

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

NO. 2012/Sec(Crime)/45/87

New Delhi, Dated: 05.03.2015

General Managers
All Zonal Railways

Sub:-Revised Standard Operating Procedure (SOP) for the Railways to ensure care and protection of Children in contact with Indian Railways.

In supersession of the earlier Standard Operating Procedure (SOP) issued vide this office letter dated 11.12.2013, a revised SOP has been issued in accordance with the directions of the Hon'ble High Court of Delhi in the Writ Petition (Civil) No.5365/2012 Ms. Khusboo Jain Vs. Union of India, Juvenile Justice (Care & Protection) Act 2000 and discussions in the Ministry of Women and Child Development (MWCD) on 15.12.2014 and 30.01.2015 on care and protection of children in contact with Railways.

The revised Standard Operating Procedure (SOP) along with the Annexure is being sent herewith for implementation so as to ensure compliance of the directions of Hon'ble High Court regarding care and protection of children in contact with Indian Railways.

This SOP issues with the approval of Railway Board (MS, MT, ME & CRB).

Encl:- As above

(P.S. Rawal)
Director General/RPF
Railway Board

Copy to:-

1. Mrs. Kushal Singh, Chairperson, National Commission for Protection of Child Rights, 5th Floor, Chanderlok Building, 36, Janpath, Delhi-01 for information please.
2. Shri V.S. Oberoi, Secretary, Ministry of Women and Child Development, Shastri Bhavan, New Delhi-

He is requested to advise the name and contact details of one NGO at the identified 20 stations (Ref. para 1.1 of SOP). This is necessary for Child Help Desk/ kiosk to start functioning. Memorandum of Understanding (MoU) is also to be signed between representatives of Ministry of Women & Child Development and Ministry of Railways (Ref. para 3.1 of SOP). From Ministry of Railways, ED/IR will sign the MOU.

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3. Shri Shashank Shekhar, Convener and Member, DCPCR, Govt. of NCT of Delhi 5th Floor, ISBT Building, Kashmere Gate, Delhi-06 for information please.
4. Director Generals of Police/ Assam, Andhra Pradesh, Arunachal Pradesh, Bihar, Chhattisgarh, New Delhi, Gujrat, Goa, Himachal Pradesh, Haryana, J&K, Jharkhand, Kerala, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram Nagaland, Odisha, Punjab, Rajasthan, Sikkim, Tamilnadu, Tripura, Uttar Pradesh, Uttrakhand, West Bengal for information please.
5. Add.DGP/Rlys/Assam, Addl.DGP/Rlys/A.P., ADGP/Bihar, IGP/Rlys/Chattisgarh, Addl.CP/C&R, New Delhi, IGP/Rlys/Gujrat, ADGP/Rlys/Goa, IGP/Rlys/Himachal Pradesh, IGP/Rlys/Haryana, IGP/Rlys/J&K, ADGP/Jharkhand, ADGP/Rlys/Kerala, ADGP/Rlys/Karnataka, Spl. DGP/Rlys/M.P., ADGP/Rlys/M.H., IGP/Rlys/Odisha, IGP/Rlys/P.B., ADGP/Rlys/Rajasthan, IGP/Rlys/T.N., SP/Rlys/Tripura, DGP/Rlys/U.P., SSP/Rlys/Uttarakhand, DGP/Rlys/W.B. for information and necessary action please.
6. CSCs/RPF/ CR, ER, ECR ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR, WR, WCR, ICF, KRCL, RDSO, CORE, Construction/NWR for information and necessary action please.
7. CCMs/ CR, ER, ECR ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR, WR, WCR for information and necessary action please.
8. Principal Chief Engineers/ CR, ER, ECR ECoR, NR, NCR, NER, NFR, NWR, SR, SCR, SER, SECR, SWR, WR, WCR for information and necessary action please.
9. AM/Commercial, ED/CE(G), ED/PM, ED/IR, IG/RPF/Admin and IG/RPSF Railway Board for information and necessary action please.
10. PSO to CRB for information of CRB.
11. PSO to MS, ME, MM, ML and MT for information of all Board Members.

Encl:- As above

P.S. Rawal
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(P.S. Rawal)
Director General/RPF
Railway Board

STANDARD OPERATING PROCEDURE (SOP) FOR RAILWAYS TO ENSURE CARE AND PROTECTION OF CHILDREN IN CONTACT WITH RAILWAYS

In reference to the above, and in follow up of the directions of the High Court of Delhi in the case of Khusboo Jain Vs Union of India, instructions were issued vide letter dated 11.12.2013. The subject was subsequently discussed in the Ministry of Women and Child Development (MWCD) on 15.12.2014 and 30.01.2015. A revised draft SOP suggesting certain modification was received vide MWCD letter dated 23.02.2015. In keeping with this, the matter has been reviewed and, a revised Standard Operating Procedure is hereby issued in accordance with the Juvenile Justice (Care & Protection Act) 2000 and the related rules, for better care and protection of the "child in contact with railways". For better appreciation in all field formations, it is issued in three parts:

- A: Background
- B: Directions of Hon'ble High Court Delhi
- C: Operative part of instructions to be complied with by Railway/RPF/GRP

A: Background

✓ 1. **"Child in Contact with Railways":**

The child in contact with the railways, (hereinafter referred to as "Child"), is a child as defined in section 2(d) of the Juvenile Justice Act (Care & Protection Act) 2000 as requiring care and protection and also includes any child travelling, living, working or in conflict with law, on any part of the railway premises or in any train or railway vehicle.

✓ 2. **Child Welfare Committees (CWC):**

The Delhi High Court in its aforesaid directions on the care and protection of the child in contact with the railways has pointed out that that Section 29 of the Juvenile Justice Act (Care & Protection Act) 2000 mandates the State Government to constitute one or more Child Welfare Committees (CWC) for exercising the powers and discharging the duties conferred on such committees in relation to "children in need of care and protection". Such Committee shall have the power to deal exclusively with all proceedings under the Act relating to such children for the safety, care and rehabilitation of such children, including on the railways.

3. **Relevant Provisions of Juvenile Justice Act (Care & Protection Act) 2000:**

- (a). Section 32(1) provides that any child in need of care and protection may be produced before the Committee by one of the following persons:-
 - (i). any police officer or special juvenile police unit or a designated police officer;
 - (ii). any public servant
 - (iii). childline, a registered voluntary organisation or any such other voluntary organisation or an agency as may be recognized by the State Government.
 - (iv). any social worker or a public spirited citizen; or
 - (v). by the child himself.

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Provided that the child shall be produced before the CWC without any loss of time but with 24 hours excluding the time necessary for the journey.

- (b). The State Government may make rules consistent with this Act for the manner of making the report to the Committee and the manner of sending and entrusting the child to children's home pending the inquiry".
- (c). As provided in Rule 27(4) of the aforesaid Rule in case the Committee is not sitting, the child may be produced before the single member of the Committee as per the provisions of Section 30 (2) of the Act for being placed in safe custody of parent or guardian or fit person or fit institutions, as the case may be, till such time that the child can be produced before the Committee.
- (d). As provided in sub-section (5) of the aforesaid Rule, in case the single member is also not accessible, or the hours are odd, the child shall be taken by a non-governmental organization or Childline or Police to an appropriate institution for children registered under the Act with all the necessary documents, and placed in such institution till the time of production before the Committee.
- (e). Section 33 (1) of the Act provides that the CWC shall have the powers to restore any child in need of care and protection to its parents, adopted parents, foster parents, guardian or fit institution and give them suitable directions.
- (f). Section 29 of the Act The State Government may, (within a period of one year from the date of commencement of the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006, by notification in the Official Gazette, constitute for every district), one or more Child Welfare Committees for exercising the powers and discharge the duties conferred on such Committees in relation to child in need of care and protection under this Act.

B: Operative part of directions of Hon'ble High Court of Delhi in Writ Petition No. 5365/2012

- (i) *"As soon as a child is found sitting at a Railway Station, RPF, GRP/Station Master shall try to obtain name, address and other particulars of his parents/guardian/ relatives from the child, the concerned Station Master shall make announcement on the public address system of the railway station with respect to the child found there and inform the local police station/ police post as well as the parents/guardian/relatives of the child about his/her being found at the Railway Station. A copy of such intimation shall forthwith be sent to the Police Station in jurisdiction of which the parents/ guardian/ relative of the child live, with a request to locate the parents/guardian/relatives of the child and inform him/her about the child having been found at the Railway Station.*
- (ii) *The children who arrive and stay at Railway Stations shall be produced by RPF, GRP or Railway employees before the Child Welfare Committee constituted under the aforesaid Act, at the earliest possible and in any case within 24 hours of such a child being found at a Railway station.*
- (iii) *The address and telephone numbers of the Committee shall be prominently displayed on the Railway Station, so as to enable the parents/ guardian/ relative of the child to approach the Committee alongwith the information that the children who arrive and stay at the Railway Station, are produced before the Committee.*

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- (iv) Every Station Superintendent/Station Master shall maintain a register in which he shall record the particulars including name, parents name, age and address of the children who arrive and stay at his Railway Station. He shall also get such a child photographed and place his photograph in the aforesaid Register, against his name, so that his/ her parents are able to identify and locate him/her without any difficulty.
- (v) Till the child is produced before the Committee in terms of this order, he shall remain in safe custody of the RPF, GRP/Station Masters and shall be given adequate care and attention including meals.
- (vi) If a child arriving and staying at a Railway Station is a girl, till the time she is produced before the Committee in terms of this order, she shall be kept in the safe custody of a responsible female member of RPF, GRP/Railways.
- (vii) Every Station Master shall provide appropriate separate space for male and female children arriving and staying at his railway station, till they are produced before the Committee in terms of this order.
- (viii) If the Child Welfare Committee is not sitting, the child shall be produced before the single member of the Committee in terms of Rule 27(4) of The Juvenile Justice (Care and Protection of Children) Rules, 2007 and in case the single member is also not accessible or the child is found at odd hours, he/she shall be dealt with in term of Rule 27 of the aforesaid Rules till the time of production before the Committee.
- (ix) The articles, if any, found with the child shall be kept in safe custody of the Station Master after preparing inventory of such articles and those articles shall be forwarded to the Committee along with the child. A copy of the inventory shall be placed in the register to be maintained in terms of this direction, against the name of child in question.
- (x) The whole of the information in respect of such children, including their photographs, to the extent publication of such particulars and/or photographs is not prohibited under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000 or any other law for the time being in force, along with information relating to his/her being produced before the Child Welfare Committee, shall be made available on the website of Indian Railways, in a reachable format, so that the parents/guardian of such children are able to identify them and seek their custody.
- (xi) The respondents shall give wide publicity in leading English and vernacular newspapers, with respect to the availability of the information, on the website of Indian Railways, in respect of such children, in terms of this order."

C: Operative Instructions to be complied with by Railway/RPF/GRP

In view of the above, for better care & protection of the Child in contact with the Railways, the following instructions are issued:-

1. Child Help Group (CHG):

- 1.1. For the care and protection of the child on the Railways, Child Help Groups (CHG) will be established on 20 major stations list as per Annexure-I.

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- 1.2. The CHG will comprise of Station Superintendent/Station Master, the SHO (GR. Inspector(RPF) and SSE(works). Station Superintendent/ Station Master will be the convener of the CHG and will convene the CHG meeting as and when required.

2. Duties of Child Help Group:

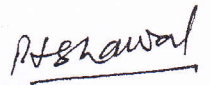
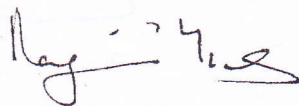
- 2.1. The Child Help Group will ensure that the instructions given vide this SOP is implemented in letter and spirit.
- 2.2. Ministry of Women and Child Development will identify and nominate the NGO who will facilitate all matters pertaining to the child in contact with the Railways at selected stations. The manning the Child Help Desk shall be done around the clock by staff of Childline/ NGO nominated by Ministry of Women and Child Development.
- 2.3. It will review and monitor the Child care and protection activities at the stations. It may seek advice from CWC/ Child Line/ Reputed NGO for better protection of children at the station till the time child is handed over to CWC.
- 2.4. A monthly review report will be submitted to ADRM in the given Form-II on Annexure-II.

3. Child Help Desk/Kiosk/Booth at the Station:

- 3.1 At the selected stations as per para C(1)(1.1) above, the Railways will provide space of 6x6 feet for setting up of a Child Help Kiosk/Help Desk to the Ministry of Women and Child Development/ Child Welfare Department of the State Government. This will be free of cost and shall remain in force till the time specified in MoU to be signed between Ministry of Railways and Ministry of Women and Child Development centrally.
- 3.2. A telephone facility to call Child help line 1098 at the Station will be provided by the Ministry of Women and Child Development at Child help Desk/ Kiosk at their cost.
- 3.3. The toilet facilities in the waiting rooms at stations will be made available free of cost to the rescued child at the kiosk/Help Desk and also on duty staff of nominated NGO.

4. Procedure for taking care of the child found on Train/ Railway premises:

- 4.1. Whenever a child is found on the railway premises or train by RPF, GRP/ Railway employee or other public servant or public spirited citizen, he/she may come to the aid of the child and bring him/her to the Station Master/ Station Superintendent. Whenever, the Child is found on a train, the TTE/TC/GRP/RPF or the rescuer shall provide temporary transit care and protection till the next scheduled major station with Childcare facility as per para C(1)(1.1) above. Further, the SM will apprise the RPF/GRP for securing the child on arrival of the train on the platform.



- 4.2. The SM/SS shall record the details of child, the person who brought the child, including his/her name, address, identity card number and phone number in the Register to be maintained by the Station Master/ Station Superintendent for this purpose. He shall ensure the details of the rescued child is conveyed to RPF who will in turn ensure that it is conveyed to local police station in which the parents/ guardian/ relative of the Child lives and the RPF Help Line.
- 4.3. The Station Master/ Station Superintendent or his authorized representative shall maintain:
- (a). Name, Address and phone numbers of the Child Welfare Committee(s).
 - (b). List of non-governmental organizations, Child line and Institution for children, nearest hospital with pediatric department, nearest state government children's home registered under the Act along with their address and contact numbers.
 - (c). Name of the Police officer or special juvenile police unit or a designated police officer notified as per Section 32(1)(i) of the Act.
 - (d). Emergency contact numbers of the CWC and the JJB with jurisdiction over the station, Child Welfare Officers of the of GRP/Local Police/ RPF, nearest hospital with pediatric department, nearest state government children's home, etc should be available with the SM/SS and other railway officials.
- 4.4. The Station master will be permitted to use the station imprest for providing meals, taking photographs of the child by RPF, meeting medical expenses, if any and production of Child to CWC by RPF through NGO at Child Help Desk/ Kiosk and towards sundry incidental expenses. He should also get the Child photographed with assistance of RPF and place his photograph in the aforesaid Register, against his name, so that his/ her parents are able to identify and locate him/her without any difficulty.
- 4.5. Once the formality of recording the details of the Child by SS/SM is completed the child would be handed over to RPF who in turn will take necessary action as per this SOP and hand over the Child to the nominated NGO at the Child Help Desk/ Kiosk, who will then produce the child before the CWC without delay. Till such time the child remains at the Child Help Desk/ Kiosk, RPF will ensure that he is in safe custody of NGO.
- 4.6. In case the rescued child is a girl, woman constable of RPF will provide security. In the absence of women RPF constable, RPF can take the help of women GRP constable or a Railway woman employee.
- 4.7. The articles, if any, found with the child shall be listed by SM and list kept in register and articles kept in safe custody of the RPF and those articles shall be forwarded to the CWC along with the child. A copy of the inventory shall be placed in the register with the SM to be maintained in terms of this direction, against the name of child in question.
- 4.8. SM/SS should make periodic announcements over the public address system regarding the Child, whenever required.
- 4.9. The information regarding the rescued children to be maintained by SM/SS in their record/ register should be in detail and as per format given in Form -I on Annexure-II. It shall be

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made use by SM and RPF for purpose of publicity through the railway web sites and R Help Lines to trace and restore the Child to parents.

5. Responsibilities of SHO/GRP and Inspector/RPF:

- 5.1. The SHO of the GRP and Inspector (RPF) shall be responsible for actions specified in this SOP in their respective domains.
- 5.2. Briefing of GRP/RPF personnel on child protection issues, during routine meetings at the stations.
- 5.3. Creating awareness among stakeholders.
- 5.4. Ensuring child protection measures at the platforms.
- 5.5. Ensuring production of the Child to the NGO at Child Help Desk and subsequently to CWC, if necessary.
- 5.6. Discharging the role under the JJ Act amended 2006 for SJPU (Station Juvenile Protection Unit) as applicable.
- 5.7. The Inspector/RPF will provide access to the nominated NGO to view the CCTV surveillance network round the clock, for monitoring/ identifying Child at station/platforms, yard etc. RPF will render all possible assistance in securing the child, when required.

6. Duties of GRP/ RPF train escorting staff:

- 6.1. Keep unobtrusive surveillance on the suspected child/group of children travelling with or without any adult member and if found to be trafficked/ abused/ destitute/ abandoned/ lost or exploited children, shall consult with the TTE on board the train and take necessary action to protect the Child/Children.
- 6.2. Communicate with the Child/ Children in a child friendly manner and not in a threatening or intimidating manner.
- 6.3. Record the details of the Child/ Children, ie, name, age, details of parents/guardians/relative and their contact phone numbers/ station where boarded / destination station/ details of ticket, etc.
- 6.4. Inform the SS/SM, GRP & RPF of the next major station in which the train halts, about such Child/ Children on board through Security Helpline/ Security Control Room, for taking action to receive the Child/ Children on the platform of arrival of the train and to produce them before the SM/SS or other members of the Child Help Group at that station.

7. Role of Travelling Train Ticket Examiner (TTE) and Ticket Collector (TC):

- 7.1. The TTE and the TC are officials of the railways who can identify children in need of care and protection in the trains. He shall remain vigilant with respect to the following situations that may indicate the need for an intervention:

- (a). Whenever a group of children board train;

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- (b). Whenever there are more than four to five children accompanied by one or two adults;
- (c). Whenever there is/~~are~~ an unaccompanied child/children;
- (d). Whenever there are children without ticket and do not have proper information about the destination or whenever children give contradictory information about their destinations.
- (e). Whenever children are being frequently shifted from one compartment to other;
- (f). Whenever children are not allowed to talk to each other or to any other persons;

7.2. In such situations, the TTE/TC shall take the following action:

- (a). Approach the child/children and ask him /her/them about their address and destination in a child friendly manner without intimidation and threat;
- (b). Ascertain if the child/children need help and assistance;
- (c). Inform the GRP/RPF as the case may be to ensure that in case it is suspected that the child/children is/are runaway or is/are abandoned or is/are being trafficked, the TTE/TC shall hand over the child to GRP/RPF personnel who will take the child/children in safe custody till next designated station and hand over to Child Help Group.

8. Training and Sensitization:

- 8.1. Training and orientation/ sensitization programs on child rights and child protection for the railway employees including officials of the RPF/GRP shall be made a part of all training programs organized at Zonal and Divisional levels.
- 8.2. The Juvenile Justice (Care & Protection) Act 2000 with later amendments and other child related legislation such as the Protection of Children from Sexual Offences 2012, etc shall be meaningfully incorporated in the syllabus of initial/refresher courses of the RPF/ GRP and Railway Training Institutions.
- 8.3. One or two day special training programs/ workshops may be conducted at all levels in collaboration with Ministry of Women and Child Development, NHRC, NCPCR, NIPCID and other Central or State level institutions working in the field of child rights, specialized police units, etc, to address specific issues, such as Child trafficking, Child Abuse and Child Exploitation to generate greater awareness among the railway officers and staff.

9. Awareness materials at the Station:

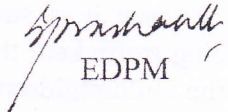
- 9.1. Railways shall permit display of information by Ministry of W&CD at identified major railway station indicating the location of Child Help desks at that station. Information, Education and Communication (IEC) material related to this will be developed and made available by National Commission for Protection of Child Rights.

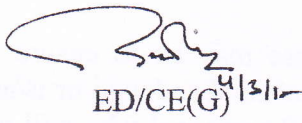
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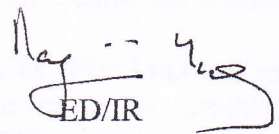
- 9.2. Railways shall make announcements at stations through public address systems regarding material provided Ministry of W&CD regarding child in need of care and protection location of the Child help desk and the Child Line Emergency contact no 1098, to enable stakeholders to identify such children and bring them to the notice of the railway or police authorities.

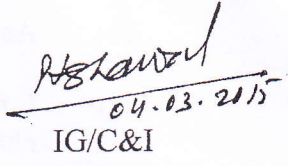
10. Coordinating Officers at Division, Zone and Railway Board:

- 10.1. ADRM shall be the nodal officer at the Divisional level. He shall be assisted by Sr.DCM, Sr.DEN(Coordination) and Sr.DSC.
- 10.2. The AGM will be the Nodal Officer at the Zonal level. He will be assisted by CCM, PCE and CSC.
- 10.3. Additional Member/Commercial shall be the Nodal Officer at Railway Board level. He will be assisted by EDPM, IG/C&I and ED/CE(G).

 EDPM

 ED/CE(G) 4/3/15

 ED/IR

 IG/C&I 04.03.2015

LIST OF STATIONS SELECTED FOR MONITORING OF CHILD RIGHTS:-

1. NEW DELHI
2. DELHI (MAIN)
3. NIZAMUDDIIN
4. ANAND VIHAR TERMINUS
5. MUMBAI CENTRAL
6. CST MUMBAI
7. HOWRAH
8. SEALDAH
9. NEW JALPAIGUDI
10. RANCHI
11. CHENNAI CENTRAL
12. CHENNAI EGMORE
13. LUCKNOW/NR
14. LUCKNOW/NER
15. GUWAHATI
16. BANGALORE CITY
17. PATNA
18. VARANASI CANTT.
19. SECUNDERABAD
20. NAGPUR

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Form I**Details of the Children in contact with Railways**

The SM/SS should maintain an Admission Register and each case shall be recorded in the register. The details shall include.

- (i) Name, gender age of the child
- (ii) Father's Name
- (iii) Mother's Name
- (iv) Name and age of siblings
- (v) Address- Village, Police Station, District, State
- (vi) Photograph of the child
- (vii) Health of the child
- (viii) Inventory list
- (ix) Reasons for child leaving home
 - (a) Family discord
 - (b) Education related
 - (c) Job related
 - (d) Any other (pl specify)
- (x) Whether the child was found alone; with friends; with relatives; with unknown persons etc (pl provide details)
- (xi) In case the child was found in train, provide details of date, time and train number etc Date and time of receiving and discharging each child.
- (xii) Name and identity of the person who was referred the child or children.
- (xiii) Name of the person and designation or relations with the child whom child or children have been handed over with proof identity.
- (xiv) Name/ Designation/Office/Contact no of the official / person producing the Child before the CWC. Time of departure and time of handing over at CWC.
- (xv) A daily summary of the number of children admitted and discharged should be made records.

Form II -

Format of Monthly Review Report of convener of Child Help Desk to be submitted to ADRM.

Sl. No.	Case. No Brief Details of date/time/ Rescuer/ circumstances, etc.	Division/ Station	Contact phone Nos. Railway & BSNL	Date & Time of producing the child/children to the NGO/Childline at Child Help Desk/Kiosk	Details of expenditure incurred from imprest for taking care of the Child

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Recovery
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