
Women & Child Development Department
Chapter 4: Functioning of Child Care Institutions in the State
4.1 Introduction

An orphanage is an institution dedicated to caring for children who have lost their parents, or for children believed to be abused, abandoned, or generally neglected. Largely seen as an inferior alternative to foster-care and adoption, orphanages may be privately or publicly funded, or may be run by religious organisations. The effective management of orphanage institutions requires innovative solutions to many complex problems that arise from a child's abandonment or desertion. To ensure well-being of orphans 'The Orphanages and Other Charitable Homes (Supervision and Control) Act 1960' was enacted by Government of India (GoI) with the primary objective of supervision and control of homes through the constitution of a Board of Control.

GoI also enacted the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act), amended in 2006, which, *inter alia*, provides for constitution of Child protection Units at both State and District level. Subsequently, the Act was replaced by the Juvenile Justice Act, 2015.

A centrally sponsored scheme *viz.*, Integrated Child Protection Scheme (ICPS) was introduced in 2009 which aimed at building a protective environment for children in difficult circumstances, as well as other vulnerable children, through Government-Civil Society Partnership. GoI issued (March 2014) guidelines for the Revised Integrated Child Protection Scheme outlining, *inter alia*, objectives including guiding principles, output and outcome indicators.

Government of Odisha (GoO) framed the Juvenile Justice (Care and Protection of Children) Odisha Rules, 2002 which was amended in 2009 and 2018. The Rules, *inter alia*, provided for establishment of Child Care Institutions (CCI) for accommodation of children. As of March 2021, there were 238 CCIs functioning in the State. Types of CCIs and nature of juveniles housed therein are indicated in the table below:

Table 4.1: Types of CCIs and nature of Juveniles housed

Types of CCI	Nature of juveniles housed
Open Shelter (OS)	Meant for children, irrespective of age, 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. A child can be housed in an OS for not more than one year.
Children Home (CH)	Meant for children aged between six and 18 years in need of care and protection for their care, treatment, education, training, development and rehabilitation.
Special Adoption Agency (SAA)	Meant for adoptable children below six years of age. (An adoptable child is one who is permanently separated from biological parents because his/ her parents have died or have abandoned or surrendered him/ her).
Observation Home (OH)	Meant for the temporary reception of any juvenile alleged to be in conflict with law during the pendency of any inquiry.
Special Home (SH)	Meant for juveniles who are confirmed to be in conflict with law.

(Source: Juvenile Justice Act, 2015)

In Odisha, ICPS is implemented through the Odisha State Child Protection Society (OSCPS) at the State level and by the District Child Protection Units (DCPU) at district level. OSCPS functions under the administrative control of Women & Child Development (W&CD) Department, GoO. The Director of W&CD is also the Director of OSCPS and is responsible for supervisions and monitoring of functioning of DCPU. Each DCPU is headed by a District Child Protection Officer (DCPO). The DCPU in each district is to function as a fundamental unit for the implementation of the scheme. The DCPU is to coordinate and implement all child rights and protection activities at the district level.

The functioning of the CCIs in the State are regulated as per the Operational Guidelines for these institutions issued by the W&CD Department in 2012.

Audit was conducted during January to April 2021 and July to September 2021 covering the period from 2016-17 to 2020-21 in order to assess the functioning of CCIs, with a focus on status of infrastructure, services and monitoring mechanism. During the course of Audit, records were examined at the W&CD Department, OSCPS and 8 out of 30 DCPUs¹. The eight DCPUs were selected on judgemental sampling basis. Besides, Audit also examined records and conducted joint physical inspection of 60 out of 93 CCIs in the test checked Districts. The test checked CCIs comprised 43 Children Homes, two Observation Homes, eight Open Shelters and seven Specialised Adoption Agencies. Audit findings are discussed in the following paragraphs:

4.2 Receipt and utilisation of funds

ICPS is implemented in Odisha with financial assistance both from the GoI and GoO. The share of central assistance varies from 35 to 90 per cent depending upon the project components². Receipt and utilisation of funds by OSCPS during the five years from 2016-17 to 2020-21 are shown in **Table 4.2** below:

Table 4.2: Receipt and utilisation of funds by OSCPS during 2016 to 2021

(₹ in crore)

Year	OB	Received from		Interest and other receipts	Total funds available	Utilisation	Percentage of utilisation	CB
		GoI	GoO					
2016-17	40.00	22.79	16.07	3.07	81.93	57.74	70.47	24.19
2017-18	24.19	18.15	13.73	6.40	62.47	29.47	47.17	33.00
2018-19	33.00	41.22	34.38	2.33	110.93	49.82	44.91	61.11
2019-20	61.11	35.41	27.57	5.19	129.28	47.52	36.76	81.76
2020-21	81.76	37.64	27.56	23.80	170.76	53.96	31.60	116.80
Total	--	155.21	119.31	40.79	--	238.51		--

(Source: Information furnished by OSCPS)

¹ Cuttack, Ganjam, Jharsuguda, Kalahandi, Khurda, Koraput, Mayurbhanj and Puri

² 90 per cent: Open shelters run by NGOs; 75 per cent: All structural components of State Project Support Unit, State Child Protection Society, State Adoption Resource Agency and District Child Protection Units, all Homes/ Specialised Adoption Agency (SAA) run by Government, all Homes/ SAA run by NGOs; 35 per cent: Regulatory bodies provided for under JJ Act

As can be seen from the above table, the percentage of utilisation of available funds was continually decreasing from 70.47 *per cent* in 2016-17 to 31.60 *per cent* in 2020-21. Audit found that the unutilised balance in 13 components were more than ₹ one crore in each component, as shown in **Appendix 4.1**. The non-utilisation of funds available with the OSCPS was not justified, especially in view of the persistent inadequacies in infrastructure and human resources in CCIs as well as shortcomings in service delivery, as noticed during audit and discussed in succeeding paragraphs.

4.3 Planning for implementation of ICPS in the State

The ICPS guidelines issued in March 2014 lay down the objectives of the scheme as well as output and outcome indicators. The broad objectives of ICPS were to strengthen structures for emergency outreach, institutional care, family and community-based care, counselling and support services, creation of database and knowledge base for child protection services, to undertake research and documentation, educate public on child rights and protection, *etc.* The guidelines also require mapping of needs and services for children and families at risk and preparation of child protection plans at district and state levels which would be gradually extended to block and community levels. Audit found the following deficiencies in planning for implementation of ICPS in the State.

4.3.1 Non-conduct of baseline survey and situational analysis of children

In the National Charter for Children, 2003, responsibilities of the State and community towards children are declared, as follows:

- (a) Ensuring Survival, Life and Liberty;
- (b) Promoting High Standards of Health and Nutrition;
- (c) Providing Supplementary Nutrition, sanitation and hygiene to the children belonging to the economically backward groups;
- (d) Basic Minimum Needs and Security (Social and Physical);
- (e) Play and Leisure;
- (f) Early Childhood Care for Survival, Growth and Development;
- (g) Free and Compulsory Primary Education; and
- (h) Protection from Economic Exploitation and All Forms of Abuse

A child deprived of all or one of the above is considered as a vulnerable child. The ICPS guidelines state that baseline surveys should be carried out by DCPUs in districts selected by the W&CD Department, GoO. These surveys would identify vulnerable children and assess the requirements for their care and development. Such surveys could also be used for impact assessment and course correction by the State and district authorities.

Status of conducting baseline surveys by test checked DCPUs including identification of vulnerable children and their institutionalisation, is shown in **Table 4.3**.

Table 4.3: Statement showing the baseline survey conducted by test checked districts

Sl. No.	Name of the districts	Vulnerable children identified in the baseline survey					Total no. of children identified	Total no. of children institutionalised
		2016-17	2017-18	2018-19	2019-20	2020-21		
1	Cuttack	-	-	-	12,347	-	12,347	4
2	Ganjam	-	-	-	1,728	-	1,728	6
3	Jharsuguda	66	95	90	480	4281	5,012	312
4	Kalahandi	-	-	-	16,574	-	16,574	13
5	Khurda	-	-	-	7,534	-	7,534	14
6	Koraput	21,375	-	-	19,034	-	40,409	545
7	Mayurbhanj	-	-	-	3,838	-	3,838	905
8	Puri	-	-	-	6,271	152	6,423	174
	Total						93,865	1,973

(Source: Information furnished by the respective DCPUs)

Audit found that:

- W&CD Department was not regularly identifying districts for conducting baseline surveys in the State. During three years from 2016-17 to 2018-19, none of the districts had been identified for this purpose. Only one DCPU (Jharsuguda) conducted surveys on its own during 2016-17 to 2020-21. DCPU, Koraput conducted survey in 2016-17 and identified 21,375 vulnerable children. It was only in September 2019 that the Department directed all districts to conduct the survey, as a result of which all the eight test checked DCPUs conducted the survey during 2019-20. Thus, the guidelines of ICPS related to planning for identification of vulnerable children and impact assessment by way of such annual surveys, were not adhered to by the Department.
- Further, out of the total number of 93,865 children identified as vulnerable in these baseline surveys, only 1,973 children (*two per cent*) were put in different CCIs by the DCPUs. Specific criteria used to select children to be cared for in CCIs, out of the larger number of identified vulnerable children were not intimated to Audit.
- As per the ICPS guidelines, one of the functions of the DCPUs is to assess the number of children in difficult circumstances and create district specific databases to monitor trends and patterns of children in difficult circumstances. However, Audit observed that no such databases were created in the test checked districts during 2016-17 to 2020-21, based on the surveys that had been conducted.
- As per ICPS guidelines, the Protection Officer (PO) under each DCPU has to ensure effective implementation of child protection programs and policies. These POs are responsible for carrying out situational analysis of children in difficult circumstances, collecting and compiling data on different dimensions of child protection problems in terms of number of children requiring support, number of children in institutions and the kind of services they need. The OSCPS received ₹ 1.20 crore during 2016-17 to 2020-21 for conducting situational analysis and mapping of vulnerable children. This was, however, not done. Due to non-conduct of situational analysis, outcome indicators

such as increased availability and accessibility of a variety of child protection services, knowledge base of children and families at risk could not be built up. Further, better and more focussed child protection services in the districts could not be provided.

In reply, the DCPOs stated (August/ September 2021) that analysis on difficult situation of the children on the basis of collected data during baseline survey was already done and is a continuous process.

The reply is not acceptable since all the test checked districts had not conducted annual baseline survey, as is evident from the facts given in the above table. Further, only two *per cent* (1,973) of the vulnerable children identified in the surveys were institutionalised in CCIs.

4.3.2 Non-implementation of need-based research and awareness activities for child protection

As per Paragraph 1.1 of Chapter IV, Revised ICPS guidelines, 2014, the specific functions of the State Child Protection Society shall include carrying out need based research and documentation activities at the State level for assessing the number of children in difficult circumstances and creating State specific databases to monitor trends and patterns. Further, it is obligatory on the part of OSCPS to disseminate information and raise awareness regarding child rights and child protection issues, from time to time through different modes of print and electronic media.

Audit examined records and information furnished by OSCPS and noticed that:

- No major research and documentation activity at the State level had been carried out on the issue of protection of children.
- No State specific database had been created to monitor trends and patterns on protection of children, as envisaged.
- During the period 2016-17 to 2020-21, it was only on one occasion that OSCPS had developed a short video film for creating awareness on child protection issues. The film titled “Shishu Yatna” was prepared during 2020-21 by an empanelled agency of the Information and Public Relations Department of GoO *viz.* M/s Eleeanora Images at a cost of ₹2.89 lakh. It was noted by Audit that the total available funds for creating awareness on children’s rights and protection issues were ₹22.50 lakh³ out of which ₹19.61 lakh had remained unspent as of March 2021.
- No other campaigns to disseminate information and raise public awareness regarding child rights and child protection issues at periodic intervals through print and electronic media was undertaken by OSCPS during 2016-17 to 2020-21.

³ 2018-19, 2019-20 & 2020-21 @ ₹7.50 lakh each

Reasons for lack of research and documentation, non-maintenance of State specific database and for not undertaking campaigns to disseminate information and raise public concern were not furnished to Audit.

OSCPS stated (January 2022) that multiple campaigns had been undertaken at State and district levels which included *Operation Pari, Pari paeen kathatie* (i.e., a word for *Pari*), installation of hoardings/ poster banners, panel discussion on Doordarshan, etc. The reply was not tenable, as OSCPS could not provide any documentary evidence in support of conducting such campaigns.

4.3.3 Non-implementation of innovative projects despite availability of budget provision

As per the Revised ICPS guidelines, 2014, the State Governments shall initiate innovative projects on issues/ risks/ vulnerabilities of children. The State Child Protection Society shall have a general grant-in-aid fund of ₹ 30 lakh under which such projects can be supported.

Audit reviewed records and information furnished by the OSCPS and noticed that:

- During 2016-21, provision of ₹30 lakh had been made every year in the Annual Budget Plan of OSCPS for implementation of innovative projects/ issues not covered under regular programme components of ICPS. The MWCD, GoI released ₹1.20 crore during the 2016-21 (except 2019-20), in favour of OSCPS to implement these projects. However, OSCPS utilised only ₹ 27 lakh on innovative projects/ issues, during 2020-21.
- In order to enhance the computer proficiency of children residing in CCIs, a project called “E-Shikshya” for implementation of Smart Education System was approved by the MWCD during the year 2019-20. The project was to be implemented for children in CCIs in 30 districts of Odisha, at a total cost of ₹30 lakh (₹1 lakh per district). For implementing this project, a service provider named Convegenious EDU Solutions, Noida was selected (November 2020) through tender process by OSCPS. The Work Order was issued to the service provider in December 2020. The service provider was paid ₹ 27 lakh (90 per cent) in June 2021. However, the details of completion of the project were not furnished to Audit.

Thus, despite planning for implementation of innovative projects every year and receiving Government funds for this purpose, OSCPS neither utilised the received funds for the intended purpose nor did they deposit the unutilised funds (with interest thereon) from 2016-17 onward into the Union Government Account. The unutilised fund amounting to ₹ 0.93 crore (₹ 1.20 - 0.27 crore) was parked in saving bank accounts.

Responses from OSCPS on reasons for not utilising the Government funds for the intended purpose, including the “E-Shikshya” project as well as for not depositing the unutilised balance of funds along with interest into Union Government Account are awaited (February 2022).

Care, support and rehabilitation services extended to children

4.4 Functioning of Child Care Institutions

4.4.1 Physical Infrastructure and childcare services at CCIs

As per ICPS guidelines, all protection services, whether public or privately provided, should adhere to prescribed standards pertaining to physical infrastructure and human resource requirements, as well as protocols, methodological instructions and guidelines for services and operational manuals for functioning of statutory bodies.

Audit visited 60 CCIs which included 43 Children Homes (CH), seven Special Adoption Agencies (SAA), eight Open Shelters (OS) and two Observation Homes (OH). The details of facilities available at the CCIs as per the parameters are given in **Table 4.4** below:

Table 4.4: Statement showing inadequate infrastructure in CCIs

Sl. No.	Parameter	Number of CCIs examined ⁴	Number of CCIs not meeting required parameter
1	Dining Room	60	11
2	Dorms/ Bedrooms	60	1
3	Toilets/ Bathrooms	60	2
4	Periodic Medical Exam	60	2
5	Preparation of diet chart and adherence thereof	60	4
6	Physical exercise	45	1
7	Vocational training	45	23
8	Children Committee	45	1
9	Grievance Redressal/ Complaint Box	45	3
10	Specialised care for drugs and substance abuse and other chronic health disorders (Children Homes)	43	43
11	Security- Guards, CCTV, etc.	60	4

(Source: Information furnished by the CCIs)

From the above, Audit noticed that:

- Out of 60 CCIs, two CCIs did not have adequate number of functional toilets/ bathrooms leading to unhygienic living conditions.
- Out of 60 CCIs, 11 CCIs did not have dining rooms. Due to absence of dining rooms in 11 CCIs, the children were subjected to unsanitary dining conditions.
- Out of 45 CCIs, 23 CCIs did not have vocational training for children above 14 years of age. Lack of vocational training for the desirable/ eligible children, limited their livelihood options for future.
- In none of the 43 Children Homes, facilities for specialised care for drugs and substance abuse and other chronic health disorders were

⁴ Where the total number of CCIs taken as 45, it implies that the parameter is not applicable/ required in 15 CCIs (SAA-7 and OS-8). In Sl.No.10, the parameter is applicable for 43 CCIs only.

available. Since these are at risk-children in vulnerable circumstances, the provision of such facilities in CCIs was of vital importance.

Case Study Maa Mangala Balashram, Mayurbhanj District

GoO issued revised guidelines (March 2015) for Grants in aid for CCIs. As per Clause 4 of the Guidelines, there are two components for GIA; (A) Non recurring expenditure and (B) Recurring expenditure. The non-recurring expenditure included:

- i. Structural Changes, up-gradation of accommodation facilities and maintenance
- ii. Up-gradation of facilities like purchase/ maintenance of television, computers, books, furniture and fixtures, kitchen equipment, *etc.*

Audit found that a CCI namely, Maa Mangala Balashram, Mangalpur of Mayurbhanj district sent a proposal to DCPO, Mayurbhanj (through its Annual Budgets 2016-17 and 2018-19) for construction of a new building at ₹ 7.50 lakh and upgradation of facilities like purchase/ maintenance of televisions, computers, books, furniture and fixtures, *etc.*, for ₹ 11.90 lakh. However, no financial assistance was given to the CCI despite the fact that there was an amount of ₹ 33.02 crore as closing balance in the accounts of OSCPS as of March 2021 under the head NGO-run children's home. Thus, the available funds were not utilised for the welfare of the children in need. In the absence of funds, basic facilities like kitchen, dining space of the CCI could not be upgraded/ completed to adhere to the prescribed standards of physical infrastructure envisaged for such facilities. Photographs of incomplete building and kitchen/ dining hall are given below:



Incomplete Kitchen-cum- dining room at CCI, Mangalpur



Dining Space of CCI, Mangalpur



Kitchen room of CCI, Mangalpur

4.4.2 Delay in construction of dormitory and other civil infrastructure

As per the ICPS guidelines, accommodation in each institution shall be separately provided for girls and boys. Besides this, different age-groups *i.e.*, 7-11 years, 12-16 years and 16-18 years would also need to be separately accommodated.

Audit found that the Executive Engineer, Ganjam (R&B) Division No.1 had submitted (May 2019) an estimate for construction of two dormitories and one library room inside the premises of Observation Home and Special Home for boys at Berhampur at ₹ 73.66 lakh to the Superintendent, Observation Home and Special Home for boys at Berhampur. W&CD Department sanctioned ₹ 109.27 lakh⁵ in March 2020 for construction of the aforesaid work as well as for repair and renovation of perimeter wall, plinth protection and drain. The works, however, had not commenced till January 2022.

Due to non-commencement of the works, classification and segregation of juveniles according to their age group could not be implemented as 132 children were staying in a limited number of four dormitories available. As per the ICPS norm, for accommodating 110 children, the required size of dormitory is 4,400 sqft. However, it was found that 132 children were staying in dormitories of area 3,022 sqft, instead of required area of 5,280 sqft. Besides violation of guidelines, lack of adequate infrastructure negatively impacted the living conditions of vulnerable children.

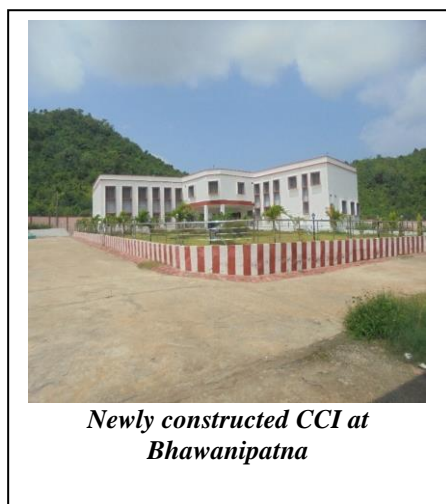
In reply, the Superintendent of Observation Home and Special Home for boys, Berhampur stated (January 2022) that the construction work would be started in near future.

4.4.3 Idling of newly constructed CCI at Bhawanipatna

The Juvenile Justice Committee⁶ in its meeting on 18 March 2015 recommended construction of a CCI at Bhawanipatna to house the needy children belonging to the district of Kalahandi. W&CD Department instructed (April 2015) the District Collector to identify suitable land for the purpose. Identification, alienation and demarcation of land was completed in September 2018. The, Executive Engineer, Kalahandi (R&B) Division was entrusted with the responsibility for execution of the work. An amount of ₹3.85 crore was released in favour of the executing agency between October 2018 and December 2020. The constructed CCI with capacity of housing 50 children was handed over to the district administration in January 2021.

⁵ ₹ 73.66 lakh for dormitories and library room and ₹ 35.61 lakh for repair and renovation of perimeter wall, plinth protection and drain

⁶ A committee comprising of Hon'ble judges of Orissa High Court to oversee implementation of JJ Act



Newly constructed CCI at Bhawanipatna



Inside view of the newly constructed CCI at Bhawanipatna

On scrutiny of records of the DCPO, Bhawanipatna, Audit found the newly constructed CCI, constructed at a cost of ₹ 3.85 crore, was lying vacant till March 2022 mainly due to lack of furniture in the building and absence of dedicated personnel. Audit noted that 12 children belonging to Kalahandi district had been accommodated in the Observation Home at Berhampur. Audit also noted that 132 children had been put in the said Observation Home against its capacity of 110. Despite overcrowding at the Observation Home at Berhampur, no steps were taken to identify and re-house children belonging to Kalahandi district to the newly built CCI at Bhawanipatna. Thus, intended benefit from the newly constructed CCI at Bhawanipatna could not be realised.

4.4.4 Inadequate security measures in the CCIs

As per Rule 60 of Odisha JJ (CPC) Rules, 2018, adequate number of security personnel shall be engaged in every CCI keeping in mind the category of children housed, age group of children, purpose of the institutionalisation and the risk factors applicable to the CCI.

On test check of records and information furnished to Audit by eight sampled districts, it was noticed that 234 (Boys- 166 and Girls- 68) children in the age group of 6 to 18 years were missing from 93 CCIs during the period 2016-17 to 2020-21. Of these, 130 (Boys – 82 and Girls- 48) were rescued during the above period but the whereabouts of the remaining 104 children were unknown as of date of audit (October 2021). The concerned CCIs had filed FIRs in the respective Police Stations. The details of missing children are as under:

Table 4.5: Details of Missing children in CCIs during 2016-21 in sampled districts

Sl. No.	Name of district	No. of CCIs	No. of missing children			No. of children rescued			No. of children not rescued		
			Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	Cuttack	19	26	7	33	19	4	23	7	3	10
2	Ganjam	11	32	26	58	18	19	37	14	7	21
3	Jharsuguda	4	3	1	4	3	1	4	0	0	0
4	Kalahandi	10	6	4	10	3	3	6	3	1	4
5	Khurda	18	74	27	101	20	18	38	54	9	63

Sl. No.	Name of district	No. of CCIs	No. of missing children			No. of children rescued			No. of children not rescued		
			Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
6	Koraput	11	1	2	3	0	2	2	1	0	1
7	Mayurbhanj	11	1	1	2	0	1	1	1	0	1
8	Puri	9	23	0	23	19	0	19	4	0	4
	Total	93	166	68	234	82	48	130	84	20	104

(Source: Information furnished by the CCIs)

Audit observed that in Utkal Balashram at Berhampur, Ganjam district, 26 girl children of 15 to 18 years were reported to have left the CCI during 2016 to 2020. Audit was unable to derive assurance as to whether the children reported as missing had left the CCIs on their own due to inadequate care and facilities at the CCIs or whether they had become victims of crime.

On missing of children from Utkal Balashram, Berhampur, the DCPO, Ganjam stated that 20 out of 26 children had been subsequently traced/ had returned voluntarily to the CCIs. However, six children continued to remain missing as of January 2022.

In case of the 104 missing children in the eight test checked districts, OSCPS stated that 50 children were traced/ had returned voluntarily as of January 2022. The total missing children across the State (all 30 Districts) was 135 as of January 2022.

The absence of required security measures such as high-rise boundary walls, absence of security personnel and lack of adequate surveillance resulted in children being able to leave the CCIs on their own, even though the CCIs had a fiduciary responsibility to care for the children until they became adults.

4.5 Preparation of Individual Care Plans

Individual Care Plan (ICP) is a comprehensive development plan for a child based on his/ her age and gender specific needs and case history of the child, prepared in consultation with the child, in order to restore the child's self-esteem, dignity and self-worth and nurture him into a responsible citizen and accordingly the plan shall address the following, including but not limited to, needs of a child, namely:- (a) health and nutrition needs, including any special needs; (b) emotional and psychological needs; (c) educational and training needs; (d) leisure, creativity and play; (e) protection from all kinds of abuse, neglect and maltreatment; (f) restoration and follow up; (g) social mainstreaming; and (h) life skill training.

As per ICPS guidelines, an ICP shall be developed for each child in institutional care (*i.e.*, Children Home, Open Shelter, Observation Home, Special Home, *etc.*) by the concerned agency in consultation with the DCPU within a month. Once agreed upon by the DCPU, the individual care plan shall be forwarded within a fortnight for approval to the CWC/ JJB. The concerned agency shall report to the DCPU on the execution of the individual child care plan within six months of the care plan being approved by the CWC/ JJB. The individual care plan shall be reviewed every six months.

Audit reviewed preparation of ICP in respect of children put in 60 out of 93 CCIs in eight sample districts. The 60 test-checked CCIs comprised Open Shelter (8), Children’s Home (43), SAA (7) and Observation Home (2).

Audit noted that while ICPs had been prepared for most CCIs, care plans had not been prepared for all children put up in Open Shelters (OS). Status of preparation of ICP by the OSs, review of these plans in the sampled districts (except Mayurbhanj where no OS was established) are shown in **Table 4.6** below:

Table 4.6: Preparation and review of ICP during 2016-21

Name of the District	Name of the Open Shelter	No. of Children in need of care and protection residing in OS	No. of children for which ICP prepared	No. of children for which ICPs prepared have been reviewed	No. of children for which ICP not prepared
Kalahandi	Nehru Seva Sangh, Bhawanipatna	625	439	439	186
Cuttack	Basundhara	1030	315	66	715
Khurda	Biswajiban Sevasangh	1745	772	675	973
	Ruchika	2813	2380	1250	433
Ganjam	Divyajyoti	458	458	458	0
Jharsuguda	Daniel	426	422	422	04
Puri	Sarvodaya Nagar	1091	32	0	1059
Koraput	Sova	385	144	62	241
	Total	8573	4962	3372	3611

(Source: Information of DCPOs)

As revealed from the table above, 8,573 children in need of care and protection got admitted in the OSs during 2016-21. Out of these, ICP was prepared for only 4,962 (58 per cent) children and review of ICP was done in respect of 3,372 children (68 per cent). As ICP was not prepared and reviewed for each child, the CCIs could not take necessary steps, based on requirements/needs of each child for their subsequent rehabilitation including adoption, foster care, etc.

4.6 Implementation of foster care programme

As per Section 44 (1) of JJ (CPC) Act, 2015 read with Rule 88 of Odisha (CPC) Rules, 2018, the children in need of care and protection may be placed in foster care, including group foster care⁷ for their care and protection through orders of the Sponsorship and Foster Care Approval Committee (SFCAC), after following the procedure as may be prescribed in this regard, in a family which does not include the child’s biological or adoptive parents or in an unrelated family recognised as suitable for the purpose by the State Government, for a short or extended period of time.

Rule 75 of the Odisha, JJ Rules 2018, states that children above six years of age, though legally available for adoption, are not successfully adopted, are eligible to be placed in Foster Care. As per GoI’s Foster Care Guidelines, 2016, DCPUs shall identify families who are willing to take children in foster

⁷ Group Foster Care means a family like care for children in need of care and protection who are without parental care with the aim to provide personalised care and fostering a sense of belonging and identity, through family like and community based solutions

care along with their preference of the child. For this purpose, DCPUs shall float advertisements in local newspapers periodically calling for applications for family foster care.

Audit examined records in eight Districts and noticed that there were 3,181 children aged up to 18 years, housed in 93 CCIs during 2016-17 to 2020-21. District-wise details of number of CCIs as well as number of children therein, number of children identified for foster care, *etc.*, pertaining to the period 2016-17 to 2020-21 are indicated in the **Tables 4.7** and **4.8** below:

Table 4.7: Implementation of foster care of Children in test checked districts

Sl. No.	Name of the district	No. of CCIs	No. of children in CCIs	No. of children identified for foster care	No. of advertisements made for foster care	No. of applications received for foster care	No. of children placed under foster care
1	Puri	09	307	17	1	3	0
2	Khurda	18	690	10	1	3	1
3	Kalahandi	10	359	9	1	0	2
4	Mayurbhanj	11	378	6	1	2	1
5	Jharsuguda	04	62	3	0	0	5
6	Ganjam	11	377	2	1	2	1
7	Koraput	11	274	1	1	2	1
8	Cuttack	19	734	NA	1	3	0
	Total	93	3181	48	7	15	11

(Source: As per information furnished by the concerned DCPOs)

Table 4.8: Details of foster-care of Children in CCIs

Sl. No.	Name of the district/ No of CCIs	No. of children in CCIs	No. of children				Total
			Identified for foster care	Identified for adoption	Adopted	Not eligible for foster care/ adoption	
1	2	3	4	5	6	7 (3-4-5)	8 (4+5+7=3)
1	Puri (9)	307	17	58	46	232	307
2	Khurda(18)	690	10	94	94	586	690
3	Kalahandi(10)	359	9	88	40	262	359
4	Mayurbhanj (11)	378	6	65	56	307	378
5	Jharsuguda(4)	62	3	9	9	50	62
6	Ganjam(11)	377	2	43	27	332	377
7	Koraput(11)	274	1	127	51	146	274
8	Cuttack(19)	734	NA	140	120	594	734
	Total (93)	3181	48	624	443	2509	3181

(Source: As per information furnished by the concerned DCPOs)

As can be seen from the above table, only 48 of the 3,181 children (Boys 1695 and Girls 1,486) in these CCIs (*i.e.*, 1.51 per cent) were identified for foster care and of these, only 11 (23 per cent) were actually placed under such care. Audit found delay in floating advertisements by DCPUs concerned soliciting willingness of public for giving foster care to the identified children. Some of the instances are discussed below:

- In Puri district, two children each in 2016-17 and 2017-18, three children in 2018-19 and five children each in 2019-20 and 2020-21 were identified as eligible for foster care. The DCPO, Puri floated advertisement only in 2020-21 for foster care. In response, only three applications were received but none could be placed under foster care due to unwillingness of the applicants, as reported (August 2021) by the DCPO to Audit.
- In Kalahandi district, all the nine children were identified in 2019-20 and accordingly advertisement was floated in the same year but no response was received. However, two children were placed under Group Foster Care run by one NGO. In case of remaining seven children, advertisement was not floated again during 2020-21.

The DCPO, Kalahandi stated (September 2021) that necessary steps were being taken through advertisements for placing the children under foster care. The fact, however, remains that no advertisements had been floated in 2020-21 in respect of seven children in wait list for foster care.

- In Ganjam district, two children were identified for foster care in 2017-18, but advertisements were floated as late as November 2020 and only one child could be placed under foster care.

The DCPO, Ganjam stated (September 2021) that reluctance of the identified child for foster care as well as discouragement by parents/guardians/ claimant of children concerned are hindering factors towards foster care. The assertion of the DCPO is indicative of improper identification of children for foster care which raises question on appropriateness of the individual care plan chalked out.

The fact remains that the Government needs to step up its efforts to place more children in foster care beginning with formulation of more focused individual specific care plans for vulnerable children and further towards identification of suitable foster care homes/ families.

4.7 Functioning of After Care Programme

As per Section 46 of JJ (CPC) Act, 2015 any child leaving a CCI on completion of 18 years of age may be provided with financial support in order to facilitate child's re-integration into the mainstream society. Further, as per Rule 90 of JJ (CPC), Rules, 2018, the State Government shall prepare a programme for children who have to leave CCIs on attaining 18 years of age by providing for their education, giving them employable skills and placement as well as providing them places for stay to facilitate their re-integration till the child attends age of 21 years. As per Paragraph 6.2 of ICPS guidelines, DCPU shall identify suitable voluntary organisations that will run such After Care Programme (ACP). The selected voluntary organisations shall formulate ACPs for each such child for a period of three years.

Audit noted that OSCPS had received ₹ 1.20 crore during 2016-21 for implementation of ACP out of which no expenditure had been incurred during the same period. Audit also noted that 660 children (302 girls and 358 boys) had left CCIs in the sample districts on attaining age of 18 during 2016-21 and

none of them had been covered under ACP. Year-wise number of children who left CCIs in the test checked districts on attaining age of 18, during 2016-21 is shown in **Table 4.9** below:

Table 4.9: Table showing non implementation of After Care Programme

Sl. No.	Name of the district	No. of children moved out after the age of 18 years from CCIs					Total
		2016-17	2017-18	2018-19	2019-20	2020-21	
1.	Cuttack	56	38	51	21	21	187
2.	Ganjam	17	17	35	13	23	105
3.	Jharsuguda	0	0	2	0	0	2
4.	Kalahandi	9	8	11	12	5	45
5.	Khurda	34	37	37	43	50	201
6.	Koraput	3	5	2	14	8	32
7.	Mayurbhanj	14	7	9	8	11	49
8.	Puri	10	8	10	8	3	39
	Total	143	120	157	119	121	660

(Source: Information furnished by DCPUs)

Audit found that DCPUs in eight test checked districts had not identified any suitable voluntary organisation in their respective districts which would run ACPs despite availability of funds. As a result of this inaction on the part of DCPUs, there was idling of funds and more significantly, one of the crucial objectives of ICPS of mainstreaming children leaving CCIs, remained unachieved.

It was further noted that the W&CD Department, GoO had also not intervened in the matter to ensure that ACP is in place to cover all children moving out of CCI for mainstreaming them. This indicated lackadaisical attitude of the functionaries of the W&CD Department, OSCPS and DCPUs.

In reply the DCPOs of Khurda, Kalahandi and Jharsuguda stated (August/September 2021) that due to non-availability of proper guidelines from the Government, the required facilities had not been provided. The reply is not convincing since the DCPUs are entrusted with the responsibility of identifying voluntary organisations to run ACP as per the ICPS guidelines, hence, no further guidance was required on the matter. Two other DCPOs (Cuttack and Ganjam) stated (August- September 2021) that implementation of ACP was under process.

4.8 Shortfall in number of care-giver personnel at the State, District and CCI levels

4.8.1 Shortfall in number of personnel in the State level agencies (OSCPS and SARA)

OSCPS is the State level agency for implementation of ICPS in Odisha. State Adoption Resource Agency (SARA) is a constituent of OSCPS having the mandate to support Central Adoption Resource Agency (CARA) in promoting in-country adoption and regulating inter-country adoption as well as to coordinate, monitor and develop the work of adoption. SARA is to liaison with DCPUs and provide technical support to the Child Welfare Committees (CWCs) in carrying out the process of rehabilitation and social reintegration of all children through sponsorship, foster-care, in-country and inter-country adoption.

Against the required staff of 13 persons, only 10 persons were available in OSCPS. Out of the three vacant posts, one key post of a Programme Manager (Training, IEC and Advocacy) remained vacant. Vacancy in this post raises the risk of shortfall in the number of training programmes conducted in test checked districts.

Similarly, in SARA, out of four posts, two key posts *i.e.*, Programme Officer and Programme Assistant remained vacant. The Programme Officer and Programme Assistant perform the key function of coordinating between the State level and District level for child adoption activities and hence filling up these vacancies on priority basis is essential.

4.8.2 Shortfall in number of care-giver personnel at the District level

As per Paragraph 2.1 of Chapter 3 of ICPS guidelines, a DCPU is a fundamental unit for the implementation of ICPS. The DCPU shall coordinate and implement all child rights and protection activities at district level.

In the eight selected Districts, Audit examined the availability of personnel, compared to the ICPS guidelines (Annexure-I of the guidelines), as per which a total of 12 persons are required to manage the DCPU. It was seen that in these eight districts, there were vacancies in the range of 17 to 58 *per cent* with the vacancy position being highest in Jharsuguda. Due to the shortage of personnel, the day-to-day functioning of the DCPUs was affected besides adversely impacting planning and monitoring of CCIs in the district.

Further, as per Paragraph 2.2, Chapter 3 of ICPS guidelines, the Counsellor at the DCPU will be responsible for supervising counsellors in the institutions and also for providing counselling support to children and families coming in contact with the DCPU.

As per information furnished to Audit, the post-wise, Persons-in-Position (PIP) in all the 30 DCPUs of the State as of March 2021 was as follows:

Table 4.10: Table showing Staff position of all the districts in the State

Sl. No.	Particulars	PIP required	PIP available	Shortfall in PIP	Percentage of shortfall
1	DCPO	30	28	2	7
2	Protection Officer (Institutional care)	30	21	9	30
3	Protection Officer (Non-Institutional care)	30	21	9	30
4	Legal-cum-Probation Officer	30	18	12	40
5	Counsellor, Social Worker, Out-reach worker, Community Volunteer	150	92	58	39
6	Accountant, Assistant & DEO	60	37	23	38
	Total	330	217	113	34

(Source: Information furnished by OSCPS)

Role of counsellors is to provide counselling services to children in need of care and protection as well as to their families. Similarly, Social Workers are responsible for coordinating field level activities in their respective cluster of sub-divisions as assigned by the DCPO. The Outreach Workers are

responsible for developing networking and linkages with Anganwadi workers and Panchayat/ local bodies at community/ block levels. While Protection Officers (Institutional Care) are responsible for effective implementation of child protection programs and policies at the district and local levels, Protection Officer (Non-Institutional Care) ensure effective implementation of the non-institutional components of ICPS relating to sponsorship, foster-care, adoption, after-care, etc. Staff position in the test checked districts are given in **Appendix 4.2**.

Audit noted that there were significant shortfalls of care-giving personnel in the key roles of Protection Officers for both institutional and non-institutional care (30 per cent) and Counsellors (39 per cent). Thus, there were inadequate number of personnel in place, to provide care and counselling to vulnerable children as well as to ensure effective implementation of the ICPS scheme and its institutional and non-institutional components.

4.8.3 Shortfall of care-givers personnel at CCIs

As per Rule 39 of Odisha JJ (CPC), Rules, 2018 the personnel strength of a CCI shall be determined according to the duty, posts, hours of duty and category of children that the staff is meant to cater to. There shall be 15 categories of posts to manage a CCI. Further, as per Rule 39(9) of the aforesaid Rule, the security personnel shall be deployed as per nature and requirement of the CCI, taking into consideration strength of the children, age groups, physical and mental status, segregation facility based on the nature of offence and structure of the Institution.

Audit reviewed the status of care-giver personnel in 45 CCIs⁸ in the State and a summarised position is shown in the **Table 4.11** below:

Table 4.11: Staff position of test checked CCIs

Sl. No.	Name of the post	Persons required in 45 CCIs	PIP available	Shortfall in PIP	Percentage of shortfall
1	Superintendent	45	43	2	4
2	Counsellor	90	45	45	50
3	P O/ Child Welfare Officer/ Case worker	135	50	85	63
4	House Mother/ House Father	180	94	86	48
5	Paramedical staff	45	17	28	62
6	Store Keeper-cum-Accountant	45	32	13	29
7	Cook	90	52	38	42
8	Helper	90	46	44	49
9	Housekeeper	90	42	48	53
10	Educator	90	66	24	27
11	Part time Doctor	45	18	27	60
12	Part time Art & Craft-cum-music Teacher	45	31	14	31
13	Part time Instructor cum Yoga trainer	45	16	29	64
14	Gardener (Part time)	45	0	45	100
	Total	1080	552	528	49

(Source: Information furnished by CCIs)

⁸ Out of 60 CCIs, 43 were Children Homes and 2 were Observation Homes. The remaining 15 CCIs (SAA and OH) do have specific staff patterns. So, these 15 CCIs were not taken into account in the para.

From the above table, it was apparent that there were significant shortfalls in key care-giver roles such as Counsellors (50 *per cent*), Child Welfare Officers (63 *per cent*), House Mother/ Father (48 *per cent*), Paramedical Staff (62 *per cent*), Cooks (42 *per cent*) and Helpers (49 *per cent*). Due to the shortage of personnel, the day-to-day functioning of the CCIs was adversely impacted and wellbeing of these at-risk children could not be sufficiently catered to. The significant shortage especially of Child Welfare Officers and Counsellors further adversely impacted the running of various schemes like the Foster Care, After Care Programme, Sponsorship Programme, *etc.*

4.9 Shortfall in training programmes for care-giver personnel

As per Rule 106 of Odisha JJ (CPC), Rules, 2018, the State Government through the OSCPS or any other institution as deemed suitable shall provide training to personnel appointed under the Act and each category of staff, keeping in view their statutory responsibilities and specific jobs requirements.

Audit reviewed year-wise data related to Annual Action Plan & Training conducted by OSCPS during 2016-17 to 2020-21.

It was observed that the overall achievement in conducting training programmes by OSCPS at State level stood at 94 *per cent*. However, important training programmes like, Training of trainers for child protection, Induction training for newly recruited DCPU personnel, Orientation training for outreach workers and Orientation programme for Superintendents of CCIs on maintaining standard of care, had not been conducted during 2016-17 and 2017-18.

While achievement in conducting training programmes at State level by OSCPS stood at 94 *per cent*, achievement in the test checked districts during the same period was only 46 *per cent*.

Audit observed that a total of 855 training programmes were to be imparted to different care-giver personnel of the test checked districts during 2016-17 to 2020-21. However, District authorities conducted only 394 (46 *per cent*) training programmes on different subjects during the above period, which resulted in shortfall of 461 (54 *per cent*).

The DCPOs stated that the training programmes were not conducted as per the plan due to shortages of facilitators and due to the Covid-19 outbreak. The fact, however, remains that out of five years, only 2020-21 was hit by the pandemic when only 63 training programmes could be conducted against plan of 122, registering shortfall of 59 (48 *per cent*).

4.10 Oversight Mechanism

4.10.1 State Level Monitoring Committee

As per ICPS guidelines, a State Level Monitoring Committee shall be formed with the State Principal Secretary/ Secretary, W&CD Department to supervise implementation of ICPS with the help of the State Child Protection Committee (SCPC). Such a Committee under the Chairpersonship of the State Principal Secretary/ Secretary shall include members from the concerned government departments like health, education, labour, housing, judiciary, home, railways and members of the local bodies like PRIs, ULBs, voluntary organisations and

members of the civil society. The SCPC shall monitor the implementation of ICPS on the basis of the state specific indicators, which have been developed. The Chief Secretary of the concerned State/ UT shall conduct an annual review of the implementation of the ICPS at State level.

Audit noted that although the State Level Monitoring Committee had been formed, the Department had not developed State specific indicators against which the implementation of the ICPS scheme could be evaluated. Further, no information was made available to Audit on the number of review meetings conducted by the Committee and on whether annual review of the implementation of ICPS at the level of the Chief Secretary, as envisaged in the guidelines, had been conducted during the period 2016-17 to 2020-21.

4.10.2 District/ Block and Panchayat Level Monitoring Committees

As per ICPS guidelines, the Chairperson of Zilla Parishad and District Magistrate, assisted by the District Child Protection Committee (DCPC), supervise the activities of the DCPU as well as the overall implementation of ICPS. The DCPC shall monitor the implementation of ICPS on the basis of district-specific indicators, which are to be developed in the process of implementation of the scheme.

As per section 100(xxvii) of Odisha JJ (CPC) Rules 2018, DCPO shall ensure functioning of the District, Block and Panchayat Level Child Protection Committees (PLCPC) for effective implementation of the provisions of the Act, Rules, Adoption Regulations and other programmes connected with welfare and rehabilitation of the children.

Audit noticed that the District and Block Level Child Protection Committees had been formed in all the test-checked districts. However, out of 2,366 Gram Panchayats (GPs) of eight selected districts, 2,285 Panchayat Level Child Protection Committees were formed. In the remaining 81 GPs of three⁹ districts, the same had not been formed.

Due to non-formation of committees in 81 GPs, the objective of ensuring effective monitoring of implementation of the provisions of the Act, Rules, Regulations and other programmes connected with welfare and rehabilitation of the children in Panchayat level in the districts could not be achieved.

In reply, the DCPOs of Jharsuguda, Koraput and Khurda stated (August/ September 2021) that due to shortage of human resources and non-provision of funds, PLCPC could not be formed.

4.10.3 Shortfall in conducting inspections by District Inspection Committee

As per Section 54 of JJ (CPC) Act, 2015, and read with Rule 53(10) of Odisha JJ (CPC), Rules, 2018, the District Inspection Committee (DIC), headed by Additional District Magistrate (ADM) shall inspect each CCI in the district on quarterly basis to access the facilities available for children therein.

Audit noticed that 1,720 quarterly Inspections were conducted by the DIC against 1,860 that were required to be carried out, during the period 2016-21.

⁹ Kalahandi, Khurda and Koraput

Due to shortfall in inspections by DIC, proper functioning of CCIs in the district could not be assessed adequately by the district authorities.

4.11 Conclusion and Recommendations

4.11.1 Conclusion

Expenditure efficiency of Odisha Child Care Protection Society decreased over the period from 2016-17 to 2020-21. The percentage of utilisation of available funds continually decreased from 70.47 *per cent* in 2016-17 to 31.60 *per cent* in 2020-21. Out of the total number of 93,865 children identified as vulnerable in the baseline surveys, only 1,973 children (two *per cent*) were put in different CCIs by the DCPUs. No State specific database had been created to monitor trends and patterns on the subject matter of protection of children, as envisaged in the ICPS guidelines. No innovative projects were undertaken despite availability of budget provisions of ₹1.20 crore during 2016-21. Newly constructed CCI at Bhawanipatna at a cost of ₹ 3.85 crore remained unused. The DCPUs had not identified any suitable voluntary organisation in their respective districts which would run ACPs despite availability of funds. Available physical infrastructure as well as human resources were not adequate and as per the norm to provide effective child care and protection services. As such, the inmates of the Child Care Institutions had not been provided with desired level of basic facilities and required amenities.

Further, security measures at CCIs were not adequate despite cases of missing children being reported. Functioning of the CCIs were not being monitored adequately by the District Inspection Committees, indicating apathy of the Department.

4.11.2 Recommendations

It is recommended that:

- baseline surveys should be conducted periodically to identify vulnerable children in each district.
- physical infrastructure should be improved and required number of staff should be posted in CCIs.
- individual Care Plan in respect of each child should be prepared and suitable NGOs should be identified and engaged for implementation of the same.
- efforts to put children in foster care should be stepped up and After Care Programmes for each child should be prepared and implemented.
- innovative projects may be undertaken for the welfare of the vulnerable children.
- adequate security measures may be provided in the CCIs to ensure safety of the children.
- W&CD Department may closely monitor the functioning of the OSCPS to ensure that funds provided for welfare of children are spent fully and timely and other measures contemplated for welfare of children in CCIs are taken scrupulously.