

**TERMS OF REFERENCE
for the consultancy work**

1. Background of the assignment

The National Gender Centre (NGC), situated in Lal Bahadur Shastri National Academy of Administration, aims to mainstream gender in policy, planning, programme formulation and implementation in Government, so as to establish gender as a priority concern in government and to ensure the equitable development of men, women and children. The Centre is committed to programmes on gender sensitization and child rights. Since its inception, the National Gender Centre has been involved in training of civil servants at different levels.

2. Purpose of assignment

NGC, LBSNAA, had developed modules on child rights for the sensitization and capacity building of young administrators with the support of UNICEF. The modules were developed in 2014, and after that many changes have been made in the Acts related to children. The passing of new Juvenile Justice Act, 2015, by the central government deserves special mention in this regard. Therefore, it was felt to bring out a handbook on the new Juvenile Justice Act, 2015, which will be useful for the administrators as a handy reference book on JJ Act and its implementation. The handbook will crisply list out existing instruments, standards and mechanism for protection of child rights in India. The booklet will provide necessary information along with the acts and guidelines on new Juvenile Justice (Care and Protection of Children) Act, 2015 and there is also considerable positive work which is going on in the districts which needs to be added in the handbook as the best practices for the implementation of the Act. The handbook will contain updated information on issues relating to child rights and therefore will form part of the existing child rights module at the Academy.

The administrators play a critical role in revised Juvenile Justice Act, 2015 and their roles and responsibilities have been modified in the new Act so this handbook will help the administrators as a ready reckoner to explain and elaborate different issues relating to child rights, mechanisms to deal into such issues and best practices and frequently asked questions.

3. Selection and Role of partner agency for consultancy work:-

The agency contract will be of a temporary nature and the outputs should be measurable and the tasks capable of being performed and completed within a limited and specified period of time.

- HAQ, New Delhi has been shortlisted for taking this consultancy work in consultation with UNICEF, New Delhi.
- HAQ will be responsible for the research and writing of the Handbook on Juvenile Justice (Care and protection of Children) Act, 2015, for the administrators. They will submit a draft and then a print ready copy to NGC-LBSNAA, Mussoorie.
- The dimensions including the number of pages of the handbook will be decided after the consultancy with UNICEF and partner consulting agency.
- The draft submitted to NGC- LBSNAA will be scrutinised by an expert group.
- The details of the handbook are enclosed at Annexure "A".

4. Objective to which the consultancy is related

The expected output would be –

To bring out a handbook on implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015, for the administrators.

- The handbook will consist of Acts/ Rules, Frequently Asked Questions, illustrations/case studies and best practices.
- This would familiarize the administrators with the Act itself, the corresponding rules and schemes that would assist in better implementation of the Act and best practices from across the country.

4. Duty station

The duty station for the assignment shall be Mussoorie. The work will be monitored by the Executive Director, National Gender Centre, Lal Bahadur Shastri National Academy of Administration, Mussoorie.

6. Major tasks to be accomplished and deliverables

Specific tasks relating to the assignment include:

Tasks	Deliverables
<ul style="list-style-type: none">▪ To bring out a handbook on implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015, for the administrators.	<ul style="list-style-type: none">▪ Handbook will include<ul style="list-style-type: none">○ Acts/ Rules,○ Frequently Asked Questions,○ Illustrations/case studies and○ Flowcharts○ Best practices.

- The draft handbook will be approved by the expert group.
- The partner agency is supposed to hand over the draft handbook and print ready to NGC.
- NGC will compile the best practices from across the country and handover the same to the partner agency.

7. Deliverables

As outlined in section 6

8. Estimated duration of the contract

Indicative timeline for the contract is 5 months starting from 1st December, 2016 - 30th April 2017.

- i. Project starting date from 1st January, 2017 to 30th May, 2017 (5 months).
- ii. Submission of 1st draft – after 4 months – 30th April, 2017.
- iii. Review Workshop – March, 2017.
- iv. Submission of print ready - 30th May, 2017.

9. Estimated cost of consultancy:

Total Fee: Rupees Five Lakh only (Rs.5,00,000/-)

(20% as an advance, 30% on the submission of the 1st draft and 50% on the submission of print ready version)

- The cost of the project related travel will be borne by NGC subject to the approved budget.
- The agency is required to give the breakup cost of the consultancy fee.
- The agency is required to submit the receipt of the payment received.
- The TDS will be deducted at the rate of 2% by NGC, LBSNAA, Mussoorie.

10. Qualification or specialized knowledge/experience required:

Substantive experience of research and advocacy on child rights issues and work on protection and empowerment of children. The agency should have an understanding of the working of government sector and is associated with Ministry of Women and Child Development, UNICEF etc. with minimum experience of 10-20 years in the sector. The agency should have an experience of the theme with advocacy at national, regional and international levels, and of high quality research and analysis.

Prepared:

Ms. Aswathy S, IAS
Deputy Director, LBSNAA &
Executive Director, NGC, LBSNAA

Signature: _____



Date: _____

EXECUTIVE DIRECTOR
N.C.G.T.P.R.
LBSNAA, MUSSOORIE

Approved:

Ms. Enakshi Ganguly
Co- Director
HAQ Centre for Child Rights

Signature: _____




ANNEXURE "A"
SUGGESTED OUTLINE FOR HANDBOOK

Foreword- Message from the Director of LBSNAA, Mussoorie

Message: From the Executive Director, National Gender Centre, Mussoorie

Chapter - 1 Introduction to Juvenile Justice and About the Handbook

PART I: CHILD RIGHTS AND JUVENILE JUSTICE

Chapter - 2 Philosophy and growth of child rights in India with special emphasis on the evolution of the JJ Act

This part would include an introduction about the philosophy, historical growth and development of child sensitive legislations in India with a focus on JJ Act 2015. In this part a co-relation of state laws and international standards would also be dealt with. Need of child sensitive Governance and enhancement of understanding the factors and dynamics which led to this legislation.

PART 2 JUVENILE JUSTICE (CARE AND PROTECTION) ACT 2015

Chapter - 3- Introducing JJ Act 2015

- Introducing main Provisions of JJ Act 2015 along with its implementation issues and limitations
- This chapter will also discuss the international standards

Chapter -4- Roles and responsibilities of administrators

This is the most detailed section. In this part roles and responsibilities of administrators as expected under JJ Act (for child in need of care and protection and for those in conflict with law) would be covered. The role of administrators/ District Child Officers is not confined to only one piece of legislation. The administrators need to have a holistic understanding of all the issues involved no matter if the source is legislation.

This would focus on the role at different stages, in various institutions, responsibilities and expectations, monitoring and reporting requirement. Collaboration and co-ordination with different institutes, commissions at state and center level, understanding Availability of Finances and expenditure. Special focus will be on the Integrated Child Protection Scheme (ICPS) and its relevance and implementation in the context of the JJ Act 2015.

The responsibilities will be divided according to the category of children:

- **Children in Need of Care and Protection (CNCP)**
 - All roles and responsibilities of district officials with respect to CNCP

Mainly following are the laws which would be covered vis –a-vis the role and responsibilities of administrators.

- a. Certain important Provisions from IPC
- b. Immoral Traffic (Prevention) Act, 1956
- c. Protection of Children from Sexual Offences Act 2012
- d. Child Labour (Prohibition and Regulation) Amendment Act, 2016
- e. Right of Children to Free and Compulsory Education Act 2009

- **Children in Conflict with the Law**

- All roles and responsibilities of district officials wrt to CICL and the corrective measures needed to improve the functioning

- **Adoption**

- This is a new area added in the law. Apart from the roles and responsibilities of the district officials in the setting up of relevant institutions and monitoring the process of adoption as laid d

Illustrations in the form of flow charts will be used to make the understanding of delineation of responsibilities.

Case studies will be used to be

PART- 3 GOOD PRACTICES

Chapter -5 Good practices from across the country and some success stories and good lessons

Effort will be made to document good practices from across the country in the implementation of the law. A compendium of practices related to Children in Conflict with the Law is available with HAQ. But this may need to be updated in the context of the new law.

PART - 6 ANNEXURE

- Selected provisions from different legislations JJ Act, POCSO, ITPA, RTE
 - Selected rules and copy of important Orders
 - Forms/formats
 - Links to get more detailed information and resources related to child rights (name and details of organization/experts/ agencies/commissions/institutions).
- i.) Foreword- Message from the Director of LBSNAA
 - ii.) Message: From the Director Gender Centre

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