



सत्यमेव जयते

RAJEEV CHANDRASEKHAR
MEMBER OF PARLIAMENT
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Member of Standing Committee on Defence
Member of Consultative Committee on Finance
Member of Central Advisory Committee for the National Cadet Corps
Co-Chairman, District Development Coordination & Monitoring Committee, Bengaluru Urban District

April 05, 2017

Shri Siddaramaiah Avare,

Subject: Urgent request for a speedy, impartial, fair and proper investigation in the Bellanduru preschool case, free of political interference and adoption of appropriate steps to prevent further recurrence of such heinous crimes

As you and your government are aware, I've been urging your government and its various agencies to wake up to the scourge of child sexual abuse and take the appropriate leadership in creating Bengaluru a child safe city.

I have been speaking publicly and also writing to your government to ensure justice to victims of child sexual assault cases in Karnataka and to carry out strict action against paedophiles and child molesters since 20th February 2014. I have written to you on several occasions after that.

Despite that, you and your government remain apathetic and non-responsive till very recently and that has only served to perpetuate the wildly held belief among those who commit these heinous crimes that they will continue to repeatedly offend.

You did not respond till February 2017 and that too, after an intense media attention, agitation by the parents and my repeated requests regarding safeguarding the rights of 7 kids that were molested by a support staff at a pre-school in Bangalore.

This inaction and apathy on part of your government has directly led to the incidents of February 2017, where not only did a perpetrator have no fear in sexually assaulting multiple children in a preschool in Bellanduru, but the management of the said school refused, point-blank, to report this heinous crime to the authorities along with the parents of the victimised children.

Even now, despite the complaints registered by the parents clearly stating that there was aggravated penetrative sexual assault committed on some of the children, some of the FIRs filed against the accused do not charge him under the appropriate provisions in the POCSO Act, i.e. sections 5 and 6, for aggravated penetrative sexual assault.

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Even after complaints by the parents that the Principal and other school management and staff refused to report the accused for committing an offence under the POCSO Act, the FIRs filed against the Principal another school staff do not charge them under the appropriate provisions of the POCSO Act for failure to report. The Principal, being in-charge of an educational institution, was under an obligation to report the offence as per section 21(2).

The inaction and apathy of this Government has also emboldened your party legislators to openly attempt to prejudice the investigation in this matter. On 17th March 2017, an MLC from your party blatantly tried to intimidate the parents by implying on the floor of the VidhanParishad that the parents have conspired with the competitors of this preschool to file false complaints. According to news reports (enclosed), this MLC has also claimed that the investigations have resulted in negative reports. If true, this indicates that results of the investigation are being unlawfully shared with unauthorised persons.

Now that you've woken up belatedly to this issue which is the most shameful indictment of your Government's apathy and callousness for the past four years, given the heinous nature of the crime and in the interests of justice, I urge you to take the following action:

1. Ensure that the Police charge the accused under all applicable provisions of the POCSO Act for each victim he preyed on.
2. Ensure that the Police charge the Principal and the Management of the school for failure to report incidents of child sexual abuse and other applicable provisions of the POCSO Act.
3. Shield the investigation from any political influence and ensure that the investigation is impartial, fair, full and proper.
4. Inquire into how the results of the investigation are being shared with the accused and their family members.
5. Ensure that the investigation is concluded and the chargesheets are filed against the accused the Principal and other school management and staff speedily.

Apart from the above actions specific to this incident, the Government should take the following actions to send a clear message to all that the Government shall not tolerate crimes against children:

1. Ensure that annual safety audits are conducted in all school whether Government or private. These safety audit reports should be made available in the public domain and accessible to parents.
2. Ensure that school managements adopt rigorous verification processes for the hiring of school staff.
3. Ensure strict implementation of the Karnataka State Child Protection Policy which has been approved by the State Cabinet.



4. Ensure the adoption of the Regulatory Guidelines for Private Play Schools as prepared by the NCPCR.
5. Establish a Child Sex Offender Registry and ensure integration with Central Government databases.
6. Fast track prosecution through special public prosecutors and Fast track POCSO courts.

The Government and specifically the Police Department has to adopt a zero-tolerance approach to Paedophiles and crimes against children. It is the moral responsibility of Government, and as its head also your duty, to strictly enforce laws to prevent such heinous incidents from occurring again. You and your Government are responsible for the safety of our children and I emphasize that people of this state will hold you to account if your Government doesn't take all necessary steps now to ensure the safety for our children.

Please wake up at least now! Let there be no more such crimes. Please take the steps suggested and make the city safe for all children.

Sincerely,

RAJEEV CHANDRASEKHAR

Shri Siddaramaiah
Hon'ble Chief Minister
Government of Karnataka
Bengaluru

MLC QUESTIONS 'FALSE CHARGES'; HIS DAUGHTER RUNS TAINTED SCHOOL

Bangalore Mirror Bureau | Updated: Mar 17, 2017, 11:34 PM IST



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At the legislative session on Friday, a shocking case of conflict of interest came up when a Member of the Legislative Council (MLC) "tried to influence" the government in the Bellandur playschool case, which is still under investigation. The institution in question, where a 3-year-old was sexually abused by a non-teaching staffer, is reportedly run by this MLC's daughter.

At the assembly session, MLC from the ruling party, Lakshminarayana MD, had a question on false complaints. He wanted to know how the government would protect playschools against whom parents or competitors file false complaints.

Even though the MLC did not refer to the Bellandur school, Tanveer Sait, Minister for Primary and Secondary Education, who answered the question said the question was asked in connection with the abuse episode.

"The member is asking the question in connection with the Bellandur school episode. In fact, I had an open discussion with him outside too. I was told by the member that all investigation into the incident has resulted in negative reports, and that complaints were filed only to malign the school's reputation by competitors despite having the best infrastructure. However, as the inquiry report is yet to reach the government, I cannot comment on those lines," Sait told the Council.

Later, speaking to media persons, Sait said as per the primary report furnished by the House Committee, the Bellandur playschool was not registered with the government. "It was found that none of their schools or franchisees were registered. Previously too, notices had been issued repeatedly to this school, which has 602 branches across Karnataka. So we have sealed the school, but the promoters have obtained a stay over it," Sait said.