No Child Left Behind: A study to examine the Education of Children in conflict with Law residing in observation/ special homes" covering 04 sample states in the Four zones of India

FINAL REPORT

Submitted to: National Commission of Protection of Child Rights (NCPCR), Government of India, Chanderlok Building, New Delhi

USHA DEVI. D.

Submitted by:

CENTRE FOR DEVELOPMENT COMMUNICATION & STUDIES, JAIPUR (CDECS) 133, Devi Nagar, Nannu Marg, New Sanganer Road, SODALA, Jaipur –302019 Ph -0141-2294988/ 4006749, Mobile: 09414077287/ 09950124028 Email-cdecsjpr@gmail.com; cdecsjpr@yahoo.in; Website: <u>www.cdecs.org</u> Access to Education and occupational skills enhance their interest in behavior change. Change in human psychology cannot be done in a rush; it takes time, as numerous survivors of the past have to overcome. It has been assumed that education being a social institution, is interlinked with society and it has almost a two-way relationship. On the one side education is a product of societal needs and in turn on the other side, it brings about a change in the social structure. Moreover, the availability and accessibility of education and continuing in school to CCL is determined by the expectations of children and the system.

This study examined the educational opportunities being provided to the children in Observation Homes and Special Homes and also studies the educational background of the children presently staying at the Observation Homes and Special Homes.

The report on 'No Child Left behind: A Study to Examine the Education of Children in Conflict with Law residing in Observation/ Special Homes' is an outcome of the kind cooperation & support of the following officials/ persons to whom we acknowledge our gratefulness.

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We appreciate the efforts of the whole team of CDECS for their patience and hard work, which have really helped in bringing out this report. We hope this study report, which is based on empirical study, would help in looking at various aspects of the programme and making appropriate changes, so as to make the programme more effective in attaining its objectives. Also, the findings of this report will be useful to various stakeholders and people concerned with planning, implementation and management of effective execution of CCL homes in the Country.

Dr. UPENDRA K. SINGH, Team Leader, CENTRE FOR DEVELOPMENT COMMUNICATION AND STUDIES (CDECS)

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Abbreviations

CB&T	Capacity Building and Training
CDECS	Centre For Development Communication & Studies
CEO	Chief Executive Officer
CCLs	Children in Conflict with Law
CRC	Convention on the Rights of the Child
CLPRA	Child Labour (Prohibition and Regulation) Act
CSO	Civil Society Organisation
CWC	Child Welfare Committee
DC	District Collector
DCPOs	District Child Protection Officer
DCPU	District Child Protection Unit
DP	District Panchayat
DSWOs,	District Social Welfare Officer
GoI	Government of India
GP	Gram Panchayat
ICT	Information Communication Technology
IEC	Information, Education and Communication
JJB	Juvenile Justice Board
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
NCPCR	National Commission for Protection of Child Rights
NGO	Non-Government Organisation
PLA	Participatory Learning and Action
PRI	Panchayati Raj Institutions
SDM	Sub-Divisional Magistrate
SOP	Standard Operation Procedure

The study titled "No child left behind: A Study to examine the Education of Children in Conflict with Law residing in Observation/ special homes" was commissioned by the National Commission of Protection of Child Rights (NCPCR), Government of India which covered largely, to examine the educational opportunities being provided to the children in Observation Homes and Special Homes and also to study the educational background of the children presently staying at the Observation Homes and Special Homes. Altogether, four zones were covered by covering one State in each of the four zones. Thus, in total, 04 States were covered viz. Kerala, Rajasthan, Delhi & Jharkhand.

The key findings of this study can be listed as follows:-

Educational Background

The study found that most children in CCL homes have some level of education. However, there is a significant disparity between boys and girls, with girls lagging behind boys in educational attainment. This suggests that there may be unequal access to education for girls in these homes.

Educational Aspirations

Despite their circumstances, the study found that most children in CCL homes have aspirations for their future. They expressed a desire to pursue careers in various fields, such as engineering, business, and healthcare. This finding highlights the importance of providing these children with educational opportunities that will help them achieve their goals.

Educational Opportunities

The study identified a lack of dedicated curriculum, qualified teachers, and vocational training options in some states. This lack of resources makes it difficult for CCL homes to provide children with a quality education. The absence of a specific curriculum means that the education provided may not be aligned with national standards or tailored to the needs of these children. The lack of qualified teachers can lead to ineffective instruction and a lack of progress for the children. The limited availability of vocational training options restricts the children's opportunities to develop marketable skills.

The report proposes several recommendations to address these shortcomings and improve the educational opportunities for children in CCL homes.

Key Recommendations

Special curriculum for CCL homes, including vocational training: The report recommends developing a specialized curriculum for CCL homes that caters to the unique needs of these children. This curriculum should include academic subjects as well as vocational training opportunities. Vocational training can equip children with marketable skills that will help them find employment after leaving the homes.

Adequate staffing (teachers, counsellors) and resources (classrooms, materials): The report also recommends that CCL homes be staffed with qualified teachers and counsellors. These professionals can provide children with the individualized attention and support they need to succeed in school. In addition, CCL homes should have access to adequate resources, such as classrooms and educational materials, to create a positive learning environment.

Separate classroom & others required facility: There should be adequate availability of separate Classroom arrangement at the CCL home with facilities namely, White board/green board and SMART classes. It has been found instrumental in CCL homes in Jharkhand state. Also, the Examination Centre of NIOS should be opened at all the observation home so that the educational elements should be well addressed at CCL homes.

Timely availability of fund: It need to ensure timely availability of fund may be the advance fund (quarterly/half yearly) so that the proper planning/implementation of requirement can be done.

Age-appropriate grouping of children to prevent negative influences: The report recommends that children in CCL homes be grouped according to their age. This will help to prevent older children from exerting a negative influence on younger children. Age-appropriate grouping can also help to create a more positive and supportive learning environment for all children.

Orientation/Training of CCL functionary: Orientation/ training of CCL home functionary about the need of children in terms of education as per RTE Act., 2009 and New Education Policy, 2020. It will be good the responsibility of inclusion of the children at CCL homes is given to Education Department/ State Project Director Office of SAMAGRA Shiksha of the State.

Aftercare planning for education and employment upon leaving the homes: The report recommends that CCL homes develop aftercare plans for children who are leaving the homes. These plans should help children to transition back into the community and succeed in education and employment. Aftercare planning can include things like helping children to enroll in school, find a job, and access social services.

Improved infrastructure and security measures that are child-friendly: The report recommends that CCL homes improve their infrastructure and security measures to create a more child-friendly environment. This includes things like making sure that the homes are safe and secure, and that children have access to recreational activities and green spaces. Child-friendly infrastructure and security measures can help to improve children's well-being and create a more positive environment for learning and healing.

This study on children's education in Indian Observation/Special Homes (CCL) found a gap in girls' education but positive aspirations among the children. The report recommends a dedicated curriculum with vocational training, sufficient qualified staff and resources, separate classroom & other required facility age-appropriate grouping, aftercare planning, and child-friendly infrastructure to improve their educational opportunities and reintegration prospects.

Chapter - 1 Background, Approach & Methodology

1.1 Background

Child in every Society undergoes the process of socialization in which interactive spaces revealing conflict, cohesion, conflict and violence continuously operate. In this process of socialization, child also observes 'hostile environment' which leads to the possibilities of inviting attention of child towards act of deviance. Child conflict with law from social science perspective refers to those children who belong to the age of less than 18 years (Or that age which is conceptualised by state and related formal agencies) and are involved in those acts which are violative to laws of the land. These types of violence sometimes are of serious nature. To understand and examine these acts of deviance of children, there is need to evaluate the nature of the childhood and to reciprocal relationship with society. Does state and society accept the norms of child rights? - is another important issue, In a society like India, where traditional values dominate, child is treated as a 'private property' thus freedom, rationality, equality and questionable mindset are those values which can be termed 'alien' from children's 'Socio-Cultural' world. This 'Sphere' is one of the kinds of 'exploitative world' for child. We must accept this logic that the concept of childhood is a social construction. All societies of present day world are experiencing the state of dilemmas in which 'Cultural Boundaries' and technological over determinism are foundational realities. Children from families facing hardship, domestic violence, stigmatization process due to various reasons, illness, rampant consumerism along with greediness, trauma and risk of exposure to violence give rise to children in conflict with law. Social media platforms, addiction to mobiles and feeling of loneliness also create possibilities of deviant behaviour in the children. If such states of affair are not controlled or regulated, child in conflict with law may become criminal when he or she moves from young to adult. Thus, there is greater need for protection of child from exploitation, violence, abuse, neglect, marginalisation, discrimination, exclusion and subjugation. If lack of protection is there, then child labour, forced labour, human trafficking, begging, forced involvement of children in criminal acts by crime-syndicates, child abuse are some of the consequences which establish populations of several categories of children most vulnerable reactions of society. This consequences and actions of 'Crime-syndicate' institutionalise Sub-Culture of deviance involving all types of crime of legal and social nations.

Education: Fundamental of Child rights

Education has been regarded as the magic and wonderful wand for curing the ills of society. The developing countries placed great emphasis on expansion of education among all sections of society regardless of caste, creed or sex and hoped it would bring development of children in every arena. Dr. S. Radhakrishan had elaborated this by stipulation by saying "Mental slums will have to be cleared up as much as physical slums. Education is the means by which we can tidy up our minds, acquire information as well as sense of values." It should be realized that the aim of education is not confined to feeding "the human animal or training the human mind". More importantly it is to attend the needs of the human spirit. Colemn comments, since Plato and Aristotle, political philosophers have affirmed principles embodied in the phrases, "As is the state so is the school", or what you want in the state you put in the school. *These International* Page | 3

and National Conventions/ Commitments, legal entitlements, laws, Fundamental rights, Directive Principles, Legislations and Constitutional Entitlements are meant for development of children to fulfill their rights. Education of children has a direct impact on the status of children.

Access to education

Access to Education in addition to occupational skills enhances their interest towards change in behaviour. Change in human psychology cannot be done in a rush; it takes time, as numerous survivals of the past have to overcome. It has been assumed that education being a social institution, is interlinked with society and it has almost a two way relationship. Moreover, availability and accessibility of education and continuing in school to CCL is determined by the expectations of children and system.

Education as a tool to preventing crime and promoting a culture of lawfulness

Classification of juveniles apprehended (under IPC and SLL) during the year 2015 reveals that out of Total (All India) **educational position** of juveniles the **illiterate** juveniles (NCRB 2015) were highest. A declining trend with increase in education was recorded that number of Juveniles apprehended increased till primary and Above Primary education number of juveniles become lesser. The astounding fact is that during the years of 2011 and 2015 that a higher number of juveniles' educated up to Primary level were apprehended in comparison to illiterates. It seems to be that a compulsory minimum education of children should be at least up to Matric/ H. Secondary.

Juvenile justice system is based on the philosophy of diversion, which means 'diverting' CCL children away from criminal system. This is possible by attracting them towards education, skill enhancement, career oriented education and so forth. Child centred and child friendly process including best interest of the child they come to realize that there are other options in life.

Moreover, On account of illiteracy among parents and their negligence towards their children, children are not going to school. The pattern and categories of crimes by children is changing and fulfilling the impulsion of material items like Smart phone, Motor bike etc. compels them for conducting larceny and other crimes. The Social control theory proposes that lack of appropriate socialization may increase antisocial behaviour. As well as if the child continues with the same behavioral patterns and turns elder he/ she may be at risk of antisocial behaviour and more prone to become a serious criminal offender. Generally the children early in life are habitual offenders are likely to exhibit signs of antisocial personality disorder and at the stage of adult they develop into career criminals, or life-course-persistent offenders. Once children begin committing antisocial behavior have very few chances to quit committing crime as they grow elder. In other words those children who have early relationships of abusive behaviour often develop dysfunctional coping behaviours. Such behaviours may provoke repeated exclusion from one to one and group activities, and the child prefer to stay isolated. This experience of exclusion in turn may lead to negative life outcomes such as substance abuse or gang involvement. Poverty may further exacerbate experiences of exclusion and limit possibilities to change life outcomes. Various studies confirm that educated parents prefer strongly education and socialize better their children in comparison to illiterate parents. Hence, to minimize "No Where Children", children along with parents are motivated for informal education for development of children, society and nation as a whole.

The study titled "No child left behind: A study to examine the Education of Children in conflict with Law residing in observation/ special homes" has been commissioned to Centre for Development Communication & Studies (CDECS) by National Commission for Protection of Child Rights (NCPCR), Government of India, New Delhi to provide a systematic means of analysing and quantifying the Education of Children in conflict with Law residing in observation/ special homes. This study is largely focused on arrangements and managements of Education of Children conflicted with Law residing in observation/ special homes. The study also takes into consideration the educational opportunities being provided to the children in Observation Homes and Special Homes; study the educational background of the children presently staying at the Observation Homes and Special Homes and Special Homes.

1.2 The study Objectives

The study titled "No child left behind: A study to examine the Education of Children in conflict with Law residing in observation/ special homes" has been undertaken with the aim to provide a systematic means of analysing and quantifying the Education of Children in conflict with Law residing in observation/ special homes. This study is largely focused on arrangements and managements of Education of Children conflicted with Law residing in observation/ special homes. The study also takes into consideration the educational opportunities being provided to the children in Observation Homes and Special Homes; study the educational background of the children presently staying at the Observation Homes and Special Homes and Special Homes.

Objectives of the Study

The Key objectives of the study titled "No child left behind: A study to examine the Education of Children in conflict with Law residing in observation/ special homes" are:

- 1. To examine the educational background of the children presently staying at the Observation Homes and Special Homes.
- 2. To explore the educational aspirations of the children staying at the Observation Homes and Special Homes.
- 3. To examine the educational opportunities being provided to the children in Observation Homes and Special Homes.
- 4. To recommend the suitable methods of providing quality education & skill development opportunities.

1.3 Approach & Methodology

The study titled **"No child left behind: A study to examine the Education of Children in conflict with Law residing in observation/ special homes"**, has been conducted as per various circulars and guidelines of the NCPCR, Government of India. Based on Terms of reference the Organization has developed detailed methodology to undertake the research study. The key methodology used for the study includes, Developing questionnaires for visits to State/ UTs, visits to Observation Homes and Special Homes, conducting interviews with stakeholders including children, CCI/CCL home/programme in-charge and other associated stakeholders and Authorities.

A combination of quantitative and qualitative research techniques (plurality of tools and technique) has been used for the research study in the sample observation/ special homes to draw the holistic picture of the issues, existing situations, practices, believes and the problems which are directly and indirectly contributing to performance and effectiveness of children in the observation/ special homes.

The Observation homes/ Special homes /Place of safety in the sample 04 states were visited by the team members and related data has been collected with the help of various recommended tools namely, Observation Schedule for homes (Observation homes/ Special homes /Place of safety) (tool-1), Questionnaire for Superintendent/Counsellor/Care taker/Teachers/others (tool - 2), Questionnaire for Children (tool -3) and Focus Group discussions (FGD) checklist/guide for children (tool-4), PRA/PLA, Observation and interview questionnaires/schedules. The secondary data related to process and school records were examined namely, registration /admission and attendance register and case files etc.

1. Sampling& Sample size

a. Sampling & Sample size (Scope of Task)

The study relating to "No child left behind: A study to examine the Education of Children in conflict with Law residing in observation/ special homes", has been carried out in one State from each of the four zones namely, North, South, East & Central. The study has been conducted in 04 sample states of 04 zones covering 65Special homes/ Observation homes/ Place of safety. The study has covered all the available home Special homes/ Observation homes/ Place of safety. The detail coverage of sample is stated hereunder:

S.No.	Respondents	Targeted sample	Actual sample	
1.	CCL Homes	65	65	
2.	CCL Home Children	200	337	
3.	CCL Homes stakeholders/ Superintendent / Care taker/ Counselor / Teachers / In-charge	120	210	

Sample Coverage

The sample undertaken for the study was all CCL Homes (Observation Home/ Place of Safety/ Special Home) covering 04 sample States namely Delhi, Kerala, Rajasthan & Jharkhand (65), CCL Home Children (200) & Stakeholders/ Superintendent/ Care taker/ Counselor/ Teachers Incharge (210).

b. Study tools/ questionnaire used to interview the beneficiaries, stake holders and authorities, officials and functionaries

In total 04 different tools were used,

- i. Observation Schedule for homes (Observation homes/ Special homes /Place of safety) (tool-1),
- ii. Questionnaire for Superintendent/ Counsellor/ Care taker/ Teachers/ others (tool -2),
- iii. Questionnaire for Children (tool -3) and,
- iv. Focus Group discussions (FGD) checklist/guide for children (tool-4),

c. Review of the records, documents and reports

The records, documents and reports of the sample institutions were observed /assessed/ investigated showing the practice and preparedness for CCL Homes and handholding support.

Since the main effort of the study is 'to make data rational', the conversations with the State officials, District Officials, Functionaries at CCL homes, Parents, JJB and CWC members, and Children 'informal' space was also given importance. We have also made efforts to associate with providing status of methods through the elements of flexibility, consistence and coherence so that the study does not lack direction. This was necessary and needed because missing links between causes and effects can be understood only when flexibility, consistence and coherence continue in the methodological efforts.

1.4 Limitation of the Assessment Study

The Assessment study overall has adopted a participatory, consultative and empirical approach. The study takes into consideration and got opportunity to interact with officials and children who were reported available only. Secondly, the getting the assessment level of learning is bit problematic because the children in the CCL home were on dynamic mode. The functionaries and officials of CCL homes do not know for how long the children will be at the home. Thirdly, the study largely focuses on state strategy and system of providing educational inputs rather than any standard mode.

Chapter - 2

Practices & system based on the Data collection regarding education of CCL in Observation Homes and Special Homes

In order to assess the status of existing practices and system of imparting education to the CCL in Observation homes, Special homes and Place of safety, it is imperative to gauge the infrastructure facilities, personnel & functionaries at homes and largely the system and functions as per the JJ Act, RTE Act, 2009 and New Education Policy. The sample states has set up CCL homes for children who are conflicted with law with the sole aim to reform them with changed behaviour and address the children development needs and challenges. As per the Act, CCL child should be kept in Observation home, Special home for temporary reception, pendency of inquiry, providing necessary services necessary for social reintegration, also provide for the segregation of children on the basis of gender, age, nature of offence committed by them and children's physical and mental status. The sections of the JJ Act also talked about children should be placed at place of safety established in the districts CCL children during the process of inquiry the age of sixteen to eighteen years. Further, Section 53 talks about Rehabilitation and reintegration services in institutions registered under this Act and management thereof, highlights provision of appropriate education, including supplementary education, special education to children in homes. The Right of Children to Free and Compulsory Education Act, 2009 include the age appropriate education, skill development, occupational therapy and life skill education, mental health interventions, including counselling specific to the need of the child, recreational activities including sports and cultural activities, referral services for education, vocational training, de-addiction, treatment of diseases where required etc. Thus, the study has made focus on the assessment of overall functioning of CCL homes in the sample states vis-a-vis to see extent the compliance of the Acts in practical situation.

It has been realized that the CCL homes in the sample states has envisioned multipronged strategies to address the core issues of education, vocational training and behavioual inputs to reform children from the present pretext of activities and initiatives with whom they were conflicted with law.

This section highlights the availability of infrastrucutres, functionaires, system, functions, practices and more related to practical approach in overall functioning of CCL homes. This will certainly help in devising the system and functions which really match the requirements and emerging needs of children conlifcted with law. The cross – sectional view of the study related exisitng system and practices, overall management, addressing the provision of RTE Act, 2009 and NEP, 2020 is stated hereunder after thorough review of the functions, system, process and management of CCL homes in the states. It entails observation of CCL homes, in-depth discussion/ interview with key stakeholders namely, superintendent, Probation officer, Counselor, teachers and children.

2.1 System, Process and Functions of CCL Homes

Category of CCL Homes

Under the study, all the 03 categories of CCL homes were visited in the 04 sample States namely, (i) Observation Homes, (ii) Special homes &, (iii) Place of safety. In total, there were 65 CCL homes comprises, 39 Observation Homes, 02 Special homes, 01 Place of safety, 14 Observation & Safety home, 01 Place of Safety & Special home and 08 Observation, Safety & Special home.

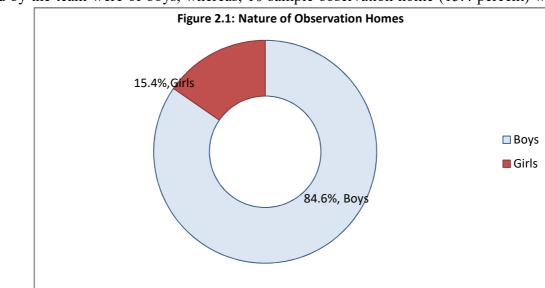
Type of CCL	De	lhi	Ker	ala	Jhark	hand	Raja	sthan	То	tal
Homes	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Observation	2	0	6	1	9	1	15	5	32	7
home										
Place of Safety	0	0	0	0	1	0	0	0	1	0
Special home	0	0	1	0	1	0	0	0	2	0
Observation &	0	1	1	0	0	0	10	2	11	3
Safety home										
Place of Safety &	1	0	0	0	0	0	0	0	1	0
Special home										
Observation,	0	0	0	0	0	0	8	0	8	0
Safety & Special										
home										
Total	3	1	8	1	11	1	33	7	55	10

Table 2.1: Type of CCL Homes in the Sample States

Observation Homes-Basic Information

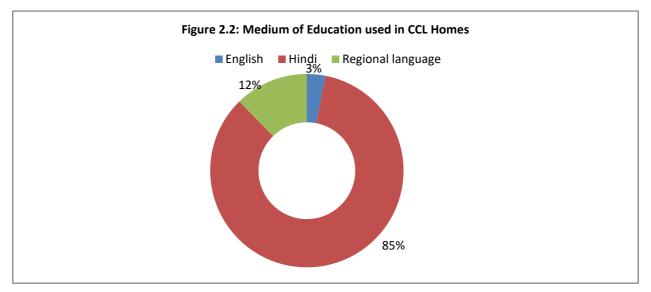
girls.

The total CCL homes visited was 65 comprises 55 sample observation home (84.6 percent) visited by the team were of boys, whereas, 10 sample observation home (15.4 percent) were of

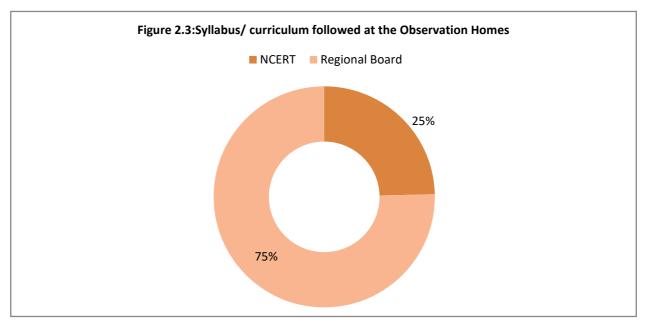


Medium of Instructions & Syllabus/ Curriculum at Observation Homes

It is highly important to work with the children of Observation Home & Special Home as well as Place of Safety, unless they are provided with quality education & skills for livelihood, chances of falling into the trap of criminal activities are high. To impart quality education to children the medium of instructions should as per their understanding level so that they can actively participate in teaching learning & other related activities. The medium of education used in majority of sample observation homes were Hindi (84.6 percent) followed by Regional language (12.3 percent) & English (3.1 percent). Use of regional language was reported only in Kerala (88.9 percent) which is Malayalam. Use of Hindi was reported in Delhi, Rajasthan & Jharkhand (100 percent) whereas English was used only at 01 observation home each in Kerala & Jharkhand observation homes.

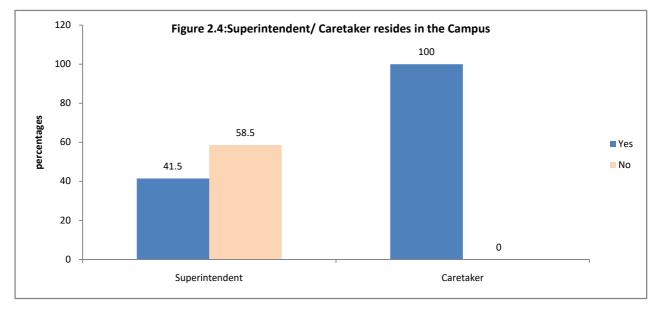


The syllabus/ curriculum followed for Children in the observation home was of regional board in majority of observation home (75.4 percent), whereas use of NCERT syllabus/ curriculum was reported in 24.6 percent sample observation homes.



Superintendent/ Caretaker reside in the Campus

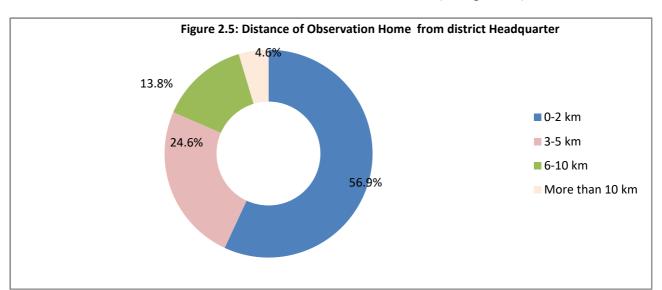
The Observation Homes and Special Homes are reformation Centres for children in conflict with law. All the interventions and activities in the Observation Homes should revolve around the premise that children coming to the Observation Homes means coming to a "healing process" and the reformation process should start from the day the child enter the home. Hence, the position of a superintendent or caretaker at observation homes for children in conflict with the law is critical for the well-being and rehabilitation of these children. The presence of a superintendent or caretaker is crucial for providing a structured and supportive setting that encourages the rehabilitation, growth, and successful reintegration of children in conflict with the law into their communities. They play a significant role in shaping the children's future and facilitating their transition to a positive and productive life. As per our observation, 58.5 percent Superintendent did not reside in the campus of children's homes, whereas in 41.5 percent did. Hence, in more than half of observation home Superintendent did not reside in the campus of children's used to reside in the campus of superintendent did not reside in the campus of superintendent did not reside in the campus of children's used to reside in the campus of superintendent is used to reside in the campus of superintendent did not reside in the campus of children's used to reside in the campus of children's used to reside in the campus of superintendent did not reside in the campus of children's used to reside in the campus of superintendent is used to reside in the campus of superintendent is used to reside in the campus of superintendent is used to reside in the campus of superintendent is used to reside in the campus of superintendent is used to reside in the campus of superintendent is used to reside in the campus of superintendent is used to reside in the campus of superintendent is used to reside in the campus of superintendent is used to reside in the campus of superinten



Distance of CCL Observation home from nearest District headquarter & Service Centre/ Facilities

The JJ Act, 2015 and JJ Model Rules, 2016 specifically mentions setting up of CCIs (Child Care Institutions) especially for CCL such as an Observation Home, Special Home and Place of Safety. The JJ Model Rules, 2016 further lays down specific guidelines for providing infrastructure and physical facilities to the children in the CCI. The location of various facilities at an approachable distance from CCIs is important so that the stakeholders can avail these facilities if required. Also, the distance of CCL observation homes from the nearest district headquarters and service centres /facilities significantly impacts the effectiveness of support, services, and integration opportunities available for the children, ultimately influencing their rehabilitation and successful reintegration into the community.

Distance from the District Headquarter

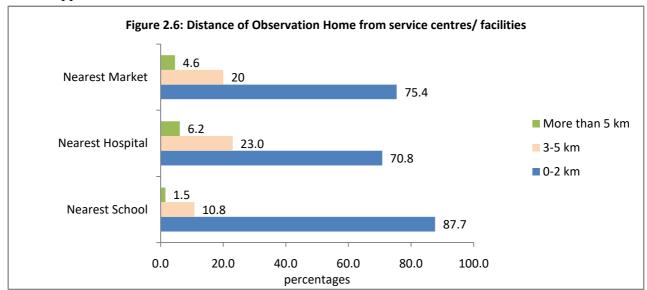


In the context of above, more than half of the observation homes (56.9 percent) are situated at a

distance of 0-2 km from the district headquarter followed by 24.6 percent at a distance of 3-5 km from the district headquarter, 13.8 percent at a distance of 6-10 km from the district headquarter &remaining 4.6 percent at a distance of more than 10 km from the district headquarter. Hence, the majority of (81.6 percent) the observation homes are situated at a approachable distance of up to 5 km from the district headquarter.

Distance from the Nearest School/ Hospital/ Market

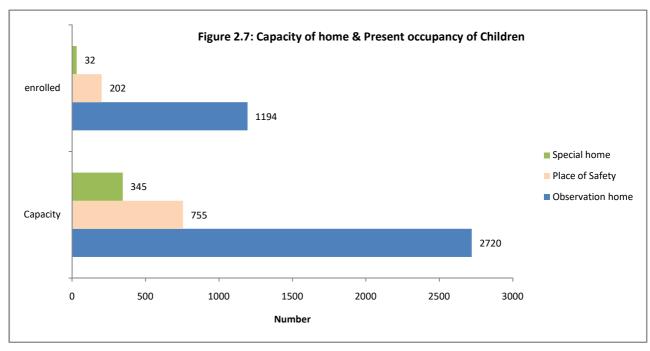
Looking to the importance of school at an approachable distance from CCIs, majority of observation homes (87.7 percent) were situated at a distance of up to 2 kms from the nearest school followed by 10.8 percent a distance of between 3-5 kms & merely 1.5 percent at a distance of more than 5 kms. This shows that schools are situated either near observation homes or at a walking distance from observation homes which make it convenient for children who have to appear for examination.



In terms of getting medical facilities to the children at CCL homes, the distance matters. The study shows that the majority of CCL homes (70.8 percent) were situated at a distance of up to 2

kms from the nearest hospital followed by 23.0 percent at a distance of between 3-5 kms & merely 6.2 percent at a distance of more than 5 kms. Hence, for the majority of CCL homes, are easily accessible for medical facilities on any emergencies, which certainly reduces the chance of any untoward mishap.

Further, majority of observation homes (75.4 percent) were situated at a distance of up to 2 kms from the nearest market followed by 20 percent at a distance of between 3-5 kms & merely 4.6 percent at a distance of more than 5 kms. This makes it convenient for majority of the staff at CCL homes to do errands and maintain the stock of necessary items at CCL homes.



Capacity of Children Homes & Present Occupancy

The capacity of children at observation homes is 2720, place of safety is 755 & special home is 345. The total enrolment of children at CCL homes is 1428 which is 37.4% of the total capacity of all the three categories. Category-wise the children enrolled at observation homes is 1194 (43.9%), place of safety is 202 (26.8%) & special home is 32(9.3%). Hence, children enrolled at CCL homes is less than 40 percent of the total capacity of children at CCL homes .

Infrastructure & Facilities

The Observation Home/ Special Home & Place of Safety shall be a place for changing attitudes and behaviour of the inmates. It shall play major role in rehabilitating the delinquent children, by turning their mind set up to become a worthy citizen of the country. Children living in Observation Homes shall be provided a better social environment for their growth in the absence of parental care and affection. The significance of infrastructure and facilities at Children in Conflict with Law (CCL) observation homes lies in providing a safe, nurturing environment that fosters holistic development. Adequate infrastructure ensures physical safety, access to education, healthcare, and recreation, facilitating rehabilitation and reintegration efforts while promoting the well-being and growth of the children.

Type of Building

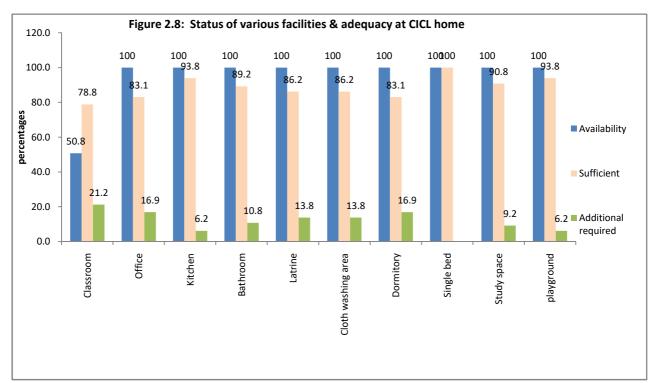
All the CCL homes (100 percent) had their ownfunctional building. Hence, one of the important infrastructure for running any institution i.e. building is not an issue as all the observation homes covered in this study.

2.2 System, Process and Functions of Education & Support at CCL Home

Infrastructure available as per prescribed norms

Classrooms

Children in the Observation Home/ Special Home & Place of Safety were a distinct category of children who were children in need of care & support and vulnerable may fall again into the clutches of crime. Therefore, it is pertinent to address their situation comprehensively through a package of interventions i.e. formal education, psychosocial support and vocational training/skill development. All the three interventions need to go hand in hand to complement one another for increasing its effectiveness. In the above context, the availability & adequacy of basic facilities



at the observation home is important so that children who were in conflict with law can not be deprived of basic facilities viz. classrooms, kitchen dormitory, latrine & washroom etc. while residing in observation home & they can engaged themselves in other constructive activities. Hence, availability of classroom in the observation home is important so that children who are in conflict with law can be engaged in academic activities. In the above pretext, the availability of classroom was reported in half (50.8 percent) of the observation homes (N=65). The available classrooms (N=33) were reported sufficient in 78.8 percent of observation homes, whereas the same were not reported sufficient in 21.2 percent of observation homes. Regarding requirement of additional classrooms, 21.2 percent observation homes opted for requirement of additional classrooms. This indicates a significant gap in the availability of academic spaces, which are crucial for the educational development of the children. The availability of classroom is the basic necessity which provides the learning environment for better educational outcomes and

this being missing in half of the observation homes covered in this study is concerning and can have huge negative impact on the learning outcomes of these children at CCL homes and their ability to catch up with this learning gap after release from these homes at par with other children of their age.

Office space

Availability of office was reported at 100 percent observation homes (N=65). On enquiring about the sufficiency of available office, 83.1% of them had sufficent office while the rest 16.9% did not. Regarding requirement of additional office space, the same was opted by 16.9 percent observation home. This suggests that administrative needs are largely met, though 16.9% still require more space.

Kitchen

Like-wise, availability of Kitchen was reported at all observation homes covered in this study(N=65). Moreover, 93.8% of the observation homes had sufficient kitchen space, whereas 6.2% did not report it to be sufficient.Regarding requirement of additional kitchen, the same was opted by 6.2 percent observation home. The kitchen which is basic facility at the residental observation home was avilable in all the observation homes & reported sufficient in majority of the observation homes.

Sanitation and Hygiene Facilities

For good health children maintaining hygienic and good sanitation was also necessary in the Observation Home. In the sample CCL homes, Bathroom was reported available at all observation homes (N=65). Also, it was reported sufficient in 89.2 percent observation homes, whereas the same was not sufficient in 10.8 percent observation homes. Regarding requirement of additional bathroom, the same was opted by merely 10.8 percent observation home.

The Observation Home should be hygienic with adequate toilets facility. Inadequate toilet facility led to problems of health and sanitation. Washrooms were reported available at all CCL observation homes. Also, it was reported sufficient in 86.2 percent observation homes, whereas the same was not sufficient in 13.8 percent observation homes. Regarding requirement of additional Washroom, the same was opted by merely 13.8 percent CCL/ observation home. Only the observation home at Rajasthan opted for requirement of additional Latrine.

The availability of cloth washing area was reported in all the sample observation homes. Regarding adequacy of the same, cloth washing area was reported sufficient in 86.2 percent observation homes, whereas in 13.8 percent observation homes the same was reported in sufficient. The requirement of additional cloth washing area was reported in 13.8 percent observation homes.

This points to a generally good level of hygiene facilities in majority of the CCL homes, though improvements are needed in terms of enhancing sufficiency and quality of these facilities.

Dormitory and Beds

Like-wise other facilities, the availability of dormitory were reported in all sample observation homes (N=65). However, the adequacy of available dormitory was reported in 83.1 percent sample observation homes, whereas the same was reported in sufficient in 16.9 percent observation homes. Hence, the availability of dormitory, which is the most important facilities

for residential observation homes, was reported available & sufficient in all& majority of observation homes respectively. The requirement of additional dormitory was reported in 16.9 percent observation homes.

Provision of beds are basic needs for inmates. The availability of beds facilities was reported in allobservation homes. The adequacy of available bed facility was reported in 96.9 percent sample observation homes, whereas the same was reported in sufficient in 3.1 percent sample observation homes. However, requirement of additional beds was reported in 3.1 percent sample observation homes.

Similarly, the availability of single bed use by children was reported in allobservation homes. The adequacy of available single bed use for each children was reported in all sample observation homes. Hence, requirement of single bed use was not reported in any of the sample observation homes.

This shows that basic accommodation needs of the inmates at CCL homes are mostly met.

Study Space

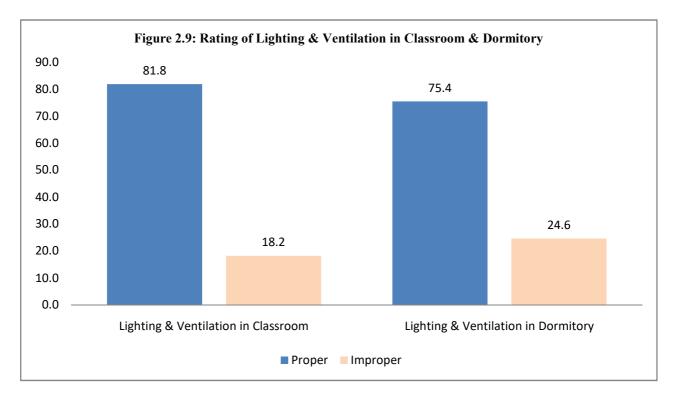
The availability of study space help in creating interest in knowledge & education amongst children. The same was reported available in all observation homes (N=65). Regarding adequacy of available study space, the same was reported sufficient in 90.8 percent observation homes, whereas in 9.2 percent observation homes the available study space was reported insufficient. The requirement of additional study space in observation homes was reported in 9.2 percent observation homes. Hence, there can be improvements at 9.2% observation homes where its availability was reported insufficient. It is the basic need and should be ensured in all the observation homes to ensure that interest of children in learning is maintained without any lag.

Playground/ Play area

The involvement of children who were in conflict with law in other activities viz. sports & cocurricular is necessary for their overall development. The involvement of children in academic & co-curricular activities will deviate their mind from the earlier crimes that they had committed due to some reason or the other. Hence, the availability of playground/ play area in safe position at CCL/ observation homes premise is important which was reported in all sample observation homes. The available playground (N=65) was reported sufficient in 93.8 percent sample observation homes, whereas the same was reported in sufficient in 6.2 percent observation homes. The requirement of additional playground was reported in merely 6.2 percent observation homes. This implies that the overall development of the childresn is well taken care of at majority of the observation homes which is commendable.

Rating of Lighting & Ventilation in Classrooms & Dormitory

In order to have conducive environment at the CCL homes, the available classrooms must have proper lighting & ventilation. Out of available classrooms at observation homes (N=33), the lighting& ventilation was reported proper in 81.8 percent classrooms, whereas the same was reported improper in 18.2 percent classrooms.



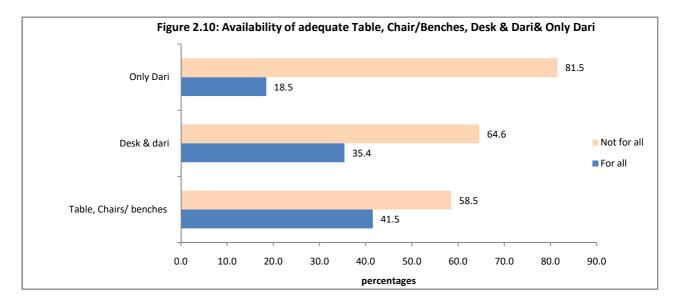
The dormitory (N=65) at observation home must have proper lighting & ventilation for good physical & mental health of children. The lighting & ventilation in 75.4 percent dormitory at observation homes was reported proper, whereas the same was reported improper in 24.6 percent dormitory.

Thus, we can conclude that there is larger room for improvement in dormitory conditions as in 24.6% percent observation homes lighting wentilation in dormitory was reported improper which was not the case with classroom. In this sense, the scenario of lighting & Ventilation is better for classrooms with majority being rated as proper.

Availability of adequate Table, Chair/Benches, Desk & Dari & Only Dari

The availability of adequate table, chair/ benches (N=65) for all children in the class was reported in 41.5 percent observation home, whereas the same was not reported available for all children in 58.5 percent observation home.

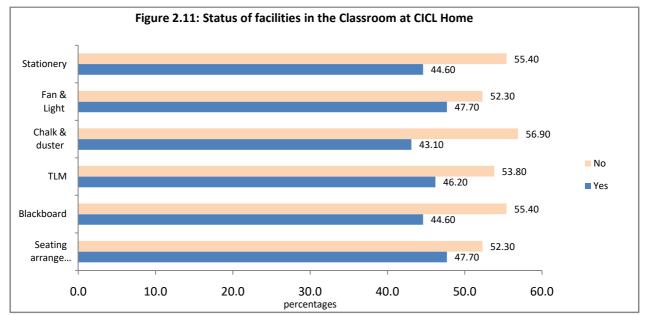
The availability of adequate desk & dari (N=65) for all children in the class was reported in 35.4 percent observation home, whereas the same was not reported available for all children in 64.6 percent observation home.



The availability of only dari (N=65) i.e. absence of facilities like desk, tables and chairs for all children in the class was reported in 18.5 percent observation home, whereas the same was not reported available for all children in 81.5 percent observation home. The availability of only Dari was reported in the CCL homes of Rajasthan only.

We can observe that there are observation homes which still only have dari in its classrooms and not other required facilities like desk and chairs. Absence of such basic requirements dampens the environment necessary to inculcate quality learning among students. Hence, firstly there should be classrooms in all observation homes which is still missing currently in half of those covered under this study and then, it is equally important that basic facilities like tables, chairs and desks are provided in these homes to ensure that there is no hindrance in the learning process for these children.

Facilities available in the Classroom



In order to ensure 'No Child Left behind' as per compliance of JJ Act, RTE Act, 2009 & New

Education Policy 2020, it is essential to have necessary requirements so that the children who were in conflict with law can continue their education at the observation home. The seating

arrangement (N=65) was reported available in 47.7 percent observation homes, whereas the same was not reported available in 52.3 percent observation homes.

The blackboard (N=65) was reported available in 44.6 percent observation homes, whereas the same was not reported available in 55.4 percent observation homes.

Further, the availability of teaching learning material (TLM) (N=65) was reported in 46.2 percent observation homes, whereas the same was not reported available in 53.8 percent observation homes. The availability of chalk & duster (N=65) was reported in 43.1 percent observation homes, whereas the same was not reported available in 56.9 percent observation homes. The availability of fan & lighting was reported in 47.7 percent observation homes, whereas the same was not reported in 52.3 percent observation homes.

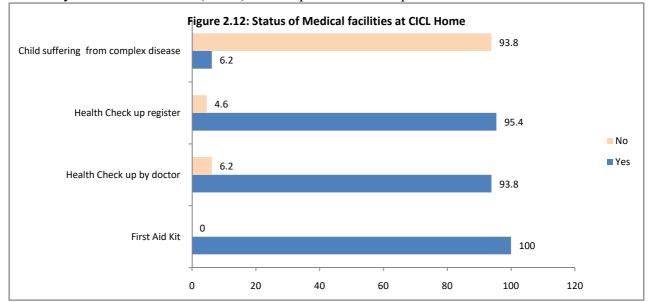
The availability of stationery (N=65) was reported in 44.6 percent observation homes, whereas the same was not reported available in 55.4 percent observation homes.

The unavailability of basic facilities like blackboards, chalk & duster and stationery in certain CCL homes highlight a large gap in facilities provided which is a huge room of improvement.

It should be noted that about 50% of these observation homes did not have classrooms and hence, no such facilities were available there. But these figures are quite alarming for future learning outcomes of these children. Most of the above facilities are present in less than 50% of the observation homes which should be a matter of concern as these facilities are bare minimum for good learning. Hence, there is a huge room of improvement as far as these facilities are concerned and adequate resource allocation should be done to ensure its availability in these homes.

Medical Facilities & Health Check-up at Observation Homes

An important facility needed for the inmates of the Observation Home related to medical facility. Such facilities are essential to keep the inmates free from health problems. The availability of First Aid Kit (N=65) was reported in 100 percent observation homes. It is



heartening to note that there are CCL homes where still the Health check-up by doctor and upkeep of Health registers were not practiced. Further, health check up by doctor (N=65) was reported in 93.8 percent observation homes. Availability of health check up register (N=65) was

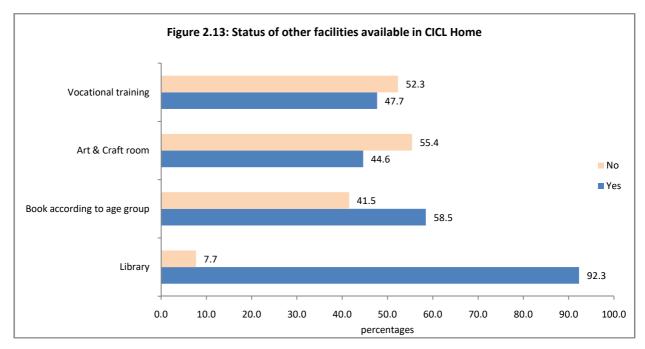
reported in 95.4 percent observation homes. Child suffering from complex disease was reported in 6.2 percent observation homes. The complex disease children suffering are as follows:

- 🕂 Tuberculosis
- \rm Respiratory problem
- **4** Mental sickness due to drug addiction.

Availability of Other Facilities

Apart from availability of basic facilities (viz. classrooms, dormitory, kitchen, Washroom /latrine, bathroom etc. at the CCL/ observation homes, the availability of other facility is important for overall development of children who were in conflict with law. The availability of library was reported proper in 92.3 percent observation homes, whereas the same was not reported available in 7.7 percent observation homes. However, the availability of book according to the age-group in the library was reported in 58.5 percent observation homes, whereas the same was not reported available in 41.5 percent CCL /observation homes. Availability of Art& Craft room was reported in 44.6 percent CCL /observation homes, whereas the same was not reported available in 55.4 percent observation homes.

With regards to the functioning of the CCL homes to cater to the need of the children to be involved in education and engage them in the various activities which have relevance in shaping their behavior. So that after being relieved from the observation home they should not again be trapped in the activities due to which they have been conflicted with law. It has been reported that the facilities related to vocational training, Art & Craft room, Books as per their age and subjects and library facilities were lacking at the majority of CCL homes. It has been reported



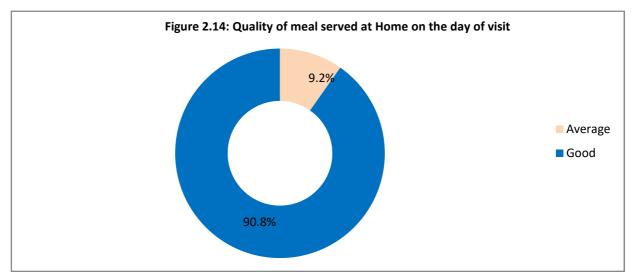
that the facilities related to vocational training (52.3%), Art & Craft room (55.43%), Books as per their age and subjects (41.5%), and library facilities (7.7%), are lacking at the majority of CCL homes. Availability of Vocational training was reported in 47.7 percent CCL /observation homes, whereas the same was not reported available in 52.3 percent observation homes. The average children enrolled per observation home for vocational training was 29.5. The children

were given training in electrical, electronics, tailoring & embroidery, Beauty Parlour, dog handling, craft work & painting, music, cooking & others etc.

The facilities like books according to age group, art & craft room and vocational training is extremely important to engage children productively in activities to aid their skill enhancement, improved learning and creativity building. These facilities were missing in majority of the CCL homes which hinder overall development and successful integration of children in the society. Hence, it should be taken into consideration on an urgent basis by the states to ensure their availability in these homes.

Availability of Meals at Observation home

As far as meals served at home as per menu is concerned, the same was reported in 100 percent observation homes. Regarding quality of meal served at home on the day of visit, at majority of



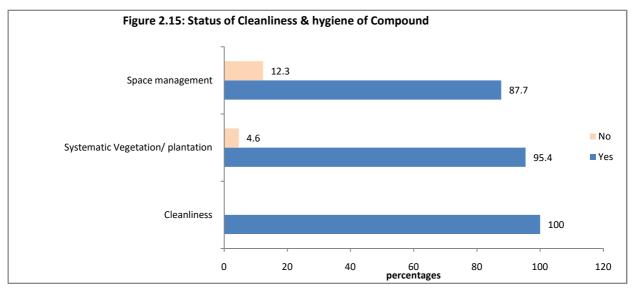
sample observation home (90.8 percent) the same was rated as good, whereas at merely 9.2 percent sample observation home the meal was rated average on the day of visit.

Hence, the meal facility was reported good in majority of the observation homes but it should be aimed at all the observation homes because nutrition is pivotal for physical and cognitive development of children and nutrition aspect should be well taken care of without any lapse. Also, to ensure full four meals in a day need to be ensured in a proper way.

Status of Cleanliness & Hygiene of Compound

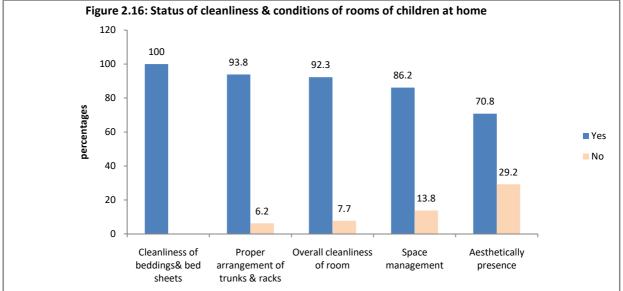
The complete compound & functional security gate (N=65) was reported in 100 percent observation homes. Status of cleanliness & hygiene of compound (N=65) was reported in 100 percent observation homes.

Status of systematic vegetation/ plantation of compound (N=65) were reported in 95.4 percent observation homes, whereas the same was not reported in 4.6 percent observation homes. In response to the space management of compound (N=65), the same was reported in 87.7 percent



observation homes, whereas the same was not reported in 12.3 percent observation homes.

As far as status of cleanliness and conditions of beddings & bed sheets (N=65) of children at home is concerned, the same was reported in 100 percent observation homes. In addition, proper



arrangement of trunks & racks (N=65) was reported in 93.8 percent observation homes, whereas the same was not reported in 6.2 percent observation homes. Overall cleanliness of rooms (N=65) was reported in 92.3 percent observation homes, whereas the same was not reported in 7.7 percent observation homes. The proper space management of rooms (N=65) of children was reported in 86.2 percent observation homes, whereas the same was not reported in 13.8 percent observation homes.

Hence, the issues with room space management (13.8%) and overall room cleanliness (7.7%) should be noted and corrected in future.

Challenges Observed in the CCL homes

There is greater need to establish a conducive ecosystem at the CCL Homes in order to divert children from their activities conflicted with law. The support and facilities at the CCL homes can be an enabling factor to divert the Children in Conflicted with Law.

Hence, in majority of the observation homes, the educational inputs in creating a friendly ecosystem is crucial inputs to ensure an overall development of personality of children and children may develop the positive behaviour.

Sample	Challenges
Overall	 Lack of adequate Child Friendly environment in majority of CCL homes visited.
	2. Lack of proper and timely at least 04 meals in a day with quality and quantity on many days.
	3. Lack of support for ensuring proper Love & affection at majority of the visited CCL homes.
	4. Children at the Special homes and Place of safety were of 18 years + and were under trial were creating problem for CCL homes and the existing security and management staffs were found difficult to control them.
	5. The CCL children who in later ages may be 18 and 18+ (reported in Rajasthan) do not have any interest for vocational education and learning and also the existing staffs may not control them.
	6. The staff's wages and less number than the required strengths and were on contract creating a situation.
	7. The grant given to the CCL homes were not timely. Hence, the officials found difficult to run the homes.
	8. The CCL homes in (i.e. Rajasthan specially at the divisional headquarters were understaffed and also the staffs lack the proper skill to handle the children.
	9. No support from Sarva Shiksha Abhiyan/ Samagara Shiksha/ Education department in order to ensure education amongst 7 years+ aged children.
	10. The children education element has been very lightly taken as a result no any plan for education of children/ curriculum has been developed as per children need.
	11. The children at Place of safety and Special homes were largely locked and hardly taken out of the room (Rajasthan). The staff's report that the children in the Place of safety and Special homes were more criminal in nature hence they have treated from them.

Table: Challenges Observed at the CCL Homes

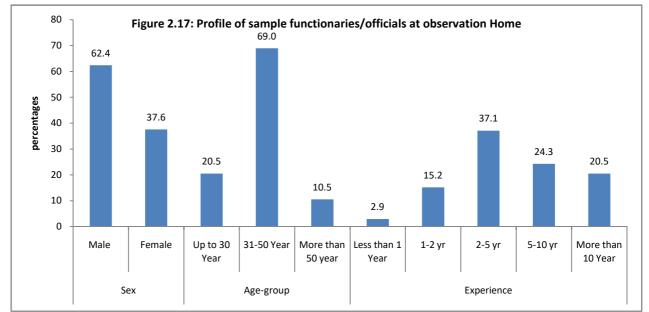
12. Looking to the space available at the CCL homes, it was difficult to separate the children based on their age as a result the smaller children were disturbed and guided by the elder children who also sensitize them in the night hours for adopting the criminal behaviour.
13. The education elements and vocational education were still on the backseat at the CCL homes in majority.
14. The adequate training to the CCL officials/ staffs is lacking in terms of guiding and shaping the children behaviour and directs them for education and development of positive behaviour.
15. Rehabilitation support for CCL children were not reported in many of the CCL homes.
16. The children who are conflicted with law and brought to the CCL homes are mostly from poor families. There were children whose families do not have financial capacity to hire advocates for their children. As a result the children were staying at the CCL homes for long.
17. The elder children hardly follow the discipline what has been reported by the staffs and officials.
18. The component of counsellor should be taken strongly so that the children should be properly guided and regulated time to time.

2.3 Addressing the Need of CCL at home – Functionaries view

The officials and functionaries associated with the day to day functioning of CCL homes have instrumental role in addressing the educational need of children at CCL home so that they should be properly dealt and their behaviour can be altered during his/her stay at home. The support in terms of system and functions certainly have crucial role to support contextual engineering to draw the attention of children in education and other allied related activities at home. The study tried to gather the status, system, vision and perspective of officials and functionaries namely, hostel superintendent, care takers, counsellors, probation officers and teachers etc. to support children and mechanism at CCL home to ensure that in terms of education as RTE Act, 2009 and NEP, 2020, No child should be Left Behind.

Basic Information

This section provides detail about the sample officials and functionaries (N=210) of CCL homes. In total, 62.4 percent functionaries (Superintendent / Teacher/ Caretaker/ Counselor) at the observation home were male, whereas 37.6 percent functionaries were female. Age-wise, majority of functionaries (69 percent) at the observation belongs to 31-50 years age-group followed by 20.5 percent sample officials and functionaries at the CCL homes was up to 30



years age & 10.5 percent sample officials and functionaries at the CCL homes was more than 50 years old. Regarding experience of sample officials and functionaries at the CCL homes working at the observation home, 37.1 percent sample officials and functionaries at the CCL homes had experience of 2-5 years followed by 24.3 percent officials and functionaries had experience of 5-10 years, 20.5 percent officials and functionaries had experience of more than 10 years, 15.2 percent officials and functionaries had experience of 1-2 years & merely 2.9 percent officials and functionaries had experience of 1-2 years & merely 2.9 percent officials and functionaries had experience of 1-2 years.

Knowledge & Initiatives

Functionaries (N=210) at the observation homes (99 percent) were well aware about JJA & POCSO Act, whereas merely 1 percent functionaries in Rajasthan were not aware about JJA & POCSO Act. Similarly, Officials and functionaries has knowledge about Child Helpline number (99.5 percent), whereas, merely 0.5 percent functionaries in Rajasthan did not have knowledge about Child Helpline number (99.5 percent).

Similarly, having a copy of JJA & POCSO Act was reported by 89.5 percent functionaries at the observation homes, whereas 10.5 percent functionaries at the observation homes did not have a copy of JJA & POCSO Act.

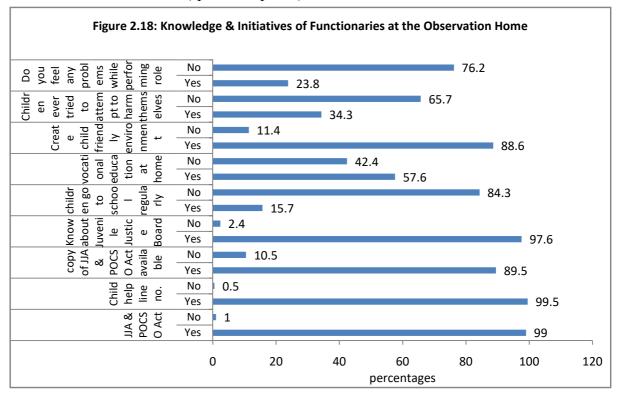
Knowledge about the Juvenile Justice Board was reported by 97.6 percent functionaries at the observation homes, whereas 2.4 percent functionaries did not have knowledge about the Juvenile Justice Board.

Children at observation home go to classroom regularly was reported by 15.7 percent functionaries, whereas 84.3 percent functionaries at observation opined that Children at observation home did not go to classrooms regularly. In Jharkhand, majority of the sample

functionaries (68.8 %) opined that at the observation home campus children used to attend classes. In other three States viz. Delhi, Rajasthan & Kerala the sample functionaries opined that these children were in conflict with law. They have committed some types of crimes (viz. theft, robbery, sexual offence etc.). They are under trial. They were not allowed to go outside observation home campus.

Further, providing vocational education was reported by 57.6 percent functionaries, whereas 42.4 percent functionaries at observation opined that vocational education was not given to Children at observation home. 88.6 percent functionaries at observation home reported that they create child friendly environment, whereas 11.4 percent functionaries at observation home did not reported for the same. 85.7 percent functionaries & 81.9 percent functionaries respectively reported support from DCPU & DLSA. 34.3 percent functionaries reported children ever tried to harm themselves, whereas 65.7 percent functionaries opined that children never tried to harm themselves. The nature of harm committed by children is reported here under-

- Drug addict children try to harm themselves or shows symptoms of withdrawal when they did not get drugs at the CCL /observation home.
- Suicidal attempts by children (cutting nerves etc.)
- ♣ Fighting amongst themselves
- + Children use utensils (spoon and plates) to harm themselves



Functionaries were asked whether they feel comfortable in performing role at home, 23.8 percent affirmed that, whereas 76.2 percent functionaries opined that they did not feel comfortable in performing role at home. The reasons for not feeling comfortable in performing their roles are as follows:

- Some children at observation home had committed heinous crime & they had been convicted in some case. They create problem for other children residing at home. It is very difficult for the staff to handle these types of children.
- In Rajasthan the number of children at observation home is more looking to campus & set up of observation home. The children above 18 years of age & had been under trial/convicted in some case is a threat for the Observation homes.

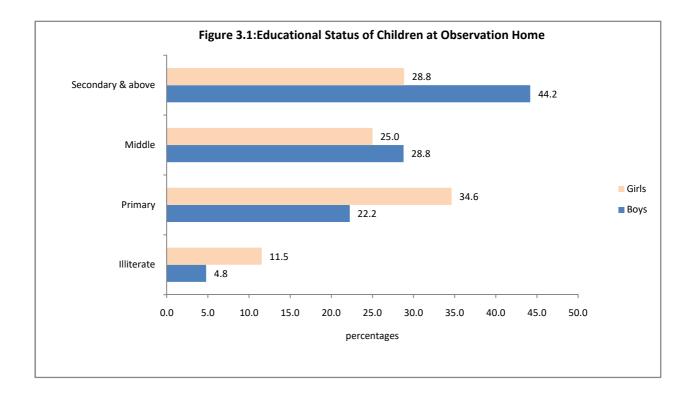
Chapter - 3

Findings of the study - Good practices & Gaps in ensuring 'No Child Left Behind at the CCL homes in the sample States

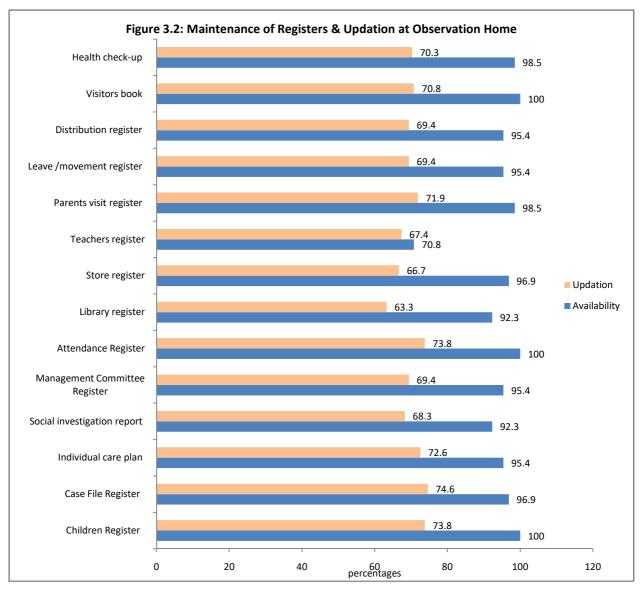
3.1 Educational Status & Practices at CCL Homes

Educational Status of Children at Observation Home

The JJ Act, 2015 and JJ Model Rules, 2016 specifically mentions that the Child Care Institution shall provide education to all children according to the age and ability, both inside the institution or outside, as per requirement. The study titled 'No child left behind: A Study to Examine the Education of Children in Conflict with Law Residing in Observation/ special homes' focuses on assessing the educational background of the children (N=1428) presently staying at the Observation Homes and Special Homes. 4.8 percent boys & 11.5 percent girls were illiterate followed by 22.2 percent boys & 34.6 percent girls had education up to primary level, 28.8 percent girls had education up to middle level & 44.2 percent boys & 28.8 percent girls had education up to secondary & above. Overall, more than half of sample boys (55.2 percent) were either illiterate or had education up to primary & middle level, whereas in case of girls more than seventy percent (71.2%) were either illiterate or had education up to primary & middle level.







Availability of Children register was reported at 100 percent CCL/ observation homes (N=65). However, its updation was reported in 73.8 percent observation home, whereas the same was not reported in 26.2 percent observation home. Availability of Case File register was reported at 96.9 percent observation home, whereas at 3.1 percent observation home the availability of the same was not reported. Only in the Kerala State the availability of Case File register was not reported. In Kerala, in a few of the CCL/ observation homes children were not present. The Updation of Case file register was reported in 74.6 percent observation home, whereas the same was not reported in 25.4 percent observation home. Availability of Individual Care Plan register was reported at 95.4 percent observation home, whereas at 4.6 percent observation home the availability of the same was not reported. The updation of Individual Care Plan register was reported at 72.6 percent observation home, whereas at 27.4 percent observation home the updation of the same was not reported. Availability of register of management committee was reported at 95.4 percent observation home, whereas at 4.6 percent observation home the availability of the same was not reported. The updation of register of management committee was reported at 69.4 percent observation home, whereas at 30.6 percent observation home the updation of the same was not reported. Availability of attendance register was reported at 100 percent observation home. However, its updation was reported in 73.8 percent observation

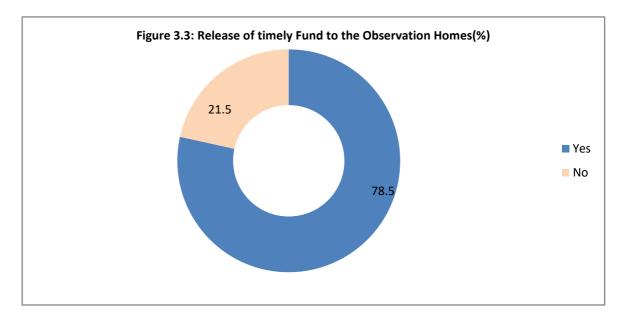
home, whereas the same was not reported in 26.2 percent observation home. Availability of Library register was reported at 92.3 percent observation home, whereas at 7.7 percent observation home the availability of the same was not reported. The updation of library register was reported at 63.3 percent observation home, whereas at 36.7 percent observation home the updation of the same was not reported. Availability of visitors' book was reported at 100 percent observation home. Availability of Health Check-up register was reported at 98.5 percent observation home, whereas at 1.5 percent observation home the availability of the same was not reported. However, its updation was reported in 70.3 percent observation home, whereas the same was not reported in 29.7 percent observation home.

Overall, availability of registers for all categories was ensured in majority of the observation homes but their updation is inconsistent in many observation homes which point to potential administrative inefficiencies that could impact the quality of care and education.

Administrative Support System

Timely availability of Fund

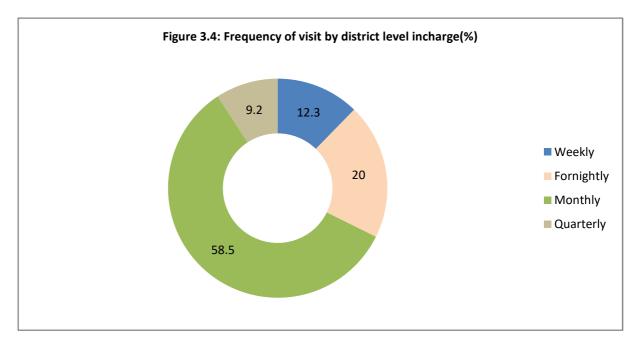
Release of timely fund to these observation homes is important so that they can continue various activities at the observation without any disruption. All the observation homes in three sample States (viz. Delhi, Kerala & Jharkhand) received fund in time, whereas in Rajasthan 65 percent observation homes received fund in time & 35 percent reported they did not receive fund in time. It means only Rajasthan observation home did not get fund timely. In total (N=65), 78.5 percent observation homes received fund in time & 21.5 percent did not receive fund in time.



Overall, 21.5% of the observation homes are not receiving timely funds which should be addressed as timely disbursement of fund is pivotal to ensure proper functioning of observation homes.

Visit by District Level Officials in-charge of Home

The visit to observation homes by district level officials in charge of homes/ department were reported at 100 percent observation homes (N=65). The frequency of their visit was reported monthly (58.5 percent) followed by fortnightly (20 percent), weekly (12.3 percent) & quarterly (9.2 percent). Thus, in more than half of observation homes (58.5 percent) the frequency of visit by district level officials in charge of homes/ department were reported monthly.



Apparently, frequency of visits by district officials is maintained monthly in most cases to ensure proper monitoring of the functioning of observation homes.

Training & Capacity Building of Key Functionaries

Since the beginning of ICPS, various training and orientation meetings have been arranged in the states for support and better management of these CCL homes. The trainings has been organized for Officials and functionaries of CCL homes, namely, Superintendent, Care taker, Counsellor, Probation officer and other associated functionaries from time to time, for providing resource support to the states for addressing critical gaps that hinder effective functioning of functionaries and officials of CCL homes. The training and orientation were aimed at strengthening functionaries and officials of CCL homes with a focus on capacity building so that functionaries and officials of CCL homes are strengthened, capacitated and function effectively as institution.

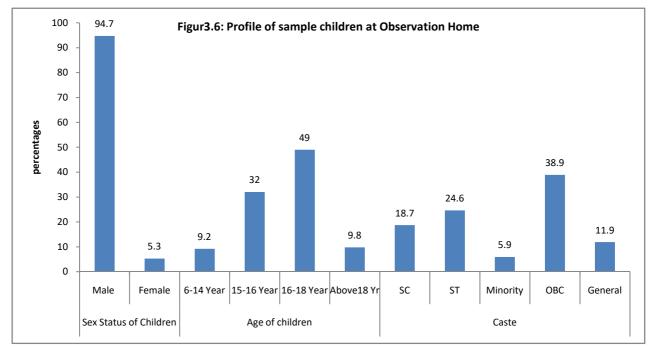
Training of key functionaries was organized in all the observation homes. The content of training was psychological therapy, Child Psychology, counselling & after caring of children, adolescence &JJ Act etc. 98.5 percent of functionaries who received training were satisfied, whereas 1.5 percent was not satisfied. Whether training is beneficial, 98.5 percent of functionaries who received training reported for the same, whereas 1.5 percent opined that the training was not beneficial for them. The functionaries who reported that the training was beneficial further stated that the training on psychological therapy, Child Psychology, counselling & after caring of children, adolescence & JJ Act etc helped them in understanding various aspects of children behaviour and also make them aware about JJ Act in detail.



3.2 Status of system, support and inputs related to education for CCL at home – Children view

Basic Information

This section provides basic information about sample children (N=337) staying at the Observation Home in the 04 sample States. Sex-wise, 94.7 percent sample children at the Observation home were male, whereas merely 5.3 percent children at the Observation Home were female. Age-wise, 9.2 percent children at the observation home belongs to 6-14 years age

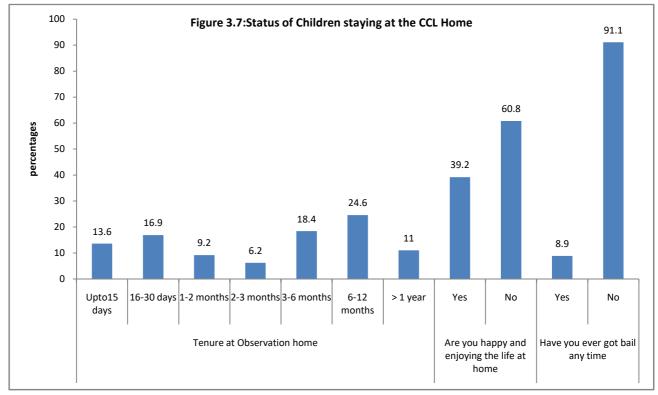


group followed by 32 percent children belongs to 15-16 years age group,49 percent children belongs to 17-18 years age group & 9.8 percent children were above 18 years age. Thus, more than 80 percent of children at the observation homes were between 15-18 years age group. Castewise, 38.9 percent children at the Observation home were OBC followed by 24.6 percent Page | 32

children were ST, 18.7 percent children were SC, 11.9 percent children were General & 5.9 percent children were minority.

Status of Children at the Observation Home

The tenure of 24.6 percent children at the observation homes were from 6-12 month followed by 18.4 percent children were staying at the observation homes from 16-30 days,13.6 percent children were staying at the observation homes from 16-30 days,13.6 percent children were staying at the observation homes since 15 days, 11 percent children were staying at the observation homes from 1-2 months & 6.2 percent children were staying at the observation homes from 2-3 months. Whether children were happy and enjoying the life at home, 39.2 percent children opted for the same, whereas 60.8 percent children were not happy and were not enjoying the life at home. Hence, more than half of children who were in conflict with law & were at observation home reported that they got bail earlier, whereas, 91.1 percent children at the observation home had committed offence & got bail earlier, whereas majority of children (91.1 percent) at the observation home had committed offence first time.



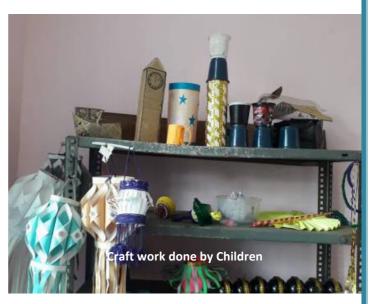
Case Study

Practices & system of providing Support to Children through "KAVAL" project

In state of Kerala, JJB role is pivotal as maximum period of stay for children at home is for

three months. The JJB in the State releases the child to go home & counselling was done to these children & family through "KAVAL" project. Looking to the nature of offence children were kept at the observation. For petty offence JJB allow them to go home while giving instruction & warning. Later on, counselling & follow-up of children were done under the KAVAL" project.

The KAVAL PROJECT is launched by the Kerala Government to provide social and psychological care to children in conflict with law and reintegrate them into the society. It is implemented as part of the integrated child protection scheme (ICPS) of the Department of Women and Child Development. The project is meant to provide services needed for a child on the basis of an individual care plan. Home visit, Individual Counselling, Parent Management training, group work, life skill training are conducting under this project. The various facilities at all the 09 observation home in Kerala were excellent. Facilities like bed. kitchen. recreational rooms, and books in the library were excellent. In addition, children were involved in gardening,







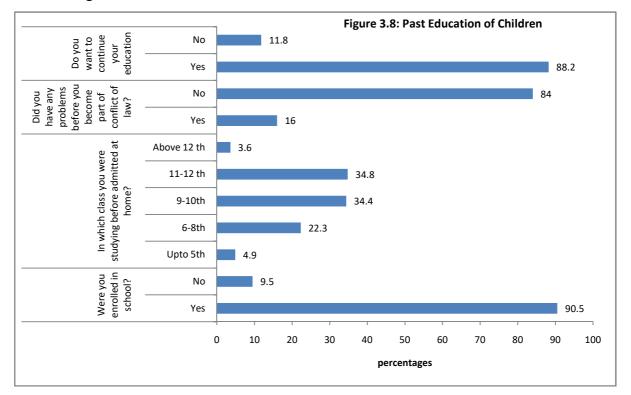
art & craftwork & drawing etc. At observation Home Kollam, walls were painted with Child friendly pictures.

Past Education of Children at the Observation Home

The Study focuses on assessing the educational background of the children (N=337) presently staying at the Observation Homes and Special Homes. 90.5 percent children at the observation homes were enrolled in school before admitted at the observation home, whereas 9.5 percent children reported that they were not enrolled in school. Hence, majority of children at observation homes were enrolled in school. Regarding the level of education of children before admitted at the observation home was reported up to senior secondary level (Class XIth& XIIth) by 34.8 percent children followed by secondary level (Class IXth& Xth) opted by 34.4 percent children, up to middle level (Class VIth to VIIIth) by 22.3 percent children up to primary level (Class Ist to Vth) by 4.9 percent children & above senior secondary level reported by 3.6 percent children.

Further, whether the children had any problem before they become part of conflict of law, 16 percent children reported for the same, whereas 84 percent children opined that they did not have any problem before they become part of conflict of law. The nature of problems mentioned by the children is as follows-

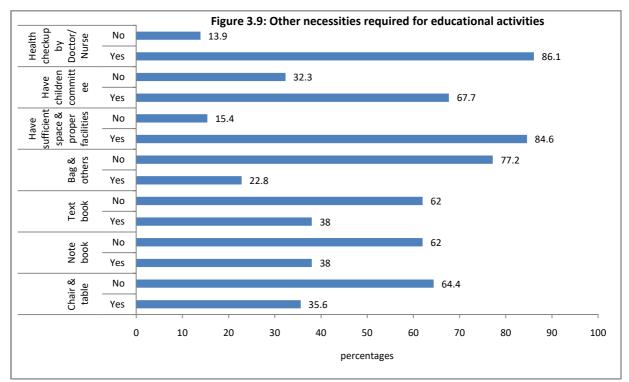
- **4** Committed some types of crimes earlier viz. theft, robbery & sexual offence etc.
- Here Broken family viz. parents separated or frequent quarrel in the family.



Drug addiction

Present Condition & Education activities in the Observation Homes

The study has been carried out to know the suitable and appropriate methodology used for the special children living in the special/ observation homes. The sole purpose is to provide agappropriate education and ensure the education level of special children as per the New Education Policy, 2020.



Availability of chair & table at observation home was reported by 35.6 percent children, whereas the same was not reported by 64.4 percent children. 38 percent children reported availability of notebook and textbook each, whereas the same was not reported by 62 percent children. In addition, 22.8 percent children reported availability of bag & others, whereas the same was not reported by 77.2 percent children. 84.6 percent children reported further, sufficient space & proper facilities like electricity etc. to study at home, whereas, the same was not reported by 15.4 percent children. Regarding formation of Children Committee at observation home, the same was reported in 67.7 percent children.86.1 percent sample children affirmed that health check-up by Doctor/ Nurse was available, whereas 13.9 percent sample children denied the same. However, 26.5 percent sample children rated health check-up by Doctor/ Nurse as average, whereas 73.5 percent sample children rated the same as excellent. Hence, proper health check-ups are still not done in about 26.5 percent cases which should be given due consideration as this is important to ensure overall physical wellbeing and good health of these children.

If we go by these responses of children, then we can observe the stark reality of basic facilities in these observation homes which is abysmally poor. If the provision of basic facilities like chair & Table, notebook, textbooks, bags and others cannot be taken care of, then we cannot expect these children to perform well in learning outcomes. This puts a big blot to the whole notion of their reintegration into society. Hence, this indicates an urgent need for better resource allocation and management.

On the basis of Fig. 2.10 and Fig 3.9 regarding availability of basic facilities in these observation homes, we can conclude the following:-

• Classroom Furniture:

- Less than half (41.5%) have adequate tables and chairs for all children.
- An even smaller percentage (35.4%) have proper desks and dari for all.
- A significant portion (around 50%) lack classrooms altogether.

• Learning Materials:

- Only around 38% of children have access to notebooks and textbooks.
- Even fewer (22.8%) have bags and other supplies.

• Learning Environment:

• While most (84.6%) have sufficient space and electricity for studying, a concerning number (15.4%) lack these basic necessities.

Implications:

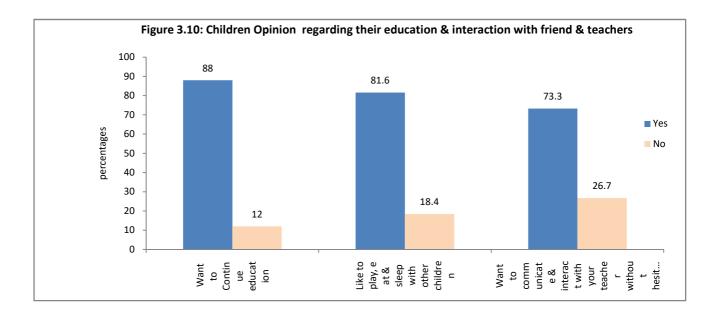
- Learning Difficulties: The absence of proper furniture, learning materials, and classrooms creates a challenging environment for effective learning.
- **Hindered Development:** Limited access to essential resources can hinder the children's academic progress and overall development.
- **Reintegration Challenges:** Without proper education, reintegration into society becomes more difficult.

Urgent Needs:

- **Infrastructure Development:** All observation homes need proper classrooms with basic furniture like tables, chairs, and desks.
- **Resource Allocation:** Increased allocation of resources is crucial to provide essential learning materials like notebooks, textbooks, and bags for all children.
- **Improved Management:** Better resource management is needed to ensure proper utilization of available facilities.

The children were asked if they want to continue education in the future to which 88% affirmed that they would and the remaining 12% of them did not want to continue with it. The reasons for not continuing education are stated here under:

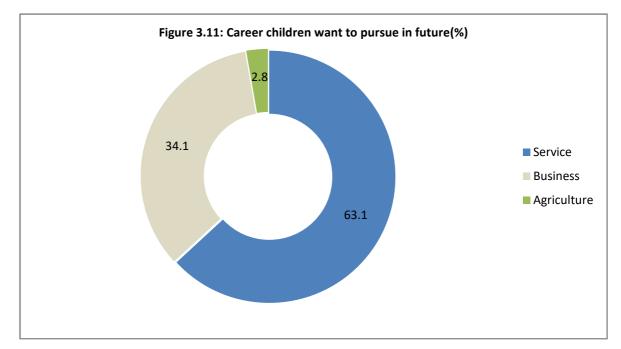
- Some children have crossed the age of 18 while living in these homes as they are under trial and they don't have any interest to continue their education like other younger children. It is harder to mould them within the current framework for juveniles.
- These children are uncertain about their future as they feel they would be convicted soon and therefore, they do not have any aspirations to continue education in the future.



As far as children interaction with friends & teachers is concerned, 81.6 percent children like to play, eat & sleep with other children, whereas 18.4 percent children did not like it. When asked whether children used to communicate & interact with their teacher without hesitation, 73.3 percent children reported for the same, whereas 26.7 percent children denied the same.

The rehabilitation & social integration of children who are in conflict with law is important. In case of the CCL homes visited in the four sample States the follow-up of children who are released from the CCL homes was not reported in the majority of States.

Regarding career children want to pursue, 63.1 percent children want to pursue service like becoming Engineer, Policeman, Advocate & Doctor, followed by 34.1 percent children want to do business, merely 2.8 percent children want to involve in agriculture. This shows that children at the observation home who were in conflict with law had some aspirations about their future and they want to pursue some career or the other. This could be ensured by covering the gaps in their access to education at CCL homes. The unavailability of basic facilities in these homes as noted before should be given urgent consideration to ensure that these lapses don't become a hindrance for these students to achieve their aspirations.

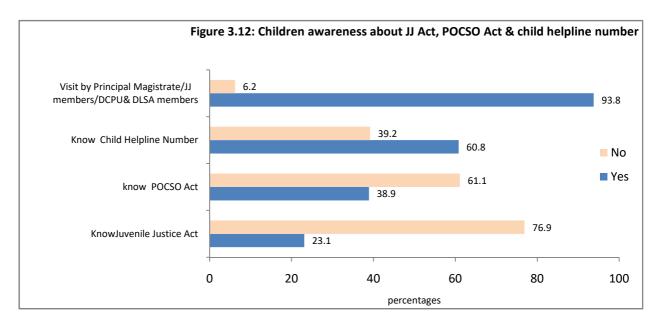


Children Likings & Dislikings at CCL home

Definitely, it is not the choice of any children to stay at CCL homes in any state run CCL homes. But once children brought to the CCL homes, the functionaries of home tried to reform the children and made all efforts to he/she should be happily involved/ engaged into the child centered activities i.e. studies, vocational training, play and games, religious activities etc. The role of CCL homes become crucial in order to cater the children need and engaged children to remain in CCL homes with joy till she/he remain. The process of study of CCL homes documented some Likes and dislikes of children.

Likings	Disliking
1. Food	1. Beating
2. All teachers, House Master	2. Fighting
3. Games, Cricket, Chess, Football,	3. Punishment
Kabaddi	4. Guards
4. Reading books	5. Locked inside rooms
5. Children Room at CCL home	6. Environment is not like home
6. Computer Lab	7. Play
7. Entertainment, singing, TV	8. Not like to Stay
8. Counseling	9. House Master
9. Friends	10. Everything
10. Yoga	
11. Regular Classes & study	

Children Liking & Disliking at home



Definitely, the awareness amongst children about JJ Act, and POCSO Act etc. has positive impact on children behaviour which certainly will limit the crimes at least in the age group below 18 years. The same is reflected in the study outcome. It has been reported that the awareness of children about JJ Act, was only 23.1, whereas 76.9 percent children were not aware about JJ Act. Similarly, 38.9 percent children were aware about POCSO Act, whereas 61.1 percent children were not aware about the same. Further, children knowledge about child helpline number was reported by 60.8 percent children, whereas 39.2 percent children did not know child helpline number (1098). Principal Magistrate/JJ members, District Legal Services Authority, DCPU members, or any other functionary used to visit the observation home was reported by 93.8 percent children. Hence, visit to observation home by higher authority & functionary viz. Principal Magistrate/JJ members/DCPU& DLSA members was reported by majority of children. 60.8 percent of children know about child helpline number. However, there is greater need to create awareness amongst the children may be in the school age group up to 18 years about the JJ Act & POCSO act.

Case Study

Case of Jodhpur CCL homes

Case -1

There is one child who was reported in crime in class X and he has filled his board form from a Private School in Jodhpur. During his stay at home board examination began and he was given permission to appear in the board examination by the Principal Magistrate. The boy has taken the board examination. Now the result declared shows his result was withheld by the school due to a shortfall of attendance in the school.

The CCL home official contacted District education officers and other stakeholders but the withheld result was not cleared.

This shows the adamant behavior of Private School. It needs attention and direction to resolve the education contribution even when the children are at the observation home.

Case-2

Case of CCL homes in Rajasthan (Sikar, Kota, Jodhpur, Bharatpur, Jaipur etc.)

The elder children who are in the observation home have different views and practices as far as education is concerned. Most of them were dropouts and did not have any interest in education and vocational courses. It has been reported in the Rajasthan homes that they disturb the children who have an interest in education and they punish them in odd hours.

There should be provision to keep children according to their interest rather than their age.

Chapter - 4 Conclusion & Recommendations

The key task of the study titled 'No Child Left Behind: A Study to Examine the Education of Children in Conflict with Law Residing in Observation/Special Homes' in the country was assigned by the National Commission of Protection of Child Rights (NCPCR), Government of India, New Delhi. The study was undertaken largely to examine the educational opportunities being provided to the children in Observation Homes, Special Homes and places of Safety. It also focuses on assessing the educational background of the children presently staying at the CCL/ Observation Homes and Special Homes. In addition, the study has been carried out to know the suitable and appropriate methodology used for the special children living in the special/ observation homes. The sole purpose is to provide age-appropriate education and ensure the education level of special children as per the New Education Policy, 2020. Largely, this study has focused on assessing the key intervention areas of the sample special homes/ observation homes where the children below 18 years committed offenses was kept - they are cognitive development and non - cognitive development. It has also included the elements of building character and creating holistic and well-rounded individuals equipped with the key behavior and skills. During the process of study, we have tried to look into the specific sets of skills and values across domains, which were integrated and incorporated at each stage of learning, from preschool to higher education. It is towards, how the curriculum frameworks and transaction mechanisms have been developed for ensuring that these skills and values need to be imbibed through engaging processes of teaching and learning.

The sole purpose of this assessment study is to document the issues of strategic importance relating to educational inputs to the children residing in the CCL homes as per their age and requirements. It is to also assess compliance with the Right to Education Act, 2009 and the New Education Policy 2020 so that no child is Left Behind in terms of elementary education in the states and country. The study also assesses the performance of CCL homes and other concerned authorities putting in place the Institutional structure and process as per the compliance of the Juvenile Justice Act. For the purpose, the assessing the quality of Plans, systems and processes adopted at the CCL homes for providing education and vocational training in mandatory, specialized, and subject-related areas and establishing appropriate connectivity is important. The whole inputs related to age-appropriate education and involvement of children in vocational training should bring improvement in behaviour, knowledge levels and reforming them, which means 'diverting' CCL children away from the criminal system.

This is possible by attracting them towards education, skill enhancement, career-oriented education, and so forth. Child-centred and child-friendly processes include the best interest of the child they come to realize that there are other options in life. Thus, this study has tried to assess the preparedness of CCL homes that how the philosophy of 'best interest' underlying the administration of justice have been applied not just in letter but also in spirit.

Altogether, four zones were covered by covering one State in each of the four zones. Thus, in total, 04 States were covered viz. Kerala, Rajasthan, Delhi & Jharkhand. The findings of the assessment study are the outcome of the whole exercise undertaken during the study. The

findings, conclusions and suggestions of the assessment study are stated in chapter 4, which is given in the subsequent section.

4.1 Findings & Conclusion of the Study

4.1.1 Facilities and support available at the CCL homes

- A. In response to facilities & support available at the CCL homes, availability of office was reported at 100 percent observation homes. Whether sufficient office space was available, the same was reported in 83.1 percent observation homes, whereas available space office was not sufficient was reported in 16.9 percent observation homes. Regarding requirement of additional office space, the same was opted by 16.9 percent observation home.
- B. Availability of Kitchen was reported at 100 percent observation homes. Whether sufficient kitchen space was available, the same was reported in 93.8 percent observation homes, whereas available Kitchen space was not sufficient was reported in 6.2 percent observation homes. Regarding requirement of additional kitchen, the same was opted by merely 6.2 percent observation home. The avavaibility of adequate kitchen space is basic the facility at residental observation home was avilable in all the observation homes & reported sufficient in majority of the observation homes.
- C. Availability of Bathrooms were reported available at 100 percent observation homes. Also, it was reported sufficient in 89.2 percent observation homes, whereas the same was not suffient in 10.8 percent observation homes. Regarding requirement of additional bathrooms, the same was opted by merely 10.8 percent observation homes.
- D. Availability of Latrines were reported available at 100 percent observation homes. Also, it was reported available in sufficient numbers in 86.2 percent observation homes, whereas the same was not sufficient in 13.8 percent observation homes. Regarding requirement of additional washrooms/ Latrine, the same was opted by merely 13.8 percent observation homes.
- E. The availability of cloth washing area was reported in all the sample observation homes. Regarding adequacy of the same, cloth washing area was reported sufficient in 86.2 percent observation homes, whereas in 13.8 percent observation homes the same was reported not sufficient. The requirement of additional cloth washing area was reported in 13.8 percent observation homes.
- F. The availability of dormitory was reported in 100 percent sample observation homes. However, the adequacy of available dormitory was reported in 83.1 percent sample observation homes, whereas the same was reported in sufficient in 16.9 percent observation homes. Hence, the availability of dormitory which is the most important facilities for residential observation homes was reported available & sufficient in 100 percent & majority of observation homes respectively. The requirement of additional dormitory was reported in 16.9 percent observation homes.
- G. The availability of beds facilities was reported in 100 percent observation homes. The adequacy of available bed facility was reported in 96.9 percent sample observation homes, whereas the same was reported insufficient in 3.1 percent sample observation homes. However, requirement of additional bed was reported in 3.1 percent sample observation homes.

- H. The availability of First Aid Kit was reported in 100 percent observation homes. It is heartening to note that there are CCL homes where still the Health check-up by doctor and upkeep of Health registers were not practiced. Further, health check up by doctor was reported in 93.8 percent observation homes. Availability of health check up register was reported in 95.4 percent observation homes. Child suffering from complex disease namely, TB, Metal depression etc. was reported in 6.2 percent observation homes. The complex disease children suffering are tuberculosis, respiratory problem & mental sickness due to drug addiction.
- I. The complete compound & functional security gate was reported in 100 percent observation homes.
- J. In response to the status of cleanliness & hygiene of compound, the same was reported in 100 percent observation homes.
- K. Status of systematic vegetation/ plantation of compound were reported in 95.4 percent observation homes, whereas the same was not reported in 4.6 percent observation homes.
- L. In response to the space management of compound, the same was reported in 87.7 percent observation homes, whereas the same was not reported in 12.3 percent observation homes.
- M. The proper space management of rooms of children was reported in 86.2 percent observation homes, whereas the same was not reported in 13.8 percent observation homes.
- N. Majority of (81.6 percent) observation home situated at a distance of up to 5 km from the district headquarter.
- O. In response to distance from nearest school, majority of observation homes (87.7 percent) were situated at a distance of up to 2 kms from the nearest school followed by 10.8 percent observation home were situated at a distance of between 3-5 kms & merely 1.5 percent observation home were situated at a distance of more than 5 kms.
- P. Majority of observation homes (70.8 percent) were situated at a distance of up to 2 kms from the nearest hospital followed by 23.1 percent observation home were situated at a distance of between 3-5 kms & merely 6.2 percent observation home were situated at a distance of more than 5 kms.
- Q. 75.4 percent Observation homes were situated at a distance of up to 2 kms from the nearest market followed by 20 percent observation home were situated at a distance of between 3-5 kms & merely 4.6 percent observation home were situated at a distance of more than 5 kms.

4.1.2 Functioning of CCL homes supporting reform in diverting' CCL children away from the criminal system

- A. The availability of playground/ play space at observation homes premise is important which was reported in 100 percent sample observation homes. The available playground was reported sufficient in 93.8 percent sample observation homes, whereas the same was reported not sufficient in 6.2 percent observation homes. The requirement of additional playground was reported in merely 1.5 percent observation homes.
- B. The availability of study space was reported available in 100 percent observation homes. Regarding adequacy of available study space, the same was reported sufficient in 90.8 percent observation homes, whereas in 9.2 percent observation homes the available study space was reported in sufficient. The requirement of additional study space in observation homes was reported in 4.6 percent observation homes.
- C. The availability of library was reported in 92.3 percent observation homes, whereas the same was not reported available in 7.7 percent observation homes.
- D. However, the availability of book according to the age-group in the library was reported in 58.5 percent observation homes, whereas the same was not reported available in 41.5 percent observation homes.
- E. Availability of Art & Craft room was reported in 44.6 percent observation homes, whereas the same was not reported available in 55.4 percent observation homes.
- F. Availability of Vocational training was reported in 47.7 percent observation homes, whereas the same was not reported available in 52.3 percent observation homes.
- G. The facilities like books according to age group, art & craft room and vocational training is extremely important to engage children productively in activities to aid their skill enhancement, improved learning and creativity building. These facilities were missing in majority of the CCL homes which hinder overall development and successful integration of children in the society. Hence, it should be taken into consideration on an urgent basis by the states to ensure their availability in these homes.
- H. In response to meals served at home as per menu, the same was reported in 100 percent observation homes. Regarding quality of meal served at home on the day of visit, at majority of sample observation home (90.8 percent) the same was rated as good, whereas at merely 9.2 percent sample observation home the meal was rated average on the day of visit.
- I. In response to whether children were happy and enjoying the life at home, 39.2 percent children opted for the same, whereas 60.8 percent children were not happy and not found comfortable at the home.
- J. In response to whether children at the observation home got bail earlier, 8.9 percent children reported for the same, whereas 91.1 percent children at the observation home opined that they never got bail earlier.
- K. As far as children interaction with friends & teachers is concerned, 81.6 percent children like to play, eat & sleep with other children, whereas 18.4 percent children did not like to play, eat & sleep with other children.

L. In response to whether children used to communicate & interact with their teacher without hesitation, 73.3 percent children reported for the same, whereas 26.7 percent children opined that they did not communicate & interact with their teacher without hesitation. Thus, majority of children like to play, eat & sleep with other children & also used to communicate & interact with their teacher without hesitation.

4.1.3 Efforts made in order to ensure 'No Child Left behind' as per compliance of JJ Act, RTE Act, 2009 & New Education Policy

- A. It should be noted that about 50% of these observation homes did not have classrooms and hence, no such facilities were available there. But these figures are quite alarming for future learning outcomes of these children. Most of the above facilities are present in less than 50% of the observation homes which should be a matter of concern as these facilities are bare minimum for good learning. Hence, there is a huge room of improvement as far as these facilities are concerned and adequate resource allocation should be done to ensure its availability in these homes.
- B. Out of available classrooms at observation homes (50.8 percent), the lighting & ventilation in 33.3 percent classrooms at observation homes were rated excellent followed by 27.3 percent were very good, 21.2 percent were good & 18.2 percent were rated average. Thus, the lighting & ventilation in about 82 percent classrooms at observation homes were rated excellent, very good & good.
- C. The availability of adequate table, chair/ benches (N=65) for all children in the class was reported in 41.5 percent observation home, whereas the same was not reported available for all children in 58.5 percent observation home.
- D. The availability of adequate desk & dari (N=65) for all children in the class was reported in 35.4 percent observation home, whereas the same was not reported available for all children in 64.6 percent observation home.
- E. The availability of only dari (N=65) i.e. absence of facilities like desk, tables and chairs for all children in the class was reported in 18.5 percent observation home, whereas the same was not reported available for all children in 81.5 percent observation home. The availability of only Dari was reported in the CCL homes of Rajasthan only.
- F. There are observation homes which still only have dari in its classrooms and not other required facilities like desk and chairs. Absence of such basic requirements dampens the environment necessary to inculcate quality learning among students. Hence, firstly there should be classrooms in all observation homes which is still missing currently in half of those covered under this study and then, it is equally important that basic facilities like tables, chairs and desks are provided in these homes to ensure that there is no hindrance in the learning process for these children.
- G. In response to have necessary requirement at the observation home so that the children who were in conflict with law can continue their education at the observation home, the seating arrangement (N=65) was reported available in 47.7 percent observation homes, whereas the same was not reported available in 52.3 percent observation homes.
- H. The blackboard (N=65) was reported available in 44.6 percent observation homes, whereas the same was not reported available in 55.4 percent observation homes.

- I. Further, the availability of teaching learning material (TLM) (N=65) was reported in 46.2 percent observation homes, whereas the same was not reported available in 53.8 percent observation homes.
- J. The availability of chalk & duster (N=65) was reported in 43.1 percent observation homes, whereas the same was not reported available in 56.9 percent observation homes.
- K. The availability of fan & lighting was reported in 47.7 percent observation homes, whereas the same was not reported available in 52.3 percent observation homes.
- L. The availability of stationery (N=65) was reported in 44.6 percent observation homes, whereas the same was not reported available in 55.4 percent observation homes.
- M. In response to children opinion about availability of essential items to continue education at home, availability of chair & table at observation home was reported by 35.6 percent children, whereas the same was not reported by 64.4 percent children. 38 percent children reported availability of notebook and textbook each, whereas the same was not reported by 62 percent children. In addition, 22.8 percent children reported availability of bag & others, whereas the same was not reported by 77.2 percent children. 84.6 percent children reported further, sufficient space & proper facilities like electricity etc. to study at home, whereas, the same was not reported by 15.4 percent children.
- N. 86.1 percent sample children affirmed that health check-up by Doctor/ Nurse is available, whereas 13.9 percent sample children denied the same. However, 26.5 percent sample children rated health check-up by Doctor/ Nurse as average, whereas 73.5 percent sample children rated the same as excellent. Hence, proper health check-ups are still not done in about 26.5 percent cases which should be given due consideration as this is important to ensure overall physical wellbeing and good health of these children.
- O. The syllabus/ curriculum followed for Children in the observation home was Regional board in majority of observation home (75.4 percent), whereas use of NCERT syllabus/ curriculum was reported in 24.6 percent sample observation homes.

4.1.4 Availability of copy of content of JJ Act, POCSO Act, SOPs and others

- A. In response to Staff (Superintendent/ Caretaker/ Counselor) awareness about JJA & POCSO Act, 99 percent were aware about the same, whereas merely 01 percent staffs were not aware about JJA & POCSO Act. Similarly staff has knowledge about Child Helpline number (99.5 percent), whereas merely 0.5 percent staffs do not have knowledge about Child Helpline number (99.5 percent). Similarly, having a copy of JJA & POCSO Act was reported by 89.5 percent staff at the observation homes, whereas 10.5 percent staff mat the observation homes did not have a copy of JJA & POCSO Act. Knowledge about the Juvenile Justice Board was reported by 97.6 percent staff at the observation homes, whereas 2.4 percent staff did not have knowledge about the Juvenile Justice Board.
- B. In response to awareness of children about JJ Act, only 23.1 percent children reported for the same, whereas 76.9 percent children were not aware about JJ Act. Similarly, 38.9 percent children were aware about POCSO Act, whereas 61.1 percent children were not aware about the same. Further, children knowledge about child helpline number was

reported by 60.8 percent children, whereas 39.2 percent children did not know child helpline number. More than half (60.8 percent) of children know about child helpline number. However knowledge of JJ Act & POCSO Act was reported by a few children.

4.1.5 Adhering to various laws through Training & Capacity Building of Key Functionaries

A. Training of key functionaries was organized in all the observation homes. The content of training was psychological therapy, Child Psychology, counseling & after caring of children, adolescence & JJ Act etc. 98.5 percent of staff who received training was satisfied, whereas 1.5 percent was not satisfied. Whether training is beneficial, 98.5 percent of staff who received training reported for the same, whereas 1.5 percent opined that the training was not beneficial for them. The staff who reported that the training was beneficial further stated that the training on psychological therapy, Child Psychology, counseling & after caring of children, adolescence & JJ Act etc helped them in understanding various aspects of children behavior and also make them aware about JJ Act in detail.

4.1.6 Performance of CCL homes and putting in place the Institutional structure and process as per the provisions

- A. In response to stay of Superintendent at the observation home, 58.5 percent observation home Superintendent did not reside in the campus of children's homes, whereas in 41.5 percent observation home Superintendent used to reside in the campus of children's homes. Hence, in more than half of observation home Superintendent did not reside in the campus of children's homes.
- B. The Caretaker used to reside in the campus of children's homes at 100 percent observation homes. The Caretaker who was deputed to look after the children in conflict with law at the observation home used to stay in the campus of children's homes. The Caretaker used to reside in the campus on shift basis.
- C. 100 percent observation homes had their own building. Majority of observation home run in building provided by the department/ Government.
- D. In total, 78.5 percent observation homes received fund in time & 21.5 percent did not receive fund in times.
- E. The visit to observation homes by district level officials in charge of homes/ department was reported at 100 percent observation homes. The frequency of their visit was reported monthly (58.5 percent) followed by fortnightly (20 percent), weekly (12.3 percent) & quarterly (9.2 percent). Thus, in more than half of observation homes (58.5 percent) the frequency of visit by district level officials in charge of homes/ department was reported monthly.
- F. Support from DCPU & DLSA was reported by 85.7 percent staff & 81.9 percent staff respectively. Principal Magistrate/JJ members, District Legal Services Authority, DCPU members, or any other functionary used to visit the observation home was reported by 93.8 percent children, whereas 6.2 percent children did not opted for the same. Hence

visit to observation home by senior authority & functionary was reported by majority of children.

- G. Availability of Children register was reported at 100 percent observation home. However, its updation was reported in 73.8 percent observation home, whereas the same was not reported in 26.2 percent observation home.
- H. Availability of Case File registers were reported at 96.9 percent observation home, whereas at 3.1 percent observation home the availability of the same was not reported. The Updation of Case file register was reported in 74.6 percent observation home, whereas the same was not reported in 25.4 percent observation home.
- I. Availability of Individual Care Plan register was reported at 95.4 percent observation home, whereas at 4.6 percent observation home the availability of the same was not reported. The updation of Individual Care Plan register was reported at 72.6 percent observation home, whereas at 27.4 percent observation home the updation of the same was not reported.
- J. Availability of register of management committee was reported at 95.4 percent observation home, whereas at 4.6 percent observation home the availability of the same was not reported. The updation of register of management committee was reported at 69.4 percent observation home, whereas at 30.6 percent observation home the updation of the same was not reported.
- K. Availability of Library register was reported at 92.3 percent observation home, whereas at 7.7 percent observation home the availability of the same was not reported. The updation of library register was reported at 63.3 percent observation home, whereas at 36.7 percent observation home the updation of the same was not reported.
- L. Availability of visitors' book was reported at 100 percent observation home. Availability of Health Check-up register was reported at 98.5 percent observation home, whereas at 1.5 percent observation home the availability of the same was not reported. However, its updation was reported in 70.3 percent observation home, whereas the same was not reported in 29.7 percent observation home.

4.1.7 Status of Enrolment, Attendance & Achievements of Children in Schools

- A. The capacity of children at observation homes is 2720, place of safety is 755 & special home is 345. The total enrolment of children at CCL homes is 1428 which is 37.4% of the total capacity of all the three categories.
- B. Category-wise the children enrolled at observation homes is 1194 (43.9%), place of safety is 202 (26.8%) & special home is 32(9.3%). Hence, children enrolled at CCL homes is less than 40 percent of the total capacity of children at CCL homes.
- C. In response to the children at observation home visit the classrooms for study at the Observations homes was reported by 15.7 percent staff, whereas 84.3 percent staff at observation opined that Children at observation home did not go to classrooms regularly. They opined that these children were in conflict with law. They have committed some types of crimes (viz. theft, robbery, sexual offence etc.). They are under trial. They were not allowed to go outside observation home campus.

4.1.8 Educational background, Educational aspirations & Educational opportunities of the children staying at the Observation Homes and Special Homes.

- A. In response to educational background of children staying at the observation home, 4.8 percent boys & 11.5 percent girls were illiterate followed by 22.2 percent boys & 34.6 percent girls had education up to primary level, 28.8 percent boys & 25.0 percent girls had education up to middle level & 44.2 percent boys & 28.8 percent girls had education up to secondary level & above. Overall, more than half of sample boys (55.2 percent) were either illiterate or had education up to primary & middle level, whereas in case of girls more than seventy percent (71.2%) were either illiterate or had education up to primary & middle level.
- B. 90.5 percent children at the observation homes were enrolled in school, whereas 9.5 percent children reported that they were not enrolled in school before admitted at the observation home. Hence, majority of children at observation homes were enrolled in school. Regarding the level of education of children before admitted at the observation home, was reported up to senior secondary level (Class XIth & XIIth) by 34.8 percent children followed by secondary level (Class IXth & Xth) opted by 34.4 percent children, up to middle level (Class VIth to VIIIth) by 22.3 percent children, up to primary level (Class Ist to Vth) by 4.9 percent children & above senior secondary level reported by 3.6 percent children.
- C. In response to whether children want to continue education at the observation home, 88 percent children at the observation reported for the same, whereas 12 percent children opined that they did not want to continue education.
- D. Regarding career children want to pursue, 63.1 percent children want to pursue service like becoming Engineer, Policeman, Advocate & Doctor, followed by 34.1 percent children want to do business, merely 2.8 percent children want to involve in agriculture. This shows that children at the observation home who were in conflict with law had some aspirations about their future and they want to pursue some career or the other. This could be ensured by covering the gaps in their access to education at CCL homes. The unavailability of basic facilities in these homes as noted before should be given urgent consideration to ensure that these lapses don't become a hindrance for these students to achieve their aspirations.

4.2 Recommendations

This section dealt with the suggestions gathered after a thorough visit to the CCL homes in the sample states covering 100 percent CCL homes namely, the Observations Homes, the Special Homes, and the Place of Safety. There were some recommendations of the study in order to strengthen the functions and systems of CCL homes to ensure education of the CCL at home and 'No Child Should Left Behind' (NCLB). Access to Education in addition to occupational skills enhances their interest in change in behaviour. Change in human psychology cannot be done in a rush; it takes time, as numerous survivors of the past have to overcome. The main purpose of education intervention at home is to engage children at home, deviate them from criminal activities, and change their attitude and perception to get them mainstreamed. They should not repeat earlier committed offenses.

4.2.1 Strategy to ensure suitable methods of providing Quality Education & Skill Development opportunities.

- A. The state should ensure that there should be special curriculum for children in the CCL homes in order to involve the children in curricular and co-curricular activities may be as per the age as prescribed in the RTE Act, 2009 to promote age appropriate education in the CCL homes. The curriculum should be such that should cater the need of CCLs may be different in age group may be up to 18 year of age. In addition to the RTE Act, 2009 and NEP, 2020, there should be inclusion of education inputs, moral education and behavioural inputs in effective manner to deviate the behaviour and perception of CCLs residing in the home.
- B. In the process of development of curriculum for CCLs residing at home, it should be dynamic one so that there should be space to incorporate the special needs of children in order to drive the children behaviour and perception towards education rather than bluntly considering the preparation of standard curriculum in tight compartment. The flexibility in curriculum as per the local needs should be given space. Moreover, availability and accessibility of education and continuing in school to CCL should be determined by the expectations of children and system. There is strong need to have curriculum/ syllabus for age appropriate education & children engagement in educational activities.
- C. Access to Education in addition to occupational skills enhances their interest towards change in behaviour. Change in human psychology cannot be done in a rush; it takes time, as numerous survivals of the past have to overcome. It has been assumed that education being a social institution, is interlinked with society and it has almost a two-way relationship. On the one side education is a product of societal needs and in turn on the other side, it brings about change in the social structure. Moreover, availability and accessibility of education and continuing in homes to CCL is determined by the expectations of children and system.
- D. The system and environment at CCL homes should provide affectionate care and desired protection to children found in conflict with the legal systems. Although, monitoring and protection are also desirable from informal-domestic spaces where child is engaged with violation of *socio-cultural* norms.

- E. If child is found engaged with petty, serious and heinous crime, child friendly approach from all formal agencies specially the CCL home is needed. The CCL home must act on this principle that deviants are not born they are socially constructed. Sometimes it also becomes desirable to examine deeply the background of those children who have been involved in heinous crimes. In fact *children-in-conflict-with-law* needs inclusive as well as multifaceted systems of protection and cares although act makes a distinction between children-in-conflict with law and children-in-need-of-protection and care.
- F. The children at Observation homes should be given advantages by inclusion of them under Right to Education Act-2009. Free and compulsory education to all children-in-conflictwith-law must be given because education is one of the fundamental rights of each and every child. When child-in-conflict-with-law becomes the part of education, he/she can understand the importance of social stability which can be drawn by dissociative own self from acts of deviance. Critical-analytical pedagogy, social and constructional values based curriculum, field visits and interaction of these children with different categories of children and of society must be added in their education process.

4.2.2 Improve the functioning and support at CCL Homes

- A. The atmosphere needed to 'reform' a person were missing in some CCL homes due to the staff's poor understanding of 'detention'. These children are considered as offenders without taking their education, reformation into account. It is also believed that they understand the essence of their crime. These facilities seldom have enough qualified nurses, counselors, or psychologists to assist the juvenile with psychological reform.
- B. There should be clear cut understanding may be with system for the Children who committed minor crimes should be sent to their home with parents/ guardians and a system of counseling may established to support children in mainstreaming with adequate behavior and moral.
- C. There is greater need to appoint/place adequate staffs in quality manner namely the full time teachers and subject teachers, Yoga teacher, sports teacher and Instructor for ensuring creative activities & vocational courses for involvement of children with their interest may be the sports activities, creative activities & vocational courses.
- D. The promotion of co-curricular and cultural activities events /activities certainly had the positive history in shaping children attitude and behavior. Thus, the CCL homes should have regular plan and calendar for co-curricular and cultural activities at CCL homes.
- E. There should be adequate availability of separate Classroom arrangement at the CCL home with facilities namely, White board/green Board and SMART classes. It has been found instrumental in CCL homes in Jharkhand state.
- F. It need to ensure timely availability of fund may be the advance find (quarterly/half yearly) so that the proper planning/implementation of requirement can be done.
- G. The children at CCL home should be kept as per age / as per the offence they have made so that the children at the CCL homes should not be misguided by the other children. It has also reported at the sample CCL homes, those children who have interest for education and vocational education and they are pursuing it. However, the groups of children who are not interested in neither educational nor vocational education training were disturbing other

children who are pursuing education at CCL homes. Hence, again it is policy issue to ensure the grouping of children at CCL homes so that it ensures the healthy environment for children to continue their education/engaged in educational activities and in vocational education.

4.2.3 Ensure Capacity Building & Quality training provided to various stakeholders, methods & procedure adopted for need based, thematic and sectors convergent training

- A. Orientation/ Training of CCL home functionary about the need of children in terms of education as per RTE Act., 2009 and New Education Policy, 2020. It will be good the responsibility of inclusion of the children at CCL homes is given to education department/ State Project Director office of SAMAGRA Shiksha of the State.
- B. It is necessary that the training to functionaries especially in psycho social aspect should be ensured.
- C. There is greater need to have more option for vocational training in order to engage children at the observation home.
- D. It is imperative to provide regular training (at least once in a year) to all the staff posted at CCL homes. In addition, training to Counselor on various counseling tools needs to be taken care.

4.2.4 Inputs and systems for ensuring age appropriate education and involvement of children in vocational training at CCL homes

- A. Mobility support (Van) should be made available at the CCL home so that the children day to day need can be taken care in case of emergency.
- B. The CCL homes should have proper content & TLM (Teaching Learning Materials) for education.
- C. There should be provision for separate staff for Special Home and place of safety rather than all the three CCL homes running in same campus.
- D. Separate place for children who had committed heinous crime & who had been convicted in some offence. There should be separate accommodation for children above 18 years of age. Regular & appropriate number of personnel is required for its operation.
- E. There should be provision of motivational & therapy sessions should be organized for children in more numbers.
- F. There is need to organize Online Classes for children in other areas viz. language-speaking course etc.

4.2.5 Strategy to ensure suitable methods of providing quality education & skill development opportunities.

A. The children the CCL homes reported of varied background and have varied interest. Hence, they need to engage in education activities as per their need and interest. Hence, it is the responsibility posted teachers to ensure the education inputs in the given situation and framework to meet the educational need of every children as per RTE, Act 2009 and NEP, 2020.

- B. A vocational training input is very much crucial for the children who in the age group of above 15 years and have little or no interest for education. Therefore, it an important to ensure vocational education in the CCL homes may of required vocation. The CCL homes should have adequate provisions to undertake vocational education with own arrangements or may have association with some agency/ Institutions may be ICICI Foundation, HDFC, New Jindagi Foundation, Jan Shikshan Sansthan, DCPU Skill Training Centre, Rotary club, and Orian society etc. (Rajasthan), Mattikala Board, Local NGOs, Women vision India, VH Dishayan. SAP and SCF etc. (Jharkhand) and Canon India, K-9 and Sun Foundation (Delhi).
- C. It needs to ensure better Guard facility, security & protection for observation home especially for Place of Safety & Special Homes.
- D. Regular visit of Doctors/Nurse at the observation home and ambulance facility for children.
- E. Full time appointment of Counselor looking to the number of children staying at the observation home. The quality of counselors needs to be ensured. Depending on institutional set-up and employment system, the proper selection of counselor can be done who are effective in dealing with children rather than formality of having counselor appointed at CCL Homes. In addition, the facilities given in terms of support and regular release of remuneration help in betterment services of counselors at CCL homes.
- F. There should be provision and availability of Course books, Stationary support & other facilities as per requirement to children for their study purposes at the CCL homes.
- G. Providing functional Computer & projector for educational purpose with required manpower support to institutionalize the system so that the child at home should be engaged productively and helpful in deviating them from the earlier mindset.
- H. Availability of playground for children outdoor activities & regular art & craft classes for children involvement & mental enjoyment.
- I. Ensuring regular counseling & psychiatric treatment especially for drug addict children.
- J. It is motivation for the personnel if he/she is getting adequate and timely payments. Hence, it need to ensure at CCL homes that both Government & non- government staff/ functionaries should get timely remunerations/ salary.
- K. Separate room for Counseling of Children in order to maintain confidentiality. It was observed that role played by counselors was reported crucial in shaping children attitude (Delhi). Hence, the services of counselors and Psychologist need to be ensured at CCL homes in quality terms too.
- L. The CCL homes should have provision of more indoor & outdoor game items for children.

4.2.6 Policy Issues

- A. The practical mode of giving training to Functionaries and stakeholders certainly provides, better space to them to learn new dimensions, programme planning and execution process, so that right actions may be taken up at the right time. In addition, there is need to equip CCL homes with required number of staffs/ functionaries for addressing the education and vocational training engagements.
- B. Aftercare of young adults leaving institutional care (Section 46 of the Act) In order to provide for children who have to leave Child Care Institutions on attaining 18 years of age, the State Government shall prepare a Scheme for their education, giving them employable skills and placement as well as providing them places for stay till they join the mainstream of society. There should be instrumental role of DCPU, Probation officer or Child Welfare Officer, for financial support for education, higher education, vocational skills, skill training and placement in commercial establishments, and so on should be well structured.
- C. The facilities and infrastructures at CCL homes should be available adequately namely, Clothing and Bedding, Sanitation and Hygiene, Daily Routine, Nutrition and Diet Scale, Medical Care, Mental Health, Education, Vocational Training, Recreational Facilities, Duties of the Person-in-Charge/ Superintendent, Child Welfare Officer (CWO) /Case Worker, House Mother/Father, Caregiver, Probation Officer, / Psychologists, Educator/ Tutor, Medical Officer (Physician) (on call), Para-medical staff/ Staff Nurse/Nursing Orderly, Art & Craft & activity teacher, PT Instructor-cum-Yoga trainer, Sports Teacher, and others of a Child Care Institution under Section 53 of the Act should be ensured in functional terms.
- D. The Person-in-charge/ Superintendent should stay within the institution and be provided with quarters and in case she/he is not able to stay in the Child Care Institution for legitimate reasons, any other senior staff member of the institution shall stay in the institution and be in a position to supervise the overall care of the children and, take decisions in the case of any crisis and emergency. In the context, the engagement of children with regularity may be planned at CCL home.
- E. Capacity Building & Training is a means to ensure the systematic and effective management of CCL homes, which may be vibrant and beneficial for the children in conflict with law. Besides building capacities of individuals, it is important to strengthen the CCL institutions to realize this goal. In addition, the professional handholding support may be planned should be given all the year round in order to get quality plans for ensuring education and involvement of children in vocational training should bring improvement in behavior, knowledge levels and reforming them. It will help in ensuring 'No Child Left Behind' as per mandate of RTE Act, 2009 and New Education Policy and fundamental requirements of JJ Act in time bound manner.
- F. Looking to the system and management of CCL home in New Delhi and Jharkhand, it has layer of security rather putting them in lock and key if they do not have criminal behavior at CCL home. It has been reported that almost 50-60 percent children were brought to CCL home on offence related to POSCO Act. The environment at CCL homes visited in states namely, Jharkhand and New Delhi, were very conducive and friendly for children even the numbers reported more. The children in inner circle should be kept free and were engaged

in their daily routine namely, education activities, craft and drawing, computers learning. It means the security at CCL homes is instrumental in involving CCL at Home effectively. Hence, the state should have well thought plan for ensuring security at CCL home beyond keeping them in lock and key. The security in terms of proper height of wall i.e. infrastructure of CCL home as well as putting the required security system/arrangement so that children should be kept without any fear amongst children and staffs/ functionaries.

- G. Examination Centre of NIOS should be opened at all the observation home so that the educational elements should be well addressed at CCL homes.
- H. There should be provision of required number of full time responsible and committed teaching faculty/ teachers may of required subjects who can help in providing age appropriate education at the CCL homes.
- I. Children age only up to 16 years should be kept in Juvenile category.
- J. Children cases should be settled on time so that behavior of children should be altered rather than they only think of being involved only in criminal activities.
- K. Maximum age of children stay at the CCL homes should be 18 years. It has been reported that the children above 18 years are instrumental for mobilizing other smaller children in criminal activities even at the home.
- L. There is greater need to establish a conducive ecosystem at the CCL Homes in order to divert children from their activities conflicted with law. The support and facilities at the CCL homes can be an enabling factor to divert the Children in Conflicted with Law.



A. Glance of study in Sample States

Delhi















Jharkhand















Rajasthan















Kerala





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