

नीला गंगाधरन

Neela Gangadharan

सचिव

SECRETARY

Tel. : 23383586

Telefax : 23381495

E-mail : secy.wcd@nic.in



भारत सरकार

महिला एवं बाल विकास मंत्रालय

शास्त्री भवन, नई दिल्ली - 110001

Government of India

Ministry of Women & Child Development

Shastri Bhawan, New Delhi-110001

Website : <http://www.wcd.nic.in>

D.O. No.1-4/2011-CW.II

14th March, 2012

Dear Shri Dwivedi,

This is to share my deep concern regarding the abuse and neglect of children living in orphanages and other Child Care Institutions (CCIs), reported by the Media in many States across the country. It has emerged that most of these incidences have occurred in Institutions / Orphanages which are not registered under the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act).

As you may be aware, Section 34(3) of the JJ Act provides for mandatory registration of all CCIs housing children in need of care and protection with the intent of enforcing minimum standards of care for the services provided to children in the Homes. The JJ Act also provided for mechanisms for stringent monitoring of the quality of services. It is for this reason that this Ministry has been persistently urging the State Governments / UT Administrations to identify and register all CCIs under the JJ Act. However, the progress in this regard is very slow.

To ensure that children in all the Homes receive the best of care, and are not subject to abuse and neglect, it is imperative that all the homes running in your State which house children in need of care and protection, be immediately identified and registered under the JJ Act.

I, therefore, suggest that the State Government may, through public advertisements, invite the attention of all organizations running facilities for children in need of care and protection towards their obligation for registration under the JJ Act. Simultaneously, surveys may be conducted at the district level to identify such homes that are not registered and the organization may be urged to register under the Act immediately failing which their registration / recognition / license under any other legislation may be withdrawn and the children shifted to other residential Homes under the JJ Act.

Contd...2/-

I understand that some of these Homes / orphanages are licensed under the Women and Children Institutions (Licensing) Act, 1956 (WCLA), or recognized under the Orphanages and other Charitable Homes (Supervision and Control) Act 1960 (OCHA), as may be applicable in the State, it is not known, which of these legislations is applicable in your State, and whether there is a functional mechanism in place for monitoring institutions under these Acts. I understand that many children in need of care and protection are also living in other facilities such as homes being run by religious institutions, homes for differently-abled children etc. I would greatly appreciate if the status in this regard is reviewed and a report is sent to the Ministry.

The Ministry is contemplating further strengthening of Section 34 (3) of the JJ Act, inter-alia to provide strict penalties for non-registration, and considering repeal of clauses related to child care institutions in the earlier Acts (WCLA and OCHA). May I request your comments and suggestions in this regard also?

I would be grateful if this exercise is completed within a period of one month and information sent to the Ministry by 20th April, 2012.

With regards,

Yours sincerely,

Encl : as above.


(Neela Gangadharan)

Shri Pankaj Dwivedi
Chief Secretary
Government of Andhra Pradesh
Hyderabad.