

## CORPORATE OFFICE

### Delhi Office

706 Ground Floor Dr. Mukherjee  
Nagar Near Batra Cinema Delhi -  
110009

### Noida Office

Basement C-32 Noida Sector-2  
Uttar Pradesh 201301

# CURRENT AFFAIRS

**Date:** 27 - July 2023

## NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS (NCPCR)

*This article covers "Daily Current Affairs" and the topic details "National Commission for Protection of Child Rights". The topic "National Commission for Protection of Child Rights" has relevance in the "Indian Polity" section of the UPSC CSE exam.*

### **For Prelims:**

*What is the National Commission for Protection of Child Rights?  
Its Composition and Functions?*

### **For Mains:**

*GS2: Statutory, Regulatory and various quasi-judicial bodies*

### **Why in the news?**

The National Commission for Protection of Child Rights (NCPCR) has sent a letter to the Manipur DGP, instructing them to acknowledge and lodge a FIR against three individuals.

### **National Commission for Protection of Child Rights (NCPCR)**

The Commission for Protection of Child Rights Act, 2005, passed in December 2005, led to the establishment of the National Commission for Protection of Child Rights (NCPCR) in March 2007.

- The Commission works under the aegis of the Ministry of Women and Child Development.
- The primary objective of the commission is to ensure that all laws, policies, programs, and administrative systems align with the principles outlined in the Constitution of India and the United Nations Convention on the Rights of the Child.
- According to their definition, a child is considered to be an individual between the ages of 0 and 18 years.

Regulation/Act	Definition of a Child
Indian Census	Under the age of 14
Universal Declaration of Child Rights	Under the age of 18, unless majority is attained earlier according to applicable legislation
Indian Penal Code (IPC) 1860	Minors under the age of 7; Children with mental disabilities under the age of 12 (Section 83 IPC)
Indian Constitution (Article 21A)	Ages 6 to 14

<b>Child Labour (Prohibition and Regulation) Act, 1986</b>	14 years
<b>Juvenile Justice (Care and Protection of Children) Act, 2000</b>	18 years

### **Composition**

- The Central Government appoints a **chairperson**, who is a distinguished individual with a notable track record in promoting children's welfare.
- **Six members are appointed from various fields, including at least two women**, based on their eminence, ability, integrity, standing, and experience. –
  - Education;
  - Child health, care, welfare or child development;
  - Juvenile justice or care of neglected or marginalised children or children with disabilities;
  - Elimination of child labour or children in distress;
  - Child psychology or sociology; and
  - Laws relating to children.

### **Functions of the National Commission for Protection of Child Rights (NCPCR)**

- **Review and Recommend Safeguards:**
  - Examine and review the safeguards provided by existing laws for child rights protection.
  - Recommend effective measures for implementing these safeguards.
  - Present periodic reports to the central government on the working of these safeguards.
- **Inquire and Initiate Proceedings:**
  - Investigate violations of child rights.
  - Recommend the initiation of legal proceedings in such cases.
- **Remedial Measures for Specific Situations:**
  - Examine factors hindering the rights of children affected by various situations, such as terrorism, violence, disasters, domestic violence, HIV/AIDS, trafficking, etc.
  - Recommend appropriate remedial measures.
- **Special Care and Protection for Vulnerable Children:**
  - Address matters concerning children in need of special care and protection, including distressed, marginalized, disadvantaged children, those in conflict with the law, juveniles, children without families, and children of prisoners.
  - Recommend appropriate remedial measures.
- **Review Policies and Treaties:**
  - Study international treaties and instruments related to child rights.
  - Periodically review existing policies and programs on child rights.
  - Make recommendations for their effective implementation in the best interest of children.
- **Promote Research and Child Rights Literacy**
- **Inspection and Remedial Action:**
  - Inspect or cause inspections of custodial homes, residences, or institutions meant for children under government or authority control.
  - Advocate for remedial action when necessary.

- **Handling Complaints and Issues:**

- Inquire into complaints related to child rights violations and take suo motu notice of relevant matters.
- Address issues arising from non-compliance with laws and policies for child protection.

- **Incidental Functions:**

- Perform other functions necessary for the promotion of child rights.
- Not interfere in matters already under consideration by other duly constituted commissions.

- **Compliance with Convention on the Rights of the Child:**

- Analyse existing laws, policies, and practices for compliance with the Convention on the Rights of the Child.
- Undertake inquiries and produce reports on policy or practice affecting children.

### **Responsibilities under other Acts**

- **The Protection of Children from Sexual Offences Act, 2012**

- Monitoring of Special Courts Designation by State Governments
- Monitoring of Public Prosecutors Appointment by State Governments
- Guidelines Formulation for the involvement of NGOs, professionals, experts and Application Monitoring of these guidelines by State Governments.
- Training Module Design and Implementation
- Dissemination of Information and Awareness
- Reporting and Collecting Data on specific cases of child sexual abuse under the jurisdiction of Child Welfare Committees (CWC).
- Assess the implementation of the Act's provisions and include a separate chapter in the Annual Report to Parliament covering the findings.

- **Right of Children to Free and Compulsory Education Act, 2009**

- Evaluate and assess the safeguards for rights provided by or under the act, and propose measures for their efficient implementation.
- Inquire complaints concerning the child's right to free and compulsory education.

The NCPCR plays a crucial role in safeguarding, promoting, and advocating for children's rights in the country. Its primary objective is to ensure that all laws, policies, programs, and administrative processes align with the perspective of Child Rights, as outlined in the Indian Constitution and the United Nations Convention on the Rights of the Child.

The Commission aims to adopt a rights-based approach in national policies and programs, while also tailoring responses at the state, district, and block levels to consider each region's unique characteristics and capabilities. It seeks to integrate better with communities and households to reach every child, and it anticipates that the on-ground experiences will influence the support it receives from all levels of government.

### **Sources:**

NCPCR writes to Manipur DGP, seeks FIR against CPM leader, 2 others | India News – The Indian Express

**Q1. With reference National Commission for Protection of Child Rights (NCPCR), consider the following statements:**

1. NCPCR is required to analyze existing laws, policies, and practices for compliance with the Convention on the Rights of the Child.
2. One of the functions of NCPCR is to review and recommend safeguards for child rights protection provided by existing laws.
3. The NCPCR is responsible for monitoring the implementation of the Right of Children to Free and Compulsory Education Act, 2009, and recommending measures for its effective implementation.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 3 only
- (d) None

**Answer: (a)**

**Q2. Consider the following:**

Regulation/Act	Definition of a Child
1. Commission for Protection of Child Rights Act, 2005	6 to 18 years
1. Child Labour (Prohibition and Regulation) Act, 1986	14 years
1. Juvenile Justice (Care and Protection of Children) Act, 2000	18 years

How many of the abovementioned pairs are correctly matched?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

**Answer: (b)**

**Q3. Discuss the National Commission for Protection of Child Rights's structure and functions. Highlight its significance in protecting and promoting children's rights in India.**

**Gaurav Nikumbh**

# NO-CONFIDENCE MOTION

This article covers "Daily Current Affairs" and the topic details "No-Confidence Motion". The topic "No-Confidence Motion" has relevance in the Polity section of the UPSC CSE exam.

## For Prelims:

About No-Confidence Motion?

## For Mains:

GS 2: Polity

Types of Motions in Parliament?

## Why in the news?

A No Confidence Motion was moved against the PM Modi government marking the first such motion in 20 years.

## No-Confidence Motion:

- A No-Confidence Motion is a parliamentary motion in which members express a lack of confidence in the ruling government.
- Under Rule 198 of the Lok Sabha Rules of Procedure and Conduct of Business, a No-Confidence Motion can be introduced by any member.
- For the motion to be admitted, it must be supported by at least 50 members in writing.
- Once admitted, the motion is debated, and a vote is held.
- The motion is deemed passed if a majority of the members present and voting support it.
- If the motion is passed, the Council of Ministers must resign, including the Prime Minister, as per convention.

## NO-CONFIDENCE MOTION

> First-ever no-confidence motion was moved in <b>1963</b>	Three in last 25 years
> <b>Total 26</b> so far (the one on July 20 will be 27th)	<b>July 1993</b>   Against the Narasimha Rao govt after Babri Masjid demolition (Govt won confidence vote)
> <b>Indira Gandhi</b> govt had faced <b>maximum number</b> of no-confidence motion   <b>15</b>	<b>April 1999</b>   Against the Vajpayee govt (Govt lost by one vote)
	<b>August 2003</b>   Against the Vajpayee govt (Govt won confidence vote)
	<b>July 2008</b>   It was a trust vote after CPM-led Left Front withdrew support from the Manmohan Singh govt over the Indo-US nuclear deal. Govt proved its majority

In the Indian Parliament, various types of motions are used to discuss and debate matters of public importance. Some of the key types of motions used in Parliament are:

## Adjournment Motion:

- Raised to discuss a matter of urgent public importance with the Speaker's consent.
- Requires the support of 50 members to be admitted.
- Available in the Lok Sabha but not in the Rajya Sabha.

- Passage does not require the government to resign, but it is a strong censure of the government.

### **Closure Motion:**

- When a member proposes to curtail the debate on a particular matter in the House, the intention is to seek approval for its prompt conclusion and an immediate vote. Should this proposal be accepted, the ongoing discussion will be halted, and the House will proceed to vote on the matter in question.
- Motion with a Vote (Rule 184 in Lok Sabha):
- Allows for a debate with a vote on a specific question, and the outcome determines Parliament's position on the issue.
- If passed, the government is obliged to follow Parliament's decision on the matter.

### **Motion with a Vote:**

- A Motion with a Vote is brought under Rule 184 in the Lok Sabha.
- It allows for a debate on a specific question followed by a voting process.
- The outcome of the vote determines Parliament's position on the issue.
- If the motion is passed, the government is obligated to follow Parliament's decision on the matter.
- Motions with a vote are relatively rare and are usually reserved for matters of significant national importance.

### **Short Duration Discussion (Rule 193 in Lok Sabha, Rule 176 in Rajya Sabha):**

- Allows MPs to discuss a specific issue of public importance without voting.
- The typical format of a debate involves adhering to a predetermined timeframe, which generally spans a maximum of two hours.

### **Confidence Motion:**

- Passed to prove the majority of the government when its majority is in doubt.

### **Privilege Motion:**

- Initiated when a member believes a minister has violated the privileges of the House or its members.
- Aims to express disapproval and criticize the minister's actions.

### **Motion of Thanks:**

- A parliamentary protocol designed to convey appreciation for the President's Address during the initiation of the Lok Sabha session.
- Its passage within the House holds significant importance, as its failure would be perceived as a defeat for the government.

### **Cut Motion:**

- Cut motions are proposed by members of the Parliament to reduce the allocation of funds for a specific demand in the budget. These motions aim to express the discontent or disagreement with the proposed budgetary allocation and provide a way for MPs to voice their concerns about government spending on particular items.

- Passage by the Lok Sabha indicates a lack of parliamentary confidence in the government and may lead to its resignation.
- These motions provide mechanisms for discussions, debates, and expressions of confidence or no-confidence in the government, contributing to the functioning of a parliamentary democracy.

**SOURCE:**

<https://www.livemint.com/news/india/no-confidence-motion-in-lok-sabha-live-i-n-d-i-a-parliament-monsoon-session-pm-modi-manipur-congress-bjp-11690423265970.html>

Image credit: Economic Times

**Q.1 What is a “Cut Motion” in the context of parliamentary proceedings, and what is its purpose?**

- (a) A motion moved by the opposition to reduce the budgetary allocation for a specific government expenditure.
- (b) A motion moved by the ruling party to expedite the passage of a crucial bill.
- (c) A motion moved to censure a member of parliament for misconduct.
- (d) A motion moved to adjourn the House for an immediate discussion on an urgent matter.

**Answer: (a)**

**Q.2 Which of the following statements regarding a No-Confidence Motion in a parliamentary setting is/are correct?**

1. It requires support from a minimum of 25% of the total members of the legislative body to be admitted.
2. If the No-Confidence Motion is passed, the ruling government must resign, including the Prime Minister.

**Choose the correct option(s) from the following:**

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) None of the above

**Answer: (b)**

**Q.3 Discuss the significance and implications of a No-Confidence Motion in a parliamentary democracy. How does this motion serve as a vital instrument of accountability and parliamentary oversight?**

**Rishabh**