

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO. 788
TO BE ANSWERED ON 26.07.2023

CRUELTY AT ORPHANAGES

788 PROF. MANOJ KUMAR JHA :

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether any incidents of mental or physical cruelty against children in child care institutions have been reported in last three years;
- (b) if so, the details thereof;
- (c) the number and details of staff arrested/fired for participating in child cruelty in childcare institutions; and
- (d) whether Government conducts regular inspection to ensure safety of children in childcare institutions and if so, the details of such inspection conducted in the last three years?

ANSWER

MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SMRITI ZUBIN IRANI)

(a) to (c) : As per the report of National Crime Record Bureau (NCRB), State-wise offences including mental and physical cruelty against children by caretakers/in-charge of juvenile home (CCIs) for the years 2019, 2020 and 2021 are at **Annexure-I**.

(d) : The Ministry of Women and Child Development is administering the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015) (as amended 2021) which is the primary legislation for ensuring safety, security, dignity and well-being of children. It defines standards of care and protection to secure the best interest of child.

Under the JJ Act 2015 (Sections 27-30), the Child Welfare Committees have been empowered to take decisions with regard to the children in need of care and protection, keeping their best interest in mind. They are also mandated to monitor the functions of the Child Care Institutions (CCIs). Similarly, the Juvenile Justice Boards are empowered to take decisions regarding the welfare of children in conflict with law (Sections 04-09). At the national and state level, the JJ Act provides the National/State Commissions for Protection of Child Rights to monitor the implementation of the Act (Section 109).

Under section 54 of the JJ Act, 2015, the State Governments appoint Inspection Committees and under section 53, to assess the basic facilities and infrastructure of the Institutions for maintaining their standards. Also section 32 to 34 of JJ Act, 2015 mentions the procedure for mandatory reporting including offence for non-reporting and

penalty. Amendments in JJ Act in 2021 have made District Magistrate as the nodal authority in district for child care and protection. He also has powers of inspection of CCIs.

The Ministry regularly follows up with the State/ UT Governments so as to ensure that Child Care Institutions (CCIs) adhere to standards of care as per the provisions under JJ Act, 2015. Various advisories have been sent to all States/UTs regarding mandatory inspection of all CCIs.

Further, The Ministry is implementing a centrally sponsored scheme namely Mission Vatsalya to support to States and UT Governments for delivering services for children in need of care and in difficult circumstances, including for the children in Child Care Institutions (CCIs), which provide/support for boarding & lodging; age-appropriate education; access to vocational training; recreation; health care; counselling, etc. Under the scheme guidelines, States/UTs have been instructed for mandatory Police verification of the CCI staff and other staff engaged at State and District level, prior to their appointment.

As reported by National Commission for Protection of Child Rights (NCPCR), NCPCR has developed an application '*MASI*' – *Monitoring App for Seamless Inspection* in 2022 for real time monitoring of the Child Care Institutions (CCIs) and their inspection mechanism across the country. The effective and efficient functioning of the mechanism for inspection of Child Care Institutions provided under the JJ Act, 2015. 4268 inspections, as on 24.07.2023, have been completed on MASI Portal by 32 States/UTs. The State/UT-wise details of inspection of CCIs are given in **Annexure-II**.

ANNEXURE-I

ANNEXURE REFERRED TO IN REPLY TO PART (A) TO (C) OF THE RAJYA SABHA UN-STARRED QUESTION NO. 788 FOR ANSWER ON 26.07.2023 BY PROF. MANOJ KUMAR JHA REGARDING CRUELTY AT ORPHANAGES

STATE-WISE OFFENCES INCLUDING MENTAL AND PHYSICAL CRUELTY AGAINST CHILDREN BY CARETAKERS/IN-CHARGE OF JUVENILE HOME (CCI), AS PER NCRB REPORT, FOR THE YEARS 2019, 2020 AND 2021

Sl. No.	States/UTs	2019	2020	2021
1	Andhra Pradesh	0	2	1
2	Arunachal Pradesh	0	0	0
3	Assam	20	27	24
4	Bihar	17	0	0
5	Chhattisgarh	3	1	2
6	Goa	0	0	1
7	Gujarat	91	50	39
8	Haryana	4	5	1
9	Himachal Pradesh	3	0	0
10	Jharkhand	5	2	4
11	Karnataka	10	11	11
12	Kerala	52	65	74
13	Madhya Pradesh	0	0	0
14	Maharashtra	11	6	5
15	Manipur	1	0	2
16	Meghalaya	0	0	0
17	Mizoram	0	1	0
18	Nagaland	0	0	0
19	Odisha	47	12	24
20	Punjab	16	11	4
21	Rajasthan	80	100	66
22	Sikkim	1	0	0
23	Tamil Nadu	6	4	15
24	Telangana	31	14	0
25	Tripura	0	0	0
26	Uttar Pradesh	3	1	0
27	Uttarakhand	3	1	1
28	West Bengal	1	0	0
29	A&N Islands	0	0	0
30	Chandigarh	0	0	0
31	D&N Haveli and Daman & Diu	0	1	0
32	Delhi	4	5	2
33	Jammu & Kashmir	1	2	0
34	Ladakh	0	0	0
35	Lakshadweep	0	0	0
36	Puducherry	2	1	0
	Total	412	322	276

ANNEXURE-II

ANNEXURE REFERRED TO IN REPLY TO PART (D) OF THE RAJYA SABHA UN-STARRED QUESTION NO. 788 FOR ANSWER ON 26.07.2023 BY PROF. MANOJ KUMAR JHA REGARDING CRUELTY AT ORPHANAGES

STATE-WISE INSPECTIONS OF CHILD CARE INSTITUTIONS COMPLETED ON MASI PORTAL (AS ON 24.07.2023)

Sl. No.	Name of the State / UT	No. of Inspections completed
1	Andaman and Nicobar Islands	3
2	Andhra Pradesh	359
3	Arunachal Pradesh	3
4	Assam	84
5	Bihar	50
6	Chhattisgarh	82
7	Delhi	149
8	Goa	37
9	Gujarat	122
10	Haryana	182
11	Himachal Pradesh	173
12	Jammu & Kashmir	166
13	Jharkhand	64
14	Karnataka	142
15	Kerala	85
16	Madhya Pradesh	113
17	Maharashtra	597
18	Manipur	47
19	Meghalaya	35
20	Mizoram	92
21	Nagaland	12
22	Odisha	148
23	Puducherry	42
24	Punjab	264
25	Rajasthan	394
26	Sikkim	16
27	Tamil Nadu	415
28	Telangana	141
29	Tripura	19
30	Uttar Pradesh	131
31	Uttarakhand	90
32	West Bengal	11
	Total	4268
