



**Research Report:
Number of Children Living In Shelter
Homes In India**

- By 101 Reporters



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1. INTRODUCTION

Children in India constitute one of the most vulnerable sections of the population. There are more than 440 million children in India, according to National Institute of Public Cooperation and Child Development. The watershed in the history of protection of child rights in India has been the Juvenile Justice (Care and Protection) Act 2000 which was amended in 2015. This new JJ Act 2015 retained all the clauses of JJ Act 2000 with considerable modifications for the benefit of children in conflict with law and who are in of protection.

This is the area in which Child Care Institutions (CCI) play a pivotal role in rehabilitation and development of the child. The CCIs are divided into different categories based on the needs of the children in need of care and protection. The different types of CCIs include observational homes, special homes, place of safety, open shelter, children homes, Specialised Adoption Agencies and Fit Facilities.

However, what must be kept in mind is that there is a significant gap between how the JJ Act is presented on paper and the way it is implemented across the country. There have been news reports on sexual exploitation and harassment of children in shelter homes.

Taking cognizance of a similar incident in 2007 in Tamil Nadu, the Supreme Court (SC) of India had asked government to ensure all the CCI in India are registered and monitored. The apex court had asked union government to submit a report on 15 points including registration of CCI, minimum standard of care in these shelter homes, utilization of govt grant, setting up inspection committee, preparing child care plan, social audits etc.

Reports filed by various states as per the direction of Supreme Court, shows lack of governance in shelter homes across the country. Abuse in child shelters across the country have been making the headlines this year.

In July this year, a missionary run shelter in Ranchi that provides protection to women was involved in a baby selling scandal. As per adoption laws in India, no one can adopt a baby in exchange for money. This is an incident that could have very well been avoided if there was strict supervision on the number of in the shelter home.

An audit report was carried out by the Tata Institute of Social Sciences (TISS) on the recommendation of the state social welfare services In Bihar. The report found that there are several shelter homes in Bihar where the inmates had faced abuse of one or the other kind, reveal [media reports](#). The information that was gathered for the reports was based on the inmates' complaints. The report also found that almost all the 110 institutions in the state were running in violation to the JJ Act.

In UP's Deoria district, on August 5, 24 girls were rescued from a shelter home by the police. It is alleged that they were abused and trafficked in the home.

The SC, taking cognisance of the situation, [questioned](#) the centre on its course of action regarding the subject of sexual abuse faced by children in shelter homes across the country. The data that was presented by the government to the SC bench headed by Madan B Lokur revealed that almost 1,575 children were physically or sexually abused in these homes. This is the same bench that has directed that the TISS report be made public.

2. OBJECTIVE

For the longest time, the number of children in the CCIs across the country has not been rightly estimated. The objective of this study was to accurately quantify the number of children who have been receiving care and protection in these institutions.

This step is of foremost importance as it would highlight the number of children that need to be reached out to. Having a rough numerical estimate of the number of children will also aid effective policy formulation for the benefit of these children. Identifying the gaps in the child care and recommending new measures that can be adopted are also important to improve the pre-existing facilities.

In absence of compulsory registration of shelter homes, it was unclear on how many shelter homes are catering to this growing need of care and protection for children. The only data central government had maintained on number of children living in shelter home is under ICDS scheme. According to [this document](#), there are about 2000 CCIs across the country catering to about 80,000 children.

Other than this, the number quoted by various agencies range anything from 4 million to 172 million children.

According to a 2011 UNICEF report, following are the data on Juvenile in distress:

- 434 mn. children in India
- 175 mn. of children population in India is marginalised
- 144 mn. of all children can be deemed to be destitute.
- 25 mn. orphan children in India
- 40,000 Juvenile in conflict with law, living in institutes

While according to this media [report](#), 35 million children need care and protection in India. "Around 35 million children in India require care and protection and need to be socially integrated back home, Delhi Commission for Protection of Child Rights (DCPCR) chairperson Amod K Kanth," said the report.

This [report](#) by National Institute of Public Cooperation and Child Development says that 172 million children are in need of care and protection. The objective of this study is to understand how many children are actually receiving the required care and protection to help policy makers in designing law or schemes that will be beneficial for the child.

While the numbers indicates dire need for more facilities to address the issue of growing number of children who need care, absence of any figure on how many are currently in these CCI is a major roadblock. A right estimate of children currently living in shelter homes would help understand the magnitude of problem and accordingly find right solution. This would help policy makers and various stakeholders in designing strategy and channelling their energy in right direction.

3. METHODOLOGY

3.1. RTI Route

The first thing we did was to file Right to Information queries with various government departments. While the RTIs were filed centrally from Bangalore office, we utilised our wide network of reporters across the country in following up with the officials. Until the end of 2017, neither the central nor the state government had any data on CCIs and children living in shelter homes. The only data government was able to furnish was CCIs and beneficiary under ICDS program. Many unstarred questions have been raised in the parliament on number of CCI and children, but the only data government was able to present was about beneficiaries under ICDS program.

It was only after Writ Petition (Criminal) No. 102 of 2007 filed in the Supreme Court of India on Exploitation of Children in Orphanages in the State of Tamil Nadu, state governments started collecting data about CCIs and children. On May 5th 2017 the Supreme Court directed all the State Government Women and Child Welfare Departments to collect data on the number of Child Care Institutions registered with them. The RTIs were filed with 36 UTs and States giving reference of WP No 102 of 2007 court case. Until then, none of the Child Welfare Departments in the country had any quantitative data regarding the children residing at several child care institutions across the country. The RTI query sought copies of documents filed by the state government with the court as per the Supreme Court direction. Besides, a total of 80 RTIs ([link](#)) were filed with 36 state government and UTs. Out of these, 36 RTIs were filed to the Women and Child Welfare Department and 36 to the State Commission for Protection of child rights in each state. The remaining eight RTIs were filed with the central government.

The information that was asked for, 'District wise list of all the Child Care Institutions registered with Women & Child Welfare department along with the total number of children residing in these institutions.' Few departments had provided the data on the number CCIs and not the number of

children. Those who provided data on both the aspects, had given it for the whole state when in fact we had asked for the district wise data.

All the RTIs filed to the State Commission for Protection of Child Rights were transferred to the Women and Child Welfare department. The process of filing RTIs and initial queries by department was completed by end of March.

It took almost two months for the departments to send in the data. By May, we started getting responses. But in most of the case the response were incomplete. Either the number of children were missing or CCIs. In some states like Gujarat and Maharashtra, our RTIs were transferred to all the district offices.

Since some other states like J&K, West Bengal and Jharkhand were reluctant to share information, we obtained data from government's [official site](#). The data collected through this site shows that total number of CCI is likely to be much higher than 9000 as the process of registration is ongoing. For example, Tamil Nadu in its Jan 2018 report declared 1200 CCI, however, the number on govt site is 1900. Dist-wise details of CCI and number of kids along with list of 6000 odd CCI across the country has been attached with this report.

3.2. Leveraging our network of grassroots reporters

Most CCIs were reluctant to provide us with data regarding the number of shelters and the children residing in them as they believed it could be misused in the future. This is despite the fact that the department is supposed to give us the data requested through the RTI without questioning. In such cases, we could file an appeal but it would take another 30 days.

So, we followed up with these departments by calling them and engaging our grassroots reporters in different districts to visit the department. The role of the reporters here was to convince them that we wouldn't misuse the data.

With the data that was provided to us, we realised that these departments weren't sending wholesome data. We were careful with the other responses that were transferred. We contacted them at each step in the process to make sure we get the complete data and to some extent we did succeed but it was extremely time consuming.

In the case of RTIs that were rejected, we had asked our reporters to visit the State women and child welfare department. Our reporter in Manipur managed to get the data without filing an RTI.

Another reporter from Kashmir filed an RTI by providing his credentials as the Kashmir government rejects any application that doesn't have a local address.

She said, 'Though the department gets information on the total number of CCIs and the children in them across the state, but there is no mechanism to monitor these shelter homes. Also, it is not mandatory for CCIs to give details to the Women and Child Welfare Department.

3.3. Independent verification

To make sure there weren't any discrepancies in the data that we have collected over a few months on the number of children residing at the Child Care Institutes across the country, we independently verified by calling at least two CCIs in each states. We talked to at least 50 CCIs in the country.

With our random verification we found that more than 50 percent of CCIs had higher number then declared by them to central government in January 2018 report. With this, it would be safe to assume that total number of children in Shelter homes in India would be more than 3lakh figure shared by the government.

4. FINDINGS

As on today, less than 0.29% of children in need of care and protection are actually getting them. This [report](#) by National Institute of Public Cooperation and Child Development says that 172 million children are in need of care and protection, while our findings show that less than four lakh children are currently getting care and protection.

As on January 2018, except three Union Territories (UTs) Dadra Nagar & Haveli, Daman & Diu and Lakshadweep don't have CCIs, every other States and UTs have CCIs.

As per our analysis of the data collected, more than 9000 CCIs are functioning across the country, according to data shared by the Union Women and Child Development Ministry. On average most of these CCI have capacity of 50 to 100 children. Many have not declared number of children living in their shelter homes. Going by the capacity, a probably estimate about 1m children in shelter homes, although only 300,000 declared so far, is agreeable.

There are 713 CCIs that have not been registered because they are embroiled in a court case or for reasons that remain unmentioned. It is important to have clarity on these CCIs and the reasons for which they could be involved in court cases.

Kerala has not provided information on the number of unregistered CCIs and most of the orphanage authorities are against registrations. There were some orphanage associations who filed a writ petition against registrations in the High Court. The argument that the orphanages put forward in the High Court was that they

cannot meet the facility requirements for CCIs under the JJ Act. They justified this by saying that they do not lodge children in need of care and protection as most of them function as a home or a hostel.

The High court of Kerala has finally ordered that regardless, these institutions must be registered under the JJ Act, but they will not be categorized as Child Care Institutions. The state has been directed and given six more months by the Supreme Court for the verification of children in these homes and charitable institutions under the orphanage control board. This verification has been directed to ascertain if there are actually any children who need care and protection under law.

In the case of West Bengal, only 130 registered CCIs have been reported which are funded under the Integrated Child Protection Scheme. However, the state has failed to provide information on the total number of registered and unregistered CCIs. This information is crucial in case of a state like West Bengal as the CCIs within the state constitute children of Bangladeshi immigrants in addition to children belonging to the state.

Therefore, the number of unregistered CCIs could be much more than the number quoted in the report.

Here is the summary of total number of CCI and children living there:

State-wise list of CCI and number of children as on Jan 2018

Data as of Jan 2018								
No.	State	Registered	Pending Registration	Total No of CCI	Total No. of Children	Girls	Boys	Avg No of Children per home
1	Andaman & Nicobar	16	0	16	611	NA	NA	38
2	Andhra Pradesh	873	49	971	31334	14979	15478	32
3	Arunachal Pradesh	8	0	8	111	NA	NA	14
4	Assam	120	56	176	3152	15	181	18
5	Bihar	101	0	101	1814	NA	NA	18
6	Chandigarh	10	0	10	295	NA	NA	30
7	Chhattisgarh	78	0	78	3435	1015	2420	44
8	Dadar and Nagar Haveli	0	0	0	0	0	0	0
9	Daman & Diu	0	0	0	0	0	0	0
10	Delhi	144	0	144	2166	NA	NA	15
11	Goa	68	40	108	2871	NA	NA	27
12	Gujarat	129	0	129	6107	NA	NA	47

13	Haryana	142	0	142	3360	335	188	24
14	Himachal Pradesh	46	23	69	1449	622	815	21
15	Jammu & Kashmir	44	0	44	NA	NA	NA	0
16	Jharkhand	31	0	31	330	NA	NA	11
17	Karnataka	961	332	1293	36541	13777	22013	28
18	Kerala*	507	818	1325	14668	NA	NA	11
19	Lakshadweep	0	0	0	0	0	0	0
20	Madhya Pradesh	114	0	114	2909	NA	NA	26
21	Maharashtra	1217	0	1217	84008	NA	NA	69
22	Manipur	85	0	85	962	NA	NA	11
23	Meghalaya	120	8	128	1879	787	961	15
24	Mizoram	52	0	52	999	18	17	19
25	Nagaland	71	0	71	605	24	13	9
26	Odisha	439	0	439	11017	NA	NA	25
27	Puducherry	64	0	64	2808	NA	NA	44
28	Punjab	74	15	89	2963	1156	1583	33
29	Rajasthan	221	0	221	2285	NA	NA	10
30	Sikkim	27	0	27	631	NA	NA	23
31	Tamil Nadu	1296	4	1300	63065	NA	NA	49
32	Telangana	447	0	447	15897	8144	7753	36
33	Tripura	39	0	39	795	NA	NA	20
34	Uttar Pradesh	235	0	235	11035	NA	NA	47
35	Uttarakhand	44	0	44	1100	342	534	25
36	West Bengal	66	0	66	3500	NA	NA	53
	Total	7889	1345	9283	314702	41214	51956	34

* "0" Indicates there are no CCI in these states/UTs

** Most of the CCIs in Kerala have gone to courts against the government move to make registration mandatory

*** The data for J&K & WB is incomplete as the government did not respond to our RTI

5. RECOMMENDATIONS

In light of our findings, there are several recommendations that we can shed light on.

- 5.1. There is a need for more shelter homes as there are only 9000 odd shelter homes with only half a million capacity, while more than 35 million are estimated to be in need care and protection.
- 5.2. The Union and State government must ensure that all child care institutions in India are registered. The registration process should also include a database of all children in need of care and protection which should be updated every month.
- 5.3. It is important to ensure the minimum standards of care as per the JJ Act and the Model Rules. These include proper physical infrastructure, nutritious food, education, proper routine, medical care, standards of sanitation, focus on mental health, and recreational facilities among others.
- 5.4. Training of personnel as required by the JJ Act and the Model Rules is essential. It is of utmost importance that the caregivers are trained as this would ensure proper care for the children.

6. CONCLUSION

In light of our findings and by corroborating it with surveys and reports released before, we have realised that in the country, there are only 7889 child shelters that are registered and functional under the law. The UNICEF report released in 2011 revealed that there are about 25 million orphaned children in the country while as per our findings, the capacity in the existing shelter homes is only half a million.

Previous reports have thus been able to quantify the number of children who are orphaned and need to be protected. However, almost all of them could not get the exact number of children in these shelter homes. There is a great disparity between those in need of care and protection viz a viz those receiving it. This needs to be filled.