes it a punishable offence under Section 17(2). Sections 8 and 9 of the RTE Act place a duty on the appropriate Government and local authority to “ensure that the child belonging to weaker section and to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds”.

iv. Provisions of the *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 amended 2015* shall be invoked to prosecute an adult who inflicts caste and ethnicity based resentment, inflicts physical and verbal caste based abuse, or makes to clean toilets or pick up carcass of an animal by a student, sexually abuses, or causes grievous hurt upon a scheduled caste or scheduled tribe child/student.

v. *The Juvenile Justice (Care and Protection of Children) Act, 2015* Section 23 of the JJ Act, criminalizes cruelty to a child by a person in authority who assaults, abandons, exposed or neglects in a manner likely to cause a juvenile or child; it arguably applies to cruelty by anyone in a position of authority over a child, which would include parents, guardians, teachers and employers.

vi. *IT Act 2000 and POCSO 2012* can be used in conjunction with each other to prosecute a person - teaching or non-teaching who uploads images of children in acts that they are forced to do or uploads child sexual abuse material on social media.

vii. Various provisions of the *Protection of Civil Rights Act, 1955* can be used to prosecute a person/manager/trustee as well as warrant resumption or suspension of grants made by the Government to educational institution or hostel on the ground of untouchability.


ix. Any other relevant mechanism.

3. **In the case of third party harassment/outsider harassment**, the school authorities shall initiate action by making a complaint with the appropriate police authority and BMO;

   a. In addition to the above mentioned punishments in case the offence is proved the accused person/s shall tender a public apology and an apology in writing to the victim or his/her relatives and at a copy of the apology shall be placed before the State or the National Committee for Protection from discrimination as the case may be.

   b. In addition, the accused shall also be liable to the compulsory community service and mandatory education on human rights education, as prescribed by the National or State Committee for Protection from discrimination.

   c. Enhancement of punishment could depend on factors such as the nature and extent of injury caused to the student affected by discrimination and violence and the impact of the violation on the student/s as a whole, repetition of offence etc.
(8) MECHANISMS AND IMPLEMENTING AGENCIES

1. Implementing Agencies

(a) The concerned Ministries of State Education Departments, District Education Officer, Block Monitoring Officer, Child Welfare Committee and educational institutions shall be the implementing authorities and are responsible for the following –

(b) The Centre/State/UT governments are responsible to assess and allocate adequate ‘budget’ in proportion to 0-18 population for appropriate funding in all sectors affecting children and adolescence namely, survival; health (physical, mental and emotional); education; protection from discrimination and violence; special needs of all children coming from different backgrounds and abilities; and maintenance of institutions, infrastructures, human resource in the said sectors for implementation and monitoring etc.


(a) Central/ State/UT government/s/ Departments/Officers and PRIs representatives shall ensure that every institution promotes a preventive strategy for eradicating all forms of discrimination & violence in schools - hostels;

(b) The state education department is to appoint a Block Monitoring Officer (BMO) at the block level to monitor discriminatory practices and violence in all forms in schools, angadwaries and hostels who will be independent of the Block Education Officer to carry out inspection, investigate cases and report to the District and State Education Departments;

i. The term of the BMO is to be fixed for a period of 4 to 5 years subject to transfer or continuation with order from State Education Department or Board;

ii. BMO is to submit a report bimonthly to the State education department and SCPCR for further investigation in cases of violation of rights and entitlement of children (students);

(c) the proposed act should be visualized via state education department website, boards, newsletters, posters, and bulletin news to reach every school and hostel;

(d) encourage all schools to develop holistic approach to implement this Bill (Act), the wider school community–teachers, administrative and support staff, students, parents
and interested community representatives—shall be included yearly in the consultation process;

(e) state government/s have to respond to the notices sent by the NCPCR and SCPCR in cases affecting children and adolescence of the said state;

(f) to ensure that a mandatory component on the Act and prevention of caste based discrimination and importance of human rights shall be incorporated into orientation sessions for the students and other members of the schools;

(g) to set up awareness centers and organize workshops in schools or the neighborhood areas /villages /block etc., or at some other place to educate the masses (all stakeholders – students, teachers, support staff and parents) about the prohibition of all forms of identity based discrimination and violence in schools and hostels;

(h) encouraging Non-Governmental Organizations for establishing and maintaining awareness workshops in schools and hostels in periodic cycles;

(i) government shall provide organizations with financial support to provide workshops and awareness programmes in schools and hostels to work with BMO;

(j) students shall be informed through campaigns and publicity drives on their right to speak against physical punishments, mental harassments and discrimination and bring it to the notice of parents and authorities such as Anti- Discrimination and Violence Committee in School, Principal, and Block Monitoring Officer (BMO).

3. **FORMATION of “ANTI DISCRIMINATION AND VIOLENCE COMMITTEE” at School and Hostels** - schools and hostels have to form a committee with 4 student representatives keeping in mind ‘gender and other identity balance’, one SMC teacher representative, school principal, and a counselor of the school, this committee can also include the gender sensitization committee if schools have functioning the committee;

   a) The committee has to be formed every 2 years in schools and hostels through election process and all students have to be aware of the committee and the mandate to monitor discrimination and violence in all forms;

   b) All schools to form Human Rights Students Clubs/Bal Sansad to initiate rights based discussions and debate for their development;

   c) ADVC have to hold awareness drives as well as hold creative workshops and campaigns against discrimination, violence and bullying in the schools and hostels.
d) The existence of School Anti-Discrimination and Violence Committee and Block Monitoring Officer has to be given visibility in the school and hostels campuses by sharing contact information on the notice boards and periodic awareness drives.

4. **APPOINTMENT AND TERMS OF SERVICE FOR BLOCK MONITORING OFFICER**

a) The State Government through State Education Dept. or Ministry shall by notification appoint a Monitoring officer at the “block level” in each district to inquire cases of discrimination and harassment in schools and hostels within the notified area within which a Monitoring Officer shall perform duties conferred for redressal of incidents on the grounds as mentioned in sec 2 (e) of the Bill against vulnerable groups-SCs/STs/Minority/Denotified tribes/Girls/ children with disability.

b) The Monitoring Officer shall be appointed from among Child Rights Expert (*Eminent Activist*) of integrity, ability and standing with a record of selfless service to the cause of social justice with practical experience in the field of education, child development and psychology along with working with excluded groups like SCs/STs/Minority etc.,

c) Service Rules as per the State shall apply for the Salary, Promotion and Transfer for the Post of Block Monitoring Officer;

5. **A Roles, Powers and Functions** – Block Monitoring Officer (BMO) shall exercise and perform the following Roles, Powers and Functions, namely, -

a) To periodically monitor steps taken to prevent incidents of discrimination and harassment in school and hostels as stated under sections 3, 4, 5, 6 of this Bill;

b) Block Monitoring officer shall review the formation and working of School Anti-Discrimination Violence Committee;

c) BMO can call for a block level meeting with the ADVC of schools/hostels to review the incidents or progress made in awareness drives and monitoring intervention;

d) BMO can issue guidelines or orders to all schools and hostels concerning the welfare of the students and can review the implementation of this Bill;

e) To hear grievances of caste, gender, ethnicity or ability based discrimination and harassment in schools at the preliminary stage;

f) To ensure that student and parent are not harassed for the complaints made;

g) shall have the power to take the assistance of person/s belonging to any minority group as amicus curiae, for hearing complaints of alleged identity based discrimination and harassment;
h) Report incidents to Education Dept. and State Commission for Protection of Child Rights in such manner as may be prescribed, upon receipt of a complaint by a student and forward copies thereof to concerned departments;

i) To ensure students are not forced to testify in favour of school authorities before media/police/court;

j) While investigating a complaint under this Act, the Monitoring officer shall have the powers of Civil Court under the Code of Civil Procedure, 1908 while trying a suit and in particular in respect of the following matters, namely:-

i. summoning and enforcing attendance of any person and examining him on oath;

ii. requiring the discovery and production of documents;

iii. receiving evidence on affidavits;

iv. subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or copy of such record or document from any office;

v. issuing commissions for the examination of witnesses or documents;

vi. reviewing decisions;

vii. dismissing an application for default or deciding it ex parte;

viii. setting aside any order of dismissal of any application for default or any order passed by it ex parte; and

ix. any other matter which may be prescribed by the appropriate Government

k) to see that the provisions of this Bill are complied with;

l) to collect evidence as may be necessary for the inquiry/prosecution of persons committing offences under the proposed bill; and

m) to assist the concerned Magistrate in case being called by the magistrate;

n) to make an application if the affected child (survivor) so desires, claiming relief for issuance of a protection order;

o) to initiate medical examination, if the student has sustained bodily injuries and forward a copy of the medical report to police station and the Magistrate having jurisdiction in the area where the offence is alleged to have been taken place;
p) review and publicize the efforts made for eliminating caste, gender, ethnicity and other identity based discrimination and harassment in schools and hostels;

q) **Reports** – The Monitoring officer shall submit a bimonthly report on or before 20th day of the month to the DEO and SEO.

r) **Review Meetings** - The Block Monitoring Officer, State and District Education Departments and SCPCR, shall meet once every three months to discuss the position of the cases and the action to be taken in cases of discrimination and violence received from students.

5.B **Spot inspection/action by the Monitoring officer** –

a) On receipt of the complaint or any information concerning any reported incident of discrimination and harassment, the Monitoring officer shall immediately visit the institution/place of incident/affected student/s/witnesses/s and determine if a case under the penal laws emerges and if so, either on her/his own or through a member of the State Commission for Protection of Child Rights, proceed to file a First Information Report (FIR), within twenty four hours of receipt of such information with the police under the appropriate penal provisions relating to Indian Penal Code, POCSO or the SCs and STs [PoA] Act, RTE, JJ Act or any other relevant legislation.

b) On receipt of an application by the victim of caste based discrimination and harassment, the monitoring officer to undertake spot investigation, shall inform the concerned police station or “Child Welfare officer” in the concerned police station and shall immediately order the head of the institution for furnishing its reply within seven days and prepare a report and submit the case to the District Education and State Education Department;

c) The BMOs shall also continue with their own enquiry initiated and other measures without waiting for action on the part of the police/local authorities and such remedial action shall be initiated and completed immediately.

d) BMOs shall also undertake regular inspection visit to all angadwaries in jurisdiction to review standards of hygiene, learning, survival and protection facilities for children.

5.C **Procedure in redressal of grievances:**

a) Aggrieved student/parent shall submit application seeking redressal of discrimination and harassment based on caste, gender, ethnicity, religion etc. to the ADVC/Principal and the appointed BMO;

b) On receipt of an application the Principal & ADMC shall inform the BMO;

c) The Monitoring Officer shall fix a date for hearing the complaint which shall be communicated to the school and the survivor student either in writing, email, electronically, by message as may be feasible;
d) An aggrieved student may appear either in person or represented by such person as may be authorised to present the incident (case);

e) The investigation authority is bound to maintain confidentiality during enquiry period;

f) After the report has been finalized, confidentiality should be maintained, if the complainant so desires, by withholding the complainant’s name and other particulars that would identify him/her;

g) During the enquiry procedure, the complainant and the accused will be called separately so as to ensure freedom of expression and an atmosphere free of intimidation especially for the student. The complainant will be allowed to be accompanied by one representative during the enquiry;

h) The BMO shall ensure disposal of every complaint within one month of receipt for speedy redress of grievance;

i) The school shall be expected to co-operate with the BMO in redress of the complaint and failure to do so may be reported by the BMO to appropriate Government authority;

j) On the conclusion of proceedings, the BMO shall pass such order, with reasons for such order, as may be deemed fit to redress the complaint and provide such relief as may be desirable to the affected party at issue;

k) The schools shall comply with the order of the BMO;

5.D Power to impose penalties on staff members and institutions-

a) BMO can sanction orders on the schools and hostels for non-implementation of preventive measures for discrimination and violence.

b) Whoever fails to comply with any passed/orders shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both;

c) The Monitoring Officer shall commit to the District Magistrate/ District Collector having jurisdiction over the concerned educational institution or against the person against whom an order had been made, and the District Magistrate shall execute the orders accordingly, duly informing the Monitoring officer;

6. ROLE OF STATE EDUCATION DEPARTMENTS AND COMMISSIONS

a) concerned government agencies on child rights, protection and entitlements are responsible to monitor the needs and requirements of the 0-18 population of the country as per their mandate;
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b) state & national commissions for protection of child rights have to be proactive in dealing with cases of discrimination and violence against all children as its mandate;

c) the state education department under the state government is responsible for the appointment of Block level Monitoring Officers with the mandate to monitor discrimination and violence in schools and hostels;

d) State Education Department has to prepare a State Status report on Educational Institutions and submit to the Ministry of Human Resource and Development, as well as to the concerned Ministries such as Ministry of Women and Child Development and Ministry of Social Justice and Empowerment.
CHAPTER – VIII

(9) COMPLAINT SUBMISSION MECHANISMS

Who may complain -

1. The Bill shall be applicable to all complaints of identity based discrimination or harassment in Educational Institutions as defined in chapters 1, 2, 3 and 4 of this Bill and complaints can be made-

a) by a student or a group of students, especially those have experienced discrimination and or violence due to their caste, gender, race, ethnicity, religion or ability (belonging to Scheduled Castes or Scheduled Tribes/ Religious Minority/ Denotified Tribe/ Differently Abled) against the accused if in the case, the accused is a teaching or non-teaching staff or any other member of the school or outsider, irrespective of whether the discrimination or harassment is alleged to have taken place within or outside the institution,

b) or whether the complaint is against another student;

c) the complaints can be made to the Anti-Discrimination and Violence Committee (ADVC) in schools and/or be dropped in the POCSO box in schools by the student and also sent to the Principal, to the Monitoring Officer of the Block, Child welfare committee –CWC, to the District Education Department or State Commission for the Protection of Child Rights (SCPCR);

d) the ADVC to inform and forward copies of complaints to BMO;

e) by parent/s/guardian on behalf of student against a staff or teacher or any other member of the school irrespective of whether the discrimination or harassment is alleged to have taken place within or outside the school and the complaint can be sent to the Anti-Discrimination and Violence Committee in schools and the Block Monitoring Officer and District Education Department or State Commission for the Protection of Child Rights (SCPCR).

f) by an outsider against student or teacher or a staff or any other member of the school if the discrimination or the harassment is alleged to have taken place within the school.

(a) Two or more people may make a complaint jointly.

(b) Complaint may allege more than one contravention - A person may make a complaint alleging more than one offence of the Act.

Who may receive the Complaint –

2. The appointed Block Monitoring Officer (preferably a child rights and minority rights activist and expert) at block level to monitor incidents of discrimination, harassment and violence in schools and hostels to receive the complaints;

a) A simultaneous complaint in incidents of violence, discrimination and lack of facilities can go directly to the members of the State or National Commission for the Protection Child Rights. In such cases, where the complainant approaches and files a complaint to the members of the National or State Commission for the Protection of Child Rights, the complainant should give reasons for doing so and the same shall be recorded by the Monitoring Officer.
b) Copy of the complaint can also be made to the ADVC and Head of the Institution along with the BMO;

c) The report by the Monitoring Officer has to be submitted to the District Education Department with a copy to the State Education Department.

Process of making a complaint and registration of complaint –

3. The process to make a complaint has to be informed by educational institutions by means of verbal communication and visual displays on the notice boards of the schools and hostels in simple language to report incidences of discrimination and violence;

   a) A complaint -

   i. shall be taken in writing by the student;

   ii. specify the details of the nature of discrimination, harassment and violence faced;

   iii. a complaint POCSO E box has to be put up in the school and hostels as per the provision under POCSO Act 2012 in schools and hostels, the school has to inform students on the purpose of the box;

   iv. complaint has to be dropped in box kept at a place which is visible and accessible by all the students of varying heights and age;

   v. box shall be opened every week by the BMO in the presence of School Anti-Discrimination and Violence Committee members of the institution, and take required action and report to the DEO, SEO, and Police as the case may be to take preventive and protective measures;

   vi. complaint can be sent by post to the Monitoring officer;

   vii. provided that where such complaint cannot be made in writing by the victim, the Monitoring officer shall render all reasonable assistance to the complainant for making the complaint in writing;

   viii. where the aggrieved person is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her/his family member or such other person as may be prescribed may make a complaint under this Act;

b) Information to the Monitoring officer and Time limit for Complaint Redressal or response to Complaints -

   i. The monitoring officer shall promptly register the complaint and notify the complainant within 24 hours on the action taken by email, message or in writing;

   ii. A copy of the complaint /information so recorded under proposed bill shall be given free of cost, to the informant/complainant;

   iii. Incase complaint is made to State or National Commission for Protection of Child Rights the decision by members shall be made prima facie and respond within 5 days of receiving the complaint or forwarding the complaint to the monitoring officer.

   iv. cases related to discrimination and violence have to be fast tracked in accordance with relevant provisions of the Act and other significant Acts.
CHAPTER - IX

(10) MISCELLANEOUS

1. **Burden of Proof** - If the complainant belonging to the Scheduled Castes or a Scheduled Tribe makes out a prima facie case of caste based discrimination—

   a) the respondent not belonging to the Scheduled Castes or a Scheduled Tribe shall prove, on the facts, that the discrimination did not take place as alleged; or

   b) the respondent shall prove that the conduct is not based on one or more of the prohibited forms of discrimination as specified under chapter 2,3,4 of the Act.

2. **Service providers**-

   a) Subject to such provision as may be made in this behalf, any voluntary association, Child Rights, Human Rights organization registered under the Societies Registration Act, 1860 (21 of 1860), or any Trust with the objective of protecting the rights and interests of Children particularly SC/ST/Minority group/Differently abled by any lawful means including providing of legal aid, medical, financial or other assistance shall register itself with the State Government as a service provider for the purposes of this Act.

   b) A service provider registered under sub-section 2(a) shall have the power to record the incident in a report form if the aggrieved person so desires and forward a copy thereof to the Monitoring Officer having jurisdiction in the area where the violence and discrimination took place;

   c) Providing information on the incident to the BMO;

   d) Get the aggrieved child/student medically examined and forward a copy of the medical report to the BMO and the police station within the local limits of which the incident took place.

   e) Assist BMO to monitor and investigate cases of discrimination and violence.
DRAFT BILL – 2018

**Expert Group - Academic, Child Rights & Legal Experts.**

Dr. Asha Zachariah, General Secretary, AIDMAM-NCDHR
Adv. Amritananda Chakravorty, Supreme Court of India
Ms. Beena J Pallical, General Secretary, DAAA- NCDHR
Mr. Henry Tiphane, Lawyer, Human Rights Trainer and Defender, Director People’s Watch India
Ms. Lavanya Kesavaraj, Child Rights Expert CCFC, Chennai
Adv. Monica Vincent, Madras High Court
Mr. Paul Divakar, Chairperson ADRF
Ms. Rachel Thomas, Programme Coordinator, KNH
Mr. Sathish Reginald Samuel, Independent Child Rights Consultant
Prof. Selvi Semmalar, Asst. Prof. Loyala College Chennai
Dr. Uma Saumya, Asst. Prof. Ambedkar University New Delhi
Mr. Vincent Manoharan, National Convener, National Dalit Christian Watch
Dr. Prof. Vimal Thorat, Convener NCDHR

**Campaign Leaders**

Ambedkar Youth Club, Kendrapada, Odisha
Ambedkar Youth Group, Bihar
Children’s Movement for Climate Justice, National
Dalit Yuva Shakti Sangathan - - Uttar Pradesh
Jai Bhim Children’s Activity Centre, Tamil Nadu
Neelam Foundation Children’s group, Tamil Nadu
Ms. Abirami Jotheeswaran, National Program Coordinator, NDMJ - Delhi
Ms. Chandrakanta, Program Coordinator, CSEI - Delhi
Mr. Daulrat Ram, Director, BJSA - Uttar Pradesh
Adv. I. Pandiyan, Director, SASY - Tamil Nadu
Ms. Jhansi Geddam, National Convener, DSS - Andhra Pradesh/Telangana
Ms. Jesintha Mary, Program Coordinator, NDMJ - Delhi
Ms. Judith Anne Lal, Research Associate, NDMJ - Delhi
Mr. Kamalchand Kispotta, Policy & Advocacy Officer, NDMJ - Delhi
Adv. Keval Ukey, State Coordinator, NDMJ - Maharashtra
Mr. Leslie Martin, Program Coordinator, NDMJ - Delhi
Adv. P.L Mimroth, Chief Patron, CDR - Rajasthan
Mr. Palanisamy, Coordinator, SASY - Tamil Nadu
Mr. Prakash Daniel, Program Manager, DSS - Andhra Pradesh/Telangana
Ms. Pooja Singh, Program Coordinator, CDR - Rajasthan
Adv. Rahul Singh, National Program Coordinator, NDMJ - Delhi
Adv. Ramdular, State Coordinator, NDMJ - Uttar Pradesh
Mr. Rajesh, State Coordinator, NDMJ - Haryana
Mr. Raj Kumar, State Coordinator, NDMJ - Himachal Pradesh
Mr. Sangram Mallik, Director, ALVM - Odisha
Adv. Satish Kumar, Director, CDR - Rajasthan
Mr. Satyendra Kumar, Program Coordinator, CSEI - Delhi
Ms. Suchita Kumari, Documentation & Communication Officer, NDMJ - Delhi
Mr. Siddaraju, State Coordinator, NDMJ - Karnataka
Mr. Vidyannand Ram, State Coordinator, NDMJ - Bihar
Mr. Vinod Kumar, Director, SGVK - Jharkhand
Mr. Vaibhav Gite, State Coordinator, NDMJ - Maharashtra
Ms. Urmila, Teacher, NDMJ - Maharashtra
Mr. Karuppa Swamy, READS - Tamil Nadu
Mr. Sukhdev Singh, Centre for Mountain Dalit Rights - Himachal Pradesh
Mr. V.B Ajay, Rights - Kerala
Ms. Vimla Vishwapremi, Mountain Women’s Rights Forum - Himachal Pradesh
Mr. Vijendra Kumar, Program Coordinator, BJSA - Uttar Pradesh
Mr. Vimal Kumar, Program Coordinator, BJSA - Uttar Pradesh
CAMPAIGN TOWARDS ZERO DISCRIMINATION IN SCHOOL INSTITUTIONS

CAMPAIGN LEAD ORGANIZATIONS

1. **Secretariat** – National Dalit Movement For Justice – (NDMJ) NCDHR, New Delhi
2. Ambedkar Lohia Vichar Manch – Odisha
3. All India Dalit Mahila Adhikar Manch (NCDHR) – New Delhi
4. Bhartiye Jan Seva Ashram – Uttar Pradesh
5. Children’s Movement for Climate Justice – (CMCJ) India
6. Centre for Social Equity and Inclusion – New Delhi
7. Campaign Against Child Labour, New Delhi
8. Christian Children’s Fund of Canada, India
9. Dalit Arthik Adhikar Andolan, (NCDHR) New Delhi
10. Dalit Stree Shakti – Andhra Pradesh and Telangana
11. Dalit Manav Adhikar Kendra (Centre for Dalit Rights) – Rajasthan
12. DBSU (Dalit Bahujan Shramik Union) – Andhra Pradesh
13. KinderNothilfe – KNH India
15. Nine Is Mine - New Delhi
16. Right To Education Forum – RTE Forum
17. Sampurna Gram Vikas Kendra – Jharkhand
18. Social Awareness Society for Youth – Tamil Nadu
19. Wada Na Todo Abhiyan - New Delhi

STATE MEMBER ORGANIZATIONS

ANDHRA PRADESH

20. Ambedkar Youth Association, East Godavari
21. SC, BC Sankshema Sangam, East Godavari
22. Ambedkar Blood Bank, East Godavari
23. All Christians Rights Association, East Godavari
24. Mala Maha Nadu, East Godavari
25. Ambedkar Youth Association, East Godavari
26. Ambedkar Youth Association, East Godavari
27. Sneha Organization, Guntur
28. DICCI (Dalit Indian Chamber of Commerce & Industries), Krishna
29. Dalit Bahujan Front (DBF), Guntur
30. Peoples Monitoring Committee (PMC), Ananthapur
32. APCRAF (Andhra Pradesh Child Rights Forum), Krishna
33. ANKURAM, Guntur
34. Mulanivasi Teachers Association (MTS), West Godavari
35. All India Dalit Rights Federation, East Godavari
36. Aman Vdhika, Hyderabad
37. Safai Karmachari Andholan, Nizamabad
38. All India SC/ST Railway Employees Association, Vijayawada
39. Ambedkar Youvajana Sangam, East Godavari
40. Ambedkar Youvajana Sangam, Ranga Reddy
41. All India Ambedkar Youvajana Sangam, Ranga Reddy
42. Dalita Sangala Samaikya, Ranga Reddy
43. Dalit Rights Activist, Hyderabad

BIHAR
44. NDMJ – Bihar
45. Narigunj
46. Dalit social Forum
47. Manvadhikar Sanrakshan Sansthan
48. Praxis
49. Matadin Mahila Adhikar Manch
50. Vrindavan Vikas Foundation
51. Gaurav Gramin Mahila Vikas Manch
52. Dalit Sangam Samiti
53. Bihar Dalit Vikas Samiti
54. Dr.B.R.Ambedkar Kalyan Sansthan
55. PAWER Org.
56. Prayas Gramin Vikas Samiti
57. Suman Bihar
58. Sampurn Dalit Vikas Samiti
59. All India Dalit Mahila Adhikar Manch Bihar
60. Dalit Mukti Mission
61. Bihar Lok Jivan
62. Shambuk Jan Kalyan Samiti
63. Jansewa Kalyan Samiti
64. Bhartiya Gramin Vikas Awam Kalyan Samiti
65. Samajik Shodh Evam Vikas Kendra
66. HRD Charitable Mission
67. Asangathit Kshetra Kamgar Sangathan
68. Janadhikar Sanstha
69. Samajik Jagriti Prayas Sansthan
70. Dalit Adhikar Manch
71. Musahar Vikas Manch
72. Ravidas Yuva Manch
73. Tolasevak Sangh
74. Akhil Bhartiyy Dhobi Mahasabha
75. Sant Gadge Sansthan
76. Dusadh Uthan Parishad
77. Ravidas Uthan Samiti
78. Akhil Bhartiyy Pasi Samaj
79. Rashtriya Musahar Bhueya Vikas Parishad
80. Chauharmal Lok Adhikar Manch
81. Arjak Sangh
82. Anusoochit Jati/Janjati Karmchari Sangh
83. Ujjawal Help Group
84. Shriram Self Help Group
85. Shriram Self Help Group
86. Jhagaru Jagriti Self Help Grope
87. Vitt jagaran Self Help Group
88. Jai Bajagabali Self Help Grope
89. Shanti Self Help Group
90. Anusandhan Self Help Groupe
91. Atidali Action Forum
92. Rashtriya Pasmanda Dalit Kalyan samiti
93. Kiran self Help Group
94. Sahara Self Help Group
95. Akhil Bhartiyy Pasi Sangh
96. Mehatar Sewa sangh
97. Dhobi Uthan Prishad
98. Dushadh uthan Parishad
99. Ambedkar Vichar Manch
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<td>SHADE Ramgarh. (Resource Person, Human Rights)</td>
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<td>Nilambar Pitambar Health &amp; Research Organization, Chainpur; Palamu.</td>
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<td>Aurangabandh Vikas Samiti, Satbarwa, Palamu.</td>
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<td>133.</td>
<td>Ambedkar mahila samnuh , Lesliganj, Palamu.</td>
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136. Mahila Shakti Morcha, Lesliganj, Palamu.
137. Ranjay Ram, Bhuiya Jagriti Vikas Manch, Lesliganj, Palamu.
139. Dilip Kumar Singh, Ban Adhikar Manch, Barwadih, Latehar.
140. Rajnigandha Swaim Sahayta Samuh, Barwaiya, Manika, Latehar
141. Narega Sahayta Kendra, Barwadih, Latehar.
142. A. B. M., Latehar
143. Nari Mukti Wahini, Lesliganj, Palamu.
144. Majdoor Kishan Sangharsh Wahini, Paton, Palamu.
145. Majdoor Sangathan, Chipadohar, Latehar.
146. Dalit Adikar Suraksha Manch, Daltonganj, Palamu.
147. Mahila Kalyaan Samiti, Lesliganj, Palamu.
148. Childline, Palamu.
149. Shiv Jee ASSS, Kher, Chipadohar, Latehar.
150. Yuwa Jagriti Samuh, Ghutwa, Boliya, Satbarwa, Palamu.
152. Swasasan Manch Lesliganj
153. Yuwa Jagriti Vikas Samuh, Satbarwa, Palamu
155. Swasashan Manch, Palamu
156. Aadim Jan Jati Vikas Parishad,
158. Sampurna Jan Jal Swapchta Abhiyaan, Palamu.
159. Mahila Sakti, Betla, Latehar.
160. Mahila Sakti, Pokhari Kala, Latehar

MAHARASHTRA
162. NDMJ – Maharashtra
163. Nagarjun Boudha Alpsankhyank Bahuddeshiya Sevabhavi sanstha, Washim
164. Youth Action for Social Awareness & Development Activities (YASADA) , Kalyan
165. We Are Ambedkari Society, Thane
166. Shahid Veer Javan Jayhind Mhaske Self Employment, Solapur
167. Samata Pratishthan, Mumbai
168. Pragatik Vidyarthi Sangh, Mumbai
169. Yashodip Bahuuddeshiya Sevabhivi Sanstha, Latur
170. Nalanda Balvikas, Dhule
171. Magasvargiya Mahila Vikas, Dhule
172. Samata Pratishthan, Mumbai
173. Prajasattak Bharat Sanghtana, Mumbai
174. Adiwasi Vikas Parishad, Panvel
175. Sahityaratna Aannabhau Sathe Mahila Bachat Gat, Kurbavi
176. Ramai Mahila Bachat Gat, Kurbavi
177. Rajashree Shahu Purush Bachat Gat, Kurbavi
178. Krantiparva Swayansahayyata Bachat Gat, Dharmapuri
179. Yashodhara Swayansahayyata Bachat Gat, Karunde
180. Dhammakranti Swayansahayyata Bachat Gat, Kurbavi
181. Dr.Babasaheb Ambedkar Swayansahayyata Bachat Gat, Kokhale
182. Buddharath Swayansahayyata Bachat Gat, Karunde
183. Sant Kabir Swayansahayyata Bachat Gat, Ekshiv
184. Sant Chokhamela Swayansahayyata Bachat Gat, Natepute
185. Chhatrapati Shivaji Maharaj Swayansahayyata Bachat Gat, Deshmukhwadi
186. Rashttramata Jijau Swayansahayyat Bachat Gat, Mhalung
187. Tathagat Swayansahayyata Bachat Gat, Lonand
188. Vishwaratna Dr. B. R. Ambedkar Swayansahayyata Bachat Gat, Lonand
189. Sangharsh Swayansahayyata Bachat Gat, Ekshiv
190. Siddharth Swayansahayyata Bachat Gat, Ekshiv.
191. Savitribai Phule Swayansahayyata Bachat Gat, Pirale
192. Pradnya, Shil Swayansahayyata Bachat Gat, Pirale.
193. Pratibha Swayansahayyata Bachat Gat, Kurbavi
194. Sanchi Swayansahayyata Bachat Gat, Mhalung
195. Phule, Shahu, Ambedkar Swayansahayyata Bachat Gat, Dharmapuri
196. Parivartan Swayansahayyata Bachat Gat, Darigaon
197. Prabodhini Swayansahayyata Bachat Gat, Malshiras.

ODISHA
198. Dalit Jatisangha
199. Odisha Dalit Samaj
200. Radhamadhab Harijan Adivasi Sebasangha
201. Dalit Adhikar Samiti, Madhial, Kendrapara
202. Dalit Vikash Sangathan
203. Samajik Samata Sangathan, Tulasipur, Marsaghai, Kendrapara
204. Dalit Adhikar Surakhya Manch, Aul
205. Dhoyanchal Dalit Jati Sangha, Krushnadaspur, Kendrapara
206. Jubasakti Samajeek, Olavar, Rajkanika, Dist-Kendrapara
207. Nalia Baunsa Bunakar Samiti, Rajnagar, Dist- kendrapara:
208. SHARE, Pattamundai College road, Pattamundai, Kendrapatra
209. PROMISE, Shyamsundarpur, PO- Purusottampur, Kendrapara
210. Bapuji Swechhasevi Sangathan
211. Action for Rural Upliftment and Planning,
212. Dr. B.R. Ambedkar Community Center,
213. Dr. Ambedkar Yubak Sangha & Pathagara, Haldiapatna, Benipur, Kendrapara
214. Maa Santoshi Swayam Sahayak Gosthi, Teragaon, Mahakalpada
215. Baba Gorekhnath Swayam Sahayak Gosthi, Nikirei, Kendrapara
216. Dr. Ambedklar Swayam Sahayak Gosthi, Dalanta, Jamapada, Marsaghai
217. Maa Sarala Swayam Sahayak Gosthi, Madhyapada, Madanpur, Rajnagar
218. Baba Sankat Mochan Swayam Sahayak Gosthi, Righagada, Rajnagar
219. Maa Padmabati Swayam Sahayak Gosthi, Rajnagar
220. Maa Biraja Swayam Sahayak Gosthi, At/Po- Purusottampur, Via - Karil; opatna, Kendrapara
221. Maa Santosi Swayam Sahayak Gosthi, Mehendipur, Po- Bhartapur, Kendrapara
222. Maa Mangala Swayam Sahayak Gosthi, Chakroda, Kendrapara
223. Binapani Yubak Sangha
224. Dr. Ambedkar Yubak Sangha
225. Santi Surakhya Yuba Parisad
226. Harijan Adivasi Yubak Sangha

RAJASTHAN
227. Mahila Jan Adhikar Samiti, Ajmer
228. Dalit Kasht Nivaran Samiti, Alwar
229. Samagra Vikas Sansthan
230. Jatiyon ka Naya Mohalla
231. Rajasthan Majdoor Kissan Morcha Samaj Karya evam Anusandhan Kendra, Ajmer (Raj)
232. Vasundhara Seva Samiti, Barmer
233. Dalit Sandarbh Suchana Kendra, Jaisalmer (Raj)
234. Matsya Mewat Siksksha Evam Vikas sansthan, Alwar
235. Sasvika Sangthan “Samiksha Bhawan, Ajmer (Raj)
236. Prayas Kendra Sanstha, Jaipur
237. IDEA, Barmer
238. Gramin Vikas Lok Jagruti Sansthan, Alwar
239. Mahila Federation, Alwar
240. Safai Karmchari Andolan Raj. Manch, Ajmer (Raj)
241. Mahila Salah Evam Suraksha Kendra, Alwar
242. Gandhi Vikas Samiti, Jaipur (Raj)
243. Bandhuwa Muki Morcha, Alwar
244. Jilla Yuva Meghwal Mahaparishad Samiti
245. Amblinking Foundation
246. Dalit Vikas Sahayta Samiti
247. CECOEDECON
248. Samagra Seva Sangh
249. BARC
250. Nav Nirman Sanshan
251. Ugariawaas Jagruti Kendra Sanstha
252. Citizen association for Rights, Jaipur
253. Sammanta, Jaipur
254. Bhartiya Dalit Sahiyta Academy
255. Barefoot Lawyers Training Institute Jaipur
256. Samarpam Sanstha, Jaipur
257. Badlav Sansthan, Udaipur (Raj)
258. Arya Sasthan, Baran
259. Dr Ambedkar Darshan Sansthan, Alwar
260. Samajik Seva evam Gramin Vikas Sansthan, Jodhpur
261. Pragati Gramin Vikas Sansthan
262. Jai Javara Mahila Kalyan Samiti, Udaipur
263. Sarthi Sansthan, Jhunjhunu
264. Samagra Vikas Samiti, Jodhpur
265. Khilti Kaliyan
266. Ekat Bodhgram, Mansarover
267. Marusthali Sansthan, Jodhpur
268. Ambedkar Jayanti Samaroh Samiti
269. Balmiki Mahila Sashaktikaran Manch
270. Samagra Dalit Mahila Jagrukta Manch
271. Dalit Jagruk Mahila Manch
272. Dalit Mahila Manch
273. Ishwana Jago Sakhi Mahila Manch, Alwar
274. Sehra Dalit Mahila Samuh, Alwar
275. Dalit Mahila Vichar Vimarsh Manch, Alwar
276. Dalit Mahila salah va Suraksha Kendra Alwar
277. Dalit Mahila Sashktikaran Samuh, Ajmer
278. Dalit Mahila Nyay Kendra- Alwar
279. Mahila samajik Nyay Kendra- Ajmer
280. Dalit Mahila Utthan Kendra, Ajmer
281. Savita Ambedkar Mahila Samuh, Dausa
282. Ambedkar Mahila Jagriti Samuh, Ajmer
283. Jhalkari Bai Dalit Mahila Samuh, Dausa
284. Savitri Bai Phule Dalit Mahila Samuh - Ajmer and Dausa
285. Rajasthan Meghwal Parishad- Jaipur
286. Mahawar Mahasabha, Dausa
287. Ramabai Dalit Mahila Samuh, Dausa
288. Harijan Samaj , Dausa
289. Jatav Mahasabha, Dausa
290. Raigar Samaj , Dausa
291. Zila Koli Hitkarini Samiti, Alwar
292. Akhil Bhartiya Zila Bairwa Mahasabha, Alwar
293. Prajapati Pragisheel Mahasabha, Alwar
294. Dhanka Adivasi Janjati Utthan Samiti, Alwar
295. Zila Meghwal Mahasabha, Alwar

TAMIL NADU
296. National Adivasi Solidarity Council
297. Babasaheb Ambedkar Makkal Social Educational Trust
298. Centre for Social Service & Action
299. Cornerstone
300. Dalit Liberation Movement
301. Evidence
302. Forum for Rights of Women with Disabilities
303. Foundation for Community Development
304. HRDF
305. Human Rights Foundation
306. MakalirSakthi
307. PASUMAI Trust
308. Pazhangudi Makkal Munnani
309. People’s Watch
310. Peoples Action Movement
311. Peoples Development Centre
312. Ullaikkum Makkal Ezhuchi Peravai
313. Vann Muhil
314. Vizhuthugal
315. VRDP
316. SEWAI (Social Education by Women for Action Integrated), Villupuram
317. VPDS (Vulnerable People Development Society), Villupuram
318. CARE Villupuram
319. Annai Charitable Trust, Villupuram
320. MOTIVATE, Villupuram
321. HNC (Hospitality for the Needy Community), Villupuram
322. REBEDS, Villupuram
323. GOODWILL, Villupuram
324. SCF, Villupuram
325. WEAL, Villupuram
326. YMVD, Villupuram
327. SEIS, Villupuram
328. JECT, Villupuram
329. REED, Villupuram
330. Vasanthalayam, Villupuram
331. RING (Rural Improvement for Neglected Group) Marakanam main Road, Villupuram
332. CRST, Villupuram
333. USHA TRUST, Villupuram
334. READ, Villupuram
335. Annai karunalaya social welfare association, Villupuram
336. Vivekanantha rural development foundation, Villupuram
337. Anugraha public charitable trust, Villupuram
338. Society for women empowerment and reorganization, Villupuram
339. Thuligal charitable trust, Villupuram
340. Bullock cart workers development association, Villupuram
341. Advanced agri farmers mission, Villupuram
342. Samyuktha institute of development alternatives, Villupuram
343. Slums health and education development trust, Villupuram
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<tr>
<td>344</td>
<td>Jan Kalyan Samiti, Margupur Badlapur Jaunpur</td>
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<td>Dr. BR Ambedkar Samajik Kalyan Trust Annapur Jaunpur</td>
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<td>Dani Trust Aanapur Jaunpur</td>
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<td>Rastriya Gramin Vikas Sansthan Baharipur Jaunpur</td>
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<td>Nari Chetana Samiti Lohinda Jaunpur</td>
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