

GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
DEPARTMENT OF EMPOWERMENT OF PERSONS WITH DISABILITIES

LOK SABHA

UNSTARRED QUESTION No. 665
TO BE ANSWERED ON: 06.02.2024

REHABILITATION OF CHILDREN WITH SPECIAL NEEDS

665. SHRI SUDHAKAR TUKARAM SHRANGARE:
SHRI BIDYUT BARAN MAHATO:
SHRI RANJEETSINGH NAIK NIMBALKAR:
SHRI DILIP SAIKIA:
SHRI DEVJI M. PATEL:
SHRI NARANBHAI KACHHADIYA:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether the Government has any institutional arrangements to take care of the children with special needs residing in State run childcare homes after they become eighteen years old;
(b) if so, the details thereof and if not, the reasons therefor; and
(c) the fresh steps taken by the Government for rehabilitation of such individuals and also for their integration to the society?

ANSWER

(MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT)

SUSHRI PRATIMA BHOUMIK

(a) to (c) The Ministry of Women and Child Development administers the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015) as amended in 2021 which is the primary legislation for ensuring the safety, security, dignity and well-being of children.

(i) The Act provides for protection of children in need of care and protection and those in conflict with law by catering to their basic needs through care, protection, development, treatment and social re-integration. The primary responsibility of implementation of the JJ Act lies with the respective State/UT Government. JJ Act, 2015 mandates that the State Government to establish and maintain in every district or a group of districts, either by itself, or through voluntary or non-governmental organisations, Child Care Institutions (CCIs) for rehabilitation of Children in need of Care and Protection and for Children in conflict with law including Children in Special needs. As per Section 2 (35) of JJ Act, 2015, Juvenile means a Child below the age of eighteen years.

The JJ Act, 2015 and the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 (JJ Rules, 2016) (as amended in 2022) framed there under, inter-alia specify the benchmark of services to be delivered to the children. The key processes and standards of care are important components of functioning of CCIs. These processes and standards, as prescribed under the JJ Act and Rules there under such as physical

infrastructure, clothing, bedding and toiletries, sanitation and hygiene, nutrition, mental health, medical Care, education, vocational and recreational facilities are to ensure best interest of children living in CCIs.

The JJ Act, 2015 provides for Aftercare of Children living under the Institutional care vide Section 2(5) and section 46 which mandates that any child leaving a child care institution on completion of eighteen years of age may be provided with financial support in order to facilitate child's re-integration into the mainstream of the society in the manner as may be prescribed in Rule 25 of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 (as amended in 2022). As per Rule 79 (9) of the JJ Model Rules, 2016 (as amended in 2022), where a girl, above eighteen years of age, is released from the Child Care Institution and has no place to go, she shall be provided with accommodation in the Working Women Hostels, or other such government facilities, till the time some other suitable arrangement is made by her.

(ii) 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. 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.

(iii) As far as Department of Empowerment of Persons with Disabilities (DEPwD) is concerned the Rights of Persons with Disabilities (RPwD) Act, 2016, mandates the appropriate Government and local authorities to take measure to ensure that persons with disabilities enjoy their rights equally with others. Section 4(2) of the said Act mandates the appropriate Government and local authorities to provide appropriate support to children with disabilities keeping in view their age and disability. Further, Section 17 (h) of the said Act also provides for scholarships in appropriate cases to students with benchmark disabilities.

(iv) National Divyangjan Finance and Development Corporation (NDFDC), a Public Sector Enterprise under DEPwD, channelizes concessional loans for the socio-economic empowerment of Persons with Disabilities (PwDs) throughout the country. There are two flagship schemes of NDFDC for channelizing concessional finance through its partner agencies i.e. Divyangjan Swavalamban Yojana (DSY), which is individual centric and Vishesh Microfinance Yojana (VMY), which is for Self Help Groups/ Joint liability groups through various partner agencies for the welfare and rehabilitation of PwDs in the country. Under DSY scheme, loan upto Rs.50 Lakh is provided at concessional rate of interest for income generating activities, pursuing higher education/ vocational/skill training and purchase of assistive devices for PwDs. Further, a loan upto Rs.60,000/- is given to a PwD at reasonable rate of interest for providing prompt and need based finance for small/micro business and developmental activities under VMY Scheme. NDFDC provides a special rebate of 1% on rate of interest to divyangjan in self employment loans of upto Rs 50,000/- for encouraging them to take up self employment ventures. The rebate is borne by NDFDC. The education loan is provided to Student with Disability at the interest rate of 4% p.a.

(v) A central sector scheme namely Deendayal Divyangjan Rehabilitation Scheme (DDRS) is implemented by DEPwD under which grant-in-aid is provided to the non-governmental organizations (NGOs) for projects relating to rehabilitation of persons with disabilities aimed at enabling persons with disabilities to reach and maintain their optimal, physical, sensory, intellectual, psychiatric or socio-functional levels. This Department is running three projects for rehabilitation of children with special needs for beyond the age group of 18 years. Details for which are as under:

(I) Special School for the children with other disabilities (Intellectual Disability/Cerebral Palsy/Autism Spectrum Disorder/MD/Muscular Dystrophy, Deaf blindness etc) with option for Home Based Rehabilitation and Community-Based Rehabilitation Project: These Special Schools are meant to provide for residential as well as non-residential care with the end objective of bringing about varying degrees of improvement in the lives of the persons with disability. These may range from acquiring skills as basic as activities of daily living to their integration into regular institutions of learning and society in general. Beneficiaries up to the age of 23 years are benefitted under this project.

(II) Rehabilitation of Leprosy Cured Persons with option for Home-Based Rehabilitation & Community-Based Rehabilitation Project: The project is for adults cured of leprosy. Of the existing components of the projects indicated in the Scheme to Promote Voluntary Action for Persons with Disabilities for this Category, VTC component is strongly encourages. Project for Sheltered Workshop can also be run for this category. The basic aim of this project is to empower the LCPs with skills that would enable them to improve their socio-economic condition, and to sustain themselves through self-employment and entrepreneurship either individually under/or collectively.

(III) Half Way Home for Psycho-Social Rehabilitation of Treated and Controlled individuals with Mental Illness with option for Home-Based Rehabilitation & Community-Based Rehabilitation Project: The objective of this project is to provide a facilitating mechanism for rehabilitation, of treated and controlled persons with mental illness to be able to get integrated into normal life within a reasonable period of time. The need for such Half Way Homes is felt, as the community at large is still hesitant in accepting such persons into its fold. The project is aimed at providing vocational training and re-skilling persons with mental illness as well as counseling for them and their families to facilitate reintegration with the family/society.
