

Information Kit on Children in Need of Care & Protection: Issues, Programmes & Services

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Brochure 1: Children in Need of Care and Protection in India: Statistics

Facts and Figures about children

Total number of children in India: 440 million

Children in difficult circumstances:

- ❖ About 172 million or 40 per cent children.
- ❖ These children include:
 - children without family support,
 - children forced into labour,
 - abused/trafficked, children on streets,
 - children affected by substance abuse,
 - children in armed conflict/civil unrest/natural calamity etc.

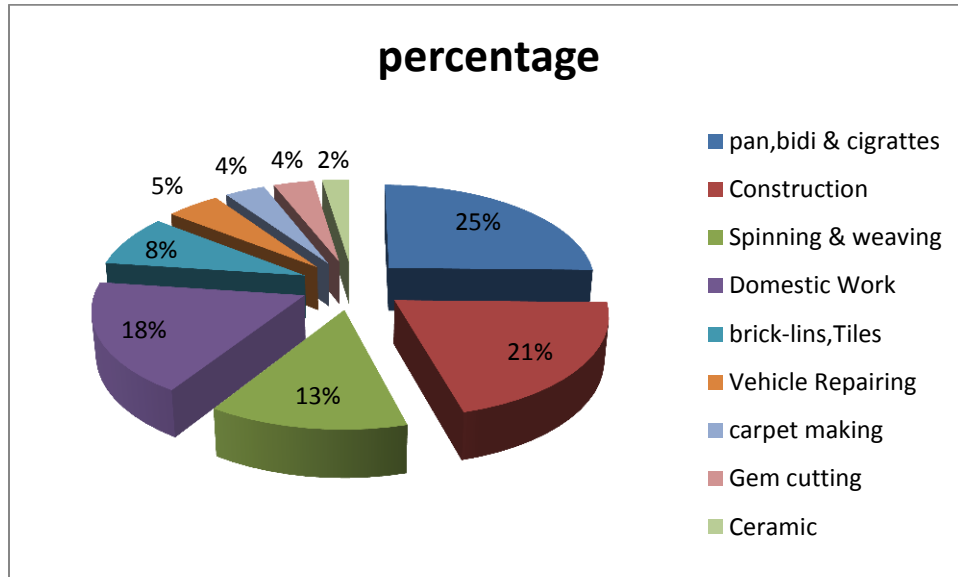
Children living on Streets:

- ❖ Street children or children living and working on the streets are a common sight yet exact numbers are not known.
- ❖ About 50,923 (1 % of the total number of children in Delhi) children are living and working on streets of Delhi.
- ❖ Almost 50 % migrant children in Delhi did not want to go back to their place of origin.
- ❖ About 67.3 % children felt they were in danger on the streets.
(*Study: Surviving the Streets (2011) Save the children study*).

Child Labour:

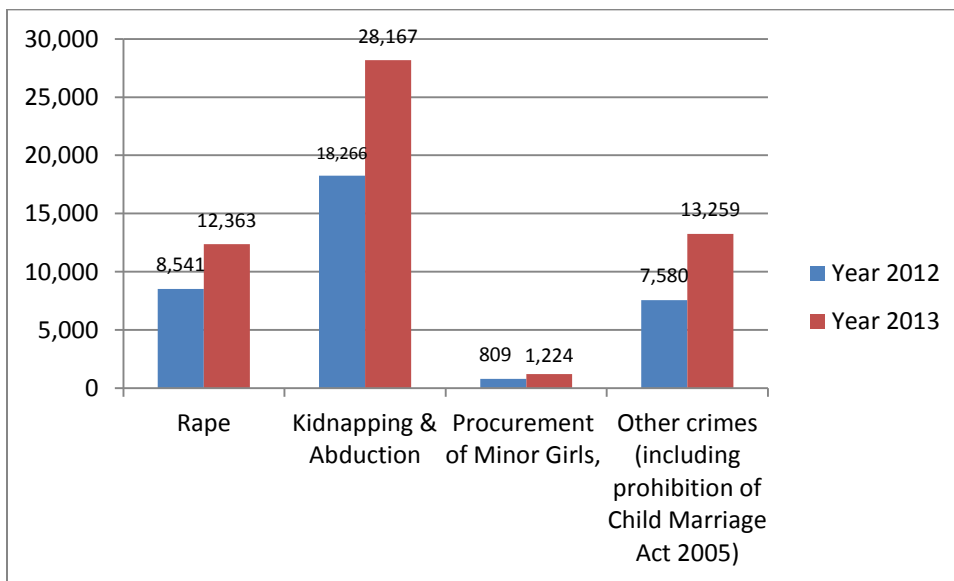
- ❖ An increase in the number of child labourers from 11.28 million in 1991 to 12.66 million in 2001.
- ❖ As per the NFHS -3 (2005-06), nearly 11.8 per cent children aged between 5-14 years works either for their own household or for somebody else.
- ❖ Approximately 12 lakhs children working in the hazardous occupations/processes which are covered under the Child Labour (Prohibition & Regulation) Act.
(*Children in India 2012-A Statistical Appraisal, Min. of Stats. and Prog. Implementation, GOI*)

The occupation wise distribution of children engaged in hazardous occupation as per census of India 2001 is shown below.



Child Victim of Crime:

❖ Crime against children increased by 52.5 % from 2012 to 2013 (Crime in India 2013).

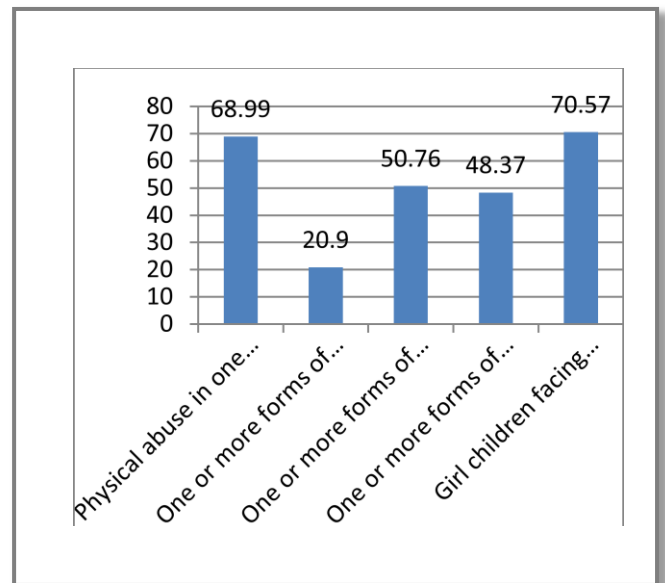


Victims of Child Abuse

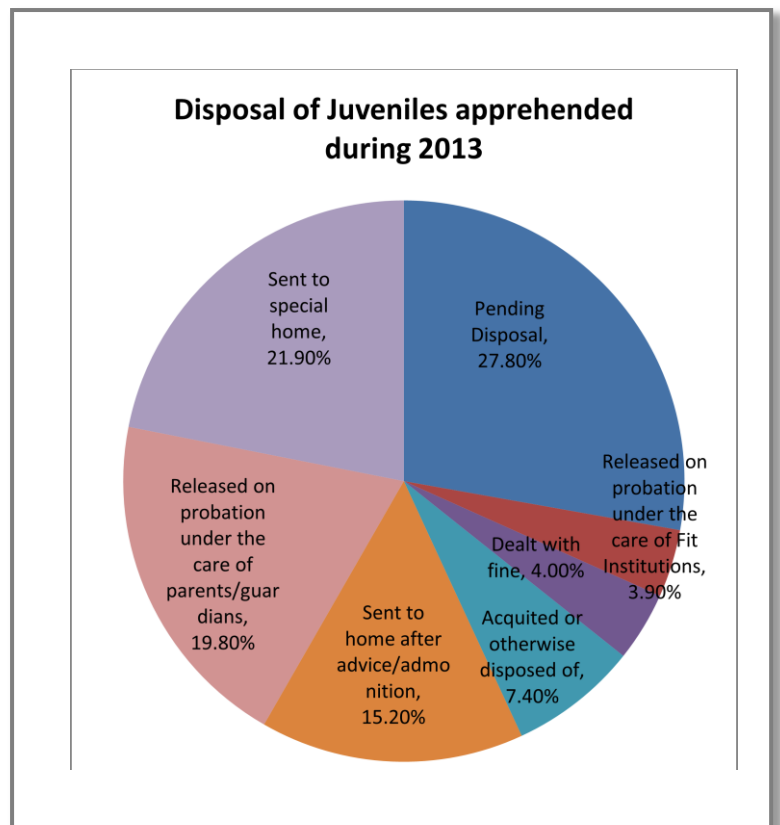
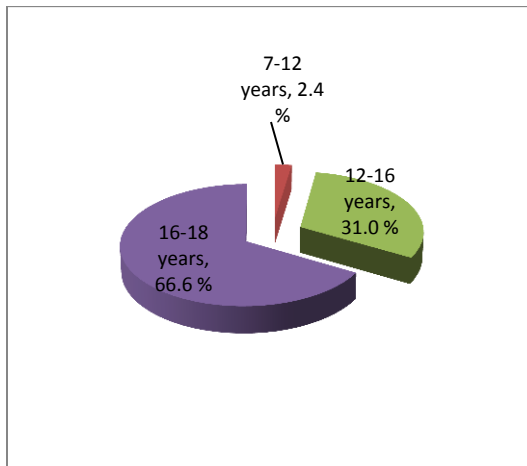
The Study on child abuse by MWCD in 2007 with 12447 respondents stated the following forms of abuse:

Child in Conflict with Law:

- ❖ Children in Conflict with Law (CCL) (IPC Crimes) have increased by 13.6 per cent over 2012. (31,725 cases were registered in 2013 against 27,936 cases in 2012).
- ❖ Decrease of cases was observed under the crime head Counterfeiting, Arson, Riots, Dowry Deaths, Cheating and Dacoity in 2013 over 2012.
- ❖ Increase in incidents was found under the head: 'Assault on Women with intent to outrage her modesty' (132.3 %) followed by 'insult to the modesty of women' (70.5 %) and 'rape' (60.3 %).



Age wise juveniles apprehended under IPC crimes in 2013



Child Trafficking

Child trafficking could be for:

- Sexual exploitation
 - Illegal activities
 - Labour
 - Entertainment and sports
 - Adoption
 - Marriage
-
- ❖ It is estimated that half a million children have been abducted and forced to work in India's cities.
 - ❖ About 200,000 persons are trafficked into, within or through India every year (US State Department).
 - ❖ According to NHRC Report, only 10 % of human trafficking in India is international, while almost 90% is interstate
 - ❖ NCRB reported 65,038 missing children in the country in 2012.
 - ❖ NCRB reported that in 2004, as many as 2,265 cases of kidnapping and abduction of children qualified as forms of trafficking and were reported to the police.
 - ❖ Of these, 1,593 cases were of kidnapping for marriage, 414 were for illicit sex, 92 for unlawful activity, 101 for prostitution and the rest for various other things like slavery, beggary and even selling body parts.
 - ❖ Most of these children (72 per cent) were between 16 and 18 years of age.
 - ❖ Twenty-five per cent were children aged 11-15 years.
 - ❖ child prostitution through abduction is estimated to be 40 percent.
 - ❖ The total percentage of Devadasis is 80 percent of the total number in prostitution.
 - ❖ About 5 percent of the children come after the incidence of Rape.
 - ❖ About 8 percent of children come to prostitution because of the incidence of Incest.
 - ❖ About 10 percent of child prostitutes are children of prostitutes.

(Child Prostitution: A Blot on Humanity, a paper by Dr. Ishwar Prasad Gilada, Hon. Secy., Indian Health Association, Bombay, at Institute of Psychological and Educational Research. 1993)

Brochure 2:

Frequently Asked Questions On Child Protection

1) What are the Rights of a Child?

The rights of a child are those as enumerated under the United Nations Convention on the Rights of the Child (UNCRC) including:

- i)* Protection against all forms of discrimination or punishment
- ii)* Right to life
- iii)* Right from birth to a name, identity and the right to acquire a nationality
- iv)* The right not to be separated from their parents against their will
- v)* The Right to freedom of expression
- vi)* Right of the child to freedom of thought, conscience and religion
- vii)* Right of the child to freedom of association and to freedom of peaceful assembly
- viii)* The Right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
- ix)* The Right to appropriate protection and humanitarian assistance if the child is a refugee
- x)* The Right for mentally or physically disabled children to enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community
- xi)* The Right to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health
- xii)* The Right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development
- xiii)* The Right to Education
- xiv)* Right to be protected from economic exploitation and hazardous work
- xv)* Right to protection from all forms of sexual exploitation and sexual abuse

2) What is the United Nations Convention on the Rights of the Child (UNCRC)?

The United Nations Convention on the Rights of the Child (UNCRC) is an **international child rights treaty** that protects the rights of children. Adopted on 20th November 1989 by the UN assembly, the Convention's objective is to **protect the rights of all children** in the world. The Convention is the first legally binding international instrument of Child Rights protection. The

States that ratified the Convention are obligated to respect and to ensure that all rights it establishes in the name of children are respected. India is a signatory to the Convention.

3) When did India ratify the United Nations Convention on the Rights of the Child?

India ratified the United Nations Convention on Rights of the Child on 12th November 1992.

4) What is the Juvenile Justice (Care and protection of Children) Act, 2015

As per the Preamble to the Act, the JJ Act is an Act to consolidate and amend the law relating to children alleged and found to be in conflict with law and children in need of care and protection, by catering to their basic needs through proper care, protection and treatment, social re-integration, by adopting a child friendly approach in the adjudication and disposal of matters in the best interest of children and for their rehabilitation through processes provided, and institutions and bodies established, hereinunder and for matters connected therewith or incidental thereto.

5) Who is a child?

A child means every person who has not completed 18 years of age.

6) Who is a child in need of care and protection (CNCP)?

According to Section 1 (14) of Juvenile Justice (Care & Protection of Children) Act 2015, a child in need of care and protection means:

- Child who is found **without any home or settled place or abode** and without any ostensible means of subsistence;
- who is found working in contravention of labour laws for the time being in force or is found begging, or living on the street; or
- Child who resides with a person, whether a **guardian** of the child or not, and such person-
 - has injured, exploited, abused or neglected the child or has violated any other law for the time being in force meant for the protection of child;
 - has threatened to kill, injure, exploit or abuse the child and there is a reasonable likelihood of the threat being carried out;

- has killed, abused, neglected or exploited some other child or children and there is a reasonable likelihood of the child in question being killed, abused, exploited or neglected by that person;
- who is mentally ill or mentally or physically challenged or suffering from terminal or incurable disease, having no one to support or look after or having parents or guardians unfit to take care, if found so by the Board or the Committee;
- who has a parent or guardian and such parent or guardian is found to be unfit or incapacitated, by the Committee or the Board, to care for and protect the safety and well-being of the child; o
- who does not have parents and no one is willing to take care of, or whose parents have abandoned or surrendered him;
- who is missing or run away child, or whose parents cannot be found after making reasonable inquiry in such manner as may be prescribed;
- who has been or is being or is likely to be abused, tortured or exploited for the purpose of sexual abuse or illegal acts;
- who is found vulnerable and is likely to be inducted into drug abuse or trafficking; or
- who is being or is likely to be abused for unconscionable gain;
- who is victim of or affected by any armed conflict, civil unrest or natural calamity;
- who is at imminent risk of marriage before attaining the age of marriage and whose parents, family members, guardian and any other persons are likely to be responsible for solemnisation of such marriage.

7) Who is a 'Child in Conflict with law'?

'A child in conflict with law' is 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.

8) What are different homes for children under JJ Act?

- i)* **Children's Home** : is established or maintained, in every district or group of districts, by the State Government, either by itself, or through a voluntary or non-governmental

organisation, and is registered as such for the placement of children in need of care and protection for their care, treatment, education, training, development and rehabilitation.

- ii)* **“child care institution”** means Children Home, open shelter, observation home, special home, place of safety, Specialized Adoption Agency and a fit facility recognised under this Act for providing care and protection to children, who are in need of such services.
- iii)* **“observation home”** means an observation home established and maintained in every district or group of districts by a State Government, either by itself, or through a voluntary or non-governmental organisation, and is registered as such, for temporary reception, care and rehabilitation of any child alleged to be in conflict with law, during the pendency of any inquiry under this Act.
- iv)* **“open shelter”** means a facility for children, established and maintained by the State Government, either by itself, or through a voluntary or non-governmental organisation under sub-section (1) of section 43, and registered as such, to function as a community based facility for children in need of residential support, on short term basis, with the objective of protecting them from abuse or weaning them, or keeping them, away from a life on the streets.
- v)* **“Specialised Adoption Agency”** means an institution established by the State Government or by a voluntary or non-governmental organisation and recognized under section 65, for housing orphans, abandoned and surrendered children, placed there by order of the Committee, for the purpose of adoption;

9) What is 'Place of Safety'?

“Place of Safety” means any place or institution, not being a police lockup or jail, established separately attached to an observation home or a special home, as the case may be, the person in-charge of which is willing to receive and take care of the children alleged or found to be in conflict with law, by an order of the Board or the Children’s Court, both during inquiry and ongoing rehabilitation after having been found guilty for a period and purpose as specified in the order.

10) What is Specialised Juvenile Police Unit (SJPU)?

“Special Juvenile Police Unit” means a unit of the police force of a district or city or, as the case may be, any other police unit like railway police, dealing with children and designated as

such to exclusively deal with children either as victims or perpetrators in co-ordination with the voluntary and non-governmental organisations.

11) What is the Child Welfare Committee (CWC)?

"Child Welfare Committee" is the **sole authority** to deal with matters concerning children in need of care and protection. One or more Committees have to be constituted for each district, and consist of a chairperson and 4 other persons, at least one of whom should be a woman. The Committee has the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of the children as well as to provide for their basic needs and human rights but does not have the authority to give a child up for adoption.

12) What is Juvenile Justice Board (JJB)?

"Juvenile Justice Board" shall be established by the State Government for every district, one or more Juvenile Justice Boards for exercising the powers and discharging its functions relating to children in conflict with law under this Act. shall consist of a Metropolitan Magistrate or a Judicial Magistrate of First Class not being Chief Metropolitan Magistrate or Chief Judicial Magistrate (hereinafter referred to as Principal Magistrate) with at least three years experience and two social workers selected in such manner as may be prescribed, of whom at least one shall be a woman, forming a Bench and every such Bench shall have the powers conferred by the Code of Criminal Procedure, 1973 on a Metropolitan Magistrate or, as the case may be, a Judicial Magistrate of First Class.

13) Who all can Contact CWC?

Any police officer or SJPU, *any public servant, CHILDLINE*, voluntary organisation, any social worker or a public spirited citizen or the child himself, can contact the CWC and produce the child before it.

14) How can I help a child in need of care and protection?

If you would like to help a child in need of care and protection, including a homeless, orphaned, begging, exploited or working child, or a child involved in prostitution or

trafficking, CWC can be contacted so that the child may be placed in safe custody. You may also report the matter to a Special Juvenile Police Unit, the local police, or other persons/organisations who are empowered to produce the child before a Child Welfare Committee under *the Juvenile Justice Act, 2015*.

15) What assistance is provided to a child in need of care and protection produced before a Child Welfare Committee?

The child can be placed in a children's home after CWC receives a report regarding a child in need of care and protection. An inquiry will be conducted and completed within 4 months' time. After inquiry, if CWC is of the opinion that the child has no family or ostensible support, it may allow the child to remain in the children's home or shelter home till suitable rehabilitation is found for him/her, or till he/she attains 18 years of age.

16) How will the child in need of care and protection be rehabilitated?

The prime objective of any children's home or shelter home shall be to restore the child to his/her family environment – i.e., to his/her parents, guardians, fit person or fit institution, as declared by the CWC. If restoration is not possible, such as in the case of orphaned, abandoned, neglected or abused children, rehabilitation may be ensured by placing the child under adoption, foster care, sponsorship or sending him/her to an after-care organisation.

17) Can a CNCP child avail Free Legal Aid?

Every child is entitled to be *legally* represented and avail *free legal* (Rule 61-xxxii) through State Legal Aid Services Authority or Legal cum probation Officer in District Child protection Units.

18) What is a competent authority?

Competent authority means in relation to children in need of care and protection a Committee and in relation to juveniles in conflict with law a Board.

19) What is a 'fit facility'?

The Board or the Committee shall recognise a facility being run by a Governmental organisation or a voluntary or non-governmental organisation registered under any law for the

time being in force to be fit to temporarily take the responsibility of a child for a specific purpose after due inquiry regarding the suitability of the facility and the organisation to take care of the child in such manner as may be prescribed.

20) Who is a 'fit person'?

Fit person is a person, who is recognized by the Board or the Committee, after due verification of credentials, fit to temporarily receive a child for care, protection and treatment of such child for a specified period and in the manner as may be prescribed.

21) Who is a 'guardian'?

“guardian” in relation to a child, means his natural guardian or any other person having, in the opinion of the Committee or, as the case may be, the Board, the actual charge of the child, and recognised by the Committee or, as the case may be, the Board as a guardian in the course of proceedings.

22) What is CHILDLINE?

Childline is the country's first toll-free tele-helpline for children in need of care and protection and the number is **1098**.

23) Who is an 'abandoned child'?

“abandoned child” means a child deserted by his biological or adoptive parents or guardians, who has been declared as abandoned by the Committee after due inquiry;

24) Who is a child 'legally for adoption'?

“children legally free for adoption” means orphan, abandoned and surrendered children declared free for adoption by the Child Welfare Committee after making due inquiry.

25) What are the services available for a CNCP child in the Home?

There are various services provided for the overall development of the child in the Home.

These are :

- clothing and bedding
- sanitation and hygiene

- nutritional diet
- medical care
- mental health services
- education
- vocational training
- recreational facilities

26) **What are non-institutional approaches to rehabilitate and reintegrate children in the society?**

(i) Adoption

Adoption is a process through which a child who is permanently separated from biological parents because his/her parents have died or have abandoned or surrendered her/him because a legitimate child of a new set of parents(s) referred to as adoptive parents with all the rights, privileges and responsibilities that are attached to this relationship.

(ii) Foster Care

Foster care is an arrangement whereby a child lives, usually on a temporary basis, with an extended or unrelated family member.

(iii) Sponsorship

Sponsorship is a programme that provides supplementary support to families, to children's homes and to special homes to meet medical, nutritional, educational and other needs of the children with a view to improving their quality of life.

27) **What is Integrated Child Development Scheme (ICPS)?**

Integrated Child Protection Scheme (ICPS) is a centrally sponsored **scheme** aimed at building a protective environment for **children** in difficult circumstances, as well as other vulnerable **children**, through Government-Civil Society Partnership

28) **What is District Child Protection Unit (DCPU)?**

District Child Protection Unit (DCPU) is a fundamental unit at the District level for the implementation of ICPS.

29) What is State Child Protection Scheme (SCPS)?

State Child Protection Society (SCPS) is a fundamental unit in every State/UT for the implementation of ICPS.

30) What is State Adoption Resource Agency (SARA)?

State Adoption Resource Agency (SARA) aims at supporting CARA in promoting in-country adoption and regulating inter-country adoption.

31) What is Social Auditing?

Social Auditing is done by the Central or State Government to monitor and evaluate the implementation of the Act annually by reviewing matters concerning establishment and functioning of Board, Committee, SJPU, adoption agencies as well as institutions and staff including child friendly administration of juvenile justice and any other matter concerning effective implementation of the Act in the State.

Brochure 3:

Rights for Children

Do you know.....

- As citizens of a nation by birth, children do have rights.
- Child Rights are specialized human rights that apply to all human beings who are below 18 years.
- India ratified the UNCRC in 1992.

What are Child Rights?

According to the UNCRC, Child Rights are minimum entitlements and freedoms that should be afforded to all persons below the age of 18, regardless of race, colour, gender, language, religion, opinion, origins, wealth, birth status or ability and therefore apply to all people everywhere.

Four sets of rights are recognized:

- ❖ *The Right to Survival:* includes right to life, the highest attainable standard of health, nutrition and adequate standard of living, the right to a name and nationality.
- ❖ *The Right to Development:* includes the right to education (formal and non- formal), support for early childhood care and development and the right to leisure. Recreation and cultural activities.
- ❖ *The Right to Protection:* includes freedom from all forms of exploitation, abuse, inhuman or degrading treatment and neglect, including the right to special protection in situations of emergency and armed conflict.
- ❖ *The Right to Participation:* includes respect for the views of the child, freedom of expression, access to appropriate information and freedom of thought, conscience and religion.

National Policies and Legislations supporting Child Rights

Several laws and national policies have been framed to implement the commitment to child rights.

National Policies

The major policies and legislations formulated in the country to ensure realisation of child rights and improvement in their status include the following:

National Policy for Children 2013

The National Policy for Children 2013 reiterates India's commitment to safeguard, inform, include, support and empower all children within its territory and jurisdiction, both in their individual situation and as a national asset.

National Policy on Education, 1986

- ❖ The National Policy on Education (NPE) is a policy formulated by the Government of India to promote education amongst India's people.
- ❖ The policy covers elementary education to colleges in both rural and urban India emphasizing three aspects in relation to elementary education:
 - ✓ universal access and enrolment;
 - ✓ universal retention of children up to 14 years of age; and
 - ✓ a substantial improvement in the quality of education to enable all children to achieve revival of Sanskrit and other classical languages for contemporary use.

National Policy on Child Labour, 1987

This Policy seeks to adopt a gradual & sequential approach with a focus on rehabilitation of children working in hazardous occupations.

National Nutrition Policy, 1993

- ❖ National Nutrition Policy was introduced in 1993 to combat the problem of undernutrition.
- ❖ It aims to address this problem by utilizing direct intervention(short term) such as : expanding the safety net for children – proper implementation of universal immunization, oral rehydration and ICDS services; growth monitoring in 0-3 year age group; nutrition of adolescent girls to enable them to attain safe motherhood; nutrition of pregnant women

to decrease incidence of low birth weight; food fortification; provision of low cost nutritious food; combating micro nutrient deficiency in vulnerable group and

- ❖ **Indirect policy interventions – long term such as:** food security – ensuring production of 215kg of food grains per person per year; Improving dietary pattern; Improving purchasing power of rural and urban poor by public food distribution system; nutrition education; land reforms; prevention of food adulteration and many more.

National Policy on Health, 2002

- ❖ The National Health Policy was endorsed by the Parliament of India in 1983 and updated in 2002 and it applies to all children between the ages 0-18 years.
- ❖ The policy attempts to address inequity in access to health services and proposes an increase in primary health expenditure in order to open more health care centres.

National Charter for Children, 2004

- ❖ National Charter for Children 2004, aims at securing:
 - ✓ for every child the right to a healthy and happy childhood.
 - ✓ to address the root causes that negate the healthy growth and development of children.
 - ✓ to awaken the conscience of the community in the wider social context to protect children from all forms of abuse, while strengthening the family, the society and the nation.
- ❖ This Charter focuses on following sections on child protection:
 - ✓ Survival, life and liberty.
 - ✓ Protection from economic exploitation and all forms of abuse.
 - ✓ Protection of the girl child.
 - ✓ Care, protection, welfare of children of marginalised and disadvantaged communities.
 - ✓ Ensuring child-friendly procedures.

National Plan of Action for Children, 2005

- ❖ The National Plan of Action for Children (NPAC) was formulated by the then Department of Women and Child Development (now MWCD) in 2005.

- ❖ The Action Plan aims at ensuring all rights to children up to the age of 18 years.
- ❖ It affirms the government's commitment towards ensuring all measures for the survival, growth, development and protection of all children.
- ❖ It also aims at creating an enabling environment to ensure protection of child rights.

National Legislations Protecting Rights of the Child.

Some of the important legislations related to children rights promulgated in India are discussed below:

(i) Pre-conception and Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994

- ❖ This is an Act for the regulation of the use of pre-natal diagnostic techniques for the purpose of:
 - ✓ detecting genetic or metabolic disorders;
 - ✓ chromosomal abnormalities; and
 - ✓ certain congenital malformations or sex-linked disorders.
- ❖ It also prevents misuse of such techniques for the purpose of prenatal sex determination leading to female foeticide and for matters connected therewith or incidental thereto.

(ii) The Juvenile Justice (Care and Protection of Children) Act, 2015

- ❖ The Juvenile Justice (Care and protection of Children) Act, 2015 is a comprehensive legislation that provides for proper care, protection and treatment to:
 - ✓ children in conflict with law; and
 - ✓ children in need of care and protection.
- ❖ It caters to their development needs, and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under the Act.
- ❖ The Act has laid special emphasis on rehabilitation and social integration of children and has provided for institutional and non-institutional measures for the care and protection of children.

- ❖ The non-institutional alternatives include adoption, foster care, sponsorship, and after care.

(iii) *Child Labour (Prohibition and Regulation) Act, 1986*

- ❖ The Act was formulated to eliminate child labour and provides for punishments and penalties for employing children below the age of 14 years in various hazardous occupations and processes.
- ❖ It provides for regulation of work conditions, including fixing hours of work, weekly holidays, notice to inspectors, provision for resolving disputes as to age, maintenance of registers, etc.
- ❖ Recently child domestic workers up to 14 years of age working in hotels and dhabas have been brought within the purview of the Act. It is one step towards the total elimination of child labour.

(iv) *The Prohibition of Child Marriage Act, 2006*

The major provisions of the Act include:

- ❖ Every child marriage shall be voidable at the option of the contracting party who was a child at the time of the marriage.
- ❖ The Court while granting a decree of nullity shall make an order directing the parties, parents and guardians to return the money, valuables, ornaments and other gifts received.
- ❖ The Court may also make an interim or final order directing the male contracting party to the child marriage or parents or guardian to pay maintenance to the female contracting party to the marriage and for her residence until her remarriage.
- ❖ The Court shall make an appropriate order for the custody and the maintenance of the children of child marriages.
- ❖ Notwithstanding that a child marriage has been annulled, every child of such marriage shall be deemed to be a legitimate child for all purposes.
- ❖ Child marriages to be void in certain circumstances such as minor being sold for the purpose of marriage, minor after being married is sold or trafficked or used for immoral purposes, etc.

- ❖ Enhancement in punishments for male adults marrying a child and persons performing, abetting, promoting, attending, etc. a child marriage with imprisonment up to two years and a fine up to one lakh rupees.
- ❖ States to appoint Child Marriage Prohibition Officers whose duties include prevention of solemnisation of child marriages, collection of evidence for effective prosecution, creating awareness and sensitisation of the community, etc.

(v) ***Commissions for the Protection of Child Rights Act, 2005***

The Act provides for the Constitution of a National as well as State Commissions for the protection of child rights in every State and Union Territory and monitor implementation of child specific legislations.

(vi) ***Right of Children to Free and Compulsory Education Act, 2009***

Salient features of Right to Education Act.

- ❖ Free and Compulsory education to all children of India in the 6-14 age group.
- ❖ No child shall be held back, expelled or required to pass a board examination until completion of elementary education.
- ❖ A child who completes elementary education (upto class 8th shall be awarded a certificate).
- ❖ Mandates education of children along their peer age group (“age-appropriate”); provides for “special training” to facilitate age appropriate education
- ❖ Calls for a fixed student-teacher ratio.
- ❖ Will apply to all over India except Jammu and Kashmir.
- ❖ Provide for 25% reservation for economically disadvantaged communities in addition to class 1 in all private schools.
- ❖ Mandates improvement in quality of education.
- ❖ Sets qualification and working norms for Teachers in all schools
- ❖ School teacher will need adequate professional degree within 5 years or else will loose job.
- ❖ Mandates curriculum in all schools to be in consonance with Constitutional Values

- ❖ School infrastructure to be improved in 3 years else recognition cancelled.
- ❖ Mandates participation of civil society in the management of schools; makes teachers accountable to parents and the community
- ❖ Financial burden will be shared between state and central government.
- ❖ Protects children from labour, marriage, exploitation, discrimination, abuse, violence and neglect.
- ❖ Separates agency for implementation of Act (Education Department) from agency charged with monitoring the implementation of the Act (NCPCR).

(vii) ***Protection of Children against Sexual Offences (POCSO), 2012***

- ❖ The Protection of Children from Sexual Offences Act (POCSO), 2012 has been drafted to strengthen the legal provisions for the protection of children from sexual abuse and exploitation.
- ❖ The Protection of Children from Sexual Offences Act, 2012 is a comprehensive law to provide for the protection of children from the offences of sexual assault, sexual harassment and pornography
- ❖ The Act is gender-neutral and provides for protecting the rights of girls and boys to an equal extent.
- ❖ The six types of sexual offences defined and covered under this law include penetrative sexual assault, aggravated penetrative sexual assault, sexual assault, aggravated sexual assault, sexual harassment and using child for pornographic purposes.
- ❖ The stakeholders in implementation of the Act includes: police, prosecution, Courts, medical institutions, psychologists and counsellors, as well as institutions that provide social services to the children.

Brochure 4:

Child Protection System

What is Child Protection?

- ❖ Child protection is the prevention of or responding to the incidence of abuse, exploitation, violence and neglect of children.
- ❖ This includes commercial sexual exploitation, trafficking, child labour and harmful traditional practices, such as female genital mutilation/cutting and child marriage.
- ❖ Integrated Child Protection Scheme (ICPS) further explains child protection as keeping children safe from a risk or perceived risk to their lives or childhood, recognizing that children are vulnerable and hence reducing their vulnerability by protecting them from harm and harmful situations.

Structures at the Central, State and District levels under ICPS

At Central level

- Central Adoption Resource Authority (CARA) is the Central Authority and advisory body in all matters concerning adoption and implementing various provisions of the Hague Convention on Inter-country Adoption 1993.
- Central Project Support Unit (CPSU) under MWCD will function as a Mission Directorate to ensure effective implementation of ICPS throughout the country.

At State level

- State Child Protection Society (SCPS) is a fundamental unit in every State/UT for the implementation of ICPS.
- State Adoption Resource Agency (SARA) aims at supporting CARA in promoting in-country adoption and regulating inter-country adoption

At District Level:

- District Child Protection Unit (DCPU) is a fundamental unit at the District level for the implementation of ICPS.

- Child Welfare Committee (CWC) is the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of children in need of care and protection and to provide for their basic needs and protection of human rights in each district.
- Juvenile Justice Board (JJB) is a statutory body at the district level to deal with matters relating to children in conflict with law.
- Special Juvenile Police Unit (SJPU) will coordinate and upgrade the police interface with children in every district and city.

Child Tracking System has two components which are as follows:

- Web-enabled Child Protection Management Information System (MIS)- Here DCPU will be responsible of carrying out an exercise to map all services available to children in difficult circumstances and vulnerable children and their families in a district.
- Website for missing children: MWCD has recently launched the "**Khoya-Paya Portal**" for missing children.

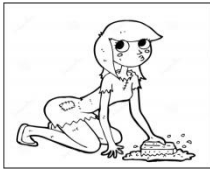
CHILDLINE service is a 24/7 emergency outreach service under ICPS for children in crisis linking them to emergency and long term care and rehabilitation services by dialing a four digit toll free number(1098).

Categories of Children

Two categories of children are being dealt under ICPS and Juvenile Justice (Care and Protection) of Children Act, 2015. These are:

- ***Child in conflict with law (CCL)*** is a child who is alleged to have committed an offence.
- ***Child in Need of Care and Protection (CNCP)*** means a child:

➤ **Child in Need of Care and Protection (CNCP)** means a child:



without any home or settled place



street and working child,



'At Risk' children



Orphaned, abandoned and Exploitation and Trafficking



Children who are victims of Commercial Sexual



Abused children destitute



Children engaged in substance abuse



Children in armed conflict and disaster situations



Mentally or physically challenged or ill including children suffering from terminal diseases or incurable diseases.

This category further includes Children whose parent or guardian is found to be unfit or incapacitated, by the Committee or the Board, missing or run-away child and children in families 'at -risk' and Children in conflict with law also.

Homes for Children in Need of Care and Protection (CNCP)

Children Homes are to be set up by the State Government itself, or in association with voluntary organizations, separate for boys and girls as Child Care Institutions (CCIs). Each Home shall be a comprehensive child care centre with primary objective to promote an integrated approach to child care by involving the community and local NGOs. Under institutional care, there are various homes which are as follows:

Children's Home (CCIs) are separate homes for children in need of care and protection (CNCP) in every district or a group of districts during pendency of inquiry & subsequently for their care,

treatment, education, training, development & rehabilitation. All these homes are required to follow the prescribed standards of Child Care.

Open Shelters provides a community based facility for children in need of residential support, on short term basis, with the objective of protecting them from abuse or weaning them, or keeping them, away from a life on the streets.

After Care Facility is meant for both the categories of children between 18 to 21 years of age who have no means to sustain themselves and to facilitate their transition from an institution-based life to mainstream society.

Homes of Children in Conflict with Law (CCL)

Observation Home is established to provide adequate residential care and protection during the pendency of any inquiry regarding children in conflict with law.

Special Home is established by a State Government or by a registered voluntary or non-governmental organisation, for housing and providing rehabilitative services to children in conflict with law, who are found, through inquiry, to have committed an offence and are sent to such institution by an order of the Board.

Place of safety is a place or institution attached to an observation home or a special home, as the case may be, the person in-charge of which is willing to receive and take care of the children alleged or found to be in conflict with law, by an order of the Board or the Children's Court, both during inquiry and ongoing rehabilitation after having been found guilty for a period and purpose as specified in the order.

Purpose of these Homes

- Safekeeping of children in need of care and protection during the period of inquiry.
- Subsequently for the care, treatment, education, training, development and rehabilitation of these children.

Homes run by VOs

- All the homes, whether run by the government or voluntary organisation are to be registered under sub-section (1) of Section 41 of the Juvenile Justice (Care and Protection of Children) Act, 2015.
- The State Government can give recognition to well known, experienced voluntary organizations or non-governmental organisations as open shelters.
- These open shelters shall function as community based facility for children in need of residential support, on short term basis, with the objective of protecting them from abuse or weaning them or keeping them away from a life on the streets

Transfer of a child to another State

- In case of child to be out of the jurisdiction of the Committee, shall, if satisfied after due inquiry that it is in the best interest of the child and after due consultation with the Committee or the Board of the child's home district, order the transfer of the child to the said Committee stating the reasons for and circumstances of such transfer to the State Government and District Child Protection Unit.
- The District Child Protection Unit shall accordingly:
 - send the information of transfer to the appropriate Board or the Committee having jurisdiction over the area where the child is ordered to be transferred by the Board or Committee; and (ii) send a copy of the information to the Person-in-charge of the institution where the child is to be placed for care and protection at the time of the transfer order.
 - The child shall be escorted at Government expenses to the place or person as specified in the order and a travelling allowance on a per day basis shall be determined by the Board or the Committee which shall be paid by the District Child Protection Unit of the State which has transferred the child along-with case file and records of the child.
 - In case child is a national of another country, the Board or the Committee shall inform the State Government immediately on the production of the child before the Board or the Committee which may initiate the process for repatriation of the

child immediately in consultation with Ministry of Home Affairs and Ministry of External Affairs, as the case may be. During the period pending the finalisation of the repatriation, the child shall be kept in a Child Care Institution. The expenses for the repatriation of the child to another country shall be borne by the State Government concerned.

Statutory bodies to deal with Children

- **Child Welfare Committee (CWC)** is a statutory body under the Juvenile Justice (Care and Protection of Children) Act, 2015 to look into issues relating to children in need of care and protection.
- **Juvenile Justice Board (JJB)** is a statutory body under the Juvenile Justice (Care and Protection of Children) Act, 2015 to look into issues relating to children in conflict with law.

Brochure 5:

Child Welfare Committee (CWC) - Statutory Body to deal with Children in Need of Care and Protection (CNCP)

Child Welfare Committee (CWC) is the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of children in need of care and protection, as well as to provide for their basic needs.

Who are members of CWC?

CWC consists of a Chairperson and four other members
of whom at least one is a woman

Powers exercised by CWC:

- ✓ The Committee functions as a bench of Magistrates with the powers of a metropolitan Magistrate or a Judicial Magistrate of the first class.
- ✓ The committee is the final authority with regard to cases for the care, protection, treatment, development and rehabilitation of children and to provide for their basic needs and protection of human rights.

Who can produce a child before CWC?

- ✓ Any police officer or special juvenile police unit or a designated Child Welfare Police Officer or any officer of District Child Protection Unit or inspector appointed under any labour law for the time being in force;
- Any public servant
- Childline Services or any voluntary or non-governmental organization or any agency as may be recognized by the State Government.
- Child Welfare Officer or probation officer;
- any social worker or a public spirited citizen;
- by the child himself; or
- any nurse, doctor or management of a nursing home, hospital or maternity home

Procedure before CWC

- ✓ The CWC holds its meeting in the premises of Children Home.
- Once reported before CWC, child can be admitted in the children's home or a fit facility or fit person on orders of CWC, followed by speedy social investigation by a social worker/ Child Welfare Officer/ Child welfare Police Officer.
- Inquiry may be completed within four months from the date of receiving the order and if extended, reasons have to be recorded in writing.
- Based on the enquiry report, if child has no family or support, order may be passed to allow the child to stay in the children's home or shelter home till suitable rehabilitation is found or till he/she completes eighteen years of age.
- All orders by CWC are to be passed keeping the "best interest" of the child in mind.

Step 1

→ All children in need of care and protection (CNCP) are required to be produced before CWC for suitable decision/action/rehabilitation by the police, CHILDLINE, NGO or any concerned citizen within 24 hours of being found.



Step 2

→ Child is in need of care and protection is admitted to a registered Children's Home for their care, treatment, education, training, development and rehabilitation.

Step 2a.

→ Following are the places where a child can be given in th

- Children's Home



- Specialized Adoption Agency (0-6 years)
- Shelter Home (for Street and Runaway children)
- Fit Institution/Fit Person
- Refer to organisations having Non-institutional services for prevention of abandonment/institutionalized.

Step 3

If child is received directly by an organization, then he/she is to be brought before the CWC within 24/48 hours (if the child is below two years and if the child is unwell, a report is to be submitted to the CWC).

Step 4

CWC will assess the case/ study the report of the police/ child welfare officer/ interview and counsel the child.



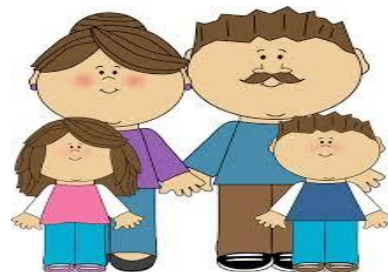
Step 5

Final report will be prepared by the Probation Officer with the necessary recommendations through:

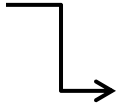
- Interviewing the child
- Making appropriate enquiries
- Corresponding with the family if there is one
- Counselling the child

Step 6

Final order is to be given by CWC within 4 months (extendable to 6 months ONLY when necessary)



Step 6 a.



Possible Decisions:

- Restoration to parents
- Placement of child in Children's Home/Fit Facility/Specialised Adoption Agency for the purpose of adoption for long term or temporary care.
- Foster Care
- Sponsorship
- Repatriation to the child to his family or to the nearest Children's Home in his home State
- Declare the child destitute and legally free for adoption

Brochure 6:

Role of Police in Juvenile Justice System

- ❖ Police is an important part of the Juvenile Justice System that takes care of children in need of care and protection and children in conflict with law.
- ❖ Police is among the early/first persons in whose contact such children may come.
- ❖ Police is required to deal with children in a child-friendly way at all times.
- ❖ Special Juvenile Police Unit (SJPU) is a unit of the police force of a State designated, for handling of children in need of care and protection and children in conflict with law.

Procedures at Special Juvenile Police Unit (SJPU):

Special Juvenile Police Unit is a unit of the police force of a State designated for handling of children under this Act.

As soon as a juvenile alleged to be in conflict with law is received by the police, the concerned police officer shall inform:

- ✓ the designated Child Juvenile Welfare Officer in the police station to take charge of the child;
 - ✓ parents and legal guardians of the child;
 - ✓ probation officer to fill in the Social Investigation Report Forms.
 - ✓ presence of the parents/legal guardian of the child shall be ensured during the proceedings of the case.
- ❖ SJPU also provides legal protection to children against all kinds of cruelty, abuse and exploitation.
 - ❖ SJPU will ensure that adults committing crimes against children are apprehended and booked under appropriate provisions of the law.
 - ❖ A list of NGO/Voluntary organizations will be maintained at SJPU and keep a track of all illegal activities against children in their respective jurisdiction.

Police should ensure that:

Treating the child with decency and dignity during the procedure

Right to confidentiality and privacy to be maintained.

Immediate medical and basic needs of the child to be met.

No harassment to extract information.

Child to be explained about charges against him.

In such cases, Child Welfare Officer should:

- ✓ make a quick assessment at the place of contact & record details in register.
- ✓ apprehend a child only in cases of his alleged involvement in serious cases (entailing a punishment of more than seven years of imprisonment for adults)
- ✓ seek appropriate orders from Board for Children in Conflict with Law (CCL) apprehended in non-serious offences to treat them as CNCP as well.
- ✓ intimate parents of the accused child involving in offences of non-serious nature about forwarding all information to the Board, which shall have the power to call the child for subsequent hearings.
- ✓ ensure immediate registration of FIR in case of CCL involved in offences of serious nature.
- ✓ ensure that FIR in case of CCL shall not contain any self-incriminating language which can be held against the child.
- ✓ ensure that identity of the child is not revealed to the media and no dossiers/search slip etc. shall be opened by the police station and no biometrics/finger prints of the child is obtained.
- ✓ ensure that the police do not, under normal circumstances, take charge of a juvenile or child between sunset and sunrise except in unusual circumstances.

- ✓ In cases of serious offences, parents/guardians of the child shall be informed about their right to representation and an opportunity provided to meet their Legal Aid before the meeting with the Board.
- ✓ The child shall be brought before a single member of the Board, in case the Board is not sitting on the day the child is received, as per the provisions laid down under the Act. Such an order shall be ratified by the Board at its next sitting.

Police should ensure the following:

- ✓ no lock up or delay in handing over the child to CWO.
- ✓ no use of handcuffs, leading chain or bands while taking the child to the Board, Committee or JJ Homes.
- ✓ handling of child in civil cloths.
- ✓ In case of girl child, she should be accompanied by a woman police.

Police to furnish the following information whenever a CCL is brought before the Board:

Date and time of taking charge of a juvenile;

address of the juvenile;

offence said to have been committed and the place where the juvenile was kept stating reasons for delay, if any, till the juvenile was brought before the Board;

Copy of the intimation letter sent to the Probation Officer or parent/guardian of the juvenile;

Details of the property or articles taken from the juvenile at the time of taking charge;

Copy of the First Information Report (FIR), if any.

The police shall ensure that the provisions of the Convention on the Rights of the Child are strictly adhered to and all actions are initiated in the best interest of the juvenile or child.

The Special Juvenile Police Unit shall send a monthly status report to the State nodal office i.e. office of Jt. Commissioner of Police, Special Police Unit for Women & Children, Nanak Pura, New Delhi

Further, only those voluntary organisations shall be recognized by the Government that are in a position to provide:

- ✓ services of voluntary probation
- ✓ counselling
- ✓ case work and
- ✓ safe place

Such voluntary organization shall have the capacity, facilities and expertise to:

- ✓ assist the Police at the time of apprehension
- ✓ in preparation of the Social Investigation Report
- ✓ in taking charge of the juvenile until he/she is brought before the Board and
- ✓ in actual presentations of the juvenile before the Board within twenty –four hours.

Source : Delhi Juvenile Police Unit

Brochure 7: Role of Other Stakeholders in Juvenile Justice System



Role of Child Welfare Officer/Social Worker

- In intake
- History taking
- Conducting enquiries
- Preparing reports
- Home visits
- Individual and Group Counselling

Role of District Child Protection Officer (DCPO)

- Coordinate and supervise implementation of the Integrated Child Protection Society (ICPS).
- Supervise all child care institutions/agencies/ projects/programmes/NGO.
- Reports to State Child Protection Society (SCPS) at the State level.
- Reports to State Adoption Resource Agency (SARA) at the State level for coordinating non-institutional care, especially issues related to adoption at the district level.
- Developing and maintain:
 - The Annual District Child Protection Plan.
 - Resource Directory of child related services.
 - Child Tracking System at the district level.
 - Periodic mapping of child profile.
 - Situational analysis.
- Coordinate and network with all the line departments/officers like:
 - Labour Officer, Education Officer.
 - Chief Medical Officer (CMO), Railways and other Departments.
 - Municipal Authorities and Members of Zila Parishad and other local bodies.
 - District Magistrate, District Judge and Superintendent of Police.
 - Child Development Project Officer (CDPO).
- Function as Chairperson of the Management Committee of every Child Care Home (CCI).
- Recommend release of grants for suitable institutions from the SCPS.
- Hold periodic/monthly review meetings with all stakeholders.

- Facilitate **transfer of children** as ordered by the JJB or CWC from one area to the other.

Role of Care giver/House parents

- Provide care, protection and facilitate rehabilitation of children admitted to the institutions.
- Provide a home-like environment in the institution which is also ‘child- centered and child friendly’.
- Provide sensitive and nurturing attitude towards children.
- Harsh and negative approach to be avoided and at the same time, certain discipline and system to be maintained in the institution.
- Ensure proper maintenance, sanitation and hygiene of the home.
- Ensure children’s participation in daily activities.
- Looking after the security and safety arrangements of the home.
- Escorting children, whenever they go out of the home.

Role of Teachers and Vocational Trainers

- Provide formal and non-formal education.
- Vocational training in various job oriented courses to empower children to become self-reliant.
- Teach ‘Life Skills’ and ‘Vocational Skills’.

Role of Health System

- Provide regular medical examinations and care to children in the institution.
- Age verification
- Gynecological examination and forensic testing, in case of rape/sexual abuse.
- Medical treatment in case of accidents and physical injuries.
- Psychiatric treatment for emotional trauma and psychological problems.
- Long term treatment in case of children with mental illness.

Role of District Legal Services Authority

- Provide legal aid to children, wherever necessary.
- Legal guidance in complex matters to the CWC.

Media

- Exercising sensitivity and creating awareness.
- Reporting cases of child abuse and exploitation.
- Molding public opinion on sensitive issues.
- Working towards the protection and promotion of child rights.

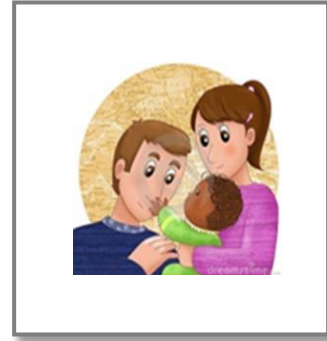
Civil society

- Being aware of child rights.
- Prevent child abuse within institutions.
- Provide assistance to institutions.
- Help a child in distress either by reporting to police/CHILDLINE.

Brochure 8: Rehabilitation and Social Re-integration through Non-institutional Services

The process of child's rehabilitation and social reintegration is carried out, based on the individual care plan, preferably through family based care such as:

- by restoration to family or guardian with or without supervision;
and
- sponsorship, adoption or foster care.



Adoption

Adoption means the process through which the adopted child is permanently separated from his/her biological parents and become the lawful child of his adoptive parents with all the rights, privileges and responsibilities that are attached to a biological child.

Who can adopt?

- ❖ single or divorced person;
- ❖ parents interested to adopt a child of the same sex irrespective of the number of living biological sons or daughters; or
- ❖ childless couple.

Which children out of CNCP can be adopted?

- Orphaned and abandoned
- Surrendered children

Eligibility of a CNCP to be adopted:

Child should be declared legally free for adoption after completion of enquiry by Child Welfare Committee.

Procedure in case of a orphaned/abandoned child :

- Report and produce the child before CWC within 24 hours along with a report containing the particulars and circumstances under which child was received and photograph to CWC and Local Police.
- File a copy of the report with the local police station in whose jurisdiction the child was found abandoned within the same period.
- The CWC shall issue an order for the interim care of the child, pending inquiry.
- The Specialised Adoption Agency (SAA), on admission of the child, shall enter the details of the child and photograph of the child online in the Child Adoption Resource Information and Guidance System in the prescribed format within seventy two hours of receiving the child, after obtaining permission of CWC for the same.
- The photograph of the child shall be changed every six months in Child Adoption Resource Information and Guidance System.
- The District Child Protection Unit shall advertise the particulars and photograph of an abandoned child in a State level newspaper with wide circulation within seventy two hours from the time of receiving the child for tracing out the biological parents or the legal guardian(s).
- The District Magistrate shall get such advertisement issued in case District Child protection Unit (DCPU) is not functional.
- The SAA shall submit a report to the Child Welfare Committee immediately after thirty days from the date of production of the child before the Child Welfare Committee about no-claimant for the child including any information revealed by the child during his interim care.
- Above Steps shall be taken within a period of sixty days for a child below two years and four months for children above two years from the time when the child is found.
- After observing all the above steps, CWC shall declare the child legally free for adoption and such order shall be signed by any two members of the Child Welfare Committee and issued within a period of two months in case of a child upto two years of age and within four months for a child above two years of age, from the date of production of the child before the Child Welfare Committee.
- The child study report and medical examination report of an orphan or abandoned child shall be prepared and posted in the Child Adoption Resource Information and Guidance System by the



specialised adoption agency within ten days from the date the child is declared legally free for adoption.

- DCPU shall coordinate and facilitate the process of uploading the information of the child on Child Adoption Resource Information and Guidance System.

Procedure in case of surrendered child:

- The details of the child along with his photograph shall be entered online in the Child Adoption Resource Information and Guidance System by the specialised adoption agency within seventy two hours from the time of receiving the child.
- The following information shall be submitted by specialised adoption agency to the Child Welfare Committee along with any other information specific to the case. -
 - (a) the name of the child, date of birth or age and place of birth along with birth record or certificate, if available;
 - (b) the names, address and identity proof of the biological parents or accompanying adult, if the surrendering parent is a minor;
 - (c) details of close relatives of the biological parent(s), if available;
 - (d) details of sibling(s), if any;
 - (e) known medical history of the child and biological parent(s);
 - (f) circumstances of the child which may include reasons for surrender and social background.
- The counselling sessions shall be arranged by SAA or CWC to encouraging the parents to retain the child as well explaining that the process of surrender is irrevocable.
- Two months reconsideration will be given to the biological parents to reclaim the child after surrender of the child.
- After due inquiry and completion of sixty days reconsideration period, CWC shall declare the surrendered child legally free for adoption.
- Counselling the parents in terms of explaining the consequences of adoption and exploring the possibilities of parents retaining the child and if, the parents are unwilling to retain, then, such children shall be kept initially in foster care or arranged for their sponsorship.
- The deed of surrender shall be executed in the presence of any two members of the Child Welfare Committee.
- In case of unmarried mother, the deed may be executed in the presence of any single member, preferably female member of the Child Welfare Committee.

- In case of married couple, surrendering their child, deed of surrender shall be signed by both parents, in case one of them is dead, proof of death needs to be furnished.
- In case of a child born out of wedlock, only the mother can surrender the child and if the mother is a minor, the deed of surrender shall be signed by an accompanying adult as witness.
- If the surrender is by a person other than the biological parents who is not appointed as a guardian by the court, the child shall be treated as abandoned, then such procedure prescribed for orphan and abandoned should be followed.
- If the surrendering parents do not turn up to claim the child on completion of reconsideration period of sixty days from the date of surrender, the same should be intimated to CWC.
- No public notice or advertisement shall be issued in the case of a surrendered child.
- The Child Welfare Committee shall issue an order signed by any two members declaring the surrendered child as legally free for adoption after the expiry of sixty days from the date of surrender.

Eligibility Criteria for Prospective Adoptive Parents (PAPs)

In order to maintain an up-to-date database, introduction of Aadhaar Number in Adoption System has been initiated. Now Aadhaar Number of the Prospective Adoptive Parents/Adoptive Parents needs to be maintained by the Adoption Agencies.

- ✓ the prospective adoptive parents should be physically, mentally and emotionally stable; financially capable; motivated to adopt a child; and should not have any life threatening medical condition;
- ✓ any prospective adoptive parent, irrespective of his marital status and whether or not he has his own biological son or daughter, can adopt a child;
- ✓ single female is eligible to adopt a child of any gender;
- ✓ single male person shall not be eligible to adopt a girl child;
- ✓ in case of a couple, the consent of both spouses shall be required;
- ✓ no child shall be given in adoption to a couple unless they have at least two years of stable marital relationship;
- ✓ the age of prospective adoptive parents as on the date of registration shall be counted for deciding the eligibility and the eligibility of prospective adoptive parents to apply for children of different age groups.

To follow the adoption procedure, CARA's website www.adoptionindia.nic.in can be seen.

Foster Care



Foster care is an arrangement whereby a child lives, usually on a temporary basis, with unrelated family members. A child shall be preferably placed with child's extended family or with close friends of the family who are known to child and when such options are either not available or not willing to take care of the child, the child may be placed in foster care. While placing a child in foster care, preference shall be given to those families that share similar cultural, tribal and /or community connection.

Categories of Children Eligible for Foster Care:

- ✓ Children in the age group of 6-18 years who have been staying in child care institutions; shall be placed in foster care based on their individual care plan developed in the institution;
- ✓ Children whose parents are terminally ill and have submitted a request to the Committee or the District Child Protection Unit for taking care of their child as they are unable to take care of their child;
- ✓ Children identified by DCPU through PO (NIC)
 - ❖ whose parents are mentally ill and are unable to take care of the child;
 - ❖ whose one or both parents are in jail;
 - ❖ who are victims of physical, emotional or sexual abuse, natural disasters and domestic violence

Eligibility Criteria for Parents for Foster Care

Pre-requisite:

- ✓ Both the spouses must be Indian citizens;
- ✓ Both the spouses must be willing to foster the same child;
- ✓ Both the spouses must be above the age of 35 years and must be in good physical, emotional and mental health; (No upper limit is being fixed for foster carers/parents as Home Study report will consider their suitability);
- ✓ Ordinarily should have an income in which they are able to meet the needs of the child and are not dependent on the foster care maintenance payment for the child;

- ✓ Medical reports of all the members of the foster care family residing in the premises should be obtained including checks on Human Immuno Deficiency Virus (HIV), Tuberculosis (TB) and Hepatitis B to determine that they are medically fit;
- ✓ Should have adequate space and basic facilities; vii. Should be willing to follow rules laid down including regular visits to doctors, maintenance of child health and their records; viii. Should be willing to attend foster care orientation programmes organized by the DCPU; ix. Must be without criminal conviction or indictment; x. Should have supportive community ties with friends and neighbors

Agencies to facilitate Adoption:

State Adoption Resource Agency (SARA) will function at the State level to support CARA in promoting in-country adoption and regulating inter-country adoption.

Specialized Adoption Agency (SAA) is the registered agency for the placement of orphaned, abandoned or surrendered children for adoption in accordance with the provisions of various guidelines for adoption issued from time to time, by the State Government, or the Central Adoption Resource Authority (CARA) and notified by the Central Government.

Central Adoption Resource System (CARINGS): A system Authorized Foreign Adoption Agency (CAs) to register the details of parents online on CARINGS and upload the report (HSR). This is mandatory in cases in Hague ratified countries. A total be permitted per month on the basis of



Information & Guidance developed which requires (AFAAs) /Central Authority desiring to adopt from India duly completed Home Study of all habitual residents residing number of 100 registrations shall first registered.

Sponsorship

Sponsorship is the provision of supplementary support to families to meet medical, nutritional, educational and other needs of their children with a view to improving their quality of life. It is a conditional assistance to enable children who were at risk from being removed from school and sent for work, to continue their education.

Types of Sponsorship

REHABILITATIVE- Children placed into institutions by families as a poverty coping measure to reunite them with their families

PREVENTIVE – Support to families living in extreme conditions of deprivation or exploitation to enable the child to remain in his/her family.

Criteria for Selection of Children:

- ✓ Children, of the age of 0 to 18 years.
- ✓ Children staying in child care institutions for more than six months continuously, who can be restored to their families, with financial support.
- ✓ The total income of the family should not be exceeding: a) Rs. 36,000 per annum for Metro cities, b) Rs. 30,000 per annum for other cities and c) Rs. 24,000 per annum for Rural areas.
- ✓

Financial Norms

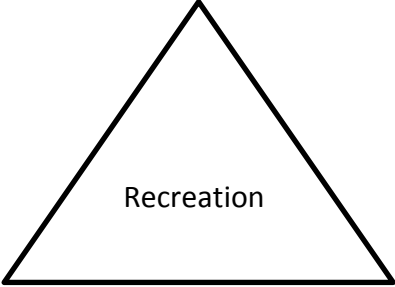
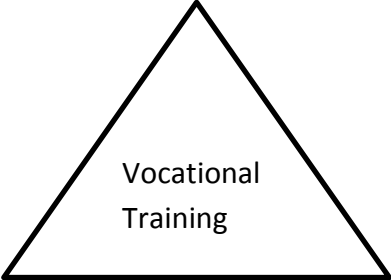
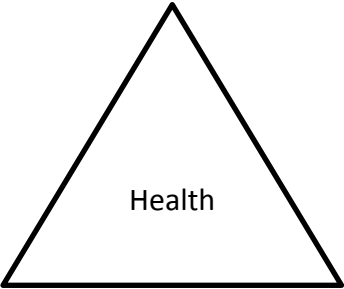
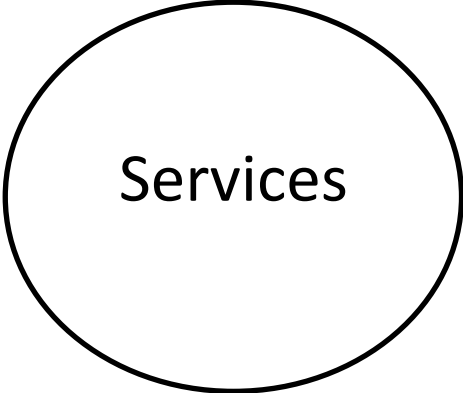
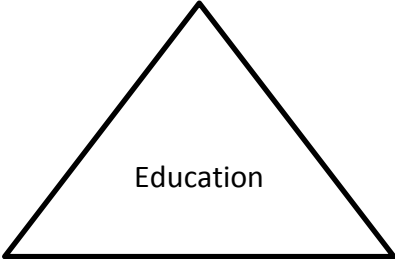
- ✓ Rs. 2000 per child per month for maximum 2 children per family.

Duration

- ✓ Maximum three years or up to 18 years, whichever is earlier – other than exceptional circumstances.

Brochure 9:

Services provided to Children in Child Care Institutions



- ✓ Every Child Care Institution (CCI) or Home provides proper facilities for development and well-being for children.
- ✓ Separate homes are provided for boys and girls.
- ✓ In these homes, daily routine is exercised for regulated and disciplined life which includes:
 - ❖ Personal hygiene and cleanliness;
 - ❖ Physical exercise and yoga;
 - ❖ Educational classes;
 - ❖ Vocational training;
 - ❖ Organized recreation and games;
 - ❖ Moral education and group activities; and
 - ❖ Community singing



Nutrition of the Child

Each Home for childreb gives food as per the guidelines prescribed, so that children grow properly. Things to remember:

- ✓ Children shall be provided four meals a day including breakfast.
- ✓ To have a balanced diet and variety in taste, menu should be prepared with the help of a nutritional expert or doctor as per the minimum nutritional standard.
- ✓ Special meals on holidays and festivals.
- ✓ Special diet to sick children and infants on the advice of the doctor as per the dietary requirements.



Medical care of the child:

Every Home should have arrangements for the medical facilities, including a doctor on call available on all working days for regular medical check-ups and treatment of children. It will include:

- ✓ Maintenance of medical records
- ✓ Sufficient medical equipment, including first aid kit
- ✓ Training of all staff in first aid

- ✓ Tie-up with local health services
- ✓ Proper immunization coverage
- ✓ Preventive measures to avoid break- out of contagious or infectious diseases
- ✓ Referral services
- ✓ Medical examination of each child
- ✓ Not carrying out surgical treatment on any child without the consent of the parent/guardian or without obtaining written consent to this effect from the Officer-in-charge of the Home.
- ✓ Provide regular counselling and ensure specific mental health intervention for such children who are in need of such services.
- ✓ Referral of addicted children to an Integrated Rehabilitation Centre for Addicts or similar centres.

Mental health of the child:

Services include:

- ✓ Maintaining mental health record
- ✓ Providing Milieu- based intervention through creating an enabling environment for children and individual therapy for them.
- ✓ Maintaining conducive environment in the Home free from abuse, etc.
- ✓ Providing services of trained counselors, including collaboration with external agencies.
- ✓ Preparing mental health plan for each child in consultation with mental health experts.
- ✓ Medication not to be administered without psychological evaluation and diagnosis by a trained medical health professional.

Education for children in Homes:

Every Home shall provide education to all children according to the age and ability, both inside or outside, as per the requirement.

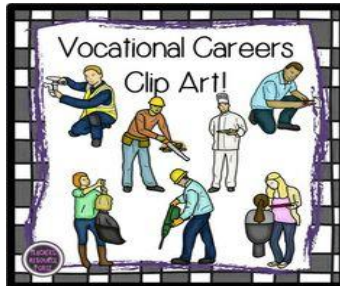
Educational opportunities will include:

- ✓ Mainstream inclusive schools
- ✓ Bridge school
- ✓ Open school
- ✓ Non-formal education and learning
- ✓



Vocational Training:

Every institution shall provide gainful vocational training to children and develop networking with IITs, Jan Sikshan Santhan, Government and Private organisation or Enterprises, agencies or non-governmental organisations with expertise or placement agencies.



Recreational facilities:



Every Home has the facility for guided recreation to children.



Hide and Seek (5-12 years)

All time favorite game for all age groups, In this classic game, one person (“It”) covers his or her eyes and counts aloud while the other players hide. When “It” is finished counting, he or she begins looking for the hiders. The last hider to be found is the next “It.”



Treasure hunt (4-8 years)

Kids love finding hidden objects — especially when there’s a prize at the end. Simply write various clues on some slips of paper — get creative. Place the first clue somewhere easy to find, like inside your child’s bed, bathrooms etc. Then leave as many clues as you like around the house, making a trail to the final **Indoor bowling (6-14 years)**



Indoor bowling (6-14 years)

A great way to reuse water bottles (or you can purchase an indoor bowling set). Line six-10 water bottles up at the end of the hall or dining room or on courtyard . Place a line of duct tape at the starting line. Grab a medium-sized indoor ball and start bowling! Don't forget to fill the bottles with water.

Hot Potato (6-10 years)

Ask the kids to sit on the floor in a circle. Turn on some tunes and have them pass the potato (a bean bag or soft ball) around the circle as fast as they can. When the music stops, the player holding the potato leaves the circle. Keep going until only one player is left and wins the game.

Building (4-8 years)

Method : Popsicle stick cities, card towers, even buildings out of blocks, or forts out of boxes or pillows, whoever builds the highest tower will be announced winner.

Materials: Colorful plastic/wooden Blocks, playing cards, plastic glasses etc.



Magic-Magic (3-6 years)

Simply place a coin under one of three cups and shuffle the cups around. Then ask children to guess which cup holds the coin. One can place the cups near the edge of a table and secretly drop the coin. Watch the kids' eyes light up in amazement when they learn the coin is gone!

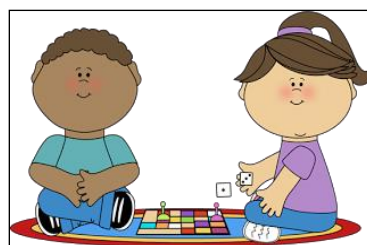


Freeze! (4-10 years)

Choose some of the kids' favorite tunes and turn up the volume. Ask them to dance until the music stops. When it does, they have to freeze in whatever position they find themselves in – even if they have one leg up. To make the game more challenging, ask the kids to freeze in specific poses: animals, shapes, letters or even yoga postures.

Board games (6-16 years)

Example: Ludo, Saanp Sidhi , Carrom Business etc. There is a variety of Board Games present in the market one can choose it from the shops according to the mental and chronological age and educational level of the children.



Puzzles Exercise (5-10 years)

Those creative, cognitive and problem-solving muscles with a good puzzle. You can use a store-bought variety or have the kids make their own. Children can also draw a picture on a sturdy piece of cardboard or Bristol board. Then use a pencil to outline puzzle pieces directly on their drawing. Cut out the pieces with a good pair of scissors, mix them up and get solving.

Paper-bag skits (8-16 years)

This game is ideal for larger groups. Divide the kids up into groups. Give each group a bag filled with props, such as a spoon, toy jewelry, a sock, ball or ribbon. Then give them 15 minutes to construct a skit around the props. This game is so much fun that it doesn't have to be competitive. If the kids want, though, they can all vote on a winning skit.