

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.184
TO BE ANSWERED ON 15.12.2017

ESCAPE OF CHILDREN FROM OBSERVATION/ JUVENILE HOMES

184: SHRI JAGDAMBIKA PAL:

Will the Minister of Women & Child Development be pleased to state:

- (a) whether incidents of children running away from Observation/Juvenile homes in the country have come to the notice of the Government;
- (b) if so, the number of children escaped from such homes during each of the last three years and the current year along with the reasons therefor, State/ UT-wise;
- (c) whether the Government has conducted any inquiry in this regard and if so, the details and outcome thereof and if not, the reasons therefor;
- (d) whether the said homes maintain records of their visitors and if so, the details thereof and if not, the reasons therefor; and
- (e) the corrective measures taken/ being taken by the Government in this regard?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(DR. VIRENDRA KUMAR)

- (a) to (c): The National Commission for Protection of Child Rights (NCPCR) has reported that it has registered 12 complaints regarding children running away from Observation and Special homes during the last three years and the current year 2017-18 (as on December 10, 2017). The State/UT-wise detail is **annexed**. The primary responsibility of implementing the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) lies with the States/UTs. The details regarding action taken against guilty officials of Child Care Institutions (CCIs) is not maintained centrally in the Ministry of Women and Child Development/NCPCR.
- (d) The visitors are permitted in CCIs either with the permission of the Board or the Committee or the Person-in-charge, as per Rule 78 of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016. Rule 74 of Model JJ Rules, 2016 requires maintenance of Visitor's Book in every institution. The visitor's book is maintained at main gate of CCI and also by Person-in-Charge of the CCIs for recording the remarks of the visitors. The visitors are searched at the main gate. Female visitors are searched by female staff only. Copy of the photo identity card containing the address and a photograph of the visitor is to be retained by the institution. If the visitor refuses to disclose his particulars, he shall be denied the meeting. Every meeting is to take place in

the presence of the Child Welfare Officer or Case Worker or Probation Officer of the Child Care Institution, who shall be responsible for any irregularity that occurs. Rule 74 and 78 of Model JJ Rules 2016, in particular, deals about the procedure to be followed with regard to visitors.

- (e): The primary responsibility of effective functioning of the CCIs vests with the State Governments/UT Administrations concerned. The Government of India has recently enacted the Juvenile Justice (Care and Protection of Children) Act, 2015, (JJ Act) which has come into effect from 15th January, 2016 repealing the Juvenile Justice (Care and Protection of Children) Act, 2000. Further, in terms of Section 110(1) of the JJ Act, 2015, the Model JJ Rules, 2016 has also been framed by the Central Government, for the benefit and use by the State Government, to carry out the purpose of the JJ Act. Under Rule 66(1) Model Rules, any dereliction of duty, violation of rules and order shall be viewed seriously and strict disciplinary action shall be taken or recommended by the person-in-charge against the erring officials. Under Rule 54(6) of Model Rules, where an FIR is registered against a person working with a Child Care Institution including Specialised Adoption Agency for any offence under the Act and the rules, such a person shall be debarred from working directly with the children during the pendency of the criminal case. The JJ Act (i.e Chapter IX) also provides for stringent provisions for offences against the child. Provisio to Section 75 of the JJ Act says that if such offence is committed by any person employed by or managing an organisation, which is entrusted with the care and protection of the child, he shall be punished with rigorous imprisonment which may extend up to five years, and fine which may extend up to five lakhs rupees.

Annexure

Annexure referred to in para (a) & (b) of the statement mentioned in reply of the Lok Sabha Starred Question No. 184 for answer on 15.12.2017 raised by Shri Jagdambika Pal regarding 'Escape of Children from Observation/Juvenile Homes.'

State/Year-wise details of complaints registered in NCPCR regarding running away of children from Observation and Special Homes during the last three years and the current year 2017-18 (till 10th December, 2017).

Year	States	No. of Complaints
2014-2015	Uttar Pradesh	1
2015-2016	Punjab	1
	Uttar Pradesh	3
2016-2017	Chhattisgarh	1
	Madhya Pradesh	1
	Rajasthan	1
	Tamil Nadu	1
	Uttar Pradesh	1
2017-2018	Chattisgarh	1
	Uttar Pradesh	1
Total		12