



RAJEEV CHANDRASEKHAR
MEMBER OF PARLIAMENT
RAJYA SABHA

Member of Standing Committee on Defence
Member of Consultative Committee on Defence
Member of Central Advisory Committee for the National Cadet Corps
Co-Chairman, Vigilance & Monitoring Committee, Bangalore Urban District
Vice Chairman, National Military Memorial Management Trust, Bangalore

8 June, 2015

Dear Manekji

I am writing to you with reference to a series of highly disappointing responses I have received from your Ministry, to my questions in Parliament over the last 4 sessions of the House on issues relating to the safety of our Children.

As you will recall, I had met you in November last year to communicate my deep involvement in this issue as a father of two young children as well as an MP from Bengaluru which has seen several incidents of sexual assaults perpetrated against children in recent months. I had in that meeting also raised the issue of responses from your ministry to my questions in Parliament.

This seems to be continuing even now, as you can see from responses delivered by your Ministry, to my questions enquiring about the status of orphans in India. As you are no doubt aware, research suggests that orphanages are hotbeds of child sexual abuse - with recent media reports corroborating this with instances of organized sexual trafficking rackets prevailing in orphanages being exposed - which is the reason I asked these questions.

Please find enclosed copies of the three responses received to Parliamentary Questions 1754 (unstarred), 1373 (unstarred) and 129 (starred), answered on 12th March 2015 and 7th May 2015, respectively.

My questions, as you will see from the enclosures, make pointed enquires of your Ministry about the number of orphans and orphanages in India, and the information the Government possessed, on the condition of these orphans. The response I received to this from your Ministry to these and other questions I have posed point to a startling lack of either ability, capability or intention within successive Governments over the last 60 years, to protect our children.

It is disconcerting that your Ministry has in response to my Question on the number and condition of orphans in India blatantly stated to say that "no such data is maintained centrally". This response certainly does not cut ice, especially in the light of research suggesting that there are as many as 20 million orphans in India.



This, as you will appreciate, is a significant number, higher than the 2011 census population figures of many large Indian metropolises, including Delhi and Bangalore! Furthermore, matters concerning minors and infants, including orphans are listed under item 5 of the Concurrent List of the Indian Constitution, and clearly do not absolve the Ministry of the official or moral responsibility of protecting these children.

You may also be aware that in a case titled *Exploitation of Children in Orphanages in State of Tamil Nadu v. Union of India [Writ Petition (Criminal) No. 102 of 2007]*, the Supreme Court has taken note of these concerns, and issued mandatory directions to the Chief Secretaries of all States, inviting them to file an Affidavit within a period of 8 weeks disclosing relevant information on Child Protection, including data on orphans and orphanages.

In light of these disquieting facts, I would urge you to consider a comprehensive approach to the challenge of ensuring all our children are protected from child sexual abuse especially those in orphanages:

1. Make ProtectOurChildren a national priority. While I accept and support the many Government projects for children, including the BetiBachaoAndolan, the safety and protection of our children from sexual predators and abusers is an issue that has not featured under the Government's priority – despite a 2011 Government report itself suggesting, that 51% of all Indian children have been exposed to some form of sexual abuse. This apathy or lack of focus is made further obvious from the lacklustre responses I have received to questions posed to your Ministry on the malaise of child sexual abuse – a form of terrorism perpetrated against our children, especially children residing in orphanages and other institutional care homes.
2. Evolve an overall framework of laws, institutions and awareness within Government, Police and judiciary for Protecting Our Children, that this Government can over the next 4 years commit to transform child safety in India, and ensure that there are enough protective institutional mechanisms in place that shall guarantee the safety of our children from sexual predators in all institutions, including schools and orphanages. Revamping and equipping with better capacity the existing institutions at centre and State level like NCPCR urgently.
3. Urgently establish a framework for the monitoring and regulation of Indian orphanages, and involve all concerned stakeholders including child rights groups and citizens groups in its designing. As an immediate priority, undertake an exhaustive fact-finding study/Audit on the number and condition of children living in orphanages.



सत्यमेव जयते

India is home to over 400 million children, who represent one of the most vulnerable sections of our society. As adults, we are responsible for ensuring that our children are provided with a happy, fulfilling and healthy environment that enables their personal and social development. I shall hope that this Government, which was elected on a people's mandate for change, shall take the urgent transformational steps needed to provide for the well being and protection of our country's children.

Sincerely,

RAJEEV CHANDRASEKHAR

Smt. Maneka Gandhi
Hon'ble Minister for Women and Child Development
Government of India
New Delhi

Encl: as above

Copy: Hon'ble Prime Minister of India

Government of India
Ministry of Women and Child Development

RAJYA SABHA
UNSTARRED QUESTION NO. 1754
ANSWERED ON MARCH 12, 2015

QUESTION
Orphanages in Country

1754. SHRI RAJEEV CHANDRASEKHAR

Will the Minister of **WOMEN AND CHILD DEVELOPMENT** be pleased to state:

- (a) the number of orphans in the country;
- (b) the number of approved orphanages in the country; and
- (c) Government's data about the condition of orphans not placed in approved orphanages?

ANSWER
MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI MANEKA SANJAY GANDHI)

- (a): No such data is maintained centrally.
- (b): There are 1389 Children Homes and Specialized Adoption Agencies (SAAs) in the country which are being funded under the centrally sponsored Integrated Child Protection Scheme (ICPS) being run by this Ministry.
- (c): No such data is maintained centrally.

GOVERNMENT OF INDIA
Ministry of Women and Child Development

RAJYA SABHA
UNSTARRED QUESTION NO. 1373
ANSWERED ON MAY 07, 2015

QUESTION
Increase in Orphans Population of Bengaluru

1373. SHRI RAJEEV CHANDRASEKHAR:

Will the Minister of **WOMEN AND CHILD DEVELOPMENT** be pleased to state;

- (a) whether the Ministry has taken cognisance of the fact that reports suggest that there are over 20 million orphans in India which is more than double of the census 2011 population figures for Bengaluru; and
- (b) whether the Ministry has taken any step to conduct a fact finding study on the number of orphans in India, and their living conditions in such orphanages, if so, the details thereof and if not, the reasons therefor?

ANSWER
MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI MANEKA SANJAY GANDHI)

(a) & (b): No, Sir. The Ministry has not taken any step for conducting a fact finding study about the number of orphans in India and their living condition in orphanages.

RAJYA SABHA
STARRED QUESTION NO. 129
ANSWERED ON MAY 07, 2015

QUESTION
Child Abuse in Orphanages

129. SHRI RAJEEV CHANDRASEKHAR:

Will the Minister of **WOMEN AND CHILD DEVELOPMENT** be pleased to state;

- (a) the details of the number of instances of child sexual abuse reported from orphanages in India over the last three years
- (b) the number of arrests made in cases of sexual abuse reported from orphanages in India over the last three years; and
- (c) the steps taken by the Ministry to effectively monitor the safety and well-being of children residing in orphanages?

ANSWER
MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI MANEKA SANJAY GANDHI)

(a) to (c): A statement is laid on the Table of the House.

Statement referred to in reply to part (a) to (c) of the Rajya Sabha Starred Question No. 129 for answer on 7.05.2015 raised by Shri Rajeev Chandrasekhar regarding 'Child abuse in orphanages'

(a): The National Commission for Protection of Child Rights (NCPCR) has reported that it has registered 14 complaints of child sexual abuse of children in Child Care Institutions (CCIs), including Children Homes and Specialized Adoption Agencies during the last three years. The State /UT wise details are annexed.

(b): It has been reported by NCPCR that nine arrests have been made in cases of sexual abuse from these Child Care Institutions in India over the last three years.

(c): To ensure the safety and wellbeing of children living in Child Care Institutions (CCIs), the Ministry has been urging the States/UTs from time to time to register all the CCIs under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act). The Act and Central Model Rules framed thereunder, provide for monitoring, inspection, standards of care and measures that may be taken by the State Government/UT Administration to address any reported instance of atrocity/ill treatment. In the Juvenile Justice (Care and Protection of Children) Bill, 2014, there is a provision of mandatory registration of all CCIs along with stringent penalty in case of non-compliance which includes imprisonment which may extend to one year or a fine of not less than one lakh rupees or both.

The Ministry is implementing the Integrated Child Protection Scheme (ICPS) since 2009 for effective implementation of the JJ Act. Under the Scheme, CCIs are also supported. The Government has enhanced financial norms from April '14 under the Scheme, some of the key features of the revised Scheme are: increased child maintenance grant from Rs. 750 to Rs. 2000 per month per child, increased financial norms for construction and maintenance of a new home for 50 children from Rs. 77.61 lakh to Rs. 129.85 lakh, increased financial support for a special unit of 10 children for children with special needs from Rs. 4.22 lakh to Rs. 10.48 lakh, flexibility in staffing pattern and enhanced cost of construction from Rs. 600 per sq. feet to Rs 1000 per sq. feet or as per PWD norms, whichever is lower.

Statement referred to in reply to part (a) of the Rajya Sabha Starred Question No. 129 for answer on 7.05.2015 raised by Shri Rajeev Chandrasekhar regarding 'Child abuse in orphanages'

State/UT-wise details of complaints of sexual abuse of children in Child Care Institutions including Children Homes and Specialised Adoption Agencies, registered in NCPCR during the last three years (2012-13 to 2014-15)

Sr No	State/UT	Year-wise complaints received			Total No. of complaints registered	No of persons arrested
		2012-13	2013-14	2014-15		
1	Delhi	2	0	1	3	0
2	Haryana	2	0	0	2	2
3	Karnataka	1	0	0	1	0
4	Maharashtra	0	0	2	2	2
5	Odisha	0	0	1	1	2
6	Tamil Nadu	2	0	0	2	0
7	Uttar Pradesh	1	0	2	3	3
	Total	8	0	6	14	9