

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO.2074
TO BE ANSWERED ON 20.12.2023

DATA ON ORPHAN CHILDREN

2074. SHRI JAWHAR SIRCAR :

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

- (a) whether Government collates data on orphan children in the country;
- (b) if so, the number of orphan children, State-wise;
- (c) the details of estimated expenditure on the welfare of orphan children and under what schemes; and
- (d) the reasons for delay in approving adoption of orphan children

ANSWER

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

(a) to (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 in 2021) which is the primary legislation for ensuring safety, security, dignity and well-being of children in need of care and protection and children in conflict with law including orphans by catering to their basic needs through care, protection, development, treatment, rehabilitation and social re-integration.

As per section 2(42) of JJ Act, 2015, an orphan means 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.

Under the JJ Act 2015, the Child Welfare Committees (CWCs) have been empowered to take decisions with regard to the children in need of care and protection including orphaned, abandoned and surrendered. They are also mandated to monitor the function of the Child Care Institutions (CCIs). Similarly, the Juvenile Justice Boards (JJBs) are empowered to take decisions regarding the welfare of children in conflict with law. The Act defines standards of care and protection to secure the best interest of children living in CCIs and aims to provide family environment through non-institutional care services which includes sponsorship, fostercare and aftercare.

State-wise total number of children including Orphans in the Child Care Institutions (CCIs) supported under Mission Vatsalya Scheme during the last year 2022-23 is at **Annexure-I**. State-wise total number of children including Orphans supported under Non-Institutional Care of Mission Vatsalya Scheme during the last year 2022-23 is at **Annexure-II**.

The number of children supported under Non-Institutional Care has been increasing during the last few years i.e. 26084 children covered in 2019-20, 29337 children in 2020-21, 29338 children in 2021-22 and 62675 children in 2022-23.

The Ministry has notified the Juvenile Justice (Care and Protection of Children) Act, 2015 (as amended in 2021), which has come into effect from 01.09.2022. The Ministry has also notified the Juvenile Justice (Care and Protection of Children) Amendment Model Rules, 2022 on 01.09.2022 and Adoption Regulations, 2022 on 23.09.2022. Among others, the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 empowers the District Magistrate to function as the focal point for implementation of JJ Act, 2015 and decide the cases of adoption.

The Adoption Regulations, 2022 lays down time limits for action by various authorities like District Magistrates to issue adoption orders within 60 days; time lines at various stages like uploading of Legally Free for Adoption (LFA) within ten days; examination of special needs children within a period of fifteen days by the Chief Medical Officer; and verification of adoption application documents by District Child Protection Unit (DCPU) within five days. A child can now be adopted by the foster family after 2 years instead of earlier provision of 5 years. Further, the Ministry has issued advisory to all States/UTs to link the CCIs with Child Adoption Resource Information and Guidance System (CARINGS) portal to promote adoption. Further, as per Rule-44 of JJ Model Rules (as amended in 2022), every child who does not get a family either in in-country or in inter-country adoption and is placed under the hard to place category; shall be eligible to be placed in foster care, by the CWC on the recommendation of the District Child Protection Unit (DCPU) or the Specialised Adoption Agency. Post notification of Adoption Regulations, 2022 on 23rd September 2022, the adoption order pendency has come down to 106 from the earlier pendency (before the date of notification) of 997. However, there is no delay reported by the States/UTs regarding approving adoption of orphan children.

The waiting period of the PAPs depends on the availability of children who are declared legally free for adoption by CWC. It also depends on the choice of the PAPs to adopt from a particular State and also the age group preferred. While there is a long queue to adopt a normal young child upto six years of age, there is no waiting period for the PAPs who desire to adopt a child having special needs and a child from immediate placement category (mostly older children). Further, the waiting time is relevant for the PAPs only, as the child does not wait for the family.

The Ministry of Women and Child Development is implementing Mission Vatsalya Scheme (erstwhile Child Protection Services Scheme) through State and UT Governments for care, protection, rehabilitation and reintegration of children in difficult circumstances including orphans on predefined cost sharing basis between the Central and the State Governments. Such children have access to both institutional and non-institutional care as per Individual Care Plan (ICP) as mandated under JJ Act, 2015 (as amended in 2021). CCIs provide/support for boarding & lodging, age-appropriate education, access to vocational training, recreation, health care, counselling etc. Mission Vatsalya Scheme fosters family based care through promotion of adoption and non-institutional care services. Monthly maintenance grant @Rs.3000/- per child is provided under the institutional care and monthly non-institutional care support @Rs.4000/- per child is provided including orphan children under Mission Vatsalya Scheme.

ANNEXURE-I

ANNEXURE REFERRED TO IN REPLY TO PART (A) TO (D) OF THE RAJYA SABHA UNSTARRED QUESTION NO.2074 FOR ANSWER ON 20.12.2023 BY SHRI JAWHAR SIRCAR REGARDING DATA ON ORPHAN CHILDREN

STATE-WISE TOTAL NUMBER OF BENEFICIARIES IN THE CHILD CARE INSTITUTIONS INCLUDING ORPHANS SUPPORTED UNDER MISSION VATSALYA SCHEME DURING THE LAST YEAR 2022-23

Sl. No.	State/UTs	Number of Children
1	Andhra Pradesh	1504
2	Arunachal Pradesh	206
3	Assam	1380
4	Bihar	2088
5	Chhattisgarh	1974
6	Goa	526
7	Gujarat	1651
8	Haryana	1239
9	Himachal Pradesh	805
10	Jammu and Kashmir	817
11	Jharkhand	1219
12	Karnataka	3182
13	Kerala	697
14	Madhya Pradesh	2292
15	Maharashtra	3654
16	Manipur	2121
17	Meghalaya	972
18	Mizoram	914
19	Nagaland	493
20	Orissa	4153
21	Punjab	607
22	Rajasthan	2560
23	Sikkim	526
24	Tamil Nadu	7785
25	Tripura	829
26	Uttar Pradesh	3238
27	Uttarakhand	700
28	West Bengal	6220
29	Telangana	1129
30	Andaman & Nicobar	308
31	Chandigarh	202
32	Dadra & Nagar Haveli and Daman & Diu	28
33	Ladakh	25
34	Lakshadweep	0
35	Delhi	1206
36	Puducherry	690
Total		57940

ANNEXURE-II

ANNEXURE REFERRED TO IN REPLY TO PART (A) TO (D) OF THE RAJYA SABHA UNSTARRED QUESTION NO.2074 FOR ANSWER ON 20.12.2023 BY SHRI JAWHAR SIRCAR REGARDING DATA ON ORPHAN CHILDREN

STATE-WISE TOTAL NUMBER OF CHILDREN INCLUDING ORPHANS SUPPORTED UNDER NON-INSTITUTIONAL CARE OF MISSION VATSALYA SCHEME DURING THE LAST YEAR 2022-23

Sl. No.	States/UTs	Number of Children
1	Andaman & Nicobar Islands	0
2	Andhra Pradesh	9150
3	Arunachal Pradesh	840
4	Assam	858
5	Bihar	504
6	Chandigarh	199
7	Chhattisgarh	288
8	D & N.H and D & Diu	519
9	Delhi	980
10	Goa	27
11	Gujarat	506
12	Haryana	5155
13	Himachal Pradesh	1347
14	Jammu & Kashmir	1398
15	Jharkhand	3086
16	Karnataka	3875
17	Kerala	1133
18	Ladakh	29
19	Lakshadweep	0
20	Madhya Pradesh	2377
21	Maharashtra	9844
22	Manipur	1120
23	Meghalaya	1028
24	Mizoram	591
25	Nagaland	752
26	Odisha	1772
27	Puducherry	106
28	Punjab	612
29	Rajasthan	239
30	Sikkim	323
31	Tamil Nadu	2975
32	Telangana	6454
33	Tripura	305
34	Uttar Pradesh	1766
35	Uttarakhand	847
36	West Bengal	1670
Total		62675