

**GOVERNMENT OF ODISHA**  
**WOMEN & CHILD DEVELOPMENT DEPARTMENT**

No. 17661 /WCD, Date: 9-10-12  
WCD-CW-SCHM-0117-2012

Form

Ms. Arti Ahuja, IAS

Commissioner-cum-Secretary to Govt.

To

All Collectors

Sub: Prohibition of corporal punishment, sexual harassment in Child Care Institutions.

Sir

I am directed to say that corporal punishment in any form or kind come in the way of the development of the full potential of children. It adversely affects physical, psychological and educational outcomes.

2. Section 23 of the Juvenile Justice (Care & Protection of Children) Act 2000 and the Juvenile Justice (Care & Protection of Children) Amendment Act 2006 has provision for punishment for cruelty to Juvenile or child. Section 23 of the Act speaks "Whoever, having the actual charge of or control over, a juvenile or the child, assaults, abandons, exposes or willfully neglects the juvenile or causes or procures him to be assaulted, abandoned, exposed or neglected in a manner likely to cause such juvenile or the child unnecessary mental or physical suffering shall be punishable with imprisonment for a term which may extend to six months, or fine, or with both".

3. Section 23 of the JJ Act covers the actions of anyone who as "actual charge or control over" a child. Thus, Section 23 is likely to be applied most often to personnel in Child Care Institutions regulated by the JJ Act.

4. Corporal punishment is prohibited under Section 17 of RTE Act 2009 and also punishable under various sections of Indian Penal Code. The person who contravenes the provisions of the act shall be punishable under the above provisions.

You are therefore requested to take necessary steps to inspect the child care institutions functioning under your jurisdiction and develop a mechanism to receive allegations from the inmates of CCIs against corporal punishment & sexual harassment, if any, and take firm action against the alleged persons.

**Yours faithfully,**

**Sd/-**

**Commissioner-Cum-Secretary to Government.**