

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UN-STARRED QUESTION NO.119
TO BE ANSWERED ON 02.02.2024

CHILD ABUSE CASES IN SHELTER HOMES

119. SHRI THOMAS CHAZHIKADAN :

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

- (a) the number of child abuse cases registered in shelter homes during the last five years in the country, State/UT-wise;
- (b) whether the Government has ascertained the reasons behind the sexual abuse of children in shelter homes;
- (c) if so, the details and the outcome thereof along with the action taken on such shelter homes during the said period; and
- (d) the other measures being taken to increase the number of on-site doctors available at such places and the efforts taken to decongest the overcrowded shelter homes?

ANSWER

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

(a) to (d) : The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015) (as amended in 2021) (Section 109) provides the National Commission for Protection of Child Rights (NCPCR) at National level and State Commission for Protection of Child Rights (SCPCR) at State level respectively to monitor the implementation of the Act.

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 including orphan girl child. 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 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 (Sections 04-09).

The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015) (as amended in 2021) and Rules thereof provides for inspection of Child Care Institutions by State Level Inspection Committee and District Level Inspection Committee. The District Level Inspection Committee is constituted by the District Magistrate with Additional District Magistrate as Chairperson. The District Level Inspection Committee inspects all CCIs in the district and submit the report of the findings to the District Magistrate or the State Government for improvement and development of CCIs in accordance with the provisions of the JJ Act, 2015 (as amended in 2021) and Rules thereof. The District Magistrate shall take followup action on the report of inspection committees and ensure corrective measures are taken in a time bound manner.

Section 41 of the JJ Act, 2015 mandates that all institutions in all States/UTs, which are meant, either wholly or partially, for housing children in need of care and protection or children in conflict with law, shall be registered irrespective of whether they are receiving grants from the Central Government or the State Government. Any person or persons in-charge of an institution failing to comply with such provision shall be punished under section 42 of the Act with imprisonment which may extend to one year or a fine of not less than one lakh rupees or both.

The Government of India has enacted the Protection of Children from Sexual Offences (POCSO) Act, 2012 to provide safe guards for children against sexual abuse. The Act define a child as any person below the age of 18 years. The POCSO Act, 2012 provides for establishment of Special Courts for the purpose of ensuring speedy trial. The Act was amended in 2019 to introduce more stringent punishment including death penalty for committing sexual crimes on children, with a view to deter the perpetrators & prevent such crimes against children. POCSO Act also prescribes provisions of mandatory report of crime under POCSO Act, as per Section-21 which provides punishment for failure to report or record a case.

Further, the Ministry of Women and Child Development is also implementing Mission Vatsalya Scheme for care, protection, rehabilitation and reintegration of children in difficult circumstances on predefined cost sharing basis between the Central and the State Governments. Under Mission Vatsalya Scheme, support is provided for setting up and maintenance of various types of Child Care Institutions (CCIs) and funds for Non-Institutional Care. Such children have access to both institutional and non-institutional care and rehabilitation as per Individual Care Plan (ICP) as mandated 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.

The Child Care Institutions are supported normally to accommodate 50 children; however, for North Eastern States, Himalayan States and Hilly areas in other States, CCIs with capacity of 25 children are supported, as per the need of the States. All the CCIs may have similar facilities in terms of infrastructure, caregivers, service providers or any other component as mandated under JJ Act and Rules thereof.

The Ministry regularly follows up with the State/ UT Governments and various advisories have been sent so as to ensure the effective implementation of Mission Vatsalya Scheme.

As informed by National Commission for Protection of Child Rights (NCPCR), NCPCR has received 77 complaints of child abuse in the Child Care institutions (CCIs) including shelter homes across the country during the last five years i.e., 2018 -19 to 2022-23. The State/UT-wise number of child abuse cases in CCIs including Shelter homes during the last five years are at **Annexure- I**.

ANNEXURE-I

ANNEXURE REFERRED TO IN REPLY TO PART (a) TO (d) OF THE LOK SABHA UNSTARRED QUESTION NO. 119 FOR ANSWER ON 02.02.2024 BY SHRI THOMAS CHAZHIKADAN REGARDING ABUSE OF CHILDREN IN SHELTER HOMES

STATE/UT-WISE NUMBER OF CHILD ABUSE IN CHILD CARE INSTITUTIONS INCLUDING SHELTER HOMES DURING THE LAST FIVE YEARS

Sl. No.	States/UTs	2018-19	2019-20	2020-21	2021-22	2022-23
1	Andaman & Nicobar Islands	0	0	0	0	0
2	Andhra Pradesh	0	1	0	0	0
3	Arunachal Pradesh	0	0	0	0	0
4	Assam	1	0	0	0	0
5	Bihar	3	1	2	1	2
6	Chandigarh	0	0	0	0	0
7	Chhattisgarh	0	0	1	0	0
8	Dadra and Nagar Haveli Daman and Diu	0	0	0	0	0
9	Delhi	4	1	0	0	0
10	Goa	0	0	0	0	0
11	Gujarat	0	0	0	0	0
12	Haryana	3	0	0	3	1
13	Himachal Pradesh	0	0	0	0	0
14	Jammu and Kashmir	1	0	0	0	0
15	Ladakh*					
16	Jharkhand	0	0	2	1	0
17	Karnataka	0	1	1	0	0
18	Kerala	0	0	0	0	0
19	Lakshadweep	0	0	0	0	0
20	Madhya Pradesh	3	1	0	2	0
21	Maharashtra	1	1	0	0	0
22	Manipur	0	0	0	0	0
23	Meghalaya	0	0	0	0	0
24	Mizoram	0	0	0	0	0
25	Nagaland	0	0	0	0	0
26	Orissa	1	0	4	1	1
27	Puducherry	0	0	0	0	0
28	Punjab	0	0	0	0	0
29	Rajasthan	1	2	0	4	0
30	Sikkim	0	0	0	0	0
31	Tamil Nadu	0	0	3	5	0
32	Telengana	0	0	0	2	1
33	Tripura	0	0	0	1	0
34	Uttar Pradesh	8	3	0	1	0
35	Uttarakhand	0	1	0	0	0
36	West Bengal	0	0	0	0	0
Total		26	12	13	21	5

*Included in Jammu and Kashmir
