



WHAT IS and WHAT CAN BE

*Multi-stakeholder cooperation at
railway stations in india for interventions with
children in need of care and protection
2009*

RAILWAY
children

THE VOICE FOR STREET CHILDREN WORLDWIDE

What is and what can be- Multi stakeholder cooperation at railway stations in India for interventions with children in need of care and protection

Executive summary of the full report

INTRODUCTION:

India is the seventh largest country in the world with religious, cultural, linguistic and geographical diversity. The population of the country is 1.1 billion of which 40% are under 18 years of age.

The railway stations in India while serving a country of 1 billion plus people are home to a certain reality— known to a few and unknown to many. A reality where - in these very railway stations, children endure on the streets/railway platforms with no support; they are forced to think about where their next meal is coming from; they are compelled to engage in sexual favours for food or protection; they experience continuous neglect from adults/society...UNICEF has estimated in 1994 that 11 million of these children live in India, however, the statistic is considered to be conservative. It has been estimated that approximately 100,000 – 125,000 street children live each in Mumbai, Kolkata and Delhi.

Over the last 10 years, Railway Children, an international development agency has been working with partners and networks to make these stations child friendly i.e. to gradually wean the child away from the platforms into reintegration with society as well as to sensitize people on the issues of children's rights. Since 1996 Railway Children has grown from reaching out to about 200 children annually to over 15,000 children each year. The organization is positively impacting the lives of thousands of children through its partnerships with 17 voluntary organizations having a presence in 45 locations across 9 states and 1 union territory of India.

Railway Children, India has identified some key issues, constraints and implemented few strategies with collective experiences of our partners on child rights. Out of these experiences some strategies have worked, some are still in the process and some did not work but many lessons have been learnt which can contribute to collective action.

This document aims to bring together the roles and current practices of different stakeholders working for the issue of children at railway stations— Railway administration, Railway Protection Force, Government Railway Police, Bodies of the Juvenile Justice system as seen and experienced by civil society organisations across the country. While this compilation is by no means exhaustive, it is a first attempt at documentation of collective action and hope it can be a springboard for more collective thinking, debate and action.

Railway Children takes this opportunity to thank all the partners namely, Bal Sakha, Saathi, Prajook, Cini Asha, Butterflies, Balprafulta, Project Concern India, Prayas Samastipur, Ehsaas, Sree Krishna Chaitanya Vihar (SKCV), SATHI, Nanban, Don Bosco Abu Ilam, Nanban, Con'cern, Jeevodaya, Khilti Kaliyan, who have generously shared their experiences and are at the forefront of some pioneering practices.

Multi-stakeholder participation- an experience of Railway Children and its partners

Railway Children understands children 'alone' to be those who are without parental/adult supervision or care and thus depend solely on themselves for their daily survival. These children make transport terminals their "home". 'Children at risk' includes those children who may have contacts with families/communities in the surrounding areas but spend most of their time in and around the terminals.

Push factors that force children out of their families and onto railway stations include poverty and physical and psychological abuse in homes, some level of family breakdown, migration, difficulties in school or abuse in school or even just an impulse to see the city. Pull factors include work opportunities in the railways and stations or peer pressure. Very often it may be a combination of push and pull factors contributing to children finding themselves alone and at risk at the railway stations.

Undoubtedly, all children have the right to be protected wherever they are – at home, in school, on the streets – and at all times. Their right to protection is as intrinsic to their well-being as is the right to survival, development and participation.

What follows is a compiled report of the role of Railway Children partners while working with different stakeholders on the issue of child protection and child rights, specially focusing on children on railway platforms. This report also gives an overview of the various challenges faced and the suggestions made by the Railway Children partner organizations, across India while working with them.

I. Railway Administration:

With continuous efforts made by our partners, some of the railway authorities provide logistical help and other facilities like issuance of identity cards to the outreach workers working at the railway premises, providing space for a drop in centre and a child assistance booth at the railway premises to the different programmes of the NGOs in the best interest of the child.

Challenges faced by Railway Children partner organizations :

- The authorities at the railway premises consider unattended women and children a nuisance and hence their primary motto is to expel them out of the railway premises.
- The railway authorities are aware of children living in and around the railway terminuses without any adult support, care and protection and though they realise that rehabilitation work needs to be done with these children, there are no official plans in this regard.
- In some cases of crises unofficial help is provided to partners in Patna, Delhi, Vijayawada and Madurai.

II. Railway Protection Force (RPF):

The nature and approaches of collaboration between RPF and Railway Children's partners differ in different cities and states. Some initiatives have been taken in a humanitarian capacity and some are endorsed officially by the RPF but all decisions are made keeping in mind the best interest of the child.

Due to regular sensitisation and awareness programmes regarding child rights and child protection by Railway Children's partner organisations, the RPF produce unaccompanied children before Child Welfare Committee (CWC) in some cities, like

Delhi, Lucknow, Mumbai etc. for further rehabilitation. Even in cases of offence, the RPF produce children before Juvenile Justice Board (JJB). The RPF also provides assistance to the Railway Children partner organizations by being vigilant and tracking the movement of the children at the terminuses.

Challenges faced by Railway Children partner organizations:

- During handing over of children to NGOs, RPF does not hand over any supporting documents.
- Due to lack of knowledge and proper guidance, cases of minors are not dealt with in accordance to the rules laid down in the Act. Less priority is given to the issues of women and children; hence, a secondary treatment is meted out towards care and protection of children – it is seen more as a social and moral responsibility rather than being duty bound. Due to differences in understanding and degree of readiness to work for vulnerable children, coordination and interaction with the officers becomes a challenge.
- Transfer of police officers affects the rapport between the NGO and government officials. The collaboration is still 'person-centric' and not institutionalised.
- In order to evacuate children from the railway platforms, RPF constantly insists on sending children, especially the old boys to the Children's Home.
- Junior police officials harass and beat the children.
- During an occurrence of accident of a street child, no ambulance is permitted on railway premises (platforms) for immediate medical care.
- At Bardhaman, the RPF allocated a small room near the Diesel Shed as a drop-in centre. However, it was not a congenial space as it gets regularly flooded with burnt diesel. Requests for alternative accommodation received no response from the Divisional Security Commissioner.

III. Government Railway Police (GRP):

The role of GRP as statutory body in the care and protection of children in and around railway is vital because the enforcement of all children related laws as special laws have been entrusted to General Police and it is clear that GRP is a part of general Police. GRP has provided space for drop in centers for the children at the railway premises and also provided space for a help-desk inside the police station at the railway station.

Challenges faced by Railway Children partner organizations

- Since the number of lady constables working, especially at nights, is limited, handling of girls' cases becomes more challenging.
- Due to regular transfer of staff, it is a constant challenge to sensitize them regarding children's issues.
- Less priority is given to the issue of children; hence, secondary treatment is meted out towards care and protection issues of children. It is seen more as a social and moral responsibility rather than being duty bound. Therefore, creating awareness and sensitization towards the various child related acts and issues is a constant struggle with the police systems.
- It has been observed by the partners that FIR is lodged only in rare cases. Entry in daily diary is however maintained in few places due to sensitization by partners.
- Children are directly referred to partners by GRP and no follow up is done by the GRP.

IV. Competent authorities of the Juvenile Justice System

Child Welfare Committees (CWC) and the Juvenile Justice Board (JJB):

Railway Children partners collaborate with the Children's Home and the Observation Home on the basis of certain areas of concentration. These include:

- Referral of cases to the Child Welfare Committees who then refer the children to Children's Home
- Follow up of cases being referred to Children's Home
- Assistance towards family tracing/repatriation
- Custody of boys and girls towards their rehabilitation
- Systemic intervention by working with Child Welfare Committee and Juvenile Justice Board for an effective implementation of the Juvenile Justice Act, 2000.

Challenges faced by Railway Children partner organizations

- The child welfare committees tend to be reactive and focus only on the children produced in front of them. But they are not proactive in approaching children who require care and protection. For example, conducting sittings for children found at railway terminuses near or at the railway premises. According to Section 24 (2) of Juvenile Justice (Care and Protection of children) Rules, 2007, if a child cannot be produced before the committee, the committee may move out to reach the child and hold its sitting at a place that is convenient for such child.
- The function of CWC varies from one location to another. At few of the places it is functioning well; it almost depends upon whether the committees are formed and the members of CWC - how effectively they function.
- Some CWCs in cities like Delhi follow the Juvenile Justice Rules strictly without any exceptions and at times the decisions confront with the best interest of the child.
- Some of CWCs in Maharashtra do not allow NGOs in the government children's home to assist in rehabilitation process.
- According to Section 27 (8) of JJ Rules, 2007 any general medical or gynecological examination of children shall not be a pre-requisite for production of the child before the committee or admission in an institution. However, most of the time the medical report is demanded by the CWC from the volunteer organisations producing the child.
- I.Q. test of a mentally challenged child is not mandatory while presenting the child before CWC by an NGO. However, most of the times, due to pressure of the CWC on the NGOs, they have to conduct such tests and then produce the child in front of CWC.
- According to Section 19 of Juvenile Justice Rule 2007, there shall be a child welfare committee in every district which shall be constituted by the state government. However, Railway Children's partners face difficulties in producing children due to non existence/dissolved CWCs in concerned districts.
- The Juvenile Justice Board in Betul (Madhya Pradesh) does not have any involvement of social workers in the body, only the Magistrate deals with the cases. However, according to Juvenile Justice (Care and Protection of children) Act, 2000, the bench of JJB should consist of a magistrate with 2 social workers.

V. Civil society organizations:

Community based organizations play a vital role in child protection at the different railway stations. At the community level, awareness meetings are organized on issues related to child rights, child abuse, trafficking, effective parenting, STD/STI/HIV/AIDS, sex and sexuality and reproductive health during which the communities highlight issues for all key stakeholders and thereafter plan some specific actions as a follow up. The community groups are sensitized continuously, as they are migrant and therefore mobile. Railway Children's partners have initiated and developed different child protection models like the Forum for Child Rights, emergency helpline services, programmes in association with other stakeholders and civil society organizations. *(Few successful models are explained at the end of the document)*

Challenges faced by Railway Children partner organizations

- Prevalence of illiteracy and poverty at the community level proves to be a major drawback as the parents seldom agree not to send their children to work, constant sensitization is required as they are mobile in nature, and hence bringing a change in their behaviour becomes a challenge by itself.
- It gets challenging for the NGOs or other stakeholders to wean children away who have been living at the railway platforms for a long time, since they get used to the freedom of street life.
- It is also a challenge to handle children who spend their lives at railway stations with their parents/guardians. They sell Gutkha, tobacco etc. on the platform and in the trains. It is an uphill task to counsel such children with their parents.
- Few runaway children wish to be employed and do not want to go back home.
- Most of the runaway children are employed by shop keepers at stations as child labourers in their shops. These children are being or are likely to be abused physically, mentally or sexually.
- Brokers and traffickers in the intervention areas are becoming threat factors for the out reach workers.
- At times it becomes difficult to identify and bring a child to the shelter home because of the local gangs of grown up children operating at railway platform. They often force runaway children to stay with them to sexually exploit the children.
- Distance from station to the drop in centre is another hurdle for Railway Children's partners.
- At times it becomes difficult to accommodate new children to the shelter homes because of lack of space.

Suggestions and Recommendations for multi stakeholder cooperation at railway stations:

- 1) **Need for a multi pronged strategy:** Being transit, source and destination locations, Railway stations in India are a fertile ground for several social issues such as child labour and child trafficking and exploitation, To tackle such wide social issues, a multi pronged strategy involving several ministries and departments is not a choice – it is a necessity.
- 2) **Establishing linkages between Juvenile Justice Act and the railway acts for the best interest of the child:**

Although the jurisdiction of the Juvenile Justice Act extends to all of India, the Railway Acts and its amendments do not feature this Act which obviously affects the perspective towards children and hence action. Railway Ministry along with concerned department should issue/notify a circular for featuring/ acknowledging the Juvenile Justice (Care and protection of children) Act 2000 and its amendment in 2006 as well as Juvenile Justice Rule, 2007.

With increased migration, all attempts to 'clear' the stations of illegal passengers and children in difficult circumstances have proved to be stop gap arrangements while also being in contravention of the Juvenile Justice Act. The railways must accept safeguarding the rights of children as their responsibility and hence establish mechanisms.

3) Mechanisms at railway stations for safeguarding children 's rights should be as follows:

3.a. Presence of Child Welfare Committee (CWC) and Juvenile Justice Board (JJB)

CWC should be established in close proximity of the railway terminal. One sitting of the CWC may be held close to the railway station.

3.b. Child Protection Committee at railway station

A "Child Protection Committee" at every major railway station and terminus should be set up which could be handled with the involvement of multiple stakeholders like representatives of DRM, GRP, RPF, Railway employees (Station master, TTE, Coolies etc) vendors and volunteer organization who work on child protection issue at or around station. The Committee could be jointly headed by DRM and GRP. Definite Standard Operating Procedures need to be worked at towards protection of children at around railway premise.

3.c. Child Assistance Booth

Child Assistance booths need to be set up at every major station and terminal for assisting children who are lost or abandoned or need any help. The space would be provided by railway authority and run as a public private partnership with local voluntary organizations. Special cells, or outreach units, capable of providing child-friendly attention and assistance to children are needed across a range of developmental, legal and police services. Without the right people to man and operate them, the best-conceived programmes will not give children the help they need.

The child assistance booth is running successfully in different railway stations all over India supported by Railway Children, UK (India office) India with the help of local partners in Vijaywada, Samastipur, Lucknow etc. This booth would be able to provide referral, counselling and first aid. The above mentioned setup has been running successfully at Government Railway Police office in New Delhi railway station with the help of volunteer organization called Salaam Baalak Trust; however it would be very useful if the Government Railway hospital also participates in this initiative actively. *Refer to Annexure 4 for a model on child protection functioning successfully under the Forum for Child Rights, Vijayawada.*

3.d. Short stay shelter home for children at railway premises

When an unaccompanied woman/child comes in contact with the outreach workers at the railway terminus, it is not a conducive environment for the staff to talk to the child in detail. Often the railway terminus is foreign for the woman/child and she/he is not ready to trust the staff. A safe space near the railway premises where the child can be accompanied by the staff would give him a sense of security and enable the child to trust the worker and express himself. It has been noticed by various partner organizations that children have dropped out on their way due to long distances between where the children have been contacted (railway platforms) and the shelter spaces.

Setting up a short stay home at railway premise, where the railway authority can provide space and the local voluntary organization can run the home.

4) **Awareness of child rights among traveling public**

Creating awareness about issues related to children through 1 / 2 minute clips – focused on provision of information related to missing children, protection of children and their referral, attitudes towards children would contribute to child protection in vulnerable areas like the railway terminuses. Some extremely powerful and low cost options are given below

- Symbolic Hoardings at and around railway premises:
- By Information on Back of ticket
- By Information of Railway website
- By Information railway bogies
- By Announcement in Rajdhani and Shatabdi Trains
- Announcement in railway terminus

5) **Orientation program on child rights for railway employees**

Series of orientation programmes on child rights and child protection for railway employees, organized by the railway authorities. This would give a platform to share views about the complexities of the issue as well as simple solutions to tackle it. It should be incorporated in the plan of railway ministry.

6) **Juvenile Justice Act and Child rights in syllabus of police academy**

Those arms of the law and administration most likely to be responsible for dealing with children in need of protection are often themselves a source of fear. The quality and capability of personnel in protection-related services certainly needs to be equipped more. The Juvenile Justice (Care and Protection of children) Act, 2006 and Child Rights should be meaningfully incorporated in the syllabus of RPF and GRP's police training Academy/ institute in India and refresher sessions need to be conducted from time to time by experts on the issue.

7) **Partnership with voluntary organisations:**

7. a. **Permission letter for voluntary organization's staff:**

Provision of permission letters to NGO staff for hassle free entry in the railway terminus working for children in need of care and protection. Suitable screening methods only for registered and credible child rights organisations to be conducted.

RPF *Mitra Yojana* or the 'Friends of the RPF Scheme' has been launched in Indian Railway, with a vision to give Protection and Security through Public Participation and as an initiative to develop and improve the RPF and the Railway Passenger's interface.

The *yojana* also aims towards getting co-operation from these RPF *Mitras* (friends) by sharing important information with RPF/GRP/Railway Authority, in the interest of Railways to help in providing effective protection to railway passengers and their belongings. These *mitras* are also been requested to pass on information regarding working, discipline and conduct of RPF to improve the image of the Force amongst the traveling passengers and general public.

In Central Railway this scheme was implemented in August 2007. In first Phase few RPF *Mitras* have been identified and issued with necessary Identity Cards after conducting a meeting under the chairmanship of Inspector General -cum- Chief Security Commissioner RPF/CR. See *annexure 1*

7 b. **Railway ticket**

Providing free or subsidized travel for the staff of NGOs during restoration of missing children.

Voluntary organizations with the help of competent authorities have been taking children to different states in India for restoration. However, at times it is difficult to get confirmed tickets

to travel. Thus the railway authority is expected to assist the volunteer organizations in this regard for so that the child can be restored to his/her family without much delay.

8) Establishment of Special Juvenile Police unit (SJPU) in GRP

Establishment of Special Juvenile Police Unit (SJPU) at every GRP police station across India. It should be customized as per GRP administrative structure. It has been established in Maharashtra (JAPU) and recently in Delhi.

According to Section 63 of the Juvenile Justice (Care and Protection of Children) Act, 2000, a Special Juvenile Police Unit has to be constituted in every police district of India. The unit at the district level should function under a police officer of the rank of inspector who may be assisted by at least two social workers one of whom shall be woman and another preferably child expert or having relevant experience.

9) Maintenance of children's record referred to Voluntary organizations or competent authority by RPF and GRP

Children who are found at railway premises by RPF, GRP or voluntary organizations must be registered with concerned GRP office and further referral process to be initiated only after this registration. A register of "Found Children" has to be maintained with its referral at every GRP / RPF stations.

10) Help home placement

Assistance and support from police till the time a child is restored back in his family.

11) Surveillance and monitoring of child protection mechanisms:

All major terminuses / stations should have a 'Vigilance Body' with participation of voluntary organizations headed by police (GRP/RPF) to prevent and protect children/women from human trafficking and abuse and exploitation.

12) Reporting mechanisms:

Maintaining records of the children found by RPF/GRP at the railway terminuses. Submission of records in the form of annual reports to the NCPCR, WCD/MWCD by the RPF/GRP through Railway Board. This process would enhance responsibility and accountability of the various stakeholders.

13) Mid day Meal Program

Extension of the mid day meal program to the partners of Railway Children with the help of Railway authority and local NGOs.

14) Missing children

All missing children should be recorded on paper by Police department.

Nation-wide campaigning on registration of missing children should be taken up.

The registration can be done with help of other government and non government missing child website. There should be a provision of recording found cases as well.

As the Missing Child Search and Homelink (web based software developed by Youth at risk, Delhi) are already working and being adopted by a couple of states in the country, it will be very effective if this can be followed by the others across the country.

Some of the successful models developed by Railway Children partner organizations on the issue of child protection:

I. Forum for Child Rights: Forum for Child Rights is a forum in Vijayawada of which all organisations working with children are members. Several organisations have been

working independently for street children in the city of Vijayawada. The laudable service rendered by these organisations remained in segregation from one another. But there was a need felt to collaborate the activities of these organisations on a common platform for the benefit of the children at risk. Thus the Forum for Child Rights was formed. Under this banner a Child Line booth at the railway station has been installed which is supported by Railway Children's partner SKCV. This booth is the first of its kind in India.

The main vision is to strive for the creation of child friendly society where all the young under the difficult situations are ensured of their right – to survival, protection, development and participation.

II. Muktangan is an RPF initiative of rehabilitating destitute children found in railway areas, being implemented in collaboration and support from Praajak Development Society, a Kolkata based Child Rights NGO.

III. The Railway Children protection and surveillance mechanism is being developed by our partner EHSAAS in Lucknow, Uttar Pradesh as the Railway Administration has declared that Lucknow station will be child friendly by 2011. .

(Annexures available on request)

Getting to street kids before the streets get to them



THE VOICE FOR STREET CHILDREN WORLDWIDE

**India Office: Flat No. 3&4, 1st Floor, Plot No. 109, Shere Punjab C.H.S.,
Mahakali Caves Road, Andheri (East), Mumbai – 400 093, India
Telephone: 91 – 22 – 40056445 / Telefax: 91 – 22 – 28386506
Email: enquiries@railwaychildren.org.uk
Website: www.railwaychildren.org.uk**

Registered in England as a Company Limited by Guarantee Number 3265496, Registered charity number 1058991