



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
NEW DELHI-110 001



F.No. 32-365/2022/NCPCR/Misc/LC/ **DD1334**
Dated: 16.12.2022

To,

Shri S. Krishna Chaitanya
District Magistrate, Damoh, Madhya Pradesh
Email: dmdamoh@nic.in

SUMMONS (U/s. 14 (1) of CPC Act, 2005)

WHEREAS the National Commission for Protection of Child Rights (NCPCR) (hereinafter referred to as "the Commission") has been constituted under Section 3 of the Commissions for Protection of Child Rights Act, 2005 by the Government of India, as a statutory body for dealing with protection of Child Rights and in other matters related to deprivation of child rights and;

WHEREAS one of the functions of the Commission u/s 13(1)(j) of CPC Act, 2005 is to inquire into complaints and take *suo moto* notice of matters relating to deprivation and violation of child rights, non-implementation of laws providing for protection & development of children and non-compliance of relevant policy decisions, guidelines or instructions.

WHEREAS the Commission had vide letter no. **32-365/2022/NCPCR/Misc./LC/DD706** dated **05.12.2022** forwarded a complaint against the unlawful practices found in the Children's Home and other institutions of Damoh during inspections/ visits. Thereafter, the Commission received an ATR from your good offices on 14.12.2022 wherein you had shared the inquiry report. The Commission had found the ATR as unsatisfactory since the information provided by your good offices does not contain any documents/ annexures which were asked to be furnished in the Commission's Letter. Further, it has been mentioned in the ATR that as per the statements of the children, they had been following Christian religion by birth. The said statements have not been supported by any documents, nor has any information about the children / their parents being from Scheduled Castes been provided. It is desirable that the letter of the Commission is perused again to identify the documents which were asked to be furnished and have not been furnished. The Commission has not found any compliance report/ order regarding the direction which was mentioned under Point 12 of the Commission's Letter. Furthermore, the Commission has not found any document to support the formation of the Committee which has been claimed by you to be in compliance of Point 14 of the Commission's Letter. It is also directed that the letter which was issued for the legal opinion (as mentioned in the ATR) along with the reply and details of the lawyer who furnished the legal opinion are shared with the Commission.

WHEREAS under Section 14 of CPC Act, 2005, the Commission has all the powers of a Civil Court trying a suit under the Civil Procedure Code, 1908 and particular, in respect of the following matters-

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office; and
- (e) issuing commissions for the examination of witnesses or documents.

NOW, THEREFORE, the Commission in pursuance of the functions and powers under Section 13 and 14 of CPC Act, 2005 **requires you to appear in person before the Commission** along with the details of the action taken in this matter and all the relevant documents at **1500 hours on 26.12.2022**. It is directed that the reply to the Commission's Letter is prepared point wise and all the documents which were asked by the Commission are furnished along with it.

TAKE NOTICE THAT if you fail to comply with this Order without lawful excuse, you will be subjected to the consequences of the non-attendance as provided in Rule 10 and Rule 12 of Order XVI of the Code of Civil Procedure, 1908.

GIVEN UNDER MY HAND AND SEAL OF THE Commission this day 16.12.2022.


16.12.22
(Priyank Kanoongo)

Copy for ensuring the presence of the Officer before the Commission to:

Chief Secretary, Government of Madhya Pradesh. Email- cs@mp.nic.in