



THE REPORT OF THE COMMITTEE

For

Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care and protection of Children) Act, 2015 and Other Homes

Volume-I: Main Report



September 2018

Ministry of Women and Child Development
Government of India





Government of India
Ministry of Women and Child Development

The Volume-I (Main Report) of the Report of the Committee for Analysing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care and Protection of Children) Act, 2015 and Other Homes, constituted by the Ministry of Women and Child Development on 2nd May, 2017 Vide Communication No. CW-II11/13/2015-CW-II is submitted herewith containing pages 1-329 on this day of 06.09.2018.

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नए समाज की ओर
Towards a new dawn



MINISTER

**Ministry of Women and Child Development
Government of India**

September 2018

Message


The Ministry of Women and Child Development has a singular aim, to see all children in this country grow and bloom to their full potential in a caring family, community and society. Our mandate, however, also brings us face to face with several realities that children have to encounter on a daily basis which render them alone, homeless, abandoned abused and exploited. It is, in these circumstances that children come into the Juvenile Justice (JJ) System. They become thereafter the responsibility of every single stakeholder within the system. In order to ensure that this system works in that direction, we have created a strong policy and legal framework, detailed in the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Rules framed thereunder, which provide guidelines to all stakeholders on their respective roles and responsibilities.

Child Care Institutions (CCIs), while being the last possible resort for safety and shelter for any child and the least desirable for long term or permanent placement, are the critical component of the JJ system, designed to provide a safe space where a child can recover from trauma, regain trust and gain skills to negotiate with the world outside the CCI. As per the JJ Act 2015, and JJ Model Rules, 2016, all CCIs, whether funded by Government or not, need to ensure safety, security, dignity and well-being of the children in the best child friendly manner as per the prescribed standards of care.

Unfortunately, our experience of engaging with the JJ system, families, and community at large, has amply shown us that the system, especially CCIs, very often fail at providing the basic care and protection that they are mandated to do. It was brought to my notice that despite CCIs being in existence for decades in some form or the other, no attempt had been made to map these CCIs or assess standards available in them. We undertook this daunting task, as it was imperative to do a stocktaking of what exists and in what form for protection of the most vulnerable children.

I am happy that we have had the courage to take this first step and particularly pleased that we have comprehensively and persistently undertaken this mapping and review exercise of CCIs/Homes across the country. I also hope and expect that this will now act as a catalyst for an annual exercise, both at the National and State level.

I would urge all concerned to focus, not on the numbers but instead on the stories that these numbers are telling us. I look forward to seeing concrete steps being taken to address the issues that have emerged so that a stronger, more sensitive and responsive child care system is created.


(Smt. Maneka Sanjay Gandhi)
Minister, MWCD



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Dr. Virendra Kumar



MINISTER OF STATE
Ministry of Women and Child Development
Government of India

September 2018

Message

The Constitution of India provides that the State shall direct its policy towards ensuring “that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment”. This clearly indicates that children deserve the highest priority in national realization of Fundamental Rights.

There are many children in this country who lack a stable home and family. They become vulnerable thereby to adverse situations like destitution, exploitation, abuse, torture, etc. In this connection, Childcare Institutions such as Children Home, Open Shelter, Observation Home, Special Home, Place of Safety, Specialized Adoption Agency, etc. play a crucial role by providing a safe space for the child to grow and develop. It is, therefore, essential that these institutions are run as per the detailed norms and provisions laid down in the JJ Act, 2015 and Rules framed thereunder.

The concluded Mapping and Review Exercise is therefore a step in the right direction as it presents a status report on the Child Care Institutions running in the country currently. Based upon findings, State/UT Governments can understand both, the existing need and gaps and take steps to address these. I am confident that the report will be used constructively by all stakeholders to ensure better care of children in the Juvenile Justice System.



(Dr. Virendra Kumar)
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Towards a new dawn

Shri Rakesh Srivastava



SECRETARY

**Ministry of Women and Child Development
Government of India**

September 2018

Foreword

Children are the future of a nation and the foundation stone on which a strong, dynamic and vibrant country can be built. A conducive and enabling environment can help them blossom in every sphere of their life. It is our onerous responsibility to provide them with the care and a life free from abuse, violence, neglect and exploitation in order to help them to grow and prosper.

There are many children in our country who grow up in Child Care Institutions instead of nurturing and stimulating environment. Many of them have been through grave life experiences-loss, abandonment, death of loved ones, violence and neglect. These children often suffer from structural neglect, which may include minimum physical resources, unstable staffing patterns and socio emotionally inadequate caregiver-child interactions. Thus, children exposed to institutional care do not receive the type of care needed for growth in all dimensions. The institutionalization of children when necessary should be in the best interest of children, and aimed at educating, rehabilitating and preparing children for their re-integration into the society upon release. It is important that children should be treated with respect and dignity, focusing on the development of their potential and capabilities.

Various stakeholders such as Governments, SAAs, CCIs/Homes etc. are working for the benefit of children who are the victims of many unfavorable situations. The present report is a step in this direction to create a National database on functioning of the CCIs in the country based upon their legal status, staffing, facilities, support systems, funding, management, adherence to norms and standards, etc. A pan India mapping has been done including 33 States/UTs. This report itself is a remarkable feat as it will provide information on the functioning of the CCIs/Homes, registered as well as unregistered under the JJ Act, right up to the district level. It will be of great use to Governments, both at National and State level, to understand the functional status of the institutions and work out action plans, as required, for improving the working pattern of the CCIs and its children care services. This will undoubtedly benefit the children in the years to come.



(Rakesh Srivastava)
Secretary, MWCD



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STATISTICAL ADVISER
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September 2018

Preface

Children are a valuable asset of our society as they are tomorrow's youth, and the future citizens of the country. A loving and caring family is the best place for their nurture and culture. However, a huge number of children falls outside the protective shield of the family due to their vulnerabilities, and at times, come in conflict with the law, and land up in Child Care Institutions and Homes as the last means of safety and shelter; the least desirable for long term or permanent settlement of any child. It is, therefore, necessary that these institutions provide the services and support that are needed for the holistic and integral development of such children.

There have been various instances, wherein the living conditions of children in CCIs are compromised on living space, sanitation and hygiene, privacy, etc. Realizing this, the Hon'ble Supreme Court of India vide order dated 7th, February 2013 in Writ Petition (CRL) No. 102 of 2007 in the matter of EXPLOI. OF CHILN. INJ ORPH IN ST. OF TN V/s Union of India & Ors, directed that all Child Care Institutions (CCIs) be registered under various provisions of the Juvenile Justice (Care and Protection of children) Act, 2000, and directed the Govt. of India to undertake a mapping exercise of all CCIs in the country. This was to ensure that CCIs/Homes thereby fall under the mandate of the legislation and ensure the standards of care detailed therein. Under this directive, the Ministry of Women and Child Development (MWCD) urged States / UTs not only to identify and register the CCIs/Homes,

but also to establish adequate monitoring mechanisms as prescribed under JJ Act and Rules framed thereunder, with itself undertaking the task of Mapping & Review of Child Care Institutions under the JJ Act & Other Homes in all the districts of the country.

The National Mapping Exercise involved visits of all the CCIs/Homes in every district across the country during 2016 and collected information on legal status as well as standards of care, and also, ascertained whether children residing in Swadhar and Ujjawala Homes were being connected with the JJ system for care and protection. The overall objective was to create a detailed fact sheet and database of CCIs/Homes in the country providing a long term or residential care for vulnerable children. The present report, the outcome of the analysis of data generated through this mapping exercise, assumes significance due to the fact that a National Database on functioning of CCIs/Homes (including their legal status), staffing pattern, facilities and support systems for children, functioning, funding and financial management, adherence to norms and rules, etc. has been created for the first time.

The study undertaken in January, 2016 and completed in the month of March, 2017 has reviewed 9589 CCIs/Homes (registered/unregistered); 91 per cent of which are run by non-government organizations, and only 9 per cent are government supported. Thirty two per cent of CCI/Homes were registered under the JJ Act whereas thirty three per cent did not have any legal status; rest of the CCI/Homes were either registered under other Act/Scheme or had applied for registration under JJ Act. It has thus become imperative for the government to see that institutions currently functioning without any legal status are brought under the ambit of the rules and regulations. The details on children staying in the institutions has revealed that there were 3,70,227 numbers of Children in Need of Care and Protection (CNCP) and 7422 numbers of Children in Conflict with Law (CCL). It was found that a large number of children of single parents was residing in the CCIs/Homes; the others included orphans, abandoned, surrendered, sexually abused, victims of child pornography and child marriage, trafficked, homeless, mentally challenged children, etc. There is a huge pool of children living in CCIs/Homes who need to be brought under non-institutional care. Analysis of the data revealed that the most of the CCIs/Homes need to look into matters of improving their infrastructure, human resources, administrative capabilities, etc. to provide better

care and protection to the children staying in the institutions. The study has also revealed that it is in the realm of monitoring, staff capacity building and establishing protection mechanisms (including enforcing discipline) that the maximum inputs are required urgently.

The Committee has received constant support and encouragement from Hon'ble Minister, Hon'ble MoS, and Secretary of Ministry of Women and Child Development while analyzing the data and writing the report. The task of intense analysis of the data taken up by Shri Rohit Parasar, Consultant, Statistics Bureau of this Ministry is well appreciated. The committee has received full co-operation and valuable inputs from its members, namely, Dr. Anjaiah Pandiri, ED, Childline India Foundation, Prof. Dolly Arora, Indian Institute of Public Administration and Dr. Sanghamitra Barik, National Institute of Public Cooperation and Child Development. The help and assistance received from Ms. Manju Mary Paul, AD, Ms. Lakhmi, Consultant, Ms. Apurva, Intern of Statistics Bureau, and, Dr. Harleen Walia, DD, Shri Abhay Awasthi and Sh. Raj Kumar of Childline India Foundation, and the team of *Independent Thought*, is gratefully acknowledged. The development of analytical framework of all chapters and finalization of the report to its present shape was done under my overall supervision and guidance.

The various parameters of statistics developed in the analysis has brought out the broad picture of the existing conditions of CCIs/Homes, and, also thrown light on the environment in which the children are housed, indicating urgent need for intervention in all aspects to better their living conditions and safeguard their rights. The actual success of this report will only materialize when the findings and recommendations presented here are carefully utilized by all the stakeholders going a long way in ameliorating the conditions for the neediest and vulnerable children placed in CCIs/Homes. I look forward to a future when a subsequent analysis would reveal that CCIs/Homes in this country are indeed a safe space for such children.



(Smt. Ratna Anjan Jena)
Statistical Adviser, MWCD

Government of India
Ministry of Women and child Development

THE REPORT OF THE COMMITTEE

(Main Report: Volume I)

For

**Analysing Data of Mapping and Review Exercise of Child Care
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List of Abbreviations

| | |
|-------|---|
| AC | Adoption Committee |
| AIDS | Acquired immunodeficiency syndrome |
| A&N | Andaman and Nicobar |
| AJJP | Adherence to Juvenile Justice Protection |
| AP | Adoption Performance |
| AR | Annual Report / Audit Report |
| BR | Birth Registration |
| CA | Chartered Accountant |
| CARA | Central Adoption Resource Authority |
| CC | Children's Committee |
| CCC | Child Care Corpus |
| CCI | Child Care Institution |
| CCL | Children in Conflict with Law |
| CIF | CHILDLINE India Foundation |
| CNCP | Child in Need of Care and Protection |
| CPP | Child Protection Policy |
| CPG | Child Protection Guidelines |
| CPS | Child Protection Services |
| CPSU | Central Project Support Unit |
| CSE | Commercial Sexual Exploitation |
| CSR | Child Study Report |
| CWC | Child Welfare Committee |
| DA | District Administration |
| DCPU | District Child Protection Unit |
| DIC | District Inspection Committee |
| DO | District Officer |
| DLSA | District Legal Services Authority |
| DM | District Magistrate |
| DSFAC | District Sponsorship and Foster Care Approval Committee |
| FAQs | Frequently Asked Questions |
| FCRA | Foreign Contribution Regulation Act |
| FGD | Focus Group Discussion |
| FIR | First Information Report |
| HIV | Human Immunodeficiency virus |
| HM | Home Management |
| HMC | Home Management Committee |
| HR | Human Resource |
| HRD | Human Resource Development |
| HSR | Home Study Report |
| HQ | Head Quarter |
| IA | Inspection Audit |
| IC | Inspection Committee |

| | |
|------------|--|
| ICP | Individual Care Plan |
| ICPS | Integrated Child Protection Services |
| IIPA | Indian Institute of Public Administration |
| ITI | Industrial Training Institute |
| JJ Act | Juvenile Justice (Care and Protection of Children) Act |
| JJB | Juvenile Justice Board |
| J & K | Jammu and Kashmir |
| MER | Medical Examination Report |
| MHS | Mental Health Services |
| MIS | Management Information System |
| MWCD | Ministry of Women and Child Development |
| NCPCR | National Commission for Protection of Child Rights |
| NHRC | National Human Rights Commission |
| NITI Aayog | National Institution for Transforming India |
| NGH | Non-Government Homes |
| NGO | Non- Governmental Organization |
| NCT | National Coordinating Team |
| NCU | National Coordinating Team |
| NSDC | National Skill Development Corporation |
| PAPs | Prospective Adoptive Parents |
| PCMA | Prohibition of Child Marriage Act |
| POCSO | Protection of Children against Sexual Offence |
| PLV | Para Legal Volunteers |
| RA | Recreational Activity |
| R & M | Review & Mapping |
| RRC | Regional Resource Centre |
| SA | Social Audit |
| SAA | Specialized Adoption Agencies |
| SARA | State Adoption Resource Authority |
| SCA | State Coordinating Agency |
| SCPCR | State Commission for Protection of Child Rights |
| SCPS | State Child Protection Society |
| SDM | Sub-divisional Magistrate |
| SH | Shelter Homes / Special Homes |
| SIR | Social Investigation Report |
| SPSS | Statistical Package for Social Sciences |
| TC | Transgender Children |
| TG | Transgender |
| ToR | Terms of Reference |
| UN | United Nations |
| UT | Union Territory |
| VCP | Victims of Child Pornography |
| VLCPC | Village Level Child Protection Committee |
| WCD | Women and Child Development |

Chapter 1

Executive Summary



नए समाज की ओर
Towards a new dawn

Chapter 1 : Executive Summary

1.1. The study of the Mapping Exercise of the Child Care Institutions(CCI)/Homes throws light on a critical component of the Juvenile Justice System i.e. functioning of CCI/Homes across the country, in the context of the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Rules framed thereunder.

1.2. The present study report is based on data collected through the National Mapping Exercise covering all CCI/Homes except 34 CCI/Homes in Uttar Pradesh. These were not mapped in accordance with the request from the State Government. This data pertains to the year 2016 during which the Mapping visits were conducted. This cross sectional data might have undergone some changes after 2016. The importance of the findings provided in this report lies in the facts and indications that have been thrown up rather than the numbers being generated. The details of scenario captured by these statistics are expected to provide necessary guidance to all stakeholders regarding improvements required in policy formulation and implementation in future.

1.3. This report is based on both quantitative and qualitative data gathered from the CCI/Homes. Structured interview schedules, focused group discussions with children, an observation checklist and a verification checklist for collecting corroborative documents were used to collect information during the visit. These covered a range of parameters related to CCI/Homes, mandated by norms in the JJ Act and Rules.

1.4. General Awareness was created amongst all stakeholders, including District administration, staff in CCI/Homes, and review teams through the mapping exercise.

1.5. The District Administration has, through its representatives in the Review Teams, become fully cognisant of the existence, functioning and standards of both registered and non-registered CCI/Homes in their respective Districts.

2. Key Highlights

2.1. Prior to the exercise, data base of only 2135 homes were available, which included Swadhar and Ujjawala homes also. The present study has emerged with a database of 9589 CCIs/Homes functioning, apart from 34 CCIs/Homes of Uttar Pradesh, which were not mapped.

2.2. A list of registered and unregistered CCIs/Homes under the Juvenile Justice Act, 2015 has emerged from the study, as follows; in the year 2016, about 32% (3071) CCIs/Homes were registered under the JJ Act; 15% (1,487) had applied for registration; 16.5% (1,585) were registered under any other scheme; while 33 % were Unregistered CCIs/Homes.

2.3. Other pertinent information include *inter alia* details regarding victims of Child sexual abuse housed in CCIs/Homes, orphan, abandoned, surrendered children who need to be de-institutionalized and prioritized for non-institutional care such as foster care, sponsorship and adoption, functioning of management/children and inspection committees, availability of infrastructure and staff, methods of disciplining etc.

3. Profile of CCIs/Homes

3.1. The study included information received from various categories of CCIs/Homes across the country. The nationwide figure reflects that among the total Homes mapped (9589 Homes), there are 66.4% (6368) Children Homes, 3.9% Shelter Homes (373), 3.5% Specialised Adoption Agency (336 SAA), 2.9% Observation Homes (278), 0.5% Special Homes (52), 1.9% Swadhar Homes (185), 1% Ujjawala (110), 1% Place of Safety (8) and 0.1% Combination Homes (10) nationwide. The JJ Act does not include any provision for Combination homes, however this category was created during the mapping exercise to highlight the existence of CCIs/Homes of disparate purpose coexisting in the same premise, despite it being a violation of law, for example Observation and Special homes operating in the same premise. The remaining 19.5% (1869) are 'Other Homes' which include all those CCIs/Homes which should have been registered under the JJ Act, however are unregistered and functioning as registered under Orphanages and Charitable Institutions Act or Women and Child Licensing Act or Cottage Homes.

3.2. Out of a total number of 9589 CCIs/Homes studied, 8744 CCIs/Homes i.e. 91% of the total CCIs/Homes, are run and managed by Non-Government Organisations, whereas, 845 CCIs/Homes i.e. only 9% are Government supported Homes.

3.3. Out of the 336 SAAs covered all over India in the study, 20.2% are Government run SAAs and 79.8% are non-government run SAAs.

3.4. Amongst the 9589 CCIs/Homes covered some States/UTs have more than 1000 CCIs/Homes, such as Kerala and Tamil Nadu. On the other hand, there are other States/UTs which do not even have one home of every kind in the entire State. The ratio of children versus number of home further strengthens the idea that there is a need for rationalization of CCIs/Homes that requires deeper analysis and systematic planning.

3.5. Tamil Nadu has the highest number of CCIs/Homes with total of 1,647 CCIs/Homes, followed by Maharashtra with 1,284 CCIs/Homes and Kerala with 1,242 CCIs/Homes. These three States account for 4173 (43.5%) CCIs/Homes across the country.

3.6. 'Children Homes' are the highest in number at 6368, there are lesser number of 'Shelter Homes' (373 CCIs), 'SAAs' (336 CCIs) and 'Observation Homes' (278 CCIs). In the categories of CCIs, the lowest in numbers are 'Place of Safety' (8 CCIs) and 'Special Homes' (52 CCIs).

3.7. Even though registration is mandatory, it is found that only 32% (3,071) of the total CCIs/Homes across the country are registered under the JJ Act. This shows that a majority of CCIs/Homes remain outside the purview of the Act. Standards of Care and protection in such unregistered institutions remain unmonitored which is clearly an issue of concern. In Sikkim approximately 96% of CCIs/Homes are registered under JJ Act followed by 73.42% in Haryana and approximately 69% in Goa. Conversely, Kerala, Jharkhand, West Bengal and Jammu & Kashmir have large numbers of unregistered CCIs/Homes.

3.8. Across the country, the total CCIs/Homes which are at a distance of less than 10 km from district headquarter (HQ) are 3380 in numbers whereas, those within 10-20 km distance are 1534. CCIs/Homes located more than 20 km away from District HQ are 4675 in number. In this respect, 93% of CCIs/Homes in Bihar are located at a distance of less than 10 km from the District HQ,

whereas in Kerala, only 15.9% of the CCIs/Homes are located at a distance of less than 10 km from district HQs. About 64.9% of Kerala's CCIs/Homes are found to be located more than 20 km away from district HQ. An encouraging finding however is that in spite of the CCIs/Homes being situated at quite a distance, majority of the CCIs/Homes in most of the States/UTs are easily accessible for district authorities/service providers.

4. Profile of Children in CCIs/Homes

4.1. The different categories of children residing in the CCIs/Homes included Children who are Orphan, Abandoned, Surrendered, Sexually Abused, Victim of Child Pornography, Trafficked for domestic work, Trafficked for labour/Rescued from Labour, Trafficked for Commercial Sexual Exploitation, Victims of Child Marriage, Children affected and infected by HIV/AIDS, Children affected by natural disasters as well as manmade disasters and conflict, and Homeless, Runaway/Missing, Mentally and Physically Challenged Children.

4.2. In all the 9589 CCIs/Homes covered under the study, it has been found that there are 7422 children in conflict with law (CCL), including 5617 are boys while 1805 are girls. The number of Children in Need of Care and Protection (CNCP) have been found to be 370,227 of which 199,760 are boys, 170,375 are girls and 92 are transgender children.

4.3. A database has emerged regarding orphan, abandoned, surrendered children who need to be de-institutionalized and prioritized for non-institutional care such as foster care, sponsorship and adoption. Amongst these there are 5,931 children below the age of 0-6 years (2,966 orphans, 1,763 abandoned and 1,209 surrendered) who can be connected with the adoption process. Besides these there are 50267 orphan, abandoned and surrendered children in the age-group of 7-18 years. Of these 38,765 are orphans of which Tamil Nadu and Maharashtra alone have 10,745 (27.7%). Tamil Nadu also has the highest number of abandoned children in this age-group, which is 1326, residing in CCIs/Homes.

4.4. The number of children residing in CCIs/Homes who are victims of Sexual Abuse and/or pornography are 1575 (1286 girls and 286 boys) and, 189 (40 girls and 149 boys) respectively. It

needs to be clarified here that categories are overlapping therefore a child maybe a victim of both the abuses. It is also seen that certain categories of children are found in larger number in certain States/UTs however reasons for the same are not in the purview of this study. One reason could be higher awareness and reporting of these matters in the States/UTs concern. For instance it is seen that the number of children who are more vulnerable often go unnoticed such as children affected by disability, medical conditions or those who are transgender. Some of the striking examples of the above are as below:

- a. Similarly, Karnataka, Telangana and Chhattisgarh have the highest rate of child pornography victims residing in the CCIs/Homes whereas, the CCIs/Homes in Karnataka, Delhi and Telangana have a high percentage of victims trafficked for domestic labour.
- b. In Arunachal Pradesh, 80% of the total occupancy consists of orphan boys and girls, the highest compared to the other States/UTs. The State also has a high percentage of child marriage victims residing in CCIs/Homes.
- c. The highest percentage of occupancy of girls is seen in Tamil Nadu with 16.12 per cent (4337 nos.), followed by Maharashtra with 11.72 percent (3154 nos.); whereas amongst the major States/UTs, the lowest percentage at less than 1% of occupancy of girls can be seen in Himachal Pradesh, Arunachal Pradesh, Tripura, Uttarakhand, Chhattisgarh and Punjab.
- d. All transgender children housed in CCIs/Homes of Maharashtra are orphans.
- e. The study has shown, the highest percentage of abandonment for both boys and girl with respect to the age groups of 0-6 and 7-18 years is found in Madhya Pradesh and the State also sees a high occupancy of child marriage victims.
- f. Tamil Nadu has the maximum number of children with single parents in its CCIs/Homes.
- g. The children who are victims of trafficking for domestic work, labour and commercial sexual exploitation are mostly housed in the states of Andhra Pradesh (554).

5. Standard of Child Care Facilities

5.1. An analysis has been done regarding the facilities for children *inter alia*; including individual bedding, proper nutrition and diet including special meals, toys for the children, hygiene and maintenance of the CCI/Homes, clean and sufficient water, health assessment at the time of admission and regular check-ups, special measures for children with special need, educational facilities based on the age and special needs of the child. It was found that these were not being adequately and satisfactorily addressed in many CCIs/Homes resulting in a failure to provide even the basic services to the children residing there.

5.2. Age and gender segregation, it is seen, has been sufficiently addressed by the States of Jammu and Kashmir Punjab and Goa with 87%, 85% and 16% of their CCIs/Homes respectively ensuring the same.

5.3. In terms of appropriate 'child-caregiver ratio', the data shows that CCIs/Homes of Chandigarh (with 88%), Tamil Nadu (86%) and Andaman & Nicobar Island (82%) are fulfilling this norm to a high degree whereas, States/UTs like Nagaland (7%), Puducherry (8%) and Sikkim (9%) have less than 10% of such CCIs/Homes.

5.4. In Meghalaya, 50% of CCIs/Homes have a written Child Protection Policy (CPP), which all the staff have to adhere to, followed by Odisha (47%), and Haryana (46%) being the States with highest number of such CCIs/Homes. None of the CCIs in Andaman & Nicobar and Chandigarh have such a policy in place. The situation across the country in this aspect is not ideal. The data with respect to training of staff on Child Protection Policy is obviously not favourable.

5.5. Another area of concern is the non-establishment of various mechanisms for grievance redressal including management and children committees. Most such mechanism are not in place in many CCIs/Homes, thereby limiting and/or eliminating options available for children to express their views and concerns to the appropriate authorities. Not only does this create a vulnerability to abuse it is also against the basic principles of the JJ Act.

5.6. Even though methods to tackle and deal with indiscipline behaviour have been listed in the JJ Rules, the common practices followed in almost all CCIs/Homes can be categorised as forms

of corporal punishment. This aspect needs to be corrected immediately in accordance with the principles enshrined in the JJ Act and Rules. CCIs/Homes in Chandigarh, Andaman & Nicobar and Nagaland it may be mentioned, are employing less harsh methods of disciplining as compared to other States/UTs.

6. Human Resource

6.1. With respect to the adequacy of staff, as per the norm, the highest percentage of CCIs/Homes reporting that is found in Delhi with 22.8% followed by Nagaland at 13.3% and Chandigarh at 13.1%. The lowest percentage can be seen in CCIs/Homes of Sikkim with 1.2% followed by Rajasthan with 2.3%.

6.2. There is also a shortage of adequate staff both as per the norm and as per sanction across all the CCIs/Homes in India.

6.3. The data shows the existence of numerous vacancies for staff in the CCIs/Homes. The fact that some States have high vacancies (e.g. over 4000 in one state) raises serious concern with regard to the standards of care within their CCIs/Homes.

6.4. From the data available, in States/UTs like J&K and Chandigarh over 90% of CCIs/Homes have staff staying back within the campus. While in States/UTs like Madhya Pradesh and Himachal Pradesh, less than 50% of CCIs/Homes reported that senior managers stay back within the campus. There were many CCIs/Homes where the superintendent/ Person-in-charge did not stay back for which no suitable reason was found. It also raises the additional question of care and protection of children in the absence of the supervisor in night.

7. Physical Infrastructure

7.1. Analysis has been done on the various aspects of infrastructural facilities available in CCIs/Homes, such as, class rooms, dormitory, counselling room, recreation room, sick room, library, visitors' room, vocational training workshop room, dining hall, store room, record room, office room, staff residence, bath room, toilets/latrines and rooms dedicated for the sitting of the members of CWC/JJB.

7.2. The analysis also shows the non-availability/lack of security measures, such as, a boundary wall, fencing and a strong structure to ensure the safety of children and staff within the premises of many CCIs/Homes. The highest percentage of positive responses reported for fencing could be seen in Chandigarh at 87.5% followed by Goa with 85.7% with the lowest number of CCIs/Home reporting the same being seen in Puducherry at 64.8%. With regard to fencing, boundary wall and strong structure in CCIs/Homes, it is seen that 51.1%, 25.5%, 24.6% CCIs/Homes respectively do not have provision for the same.

7.3. With regard to the availability of separate residential facilities including sleeping and bathing facilities for staff and children, CCIs/Homes of Puducherry (94.5%), Punjab (90.4%) and Goa (90%) have provided the same as per norm in most CCIs/Homes.

7.4. Privacy and safety of children are cause of concern, especially in CCIs/Homes that do not have adequate safety and security measures for children, including privacy in toilets and bathing areas. In some CCIs/Homes, bathrooms are not available for children exclusively; bathrooms/bathing areas and toilets/latrines are also not available for boys and girls separately. About 10 percent of the CCIs/Home across country do not have separate toilet facilities for young children/toddlers.

8. Adherence to Juvenile Justice (Act and Rules) Procedure

8.1. The analysis reveals that CCIs/Homes of Jammu & Kashmir, Himachal Pradesh, Kerala and Andhra Pradesh had the lowest performance with respect to initial production and periodic production of all children before CWC / JJB. Besides these, home maintenance and master admission registers are not maintained.

8.2. The study shows that the Individual Care Plan (ICP) of the child is being prepared in 76 per cent of CCIs/Homes in Mizoram whereas, Jammu Kashmir report no such adherence in any CCIs/Homes. The Social Investigation Report, monthly data about children to SARA/DCPU are not being prepared/sent as well and efforts to trace the biological family / guardian of the child is also not seen in many CCIs/Homes.

8.3. Reporting of cases by the SAA to the relevant authority in respect of admission, restoration, repatriation and transfer is highest in Mizoram, Chandigarh and Delhi.

8.4. Reporting on adoption, pre adoption foster care and foster care is highest in the States/UTs of Madhya Pradesh, Telangana and Uttarakhand.

8.5. Documentation and Record keeping is not taken very seriously in many of the CCIs/Homes. However, reasons for not maintaining and updating the relevant document either online or through alternative systems, and the effect of non-maintenance of records on the overall performance of the CCIs/Homes and the care of children were out of the scope of this mapping exercise.

9. Adoption Performance

9.1. The Child Study Report and the Medical Examination Report with relevant details of the child should be immediately uploaded and updated online. At national level out of 336 SAAs mapped, only 230 are preparing CSR and 229 are preparing MER.

9.2. Besides the administrative functions carried out by SAAs, reporting of illegal adoptions and procurement of children is an extremely sensitive issue that calls for diligence and pro-activeness. The percentage of CCIs/Homes that lodge complaints against illegal adoption was highest in Andhra Pradesh at 75%, followed by West Bengal at 68% and Delhi at 62.5% whereas the lowest percentage was seen in Chhattisgarh at 9.1%.

9.3. SAAs have responsibilities towards children, biological parents and the PAPs by providing counselling services and assistance at all times to help at various stages of adoption. SAAs are also required to help in preparing the parties involved in adjusting to a new life avoiding disruptions and to deal with root searches. However the data shows that this is not being diligently done by over 40 % of the SAAs.

9.4. There must be regular enquiry conducted before and after adoption through existing mechanisms such as HSR. In this regard, Haryana and Punjab have performed as per norm.

10. Financial Transparency

10.1. Serious limitations were found with respect to financial transparency; as many CCIs/Homes do not have the necessary system for maintaining/documenting financial records in place. Funds, not properly used, collected from donations, and, incorrect or missing financial records are major concerns across CCIs/Homes. On an average, only 57.5% of CCIs/Home submit a copy of Audited account to the competent authorities.

10.2. The 9589 CCIs/Homes receive funds through various sources, which in some case may include Government, Non-Government or other sources. However if calculated on the basis of a particular funding source, about 56.8% of them receive funds through individual donation; 42.3% receive funds through government grants, 14.8% get funds from non-government grants; and 23.4% of CCIs/Homes receive funds from foreign sources.

10.3. Regarding annual audits being carried out by a CA, 74.6% of CCIs/Homes covered, reported adherence whereas 17.2% reported non-compliance. It has been seen that many States/UTs have less than 50 percent of the CCIs/Homes that abide by the submission of financial documents to the appropriate authorities.

11. Inspection Audit

11.1. Though mechanisms for monitoring and assessing the performance of the CCIs exist through Inspection Committee, Child Welfare Committee, Department of WCD/SARA, JJ Committee of the High Court, Commission for Protection of Child rights at National / State level, the data reveals that regular inspections of the CCIs across India are not being carried out by the said authorities with States/UTs. In this respect, Puducherry, Jammu & Kashmir, Manipur, Madhya Pradesh and Tamil Nadu are performing poorly.

11.2. It is necessary that CCIs/Homes are provided with the copies of the inspection recommendations by the inspection committee. However, data reveals that at only 21.3% of the CCIs/Homes across the country have a copy of the inspection recommendations and record of action taken thereafter.

12. Linkages and Coordination

12.1. CCI/Homes need to be actively involved in networking, coordinating and linking with various professionals, institutions and community based organizations that have expertise in the concerned areas to provide a wide range of services to its children.

12.2. At the national level, data highlights that linkages of CCIs/Homes with external professionals/institutions/community-based organisations is not that encouraging.

12.3. The analysis shows that with respect to 'mental health services' only 33.2% of CCIs/Homes have the necessary linkages; 38.3% for 'educational services'; 27% for 'vocational training'; 49.4% for 'recreational services'; 22.4% for 'health services'; 16.7% for 'legal services'; while only 8.3% of CCIs/Homes have for necessary linkages 'de-addiction services'.

12.4. It has been observed from the data that CCIs/Homes of Delhi, Mizoram, West Bengal have relatively better coordination & linkages with CWC, JJB, CHILDLINE, DCPU, DSFAC, for restoration and rehabilitation of children.

13. On the basis of the analysis of the data mapping and reviewing of CCIs/Homes across the country some suggestions have been made below. However detailed recommendations, detail may be seen in the last chapter:

- a. *Representation:* There must be adequate representation of the different categories of CCIs/Homes under the ambit of the JJ Act and this needs to be done individually by the State Government by surveying the existing number of homes, type of homes, number of children in need of care and protection and the category under which they fall within the scope of the JJ Act.
- b. *Registration:* This must be made compulsory for all CCIs/Homes to register under the JJ Act and the same must be carried out with the help of external agencies, such as, voluntary organizations and NGOs to speed up the process and maintain efficiency.
- c. *Child Protection Policy:* This must be adopted in every CCI/Home, must be explained to and signed by each and every staff, management or adult dealing in any capacity with the CCI.

State Government can enlist the help of child rights organizations and activists/lawyers to frame such policies and hand them over to the concerned officials in the CCIs as well as conduct regular training in case this is required. A thorough screening and background check of all persons concerned with the bodies and institutions under the JJ Act must be carried out as a matter of practice. This should be done at regular intervals also.

- d. *Human Resources:* The staff in the CCIs/Homes (permanent and temporary, full time and part time) need to be properly trained to sensitively and efficiently deal with children and their issues, needs, problems, concerns and safety. Vacant positions must be filled on an immediate basis and, where required, extra staff must be employed to ensure due care and protection to children.
- e. *Designating Substitutes in Case of Need:* Appropriate substitutes must be designated among senior staff members to take charge in the absence of the superintendent or person-in-charge in all CCIs/Homes.
- f. *Record Keeping and Documentation:* This must be carried out as a matter of practice in all Homes/CCIs/Agencies and there must be regular inspection of the same by the relevant State department to ensure transparency.
- g. *Regular Monitoring and Action Taken Reports:* The fact that CCIs that do not even have basic amenities are housing children and running child care facilities where child rights and protection can be easily violated shows a very disturbing trend. Regular inspections by the relevant authorities and appropriate action to address and prevent such situations are necessary. There can be other participatory mechanisms of monitoring to facilitate timely action, such as children committees to raise issue, and reports of these committees being shared with district and state authorities. These should be encouraged to ensure improvement in the condition of children residing in CCIs/ Homes but also the overall functioning of these institutions and their capacity to deliver.

- h. *Ensure Compliance with Procedures*; there must be regular and efficient monitoring of SAA by the SARA to ensure that all adoptions are legal, all required procedures before, during and after adoption are duly followed.
- i. *Action for Transparency*: Independent State-wise intervention by the respective governments with the help of external agencies must be carried out to regularize finances, monitor transactions and bring about transparency in the system.
- j. *Regular Monitoring*: The stakeholders and authorities must conduct regular inspections as mandated and make recommendations and suggestions. They must regularly follow up and monitor the progress made based upon their recommendations and the erring CCIs must be adequately dealt with.
- k. *Networking and Coordinating*: Linkages with external agencies and individuals who are experts in various areas of child care must be encouraged and made mandatory (where applicable). CCIs must have a database under each criteria with names and other essential details of such professionals who can be contacted and whose services can be utilized.

National Snapshot

| S.No. | | Number | Percentage |
|------------------------------|--|----------|------------|
| 1 | Total number of States/UTs covered | 36 | 100 |
| 2 | Total number of district | 678 | 100 |
| 3 | Number of States/UTs have no home | 3 | 10 |
| 4 | Total number of district with no homes | 98 | 14.5 |
| 5 | Total number of homes covered | 9589 | 99 |
| Type of homes | | | |
| 1 | Children Home | 6368 | 66.4 |
| 2 | Shelter Home | 373 | 3.9 |
| 3 | Observation Home | 278 | 2.9 |
| 4 | Special Home | 52 | 0.5 |
| 5 | Place of Safety | 8 | 0.1 |
| 6 | Swadhar Home | 185 | 1.9 |
| 7 | Ujjwala Home | 110 | 1.1 |
| 8 | SAA | 336 | 3.5 |
| 9 | Combination Homes | 10 | 0.1 |
| 10 | Any other Home | 1869 | 19.5 |
| Registration of homes | | | |
| 1 | Number of registered homes under JJ Act | 3071 | 32.03 |
| 2 | Number of homes applied for registration under JJ Act | 1487 | 15.51 |
| 3 | Registered under any other Act or scheme | 1585 | 16.53 |
| 4 | Not legal* | 3215 | 33.53 |
| Category of children | | | |
| 1 | Total number of Children (as per records)** | 3,77,649 | |
| 2 | Children of Single Parent | 1,20,118 | 31.81 |
| 3 | Orphan | 41730 | 11.0 |
| 4 | Abandoned | 7677 | 2.0 |
| 5 | Surrendered | 6791 | 1.8 |
| 6 | Sexually Abused | 1575 | 0.4 |
| 7 | Victim of Child Pornography | 189 | 0.1 |
| 8 | Children Trafficked for Domestic Work | 857 | 0.2 |
| 9 | Children Trafficked for Labour/Rescued from Labour | 1827 | 0.5 |
| 10 | Children Trafficked for Commercial Sexual Exploitation | 489 | 0.1 |
| 11 | Victim of Child Marriage | 469 | 0.1 |
| 12 | Homeless Children | 8573 | 2.3 |
| 13 | Runaway/Missing Children | 3780 | 1.0 |
| 14 | Mentally Challenged Children | 10794 | 2.9 |
| 15 | Physically Challenged Children | 9040 | 2.4 |

Note: *231 CCI/Homes responded NA (Not Applicable); **A Child has been grouped into more than one category

Chapter 2

Introduction and Background



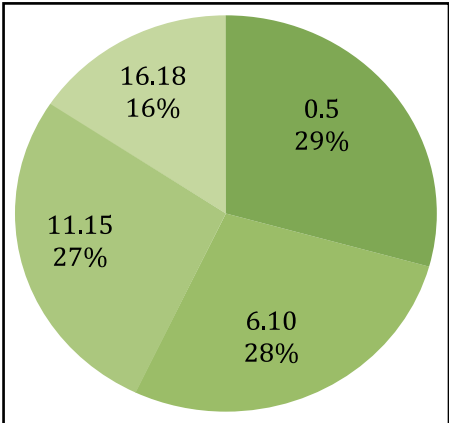
नए समाज की ओर
Towards a new dawn

Chapter 2 : Introduction and Background

I. Introduction

2.1 India has a large population of children, estimated to be roughly thirty-nine percent of the total population (1.21 billion), according to the 2011 census of India. The Government of India has, a huge responsibility to ensure care, protection and development of children through its cross-cutting policies and programmes, spreading awareness about child rights and facilitating access to learning, nutrition, institutional and legislative support to realise their full potential. The percentage distribution of children among the different age groups is reflected in the adjoining figure.

Figure 2.1 Age-wise percentage distribution of children in India



Source: Census 2011

2.2 Children, at times, face certain unfavourable condition and become victims of situations like sexual abuse, trafficking, child marriage, illegal adoptions, pornography, and HIV/AIDS etc.; and also many are found orphaned, abandoned, by their parents. Sometimes, they also come in conflict with law. In these circumstances these children come into the Juvenile Justice System. And all of these children are in need of care and protection. With a huge number of such children, various efforts have been made to put in place robust laws defining the responsibilities which the stakeholders right from government to the Child Care Institutions have towards the children in need of care and protection. The most recent of these being the JJ Act, 2015 and the Juvenile Justice (Care and Protection of Children) Model Rules, 2016.

2.3 However, providing better institutional support to such a huge child population, giving them standard care and services, is a daunting task. The National Institution for Transforming India (NITI Aayog) in its Three Years Action Agenda (2017-2020)¹ acknowledges the non-availability of

¹2017 NITI Aayog, Three Years Action Agenda (2017-18 to 2019-20) <http://niti.gov.in/writereaddata/files/coop/IndiaActionPlan.pdf>

credible data as the major obstacle to design effective policy interventions. The National Plan of Action, 2016² states that children's needs are multispectral, interconnected and require collected action, the plan aims at purposeful convergence and strong coordination across different sectors and levels of governance; active engagement and partnership with all stakeholders; setting up of a comprehensive and reliable knowledge base; provision of adequate resources; and sensitization and capacity development of all those who work for and with children. It also mentions the need for annual online monitoring by states, of the number and per cent of children reintegrated with the parents / community from Institutions under Juvenile Justice (Care and Protection of Children) Act, 2015³ (hereinafter JJ Act, 2015).

2.4 The National Policy for Children, 2013⁴, reiterates India's commitment towards such children in accordance with the Convention on the Rights of the Child and UN Standard Minimum Rules⁵ for the Administration of Juvenile Justice, 1985 (the Beijing rules) by stating that *"the State shall endeavour to secure the rights of children temporarily or permanently deprived of parental care, by ensuring family and community-based care arrangements including sponsorship, kinship, foster care and adoption, with institutionalisation as a measure of last resort, with due regard to the best interests of the child and guaranteeing quality standards of care and protection"*.

2.5 The JJ Act, 2015 and the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 were passed to ensure justice, aiming at rehabilitation and reintegration of children back to the society. On 21.09.2016 the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 (JJ Model Rules, 2016) have been notified and published in the Gazette of India, thereby repealing the Juvenile Justice (Care and Protection of Children) Rules, 2007 (JJ Rules, 2007). The Rules are appreciative of the development needs of children and therefore the best interest of the child is the primary consideration. Child friendly procedures are incorporated across the board.

²NATIONAL PLAN OF ACTION FOR CHILDREN, 2016, Ministry of Women and Child Development. <http://wcd.nic.in/sites/default/files/National%20Plan%20of%20Action%202016.pdf>

³<http://cara.nic.in/PDF/JJ%20act%202015.pdf>

⁴The National Policy for Children, 2013. <https://www.childlineindia.org.in/pdf/The-National-Policy-for-Children-2013.pdf>

⁵<http://www.un.org/documents/ga/res/44/a44r025.htm>

2.6 The JJ Model Rules, 2016, prescribe detailed child friendly procedures for the Police, Juvenile Justice Board and Children's Court. Some of these procedures include: no child to be sent to jail or lock-up; child not to be handcuffed; child to be provided appropriate medical assistance; parent/guardian to be informed about legal aid etc. The Juvenile Justice Board and the Children's Court are required to put the child at ease and to encourage him/her to state the facts and circumstances without any fear, after understanding the questions put across in a language understood by the child.

2.7 Various new forms have been added in the JJ Model Rules, 2016 to review the progress of children in Juvenile Justice System and to ensure adequate rehabilitation and restoration services for them. Some of the new forms included in the JJ Model Rules, 2016 are Case Monitoring Sheet, detailed individual Child Care Plan, application for registration of Child Care Institutions, certificate for registration, quarterly report by Juvenile Justice Board/Child Welfare Committee, etc. Further, monitoring provisions have been strengthened.

2.8 In this regard, the Child Care Institutions (CCIs) play an important role in holistic development of children and for making provisions of a favorable child-friendly environment for these children. There is a long history of legislations regarding Child Care Institutions (CCIs). The major legislations are i) The Apprentices Act, 1850, ii) The Reformatory Schools Act, 1897, ii) Probation Acts and Borstal Act, 1929, iii) Children Act, 1960 and iv) Orphanages and Charitable Homes Act, 1960. The present legislation JJ Act, 2015 requires all homes to get registered is an effort to streamline the existing ambiguity in concern to the CCIs/Homes in India. The history of legislations regarding regulations of CCIs/Homes for Children has been given in the Annexure-I.

2.9 Over the years, the focus of care of children has been slowly shifted from institutionalised care to community/family based care. This is reflected in the National Policy for Children that reaffirms the Government's commitment to the realization of the rights of all children in the country. It recognizes every person below the age of eighteen years as a child and that childhood is an integral part of life with a value of its own, and a long term, sustainable, multispectral, integrated and inclusive approach is necessary for the harmonious development and protection of children.

2.10 The Policy lays down the guiding principles that must be respected by the National, State and local Governments in their actions and initiatives affecting children. The Policy has identified survival, health, nutrition, education, development, protection and participation as the undeniable rights of every child, and has also declared these as key priority areas. The policy states: ‘To secure the rights of children temporarily or permanently deprived of parental care, the State shall endeavour to ensure family and community-based care arrangements including sponsorship, kinship, foster care and adoption, with institutionalisation as a measure of last resort, with due regard to the best interests of the child and guaranteeing quality standards of care and protection’.

2.11 There are many challenges, despite best efforts made. A large number of children still require institutional support for either short term or long term. These include: ensuring quality standard care and services while in CCIs/Homes; ensuring a smooth restoration of children back to community/family based care system; the mapping and review of the existing CCIs/Homes in the country was a long pending exercise. The present study is expected to provide information for long term policy reforms to bring about significant changes in the overall management of CCIs/Homes and also provides information whether the rights of children are being safeguarded. Eventually, the best interest of children demands gradual shift towards non institutional / alternative care mechanisms instead of being lodged in institutions.

II. Background of the present study:

2.12 Promoting, protecting and safeguarding the rights of children are the priority areas of the Juvenile Justice System in India. For the first time in 1986, a uniform JJ Act was enacted in India to develop the special and different treatment meant for neglected and vulnerable children. It replaced the Children’s Acts of different states in India. Later it was replaced with the JJ (Care and Protection of Children) Act, 2000 (Amendment 2006) emphasizing upon the care, protection, treatment, development and rehabilitation of the children in a more child friendly manner. It was again replaced by the JJ Act, 2015 with a view to consolidate and amend the law relating to Children alleged and found to be in Conflict with Law and Children in Need of Care and Protection by catering

to their basic needs through proper care, protection, development, treatment, social re-integration, by adopting a child-friendly approach in the adjudication and disposal of matters in the best interest of children and for their rehabilitation through processes provided, and institutions and bodies established.

2.13 The JJ System protects the rights of the children viz. right to survival, protection, development and participation. Restoring the child back to his/her family is given utmost importance under this Act. Much emphasis is given, under this Act, on the functions of the institutions and bodies established for that purpose. Hence, service quality provided in the institutions also needs to be assessed to understand the level of implementation of JJ Act. Section 41 of the JJ Act, 2015 provides for the Registration of Child Care Institutions⁶ (CCI). Under the law, all kinds of institutions whether run by state, voluntary or non-governmental organizations that provide housing facilities and services for CNCP or CCL have to be registered under the JJ Act within a period of six months from the date of commencement of this Act. The JJ Act, 2015, promotes the institutionalization of children as the last resort. The institutionalization of children, when necessary, should be in the best interest of them, and aimed at educating, rehabilitating and preparing children for their re-integration into the society, upon release. It is important that while in custody in CCIs/Homes, children should be treated with respect and dignity, focusing on their potential and capabilities as children.

2.14 In order to create a safe, secure and protective environment for children in difficult circumstances, the Ministry of Women and Child Development (MWCD), Government of India, has been implementing the Integrated Child Protection Services (ICPS) across the country since the year 2009-10. The scheme has been revised in the year 2014. The scheme provides financial assistance for creation of new institutional facilities and maintenance of existing institutional facilities for both CCL and CNCP. In addition, the scheme provides for institutional care of children with special needs by supporting a specialized unit within the existing homes or by setting of a specialized shelter homes. However, the scheme does not to provide financial coverage to all the CCIs/Homes functioning across the country. An in-depth understanding of the functioning of various CCIs/Homes, services

⁶Child care institutions is defined in Section 2 (21) JJ Act, 2015 means children home, open shelter, observation home, special home, place of safety, specialized adoption agency, and a fit facility recognized under this act for providing care and protection to children who are in need of such services.

provided to the children in the CCIs/Homes, infrastructure, manpower, safety measures in CCIs/Homes, etc. across the country was necessitated.

2.15 Other than the various aspects of functioning of CCIs/Homes, one of the major issues that have emerged from time to time is the problem of child abuse in the CCIs/Homes. A report by MWCD published in 2007 titled “Study on Child Abuse: India, 2007”⁷ highlighted that many children in institutional care are subjected to physical, sexual and emotional abuses. Hence, other than an exercise on the services provided by CCIs/Homes, it is also required to look into the issues of child abuse in institutional homes.

2.16 The present study has been carried out in the light of the judgment of the Hon’ble Supreme Court of India in the Writ petition (CRL.) No. 102 of 2007 in the Exploitation of Children in Orphanages in the State of Tamil Nadu versus the Union of India & Ors. The Supreme Court took *suo moto* action on this petition and listed it for hearing. The issue was highlighted in the order dated 17/02/2010 where it was stated by the Petitioner that nearly 100 children, brought all the way from the State of Mizoram, were living in unfavourable conditions in an orphanage at Kuzhithurai in Kanyakumari District of Tamil Nadu. Questions of the trafficking children were also raised. Later on,⁸ a more detailed picture emerged and it was alleged that these children below the age of 16 years were illegally transported from the North East States of Manipur and Assam out of which 76 were malnourished. It was found that these children belonging to the Kuki tribe travelled from Manipur with an elderly person. The parents of the children handed them over due to poverty and poor social background, with the thought that the children would be provided with better education and health care, but facts revealed to be otherwise. The trafficked children were initially admitted to school but later on ended up in the child care homes.

2.17 The Hon’ble Supreme Court took a serious note of the situation and issued the following directives on 07/02/2013:

⁷Study on Child Abuse INDIA 2007, Ministry of Women and Child Development Government of India. <https://www.childlineindia.org.in/pdf/MWCD-Child-Abuse-Report.pdf>

⁸Hon’ble Supreme Court of India Order dated 31/03/2010 on the Writ Petition No. 102/2007 “Exploitation of Children in Orphanage” (Annexure- III)

“We are informed that in all States, children homes have been set up by the State as also by the non-Government Organizations. We are also informed that some individuals have also been permitted to open such homes. Therefore, it is necessary that each State conducts a detailed survey with regard to Government/NGO/privately run and controlled children homes and find out as to how many Children’s homes/Fit Institution/Observation homes/Shelter homes/Special homes are working in their respective States.

All these institutions are required to be registered under various provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015. Let a status report be submitted by all the States indicating as to whether any of such institutions are unregistered. In case of unregistered institutions, the status report should also indicate as to what protective measures have been taken by the State Government or the local authority within which such institutions are located, to prevent any abuse of the inmates of these institutions. This indeed is a very serious concern. We, therefore, direct all the States to take utmost care in preparation of the status report.

The States shall also indicate the measures which have been taken for implementation of the scheme under the Right of Children to Free and Compulsory Education Act, 2009 as also the measures which have been taken to eradicate trafficking of children. Under the Protection of Children from Sexual Offences Act, 2012, the States are required to set up Special Courts. The status report shall also indicate the capacity of the children homes, separately for boys and girls, and it shall also indicate as to whether the standard with regard to the nutrition and hygiene are being maintained.

2.18 Based on the direction that all the institutions are required to be registered under various provisions of Section 41 of the Juvenile Justice (Care and Protection of Children) Act, 2015, the Ministry of Women and Child Development (MWCD) urged States / UTs to not only identify and register the CCIs/Homes but also to establish adequate monitoring mechanisms for the Homes through Inspection Committees and other Monitoring Committees as prescribed under the JJ Act and Rules, so that the interest of children is better safeguarded. It was suggested that the DCPUs of

the concerned district should ensure 100% registration of child care institutions under the JJ Act, 2015, if they were not registered.

2.19 It was observed that larger number of Child Care Institutions (CCI) remained unregistered. The MWCD took on the herculean task of Mapping & Review of all the CCIs under the JJ Act & Other Homes⁹ across the country. The task of undertaking the mapping and review exercise of CCIs and other Homes were assigned to Childline India Foundation (CIF) and National Commission for Protection of Child Rights (NCPCR).

2.20 Based on mandate, NCPCR and Childline India Foundation (CIF) developed a detailed action plan and structure to undertake the national mapping and Review Process of Child Care Institutions. The mapping and review of CCIs/Homes have been conducted largely for the enhancement of knowledge and to find out qualitative as well as quantitative information on CCIs/Homes. The mapping exercise had started with the limited available data with the government.

2.21 The Government had a database of 2135 Child Care Institutions which were being supported by MWCD under the Integrated Child Protection Scheme, including 1127 Children's Homes and Homes for children with special needs, 317 Specialized Adoption Agencies, 295 Observation Homes, 45 Special Homes, 52 Shelter Homes and 299 Open Shelter (Open shelters have not been covered under the present study). Besides, these CCIs/Homes, Ujjawala and Swadhar homes numbering 162 and 146 respectively were also mapped during the survey.

2.22 The objectives of the survey were:

- i. To map all Child Care Institutions in every District of India, which shelter children categorized under JJ Act except three category of CCIs/Homes:-
 - a. Open Shelters,
 - b. Educational Institutions funded by Ministry of HRD
 - c. CCS which come under the Ministry of Tribal Affairs

⁹Homes under Ujjawala Scheme and Swadhar

- ii. To review Child Care Institutions as per Standards of Care prescribed under JJ Act and Integrated Child Protection Scheme to provide care and to protect the children stay in these child care institutions.
- iii. To check compliance with regard to registration under the Juvenile Justice Act and find out legal status of Child Care Institutions/ Homes.
- iv. To develop National database with state and district wise delineation of registered (under JJ Act/any other state based legislation)/ unregistered/licensed/notified as fit, etc., CCIs/ Homes;
- v. To document information related to registration/recognition/licensing and status of functioning of each CCI/Home.

2.23 The task for conducting the national mapping of all Homes was entrusted to CHILDLINE India Foundation (CIF) and NCPCR. CIF, through its National Coordinating Team and State Coordinating Agencies as well as its partners, like academic institutions, were instrumental in creating a support for National outreach for the study. The methods of data collection, tools, process followed and norms adhered to, etc. are presented in detailed manner in the Annexure-II.

2.24 The review process of the CCIs/Homes got initiated in December, 2015 and ended in March 2017. Therefore, for convenience the period of the study has been referred as 2016-2017 in this report. Though the Government of India had a database of 2135 CCIs, but the study team mapped 9589 Homes (registered as well as unregistered). This number includes 6,368 Children Homes, 373 Shelter Homes, 278 Observation Homes, 52 Special Homes, 8 Place of Safety, 185 Swadhar Homes, 110 Ujjawala Home, 336 SAA, 10 Combination Homes and 1,869 other types of Homes. However, 34 Homes of Uttar Pradesh were not covered by this exercise in accordance with request from the State Government as social audit was initiated there (Annexure II.I).

2.25 The data that were collected from each state, were fed into an MIS after thorough scrutinization. To take further action on the collected data, a committee was constituted by the Ministry for analysing the data of the mapping exercise. The Committee gave its observation on the mapped data on October, 2017, based upon which the task of report writing was initiated.

2.26 The committee that was constituted by the Ministry for analysing data of Mapping and Review Exercise of Child Care Institutions under Juvenile Justice (Care and Protection of Children) Act, 2015 and Other Homes, and Report writing has the following members :

| | | |
|----|---|------------------|
| 1. | Ms. Ratna Anjan Jena, Statistical Adviser, Ministry of Women and Child Development, Government of India | Chairperson |
| 2. | Ms. Sanghamitra Barik, Deputy Director, National Institute of Public Cooperation and Child Development | Member Secretary |
| 3. | Dr. Anjaiah Pandiri, Executive Director, Childline India Foundation | Member |
| 4. | Professor Dolly Arora, Indian Institute of Public Administration (IIPA) | Member |
| 5. | Two members with research background on child rights | Members |

However, the last two members (as mentioned in point no. 5) could not be inducted for various reasons, and the Committee started the analysis and report writing with four members including the Chairperson (as mentioned in point 1 to 4).

2.27 Being a national study and first of its kind in terms of scale and magnitude, there were several challenges that were faced by the study team during the course of administering it, collecting data and tabulations. The below mentioned points are a reflection on:

- i) Large number of CCIs/Homes (more than double the initial target)
 - No. of unregistered CCIs/Homes will include those registered under any other state legislation or scheme (for ex, OCI or cottage scheme.)

- ii) Delays in –
 - permission letters from State Government
 - appointment & availability of District Nominees
 - State & Panchayat Elections
 - State disturbances
 - Other priorities – operation muskaan
- iii) Resistance within some Homes
- iv) Inadequate staff, unskilled
- v) Disparate spread of institutions
- vi) Awareness regarding law/rules limited
- vii) Disparate standards of care - Government vs Non-Government
- viii) Inadequate or no monitoring as per law

2.28 The painstaking process of analysis of the huge data in MIS was entrusted with the Statistics Bureau of the Ministry. The Statistical Adviser with her supporting staff supervised the analysis. Detailed tables including various statistical parameters were generated for developing the final report. The statistical analyses have been robust, maybe with two to three per cent of margin of errors. The statistics thus indicate towards a broad scenario of various aspects of the situations of CCIs/Homes and the children residing in them.

2.29 The Committee developed the report along with the support of its Members. Though the study reflects the situation of children in CCIs/Homes in a particular time period i.e 2016-17(cross-sectional), still it is hoped that this report will go a long way towards helping the policy makers and administrators to take corrective measures for the benefit of the children in need of care and protection and children in conflict with law.

Chapter 3

Profile of CCIs/ Homes



नए समाज की ओर
Towards a new dawn

Chapter 3 : Profile of CCIs/ Homes

3.1 The term Child Care Institution (CCI¹) was not defined by the Juvenile Justice (Care and Protection of Children) Act, 2000, under the purview of which this mapping exercise was conducted. However, in common parlance, all homes for children in need of care and protection and children in conflict with law were referred to as CCIs/Homes.

3.2 The definition of CCI was introduced by legislation during the course of the Mapping Exercise, by the new Juvenile Justice (Care and Protection of Children) Act, 2015 which came into force from January, 2016. This definition includes various categories of Homes viz. Children Home², Open Shelter³, Observation Home⁴, Special Home⁵, Place of Safety⁶, Specialised Adoption Agency⁷ (SAA) and fit facility⁸. For the purpose of the Mapping Exercise all the CCIs/Homes mentioned above were to be covered except for Open Shelters. Further, the CCIs/Homes managed under the Ujjawala and Swadhar schemes of the government were also to be covered to ascertain whether children housed there were being connected to the Juvenile Justice System for services as required.

3.3 This chapter provides details regarding *inter alia*, various categories of CCIs/Homes across the country, including registration status as per JJ Act (in process or existing) or under any other Act/ Scheme , availability of different categories of CCIs/Homes, issues of accessibility, existence of CWC/JJB, production of children before CWC/JJB, protection mechanisms such as children's committees etc.

3.4 The categories of Homes described in the JJ Act and covered by the Mapping exercise have been further added onto for the purpose of this exercise, into 'Combination Homes' and 'Any Other' Homes. While 'Combination Homes' (which are not defined or allowed under the JJ Act), are those

¹Section 2 (21), JJ Act,2015

²Section 2 (19), JJ Act,2015

³Section 2 (41), JJ Act,2015

⁴Section 2 (40), JJ Act,2015

⁵Section 2 (56), JJ Act,2015

⁶Section 2 (46), JJ Act,2015

⁷Section 2 (57), JJ Act,2015

⁸Section 2 (27), JJ Act,2015

where two different kinds of CCIs/Homes (e.g. an Observation and Special Home in Andaman & Nicobar) are being housed in the same premise or building, 'Any Other Homes' refers to those CCIs/Homes which are registered under some other Act or Scheme and includes *inter alia*, the Women's and Children's Institutions Licensing Act, 1956⁹ (Andhra Pradesh and Telangana), Orphanages and other Charitable Homes (Supervision and Control) Act, 1960¹⁰ (Kerala), Cottage Homes (West Bengal), Registered Hostels (Tamil Nadu) and faith based CCIs (Jammu & Kashmir) etc.

3.5 Both these categories of CCIs/Homes, in their current form, are not permissible as per the existing JJ law; the first because the structure is in contradiction of prescribed JJ norms which clearly detail purpose of homes, age and gender segregation of children, and, the second because they are not registered and therefore existing without prescribed standards or protection mechanisms.

3.6 The Table 3.1 below reflects that amongst all the categories of CCIs/Homes available, 'Children Homes' are the highest in number i.e. 6368. It is also seen that this category also includes the largest number of unregistered CCIs/Homes. Children Homes are followed by 'Any Other Homes' numbering 1,869. The data also draws attention to the fact that in comparison to these two categories above, all the other kinds of CCIs/ Homes namely Shelter Homes (373), SAAs (336), Observation Homes (278), 'Place of Safety' (8) and 'Special Homes (52) are fewer in number (below 5%) and/or inadequate as per mandate.

Table 3.1 Category-wise Distribution of CCIs/Homes - National Snapshot*

| S.N | Type of CCIs/Homes | Number of CCIs/Homes | Percentage of CCIs/Homes |
|-----|--------------------|----------------------|--------------------------|
| 1 | Children Home | 6368 | 66.41 |
| 2 | Shelter Home | 373 | 3.89 |
| 3 | Observation Home | 278 | 2.90 |
| 4 | Special Home | 52 | 0.54 |
| 5 | Place of Safety | 8 | 0.08 |

⁹Women's and Children's Institutions Licensing Act, 1956 enacted by Parliament on December 1956 is an Act to provide for the licensing of institutions for women and children and for matters incidental thereto.

¹⁰Orphanages and other Charitable Homes (Supervision and Control Act, 1960 was enacted by Parliament in the 11th year of the Republic of India.

| S.N | Type of CCIs/Homes | Number of CCIs/Homes | Percentage of CCIs/Homes |
|-----|--------------------|----------------------|--------------------------|
| 6 | Swadhar Home | 185 | 1.93 |
| 7 | Ujjwala Home | 110 | 1.15 |
| 8 | SAA | 336 | 3.50 |
| 9 | Combination Homes | 10 | 0.10 |
| 10 | Any other* | 1869 | 19.49 |
| | Total | 9589 | 100.00 |

* The numbers do not include 34 Homes of Uttar Pradesh which were not covered by this exercise in accordance with request from the State Government.

3.7 As seen in Table 3.2 below, Tamil Nadu has the largest number of CCIs/Homes with a total of 1,647 CCIs/Homes, followed by Maharashtra with 1,284 Homes and Kerala with 1,242 Homes. These three States together have 4173 Homes, accounting for almost 44% of all CCIs/Homes in India. On the other hand it can be seen that Arunachal Pradesh has the smallest number with only 8 CCIs/Homes followed by Chandigarh having 16 and Andaman & Nicobar 17 CCI/Homes respectively. The Table is representative of the fact that the States from the West and South of India have a much higher number of CCI/Homes as compared to the States/UTs from North-East India, which have lesser number of Homes. The number, for instance, crosses 1000 CCI/Homes in some states like Kerala and Tamil Nadu.

Table 3.2 Category-wise distribution of CCIs/Homes – State/UT snapshot

| States/UTs | Observation Home | Special Home | Place of Safety | Children Home | Shelter Home | Swadhar Home | Ujjawala Home | SAA | Combination Homes | Any other | Total |
|-------------------|------------------|--------------|-----------------|---------------|--------------|--------------|---------------|-----|-------------------|-----------|-------|
| A&N | 0 | 0 | 0 | 16 | 0 | 0 | 0 | 0 | 1 | 0 | 17 |
| Andhra Pradesh | 5 | 4 | 0 | 346 | 16 | 7 | 4 | 12 | 0 | 368 | 762 |
| Arunachal Pradesh | 0 | 0 | 0 | 3 | 2 | 0 | 1 | 0 | 2 | 0 | 8 |
| Assam | 5 | 0 | 1 | 64 | 18 | 11 | 21 | 11 | 0 | 0 | 131 |
| Bihar | 12 | 1 | 0 | 31 | 24 | 7 | 0 | 9 | 0 | 0 | 84 |
| Chandigarh | 2 | 2 | 0 | 10 | 0 | 1 | 0 | 1 | 0 | 0 | 16 |
| Chhattisgarh | 7 | 1 | 1 | 93 | 4 | 1 | 4 | 11 | 0 | 0 | 122 |
| Delhi | 4 | 1 | 1 | 95 | 9 | 2 | 0 | 8 | 4 | 1 | 125 |
| Goa | 2 | 0 | 0 | 58 | 6 | 0 | 0 | 4 | 0 | 0 | 70 |
| Gujarat | 8 | 2 | 0 | 131 | 0 | 4 | 5 | 17 | 0 | 2 | 169 |

Profile of CCIs/ Homes

| States/UTs | Observation Home | Special Home | Place of Safety | Children Home | Shelter Home | Swadhar Home | Ujjawala Home | SAA | Combination Homes | Any other | Total |
|------------------|------------------|--------------|-----------------|---------------|--------------|--------------|---------------|------------|-------------------|--------------|--------------|
| Haryana | 5 | 3 | 0 | 67 | 3 | 0 | 0 | 1 | 0 | 0 | 79 |
| Himachal Pradesh | 0 | 1 | 0 | 45 | 0 | 0 | 0 | 0 | 0 | 0 | 46 |
| J&K | 1 | 0 | 1 | 60 | 23 | 0 | 0 | 0 | 0 | 277 | 362 |
| Jharkhand | 9 | 1 | 0 | 67 | 44 | 1 | 0 | 5 | 0 | 0 | 127 |
| Karnataka | 15 | 0 | 0 | 758 | 45 | 14 | 13 | 25 | 0 | 41 | 911 |
| Kerala | 7 | 2 | 0 | 149 | 25 | 2 | 5 | 25 | 1 | 1,026 | 1,242 |
| Madhya Pradesh | 18 | 4 | 1 | 54 | 23 | 14 | 1 | 31 | 0 | 0 | 146 |
| Maharashtra | 53 | 3 | 0 | 1,137 | 15 | 14 | 7 | 55 | 0 | 0 | 1,284 |
| Manipur | 5 | 0 | 0 | 29 | 2 | 11 | 9 | 6 | 0 | 0 | 62 |
| Meghalaya | 3 | 0 | 0 | 66 | 10 | 0 | 0 | 5 | 0 | 0 | 84 |
| Mizoram | 3 | 2 | 0 | 31 | 5 | 0 | 0 | 5 | 0 | 0 | 46 |
| Nagaland | 10 | 2 | 0 | 40 | 8 | 1 | 1 | 5 | 0 | 0 | 67 |
| Odisha | 4 | 1 | 0 | 355 | 1 | 40 | 12 | 14 | 0 | 0 | 427 |
| Puducherry | 2 | 1 | 0 | 78 | 5 | 0 | 1 | 4 | 0 | 0 | 91 |
| Punjab | 2 | 0 | 0 | 66 | 0 | 0 | 0 | 5 | 0 | 0 | 73 |
| Rajasthan | 38 | 10 | 0 | 176 | 21 | 5 | 9 | 18 | 0 | 0 | 277 |
| Sikkim | 2 | 0 | 0 | 16 | 3 | 0 | 0 | 2 | 0 | 0 | 23 |
| Tamil Nadu | 8 | 2 | 2 | 1,598 | 16 | 4 | 2 | 12 | 0 | 3 | 1,647 |
| Telangana | 7 | 0 | 0 | 417 | 4 | 6 | 5 | 10 | 1 | 44 | 494 |
| Tripura | 3 | 2 | 0 | 23 | 8 | 0 | 0 | 8 | 0 | 0 | 44 |
| Uttar Pradesh | 13 | 0 | 1 | 101 | 21 | 25 | 2 | 0 | 0 | 7 | 170 |
| Uttarakhand | 9 | 2 | 0 | 28 | 6 | 4 | 5 | 2 | 0 | 0 | 56 |
| West Bengal | 16 | 5 | 0 | 160 | 6 | 11 | 3 | 25 | 1 | 100 | 327 |
| Total | 278 | 52 | 8 | 6,368 | 373 | 185 | 110 | 336 | 10 | 1,869 | 9,589 |

* The numbers do not include 34 Homes of Uttar Pradesh which were not covered by this exercise in accordance with request from the State Government.

3.8 It is seen that CCI/Homes covered under the Mapping Exercise are unevenly spread across the country. Also, there are some States/UTs which have a skewed ratio of a particular kind of home against total number of CCIs/Homes. The number of CCIs/Homes in a particular State/UT clearly indicates that the rationalisation of CCIs/Homes across regions is needed, based on deeper analysis and systematic planning.

3.9 Further, significant differences can also be observed with regard to the number of Homes based on their categories (3.1 and 3.2). Of all the categories of CCIs/Homes, Children Homes appear

to be adequate in numbers however, their pan-India spread is not very uniform and many of them are unregistered. Some of the other categories of CCIs/Homes are missing in many States/UTs (e.g. Place of Safety in Andhra Pradesh, Jharkhand, Karnataka etc.) and in some cases it is seen that the total number of CCIs/Homes in that category are too few compared to the number of districts in their respective States/UTs (Special Homes in Uttar Pradesh). This clearly indicates unavailability of such facilities.

3.10 The data reflects that the three States with the highest number of Children Homes are Tamil Nadu, Maharashtra and Karnataka whereas Arunachal Pradesh, Chandigarh and Sikkim have the least. Maharashtra, Rajasthan and Madhya Pradesh have the highest number of Observation Homes whereas Andaman & Nicobar and Arunachal Pradesh only have one and two combination CCIs/Homes respectively and no standalone Observation Home exists. States with the largest number of Special Homes are Karnataka, Andhra Pradesh and Rajasthan and five States/ UTs do not have Special Homes at all. It may also be noted that the States which have a large number of 'Any Other' Homes are Kerala, Andhra Pradesh and Jammu & Kashmir.

I. Legal Status of CCIs/Homes

3.11 The Mapping Exercise had started in January, 2016; almost simultaneously with the new JJ Act, 2015 coming into force on 15th January, 2016, which provided detailed provisions on registration of CCIs/Homes alongwith punitive measure for non-registration. It also provided a time span of 6 months for compliance. In that context it may be stated that the Mapping exercise, a primary focus of which was listing of the legal status of CCIs/Homes, was conducted in a critical implementation phase of the new legislation. The visits were completed by November, 2016 and the MIS submitted by March, 2017. The exercise found Homes which were completely unregistered or registered under some other Act/Scheme or others whose registration was still in process. This study acted as a catalyst for legal compliance and a registration drive was evident soon after the visits were completed. The Table 3.3 reflects the status of the CCI/Homes mapped during the period of Study that ended on March 2017. It is expected that the legal status of many of CCIs/Homes might have changed due to the efforts of the States/UTs as well as the proactive efforts of the CCIs/Homes themselves.

3.12 The table below reflects legal status of CCIs/Homes as on day of visit:

- a) Registered under the JJ Act
- b) Registered under Any other Act / Schemes
- c) Unregistered and application for registration under the JJ Act pending
- d) Unregistered and not applied for registration under the JJ Act

Table 3.3 Legal Status of CCIs/Homes across States

| Legal Status of CCIs/Homes | | | | | | | | |
|----------------------------|-------------------------|------------|-------------------------|------------|------------------------------------|------------|---------------------------------------|------------|
| States/UTs | Registered under JJ Act | | Unregistered CCIs/Homes | | | | | |
| | | | Applied under JJ Act | | Registered under Other Act/Schemes | | Not Registered under any Acts/Schemes | |
| | Number | Percentage | Number | Percentage | Number | Percentage | Number | Percentage |
| A&N | 10 | 58.82 | 3 | 17.65 | 0 | 0 | 4 | 23.53 |
| Andhra Pradesh | 138 | 18.11 | 50 | 6.56 | 294 | 39 | 269 | 35.3 |
| Arunachal Pradesh | 5 | 62.5 | 1 | 12.5 | 0 | 0 | 1 | 12.5 |
| Assam | 62 | 47.33 | 4 | 3.05 | 0 | 0 | 33 | 25.19 |
| Bihar | 17 | 20.24 | 20 | 23.81 | 0 | 0 | 40 | 47.62 |
| Chandigarh | 5 | 31.25 | 9 | 56.25 | 0 | 0 | 1 | 6.25 |
| Chhattisgarh | 19 | 15.57 | 9 | 7.38 | 0 | 0 | 89 | 72.95 |
| Delhi | 70 | 56 | 22 | 17.6 | 0 | 0 | 31 | 24.8 |
| Goa | 48 | 68.57 | 6 | 8.57 | 0 | 0 | 16 | 22.86 |
| Gujarat | 88 | 52.07 | 43 | 25.44 | 1 | 0.59 | 28 | 16.57 |
| Haryana | 58 | 73.42 | 6 | 7.59 | 0 | 0 | 15 | 18.99 |
| Himachal Pradesh | 5 | 10.87 | 7 | 15.22 | 0 | 0 | 34 | 73.91 |
| J&K | 2 | 0.55 | 3 | 0.83 | 277 | 76.52 | 80 | 22.1 |
| Jharkhand | 9 | 7.09 | 54 | 42.52 | 0 | 0 | 63 | 49.61 |
| Karnataka | 146 | 16.03 | 228 | 25.03 | 6 | 0.66 | 504 | 55.32 |
| Kerala | 219 | 17.63 | 14 | 1.13 | 884 | 71.18 | 118 | 9.5 |
| Madhya Pradesh | 44 | 30.14 | 14 | 9.59 | 0 | 0 | 88 | 60.27 |
| Maharashtra | 652 | 50.78 | 267 | 20.79 | 0 | 0 | 365 | 28.43 |
| Manipur | 29 | 46.77 | 1 | 1.61 | 0 | 0 | 12 | 19.35 |
| Meghalaya | 14 | 16.67 | 14 | 16.67 | 0 | 0 | 56 | 66.67 |
| Mizoram | 31 | 67.39 | 4 | 8.7 | 0 | 0 | 11 | 23.91 |
| Nagaland | 21 | 31.34 | 1 | 1.49 | 0 | 0 | 43 | 64.18 |
| Odisha | 269 | 63 | 9 | 2.11 | 0 | 0 | 125 | 29.27 |
| Puducherry | 18 | 19.78 | 65 | 71.43 | 0 | 0 | 7 | 7.69 |
| Punjab | 22 | 30.14 | 12 | 16.44 | 0 | 0 | 39 | 53.42 |
| Rajasthan | 121 | 43.68 | 25 | 9.03 | 0 | 0 | 117 | 42.24 |
| Sikkim | 22 | 95.65 | 0 | 0 | 0 | 0 | 1 | 4.35 |

| Legal Status of CCIs/Homes | | | | | | | | |
|----------------------------|-------------------------|--------------|-------------------------|--------------|------------------------------------|--------------|---------------------------------------|--------------|
| States/UTs | Registered under JJ Act | | Unregistered CCIs/Homes | | | | | |
| | | | Applied under JJ Act | | Registered under Other Act/Schemes | | Not Registered under any Acts/Schemes | |
| | Number | Percentage | Number | Percentage | Number | Percentage | Number | Percentage |
| Tamil Nadu | 750 | 45.54 | 359 | 21.8 | 3 | 0.18 | 529 | 32.12 |
| Telangana | 35 | 7.09 | 132 | 26.72 | 15 | 3.04 | 301 | 60.93 |
| Tripura | 24 | 54.55 | 6 | 13.64 | 0 | 0 | 14 | 31.82 |
| Uttar Pradesh | 59 | 34.71 | 6 | 3.53 | 5 | 2.94 | 73 | 42.94 |
| Uttarakhand | 14 | 25 | 9 | 16.07 | 0 | 0 | 24 | 42.86 |
| West Bengal | 45 | 13.76 | 84 | 25.69 | 100 | 30.58 | 84 | 25.69 |
| Total | 3,071 | 32.03 | 1,487 | 15.51 | 1,585 | 16.53 | 3,215 | 33.53 |

*The numbers do not include 34 Homes of Uttar Pradesh which were not covered by this exercise in accordance with request from the State Government.

3.13 The data in the Table 3.3 clearly reflects that 65.6% CCIs/Homes are yet to be registered under the JJ Act. This includes 15.51 % CCIs/Homes where registration had been applied for; and, therefore are outside the ambit of the Act, especially for the purpose of regular monitoring and ensuring standards; the completely unregistered CCIs/Homes are 33.53%, and, those registered under some other Act/Scheme are 16.53%. This is a matter of concern since the rigorous standards and monitoring prescribed by the Legislation does not apply to these CCIs/Homes. Three percent of the total CCIs/Homes could not respond to any of the categories as stated above.

3.14 It is seen that:

- a) Of the total number of CCIs/Homes nationally, 32.03 % are registered under the JJ Act.
- b) In Sikkim 22 CCIs/Homes (of 23 altogether, 96%) are registered under JJ Act, followed by 58 (of 79 altogether, 73.42%) in Haryana and 48 (of 70 altogether, 69%) in Goa. On the other hand at the lower end of the Table, Jammu and Kashmir has 2 CCIs/Homes (of 362 altogether, 0.55%) Himachal Pradesh has 5 CCIs/Homes (of 46 altogether, 10.9%), and Jharkhand has 9 (of 127 altogether, 7.09%) registered under the JJ Act respectively.
- c) There are 22 States/UTs with less than 50% of CCIs/Homes registered under JJ Act and 3 UTs namely Daman & Diu, Dadra & Nagar Haveli and Lakshadweep which do not have CCIs/Homes.

II. CCIs/ Homes Managed by Government and Non-Government (NGO)

3.15 The JJ Act provides for the establishment and maintenance of various categories of CCIs/ Homes “by the State government, either by itself or through voluntary or non-governmental organisations”. Table 3.4 below shows the distribution of various kinds of Non-Government and Government run Homes/CCIs.

3.16 From Table 3.4, it can be seen that out of the total 9589 CCIs/Homes in the country, 91% CCIs/Homes (8,744) are being established and managed by NGOs, with or without the support of government. Government is managing the remaining 9% directly, which numbers 845 CCIs/Homes altogether. In this context the push for registration and monitoring becomes even more critical.

Table 3.4 Distribution of various kinds of Government and Non-Government (NGO) run CCIs/Homes

| Homes/CCIs types | Non-Government Home/ CCIs | | Government Homes/ CCIs | | Total | |
|-------------------|---------------------------|-------------|------------------------|------------|-------------|------------|
| | Number | Percentage | Number | Percentage | Number | Percentage |
| Combination Homes | 5 | 50.0 | 5 | 50.0 | 10 | 0.1 |
| Observation Home | 67 | 24.1 | 211 | 75.9 | 278 | 2.9 |
| Special Home | 12 | 23.1 | 40 | 76.9 | 52 | 0.5 |
| Place of Safety | 5 | 62.5 | 3 | 37.5 | 8 | 0.1 |
| Children Home | 5932 | 93.2 | 436 | 6.8 | 6368 | 66.4 |
| Shelter Home | 333 | 89.3 | 40 | 10.7 | 373 | 3.9 |
| Swadhar Home | 183 | 98.9 | 2 | 1.1 | 185 | 1.9 |
| Ujjwala Home | 110 | 100.0 | 0 | 0.0 | 110 | 1.1 |
| SAA | 268 | 79.8 | 68 | 20.2 | 336 | 3.5 |
| Any other | 1829 | 97.9 | 40 | 2.1 | 1869 | 19.5 |
| Total | 8744 | 91.2 | 845 | 8.8 | 9589 | 100 |

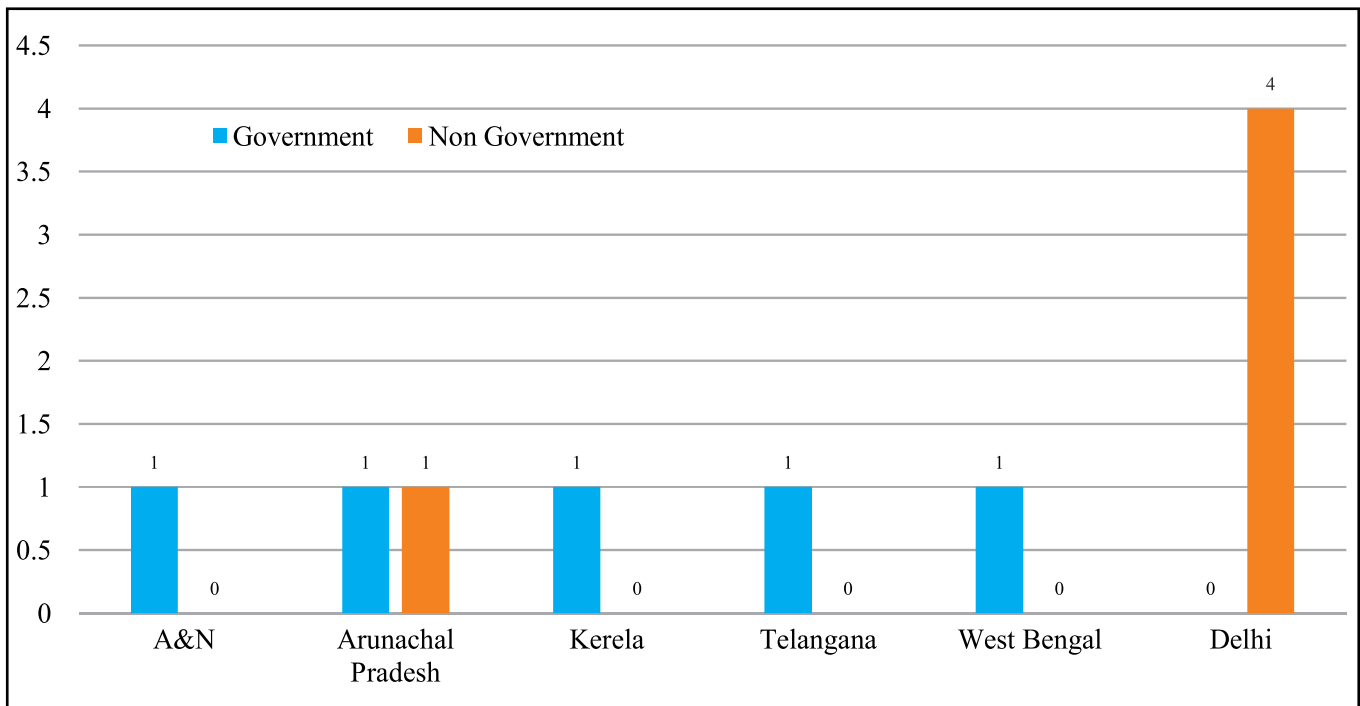
3.17 It is clear from Table 3.4 that amongst NGO managed Homes, Children Homes form the highest number (5932 of 6368) of Homes, followed by ‘Any Other Home’ category (1829 of 1869), whereas, Observation Homes are mostly run by the Government (211 of 278 altogether).

3.18 There are a good number of Swadhar, Ujjawala and other Homes, which do not come under the category of CCIs/Homes in accordance to the JJ Act. These were visited to ascertain whether children residing there were being linked with the Juvenile Justice System. The Mapping exercise revealed a need to assess functionality of these Homes and establish linkages with the JJ system to ensure the best interest of children.

III. Combination Homes/CCIs

3.19 The term Combination Homes is not defined anywhere in law. However, it was created for the purpose of this study and denotes two units of CCIs/Homes with disparate purposes, coexisting and being managed from one building or one premise. In total 10 such combination CCIs/Homes were visited during the exercise of which 4 Homes in Delhi, and one CCI/Home in Arunachal Pradesh is run by NGOs whereas Government run combination Homes exist, (one each) in Andaman & Nicobar, Arunachal Pradesh, Kerala, Telangana and West Bengal. Graph 3.1 below shows the States and the number of CCIs/Homes that are Combination Homes.

Graph 3.1 Number of Combination CCIs/Homes (Government and Non-Government)



3.20 Attention needs to be drawn to the fact that the JJ Act does not mention Combination CCIs/ Homes and instead has detailed norms regarding separate accommodation based on differences in age, gender and purpose of CCIs/Homes. These have been created keeping the best interest of the children in mind so as to ensure that each CCIs/Homes caters to the needs of children who reside there. It may therefore be inferred that the existing JJ Act has no provision for Combination Homes. Table 3.5 presents the list of existing 10 Combination Homes in the country.

Table 3.5 List of Combination CCIs/Homes

| S.N. | States/UTs | District | Name of CCIs/Homes | Type of CCIs/Homes |
|------|---------------------|------------------|--|------------------------------------|
| 1 | Andaman and Nicobar | South Andaman | Directorate of Social Welfare | Observation & Special Home |
| 2 | Arunachal Pradesh | East Siang | Juvenile Home | Observation & Special Home |
| 3 | Arunachal Pradesh | Lower Subansiri | Achukuru Welfare Society | Children Home & Shelter Home |
| 4 | West Bengal | Murshidabad | Ananda Ashram | Observation & Special Home |
| 5 | Delhi | North West Delhi | Asharan Orphanage | Children Home & SAA |
| 6 | Delhi | New Delhi | Udayan Home | Children Home & SAA |
| 7 | Delhi | Shahdara | Apna Ghar | Children Home & Shelter Home |
| 8 | Delhi | South-East | Prayas Shelter Home For Girls | Children Home & Shelter Home |
| 9 | Kerala | Kasargode | Govt. Observation Home and Special Children Home | Observation Home and Children Home |
| 10 | Telangana | Hyderabad | Govt. children Home | Observation & Children Home |

IV. Distance of CCIs/ Homes from District Headquarter (HQ)

3.21 Distance of CCIs/Homes from District Head Quarter is an important concern as it affects access to various facilities/services required for the proper functioning of CCIs/Homes. Travel time required and accessibility of services for smooth and speedy addressal of a child's specific needs and to ensure rehabilitation of the child makes distance of CCIs/Homes from district HQ particularly significant. It also affects monitoring of the CCIs/Homes by various agencies. Accessibility is especially required to institutions, such as, offices of the District Magistrate (DM)/ Sub Divisional Magistrate (SDM)/ District Officer (DO)/ District Child Protection Unit (DCPU)/ Child Welfare Committee (CWC)/ Juvenile Justice Board (JJB), other CCIs/Homes and other major departments like Labour,

Education, Panchayati Raj, Health etc. It is assumed that longer distance from District headquarters will impact the quality, frequency and adequacy of services as most of these departments/services are concentrated around the district HQ and they play a vital role in timely execution of all the schemes/programs/services for the welfare of children. Table 3.6 gives the scenario of location of CCIs/Homes from the district headquarters in various states of the country.

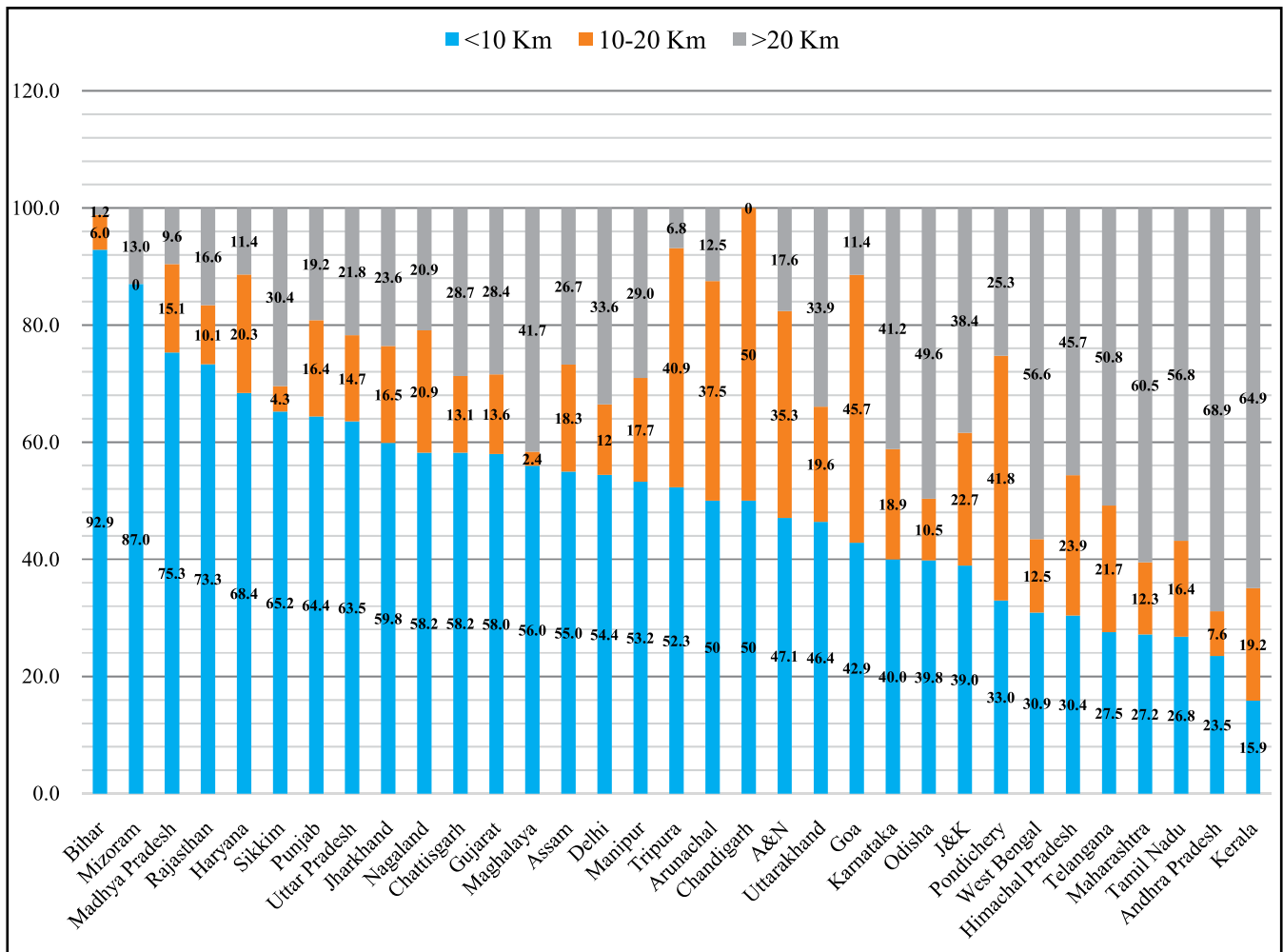
Table 3.6 Number of CCIs/Homes that have distances of <10 km, 10-20 km and >20 km, across States

| States/CCIs | Distance <10 km | Distance between 10-20 km | Distance >20 km | Total |
|-------------------|-----------------|---------------------------|-----------------|-------------|
| A&N | 8 | 6 | 3 | 17 |
| Andhra Pradesh | 179 | 58 | 525 | 762 |
| Arunachal Pradesh | 4 | 3 | 1 | 8 |
| Assam | 72 | 24 | 35 | 131 |
| Bihar | 78 | 5 | 1 | 84 |
| Chandigarh | 8 | 8 | 0 | 16 |
| Chhattisgarh | 71 | 16 | 35 | 122 |
| Delhi | 68 | 15 | 42 | 125 |
| Goa | 30 | 32 | 8 | 70 |
| Gujarat | 98 | 23 | 48 | 169 |
| Haryana | 54 | 16 | 9 | 79 |
| Himachal Pradesh | 14 | 11 | 21 | 46 |
| J&K | 141 | 82 | 139 | 362 |
| Jharkhand | 76 | 21 | 30 | 127 |
| Karnataka | 364 | 172 | 375 | 911 |
| Kerala | 197 | 239 | 806 | 1242 |
| MP | 110 | 22 | 14 | 146 |
| Maharashtra | 349 | 158 | 777 | 1284 |
| Manipur | 33 | 11 | 18 | 62 |
| Meghalaya | 47 | 2 | 35 | 84 |
| Mizoram | 40 | 0 | 6 | 46 |
| Nagaland | 39 | 14 | 14 | 67 |
| Odisha | 170 | 45 | 212 | 427 |
| Puducherry | 30 | 38 | 23 | 91 |
| Punjab | 47 | 12 | 14 | 73 |
| Rajasthan | 203 | 28 | 46 | 277 |
| Sikkim | 15 | 1 | 7 | 23 |
| Tamil Nadu | 441 | 270 | 936 | 1647 |
| Telangana | 136 | 107 | 251 | 494 |
| Tripura | 23 | 18 | 3 | 44 |
| UP | 108 | 25 | 37 | 170 |
| Uttarakhand | 26 | 11 | 19 | 56 |
| West Bengal | 101 | 41 | 185 | 327 |
| Total | 3380 | 1534 | 4675 | 9589 |

3.22 The data reflects that at national level, the total number of Homes, which are at a distance of less than 10 km from district HQ is 3380 Homes; those which are within 10-20 km distance number is 1534 Homes. The remaining 4675 Homes are located more than 20 kms away from district HQ and are mostly found in the States of Andhra Pradesh, Kerala, Maharashtra and Tamil Nadu. These are also the States where the largest numbers of CCIs/Homes exist including unregistered CCIs/Homes.

3.23 A graphical representation of the percentages of CCIs/Homes with respect to their location from district headquarters may be seen in Graph 3.2.

Graph 3.2 Percentage of CCIs/Homes having distance of <10 km, 10-20 km and >20 km from District Headquarters



3.24 The graph illustrating the distance of CCIs / Homes from the district headquarters reflects that in many States/UTs, CCIs/Homes are located within a distance of less than 10 km from District HQ. In this regard, Bihar has 93% of its CCIs/Homes located at a distance of less than 10 km from the District HQ, followed by Mizoram 87%, Madhya Pradesh 75%, and Rajasthan at 73%. Conversely, only 15.9% of the CCIs / Homes in Kerala are located at a distance of less than 10 km whereas 64.9% of its CCIs/Homes are found to be located more than 20 km away from district HQ.

3.25 It can be observed that in Chandigarh, 50% of its CCIs / Homes are located within a distance of 10 km from the district HQ and another 50% within 10-20 km distance. It is followed by Goa 46%, Puducherry 42%, and Tripura 41%. Sikkim at 4% has the lowest percentage. In Mizoram, 87% of the CCIs/Homes are located within a distance of less than 10 km from the district HQ.

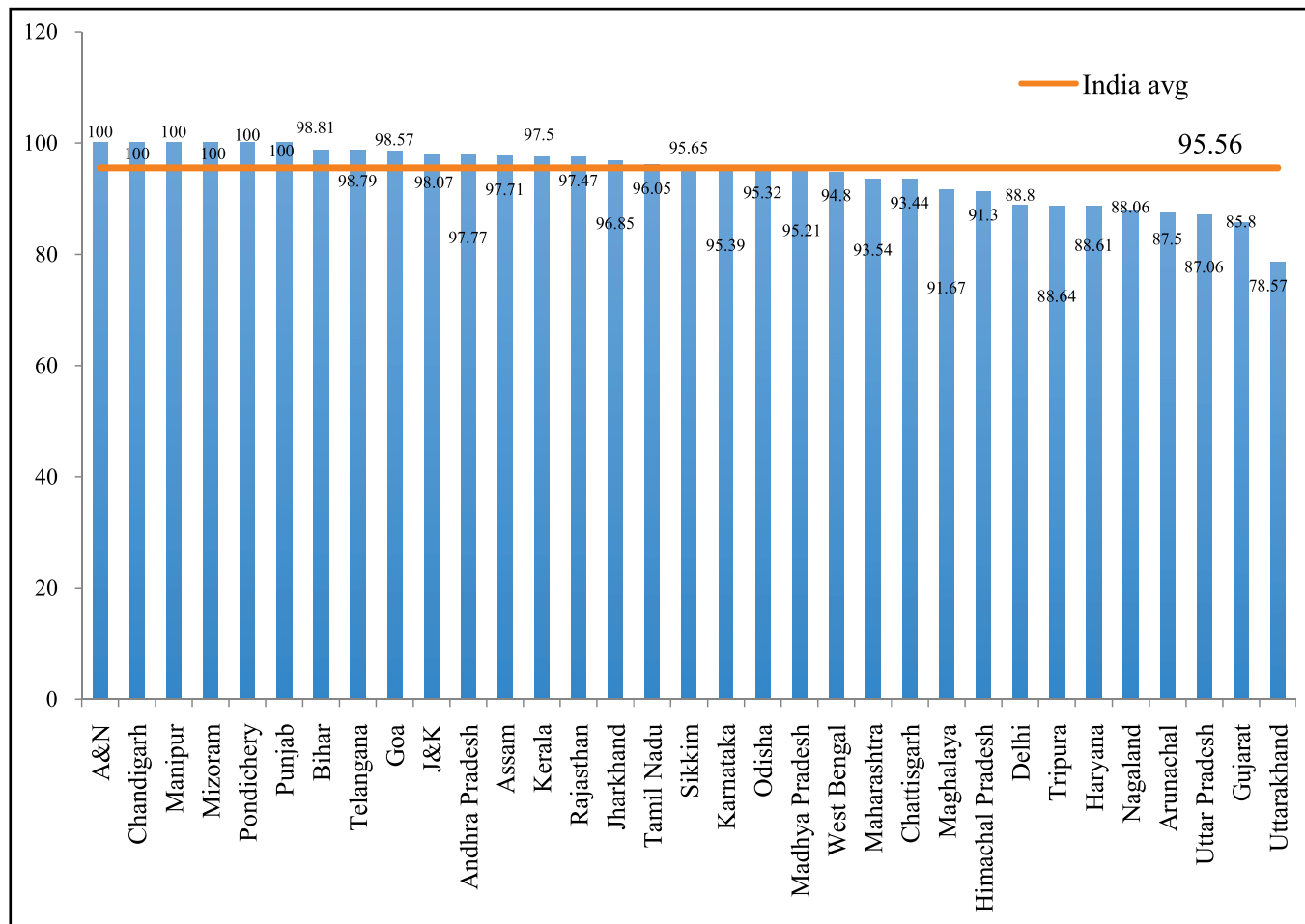
3.26 In many of the States/UTs, the location of majority of the CCIs/Homes is less than 10 km away from district headquarters. Shorter distance from District headquarter, however, also needs to be read with other factors like the size of the State and the total number of Homes in the State etc. Some States may have better coverage and this could be the reason for more Homes being at a distance from the District Headquarter. Andhra Pradesh, for instance, has one of the highest numbers of CCIs/Homes in the country, but has majority of these, i.e. 68.9% of its CCIs/Homes, located farther from the district HQ. This is also true of Kerala with 65%, Maharashtra with 61% and in Tamil Nadu and West Bengal with 57% each CCIs/Homes being farther from the District. This detail also needs to be read (as mentioned earlier) with the information regarding these States/UTs having the largest number of unregistered CCIs/Homes.

V. Accessibility to CCIs/Homes

3.27 The JJ Act strives to ensure that child in need of care and protection gets immediate and effective care which is in the best interest of the child. Accessibility of CCIs/Homes is an important concern for the children in vulnerable situation, as this ensures that services can reach a child and vice versa without any difficulty. Further it facilitates monitoring. This study attempted to understand how many of the CCIs/Homes are accessible and parameters such as approachability of

roads, availability of transport and distance from HQ were used as indicators to understand ease of accessibility of CCIs/Homes.

Graph 3.3 Percentage of Easily Accessible CCIs/ Homes across States



3.28 It can be seen that majority of the Homes/CCIs in most of the States/UTs are easily accessible. The finding reveals that all CCI/Homes in Andaman & Nicobar, Chandigarh, Manipur, Mizoram, Puducherry and Punjab have easy accessibility. More than 80% of the CCIs/Homes in rest of the States/UTs are also easily accessible. In Uttarakhand, accessibility is slightly more of an issue than the States/UtTs which may be because of its topography. Smart cities may consider these indicators while infrastructure development is being promoted, especially for children.

VI. Highlights

3.29 The data draws attention to the following:

- a. During the period of survey¹¹, only 32% of CCIs/Homes were found to be registered under the JJ Act. This number reflects that even though the amendment in the JJ Act took place in the year 2015 and subsequent government notifications have made it mandatory for all child care institutions to register, irrespective of the law under which they have been set up, the percentage of CCIs/Homes that registered under the Act had been very less. This shows that a very high percentage of the CCIs/Homes continue to operate outside the purview of the JJ Act.
- b. States/UTs from the south and western parts of India have a higher number of CCIs/Homes as compared to those in the North-East regions of India.
- c. The number of CCIs/Homes run by NGOs is significantly higher than those run by the government. Not all categories of CCIs/Homes are found in each State/UT. In some cases, certain categories of CCIs/Homes are found in large numbers whereas another category has no representation at all.
- d. Specialized Adoption Agencies are in existence in all States/UTs except Andaman and Nicobar, Arunachal Pradesh, Jammu and Kashmir and Himachal Pradesh. Further, investigations can reveal adoption rate in States/UTs, process followed, place of functioning for the staff and personnel and place of stay for children declared fit for adoption.
- e. With respect to the Homes under the category of 'Any Other', the data shows that barring Jammu & Kashmir and West Bengal, 'Any Other Homes' category are only seen in the Southern States.
- f. Combination Homes are not provided for in the JJ Act and not advisable for the purpose of infrastructure and segregation of children.
- g. Another important question is of accessibility, especially in the regions with difficult terrain. In cases, where the CCIs/Homes are built away from general population in the outskirts, accessibility to Homes is a difficult task.

¹¹The process of CCI registration has been undertaken by State governments on priority basis based on the data generated and shared during the process of the study. There are high chances of the change in the overall percentage of unregistered homes already being registered by the time the report gets finally published.

Chapter 4

Details of Children in CCI/Homes



नए समाज की ओर
Towards a new dawn

Chapter 4 : Details of Children in CCIs/Homes

4.1 Under the JJ Act 2015, Children housed in various CCIs/Homes, on the basis of their needs and situation, have been broadly categorized into two; Children in need of care and protection (CNCP) and children in conflict with law (CCL). The JJ Act further defines CNCP to detail various situations which could render a child in need of protection, and categorises CCL for procedural purposes, on the basis of nature of offence and age as below 16 years and between 16-18 years. The categorization and subsequent placement of children in different CCIs/Homes on the basis of age, gender and purpose of rehabilitation has been done to address specific needs of children and protect their rights.

4.2 The JJ Act, 2015, defines Child in need of Care and Protection in Section 2 (14) and provides a list of children in difficult situations that needs to be supported. *The Hon'ble Supreme Court in its order¹ dated 5/5/2017 has stated that the definition is illustrative and the benefits envisaged for children in need of care and protection should be extended to all such children requiring State care and protection.* Consequently, the definition of CNCP has been given a broader interpretation.

4.3 The present Chapter describes the number and the various categories of children present in the CCIs/Homes. Category here refers to the contextual reason for the child being placed in a CCI/Home for shelter and rehabilitation. These categories have been further segregated on the basis of age and gender to better understand the pool of children who reach the Juvenile Justice system for care and protection. Further, the chapter also provides a glimpse of average duration of stay of children in CCI/Homes, whether CWC production is being adhered to and also lists possible reasons for non- production where occurring.

4.4 During the study period (i.e. 2016-17), it was found that total number of children occupying the CCIs/Homes across the country was 377649. Out of them there were 7,422 CCLs and 3,70,227 CNCPs. The CCIs/Homes of Tamil Nadu having the highest number of total CCL and CNCP children (87,866).

¹Supreme Court order dated 5/5/2017 in Exploitation of Children in Orphanages in the State of Tamil Nadu versus Union of India & Ors.

4.5 In India, as evident from the Table 4.1 given below, on an average, a CCI/Home has 39 children residing in it. However, this number varies in CCIs/Homes across the States/UTs. CCI/Home in Tamil Nadu and Jammu & Kashmir for instance have the highest occupancy with an average of 53 and 51 respectively whereas the lowest average occupancy is seen in the CCIs/Homes of Sikkim and Maharashtra at 16 and 17 children per CCI/Home respectively.

Table 4.1 Gender disaggregated data of number of CCL and CNCP Category Children in CCIs/Homes across States/UTs

| States/Homes | CCI | CCL | | | | CNCP | | | | Total Children | Average no. of Children per CCIs/Homes |
|------------------|------|------|-------|----|-------|-------|-------|----|-------|----------------|--|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total | | |
| A&N | 17 | 2 | 0 | 0 | 2 | 232 | 272 | 0 | 504 | 506 | 30 |
| Andhra Pradesh | 762 | 46 | 175 | 0 | 221 | 19202 | 18125 | 13 | 37340 | 37561 | 49 |
| Arunachal | 8 | 4 | 0 | 0 | 4 | 115 | 83 | 0 | 198 | 202 | 25 |
| Assam | 131 | 190 | 147 | 0 | 337 | 1516 | 1246 | 0 | 2762 | 3099 | 24 |
| Bihar | 84 | 546 | 32 | 0 | 578 | 1047 | 1054 | 1 | 2102 | 2680 | 32 |
| Chandigarh | 16 | 9 | 0 | 0 | 9 | 176 | 220 | 0 | 396 | 405 | 25 |
| Chhattisgarh | 122 | 186 | 12 | 0 | 198 | 2042 | 947 | 5 | 2994 | 3192 | 26 |
| Delhi | 125 | 270 | 2 | 0 | 272 | 1969 | 1847 | 0 | 3816 | 4088 | 33 |
| Goa | 70 | 6 | 0 | 0 | 6 | 1551 | 1113 | 0 | 2664 | 2670 | 38 |
| Gujarat | 169 | 127 | 41 | 0 | 168 | 2724 | 2017 | 5 | 4746 | 4914 | 29 |
| Haryana | 79 | 272 | 60 | 0 | 332 | 1053 | 1234 | 0 | 2287 | 2619 | 33 |
| Himachal Pradesh | 46 | 0 | 0 | 0 | 0 | 933 | 412 | 0 | 1345 | 1345 | 29 |
| J&K | 362 | 316 | 155 | 0 | 471 | 13764 | 4055 | 0 | 17819 | 18290 | 51 |
| Jharkhand | 127 | 256 | 53 | 0 | 309 | 2574 | 1869 | 0 | 4443 | 4752 | 37 |
| Karnataka | 911 | 134 | 0 | 0 | 134 | 17062 | 13034 | 16 | 30112 | 30246 | 33 |
| Kerala | 1242 | 69 | 16 | 0 | 85 | 19965 | 21534 | 0 | 41499 | 41584 | 33 |
| Madhya Pradesh | 146 | 291 | 40 | 0 | 331 | 1494 | 1265 | 0 | 2759 | 3090 | 21 |
| Maharashtra | 1284 | 1110 | 741 | 0 | 1851 | 38375 | 18633 | 14 | 57022 | 58873 | 46 |
| Manipur | 62 | 35 | 0 | 0 | 35 | 562 | 527 | 0 | 1089 | 1124 | 18 |
| Meghalaya | 84 | 37 | 0 | 0 | 37 | 708 | 764 | 0 | 1472 | 1509 | 18 |
| Mizoram | 46 | 61 | 6 | 0 | 67 | 563 | 447 | 0 | 1010 | 1077 | 23 |
| Nagaland | 67 | 79 | 56 | 0 | 135 | 582 | 439 | 0 | 1021 | 1156 | 17 |
| Odisha | 427 | 235 | 11 | 0 | 246 | 10039 | 8719 | 0 | 18758 | 19004 | 45 |
| Puducherry | 91 | 4 | 7 | 0 | 11 | 1075 | 1400 | 0 | 2475 | 2486 | 27 |

Details of Children in CCIs/Homes

| States/Homes | CCL | | | | | CNCP | | | | Total Children | Average no. of Children per CCIs/Homes |
|---------------|-------------|-------------|-------------|----------|-------------|---------------|---------------|-----------|---------------|----------------|--|
| | CCI | Boys | Girls | TG | Total | Boys | Girls | TG | Total | | |
| Punjab | 73 | 41 | 26 | 0 | 67 | 871 | 994 | 0 | 1865 | 1932 | 26 |
| Rajasthan | 277 | 206 | 20 | 0 | 226 | 3950 | 1298 | 0 | 5248 | 5474 | 20 |
| Sikkim | 23 | 1 | 0 | 0 | 1 | 204 | 159 | 0 | 363 | 364 | 16 |
| Tamil Nadu | 1647 | 138 | 110 | 0 | 248 | 36548 | 51070 | 0 | 87618 | 87866 | 53 |
| Telangana | 494 | 61 | 1 | 0 | 62 | 8852 | 7336 | 36 | 16224 | 16286 | 33 |
| Tripura | 44 | 4 | 0 | 0 | 4 | 438 | 369 | 0 | 807 | 811 | 18 |
| Uttar Pradesh | 170 | 649 | 7 | 0 | 656 | 2098 | 1921 | 2 | 4021 | 4677 | 28 |
| Uttarakhand | 56 | 34 | 59 | 0 | 93 | 541 | 482 | 0 | 1023 | 1116 | 20 |
| West Bengal | 327 | 198 | 28 | 0 | 226 | 6935 | 5490 | 0 | 12425 | 12651 | 39 |
| Total | 9589 | 5617 | 1805 | 0 | 7422 | 199760 | 170375 | 92 | 370227 | 377649 | 39 |

4.6 The highest numbers of CCL category children are accommodated in the CCIs/Homes of Maharashtra, which numbers 1851, followed by Uttar Pradesh at 656, whereas, the lowest numbers of such children are found in the States/UTs of Andaman & Nicobar, Arunachal Pradesh and Tripura,(two, four and four respectively). The largest number of Children belonging to the CNCP category are found in the CCIs/Homes of Tamil Nadu and Maharashtra, which numbers 87,618 and 57,022 respectively, whereas CCIs/Homes of Arunachal Pradesh and Sikkim house the lowest number of such children numbering 198 and 363 respectively.

I. Orphan, Abandoned and Surrendered Children

4.7 The Mapping exercise found 56,198 (Table 4.2) children, who were categorised in the registers of CCIs/ Homes as being either orphan or abandoned or surrendered living in CCIs/ Homes including Specialised Adoption Agencies (336 SAAs) across the country. As stated in several provisions of the JJ Act, these children, *being without biological or adoptive parents or whose legal guardians are not willing or capable of taking care of them*, are to be prioritised for non-institutional care namely Adoption, Sponsorship and Foster Care. Of these 4759 children, were residing in SAAs. For the remaining, the Act also provides, in Section 66 that all CCIs/Homes (which are not SAAs) shall link orphan, abandoned, surrendered children residing in their institution with SAAs.

4.8 For the purpose of this Study, the broader understanding/premise was that orphan, abandoned, surrendered children were not only to be linked with a SAA for adoption but also with Sponsorship and Foster Care in case these methods were considered more appropriate because of age, availability of extended family or any other reason. The description used therefore was that orphan, abandoned, surrendered children were to be prioritised for non-institutional care.

Table 4.2 Gender disaggregated data of number of Orphan, Abandoned and Surrendered Children in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Orphan | | | | Abandoned | | | | Surrendered | | | | Total children |
|-------------------|-------------------------|--------|-------|----|-------|-----------|-------|----|-------|-------------|-------|----|-------|----------------|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total | Boys | Girls | TG | Total | |
| A&N | 17 | 17 | 43 | 0 | 60 | 0 | 0 | 0 | 0 | 16 | 23 | 0 | 39 | 99 |
| Andhra Pradesh | 762 | 2047 | 1999 | 2 | 4048 | 289 | 361 | 0 | 650 | 623 | 512 | 0 | 1135 | 5833 |
| Arunachal Pradesh | 8 | 96 | 66 | 0 | 162 | 2 | 1 | 0 | 3 | 4 | 4 | 0 | 8 | 173 |
| Assam | 131 | 280 | 195 | 0 | 475 | 80 | 96 | 0 | 176 | 83 | 89 | 0 | 172 | 823 |
| Bihar | 84 | 244 | 337 | 0 | 581 | 67 | 116 | 1 | 184 | 17 | 12 | 0 | 29 | 794 |
| Chandigarh | 16 | 20 | 44 | 0 | 64 | 13 | 11 | 0 | 24 | 0 | 5 | 0 | 5 | 93 |
| Chhattisgarh | 122 | 423 | 166 | 0 | 589 | 13 | 17 | 0 | 30 | 23 | 5 | 0 | 28 | 647 |
| Delhi | 125 | 206 | 231 | 0 | 437 | 99 | 130 | 0 | 229 | 14 | 24 | 0 | 38 | 704 |
| Goa | 70 | 82 | 99 | 0 | 181 | 6 | 20 | 0 | 26 | 0 | 0 | 0 | 0 | 207 |
| Gujarat | 169 | 705 | 489 | 0 | 1194 | 68 | 70 | 0 | 138 | 156 | 71 | 0 | 227 | 1559 |
| Haryana | 79 | 327 | 337 | 0 | 664 | 32 | 73 | 0 | 105 | 7 | 32 | 0 | 39 | 808 |
| Himachal Pradesh | 46 | 55 | 40 | 0 | 95 | 28 | 17 | 0 | 45 | 5 | 0 | 0 | 5 | 145 |
| J&K | 362 | 2317 | 436 | 0 | 2753 | 31 | 30 | 0 | 61 | 40 | 22 | 0 | 62 | 2876 |
| Jharkhand | 127 | 348 | 328 | 0 | 676 | 17 | 23 | 0 | 40 | 11 | 24 | 0 | 35 | 751 |
| Karnataka | 911 | 1629 | 1331 | 4 | 2964 | 407 | 322 | 0 | 729 | 348 | 166 | 2 | 516 | 4209 |
| Kerala | 1,242 | 843 | 789 | 0 | 1632 | 134 | 249 | 0 | 383 | 384 | 838 | 0 | 1222 | 3237 |
| MP | 146 | 297 | 457 | 0 | 754 | 131 | 209 | 0 | 340 | 82 | 67 | 0 | 149 | 1243 |
| Maharashtra | 1,284 | 2750 | 2652 | 14 | 5416 | 289 | 272 | 0 | 561 | 289 | 230 | 0 | 519 | 6496 |
| Manipur | 62 | 157 | 134 | 0 | 291 | 36 | 25 | 0 | 61 | 8 | 21 | 0 | 29 | 381 |
| Meghalaya | 84 | 212 | 275 | 0 | 487 | 21 | 15 | 0 | 36 | 4 | 1 | 0 | 5 | 528 |
| Mizoram | 46 | 49 | 33 | 0 | 82 | 2 | 4 | 0 | 6 | 15 | 14 | 0 | 29 | 117 |
| Nagaland | 67 | 81 | 67 | 0 | 148 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 148 |
| Odisha | 427 | 1602 | 1361 | 0 | 2963 | 191 | 179 | 0 | 370 | 236 | 214 | 0 | 450 | 3783 |
| Puducherry | 91 | 136 | 119 | 0 | 255 | 3 | 5 | 0 | 8 | 3 | 8 | 0 | 11 | 274 |
| Punjab | 73 | 154 | 132 | 0 | 286 | 49 | 120 | 0 | 169 | 9 | 4 | 0 | 13 | 468 |
| Rajasthan | 277 | 732 | 292 | 0 | 1024 | 108 | 106 | 0 | 214 | 30 | 11 | 0 | 41 | 1279 |
| Sikkim | 23 | 43 | 10 | 0 | 53 | 11 | 4 | 0 | 15 | 64 | 14 | 0 | 78 | 146 |

Details of Children in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Orphan | | | | Abandoned | | | | Surrendered | | | | Total children |
|-------------|-------------------------|--------|--------|----|--------|-----------|-------|----|-------|-------------|-------|----|-------|----------------|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total | Boys | Girls | TG | Total | |
| Tamil Nadu | 1,647 | 2553 | 3441 | 0 | 5994 | 807 | 743 | 0 | 1550 | 64 | 153 | 0 | 217 | 7761 |
| Telangana | 494 | 2088 | 1939 | 19 | 4046 | 39 | 167 | 0 | 206 | 408 | 486 | 12 | 906 | 5158 |
| Tripura | 44 | 97 | 100 | 0 | 197 | 24 | 33 | 0 | 57 | 6 | 11 | 0 | 17 | 271 |
| UP | 170 | 501 | 569 | 0 | 1070 | 107 | 178 | 0 | 285 | 250 | 156 | 0 | 406 | 1761 |
| Uttarakhand | 56 | 72 | 118 | 0 | 190 | 12 | 31 | 0 | 43 | 25 | 22 | 0 | 47 | 280 |
| West Bengal | 327 | 1101 | 798 | 0 | 1899 | 382 | 551 | 0 | 933 | 247 | 67 | 0 | 314 | 3146 |
| All India | 9,589 | 22,264 | 19,427 | 39 | 41,730 | 3,498 | 4,178 | 1 | 7,677 | 3,471 | 3,306 | 14 | 6,791 | 56,198 |

4.9 The total number of orphans residing in CCIs/Homes across India is 41,730 of which Tamil Nadu and Maharashtra alone have 11,410 (27.3%) orphans. Tamil Nadu also has the highest number of abandoned children (1550) in the country. The other States/UTs where CCIs/Homes have above 500 abandoned children are Andhra Pradesh, Karnataka, Maharashtra and West Bengal. With respect to the

The JJ Act of 2015 defines an orphan under Section 2 (42) as a child who is without biological or adoptive parents or legal guardian; or whose legal guardian is not willing to take, or capable of taking care of the child.

number of surrendered children, the situation in CCIs/Homes of Southern States like Andhra Pradesh and Kerala with 1135 and 1222 surrendered children respectively draws attention. Further, other Southern States like Karnataka and Telangana also have more than 500 surrendered children in CCIs/Homes. The reasons for these numbers may partly be that the States in the South of India have many more CCIs/Homes altogether. The reason may also be that these States have established an effective system for identifying orphan, abandoned, surrendered children and bringing them into the safety net of JJ services. However a complete analysis of this aspect was beyond the scope of this study.

4.10 Table 4.2 also shows that the highest percentage of occupancy of orphan/abandoned/surrendered girls in CCIs/Homes is seen in Tamil Nadu with 16.12% (4337), followed by Maharashtra with 11.72% (3154) and Andhra Pradesh at 10.67 % (2872) respectively. The lowest percentage of occupancy of Orphan/abandoned/surrendered girls (less than 1%) amongst the other major States/UTs, can be seen in 6 States/UTs, namely Himachal Pradesh, Arunachal Pradesh, Tripura,

Uttarakhand, Chhattisgarh and Punjab. As far as Orphan/abandoned/surrendered boys is concerned, the highest occupancy can be found in Tamil Nadu with 11.71 % (3424), Maharashtra at 11.38% (3328) and Andhra Pradesh at 10.12% (2959) respectively, whereas, less than 1% occupancy in CCIs/Homes by Orphan/abandoned/surrendered boys can be seen in five States namely Himachal Pradesh, Arunachal Pradesh, Uttarakhand, Tripura and Punjab at lower than 1% each. Chandigarh, Mizoram and Nagaland CCIs/Homes are seen to have almost zero occupancy of Orphan/abandoned/surrendered boys.

4.11 Table 4.3 below illustrates the reported number of Orphan, abandoned and surrendered transgender children occupying CCIs/Homes across five States of India namely Andhra Pradesh, Bihar, Karnataka, Maharashtra and Telangana. Of the reported 54 transgender children, 31 are from Telangana, 14 from Maharashtra, and the rest are from other States. However, it is seen that apart from this no other information is available regarding TG children availing services and being rehabilitated in different CCIs/Homes across States/UTs.

Table 4.3 Reported number of Orphan/Abandoned/ Surrendered Transgender Children in CCIs/Homes

| States | Total No. of Homes | Orphan | Abandoned | Surrendered | Total TG Children |
|------------------------|--------------------|-----------|-----------|-------------|-------------------|
| Andhra Pradesh | 762 | 2 | 0 | 0 | 2 |
| Bihar | 84 | 0 | 1 | 0 | 1 |
| Karnataka | 911 | 4 | 0 | 2 | 6 |
| Maharashtra | 1,284 | 14 | 0 | 0 | 14 |
| Telangana | 494 | 19 | 0 | 12 | 31 |
| All India Total | 3,535 | 39 | 1 | 14 | 54 |

4.12 In table 4.4 below, it is seen that that there are altogether 5,931 children (2,959 orphans, 1,763 abandoned and 1,209 surrendered) in the age group of 0-6 years living in CCIs/Homes. Amongst the age group of 7-18 years there are in total 50,263 (38,765 orphan, 5,914 abandoned and 5,584 surrendered)

Under Section 2 (1) of the JJ Act an abandoned child means a child deserted by his biological or adoptive parents or guardians, who has been declared as abandoned by the Committee after due inquiry.

children who are staying in CCIs/Homes across the country. This is important to note as the chances are that adoption may not be possible for the children in the older age category and the other non institutional measures would need to be brought in.

Table 4.4 Age wise segregation of Orphan, Abandoned and Surrendered Children in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Orphan | | | Abandoned | | | Surrendered | | |
|------------------|-------------------------|--------|------|-------|-----------|------|-------|-------------|------|-------|
| | | 0-6 | 7-18 | Total | 0-6 | 7-18 | Total | 0-6 | 7-18 | Total |
| A&N | 17 | 5 | 55 | 60 | 0 | 0 | 0 | 4 | 35 | 39 |
| Andhra Pradesh | 762 | 310 | 3738 | 4048 | 68 | 582 | 650 | 128 | 1007 | 1135 |
| Arunachal | 8 | 1 | 161 | 162 | 1 | 2 | 3 | 3 | 5 | 8 |
| Assam | 131 | 53 | 422 | 475 | 43 | 133 | 176 | 32 | 140 | 172 |
| Bihar | 84 | 139 | 442 | 581 | 79 | 105 | 184 | 15 | 14 | 29 |
| Chandigarh | 16 | 11 | 53 | 64 | 7 | 17 | 24 | 5 | 0 | 5 |
| Chhattisgarh | 122 | 19 | 570 | 589 | 3 | 27 | 30 | 4 | 24 | 28 |
| Delhi | 125 | 15 | 422 | 437 | 107 | 122 | 229 | 29 | 9 | 38 |
| Goa | 70 | 10 | 171 | 181 | 7 | 19 | 26 | 0 | 0 | 0 |
| Gujarat | 169 | 214 | 980 | 1194 | 59 | 79 | 138 | 36 | 191 | 227 |
| Haryana | 79 | 56 | 608 | 664 | 30 | 75 | 105 | 10 | 29 | 39 |
| Himachal Pradesh | 46 | 2 | 95 | 95 | 3 | 42 | 45 | 0 | 5 | 5 |
| J&K | 362 | 41 | 2712 | 2753 | 12 | 49 | 61 | 0 | 62 | 62 |
| Jharkhand | 127 | 108 | 568 | 676 | 12 | 28 | 40 | 7 | 28 | 35 |
| Karnataka | 911 | 145 | 2819 | 2964 | 119 | 610 | 729 | 101 | 415 | 516 |
| Kerala | 1,242 | 106 | 1526 | 1632 | 78 | 305 | 383 | 107 | 1115 | 1222 |
| Madhya Pradesh | 146 | 49 | 705 | 754 | 107 | 233 | 340 | 35 | 114 | 149 |
| Maharashtra | 1,284 | 417 | 4999 | 5416 | 295 | 266 | 561 | 342 | 177 | 519 |
| Manipur | 62 | 9 | 282 | 291 | 10 | 51 | 61 | 7 | 22 | 29 |
| Meghalaya | 84 | 32 | 455 | 487 | 8 | 28 | 36 | 0 | 5 | 5 |
| Mizoram | 46 | 14 | 68 | 82 | 1 | 5 | 6 | 21 | 8 | 29 |
| Nagaland | 67 | 21 | 127 | 148 | 0 | 0 | 0 | 0 | 0 | 0 |
| Odisha | 427 | 174 | 2789 | 2963 | 123 | 247 | 370 | 87 | 363 | 450 |

Details of Children in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Orphan | | | Abandoned | | | Surrendered | | |
|---------------|-------------------------|--------------|---------------|---------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | | 0-6 | 7-18 | Total | 0-6 | 7-18 | Total | 0-6 | 7-18 | Total |
| Puducherry | 91 | 14 | 241 | 255 | 7 | 1 | 8 | 10 | 1 | 11 |
| Punjab | 73 | 24 | 262 | 286 | 29 | 140 | 169 | 8 | 5 | 13 |
| Rajasthan | 277 | 160 | 864 | 1024 | 24 | 190 | 214 | 18 | 23 | 41 |
| Sikkim | 23 | 0 | 53 | 53 | 3 | 12 | 15 | 2 | 76 | 78 |
| Tamil Nadu | 1,647 | 249 | 5746 | 5995 | 224 | 1326 | 1550 | 70 | 149 | 219 |
| Telangana | 494 | 267 | 3779 | 4046 | 43 | 163 | 206 | 53 | 853 | 906 |
| Tripura | 44 | 8 | 189 | 197 | 14 | 43 | 57 | 13 | 4 | 17 |
| Uttar Pradesh | 170 | 169 | 901 | 1070 | 45 | 240 | 285 | 13 | 393 | 406 |
| Uttarakhand | 56 | 30 | 160 | 190 | 4 | 39 | 43 | 7 | 40 | 47 |
| West Bengal | 327 | 87 | 1812 | 1899 | 198 | 735 | 933 | 42 | 272 | 314 |
| Total | 9,589 | 2,959 | 38,765 | 41,731 | 1,763 | 5,914 | 7,677 | 1,209 | 5,584 | 6,793 |

4.13 The above table also shows that amongst all the three sub-categories residing in CCIs/Homes, orphan children are the highest in number (38,765). 12 States/UTs have a population of more than 100 orphan children in the age group of 0-6 years residing in CCIs/Homes. In the abandoned category, more than 100 children in the age group of 0-6 years are seen in the CCIs/Homes in Delhi, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Tamil Nadu and West Bengal. In the category of surrendered children, States/UTs with more than 100 surrendered children in the age group of 0-6 years, residing in CCIs/Homes are Andhra Pradesh (128), Karnataka (101), Kerala (107) and Maharashtra (342).

4.14 In the age group of 7-18 years Tamil Nadu, Telangana, Odisha, Maharashtra, Kerala, Karnataka,

Under Section 35 of JJ Act, a parent or guardian, who for physical, emotional and social factors beyond their control, wishes to surrender a child, shall produce the child before the Committee. On the satisfaction of the Committee after prescribed process of inquiry and counseling, a surrender deed shall be executed by the parent or guardian before the Committee. The parents or guardian who surrendered the child, are given two months time to reconsider their decision and in the intervening period the Committee shall either allow, after due inquiry, the child to be with the parents or guardian under supervision, or place the child in a Specialized Adoption Agency (SAA), if he or she is below six years of age, or a children's home if he is above six years of age

Jammu and Kashmir and Andhra Pradesh have more number of orphan children residing in their CCIs/Homes, whereas, there are a total number of 5914 abandoned children in the same age group in the CCIs/Homes across the country. Andhra Pradesh, Karnataka, Tamil Nadu and West Bengal have more than 500 abandoned children residing in their CCIs/Homes. Of 6,793 surrendered children residing in the CCIs/Homes across the country in the age group of 7-18, Andhra Pradesh (1135), Kerala (1222), Karnataka (516), Maharashtra (519) and Telangana (906), make up for almost 60% of the total surrendered children residing in 9589 CCIs/Homes.

II. Children of Single Parent

4.15 One of the findings of this Study is that a large number of children with single parents are staying in the CCIs/Homes. This category of children is often sent to CCIs/Homes to ensure safety and well being and avail of an opportunity for education and vocational training. It is seen that, more often than not, a non-conducive social environment and/or an inability to provide for basic needs, forces parents to take this decision. Children of Single Parents category would fall under Section 2(14) of the JJ Act and thereby qualify to be children in need of care and protection. The data shows that percentage of children falling under this category constitutes fairly a large percentage of the total occupancy of children in the CCIs/Homes across India. Significantly, their number at 1,20,118 is more than double that of the orphan, abandoned and surrendered children. Table 4.5 shows State-wise the number of children with single parent residing in CCI/Homes across the Country.

Table 4.5 State-wise distribution of Children with Single Parent residing in CCIs/Homes

| States/UTs | Total No. of CCIs/ Homes | Single Parents | | | Total |
|----------------|-----------------------------|----------------|-------|-------------|-------|
| | | Boys | Girls | Transgender | |
| A&N | 17 | 137 | 112 | 0 | 249 |
| Andhra Pradesh | 762 | 4989 | 5113 | 11 | 10113 |
| Arunachal | 8 | 5 | 5 | 0 | 10 |
| Assam | 131 | 644 | 362 | 0 | 1006 |
| Bihar | 84 | 199 | 141 | 0 | 340 |
| Chandigarh | 16 | 73 | 127 | 0 | 200 |
| Chhattisgarh | 122 | 462 | 169 | 0 | 631 |
| Delhi | 125 | 739 | 658 | 0 | 1397 |

Details of Children in CCIs/Homes

| States/UTs | Total No. of CCIs/ Homes | Single Parents | | | Total |
|------------------------|-----------------------------|----------------|---------------|-------------|-----------------|
| | | Boys | Girls | Transgender | |
| Goa | 70 | 460 | 434 | 0 | 894 |
| Gujarat | 169 | 1373 | 887 | 0 | 2260 |
| Haryana | 79 | 337 | 349 | 0 | 686 |
| Himachal Pradesh | 46 | 324 | 157 | 0 | 481 |
| J&K | 362 | 2999 | 957 | 0 | 3956 |
| Jharkhand | 127 | 464 | 299 | 0 | 763 |
| Karnataka | 911 | 5554 | 4516 | 10 | 10080 |
| Kerala | 1,242 | 5347 | 5435 | 0 | 10782 |
| Madhya Pradesh | 146 | 349 | 228 | 0 | 577 |
| Maharashtra | 1,284 | 14784 | 6462 | 14 | 21260 |
| Manipur | 62 | 189 | 181 | 0 | 370 |
| Meghalaya | 84 | 162 | 223 | 0 | 385 |
| Mizoram | 46 | 365 | 182 | 0 | 547 |
| Nagaland | 67 | 188 | 152 | 0 | 340 |
| Odisha | 427 | 4568 | 3538 | 0 | 8106 |
| Pudduchery | 91 | 438 | 627 | 0 | 1065 |
| Punjab | 73 | 216 | 210 | 0 | 426 |
| Rajasthan | 277 | 1283 | 309 | 0 | 1592 |
| Sikkim | 23 | 80 | 51 | 0 | 131 |
| Tamil Nadu | 1,647 | 13466 | 17632 | 0 | 31098 |
| Telangana | 494 | 3606 | 2953 | 25 | 6584 |
| Tripura | 44 | 150 | 135 | 0 | 285 |
| Uttar Pradesh | 170 | 430 | 441 | 0 | 871 |
| Uttarakhand | 56 | 163 | 84 | 0 | 247 |
| West Bengal | 327 | 1419 | 967 | 0 | 2386 |
| All India Total | 9,589 | 65,962 | 54,096 | 60 | 1,20,118 |

4.16 The States that have maximum number of children with single parents residing in CCIs/Homes are Tamil Nadu, Maharashtra, Andhra Pradesh, Karnataka and Kerala. In terms of the gender divide, it is seen that there are more boys than girls staying in CCIs/Homes who fall in this category and while Andhra Pradesh, Kerala and Tamil Nadu have the highest number of girls, Tamil Nadu, Karnataka and Maharashtra have the highest number of boys in this category staying in CCIs/Homes.

III. Sexually abused Children

4.17 Details of Children placed in CCIs/Homes for rehabilitation and long term care because they have been victims of Sexual abuse or Child Pornography may be seen below in Table 4.6. Children who have been victims of Sexual abuse and are thereafter placed in institutional care for rehabilitation, need specialised care. These categories of children undergo immense trauma and thereby develop a host of psychological and emotional disorders as an aftermath of the abuse which can contribute to arrested developments. Many children and adolescents, in fact, may never learn how to deal with their abusive experiences or the effects thereafter if proper care and counseling is not provided to them.

Table 4.6 Number of Sexually Abused Children and Victims of Child Pornography residing in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Sexually Abused | | | | Victim of Child Pornography | | | |
|-------------------|-------------------------|-----------------|-------|----|-------|-----------------------------|-------|----|-------|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total |
| A&N | 17 | 0 | 6 | 0 | 6 | 0 | 0 | 0 | 0 |
| Andhra Pradesh | 762 | 5 | 71 | 3 | 79 | 0 | 0 | 0 | 0 |
| Arunachal Pradesh | 8 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 0 |
| Assam | 131 | 0 | 27 | 0 | 27 | 0 | 0 | 0 | 0 |
| Bihar | 84 | 0 | 19 | 0 | 19 | 0 | 0 | 0 | 0 |
| Chandigarh | 16 | 0 | 10 | 0 | 10 | 0 | 0 | 0 | 0 |
| Chhattisgarh | 122 | 1 | 16 | 0 | 17 | 24 | 0 | 0 | 24 |
| Delhi | 125 | 11 | 87 | 0 | 98 | 0 | 0 | 0 | 0 |
| Goa | 70 | 0 | 8 | 0 | 8 | 0 | 0 | 0 | 0 |
| Gujarat | 169 | 3 | 39 | 0 | 42 | 0 | 0 | 0 | 0 |
| Haryana | 79 | 0 | 11 | 0 | 11 | 0 | 0 | 0 | 0 |
| Himachal Pradesh | 46 | 0 | 7 | 0 | 7 | 0 | 0 | 0 | 0 |
| J&K | 362 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 |
| Jharkhand | 127 | 0 | 61 | 0 | 61 | 0 | 0 | 0 | 0 |
| Karnataka | 911 | 29 | 155 | 0 | 184 | 87 | 26 | 0 | 113 |
| Kerala | 1,242 | 36 | 202 | 0 | 238 | 3 | 0 | 0 | 3 |
| Madhya Pradesh | 146 | 0 | 9 | 0 | 9 | 0 | 1 | 0 | 1 |
| Maharashtra | 1,284 | 9 | 199 | 0 | 208 | 0 | 2 | 0 | 2 |

Details of Children in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Sexually Abused | | | | Victim of Child Pornography | | | |
|---------------|-------------------------|-----------------|-------|----|-------|-----------------------------|-------|----|-------|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total |
| Manipur | 62 | 0 | 13 | 0 | 13 | 0 | 0 | 0 | 0 |
| Meghalaya | 84 | 0 | 4 | 0 | 4 | 0 | 0 | 0 | 0 |
| Mizoram | 46 | 3 | 50 | 0 | 53 | 0 | 0 | 0 | 0 |
| Nagaland | 67 | 0 | 4 | 0 | 4 | 0 | 0 | 0 | 0 |
| Odisha | 427 | 23 | 61 | 0 | 84 | 1 | 3 | 0 | 4 |
| Pudduchery | 91 | 0 | 15 | 0 | 15 | 0 | 0 | 0 | 0 |
| Punjab | 73 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 |
| Rajasthan | 277 | 2 | 16 | 0 | 18 | 0 | 2 | 0 | 2 |
| Sikkim | 23 | 0 | 10 | 0 | 10 | 0 | 0 | 0 | 0 |
| Tamil Nadu | 1,647 | 17 | 45 | 0 | 62 | 0 | 4 | 0 | 4 |
| Telangana | 494 | 47 | 80 | 0 | 127 | 33 | 2 | 0 | 35 |
| Tripura | 44 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Uttar Pradesh | 170 | 19 | 15 | 0 | 34 | 1 | 0 | 0 | 1 |
| Uttarakhand | 56 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| West Bengal | 327 | 81 | 42 | 0 | 123 | 0 | 0 | 0 | 0 |
| All India | 9,589 | 286 | 1286 | 3 | 1575 | 149 | 40 | 0 | 189 |

4.18 It is seen from Table 4.6 above that Karnataka with 113 cases has the highest percentage (approx. 60%) of reported victims of child pornography placed in institutional care. The data also reveals that 23 out of 33 States/UTs did not report any victims of pornography placed in institutional care. Further, it is observed from the table that the victims of child pornography placed in institutional care are more boys (almost 4 times more) than girls whereas much larger number of girls are victims of Sexual abuse as compared to the boys. This data, however, needs to be interpreted in the light of reporting or recording practices and stigma associated with these matters.

Section 30 of the JJ Act states that the functions and responsibilities of the CWC shall include (xiii) taking action for rehabilitation of Sexually abused children who are reported as children in need of care and protection to the Committee by Special Juvenile Police Unit or local police, as the case may be, under the Protection of Children from Sexual Offences Act, 2012

4.19 In this context it may also be mentioned that the National Commission for Protection of Child Rights as well as several State Commissions have created guidelines for various stakeholders such as the Child Welfare Committees, which have been developed to assist child survivors of Sexual abuse and these include inter alia the following rights: (i) Right to Privacy and Confidentiality, (ii) Right to Non-Discrimination, (iii) Right to express his/her views in all matters affecting the child, (iv) Right to Safety and Well-Being.

4.20 Sexual Abuse of boys is not uncommon; however it is much less reported or addressed. Hence, both the JJ Act and the Protection of Children from Sexual Offences (POCSO) Act are gender neutral. Though the percentage of children in this category residing in the CCIs/Homes is very low, data confirms that such a category of children does exist, making this an issue of concern and intervention.

IV. Trafficked Children

4.21 Trafficking of children is an organized crime and a serious child protection concern. In India, trafficking of children is for multiple purposes such as Labour, Commercial Sexual Exploitation, Domestic work etc. Poverty, lack of awareness, aspirations for a better life etc. are some of the reasons that contribute to children becoming vulnerable to or victims of Trafficking. This section presents data on children residing in CCI/Homes, who were rescued from trafficking for domestic work, labour or commercial sexual exploitation.

Table 4.7 Gender disaggregated data of Children Trafficked for Domestic Work/Labour/ Commercial Sexual Exploitation found in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Trafficked for Domestic Work | | | | Trafficked for Labour | | | | Trafficked for Commercial Sexual Exploitation | | | | Total Trafficked Children in CCIs/Homes |
|-------------------|-------------------------|------------------------------|-------|----|-------|-----------------------|-------|----|-------|---|-------|----|-------|---|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total | Boys | Girls | TG | Total | |
| A&N | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Andhra Pradesh | 762 | 38 | 61 | 0 | 99 | 297 | 157 | 0 | 454 | 0 | 1 | 0 | 1 | 554 |
| Arunachal Pradesh | 8 | 0 | 0 | 0 | 0 | 9 | 9 | 0 | 18 | 0 | 0 | 0 | 0 | 18 |
| Assam | 131 | 5 | 29 | 0 | 34 | 17 | 26 | 0 | 43 | 0 | 5 | 0 | 5 | 82 |
| Bihar | 84 | 9 | 10 | 0 | 19 | 192 | 4 | 0 | 196 | 3 | 7 | 0 | 10 | 225 |

Details of Children in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Trafficked for Domestic Work | | | | Trafficked for Labour | | | | Trafficked for Commercial Sexual Exploitation | | | | Total Trafficked Children in CCIs/Homes |
|------------------|-------------------------|------------------------------|-------|----|-------|-----------------------|-------|----|-------|---|-------|----|-------|---|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total | Boys | Girls | TG | Total | |
| Chandigarh | 16 | 0 | 0 | 0 | 0 | 7 | 4 | 0 | 11 | 0 | 0 | 0 | 0 | 11 |
| Chhattisgarh | 122 | 9 | 1 | 0 | 10 | 34 | 1 | 0 | 35 | 0 | 0 | 0 | 0 | 45 |
| Delhi | 125 | 58 | 48 | 0 | 106 | 44 | 39 | 0 | 83 | 0 | 10 | 0 | 10 | 199 |
| Goa | 70 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Gujarat | 169 | 5 | 4 | 0 | 9 | 3 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 12 |
| Haryana | 79 | 1 | 3 | 0 | 4 | 10 | 2 | 0 | 12 | 0 | 1 | 0 | 1 | 17 |
| Himachal Pradesh | 46 | 0 | 0 | 0 | 0 | 4 | 3 | 0 | 7 | 0 | 0 | 0 | 0 | 7 |
| J&K | 362 | 5 | 0 | 0 | 5 | 3 | 0 | 0 | 3 | 0 | 1 | 0 | 1 | 9 |
| Jharkhand | 127 | 0 | 31 | 0 | 31 | 0 | 27 | 0 | 27 | 1 | 7 | 0 | 8 | 66 |
| Karnataka | 911 | 127 | 83 | 0 | 210 | 147 | 109 | 0 | 256 | 25 | 27 | 0 | 52 | 518 |
| Kerala | 1,242 | 0 | 1 | 0 | 1 | 5 | 11 | 0 | 16 | 0 | 0 | 0 | 0 | 17 |
| Madhya Pradesh | 146 | 3 | 2 | 0 | 5 | 2 | 0 | 0 | 2 | 0 | 68 | 0 | 68 | 75 |
| Maharashtra | 1,284 | 17 | 15 | 0 | 32 | 161 | 18 | 0 | 179 | 8 | 162 | 0 | 170 | 381 |
| Manipur | 62 | 0 | 7 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 |
| Meghalaya | 84 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mizoram | 46 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 1 |
| Nagaland | 67 | 0 | 5 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| Odisha | 427 | 17 | 23 | 0 | 40 | 44 | 32 | 0 | 76 | 0 | 5 | 0 | 5 | 121 |
| Puduchery | 91 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Punjab | 73 | 1 | 0 | 0 | 1 | 2 | 1 | 0 | 3 | 0 | 0 | 0 | 0 | 4 |
| Rajasthan | 277 | 6 | 9 | 0 | 15 | 67 | 0 | 0 | 67 | 0 | 0 | 0 | 0 | 82 |
| Sikkim | 23 | 0 | 2 | 0 | 2 | 6 | 7 | 0 | 13 | 0 | 0 | 0 | 0 | 15 |
| Tamil Nadu | 1,647 | 14 | 4 | 0 | 18 | 25 | 9 | 0 | 34 | 0 | 7 | 0 | 7 | 59 |
| Telangana | 494 | 32 | 78 | 0 | 110 | 24 | 115 | 0 | 139 | 0 | 38 | 0 | 38 | 287 |
| Tripura | 44 | 1 | 0 | 0 | 1 | 2 | 2 | 0 | 4 | 0 | 0 | 0 | 0 | 5 |
| Uttar Pradesh | 170 | 2 | 2 | 0 | 4 | 37 | 3 | 0 | 40 | 0 | 1 | 0 | 1 | 45 |
| Uttarakhand | 56 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| West Bengal | 327 | 54 | 35 | 0 | 89 | 44 | 61 | 0 | 105 | 0 | 111 | 0 | 111 | 305 |
| India | 9,589 | 404 | 453 | 0 | 857 | 1186 | 641 | 0 | 1827 | 38 | 451 | 0 | 489 | 3173 |

4.22 The largest numbers of children rescued from domestic work, labour and commercial Sexual exploitation residing in CCIs/Homes are seen in the States of Andhra Pradesh (554), Karnataka (518), Maharashtra (381) and Telangana (287).

4.23 The highest number of children rescued from trafficking for domestic work has been found in the CCIs/Homes of Karnataka (210), Telangana (110) and Delhi (106). The data shows us that these States are perhaps destination States for the above mentioned kinds of trafficking and also that reporting and rescue mechanisms are more functional here. The above table also reflects that, in comparison

to boys, large number of girls are trafficked for domestic help. However, that may not be a reflection on the practice per se but instead an outcome of more accurate rescue and reporting of incidents related to girls. Also, other important information regarding Source States, reasons for vulnerability are not reflected via facts collected through this study.

4.24 The JJ Act defines children forced into labour as child in need of care and protection. Among the children trafficked for labour other than domestic work, large numbers are seen in the CCI/Homes of Andhra Pradesh (454), Bihar (196), Karnataka (256), Maharashtra (179), Telangana (139) and West Bengal (105). The data reflects that with respect to labour, more boys have been rescued and placed in CCIs than girls. It also reflects that CCIs/Homes in Andhra Pradesh have the highest percentage of boys(25%) who have been rescued from labour, followed by the CCIs/Homes of Bihar (16.2%).

4.25 Children trafficked for commercial Sexual exploitation are not only victims of a heinous crime but are also likely to be inducted into drug abuse or other forms of illegal activities. This makes them among the most vulnerable categories of children in need of care and protection. They

Under 79 of the JJ Act 2015 notwithstanding anything contained in any law for the time being in force, whoever ostensibly engages a child and keeps him in bondage for the purpose of employment or withholds his earnings or uses such earning for his own purposes shall be punishable with rigorous imprisonment for a term which may extend to five years and shall also be liable to fine of one lakh rupees.

Explanation - For the purposes of this section, the term "employment" shall also include selling goods and services, and entertainment in public places for economic gain.

have been covered extensively by Section 2 (14) sub sections (viii), (ix) and (x) of the JJ Act. Such children have been found in CCI/Homes of Assam, Bihar, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Tamil Nadu, Telangana and West Bengal. Maharashtra, with the highest number (170 of a total 489) houses 33% of such children.

V. Runaway / Missing Children

4.26 A large number of children go missing every year in India, regarding which there is no one source of information making it difficult to ascertain the exact number of such children. What is known though is that a significant number of these children remain untraced. According to NHRC², 2005 data, an average of 44,000 children go missing every year in India out of which an estimated 11,000 numbers remain untraced. These include children who run away because of situations at Home, in the family or community or those who are abducted/ kidnapped.

4.27 According to the JJ Act, a child is placed under the umbrella of CNCP if they are a missing or run away child, or a child whose parents cannot be found after making reasonable inquiry. Such children run away from home mostly as they are victims of circumstances (family conflict, single parents, poverty, unsafe migration, and illiteracy) that result in separation from their families. They end up living on the streets if they are unable to for some reason or not inclined to return to their families or if their families have no wish to take them back, hence becoming prone to exploitation, physical abuse, child labor, Sexual abuse and commercial sexual exploitation. These can scar the child for a lifetime. The JJ Act provides Shelter Homes and Children Homes for their shelter, protection and rehabilitation. Run away children are at high risk of becoming victims of multiple vulnerabilities like child marriage, substance abuse, physical abuse, Sexual abuse and other illegal activities along with child labour, prostitution. These can have a lifetime impact on the children.

4.28 The data, presented in Table 4.8 below, reflects the occupancy of runaway or missing children in CCIs/Homes across States/UTs in India.. The number stands at 3,780, majority (61%) of which is boys. The highest number of runaway/missing children found by the JJ system and placed in CCIs/Homes has been reported from Bihar, Maharashtra, Karnataka, Delhi and West Bengal. It is also seen that Andhra Pradesh, Uttar Pradesh, Punjab, Madhya Pradesh, Tamil Nadu and Haryana also have

²Report of the NHRC Committee on Missing Children

quite a high number of such children residing in their CCIs/Homes. In this category, Maharashtra has more boys in their CCIs/Homes followed closely by Bihar. The data also points out that no State/UT has transgender children in this category residing in their CCIs/Homes.

Table 4.8 Gender disaggregated data of Runaway/Missing Children in CCIs/Homes

| States/UTs | Total No. of CCIs/ Homes | Runaway/Missing | | | |
|-------------------|-----------------------------|-----------------|-------|-------------|-------|
| | | Boys | Girls | Transgender | Total |
| A&N | 17 | 0 | 0 | 0 | 0 |
| Andhra Pradesh | 762 | 196 | 86 | 0 | 282 |
| Arunachal Pradesh | 8 | 3 | 0 | 0 | 3 |
| Assam | 131 | 61 | 56 | 0 | 117 |
| Bihar | 84 | 262 | 131 | 0 | 393 |
| Chandigarh | 16 | 9 | 11 | 0 | 20 |
| Chhattisgarh | 122 | 38 | 12 | 0 | 50 |
| Delhi | 125 | 211 | 129 | 0 | 340 |
| Goa | 70 | 3 | 2 | 0 | 5 |
| Gujarat | 169 | 40 | 32 | 0 | 72 |
| Haryana | 79 | 78 | 40 | 0 | 118 |
| Himachal Pradesh | 46 | 2 | 5 | 0 | 7 |
| J&K | 362 | 7 | 2 | 0 | 9 |
| Jharkhand | 127 | 25 | 5 | 0 | 30 |
| Karnataka | 911 | 230 | 137 | 0 | 367 |
| Kerala | 1,242 | 31 | 30 | 0 | 61 |
| Madhya Pradesh | 146 | 114 | 25 | 0 | 139 |
| Maharashtra | 1,284 | 264 | 124 | 0 | 388 |
| Manipur | 62 | 2 | 2 | 0 | 4 |
| Meghalaya | 84 | 3 | 3 | 0 | 6 |
| Mizoram | 46 | 8 | 5 | 0 | 13 |
| Nagaland | 67 | 2 | 6 | 0 | 8 |
| Odisha | 427 | 46 | 32 | 0 | 78 |
| Puduchery | 91 | 0 | 3 | 0 | 3 |
| Punjab | 73 | 131 | 144 | 0 | 275 |
| Rajasthan | 277 | 59 | 112 | 0 | 171 |
| Sikkim | 23 | 3 | 0 | 0 | 3 |

| States/UTs | Total No. of CCIs/ Homes | Runaway/Missing | | | |
|---------------|-----------------------------|-----------------|-------|-------------|-------|
| | | Boys | Girls | Transgender | Total |
| Tamil Nadu | 1,647 | 101 | 37 | 0 | 138 |
| Telangana | 494 | 63 | 7 | 0 | 70 |
| Tripura | 44 | 2 | 0 | 0 | 2 |
| Uttar Pradesh | 170 | 185 | 92 | 0 | 277 |
| Uttarakhand | 56 | 37 | 4 | 0 | 41 |
| West Bengal | 327 | 123 | 167 | 0 | 290 |
| India | 9,589 | 2,339 | 1,441 | 0 | 3,780 |

VI. Child Marriage

4.29 Childhood is a stage of development and growth, whereas, marriage is an institution which comes with additional economic and social responsibility. A child, who is yet to grow into a full-fledged empowered adult, is not capable of taking up any responsibility that normally gets entrusted to an individual after marriage. Despite strict legislations such as the JJ Act, POCSO and Prohibition of Child Marriage Act (PCMA), a large number of children in India still continue to be the victims of child marriage.

Under Section 2 (14) (xii) of the JJ Act, 2015 a child who is at imminent risk of marriage before attaining the age of marriage and whose parents, family members, guardian and any other persons are likely to be responsible for solemnization of such marriage is a child in need of care and protection.

4.30 This exercise has also reported occupancy of victims of child marriage across gender and varied age groups residing in CCIs/Homes across the country. A total of 469 such victims (29 boys and 440 girls) have been reported altogether. The highest numbers belong to West Bengal, followed by Karnataka, Andhra Pradesh and Madhya Pradesh. With respect to age groups, there are 13 such children in the age below 11 years category, 149 in the age group of 12-16 years and 307 in the age group of 16-18 years. This data, however, reflects only the victims that reached the CCIs/Homes and not the actual number of victims of child marriage.

Table 4.9 Gender and Age disaggregated data of Child Marriage Victims (CMV) residing in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Boys | Girls | 0-11 yrs. | 12-16 yrs. | 16-18 yrs. | Total CMV |
|-------------------|-------------------------|------|-------|-----------|------------|------------|-----------|
| A&N | 17 | 0 | 0 | 0 | 0 | 0 | 0 |
| Andhra Pradesh | 762 | 2 | 57 | 2 | 25 | 32 | 59 |
| Arunachal Pradesh | 8 | 8 | 0 | 0 | 6 | 2 | 8 |
| Assam | 131 | 0 | 9 | 0 | 0 | 9 | 9 |
| Bihar | 84 | 2 | 9 | 0 | 0 | 11 | 11 |
| Chandigarh | 16 | 0 | 0 | 0 | 0 | 0 | 0 |
| Chhattisgarh | 122 | 0 | 6 | 0 | 0 | 6 | 6 |
| Delhi | 125 | 0 | 9 | 0 | 1 | 8 | 9 |
| Goa | 70 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gujarat | 169 | 1 | 1 | 0 | 1 | 1 | 2 |
| Haryana | 79 | 0 | 12 | 0 | 0 | 12 | 12 |
| Himachal Pradesh | 46 | 0 | 0 | 0 | 0 | 0 | 0 |
| J&K | 362 | 0 | 2 | 0 | 0 | 2 | 2 |
| Jharkhand | 127 | 0 | 2 | 0 | 2 | 0 | 2 |
| Karnataka | 911 | 1 | 71 | 2 | 33 | 37 | 72 |
| Kerala | 1,242 | 0 | 4 | 0 | 2 | 2 | 4 |
| Madhya Pradesh | 146 | 0 | 53 | 0 | 11 | 42 | 53 |
| Maharashtra | 1,284 | 0 | 11 | 0 | 5 | 6 | 11 |
| Manipur | 62 | 0 | 0 | 0 | 0 | 0 | 0 |
| Meghalaya | 84 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mizoram | 46 | 0 | 1 | 0 | 0 | 1 | 1 |
| Nagaland | 67 | 0 | 0 | 0 | 0 | 0 | 0 |
| Odisha | 427 | 12 | 4 | 4 | 10 | 2 | 16 |
| Pudduchery | 91 | 0 | 2 | 0 | 1 | 1 | 2 |
| Punjab | 73 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rajasthan | 277 | 0 | 26 | 0 | 3 | 23 | 26 |
| Sikkim | 23 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tamil Nadu | 1,647 | 0 | 19 | 0 | 9 | 10 | 19 |
| Telangana | 494 | 0 | 37 | 2 | 7 | 28 | 37 |
| Tripura | 44 | 0 | 0 | 0 | 0 | 0 | 0 |
| Uttar Pradesh | 170 | 0 | 20 | 0 | 3 | 17 | 20 |
| Uttarakhand | 56 | 0 | 1 | 0 | 1 | 0 | 1 |
| West Bengal | 327 | 3 | 84 | 3 | 29 | 55 | 87 |
| India | 9,589 | 29 | 440 | 13 | 149 | 307 | 469 |

4.31 The information collected in this exercise shows that the number of victims of child marriage housed in the CCIs/Homes is quite low among all the States/UTs.

VII. Children Affected and Infected by HIV and AIDS

4.32 HIV/AIDS infected individuals often experience stigma and discrimination in the society even if they are children. However, children affected with HIV/AIDS namely those who lose their parents to the syndrome bear the maximum brunt. Such children are not only orphaned or lose a parent, they also struggle to live their lives without care and security even if extended family exists. Such children are often found in institutional care for lack of any other available alternative.

The JJ Act under Section 2 (14) (iv) states that a child who is mentally ill or mentally or physically challenged or suffering from terminal or incurable disease, having no one to support or look after or having parents or guardians unfit to take care, if found so by the Board or the Committee will fall under the category of a child in need of care and protection.

4.33 CCIs/Homes are looked at as the first and virtually only solution for children who are affected by HIV AIDS and whose families are unable to care for them. This is so, despite provisions being in place, for adoption, sponsorship and foster care (as applicable). In fact, there are numerous instances where families of infected/affected children have left them at CCIs/Homes as they are unable to cope with the socio-economic pressures and stigma that accompany this affliction.

4.34 This section is based on findings regarding number of children in CCIs/Homes who are affected and infected by HIV and AIDS. Table 4.10 shows that a 4999 such children (2466 affected and 2533 infected by HIV and AIDS) are staying in CCIs/Homes. States with high numbers of children being provided care and protection in the CCIs/Homes in this category are Andhra Pradesh (1184), Maharashtra (813), Karnataka (796), Tamil Nadu (744) and Telangana (494). Data highlights that more girls are affected and infected by HIV/AIDS than boys. It may also indicate that there are fewer options of care mechanisms apart from institutional care, for girls in this category, or, alternately that these States may have a robust system of identifying such children and bringing them into the care-fold unlike other States/UTs.

Table 4.10 Gender disaggregated data of Children affected and infected by HIV and AIDS residing in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Children affected by HIV and AIDS | | | | Children infected by HIV and AIDS | | | | Total no. of Children |
|-------------------|-------------------------|-----------------------------------|-------|----|-------|-----------------------------------|-------|----|-------|-----------------------|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total | |
| A&N | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Andhra Pradesh | 762 | 246 | 254 | 0 | 500 | 308 | 369 | 7 | 684 | 1184 |
| Arunachal Pradesh | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assam | 131 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bihar | 84 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Chandigarh | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Chhattisgarh | 122 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Delhi | 125 | 23 | 5 | 0 | 28 | 9 | 21 | 0 | 30 | 58 |
| Goa | 70 | 26 | 37 | 0 | 63 | 13 | 6 | 0 | 19 | 82 |
| Gujarat | 169 | 6 | 2 | 0 | 8 | 0 | 53 | 0 | 53 | 61 |
| Haryana | 79 | 6 | 10 | 0 | 16 | 4 | 1 | 0 | 5 | 21 |
| Himachal Pradesh | 46 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| J&K | 362 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Jharkhand | 127 | 19 | 16 | 0 | 35 | 19 | 26 | 0 | 45 | 80 |
| Karnataka | 911 | 181 | 208 | 0 | 389 | 167 | 240 | 0 | 407 | 796 |
| Kerala | 1,242 | 0 | 0 | 0 | 0 | 24 | 4 | 0 | 28 | 28 |
| Madhya Pradesh | 146 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 |
| Maharashtra | 1,284 | 96 | 259 | 0 | 355 | 219 | 239 | 0 | 458 | 813 |
| Manipur | 62 | 6 | 33 | 0 | 39 | 8 | 16 | 0 | 24 | 63 |
| Meghalaya | 84 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 |
| Mizoram | 46 | 8 | 14 | 0 | 22 | 15 | 15 | 0 | 30 | 52 |
| Nagaland | 67 | 3 | 13 | 0 | 16 | 4 | 10 | 0 | 14 | 30 |
| Odisha | 427 | 2 | 6 | 0 | 8 | 30 | 25 | 0 | 55 | 63 |
| Pudduchery | 91 | 30 | 17 | 0 | 47 | 0 | 10 | 0 | 10 | 57 |
| Punjab | 73 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 2 |
| Rajasthan | 277 | 80 | 33 | 0 | 113 | 93 | 51 | 0 | 144 | 257 |
| Sikkim | 23 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tamil Nadu | 1,647 | 180 | 229 | 0 | 409 | 131 | 204 | 0 | 335 | 744 |
| Telangana | 494 | 156 | 162 | 0 | 318 | 109 | 67 | 0 | 176 | 494 |
| Tripura | 44 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Uttar Pradesh | 170 | 12 | 17 | 0 | 29 | 12 | 2 | 0 | 14 | 43 |
| Uttarakhand | 56 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| West Bengal | 327 | 36 | 31 | 0 | 67 | 0 | 0 | 0 | 0 | 67 |
| All India | 9,589 | 1117 | 1349 | 0 | 2466 | 1165 | 1361 | 7 | 2533 | 4999 |

VIII. Victims of Natural and Man-made Disasters

4.35 Just like in other situations and circumstances, Children are more vulnerable to the after-effects of disasters, especially in cases where they get separated from their families and care-givers. Such separation often results in psychological and emotional scars problems for the child victims. Protection of child facing such circumstances becomes a priority for CCIs/Homes. The effects of man-made disasters and conflicts are particularly significant on children as they often bring with them abandonment by, or separation from, families. The short term and long term trauma, the emotional, psychological and physical strain stays with the child who has faced such disasters. Disasters are also opportune time for human traffickers. Vulnerable children and poverty-stricken families are easily tricked by these perpetrators. Hence, counselling and rehabilitation along with medical supervision becomes crucial when such children are institutionalized.

4.36 The JJ Act includes under the umbrella of a child in need of care and protection, any child who is a victim of, or affected by any armed conflict, civil unrest or natural calamity. This includes both natural disasters and manmade disasters. The CCIs/Homes are to reintegrate them with their families and natural surroundings to the extent possible without any further traumatisation. Keeping such children in CCIs/Homes, for a short term or long term care however, may be necessary in some circumstances.

Table 4.11 below gives combined information on the number of children in CCIs/Homes who are affected by natural and man-made disasters and conflicts.

Table 4.11 Gender disaggregated data of victims of Natural and Man-made Disasters in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Children Affected by Natural Disasters | | | | Children affected by man-made disasters & conflict | | | |
|-------------------|-------------------------|--|-------|----|-------|--|-------|----|-------|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total |
| A&N | 17 | 1 | 2 | 0 | 3 | 0 | 0 | 0 | 0 |
| Andhra Pradesh | 762 | 7 | 24 | 0 | 31 | 10 | 14 | 0 | 24 |
| Arunachal Pradesh | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assam | 131 | 1 | 0 | 0 | 1 | 50 | 7 | 0 | 57 |
| Bihar | 84 | 2 | 9 | 0 | 11 | 222 | 4 | 1 | 227 |

Details of Children in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Children Affected by Natural Disasters | | | | Children affected by man-made disasters & conflict | | | |
|------------------|-------------------------|--|-------|----|-------|--|-------|----|-------|
| | | Boys | Girls | TG | Total | Boys | Girls | TG | Total |
| Chandigarh | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Chhattisgarh | 122 | 9 | 0 | 0 | 9 | 226 | 0 | 0 | 226 |
| Delhi | 125 | 0 | 0 | 0 | 0 | 210 | 5 | 0 | 215 |
| Goa | 70 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gujarat | 169 | 6 | 0 | 0 | 6 | 10 | 7 | 0 | 17 |
| Haryana | 79 | 1 | 4 | 0 | 5 | 0 | 0 | 0 | 0 |
| Himachal Pradesh | 46 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| J&K | 362 | 138 | 109 | 0 | 247 | 155 | 49 | 0 | 204 |
| Jharkhand | 127 | 9 | 23 | 0 | 32 | 74 | 0 | 0 | 74 |
| Karnataka | 911 | 32 | 84 | 2 | 118 | 140 | 33 | 0 | 173 |
| Kerala | 1,242 | 4 | 0 | 0 | 4 | 64 | 291 | 0 | 355 |
| Madhya Pradesh | 146 | 2 | 0 | 0 | 2 | 89 | 1 | 0 | 90 |
| Maharashtra | 1,284 | 131 | 22 | 0 | 153 | 37 | 7 | 0 | 44 |
| Manipur | 62 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Meghalaya | 84 | 0 | 0 | 0 | 0 | 6 | 24 | 0 | 30 |
| Mizoram | 46 | 2 | 2 | 0 | 4 | 1 | 0 | 0 | 1 |
| Nagaland | 67 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 1 |
| Odisha | 427 | 12 | 15 | 0 | 27 | 39 | 122 | 0 | 161 |
| Pudduchery | 91 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 4 |
| Punjab | 73 | 0 | 14 | 0 | 14 | 2 | 31 | 0 | 33 |
| Rajasthan | 277 | 13 | 28 | 0 | 41 | 0 | 4 | 0 | 4 |
| Sikkim | 23 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tamil Nadu | 1,647 | 4 | 27 | 0 | 31 | 109 | 13 | 0 | 122 |
| Telangana | 494 | 14 | 7 | 0 | 21 | 39 | 3 | 0 | 42 |
| Tripura | 44 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 3 |
| Uttar Pradesh | 170 | 3 | 1 | 0 | 4 | 19 | 0 | 0 | 19 |
| Uttarakhand | 56 | 2 | 0 | 0 | 2 | 0 | 0 | 0 | 0 |
| West Bengal | 327 | 1 | 0 | 0 | 1 | 17 | 17 | 0 | 34 |
| All India | 9,589 | 394 | 372 | 2 | 768 | 1526 | 633 | 1 | 2160 |

4.37 From the table, it is seen that the total number of children affected by natural disasters and man-made disasters and/or conflicts residing in CCIs/Homes are 768 and 2160 respectively. The number of boys is more as compared to girls. A large number of children affected by natural disaster are housed in the CCIs/Homes of Jammu & Kashmir, Maharashtra and Karnataka, whereas children affected by manmade disaster and conflict are found in the CCIs/Homes of Kerala, Bihar, Chhattisgarh, J&K , Delhi, and Karnataka.

IX. Parents / Guardians Unfit / Incapacitated to Take Care

4.38 The CCIs/Homes across States/UTs also accommodate children whose parents / guardian are declared 'unfit or incapacitated to take care' by the Child Welfare Committee. The JJ Act states that a child, whose parent or guardian is found to be unfit or incapacitated by the Committee or the Board to care for and protect the safety and well-being of the child is deemed to be a child in need of care and protection. Table 4.12 provides details which show that there are 5,291 children in the age group of 0-6 years and 1,78,885 in the age group of 7-18 years found in CCIs/Homes in this category with boys being 17.2 % more than girls. Amongst these the CCIs/Homes in Andhra Pradesh, Karnataka, Kerala, Maharashtra and Tamil Nadu have more than 10,000 such children.

Table 4.12 Age and Gender disaggregated data of Children who's Parents / Guardians are unfit / Incapacitated to Take Care

| States/UTs | Total No. of CCIs/Homes | Parents/ Guardian unfit/ incapacitated to take care | | | | | | |
|-------------------|-------------------------|---|-------|-------|------|-------|----|-------|
| | | 0-6 | 7-18 | Total | Boys | Girls | TG | Total |
| A&N | 17 | 3 | 53 | 56 | 36 | 40 | 0 | 76 |
| Andhra Pradesh | 762 | 618 | 14912 | 15530 | 7854 | 7667 | 9 | 15530 |
| Arunachal Pradesh | 8 | 4 | 6 | 10 | 5 | 5 | 0 | 10 |
| Assam | 131 | 101 | 853 | 954 | 627 | 327 | 0 | 954 |
| Bihar | 84 | 5 | 170 | 175 | 64 | 111 | 0 | 175 |
| Chandigarh | 16 | 38 | 160 | 198 | 110 | 88 | 0 | 198 |
| Chhattisgarh | 122 | 30 | 305 | 335 | 216 | 119 | 0 | 335 |
| Delhi | 125 | 45 | 997 | 1042 | 546 | 496 | 0 | 1042 |

Details of Children in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Parents/ Guardian unfit/ incapacitated to take care | | | | | | |
|------------------|-------------------------|---|--------|--------|--------|-------|----|--------|
| | | 0-6 | 7-18 | Total | Boys | Girls | TG | Total |
| Goa | 70 | 48 | 1061 | 1109 | 698 | 411 | 0 | 1109 |
| Gujarat | 169 | 58 | 1760 | 1818 | 1057 | 761 | 0 | 1818 |
| Haryana | 79 | 35 | 243 | 278 | 114 | 164 | 0 | 278 |
| Himachal Pradesh | 46 | 30 | 507 | 537 | 390 | 147 | 0 | 537 |
| J&K | 362 | 49 | 535 | 584 | 251 | 333 | 0 | 584 |
| Jharkhand | 127 | 134 | 766 | 900 | 472 | 428 | 0 | 900 |
| Karnataka | 911 | 290 | 12950 | 13240 | 8224 | 5023 | 0 | 13247 |
| Kerala | 1,242 | 973 | 28406 | 29379 | 14801 | 14570 | 0 | 29371 |
| Madhya Pradesh | 146 | 29 | 576 | 605 | 426 | 179 | 0 | 605 |
| Maharashtra | 1,284 | 355 | 41886 | 42241 | 36417 | 5824 | 0 | 42241 |
| Manipur | 62 | 21 | 282 | 303 | 175 | 128 | 0 | 303 |
| Meghalaya | 84 | 53 | 366 | 419 | 182 | 237 | 0 | 419 |
| Mizoram | 46 | 94 | 208 | 302 | 159 | 143 | 0 | 302 |
| Nagaland | 67 | 51 | 778 | 829 | 474 | 355 | 0 | 829 |
| Odisha | 427 | 258 | 6087 | 6345 | 3296 | 3049 | 0 | 6345 |
| Pudduchery | 91 | 43 | 802 | 845 | 374 | 471 | 0 | 845 |
| Punjab | 73 | 64 | 614 | 678 | 356 | 322 | 0 | 678 |
| Rajasthan | 277 | 65 | 2211 | 2276 | 1790 | 486 | 0 | 2276 |
| Sikkim | 23 | 3 | 29 | 32 | 0 | 32 | 0 | 32 |
| Tamil Nadu | 1,647 | 1270 | 48962 | 50232 | 21941 | 28291 | 0 | 50232 |
| Telangana | 494 | 232 | 5545 | 5777 | 3000 | 2777 | 0 | 5777 |
| Tripura | 44 | 11 | 277 | 288 | 185 | 103 | 0 | 288 |
| Uttar Pradesh | 170 | 41 | 1036 | 1077 | 803 | 274 | 0 | 1077 |
| Uttarakhand | 56 | 80 | 600 | 680 | 323 | 357 | 0 | 680 |
| West Bengal | 327 | 160 | 4942 | 5102 | 2621 | 2481 | 0 | 5102 |
| All India | 9,589 | 5291 | 178885 | 184176 | 107987 | 76199 | 9 | 184195 |

X. Homeless Children

4.39 The JJ Act, 2015 states that a child in need of care and protection means 'a child who is found without any home or settled place of abode and without any ostensible means of subsistence'. This would include children who live on the streets, bus stops, railway stations, traffic signals, outside places of worship, pavements, etc. Such children are extremely vulnerable to exploitation, violence and abuse, as they are surviving on their own without the care and protection of concerned adults. This would also include children who live with their families however without any shelter or settled place of stay, such as children of migrant communities/tribes or displaced populations. Table 4.13 below provides details of children found in CCIs/Homes belonging to the above described situations.

4.40 It is a well-known fact that these children are extremely vulnerable to exploitation, violence and abuse as in many cases they are surviving on their own without the care and protection of concerned adults. Transgender children who have been victims of homelessness suffer from an additional vulnerability. These children are in need of basic facilities; shelter, nutrition, health care, education and recreation facilities for which institutional care may be a fit temporary mechanism to start with, followed by deinstitutionalization to some form of non-institutional care as applicable.

Table 4.13 Gender disaggregated data of Homeless Children found residing in CCIs/Homes

| State | Total No. of CCIs/ Homes | Homeless | | | |
|-------------------|-----------------------------|----------|-------|----|-------|
| | | Boys | Girls | TG | Total |
| A&N | 17 | 3 | 4 | 0 | 7 |
| Andhra Pradesh | 762 | 372 | 406 | 2 | 780 |
| Arunachal Pradesh | 8 | 1 | 0 | 0 | 1 |
| Assam | 131 | 13 | 29 | 0 | 42 |
| Bihar | 84 | 167 | 135 | 0 | 302 |
| Chandigarh | 16 | 68 | 72 | 0 | 140 |
| Chhattisgarh | 122 | 31 | 33 | 0 | 64 |
| Delhi | 125 | 185 | 131 | 0 | 316 |
| Goa | 70 | 0 | 2 | 0 | 2 |
| Gujarat | 169 | 98 | 82 | 0 | 180 |
| Haryana | 79 | 26 | 30 | 0 | 56 |
| Himachal Pradesh | 46 | 31 | 8 | 0 | 39 |
| J&K | 362 | 30 | 15 | 0 | 45 |

Details of Children in CCIs/Homes

| State | Total No. of CCIs/ Homes | Homeless | | | |
|----------------|-----------------------------|----------|-------|----|-------|
| | | Boys | Girls | TG | Total |
| Jharkhand | 127 | 4 | 18 | 0 | 22 |
| Karnataka | 911 | 389 | 334 | 1 | 724 |
| Kerala | 1,242 | 1102 | 1643 | 0 | 2745 |
| Madhya Pradesh | 146 | 9 | 9 | 0 | 18 |
| Maharashtra | 1,284 | 154 | 318 | 0 | 472 |
| Manipur | 62 | 4 | 4 | 0 | 8 |
| Meghalaya | 84 | 6 | 5 | 0 | 11 |
| Mizoram | 46 | 0 | 0 | 0 | 0 |
| Nagaland | 67 | 11 | 7 | 0 | 18 |
| Odisha | 427 | 24 | 53 | 0 | 77 |
| Pudduchery | 91 | 26 | 129 | 0 | 155 |
| Punjab | 73 | 235 | 306 | 0 | 541 |
| Rajasthan | 277 | 24 | 3 | 0 | 27 |
| Sikkim | 23 | 0 | 0 | 0 | 0 |
| Tamil Nadu | 1,647 | 213 | 549 | 0 | 762 |
| Telangana | 494 | 403 | 227 | 0 | 630 |
| Tripura | 44 | 3 | 1 | 0 | 4 |
| Uttar Pradesh | 170 | 29 | 22 | 0 | 51 |
| Uttarakhand | 56 | 25 | 28 | 0 | 53 |
| West Bengal | 327 | 140 | 141 | 0 | 281 |
| India | 9,589 | 3,826 | 4,744 | 3 | 8,573 |

4.41 Table 4.13 gives a total number of 8,573 children from the homeless category are seen in CCIs/Homes. Girls (4,744) are more in this category than boys (3,826); and 3 transgender children are also found here. The CCIs/Homes in Kerala have the highest number of homeless children (2745). Other States having high number of homeless children in CCIs/Homes are Andhra Pradesh (780), Karnataka (724), Tamil Nadu (762), Telangana (630) and Punjab (541). However, the reason behind this higher percentage of homeless children in a particular State/UT is beyond the scope of this study.

XI. Mentally and/or Physically Challenged Children

4.42 The JJ Act also includes a child who is mentally and/or physically challenged under the category of child in need of care and protection. Children falling in this category are more vulnerable

to abuse, neglect and abandonment. They may feel additionally victimised as they are unable to or find it extremely hard to perform simple day to day activities. Such children need helping facilities which are integrated with provisions for any other child to prevent discrimination, isolation and to enable better care and protection. The JJ Act specifically provides that CCIs/Homes must be equipped with specialized rehabilitation measures keeping these children and their needs in mind. These may include wheel chairs (for those unable to walk), walking sticks with a bell (in case of visually challenged children), hearing aids, speech therapists etc.

4.43 Table 4.14 shows the number of such children residing in the CCIs/Homes in the country.

Table 4.14 Gender disaggregated data of Mentally and Physically Challenged Children residing in CCIs/Homes

| States/UTs | Mentally Challenged | | | | Physically Challenged | | | |
|-------------------|---------------------|-------|----|-------|-----------------------|-------|----|-------|
| | Boys | Girls | TG | Total | Boys | Girls | TG | Total |
| A&N | 3 | 5 | 0 | 8 | 5 | 0 | 0 | 5 |
| Andra Pradesh | 1438 | 1009 | 1 | 2448 | 1035 | 744 | 0 | 1779 |
| Arunachal Pradesh | 5 | 4 | 0 | 9 | 3 | 2 | 0 | 5 |
| Assam | 29 | 31 | 0 | 60 | 103 | 74 | 0 | 177 |
| Bihar | 114 | 89 | 0 | 203 | 30 | 38 | 0 | 68 |
| Chandigarh | 12 | 12 | 0 | 24 | 4 | 3 | 0 | 7 |
| Chhattisgarh | 22 | 31 | 0 | 53 | 124 | 21 | 0 | 145 |
| Delhi | 48 | 66 | 0 | 114 | 61 | 59 | 0 | 120 |
| Goa | 99 | 59 | 0 | 158 | 47 | 34 | 0 | 81 |
| Gujarat | 235 | 79 | 0 | 314 | 75 | 22 | 0 | 97 |
| Haryana | 136 | 15 | 0 | 151 | 16 | 5 | 0 | 21 |
| H.P | 95 | 37 | 0 | 132 | 12 | 3 | 0 | 15 |
| J&K | 15 | 62 | 0 | 77 | 222 | 100 | 0 | 322 |
| Jharkhand | 71 | 58 | 0 | 129 | 270 | 117 | 0 | 387 |
| Karnataka | 1035 | 663 | 0 | 1698 | 1481 | 909 | 0 | 2390 |
| Kerala | 694 | 573 | 0 | 1267 | 399 | 256 | 0 | 655 |
| M.P | 59 | 62 | 0 | 121 | 38 | 31 | 0 | 69 |
| Maharashtra | 138 | 167 | 0 | 305 | 68 | 67 | 0 | 135 |
| Manipur | 2 | 4 | 0 | 6 | 1 | 1 | 0 | 2 |
| Meghalaya | 4 | 6 | 0 | 10 | 7 | 6 | 0 | 13 |
| Mizoram | 27 | 14 | 0 | 41 | 9 | 5 | 0 | 14 |
| Nagaland | 0 | 3 | 0 | 3 | 43 | 26 | 0 | 69 |

| States/UTs | Mentally Challenged | | | | Physically Challenged | | | |
|---------------|---------------------|-------|----|--------|-----------------------|-------|----|-------|
| | Boys | Girls | TG | Total | Boys | Girls | TG | Total |
| Odisha | 34 | 24 | 0 | 58 | 31 | 25 | 0 | 56 |
| Puducherry | 84 | 66 | 0 | 150 | 63 | 51 | 0 | 114 |
| Punjab | 232 | 148 | 0 | 380 | 28 | 47 | 0 | 75 |
| Rajasthan | 531 | 94 | 0 | 625 | 553 | 60 | 0 | 613 |
| Sikkim | 6 | 7 | 0 | 13 | 14 | 9 | 0 | 23 |
| Tamil Nadu | 462 | 304 | 0 | 766 | 194 | 166 | 0 | 360 |
| Telangana | 502 | 301 | 0 | 803 | 370 | 290 | 0 | 660 |
| Tripura | 7 | 20 | 0 | 27 | 0 | 3 | 0 | 3 |
| Uttar Pradesh | 52 | 142 | 0 | 194 | 63 | 24 | 0 | 87 |
| Uttarakhand | 1 | 3 | 0 | 4 | 2 | 7 | 0 | 9 |
| West Bengal | 225 | 218 | 0 | 443 | 211 | 253 | 0 | 464 |
| All India | 6,417 | 4,376 | 1 | 10,794 | 5,582 | 3,458 | 0 | 9,040 |

4.44 There are around 20,000 mental and physical challenged children staying in CCIs/Homes across the country. 10,942 of them are mentally challenged and 9,040 are faced with physical challenges. The number of boys amongst them is higher than girls. States where high numbers of both mentally and physically challenged children residing in CCIs/Homes are seen in Karnataka (having the highest number, 4,236, of such children), Andhra Pradesh (4,227), Kerala (1,922), Rajasthan (1,238) and Telangana (1,463).

XII. Children from other States/UTs

4.45 This Study has also brought out that a large number of children are residing in CCIs/Homes who belong to States/UTs other than that where the CCIs/Home is located. Very often Institutions under the JJ Act house children who belong to other States/UTs. If it is done within the system however, then the Act states that such transfer, ordered by CWC/JJB to an institution outside the State, shall be done only in consultation with the concerned CWC/JJB to whose jurisdiction the child is now being sent. Also, such transfer does not increase the total period of stay of the child in a Children's Home or a Special home, as the case may be.

4.46 Table 4.15 below shows that around 8,461 such children have been found Pan India during this exercise. Higher incidences of other state occupancy are among boys (4,702) as compared to

girls (3755). States/UTs with more than 700 children from other States/UTs residing in their CCIs/Homes include Karnataka being the highest with 1,723, Delhi (1,013), Kerala (1,059), Pudduchery (843), and Rajasthan (760). While this does indicate that these States/UTs are favoured destinations for inter State migration, it also shows that children reaching these areas are often falling out of the social safety net and requiring care and protection under the Juvenile Justice system. Ascertaining reasons for their movement as well as vulnerability in the above mentioned States/UTs are beyond the scope of this exercise.

Table 4.15 Gender disaggregated data of Children residing in CCIs/Homes who belong to Other States/UTs

| States/UTs | Total No. of CCIs/Homes | Children from Other States/UTs | | | |
|-------------------|-------------------------|--------------------------------|-------|----|-------|
| | | Boys | Girls | TG | Total |
| A&N | 17 | 0 | 1 | 0 | 1 |
| Andhra Pradesh | 762 | 324 | 136 | 2 | 462 |
| Arunachal Pradesh | 8 | 0 | 0 | 0 | 0 |
| Assam | 131 | 15 | 20 | 0 | 35 |
| Bihar | 84 | 40 | 25 | 0 | 65 |
| Chandigarh | 16 | 29 | 76 | 0 | 105 |
| Chhattisgarh | 122 | 33 | 11 | 0 | 44 |
| Delhi | 125 | 722 | 291 | 0 | 1013 |
| Goa | 70 | 3 | 10 | 0 | 13 |
| Gujarat | 169 | 34 | 33 | 0 | 67 |
| Haryana | 79 | 156 | 186 | 0 | 342 |
| Himachal Pradesh | 46 | 6 | 4 | 0 | 10 |
| J&K | 362 | 45 | 7 | 0 | 52 |
| Jharkhand | 127 | 92 | 1 | 0 | 93 |
| Karnataka | 911 | 572 | 1149 | 2 | 1723 |
| Kerala | 1,242 | 621 | 438 | 0 | 1059 |
| Madhya Pradesh | 146 | 124 | 39 | 0 | 163 |
| Maharashtra | 1,284 | 230 | 144 | 0 | 374 |
| Manipur | 62 | 1 | 0 | 0 | 1 |
| Meghalaya | 84 | 56 | 31 | 0 | 87 |
| Mizoram | 46 | 11 | 6 | 0 | 17 |
| Nagaland | 67 | 10 | 7 | 0 | 17 |

| States/UTs | Total No. of CCIs/Homes | Children from Other States/UTs | | | |
|---------------|-------------------------|--------------------------------|-------|----|-------|
| | | Boys | Girls | TG | Total |
| Odisha | 427 | 32 | 17 | 0 | 49 |
| Puducherry | 91 | 394 | 449 | 0 | 843 |
| Punjab | 73 | 28 | 57 | 0 | 85 |
| Rajasthan | 277 | 564 | 196 | 0 | 760 |
| Sikkim | 23 | 0 | 2 | 0 | 2 |
| Tamil Nadu | 1,647 | 263 | 236 | 0 | 499 |
| Telangana | 494 | 142 | 97 | 0 | 239 |
| Tripura | 44 | 0 | 0 | 0 | 0 |
| Uttar Pradesh | 170 | 51 | 39 | 0 | 90 |
| Uttarakhand | 56 | 11 | 2 | 0 | 13 |
| West Bengal | 327 | 93 | 45 | 0 | 138 |
| All India | 9,589 | 4,702 | 3,755 | 4 | 8,461 |

XIII. Duration of Stay of Children in CCIs/Homes

4.47 The JJ Act and Rules framed there under provide for stay in CCIs/Homes for CNCP as well as CCL. The duration of stay in CCIs/Homes varies as per the category of Home where the child is residing and the purpose of stay which includes Protective Custody (Observation Home), Overnight Protective Stay or Rehabilitation Stay for CCLs (Special Home or Place of Safety) and Overnight Protective Stay and Rehabilitation Stay (Children's Home) for CNCP children. The child's stay for shorter or longer duration depends on the directions of the Child Welfare Committee (CWC/Juvenile Justice Board (JJB) which is based as per the JJ Act on the best interest of the Child. The duration may also depend on the situation/circumstances in which the child was placed in the institution. The duration of stay may be at the least for a few hours for e.g. In the case of a child separated from parents whose family is located and details verified, and at the most may extend to 18 years.

4.48 The Table 4.16 below presents gender disaggregated data pertaining to duration of stay of children residing in CCIs/Homes across India. This is based on information available and/or provided by CCIs/Homes and is not information pertaining to all children residing in CCIs/Homes covered under this exercise. The duration of the stay has been divided into five categories: Less than a month, (ii) 1-4 Months, (iii) 5-12 months, (iv) 13-36 months and (v) 37 Months & above. It is

seen that occupancy of boys in all the categories of duration of stay is more except for stay beyond three years and above, where girls are seen to be more in number showing a tendency on long term rehabilitation through institutional care for girls. Reasons for the same are beyond the scope of this exercise.

Table 4.16 Gender disaggregated data of duration of Stay of Children in CCIs/Homes

| Duration of stay of children in CCIs/Homes | | | | | | | | | | | |
|--|-------------------------|-------------------|------------|-------------|--------------|-------------------|-------------------|------------|-------------|--------------|-------------------|
| States/UTs | Total No. of CCIs/Homes | Boys | | | | | Girls | | | | |
| | | Less than a month | 1-4 Months | 5-12 months | 13-36 months | 37 Months & above | Less than a month | 1-4 Months | 5-12 months | 13-36 months | 37 Months & above |
| A&N | 17 | 0 | 1 | 30 | 83 | 120 | 4 | 6 | 30 | 65 | 167 |
| Andhra Pradesh | 762 | 92 | 862 | 1632 | 1470 | 2334 | 397 | 883 | 1437 | 1338 | 2071 |
| Arunachal Pradesh | 8 | 5 | 16 | 25 | 8 | 14 | 2 | 14 | 28 | 0 | 2 |
| Assam | 131 | 54 | 211 | 370 | 459 | 442 | 41 | 133 | 350 | 412 | 453 |
| Bihar | 84 | 365 | 417 | 295 | 252 | 191 | 60 | 161 | 220 | 178 | 224 |
| Chandigarh | 16 | 8 | 12 | 45 | 60 | 60 | 3 | 5 | 47 | 67 | 98 |
| Chhattisgarh | 122 | 154 | 326 | 343 | 400 | 644 | 43 | 106 | 186 | 290 | 295 |
| Delhi | 125 | 332 | 441 | 426 | 473 | 559 | 131 | 253 | 393 | 480 | 600 |
| Goa | 70 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gujarat | 169 | 75 | 190 | 798 | 813 | 637 | 41 | 129 | 378 | 498 | 877 |
| Haryana | 79 | 88 | 342 | 443 | 355 | 101 | 223 | 335 | 338 | 206 | 188 |
| Himachal Pradesh | 46 | 25 | 168 | 284 | 356 | 148 | 8 | 58 | 125 | 122 | 51 |
| J&K | 362 | 5 | 30 | 77 | 195 | 450 | 11 | 9 | 35 | 73 | 255 |
| Jharkhand | 127 | 110 | 138 | 261 | 243 | 266 | 95 | 84 | 217 | 159 | 168 |
| Karnataka | 911 | 124 | 146 | 177 | 215 | 372 | 63 | 81 | 211 | 136 | 269 |
| Kerala | 1,242 | 53 | 437 | 2983 | 4532 | 4281 | 124 | 133 | 3710 | 5868 | 5769 |
| Madhya Pradesh | 146 | 149 | 236 | 381 | 365 | 433 | 34 | 161 | 241 | 276 | 489 |
| Maharashtra | 1,284 | 266 | 379 | 2448 | 2604 | 2999 | 132 | 323 | 1519 | 1888 | 3560 |
| Manipur | 62 | 3 | 53 | 75 | 218 | 295 | 3 | 22 | 44 | 133 | 147 |
| Meghalaya | 84 | 24 | 105 | 144 | 157 | 360 | 12 | 85 | 197 | 151 | 339 |
| Mizoram | 46 | 19 | 69 | 111 | 145 | 281 | 9 | 41 | 94 | 107 | 198 |
| Nagaland | 67 | 0 | 49 | 126 | 294 | 184 | 0 | 26 | 92 | 240 | 134 |
| Odisha | 427 | 123 | 359 | 1482 | 2739 | 2846 | 29 | 318 | 1000 | 2153 | 2386 |

Details of Children in CCIs/Homes

| Duration of stay of children in CCIs/Homes | | | | | | | | | | | |
|--|-------------------------|-------------------|--------------|---------------|---------------|-------------------|-------------------|--------------|---------------|---------------|-------------------|
| States/UTs | Total No. of CCIs/Homes | Boys | | | | | Girls | | | | |
| | | Less than a month | 1-4 Months | 5-12 months | 13-36 months | 37 Months & above | Less than a month | 1-4 Months | 5-12 months | 13-36 months | 37 Months & above |
| Puducherry | 91 | 93 | 183 | 114 | 15 | 0 | 122 | 396 | 219 | 25 | 0 |
| Punjab | 73 | 42 | 152 | 232 | 290 | 188 | 31 | 117 | 301 | 331 | 248 |
| Rajasthan | 277 | 143 | 684 | 1095 | 1451 | 788 | 47 | 142 | 366 | 450 | 314 |
| Sikkim | 23 | 11 | 7 | 22 | 38 | 108 | 2 | 10 | 8 | 32 | 74 |
| Tamil Nadu | 1,647 | 514 | 733 | 6991 | 8649 | 5123 | 275 | 942 | 8095 | 12241 | 7381 |
| Telangana | 494 | 23 | 33 | 94 | 140 | 188 | 40 | 32 | 69 | 29 | 99 |
| Tripura | 44 | 44 | 170 | 179 | 46 | 33 | 116 | 133 | 63 | 0 | 37 |
| Uttar Pradesh | 170 | 281 | 548 | 706 | 716 | 498 | 196 | 296 | 415 | 442 | 577 |
| Uttarakhand | 56 | 50 | 111 | 201 | 73 | 141 | 41 | 70 | 68 | 121 | 240 |
| West Bengal | 327 | 398 | 943 | 1323 | 2221 | 2260 | 243 | 534 | 1087 | 1511 | 2131 |
| Total | 9,589 | 3,673 | 8,551 | 23,913 | 30,075 | 27,344 | 2,578 | 6,252 | 21,583 | 30,022 | 29,841 |

4.49 The CCIs/Homes in Tamil Nadu have 514 numbers of boys in the less than a month category staying in CCIs/Homes, which in percentage, is the highest, followed by West Bengal at 398. Nagaland, Goa and Andaman & Nicobar have no occupancy of boys in this category. In the 1-4 months duration of stay period, West Bengal has the highest number of boys residing in CCIs/Homes (943), followed by Andhra Pradesh with 862 occupants. Tamil Nadu has the highest number of boys staying in CCIs/Homes in the 5-12 months category (6,991), 13-36 months (8,649) and 37 months & above category (5,123). Kerala follows having 2,983, 4,532 and 4,281 inmates in the above mentioned three type of durations of stay respectively showing a focus in both States on long term stay in CCIs/Homes.

4.50 Where girls are concerned, Andhra Pradesh with 397 girls staying in their CCIs/Homes for less than a month record the highest number, while Nagaland and Goa on the other hand do not have any occupancy of girls in this category. Number of girls residing for 1-4 months duration is the highest in Tamil Nadu at 942, followed by Andhra Pradesh at 883 and West Bengal at 534. Tamil Nadu has the highest number of occupancy of girls in all the remaining duration of stay categories (5-12 months, 13-36 months as well as 37 & above months) followed by Kerala.

XIV. Highlights

4.51 The details above, of the profile of children housed in various CCIs/Homes across the country indicate that rationalisation and equitable distribution of CCIs/Homes across the country, based on mapping of actual need, needs to be addressed immediately. There is a possibility of there not being sufficient CCIs/Homes for specific categories of children or on the contrary a focus only on institutional care for rehabilitation which may not be in the best interest of the child.

4.52 The exercise also indicates a need for a correlation between the number of children that need rehabilitation in a State/UT and the number and kind of existing Home available.

4.53 Certain categories of children are seen to be placed more in institutional care and also certain States/UTs seem to focus more on institutional care means of rehabilitation.

4.54 A significant number of children recorded as orphan, abandoned, surrendered as well as children of single parents are residing in CCIs/Homes.

4.55 Several data points in this chapter indicate the beginning of a story, details of which are to be ascertained to ensure provision of end to end appropriate service care. For instance, CCIs/Homes in the North Eastern States of Mizoram and Sikkim have large percentage of girls who have been victims of sexual abuse whereas Karnataka, Telangana and Chhattisgarh have the highest number of child pornography victims in their CCIs/Homes. These situations need to be studied more vis a vis services available and whether these are being provided.

4.56 Children with additional vulnerabilities such as those affected / infected by HIV and AIDS or those who are mentally or physically challenged or transgender children are staying in CCIs/Homes.

4.57 With respect to the duration of stay of the children in the CCIs/Homes, it is observed that the maximum numbers of children are staying in institutions for 13– 36 months.

Chapter 5

Standard of Care in CCIs/Homes



नए समाज की ओर
Towards a new dawn

Chapter 5 : Standard of Care in CCIs/Homes

5.1 The Juvenile Justice system in India is based on the philosophy that children have inalienable rights and that all matters related to children, are to be adjudicated and disposed with a child friendly approach and in their best interest. The JJ Act states therefore that “*rehabilitation and social integration of children under this Act shall be undertaken, based on the individual care plan of the child, preferably through family based care....*”. This legislation is based on the principle that the best interest of the child is in being with a loving and caring family or in a non-institutional equivalent provided through adoption and foster care, so as to enable the child to grow to their full potential. However, the need for institutional care cannot be denied either for temporary purposes or especially for children who have no other option available.

5.2 In order to address this need, the JJ Act and Rules framed thereunder, have detailed provisions with regard to the rehabilitation process and the standards to be maintained, within all CCIs/Homes. These include inter alia standards for infrastructure, occupancy, documentation, nutrition, staff, and protection measures etc. all of which are being detailed in this chapter.

I. Child Care Facilities

5.3 Proportion of occupancy and capacity

Adequate space per person in an institution impacts a whole set of other well-being parameters in an institutional setting. It ensures individual space and enables monitoring of that space thereby rendering it safe. Table 5.1 below reflects that across India on an average, 15.1% CCIs/Homes were housing children beyond their capacity resulting in overcrowding. An overwhelming number of CCIs/Homes (75.3%) however had fewer children than they were capacitated to provide shelter to. Less occupancy at the very least ensures better care whereas in overcrowded CCIs/Homes, the quality of care and protection given to children, facilities for education, vocation, food, clothing, health, etc. tend to get compromised as the demand becomes more than the supply, especially when the fund supply is delayed or reduced. Therefore, while this does indicate a need for rationalisation

of CCIs/Homes in most the States/UTs, it also gives hope as it shows that infrastructure exists to accommodate more children in dire need of shelter.

Table 5.1 State-wise percentage distribution of CCIs/Homes – occupancy vs capacity

| States/UTs | Total No. of CCIs/Homes | CCIs/Homes having more children than its capacity | | CCIs/Homes having less children than its capacity | |
|-------------------|-------------------------|---|---------|---|---------|
| | | No. | Percent | No. | Percent |
| A & N Island | 17 | 1 | 5.9 | 11 | 64.7 |
| Andhra Pradesh | 762 | 100 | 13.1 | 545 | 71.5 |
| Arunachal Pradesh | 8 | 1 | 12.5 | 5 | 62.5 |
| Assam | 131 | 14 | 10.7 | 46 | 35.1 |
| Bihar | 84 | 17 | 20.2 | 53 | 63.1 |
| Chandigarh | 16 | 2 | 12.5 | 10 | 62.5 |
| Chhattisgarh | 122 | 12 | 9.8 | 86 | 70.5 |
| Delhi | 125 | 15 | 12 | 90 | 72 |
| Goa | 70 | 9 | 12.9 | 59 | 84.3 |
| Gujarat | 169 | 15 | 8.9 | 132 | 78.1 |
| Haryana | 79 | 20 | 25.3 | 33 | 41.8 |
| Himachal Pradesh | 46 | 4 | 8.7 | 21 | 45.7 |
| Jammu & Kashmir | 362 | 64 | 17.7 | 252 | 69.6 |
| Jharkhand | 127 | 21 | 16.5 | 93 | 73.2 |
| Karnataka | 911 | 311 | 34.1 | 551 | 60.5 |
| Kerala | 1242 | 65 | 5.2 | 1157 | 93.2 |
| Madhya Pradesh | 146 | 24 | 16.4 | 96 | 65.8 |
| Maharashtra | 1284 | 102 | 7.9 | 1140 | 88.8 |
| Manipur | 62 | 2 | 3.2 | 30 | 48.4 |
| Meghalaya | 84 | 3 | 3.6 | 56 | 66.7 |
| Mizoram | 46 | 1 | 2.2 | 42 | 91.3 |
| Nagaland | 67 | 5 | 7.5 | 43 | 64.2 |
| Orissa | 427 | 96 | 22.5 | 257 | 60.2 |
| Puducherry | 91 | 6 | 6.6 | 84 | 92.3 |

| States/UTs | Total No. of CCIs/Homes | CCIs/Homes having more children than its capacity | | CCIs/Homes having less children than its capacity | |
|---------------|-------------------------|---|-------------|---|-------------|
| | | No. | Percent | No. | Percent |
| Punjab | 73 | 7 | 9.6 | 31 | 42.5 |
| Rajasthan | 277 | 53 | 19.1 | 161 | 58.1 |
| Sikkim | 23 | 2 | 8.7 | 20 | 87 |
| Tamil Nadu | 1647 | 194 | 11.8 | 1451 | 88.1 |
| Telangana | 494 | 184 | 37.2 | 274 | 55.5 |
| Tripura | 44 | 8 | 18.2 | 30 | 68.2 |
| Uttar Pradesh | 170 | 23 | 13.5 | 104 | 61.2 |
| Uttaranchal | 56 | 4 | 7.1 | 41 | 73.2 |
| West Bengal | 327 | 63 | 19.3 | 213 | 65.1 |
| Total | 9,589 | 1,448 | 15.1 | 7217 | 75.3 |

5.4 The Table further reveals that there are wide variations in proportion of occupancy and capacity across States/UTs. An interesting fact thrown up is that States with high percentages of occupancy in CCIs/Homes such as Telangana (37.2%) and Karnataka 34.1% also already have a fairly large number of CCIs/Homes already and reasons for this situation needs further analysis. These percentages are much higher than observed in States/UTs like Mizoram which have over-occupancy in only 1% CCIs/Homes and

Assam and Manipur have highest percentage of CCIs/Home housing children in accordance with its capacity (54.2% and 48.4% respectively). Puducherry and Kerala have high percentage of CCIs/Homes (more than 90%) functioning under capacity that is more number of children can be accommodated in these CCIs/Homes.

Manipur which has 2% of such CCIs/Homes. The reverse scenario (fewer children than capacity) also sees substantial variation amongst States/UTs. Ranging from 35% in Assam to 93% in Kerala, high percentages of CCIs/Homes having fewer children than their capacity however, is evident in most States/UTs. This fact, seen against the disparate spread of CCIs/Homes as detailed in Chapter 3, clearly points towards a requirement for need assessment and rationalisation of CCIs/Homes.

5.5 Adequate provision for care and supervision of children residing in CCIs/Homes

The entire premise of rehabilitation, whether in an institution or elsewhere hinges on the quality of care available for the child availing of that particular service. This becomes especially critical when the mechanism being used for rehabilitation is a CCI/Home and a child in distress or difficult circumstances is placed there for care, protection and long term rehabilitation. Care givers play an important role in effective implementation of aims and objectives of the JJ Act and ensuring child care and protection. It is important that there are sufficient care givers in CCIs/Homes especially those providing

residential care, so as to enable each child to receive individual attention and wherever possible and appropriate, to give the child an opportunity to bond with a specific caregiver and thereby feel rooted and secure.

5.6 Monitoring the activities of children helps to minimize and in many cases eliminate the risk of injury to a child and also in providing a swift response to any untoward situation that may put children in danger. It is important therefore that all CCIs/Homes are adequately staffed and that the number of children occupying a CCIs/Home is not more than the capacity of the home so as to ensure the best care to children.

5.7 Table 5.2 below provides a glimpse of the national scenario vis a vis key elements of caregiver to child ratio as well as supervision of activities. It also provides a glimpse into quality of supervision. There is an attempt to explore the nuance between active supervision and supervision per se.

Key Highlights of this section:<

- Percentage of CCIs with adequate number of supervisor and care givers is highest in Jammu & Kashmir, Mizoram, Delhi, Kerala whereas Pudduchery is the lowest performing state in this regard.
- About 15 % of CCIs are housing children more than its capacity in India
- In Kerala, most of the CCIs have lower occupancy than capacity and adequate number of caregiving staff

Table 5.2 Percentage of CCIs/Homes having caregivers and supervised activities as required - National Snapshot

| S.N | Parameters | Percentage |
|-----|---|------------|
| 1 | Percentage of CCIs/Homes with adequate (numbers) care givers per child | 46.7 |
| 2 | Percentage of CCIs/Homes where all activities are conducted under staff supervision | 77.1 |
| 3 | Percentage of CCIs/Homes where children who are in emotional distress (due to fear, trauma, or illness) are being actively supervised | 65.9 |
| 4 | Percentage of CCIs/Homes where infants/children in emotional distress (due to hunger, fatigue, wet or soiled diapers, fear, teething, or illness) being actively supervised | 28.7 |

5.8 According to Specialised Adoption Agencies (SAA) norms, child/infant to caregiver ratio is 4:1 for children below 1 year, 5:1 for children from 1 to 3 years and 8:1 for older children. The above data reflects that less than 50% of CCIs/Homes meet the required ratio of children to caregiver/Ayahs in the institutions. It also reflects that there is a gap, which is a cause for concern, between supervision and active supervision of activities or focussed care during moments of trauma/illness. With only 6634 numbers of Homes (65.9%) answering in the positive regarding focus on active supervision of children who are emotionally distressed due to fear etc. and similarly over 29% (table5.2) only for infants/children who are unwell, a need for capacity building /sensitisation of caregivers is strongly indicated.

Table 5.3 State wise percentage of CCIs/Homes having Child Care Facilities including number of caregivers and adequate supervision

| States/UTs | Total No. of CCIs/Homes | Adequate number of care giver per child | | All activities being conducted under staff supervision | | Children in emotional distress being actively supervised | | | |
|-------------------|-------------------------|---|------|--|------|--|-------|----------------------------------|------|
| | | | | | | Due to fear, trauma, or illness | | Due to hunger, fatigue, teething | |
| | | No. | % | No. | % | No. | % | No. | % |
| A&N | 17 | 14 | 82.4 | 16 | 94.1 | 17 | 100.0 | 4 | 23.5 |
| Andhra Pradesh | 762 | 477 | 62.6 | 658 | 86.4 | 572 | 75.1 | 219 | 28.7 |
| Arunachal Pradesh | 8 | 2 | 25.0 | 3 | 37.5 | 4 | 50.0 | 3 | 37.5 |
| Assam | 131 | 27 | 20.6 | 69 | 52.7 | 63 | 48.1 | 46 | 35.1 |
| Bihar | 84 | 16 | 19.0 | 65 | 77.4 | 66 | 78.6 | 28 | 33.3 |

Standard of Care in CCIs/Homes

| States/UTs | Total No. of CCIs/Homes | Adequate number of care giver per child | | All activities being conducted under staff supervision | | Children in emotional distress being actively supervised | | | |
|------------------|-------------------------|---|------|--|------|--|------|----------------------------------|------|
| | | | | | | Due to fear, trauma, or illness | | Due to hunger, fatigue, teething | |
| | | No. | % | No. | % | No. | % | No. | % |
| Chandigarh | 16 | 14 | 87.5 | 12 | 75.0 | 3 | 18.8 | 0 | 0.0 |
| Chhattisgarh | 122 | 36 | 29.5 | 97 | 79.5 | 95 | 77.9 | 56 | 45.9 |
| Delhi | 125 | 15 | 12.0 | 107 | 85.6 | 102 | 81.6 | 65 | 52.0 |
| Goa | 70 | 35 | 50.0 | 17 | 24.3 | 14 | 20.0 | 4 | 5.7 |
| Gujarat | 169 | 34 | 20.1 | 108 | 63.9 | 96 | 56.8 | 20 | 11.8 |
| Haryana | 79 | 16 | 20.3 | 60 | 75.9 | 57 | 72.2 | 35 | 44.3 |
| Himachal Pradesh | 46 | 8 | 17.4 | 32 | 69.6 | 22 | 47.8 | 8 | 17.4 |
| Jammu & Kashmir | 362 | 232 | 64.1 | 341 | 94.2 | 292 | 80.7 | 39 | 10.8 |
| Jharkhand | 127 | 54 | 42.5 | 87 | 68.5 | 75 | 59.1 | 51 | 40.2 |
| Karnataka | 911 | 392 | 43.0 | 759 | 83.3 | 616 | 67.6 | 268 | 29.4 |
| Kerala | 1242 | 562 | 45.2 | 1175 | 94.6 | 1055 | 84.9 | 406 | 32.7 |
| Madhya Pradesh | 146 | 61 | 41.8 | 90 | 61.6 | 78 | 53.4 | 56 | 38.4 |
| Maharashtra | 1284 | 236 | 18.4 | 572 | 44.5 | 482 | 37.5 | 83 | 6.5 |
| Manipur | 62 | 7 | 11.3 | 29 | 46.8 | 19 | 30.6 | 8 | 12.9 |
| Meghalaya | 84 | 38 | 45.2 | 64 | 76.2 | 53 | 63.1 | 15 | 17.9 |
| Mizoram | 46 | 14 | 30.4 | 42 | 91.3 | 39 | 84.8 | 31 | 67.4 |
| Nagaland | 67 | 5 | 7.5 | 62 | 92.5 | 59 | 88.1 | 17 | 25.4 |
| Odisha | 427 | 143 | 33.5 | 297 | 69.6 | 232 | 54.3 | 162 | 37.9 |
| Puducherry | 91 | 7 | 7.7 | 7 | 7.7 | 8 | 88 | 77 | 84.6 |
| Punjab | 73 | 39 | 53.4 | 72 | 98.6 | 30 | 41.1 | 22 | 30.1 |
| Rajasthan | 277 | 167 | 60.3 | 206 | 74.4 | 171 | 61.7 | 161 | 58.1 |
| Sikkim | 23 | 2 | 8.7 | 21 | 91.3 | 21 | 91.3 | 2 | 8.7 |
| Tamil Nadu | 1647 | 1409 | 85.5 | 1416 | 86.0 | 1146 | 69.6 | 516 | 31.3 |
| Telangana | 494 | 204 | 41.3 | 411 | 83.2 | 393 | 79.6 | 167 | 33.8 |
| Tripura | 44 | 18 | 40.9 | 35 | 79.5 | 25 | 56.8 | 17 | 38.6 |
| Uttar Pradesh | 170 | 78 | 45.9 | 125 | 73.5 | 104 | 61.2 | 39 | 22.9 |
| Uttaranchal | 56 | 29 | 51.8 | 45 | 80.4 | 39 | 69.6 | 17 | 30.4 |
| West Bengal | 327 | 85 | 26.0 | 291 | 89.0 | 275 | 84.1 | 111 | 33.9 |
| All India | 9589 | 4476 | 46.7 | 7391 | 77.1 | 6323 | 65.9 | 2753 | 28.7 |

5.9 Table 5.3 above provides a State-wise break up of performance in the above mentioned aspects. Though 46.7% CCIs/Homes have met the caregiver / ayahs to child ratio, only 28.7% CCIs/Homes are able to actively supervise infants / children who are emotionally distressed. Chandigarh has the highest percentage of CCIs/Homes (88%) with adequate proportion of caregivers/ayahs to children, followed by Tamil Nadu (86%) and Andaman & Nicobar Island (82%) whereas States like Nagaland (7%), Puducherry (8%) and Sikkim (9%) have less than 10% CCIs/Homes with appropriate caregiver and child ratio.

5.10 It was also observed that in about 99% of CCIs/Homes in Punjab children carry out activities under the staff supervision for minimizing the risk of injury and/or to respond as promptly as possible. The data has also pointed out that CCIs/Homes in Kerala (95%), Andaman & Nicobar (94%), Jammu & Kashmir (94%) and Mizoram (91%) are also performing well in terms of supervision of children activities. This practice must be further encouraged. The lowest percentage of CCIs/Homes reporting supervision was in Pudduchery with 8% negative responses.

5.11 The Table 5.3 data shows that all the CCIs/Homes in Andaman & Nicobar are actively supervising their children who are emotionally distressed (due to fear, trauma, or illness). More than eighty percent of CCIs/Homes in Delhi (82%), Jammu & Kashmir (81%), Kerala (85%), Mizoram (85%), Nagaland (88%), Telangana (80%) and West Bengal (84%) also adequately supervise distressed children (due to fear, trauma, or illness). Puducherry has the least percentage i.e. about 9% of CCIs/Homes supervising such children. As seen above, however in case of adequate supervision of infants who are distressed (due to hunger, fatigue, wet or soiled diapers, or teething), Puducherry is in the lead (84.6%) followed by Mizoram (67%), Rajasthan (58%) and Delhi (52%). The collected data shows that all the other States/UTs, except for the ones mentioned immediately above, need improvement in this respect.

5.12 CCIs/Homes are for the reception of children in need of care and protection (whether CNCP or CCL, with both needing care and protection) during the pendency of any inquiry and subsequently for their care, treatment, education, training, development and rehabilitation. Various categories of children are admitted to the CCIs/Homes. These children come from difficult circumstances i.e. orphan, children of single parent, children of prisoners, missing child, separated, street children,

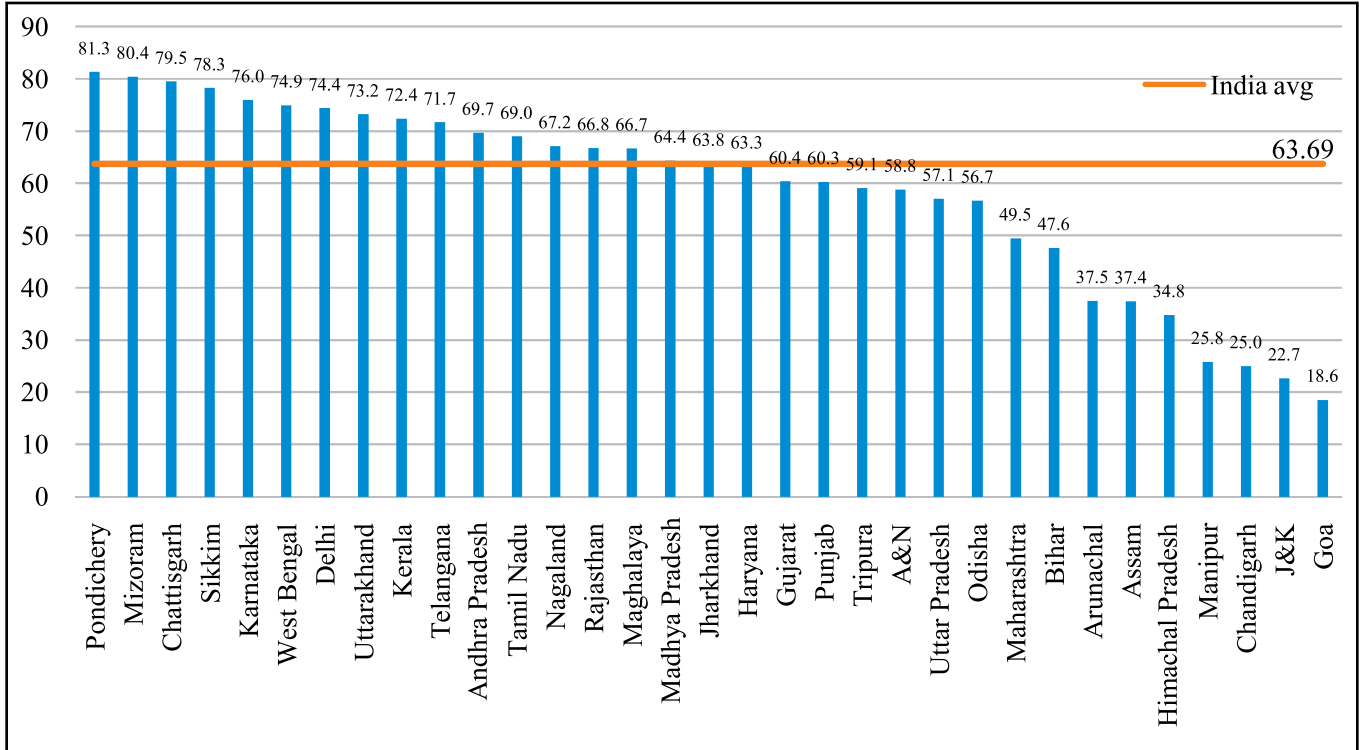
children suffering from prolonged illness, children found begging, child labourers, children of leprosy affected beggars, HIV/AIDS affected & infected children, children of parents who were unable to take care of them, handicapped, mentally challenged etc. CCIs/Homes have to deal with the physical, emotional and psychological impact that these circumstances may have resulted in. In this situation, a sensitive caregiver can act as a catalyst for healing and reintegration for the child.

5.13 **Play & recreation**

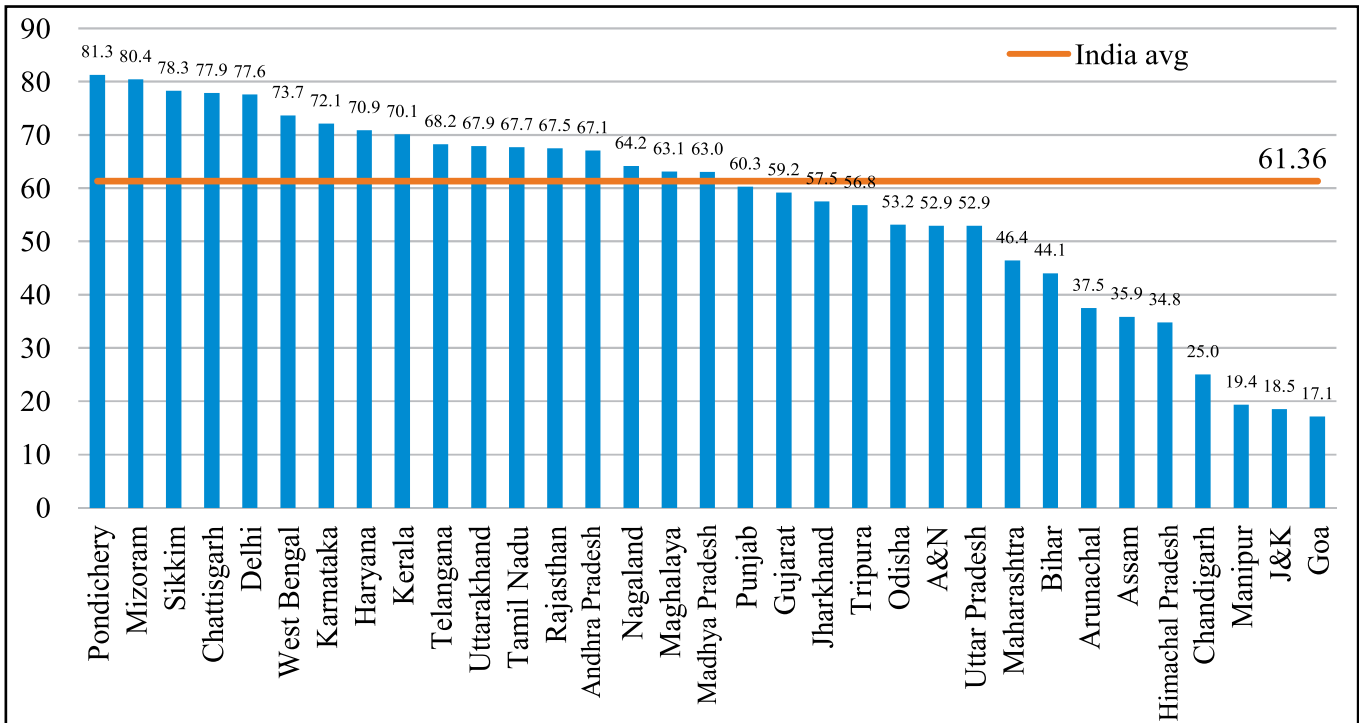
The JJ Rules, 2016 state that provisions must be made for indoor and outdoor activities/games for children in CCIs/Homes. It is important that Homes have sufficient play items of good quality that are safe to use. Toys must not only be easily available and accessible, they need to be categorised as per the age groups of children. This will ensure that the items are safe for use and beneficial to their physical, emotional, cognitive and mental development.

5.14 The graph 5.1 below reflects that 64% of CCIs/Homes across the country have reported availability and accessibility of toys for children. 81% of the CCIs/Homes in Puducherry have toys followed closely by Chandigarh and Mizoram each at 80%. However, it is necessary to note that at least 36% CCIs/Homes have no provision for availability or accessibility of toys which is a fairly large number.

Graph 5.1 Percentage of CCIs/Homes having toys for children



Graph 5.2 Percentage of CCIs/Homes having safe toys for children



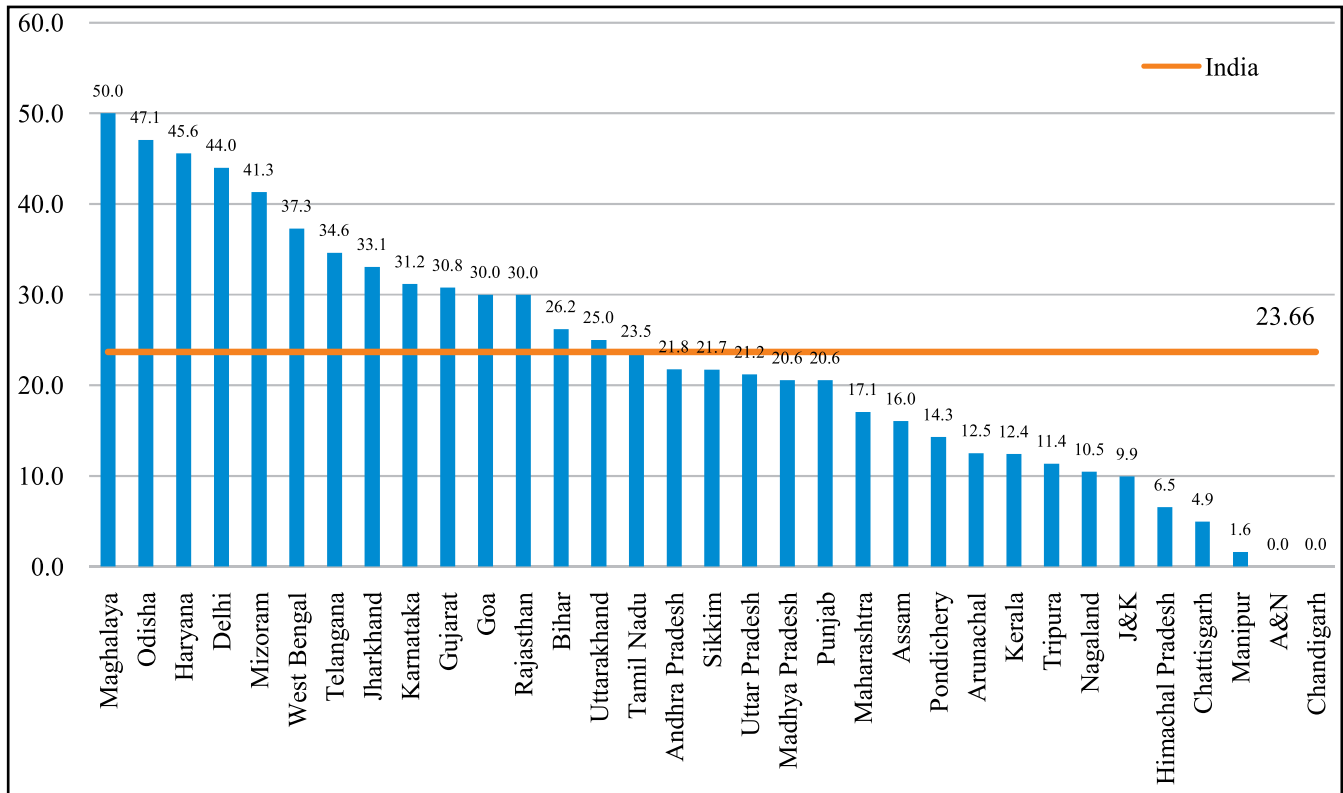
5.15 The lowest percentage of availability of safe toys in CCIs/Homes is in Goa with 17% followed by Jammu & Kashmir and Manipur with each at 19%. The highest percentage can be seen at Puducherry with 81% followed by Chandigarh, Delhi and Sikkim each at 78%.

II. Prevention and Protection from Abuse (including emotional, sexual and physical)

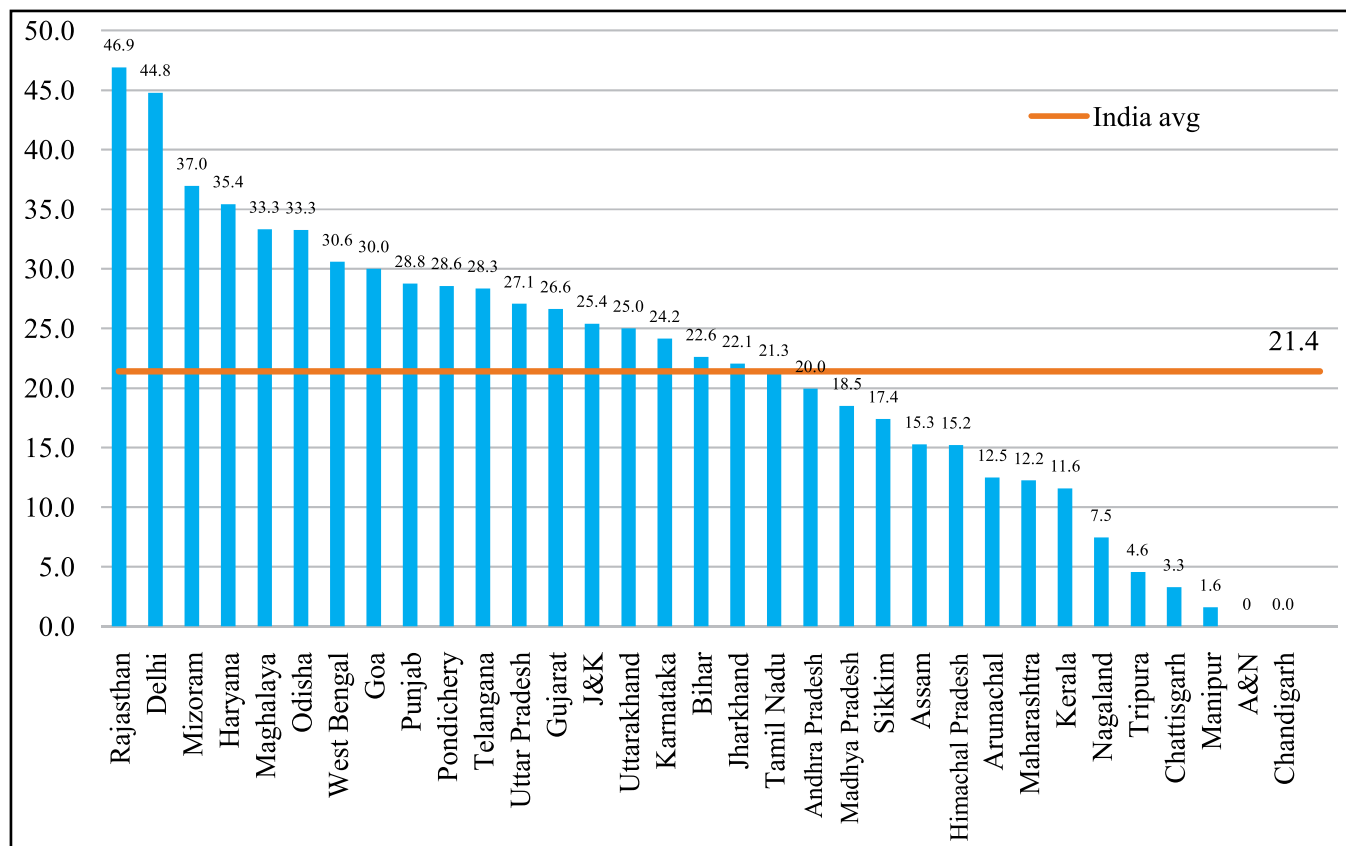
5.16 Child Protection Policy

In India, the Law and Policy framework for understanding Child Protection stems from the Constitution and Specific Child Policies, policies and schemes that have been framed from time to time. The overarching international legal guideline for such policy emerges from the United Nations Convention on Child Rights (UNCRC) which is based on the four core principles of non-discrimination; the best interests of the child; the right to life, survival, protection and development; and respect for the views of the child. One of the good practices/mechanisms available to protect children and their rights in any organisation/institution is a Child Protection Policy (CPP).

5.17 Existence of a Child Protection Policy (CPP) demonstrates an organisation/institution's commitment to children and ensures public confidence in their child-safe procedures and practices. It provides non- negotiable guidelines and sets out common values, principles, and beliefs and describes the steps that will be taken to by the institution to meet its commitment to protect children. CPP is a tool that protects both children and staff by clearly defining the actions required to keep children safe within the organisation. As the vulnerability of children to abuse, in and out of family based care including institutions, is a reality, the need for a CPP in all situations where children are found becomes imperative to ensure that abuse is prevented. As numerous cases of child abuse are being reported within the institutional setup; not only does having a CPP become essential, staff also needs to be trained to ensure the functionality of the Policy. All the CCIs/Homes in the country are mandated to have CPP signed and adhered to by staff and visitors.

Graph 5.3 State-wise percentage of CCIs/Homes having a written Child Protection Policy

5.18 The graph above shows that most of the CCIs/Homes do not have a written and signed document of child protection policy. In Meghalaya, 50% CCIs/Homes have a written child protection policy followed by 47% in Odisha and 45.6% in Haryana. At the other end, in Chhattisgarh only 4.9 % and in Manipur 1.6% CCIs/Homes have reported that such policy is in place. It needs to be kept in mind that while the non-existence of a written CPP indicates inadequate awareness regarding the need for this, the existence per se of a written CPP is no indicator of whether the CPP is functional. Graph 5.2 below, on the other hand, provides a glimpse of whether training on CPP is being provided which would mean prioritisation by the organisation of the same and the picture is not positive at all.

Graph 5.4 State-wise percentage of CCIs/Homes providing training on Child Protection Policy

5.19 The percentage of CCIs/Homes that have imparted training and conducted awareness programmes regarding child protection policy are few. Rajasthan presents an interesting picture as it focuses more on training on CPP (47%) rather than ensuring a written CPP 30%. Delhi (45%) performs at par in terms of both parameters. The lowest percentage of prioritisation (or lack of awareness) for a written CPP or training regarding it, is seen in Manipur (1.6%) and Chhattisgarh (3.3%) followed closely by Tripura (5%) against a national average of 23.7% and 21.4% respectively for both the parameters.

5.20 Home Management and Children's Committees

Critical mechanisms for ensuring a child friendly environment and including child participation in CCIs/Homes include Home Management Committee (HMC) and Children's Committee (CC). These are statutory bodies as per JJ Act and the Rules framed thereunder and essential feedback and monitoring tools if used effectively. As per JJ Rule No. 39, every Child Care Institution must have a

Management Committee for administration of the institution and monitoring the progress of every child, which should meet at least once every month to consider and review inter alia care in the institution, medical facilities and treatment; food, water, sanitation and hygiene conditions; mental health interventions; and the individual problems of children and institutional adjustment etc. The Management Committee is also mandated to set up a complaint and redressal mechanism in every institution including a Children’s Suggestion Box.

5.21 Rule No. 40 of the JJ Rules, 2016 states that the Person-in-charge of every institution should facilitate the setting up of Children’s Committees for different age-groups, that is 6-10 years, 11-15 years and 16-18 years, constituted solely by and of children. The CC should be encouraged to participate in inter alia activities related to improving the condition of the institution; reviewing the standards of care being followed; preparation of daily routine and diet scale; reporting abuse and exploitation by peers and caregivers; management of institution through the Management Committee. The table below depicts (percentage of) CCIs/Homes across States/UTs who have not put in place HMCs and CCs.

Table 5.4 Percentage of CCIs/Homes having Home Management Committees and Children’s Committees across States/UTs

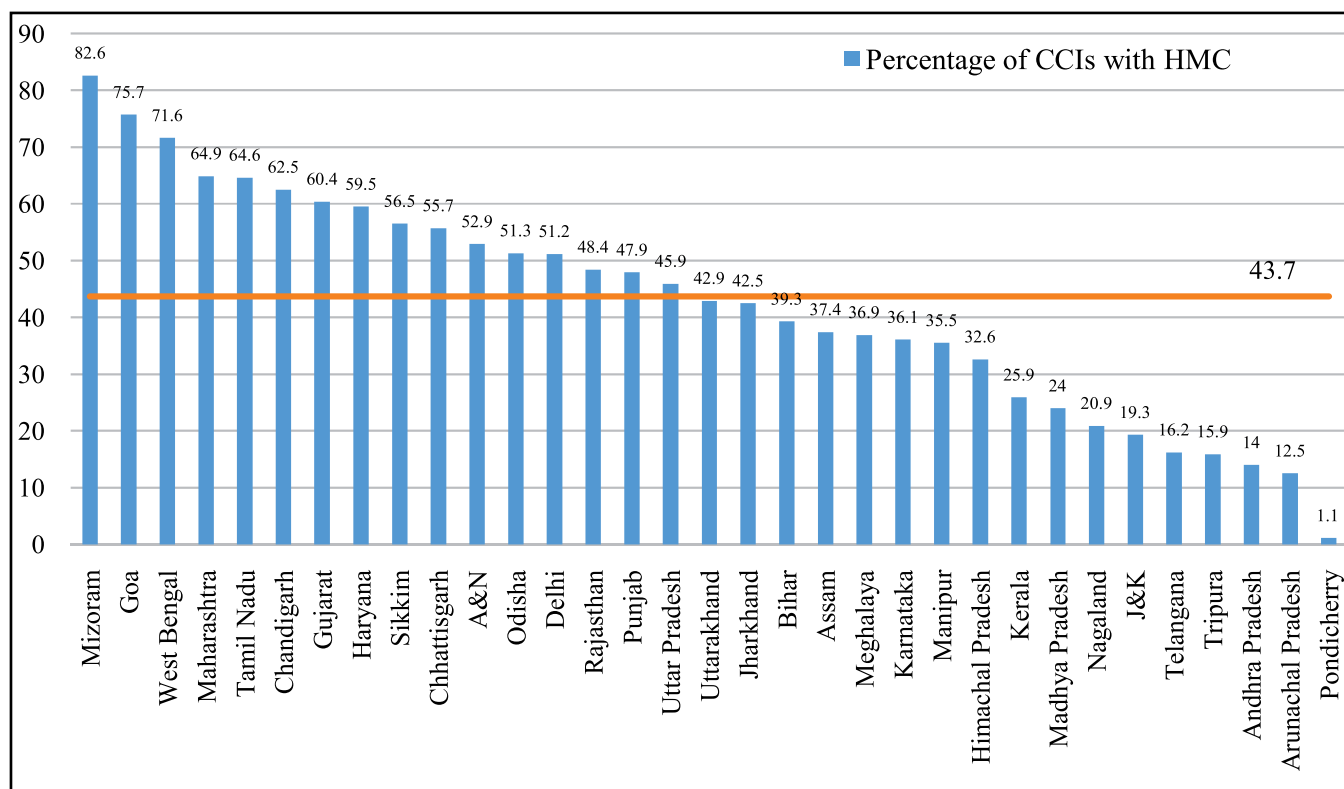
| States/UTs | Total CCIs/Homes | HMC | Children’s Committees |
|-------------------|------------------|------|-----------------------|
| A&N | 17 | 52.9 | 23.5 |
| Andhra Pradesh | 762 | 14.0 | 18.5 |
| Arunachal Pradesh | 8 | 12.5 | 0.0 |
| Assam | 131 | 37.4 | 23.7 |
| Bihar | 84 | 39.3 | 41.7 |
| Chandigarh | 16 | 62.5 | 56.3 |
| Chhattisgarh | 122 | 55.7 | 39.3 |
| Delhi | 125 | 51.2 | 55.2 |
| Goa | 70 | 75.7 | 52.9 |
| Gujarat | 169 | 60.4 | 56.2 |
| Haryana | 79 | 59.5 | 57.0 |
| Himachal Pradesh | 46 | 32.6 | 26.1 |

Standard of Care in CCIs/Homes

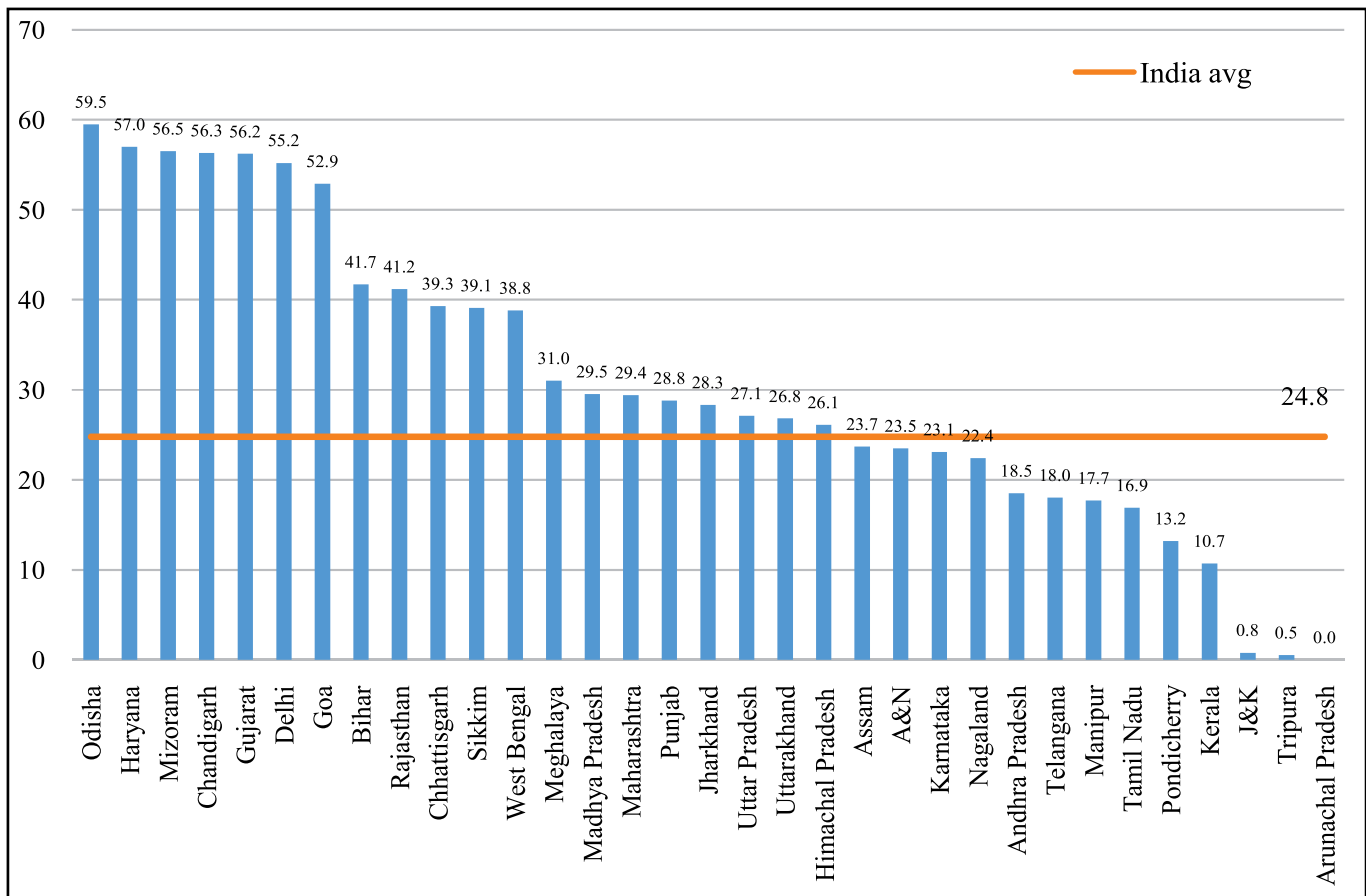
| States/UTs | Total CCIs/Homes | HMC | Children's Committees |
|----------------|------------------|-------------|-----------------------|
| J&K | 362 | 19.3 | 0.8 |
| Jharkhand | 127 | 42.5 | 28.3 |
| Karnataka | 911 | 36.1 | 23.1 |
| Kerala | 1242 | 25.9 | 10.7 |
| Madhya Pradesh | 146 | 24.0 | 29.5 |
| Maharashtra | 1284 | 64.9 | 29.4 |
| Manipur | 62 | 35.5 | 17.7 |
| Meghalaya | 84 | 36.9 | 31.0 |
| Mizoram | 46 | 82.6 | 56.5 |
| Nagaland | 67 | 20.9 | 22.4 |
| Odisha | 427 | 51.3 | 59.5 |
| Puducherry | 91 | 1.1 | 13.2 |
| Punjab | 73 | 47.9 | 28.8 |
| Rajasthan | 277 | 48.4 | 41.2 |
| Sikkim | 23 | 56.5 | 39.1 |
| Tamil Nadu | 1647 | 64.6 | 16.9 |
| Telangana | 494 | 16.2 | 18.0 |
| Tripura | 44 | 15.9 | 0.5 |
| Uttar Pradesh | 170 | 45.9 | 27.1 |
| Uttarakhand | 56 | 42.9 | 26.8 |
| West Bengal | 327 | 71.6 | 38.8 |
| Total | 9,589 | 43.7 | 24.8 |

5.22 The National average depicts, that only 44% CCIs/Homes have HMC's and 25% have constituted CCs which increases the vulnerability of children residing in the remaining CCIs/Homes manifold. This is, additionally, no indicator of functionality and effectiveness of structures where existing, an assessment of which is required constantly. While functionality of CCs was explored, measuring effectiveness of Management Committees was beyond the scope of this exercise.

Graph 5.5 Percentage of CCIs/Homes with Home Management Committees as per JJ Act across States/UTs



5.23 The graph 5.5 above reflects percentage of CCIs/Homes across States/UTs with Home Management Committees constituted as per JJ Act. The highest percentage is seen Mizoram at 82.6% followed by Goa at 75.7% and West Bengal at 71.6%. The lowest can be seen at Andhra Pradesh with 14%, followed by Arunachal Pradesh at 12.5% and Puducherry with 1.1%. Although constitution of a Management Committee is statutory compliance for every CCI/Home, the data available shows that no State/UT has been 100% legally compliant in this aspect.

Graph 5.6 Percentage of CCIs/Homes having Children's Committees across States/UTs

5.24 Graph 5.4 above represents whether Children's Committees (CC) have been constituted as per rules under the JJ Act. The National average is a poor 24.8% with Odisha topping the list with a 59.5% average and Arunachal Pradesh with no CCI/Home having adhered to this at the bottom.

5.25 The person-in-charge of the child care institution is responsible for facilitating the setting up of children's committees. As seen from the data above, not all the States/UTs have children's committees (Graph 5.4) constituted in all CCIs/Homes creating a possibility of the needs and concerns of children not being heard or addressed sufficiently therein. Reasons for non-constitution of a CC could be due to multiple reasons such as lack of awareness or monitoring, or non-appointment of a person in charge of the CCI/Home whose functions include constitution of a functional CC etc. However, the poor trend in this aspect is a cause for concern.

5.26 Grievance redressal mechanisms

It is imperative that all CCIs/Homes have an effective Grievance Redressal Mechanism which is an integral part of a CPP. This study tried to understand the availability within CCIs/Homes of various Grievance Redressal mechanisms such as Suggestion box, CCTV cameras, functional Children Committees, Regular staff-children interface etc. awareness regarding CHILDLINE1098 and Training & orientation of care givers and children regarding all the above.

Under Rule 39 of JJ Rules, 2016 the Management Committee must set up a complaint and redressal mechanism and a Children's Suggestion Box should be placed at an easily accessible location to children, away from the office set up, and closer to the residence or rooms or dormitories of the children in every institution.

5.27 It may be mentioned here that besides the JJ Act and Rules framed thereunder, Court directives from time to time and guidelines issued by the Commission for the Protection of Child Rights have emphasized on the creation of a system for accountability and redressal of grievances. In order to ensure accountability, the mainstream mechanisms should also include redressal of grievances related to punishment, discrimination and harassment of children. Every Child Care Institution should have a complaint box at a prominent place in the building to receive complaints against corporal punishment. The redressal also keeps a check on the behaviour and performance of the staff in CCIs/Homes on a regular basis.

Table 5.5 State-wise percentages of CCIs/Homes having different kinds of Grievance Redressal Mechanisms

| State/UTs | Total No. of CCIs/Homes | Suggestion box | Awareness regarding CHILDLINE 1098 | CCTV Cameras | Children's committees are functional | Regular staff - children interface |
|-------------------|-------------------------|----------------|------------------------------------|--------------|--------------------------------------|------------------------------------|
| A & N Island | 17 | 41.2 | 0.0 | 17.6 | 11.8 | 64.7 |
| Andhra Pradesh | 762 | 27.0 | 31.4 | 12.7 | 28.5 | 72.0 |
| Arunachal Pradesh | 8 | 12.5 | 12.5 | 12.5 | 0.0 | 25.0 |
| Assam | 131 | 29.0 | 20.6 | 3.8 | 16.0 | 49.6 |
| Bihar | 84 | 33.3 | 29.8 | 33.3 | 39.3 | 60.7 |
| Chandigarh | 16 | 81.3 | 0.0 | 75.0 | 50.0 | 81.3 |

Standard of Care in CCIs/Homes

| State/UTs | Total No. of CCIs/Homes | Suggestion box | Awareness regarding CHILDLINE 1098 | CCTV Cameras | Children's committees are functional | Regular staff - children interface |
|------------------|-------------------------|----------------|------------------------------------|--------------|--------------------------------------|------------------------------------|
| Chhattisgarh | 122 | 41.0 | 34.4 | 40.2 | 38.5 | 75.4 |
| Delhi | 125 | 64.0 | 24.8 | 49.6 | 62.4 | 84.8 |
| Goa | 70 | 24.3 | 37.1 | 28.6 | 61.4 | 90.0 |
| Gujarat | 169 | 65.7 | 19.5 | 27.2 | 58.6 | 63.9 |
| Haryana | 79 | 70.9 | 30.4 | 68.4 | 62.0 | 64.6 |
| Himachal Pradesh | 46 | 45.7 | 13.0 | 43.5 | 32.6 | 41.3 |
| J&K | 362 | 8.8 | 5.8 | 2.8 | 12.2 | 63.5 |
| Jharkhand | 127 | 25.2 | 13.4 | 7.1 | 27.6 | 48.0 |
| Karnataka | 911 | 26.8 | 31.4 | 27.8 | 29.1 | 71.4 |
| Kerala | 1242 | 28.9 | 31.1 | 7.3 | 26.2 | 84.5 |
| MP | 146 | 52.1 | 45.2 | 36.3 | 30.1 | 59.6 |
| Maharashtra | 1284 | 64.1 | 17.7 | 15.3 | 31.9 | 67.6 |
| Manipur | 62 | 27.4 | 3.2 | 1.6 | 21.0 | 40.3 |
| Meghalaya | 84 | 28.6 | 10.7 | 6.0 | 35.7 | 63.1 |
| Mizoram | 46 | 63.0 | 0.0 | 0.0 | 58.7 | 93.5 |
| Nagaland | 67 | 31.3 | 25.4 | 11.9 | 20.9 | 71.6 |
| Orissa | 427 | 67.7 | 58.3 | 8.9 | 59.7 | 53.6 |
| Pudduchery | 91 | 15.4 | 0.0 | 0.0 | 13.2 | 79.1 |
| Punjab | 73 | 58.9 | 26.0 | 72.6 | 32.9 | 95.9 |
| Rajasthan | 277 | 63.2 | 58.8 | 35.7 | 48.4 | 74.4 |
| Sikkim | 23 | 21.7 | 4.3 | 17.4 | 39.1 | 60.9 |
| Tamil Nadu | 1647 | 62.5 | 49.5 | 34.5 | 18.9 | 76.0 |
| Telangana | 494 | 21.3 | 0.0 | 18.0 | 25.7 | 65.8 |
| Tripura | 44 | 22.7 | 22.7 | 6.8 | 27.3 | 36.4 |
| UP | 170 | 26.5 | 24.7 | 31.8 | 32.4 | 58.2 |
| Uttaranchal | 56 | 25.0 | 21.4 | 50.0 | 32.1 | 76.8 |
| West Bengal | 327 | 44.0 | 8.9 | 29.7 | 43.1 | 77.4 |
| Total | 9589 | 43.4 | 29.5 | 21.5 | 30.4 | 71.2 |

5.28 The table indicates that while staff – children interface is the most commonly used grievance redressal mechanism with a national average of 71.2 % usage across CCIs/Homes, all the other mechanisms are in place nationally in less than 45% CCIs/Homes. The suggestion box is used the most in 81% CCIs/Homes in Chandigarh, followed by Haryana (71%), Odisha (68%), Gujarat

(66%), Delhi and Maharashtra (each 64%), and Mizoram and Rajasthan (each 63%). In other States/UTs less than 50% of CCIs/Homes use this method. With regards to staff-children interface Punjab has reported the highest percentage of usage at 95.9% followed by Mizoram with 93.5%. However the degree of implementation varies and the quality of interaction has not been assessed via this Mapping exercise.

5.29 CHILDLINE 1098 is a 24x7 emergency response telephone service for children in distress. Any child in need of care and protection or a concerned adult on behalf of a child, can call the toll free number 1098 and ask for information or physical assistance as required. 58.8% of CCIs/Homes in Rajasthan and 58.8% in Odisha reported the highest awareness about CHILDLINE1098 however the national average was seen to be only 29.5%. It may be mentioned here that besides awareness regarding this safeguarding mechanism, it is also essential that children are provided ease of accessibility so that they are able to call without fear or hindrance. However, this study did not explore whether calling 1098 was at all possible even within CCIs/Homes where a high degree of awareness regarding CHILDLINE was seen.

5.30 Installation of CCTV cameras can strengthen efficient supervision and functioning of CCIs/Homes. Chandigarh (75%) and Punjab (73%) reported the highest percentage of installation of CCTV in CCIs/Homes. On the other hand, none of the CCIs/Homes in Mizoram and Puducherry were compliant regarding this safety mechanism.

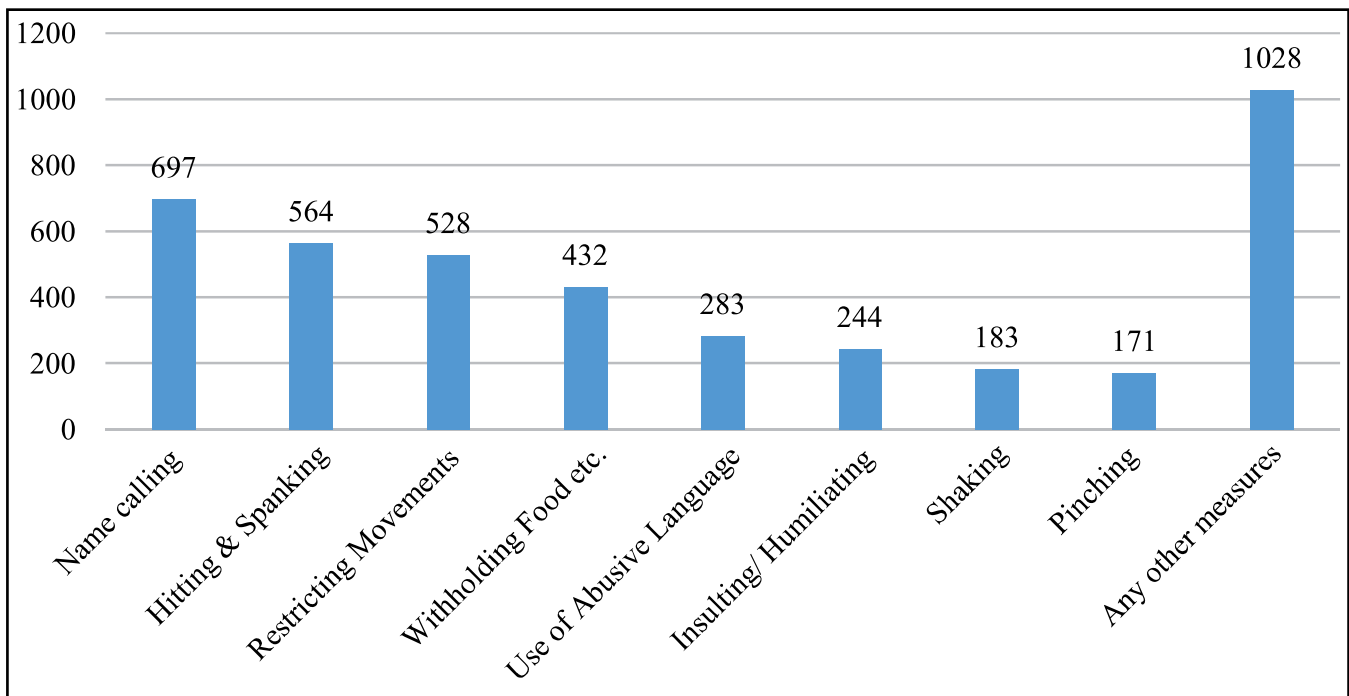
5.31 Except Arunachal Pradesh, CCIs/Homes in all the States/UTs have reported that functional Children Committees have been set up however, quality of functioning was not assessed through this study. CCIs/Homes in Delhi and Haryana have the highest number of functional Children Committees (each at 62%).

5.32 **Enforcing discipline**

The JJ Act, 2015 and Rules framed thereunder, define and detail various offences against children including cruelty and corporal punishment and provide punishment for the same. Not only does the Act define these particular offences, all other crimes listed also have higher punishments if the offence is committed by someone, having custody of or who is in charge of, the child. For e.g. Section

82 of the JJ Act, 2015 clearly states that any person in-charge of or employed in a CCI/Home, who subjects a child to corporal punishment with the aim of disciplining the child, shall be liable to fine or imprisonment. Apart from the law, in terms of general understanding of standards of care it is widely accepted that a no-tolerance policy for corporal punishment in CCIs/Homes is a non-negotiable.

Graph 5.7 Number of CCIs/Homes using various discipline enforcement methods – National Snapshot



5.33 The data reflects that the methods of discipline enforcement used by CCIs/Homes vary and include those that fall within the ambit of corporal punishment and humiliating category, prohibited under the JJ Act. 4130 CCIs/Homes admitted to using these measures to enforce discipline. These facts were also further confirmed by children. It was seen that in many instances, lack of sensitisation and awareness as well as the skills needed to deal with trauma affected children and prevent burnout of self, were missing. However, if such illegal methods of enforcing discipline are being used against children in CCIs/Homes, as the data reveals, the constitution of functional HMCs and CCs, skill training and regular monitoring, becomes even more imperative.

Table 5.6 State wise distribution of CCIs/Homes using various negative discipline enforcement methods amounting to corporal punishment

| States/UTs | No. Of CCIs/Homes | Restraining movement | With-holding food etc. | Using abusive language | Insulting | Hitting spanking | Name calling | Pinching | Shaking | other measures |
|-------------------|-------------------|----------------------|------------------------|------------------------|-----------|------------------|--------------|----------|---------|----------------|
| A&N | 17 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 |
| Andhra Pradesh | 762 | 29 | 19 | 6 | 2 | 9 | 89 | 1 | 0 | 28 |
| Arunachal Pradesh | 8 | 2 | 0 | 1 | 1 | 1 | 3 | 1 | 2 | 1 |
| Assam | 131 | 15 | 8 | 1 | 1 | 3 | 5 | 3 | 2 | 4 |
| Bihar | 84 | 14 | 16 | 1 | 3 | 2 | 17 | 2 | 3 | 3 |
| Chandigarh | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Chhattisgarh | 122 | 2 | 3 | 2 | 2 | 7 | 5 | 2 | 1 | 1 |
| Delhi | 125 | 5 | 3 | 3 | 4 | 13 | 2 | 0 | 0 | 1 |
| Goa | 70 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 27 |
| Gujarat | 169 | 15 | 4 | 8 | 7 | 4 | 6 | 3 | 1 | 2 |
| Haryana | 79 | 19 | 32 | 12 | 6 | 14 | 4 | 2 | 5 | 10 |
| Himachal Pradesh | 46 | 8 | 2 | 0 | 4 | 3 | 9 | 1 | 2 | 4 |
| Jammu & Kashmir | 362 | 5 | 1 | 3 | 2 | 4 | 11 | 1 | 12 | 94 |
| Jharkhand | 127 | 14 | 20 | 7 | 9 | 14 | 26 | 6 | 7 | 7 |
| Karnataka | 911 | 80 | 65 | 41 | 36 | 125 | 75 | 22 | 31 | 95 |
| Kerala | 1242 | 20 | 39 | 19 | 30 | 99 | 43 | 45 | 8 | 99 |
| Madhya Pradesh | 146 | 11 | 3 | 3 | 3 | 9 | 7 | 6 | 5 | 3 |
| Maharashtra | 1284 | 67 | 30 | 98 | 59 | 100 | 123 | 27 | 47 | 288 |
| Manipur | 62 | 2 | 3 | 4 | 2 | 2 | 5 | 2 | 12 | 4 |
| Meghalaya | 84 | 12 | 8 | 10 | 9 | 16 | 8 | 8 | 14 | 20 |
| Mizoram | 46 | 0 | 1 | 0 | 0 | 4 | 11 | 0 | 4 | 20 |
| Nagaland | 67 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 1 |
| Odisha | 427 | 30 | 37 | 6 | 5 | 6 | 60 | 2 | 2 | 5 |
| Puducherry | 91 | 1 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 5 |
| Punjab | 73 | 3 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 12 |
| Rajasthan | 277 | 29 | 54 | 5 | 2 | 2 | 1 | 1 | 1 | 0 |
| Sikkim | 23 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tamil Nadu | 1647 | 92 | 51 | 36 | 40 | 87 | 146 | 21 | 10 | 167 |
| Telangana | 494 | 18 | 26 | 5 | 4 | 13 | 14 | 7 | 3 | 5 |
| Tripura | 44 | 10 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 0 |
| Uttar Pradesh | 170 | 12 | 4 | 5 | 10 | 15 | 16 | 2 | 9 | 41 |
| Uttaranchal | 56 | 2 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 24 |
| West Bengal | 327 | 11 | 2 | 5 | 1 | 2 | 5 | 4 | 0 | 55 |
| All India | 9589 | 528 | 432 | 283 | 244 | 564 | 697 | 171 | 183 | 1028 |

5.34 The above table also indicates that the percentage of practice of restricting/restraining movement of children is highest in CCIs/Homes of Arunachal Pradesh, 25%(two out of eight), followed by 24% in Haryana and 23% in Tripura. However this practice is not followed in A&N, Chandigarh, Goa, Mizoram, Nagaland, and Sikkim. In terms of numbers it is seen that Tamil Nadu and Karnataka have a substantial number of CCIs/Homes where this practice is being followed.

Key Highlights

- States/UTs in which minimal use of corporal punishment to enforce discipline is seen are Chandigarh, Nagaland, Andaman & Nicobar
- Haryana and Arunachal Pradesh have the lowest standards in this regard.

5.35 Compared to the other States/UTs, the percentage of CCIs/Homes using the practice of withholding food/rest or use of toilet as a means of enforcing discipline is the highest in of Haryana , followed by Bihar and Rajasthan (19 % each), Jharkhand (16%), and Meghalaya (10%). The other CCIs/Homes which practice this form of discipline to some extent at 2% each are in Andhra Pradesh, Chhattisgarh, Delhi, Gujarat, Madhya Pradesh, Maharashtra, Mizoram and Uttar Pradesh. On the positive side it is seen that some of the States/UTs namely A&N, Arunachal Pradesh, Chandigarh, Goa, J&K, Nagaland, Puducherry, Sikkim, Tripura and Uttaranchal have not reported use of these means at all to enforce discipline in CCIs/Homes.

Rule 69 N of JJ Rules, 2016, Manner of dealing with unacceptable behaviour:-

1. The action taken shall be commensurate with the nature and degree of violation and the age of the child and may be any of the following: (i) formal warning; (ii) assignment of house-keeping tasks; (iii) imposition writing i.e. writing a number of times that he shall not repeat the behaviour; and (iv) forfeiture of privileges viz. permission to watch television, permission to go for outdoor activity, sports and recreation and other preferred activity;
2. No child shall be subject to corporal punishment or any mental harassment including humiliating behaviour affecting the dignity of the child.

5.36 In the use of abusive language in CCIs/Homes, Haryana has once again reported the highest percentage (15%), followed by Arunachal Pradesh (13%) and Meghalaya (12%). It was also found that insulting and humiliating to discipline children was done in more CCIs/Homes of Arunachal Pradesh (13%) and Meghalaya (11%) than other States/UTs. A cause for great concern was the percentage of CCIs/Homes using hitting and spanking in Meghalaya (19 %), Haryana (17.7%), Arunachal Pradesh (12.5%), and Delhi (10%). However in terms of actual numbers of CCIs/Homes violating this non-negotiable, number of CCIs/Homes in Karnataka, Maharashtra, Kerala and Tamil Nadu are far higher.

5.37 As per norm and rule, CCIs/Homes in Arunachal Pradesh (38%) have reported usage of name calling as a disciplinary method, the most. None of the CCIs/Homes in Chandigarh, Nagaland, Puduchery, Rajasthan, Sikkim, and Tripura use this method to enforce discipline. Sometimes, staff of CCIs/Homes also use pinching and shaking of children as a purpose of discipline enforcement. Of all the states/UTs, Arunachal Pradesh uses these methods the most with 12.5% for pinching and 25% for shaking. However in terms of numbers these amount to 1 and 2 CCIs/Homes only, whereas far lower percentages of Kerala, Karnataka and Maharashtra present deceptively low percentages but sport this method of disciplining in CCIs/Homes ranging from 22-45 showing a far more widespread malaise.

5.38 It is disturbing and a serious cause of concern to see that the above mentioned negative and legally forbidden practices are in use, to some extent, in almost all the CCIs/Home of States/UTs. It is also seen that various disciplining methods that involve physical harm and force are being enforced either separately or in combinations with different forms. It becomes an even larger sensitisation concern when the design of this study is recalled whereby there was a mandatory inclusion of a district administration representative in all teams that visited CCIs/Homes. It is an indication of how well established these practices are that staff was not uncomfortable to share information regarding use of such means of disciplining on children.

5.39 The States/UTs which do not use such methods to discipline in the order of best performance appear to be Chandigarh, Andaman & Nicobar and Nagaland.

III. Nutrition/Diet/Meal plans

5.40 Nutritional meal or proper diet is essential for a child's growth. The JJ Act has prescribed norms and diet chart provisions for children placed in CCIs/Homes. The Act provides that the meals should be planned in consultation with the children's committee. The CCIs/Homes' staff should also be aware of the nutritional requirements of children. Further many CCIs/Homes have provisions for special meal during festivals, birthday celebrations, and special diet as per health requirements, and also accept cooked food from sponsors.

Rule 33 of the JJ Rules, 2016 deals with Nutrition and Diet Scale to be followed by every Child Care Institution. It states that the children shall be provided four meals in a day including breakfast; the menu shall be prepared with the help of a nutritional expert or doctor to ensure balanced diet and variety in taste as per the minimum nutritional standard and diet scale; every Child Care Institution shall strictly adhere to the minimum nutritional standard and diet scale that has been prescribed in detail.

5.41 As per the JJ Rules of 2016, an individual care plan i.e. a comprehensive development plan for a child based on history, age and gender must be prepared in consultation with the child. Among other factors, the plan also has to address the health and nutrition needs, including any special needs of the child. The caregivers must be aware of the nutritional needs of the children in the CCIs/Homes based on their age; and in cases of children with special needs balanced diet should be provided to ensure their good health and development. It is also important to periodically assess the health of all children and see if they have any dietary deficiencies and health issues.

5.42 The Rules also lay down that infants and sick children should be provided with special diet according to the advice of the doctor or at the discretion of the Person-in-charge. Extra diet for nourishment like milk, eggs, sugar and fruits shall be provided to the children on the advice of the institutional doctor, to gain weight or for other health reasons. For the purpose therefore of calculation of the daily ration, children who are unwell shall be excluded from the day's strength.

Rules 33 (2) of JJ Rules, 2016 states that Children may be provided special meals on holidays, festivals, sports and cultural day and celebration of national festival.

5.43 The JJ Rules, 2016 have laid down very clear guidelines on how much and what kind of food needs to be given to children in the CCIs/Homes. The special needs of children, including for those who are sick, have also been taken into account. Therefore, CCIs/Homes must adhere to the guidelines set out to ensure the best health and well-being of the children.

Table 5.7 State wise percentage distribution of CCIs/Homes following Nutrition/Diet/Meal Plans

| States/UTs | Total No. of CCIs/Homes | Staff aware of the nutritional requirement of children | Planning meals in consultation with children | Meals provided in accordance with prescribed Norms | Celebrating children's birthdays | Providing special meals on festivals/occasions | Special diet provided to sick / special health children, on Doctor's advice | Receive sponsored cooked / uncooked food items, lunch, dinner, baby food etc. | Cooked food received from sponsors is checked by care giver | Supervision of care-takers while feeding babies |
|-------------------|-------------------------|--|--|--|----------------------------------|--|---|---|---|---|
| A & N | 17 | 88.2 | 47.1 | 41.2 | 88.2 | 94.1 | 100.0 | 23.5 | 23.5 | 11.8 |
| Andhra Pradesh | 762 | 63.4 | 51.3 | 66.9 | 83.3 | 91.2 | 91.9 | 57.2 | 32.4 | 32.0 |
| Arunachal Pradesh | 8 | 50.0 | 12.5 | 25.0 | 37.5 | 62.5 | 62.5 | 50.0 | 37.5 | 25.0 |
| Assam | 131 | 56.5 | 31.3 | 42.7 | 31.3 | 57.3 | 56.5 | 35.1 | 25.2 | 29.8 |
| Bihar | 84 | 65.5 | 52.4 | 66.7 | 32.1 | 79.8 | 81.0 | 26.2 | 21.4 | 38.1 |
| Chandigarh | 16 | 93.8 | 56.3 | 68.8 | 56.3 | 81.3 | 81.3 | 43.8 | 6.3 | 18.8 |
| Chhattisgarh | 122 | 75.4 | 54.1 | 66.4 | 48.4 | 80.3 | 80.3 | 39.3 | 32.8 | 37.7 |
| Delhi | 125 | 77.6 | 68.0 | 80.8 | 64.8 | 88.8 | 87.2 | 72.0 | 61.6 | 12.0 |
| Goa | 70 | 97.1 | 55.7 | 90.0 | 91.4 | 94.3 | 95.7 | 68.6 | 42.9 | 12.9 |
| Gujarat | 169 | 63.3 | 47.9 | 68.0 | 60.4 | 76.3 | 72.2 | 61.5 | 50.9 | 40.2 |
| Haryana | 79 | 64.6 | 72.2 | 77.2 | 75.9 | 79.7 | 77.2 | 75.9 | 74.7 | 49.4 |
| Himachal Pradesh | 46 | 54.3 | 47.8 | 52.2 | 52.2 | 76.1 | 71.7 | 41.3 | 19.6 | 26.1 |
| Jammu & Kashmir | 362 | 79.6 | 69.9 | 80.7 | 9.9 | 95.6 | 96.7 | 58.6 | 49.7 | 12.4 |
| Jharkhand | 127 | 53.5 | 49.6 | 52.8 | 44.9 | 75.6 | 73.2 | 44.1 | 35.4 | 49.6 |
| Karnataka | 911 | 65.1 | 53.9 | 62.8 | 72.4 | 88.7 | 88.8 | 61.9 | 51.4 | 36.3 |
| Kerala | 1242 | 82.1 | 68.0 | 70.9 | 72.2 | 94.1 | 93.8 | 70.9 | 59.3 | 21.7 |
| Madhya Pradesh | 146 | 64.4 | 45.9 | 58.9 | 61.0 | 80.1 | 80.8 | 51.4 | 41.1 | 32.9 |

| States/UTs | Total No. of CCIs/Homes | Staff aware of the nutritional requirement of children | Planning meals in consultation with children | Meals provided in accordance with prescribed Norms | Celebrating children's birthdays | Providing special meals on festivals/occasions | Special diet provided to sick / special health children, on Doctor's advice | Receive sponsored cooked /un-cooked food items, lunch, dinner, baby food etc. | Cooked food received from sponsors is checked by care giver | Supervision of care-takers while feeding babies |
|---------------|-------------------------|--|--|--|----------------------------------|--|---|---|---|---|
| Maharashtra | 1284 | 68.3 | 52.3 | 78.3 | 73.5 | 89.2 | 76.7 | 46.2 | 37.3 | 19.6 |
| Manipur | 62 | 45.2 | 37.1 | 43.5 | 29.0 | 53.2 | 53.2 | 37.1 | 24.2 | 16.1 |
| Meghalaya | 84 | 83.3 | 48.8 | 72.6 | 59.5 | 79.8 | 76.2 | 34.5 | 25.0 | 20.2 |
| Mizoram | 46 | 82.6 | 60.9 | 78.3 | 80.4 | 95.7 | 95.7 | 58.7 | 50.0 | 39.1 |
| Nagaland | 67 | 71.6 | 41.8 | 14.9 | 64.2 | 85.1 | 92.5 | 28.4 | 28.4 | 14.9 |
| Odisha | 427 | 60.0 | 62.5 | 66.0 | 60.0 | 75.6 | 75.6 | 29.7 | 14.5 | 44.7 |
| Puducherry | 91 | 87.9 | 78.0 | 91.2 | 84.6 | 89.0 | 92.3 | 57.1 | 57.1 | 22.0 |
| Punjab | 73 | 95.9 | 76.7 | 94.5 | 79.5 | 97.3 | 95.9 | 78.1 | 16.4 | 45.2 |
| Rajasthan | 277 | 76.9 | 69.3 | 75.5 | 50.5 | 75.8 | 76.2 | 39.4 | 55.6 | 74.0 |
| Sikkim | 23 | 100.0 | 26.1 | 78.3 | 65.2 | 91.3 | 91.3 | 47.8 | 26.1 | 8.7 |
| Tamil Nadu | 1647 | 81.2 | 73.8 | 77.0 | 76.2 | 93.1 | 90.5 | 71.9 | 60.0 | 5.0 |
| Telangana | 494 | 72.9 | 70.0 | 74.9 | 86.2 | 89.7 | 87.9 | 63.4 | 42.9 | 46.4 |
| Tripura | 44 | 47.7 | 47.7 | 54.5 | 18.2 | 79.5 | 81.8 | 52.3 | 11.4 | 54.5 |
| Uttar Pradesh | 170 | 54.1 | 53.5 | 56.5 | 56.5 | 73.5 | 73.5 | 51.8 | 41.2 | 48.8 |
| Uttaranchal | 56 | 66.1 | 46.4 | 66.1 | 60.7 | 78.6 | 73.2 | 46.4 | 28.6 | 51.8 |
| West Bengal | 327 | 86.2 | 75.5 | 87.5 | 53.8 | 89.6 | 92.7 | 66.7 | 55.4 | 36.4 |
| All India | 9589 | 72.8 | 61.4 | 71.6 | 67.7 | 88.0 | 85.8 | 58.1 | 46.0 | 27.0 |

5.44 Staff supervision while feeding babies is important, however, the data suggests that only 27% of the total CCIs/Homes in India have provision for such supervision.

5.45 The table 5.7 represents, amongst other aspects related to nutrition and diet, staff awareness on the nutritional requirement of children at varying stages of their development. CCIs/Homes in Sikkim show a positive record with all its CCIs/Homes having staff that are aware of the nutritional needs of children. This is followed by Goa at 97% and Punjab at 96%. Most of the States/UTs across India have performed well on these criteria with some exceptions of Manipur at 45% followed by Tripura at 48%.

5.46 The table 5.7 indicates three criteria; the first one is creating a meal plan in consultation with children, where Pudduchery (78%) and Punjab (77%) ranked the highest whereas Arunachal Pradesh is the lowest (13%) followed by Sikkim (26%). The next criteria is whether the meals prepared are according to the diet scale or prescribed norms, with regard to which CCIs/Homes in Punjab (95%) and Pudduchery(91%) have reported positively followed by Goa at (90%). The States/UTs that have the lowest percentage of implementation in this aspect are Nagaland (15%) and Arunachal Pradesh (25%). The third criterion is regarding provision of special diet to sick/special health children, as per the advice of a Doctor in which case, Andaman & Nicobar have reported successful implementation (at 100%) followed by Jammu & Kashmir with (97%) and Goa, Mizoram and Punjab each at 96%. Assam has the lowest percentage of CCIs/Homes adhering to this criterion at 56%.

5.47 About 90% of the CCIs/Homes in Goa celebrate birthdays of the children followed by Andaman & Nicobar at 88%. Jammu & Kashmir has the lowest percentage of CCIs/Homes following this practice at 10% preceded by Tripura at 18% CCIs/Homes. The States/UTs having large percentage of CCIs/Homes providing special meals during festivals/ special occasions are Punjab with 97% followed closely by Mizoram and Jammu & Kashmir each at 96%; the lowest percentage were observed in Manipur (53%) and Assam (57%). Interesting that Jammu and Kashmir CCIs/Homes do not celebrate birthdays however do celebrate festivals. All the states have at least 50 percent of the CCIs/Homes following this practise; the national average being 88%. However, provision of special meals on birthdays, festivals and occasion must be encouraged in all CCIs/Homes as it creates a sense of belonging and helps a child feel rooted in his surroundings.

5.48 CCIs/Homes receive sponsored food which could either be cooked or uncooked food, lunch, dinner, baby food etc. from donors; Punjab at 78% CCIs/Homes receiving it is the highest followed closely by Haryana at 76% CCIs/Homes. The lowest percentage of CCIs/Homes receiving food is seen in Andaman & Nicobar with 24% and Bihar at 26%. Additionally, the data reveals that only 46 per cent of CCIs/Homes in India follow the practice of tasting and checking the donated food which is a violation of norm. Food received in donation by CCIs/Homes whether cooked or uncooked should be checked properly in order to save the children from the risk of falling sick.

5.49 Participation of the child, Child in all aspects of living in the Child Care Institution, is an important contributor to the child's well being and development. However, the data collected shows that only 61.4 % of CCIs/Homes did not consult children regarding meal preparation as is mandated.

IV. Clothing, Bedding, Personal Hygiene & other

5.50 Age and gender based segregation for stay & provision of separate beds

Age and gender based segregation for stay as well as provision of separate beds is important for privacy and security of the children while living in CCIs/Homes. Based as they are on the best interest of children, CCIs/Homes must adhere to the set guidelines and standards contained in the JJ Act and Model rules and periodic review must be conducted to ensure that every child is given a bed and the other essentials to ensure his/her comfort as well as safety.

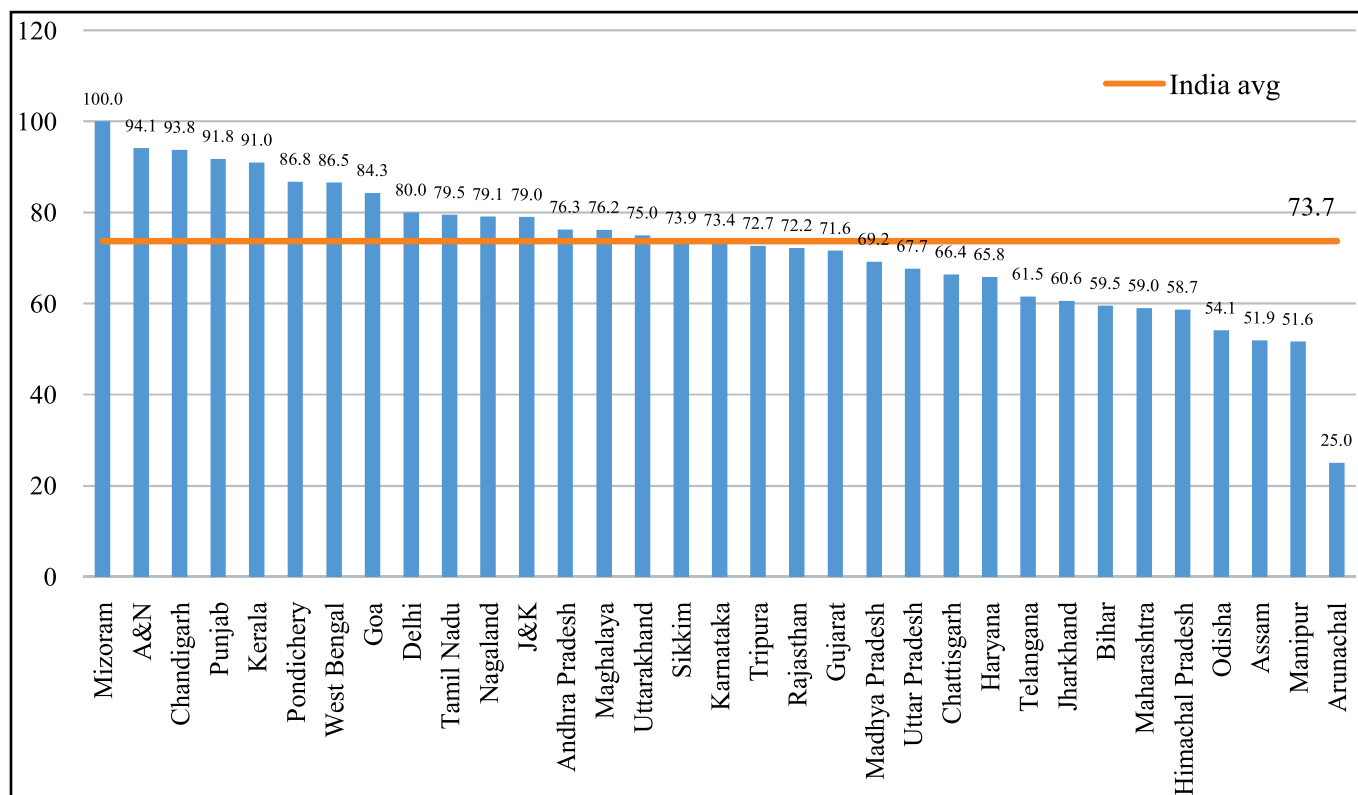
5.51 Rule 29 of the JJ Rules, 2016 state that there must be separate Observation Homes for girls and boys; separate Special Homes for girls above the age of 10 years and boys in the age groups of 11 to 15 and 16 to 18 years. Where Children's Homes are concerned, while children below 6 years of age of both genders may be kept in the same CCI/Home, separate bathing and sleeping facilities are to be maintained. Boys and girls in the age group of 7-11 years and 12- 18 years must be placed in separate CCIs/Homes altogether. The Rules also detail that children upto the age of six must be provided separate facilities and space. and separate living, bathing etc.. Rule No. 29(6) of the JJ Rules, 2016 makes suggestions for the building or accommodation in each institution with occupancy of 50 children.

5.52 Under Rule 30 of the JJ Rules, 2016 with respect to bedding, each child must be provided with multiple things including cotton dhurries, sheets, mattress, pillow and blankets etc. The time span after which each of these is to be replaced is also prescribed. While a check was done regarding provision of mandated bedding material, checking on periodicity of replacement the same was not part of this exercise.

Table 5.8 Number and percentage distribution of CCIs/Homes having enough beds and following gender and age segregation for children – National Snapshot

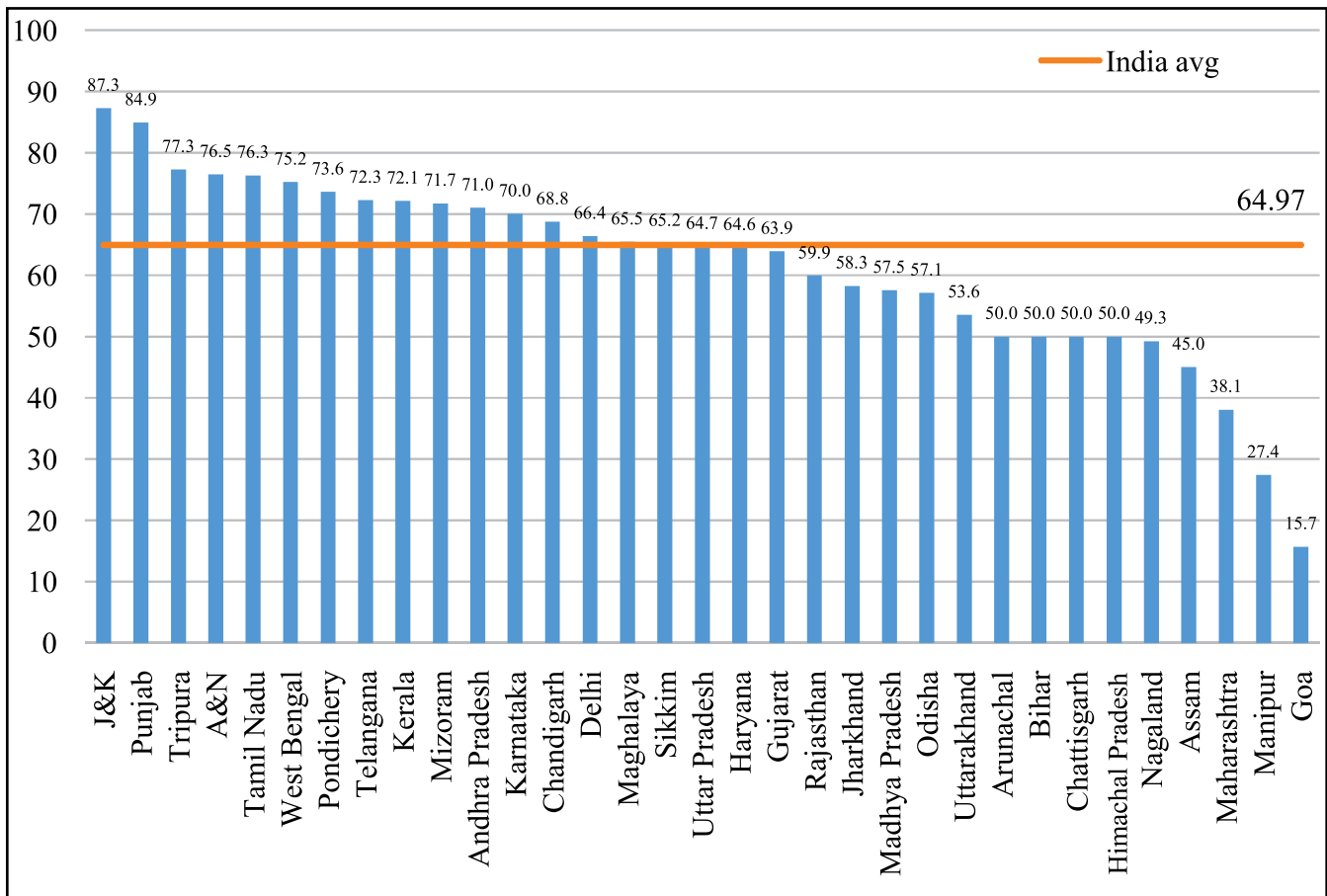
| Provision | Numbers of CCIs/Homes | Percentage of CCIs/Homes |
|--|-----------------------|--------------------------|
| No. and Percentage of CCIs/Homes where enough individual beds available & provided for children | 7067 | 73.7 |
| No. and percentage of CCIs/Homes where children are segregated according to age group & gender for stay & activities | 6230 | 65 |

5.53 Provision of separate beds and segregation according to age groups are important for safety and dignity of children. The National figures reflect that only 74% of CCIs/Homes have provisions for individual beds and children are segregated on the basis of age group and gender, only in 65% of CCIs/Homes which is a cause for concern.

Graph 5.8 State-wise distribution of CCIs/Homes providing individual beds

5.54 The graph indicates that even though provision of individual beds is mandatory, the national average of provision is 73.7% only. Only Mizoram, is fully compliant with this norm, followed by high percentages being reported by Andaman and Nicobar and Chandigarh with 94%. In Arunachal Pradesh, only 25% CCIs/Homes reported having enough beds for children.

Graph 5.9 State-wise percentage of CCIs/Homes following gender and age segregation for children



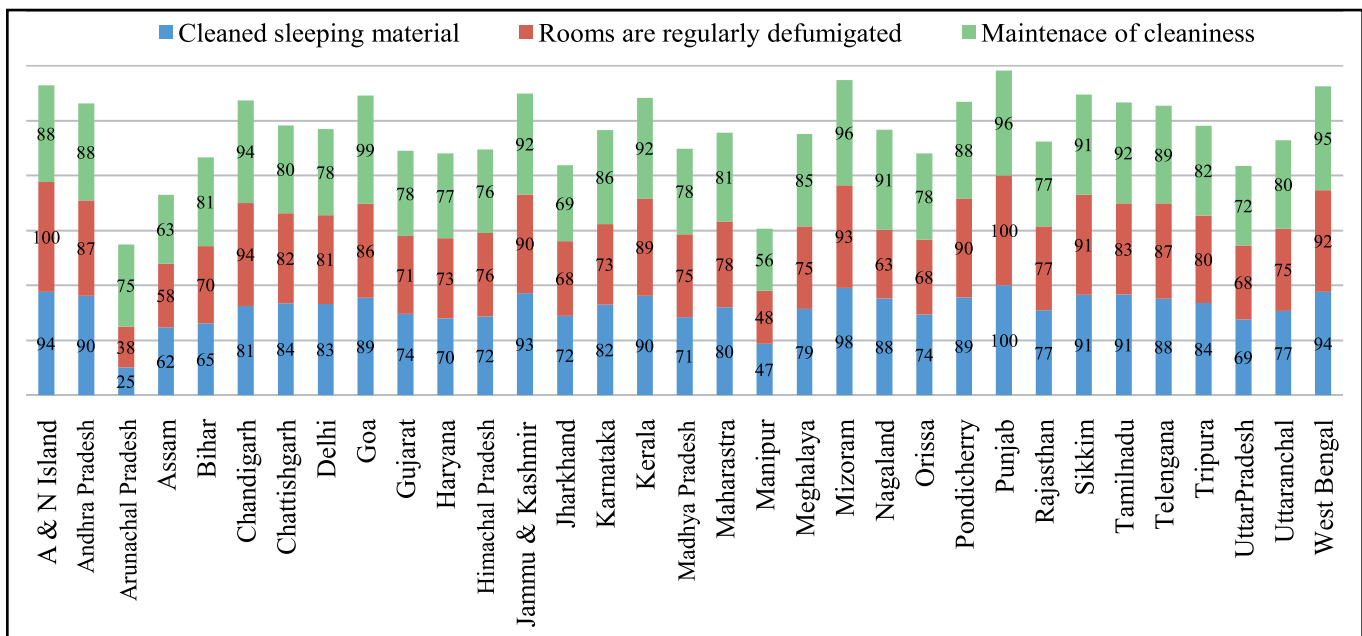
5.55 Separation of arrangements on the basis of age and gender is essential to avoid any inappropriate behaviour or incident. Age wise segregation also helps staff and caregivers to focus on the specific needs of one particular age group making special difficulties easier to identify. Lack of adequate space, infrastructure etc. might be some of the reasons for absence of segregation in some CCIs/Homes. The graph illustrates that majority of CCIs/Homes (87%) in the country have kept the children in segregation on the basis of sex and age. J&K ranks highest, followed closely by Punjab at 85%. In Goa reported only 16% of CCIs/Homes are doing so. When this situation is viewed from a legal compliance as well as a standards lens, it is seen that the scenario is far from satisfactory.

V. Cleanliness & Sanitation

5.56 Cleanliness and sanitation are important aspect of standards of care. It is important that children staying in CCIs/Homes are also provided with the right environment and guidance with regard to cleanliness and sanitation. Many children who have been homeless or parentless, or are not used to routine or maintenance of personal as well as environmental standards of hygiene, need to be inculcated into a new manner of living. The foremost requirement for this lifestyle training is to ensure the availability of such facilities at the CCIs/Homes.

5.57 The JJ Rules of 2016, under Rule 31 specifically deals with sanitation and hygiene and details facilities that a CCI is supposed to have. Maintenance of hygiene, cleanliness and sanitation at all times in the CCIs/Homes is mandatory. Sufficient cleaning staff must be employed and support of older children may be taken in this regard. The graph 5.10 below shows that there is scope for improvement in all States/UTs. To ensure CCIs/Homes maintain hygiene and sanitation, surprise inspection must be conducted and appropriate action must be taken against erring CCIs/Homes.

Graph 5.10 Cleanliness and Sanitation



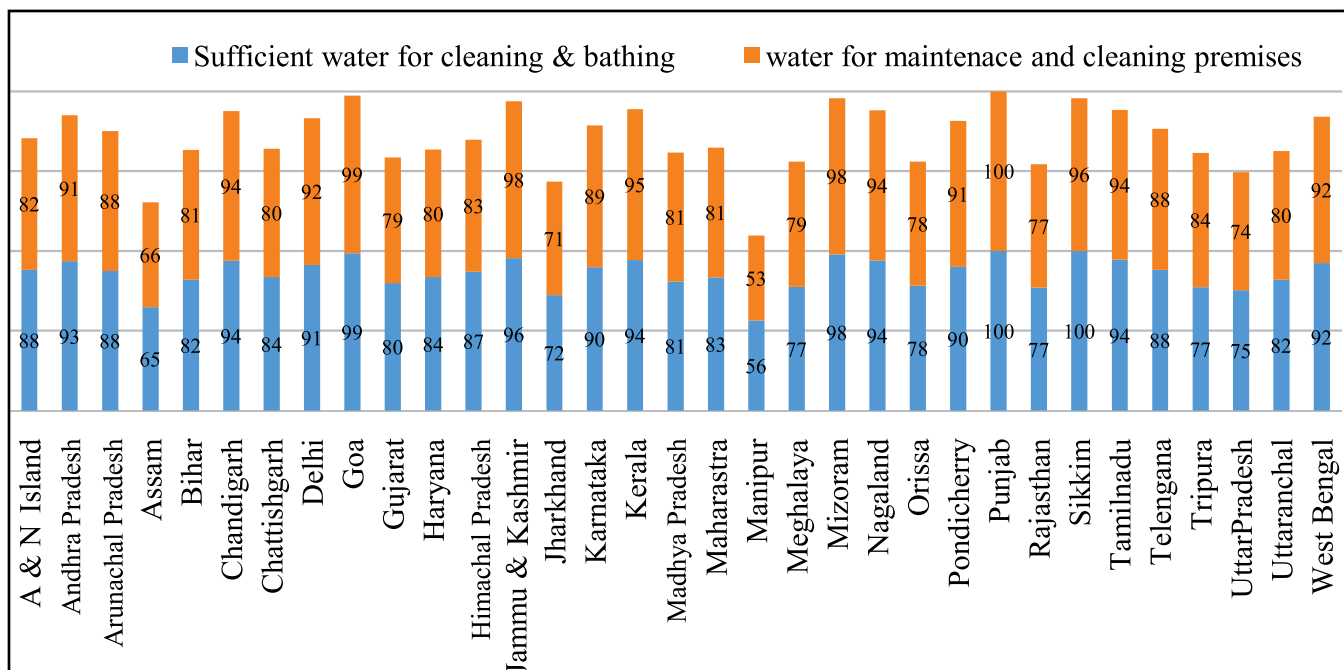
5.58 The data reflects that sleeping materials are cleaned and sanitized regularly only in all the CCIs/Homes in Punjab, closely followed by Mizoram (98%) and Andaman & Nicobar (94%). The lowest performing States/UTs are Arunachal Pradesh (25%) and Manipur (47%). Besides these two

States almost all of the other States/UTs have shown a degree of positive compliance in this aspect. Andaman & Nicobar and Punjab score very well with regard to fumigation, while Arunachal Pradesh (38%) and Manipur (48%) remain in the bottom two. Whereas all States/UTs have maintained over 70% compliance with respect to maintaining cleanliness (Goa the highest at 99% followed by Mizoram and Punjab at 96% each CCIs/Homes in Manipur, Jharkhand and Assam have not reported so.

5.59 Provision of water

In line with maintaining general standards for cleanliness and hygiene, the JJ Act also lays stress on both supply and storage of clean water for bathing, drinking and maintain the CCI/Home. Every CCIs/Homes must have sufficient water for the personal use of children as well as for the cleanliness and maintenance of the premises. It is an encouraging fact that majority of CCIs/Homes have reported such facilities; however, the data does not reveal alternatives for insufficient water supply or whether provision for water storage exists.

Rule No. 31 of the JJ Rules of 2016, dealing with Sanitation and Hygiene states that every Child Care Institution shall have facilities such as: sufficient treated drinking water; water filters or RO shall be installed in the premises for easy access at multiple locations such as kitchen, dormitory, recreational rooms etc.; and sufficient water (including hot water) for bathing and washing clothes, maintenance and cleanliness of the premises.

Graph 5.11 Water Facility

5.60 Majority of CCIs/Homes across the States/UTs (except Assam with (65% followed by Manipur (56%)) have reported over 70% compliance with regard to availability of water for bathing and washing clothes. The data reflects that all the CCIs/Homes in Punjab and Sikkim have sufficient water for cleaning and bathing. This is closely followed by Goa (99%) and Mizoram (98%).

5.61 With respect to water for cleaning and maintaining premises, Punjab has performed the best with all its CCIs/Homes have the facility, followed by Goa (99%). Jammu & Kashmir and Mizoram also have high percentage of CCIs/Homes with sufficient water within the premises (98%). The lowest percentage is again observed in Manipur (53%) and Assam (66%).

VI. Health Care & Medical

5.62 The JJ Act mandates regular supervision of health of each child admitted into CCIs/Homes. This exercise assessed performance of certain core tasks in this regard including inter alia, health check up on admission, follow up checks and creation of a health card etc.

Table 5.9 State-wise percentage of CCIs/Homes providing Health Care Facilities

| States/UTs | Total no of CCIs/Homes | health check-up on admission | regular health check up, health card etc. | Records are maintained & updated | Para-medical staff is available at night | Medicines are administered to the child by a staff/nurse | Trained staff provide First Aid | Mandatory immunization for upto 6 years of age |
|-------------------|------------------------|------------------------------|---|----------------------------------|--|--|---------------------------------|--|
| A&N | 17 | 35.3 | 41.2 | 41.2 | 23.5 | 47.1 | 41.2 | 29.4 |
| Andhra Pradesh | 762 | 58.1 | 57.9 | 54.5 | 40.6 | 76.6 | 72.8 | 21.3 |
| Arunachal Pradesh | 8 | 62.5 | 50.0 | 25.0 | 37.5 | 37.5 | 37.5 | 62.5 |
| Assam | 131 | 42.0 | 33.6 | 30.5 | 24.4 | 45.0 | 50.4 | 32.1 |
| Bihar | 84 | 67.9 | 67.9 | 58.3 | 39.3 | 64.3 | 51.2 | 29.8 |
| Chandigarh | 16 | 93.8 | 81.3 | 81.3 | 68.8 | 75.0 | 75.0 | 31.3 |
| Chhattisgarh | 122 | 60.7 | 63.1 | 42.6 | 31.1 | 50.8 | 63.1 | 13.9 |
| Delhi | 125 | 84.8 | 76.0 | 74.4 | 33.6 | 91.2 | 83.2 | 5.6 |
| Goa | 70 | 92.9 | 94.3 | 87.1 | 67.1 | 94.3 | 97.1 | 31.4 |
| Gujarat | 169 | 71.0 | 62.7 | 52.1 | 34.9 | 49.7 | 71.0 | 27.2 |
| Haryana | 79 | 75.9 | 69.6 | 68.4 | 62.0 | 63.3 | 67.1 | 41.8 |
| Himachal Pradesh | 46 | 71.7 | 54.3 | 28.3 | 37.0 | 41.3 | 39.1 | 21.7 |
| J&K | 362 | 37.8 | 34.5 | 16.9 | 23.5 | 53.6 | 50.8 | 11.9 |
| Jharkhand | 127 | 49.6 | 44.1 | 33.1 | 39.4 | 54.3 | 56.7 | 37.8 |
| Karnataka | 911 | 65.5 | 59.6 | 48.1 | 36.2 | 58.0 | 61.6 | 23.8 |
| Kerala | 1242 | 34.5 | 56.3 | 48.8 | 27.9 | 72.3 | 72.0 | 22.2 |
| Madhya Pradesh | 146 | 74.0 | 66.4 | 63.0 | 31.5 | 73.3 | 61.0 | 36.3 |
| Maharashtra | 1284 | 89.6 | 70.0 | 47.9 | 22.0 | 52.0 | 62.0 | 13.8 |
| Manipur | 62 | 41.9 | 41.9 | 37.1 | 29.0 | 41.9 | 45.2 | 21.0 |
| Meghalaya | 84 | 47.6 | 50.0 | 46.4 | 54.8 | 65.5 | 69.0 | 33.3 |
| Mizoram | 46 | 87.0 | 89.1 | 89.1 | 69.6 | 91.3 | 80.4 | 63.0 |
| Nagaland | 67 | 58.2 | 49.3 | 50.7 | 32.8 | 80.6 | 91.0 | 49.3 |
| Odisha | 427 | 56.9 | 52.0 | 28.6 | 39.1 | 57.8 | 53.6 | 40.3 |
| Pudduchery | 91 | 59.3 | 50.5 | 50.5 | 24.2 | 87.9 | 87.9 | 40.7 |
| Punjab | 73 | 91.8 | 87.7 | 84.9 | 45.2 | 95.9 | 46.6 | 57.5 |
| Rajasthan | 277 | 70.0 | 66.8 | 64.3 | 35.7 | 72.6 | 74.0 | 19.5 |
| Sikkim | 23 | 52.2 | 60.9 | 47.8 | 17.4 | 91.3 | 78.3 | 21.7 |
| Tamil Nadu | 1647 | 55.6 | 62.4 | 55.7 | 32.8 | 67.4 | 78.4 | 6.4 |
| Telangana | 494 | 62.6 | 61.3 | 43.3 | 41.9 | 60.9 | 76.7 | 21.7 |
| Tripura | 44 | 63.6 | 50.0 | 29.5 | 38.6 | 40.9 | 52.3 | 45.5 |
| Uttar Pradesh | 170 | 60.6 | 57.1 | 49.4 | 48.2 | 55.9 | 52.4 | 27.6 |
| Uttaranchal | 56 | 73.2 | 69.6 | 58.9 | 44.6 | 58.9 | 51.8 | 35.7 |
| West Bengal | 327 | 86.9 | 82.0 | 77.4 | 45.6 | 71.3 | 75.8 | 31.5 |
| Total | 9589 | 61.7 | 60.9 | 50.2 | 33.9 | 64.3 | 68.1 | 21.0 |

5.63 The study shows 62% of CCIs/Homes in the country report that every child under goes for health check-up on admission, while 61% CCIs/Homes conduct regular health check-up for children. Only about 34% of CCIs/Homes have provisions of nurse/paramedical staff at night however, 64.3% of them ensure that medicines are administered by a staff/nurse; and 68% of the CCIs/Homes have trained staff to provide First Aid. 21% of the CCIs/Homes have provision of mandatory immunization for all children upto 6 years of age. However, where the last parameter is concerned it may be noted that CCIs/Homes which did not house children below 6 years have reported that this norm does not apply to them.

5.64 The data above reflects state-level variation of health care facilities in CCIs/Homes. Chandigarh has the highest percentage of CCIs/Homes (94%) followed by Goa (93%) and Punjab (92%) conducting health check up at the time of admission of children. Whereas the lowest percentage of these is observed in Kerala (34%) and Andaman & Nicobar (35%). Goa has the highest percentage of CCIs/Homes (94%) where every child receives regular health check-ups, followed by Mizoram (89%) and Punjab (88%); Assam (34%) and Jammu & Kashmir (35%) being the lowest.

5.65 Data on availability of nurse/paramedical staff in CCIs/Homes at night is discouraging as it ranges from 70% CCIs/Homes in Mizoram to the lowest at 22% in Maharashtra and 17% in Sikkim and. The national average is 33.9%. The analysis shows that there is considerable scope for improvement, as less than 50% of the CCIs/Homes in major States/UTs comply with adequate health care facilities.

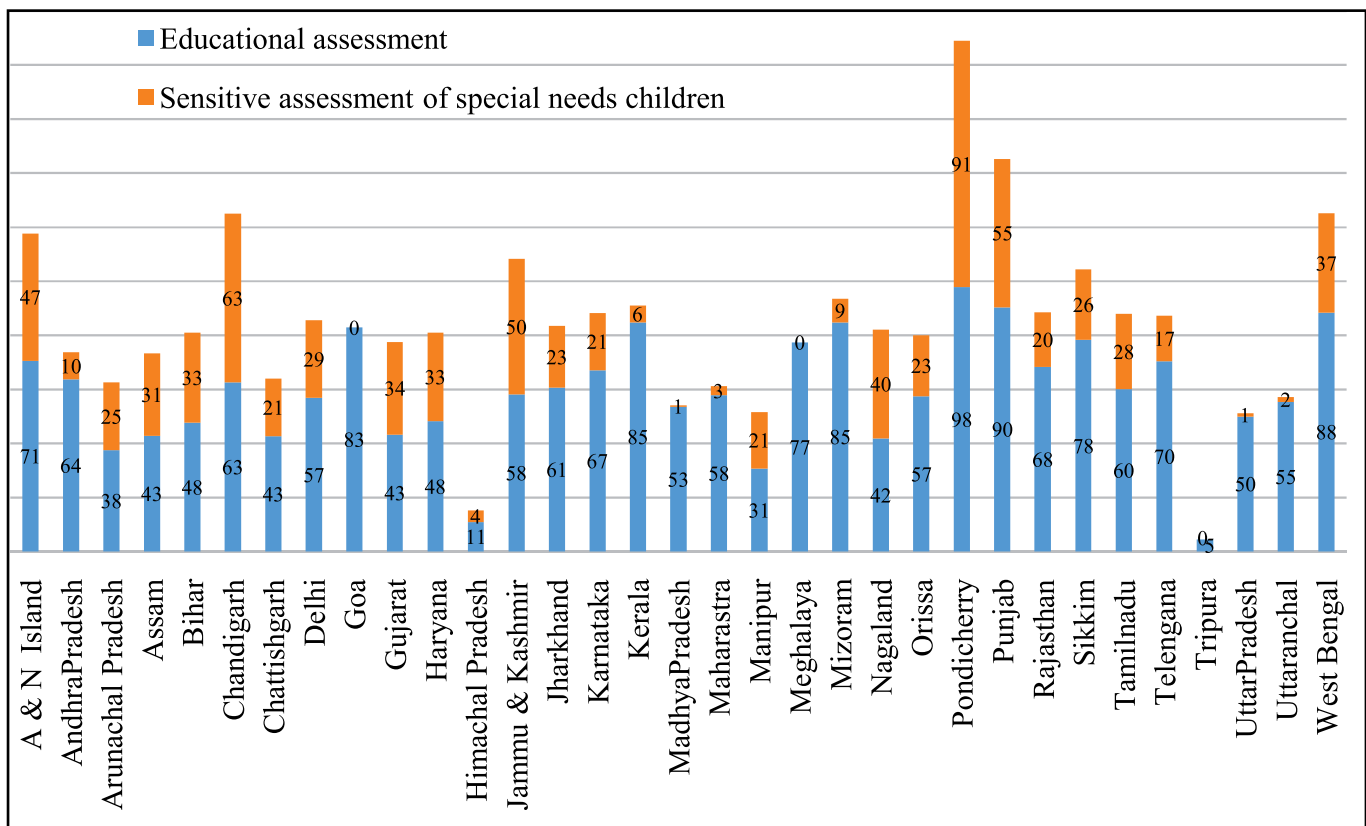
5.66 With respect to maintenance of health records and regularly updating it, the highest percentages can be seen in CCIs/Homes in Mizoram (89%) and Goa (87%). The lowest numbers can be seen in Arunachal Pradesh (25%) followed by Jammu and Kashmir (17%). The percentage of CCIs/Homes in States/UTs where nurses or a staff administer medicine, is the highest in Punjab (96%) followed by Goa (94%). The lowest percentage in order of descent are Himachal Pradesh and Tripura at 41% each followed by Arunachal Pradesh (38%).

5.67 The data reflects that Goa at 97% CCIs/Homes ranks the highest with respect to having staff in CCIs/Homes trained to provide first aid whereas Nagaland is second with 91%. Himachal Pradesh with 39% and Arunachal Pradesh at 38% of CCIs/Homes having staff trained in first Aid have the lowest percentage of such staff.

VII. Education Facilities in the CCIs/Homes

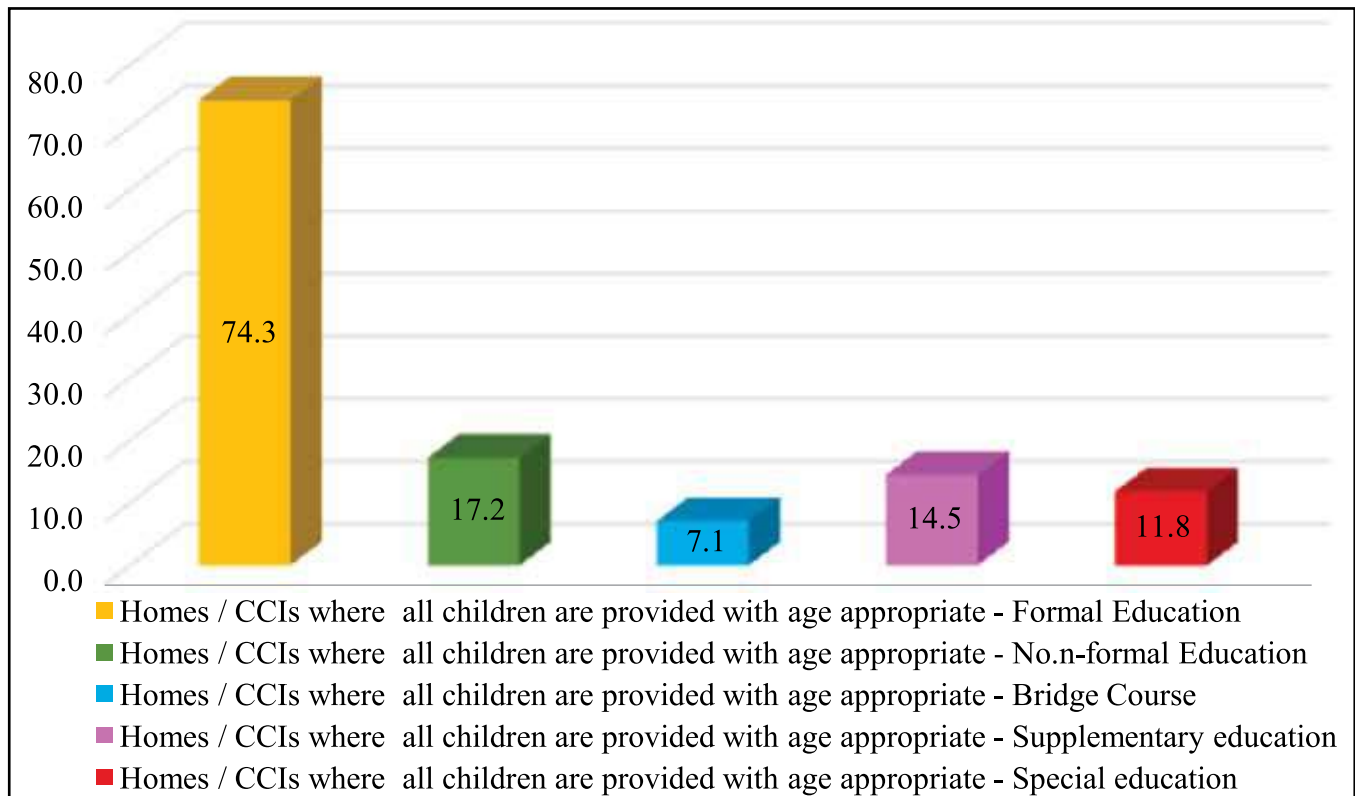
5.68 Educational assessment and its provision are important components of the Individual Care Plan (ICP). The ICP is meant to assess the overall status of the child and develop an age appropriate and need based plan based on discussion with the child. The purpose is to ensure that the uniqueness of each child is responded to by a caring personal plan. This would include special assessments therefore of children with special needs.

Graph 5.12 Educational Assessment of children including special needs children



5.69 In this regard, Puducherry ranks the highest with 98% of CCIs/Homes conducting educational assessment followed by Punjab (90%); whereas Tripura (5%) and Himachal Pradesh (11%) are the low performing States. Majority of the States/UTs have few CCIs/Homes assessing the children with special needs which is also because all CCI/Homes do not house children with special needs and also because even if they do, they lack information on the special assessment and care that is required.

Graph 5.13 Age appropriate forms of education – National Snapshot

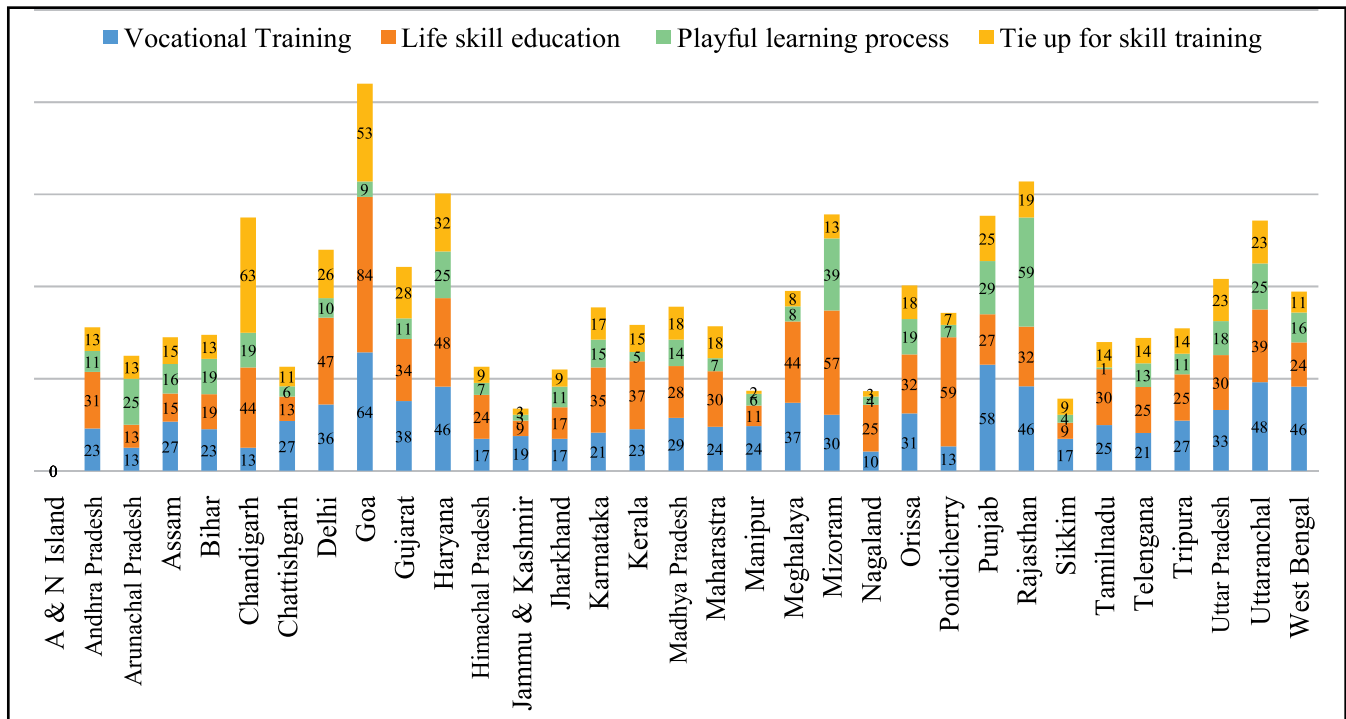


5.70 Graph 5.13 above shows percentage of CCIs/Homes imparting age appropriate education to the children. The forms of education is divided into five categories namely—formal, non-formal, bridge course, supplementary and special education. Imparting of formal education in CCIs/Homes is more prominent across the country, with Andaman & Nicobar having highest percentage (94%) of CCIs/Homes, followed by Tamil Nadu (92%). The lowest percentage can be seen in Bihar (31%) and Assam (41%).

5.71 Vocational training, life skill education, playful learning and tie-up for skill training are all integral part of the rehabilitation scheme under the JJ Act. Children are to be provided with facilities

and provisions that enable them to imbibe these skills before they leave the CCI/Home. Graph 5.14 below indicates the State-wise percentage distribution of CCIs/Homes who are providing these rehabilitation facilities.

Graph 5.14 Learning methods



5.72 Provision of vocational training varies from 10% to 64% of CCIs/Homes across states; 9% to 84% for Life Skill Education; 3% to 59% for Playful Learning; and 2% to 63% of CCIs/Homes tie up for Skill Training. The average performance of the CCIs/Homes in States/UTs across India is not optimal with respect to learning methods used. This would imply that school based education is stressed upon more than the other forms such as vocational training, skill based learning and life skills as effective and useful methods of teaching. These are vital to help children from institutions towards their all-round development and help them to live productive lives outside the institution. It will also help them to be at par with regular children who are not institutionalised. Reasons for such methods not being given importance must be looked into, which could be lack of resources and information or just a mind-set issue. The question that needs to be raised is if the implementation of these is so limited in percentage what is being done instead? How are children being placed in CCIs/Homes being rehabilitated and equipped for life?

VIII. Highlights

5.73 It is important to reiterate that the General Principles enshrined in the JJ Act and Rules framed thereunder, place the best interest of the child above all else. The standards of care and protection laid down have only one objective that no child should go out of the JJ system without recovery from trauma and with the skills and strength required to negotiate the world that exists outside the CCI/Home. To ensure this it is essential that 100% implementation of standards becomes the benchmark for each CCI/Home to aspire towards. The same benchmarks need to be the premise for registration, monitoring or allowing a CCI/Home to continue to function. There is little utility in providing a response to any form of abuse within an institutional set up post incident; for a traumatised scarred child it is trauma doubly painful, because it has occurred in a space which is known to be safe. It is also not very useful to wonder why and how such incidents could have happened in a CCI/Home. If the basics in terms of protection mechanisms are not available in a CCI/Home, the vulnerability is 100% amplified as it is a closed environment with both control and responsibility in very few adult hands.

5.74 This chapter looked at the overall performance of the CCIs/Homes and whether they are successful in providing the basic services and facility to children which they are mandated to provide. One of the observations is that States/UTs with larger number of CCIs/Homes including unregistered CCIs/Homes, are seen to have lesser facilities, both infrastructural and vis-a-vis standards of care.

5.75 If Gender and age segregation in CCIs/Homes is a constraint due to non-availability of space, transfer of children to another CCI/Home or making infrastructural changes within the CCIs/Homes is perhaps not being looked at enough as a solution. Also, there is perhaps no attempt to rethink occupancy based on capacity, not just of infrastructure but also standards of care. Smaller CCIs/Homes with better standards are few and far between.

5.76 Issues of bedding, proper nutrition (including special meals), hygiene, maintenance of premise, clean water (in sufficient quantity), regular health assessment at the time of admission, facilities for children with special need, and age-based educational facilities based on the age and special needs of the child are largely not being addressed in many CCIs/Homes.

5.77 **Staff and Child Protection Policy**

The Act mandates a child-staff ratio because individual attention is a basic premise of care. Children including children with special needs and infants and need this attention, however if the number of caregivers vis a vis children is insufficient, the quality of attention immediately becomes questionable. Are children in these CCIs/Homes left to take care of themselves or are they being supervised with the help of older children in the home are the questions that need to be raised. None of these situations are desirable. The fact that such a large number of CCIs/Homes do not have a Child Protection Policy or training regarding it is a major cause for concern. The data shows that States/UTs such as Andaman & Nicobar, Chandigarh and Manipur do not have such policy in place.

5.78 **Grievance redressal mechanisms:**

Suggestion box, 1098 CHILDLINE, CCTV cameras, Children committees, regular staff-children interface, and training & orientation of care givers and children regarding grievance redressal are important mechanisms of children's grievance redressal at CCIs/Homes. There are also Model States with majority of CCIs/Homes having these mechanisms in place. The collected data has shown that CCIs/Homes in majority of States/UTs (only 29.5) have limited awareness on the CHILDLINE1098; percent of CCIs/Homes. The Children Committee is an extremely important entity created by the JJ Rules to involve the children in every aspect of life in the CCIs/Homes including review, recommendations, suggestions and reporting. However, the collected data shows that in majority of the States/UTs less than 50% of CCIs/Homes have Children Committees while none exist in Arunachal Pradesh.

5.79 **Dealing with unruly behaviour and discipline methods used**

The JJ Rules have clearly listed method of dealing with unacceptable behaviour wherein the action shall commensurate with the nature and degree of violation and the age of the child and may be any of the following - formal warning; assignment of house-keeping tasks; imposition writing i.e. writing a number of times that he/she shall not repeat the behaviour; and forfeiture of privileges such as permission to watch television, permission to go for outdoor activity, sports and recreation and other preferred activity. It is clearly stated that no child shall be subject to corporal punishment or

any mental harassment including humiliating behaviour affecting the dignity of the child. However, data shows that various methods such as restricting/restraining children's movements by binding or tying, withholding of food/rest/toilet, use of abusive language, insult, humiliation, hitting and spanking, name calling, pinching and shaking, are enforced upon children to maintain discipline across CCI/Homes. States/UTs reportedly not using these inhuman methods of discipline are Chandigarh, Andaman & Nicobar and Nagaland. The important parameter is to find out whether the children are living happily in a child friendly environment. There is no data on how issues of overcrowding, bullying and sexual abuse among the resident children are dealt with by the CCIs/Homes as it was beyond the mandate of this exercise. However the need for such assessment cannot be denied.

Chapter 6

Human Resource (Staff Details)



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Chapter 6 : Human Resource (Staff Details)

6.1 Children are sensitive and child-care at the formative age has a lasting impact on their life. Infrastructure is necessary aspect of child care and protection in CCIs/Homes. Without skilled, dedicated and sensitive human resource, it fails to deliver the outcomes. This chapter deals with details of the Human Resource or Staff (both part time and full time) engaged with CCIs/Homes. Data on whether the CCIs/Homes are adequately staffed or if there is a need for more personnel to be employed are also analyzed in this section.

Table 6.1 Number of staff required and number of existing staff in CCIs/Homes

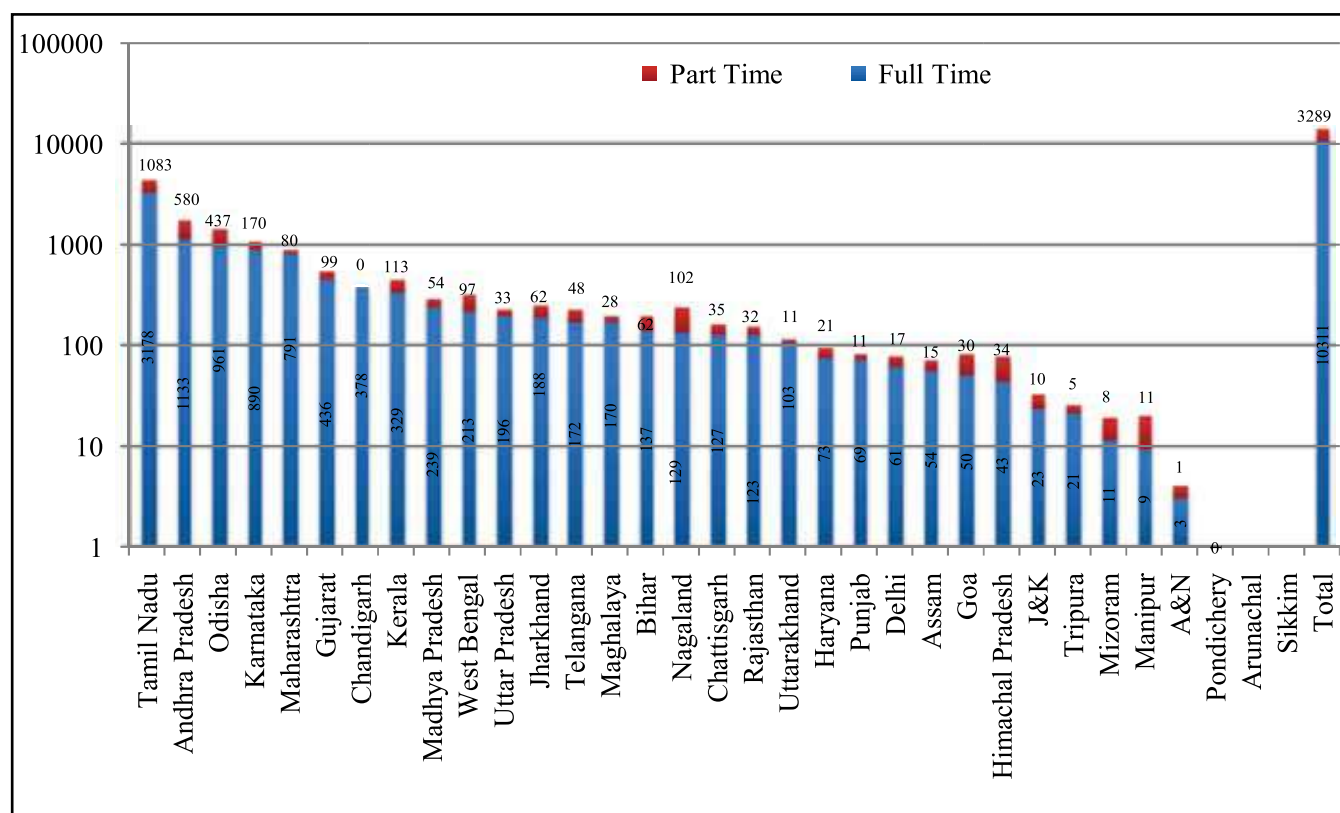
| States/UTs | Total No. of CCIs/ Homes | Number of Staff required (as per norm) | Number of Existing Staff | |
|-------------------|-----------------------------|---|--------------------------|-----------|
| | | | Full Time | Part Time |
| A&N | 17 | - | 77 | 50 |
| Andhra Pradesh | 762 | 4191 | 5103 | 1018 |
| Arunachal Pradesh | 8 | 77 | 82 | 17 |
| Assam | 131 | 806 | 708 | 178 |
| Bihar | 84 | 726 | 645 | 89 |
| Chandigarh | 16 | 210 | 431 | 55 |
| Chhattisgarh | 122 | 913 | 797 | 242 |
| Delhi | 125 | 2853 | 1394 | 266 |
| Goa | 70 | 652 | 691 | 94 |
| Gujarat | 169 | 1831 | 824 | 340 |
| Haryana | 79 | 658 | 718 | 161 |
| Himachal Pradesh | 46 | 165 | 299 | 66 |
| J&K | 362 | 1539 | 2038 | 313 |
| Jharkhand | 127 | 975 | 862 | 213 |
| Karnataka | 911 | 3149 | 5063 | 1287 |
| Kerala | 1242 | 7054 | 6883 | 1487 |
| Madhya Pradesh | 146 | 1586 | 1049 | 296 |
| Maharashtra | 1284 | 9035 | 11324 | 1387 |
| Manipur | 62 | 583 | 386 | 72 |
| Meghalaya | 84 | 882 | 625 | 153 |
| Mizoram | 46 | 426 | 477 | 63 |
| Nagaland | 67 | 888 | 440 | 43 |
| Odisha | 427 | 3660 | 2588 | 615 |
| Puducherry | 91 | 610 | 642 | 219 |
| Punjab | 73 | 842 | 661 | 142 |
| Rajasthan | 277 | 641 | 2097 | 753 |
| Sikkim | 23 | 27 | 155 | 13 |

Human Resource (Staff Details)

| States/UTs | Total No. of CCIs/ Homes | Number of Staff required (as per norm) | Number of Existing Staff | |
|---------------|-----------------------------|---|--------------------------|--------------|
| | | | Full Time | Part Time |
| Tamil Nadu | 1647 | 15933 | 9747 | 2585 |
| Telangana | 494 | 2354 | 2699 | 693 |
| Tripura | 44 | 447 | 292 | 78 |
| Uttar Pradesh | 170 | 868 | 1166 | 355 |
| Uttarakhand | 56 | 436 | 288 | 124 |
| West Bengal | 327 | 1791 | 2801 | 1061 |
| Total | 9589 | 66808 | 64052 | 14528 |

6.2 As per norm, about 8 personnel are required for a CCIs/Homes housing 50 children. The total of 9589 CCIs/Homes thus require roughly 66,808 number of staff as per norms. However, the data shows there are only 64,052 number of full-time staff, indicating a deficit that could lead to improper care of children in CCIs/Homes.

Graph 6.1 Number of CCIs/Homes having vacant positions



6.3 A large number of vacancies exist in CCIs/Homes in different States/UTs. For instance, Tamil Nadu has 3178 and 1083 full-time and part-time vacancies respectively, followed by Andhra Pradesh with 1133 and 580 vacancies respectively and Odisha with 961 and 487 respectively.

6.4 Child-care is the primary objective of CCIs/Homes, and lack of adequate staffing and supervision limits a CCIs/Homes to achieve this objective. Human resources with right training and skills to handle/counsel children are a prerequisite for any CCIs/Homes. There are many states/UTs which have vacancies in CCIs/Homes of over 100 staffs. There is an urgent need to address the human resource needs of CCIs/Homes in the best interest of children.

6.5 The JJ Rules, 2016 state that the Person-in-charge should stay within the institution to be readily available as and when required by the children or the staff and be provided with quarters. In case s/he is not able to stay in the CCIs/Homes for some valid reasons, any other senior staff member of the institution shall stay and be in a position to supervise the overall care of the children and take decisions in the case of any crisis or emergency. If accommodation is not available in the premises, s/he shall stay at a place in close proximity to the CCIs/Homes till the time accommodation is made available within the premises of the CCIs/Homes. Rule 26 (4) of the JJ Rules, 2015 which deals with Management and Monitoring of Child Care Institutions states that in case of CCIs/Homes housing girls, only female Person-in charge and staff shall be appointed.

Table 6.2 Number of CCIs/Homes where Manager/Superintendent/in-charge stays on the campus &with lady Manager/Superintendent/in Charge for girls' unit

| States/UTs | Total No. of CCIs/Homes | Manager/Superintendent/in Charge staying on the campus | CCIs/Homes with lady Manager/Superintendent/in Charge for girls' unit |
|-------------------|-------------------------|--|---|
| A&N | 17 | 11 | 14 |
| Andhra Pradesh | 762 | 570 | 540 |
| Arunachal Pradesh | 8 | 7 | 5 |
| Assam | 131 | 68 | 49 |
| Bihar | 84 | 49 | 30 |
| Chandigarh | 16 | 15 | 7 |
| Chhattisgarh | 122 | 73 | 38 |
| Delhi | 125 | 38 | 60 |
| Goa | 70 | 65 | 44 |
| Gujarat | 169 | 88 | 58 |
| Haryana | 79 | 51 | 51 |
| Himachal Pradesh | 46 | 22 | 15 |
| J&K | 362 | 318 | 75 |
| Jharkhand | 127 | 87 | 55 |
| Karnataka | 911 | 641 | 530 |
| Kerala | 1242 | 982 | 710 |
| Madhya Pradesh | 146 | 60 | 55 |

Human Resource (Staff Details)

| States/UTs | Total No. of CCIs/Homes | Manager/Superintendent/in Charge staying on the campus | CCIs/Homes with lady Manager/Superintendent/in Charge for girls' unit |
|---------------|-------------------------|--|---|
| Maharashtra | 1284 | 931 | 434 |
| Manipur | 62 | 35 | 18 |
| Meghalaya | 84 | 55 | 50 |
| Mizoram | 46 | 24 | 25 |
| Nagaland | 67 | 46 | 41 |
| Odisha | 427 | 284 | 199 |
| Puducherry | 91 | 64 | 42 |
| Punjab | 73 | 43 | 42 |
| Rajasthan | 277 | 210 | 184 |
| Sikkim | 23 | 20 | 13 |
| Tamil Nadu | 1647 | 1,382 | 1,143 |
| Telangana | 494 | 365 | 299 |
| Tripura | 44 | 24 | 19 |
| Uttar Pradesh | 170 | 102 | 72 |
| Uttarakhand | 56 | 31 | 29 |
| West Bengal | 327 | 237 | 155 |
| Total | 9589 | 6,998 | 5,101 |

6.6 The highest percentage of CCIs/Homes where the Manager/Superintendent/in-Charge of the CCIs/Homes stay on campus, was observed in Chandigarh, followed closely by Goa; whereas Delhi and Mizoram are the lowest rung states in this regard.

6.7 Lady Superintendents are essential for CCIs/Homes housing girls. It was observed that 5101 CCIs/Homes across the country had Lady Superintendent, with Tamil Nadu alone having about one fifth (1,143) of such CCIs/Homes.

With respect to Security measures as stated in Rule 67, (3) Female security guards would be provided for the security inside the Child Care Institution that houses only girls and male security guards may be engaged for the security of the Child Care Institution from outside. Moreover at the time of receiving a child at the CCI, A girl child shall be searched only by a female member of the staff and female visitors shall be searched by female staff only. Even during release of a child from the CCI if the parent or guardian, as the case may be, fails to come and take charge of the child on the appointed date, the child shall be taken by the escort of the Child Care Institution; and in case of a girl, she shall be escorted by a female escort who shall hand over the custody to her parent/guardian. The States/UTs that have a similar low percentage of female authorized personnel must fill up their vacancies especially for female specific roles.

6.8 The data on supervisory senior staff being present at all time to ensure their safety and care is critical to assess the best interest of children. The infrastructure of the CCIs should be accommodative enough to ensure the presence of the supportive staff, so as to ensure the overall supervision and control. This will also create a bond between the children and the staff enabling better environment for restoration and rehabilitation.

I. Highlights

6.9 Vacancies in the CCIs/Homes :

The JJ Rules have suggested a staffing pattern for CCIs/Homes for every 100 children. These include both permanent and part-time staff as well as those called upon on a need basis. The data shows that there are vacancies for both full-time and part-time staff in the CCIs/Homes across the country. The data also shows that there is a shortage of adequate staff both as per the norm and sanction across all the CCIs/Homes in India. The Rule 26 of the JJ Act, 2015 prescribes that for a home with capacity of 100 children should have in total 19 fulltime and 6 part-time staffs. The present situation on ground is not in coherence with the guidelines as there are only 8 full-time and part-time staff per CCIs/Homes.

6.10 Role of the person-in-charge or superintendent:

In many CCIs/Homes the superintendent/ Person-in-charge does not stay in the CCIs/Homes, however it is essential to find out who takes the important decisions in his/her absence. With respect to CCIs/Homes having only girls in the premises or a girls unit a female superintendent or person-in-charge must be appointed. This is primarily to ensure the safety, protection and comfort of the resident girls who will be more at ease to talk to a female authority as opposed to a male. Moreover, while dealing with issues related to women's health and development, a female authority is better able to relate to the problems and concerns of the girls and is in a better position to give valuable advice to them than a male counterpart.

Chapter 7

Physical Infrastructure



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Chapter 7 : Physical Infrastructure

7.1 The primary objective of every CCIs/Home is the welfare, safety and best interest of the child and this can be ascertained if the basic infrastructure, facilities and services are in place. Another important parameter is keeping the environment child friendly and making it a home away from home and not like a prison or lock up. The JJ Rules, 2016 have clearly laid down parameters on all aspects of effectively running a CCIs/Home.

7.2 Every child care institution must be equipped with the right kind of child friendly and safe environment and physical infrastructure to ensure the welfare, comfort and best interest of its children. This chapter deals with the various aspects of accommodation, for example, availability of number of rooms, whether the CCIs/Homes are adequately equipped, whether space assigned to it is good/ adequate/inadequate, etc. Following facilities have been assessed to generate quantitative data on quality of CCIs/Homes - class room (education), dormitory, counselling room, recreation room, sick room, library, visitors room, vocational training workshop, dining hall, store room, record room, office room, staff residence, bath room, toilets/latrines and room dedicated for the sitting of CWC/JJB. The issues of infrastructure, security and sanitation have also been dealt with.

I. Basic Needs

7.3 Rooms for dormitories, sick room, dining room, bathroom, toilet, visitor room and kitchen are the basic infrastructural facilities needed to be in place in CCIs/Homes. The following table 7.1 details the basic services available to children in the CCIs/Homes.

Table 7.1 State-wise number of CCIs/Homes having Basic Services for Children

| States/UTs | Total Homes | Dormitories | Sick Room | Visitors' Room | Dining Hall | Bath-rooms | Toilets/Latrines | Kitchen |
|----------------|-------------|-------------|-----------|----------------|-------------|------------|------------------|---------|
| A&N | 17 | 17 | 4 | 8 | 14 | 17 | 17 | 17 |
| Andhra Pradesh | 762 | 694 | 385 | 350 | 609 | 708 | 704 | 236 |
| Arunachal | 8 | 6 | 1 | 4 | 5 | 5 | 6 | 6 |
| Assam | 131 | 87 | 39 | 52 | 71 | 90 | 90 | 89 |
| Bihar | 84 | 66 | 26 | 32 | 43 | 68 | 70 | 33 |

Physical Infrastructure

| States/UTs | Total Homes | Dormitories | Sick Room | Visitors' Room | Dining Hall | Bath-rooms | Toilets/Latrines | Kitchen |
|------------------|-------------|-------------|-----------|----------------|-------------|------------|------------------|---------|
| Chandigarh | 16 | 15 | 12 | 1 | 13 | 15 | 15 | 15 |
| Chattisgarh | 122 | 103 | 30 | 30 | 81 | 101 | 103 | 74 |
| Delhi | 125 | 114 | 59 | 67 | 85 | 116 | 116 | 115 |
| Goa | 70 | 67 | 42 | 54 | 67 | 66 | 69 | 27 |
| Gujarat | 169 | 139 | 79 | 77 | 118 | 139 | 138 | 128 |
| Haryana | 79 | 69 | 31 | 45 | 62 | 70 | 68 | 55 |
| Himachal Pradesh | 46 | 38 | 9 | 14 | 29 | 42 | 42 | 20 |
| J&K | 362 | 347 | 94 | 156 | 335 | 356 | 358 | 356 |
| Jharkhand | 127 | 101 | 47 | 64 | 75 | 101 | 100 | 33 |
| Karnataka | 911 | 768 | 296 | 373 | 650 | 843 | 845 | 668 |
| Kerala | 1,242 | 1214 | 864 | 1022 | 1200 | 1196 | 1207 | 1196 |
| Madhya Pradesh | 146 | 124 | 67 | 54 | 83 | 120 | 129 | 104 |
| Maharashtra | 1,284 | 1140 | 649 | 298 | 774 | 1223 | 1211 | 393 |
| Manipur | 62 | 41 | 19 | 28 | 36 | 42 | 43 | 40 |
| Meghalaya | 84 | 71 | 51 | 53 | 78 | 77 | 78 | 64 |
| Mizoram | 46 | 44 | 18 | 31 | 43 | 46 | 46 | 37 |
| Nagaland | 67 | 61 | 14 | 44 | 54 | 61 | 61 | 60 |
| Odisha | 427 | 347 | 223 | 155 | 263 | 338 | 354 | 208 |
| Puducherry | 91 | 90 | 39 | 27 | 59 | 90 | 90 | 87 |
| Punjab | 73 | 68 | 46 | 38 | 63 | 72 | 73 | 41 |
| Rajasthan | 277 | 193 | 98 | 105 | 171 | 195 | 197 | 194 |
| Sikkim | 23 | 23 | 14 | 20 | 18 | 23 | 23 | 23 |
| Tamil Nadu | 1,647 | 1572 | 1029 | 760 | 1365 | 1617 | 1622 | 1628 |
| Telangana | 494 | 446 | 195 | 235 | 368 | 448 | 427 | 36 |
| Tripura | 44 | 43 | 11 | 12 | 32 | 33 | 40 | 33 |
| Uttar Pradesh | 170 | 112 | 66 | 76 | 96 | 126 | 126 | 36 |
| Uttarakhand | 56 | 47 | 20 | 27 | 36 | 47 | 47 | 0 |
| West Bengal | 327 | 312 | 228 | 169 | 271 | 303 | 306 | 246 |
| India | 9,589 | 8579 | 4805 | 4434 | 7267 | 8794 | 8821 | 6298 |

7.4 The total number of CCIs/Homes surveyed is 9589. Out of this total, as seen from Table 7.1, 8579 CCIs/Homes have dormitories, 4805 of them have sick rooms, 4434 have dedicated space for a visitor's room, 7267 have a hall, 8794 have dedicated bathrooms and 8821 have toilet/latrines. The data shows that all the required infrastructural facilities do not exist in all the CCIs/Homes. For example, lack of dormitory facilities in 1010 CCIs/Homes out of 9589 raises question regarding the sleeping arrangement provided by the CCIs/Homes to its resident children. Likewise, it can be

observed that some of the CCIs/Homes also lack other facilities such as sick rooms, dining halls, visitor rooms, bathrooms, etc. It has been revealed that the lack of dedicated space for different infrastructural facilities in CCIs/Homes is quite glaring. This is reflected by the difference between the total number of CCIs/Homes and the number of CCIs/Homes having a dedicated space for respective facility.

Table 7.2 Percentages of CCIs/Homes having Basic Services for Children across India

| Category of room | Total percentage of one, two, three and more than three rooms) | Adequately Equipped (out of total received in column 2) | Space | | Well Ventilated | |
|------------------|--|---|----------|------------|-----------------|------------|
| | | | Adequate | Inadequate | Adequate | Inadequate |
| Dormitories | 89.5 | 76.7 | 32.0 | 5.8 | 32.5 | 5.1 |
| Sick room | 50.1 | 45.4 | 18.8 | 1.4 | 18.8 | 1.4 |
| Dining room | 75.8 | 67.1 | 26.5 | 2.9 | 26.2 | 2.9 |
| Bathroom | 91.7 | 78.4 | 33.0 | 6.2 | 33.3 | 6.4 |
| Toilet | 92.0 | 79.1 | 33.5 | 6.1 | 33.3 | 6.4 |
| Visitor's room | 46.2 | 44 | 17.8 | 0.8 | 17.6 | 0.8 |
| Kitchen | 65.7 | 60.1 | 20.7 | 1.9 | 21.1 | 1.9 |

7.5 Table 7.2 indicates that 89.5% of the CCIs/Homes in India have one, two, three or more than 3 rooms as dormitories out of which 76.7% are adequately equipped. Similarly, majority of the CCIs/Homes also seem to have dining rooms, bathrooms and toilets. However, the CCIs/Homes are found to be lacking in facilities like sick rooms and visitor rooms. A detailed description on the number of dedicated rooms in CCIs/Homes is presented below.

i. Number of rooms dedicated in CCIs/Homes for different facilities

7.6 With respect to the number of **dormitories** in CCIs/Homes, it is found that the 48.4% of the CCIs/Homes in Pondicherry have only one room dedicated for dormitory followed by Tripura at 43.2% (see table 9.3). The highest number of CCIs/Homes having two rooms as dormitories are in the state of Sikkim (52.2%), followed by Nagaland at 46.3% and Goa at 41.1%. Majority of CCIs/Homes, having dedicated 3 rooms for dormitories, are in the state of Jammu & Kashmir (70.2%), followed closely by Chandigarh at 68.8%. Therefore, as seen from Table 9.2, a

total of 89.5% CCIs/Homes have dormitories varying from 1 to more than 3 rooms dedicated to it. Sleeping arrangements in the remaining 10.5% of CCIs/Homes which do not have dormitories for children must be inspected to look for any negligence by CCIs/Homes.

Table 7.3 Percentage of CCIs/Homes with dedicated number of rooms for Dormitories and Sick Room

| States/UTs | Dormitories | | | Sick Room | | |
|------------------|-------------|-----------|--------------------------|-----------|-----------|--------------------------|
| | One Room | two rooms | Three or more than three | One Room | Two rooms | Three or more than three |
| A&N | 17.6 | 29.4 | 52.9 | 23.5 | 0.0 | 0.0 |
| Andhra Pradesh | 28.1 | 31.4 | 31.6 | 45.4 | 4.1 | 1.0 |
| Arunachal | 0.0 | 25.0 | 50.0 | 12.5 | 0.0 | 0.0 |
| Assam | 11.5 | 18.3 | 36.6 | 27.5 | 2.3 | 0.0 |
| Bihar | 11.9 | 21.4 | 45.2 | 29.8 | 1.2 | 0.0 |
| Chandigarh | 25.0 | 0.0 | 68.8 | 75.0 | 0.0 | 0.0 |
| Chattisgarh | 13.1 | 26.2 | 45.1 | 23.8 | 0.8 | 0.0 |
| Delhi | 15.2 | 23.2 | 52.8 | 42.4 | 2.4 | 2.4 |
| Goa | 20.0 | 41.4 | 34.3 | 55.7 | 4.3 | 0.0 |
| Gujarat | 23.7 | 14.8 | 43.8 | 42.6 | 3.6 | 0.6 |
| Haryana | 8.9 | 16.5 | 62.0 | 31.6 | 5.1 | 2.5 |
| Himachal Pradesh | 6.5 | 15.2 | 60.9 | 19.6 | 0.0 | 0.0 |
| J&K | 11.6 | 14.1 | 70.2 | 23.8 | 1.7 | 0.6 |
| Jharkhand | 33.9 | 14.2 | 31.5 | 33.9 | 1.6 | 1.6 |
| Karnataka | 23.9 | 30.8 | 29.5 | 29.0 | 3.5 | 0.0 |
| Kerala | 30.8 | 28.7 | 38.2 | 63.4 | 5.1 | 1.0 |
| Madhya Pradesh | 15.8 | 30.1 | 39.0 | 44.5 | 0.7 | 0.7 |
| Maharashtra | 11.1 | 16.0 | 61.8 | 48.9 | 1.5 | 0.2 |
| Manipur | 19.4 | 19.4 | 27.4 | 29.0 | 1.6 | 0.0 |
| Meghalaya | 34.5 | 23.8 | 26.2 | 58.3 | 1.2 | 1.2 |
| Mizoram | 37.0 | 34.8 | 23.9 | 39.1 | 0.0 | 0.0 |
| Nagaland | 10.4 | 46.3 | 34.3 | 20.9 | 0.0 | 0.0 |
| Odisha | 14.5 | 23.9 | 42.9 | 48.7 | 2.3 | 1.2 |
| Pondicherry | 48.4 | 30.8 | 19.8 | 42.9 | 0.0 | 0.0 |
| Punjab | 13.7 | 20.5 | 58.9 | 58.9 | 1.4 | 2.7 |
| Rajasthan | 14.4 | 15.5 | 39.7 | 33.6 | 1.8 | 0.0 |
| Sikkim | 17.4 | 52.2 | 30.4 | 60.9 | 0.0 | 0.0 |
| Tamil Nadu | 31.1 | 33.4 | 30.9 | 57.1 | 4.7 | 0.6 |

| States/UTs | Dormitories | | | Sick Room | | |
|---------------|-------------|-------------|--------------------------|-------------|------------|--------------------------|
| | One Room | two rooms | Three or more than three | One Room | Two rooms | Three or more than three |
| Telangana | 32.0 | 25.7 | 32.6 | 37.9 | 1.2 | 0.4 |
| Tripura | 43.2 | 31.8 | 22.7 | 25.0 | 0.0 | 0.0 |
| Uttar Pradesh | 16.5 | 19.4 | 30.0 | 32.9 | 5.9 | 0.0 |
| Uttarakhand | 14.3 | 28.6 | 41.1 | 33.9 | 0.0 | 1.8 |
| West Bengal | 17.7 | 21.1 | 56.6 | 64.2 | 4.0 | 1.5 |
| Total | 23.0 | 25.7 | 40.8 | 46.4 | 3.1 | 0.6 |

7.7 West Bengal has the highest percentage of CCIs/Homes (64.2%) that have at least one room dedicated as **sick room** in its CCIs/Homes followed by Kerala with 63.4% (Refer table 9.4). Uttar Pradesh has 5.9% of CCIs/Homes having two sick rooms, which is the highest in India. Haryana and Kerala are next with 5.1% each. Very few CCIs/Homes are also using three or more than three rooms as sick rooms. In this regard, Punjab has the highest percentage of CCIs/Homes having three or more than three rooms as sick rooms (2.7%) followed by Haryana at 2.5% and Delhi with 2.4%. Nearly half of the total CCIs/Homes have dedicated space for a sick room (50.1%) and the rest half of CCIs/Homes do not have any sick room facilities. Children in such CCIs/Homes without any proper sick room facility become vulnerable to high health risk. It is necessary to look into the arrangements made by these CCIs/Homes for care of sick children.

Table 7.4 Percentage of CCIs/Homes with dedicated number of rooms for Dining Hall, Bathroom and Toilet

| States/UTs | Dining Hall | | | Bathroom | | | Toilet | | |
|-------------------|-------------|-----------|--------------------------|----------|-----------|--------------------|----------|-----------|--------------------------|
| | One Room | Two rooms | Three or more than three | One Room | Two Rooms | More than two room | One Room | Two Rooms | Three or more than three |
| A&N | 82.4 | 0.0 | 0.0 | 0.0 | 41.2 | 58.8 | 0.0 | 35.3 | 64.7 |
| Andhra Pradesh | 73.8 | 5.1 | 1.0 | 6.2 | 12.5 | 74.3 | 5.1 | 11.8 | 75.5 |
| Arunachal Pradesh | 62.5 | 0.0 | 0.0 | 12.5 | 0.0 | 50.0 | 12.5 | 12.5 | 50.0 |
| Assam | 48.9 | 4.6 | 0.8 | 12.2 | 22.9 | 33.6 | 8.4 | 18.3 | 42.0 |
| Bihar | 44.0 | 4.8 | 2.4 | 10.7 | 23.8 | 46.4 | 7.1 | 23.8 | 52.4 |
| Chandigarh | 81.3 | 0.0 | 0.0 | 0.0 | 12.5 | 81.3 | 0.0 | 0.0 | 93.8 |
| Chattisgarh | 60.7 | 1.6 | 4.1 | 8.2 | 13.9 | 60.7 | 2.5 | 18.0 | 63.9 |

Physical Infrastructure

| States/UTs | Dining Hall | | | Bathroom | | | Toilet | | |
|------------------|-------------|------------|--------------------------|------------|-------------|--------------------|------------|-------------|--------------------------|
| | One Room | Two rooms | Three or more than three | One Room | Two Rooms | More than two room | One Room | Two Rooms | Three or more than three |
| Delhi | 66.4 | 0.8 | 0.8 | 5.6 | 16.0 | 71.2 | 1.6 | 13.6 | 77.6 |
| Goa | 77.1 | 14.3 | 4.3 | 4.3 | 10.0 | 80.0 | 0.0 | 11.4 | 87.1 |
| Gujarat | 64.5 | 3.6 | 1.8 | 7.7 | 7.1 | 67.5 | 7.7 | 8.9 | 65.1 |
| Haryana | 67.1 | 5.1 | 6.3 | 10.1 | 7.6 | 70.9 | 6.3 | 10.1 | 69.6 |
| Himachal Pradesh | 56.5 | 6.5 | 0.0 | 6.5 | 21.7 | 63.0 | 4.3 | 17.4 | 69.6 |
| J&K | 86.7 | 3.9 | 1.9 | 9.1 | 16.6 | 72.7 | 7.7 | 19.6 | 71.5 |
| Jharkhand | 57.5 | 1.6 | 0.0 | 7.9 | 16.5 | 55.1 | 4.7 | 14.2 | 59.8 |
| Karnataka | 65.9 | 4.6 | 0.9 | 8.3 | 14.8 | 69.4 | 6.0 | 12.5 | 74.2 |
| Kerala | 88.2 | 7.4 | 1.0 | 5.4 | 5.4 | 85.5 | 2.8 | 5.1 | 89.3 |
| Madhya Pradesh | 54.1 | 1.4 | 1.4 | 9.6 | 17.1 | 55.5 | 6.8 | 15.8 | 65.8 |
| Maharashtra | 57.2 | 2.1 | 0.9 | 4.2 | 5.9 | 85.1 | 3.3 | 4.8 | 86.2 |
| Manipur | 54.8 | 3.2 | 0.0 | 22.6 | 27.4 | 17.7 | 9.7 | 32.3 | 27.4 |
| Meghalaya | 89.3 | 3.6 | 0.0 | 31.0 | 19.0 | 41.7 | 22.6 | 17.9 | 52.4 |
| Mizoram | 82.6 | 10.9 | 0.0 | 4.3 | 28.3 | 67.4 | 0.0 | 17.4 | 82.6 |
| Nagaland | 77.6 | 3.0 | 0.0 | 16.4 | 26.9 | 47.8 | 16.4 | 26.9 | 47.8 |
| Odisha | 57.1 | 3.0 | 1.4 | 6.3 | 16.9 | 56.0 | 2.6 | 14.3 | 66.0 |
| Puducherry | 63.7 | 0.0 | 1.1 | 11.0 | 18.7 | 69.2 | 5.5 | 13.2 | 80.2 |
| Punjab | 71.2 | 8.2 | 6.8 | 5.5 | 6.8 | 86.3 | 4.1 | 6.8 | 89.0 |
| Rajasthan | 58.5 | 2.5 | 0.7 | 7.6 | 10.1 | 52.7 | 8.3 | 9.4 | 53.4 |
| Sikkim | 73.9 | 4.3 | 0.0 | 21.7 | 26.1 | 52.2 | 8.7 | 34.8 | 56.5 |
| Tamil Nadu | 75.2 | 6.4 | 1.3 | 11.6 | 9.7 | 76.9 | 5.2 | 5.4 | 87.9 |
| Telangana | 67.4 | 5.9 | 1.2 | 6.7 | 12.6 | 71.5 | 6.1 | 11.9 | 68.4 |
| Tripura | 70.5 | 2.3 | 0.0 | 25.0 | 18.2 | 31.8 | 15.9 | 13.6 | 61.4 |
| Uttar Pradesh | 51.2 | 4.1 | 1.2 | 12.4 | 13.5 | 48.2 | 10.0 | 8.8 | 55.3 |
| Uttarakhand | 60.7 | 0.0 | 3.6 | 8.9 | 14.3 | 60.7 | 8.9 | 12.5 | 62.5 |
| West Bengal | 74.9 | 5.5 | 2.4 | 7.0 | 14.1 | 71.6 | 7.0 | 14.7 | 71.9 |
| Total | 69.8 | 4.7 | 1.3 | 8.1 | 11.6 | 72.1 | 5.3 | 10.1 | 76.6 |

7.8 Among the CCIs/Homes across the nation with one room dedicated as a **dining room** Meghalaya is on top at 89.3% (Refer table 9.4). Majority of the CCIs/Homes having two rooms for dining purposes are located in the state of Goa (14.3%) followed by Mizoram at 10.9%. The

availability of CCIs/Homes with three or more than three dining rooms is the highest in Punjab (6.8%) followed by Haryana at 6.3%. As seen from the table 9.2 above, 75.8% of the CCIs/Homes have one or more than one number of rooms used as a dining hall.

7.9 The highest percentage of CCIs/Homes having one room dedicated to the **bathroom** is located in Meghalaya (31%) (Refer table 9.4). Next is Tripura with 25% of such CCIs/Homes. Majority of the CCIs/Homes having two bathrooms are located in the Union Territory of Andaman & Nicobar (41.2%). Punjab at 86.3% has the highest percentage of CCIs/Homes having three or more than three rooms as bathroom. This is a positive trend. It is found that almost 91.7% of the CCIs/Homes have bathroom facilities. Privacy issues with respect to the remaining 9% of CCIs/Homes have to be addressed.

7.10 Meghalaya at 22.6% has the highest percentage of CCIs/Homes having one room dedicated as the toilet followed by Nagaland at 16.4% (Refer table 9.4) Among the CCIs/Homes that have two rooms as the toilet, the highest percentage is located in the UT of Andaman & Nicobar at 35.3% whereas among those that have three or more than three rooms dedicated to a toilet, the highest percentage is found in Chandigarh at 93.8%. Table 9.2 shows that the total percentage of CCIs/Homes that have toilet facilities for its children is 92%. Presence of toilets in 92% of the CCIs/Homes in India is a welcome finding; however there still exist 8% of such CCIs/Homes which do not have any toilet facilities for children. It is very crucial to investigate if there are any alternate arrangements in these CCIs/Homes or whether the inmates of these CCIs/Homes are deprived of their right to have privacy and protection.

7.11 The data in the table also reflects number of rooms dedicated for the visitor's room in the CCIs/Homes premises in the country. Among those CCIs/Homes having one visitor's room, the States/UTs of Sikkim is leading with the highest percentage of 87% followed by Kerala with 79.7% (Refer Table 9.5). CCIs/Homes having two visitor's rooms are located primarily in the state of Goa (8.5%). The highest percentage of CCIs/Homes with three or more than three visitor's rooms are found in the state of Uttarakhand (3.6%). Data suggests that only 46.2% of CCIs/Homes in the country have visitor's room, which is even less than half of the total CCIs/Homes.

Table 7.5 Percentage of CCIs/Homes with dedicated number of rooms for Visitor room and Kitchen

| States/UTs | Visitors Room | | | Kitchen | | |
|------------------|---------------|------------|--------------------------|-------------|------------|--------------------------|
| | One Room | Two Rooms | Three or More than Three | One Room | Two Rooms | Three or More than Three |
| A&N | 47.1 | 0.0 | 0.0 | 100.0 | 0.0 | 0.0 |
| Andhra Pradesh | 43.4 | 1.7 | 0.8 | 28.5 | 2.1 | 0.4 |
| Arunachal | 50.0 | 0.0 | 0.0 | 75.0 | 0.0 | 0.0 |
| Assam | 39.7 | 0.0 | 0.0 | 65.6 | 1.5 | 0.8 |
| Bihar | 34.5 | 2.4 | 1.2 | 38.1 | 1.2 | 0.0 |
| Chandigarh | 6.3 | 0.0 | 0.0 | 93.8 | 0.0 | 0.0 |
| Chattisgarh | 24.6 | 0.0 | 0.0 | 59.0 | 0.0 | 1.6 |
| Delhi | 50.4 | 3.2 | 0.0 | 85.6 | 3.2 | 3.2 |
| Goa | 67.1 | 8.6 | 1.4 | 34.3 | 2.9 | 1.4 |
| Gujarat | 42.6 | 3.0 | 0.0 | 72.8 | 1.8 | 1.2 |
| Haryana | 51.9 | 3.8 | 1.3 | 62.0 | 5.1 | 2.5 |
| Himachal Pradesh | 30.4 | 0.0 | 0.0 | 34.8 | 8.7 | 0.0 |
| J&K | 42.3 | 0.8 | 0.0 | 93.6 | 3.9 | 0.8 |
| Jharkhand | 46.5 | 2.4 | 1.6 | 23.6 | 1.6 | 0.8 |
| Karnataka | 36.8 | 3.1 | 1.1 | 70.9 | 2.3 | 0.1 |
| Kerala | 79.7 | 2.3 | 0.3 | 94.4 | 1.5 | 0.3 |
| Madhya Pradesh | 33.6 | 3.4 | 0.0 | 67.8 | 2.7 | 0.7 |
| Maharashtra | 22.2 | 0.4 | 0.6 | 27.2 | 2.1 | 1.3 |
| Manipur | 41.9 | 3.2 | 0.0 | 61.3 | 1.6 | 1.6 |
| Meghalaya | 63.1 | 0.0 | 0.0 | 76.2 | 0.0 | 0.0 |
| Mizoram | 65.2 | 2.2 | 0.0 | 73.9 | 4.3 | 2.2 |
| Nagaland | 64.2 | 1.5 | 0.0 | 89.6 | 0.0 | 0.0 |
| Odisha | 34.0 | 1.6 | 0.7 | 47.8 | 0.9 | 0.0 |
| Pondicherry | 29.7 | 0.0 | 0.0 | 95.6 | 0.0 | 0.0 |
| Punjab | 47.9 | 2.7 | 1.4 | 50.7 | 2.7 | 2.7 |
| Rajasthan | 37.2 | 0.7 | 0.0 | 69.7 | 0.4 | 0.0 |
| Sikkim | 87.0 | 0.0 | 0.0 | 100.0 | 0.0 | 0.0 |
| Tamil Nadu | 45.3 | 0.6 | 0.2 | 97.0 | 1.5 | 0.4 |
| Telangana | 45.3 | 2.0 | 0.2 | 7.3 | 0.0 | 0.0 |
| Tripura | 27.3 | 0.0 | 0.0 | 72.7 | 2.3 | 0.0 |
| Uttar Pradesh | 39.4 | 5.3 | 0.0 | 20.6 | 0.6 | 0.0 |
| Uttarakhand | 44.6 | 0.0 | 3.6 | 0.0 | 0.0 | 0.0 |
| West Bengal | 48.9 | 1.8 | 0.9 | 75.2 | 0.0 | 0.0 |
| Total | 44.6 | 0.0 | 1.6 | 63.5 | 1.7 | 0.6 |

7.12 All the CCIs/Homes in Andaman & Nicobar and Sikkim have one room dedicated as the kitchen. The highest percentage of CCIs/Homes (35.3%) that have dedicated two rooms for kitchen are found in the UT of Andaman & Nicobar; whereas maximum percentage of CCIs/Homes having three or more than three rooms dedicated to kitchen is found in Himachal Pradesh (8.7%) (Refer Table 7.5). The total percentage of CCIs/Homes across the country having a dedicated space used as a kitchen is 65.7%. This data shows that approximately 35% of CCIs/Homes do not have a dedicated kitchen facility. It raises questions regarding the preparation of meals for children. This necessarily needs to be investigated as to where exactly such CCIs/Homes arrange for cooking of meals. These questions must be addressed to ensure that children are not devoid of their meals and that the food provided is healthy and meets all the recommended nutritional standards for growing children.

ii. Adequately Equipped

7.13 As per the suggested norms for buildings or accommodation under JJ Rules, 2016, each institution with 50 children must have 2 dormitories, each having 1000 sq. ft of space for 25 children. Therefore, the States/UTs must have at least the recommended space if not more dedicated to its dormitories. Though majority of the CCIs/Homes across the States/UTs in

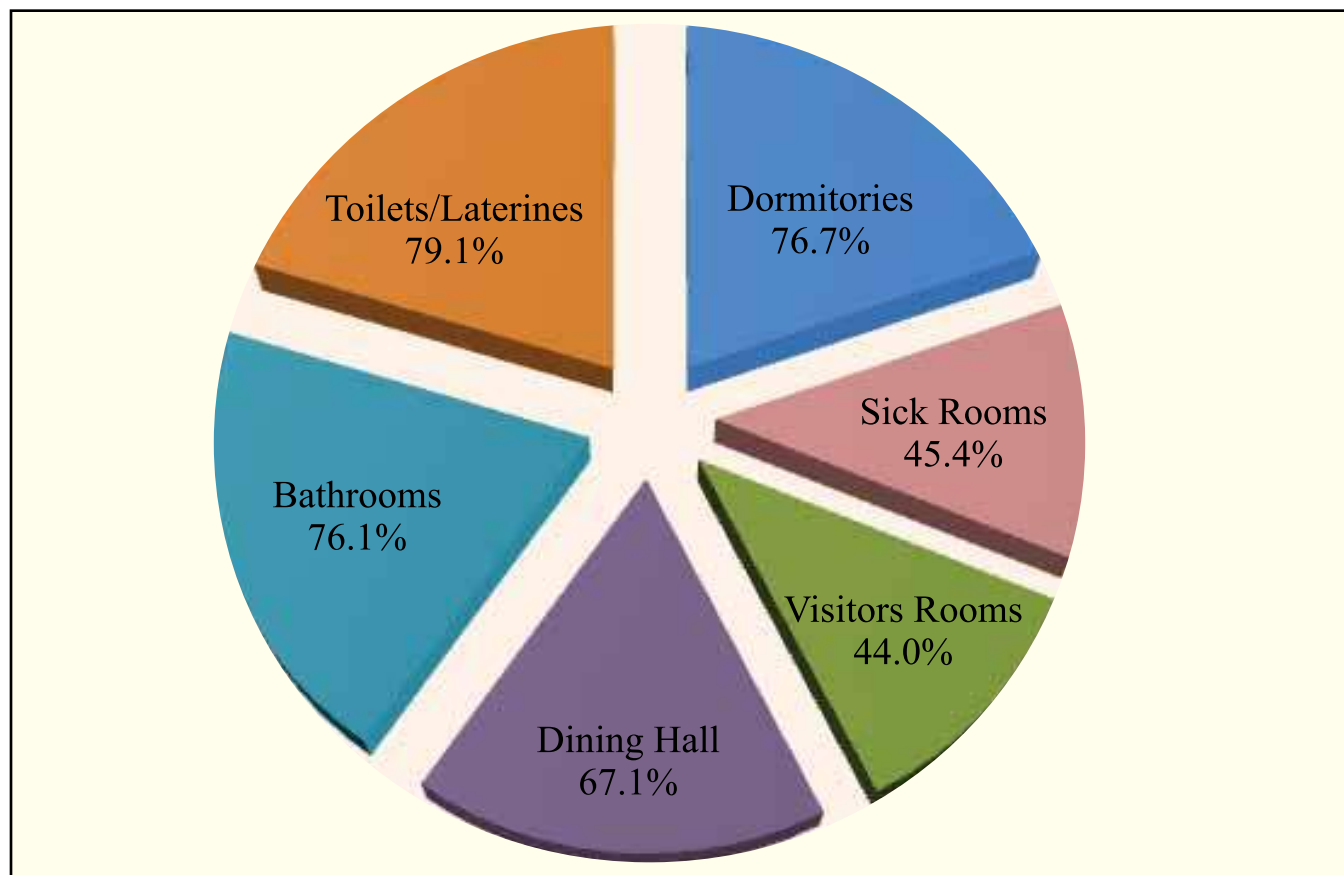
Under Rule 29 (6) of the JJ Rules, 2016 the suggested norms for building or accommodation in each institution with 50 children there should be 2 Dormitories wherein each is 1000 sq.ft. for 25 children.

India have dormitory facilities with space as recommended under the JJ Rules, 2016, a considerable percentage of CCIs/Homes still fail to adhere to this recommended space criteria. The dormitory must be large room/rooms to accommodate children, their personal bedding and belongings and hence must not be a cramped. There should be sufficient space for easy movement of children. The issue of overcrowding of children in the CCIs/Homes, especially in the dormitories, must be looked into by the committees to prevent any violation of children's right with respect to accommodation.

7.14 Responses were collected regarding adequately equipped/unequipped status of the facilities in the CCIs/Homes. Graph above shows the national picture. The highest percentage of responses stating adequately equipped status of the CCIs/Homes with respect to the dormitory facility were obtained from the CCIs/Homes of Chandigarh, which is as high as 93.8%; next comes

Goa at 91.1% (see table 7.6). Similarly, 75% of the CCIs/Homes in Chandigarh responded to be adequately equipped with respect to the provision of sick rooms followed by West Bengal at 66.1%.

Graph 7.1 National Figure (in percentage) of CCIs/Homes having adequately equipped basic services for children



7.15 The data on adequately equipped/unequipped status of dining hall facility in CCIs/Homes brings to light that Goa has the highest percentage (92.9%) of CCIs/Homes having adequately equipped dining hall facility followed by Kerala at 90.7%. With respect to **bathrooms**, Sikkim at 95.7% has the highest percent of CCIs/Homes having adequately equipped bathrooms followed by Punjab 94.5% and Chandigarh at 93.8% (see table 7.6).

7.16 Among those States/UTs who gave a positive answer for having adequately equipped toilets in its CCIs/Homes, the highest percentage is seen in Punjab which has 95.9% of CCIs/Homes having adequately equipped toilets for its children; it is followed by Goa with 94.3%. The responses on adequately equipped/unequipped status of visitor's room shows that 78.3% CCIs/Homes of Sikkim

are properly equipped with visitor's rooms followed by Kerala at 77.5%. Similarly, 96.7% of the CCIs/Homes in Tamil Nadu are found to have adequately equipped kitchen followed by Sikkim with 95.7% (see table 7.6).

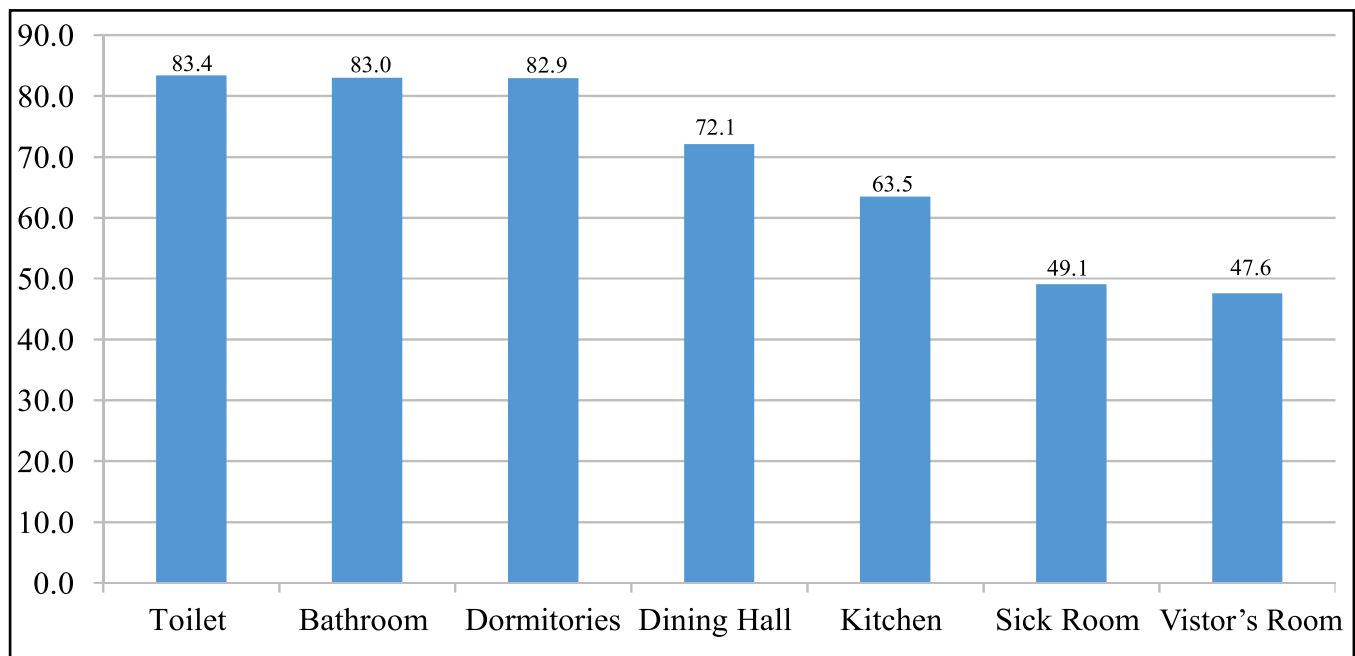
Table 7.6 Percentage of CCIs/Homes with adequately equipped basic facilities

| States/UTs | Dormitories | Sick Room | Dining Hall | Bathroom | Toilet | Visitor Room | Kitchen |
|-------------------|-------------|-------------|-------------|-------------|-------------|--------------|-------------|
| A&N | 82.4 | 11.8 | 70.6 | 88.2 | 88.2 | 47.1 | 94.1 |
| Andhra Pradesh | 75.3 | 42.4 | 69.3 | 76.6 | 77.6 | 39.8 | 29.3 |
| Arunachal Pradesh | 0.0 | 0.0 | 0.0 | 25.0 | 25.0 | 37.5 | 12.5 |
| Assam | 62.6 | 28.2 | 50.4 | 65.6 | 65.6 | 38.9 | 64.1 |
| Bihar | 63.1 | 23.8 | 47.6 | 70.2 | 75.0 | 28.6 | 36.9 |
| Chandigarh | 93.8 | 75.0 | 75.0 | 93.8 | 93.8 | 6.3 | 93.8 |
| Chattisgarh | 70.5 | 22.1 | 54.9 | 71.3 | 71.3 | 21.3 | 39.3 |
| Delhi | 85.6 | 44.8 | 60.8 | 84.8 | 85.6 | 52.8 | 88.8 |
| Goa | 91.4 | 58.6 | 92.9 | 90.0 | 94.3 | 75.7 | 34.3 |
| Gujarat | 66.3 | 38.5 | 60.4 | 64.5 | 63.3 | 43.2 | 66.9 |
| Haryana | 78.5 | 39.2 | 69.6 | 77.2 | 72.2 | 55.7 | 64.6 |
| Himachal Pradesh | 69.6 | 19.6 | 52.2 | 63.0 | 69.6 | 28.3 | 26.1 |
| J&K | 89.5 | 25.1 | 87.0 | 90.1 | 90.3 | 41.7 | 91.7 |
| Jharkhand | 62.2 | 34.6 | 49.6 | 63.8 | 63.0 | 43.3 | 18.1 |
| Karnataka | 71.4 | 28.2 | 62.3 | 82.8 | 82.3 | 37.7 | 68.1 |
| Kerala | 89.0 | 63.9 | 90.7 | 89.6 | 90.8 | 77.5 | 91.3 |
| Madhya Pradesh | 70.5 | 41.8 | 48.6 | 75.3 | 80.1 | 35.6 | 64.4 |
| Maharashtra | 69.6 | 42.3 | 48.9 | 70.9 | 70.7 | 21.4 | 27.3 |
| Manipur | 61.3 | 27.4 | 50.0 | 54.8 | 56.5 | 43.5 | 54.8 |
| Maghalaya | 78.6 | 54.8 | 82.1 | 78.6 | 82.1 | 60.7 | 65.5 |
| Mizoram | 84.8 | 37.0 | 89.1 | 84.8 | 84.8 | 67.4 | 63.0 |
| Nagaland | 82.1 | 16.4 | 73.1 | 76.1 | 76.1 | 61.2 | 88.1 |
| Odisha | 76.6 | 49.4 | 57.6 | 74.2 | 76.8 | 34.7 | 43.1 |
| Puducherry | 83.5 | 37.4 | 45.1 | 78.0 | 85.7 | 24.2 | 93.4 |
| Punjab | 87.7 | 60.3 | 79.5 | 94.5 | 95.9 | 50.7 | 54.8 |
| Rajasthan | 20.2 | 11.9 | 17.0 | 20.9 | 20.9 | 13.7 | 20.2 |
| Sikkim | 82.6 | 52.2 | 69.6 | 95.7 | 91.3 | 78.3 | 95.7 |
| Tamil Nadu | 88.7 | 65.3 | 81.4 | 88.2 | 90.1 | 53.0 | 96.7 |
| Telangana | 71.1 | 30.0 | 57.9 | 72.1 | 69.4 | 35.0 | 6.7 |
| Tripura | 84.1 | 20.5 | 59.1 | 59.1 | 68.2 | 25.0 | 61.4 |
| Uttar Pradesh | 48.8 | 30.6 | 48.8 | 63.5 | 63.5 | 39.4 | 17.6 |
| Uttarakhand | 66.1 | 28.6 | 57.1 | 80.4 | 78.6 | 42.9 | 0.0 |
| West Bengal | 89.3 | 66.1 | 78.0 | 88.1 | 87.2 | 49.8 | 70.9 |
| Total | 76.7 | 45.4 | 67.1 | 78.4 | 79.1 | 44.1 | 60.1 |

iii. Adequate Space

7.17 The Graph 7.2 below indicates that major percentages of CCIs/Homes in India are found to have adequate space for basic services. The national figures suggest that higher percentage of CCIs/Homes have good/adequate space for toilets (83.4%), bathrooms (83%) and dormitories (82.9%) than other services (see graph 7.2). This is followed by dining hall (72.1%) and kitchen (63.5%). Across the country less, than only about half of the CCIs/Homes have good/adequate space for Sick Room (49.1%) and Visitor's Room (47.6%). Space inadequacy for most of the facilities in the CCIs/Homes needs to be improved for the welfare of the children residing in CCIs/Homes. It is clear that situation is not as expected and needs improvement.

Graph 7.2 Percentage of CCIs/Homes having good/adequate space for basic services



7.18 More than 90 percent of CCIs/Homes in Sikkim, J&K, Chandigarh, Kerala, Pondicherry, Punjab, Tamil Nadu and West Bengal have good/adequate space for dormitories. CCIs/Homes in Arunachal Pradesh have least percent of good/adequate space for dormitories. With regard to good/adequate space for sick room, highest percentage of CCIs/Home are found in Chandigarh (75%) followed by Tamil Nadu (71%); the lowest percentages of CCIs/Homes are in Arunachal Pradesh (12.5%) and Andaman & Nicobar (17.6%) (See table 7.7 below).

7.19 States/UTs having more than 90 percent of CCIs/Homes with good/adequate space for **dining hall**, are Kerala (92.7%), Jammu and Kashmir (92.5%) and Goa (91.4%); whereas Arunachal Pradesh ranks lowest at 12.5%, being noticeably behind rest of the States/UTs. The table 7.7 also shows that all CCIs/Homes in the UT of Andaman and Nicobar and Sikkim have good/adequate space for **bathrooms** while more than 90 percent of CCIs/Homes in Punjab, J&K, Chandigarh, Mizoram, Kerala, West Bengal and Tamil Nadu have good/adequate space for bathrooms. Arunachal Pradesh (37.5%) and Manipur (56.5%) are the worst performers in this regard.

Table 7.7 Percentage of CCIs/Homes having good/adequate space for basic facilities

| States/UTs | Dormitories | Sick Room | Dining Hall | Bathroom | Toilet | Visitor Room | Kitchen |
|-------------------|-------------|-----------|-------------|----------|--------|--------------|---------|
| A&N | 88.2 | 17.6 | 82.4 | 100.0 | 100.0 | 47.1 | 100.0 |
| Andhra Pradesh | 82.7 | 43.8 | 69.8 | 79.0 | 79.8 | 39.4 | 30.6 |
| Arunachal Pradesh | 50.0 | 12.5 | 12.5 | 37.5 | 37.5 | 37.5 | 37.5 |
| Assam | 66.4 | 29.0 | 51.9 | 67.2 | 66.4 | 38.9 | 67.2 |
| Bihar | 75.0 | 31.0 | 50.0 | 76.2 | 82.1 | 38.1 | 36.9 |
| Chandigarh | 93.8 | 75.0 | 81.3 | 93.8 | 93.8 | 6.3 | 93.8 |
| Chattisgarh | 80.3 | 23.0 | 64.8 | 78.7 | 79.5 | 23.8 | 46.7 |
| Delhi | 88.0 | 46.4 | 68.0 | 85.6 | 86.4 | 52.8 | 91.2 |
| Goa | 87.1 | 58.6 | 91.4 | 88.6 | 92.9 | 75.7 | 34.3 |
| Gujarat | 72.8 | 43.8 | 62.1 | 69.8 | 72.8 | 44.4 | 74.6 |
| Haryana | 82.3 | 39.2 | 77.2 | 84.8 | 83.5 | 55.7 | 69.6 |
| Himachal Pradesh | 69.6 | 21.7 | 56.5 | 67.4 | 69.6 | 30.4 | 26.1 |
| J&K | 95.0 | 26.0 | 92.5 | 97.2 | 98.1 | 42.3 | 98.3 |
| Jharkhand | 72.4 | 36.2 | 55.9 | 74.0 | 73.2 | 48.0 | 24.4 |
| Karnataka | 77.6 | 31.3 | 68.6 | 85.3 | 84.1 | 40.6 | 69.3 |
| Kerala | 93.0 | 66.3 | 92.7 | 91.1 | 92.9 | 80.2 | 93.9 |
| Madhya Pradesh | 73.3 | 43.8 | 52.7 | 71.9 | 76.0 | 34.9 | 67.8 |
| Maghalaya | 78.6 | 53.6 | 84.5 | 78.6 | 84.5 | 60.7 | 69.0 |
| Maharashtra | 78.8 | 47.2 | 53.7 | 77.5 | 76.0 | 22.3 | 28.9 |
| Manipur | 61.3 | 25.8 | 53.2 | 56.5 | 56.5 | 41.9 | 59.7 |
| Mizoram | 84.8 | 34.8 | 89.1 | 91.3 | 93.5 | 65.2 | 73.9 |
| Nagaland | 88.1 | 19.4 | 77.6 | 89.6 | 91.0 | 62.7 | 88.1 |
| Odisha | 74.9 | 51.1 | 58.3 | 76.6 | 78.7 | 35.1 | 44.3 |
| Puducherry | 92.3 | 42.9 | 62.6 | 89.0 | 91.2 | 29.7 | 94.5 |

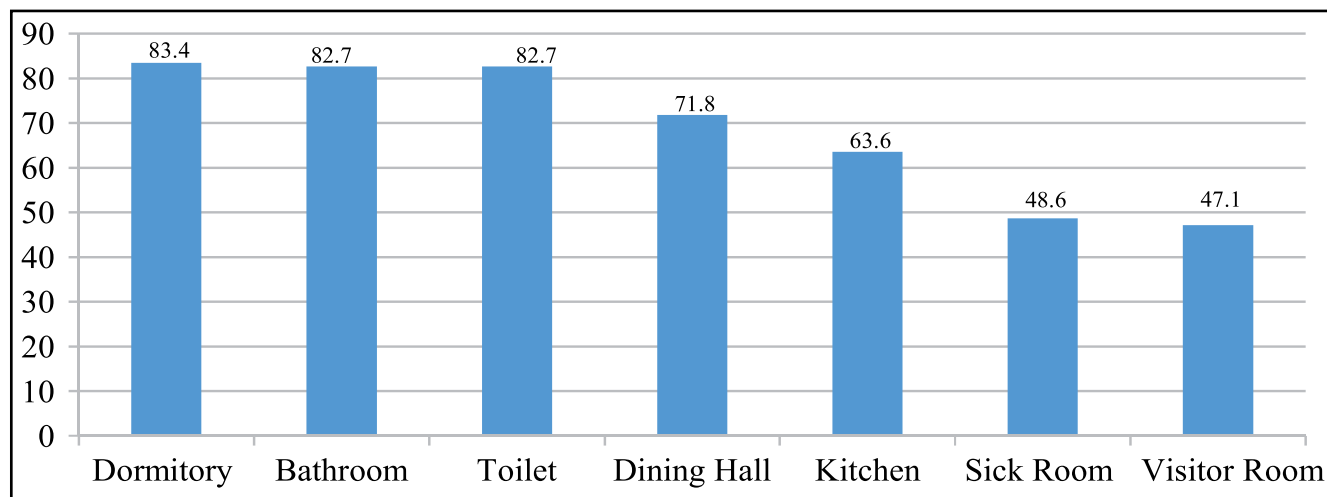
| States/UTs | Dormitories | Sick Room | Dining Hall | Bathroom | Toilet | Visitor Room | Kitchen |
|---------------|-------------|-------------|-------------|-------------|-------------|--------------|-------------|
| Punjab | 91.8 | 61.6 | 87.7 | 97.3 | 98.6 | 50.7 | 56.2 |
| Rajasthan | 69.7 | 37.5 | 62.1 | 72.6 | 72.9 | 39.4 | 71.1 |
| Sikkim | 95.7 | 60.9 | 69.6 | 100.0 | 100.0 | 87.0 | 100.0 |
| Tamil Nadu | 91.6 | 71.0 | 86.0 | 90.1 | 91.1 | 63.3 | 96.8 |
| Telangana | 74.3 | 30.4 | 59.5 | 73.7 | 70.6 | 33.8 | 7.3 |
| Tripura | 79.5 | 22.7 | 68.2 | 63.6 | 70.5 | 27.3 | 65.9 |
| Uttar Pradesh | 54.1 | 32.4 | 50.6 | 65.3 | 66.5 | 40.0 | 18.2 |
| Uttarakhand | 82.1 | 35.7 | 64.3 | 80.4 | 80.4 | 46.4 | 0.0 |
| West Bengal | 90.8 | 67.0 | 79.5 | 90.2 | 89.6 | 49.5 | 74.0 |
| Total | 82.9 | 49.1 | 72.1 | 83.0 | 83.4 | 47.6 | 63.5 |

7.20 UT of Andaman and Nicobar and Sikkim are again found to have all its CCIs/Homes with good/adequate space for toilets, closely followed by Punjab (98.6%) and Jammu and Kashmir (98.1%). Arunachal Pradesh has lowest percentage of CCIs/Homes (37.5%) in this regard. Sikkim (87%) and Kerala (80.2%) have the high percentage of CCIs/Homes with good/adequate space for visitor's room. Chandigarh has exceptionally low percent of CCIs/Homes (6.3%) in this regard; whereas less than one fourth of the CCIs/Homes in Maharashtra and Chhattisgarh have good/adequate space for visitor's room.

7.21 All CCIs/Homes in A&N and Sikkim are found to have good/adequate space dedicated for kitchen facility, closely followed by Jammu & Kashmir (98.3%) and Tamil Nadu (96.8%). None of the CCIs/Home in Uttarakhand has good/adequate space for kitchen facility; whereas it is only 7.3% in Telangana.

iv. Adequate Light and Ventilation

7.22 Adequate light and ventilation is very much required as the quality of air in the buildings of CCIs/Homes can affect the health, productivity and comfort of the children. The national figure shows that the best provision of well-lit and ventilated space in CCIs/Homes is generally in case of dormitories is 83.4%, bathrooms is 82.7% and toilets is 82.7%. Provision of well-lit and ventilated space is much less in sick rooms (48.6%) and visitor's room (47.1%).

Graph 7.3 Percent of CCIs/Homes having well-lit & ventilated space for basic services

7.23 The table 7.8 shows that all CCI/Homes in all Sikkim have good/adequate light and ventilation facilities in the **dormitories**. Above 90% of such CCIs/Homes are found in the States/UTs of J&K (94.8%), Chandigarh (93.8%), West Bengal (93.6%), Tamil Nadu (93.3%), Kerala (93.2%) and Goa (91.4%). The lowest percentage of CCIs/Homes having good/adequate light and ventilation facilities is located in Arunachal Pradesh (25%).

7.24 Tamil Nadu and Chandigarh have the highest percentage of CCIs/Homes with good/adequate light and ventilation in **sick rooms**, that is 71.5% and 75% respectively; Arunachal Pradesh has the lowest percentage, in this regard, with only 12.5% of such CCIs/Homes while A&N has 17.6% percent of such CCIs/Homes.

7.25 The table 7.8 also highlights that maximum percentage of CCIs/Homes with good/adequate ventilation in the **dining halls** are found in Goa (92.9%), J&K (92.5%) and Kerala (90.5%); whereas, none of CCIs/Homes in Arunachal Pradesh has good/adequate ventilation in the **dining halls**.

7.26 Majority of the States/UTs have more than 75% of CCIs/Homes with good/adequate of light and ventilation in **bathrooms**; all CCI/Homes have such bathrooms in A&N and Sikkim, while Arunachal Pradesh has the least percentage of such CCIs/Homes (37.5%). Similar situation prevails in case of **toilet** facilities, wherein more than 75% of CCIs/Homes in majority of States/UTs have good/adequate light and ventilation. Arunachal Pradesh again has the lowest percentage in this regard.

Table 7.8 Percentage of CCIs/Homes having good/adequate light and ventilation for basic facilities

| States/UTs | Dormitory | Sick Room | Dining Hall | Bathroom | Toilet | Visitor Room | Kitchen |
|-------------------|-----------|-----------|-------------|----------|--------|--------------|---------|
| A&N | 82.4 | 17.6 | 76.5 | 100.0 | 94.1 | 47.1 | 94.1 |
| Andhra Pradesh | 83.5 | 43.6 | 71.0 | 80.3 | 80.3 | 39.1 | 30.6 |
| Arunachal Pradesh | 25.0 | 12.5 | 0.0 | 37.5 | 37.5 | 37.5 | 25.0 |
| Assam | 64.1 | 29.0 | 50.4 | 65.6 | 64.1 | 37.4 | 63.4 |
| Bihar | 75.0 | 31.0 | 50.0 | 77.4 | 81.0 | 38.1 | 36.9 |
| Chandigarh | 93.8 | 75.0 | 81.3 | 93.8 | 93.8 | 6.3 | 93.8 |
| Chhattisgarh | 83.6 | 23.0 | 63.9 | 77.9 | 79.5 | 23.0 | 46.7 |
| Delhi | 84.8 | 45.6 | 68.0 | 84.0 | 85.6 | 52.8 | 90.4 |
| Goa | 91.4 | 57.1 | 92.9 | 91.4 | 95.7 | 75.7 | 35.7 |
| Gujarat | 70.4 | 42.0 | 58.6 | 66.9 | 66.9 | 43.2 | 71.0 |
| Haryana | 82.3 | 39.2 | 74.7 | 79.7 | 77.2 | 53.2 | 67.1 |
| Himachal Pradesh | 71.7 | 19.6 | 56.5 | 73.9 | 76.1 | 30.4 | 28.3 |
| J&K | 94.8 | 26.0 | 92.5 | 97.5 | 98.3 | 42.3 | 98.3 |
| Jharkhand | 74.8 | 35.4 | 56.7 | 74.8 | 74.0 | 48.0 | 25.2 |
| Karnataka | 78.7 | 30.8 | 67.6 | 84.7 | 82.8 | 39.7 | 69.5 |
| Kerala | 93.2 | 64.3 | 90.5 | 89.8 | 91.0 | 78.6 | 95.7 |
| Madhya Pradesh | 76.0 | 43.8 | 55.5 | 74.7 | 80.1 | 35.6 | 67.8 |
| Maghalaya | 81.0 | 54.8 | 85.7 | 82.1 | 88.1 | 61.9 | 70.2 |
| Maharashtra | 77.7 | 46.0 | 53.9 | 75.2 | 74.1 | 21.9 | 28.7 |
| Manipur | 62.9 | 27.4 | 51.6 | 56.5 | 56.5 | 40.3 | 58.1 |
| Mizoram | 93.5 | 37.0 | 84.8 | 89.1 | 89.1 | 67.4 | 73.9 |
| Nagaland | 88.1 | 17.9 | 76.1 | 88.1 | 88.1 | 61.2 | 88.1 |
| Odisha | 74.9 | 49.9 | 58.1 | 75.6 | 77.5 | 34.9 | 43.8 |
| Puducherry | 92.3 | 42.9 | 63.7 | 90.1 | 89.0 | 29.7 | 94.5 |
| Punjab | 90.4 | 60.3 | 87.7 | 95.9 | 95.9 | 52.1 | 56.2 |
| Rajasthan | 72.6 | 37.5 | 62.8 | 72.2 | 72.9 | 39.4 | 71.1 |
| Sikkim | 100.0 | 60.9 | 78.3 | 100.0 | 100.0 | 87.0 | 95.7 |
| Tamil Nadu | 93.3 | 71.5 | 86.4 | 91.8 | 91.8 | 63.4 | 96.8 |
| Telangana | 71.9 | 29.8 | 57.5 | 71.1 | 67.4 | 32.6 | 7.3 |
| Tripura | 88.6 | 25.0 | 63.6 | 56.8 | 68.2 | 27.3 | 68.2 |
| Uttar Pradesh | 53.5 | 32.4 | 50.6 | 65.9 | 66.5 | 40.6 | 18.2 |
| Uttarakhand | 82.1 | 35.7 | 62.5 | 82.1 | 82.1 | 41.1 | 0.0 |
| West Bengal | 93.6 | 68.2 | 81.0 | 91.4 | 90.8 | 50.2 | 74.3 |
| India | 83.4 | 48.6 | 71.8 | 82.7 | 82.7 | 47.1 | 63.6 |

7.27 Good/Adequate light and ventilation in **kitchen** are mostly found in the CCIs/Home of J&K (98.3%), Tamil Nadu (96.8%), Kerala (95.7%), Sikkim (95.7%), Pondichery (94.5%), A&N (94.1%), Chandigarh (93.8%) and, Delhi (90.4%); while none of the CCIs/Homes of Uttarakhand have such kitchens.

II. Educational Facilities

7.28 Educational facilities in the CCIs/Homes would include rooms for education (Classrooms), vocational training, counseling, recreation and a library. These rooms must be adequately equipped.

Table 7.9 Percentage of CCIs/Homes having Educational Facilities for Children across India

| Category | Total percentage of CCIs/Homes having Rooms | Total percentage of CCIs having Adequate equipment |
|---------------------|---|--|
| Education | 58.1 | 52.3 |
| Vocational Training | 22.8 | 22.4 |
| Counseling | 34.9 | 32 |
| Recreation | 44.5 | 40.9 |
| Library | 42.2 | 38.6 |

7.29 The table 7.9 suggests that the figures for educational facilities are not close to the ideal numbers as prescribed under the JJ Rules, as it can be seen that less than 50% of the CCIs/Homes have dedicated spaces for vocational training counselling, recreational and library. Only 58.1% CCIs/Homes have educational rooms within the premises which is only slightly over half of total CCIs/Home. There is no information as to what alternate arrangements are made in the other 42% which do not have such a dedicated space for learning. Table 7.10 below shows that across India, 5569 CCIs/Homes have educational rooms, 3342 have counselling rooms, 4267 have recreation rooms, 2182 have dedicated rooms for vocational training, and 4048 CCIs/Homes have rooms for library. The JJ Act and Rules stress highly upon the importance of vocational training to be imparted to children in the CCIs/UTs for securing a more productive independent future for them. However, the reality as seen from the figure above shows otherwise. This needs to be addressed immediately and children must get the training guaranteed as per the JJ principles.

**Table 7.10 Number of CCIs/Homes having Educational Facilities
for Children across States/UTs**

| States/UTs | Total CCIs/ Homes | Education- al rooms | Counseling rooms | Recreation rooms | Vocational training | Library |
|-------------------|----------------------|------------------------|---------------------|---------------------|------------------------|---------|
| A&N | 17 | 10 | 1 | 3 | 3 | 7 |
| Andhra Pradesh | 762 | 377 | 283 | 391 | 157 | 242 |
| Arunachal Pradesh | 8 | 2 | 1 | 1 | 1 | 1 |
| Assam | 131 | 57 | 53 | 58 | 40 | 28 |
| Bihar | 84 | 36 | 29 | 17 | 13 | 21 |
| Chandigarh | 16 | 8 | 12 | 13 | 10 | 11 |
| Chhattisgarh | 122 | 70 | 45 | 53 | 31 | 44 |
| Delhi | 125 | 63 | 57 | 85 | 33 | 68 |
| Goa | 70 | 69 | 41 | 58 | 37 | 46 |
| Gujarat | 169 | 108 | 58 | 82 | 62 | 75 |
| Haryana | 79 | 51 | 48 | 59 | 31 | 38 |
| Himachal Pradesh | 46 | 27 | 9 | 31 | 12 | 14 |
| J&K | 362 | 316 | 27 | 45 | 36 | 192 |
| Jharkhand | 127 | 87 | 44 | 51 | 32 | 49 |
| Karnataka | 911 | 498 | 248 | 297 | 203 | 314 |
| Kerala | 1,242 | 1058 | 538 | 723 | 343 | 865 |
| MP | 146 | 82 | 50 | 75 | 37 | 53 |
| Maharashtra | 1,284 | 425 | 345 | 463 | 168 | 358 |
| Manipur | 62 | 23 | 16 | 31 | 10 | 13 |
| Meghalaya | 84 | 47 | 41 | 41 | 22 | 31 |
| Mizoram | 46 | 20 | 35 | 33 | 8 | 20 |
| Nagaland | 67 | 38 | 25 | 34 | 18 | 13 |
| Odisha | 427 | 176 | 142 | 174 | 102 | 126 |
| Puducherry | 91 | 69 | 24 | 23 | 8 | 19 |
| Punjab | 73 | 46 | 34 | 51 | 28 | 38 |
| Rajasthan | 277 | 141 | 130 | 153 | 92 | 102 |
| Sikkim | 23 | 12 | 6 | 10 | 3 | 4 |
| Tamil Nadu | 1,647 | 1041 | 599 | 697 | 331 | 851 |
| Telangana | 494 | 242 | 162 | 177 | 80 | 150 |
| Tripura | 44 | 10 | 11 | 19 | 12 | 21 |
| Uttar Pradesh | 170 | 105 | 69 | 79 | 58 | 57 |
| Uttarakhand | 56 | 27 | 11 | 24 | 12 | 15 |
| West Bengal | 327 | 228 | 148 | 216 | 149 | 162 |
| All India | 9,589 | 5569 | 3342 | 4267 | 2182 | 4048 |

Number of rooms dedicated for the educational facilities

7.30 As shown in table 7.11, among those CCIs/Homes having one **educational room**, the highest percentage is observed in Pondicherry (56%) followed by Goa (54.3%). The highest percentage of CCIs/Homes having two rooms are located in Andaman & Nicobar which is 23.5% followed by Goa with 17.1%. CCIs/Homes in Jammu & Kashmir (65.7%) have the highest percentage of CCIs/Homes with three or more educational rooms followed by Punjab at a distant 34.2%.

Table 7.11 Percentage of CCIs/Homes having Educational Facilities

| States/UTs | Educational Rooms (Classrooms) | | | Vocational Training Facilities | | |
|-------------------|--------------------------------|-----------|--------------------------|--------------------------------|-----------|--------------------------|
| | One Room | two rooms | three or more than three | One Room | two rooms | three or more than three |
| A&N | 35.3 | 23.5 | 0.0 | 17.6 | 0.0 | 0.0 |
| Andhra Pradesh | 49.5 | 0.0 | 0.0 | 15.9 | 3.1 | 1.6 |
| Arunachal Pradesh | 0.0 | 0.0 | 25.0 | 0.0 | 0.0 | 12.5 |
| Assam | 26.0 | 4.6 | 13.0 | 25.2 | 3.8 | 1.5 |
| Bihar | 32.1 | 7.1 | 3.6 | 8.3 | 4.8 | 2.4 |
| Chandigarh | 6.3 | 0.0 | 43.8 | 25.0 | 37.5 | 0.0 |
| Chhattisgarh | 29.5 | 9.8 | 18.0 | 19.7 | 4.1 | 1.6 |
| Delhi | 36.0 | 8.8 | 5.6 | 17.6 | 3.2 | 5.6 |
| Goa | 54.3 | 17.1 | 27.1 | 48.6 | 2.9 | 1.4 |
| Gujarat | 40.8 | 6.5 | 16.6 | 29.0 | 4.7 | 3.0 |
| Haryana | 34.2 | 13.9 | 16.5 | 32.9 | 2.5 | 3.8 |
| Himachal Pradesh | 32.6 | 8.7 | 17.4 | 21.7 | 2.2 | 2.2 |
| J&K | 5.2 | 16.3 | 65.7 | 9.7 | 0.3 | 0.0 |
| Jharkhand | 28.3 | 11.0 | 29.1 | 23.6 | 1.6 | 0.0 |
| Karnataka | 30.4 | 8.8 | 15.5 | 18.3 | 2.7 | 1.2 |
| Kerala | 48.9 | 16.7 | 19.6 | 22.4 | 4.1 | 1.1 |
| Madhya Pradesh | 36.3 | 6.8 | 13.0 | 20.5 | 1.4 | 3.4 |
| Maharashtra | 16.5 | 5.4 | 11.2 | 10.6 | 1.4 | 1.1 |
| Manipur | 24.2 | 8.1 | 4.8 | 14.5 | 1.6 | 0.0 |
| Maghalaya | 46.4 | 4.8 | 4.8 | 25.0 | 0.0 | 1.2 |
| Mizoram | 23.9 | 6.5 | 13.0 | 13.0 | 4.3 | 0.0 |
| Nagaland | 43.3 | 3.0 | 10.4 | 26.9 | 0.0 | 0.0 |

| States/UTs | Educational Rooms (Classrooms) | | | Vocational Training Facilities | | |
|---------------|--------------------------------|------------|--------------------------|--------------------------------|------------|--------------------------|
| | One Room | two rooms | three or more than three | One Room | two rooms | three or more than three |
| Odisha | 22.2 | 8.2 | 10.8 | 20.6 | 1.4 | 1.9 |
| Puducherry | 56.0 | 13.2 | 6.6 | 7.7 | 1.1 | 0.0 |
| Punjab | 23.3 | 5.5 | 34.2 | 30.1 | 2.7 | 5.5 |
| Rajasthan | 29.6 | 9.4 | 11.9 | 30.7 | 0.7 | 1.8 |
| Sikkim | 43.5 | 0.0 | 8.7 | 8.7 | 4.3 | 0.0 |
| Tamil Nadu | 47.7 | 9.2 | 6.3 | 18.3 | 1.3 | 0.4 |
| Telangana | 25.9 | 7.7 | 15.4 | 14.0 | 1.4 | 0.8 |
| Tripura | 13.6 | 0.0 | 9.1 | 25.0 | 2.3 | 0.0 |
| Uttar Pradesh | 38.8 | 8.2 | 14.7 | 25.3 | 6.5 | 2.4 |
| Uttarakhand | 28.6 | 1.8 | 17.9 | 21.4 | 0.0 | 0.0 |
| West Bengal | 31.8 | 14.4 | 23.5 | 29.7 | 11.0 | 4.9 |
| Total | 34.8 | 9.0 | 14.3 | 18.8 | 2.6 | 1.3 |

7.31 In respect of percentage of CCIs/Homes having one room dedicated to the **vocational training**, Goa (48.6%) ranks first while Haryana (32.9%) stands next. Percentage of CCIs/Homes with two rooms for vocational training is the highest in Chandigarh (37.5%). Percentage of CCIs/Homes having three or more than three rooms for vocational training is very small (1.3% across India), only one CCIs/Homes in Arunachal Pradesh out of a total of 8 CCIs/Homes has such facility, making it the state with highest percentage of CCIs/Homes of the same. This point to the urgent need for increasing the number of rooms for vocational training in CCIs/Homes across India.

7.32 The table 7.12 below presents the distribution of CCIs/Homes as per number of rooms for Counseling, Recreation and Library. Among the CCIs/Homes that have one room dedicated to the **counseling room**, the highest percentage can be found located in Mizoram (73.9%); Goa comes next with 58.6% of such CCIs/Homes. Maximum percentage of CCIs/Homes with two counseling rooms is located in Chandigarh (37.5%). Himachal Pradesh at 2.2% has the highest percentage of CCIs/Homes having three or more than three counseling rooms. The percentage of CCIs/Homes having a counseling room across India is only 34.9% whereas the remaining 65% do not have such rooms.

Table 7.12 Distribution of CCIs/Homes as per number of rooms for Counseling, Recreation and Library

| States/UTs | Counseling Room | | | Recreation Rooms | | | Library | | |
|-------------------|-----------------|-----------|--------------------------|------------------|-----------|--------------------------|----------|-----------|--------------------------|
| | One Room | Two Rooms | three or more than three | One Room | Two Rooms | three or more than three | One Room | Two Rooms | three or more than three |
| A&N | 5.9 | 0.0 | 0.0 | 17.6 | 0.0 | 0.0 | 41.2 | 0.0 | 0.0 |
| Andhra Pradesh | 34.4 | 2.1 | 0.7 | 48.0 | 2.4 | 0.9 | 29.8 | 1.8 | 0.1 |
| Arunachal Pradesh | 0.0 | 12.5 | 0.0 | 12.5 | 0.0 | 0.0 | 12.5 | 0.0 | 0.0 |
| Assam | 40.5 | 0.0 | 0.0 | 42.7 | 1.5 | 0.0 | 21.4 | 0.0 | 0.0 |
| Bihar | 32.1 | 1.2 | 1.2 | 17.9 | 1.2 | 1.2 | 21.4 | 2.4 | 1.2 |
| Chandigarh | 37.5 | 37.5 | 0.0 | 62.5 | 18.8 | 0.0 | 68.8 | 0.0 | 0.0 |
| Chattisgarh | 34.4 | 0.8 | 1.6 | 41.8 | 1.6 | 0.0 | 36.1 | 0.0 | 0.0 |
| Delhi | 43.2 | 1.6 | 0.8 | 58.4 | 7.2 | 2.4 | 53.6 | 0.0 | 0.8 |
| Goa | 58.6 | 0.0 | 0.0 | 54.3 | 22.9 | 5.7 | 64.3 | 1.4 | 0.0 |
| Gujarat | 31.4 | 2.4 | 0.6 | 42.0 | 4.7 | 1.8 | 42.6 | 1.8 | 0.0 |
| Haryana | 53.2 | 6.3 | 1.3 | 64.6 | 7.6 | 2.5 | 39.2 | 7.6 | 1.3 |
| Himachal Pradesh | 17.4 | 0.0 | 2.2 | 60.9 | 4.3 | 2.2 | 30.4 | 0.0 | 0.0 |
| J&K | 6.9 | 0.6 | 0.0 | 10.8 | 1.4 | 0.3 | 52.5 | 0.6 | 0.0 |
| Jharkhand | 32.3 | 2.4 | 0.0 | 37.0 | 2.4 | 0.8 | 38.6 | 0.0 | 0.0 |
| Karnataka | 24.8 | 2.3 | 0.1 | 28.8 | 3.6 | 0.2 | 33.2 | 1.2 | 0.1 |
| Kerala | 40.6 | 2.6 | 0.2 | 54.1 | 3.7 | 0.4 | 67.1 | 2.4 | 0.1 |
| Madhya Pradesh | 32.9 | 0.7 | 0.7 | 42.5 | 2.1 | 6.8 | 35.6 | 0.7 | 0.0 |
| Maharashtra | 25.5 | 0.6 | 0.8 | 34.0 | 1.4 | 0.6 | 27.2 | 0.6 | 0.1 |
| Manipur | 22.6 | 1.6 | 1.6 | 48.4 | 1.6 | 0.0 | 21.0 | 0.0 | 0.0 |
| Maghalaya | 45.2 | 2.4 | 1.2 | 47.6 | 0.0 | 1.2 | 36.9 | 0.0 | 0.0 |
| Mizoram | 73.9 | 2.2 | 0.0 | 54.3 | 15.2 | 2.2 | 41.3 | 2.2 | 0.0 |
| Nagaland | 37.3 | 0.0 | 0.0 | 49.3 | 1.5 | 0.0 | 19.4 | 0.0 | 0.0 |
| Odisha | 31.9 | 1.2 | 0.2 | 37.5 | 2.3 | 0.9 | 28.1 | 0.7 | 0.7 |
| Puducherry | 24.2 | 1.1 | 1.1 | 23.1 | 2.2 | 0.0 | 20.9 | 0.0 | 0.0 |
| Punjab | 43.8 | 1.4 | 1.4 | 57.5 | 11.0 | 1.4 | 52.1 | 0.0 | 0.0 |
| Rajasthan | 45.8 | 1.1 | 0.0 | 53.4 | 1.4 | 0.4 | 36.5 | 0.4 | 0.0 |
| Sikkim | 26.1 | 0.0 | 0.0 | 34.8 | 8.7 | 0.0 | 17.4 | 0.0 | 0.0 |
| Tamil Nadu | 34.9 | 1.3 | 0.2 | 40.5 | 1.5 | 0.3 | 50.8 | 0.7 | 0.2 |
| Telangana | 31.2 | 1.4 | 0.2 | 34.4 | 1.0 | 0.4 | 30.2 | 0.2 | 0.0 |
| Tripura | 25.0 | 0.0 | 0.0 | 43.2 | 0.0 | 0.0 | 47.7 | 0.0 | 0.0 |
| Uttar Pradesh | 34.1 | 5.3 | 1.2 | 38.2 | 6.5 | 1.8 | 28.2 | 5.3 | 0.0 |
| Uttarakhand | 17.9 | 1.8 | 0.0 | 39.3 | 0.0 | 3.6 | 25.0 | 1.8 | 0.0 |
| West Bengal | 42.8 | 2.1 | 0.3 | 57.2 | 5.8 | 3.1 | 46.5 | 2.8 | 0.3 |
| India | 32.8 | 1.7 | 0.4 | 40.9 | 2.8 | 0.8 | 40.9 | 1.2 | 0.1 |

7.33 The table 7.12 further depicts the percentage of CCIs/Homes across the nation that have **recreational rooms**. The state of Haryana has the highest percentage (64.6%) of such CCIs/Homes that have one dedicated room for recreational purposes followed closely by Chandigarh at 62.5%. Majority of CCIs/Homes that have allotted two rooms for recreation purposes are found in Goa (22.9%) followed by Chandigarh at 18.8%. The overall percentage of CCIs/Homes that have three or more than three rooms for recreation of children is very low, majority of which are located in Goa (5.7%). The table 7.12 above shows that 44.5% CCIs/Homes in India have dedicated rooms for the purpose of recreation.

7.34 The States/UTs that have the highest percentage of CCIs/Homes with one room dedicated for **library** are Chandigarh at 68.8% followed by Kerala at 67.1%. CCIs/Homes having two rooms dedicated for library facility are located primarily in Haryana (7.6%); whereas highest percentage of CCIs/Homes having three or more than three rooms is found in Himachal Pradesh (1.3%). The percentage of CCIs/Homes having a library is only 42.2% out of the total percentage of CCIs/Homes covered across India.

III. Administrative Facilities

7.35 Administrative facilities in the CCIs/Homes include store room, record room, room for an office and sitting room for the CWC/JJB. Table 7.13 below represents that out of the total number of 9589 CCI/Homes studied, 7874 have store rooms; 4221 have rooms dedicated for the purpose of a record room; 8056 CCIs/Homes have an office room whereas 1618 have rooms for 'the sitting of CWC/JJB' within their premises.

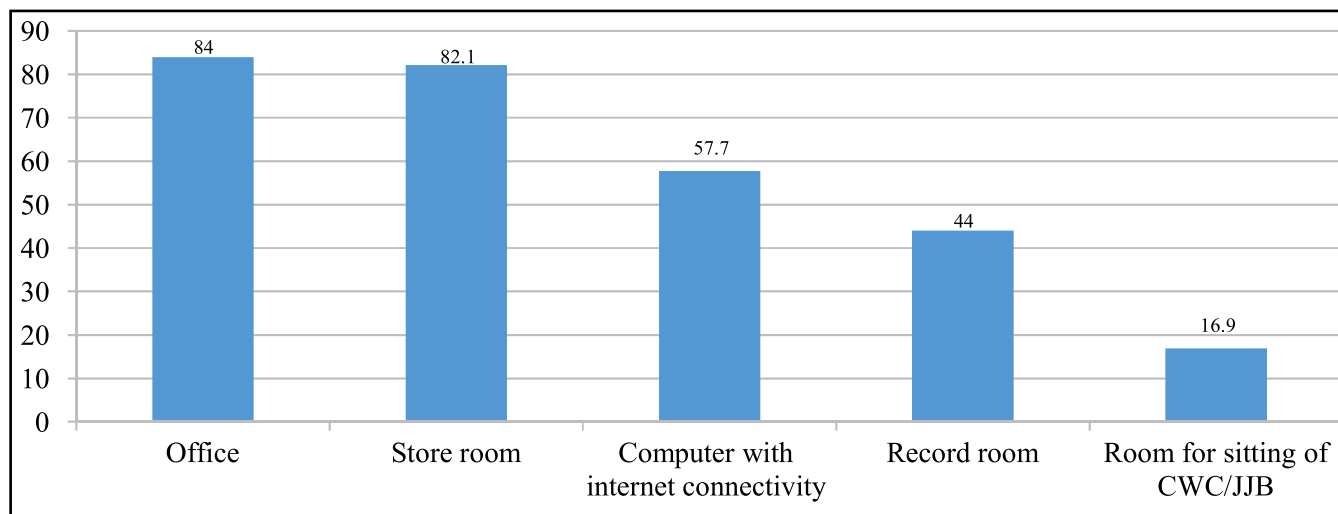
Table 7.13 State-wise number of CCIs/Homes having administrative facilities

| States/UTs | Total CCIs/Homes | CCIs/Homes having store rooms | CCIs/Homes having records rooms | CCIs/Homes having office rooms | CCIs/Homes having sitting of CWC/JJB rooms |
|-------------------|------------------|-------------------------------|---------------------------------|--------------------------------|--|
| A&N | 17 | 11 | 3 | 12 | 1 |
| Andhra Pradesh | 762 | 623 | 298 | 638 | 83 |
| Arunachal Pradesh | 8 | 3 | 5 | 5 | 4 |
| Assam | 131 | 70 | 36 | 77 | 22 |
| Bihar | 84 | 60 | 28 | 62 | 27 |

Physical Infrastructure

| States/UTs | Total CCI/Homes | CCIs/Homes having store rooms | CCIs/Homes having records rooms | CCIs/Homes having office rooms | CCIs/Homes having sitting of CWC/JJB rooms |
|------------------|-----------------|-------------------------------|---------------------------------|--------------------------------|--|
| Chandigarh | 16 | 15 | 3 | 15 | 9 |
| Chhattisgarh | 122 | 86 | 44 | 91 | 22 |
| Delhi | 125 | 98 | 52 | 108 | 3 |
| Goa | 70 | 66 | 63 | 66 | 31 |
| Gujarat | 169 | 130 | 87 | 141 | 53 |
| Haryana | 79 | 64 | 58 | 66 | 16 |
| Himachal Pradesh | 46 | 39 | 15 | 37 | 9 |
| J&K | 362 | 237 | 152 | 338 | 0 |
| Jharkhand | 127 | 97 | 60 | 90 | 31 |
| Karnataka | 911 | 713 | 298 | 711 | 103 |
| Kerala | 1,242 | 1167 | 860 | 1168 | 95 |
| Madhya Pradesh | 146 | 114 | 88 | 127 | 34 |
| Maharashtra | 1,284 | 1076 | 519 | 1146 | 127 |
| Manipur | 62 | 33 | 7 | 38 | 8 |
| Meghalaya | 84 | 72 | 28 | 67 | 5 |
| Mizoram | 46 | 40 | 8 | 42 | 8 |
| Nagaland | 67 | 34 | 11 | 53 | 8 |
| Odisha | 427 | 322 | 121 | 327 | 43 |
| Puducherry | 91 | 83 | 12 | 69 | 2 |
| Punjab | 73 | 71 | 42 | 72 | 14 |
| Rajasthan | 277 | 172 | 111 | 184 | 72 |
| Sikkim | 23 | 17 | 16 | 23 | 2 |
| Tamil Nadu | 1,647 | 1492 | 729 | 1406 | 646 |
| Telangana | 494 | 387 | 171 | 377 | 32 |
| Tripura | 44 | 32 | 6 | 37 | 9 |
| Uttar Pradesh | 170 | 116 | 101 | 125 | 50 |
| Uttarakhand | 56 | 43 | 35 | 44 | 10 |
| West Bengal | 327 | 291 | 154 | 294 | 39 |
| Total | 9,589 | 7874 | 4221 | 8056 | 1618 |

7.36 From the graph 7.4 below, it is evident that most of the CCIs/Homes do not have rooms for 'sitting of CWC/JJB' as only 16.9 are found to have this facility. Computer with internet connectivity is present only in 57.7% of CCIs/Homes, while only 44 percent have record rooms.

Graph 7.4 Percentage of CCIs/Homes having Administrative Facilities across India

Number of rooms dedicated for Administrative Facilities

7.37 The table 7.13 reflects that among all States/UTs, the highest percentage of the CCIs/Homes that have one room dedicated as the store room are located in Pondicherry (83.5%) followed by Kerala at 81.4% and Chandigarh at 81.3%. Percent of CCIs/Homes having two rooms dedicated for store rooms is highest in Punjab (24.7%). Some CCIs/Homes are also using three or more than three rooms as store room; and Punjab has the highest percentage of such CCIs/Homes (19.2%) followed by Haryana at 16.5%. As seen from the graph 7.4 above, 82.1% of CCIs/Homes have a store room.

Table 7.14 Distribution of number of rooms in CCIs/Homes for Administrative Facilities

| States/UTs | Store room | | | Record room | | | Office | | | Sitting of CWC/JJB | | |
|-------------------|------------|-----------|--------------------------|-------------|-----------|--------------------------|----------|-----------|--------------------------|--------------------|-----------|--------------------------|
| | One Room | Two Rooms | Three or More Than Three | One Room | Two Rooms | Three or more than three | One Room | Two Rooms | Three or more than three | One Room | Two Rooms | Three or more than three |
| A&N | 47.1 | 11.8 | 5.9 | 17.6 | 0.0 | 0.0 | 70.6 | 0.0 | 0.0 | 5.9 | 0.0 | 0.0 |
| Andhra Pradesh | 77.2 | 3.5 | 1.0 | 37.1 | 1.8 | 0.1 | 81.9 | 1.4 | 0.4 | 8.8 | 2.1 | 0.0 |
| Arunachal Pradesh | 37.5 | 0.0 | 0.0 | 50.0 | 0.0 | 12.5 | 50.0 | 0.0 | 12.5 | 50.0 | 0.0 | 0.0 |
| Assam | 45.0 | 6.9 | 1.5 | 26.7 | 0.8 | 0.0 | 48.1 | 6.1 | 4.6 | 16.8 | 0.0 | 0.0 |
| Bihar | 64.3 | 3.6 | 3.6 | 31.0 | 2.4 | 0.0 | 65.5 | 7.1 | 1.2 | 16.7 | 7.1 | 8.3 |
| Chandigarh | 81.3 | 12.5 | 0.0 | 18.8 | 0.0 | 0.0 | 37.5 | 18.8 | 37.5 | 56.3 | 0.0 | 0.0 |

Physical Infrastructure

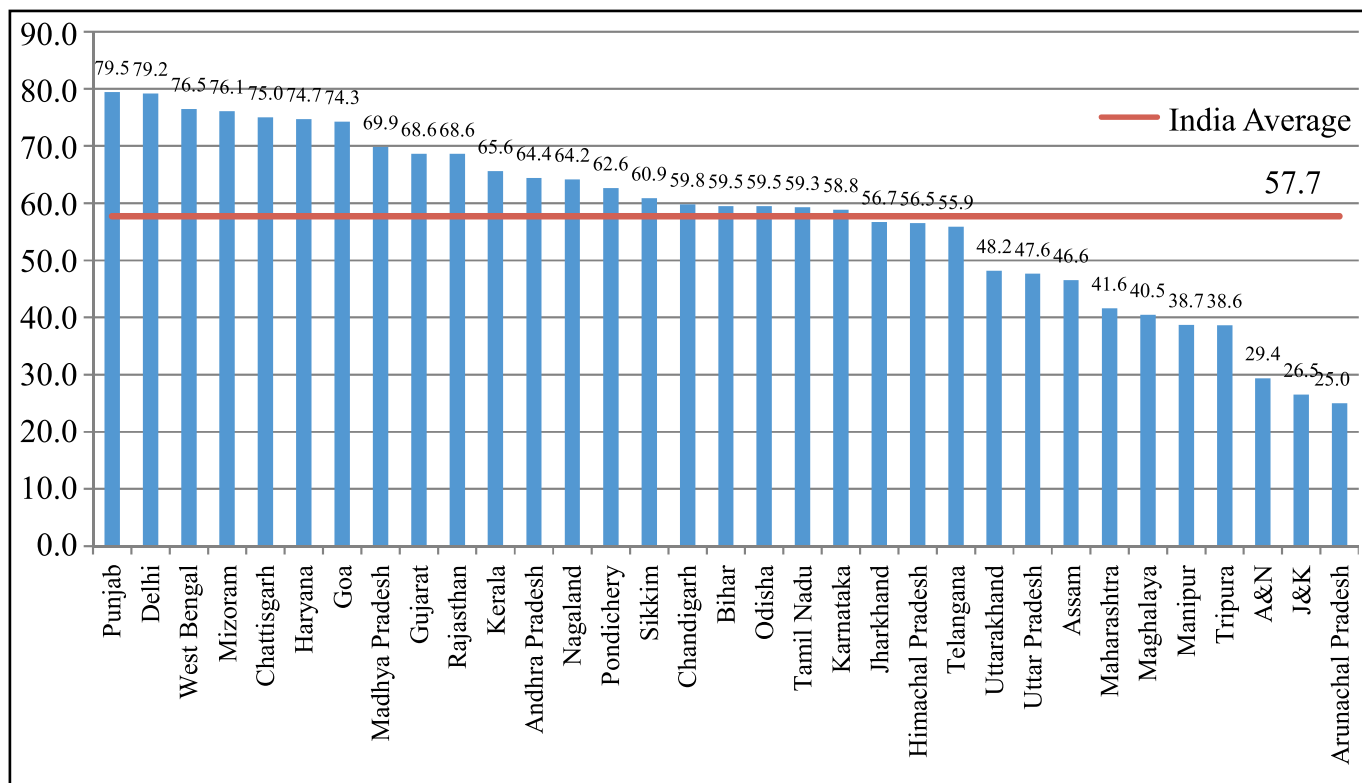
| States/UTs | Store room | | | Record room | | | Office | | | Sitting of CWC/JJB | | |
|------------------|------------|-----------|--------------------------|-------------|-----------|--------------------------|----------|-----------|--------------------------|--------------------|-----------|--------------------------|
| | One Room | Two Rooms | Three or More Than Three | One Room | Two Rooms | Three or more than three | One Room | Two Rooms | Three or more than three | One Room | Two Rooms | Three or more than three |
| Chattisgarh | 61.5 | 5.7 | 3.3 | 32.0 | 0.8 | 3.3 | 63.1 | 4.9 | 6.6 | 16.4 | 1.6 | 0.0 |
| Delhi | 49.6 | 19.2 | 9.6 | 36.8 | 4.0 | 0.8 | 60.0 | 16.8 | 9.6 | 2.4 | 0.0 | 0.0 |
| Goa | 61.4 | 20.0 | 12.9 | 90.0 | 0.0 | 0.0 | 91.4 | 1.4 | 1.4 | 34.3 | 1.4 | 8.6 |
| Gujarat | 59.2 | 7.1 | 10.7 | 46.7 | 3.6 | 1.2 | 66.9 | 13.6 | 3.0 | 28.4 | 2.4 | 0.6 |
| Haryana | 44.3 | 20.3 | 16.5 | 72.2 | 1.3 | 0.0 | 65.8 | 8.9 | 8.9 | 19.0 | 0.0 | 1.3 |
| Himachal Pradesh | 50.0 | 19.6 | 15.2 | 30.4 | 0.0 | 2.2 | 78.3 | 2.2 | 0.0 | 17.4 | 0.0 | 2.2 |
| J&K | 60.8 | 2.8 | 1.9 | 40.9 | 0.6 | 0.6 | 91.2 | 1.7 | 0.6 | 0.0 | 0.0 | 0.0 |
| Jharkhand | 66.1 | 7.9 | 2.4 | 46.5 | 0.8 | 0.0 | 69.3 | 0.8 | 0.8 | 18.9 | 3.1 | 2.4 |
| Karnataka | 63.7 | 11.2 | 3.4 | 30.2 | 2.2 | 0.3 | 71.5 | 5.2 | 1.4 | 9.3 | 1.2 | 0.8 |
| Kerala | 81.4 | 8.8 | 3.8 | 66.2 | 3.0 | 0.1 | 90.4 | 3.0 | 0.6 | 5.5 | 2.0 | 0.2 |
| Madhya Pradesh | 64.4 | 11.6 | 2.1 | 54.8 | 4.8 | 0.7 | 73.3 | 8.9 | 4.8 | 20.5 | 2.1 | 0.7 |
| Maharashtra | 74.5 | 6.5 | 2.8 | 39.3 | 0.5 | 0.6 | 83.3 | 3.1 | 2.8 | 9.0 | 0.6 | 0.3 |
| Manipur | 48.4 | 4.8 | 0.0 | 11.3 | 0.0 | 0.0 | 50.0 | 6.5 | 4.8 | 9.7 | 3.2 | 0.0 |
| Maghalaya | 79.8 | 3.6 | 2.4 | 31.0 | 2.4 | 0.0 | 52.4 | 14.3 | 13.1 | 6.0 | 0.0 | 0.0 |
| Mizoram | 69.6 | 13.0 | 4.3 | 17.4 | 0.0 | 0.0 | 82.6 | 6.5 | 2.2 | 17.4 | 0.0 | 0.0 |
| Nagaland | 43.3 | 7.5 | 0.0 | 16.4 | 0.0 | 0.0 | 64.2 | 11.9 | 3.0 | 11.9 | 0.0 | 0.0 |
| Odisha | 62.3 | 9.8 | 3.3 | 25.8 | 2.1 | 0.5 | 71.9 | 2.8 | 1.9 | 9.8 | 0.2 | 0.0 |
| Puducherry | 83.5 | 7.7 | 0.0 | 13.2 | 0.0 | 0.0 | 74.7 | 0.0 | 1.1 | 2.2 | 0.0 | 0.0 |
| Punjab | 53.4 | 24.7 | 19.2 | 52.1 | 4.1 | 1.4 | 64.4 | 16.4 | 17.8 | 17.8 | 0.0 | 1.4 |
| Rajasthan | 56.7 | 3.6 | 1.8 | 39.0 | 1.1 | 0.0 | 64.3 | 1.4 | 0.7 | 16.2 | 9.7 | 0.0 |
| Sikkim | 69.6 | 4.3 | 0.0 | 69.6 | 0.0 | 0.0 | 100 | 0.0 | 0.0 | 8.7 | 0.0 | 0.0 |
| Tamil Nadu | 80.4 | 8.1 | 2.1 | 43.2 | 1.0 | 0.1 | 83.7 | 1.2 | 0.4 | 38.7 | 0.3 | 0.2 |
| Telangana | 68.8 | 8.1 | 1.4 | 34.2 | 0.4 | 0.0 | 73.3 | 2.0 | 1.0 | 5.5 | 0.6 | 0.4 |
| Tripura | 65.9 | 4.5 | 2.3 | 13.6 | 0.0 | 0.0 | 79.5 | 2.3 | 2.3 | 18.2 | 2.3 | 0.0 |
| Uttar Pradesh | 61.2 | 2.9 | 4.1 | 55.9 | 3.5 | 0.0 | 64.7 | 8.2 | 0.6 | 25.9 | 3.5 | 0.0 |
| Uttarakhand | 67.9 | 3.6 | 5.4 | 53.6 | 3.6 | 5.4 | 75.0 | 1.8 | 1.8 | 16.1 | 0.0 | 1.8 |
| West Bengal | 66.7 | 13.8 | 8.6 | 41.3 | 4.3 | 1.5 | 66.7 | 15.9 | 7.3 | 8.3 | 3.4 | 0.3 |
| India | 70.6 | 8.1 | 3.3 | 42.0 | 1.7 | 0.4 | 78.0 | 4.0 | 2.1 | 15.0 | 1.4 | 0.4 |

7.38 The highest percentage of CCIs/Homes having one room dedicated for **record room** are in Goa (90%) followed by Haryana at 72.2%. Among the CCIs/Homes that have two rooms as record room, the highest percentage of such CCIs/Homes can be found in Madhya Pradesh (4.8%) whereas CCIs/Homes having three or more than three rooms dedicated for record rooms are found to be highest in Uttarakhand (5.4%). Out of the total percentage of CCIs/Homes, only 44% have a dedicated record room meant for storing and keeping all records (Graph 7.4).

7.39 All the CCIs/Homes in Sikkim are found to have one **office room** at least; Goa has 91.4% of such CCIs/Homes; 18.8% of CCIs/Homes in Chandigarh have two office rooms which is the highest in this category, followed by Delhi (16.8%). CCIs/Homes in Chandigarh (37.5%) have the highest percentage of 'three or more' office rooms. Across India, 84% of CCIs/Homes have rooms being used for the purposes of an office.

7.40 As seen from the graph 7.4 above, only 16.9% of CCIs/Homes in India have a room dedicated for the '**sitting of the CWC/JJB**' to carry out its functions. Percentage of CCIs/Homes having one dedicated room for 'sitting of **CWC/JJB**' are highest in Chandigarh (56.3%); whereas CCIs/Homes having two rooms for CWC/JJB are highest in Rajasthan (9.7%). Goa (8.6%) has the highest percentage of CCIs/Homes with three or more rooms for 'sitting of CWC/JJB'.

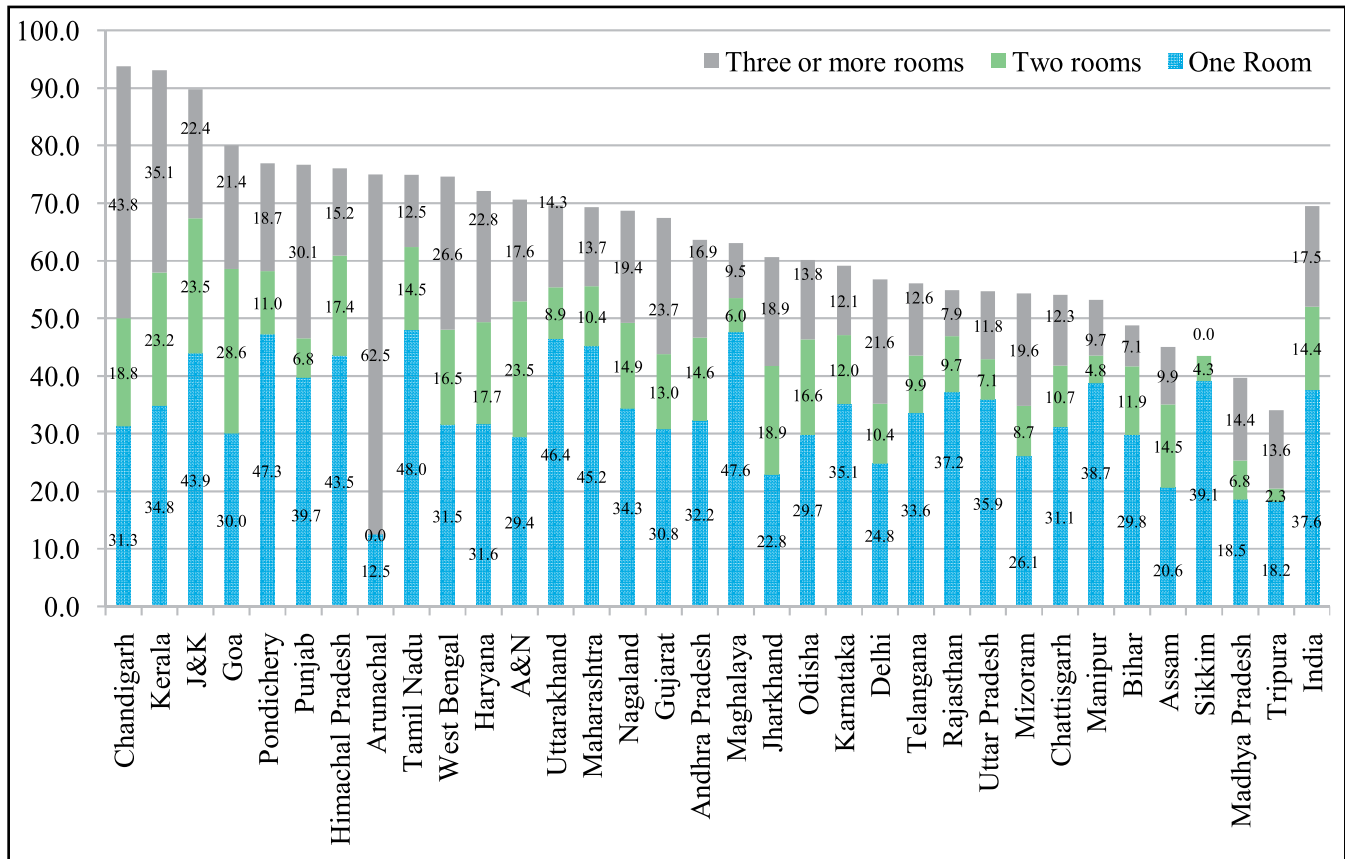
7.41 Graph 7.5 shows that percentage of CCIs/Homes having **computers with internet facility** is the highest in Punjab (79.5%) closely followed by Delhi with 79.2% and West Bengal at 76.5%. Only one fourth of the CCIs/Homes in Arunachal Pradesh have computers with internet facility, while Jammu & Kashmir has (26.5%) of such CCIs/Homes. The national average shows that only 57.7% of CCIs/Homes have computer with internet facility.

Graph 7.5 Percentage of CCIs/Homes having computer with internet facility

IV. Staff Residence

Number of rooms dedicated

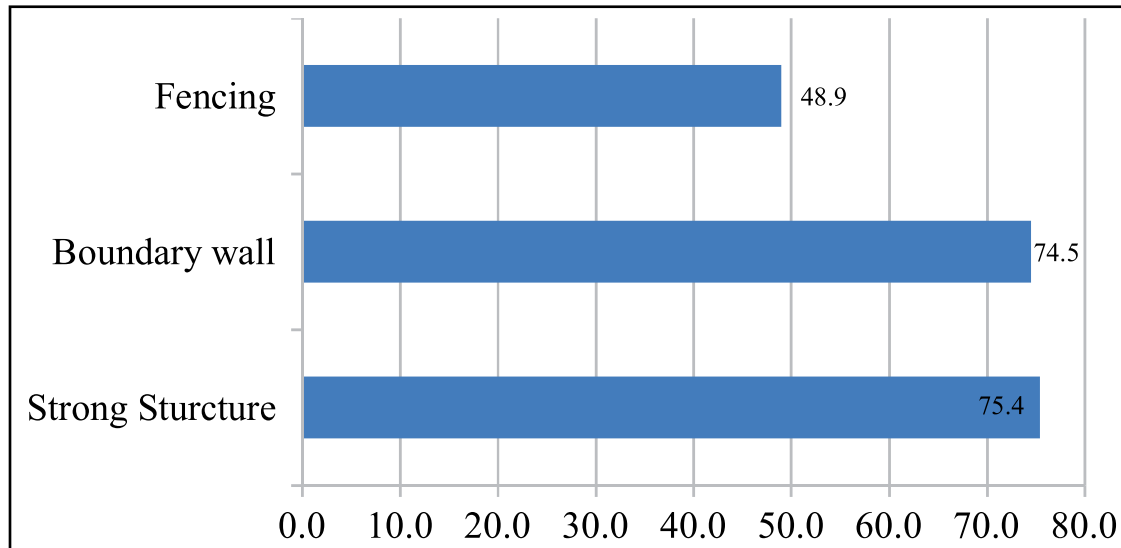
7.42 Provision of residential facilities for staff is important to ensure that children of the CCIs/Homes find care and necessary help whenever required. The table 7.14 shows that Tamil Nadu has the highest percentage of CCIs/Homes that have one dedicated room for staff (48%). Meghalaya is close with 47.6% of such CCIs/Homes. CCIs/Homes that have two residential rooms for staff are primarily located in the state of Goa (28.6%). Arunachal Pradesh at 62.5% has the highest percentage of CCIs/Homes having three or more than three rooms as staff residence. Out of the total number of CCIs/Homes, 6666 have dedicated rooms for the purpose of staff residence within their premises.

Graph 7.6 Percentage of CCIs/Homes having residential facilities for staff across States/UTs

V. Infrastructure and Security

i. Infrastructural Security

7.43 Proper infrastructure ensuring security is crucial for safety and protection of children in the CCIs/Homes. The graph 7.7 below presents three aspects of infrastructure security in the CCIs/Homes viz. boundary wall, fencing and strong structure. At an average out of every four CCIs/Homes, three CCIs/Homes have strong Structure and Boundary walls; while less than half of them have fencings.

Graph 7.7 Percentage of CCIs/Homes having infrastructural security

7.44 The state level analysis (Table 7.15) highlights that 98.6% of the CCIs/Homes in Punjab have a boundary wall for security purpose followed by Chandigarh and Haryana at 93.8% and 87.3% respectively; the lowest percentage in this regard is observed in Sikkim (17.4) followed by Andaman & Nicobar (47.1%) and Manipur (50%).

Table 7.15 Percentage of CCIs/Homes having Infrastructural Security

| States/UTs | Boundary wall | Fencing | Strong Structure |
|-------------------|---------------|---------|------------------|
| A&N | 47.1 | 47.1 | 41.2 |
| Andhra Pradesh | 85.7 | 50.8 | 75.3 |
| Arunachal Pradesh | 75.0 | 25.0 | 62.5 |
| Assam | 55.0 | 22.9 | 45.0 |
| Bihar | 67.9 | 31.0 | 77.4 |
| Chandigarh | 93.8 | 87.5 | 93.8 |
| Chattisgarh | 73.0 | 49.2 | 50.8 |
| Delhi | 84.0 | 59.2 | 89.6 |
| Goa | 87.1 | 85.7 | 95.7 |
| Gujarat | 76.3 | 48.5 | 73.4 |
| Haryana | 87.3 | 79.7 | 89.9 |
| Himachal Pradesh | 65.2 | 47.8 | 78.3 |
| India | 74.5 | 48.9 | 75.4 |
| J&K | 70.7 | 55.0 | 74.0 |
| Jharkhand | 78.0 | 40.9 | 58.3 |
| Karnataka | 72.3 | 40.8 | 77.7 |

| States/UTs | Boundary wall | Fencing | Strong Structure |
|----------------|---------------|---------|------------------|
| Kerala | 87.1 | 56.4 | 89.7 |
| Madhya Pradesh | 72.6 | 41.8 | 82.2 |
| Maghalaya | 65.5 | 57.1 | 57.1 |
| Maharashtra | 50.3 | 44.5 | 66.2 |
| Manipur | 50.0 | 46.8 | 41.9 |
| Mizoram | 60.9 | 80.4 | 87.0 |
| Nagaland | 55.2 | 55.2 | 49.3 |
| Odisha | 67.9 | 34.4 | 70.7 |
| Puducherry | 64.8 | 34.1 | 64.8 |
| Punjab | 98.6 | 69.9 | 97.3 |
| Rajasthan | 74.7 | 69.7 | 74.7 |
| Sikkim | 17.4 | 43.5 | 95.7 |
| Tamil Nadu | 82.2 | 47.2 | 76.0 |
| Telangana | 82.4 | 46.8 | 76.5 |
| Tripura | 63.6 | 36.4 | 40.9 |
| Uttar Pradesh | 64.7 | 47.1 | 67.6 |
| Uttarakhand | 78.6 | 57.1 | 78.6 |
| West Bengal | 84.1 | 57.8 | 86.5 |

7.45 The table 7.15 also reflects percentage of the CCIs/Homes that have **fencing**; the highest percentage of CCIs/Homes having fencing are found in Chandigarh (87.5%) followed by Goa with 85.7%. The lowest percentage in this regard was seen in Assam at 22.9% followed by Arunachal Pradesh at 25% and Bihar 31%.

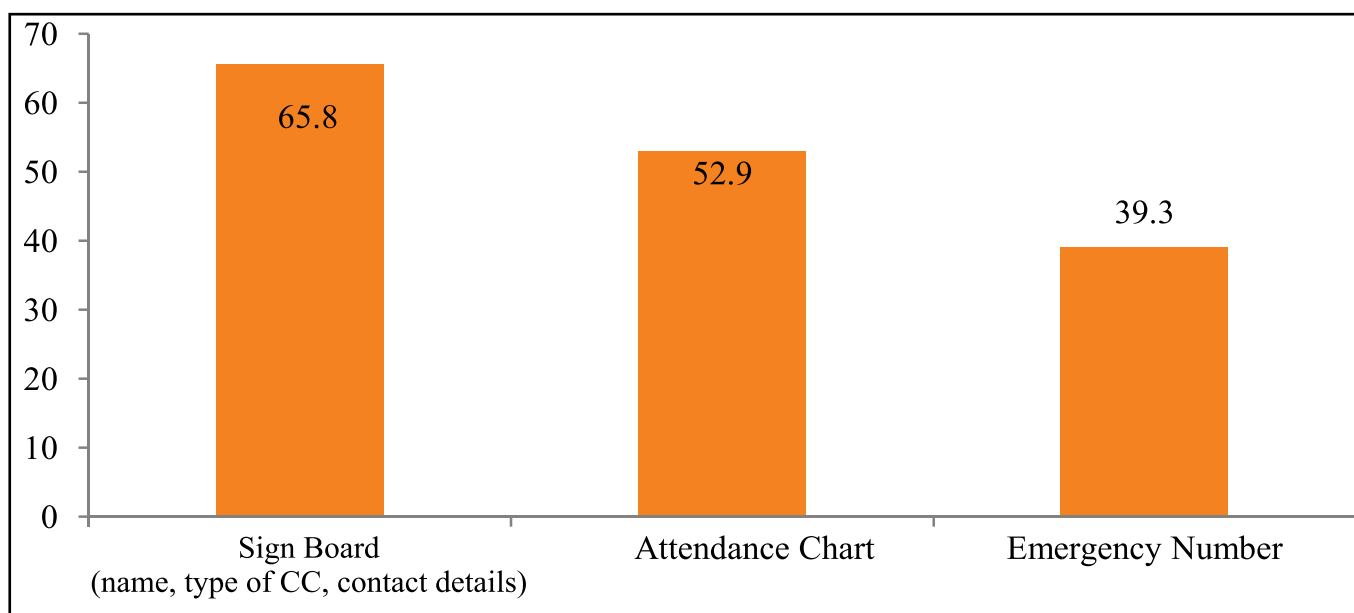
The JJ Rules 2016 recommend that all institutions must have barbed wire fencing to ensure miscreants and anti social elements stay out of the premises thereby ensuring the safety and security of the children and staff within the CCI which is of absolute importance. In CCIs which do not have fencing, must adopt other security measures to keep the institutions free from anti social elements, intruders. There must be a high boundary wall that will prevent people from jumping in as well as the children from jumping out. The structure must be strong and in good condition which should be able to withstand extreme weathers and intrusion.

7.46 Responses were also collected from CCIs/Homes regarding the structural strength of the CCI buildings. Highest percent of CCIs/Homes having strong structure are observed in Punjab (97.3%) followed by Sikkim (95.7%) and Goa (95.7%). Percentage of CCIs/Homes that reported weak infrastructure foundation is highest in Tripura (40.9%), Andaman & Nicobar (41.2%) and Manipur (41.9%).

ii. Display of essential details

7.47 Displaying of important information at CCIs/Homes is mandatory; it facilitates easy access to facilities of the CCIs/Homes and also helps quick access to information related to the CCIs/Homes. The below graph 9.8 reflects whether the CCIs/Home have i) essential details on sign boards indicating the following - the name, type of CCIs/Homes, contact details; ii) Attendance Chart; iii) Emergency Numbers. The graph reveals that only 39.3% of CCIs/Homes have emergency numbers displayed. With regard to attendance chart and sign boards, only 52.9% and 65.8% CCIs/Homes respectively displayed the details.

Graph 7.8 Percentage of CCIs/Homes that have displayed essential information



7.48 **Sign Board:** The table 7.16 shows that 97.8% of the CCIs/Homes in Mizoram, being highest, stated that they have Sign boards displayed, followed by Sikkim with 91.3% of CCIs/Homes. States/UTs that have lowest percentage of CCIs/Homes displaying Sign Boards are Chandigarh (37.5%) at the end of the ladder, next to Uttar Pradesh (47.1%).

7.49 **Attendance status:** The national average for percentage of CCIs/Homes that keep attendance records is 52.9%; about 83.5% of CCIs/Homes in Haryana claim to keep attendance records whereas Pondicherry has only 9.9% of such CCIs/Homes.

7.50 **Emergency number:** Table 7.16 highlights that 81% of the CCIs/Homes in Haryana displayed emergency numbers followed by Odisha at 72.8%. The lowest percentage of was observed in CCIs/Homes of Arunachal Pradesh (12.5%) and Manipur (12.9%).

Table 7.16 Percentage of CCIs/Homes that display essential information

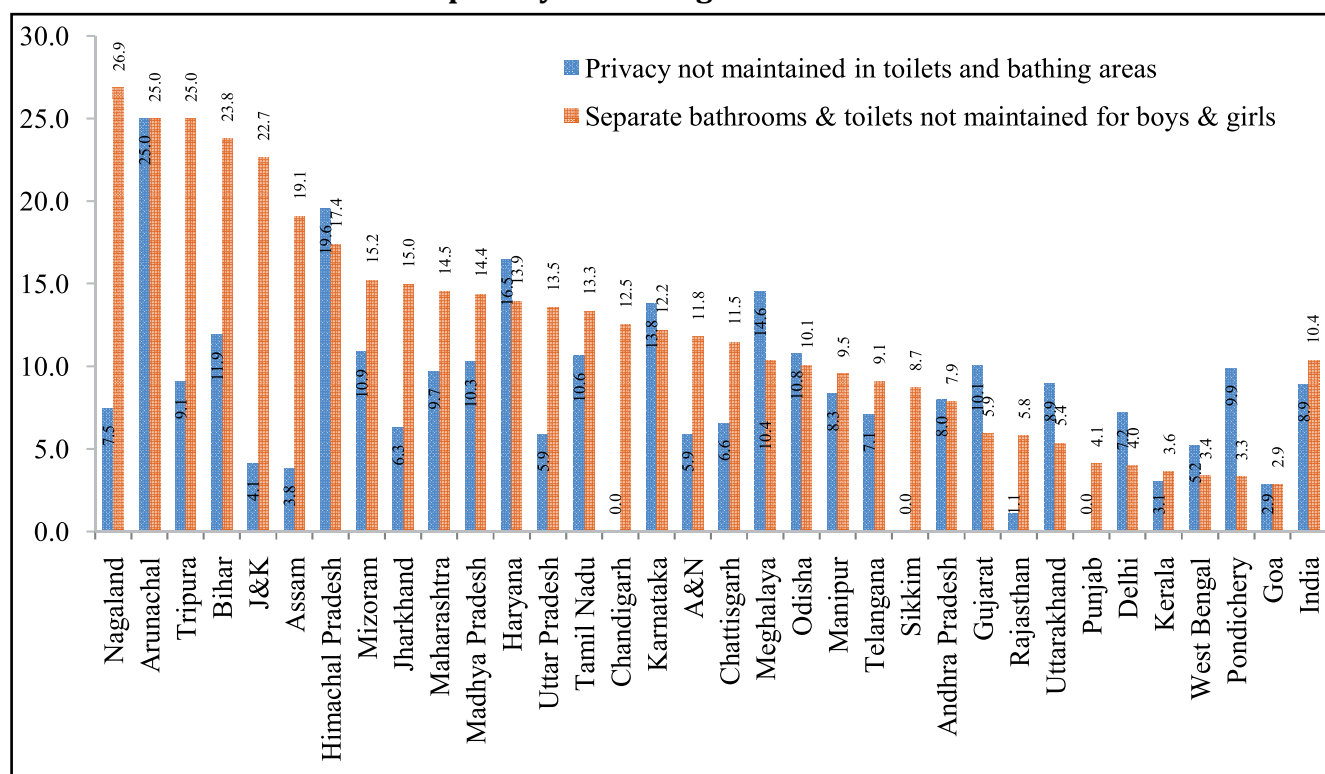
| States/UTs | Sign board | Attendance chart | Emergency number |
|-------------------|------------|------------------|------------------|
| A&N | 70.6 | 70.6 | 52.9 |
| Andhra Pradesh | 71.1 | 62.2 | 37.5 |
| Arunachal Pradesh | 62.5 | 37.5 | 12.5 |
| Assam | 58.0 | 35.9 | 32.8 |
| Bihar | 61.9 | 61.9 | 39.3 |
| Chandigarh | 37.5 | 50.0 | 50.0 |
| Chhattisgarh | 57.4 | 50.8 | 49.2 |
| Delhi | 72.8 | 48.0 | 45.6 |
| Goa | 85.7 | 44.3 | 48.6 |
| Gujarat | 67.5 | 58.0 | 38.5 |
| Haryana | 64.6 | 83.5 | 81.0 |
| Himachal Pradesh | 65.2 | 52.2 | 26.1 |
| J&K | 48.3 | 54.4 | 28.7 |
| Jharkhand | 48.0 | 55.1 | 29.9 |
| Karnataka | 55.7 | 59.6 | 29.2 |
| Kerala | 79.9 | 49.1 | 30.4 |
| Madhya Pradesh | 80.8 | 47.3 | 40.4 |
| Maghalaya | 65.5 | 61.9 | 46.4 |
| Maharashtra | 50.8 | 37.8 | 24.5 |
| Manipur | 58.1 | 38.7 | 12.9 |
| Mizoram | 97.8 | 65.2 | 60.9 |
| Nagaland | 82.1 | 28.4 | 28.4 |
| Odisha | 70.7 | 52.2 | 72.8 |
| Puducherry | 62.6 | 9.9 | 15.4 |
| Punjab | 86.3 | 58.9 | 60.3 |
| Rajasthan | 72.9 | 46.9 | 64.3 |
| Sikkim | 91.3 | 78.3 | 26.1 |
| Tamil Nadu | 70.3 | 61.3 | 57.0 |
| Telangana | 65.0 | 48.4 | 31.4 |
| Tripura | 75.0 | 11.4 | 22.7 |
| Uttar Pradesh | 47.1 | 51.8 | 23.5 |
| Uttarakhand | 48.2 | 44.6 | 32.1 |
| West Bengal | 72.2 | 75.5 | 39.4 |
| India | 65.8 | 52.9 | 39.3 |

7.51 The names and contact details of the Special Juvenile Police Unit or Child Welfare Police Officer is to be kept in a way that is easily noticeable or in a place that is a conspicuous part of the police stations, Child Care Institutions, Committees, Boards and the Children's Courts; the data shows that on an average the performance of the State/UTs needs improvement. CCIs/Homes that are not adhering or falling short on the above this criterion must adopt the practice to ensure smooth functioning of the institution.

iii. Privacy and gender-segregation maintained in toilets and bathing areas

7.52 The graph 7.9 represents the percentage of CCIs/Homes that do not maintain privacy and gender segregation for toilets and bathing areas. Arunachal Pradesh (25%) and Himachal Pradesh (19.6%) have the highest percentage of CCIs/Homes that do not adhere to maintenance of privacy in toilets and bathing area; whereas much better condition is observed in Punjab and Sikkim with no such CCIs/Homes.

Graph 7.9 CCIs/Homes that do not maintain gender segregation and privacy in bathing areas and toilets



Note: States are arranged in ascending order of percentage of CCIs/Home maintaining privacy toilets and bathing areas

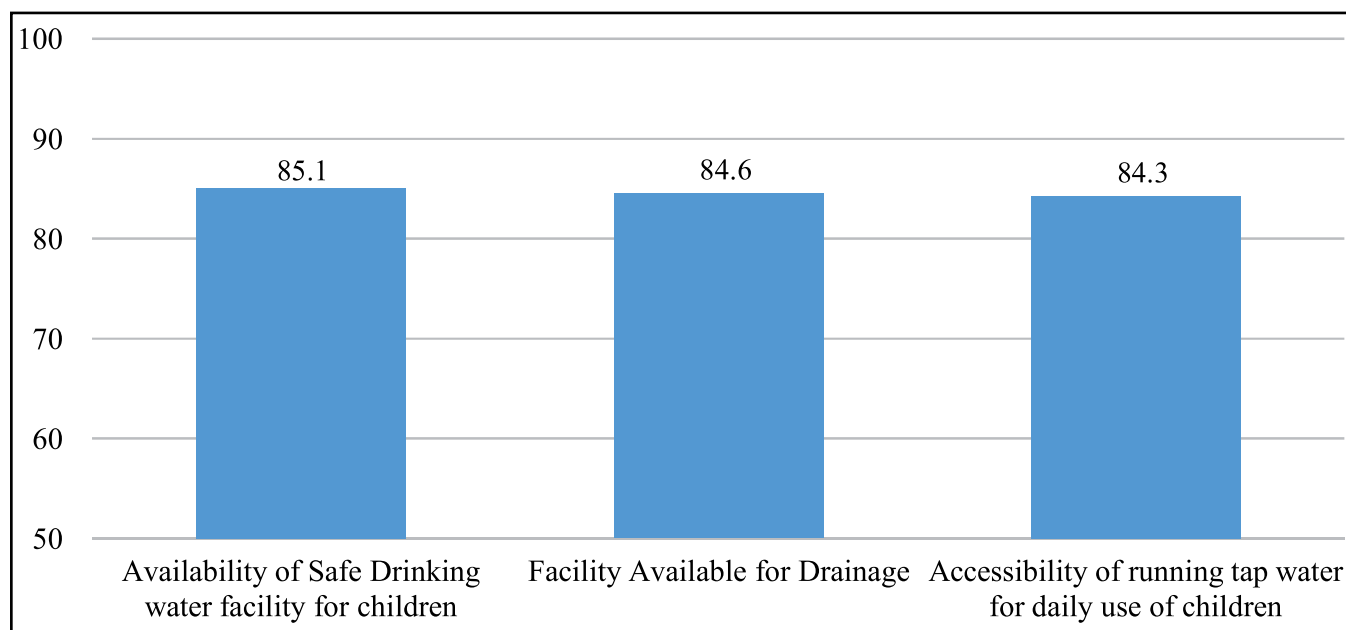
7.53 With respect to non-maintenance of gender-segregation for toilets and bathing areas highest percentage of CCIs/Homes are found in Nagaland (26.9%) followed Arunachal Pradesh and Tripura each at 25%.

7.54 Privacy is an important issue that cannot be overlooked. The CCIs/Homes that house children have staff and employees who are adults. There have to be clear guidelines to ensure that children are respected as individuals and given privacy, especially in areas where they would be most vulnerable, i.e. the bathrooms and toilets, by maintaining high windows and proper doors with latches. It is ideal that the bathroom and toilet areas for the staff and children must be in separate areas of the campus so as to provide utmost privacy and comfort to the children. In the graph 7.9 above, a positive trend can be seen, as majority of the CCIs/Homes maintain privacy and gender-segregation in this regard. However in those CCIs/Homes that do not have these facilities, a review must be done to understand the shortcomings; and help/suggestions must be taken from those CCIs/Homes that have such system in place.

VI. Hygiene and Sanitation

7.55 Maintaining hygiene and sanitation in CCIs/Homes is very much important to ensure that children residing in the institutions stay healthy, fit and fine. In order to ensure this, it is necessary that there is availability of safe drinking water for children and enough water for other daily uses, and a proper drainage system.

7.56 Graph 7.10 below shows national level figures for hygiene and sanitation at CCIs/Homes. About 85.1% of the CCIs/Homes have availability of safe drinking water facility; 84.6% have drainage facility and 84.3% have running tap water facility for daily usage.

Graph 7.10 Percentage of CCIs/Homes having adequate hygiene and sanitation

i. Running tap water for daily use of children

7.57 All CCIs/Homes must have running tap water that is accessible and available to children for the purposes of bathing, maintaining personal hygiene, washing clothes, utensils, etc.

Table 7.17 Percentage of CCIs/Homes having water for drinking and daily usage and with drainage system

| States/UTs | Tap water for daily use of children | Drinking Water for children | Drainage System |
|-------------------|-------------------------------------|-----------------------------|-----------------|
| A&N | 88.2 | 100.0 | 58.8 |
| Andhra Pradesh | 93.0 | 92.0 | 86.2 |
| Arunachal Pradesh | 87.5 | 50.0 | 62.5 |
| Assam | 61.8 | 64.9 | 66.4 |
| Bihar | 78.6 | 78.6 | 82.1 |
| Chandigarh | 93.8 | 93.8 | 93.8 |
| Chhattisgarh | 79.5 | 78.7 | 82.0 |
| Delhi | 89.6 | 90.4 | 89.6 |
| Goa | 100.0 | 95.7 | 100.0 |
| Gujarat | 79.9 | 78.1 | 78.1 |
| Haryana | 81.0 | 83.5 | 81.0 |
| Himachal Pradesh | 80.4 | 82.6 | 76.1 |
| J&K | 93.4 | 95.9 | 91.7 |
| Jharkhand | 73.2 | 73.2 | 70.1 |

| States/UTs | Tap water for daily use of children | Drinking Water for children | Drainage System |
|----------------|-------------------------------------|-----------------------------|-----------------|
| Karnataka | 88.7 | 86.5 | 84.0 |
| Kerala | 96.5 | 98.7 | 96.1 |
| Madhya Pradesh | 84.9 | 82.2 | 85.6 |
| Maharashtra | 62.0 | 63.1 | 67.1 |
| Manipur | 19.4 | 50.0 | 53.2 |
| Meghalaya | 83.3 | 88.1 | 81.0 |
| Mizoram | 82.6 | 97.8 | 93.5 |
| Nagaland | 65.7 | 91.0 | 92.5 |
| Odisha | 79.4 | 75.6 | 79.2 |
| Puducherry | 96.7 | 92.3 | 95.6 |
| Punjab | 98.6 | 98.6 | 98.6 |
| Rajasthan | 75.8 | 76.2 | 75.8 |
| Sikkim | 100.0 | 100.0 | 100.0 |
| Tamil Nadu | 91.9 | 92.0 | 91.5 |
| Telangana | 87.9 | 89.9 | 87.9 |
| Tripura | 65.9 | 93.2 | 90.9 |
| Uttar Pradesh | 68.2 | 67.6 | 70.6 |
| Uttarakhand | 78.6 | 78.6 | 82.1 |
| West Bengal | 89.0 | 90.8 | 93.0 |
| India | 84.3 | 85.1 | 84.6 |

7.58 The table 7.17 reflects percentage of CCIs/Homes that have availability and accessibility of running tap water for daily use. State wise details presented in shows that all CCIs/Homes in Sikkim and Goa have this facility; 98.6% of the CCIs/Homes in Punjab are found to have accessible/available running tap water for daily use. Comparatively, much lesser percentage of CCIs/Homes in Manipur (19.4%) has running tap water for daily use. Majority of the CCIs/Homes across the nation have running water but CCIs/Homes which don't have this facility must ensure that water storing arrangement are in place. In such places, water must be arranged through tankers and water tanks must be installed for storing water.

ii. Facility of safe drinking water for the children

7.59 The analysis shows that safe drinking water is available and provided to children in all the CCIs/Homes of Andaman & Nicobar and Sikkim. However, CCIs/Homes in Arunachal Pradesh has lowest percentage of CCIs/Homes with the facility (50%).

7.60 The JJ Rules of 2016 state that in every CCIs/Homes there must be sufficient treated drinking water. Water filters or RO shall be installed at multiple locations in the premises for easy access to areas such as kitchen, dormitory, recreational rooms, etc. Adequate and safe drinking water must be provided to children in the CCIs/Homes at any cost. Children should not find it hard to access drinking water and neither should the supply be restricted. Clean and safe drinking water that is free from pollutants and contamination should be easily available to all children within the premises. The CCIs/Homes that are failing in this aspect need to review their inadequacies and make provisions for the same.

iii. Drainage facility

7.61 The table 7.17 highlights that all CCIs/Homes in Goa and Sikkim have drainage facilities followed by Punjab at 98.6% and Kerala at 96.1%. The lowest percentage in this regard is found in CCIs/Homes of Manipur (53.2%).

7.62 Under the JJ Rules, 2016, sanitation and hygiene have been given primary importance. The Rules state that the CCIs/Homes must have a proper drainage system which must be regularly maintained. A good drainage system would mean that the drains must be clean and free of clogging. Pipes carrying water for consumption must not get contaminated by sewage water at any cost hence a proper drainage and water disposal system must be in place. In Manipur, only about a half of the CCIs/Homes have a proper drainage facility. This not only raises major sanitation and hygiene concerns but also poses a health hazard to all the inhabitants of the CCI/Home in the form of incidents of water borne diseases. There is no information as to what is being done on a daily basis to get rid of the sewer water. Efforts must be made to tackle this issue with the help of the concerned government departments.

7.63 The JJ Act and Rules clearly emphasise that the CCIs/Homes is not merely an institution for children but is also their home. It must be a child friendly, safe and inviting space for institutionalized children to grow and flourish. It should have all the facilities to ensure the safety, privacy and well-being of its children. The spaces accessible and limited to children must be free from hazardous materials as well as heavy objects.

VII. Highlights

7.64 **Status of accommodation:** The overall findings show that across all the States and UTs of India major improvements are needed with regard to accommodation of children. As in some cases, there are no dedicated rooms under some categories, for example in Uttar Pradesh about 34.1% of CCIs/Homes that were covered by the study do not have a dormitory, which raises a very serious question on the sleeping arrangements for the children.

7.65 Many CCIs/Homes do not have dedicated sick rooms; there is no clarity as to the alternative arrangements being made in the event of a child requiring medical care, especially during emergencies when first aid is needed, thereby putting the life and health of the children at grave risk. Rooms for recreational purposes and vocation training too are non-existent in many CCIs/Homes. Some CCIs/Homes do not have a kitchen, raising questions on arrangement of food for the children. Many CCIs/Homes do not maintain privacy and gender-segregation of bathing area and toilets. This is a bare minimum that must be addressed in every institution. The very fact that these facilities are not maintained/ available in the CCIs/Homes raises serious questions on the hygiene, safety and privacy of children. Many CCIs/Home do not have basic amenities but are housing children and running child care services. Regular inspections by the relevant authorities are thus required.

7.66 Information on alternative arrangements in case of non-availability of facilities/services was not gathered during the mapping exercise. A second level of investigation will help to uncover the ground reality with better clarity.

7.67 **Additional Facilities:** There exists ample room for improvement with regard to educational, administrative and infrastructural facilities to ensure safety and privacy of children. The availability of running tap and drinking water, proper drainage facilities is not adequate in a number of CCIs/Homes. State-wise review for addressing the above mentioned factors in a qualitative manner will help to bring out the answers. This will help in arriving at constructive solutions to the problems and shortcomings of the CCIs/Homes.

Chapter 8

Adherence to JJ Procedures



नए समाज की ओर
Towards a new dawn

Chapter 8 : Adherence to JJ Procedures

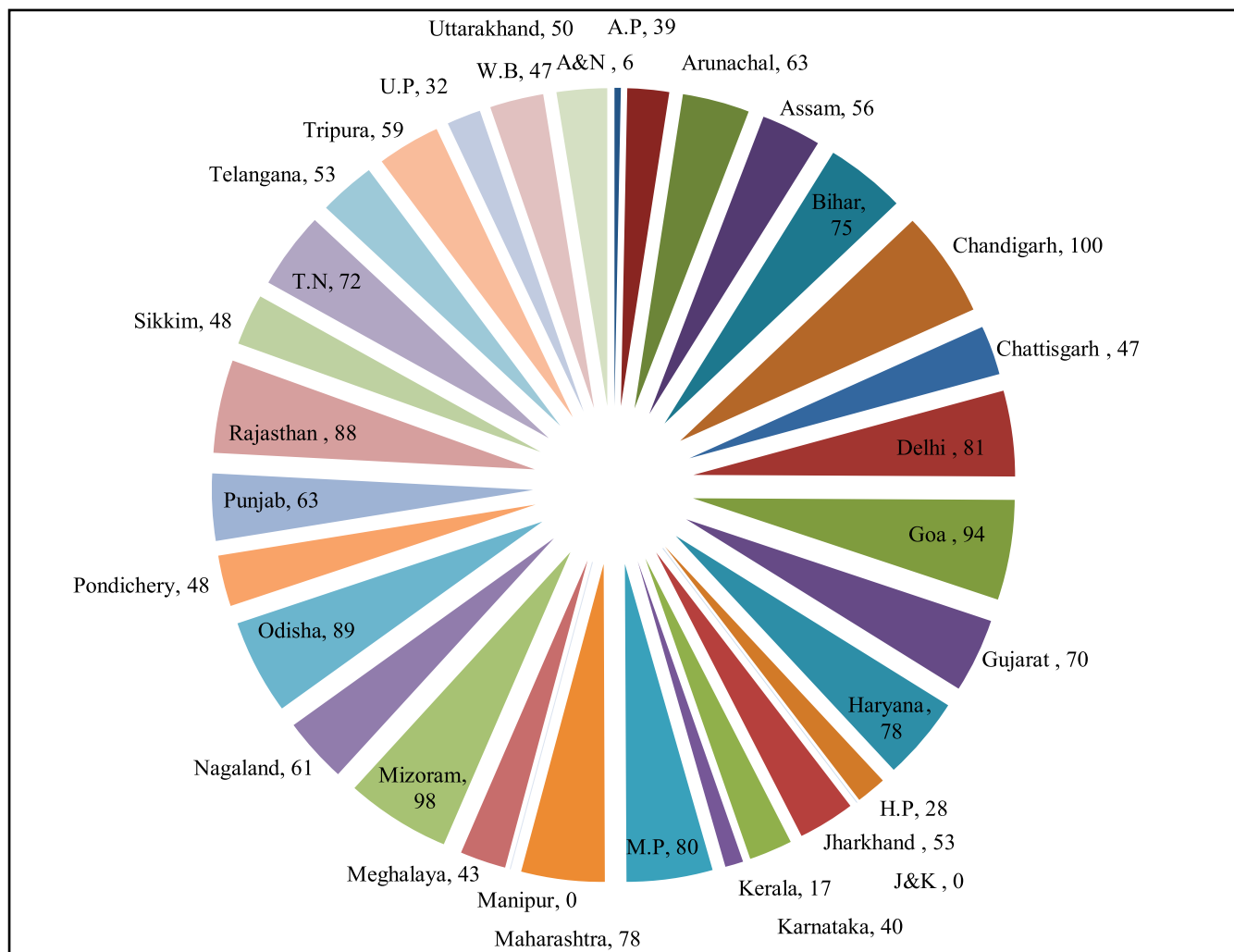
8.1 This chapter provides the details of CCIs/Homes with regard to adherence of all the aspects of the JJ Act and the Rules. In the first part of the chapter issue like child rights, care, protection, welfare and wellbeing is being discussed. The second part focuses on the ways CCIs/Homes maintain and update various documents, registers and records.

8.2 The Child Welfare Committee (CWC) is an autonomous body, declared as the competent authority to deal with children in need of care and protection (CNCP). It is mandatory to form a CWC in every district under section 27 (1) of the JJ Act. The JJ Act mandates that all the State Governments shall constitute at least one CWC for every district for exercising the powers and to discharge the duties conferred on such Committees in relation to children in need of care and protection under this Act.

8.3 Documentation and record keeping are important aspects that all CCIs must undertake to keep track of the administration, each child's progress inside and outside the CCI. Registers must be updated regularly. Under JJ Rule No. 77 'Maintenance of Registers', it's mentioned that specific persons shall maintain registers and forms. The act also mentions the custodian of the registers.

I. Production before CWC/JJB

8.4 As per Section 30 (1) of the JJ Act, 2015, the functions and responsibilities of the Child Welfare Committee shall include taking cognizance of and receiving the children produced before it. Rule 18 further states that any child in need of care and protection shall be produced before the Committee during the working hours at its place of sitting and beyond working hours before the member as per the duty roster. Provided that where the child cannot be produced before the Committee, the Committee shall reach out at its location. The Rule 9 of the JJ Rules, 2016, dealing with production of the alleged CCL before the Board states that when the child, alleged to be in conflict with law, is apprehended, s/he shall be produced before the Board within twenty-four hours of his/her being apprehended, along with a report explaining the reasons for the child being apprehended by the police.

Graph 8.1 Percentage of CCIs/Homes that produced children before CWC/JJB

8.5 The graph 8.1 above presents the percentage of CCIs/Homes that produced all children before the CWC /JJB. All the CCIs/Homes in Chandigarh adhere to this followed by Mizoram at 97.8% and Goa at 94.3%. Jammu and Kashmir along with Manipur have no CCIs/Homes adhering to this norm, followed by Andaman and Nicobar at 5.9%

8.6 The survey revealed that Jammu and Kashmir, Manipur, Andaman and Nicobar need a lot of improvement and immediate interventions to understand the existing situation. The data also shows that barring Chandigarh where all the CCIs/Homes follow this procedure, most of the other States/UTs are between 40% to 90% range which calls for efforts to be made by them to ensure the best interest of the child.

8.7 As per Section 31 of the JJ Act 2015 (1), any CNCP may be produced before the Committee or any of the listed persons. Provided that the child shall be produced before the Committee without any loss of time but within a period of twenty-four hours excluding the time necessary for the journey.

Key Highlights: Production of Children before CWC/JJB

- Chandigarh and Mizoram are among best performing States/UTs
- Andaman and Nicobar has the poorest performance

8.8 The table 8.1 below describes the percentage of CCIs/Homes that reportedly produce all children before CWC/JJB initially as per norm and within the prescribed time limit. In connection with producing children before CWC, the highest percentage of CCIs/Homes was found in Chandigarh at 94% followed by Mizoram at 91% and Maharashtra at 85%; whereas Kerala at 11% has the lowest percentage of CCIs/Homes that reported producing children before CWC/JJB. This is followed by Andaman and Nicobar and Himachal Pradesh at 24%.

Table 8.1 Percentage of CCIs/Homes adhering to initial and periodic production of children before the CWC/JJB

| States | Percentage of CCIs adhering to initial production of children before the CWC/JJB | Percentage of CCIs adhering to periodic production of children before the CWC/JJB |
|-------------------|--|---|
| A&N | 23.5 | 17.6 |
| Andhra Pradesh | 29.5 | 25.3 |
| Arunachal Pradesh | 50 | 50 |
| Assam | 40.5 | 36.6 |
| Bihar | 66.7 | 60.7 |
| Chandigarh | 93.7 | 81.3 |
| Chhattisgarh | 53.3 | 51.6 |
| Delhi | 76.8 | 82.4 |
| Goa | 54.3 | 45.7 |
| Gujarat | 76.3 | 61.5 |
| Haryana | 67.1 | 69.6 |
| Himachal Pradesh | 23.9 | 21.7 |
| J&K | 0 | 0 |
| Jharkhand | 42.5 | 34.7 |
| Karnataka | 41.2 | 37.2 |

| States | Percentage of CCIs adhering to initial production of children before the CWC/JJB | Percentage of CCIs adhering to periodic production of children before the CWC/JJB |
|----------------|--|---|
| Kerala | 10.8 | 9.8 |
| Madhya Pradesh | 73.3 | 54.1 |
| Maharashtra | 85.4 | 80.4 |
| Manipur | 50 | 46.8 |
| Meghalaya | 35.7 | 29.8 |
| Mizoram | 91.3 | 87 |
| Nagaland | 43.3 | 37.3 |
| Odisha | 52.5 | 58.1 |
| Puducherry | 39.6 | 42.9 |
| Punjab | 54.8 | 60.3 |
| Rajasthan | 67.2 | 66.8 |
| Sikkim | 34.8 | 17.4 |
| Tamil Nadu | 71 | 63.2 |
| Telangana | 41.5 | 36.6 |
| Tripura | 52.3 | 40.9 |
| Uttar Pradesh | 49.4 | 47.7 |
| Uttarakhand | 44.6 | 42.9 |
| West Bengal | 41.9 | 34.9 |
| India | 49.89 | 45.81 |

8.9 Percentage of CCIs/Homes that produce children periodically before CWC is highest in Mizoram (87%) followed by Delhi (82%), Chandigarh (81%), and Maharashtra (80%); whereas Kerala (10%) has the lowest percentage of CCIs/Homes that adhere to the same.

II. Process followed in handling produced cases in CWC/JJB

8.10 As per Section 8 (3) 9 (e) of the JJ Act, 2015, the functions and responsibilities of the Board (i) include– directing the Probation Officer, or in case a Probation Officer is not available to the Child Welfare Officer or a social worker, (ii) to undertake a social investigation into the case and submit a social investigation report within a period of fifteen days from the date of the first production before the Board. The Board has to ascertain the circumstances in which the alleged offence was committed. Similarly under Section 30 (iii) the functions and responsibilities of the Committee shall include directing the Child Welfare Officers or probation officers or District Child Protection Unit or non-governmental organisations to conduct social investigation and submit a report before the

Committee. Therefore, both the JJB and CWC require inputs from the social investigation report to pass important orders.

Table 8.2 Percentage of CCIs/Homes that submitted Social Investigation Report of Children and make efforts to trace biological family of children

| State | Percentage of CCIs/Homes that submitted Social Investigation Report(SIR) of Children before CWC/JJB in time period | Percentage of CCIs/Homes who make their own efforts to trace biological families |
|-------------------|--|--|
| A&N | 17.65 | 5.88 |
| Andhra Pradesh | 18.9 | 15.75 |
| Arunachal Pradesh | 37.5 | 25 |
| Assam | 25.95 | 21.37 |
| Bihar | 41.67 | 41.67 |
| Chandigarh | 68.75 | 6.25 |
| Chhattisgarh | 31.15 | 38.52 |
| Delhi | 67.2 | 54.4 |
| Goa | 55.71 | 24.29 |
| Gujarat | 52.66 | 35.5 |
| Haryana | 65.82 | 43.04 |
| Himachal Pradesh | 15.22 | 8.7 |
| J&K | 0 | 0 |
| Jharkhand | 22.05 | 20.47 |
| Karnataka | 30.08 | 21.41 |
| Kerala | 7.41 | 4.51 |
| Madhya Pradesh | 41.78 | 35.62 |
| Maharashtra | 60.2 | 21.81 |
| Manipur | 14.52 | 30.65 |
| Meghalaya | 35.71 | 23.81 |
| Mizoram | 78.26 | 63.04 |
| Nagaland | 29.85 | 4.48 |
| Odisha | 44.03 | 30.44 |
| Puducherry | 40.66 | 5.49 |
| Punjab | 19.18 | 21.92 |
| Rajasthan | 66.43 | 53.79 |
| Sikkim | 17.39 | 4.35 |
| Tamil Nadu | 23.86 | 12.39 |
| Telangana | 25.1 | 15.38 |
| Tripura | 22.73 | 15.91 |
| Uttar Pradesh | 42.35 | 28.24 |
| Uttarakhand | 33.93 | 26.79 |
| West Bengal | 25.38 | 31.8 |
| India | 31.18 | 19.31 |

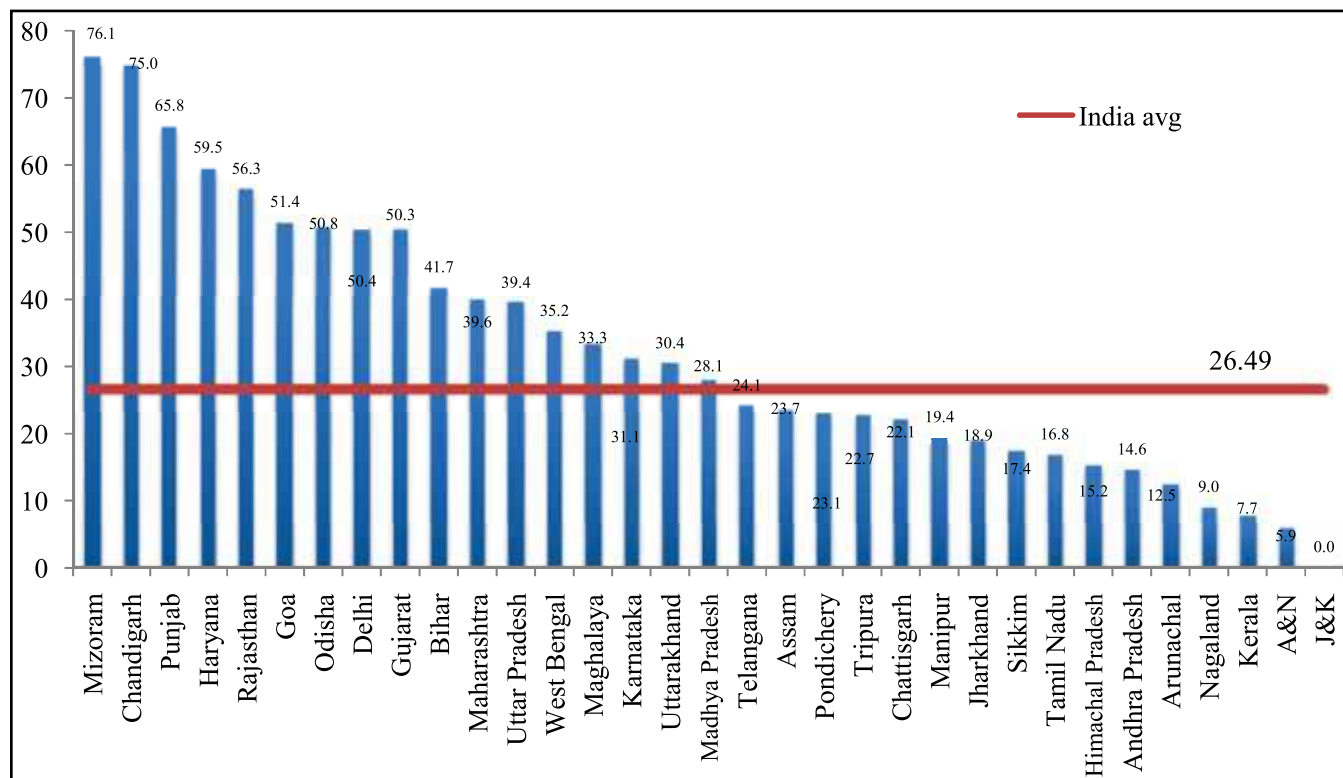
8.11 The table 8.2 above shows the percentage of CCIs/Homes which submit Social Investigation Report (SIR) of Children before CWC/JJB within the stipulated time period and make efforts to trace children's biological family on an average is just 31.18% and 19.31% respectively. Mizoram has maximum percentage of CCIs/Homes at 78.26% followed by Chandigarh at 68.75% and Delhi at 67.2% where SIR of each child has been submitted before CWC/JJB within the stipulated time period as directed by CWC/JJB; Kerala (7.4%) and Manipur (14.5%) perform worst in this regard. Sikkim, Nagaland, Kerala, Pondicherry, A&N, Chandigarh and Himachal Pradesh have less than 10 per cent of CCIs/Homes that make an effort to trace children's biological families; while Mizoram at 63.04% followed by Delhi at 54.4% and Rajasthan at 53.79% have the highest percentage of CCIs/Homes.

8.12 Section 38 of the JJ Act, 2015 states that in case of a child reported to be an orphan and abandoned, the Committee shall make all efforts for tracing the parents or guardians of the child and, on completion of such inquiry, if it is established that the child is either an orphan having no one to take care of or abandoned, the Committee shall declare the child legally free for adoption.

8.13 An "individual care plan" is a comprehensive development plan for a child based on age and gender specific needs and case history, prepared in consultation with the child, in order to restore the child's self-esteem, dignity and self-worth and nurture him into a responsible citizen and accordingly the plan shall address the following, including but not limited to, needs of a child, namely:- (a) health and nutrition needs, including any special needs; (b) emotional and psychological needs; (c) educational and training needs; (d) leisure,

Under Section 39 (1) of the JJ Act, the process of rehabilitation and social integration of children shall be undertaken, based on the individual care plan of the child, preferably through family based care such as by restoration to family or guardian with or without supervision or sponsorship, or adoption or foster care. Provided that all efforts shall be made to keep siblings placed in institutional or non-institutional care, together, unless it is in their best interest not to be kept together.

creativity and play; (e) protection from all kinds of abuse, neglect and maltreatment; (f) restoration and follow up; (g) social mainstreaming; (h) life skill training. The individual care plan prepared for every child in the institutional care shall be developed with the ultimate aim of the child being rehabilitated and re-integrated based on the case history, circumstances and individual needs of the child.

Graph 8.2 Percentage of CCIs/Homes having every child's Individual Care Plan

8.14 The graph represents whether Individual Care Plan has been prepared for every child in the Home within 30 days of admission of the child. As per the data available, the highest percentage of CCIs/Homes was observed in Mizoram at 76% followed closely by Chandigarh at 75% and Punjab at 66%; the lowest percentage was found in Andaman and Nicobar (6%) followed by Kerala (8%) and Nagaland (9%).

8.15 The analysis shows that Mizoram has maximum percentage of CCIs/Homes where Individual Care Plan has been prepared for every child within 30 days of admission of the child. Whereas the state where least percentage of CCIs/Homes where ICP has been prepared are the CCIs/Homes of Andaman & Nicobar followed by Kerala and Nagaland. This shows that a vital step is not being undertaken by CCIs/Homes affecting the best interests of the resident children.

8.16 TrackChild portal provides an integrated virtual space for all stakeholders & ICPS bodies which includes Central Project Support Unit (CPSU), State Child Protection Society/

Units and District Child Protection Units (DCPU), Child Care Institutions (CCIs), Police Stations, Child Welfare Committees (CWCs), Juvenile Justice Boards (JJBs), etc. in the 35 State/UTs. It also provides a networking system amongst all the stakeholders and citizens to facilitate tracking of a “Child in distress”. It requires data entry and updating at various levels, such as, Police stations, Child Care Institutions (CCIs)/Homes, Shelters, Child Welfare Committees, and Juvenile Justice Boards etc.

Table 8.3 Percentage of CCIs/Homes that maintain admission registers & update it in TrackChild and/or CARINGS and file FIR in case of child’s leave without permission

| State | Percentage of CCIs/Homes where | |
|-------------------|---|---|
| | Admission records are maintained & updated in TrackChild and/or CARINGS | FIR is filed in case of missing children / leave without permission |
| A&N | 41.18 | 5.88 |
| Andhra Pradesh | 33.07 | 14.3 |
| Arunachal Pradesh | 25 | 25 |
| Assam | 31.3 | 32.82 |
| Bihar | 60.71 | 39.29 |
| Chandigarh | 75 | 93.75 |
| Chhattisgarh | 42.62 | 50 |
| Delhi | 54.4 | 40.8 |
| Goa | 58.57 | 15.71 |
| Gujarat | 62.72 | 30.18 |
| Haryana | 64.56 | 48.1 |
| Himachal Pradesh | 21.74 | 6.52 |
| J&K | 0.83 | 6.08 |
| Jharkhand | 36.22 | 18.11 |
| Karnataka | 54.99 | 16.25 |
| Kerala | 33.17 | 3.46 |
| Madhya Pradesh | 76.71 | 39.04 |
| Maharashtra | 75.08 | 30.3 |
| Manipur | 11.29 | 6.45 |
| Meghalaya | 39.29 | 27.38 |

| State | Percentage of CCIs/Homes where | |
|---------------|---|---|
| | Admission records are maintained & updated in TrackChild and/or CARINGS | FIR is filed in case of missing children / leave without permission |
| Mizoram | 84.78 | 30.43 |
| Nagaland | 29.85 | 11.94 |
| Odisha | 64.64 | 18.27 |
| Puducherry | 41.76 | 3.3 |
| Punjab | 67.12 | 61.64 |
| Rajasthan | 66.43 | 20.58 |
| Sikkim | 86.96 | 8.7 |
| Tamil Nadu | 56.53 | 10.56 |
| Telangana | 37.04 | 21.46 |
| Tripura | 63.64 | 15.91 |
| Uttar Pradesh | 39.41 | 24.71 |
| Uttarakhand | 50 | 16.07 |
| West Bengal | 48.01 | 25.99 |
| India | 49.96 | 18.32 |

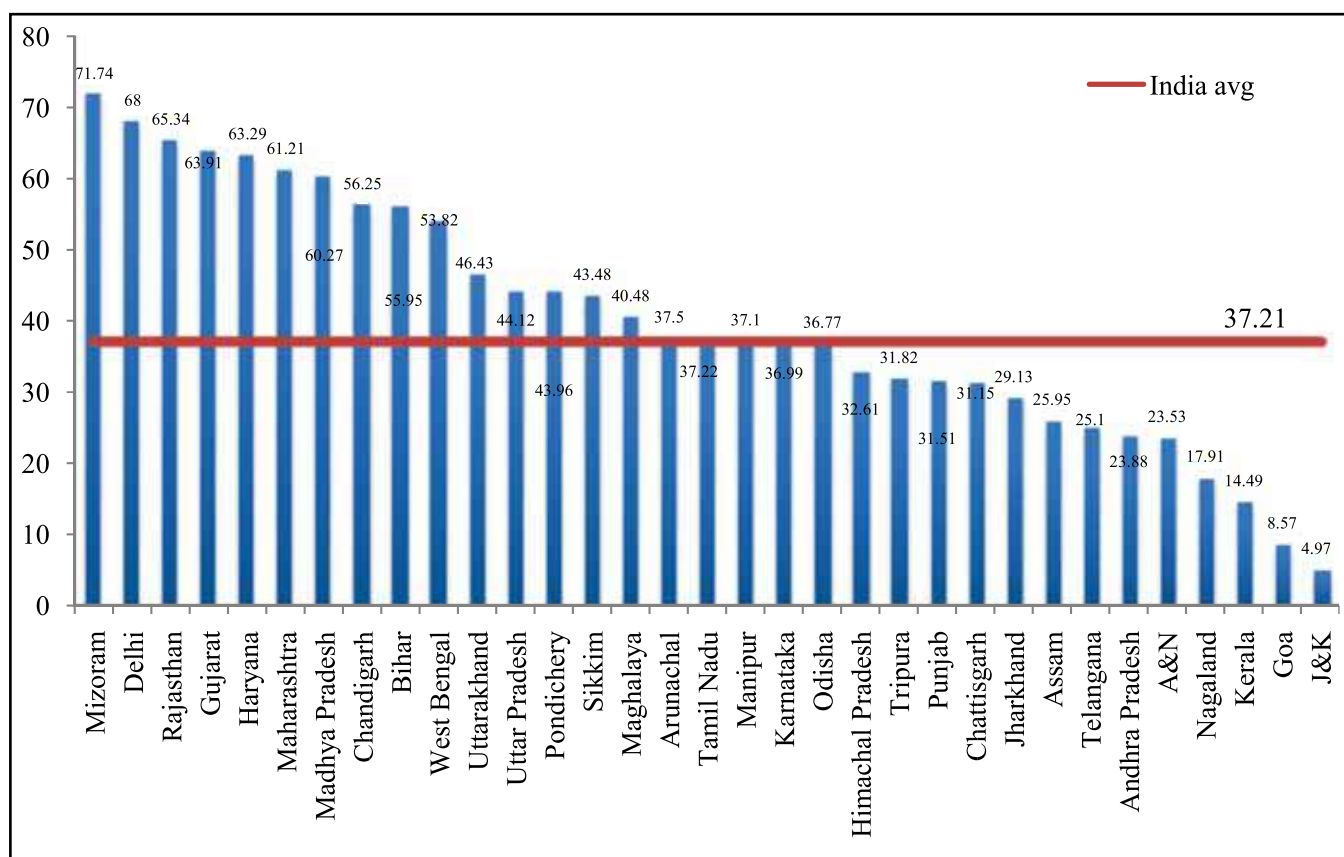
8.17 Across the country, about 50% of CCIs/Homes maintain admission records and update it in TrackChild/CARINGS while the percentage of CCIs/Homes that file FIR in case of 'missing children' / 'leave without permission' is merely 18.32%. Data indicates that Sikkim at 86.9% followed by Mizoram at 84.7% and Madhya Pradesh at 76.7% have the highest percent of CCIs/Homes that maintain admission records and update these; Jammu and Kashmir (0.83%) and Manipur (11.3%) rank lowest in this regard.

8.18 As per the data, Chandigarh at 93.7% is the highest performing among the States/UTs to file an FIRs in the said cases. This is followed by Punjab at 61.6% and Chhattisgarh at 50% which are significantly behind. The data also reveals that a dismal 18.32% of CCIs/Homes in the country have filed FIR in case of missing children /leave without permission which is a great cause of concern. The dismal situation reflects that more than 80% of the CCIs/Homes do not give priority to child protection. States/UTs with less than 10 percent of CCIs/Homes filing FIR were Pondicherry (3.3%), A&N (5.9%), Jammu and Kashmir (6.1%), Himachal Pradesh (6.5%) and Sikkim (8.7%)

8.19 The JJ Rules states that in the event of a child leaving, the Child Care Institution without permission or committing an offence within the institution, the information shall be sent by the Person-in-charge to the police and the family, if known; and the detailed report of circumstances along with the efforts to trace the child if the child is missing, shall be sent to the Board or the Committee or the Children’s Court, as the case may be.

8.20 Further, under Rule 92 that deals with inquiry in case of a missing child states that a missing child is a child, whose whereabouts are not known to the parents, legal guardian or any other person or institution legally entrusted with the custody of the child, whatever may be the circumstances or causes of disappearance, and shall be considered missing and in need of care and protection until located or his safety and well-being established. When a complaint is received about a child who is missing, the police shall register a First Information Report (FIR) forthwith. Therefore as per the provisions of the JJ Rules an FIR must be filed and such instances must be dealt with urgency and seriousness.

Graph 8.3 Percentage of CCIs/Homes reporting all restoration cases

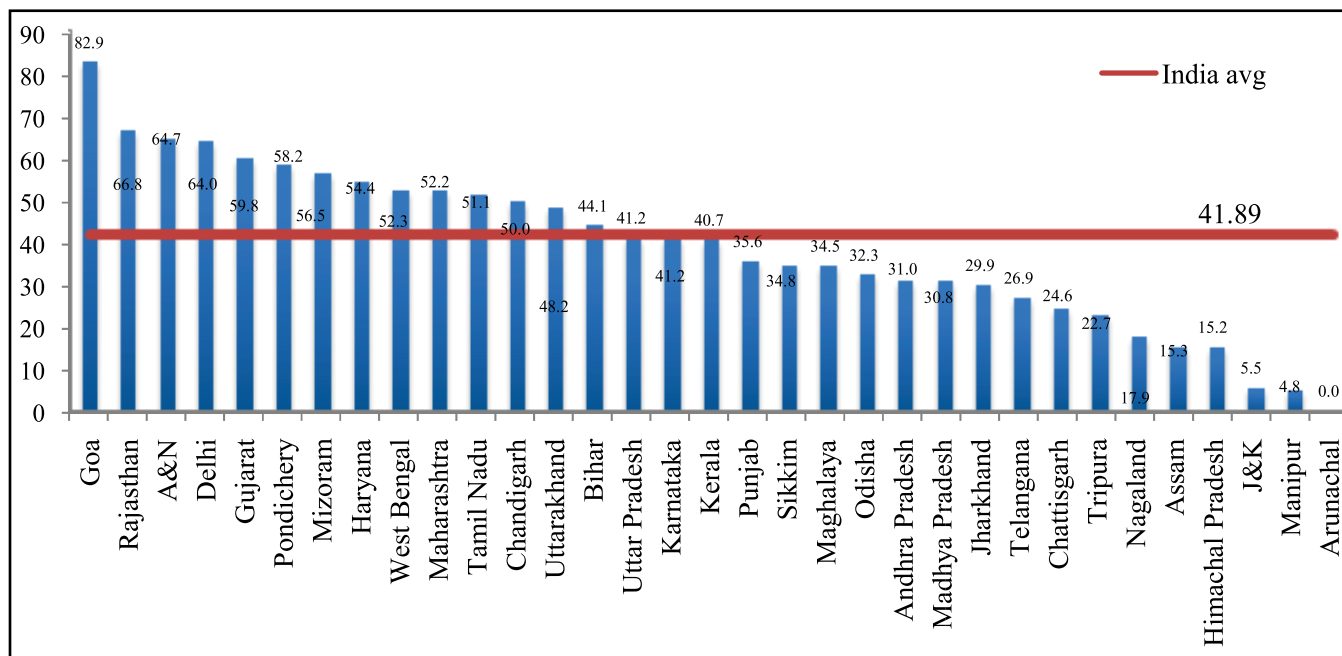


8.21 The graph 8.3 shows the percentage of CCIs/Homes that have any document available in the Home as proof of restoration of the child – parent/guardian letter with identity proof regarding the same, for instance. The highest percentage was observed in Mizoram at 72% followed by Delhi at 68% and Rajasthan at 65%; lowest in Jammu & Kashmir at 5% followed by Goa/Jammu and Kashmir at 9% and Rajasthan at 14%. The national average is at 37.2 percent.

8.22 Restoration is goal of the JJ Act if it is for the best interest of the child. The JJ Rules state that the Board or the Committee or the Children’s Court may make an order in Form 44 for the release of the child placed in a Child Care Institution after hearing the child and his parents or guardian, and after satisfying itself as to the identity of the persons claiming to be the parents or the guardian. While passing an order for restoration of the child, the Board or the Committee or the Children’s Court shall take into account the reports of the Probation Officer, social worker or Child Welfare Officer or Case Worker or non-governmental organisation, including report of a home study prepared on the direction of the Board or the Committee or the Children’s Court in appropriate cases, and any other relevant document or report brought before the Board or the Committee or the Children’s Court. It is absolutely essential to ensure that the children are with their family members and not unknown people therefore taking identity proof, other documents, letters for verification is important.

8.23 State/UT with highest percentage CCIs/Homes with a regular system of parent-child interaction/meetings is in Goa at 83% followed by Rajasthan at 67% and Andaman and Nicobar at 65%. The lowest percentage is found in Manipur at 5% followed by Jammu and Kashmir at 6% and both Himachal Pradesh and Assam at 15%. This can be observed from the Graph 8.4 below.

Graph 8.4 Percentage of CCIs/Homes with system of regular parent-child interaction/meetings



8.24 Parent-child interactions must take place regularly and the CCI must create an environment that supports such interactions. Helping the child stay in touch with his/her family can help to cope with life in the CCI and strengthen chances of restoration. The Rules state that every child in the Child Care Institution may be permitted to have one meeting in a week with his/her relatives.

8.25 The national average shows, the cases of children being reported to CWC are not high; only 54.69 % of CCIs/Homes report all admissions. Thereby many children staying in the 45% of CCIs/Homes that do not get reported. Only 29.2% CCIs/Homes report all restoration cases and 7.53% report all repatriations. CCIs that report all cases of transfers are just 11.92%; only 5.24% of the report all cases of death, while 6.37% report leave without permission. These percentages reflect a very poor picture where reporting is not being conducted diligently as a matter of practice.

8.26 Data on the CCIs/Homes that report all cases with respect to admission shows that the highest percentage is found in Mizoram at 89% followed by Maharashtra and Pondicherry at 78% each. The lowest percentage is seen in Jammu and Kashmir at 3% followed by Andaman and Nicobar at 6%. With respect to restoration the highest percentage is found in Mizoram at 76% followed by Delhi at 67% and Haryana at 63%. The lowest percentage is seen in Pondicherry and Telangana at 0% followed by Jammu and Kashmir at 3%.

8.27 Some States/UTs have no CCIs/Homes that report cases of repatriation; the highest percentage of those which reported, however, is found in Gujarat at 20% followed by Uttar Pradesh at 18% and Telangana at 17% (Table 10.4). With respect to transfer of its children the maximum percentage is seen in Delhi at 54% followed by Chandigarh at 44% and Mizoram at 41%.

III. Types of cases reported by the CCIs/Homes

8.28 The process of reporting must be undertaken diligently. This includes aspects such as admission, restoration, repatriation and transfer. With respect to restoration, the JJ Rules state that Board or the Committee or the Children’s Court may make an order in Form 44 for the release of the child placed in a Child Care Institution after hearing the child and his/her parents or guardian, and after satisfying itself as to the identity of the persons claiming to be the parents or the guardian. While passing an order for restoration of the child, the Board or the Committee or the Children’s Court shall take into account the reports of the Probation Officer, social worker or Child Welfare Officer or Case Worker or non-governmental organisation, including report of a home study prepared on the direction of the Board or the Committee or the Children’s Court in appropriate cases, and any other relevant document or report brought before the Board or the Committee or the Children’s Court.

Table 8.4 Percentage of CCIs/Homes that report admission and other important cases

| States | All admissions | All restoration cases | All repatriations | All cases of transfers | All cases of death | Leave without permission |
|-------------------|----------------|-----------------------|-------------------|------------------------|--------------------|--------------------------|
| A&N | 5.88 | 11.76 | 5.88 | 5.88 | 5.88 | 0 |
| Andhra Pradesh | 47.51 | 19.82 | 15.62 | 11.81 | 2.62 | 2.76 |
| Arunachal Pradesh | 62.5 | 25 | 12.5 | 37.5 | 0 | 12.5 |
| Assam | 40.46 | 25.95 | 4.58 | 9.92 | 3.82 | 7.63 |
| Bihar | 64.29 | 50 | 9.52 | 36.9 | 25 | 21.43 |
| Chandigarh | 75 | 56.25 | 12.5 | 43.75 | 81.25 | 81.25 |
| Chhattisgarh | 45.9 | 31.97 | 4.1 | 21.31 | 1.64 | 7.38 |
| Delhi | 68.8 | 67.2 | 4.8 | 54.4 | 18.4 | 33.6 |
| Goa | 61.43 | 5.71 | 4.29 | 2.86 | 1.43 | 1.43 |
| Gujarat | 52.66 | 34.32 | 19.53 | 20.12 | 2.96 | 5.92 |
| Haryana | 70.89 | 63.29 | 1.27 | 29.11 | 5.06 | 18.99 |
| Himachal Pradesh | 19.57 | 19.57 | 8.7 | 8.7 | 6.52 | 4.35 |
| J&K | 3.04 | 2.76 | 0.28 | 0.28 | 2.21 | 1.38 |

Adherence to JJ Procedures

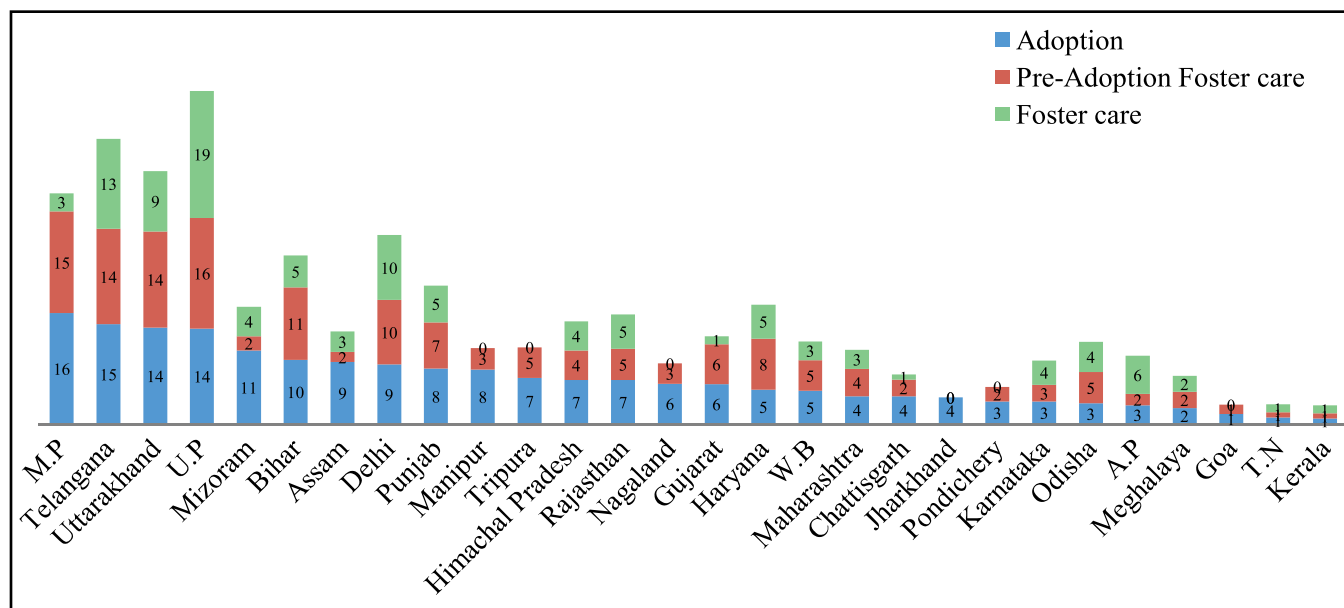
| States | All ad- missions | All restora- tion cases | All repa- triations | All cases of transfers | All cases of death | Leave without permission |
|----------------|---------------------|----------------------------|------------------------|---------------------------|-----------------------|-----------------------------|
| Jharkhand | 36.22 | 17.32 | 11.02 | 13.39 | 6.3 | 8.66 |
| Karnataka | 65.2 | 31.94 | 11.31 | 12.95 | 3.95 | 4.39 |
| Kerala | 24.24 | 7.65 | 1.29 | 4.67 | 1.05 | 1.29 |
| Madhya Pradesh | 71.23 | 44.52 | 5.48 | 38.36 | 9.59 | 17.12 |
| Maharashtra | 78.04 | 58.02 | 9.11 | 15.65 | 3.89 | 4.75 |
| Manipur | 38.71 | 29.03 | 3.23 | 6.45 | 1.61 | 1.61 |
| Meghalaya | 40.48 | 17.86 | 7.14 | 5.95 | 0 | 3.57 |
| Mizoram | 89.13 | 76.09 | 0 | 41.3 | 13.04 | 13.04 |
| Nagaland | 49.25 | 26.87 | 0 | 10.45 | 0 | 5.97 |
| Odisha | 43.56 | 21.55 | 8.2 | 6.09 | 4.92 | 6.32 |
| Puducherry | 78.02 | 0 | 0 | 14.29 | 1.1 | 3.3 |
| Punjab | 67.12 | 43.84 | 6.85 | 17.81 | 42.47 | 43.84 |
| Rajasthan | 63.18 | 50.54 | 11.91 | 19.86 | 5.78 | 10.11 |
| Sikkim | 30.43 | 8.7 | 0 | 8.7 | 4.35 | 4.35 |
| Tamil Nadu | 65.15 | 32.48 | 2.85 | 3.76 | 1.46 | 2.25 |
| Telangana | 67.61 | 0 | 17 | 14.57 | 15.59 | 15.79 |
| Tripura | 40.91 | 20.45 | 0 | 6.82 | 2.27 | 0 |
| Uttar Pradesh | 55.29 | 32.94 | 17.65 | 32.35 | 24.12 | 23.53 |
| Uttarakhand | 51.79 | 37.5 | 16.07 | 16.07 | 14.29 | 12.5 |
| West Bengal | 58.72 | 35.17 | 7.03 | 13.76 | 14.37 | 13.46 |

8.29 Further, the Table 8.4 also represents percentage of CCIs/Homes that report all cases related to child death, wherein, the highest percentage is seen in Chandigarh at 81.2% followed by Punjab at 42.4%. The table also reflects percentage of CCIs/Homes that reported cases on child leaving without permission where Chandigarh at 81.2% is the highest followed by Punjab 43.8% and Delhi at 33.6%

8.30 The JJ Rules lay down procedure in under Rule 75 in case of death of a Child that goes beyond reporting. The JJ Rules further state that in the event of a child leaving the Child Care Institution without permission or committing an offence within the institution, the information shall be sent by the Person-in-charge to the police and the family, if known; and the detailed report of circumstances along with the efforts to trace the child if the child is missing, shall be sent to the Board or the Committee or the Children's Court, as the case may be.

8.31 Even though reporting of cases is necessary, the data reveals that reporting as a matter of practice is not undertaken diligently. The death of a child in the CCIs/Homes cannot be taken frivolously. In Arunachal, Nagaland and Meghalaya none of the home reported any cases of death whereas, in Andaman and Nicobar, Tripura, Jammu and Kashmir, no Home reported cases of 'leave without permission'.

Graph 8.5 Percentage of CCIs/Homes reporting Adoption, Pre-Adoption Foster Care and Foster Care



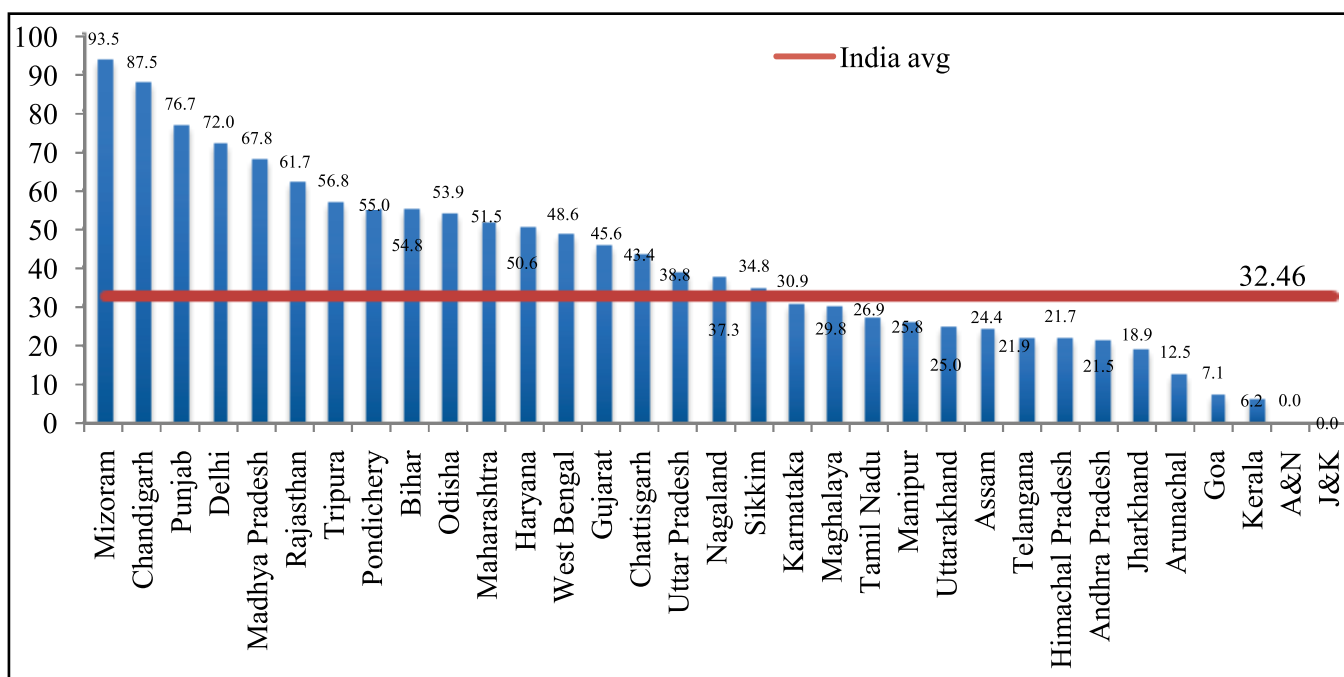
Note: States are arranged in ascending order of percent of CCIs/Homes reporting adoption.

8.32 The graph 8.5 denotes the percentage of CCIs/Homes that report cases regarding adoption, pre-adoption foster care and foster care, the highest percentage of adoption was reported in Madhya Pradesh at 16% followed by Telangana at 15% and Uttarakhand and Uttar Pradesh at 14% each; lowest percentage was reported in Kerala, Tamil Nadu and Goa at 1% each.

8.33 If only the cases of Pre-adoption care are considered, the highest percentage was reported in Uttar Pradesh at 16% followed by Madhya Pradesh at 15% and both Telangana and Uttarakhand at 14% each. Many states/UTs have no CCIs/Homes reporting Foster Care; the highest percentage however was reported in Uttar Pradesh at 19% followed by Telangana at 13% and Delhi at 10%. The lowest percentage is found in Chhattisgarh, Gujarat, Kerala, and Tamil Nadu at 1%.

8.34 The graph therefore shows that percentage of CCIs/Homes that reported cases related to adoption and pre adoption foster care are highest in the states of Madhya Pradesh, Telangana and Uttarakhand. Reporting on the status of adoption and foster care is must so as to track the individual progress of the child with the objective of child successfully leaving institutional care and integrating into a family environment.

Graph 8.6 Percentage of CCIs/Homes that send monthly data on children to SARA / DCPU

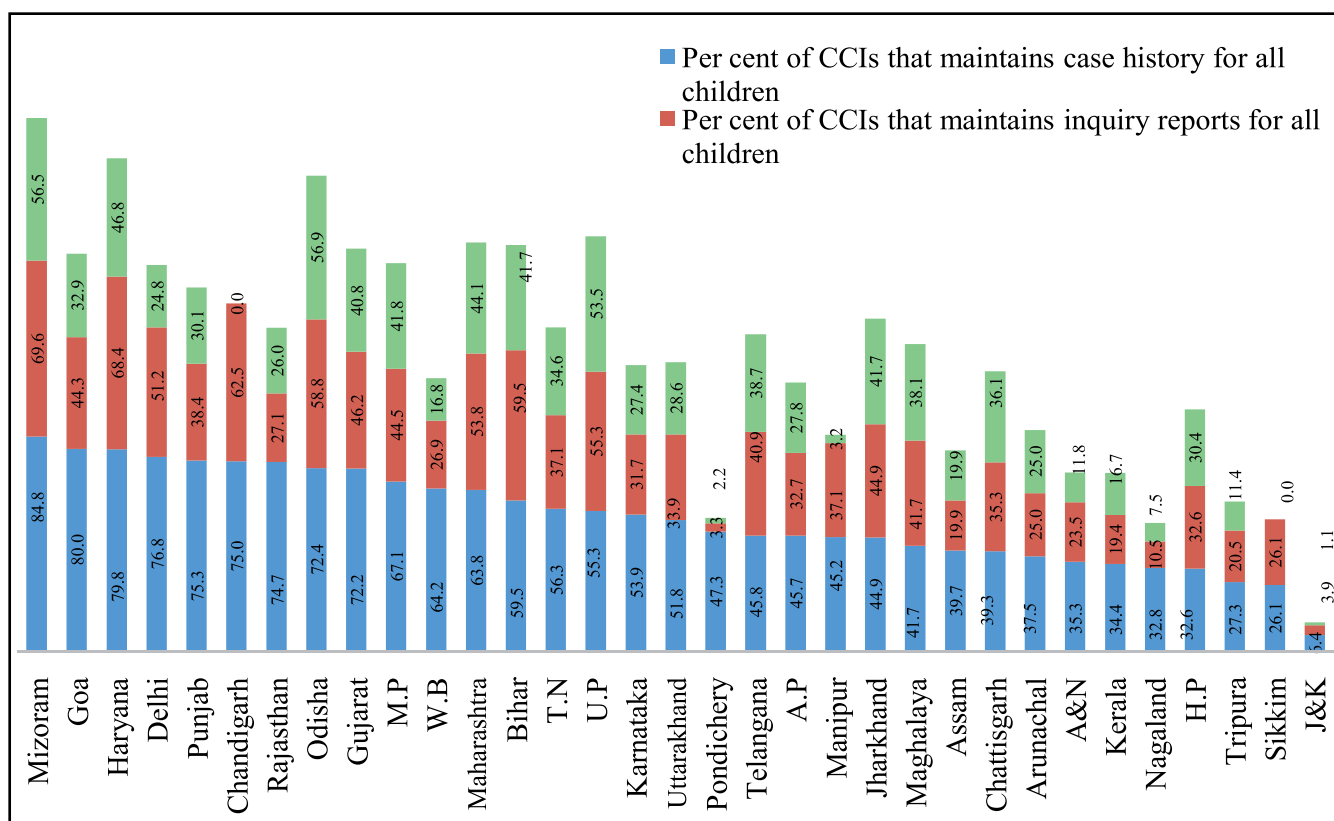


8.35 The Graph 8.6 reflects the percentage of CCIs/Homes that send monthly data about children to SARA/DCPU. The highest percentage is seen in Mizoram at 93% followed by Chandigarh at 88% and Punjab at 77%; Kerala ranks lowest with 6% percent of CCIs/Homes followed by Goa at 7% and Arunachal Pradesh at 13%. The all India average is at 32.5 percent.

8.36 Each open shelter are required to send information regarding the children availing the services monthly in Form 29 to the District Child Protection Unit and the Committee. According to Rule 18 (9), whenever the Committee orders a child to be kept in an institution, a copy of the order of short term placement pending inquiry in Form 18 with particulars of the Child Care Institution and parents or guardian and previous record shall be forwarded to the person-in-charge of the institution. A copy of such order shall also be forwarded to the District Child Protection Unit.

8.37 The graph 8.7 below shows percentage of CCIs/Homes maintaining the case history of every child. Mizoram at 85% of CCIs/Homes ranks highest in this regard followed by 80% in Haryana and Goa. Jammu and Kashmir has the lowest percentage (6%) of CCIs/Homes that maintains case history of children; followed by Sikkim at 26 % and Tripura at 27%.

Graph 8.7 Percentage of CCIs/Homes that maintain child history, inquiry reports and HSR



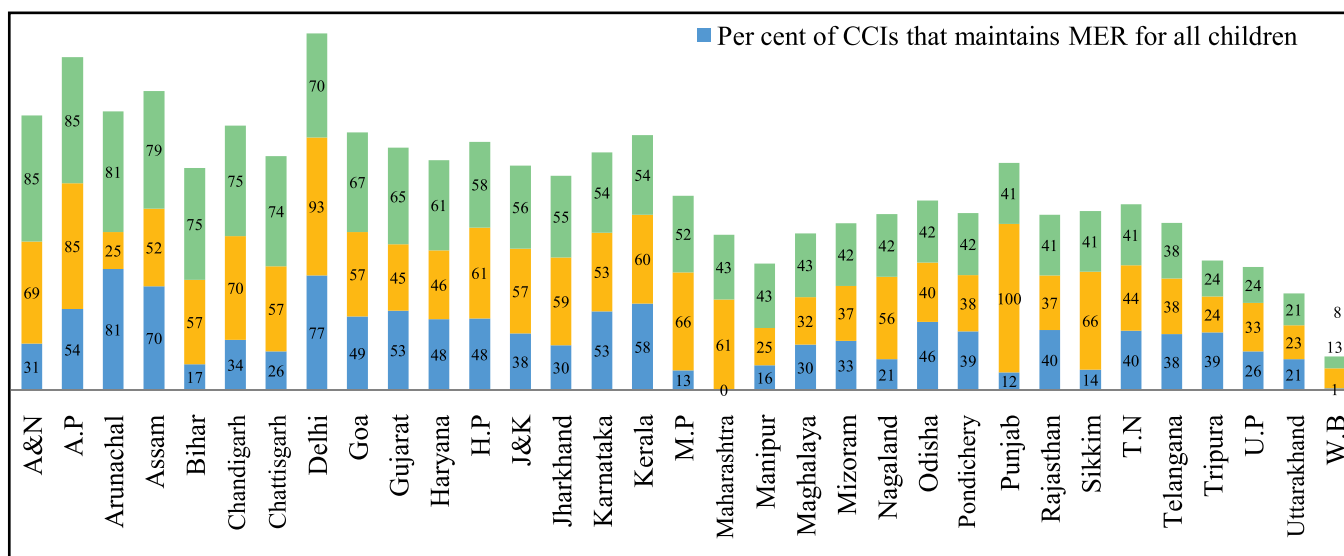
8.38 Mizoram ranks the highest on percentage of CCIs/Homes (70%) that maintain inquiry reports for all the children followed by 68% in Haryana and Chandigarh at 63%. Pondicherry has the least percentage (3%) of CCIs/Homes that maintains inquiry report for children. J&K has second lowest percentage of homes at 4% and Nagaland state has 10% of CCIs/Homes that maintain inquiry reports for children.

8.39 Additionally, with respect to CCIs/Homes maintaining Home Study Report for all its children. Mizoram and Odisha are the highest at 57% each followed by 54% in Uttar Pradesh and Haryana at 47% which maintain Home study report for every children. Sikkim and Chandigarh reported

no such CCIs/Homes. Jammu and Kashmir had only 1% and Pondicherry 2% CCIs/Homes that reported to have the inquiry reports for children.

8.40 The data shows that Mizoram has performed very well in all three criteria compared to the other States with respect to maintaining important records and documents. This is an important responsibility for all CCIs/Homes to undertake.

Graph 8.8 Percentage of CCIs/Homes that maintain MER, birth certificate and health reports of all children



8.41 The graphs 10.8 shows the percentage of CCIs/Homes that maintain Medical Examination Report (MER), Birth Certificate and Health Report. Andaman & Nicobar and Andhra Pradesh have the highest percentage of CCIs/Homes (85%) that maintain Health Report of all children; followed by 81% in Arunachal Pradesh and 79% in Assam. West Bengal has lowest percentage (8%) of CCI/Homes in this regard. Uttarakhand at 21% and Uttar Pradesh at 24% were the other states among the bottom three.

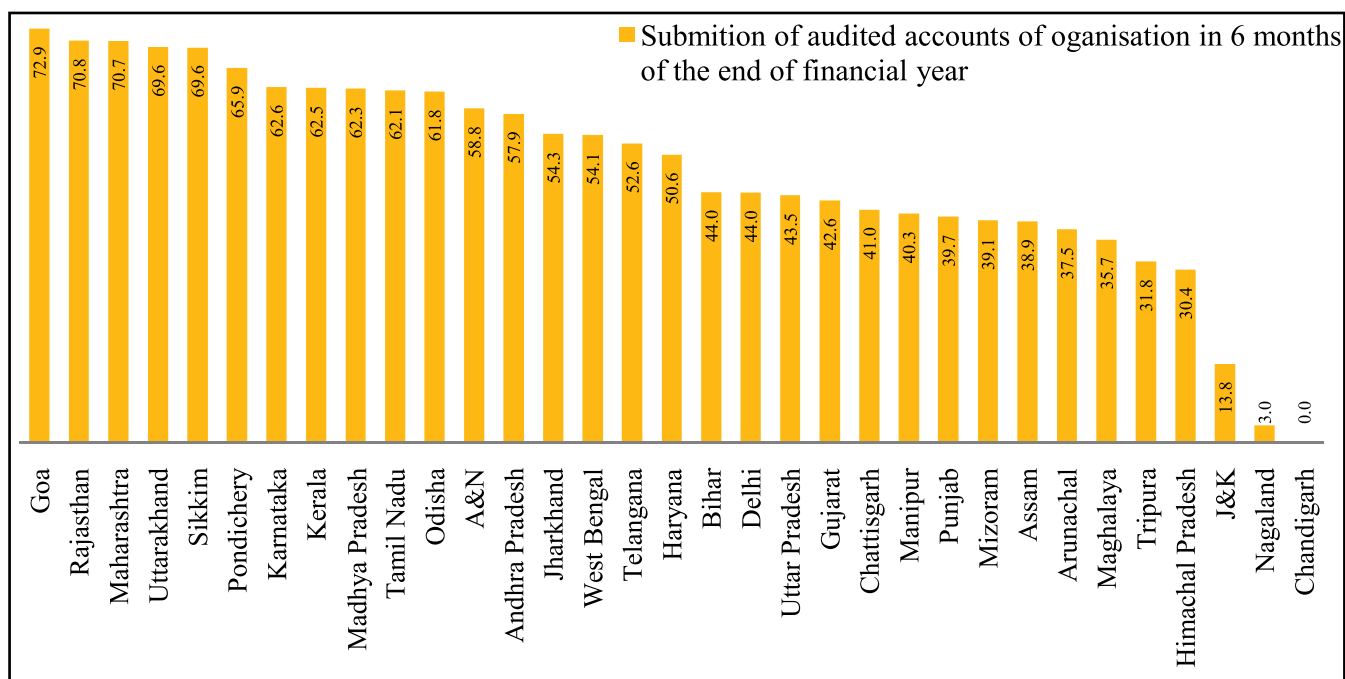
8.42 All CCIs/Homes in Punjab maintain Birth Certificate for children. About 93% of CCIs/Homes in Delhi and 85% in Andhra Pradesh follow the practice. West Bengal again has the lowest percentage of CCIs/Homes (13%) followed by Uttarakhand at 23% and Tripura at 24% that maintain Birth Certificate.

8.43 Arunachal Pradesh has the highest percentage (81%) of CCIs/Homes that maintain MER of children followed by 77% in Delhi and 70% in Assam. Whereas the lowest percentage is found in Maharashtra at 0% this is closely followed by West Bengal at 1% and Punjab at 12%

8.44 Record keeping is a very important but often ignored task that must be diligently undertaken at all stages. Regularly maintaining and efficiently preserving records helps increase efficiency and output. Hence the same must be stressed upon by all CCIs/Homes.

IV. Submission of Audited Accounts, Audit Report and Annual Report

Graph 8.9 Percentage of CCIs/Homes that submit copy of audited accounts, audit report and annual report to SARA or State Government



i. All categories of CCIs/Homes

8.45 As shown in Graph 8.9, the highest percentage CCIs/Homes submitting documents to SARA or the State Government is in Goa at 72.9% followed by Rajasthan at 70.8% and Maharashtra close behind at 70.7%; whereas no CCIs/Homes follow the practice in Chandigarh. Percentage in comparatively very low in J&K (13.8%) and Nagaland at (3%).

8.46 The graph shows that with respect to all CCIs/Homes across the States/UTs of India, percentage of CCIs/Homes submitting a copy of audited accounts of the organisation with its audit report and Annual Report within six months from the date of closing of the financial year, to the SARA or State Government as the case may be was extremely low for Nagaland and Jammu and Kashmir while for the many other States is lower than 50% mark which is not a good trend and shows that there is a long way to go before financial accountability becomes a norm.

ii. Among the Government / Non-government CCIs/Homes

8.47 All the Government run CCIs/Homes in Uttarakhand follow this procedure for financial accountability with Goa at 83.3% and Rajasthan at 73.8%. Chandigarh at 85.7% had the lowest percentage followed by Pondicherry at 83.3% and Delhi at 72.2%. Whereas among the NGO run Homes, the highest percentage of those with a positive response was found in Sikkim at 83.3% followed by Goa at 71.9% and Maharashtra close behind at 71.1%. The lowest percentage was found in Chandigarh where none of its SAAs send a copy of audited accounts, audit report and Annual Report sent to SARA or State Government. 91.4% of SAAs in Jammu & Kashmir and 73.7% in Himachal Pradesh also do not follow this step.

8.48 From the data received, only in the State of Uttarakhand, all government run homes, submit a copy of audited accounts of the organisation with its audit report and Annual Report within six months from the date of closing of the financial year, to the SARA or State Government as the case may be. No such NGO run homes had a 100% record. The data shows that all NGO run CCIs/Homes in Chandigarh show zero financial accountability. The overall total average of the government run homes which adhere to this is 51.2% in India, and that of the homes run by NGOs are 58.1%, which shows that non-government run CCIs/Homes maybe more diligent than those run by the government. Further investigation needs to be made to find out the reasons for the general low accountability among this category of CCIs/Homes and more so as to why government homes are not stepping up and providing the required reports to the SARA or State Government.

iii. Among the Registered / Unregistered CCIs/Homes

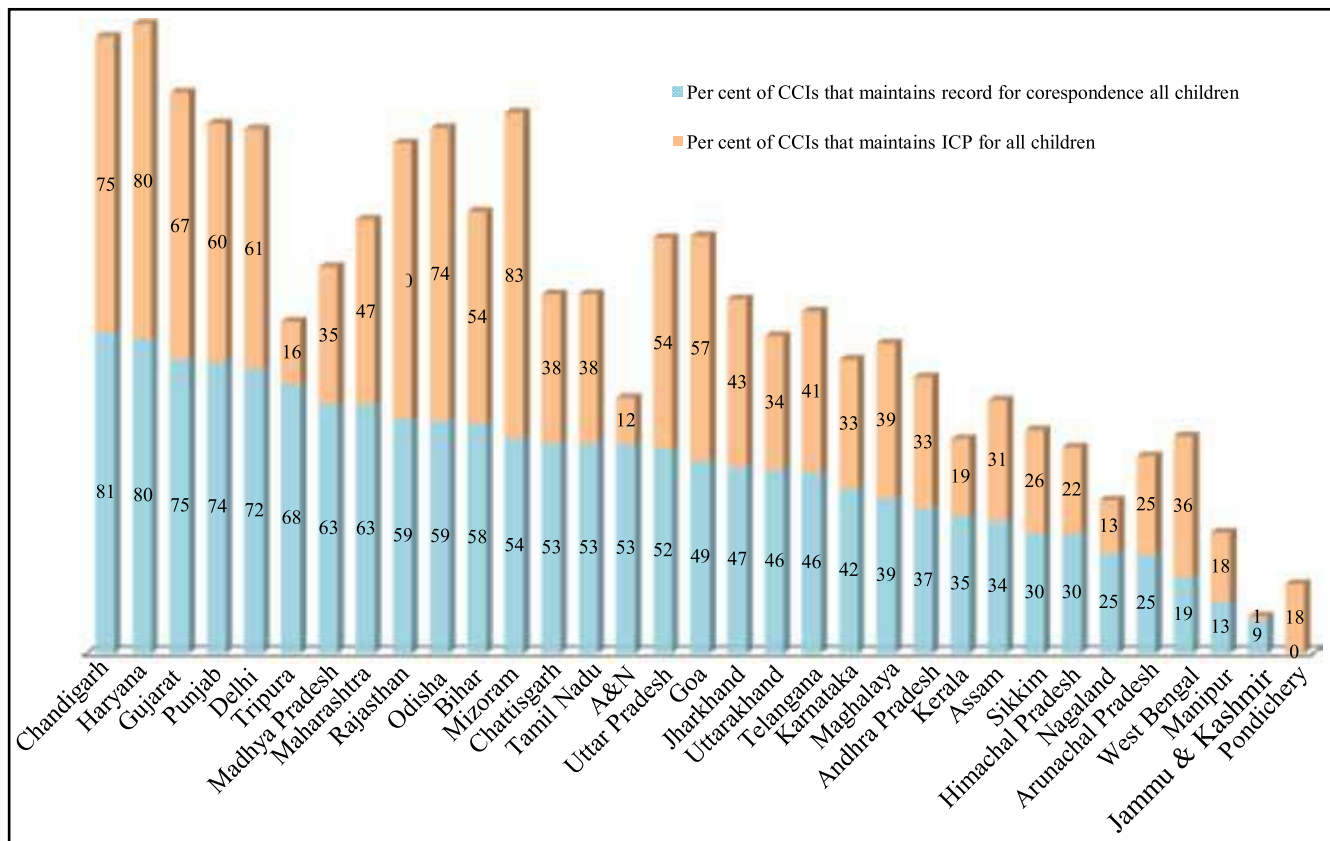
8.49 All the Registered CCIs/Homes in Jammu & Kashmir send a copy of audited accounts, audit report and Annual Report sent to SARA or State Government this practice is also followed by Uttarakhand at 92.9% and Rajasthan at 86%. None of the registered homes in Chandigarh follow 68.2% of them do so in Punjab and 61.1% in Pondicherry.

8.50 Among unregistered CCIs/Homes, the highest percentage of positive response was found in Pondicherry at 74%, followed by Maharashtra at 66% and Karnataka at 63%. Whereas the lowest response was found in Jammu & Kashmir at 86% . Chandigarh at 82% and Nagaland at 61% were the other among the bottom three States.

8.51 The data shows that only in State of Jammu & Kashmir, all the registered CCIs/Homes submit a copy of audited accounts of the organisation with its audit report and Annual Report within six months from the date of closing of the financial year, to the SARA or State Government as the case may. Both the registered and unregistered homes in Chandigarh gave no positive response showing low financial accountability. From the data received, the overall total average of the registered CCIs/Homes who adhere to this submission of report is 66.4% in India and that of the unregistered homes are only 53% which shows that unregistered homes are not as diligent than those which are registered. One reason could be that CCIs/Homes under the JJ Act can be better monitored; however, further investigation needs to be made to find out the reasons for the financial accountability not being optimal among this category of CCIs/Homes and government homes are not stepping up and providing the required reports to the SARA or State Government.

V. Maintenance of Records in CCIs/Homes

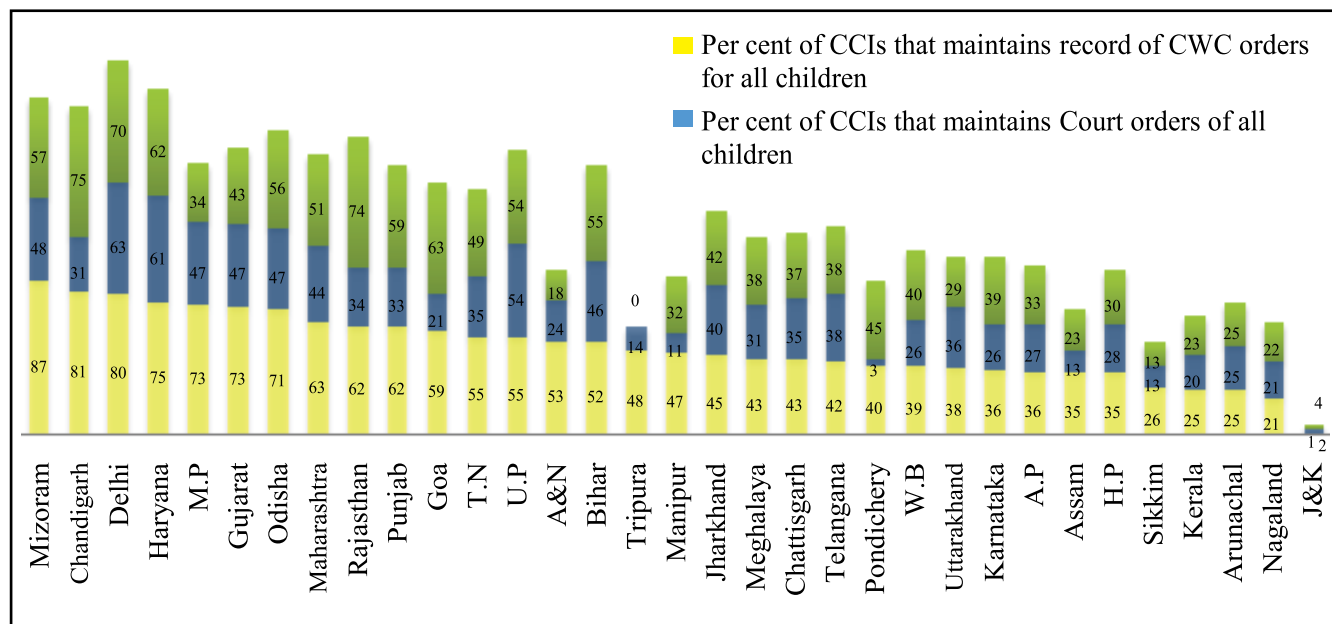
Graph 8.10 Percentage of CCIs/Homes that maintain correspondences and ICP



8.52 The graph 8.10 show percent of CCIs/Homes following two criteria, first whether CCIs/Homes maintain record for correspondence where the highest percentage is seen in Chandigarh at 81% followed by Haryana at 80% and Gujarat at 75%. The lowest percentage is found in Pondichery followed by Jammu and Kashmir and Manipur. The second criteria is 'whether the CCIs maintain ICP, here the highest percentage is found in Mizoram at 83% followed by Haryana at 80% and Chandigarh at 75% of CCIs/Homes; the lowest percentage is seen in Jammu and Kashmir at 1%. Andaman and Nicobar at 12% and Nagaland at 13% are the next two from below.

8.53 A system of documentation and record keeping is crucial in every CCI for its smooth functioning and to track the progress of children. As seen from the data above that most States are maintaining the same.

Graph 8.11 Percentage of CCIs/Homes that maintain CWC orders, Court orders and quarterly progress reports of children



8.54 The graph 8.11 reflects data of three criteria. First with respect to quarterly reports being maintained in the CCIs/Homes. Chandigarh has highest percentage of these with 75%. This is followed by Rajasthan at 74%, and Delhi at 70%. Tripura has the lowest percentage followed by Jammu and Kashmir at 4 %, next to Sikkim at 13%.

8.55 With respect to CCIs/Homes maintaining Court orders, Delhi has the highest percentage at 63% followed by 61% in Haryana and Uttar Pradesh at 54%. The bottom three states are Jammu and Kashmir at 1% Pondicherry at 3% and Manipur at 11%.

8.56 The data also shows that percentage of CCIs/Homes maintaining records of the CWC, Mizoram has the is the highest percent of CCI/Homes in this regard at 86.9% followed by 81.2% in Chandigarh and Delhi at 80%. Jammu and Kashmir at 2% is the lowest followed by Nagaland at 21% and both Arunachal Pradesh and Kerala at 25% each. The JJ Rules state that the Order Book must be maintained by the Person-in-charge of the CCI/Homes who will also be its custodian.

8.57 Further the JJ Rules, 2015 state that the Children's Suggestion Book must be maintained by the Children's Committee and the custodian is the Person-in-charge. The Meals Register/Nutrition Diet File is to be maintained by the House Parent and the custodian should be the Shift Incharge. The

Meeting Book has to be maintained by Child Welfare Officer/ Case Worker and its custodian to be the Person-incharge. The maintenance of the Minutes Register of Children's Committee is to be done by Child Welfare Officer/ Case Worker and the custodian is the Person-incharge. With respect to the Minutes Register of Management Committee, both the maintenance and custodian is the Person-incharge.

Table 8.5 Type of records and registers that are maintained and updated by CCIs/Homes

| States | Master Admission and discharge register are maintained and updated | case file of each child is maintained and updated | Medical file & medical reports are maintained and updated | report files are maintained and update | Children suggestion book/file are maintained and updated | Maintenance Record of Minutes of meeting of HM, CC, Staff-Children interaction etc. | Nutrition / diet register are maintained and updated | maintenance and update individual case files and care plans |
|-------------------|--|---|---|--|--|---|--|---|
| A&N | 82.35 | 41.18 | 23.53 | 11.76 | 5.88 | 47.06 | 17.65 | 11.76 |
| Andhra Pradesh | 72.05 | 56.04 | 46.59 | 12.2 | 24.02 | 24.8 | 31.63 | 35.96 |
| Arunachal Pradesh | 62.5 | 50 | 37.5 | 12.5 | 0 | 12.5 | 37.5 | 37.5 |
| Assam | 48.09 | 41.22 | 40.46 | 9.92 | 15.27 | 30.53 | 26.72 | 30.53 |
| Bihar | 75 | 70.24 | 67.86 | 33.33 | 20.24 | 50 | 29.76 | 57.14 |
| Chandigarh | 87.5 | 93.75 | 93.75 | 62.5 | 56.25 | 75 | 18.75 | 75 |
| Chhattisgarh | 81.97 | 45.9 | 63.11 | 29.51 | 33.61 | 46.72 | 54.1 | 36.89 |
| Delhi | 83.2 | 88.8 | 78.4 | 34.4 | 22.4 | 63.2 | 56.8 | 73.6 |
| Goa | 82.86 | 88.57 | 91.43 | 20 | 31.43 | 58.57 | 67.14 | 71.43 |
| Gujarat | 75.74 | 79.29 | 72.78 | 40.24 | 45.56 | 68.64 | 65.68 | 65.68 |
| Haryana | 84.81 | 79.75 | 79.75 | 35.44 | 59.49 | 62.03 | 69.62 | 68.35 |
| Himachal Pradesh | 65.22 | 58.7 | 56.52 | 26.09 | 34.78 | 39.13 | 43.48 | 47.83 |
| J&K | 73.76 | 21.27 | 14.92 | 6.63 | 7.46 | 6.63 | 41.44 | 10.77 |
| Jharkhand | 70.87 | 54.33 | 51.97 | 22.83 | 23.62 | 39.37 | 40.94 | 39.37 |
| Karnataka | 73.55 | 67.73 | 57.3 | 20.42 | 21.3 | 41.82 | 29.2 | 53.13 |
| Kerala | 93.8 | 40.82 | 52.33 | 8.21 | 41.63 | 57.25 | 25.93 | 23.91 |
| Madhya Pradesh | 80.14 | 82.19 | 68.49 | 30.14 | 21.23 | 50 | 41.78 | 44.52 |
| Maharashtra | 90.19 | 88.63 | 81.78 | 35.05 | 28.19 | 44.94 | 70.02 | 65.65 |
| Manipur | 54.84 | 53.23 | 46.77 | 38.71 | 14.52 | 30.65 | 14.52 | 41.94 |
| Meghalaya | 70.24 | 42.86 | 50 | 38.1 | 21.43 | 39.29 | 33.33 | 34.52 |
| Mizoram | 95.65 | 93.48 | 84.78 | 39.13 | 47.83 | 82.61 | 45.65 | 91.3 |
| Nagaland | 61.19 | 34.33 | 46.27 | 8.96 | 17.91 | 26.87 | 1.49 | 13.43 |
| Odisha | 82.9 | 75.41 | 64.64 | 29.98 | 31.85 | 55.5 | 38.88 | 67.68 |
| Puducherry | 45.05 | 54.95 | 53.85 | 9.89 | 6.59 | 31.87 | 52.75 | 26.37 |
| Punjab | 91.78 | 87.67 | 83.56 | 38.36 | 19.18 | 31.51 | 60.27 | 75.34 |

| States | Master Admission and discharge register are maintained and updated | case file of each child is maintained and updated | Medical file & medical reports are maintained and updated | report files are maintained and update | Children suggestion book/file are maintained and updated | Maintenance Record of Minutes of meeting of HM, CC, Staff-Children interaction etc. | Nutrition / diet register are maintained and updated | maintenance and update individual case files and care plans |
|---------------|--|---|---|--|--|---|--|---|
| Rajasthan | 74.37 | 74.01 | 75.09 | 50.54 | 45.85 | 64.98 | 75.45 | 63.54 |
| Sikkim | 78.26 | 69.57 | 56.52 | 13.04 | 13.04 | 39.13 | 17.39 | 21.74 |
| Tamil Nadu | 85.85 | 65.27 | 64.06 | 10.99 | 25.08 | 52.34 | 36.79 | 35.09 |
| Telangana | 65.79 | 57.09 | 56.88 | 20.65 | 20.04 | 24.7 | 35.43 | 40.69 |
| Tripura | 68.18 | 56.82 | 47.73 | 11.36 | 13.64 | 34.09 | 36.36 | 27.27 |
| Uttar Pradesh | 65.29 | 59.41 | 56.47 | 22.94 | 24.71 | 35.88 | 37.06 | 41.18 |
| Uttarakhand | 67.86 | 69.64 | 69.64 | 35.71 | 17.86 | 44.64 | 33.93 | 46.43 |
| West Bengal | 90.83 | 73.7 | 85.32 | 25.38 | 39.45 | 72.17 | 61.47 | 52.29 |
| Total | 80.73 | 63.64 | 61.52 | 20.87 | 27.82 | 45.63 | 42.13 | 44.26 |

8.58 Across the country, CCIs/Homes that maintain and update individual case files and care plans are 80.73%. Percent of CCIs/Homes that maintain master admission and discharge register and update it is 63.64%; while is 61.52% of CCIs/Homes maintain case file of each child and updated it and 44.3% maintain and update Nutrition / diet register. Medical file & medical reports are maintained and updated by 20.87% of CCIs/Homes, and report files are maintained and update by 27.82%. Children suggestion book/file are maintained and updated by 45.63% of CCIs/Homes, and Record of Minutes of meeting of HM, CC, Staff-Children interaction etc. is maintained by 42.13% of CCIs/Homes.

8.59 As per the JJ Rules, the Admission and Discharge Register which will indicate change of nature of custody must be maintained by the Child Welfare Officer/Case Worker/Receiving Officer and the custodian is to be the Person-incharge. Similarly, the case file of each child has to be maintained by Child Welfare Officer or Case Worker and its custodian is the Person-incharge. The Medical File of each child has to be maintained by the Staff Nurse and the Person-incharge is the custodian.

8.60 Mizoram has highest percentage of CCIs/Homes (95.6%) where Master admission and Discharge register has been maintained and updated, followed by 93.8 % in Kerala and Punjab 91.7%. Pondicherry has lowest percentage in this regard with 45.05% of CCIs/Homes that maintain

Master Register of children; Assam is at 48.09 % and Manipur has at 54.8%. The table shows that 80.73% CCIs are conforming to this across the country.

8.61 Chandigarh has highest percentage of CCIs/Homes (93.7%) that maintain and update Medical report for children; followed by Goa at 91.4% and West Bengal at 85.3%. State of Jammu and Kashmir has lowest 14.92% of CCIs/Homes; followed by Andaman and Nicobar at 23.5%. As seen from the table 10.5 above, 63.64% CCIs/Homes are adhering to maintenance and updating of the medical report.

8.62 The highest number of CCIs/Homes where case file of children is maintained and updated is found in Chandigarh at 93.7%, followed by Mizoram at 93.4% and Goa, Maharashtra and Delhi at around 88%. Jammu and Kashmir is the lowest at 21 % of CCIs/Home that maintain case file for children. Nagaland has the second lowest percentage (31%) of CCIs/Homes. As seen from the table 10.5 above, nationwide only 61.52% CCIs/Homes are adhering to maintenance and updating of the case file of each child.

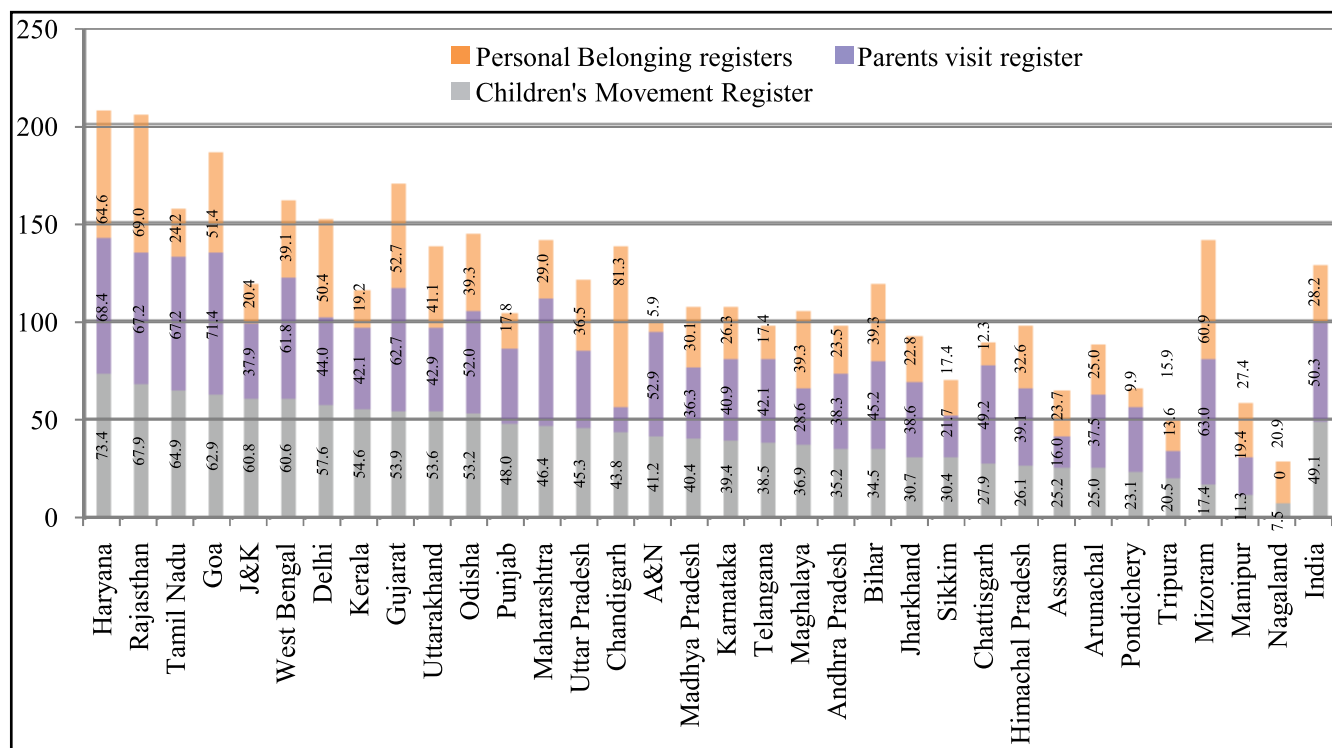
8.63 Chandigarh has the highest percentage of CCIs/Homes (63%) where Inquiry report file of children has been maintained and updated. State with the second highest percentage is Rajasthan at 51 %. The State of J&K has the lowest percentage of CCIs/Home (7%) that maintains Inquiry report file for children. Kerala ranks second lowest with 8% percentage of CCIs/Homes that maintain Inquiry report file for children. In India, only 20.87% CCIs/Homes maintain and update the inquiry report file.

8.64 The Table 10.5 also reflects percentage CCIs/Homes that maintained and updated children suggestion book; the state with highest percentage is Haryana at 59%, followed by Chandigarh at 56% and Mizoram at 48%. Arunachal Pradesh has no CCIs/Homes that follow the practice; states with the lowest percentage are Andaman and Nicobar at 6%, and Pondicherry and Jammu and Kashmir at 7% each. With respect to CCIs/Homes maintaining records of the meeting, Mizoram has the highest percentage at 83%. This is followed by Chandigarh at 75% and West Bengal at 72%. The lowest percentage is seen in Jammu and Kashmir at 7% next only to Arunachal Pradesh at 13%. As seen from the table 10.5 above, 27.82% and 45.63% of CCIs/Homes regularly maintain update children's suggestion book and records of the meeting respectively.

8.65 Among CCIs where nutrition and diet register are maintained and updated regularly, Rajasthan at 75% of them is the highest. This is followed by Haryana and Maharashtra at 70% each. The lowest percentage is seen in Nagaland at 1%. Sikkim at 17% and Andaman and Nicobar at 18% of CCIs/Homes are the other among bottom three. With respect to CCIs/Homes that maintain and update the individual case files and care plans, Mizoram at 91% has the highest percentage followed by Punjab and Chandigarh at 75% each. The lowest percentage is seen in Jammu and Kashmir at 11%, Andaman and Nicobar at 12% and Nagaland at 13%. At the national level about 42.13% and 44.26% of CCIs/Homes maintain and update the nutrition/diet register and the individual case file respectively.

8.66 The JJ Rules state that the Visitor’s Book must be maintained by Security Guards and the custodian is to be the Main Gate Keeper. The Attendance Registers for staff and children is to be maintained by the Shift Incharge and the Person-incharge is the custodian. The maintenance of the Staff Movement Register is to be done by Incharge of Security and the custodian is the Person-incharge.

Graph 8.12 Percentage of CCIs/Homes that maintain and update parents visit register, personal belonging register and children movement register



8.67 Examining further of maintenance of necessary records, the graph 8.12 represents three criteria. The first criteria deals with percentage of CCIs/Homes that maintain and update the Children's Movement register; Haryana at 73% is the highest followed by Rajasthan at 68% and Tamil Nadu at 65%. Nagaland at 7% has the lowest percentage followed by Manipur at 11% and Mizoram at 17%.

8.68 The second criteria deals with maintenance and updation of **Parents visit register**. Goa ranks first with at 71% of CCIs/Homes that maintain Parent visit register; followed by Haryana at 68% and Rajasthan and Tamil Nadu at 67% each. Nagaland had no CCIs/Homes that follow the norm. Chandigarh at 13% and Tripura at 14% had the smallest share non-adhering CCIs.

8.69 Percentage of CCIs/Homes that maintain and update the **Personal belongings file** is highest in Chandigarh at 81%, followed by Rajasthan at 69% and Haryana at 65%. The lowest percentage is observed in Andaman and Nicobar at 6% followed by Pondicherry at 10% and Chhattisgarh at 12%.

8.70 The JJ Rules states that the Personal Belongings Register shall be maintained by the Child Welfare Officer/Case Worker and the custodian is to be the Person-incharge.

8.71 Table 8.6 shows that only 33.14% of CCIs/Homes nation-wide maintain and update Supervision register. Attendance register of children and staff are maintained and update by 85.1% of CCIs/Homes while only 7.97% maintain and update PAP with details of registration, home study, matching & referral etc. About 79.77% of CCIs/Homes maintain and update Visitor books; staff movement register are maintained and updated by 47.8% of CCIs/Homes at the national level.

Table 8.6 Percentage of CCIs/Homes that maintain registers on supervision, attendance, visitor and staff movement register

| States | Supervision register are maintained and update | Attendance register of children and staff are maintained and update | PAP with details of registration, home study, matching & referral etc are maintained and update | Visitor books are maintained and update | Staff movement register are maintained and update |
|-------------------|--|---|---|---|---|
| A&N | 17.65 | 64.71 | 0 | 64.71 | 29.41 |
| Andhra Pradesh | 20.47 | 81.5 | 5.38 | 69.16 | 32.28 |
| Arunachal Pradesh | 37.5 | 50 | 12.5 | 75 | 25 |
| Assam | 14.5 | 51.15 | 6.87 | 49.62 | 30.53 |

Adherence to JJ Procedures

| States | Supervision register are maintained and update | Attendance register of children and staff are maintained and update | PAP with details of registration, home study, matching & referral etc are maintained and update | Visitor books are maintained and update | Staff movement register are maintained and update |
|------------------|--|---|---|---|---|
| Bihar | 46.43 | 77.38 | 13.1 | 76.19 | 52.38 |
| Chandigarh | 75 | 93.75 | 12.5 | 93.75 | 87.5 |
| Chhattisgarh | 37.7 | 84.43 | 8.2 | 71.31 | 37.7 |
| Delhi | 27.2 | 87.2 | 6.4 | 84.8 | 67.2 |
| Goa | 31.43 | 87.14 | 1.43 | 87.14 | 64.29 |
| Gujarat | 42.01 | 82.25 | 13.61 | 82.84 | 69.23 |
| Haryana | 67.09 | 73.42 | 32.91 | 78.48 | 72.15 |
| Himachal Pradesh | 34.78 | 76.09 | 15.22 | 84.78 | 36.96 |
| J&K | 38.67 | 95.3 | 0.55 | 41.99 | 64.64 |
| Jharkhand | 36.22 | 66.14 | 16.54 | 65.35 | 37.8 |
| Karnataka | 29.09 | 80.35 | 11.53 | 73.98 | 40.07 |
| Kerala | 30.11 | 93.88 | 2.01 | 93.32 | 36.96 |
| Madhya Pradesh | 32.19 | 81.51 | 23.29 | 80.82 | 38.36 |
| Maharashtra | 33.49 | 91.67 | 11.45 | 87.38 | 49.07 |
| Manipur | 6.45 | 56.45 | 6.45 | 56.45 | 17.74 |
| Meghalaya | 34.52 | 61.9 | 7.14 | 65.48 | 50 |
| Mizoram | 23.91 | 91.3 | 8.7 | 93.48 | 56.52 |
| Nagaland | 10.45 | 46.27 | 5.97 | 73.13 | 22.39 |
| Odisha | 37.24 | 77.05 | 9.6 | 77.52 | 46.6 |
| Puducherry | 48.35 | 84.62 | 5.49 | 59.34 | 38.46 |
| Punjab | 38.36 | 93.15 | 13.7 | 97.26 | 68.49 |
| Rajasthan | 68.23 | 76.9 | 25.27 | 76.17 | 67.15 |
| Sikkim | 30.43 | 73.91 | 0 | 86.96 | 17.39 |
| Tamil Nadu | 32.79 | 93.69 | 2.25 | 89.74 | 58.96 |
| Telangana | 29.96 | 73.48 | 11.13 | 72.67 | 40.49 |
| Tripura | 38.64 | 72.73 | 11.36 | 61.36 | 22.73 |
| Uttar Pradesh | 45.29 | 70.59 | 12.94 | 57.65 | 47.65 |
| Uttarakhand | 50 | 69.64 | 7.14 | 67.86 | 50 |
| West Bengal | 34.86 | 88.07 | 7.34 | 88.38 | 66.36 |
| Total | 33.14 | 85.1 | 7.97 | 79.77 | 47.8 |

8.72 With respect to CCIs/Homes that maintaining a **supervision register**, Chandigarh has highest percentage of CCIs/Homes (75%), followed by Rajasthan at 68% and Haryana at 67%. The lowest percentage is seen in Manipur at 6%, followed by Andhra Pradesh at 10% and Assam at 15%. 33.14% of the total CCIs/Homes in India, adhere to maintaining a supervision register.

8.73 Jammu and Kashmir has the highest percent of CCIs/Homes that maintain an **Attendance register** at 95%, followed closely by Kerala, Chandigarh and Tamil Nadu at 94% each, the lowest percentage is seen in Andhra Pradesh at 46%, 50% in Arunachal Pradesh and 51% in Assam. As seen from the table 10.6 about 85.1% of the CCIs/Homes in India adhere to this task.

8.74 The percentage of CCIs/Homes that maintain a register with **PAP details** is very low across the country with Haryana having highest percentage of such CCIs/Homes at 33%, followed by Madhya Pradesh at 23%. The overall performance of many States/UTs is poor, as many CCIs/Homes do not maintaining such details or not providing information in these regard. The table above shows that a dismal 7.9% CCIs/Homes in the country maintain a PAP register, which raises serious questions aregarding the state of work being done for the purpose of adoption of children.

8.75 Among the CCIs/Homes who maintain a visitor book, percentage of CCIs/Homes (97%) in Punjab is highest, followed by Chandigarh at 94% and Kerala at 93%. The lowest is obsrved in Jammu and Kashmir at 42% next only to Assam at 50%. There are around 79.8% CCI/Homes in India that are maintaining a visitor book on a regular basis.

8.76 The last criteria is whether CCIs maintain a staff movement register. In this regard Chandigarh has the highest percentage of CCIs (88%), followed by 72% in Haryana and Gujarat at 69%. Lowest percentages are obsred in Sikkim at 17% followed by Manipur at 18% and Andhra Pradesh at 22%. The table 10.6 shows that at an avergae in India less than half of the CCIs/Homes adhere to maintenance of a staff movement register.

8.77 The JJ Rules state that the Stock Register is to be maintained by Store keeper cum accountant and the custodian is the Person-incharge. The Budget Statement file is to be maintained by Person-in-charge who is also its custodian.

Table 8.7 Percentage of CCIs/Homes that maintain and update accounts and registers on grant utilization, stock, budget statement

| States | Voucher, cash book, ledger, journal & annual accounts are maintained and updated | Grant utilization register are maintained and updated | Stock register are maintained and updated | Budget Statement register are maintained and updated |
|-------------------|--|---|---|--|
| A&N | 47.06 | 35.29 | 47.06 | 29.41 |
| Andhra Pradesh | 79 | 50.52 | 61.94 | 42.52 |
| Arunachal Pradesh | 50 | 12.5 | 25 | 12.5 |
| Assam | 53.44 | 34.35 | 50.38 | 32.82 |
| Bihar | 47.62 | 34.52 | 59.52 | 33.33 |
| Chandigarh | 18.75 | 37.5 | 87.5 | 62.5 |
| Chhattisgarh | 59.84 | 30.33 | 59.84 | 30.33 |
| Delhi | 68 | 33.6 | 72.8 | 36.8 |
| Goa | 91.43 | 52.86 | 85.71 | 68.57 |
| Gujarat | 78.7 | 59.76 | 72.78 | 62.72 |
| Haryana | 70.89 | 58.23 | 74.68 | 51.9 |
| Himachal Pradesh | 60.87 | 47.83 | 78.26 | 32.61 |
| J&K | 78.73 | 28.18 | 62.43 | 54.97 |
| Jharkhand | 57.48 | 48.82 | 56.69 | 38.58 |
| Karnataka | 68.06 | 39.96 | 58.51 | 35.13 |
| Kerala | 91.22 | 45.01 | 80.92 | 34.94 |
| Madhya Pradesh | 67.12 | 40.41 | 69.86 | 39.73 |
| Maharashtra | 83.41 | 56.78 | 83.88 | 51.48 |
| Manipur | 40.32 | 22.58 | 29.03 | 8.06 |
| Meghalaya | 69.05 | 53.57 | 55.95 | 47.62 |
| Mizoram | 91.3 | 65.22 | 71.74 | 54.35 |
| Nagaland | 41.79 | 2.99 | 26.87 | 4.48 |
| Odisha | 63.23 | 43.33 | 63.47 | 36.77 |
| Puducherry | 91.21 | 40.66 | 34.07 | 42.86 |
| Punjab | 94.52 | 26.03 | 86.3 | 43.84 |
| Rajasthan | 75.81 | 71.48 | 74.73 | 72.2 |
| Sikkim | 73.91 | 47.83 | 47.83 | 43.48 |
| Tamil Nadu | 80.09 | 30.72 | 78.63 | 29.39 |
| Telangana | 75.91 | 43.93 | 57.89 | 40.89 |
| Tripura | 70.45 | 31.82 | 56.82 | 6.82 |
| Uttar Pradesh | 51.76 | 30.59 | 54.71 | 37.65 |
| Uttarakhand | 67.86 | 51.79 | 57.14 | 48.21 |
| West Bengal | 84.71 | 59.02 | 81.35 | 58.72 |
| Total | 76.92 | 43.63 | 70.55 | 40.76 |

8.78 The table 8.7 presents the percentage of CCIs/Homes on four criteria of maintainance and updation of — i) Voucher, cash book, ledger, journal & annual accounts, ii) Grant utilization register, iii) Stock register, and iv) Budget Statement register. About 77% of CCI maintain and update Voucher, cash book, ledger, journal & annual accounts, and 43.63% maintain and update Grant utilization register. Stock register are maintained and updated by 70.5% while Budget Statement register are maintained and updated by 40.76% of CCIs/Homes.

8.79 On the first aspect, i.e maintaining and updating voucher, cash book, ledger, journal & annual accounts, Punjab has the the highest percentage of CCIs/Homes (95%), followed by Goa, Mizoram, Kerala and Pondicherry at 91% each. The lowest percentage is found in Chandigarh at 19%. The table 10.7 shows that 76.92% of CCIs/Homes in India adhere to this.

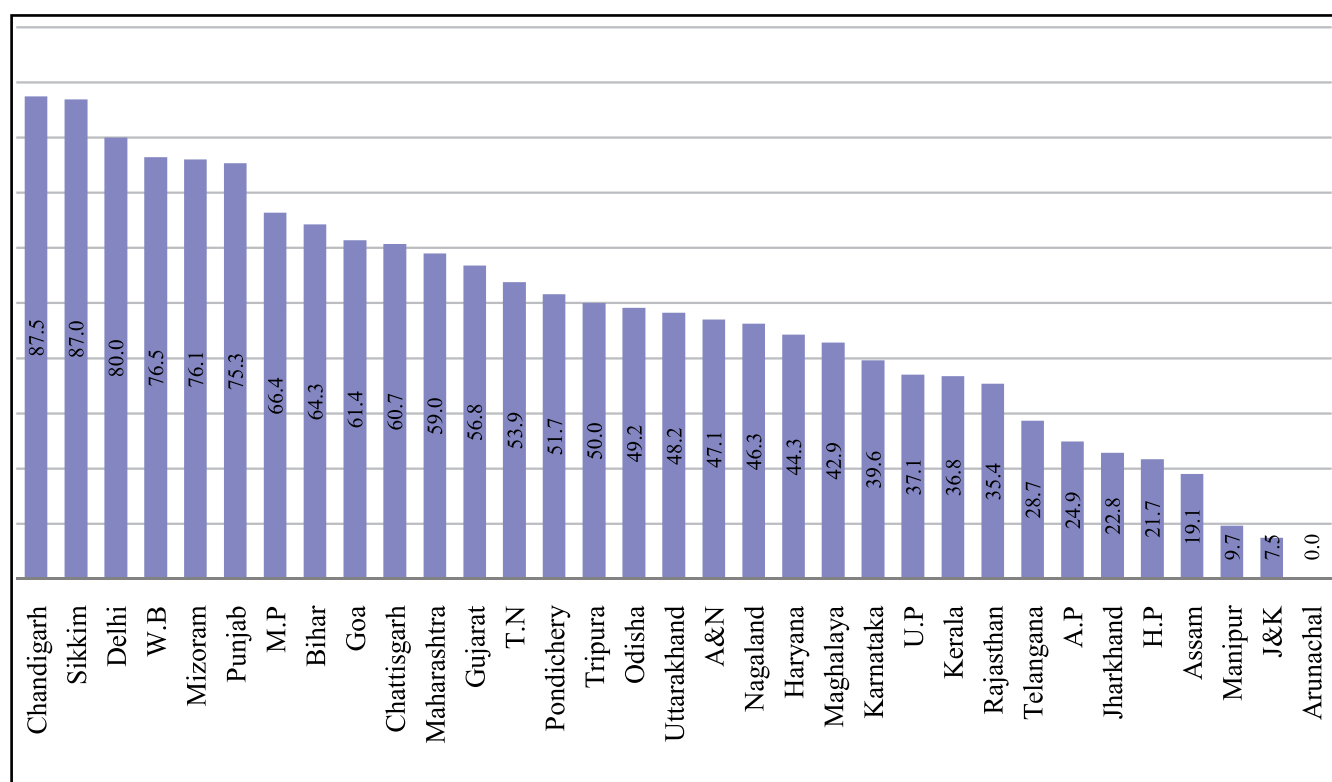
8.80 Among CCIs/Homes that maintain and update the Grant utilization register, Rajasthan ranks first with 71% of CCIs/Homes in the state, followed by Mizoram at 65% and Gujarat at 60% of CCIs/Homes. The lowest percentage is seen in Nagaland at 3% followed by Arunachal Pradesh at 13% and Manipur at 23%. As seen in the table 10.7 only 43.63%—i.e less than half of the CCIs/Homes maintain and update the grant utilization register thereby undermining the importance of financial transparency.

8.81 Percentage of CCIs/Homes that maintain and update stock register is found to be highest in Chandigarh at 88%, followed by Punjab and Goa at 86%. The lowest percentage is in Arunachal Pradesh at 25% followed by Nagaland at 27% and Manipur at 29%. The table above reflects that about 70.5% of the CCIs maintain and update the Stock register regularly across the country.

8.82 With respect to CCIs/Homes that maintain and update the Budget Statement Register, the highest percentage is observed in Rajasthan at 72%, followed by Goa at 69% and Gujarat and Chandigarh at 63% each; Nagaland (4%) Tripura (7%) and Manipur (8%) have the lowest percentage of CCIs/Homes in this regards. On an average only 40.8% of CCIs/Homes adhere to maintenance and updation of Budget Statement.

8.83 That Graph 8.13 below show percentage of CCIs/Homes that matched the children admitted during a particular year with the children present at the end of the year, after excluding placement in families (restoration, repatriation, pre-adoption foster care/adoption, foster care), death, transfer & leave without permission. The highest percentage of such CCIs/Homes is seen in Chandigarh at 88% followed by Sikkim (87%) and Delhi (80%); the state with lowest percentage of CCIs/Homes is Jammu and Kashmir at 7%, Manipur at 10% and Assam at 19%; while no home in Arunachal Pradesh have such CCIs/Homes. There is no information as to why some States/UTs have such a low percentage.

Graph 8.13 Percentage of CCIs/Homes that matched children admitted during a year with the children present at the end of the year after exclusions



VI. Highlights

8.84 **Admission and Reporting:** With respect to initial production and periodic production of all children before CWC / JJB; the home maintaining and updating a master admission register and filing of a missing child FIR, the data showed that the general performance is poor. The data reveals

that at some places, CWCs do not exist at the district level. Many CCIs/Homes are functioning as residential care for educational purposes and do not recognize and categorize children in need of care and protection. This is a serious issue that needs immediate State intervention to streamline all the CCIs/Homes.

8.85 It is also found that in CCIs/Homes in many States/UTs prepared/sent individual care plan of the child, the Social Investigation Report and monthly data about children to SARA/DCPU, but CCIS/Homes in some States such as Kerala, this is not being adhered to. This raises concerns regarding the quality of work and condition of children, especially since many homes in the State are not registered under the JJ Act. Another observation showed that no State or UT had all its CCIs/Homes where the number of children admitted during a particular year matched with the children present at the end of the year this was after excluding placement in families (restoration, repatriation, pre-adoption foster care/adoption, foster care), death, transfer & leave without permission. The maximum percentage was found in Chandigarh at 88%. There is no information on the reasons for the same- whether such instances are reported or any specific measures have been taken to deal with this.

8.86 Another important function to be performed by the CCI/Homes and the SAA is, to report the cases to the relevant authority with respect to admission, restoration, repatriation, transfer, adoption, pre adoption foster care, foster care, death and leave without permission. They must be proactive and aware about the number of children under each category and information about the same must be reported to ensure the child is integrated into the JJ system. However, the data collected reveals that except CCIs/Homes in a few States/UTs most are not following this. Especially in dealing with situations such as death of a child, it is imperative that the circumstances surrounding the death are honestly disclosed, not only to the authorities but more importantly to the families; however data reveals that percentage of CCIs/Homes in Arunachal, Nagaland and Meghalaya reporting this is very low. With respect to restoration it is not only important that cases be reported, but having proof of restoration is even more vital to ascertain that the child is in safe custody and not in an unpleasant situation. This is possible if the home has a valid proof of restoration with the necessary id proof of the parent and guardian. In this regard, except for CCIs/Homes in Andhra Pradesh (72%) and Kerala (68%) most of the other States and UTs have a poor performance, raising concerns with respect to

the safety, well-being, care and protection of the child. There is no information as to why the erring CCIs/Homes do not have such proof, whether any mechanisms are in place to ensure that the child so restored is safe.

8.87 **Documentation and Record Keeping:** The analysis shows that most CCIs/Homes in many States are maintaining all records pertaining to children. The JJ Rules have specifically assigned duties of maintaining and updating records and books by various staff and personnel associated with the CCIs/Homes. They must be held accountable and responsible for undertaking their work diligently. Information on some aspects was lacking details, as responses received to questions were only in a 'yes' and 'no' format. Hence qualitative data is missing which leaves questions such as reasons for not maintaining and updating the relevant document and online systems, alternative systems used if any, the effect of non-maintenance of records on the overall performance of the CCI and the effect it can have on children.

Chapter 9

Adoption Status (Performance)



नए समाज की ओर
Towards a new dawn

Chapter 9 : Adoption Status (Performance)

9.1 This chapter deals specifically with *Specialized Adoption Agencies (SAA)* and all the aspects pertaining to adoptions in India. The process and agencies for adoption are regulated through Central Adoption Resource Authority (CARA) which is a statutory body of the Ministry of Women & Child Development, Government of India. CARA Guidelines provide the regulatory framework in the country as the nodal body for adoption of children and is mandated to monitor and regulate in-country and inter-country adoptions. CARA is designated as the Central Authority to deal with inter-country adoptions in accordance with the provisions of the Hague Convention on Inter-country Adoption, 1993, ratified by Government of India in 2003. CARA primarily deals with adoption of orphan, abandoned and surrendered children through its associated / recognized adoption agencies¹.

9.2 The chapter deals exclusively with the CCIs/Homes which are dealing with orphan, abandoned and surrendered children who are either free or can be made free for adoption. CCIs/Homes are expected to adhere to and ensure certain facilities and services for the children according to the CARA's specified guidelines coupled with the norms of the JJ Act. The chapter attempts to bring these aspects into examination.

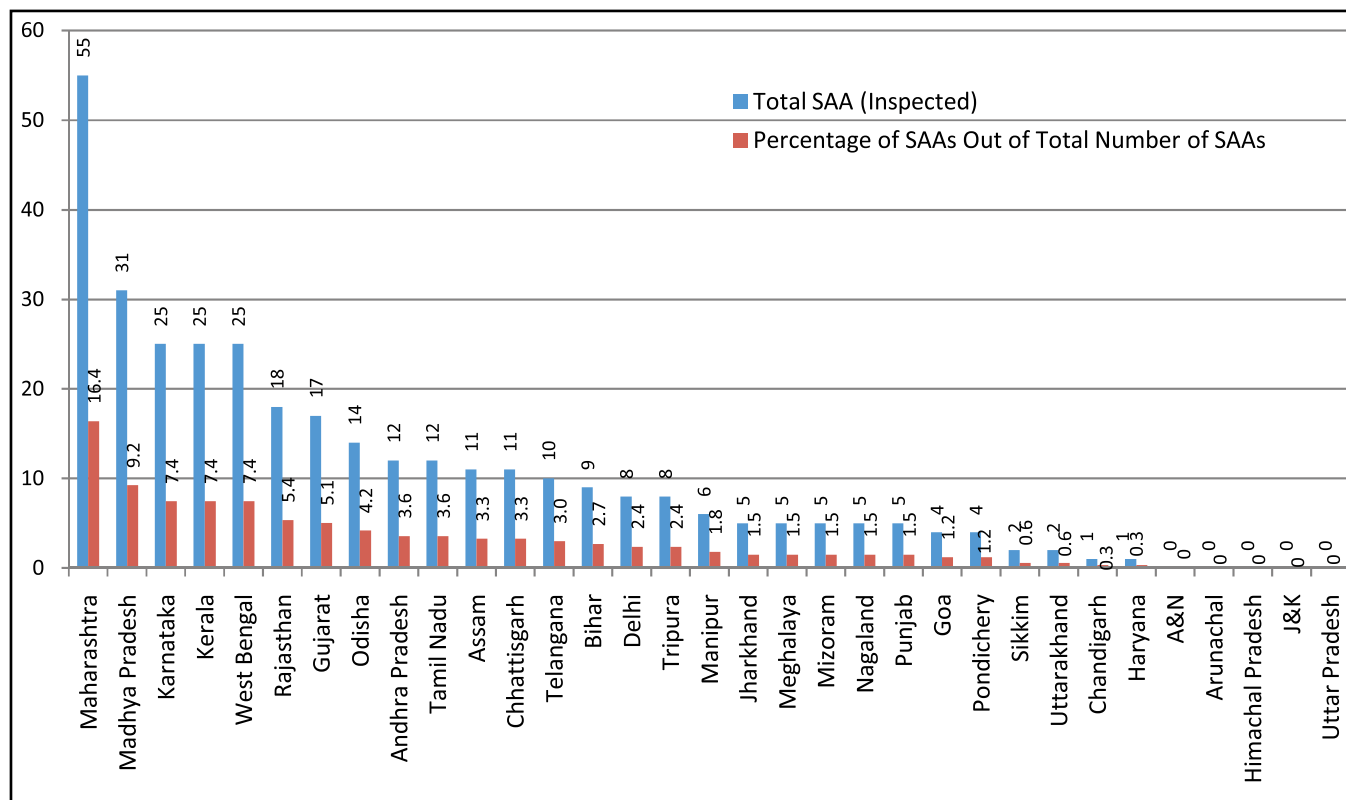
I. Number of Specialized Adoption Agencies Surveyed

9.3 There are a total of 336 SAAs covered under the study, out of which 20% are Government run SAAs and 80% are non-government run SAAs. The numbers do not include 34 CCIs/Homes of Uttar Pradesh which were not covered by this exercise in accordance with request from the State Government which also included SAA.

¹ Website of Central Adoption Resource Authority http://cara.nic.in/about/about_cara.html

Table 9.1 State-wise distribution of number of SAAs inspected

| States/UTs | Total CCIs/Homes | Total SAA (Inspected) | Percentage of SAAs out of Total Number of SAAs |
|-------------------|------------------|-----------------------|--|
| A&N | 17 | 0 | 0 |
| Andhra Pradesh | 762 | 12 | 3.6 |
| Arunachal Pradesh | 8 | 0 | 0 |
| Assam | 131 | 11 | 3.3 |
| Bihar | 84 | 9 | 2.7 |
| Chandigarh | 16 | 1 | 0.3 |
| Chhattisgarh | 122 | 11 | 3.3 |
| Delhi | 125 | 8 | 2.4 |
| Goa | 70 | 4 | 1.2 |
| Gujarat | 169 | 17 | 5.1 |
| Haryana | 79 | 1 | 0.3 |
| Himachal Pradesh | 46 | 0 | 0 |
| J&K | 362 | 0 | 0 |
| Jharkhand | 127 | 5 | 1.5 |
| Karnataka | 911 | 25 | 7.4 |
| Kerala | 1,242 | 25 | 7.4 |
| Madhya Pradesh | 146 | 31 | 9.2 |
| Maharashtra | 1,284 | 55 | 16.4 |
| Manipur | 62 | 6 | 1.8 |
| Meghalaya | 84 | 5 | 1.5 |
| Mizoram | 46 | 5 | 1.5 |
| Nagaland | 67 | 5 | 1.5 |
| Odisha | 427 | 14 | 4.2 |
| Puducherry | 91 | 4 | 1.2 |
| Punjab | 73 | 5 | 1.5 |
| Rajasthan | 277 | 18 | 5.4 |
| Sikkim | 23 | 2 | 0.6 |
| Tamil Nadu | 1,647 | 12 | 3.6 |
| Telangana | 494 | 10 | 3.0 |
| Tripura | 44 | 8 | 2.4 |
| Uttar Pradesh | 170 | 0 | 0 |
| Uttarakhand | 56 | 2 | 0.6 |
| West Bengal | 327 | 25 | 7.4 |
| Total | 9,589 | 336 | 100 |

Graph 9.1 State-wise distribution of number of SAAs

9.4 Among the inspected SAAs, the graph 9.1 above shows that maximum numbers of SAAs are in Maharashtra with 55 and Madhya Pradesh with 31 followed by Karnataka with 35. States/UTs like Chandigarh and Haryana have only 1 SAA. States/UTs where no SAAs were found are Andaman and Nicobar, Jammu and Kashmir, Arunachal Pradesh Himachal Pradesh and Uttar Pradesh.

9.5 SAAs in many States/UTs have to take additional burden of those districts where SAA is non-existing and non-functioning. The CWC/JJB is in charge of monitoring and assessing functioning of SAAs. In practice, the fulfillment of prospective parents from States/UTs with no SAAs goes to their neighboring States/UTs where SAA exists. The state SAAs are still addressing the need of having long pending cases of prospective parents of their own States/UTs. According to the JJ Act, each district must have one SAA. Table 9.1 shows that, on national scale, there is a definite deficit of SAAs as many of the States/UTs do not have a single one of them.

II. Profile of Adoptable children

9.6 The data in Table 9.2 below represents the gender wise percentage of adoptable children out of the total children. Across the country the total number of children who are adoptable counts to 52793 staying in 9589 CCIs/Homes.

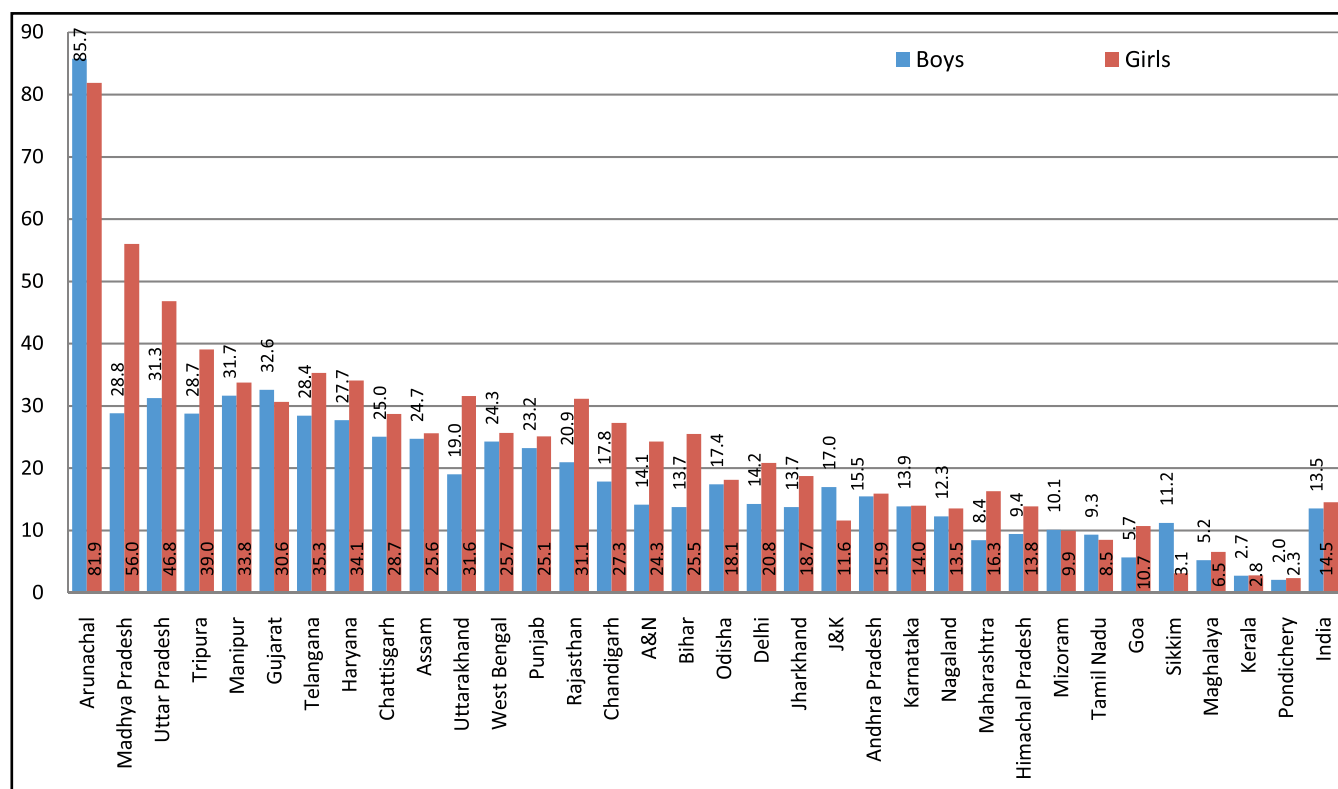
Table 9.2 Gender and age wise number of Adoptable Children

| States/UTs | Total CCIs/ Homes | Adoptable Children | | | | | |
|-------------------|----------------------|--------------------|--------------|--------------|--------------|-----------|--------------|
| | | 0-6 | 7-18 | Boys | Girls | TG | Total |
| A&N | 17 | 9 | 90 | 33 | 66 | 0 | 99 |
| Andhra Pradesh | 762 | 509 | 5380 | 2981 | 2906 | 2 | 5889 |
| Arunachal Pradesh | 8 | 3 | 167 | 102 | 68 | 0 | 170 |
| Assam | 131 | 102 | 676 | 421 | 357 | 0 | 778 |
| Bihar | 84 | 90 | 407 | 219 | 277 | 1 | 497 |
| Chandigarh | 16 | 23 | 70 | 33 | 60 | 0 | 93 |
| Chhattisgarh | 122 | 59 | 773 | 557 | 275 | 0 | 832 |
| Delhi | 125 | 151 | 553 | 319 | 385 | 0 | 704 |
| Goa | 70 | 17 | 190 | 88 | 119 | 0 | 207 |
| Gujarat | 169 | 309 | 1250 | 929 | 630 | 0 | 1559 |
| Haryana | 79 | 94 | 714 | 367 | 441 | 0 | 808 |
| Himachal Pradesh | 46 | 5 | 140 | 88 | 57 | 0 | 145 |
| J&K | 362 | 53 | 2823 | 2388 | 488 | 0 | 2876 |
| Jharkhand | 127 | 125 | 624 | 389 | 360 | 0 | 749 |
| Karnataka | 911 | 365 | 3844 | 2384 | 1819 | 6 | 4209 |
| Kerala | 1,242 | 134 | 1010 | 537 | 607 | 0 | 1144 |
| Madhya Pradesh | 146 | 186 | 1059 | 514 | 731 | 0 | 1245 |
| Maharashtra | 1,284 | 1054 | 5442 | 3328 | 3154 | 14 | 6496 |
| Manipur | 62 | 26 | 341 | 189 | 178 | 0 | 367 |
| Meghalaya | 84 | 20 | 69 | 39 | 50 | 0 | 89 |
| Mizoram | 46 | 22 | 86 | 63 | 45 | 0 | 108 |
| Nagaland | 67 | 21 | 127 | 81 | 67 | 0 | 148 |
| Odisha | 427 | 356 | 3015 | 1788 | 1581 | 2 | 3371 |
| Puducherry | 91 | 41 | 14 | 22 | 33 | 0 | 55 |
| Punjab | 73 | 61 | 407 | 212 | 256 | 0 | 468 |
| Rajasthan | 277 | 247 | 1032 | 869 | 410 | 0 | 1279 |
| Sikkim | 23 | 5 | 23 | 23 | 5 | 0 | 28 |
| Tamil Nadu | 1,647 | 543 | 7221 | 3424 | 4337 | 3 | 7764 |
| Telangana | 494 | 363 | 4795 | 2535 | 2592 | 31 | 5158 |
| Tripura | 44 | 35 | 236 | 127 | 144 | 0 | 271 |
| Uttar Pradesh | 170 | 223 | 1538 | 859 | 902 | 0 | 1761 |
| Uttarakhand | 56 | 41 | 239 | 109 | 171 | 0 | 280 |
| West Bengal | 327 | 327 | 2819 | 1730 | 1416 | 0 | 3146 |
| Total | 9,589 | 5619 | 47174 | 27746 | 24987 | 59 | 52793 |

9.7 The JJ Act and its corresponding Rules state that after due process, inquiry has to be conducted and if a child is fit for adoption then the child must be integrated with the adoption process without any delay so as to ensure that the child gets a family and does not have to stay in the CCI without any reason.

9.8 The Table 9.2 shows that 0-6 years children are 5619 in numbers while 47174 are between the ages of 7-18 years. When segregated based on gender the numbers of adoptable boys, girls and transgender are 27747, 24987 and 59 respectively.

Graph 9.2 Percentage of Adoptable Children



9.9 The highest percentage of adoptable boys out of total boys as per record can be found in Arunachal Pradesh, which is 85.7%. The lowest percentage is seen in Puducherry at 2% and Kerala at 2.7%. Arunachal Pradesh again comes at the top with respect to the percentage of adoptable girls, i.e. 81.9% followed by Madhya Pradesh at 56%. The lowest percentage is in Kerala at 2.8% and Puducherry at 2.3%. With respect to transgender children who are adoptable, the percentages are the highest in Bihar and Maharashtra, followed by Telangana.

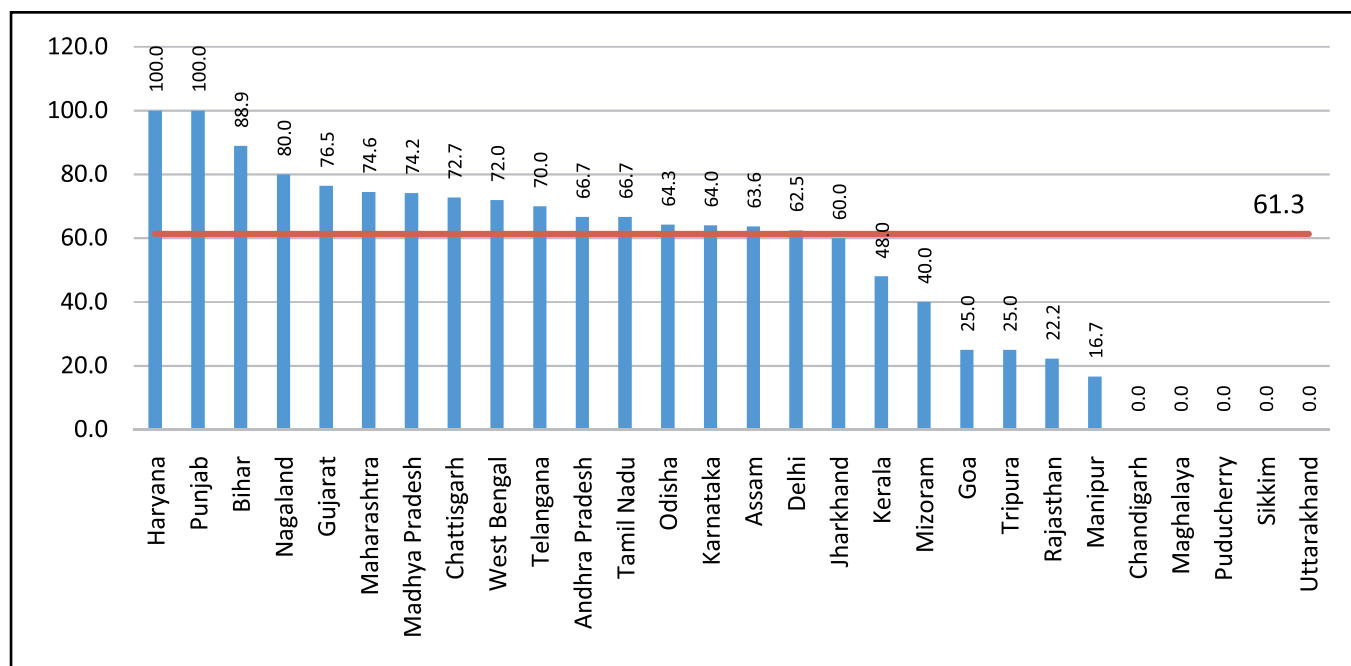
9.10 The data in Table 9.2 also reflects that the average percentage for adoption, out of total occupancy of children in CCIs/Homes, is higher among the 0-6 years age group (as less number of children of this age group are found in the CCIs/Homes than it is for the 7-18 years age group). The children in this age group (0-6 years) need to be given more attention for adoption as it will be easier to bring up an infant to suit the lifestyle, customs, and religions of the adopting family/couple than it is for a child who may be of older age.

III. Formation of Adoption Committee

9.11 As per the CARA Regulations, Adoption Committee means the Committee comprising of the authorized office-bearer of the Specialized Adoption Agency concerned, its visiting doctor or a medical officer from a Government hospital and one official from the District Child Protection Unit; and shall also include a representative of the Child Care Institution, in case the adoption is from a Child Care Institution other than the Specialized Adoption Agency.

9.12 The graph 9.3 below represents whether the Adoption Committee (AC) has been constituted by SAAs.

Graph 9.3 Percentage of SAAs with Adoption Committee



9.13 The highest percentage of ACs can be seen in Haryana and Punjab at 100% followed by Bihar at 88.9% Nagaland at 80% and Gujarat at 76.5%. The national average in this respect is 61.3%, which reflects the possible scope of improvement in implementation of rules in many SAAs across the country.

9.14 The CARA guidelines state that the Specialized Adoption Agency shall constitute an 'Adoption Committee' consisting of its Secretary or Managing Trustee, a senior professional social worker, Visiting Medical Officer and one other functionary of the Agency for assignment of the child. Therefore, adoption committees must be formed by every SAA but the data shows that this is not the case as many States/UTs have less than 50% of SAA with Adoption Committees.

IV. Standard of Care

9.15 According to the definition given in the JJ Rules, 2016, 'Child Study Report' means the report which contains details about the child, such as his date of birth and social background. 'Medical Examination Report' means the report of a child given by a duly licensed physician. As stated above, these are very critical for knowing the past, present status and also preparing plan for the future. The preparation of Child Study Report (CSR) & Medical Examination Report (MER) needs to be done mandatorily by the CCIs/Homes which at present seems to be lacking. Across the country, out of the 336 SAAs mapped, only 266 are currently preparing CSR and MER, which means the percentage, is only 61.3%.

9.16 The indicators in the table 9.3 below are critical for the well-being and preparation of individual plan of children in SAAs.

Table 9.3 Number and percentage of SAAs with Professional Social Worker, Preparation of Child Study Report (CSR) & Medical Examination Report (MER)

| State | Number of SAA | | | Percentage of SAA | | |
|----------------|---------------------------------|----------------------------------|---|---------------------------------|----------------------------------|---|
| | with Professional Social Worker | that prepares Child Study Report | that prepare Medical Examination Report | with Professional Social Worker | that prepares Child Study Report | that prepare Medical Examination Report |
| Andhra Pradesh | 9 | 9 | 9 | 75 | 75 | 75 |
| Assam | 5 | 3 | 3 | 45.5 | 27.3 | 27.3 |