

## Chapter 4

### Working of Child Care Institutions

**CCIs were functioning without registration, there were also undue delays in Registration and Renewal of CCIs by DSCPS and in taking action against unregistered CCIs, as such allowing them to function without requisite facilities. There was huge shortage of staff in Government run CCIs ranging up to 76 per cent which severely compromised their ability in providing quality care to the children. The CCIs suffered from inadequate infrastructure facilities, insufficient nutrition, clothing, bedding and toiletries provided to children, inadequate medical facilities and significant absence of formal education to children, with only 54 per cent receiving formal education. Similar deficiencies were also observed in After Care Homes, where care is provided to children who must leave CCIs on attaining 18 years of age for two more years to facilitate their re-integration into the society.**

#### 4.1 Registration of CCIs

Section 41 of JJ Act, 2015 provides that all institutions, whether run by a State Government or by Voluntary or Non-Governmental Organisations for housing children in need of care and protection or children in conflict with law, shall, be registered under this Act, in such manner as may be prescribed, within a period of six months from the date of commencement of this Act. The institutions having valid registration under the JJ Act, 2000 on the date of commencement of this Act, shall be deemed to have been registered under this Act.

Section 42 provides that any person, or persons, in-charge of an institution housing children in need of care and protection and children in conflict with law, who fails to comply with the provisions of sub-section (1) of section 41, of JJ Act, 2015 shall be punished with imprisonment which may extend to one year or a fine of not less than one lakh rupees or both.

DSCPS was responsible to ensure that all such institutions were registered as per provisions of Section 41 of Juvenile Justice (JJ) Act, 2015. This was necessary to ensure that these institutions have the infrastructure, manpower and other resources to take care of the children entrusted to them at the desired standards.

As of March 2021, there were 77 CCIs, out of which only 68 CCIs had valid registrations. During security of records of selected CCIs, Audit observed the following issues:

#### **4.1.1 Failure to take Action against delay in applying for registration/renewal by CCIs**

As per Rule 21(8 and 9) of JJ Model Rules, 2016, all institutions shall be bound to seek renewal of registration three months prior to the expiry of the period of registration and in case of their failure to seek renewal of registration, such institution shall cease to be a registered institution and shall be managed by the State Government or the children placed therein shall be transferred to some other institution by the order of the Juvenile Justice Board or the CWC. In this regard, Audit noted that 14 CCIs, out of 16 test checked, applied for registration/ renewal after due date with delay of 18-120 days, however, no action was taken against these NGOs as per above provisions of JJ Model Rules, 2016 by DWCD.

#### **4.1.2 Delay in processing applications for registration/renewal of CCIs by DWCD**

Rule 21(10) of Juvenile Justice Model Rules, 2016 stipulates that an application for renewal of registration of an institution shall be disposed off within sixty days from the date of receipt of application. Rule 21(4) *ibid* also stipulates that the State Government, may not grant provisional registration where adequate facilities do not exist in the institution applying for registration and shall issue an order before the expiry of one month from the date of receipt of the application that the institution is not entitled for even provisional registration. Audit test checked registration applications of CCIs run by NGOs which revealed that applications of registration/renewal were disposed off by DWCD after delays ranging from 121 to 840 days against the stipulated period of sixty days from the date of receipt of application.

The delays were due to many reasons including administrative reasons like incomplete proposals, incomplete Inspection Reports, unavailability of recommendations of the Inspection Committee and lack of clarity about delegation of power of registration, etc.

In spite of not having a valid registration, these CCIs were functioning and the Government was also sending children in need to these CCIs.

In its reply, DWCD stated (December 2021) that there was ambiguity regarding registration as Section 41 of the JJ Act, 2015 provides the registration certificates to be issued by the State Government while Section 106 provides that the matter of registration of CCIs shall be taken up by the SCPS. After amendment of GNCTD Act, and notification of competent authorities, all proposals are now being referred to the Honourable Lieutenant Governor for his assent for registration and renewal of registration of the CCIs. The fact remains that registration/renewal was not done.

Specific cases of delay in registration of CCI and working of unregistered CCI noticed are given below:

An NGO applied for fresh registration on 18 June 2019, after more than four years of expiry of its registration. After inspection (October 2019), CWC and DCPU recommended for rejection of the application due to unhygienic living conditions. However, DSCPS was yet to issue an order of rejection (as of August 2021). This entails the risk that NGO may have been running the CCI despite having unhygienic accommodation.

DWCD stated (December 2021) that placement of children was stopped by CWCs and no child was placed or residing at this place since 2016. However, DWCD had not rejected the application for registration/renewal even after two years.

DCPU-III (South) identified (November 2015) an unregistered CCI<sup>7</sup>, wherein 18 children were residing. The CCI was directed (May 2016) to produce these children to the CWC concerned. However, only six children were brought before CWC, and they were allowed to stay in CCI till further orders. Finally, DSCPS rejected (May 2019) the registration application of the CCI in May 2019, i.e., after more than three years of identification of the CCI. Moreover, due to delayed decision by DSCPS, the children continued to stay in the CCI which was ineligible for registration.

In its reply, DWCD stated (December 2021) that placement of children in the CCI was stopped but the organisation approached Honourable High Court and filed a Petition which is still pending for decision. The fact, however, remains that DWCD rejected the registration application only after more than three years of identifying the CCI.

Thus DWCD did not take timely action in rejection of registration application which were to be disposed off within one month from the date of receipt of application. This allowed ineligible NGOs to continue functioning despite lack of appropriate conditions.

***Recommendation no. 6: Complete the process of registration/renewal of CCIs within the prescribed period as per JJ Act, 2015.***

#### **4.1.3 Delay by DSCPS in notification of registration of Government run CCIs**

As per the JJ Act, 2015, DSCPS was required to register /renew Government CCIs within a period of six months from January 2016, but DSCPS had issued notification of registration of 26 government CCIs only on 13 October 2020 i.e., after delay of 51 months.

<sup>7</sup> Prayas Children Home for Boys, Mehrauli

In its reply, DWCD stated (December 2021) that the provision of Section 41(1) of JJ Act, 2015 stipulated that the institutions having valid registration under JJ Act, 2000 on the date of commencement of Act of 2015 shall be deemed to have been registered under this Act and all the Government run CCIs were having valid registration at the time of introduction of JJ Act, 2015. However, the reply is silent regarding delay in renewal of registration of CCIs which was to be done within six months of the JJ Act, 2015 coming into effect.

Delay in registration/renewal of registration of CCIs and delay in taking action against CCIs not having adequate facilities/hospitable conditions indicates insensitivity of DSCPS towards providing basic services to children in need as it allowed such institutions to function without necessary requirement, and exposed the children to unfit conditions.

## 4.2 Functioning of CCIs – Children Homes and Open Shelters

JJ Model Rules, 2016 prescribes minimum standards for various services and facilities to be provided to children staying in Children Homes and Open Shelters. Audit observations related to the 11 test-checked CCIs on the basis of joint physical verifications and examination of records are discussed below:

### 4.2.1 Shortage of staff in CCIs

The Superintendent of CCI is an important functionary in its day-to-day running. He is responsible for (i) planning, implementation and coordination of all institutional activities (ii) ensuring that the children are provided with prescribed quality and quantity of food, educational and vocational training in accordance with the aptitude and need of the children, etc. Audit observed that Superintendents of three<sup>8</sup> Government CCIs were holding additional charges of two to four other CCIs. Giving responsibility of running multiple CCIs to a single person does not hold good for smooth and proper functioning of these CCIs.

The status of shortage of staff in 10<sup>9</sup> out of 11 Children Home and Open Shelters run by Government and NGOs is given in **Annexure VI**.

Data showed that three CCIs run by Government viz CHG-I, Nirmal Chhaya (14/25), CHG-II, Nirmal Chhaya (10/25) and VCH-I, Lajpat Nagar (06/25) and three CCIs run by NGOs viz Apna Ghar, Paharganj (13/25), SPID, Shradhanand Marg (16/25) and Asra SBT, Najafgarh (15/25) ran with substantial staff shortage *vis-à-vis* sanctioned strength.

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<sup>8</sup> CHG-I,II,III & IV and Foster Care Adoption Agency, Nirmal Chhaya Complex, Hari Nagar; CHB-I & II and After Care Home, Alipur; and VCH-I,II & III, Lajpat Nagar

<sup>9</sup> CHG-IV, Nirmal Chhaya did not furnish the status of the staff

Huge shortage of staff upto 76 *per cent* in Government run CCIs indicates low priority given by the Government to care and protection of children in need.

In its reply, DWCD stated (December 2021) that Rule 26(1) of JJ Model Rules, 2016 provides that 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. The staffing pattern for an institution with a capacity of 100 children is suggested/indicative. The staff posted in the CCIs are adequate in terms of the category of children and capacity of the CCIs.

The reply is not acceptable as the staff are not posted as per prescribed norms of JJ Act, 2015 and ICPS guidelines.

#### **4.2.2 Deficient physical infrastructure**

Rule 29 of JJ Model Rules, 2016 prescribes the minimum standards of care to be provided by the CCI to the children in terms of physical infrastructure. The suggested norms for building or accommodation in each institution with 50 children are as under:

(i) 2 Dormitories-each 1000 Sq.ft. for 25 children (ii) 2 Class rooms -300 Sq.ft. for 25 children (iii) Sickroom/First aid room - 75 Sq.ft. for 10 children (iv) Kitchen 250 Sq. ft. (v) Dining hall - 800 Sq. ft. (vi) Store - 250 Sq.ft. (vii) Recreation room - 300 Sq.ft. (viii) Library - 500 Sq.ft. (ix) 5 Bathroom - 25 Sq.ft. each (x) 8 Toilets - 25 Sq. ft.. (xi) Counselling and Guidance room - 120 Sq.ft. (xii) Workshop - 1125 Sq. ft. for 15 children (xiii) Play ground - Sufficient area according to total number.

The status of CCIs (both Government and NGO run) with respect to basic infrastructure is indicated in **Table 4.1**.

Table 4.1: Availability of Infrastructure in CCIs

Name of CCI	CCIs run by Government						CCIs run by NGOs				
	CHB-I, (Phulwari) Alipur (SS- 200 Children)	CHB-II (Ashiyana) Alipur (SS- 100 Children)	CHG-I, Nirmal Chhaya (SS- 100 Children)	CHG-II, Nirmal Chhaya (SS- 100 Children)	CHG-IV, Nirmal Chhaya (SS- 20 Children)	VCH-I, Lajpart Nagar (SS – 70 Children)	Prayas NGO, Jahangir puri (SS- 100 Children)	DMRC, SBT Tishazari (SS- 1 20 Children)	Apna Ghar Open shelter, Paharganj (SS- 25 Children)	SPID, shradhdhanand marg (SS- 25 Children)	Aasra, SBT Najafgarh (SS- 50 Children)
<b>Dormitory</b>	Adequate	Adequate	Less	Less	Less	Less	Adequate	Less	Adequate	Less	Less
<b>Classroom</b>	Less	Less	Adequate	Adequate	Adequate	Not available	Less	Less	Less	Less	Less
<b>Workshop</b>	Not available	Not available	Less	Less	Adequate	Less	Less	Less	Not available	Not available	Less
<b>Toilets</b>	Adequate	Adequate	Less	Less	Adequate	Less	Adequate	Less	Less	Less	Less
<b>Bathroom</b>	Adequate	Adequate	Less	Less	Adequate	Adequate	Adequate	Less	Less	Less	Less
<b>Library</b>	Less	Less	Less	Less	Adequate	Less	Less	Less	Not available	Less	Less
<b>Playground</b>	Adequate	Adequate	Adequate	Adequate	Adequate	Adequate	Adequate	Adequate	Not available	Not available	Not available
<b>Sickroom</b>	Less	Less	Less	Less	Adequate	Less	Less	Less	Less	Not available	Less
<b>Dining hall</b>	Less	Less	Less	Less	Adequate	Adequate	Less	Less	Not available	Not available	Less
<b>Kitchen</b>	Less	Less	Adequate	Adequate	Adequate	Adequate	Less	Less	Not available	Less	Less
<b>Store</b>	Less	Less	Less	Less	Adequate	Adequate	Adequate	Less	Less	Less	Less
<b>Recreation</b>	Less	Less	Adequate	Adequate	Adequate	Adequate	Less	Adequate	Not available	Less	Adequate
<b>counselling room</b>	Less	Less	Adequate	Adequate	Adequate	Less	Less	Less	Less	Less	Less

The above table shows that basic infrastructure facilities i.e Dormitory, Classroom, Workshop, Library, Sickroom, Dining hall and Store did not meet the requisite specifications or number in most Government and NGO run CCIs. Several infrastructural deficiencies were observed in Government run CCIs as indicated below:-

- **Dormitories, Dining hall and store:** All test checked six CCIs had dormitories, dining hall and store but four CCIs did not meet the requisite specification.
- **Workshop, Library and Sick room:** Five CCIs did not meet the requisite specification.
- **Classroom, counselling room and toilets:** three CCIs did not meet the requisite specification.

Apart from the inadequacy of infrastructural facilities, Audit observed poor condition of available facilities in a few CCIs during Joint Physical Verification. Severity of infrastructural deficiencies evident from the following pictures indicated lack of proper maintenance for a long period and neglect on the part of the authorities responsible for making these CCIs habitable.

Illustrative cases are discussed below:

- In CHB-I, Audit observed cracks in ceiling, seepage in walls, broken and dirty toilets, lack of sufficient safe drinking water and usage of dormitory to store obsolete and dismantled items.



**Picture 1: Plaster on ceiling falling in Dormitory, CHB-I**

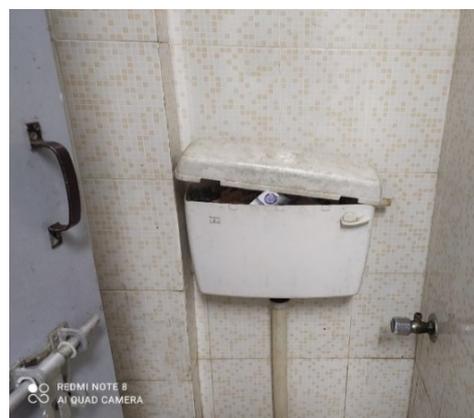


**Picture 2: Broken commode in toilets of CHB-I**

- In DMRC children Home, Tis Hazari, toilets were found to be in unhygienic condition as the cistern was not functioning.



**Picture 3: Seepage on Kitchen Walls in CHB-I**



**Picture 4: Broken cistern in toilets of DMRC CCI**

- During joint inspection of Apna Ghar Open Shelter, Audit observed that only five benches (with total seating capacity of 10 children) were available for 28 children. As a result, children were forced to study while sitting on the floor of dormitory.

In its reply, DWCD stated (December 2021) that physical infrastructure in CCIs are required as envisaged under Rule 29 of JJ Model Rules, 2016 and the norms provided under sub rule (6) are suggested/ indicative as the same is applicable for the CCIs with accommodation capacity of 50 children. All the Government CCIs have adequate physical infrastructure and more spacious than what is

envisaged under the said Rule. It was further stated that since the maintenance of the building is undertaken by the PWD, sometimes renovations/repair takes considerable longer time but children are accommodated properly in alternative facilities within the complex. Reply is not acceptable as above table shows that most of test checked CCIs run by Government and NGOs did not meet the requisite specifications. Further, the severity of infrastructural deficiencies indicate lack of proper maintenance for a long period.

#### **4.2.3 Insufficient nutrition provided to children**

Rule 33 of JJ Model Rules, 2016 specified the standards relating to nutrition and diet scales for compliance by the CCIs. Out of 11 test checked, only six Homes/Shelters, maintained records regarding nutrition provided to the children.

These six Homes/Shelters<sup>10</sup> either did not provide requisite items (chicken/eggs, curd/butter milk, paneer, cereals, dal/rajma/chana, etc.) at all or provided in less than prescribed quantity.

In the absence of the records/register of dietary items in rest of the five test checked Homes/Shelters, Audit could not ascertain whether prescribed quantities of all dietary items were provided or not.

In its reply, DWCD stated (December 2021) that all the Government run CCIs follow the norms provided under the JJ Model Rules, 2016. However, CHB-I and CHB-II, Alipur accepted the audit findings and replied that the quantity of items would be consumed as per prescribed norms and noted it for future compliance. The reply of DWCD is not tenable as the quantity of dietary items consumed showed that items were not provided as per prescribed norms and auditee units also accepted the audit facts. Further, DWCD is silent on CCIs run by NGOs in its reply.

#### **4.2.4 Insufficient provision for Clothing, bedding and toiletries**

Rule 30 of JJ Model Rules, 2016 specified the essential items of clothing, bedding and toiletries for compliance by the CCIs. Out of 11 test checked Homes/Shelters, nine provided the relevant records for the period of 2018-21 to Audit.

In these nine Homes/Shelters, essential items (such as Cotton Durry, Pillow, Pillow covers, Mosquito net, mattress, cotton bed sheet, cotton blanket/khes, cotton filled quilt, towels, shirts, pants, night wear, shorts, undergarments, slippers, shoes, handkerchiefs, socks, etc.) were either not provided or provided in insufficient quantity to children (Details in **Annexure VII**).

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<sup>10</sup> Four CCIs run by Government viz CHG-I & CHG-II, Nirmal Chhaya, CHB-I & CHB-II, Alipur and two CCIs run by NGOs viz SBT Asra, Najafgrah and Prayas CHB, Jahangir Puri

Regarding provisions for toiletry items, in four<sup>11</sup> Homes/Shelters, essential items like hair oil, toilet soap, toothbrush, tooth paste, comb, shampoo, hair clips, moisturizer, etc. were either not provided or provided in less quantity against the prescribed standards.

In its reply, DWCD stated (December 2021) that the CCIs are being monitored directly by the DCPU, District Inspection Committees and Delhi Commission for Protection of Child Rights and all the Government run institutions follow the prescribed norms and the NGOs who flagged resource constraints were provided necessary assistance by way of supply of materials through Delhi Child Welfare Fund or voluntary donations. However, it was observed in audit that quantity of clothing and bedding items consumed showed that these were not provided as per prescribed norms and audit findings were accepted by CHB-I and CHB-II, Alipur in its reply.

#### **4.2.5 Inadequate medical facilities for children**

Rule 34 of JJ Model Rules, 2016 *inter alia* specifies medical services/facilities to be provided at CCIs. The status of availability of these services/facilities are shown below:

Sl. No.	Requirement	Actual position
1.	A nurse or a para medic shall be available round the clock in all Child Care Institutions.	In 10 out of 11 test-checked Homes/Shelters, nurse was available for only 8-hours duty. In the remaining one (Aasra Children Home) nurse was not available.
2.	Maintain medical records of each child on the basis of monthly medical check-up and provide necessary medical facilities.	Records of monthly medical check-up not maintained in two viz CHB-I and CHB-II, Alipur out of 11 test-checked homes/shelters.
3.	Facilities for quarterly medical check-ups including dental check-up, eye testing and screening for skin problems and for treatment of children.	Facilities for quarterly medical check-ups including dental check-up, eye testing and screening for skin problems and for treatment of children was not available in 7 out of 11 test check viz CHB-I and CHB-II, Alipur, VCH-I Lajpat Nagar, CHG-II, Nirmal Chhaya, SBT-DMRC Tishazari, Prayas Children home for Boys Jahangir Puri and Apna Ghar Open shelter Paharganj.
4.	Every institution should make necessary arrangements for the immunization of children.	No arrangements made for immunisation in two CCIs, viz Children Home for Boys -I, Alipur and Children Home for Boys – II, Alipur, out of eight test-checked homes/shelters.

During Joint Physical Verifications, Audit observed that one child in CHB-I had developed white patches all over his body. Medical records of the child

<sup>11</sup> CHG-I, Nirmal Chhaya; Prayas NGO, Jahangir Puri; DMRC, Tishazari; Apna Ghar Open shelter, Paharganj; Aasra, SBT Najafgarh, Asra SBT Najafgarh

revealed that he was examined by a part-time doctor in Home since July 2019 but was never referred to specialist doctors for proper treatment.

Thus, CCIs were not providing medical facilities to children to the extent required under JJ Model Rules, 2016.

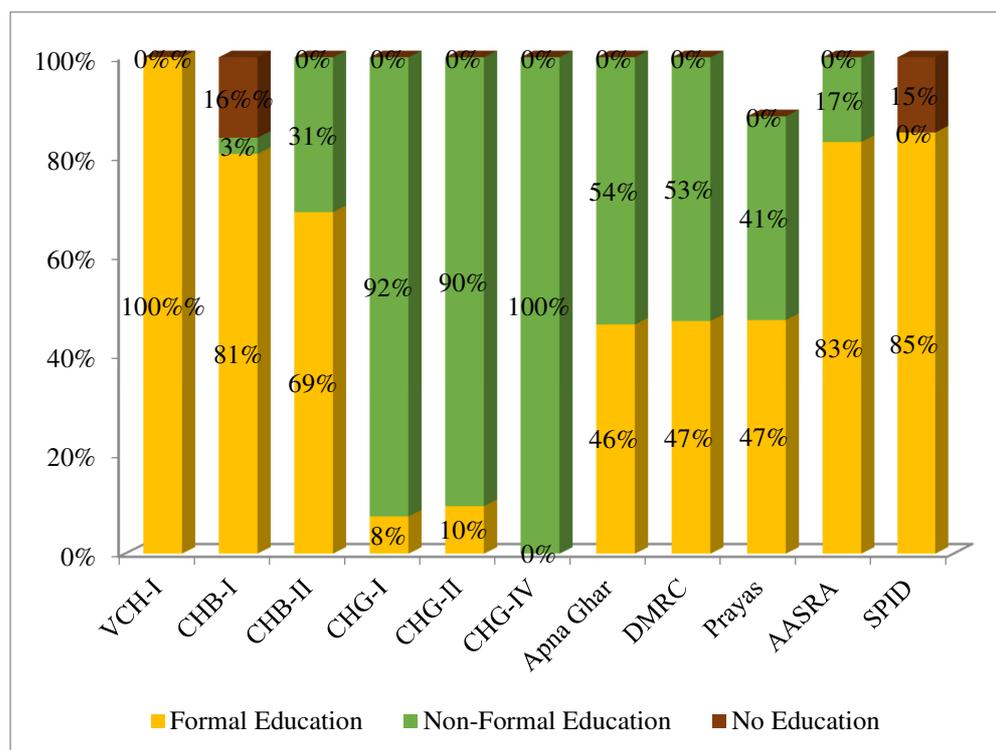
DWCD stated (December 2021) that all the Government run CCIs have doctors appointed to visit and attend the children on regular basis and the institutions are in tie up with nearby hospitals for referral and specialized medical services.

DWCD did not give specific reply on absence of nurse or para medic, medical records and immunization and was silent on CCIs run by NGOs. Further, supporting documents were not provided along with reply.

#### 4.2.6 Significant absence of formal education to children

Rule 36 of JJ Model Rules, 2016 provides that every institution shall provide education to all children both inside the institution or outside as per requirement.

Audit observed that only 54 per cent of the children in these Homes/Centres were provided formal education. Overall, while 18 out of 542 children were not provided any education, be it formal or non-formal, 219 children were provided only non-formal education. Vocational training was provided to 11 children.



Education facilitates children to become self-sufficient and helps them integrate in society. Absence of formal education to a large number of children compromised the standard of care being given to them.

In its reply, DWCD stated (December 2021) that formal schooling becomes possible only if the child is placed for long term care for which admission is facilitated with nearby schools. Further, DWCD has engaged guest teachers in all the Government run CCIs to ensure that children get opportunity to attend in-house classes and continue schooling. However, Audit found that the post of educator/ tutor was vacant in all these CCIs and no supporting documents for engagement of guest teachers in CCIs run by the Government was provided along with replies. Fact remained that significant percentage (46 per cent) were not enrolled in any formal education in test checked CCIs.

#### **4.2.7 Deficient security mechanism**

Rule 67 of JJ Model Rules, 2016 *inter alia* stipulates that adequate number of scanners and metal detectors may be provided in every Child Care Institution. Further, CCTV Cameras and enough wire fencing/boundary walls should be provided in all the CCIs to stop children from running away and to prevent entry of prohibited items in CCIs.

During Joint Physical Verifications of 11 test-checked Children Homes/Open Shelters, it was observed that none of these institutions had scanners and metal detectors installed.

In its reply, DWCD stated (December 2021) that scanners and metal detectors are advisable in institutions for children in conflict with law and not required in other CCIs. The reply is factually incorrect as JJ Model Rules, 2016 provide that scanners and metal detectors may be provided in every CCI.

Further, CHB-II, Alipur and Prayas Children for Boys, Jahangir Puri lacked proper boundary wall/grills from all sides. In Apna Ghar Open Shelter, CWC had observed (January 2021) unavailability of CCTV cameras and inadequate wire fencing on terrace.

Risk of children running away from Children’s Homes/Open Shelters remains high. During April 2018 to March 2021, 36 children ran away from five CCIs<sup>12</sup> out of which only 13 were traced and brought back.

In its reply, DWCD stated (December 2021) that all the CCIs have CCTVs installed for better surveillance. However, DWCD did not provide supporting documents in this regard and was silent on lack of boundary wall/grills whereas the Superintendent of Apna Ghar Open Shelter stated (July 2021) that CCTV Camera would be installed and fencing work would be started as soon as possible. The Superintendent (CHB-II, Alipur) also stated (June 2021) that the boundary wall would be repaired at the earliest.

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<sup>12</sup> Children Home for Boys-I, Alipur; VCH-I, Lajpat Nagar, SBT-DMRC, Tishazari, Prayas Children home for Boys, Jahangir Puri, Apna Ghar Open Shelter, Paharganj, Aasra, SBT Najafgrah

Once a child is brought under the care of Government, he/she becomes responsibility of the Government. In the absence of adequate security at CCIs, their protection is being compromised. Further, the issue of children running away from CCIs indicates that the children were not happy with life in these CCIs.

#### **4.2.8 Unauthorised absence of children**

Rule 69 (k(2)) of JJ Model Rules, 2016 *inter alia* stipulates, in the event of a child leaving Child Care Institution, this may be brought to the notice of police and the detailed report to be sent to CWC by the In-charge of Home.

During scrutiny of records of selected Open Shelter, Shraddhanand Marg, Audit observed that 35 children were absent from Open Shelter since November 2017, without permission of CWC. Audit noted that intimation was given to CWC-IX, Gole Market by the Shelter that these children were taken away by their mothers but prior permission was not taken from the CWC. Though four children came back during March-June 2021, 31 children were yet to come back as of July 2021.

In its reply, DWCD stated (December 2021) that the institution SPID, Shraddhanand Marg, facilitates the children of women staying in brothels at the GB Road. It is an open shelter where children can walk in as per their will and also leave without restrictions.

The contention of DWCD is not correct as the children were placed in the Shelter by CWCs and therefore, prior permission should have been taken from CWC for releasing the children from the Shelter.

#### **4.2.9 Improper documentation of details of children**

Rule 77 of JJ Model Rules, 2016 stipulates that Children Homes/Open Shelters should maintain records, indicating the dates of admission, discharge and rehabilitation, photograph of child etc.

Audit observed that four Children Homes/Open Shelters<sup>13</sup> were not maintaining Master Registers properly as photographs of some children were not affixed, date of admission and restoration were not mentioned and address was not recorded. Further, no address was recorded in respect of children restored to parents/relatives in the Master Register.

In its reply, DWCD (December 2021) accepted the observation for future compliance. However, this being a serious lapse, responsibility needs to be fixed.

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<sup>13</sup> Apna Ghar Open shelter, Paharganj; CHG-I, Nirmal Chhaya, Jail Road; Children Home for Boys-I, Alipur and Children Home for Boys-II, Alipur.

### **4.3 Functioning of CCIs –After Care Homes (ACHs)**

Rule 25 of the JJ Model Rules, 2016 provides that the State Government shall prepare a programme for children who must 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 into the society. Any child who leaves a CCI may be provided after care till the age of 21 years on the orders of the CWC or Juvenile Justice Board or the Children’s Court and in exceptional circumstances, for two more years on completing 21 years of age.

In NCT of Delhi, there are two ACHs (ACH for Boys, Alipur and ACH for Women, Nirmal Chhaya) to provide above facilities to 100 inmates each. Audit examined the records and conducted Joint Physical Verifications of both ACHs and observed the following:

#### **4.3.1 Shortage of Staff**

These ACHs suffered from shortage of manpower as, against requirements of 11 and 15 officials in ACH, Alipur and Nirmal Chhaya respectively, only three officials were posted in each of these ACHs, and that too with additional charges of CCIs. There were sanctioned posts of Instructors and Chowkidars for ACH, Alipur but there were vacant posts of Caretaker, Chowkidar, Craft Instructor and Teacher in ACH, Nirmal Chhaya.

In its reply, DWCD stated (December 2021) that there are no prescribed norms for staffing pattern in ACHs. Fact remains that ACHs were suffering from shortage of staff against strength sanctioned by Government.

#### **4.3.2 Deficient physical infrastructure**

Building of ACH, Alipur was declared damaged and dangerous by PWD and the ACH was functioning in the premises of CHB-II, Alipur. As a result, necessary infrastructure facilities such as separate dormitories, toilets, bathrooms, dining room, office room, library room, sick room, etc., were not available for ACH.

ACH, Nirmal Chhaya was not equipped with necessary infrastructure facilities such as dining room, counsellor room, library room, sick room, etc., separately and it has been functioning in the common premises of Bal Niketan and Balika Greh with inadequate space.

In its reply, DWCD stated (December 2021) that there are no prescribed norms for physical infrastructure in ACHs. Reply is not acceptable as Rule 25 of JJ Model Rules, 2016 specially enjoins the State Government for providing appropriate facilities in ACH to facilitate the stay of children who leave CCIs on attaining the age of 18 years.

#### **4.3.3 Inadequate dietary nutrition**

ACH, Alipur was following dietary norms prescribed in JJ Model Rule, 2016. Audit noted that milk, chicken, and butter milk/curd, Sooji and Ragi were never provided during the period of audit and most of the other items of diet/nutrition such as dal, rajmaa, milk, curd, poha, etc., were distributed in less quantities than prescribed. ACH, Nirmal Chhaya was providing dietary norms as per old manual<sup>14</sup>. Due to this, the inmates were not provided some essential items i.e., milk, paneer, egg, chicken etc. or getting dietary items i.e., atta/rice, dal, etc. in less quantity than those prescribed.

DWCD did not offer any specific comment.

#### **4.3.4 Inadequate provision for clothing and bedding**

Audit noted that ACH, Alipur followed norms of JJ Model Rules, 2016 whereas ACH, Nirmal Chhaya provided clothing, bedding and toiletries items as per norms under old manual.

Audit observed that clothing and bedding items were either not provided at all or provided in less quantity vis-à-vis prescribed levels. In ACH, Nirmal Chhaya, the inmates were not provided essential items i.e Mattress, Pillow, Cotton filled quilt, Mosquito net, Salwar Kameez and Nightwear or were getting items of clothing, bedding and toiletry in less quantity/scale as per prescribed standards under Rule 30 of Model JJ Rules, 2016. Further, Audit found that essential items such as blankets, scarf/chunni, half sleeve sweater were never provided and some articles i.e chappals, handkerchief, and canvas were issued in short quantities, even as per the old manual.

DWCD did not offer any specific comment

#### **4.3.5 Children in ACHs not provided with funds for essential expenses**

As per Rule 25(6) of JJ Model Rules, 2016 children placed in After Care Programme shall be provided funds by the State Government for their essential expenses. Audit observed that none of the inmates was provided funds.

DWCD did not furnish specific reply, however, it was stated that they provided ample opportunities for their education, skill development, training and also facilitates for employment during their stay.

Thus, a systematic and regulated transition of children (discharged from CCIs) from an institution-based life to mainstream society for social reintegration was not ensured due to absence of effective implementation of After Care Programme. It is the responsibility of DWCD to ensure adequate facilities provided in the ACH as per prescribed norms of ICPS guidelines and JJ Model Rules, 2016.

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<sup>14</sup> Manual for Functionaries of Institutions and Service, 1989

***Recommendation no. 7: Provide adequate staff at CCIs and impart them training so that they can effectively discharge their responsibilities towards childcare.***

***Recommendation no. 8: Ensure availability of minimum standards of care in terms of physical infrastructure, clothing and bedding, nutrition and diet and education in all child care institutions and also ensure adequate security arrangement in them.***