

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.1136
TO BE ANSWERED ON 08.12.2023

CHILD WELFARE COMMITTEE

1136. SHRI LAVU SRI KRISHNA DEVARAYALU :

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

- (a) the measures taken/being taken by the Government to ensure the security and privacy of data related to children in need of childcare facilities;
- (b) the measures taken/being taken by the Government to enhance regulatory oversight to ensure that childcare homes adhere to licensing requirements, specifically for Andhra Pradesh;
- (c) whether the Government is aware of missing profiles and inadequate documentation of Child Welfare Committee (CWCs) across States;
- (d) if so, the measures taken by the Government to conduct regular reviews of the functioning of CWCs; and
- (e) if not, the reasons therefor?

ANSWER

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

(a) to (b) : 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 those in conflict with law by catering to their basic needs through care, protection, development, treatment, rehabilitation and social re-integration. It defines standards of care and protection to secure the best interest of 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, 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.

Section 74 (1) of JJ Act, 2015 prohibits disclosure of publishing any report in newspaper, magazine, news-sheet or audio-visual media or other forms of communication regarding any inquiry or investigation or judicial procedure and also

disclosure of name, address or school or any other particular, which may lead to the identification of a child in conflict with law or a child in need of care and protection. Any person contravening such provisions shall be punishable with imprisonment for a term which may extend to six months or fine which may extend to two lakh rupees or both.

Section 41 of the JJ Act, 2015 mandates that all institutions in all States/UTs including Andhra Pradesh, 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 Ministry of Women and Child Development is implementing Mission Vatsalya Scheme through States/UTs for care, protection, rehabilitation and reintegration of children in difficult circumstances on predefined cost sharing basis between the Central and the State/UT Governments.

(c) to (e) : Mission Vatsalya Portal has been developed by Ministry of Women and Child Development in consultation with States/UTs which is used by State Child Protection Society (SCPS), District Child Protection Unit (DCPU), CWC, JJB, CCI, Special Juvenile Police Unit (SJPU) as well as citizens through respective dashboard for all Management Information System (MIS) and documentation purposes.

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

National Commission for Protection of Child Rights (NCPCR) has developed an application 'MASI' – Monitoring App for Seamless Inspection in 2022 for real time monitoring of the Child Care Institutions and their inspection mechanism across the country. The effective and efficient functioning of the mechanism for inspection of Child Care Institutions provided under the JJ Act, 2015.

However, no instance of missing profiles has been received in the Ministry.
