

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.4308
TO BE ANSWERED ON 20.12.2024

CHILD ABUSE IN SHELTER HOMES

4308. SHRI VAMSI KRISHNA GADDAM:

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

- (a) the number of child abuse cases reported in shelter homes across the country during the last five years, State/UT-wise;
- (b) whether the Government has assessed reasons for such incidents, if so, the details thereof and if not, the reasons therefor;
- (c) whether the Government has identified systemic failures leading to recurring abuse cases in shelter homes, if so, details of the corrective steps taken at both the national and State levels;
- (d) the details of investigations/actions taken against shelter homes reported child abuse cases during the last five years, year-wise and State-wise including in Tamil Nadu;
- (e) the details of the measures implemented and funds allocated to ensure higher on-site healthcare presence in shelter homes, especially in overcrowded facilities; and
- (f) whether the Government has assessed the effectiveness of protection mechanisms in the country including Tamil Nadu, if so, the details of the challenges posed therein?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SAVITRI THAKUR)

(a) to (f) : The Ministry of Women and Child Development administers the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015). It 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 the child.

Section 41 of the JJ Act, 2015 mandates the registration of Child Care Institutions (CCIs) in all States/Union Territories (UTs), for housing children in need of care and protection or children in conflict with law.

Sections 27-30 of the JJ Act, 2015 empower the Child Welfare Committees to take decisions with regard to the Children in Need of Care and Protection (CNCP), keeping their best interest in mind. The Committees are also mandated to monitor

the functions of the CCIs. Similarly, sections 04-09 of the JJ Act, 2015 empower the Juvenile Justice Boards (JJBs) to take decisions regarding the welfare of Children in Conflict with Law (CCL).

The JJ Act, 2015 and Rules made thereunder provide 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 submits 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 and Rules made thereunder. The District Magistrate shall take follow up action on the report of inspection committees and ensure that corrective measures are taken in a time bound manner. The primary responsibility of implementation of the JJ Act lies with the respective State/UT Governments.

The Government of India has enacted the Protection of Children from Sexual Offences (POCSO) Act, 2012 to provide strong safe guards for children against sexual abuse. The Act define a child as any person below the age of 18 years. It provides for establishment of Special Courts for the purpose of ensuring speedy trial. It 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 reporting of crime, as per Section-21 which provides punishment for failure to report or record a case.

POCSO Rules, 2020 include provisions for mandatory police verification of staff in schools and care homes, procedures to report child sexual abuse material (pornography), imparting age-appropriate child rights education, among other things. The Rules also stipulate that suitable material and information are disseminated by the respective Governments in all public places such as panchayat bhavans, community centers, schools and colleges, bus terminals, railway stations, places of congregation, airports, taxi stands, cinema halls and such other prominent places and also be disseminated through social media.

Further, Ministry of Women and Child Development is implementing a Centrally Sponsored Scheme namely 'Mission Vatsalya', through the State/ UT Governments on pre-defined cost sharing basis between the Central and the State Governments to deliver services for Children in Need of Care and Protection (CNCP) and Children in Conflict with Law (CCL). The scheme provides services to the CNCP and CCL category of children for their rehabilitation and social re-integration into the mainstream of the society. These services include both institutional care and non-institutional care services. The Child Care Institutions (CCIs) established under the JJ Act, 2015 and the Mission Vatsalya scheme support, *inter-alia*, age-appropriate education, access to vocational training, recreation, health care, counselling etc. Support under non-institutional care is provided by way of sponsorship, foster care and after care to children in need of care and protection. Further, Mission Vatsalya guidelines stipulate Child Care Institutions (CCIs) with a capacity of 50 children and for North-Eastern States, Himalayan States and Hilly areas in other States, CCIs with a capacity of 25 children or as per the need of the States.

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. The Ministry conducts meetings, trainings and workshops from time to time with the State and UT Governments to strengthen implementation of Mission Vatsalya Scheme at the field level. The State Child Protection Society and District Child Protection Units at the State and District levels provide day to day monitoring of the scheme.

The National Commission for Protection of Child Rights (NCPCR) at National level and State Commission for Protection of Child Rights (SCPCR) at State level, under section 109 of the JJ Act, 2015, monitor the implementation of the JJ Act, 2015. NCPCR has developed an online portal for real time monitoring of the CCIs including Shelter Homes. 56 complaints of child abuse in the CCIs have been reported on this portal including from Shelter Homes across the country during the last five years from 2019-20 to 2023-24. The complaints received on the NCPCR portal are forwarded to the district authority concerned and State authority for appropriate action. The State/UT-wise number of child abuse cases in CCIs including Shelter homes as reported on the portal of the NCPCR during the last five years is at **Annexure**.

ANNEXURE

ANNEXURE REFERRED TO IN REPLY TO PART (a) TO (f) OF THE LOK SABHA UNSTARRED QUESTION NO.4308 FOR ANSWER ON 20.12.2024 BY SHRI VAMSI KRISHNA GADDAM REGARDING CHILD ABUSE 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	2019-20	2020-21	2021-22	2022-23	2023-24
1	Andaman & Nicobar Islands	0	0	0	0	0
2	Andhra Pradesh	1	0	0	0	0
3	Arunachal Pradesh	0	0	0	0	0
4	Assam	0	0	0	0	0
5	Bihar	1	2	1	2	0
6	Chandigarh	0	0	0	0	0
7	Chhattisgarh	0	1	0	0	0
8	Dadra & Nagar Haveli and Daman & Diu	0	0	0	0	0
9	Delhi	1	0	0	0	1
10	Goa	0	0	0	0	0
11	Gujarat	0	0	0	0	0
12	Haryana	0	0	3	1	0
13	Himachal Pradesh	0	0	0	0	0
14	Jammu and Kashmir	0	0	0	0	0
15	Ladakh	0	0	0	0	0
16	Jharkhand	0	2	1	0	0
17	Karnataka	1	1	0	0	0
18	Kerala	0	0	0	0	0
19	Lakshadweep	0	0	0	0	0
20	Madhya Pradesh	1	0	2	0	0
21	Maharashtra	1	0	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	0	4	1	1	1
27	Puducherry	0	0	0	0	0
28	Punjab	0	0	0	0	0
29	Rajasthan	2	0	4	0	1
30	Sikkim	0	0	0	0	0
31	Tamil Nadu	0	3	5	0	0
32	Telangana	0	0	2	1	0
33	Tripura	0	0	1	0	0
34	Uttar Pradesh	3	0	1	0	1
35	Uttarakhand	1	0	0	0	1
36	West Bengal	0	0	0	0	0
	Total	12	13	21	5	5
