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NCPCR directs 8 States to send children in child care homes back to their families



**The eight States – Tamil Nadu, Andhra Pradesh, Telangana, Mizoram, Karnataka, Kerala, Maharashtra and Meghalaya – have 1.84 lakh children in child care homes out of a total of 2.56 lakh in the country.**

The country’s apex child rights body National Commission for Protection of Child Rights (NCPCR) has directed eight States that account for over 70% of children in care homes to ensure their return to their families, noting that it is the right of every child to grow up in a familial environment.

The NCPCR said the decision was taken also keeping in view the alarming concerns over the safety and security of children residing in these institutions as well.

The eight States – Tamil Nadu, Andhra Pradesh, Telangana, Mizoram, Karnataka, Kerala, Maharashtra and Meghalaya – have 1.84 lakh (or nearly 72%) children in child care homes out of a total of 2.56 lakh in the country.

The NCPCR has directed the district Magistrates and Collectors of these States to ensure that the children living in these care homes return to their families, preferably within a 100-day period.

Those who could not be sent back to their families must be placed for adoption or in foster home, it added. Speaking about the direction, NCPCR chairperson Priyank Kanoongo said this exercise will be carried out in a phased manner beginning with these eight States and it will be then executed in the rest of the country.

“The principle of the Juvenile Justice Act is to keep children with families and keeping children in child care homes must be the last resort till all attempts are made to give them an atmosphere of home,” he said.

“It was observed in south India that some CWCs (child welfare committees) are ordering to keep children in children homes due to the poverty of the family. You cannot take away the right to family from a child because of poverty. It is the failure of the State if due to poverty the child is forced to reside in child care homes. It is the duty of the State to strengthen the family so that they could take care of their children,” he told *PTI*.

He further said that the Commission will sit with each district and discuss the plan of how each and every child can be sent back to their families. “We have kept a 100-day target...by the end of it we aim that the children will be back with their families,” he said.

In a letter to these States, the NCPCR said upon completion of the social audit reports analysis of these child care homes, it was observed that maximum number of Child Care Institutions (CCIs) and Children in Need of Care and Protection (CNCP) placed in these homes are located in five southern States of the country, “which paints an unsettling picture indicating a pitiable condition of children in these CCIs.”

“Further in a few north-eastern States, the number of children placed in the CCIs in ratio to the total population that each such State has...it was observed by the Commission that the number of CNCP residing in these CCIs are in excess which pose a potential risk to the rights and protection of these children. Such a vast number of children being deprived of their natural homes and parents is a matter of grave concern,” the Commission observed in the letter to these States issued on September 24.

“Keeping in view these alarming concerns to the safety and security of these CNCP, the Commission has initiated the exercise of monitoring the repatriation and restoration of the CNCPs placed in various CCIs, except SAA (specialised adoption agency) and Observation Homes,” it said.

The NCPCR said it will monitor this entire exercise until its thorough implementation and till every child in need of care and protection placed in these CCIs is sent back to his or her family or be placed for adoption and foster care.

The States have been asked to immediately produce all the children in need of care and protection staying in these CCIs before the Child Welfare Committee concerned (CWC) for their immediate return to family, and apprise the Commission of the progress.

For those who could not be repatriated and restored due to prevailing abject poverty in the family, “obligation falls upon your good office to ensure that the family is linked to various social welfare schemes and entitlements that have been introduced by the State government in this regard,” the NCPCR told the States.

Further, the Commission recommended that the repatriation and restoration of these children shall be conducted while ensuring strict adherence to the guidelines issued by the government to contain the spread of coronavirus (COVID-19).

The safety and security of child care homes have been a matter of concern ever since sexual assaults were reported in child care institutions in Deoria in Uttar Pradesh and Muzaffarpur in Bihar in 2018. In Muzaffarpur in 2018, about 34 minor girls were allegedly sexually abused at a shelter home.

Sexual assault against girls in Deoria in Uttar Pradesh also came to light last year when a 10-year-old girl managed to flee from the shelter home and reported about the plight of the inmates, who were reportedly sexually abused by the couple running the shelter, after which police conducted a raid and 24 girls were rescued.