

**GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:3255
ANSWERED ON:31.08.2012
JUVENILE HOMES
Maadam Shri Vikrambhai Arjanbhai

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

- (a) whether the AIDS afflicted children are discriminated in juvenile homes;
- (b) if so, whether the Government proposes to sensitive juvenile homes in this regard;
- (c) if so, the details thereof;
- (d) whether the Union Government has also directed the State Governments and the officials concerned to adopt sensitive approach towards children staying at juvenile homes;
- (e) if so, the details thereof; and
- (f) the details of mechanism in place to monitor the facilities being provided to children staying at juvenile homes?

Answer

MINISTER OF THE STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

(a): The Juvenile Justice (Care and Protection of Children) Act, 2000 [JJ Act] provides for setting up and maintenance of Homes, by State Governments/UT Administrations either by themselves or through voluntary organisations, for children in difficult circumstances, including juveniles in conflict with law. Recently, in 2011 the JJ Act, and relevant Rules there-under, were amended to remove discriminatory references against children affected by dangerous diseases, which include children affected by HIV/AIDS as well. The amendments in the Act and the relevant Rules have been sent to the State Governments/UT Administrations for compliance.

The Integrated Child Protection Scheme (ICPS) under which financial assistance is provided, to State Governments/UT Administrations inter-alia for setting up and maintenance of Homes under the JJ Act, has additional provisions for taking care of children with special needs within the Home, including children affected/afflicted by HIV/AIDS.

(b) to (e): The Rule 86 of the Central Model Rules notified under the Juvenile Justice (Care and Protection of Children) Act provides that it is the duty of the Officer-in-Charge of a Home to provide homely atmosphere of love, affection, care, development and welfare for children. Further, Rule 88 of the Central Model Rules provides that it is the duty of House Father or House Mother to handle a child with love and affection.

The Ministry of Women and Child Development provides financial assistance under ICPS to State Governments/UT Administrations for training and sensitisation of staff of the Homes, including desired approach for handling of children. They are urged from time to time to conduct training programmes for the functionaries in accordance with centrally developed modules for the purpose.

(f): Section 34 (3) of the JJ Act provides for mandatory registration of all Child Care Institutions (CCIs) housing children in need of care and protection with the intent of enforcing minimum standards of care, under the Act and Rules there-under, for the services provided for children in these Homes. The JJ Act and Central Model Rules there-under provide for mechanisms for stringent monitoring of quality of services in the Homes, including Observation/Special Homes, through Inspection Committees set up by the State Government at State, district and city levels and Child Welfare Committees (CWCs). Further, the Rules provide for setting up of Children's Committees in every institution which are, inter-alia, also encouraged to report incidents of abuse and exploitation, if any. Besides, Rule 60 of the Model Rules framed under the JJ Act also prescribes comprehensive measures to respond in case any kind of abuse, including sexual abuse, neglect and maltreatment is noticed in the CCI.

To ensure that children in all the Homes receive the best of care, and are not subject to abuse and neglect, the Ministry of Women and Child Development has been strongly urging the State Governments/UT Administrations from time to time to identify and register all CCIs under the JJ Act and set up functional inspection committees, where not available.

Further, representatives from NCPCR and the Ministry of Women and Child Development also conduct inspection of Homes run by the State Governments/NGOs and the outcome of these inspections is shared with the respective State Governments for remedial action where required.