

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.1107
TO BE ANSWERED ON 08.02.2019

CHILDCARE HOMES RUN BY NGOS

1107. SHRI K. ASHOK KUMAR:

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

- (a) whether the Government has recently directed States to inspect childcare homes run by NGOs;
- (b) if so, the details thereof;
- (c) whether the Government has also asked the States to identify all childcare institutions that could be potentially involved in illegal adoptions which is equivalent to child trafficking; and
- (d) if so, the details thereof?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(DR. VIRENDRA KUMAR)

- (a) & (b): The Ministry has been continuously requesting States and UTs to conduct regular monitoring and inspection of the Child Care Institutions (CCIs) as mandated under the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) and the Juvenile Justice (Care and Protection of Children) Model Rule, 2016 framed thereunder. All Chief Secretaries of States/UTs have been asked to inspect all the facilities claiming to be the Child Care Institutions (CCIs) including NGOs and submit a report to the Ministry. The States/UTs were asked to undertake these inspections under the supervision of District Magistrate/District Collector. The Ministry has also issued an advisory to the States and UTs regarding the action to be taken in case of disruption to the life of children in case of any untoward incidence of abuse in any CCI.
- (c) & (d): Section 80 of the Juvenile Justice (Care and Protection of Children) Act, 2015 is about punitive measures for adoption without following prescribed procedures. This says that if any person or organisation offers or gives or receives, any orphan, abandoned or surrendered child, for the purpose of adoption without following the provisions or procedures provided in this Act, shall be punishable with imprisonment of either description for a term which may extend upto three years, or with fine of one lakh rupees, or with both, provided in case where the offence is committed by a recognized adoption agency, in addition to the above punishment awarded to the persons in-charge of, and responsible for the conduct of the day-to-day affairs of the adoption agency, the registration of such agency under section 41 and its recognition under section 65 shall also be withdrawn for a minimum period of one year. As per Section 81, any person who sells or buys a child for any purpose shall be punishable with rigorous imprisonment for a term which may extend to five years and shall also be liable to fine of one lakh rupees:
