

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.4422
TO BE ANSWERED ON 20.03.2020

JUVENILE HOMES

4422. SHRI RAJESHBHAI CHUDASAMA:

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

- (a) whether the Government has taken note of pathetic condition of juvenile homes, deprivation of basic facilities/infrastructure to children living therein and their involvement in criminal activities;
- (b) if so, the details thereof, State/UT-wise; and
- (c) the corrective steps taken/being taken by Government to ensure adequate facilities/infrastructure to the children living in juvenile homes?

ANSWER

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

(a) to (c): The Ministry of Women and Child Development has enacted Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) which is the primary law for children in country. The Act provides a security net of service delivery structures including measures for institutional and non-institutional care to ensure comprehensive well being of children in distress situations. As per Section 2 (13) of JJ Act, "child in conflict with law" (CCL) means a child who is alleged or found to have committed an offence and who has not completed eighteen years of age on the date of commission of such offence". As per Section 8 (3) (g) of the JJ Act, the functions and responsibilities of the Board shall include as transferring to the Committee, matters concerning the child alleged to be in conflict with law, stated to be in need of care and protection at any stage, thereby recognizing that a child in conflict with law can also be a child in need of care simultaneously and there is a need for the Committee and the Board to be both involved. Section 53 of the Act prescribes various rehabilitation and reintegration services to be provided in institutions for children. As per Section 3(vii) of the JJ Act, all resources are to be mobilised including those of family and community, for promoting the well-being, facilitating development of identity and providing an inclusive and enabling environment, to reduce vulnerabilities of children and the need for intervention under this Act. Under Section 49 (1) of the JJ Act, state Government shall set up atleast one place of safety in a State registered under section 41, so as to place a person above the age of eighteen years or child in conflict with law, who is between the age of sixteen to eighteen years and is accused of or convicted for committing a heinous offence. Under Section 19 of the JJ Act when the Children's Court finds the child has committed the offence, it will make an order for placing the child in a "place of safety", which is not a jail, till the child attains the age of 21 years.

The JJ Act and the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 framed thereunder inter-alia specifies the benchmark of services to be delivered to the children. The monitoring mechanism is prescribed under Section 54 of the JJ Act and Rule 41 of the Model Rules, 2016. The Ministry has been urging the State Governments and UT Administrations from time to time to register all the CCIs under the provisions of JJ Act, so as to ensure that CCIs offer optimum services not less than the minimum standard of care and protection prescribed under the Act & Rules. Section 39 of the JJ Act, provides information about process of rehabilitation and social re-integration. The primary responsibility of execution of the Act lies with the State Governments/UT Administrations concerned.

The Ministry has been pursuing with all the State Governments and UT Administrations to issue directions for inspection of all CCIs under the supervision of District Magistrates in each district. 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. Under the "Child Protection Services" (CPS) scheme financial assistance is provided to State Governments/UT Administrations with the objective to create a safe and secure environment for overall development and welfare of children in need of care and protection and children in conflict with law. The primary responsibility of implementation of the scheme lies with the State Governments/UT Administrations concerned.

As per information provided by the State Governments/UT Administrations, details of observation homes, special homes including place of safety alongwith children living therein for children in CCL which are being funded under CPS, State/UT-wise is **Annexed**.

Annexure referred to in reply to part (a) to (c) of the Lok Sabha Unstarred Question No.4422 for answer on 20.03.2020 raised by Shri Rajeshbhai Chudasama regarding "Juvenile Homes"

The details of number of observation homes, special homes including place of safety alongwith children living therein for children in conflict with law which are being funded under CPS, State/UT-wise (as on Feb, 2020)

S. No	State/UT	Observation Home	Beneficiaries	Special Home	Beneficiaries	Observation cum Special Home	Beneficiaries	Place of Safety	Beneficiaries
1	Andhra Pradesh	12	131	2	29	2	127	0	0
2	Arunachal Pradesh	0	0	0	0	1	30	0	0
3	Assam	5	136	1	10	0	0	1	1
4	Bihar	12	677	1	10	0	0	0	0
5	Chhattisgarh	13	250	6	9	0	0	3	96
6	Goa	2	2	2	0	0	0	0	0
7	Gujarat	6	147	0	0	0	0	0	0
8	Haryana	4	295	0	0	0	0	0	0
9	Himachal Pradesh	0	0	0	0	2	32	0	0
10	Jammu and Kashmir	5	281	2	0	0	0	0	0
11	Jharkhand	11	457	1	19	0	0	1	80
12	Karnataka	16	156	1	19	0	0	0	0
13	Kerala	9	29	2	5	0	0	1	7
14	Madhya Pradesh	18	448	3	55	0	0	0	0
15	Maharashtra	55	1748	0	0	0	0	0	0
16	Manipur	4	40	0	0	1	40	0	0
17	Meghalaya	3	43	2	18	0	0	2	5
18	Mizoram	8	91	2	46	0	0	0	0
19	Nagaland	12	90	2	13	0	0	0	0
20	Orissa	0	0	0	0	4	345	0	0
21	Punjab	4	139	2	42	0	0	0	0
22	Rajasthan	34	1413	0	0	0	0	0	0
23	Sikkim	2	20	0	0	0	0	0	0
24	Tamil Nadu	8	309	2	75	0	0	1	30
25	Tripura	3	7	1	0	0	0	0	0
26	Uttar Pradesh	26	1936	2	5	0	0	1	8
27	Uttarakhand	9	79	2	22	0	0	2	19
28	West Bengal	6	160	0	0	5	510	0	0
29	Telangana	7	164	1	49	1	76	0	0
30	Andaman & Nicobar	0	0	0	0	0	0	0	0
31	Chandigarh	1	22	0	0	0	0	0	0
32	Dadra & Nagar Haveli	0	0	0	0	0	0	0	0
33	Daman and Diu	0	0	0	0	0	0	0	0
34	Lakshadweep	0	0	0	0	0	0	0	0
35	NCT of Delhi	4	251	1	15	0	0	1	58
36	Puducherry	2	3	0	0	0	0	0	0
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