STUDY OF THE FUNCTIONING OF OBSERVATION HOMES IN TELANGANA







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This report represents the findings of a study on Observation Homes in Telangana State. The study team has collected the data from the three Observation Homes of the state and the respondents include Superintendents, Deputy Superintendents, Supervisors, Probation Officers, Counsellor, House Mother and CCLs at the Observation Homes.

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The views and findings are the responsibility of the authors alone.

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ABBREVIATIONS

CCI	Child Care Institutions
CCL	Child in Conflict with Law
DCS	Division for child studies
DPO	District Probation Officer
ICP	Individual Care Plan
IPO	Intake Probation Officer
JJ Act	Juvenile Justice (care and protection) Act, 2015
JJB	Juvenile Justice Board
NGO	Non-Governmental Organisation
ОН	Observation Home
PM	Principal Magistrate
SW	Social Worker
UNICEF	United Nations Children's Fund
WD&CW	Women Development and Child Welfare

EXECUTIVE SUMMARY

The Juvenile Justice Act provides that the Children in Conflict with Law be sent to Observation Homes once they are apprehended by the police and the CCLs remain there until they get a bail from the JJB. The CCLs are hence provided institutional care at the Observation Homes instead of being sent to regular jails so as to adhere to the objective of providing child friendly space and environment to the CCLs.¹

This study was conducted with the objective to understand and analyse the functioning of observation homes in Telangana State so that the gaps between the JJ Act and its implementation could be identified. In furtherance of the same, three Observation Homes (Hyderabad, Warangal and Karimnagar) were selected as a sample for the study. Out of the three OHs, the OHs in Hyderabad and Warangal are run by the government and the OH at Karimnagar is run by an NGO. The CCLs and the staff at these Observation Homes were interviewed regarding their experiences, opinions, roles and responsibilities in order to identify the challenges faced by both the staff and CCLs during their stay at the Observation Home. The Superintendents, Supervisors, Counsellors, House Mothers and Probation Officers were interviewed to gain insights about their understanding of their roles as per the JJ Act and Model Rules.

The study highlighted the lack of adequate staff at the OHs as they did not have professional teachers, counsellors, vocational trainers etc. The OHs did not even have adequate security personnel thereby jeopardising the safety of CCLs. Lack of staff, results in the existing staff taking up additional responsibilities and due to their lack of expertise in such roles, the services provided are not effective or useful to the CCLs. The infrastructure of the OHs can in no way be termed as "child-friendly" as the structures highly resemble jails / lock-ups. Though the Model rules require the OHs to have classrooms, library, sick rooms etc, the OHs do not have them. The study found that there is an immediate need to improve the infrastructure for the OH premises to be child-friendly.

The study also found that the OHs do not have appropriate and adequate classes for formal education and vocational training without which the objectives of effective rehabilitation and reintegration into the society cannot be achieved. There is a need to assess the level of education and other skills of the CCLs at

¹ Rule 8 (3) (i), Juvenile Justice Act, Model Rules, 2016.

the time of their admission into the OH so that they can be provided with the appropriate training which can help in improving their employability prospects. Even the staff opined that the rehabilitation process cannot be effective until and unless there is a mechanism to ensure that the CCLs can sustain themselves without resorting to criminal activities.

The study also found that basic amenities like towels, toothbrush, beds, mosquito nets etc were also not provided in the OHs and even the sanitation facilities were not adequate. Apart from the OH in Karimnagar, the staff at the other two OHs need to significantly improve the manner in which the records are maintained, including the Individual Care Plans.

In addition to not providing the basic amenities, the OHs have also been found to be exploiting the CCLs by making them clean the washrooms, floors and corridors. The CCLs also informed the team of numerous instances when the staff manhandled them as they hit them with belts and pipes in the name of disciplining them. Observation Homes, like other child care institutions, are meant to provide a protective environment to the CCLs so that they can develop physically and mentally. However, under the current circumstances, the OHs are far from being a protective institution and are in fact unsafe for the children. Staff indulging in such acts must be immediately removed from such positions.

In order to work towards ensuring that the OHs are in fact child friendly and that they can facilitate rehabilitation and reintegration of CCLs into the society without falling back into the vicious circle of criminal activities, the staff must necessarily be sensitised and trained adequately so that they clearly understand the manner in which the CCLs are to handled. As suggested by a staff member, there should be a mechanism to integrate the parents into the process of rehabilitation of the CCLs as the parents take care of the CCLs once they leave the OHs.

While there is significant change in the manner in which the OHs are operationalised as they have transitioned from being absolutely similar to regular jails by engaging the CCLs in various activities to keep them occupied during their stay. There is a need to tailor these activities in such a manner that the CCLs in fact learn something which can be beneficial to them once they leave the OHs.

1. INTRODUCTION

1.1. BACKGROUND

The Constitution of India holds a protective umbrella over children through various provisions. Article 15(3) of the Constitution guarantees special attention to children through laws and policies that would safeguard them. The Rights to Equality, Protection of Life and Personal Liberty and the Right against Exploitation are enshrined in Articles 14, 15, 16, 17, 21, 23 and 24. The key legislations that implement the spirit of the constitution are (a) The Juvenile Justice (Care and Protection of Children) Act, 2015, (b) Child Labour (Prohibition and Regulation) Act, 1986 (Amended in 2016), (c) Right to Education Act, 2009 (Amended in 2012) and (d) Protection of Children from Sexual Offences Act, 2012. India ratified the United Nations Convention on the Rights of the Child (UNCRC), 1989 in 1992.

The Juvenile Justice (Care and Protection of Children) Act, 2015 came into being in order to ensure better protection for children in conflict with law (CCLs) as well as the children who are in need of care and protection. It is founded on the objectives of rehabilitation of children and their integration into the society. The underlying philosophy of this legislation is that every child who comes in contact with the juvenile justice system is actually a child in difficult circumstances, who has fallen out of the social and state safety nets and has lost the opportunity to have a safe and secure livelihood. Therefore, even the institutionalization of the child should be in the best interest of the child, providing opportunities for education, rehabilitation and preparing the child for reintegration into society. Within the institution, too, the child is entitled to all the rights enshrined in UNCRC and the Juvenile Justice (Care and Protection of Children) Act, 2015. It is incumbent upon all the stakeholders to adhere to the standards of care and rehabilitation. Child Care Institutions are mandated to facilitate a process of transformation and healing in the children under their care.

1.2. EVOLUTION OF LEGISLATION PERTAINING TO CHILDREN IN CONFLICT WITH LAW

The Apprentices Act, 1850 was the first legislation that dealt with children who committed offences. The Act provided that children under the age of 15 years who committed offences would be placed as apprentices in trade.

The Reformatory Schools Act, 1876 (modified in 1897), was passed to deal with 'youthful offenders' i.e. boys under the age of 15 years who had been convicted of any offence punishable by transportation and imprisonment. This Act laid down that such youthful offenders would be sent to reformatory schools instead of undergoing their sentence of imprisonment or transportation. They could be kept in these schools for a period of three to seven years but not after they attained the age of 18 years.

The Jail Committee of 1919 further emphasized the spirit of reformation in criminal justice administration. The Committee opined that the ordinary child criminal was mainly the product of an unfavourable environment and was, therefore, entitled to a fresh chance under better surroundings. Hence, it recommended separate treatment of youthful offenders and the creation of a children's law dealing with children and young persons.

Complying with the recommendations of this committee, separate legislations dealing with child offenders were enacted in different provinces, the earliest being the Children's Acts of Madras (1920), Bengal (1922) and Bombay (1924). These legislations provided for the custody, trial and punishment of youthful offenders. They made provisions for separate residential institutions to house children during the pendency of the proceedings against them and after the disposal of their cases by the children's courts. Use of prison was permitted only under exceptional circumstances.

Post-independence, the first law relating to children was the Children's Act, 1960. It laid down that only Children's Courts could adjudicate matters pertaining to 'delinquent children'. It expressly prohibited sentencing a 'delinquent child' to death or imprisonment under any circumstances.

In practice, the glaring anomaly was that different states had different Acts to deal with child delinquency, which led to children in similar situations being judged differently. Addressing this lacuna, the Supreme Court in the case of Sheela Barse Vs Union of India, 1986 observed, "We would suggest that instead of each State having its own Children's Act, it should be desirable if the Central Government initiates Parliamentary legislation on the subject, so that there is complete uniformity in regard to the various provisions relating to children in the entire territory of the country."

The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985) used the word 'juvenile' for the first time and the term 'juvenile justice' was coined. This new terminology was the adopted by the Juvenile Justice Act, 1986, which provided for housing juveniles in Observation Homes

In the year 2000, Parliament enacted the Juvenile Justice Act, 2000 based on the standards prescribed in (a) Convention on the Rights of the Child, 1989, (b) United Nations Standard Minimum Rules for the Administration of Juvenile Justice, 1985 and (c) United Nations Rules for the Protection of Juveniles Deprived of their Liberty, 1990. The Act adopted a child friendly approach in adjudicating matters in the best interest of children and for their ultimate rehabilitation.

In December 2012, the brutal rape and murder of Nirbhaya in Delhi put the spotlight on heinous crimes by juveniles. In response was enacted the Juvenile Justice (Care and Protection of Children) Act, 2015, which has come into effect from 20th January, 2016. One of its new features is the special provision to deal with children in the age group 16-18 years who commit heinous crimes. Another significant provision is the change in nomenclature from 'juvenile' to 'child in conflict with law' to remove the negative connotation associated with the term juvenile. The Juvenile Justice Model Rules, 2016 are based on the philosophy that children need to be rehabilitated and reintegrated into society.

1.3. SIGNIFICANCE OF CHILD CARE INSTITUTIONS

The Child Care Institutions, which are established under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 play a crucial role in furtherance of these objectives. Section 2(21) of the Act defines a "Child Care Institution" as -

"child care institution means Children Home, open shelter, observation home, special home, place of safety, Specialised Adoption Agency and a fit facility recognised under this Act for providing care and protection to children, who are in need of such services".

According to the provisions of the JJ Act, the State Governments are required to establish and maintain separate Observation Homes for boys and girls in every district/group of districts, either by itself, or through non-governmental organizations.

Observation Homes are the residential abode for 'children in conflict with law'. Section 14(2) of the JJ Act mandates the disposal of cases within a period of 4 months which can be extended to about 2 months during which the CCLs in most cases reside in an Observation home. In addition, Section 18 (g) provides that the JJB can give an order to send a child who is found guilty of committing an offence to an Observation Home for reformation.

Hence, for every child alleged to be in conflict with law who is not placed under the charge of parent or guardian, Observation Homes serve as a temporary reception, care and rehabilitation facility during the pendency of any enquiry under the JJ Act. It points out that these children spend a considerable amount of time in the observation homes. Consequently, these homes have a significant impact on the lives of these children and their functioning becomes a rather important aspect to look into.

Constant efforts are made to enhance the standards of care in the Observation Homes. The Juvenile Justice Act, 2015 and Juvenile Justice Rules, 2016 provide for numerous requirements and standards which are grounded on the principles of reformation, restoration and effective rehabilitation of the CCLs.

The objectives of an Observation Home include:2

- Providing proper care, protection and treatment by adopting a child friendly approach in the best interest of the children for their rehabilitation.
- Providing facilities for specialized education, vocational training with special reference to the employment / placement opportunities in the main-stream society for their rehabilitation.

² Government of Telangana, Juvenile Welfare, Correctional Services and Welfare of Street Children, http://jwcs.telangana.gov.in/?q=node/2.

Rehabilitation and Reintegration of children in conflict with law is a crucial objective of the Juvenile Justice System. In furtherance of this objective, reformative and rehabilitative services are provided by the observation homes for effective reintegration of the child into the society. The skills inculcated and the environment provided by these homes have a rather great impact on children's life which could often turn out to be their means of survival.

Thus, a study on the functioning of the Observation Homes is imperative to understand and analyse if the environment of these homes is in furtherance of the objectives of the Juvenile Justice System.

1.4. CONTEXT OF THE STUDY

Rule 42 of Juvenile Justice Model Rules, 2016 pertaining to Evaluation lays down that:

- 1. The evaluation of the functioning of the Board, Committee, Special Juvenile Justice Police Units, registered institutions, or recognized fit facilities and persons under the Act may be done by the Central Government or the State Government once in three years through institutions and agencies such as reputed academic institutions.
- 2. The findings of the evaluation as per sub-rule (1) above shall be shared between the Central and Stater Governments in order to strengthen and improve the functioning of the different structures.

Therefore, this study was undertaken by the Centre for Economic and Social Studies, NALSAR University of Law and UNICEF, with the permission of the Juvenile Justice Department of the Government of Telangana to further improve the functioning of the Observation Homes.

1.5. EXTANT STUDY OF CHILD CARE INSTITUTIONS IN TELANGANA

The Hon'ble Supreme Court of India vide order dated 7th, February 2013 in Writ Petition (CRL) No. 102 of 2007 in the matter of EXPLOI. OF CHILN. INJ ORPH IN ST. OF TN V/s Union of India & Others, directed that all Child Care Institutions (CCIs) be registered under various provisions of the Juvenile Justice (Care and Protection of children) Act, 2000, and directed the Govt. of India to undertake a mapping exercise of all CCIs in the country. This was to ensure that CCIs/Homes thereby fall under the mandate of the legislation and ensure the stan-

dards of care detailed therein. Under this directive, the Ministry of Women and Child Development (MWCD) urged States / UTs not only to identify and register the CCIs/Homes, but also to establish adequate monitoring mechanisms as prescribed under JJ Act and Rules framed thereunder, with itself undertaking the task of Mapping & Review of Child Care Institutions under the JJ Act & Other Homes in all the districts of the country.

The National Mapping Exercise involved visits of all the CCIs/Homes in every district across the country during 2016 and collected information on legal status as well as standards of care, and also, ascertained whether children residing in Swadhar and Ujjawala Homes were being connected with the JJ system for care and protection. The overall objective was to create a detailed fact sheet and database of CCIs/Homes in the country providing a long term or residential care for vulnerable children. The study undertaken in January, 2016 and completed in the month of March, 2017 has reviewed 9589 CCIs/Homes (registered/unregistered); 91 per cent of which are run by non-government organizations, and only 9 per cent are government supported.³

The findings of this study have been presented in a tabular format in the form of numbers and percentages. The data pertaining to Telangana are as follows:

- (a) Category-wise distribution of CCIs Observation Home (7); Special Home (0); Place of Safety (0); Children's Home (417)⁴
- (b) Legal status of CCIs Registered under Juvenile Justice (Care and Protection of Children) Act (35/8%); Applied under Juvenile Justice (Care and Protection of Children) Act (132/27%); Registered under other Acts and Schemes (15/4%); Not registered under any Act or scheme (301/61%)⁵
- (c) Combination Homes Government Children Home in Hyderabad that is both Children Home and Observation Home.⁶

³Ministry of Women and Child Development, Government of India, 2018 "The Report of the Committee for Analyzing Data of Mapping and Review Exercise of Child Care Institutions under the Juvenile Justice (Care and Protection of Children) Act, 2015 and Other Homes.

⁴ Ibid. p 36.

⁵ Ibid. p 39.

⁶ Ibid. p 42.

- (d) Distance of CCIs from district headquarters Less than 10 kms (136); 10-20 kms (107); More than 20 kms (251). 7
- (e) Gender segregated data of CCL Boys (61); Girls (1); Transgender (0).8
- (f) Average number of children per CCI 33 9
- (g) Adequate number of caregivers per child 204 (41%) 10
- (h) All activities under supervision of staff 411 (83%) 11
- (i) CCIs having written Child Protection Policy 34% 12
- (j) CCIs having Home Management Committee 16% 13
- (k) CCIs having Children's Committee 18% 14
- (I) CCIs with Grievance Redressal Mechanisms Suggestion Box for grievance redressal (21%); Information about Childline (0%); Having CCTV cameras (18%); With functional Children's Committees that take up issues of grievance redressal (26%); With regular staff-children interface (66%) ¹⁵
- (m) Methods of disciplining Restraining movement (18); Withholding food (26); Using abusive language (5); Insulting (4); Hitting/Spanking (13); Name calling (14); Pinching (7); Shaking (3) ¹⁶
- (n) CCIs following Nutrition/Diet/Meal Plans Staff aware of nutritional requirement of children (73%); Planning meals in consultation with children (70%); Meals provided in accordance with prescribed norms (75%); Celebrating children's birthdays (86%); Providing special meals on festivals (90%); Providing special meals to sick children according to doctor's advice (88%); Receive sponsored cooked/uncooked food items (66%);Cooked food received from sponsor is checked by caregiver (43%) ¹⁷
- (o) CCIs providing individual beds 62% 18

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    7 Ibid. p 43.
    8 Ibid. p 53.
    9 Ibid. 53.
    14 Ibid. p 100.
    15 Ibid. p 104.
    16 Ibid. p 107.
    17 Ibid. p 112.
    18 Ibid. p 115.
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- (p) CCIs following gender and age segregation for children 72% 19
- (q) CCIs providing healthcare facilities Health checkup on admission (63%); Regular health checkup 61%; Health records maintained and updated (43%); Paramedical staff available at night (42%); Medicine administered to child by staff/nurse (61%); Trained staff provide First Aid (77%) 20
- (r) Basic services for children Dormitories (446); Sick room (195); Visitor's room (235); Dining hall (368); Bathrooms (448); Toilets (427); Kitchen (36) 21
- (s) Educational/Counseling/Recreation/Vocational training facilities Educational rooms (242); Counseling rooms (162); Recreation rooms (177); Vocational training (80); Library (150) 22
- (t) CCIs with computers and Internet facilities 56% 23
- (u) Displaying essential information Signboard (65%); Attendance chart (48%); Emergency numbers (31%) 24
- (v) CCIs that produced all children before CWC/JJB 53% 25
- (w) CCIs that submitted Social Investigation Report to CWC/JJB 25% 26
- (x) CCIs that prepare Individual Care Plan for every child 24% 27
- (y) CCIs that maintain admission registers and update in TrackChild 37% 28
- (z) Regular parent-child meetings 27% 29

Thus, the mapping exercise was very comprehensive but there were two glaring lacunae:

1. All kinds of homes were conflated. In a State like Telangana with more than 400 Children's Homes and only 7 Observation Homes, the data pertaining to the latter would not be reflected in this aggregate data. The data pertaining to Telangana is skewed in favour of Children's Homes.

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    19 Ibid. p 116.
    20 Ibid. p 120.
    21 Ibid. p 140.
    22 Ibid. p 156.
    23 Ibid. p 165.
    24 Ibid. p 165.
    25 Ibid. p 183.
    26 Ibid. p 183.
    27 Ibid. p 185.
    28 Ibid. p 187.
    29 Ibid. p 190.
    24 Ibid. p 170.
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- 2. Since the objective of this study was to map the facilities available to create a database, it is like a checklist devoid of nuanced findings. The lived experience of the CCL as well as the staff under the JJ Act do not come through.
- . Therefore, this study sought to address these two lacunae by focusing only on Observation Homes and using qualitative methods to explore the lived experience of the children and the caregivers.

1.6. OBJECTIVES OF THE STUDY

- i. To evaluate the physical infrastructure and facilities available in the observation homes
- ii. To explore the profiles of the staff and the processes followed
- iii. To understand the experiences of the children in the Observation Homes

1.7. METHODOLOGY AND DESIGN OF THE STUDY

A cross-sectional mixed methodology research design was adopted for this study. The study was done at one point of time and it employed bot quantitative and qualitative methods of data collection. The infrastructure, facilities, staff profiles, procedures and processes were explored quantitatively while qualitative methods were used to understand the experiences of the children and the challenges faced by the staff.

Location of the Study - Three districts of Telangana — Hyderabad, Warangal and Karimnagar — were the location of the study. Observation homes in Hyderabad and Warangal were Government-run homes while the Observation Home in Karimnagar was an example of an NGO run home.

Data Sources - The study utilized a combination of primary and secondary data sources. The Primary data was collected by conducting interviews of the Observation Home Staff and Children in Conflict with Law and also by inspecting all the Observation Homes using a checklist to check if they adhered to the requirements as per the JJ Act and Model Rules. Interactions during the Focus Group Discussions were also used for this purpose. The Secondary data consisted of the case files of the CCLs in order to gain a better understanding of the training and reintegration facilities that are made available in the Obser-

vation Homes including counselling, vocational training, trauma therapy etc. However, the case files were not updated at any of the Observation Homes and only the basic information like age and caste was available.

Data Collection Tools for Primary Data Collection -

Observations: Observations of the research team.

Check-list: A check-list for capturing the facilities provided in the observation homes to assess their compliance with the JJ Act and Model Rules.

Focus Group Discussion: Focus Group Discussions (FGDs) involving all the CCLs at the respective observation homes. This method was used to elicit information about facilities provided as well as procedures followed. With reference to procedures, the questions asked explored the domains of procedure at the time of admission, family visits, segregation by age and gender, grievance redressal mechanisms, access to information about JJ Act and Rules, Special Juvenile Police Unit and Child Welfare Officer and inspection procedures.

In-depth Interview with Staff: Using a comprehensive questionnaire, data was elicited from the staff of observation homes on their personal profiles as well as running of the Home. The personal information solicited were: designation, roles and responsibilities, work experience, training, initiatives to make the observation home child friendly. With reference to the functioning of the Home, the domains explored were: facilities available, sanitation, nutrition, daily routine, record keeping, educational facilities, vocational training, recreation opportunities, medical facilities, counselling services, preparation of children's case files, inspection, profile of children under their care, attempts to escape and their opinion on the whether the objective of rehabilitation and reintegration of the children was being achieved.

In-depth Interview with CCL: In-depth interviews were also held with children in conflict with law. One set of questions enquired about their personal details while another set elicited details about the Observation Home. The personal questions related to the family background, level of education prior to residing in the Home, reason for being in the Observation Home, current contact with family and relatives, relationship with staff, participation in decision-making, good and bad experiences in the Home and plans for the future. The domains explored with reference to the Observation Home were: provision of basic

amenities, sanitation, food, medical facilities, daily routine, educational opportunities, vocational training, counselling, recreational activities, behaviour of staff, feeling of safety and suggestions for improvement.

1.8. LIMITATIONS

The availability and willingness of the targeted stakeholders in interacting with the research team was a limitation. Another limitation was in the form of unwillingness and unresponsiveness of the superintendents of the Observation Homes to share the maintained records. The study intended to cover a total of 15 CCLs from each observation home (5 each from the age groups 7 to 11, 12 to 15 and 16 to 18 respectively) but due to the non-availability of as many CCLs in the OHs, lesser number of CCLs were interviewed

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2. SAMPLE DESCRIPTION

2.1. NUMBER OF RESPONDENTS

A purposive sampling was done to include both CCL and staff.

S. No	Respondents	Classification	Total respon- dents for in- depth interviews
1	CCLs	Age Groups: 7 to 11 – 1 12 to 15 – 6 16 to 18 – 9	16
2	Observation Home staff	Superintendent / Person-in- charge - 2 Deputy Superintendent - 1 Head Supervisors / Supervisors - 5 Probation officer/Child Welfare Officer/Case Worker - 2 Counsellor - 1 House Mother - 1	12

Table no-1: Classification of the Respondents.

During the course of the study, a total of 16 CCLs were interviewed at the OHs in Warangal, Karimnagar and Hyderabad. All the CCLs present at the OHs in Warangal and Karimnagar at the time of visit, were interviewed.

The study included interviews with different staff members of the Observation Homes as well, including superintendents, supervisors, probation officers, counsellor and house mother. The superintendent of Warangal OH could not be interviewed as he doesn't reside in the district. He has an additional responsibility as the DPO of a different district and he prioritizes it over the work as superintendent. The Deputy Superintendent performs the duties of the Superintendent at this OH

The Focus Group Discussions were conducted with 56 CCLs in the three OHs. The discussion in the Hyderabad OH was conducted for 51 CCLs, 2 CCLs in the Warangal OH and for 3 CCLs in the Karimnagar OH. The team conducted 6 FGDs at Hyderabad OH with each group ranging from 6 to 9 CCLs. 1 FGD each was conducted in Karimnagar OH and Warangal OH for 3 and 2 CCLs respectively.

2.2. PROFILE OF THE CCLS

Following is the breakup of the CCLs interviewed at each OH along with the nature of offence and age group-

Observation Home	Age Groups (years)	Nature of of- fence	Number of CCLs in- terviewed according to their age groups	Total CCLs inter- viewed at each OH
Warangal	7 to 11	Petty – 0 Serious – 0 Heinous – 0	0	2
	12 to 15	Petty – 0 Serious – 0 Heinous – 0	0	
	16 to 18	Petty – 0 Serious – 2 Heinous – 0	2	

Karimnagar	7 to 11	Petty – 0 Serious – 0 Heinous – 0	0	3
	12 to 15	Petty – 1 Serious – 0 Heinous - 0	1	
	16 to 18	Petty – 1 Serious – 0 Heinous - 1	2	
Hyderabad	7 to 11	Petty – 1 Serious – Heinous -	1	11
	12 to 15	Petty – 4 Serious – 0 Heinous - 1	5	
	16 to 18	Petty – 2 Serious – 1 Heinous - 2	5	

Table 2 – Nature of offence and age group of the interviewed CCLs

As can be observed from the Table, 2 CCLs were interviewed at the OH in Warangal, 3 CCLs were interviewed at the OH in Karimnagar and 11 CCLs were interviewed at the OH in Hyderabad. Out of these, a total of 9 CCLs are accused of petty offences, 3 CCLs are accused of serious offences and 4 CCLs were accused of heinous offences.

At the time of visit, the OHs at Warangal and Karimnagar did not have any CCLs in the age group of 7 to 11 years and 12 to 15 years, while the OH at Hyderabad had only 1 CCL in the age group of 7 to 11 years.

2.3. DEMOGRAPHICS OF FAMILIES OF CCLS

Of the 16 CCLs that were interviewed, 7 of them have only a single parent. Parents of all the 16 CCLs work as daily wage labourers, auto drivers, fruit/vegetable vendors or small-scale farmers. Except the families of 2 CCLs, families of the other CCLs consist of around 5 to 12 members.

Level of Education	Number of CCLs
Never went to school	3
Studied till 5 th std. or below	7
6 th std. to 9 th std.	5
Completed 10 th std.	1

Table 3 – Level of education of the CCLs

Though there are 15 CCLs who are aged above 12 years, 10 of them didn't even finish their primary schooling, i.e. 5th standard (Table 2). Among the 16 CCLs, 3 have never received any kind of formal schooling and 8 have discontinued their education. Only the remaining 5 CCLs were still attending school before being sent to the OH.

2.5. EMPLOYMENT - PRIOR TO BEING ADMITTED TO THE OHS

13 of the 16 CCLs had taken up different kinds of employment to assist their families financially. The range of employment included working at a chicken/mutton shop, working as a mechanic, working as a newspaper/milk delivery boy, selling bedsheets etc. They were paid a meagre sum of rupees 50 to rupees 200 per day of work.

When asked about their ambitions in life, only 4 of the 16 CCLs expressed interest in at least completing their 10th standard so that they could become police or doctor. While 8 of them expressed interest in working at a higher position at the place where they are currently employed, 3 CCLs said they want to join military or police services and 1 CCL stated that he has never thought about his future.

2.6. STAFF PROFILE

Following is the break-up of the number of staff members interviewed along with their current duration of work experience at their respective OHs-

Duration	Number of OH Staff members interviewed
Less than 3 months	1 (Supervisor)
Between 3 months to 1 year	5 (2 IPOs, 1 Superintendent, 1 Counsellor and 1 Probation Officer)
Between 1 to 3 years	2 (1 Superintendent and 1 House Mother)
More than 3 years	4 (1 Head Supervisor and 3 Supervisors)

Table 4 - Work Experience of Staff members

The above Table shows that the 6 of the 12 staff members have adequate experience of working at the OH while the other 6 have been working at the OH for less than a year. However, all of them had a basic understanding of their duties and responsibilities. Except 4 out of the 12 staff members who have been working at the respective OHs for over a decade, the other 8 staff members had previous experience of handling children, for more than 2 years, in various roles such as a DPO, teacher, Childline Contact Officer etc.

2.7. CAPACITY BUILDING OF STAFF

6 of the 12 staff members stated that they underwent training after their appointment at the OH. The training mostly helped them understand the manner in which the CCLs should be handled so that they can create a child friendly space for them. They also underwent deaddiction training within the past 4 to 6 months. Of the other 6 staff members who did not undergo any training 4 were appointed 10 years ago and the other 2 were appointed in August 2018, i.e. 7 months prior to the date of interview.

3. PHYSICAL INFRSTRUCTURE AND BASIC AMENITIES

3.1 VENTILATION

The Model Rules require the OHs to provide adequate lighting, heating and cooling arrangements, ventilation.³⁰ The dormitories in OHs at Warangal and Karimnagar were found to have proper ventilation while the OH at Hyderabad was very dark and lacked proper ventilation. The dormitories at all the 3 OHs did not have adequate lighting for the night as the tube lights were either not functional or weren't there at all.

3.2. FOOD

All the staff members who were interviewed stated that the food is provided to the CCLs as per the requirements of the JJ Act and Model Rules. When asked if anything needs to be improved in the diet plan, 2 of the 4 staff members at Warangal OH said that the CCLs are given "ration rice" and that it becomes difficult for them to eat it. Similarly, the superintendent of Karimnagar OH said that the government allocates money to buy "ration rice" and that they have to add additional amount to buy good quality rice for the CCLs. All the 4 staff members from the Hyderabad OH stated that the quality of food is upto the mark and that changes in the diet are not necessary. Apart from the quality of rice provided in the OHs at Hyderabad and Warangal, the staff at all the three OHs were satisfied with the overall quality of the diet provided to the CCLs.

CCLs at all the OHs opined that they are allowed to eat as much as they want. However, 15 CCLs in the Hyderabad OH stated that the quality of food is bad. The rice contained stones and the overall quality of food is bad, though it is adequate. This is the only OH which does not have a kitchen and avails catering services. 36 other CCLs stated that the food was good with a different variety for every meal and was adequate for all the CCLs. All the 6 CCLs in the

³⁰ Rule 29 (9), Model Rules, 2016

Warangal OH and Karimnagar OH stated that the food provided at the OH was good and adequate for them.

3.3. DRINKING WATER

The Warangal OH and the Hyderabad OH did not have safe drinking water facility. Though all the 51 CCLs in the Hyderabad home stated that they drank purified water, the team discovered that it was tank water which was stored in cans and contained dust particles. The 3 CCLs at the Karimnagar OH stated that there was safe drinking water available as they use cans from a nearby water plant. The OH at Warangal has a water purifier but it hasn't been functional for 2 to 3 months.

3.4. DORMITORIES AND LOCKERS

The OHs at Hyderabad and Karimnagar have 2 dormitories each whereas only 1 dormitory is available at the Warangal OH.

The Model Rules require that the child care institutions be child friendly and should in no way resemble a lock-up / jail.³¹ However, the dormitories at the OHs in Warangal and Hyderabad looked exactly like lock-ups with iron bars and locks on them. Even the staff referred to the dormitories as lock-ups or barracks. At the OH in Hyderabad, the CCLs are not allowed to step out of the dormitories unless the supervisors ask them to do so.

Though the dormitories at OH in Karimnagar did not look like a lock-up, the entire building had iron grills installed and the CCLs were locked on the first floor.

Only at the OH in Karimnagar, each CCL is provided with a locker. The Other two OHs did not provide proper locker facility to the CCLs.

3.5. PROVISION OF BEDDING

The OHs are required to provide proper bedding and clothing facilities including mattress, pillows and blankets.³² At both the OHs in Warangal and Hyderabad, the CCLs were only given a blanket and nothing else. The CCLs sleep on a carpet on the floor with no mattress or pillows. Only at the OH in Karimnagar, each CCL is provided with a separate cot, mattress, pillow and blanket.

³¹ Rule 29 (2), Model Rules, 2016.

³² Rule 30, Model Rules, 2016.

3.6. CLOTHES AND TOILETRIES

At the OHs in Warangal and Karimnagar, 2 shirts are given to each CCL, whereas at the OH in Hyderabad, the CCLs are not separately given any clothes but are just asked to pick up any shirt from the place where they are kept. . All CCLs stated that they are given new clothes if and when they are needed. The CCLs wash their own clothes at the OHs in Warangal and Karimnagar whereas at Hyderabad, a group of 4 to 5 CCLs picked by the staff on a rotation basis, wash all the clothes once every week.

Belongings like clothing, belts and footwear of the CCLs are deposited near the main gate on admission in the OH. None of the OHs allow CCLs to wear footwear inside the home. They only use footwear when they step out of the OH.

The CCLs at the OHs in Karimnagar and Warangal are given a body soap each. At the OH in Hyderabad, the CCLs are not given separate body soaps and are made to share them with the other CCLs. Moreover, only the CCLs at the OH in Karimnagar are provided with a separate towel each while at the other two OHs the CCLs share them.

None of the other toiletries, including shampoo, oil or toothbrush (only tooth-paste/toothpowder is given) are given to the CCLs at any of the three OHs even though the Model Rules prescribe them.³³

3.7. HOT WATER FOR BATHING AND WASHING CLOTHES

None of the OHs provide hot water for bathing and washing clothes, as stated by the 56 CCLs in the OHs. All the OHs have also failed to provide mosquito nets or repellents. The Warangal OH has mosquito nets attached to the windows but they are damaged.

3.8. CLEANLINESS

The CCLs at the OH in Warangal stated that the floors of their dormitories are cleaned at least once every day and that the washrooms are also cleaned once a day. The washrooms and floors of the dormitories are cleaned once a day in both the OHs at Karimnagar and Hyderabad but they are cleaned by the CCLs. While the CCLs at the OH in Hyderabad stated that the newcomers are made to

³³ Rule 30 (4), Model Rules, 2016.

sweep and clean the dormitories, the washrooms are cleaned by any 2 CCLs. One CCL each at the OH in Karimnagar is made to clean the washroom, dormitory and corridor respectively. The staff allocates the cleaning work to the CCLs. The CCLs at OHs in Karimnagar and Warangal stated that kitchen and dining areas are clean. Since the OH in Hyderabad uses catering service, the kitchen is not being used and the CCLs have never visited it.

3.9. DINING SPACE

Only the OH at Warangal has a separate dining hall and adequate tables and chairs. At the OH in Karimnagar, the CCLs have their meals in the counselling room while at the OH in Hyderabad, the CCLs eat in the open space available outside the dormitories.

3.10. STOREROOM

As the OH at Hyderabad outsources catering services, the store room is not maintained whereas in the other 2 OHs there is a provision for store room. However, the store room at the OH in Warangal was not cleaned or maintained properly. There were ants, spider webs and termites in the store room.

3.11. CLASSROOMS

In the OHs at Warangal and Hyderabad, there is no separate classroom for the CCLs. They are at times allowed into the classrooms meant for the Children in Need of Care and Protection. At the OH in Hyderabad, the CCLs are taught either in the open area in front of the dormitories or in the dormitories itself. The staff stated that the OH would be expanded once the special home block is renovated into an OH and that a separate classroom would be allocated thereafter. The OH in Karimnagar had a single room which was used for various purposes like vocational training, recreational, library and classroom though it was actually supposed to be used as a counselling room. None of the 3 OHs have tables and chairs for the classrooms.

3.12. LIBRARY

OHs at Warangal and Karimnagar had provided for libraries but in the Warangal OH, the CCLs are not allowed to use it. There are books available but are mainly in Telugu language. In the OH at Karimnagar there was no separate room but

there were considerable number of books on morals and other books with relevant content for children. The OH at Hyderabad did not have a separate library. There were a couple of books in the cupboards and in the superintendent's room which were inaccessible to the CCLs. It was only at the Karimnagar OH the staff made considerable efforts to provide good books which are actually accessible to children.

3.13. COUNSELLING ROOM

The OHs at Warangal and Karimnagar have a counselling room, while the OH at Hyderabad has a hospital in its compound where the counselling sessions are conducted for the CCLs.

3.14. VOCATIONAL TRAINING AND RECREATIONAL ROOM

All the three OHs did not have a separate vocational training room and recreational room. In the Warangal OH, the designated vocational training room was used as a store room whereas the other vocational training room had a shattered roof which has not been repaired till date. The CCLs are locked up in their dorms and are only allowed to step out for meals and sometimes, sports.

3.15. OTHER MISCELLANEOUS INFRASTRUCTURE

Gas stoves and cylinders are kept in a safe place at the OH in Warangal and Karimnagar. None of the OHs have chimneys in the kitchens. Only the OH at Warangal has a fridge but it has not been operational for over 2 months. Fire extinguishers are available only at the Hyderabad OH but they are placed at an inaccessible place.

3.16. SANITATION

The sanitation facilities in the OHs are inadequate and in a bad condition. None of the OHs have flushes nor are any of them disabled-friendly. None of the OHs have Handwash in the washrooms. However, none of the washrooms were slippery. The CCLs are provided with buckets and mugs in all the OHs and the taps are also functional.

There is only one bathroom-cum-toilet facility in the dormitory in Warangal OH which was shared by 3 CCLs. However, hygiene is maintained in the OH and the bathrooms are regularly cleaned by the workers. The Karimnagar OH

had a separate bathroom area and was not a part of the dormitories. There were about 3 bathrooms and 3 toilets coupled with wash basins for the 3 CCLs who were residing there at the time of the team's visit. These washrooms are cleaned by the CCLs and were in a bad condition. There were peepholes in the doors of the washroom and it was reeking. The Hyderabad OH had a single bathroom in one dormitory and a washroom area attached to the other dormitory. The CCLs are provided with one bucket. There were no shower stalls in the home. There were only toilets with shorter doors than the usual height and had open area at the entry of the washroom area for the CCLs to bathe.

4. FACILITIES PROVIDED

4.1 EDUCATION

The staff at all the OHs stated that they conduct regular classes for the CCLs. However, these are not formal education sessions and cover only basics of Telugu, English and arithmetic. Medium of instruction is Telugu across the 3 OHs. At the OH in Hyderabad, an NGO teacher and the PT instructor conduct these classes whereas at the OH in Warangal, the teacher in charge of the Children's home teaches the CCLs as well. The Counsellor, Probation officer and the Superintendent at the Karimnagar OH conduct the classes because a separate teacher has not been appointed. According to the staff, these classes are conducted for around 3 to 4 hours every day. It is notable that none of the OHs have any teacher who is specifically appointed to provide formal education to the CCLs. Even when the classes are conducted, all the staff members said that the CCLs are not segregated. Every CCL is taught the same content regardless of their age and the class till which they had studied prior to being admitted to the OH.

"It would be better if there is a teacher but there is no provision in the staff list. Since no one else is allowed to come inside the observation home, we can't even hire a private teacher or get a volunteer who can teach." - Superintendent, Karimnagar OH

None of the three OHs allow the CCLs to attend school outside the OH premises. The staff at Karimnagar OH conduct moral education classes as well. However, the CCLs at the OH in Hyderabad were not satisfied with the classes as they are mostly taught basic Telugu and nothing else. The CCLs are not given any homework for the classes conducted.

The CCLs at all three OHs have never used the library at the OH and are not even aware if there is any library in the OH premises that they can use.

All the CCLs in the Karimnagar OH said that they are provided with a com-

puter which they use for vocational training in Photoshop and typing. This is the only OH which is equipped with a library and has good books for children and is also accessible to the CCLs. In Warangal, there is no computer, though they should be made available as per Rule 38 of the Model Rules, 2016.³⁴ The Hyderabad OH does not have a computer that can be accessed by the CCLs.

Rule 38, Juvenile Justice Act Model Rules, 2016.

4.2. VOCATIONAL / LIFE SKILL TRAINING

The Hyderabad OH did not have any vocational training but conducted dance classes every day and the CCLs often participate in dance events elsewhere. They are provided with speakers and a projector for the same. All the staff members of Karimnagar OH stated that vocational training is provided to the CCLs in the form of typing, photoshop, flower-making and tailoring sessions. However, they do not provide any certificates regarding the same. The staff at Karimnagar OH said that they are satisfied with the quality and impact of vocational training sessions even though there is no professional to conduct these sessions.

"The CCLs are generally not interested in these vocational training sessions in the beginning. Conducting driving classes will definitely interest them and will also help them in gaining employment after they leave the OH." – Superintendent, Karimnagar OH

The staff at Warangal and Hyderabad OHs stated that the CCLs are not allowed to use computers whereas, the staff at Karimnagar OH said that the CCLs are allowed to use computers regularly to learn typing and photoshop. 2 of the 4 staff members at Hyderabad OH said that only a couple of CCLs are allowed to use computer to help the staff with administrative work but not in order to train them in anything.

³⁴ Rule 38, Juvenile Justice Act Model Rules, 2016.

"It does help in reintegrating the CCLs in society as they learn some skills while at the observation home, even if they learn something from the moral education classes where they are taught to concentrate on good work and not pay attention to the stigma that the society creates." – Superintendent, Karimnagar OH

CLs at the OH in Hyderabad and Warangal stated that any kind of life skill training or vocational training is not being provided to them. At the OH in Karimnagar the CCLs stated that the staff teaches them tailoring, typing and flower-making. These activities keep them engaged during their stay at the OH and the CCLs believe that learning these skills can help them when they leave the OH.

"Learning how to type will help me fetch a job when I grow up"

– A 12-year-old CCL at OH, Karimnagar

4.3. RECREATION FACILITIES

The Hyderabad and Warangal OHs have outdoor game facilities, while the Karimnagar OH does not have the requisite space available for the same. The staff at the Hyderabad and Warangal OHs said that the CCLs are allowed to play outdoor games every day. The CCLs said that they play volleyball, football, cricket, basketball and Kabaddi and that they enjoyed playing these games. They are not allowed to play any outdoor games only on Sundays.

Only the OH at Karimnagar does not have outdoor games facility due to security reasons. The CCLs are nevertheless allowed to play cricket and throwball with a rubber ball in the hall itself. The Warangal OH had a Volleyball net but the CCLs are not allowed to play. The Hyderabad OH was the best equipped for outdoor sports facilities as it has a sports-instructor and the necessary equipment. The CCLs play volleyball, cricket, badminton, football and basketball every evening. They are taken to a nearby playground for this purpose.

"We started going to the ground to play outdoor games only since the last 4 months" – A CCL at OH, Hyderabad "I believe that all of these facilities help in bringing about a positive change. It helps keep the CCLs busy and also imparts a good change around them." – Superintendent, Hyderabad OH

When asked if they were allowed to play outdoor games, the CCLs at the OH in Warangal stated that there is space available to play outdoor games but they are hardly allowed to go and play. They also said that they were not given any sports equipment to play outdoor games. At the OH in Karimnagar, there is no space for the CCLs to play outdoor games and they have to use a room to play any outdoor game.

"I like playing outdoor games but I want to play in the ground and not in a room" – A CCL at OH, Karimnagar

As per all the 12 staff members, facilities for indoor games are available at the 3 OHs as the CCLs are allowed to play carroms and chess. In Warangal, they have carroms but they are not available for the CCLs to use. CCLs at all the OHs stated that they are allowed to play indoor games which includes carroms, chess and snake & ladder. In the Warangal OH, no such facility is provided to the CCLs.

Only the Hyderabad OH and the Karimnagar OH have made television available to the CCLs. The CCLs are allowed to watch T.V in the evenings. However, the T.V in the Hyderabad OH has not been functional for over two months prior to the team's visit due to non-payment of subscription of DTH services.

4.4. MEDICAL FACILITIES

The staff at Warangal and Hyderabad OHs stated that they have a doctor who comes daily for medical check-ups; however, they do not have a nurse or paramedic round the clock. The Karimnagar OH has a House mother who also acts as a nurse and stays round the clock, but the Observation Home does not have a doctor to conduct any medical check-ups. However, all the staff members from the 3 OHs unanimously said that the medical facilities are adequate as each OH has a hospital nearby.

The staff at Hyderabad and Warangal said that first aid boxes were available.

However, they are not available with the staff and can be accessed by the doctor. None of the staff members at these OHs have any training in administering first aid. The Karimnagar OH has a hospital opposite it and hence the staff claimed that first aid kit is unnecessary within the OH premises. Only the House Mother is trained in using the first aid at this OH.

At the OHs in Warangal and Karimnagar, the CCLs stated that they are not aware of any medical services provided at the OH, including the availability of doctor, nurse, first aid kit and sick room. The CCLs were not briefed about anything related to the available medical facilities at these OHs. As per the CCLs, medical check-ups have also not been conducted even once during their stay even though it is required to be conducted within twenty hours of being admitted to the OH.35 This finding directly contradicts the response given by the staff of Warangal OH who stated that all the CCLs are checked by a doctor twice a day. The Hyderabad OH is significantly better in this aspect as the CCLs stated that the doctor comes every morning and anyone who has any medical issues is allowed to get a check-up done. However, there is no nurse/paramedic available at this OH. They also did not recollect seeing any first aid kit in the OH. 17 CCLs form the Hyderabad OH stated that they go to the hospital for check-ups. All the CCLs in the Karimnagar OH stated that there were no regular check-ups conducted for them and that the doctors never visited the OH. The same is the case with Warangal OH where the CCLs were never visited by the doctor nor were any check-ups done for them.

Since none of the CCLs has witnessed any medical emergency, they stated that it would be enough if a doctor and nurse are available when needed and that nothing else is required apart from that. Some CCLs even went on to state that they would seldom visit a doctor if they were at home, except when their situation is very bad unbearable. It shows that personal experiences of the CCLs outside the OH dictates the low expectations of CCLs in terms of medical facilities.

Sick room was available only at the Warangal OH but was not maintained properly.

³⁵ Rule 34 (3) (i), Model Rules, 2016.

4.5. COUNSELLING SESSIONS

In the Hyderabad OH, 38 CCLs mentioned that they all had individual counselling sessions and 7 of them stated that they were also provided with group counselling. At the Hyderabad OH, the CCLs are provided counselling at ASHA Hospital by a professional counsellor as soon as they are admitted to the OH. However, such session is conducted only once. 6 of the 11 CCLs at OH, Hyderabad opined that the counselling was of no use at all while the others stated that it should only be provided to the CCLs who need it and that one such session is adequate.

The CCLs from the Warangal OH did not have any counselling session since the day of admission. They stated that they would like to have such sessions everyday as they will at least get to talk to someone instead of just staying in the dormitory.

In the Karimnagar OH, the CCLs stated that there was no individual counselling conducted for them. They were only engaged in group counselling. The CCLs at the OH in Karimnagar were satisfied with the counselling services that were provided. 2 of the 3 CCLs at the OH said that they would like to have the counselling sessions every day.

"Counselling helped me in realizing my mistakes"

- A CCL at OH, Karimnagar

While 2 of the 4 staff members at Warangal OH stated that counselling sessions are conducted for the CCLs every day, the other two stated that the sessions are conducted only when there is a need. These sessions are conducted by any staff member as there is no professional counsellor available at the OH. The staff at the Karimnagar OH said that group and individual counselling sessions are conducted for the CCLs regularly and that these sessions are conducted by a professional counsellor. The counsellor in the Karimnagar OH takes regular counselling sessions for the CCLs and is a professional. All the 12 staff members opined that the counselling sessions should be conducted

on a regular basis and that there is a positive change in the behaviour of the CCLs after the sessions.

- "There is a change in the behaviour of the CCLs after receiving continuous counselling as they are given the hope that they will be granted bail and are encouraged to conduct themselves properly in and outside the observation home"
- Deputy Superintendent (IPO), Warangal OH

"In 99 percent of the cases, the CCLs change due to the counselling provided. They are made to understand the essence of life and are encouraged to take steps in the right path"

- Superintendent, Karimnagar OH

"It is good and the counselling seems to be adequate. They (CCLs) are even given medicines, if needed"

- Supervisor, Hyderabad OH

5. ADHERENCE TO PROCESSES UNDER JJ ACT

The Supervisors and House Mother stated that they take care of the CCLs like guardians and look after their needs, Facilitating visits of parents and CCLs etc. They also said that their responsibility includes maintaining hygiene and discipline at the OH. The counsellor could be interviewed only at the OH, Karimnagar where he teaches typing and photoshop to the CCLs along with conducting motivation and guidance sessions.

5.1. INTRODUCTORY FORMALITIES

According to 43 CCLs out of the 51, introduction to dietary routines and facilities available at the Observation Home was never given by any of the staff members at Hyderabad OH. They were informed about the daily routine at the OH by the older CCLs residing at the OH. Only 8 CCLs answered positively that they had been given an introduction to the facilities on the day of admission.

This is the same case at the OHs in Warangal and Karimnagar where CCLs are not informed about anything. They were admitted and locked in the dormitories (in Warangal) or floors (in Karimnagar).

5.2. SEGREGATION OF CCLS

The 5 CCLs from the Warangal OH and Karimnagar OH told the team that they are not segregated according to their age. At the OH in Warangal, segregation is not done generally as there is only one dormitory for all the CCLs. Even though there are two dormitories at the OH in Karimnagar, CCLs are not segregated on the basis of their age or nature of offence. In Hyderabad, CCLs less than 16 years old are segregated from those more than 16 years old but only for the purpose of place of sleep. There is no segregation for other activities.³⁶ They are required to be segregated as per Rule 29 of the Model Rule.³⁷ Hence,

³⁶ In violation of Rule 29 (i) (b), JJ Model Rules, 2016.

³⁷ Rule 29, Model Rules, 2016.

none of the OHs adhered to the requirement of classification and segregation and this definitely has a negative impact on the CCLs. The Warangal OH shares the building with the Children's Home leading tocontact and interactions among CCLs and CNCPs in contravention of Rule 29 (v) of JJ Model Rules, 2016. Similarly, in the Hyderabad OH, shelter home children are placed alongside CCLs.

5.3. DAILY ROUTINE

The CCLs at OH, Karimnagar stated that the current routine is good and that there need not be any changes made to it. The CCLs at OH, Warangal stated that there is no particular routine as all they do is eat on time and during the remaining time, they are mostly just locked up in the dormitory. 11 CCLs at OH, Hyderabad stated that it would be beneficial to them if the activities in the OH were such that they can help them in improving any particular skill so that they can put it to use to gain employment after they leave the OH.

5.4. PARENTAL VISITS

36 CCLs out of the 51 in the Hyderabad OH stated that they were allowed to meet their parents for a minimum of 10-15 mins and that parents visited them frequently. The other 15 CCLs stated otherwise because they had joined the OH quite recently or did not have parents. The CCLs at the Warangal OH and Karimnagar OH stated that their parents had never come to meet them at the OH. It is important to note that, the 2 CCLs in the Warangal OH had a shorter stay of about 5 days each.

5.5. SECURITY

The OHs at Warangal and Hyderabad (both government-run OHs) have CCTV cameras installed while the OH at Karimnagar did not have them. There were 32 CCTV cameras installed at various places at the OH, Warangal but at least 10 of them were not functional at the time of visit by the team. The staff has access to live coverage of the CCTV footage on their mobile phones which made it easier for them to keep an eye on the activities of the CCLs.

OHs at Warangal and Hyderabad do not have any security personal whereas at the OH in Karimnagar, there is a security guard at duty from 6 PM to 9 AM every day. The OHs are also supposed to have high walls with barbed fences for security purposes.³⁸ The team observed that none of the OHs had high walls but the OH at Hyderabad had barbed fencing.

5.6. INDIVIDUAL CARE PLAN

Rule 2 (ix) of JJ Model Rules defines Individual Care Plan as a comprehensive development plan for restoration, nurture and reintegration of a CCL into the society. The Probation Officer is responsible for making individual care plans for CCLs at the OH³⁹ which ought to be reviewed every fortnight for the first three months of stay.⁴⁰

The OH in Warangal does not prepare ICPs. The OH in Hyderabad has recently started to prepare ICPs but the Superintendent's perception of an Observation Home is quite shocking as he opined that an OH is a not a place for rehabilitating and reintegrating children into the society but disciplining them.

Only the Probation Officer at the OH in Karimnagar prepares ICPs (within 2 days) but they are not updated after the first time even though it is required as per Rule 64 (3) (xi) of the Model Rules, 2016. So, the progress and the post-release updates of the CCL are not recorded.

CCLs at all the 3 OHs stated that they were not consulted by any of the staff member in order to prepare Individual Care Plans.

5.7. INSPECTIONS

There were no inspection teams that visited the OHs in Warangal and Karimnagar during the stay of the CCLs. In the Hyderabad OH, 10 CCLs stated that there was a visit by an inspection team who posed some questions at the CCLs. 13 CCLs stated that some IPS officers had visited the OH while the other 38 said that they did not witness any visit by inspection teams.

³⁸Rule 29 (9), Model Rules, 2016.

³⁹Rule 64 (3) (xi), JJ Model Rules, 2016.

⁴⁰Id, rule 68 (I) 7.

5.8. STAY OF THE SUPERINTENDENT WITHIN THE OH

As per the Model Rules, the superintendent / Person-in-Charge is required to stay within the premises of OH unless there are valid reasons for not being able to do so.⁴¹ At none of the OHs, there is any infrastructure to accommodate the stay of the Superintendent and hence none of them stay within the premises. The Superintendent of the OH, Warangal does not even stay in the district and the Deputy Superintendent supervises all the relevant work.

5.9. DISPLAY OF INFORMATION

Except for the Warangal OH, daily routines are displayed in the other two OHs. In the Hyderabad OH, the daily routine is displayed in the block which is being renovated and hence, the CCLs do not have access it.

According to Rule 29 (3) of the Model Rules, 2016 all the child care institutions should mandatorily keep copies of the JJ Act and Model Rules so that both the staff and the CCLs can access it.⁴² While the OH at Warangal had only an outdated copy of the JJ Act (2000), the OH at Hyderabad had both the JJ Act and the Model Rules and the OH at Karimnagar neither had the JJ Act nor the Model Rules. At none of the OHs, the JJ Act or the Model Rules were accessible to the CCLs. The CCLs at these OHs had never even seen them and are completely unaware of their rights, obligations and processes involved in the JJ system.

Telephones at all the 3 OHs were only meant for communicating with the parents. Child Helpline number was displayed in the OHs at Warangal and Karimnagar but CCLs were not made aware of the same. None of the CCLs know or have access to the Juvenile Justice Act and the Model Rules in all the OHs. They do not have the contact details of the Special Juvenile Police Unit (SJPU) or any Police officer.

⁴¹Rule 29 (7), Model Rules, 2016.

⁴²Rule 29 (3), Model Rules, 2016.

The daily routine of the children should be displayed at various places within the CCI.⁴³ Karimnagar and Hyderabad OHs have a daily routine chart displayed while Warangal OH does not have one.

Food Menu should be displayed in the dining hall.⁴⁴ Warangal and Hyderabad OHs display the menu while Karimnagar OH does not.

Childline services number is displayed in Karimnagar and Hyderabad OHs but the CCLs are not informed of the same.

Only Hyderabad OH displays the contact information of legal aid lawyers.

The Hyderabad OH also has a DLSA complaint box which is opened whenever the DLSA secretary visits the home but no CCL has used it till now.

Warangal and Hyderabad OHs have adopted a Biometric attendance system for its staff which promotes transparency, reliability and accountability.

5.10. SUGGESTION BOX

There were no Children's Suggestion Box in the three OHs in Warangal, Karimnagar and Hyderabad. CCLs at all the three OHs said that they have neither seen a suggestion box nor been they informed that they can use the suggestion box to register their issues. The Hyderabad OH has Complaint Box stuffed with polythene bags and is not in a condition to be used.

5.11. CHILDREN'S COMMITTEE AND MANAGEMENT COMMITTEE

Rule 40 of the JJ Model Rules r/w Sec 53 (3) of JJ Act requires that Children's committees for different age groups (6 to 10, 11 to 15, 16 to 18) solely consisting of children must be constituted. None of OHs have constituted a Children's committee despite the important role of the committee in representation of the concerns of CCLs, deciding on daily routine, food menu etc.

⁴³ Rule 32 (1) & 69 (L) (2) of the JJ Model Rules.

⁴⁴ Id, rule 33 (5).

Rule 29 (4) of the JJ Model Rules r/w Sec 53 (2) of JJ Act requires that a Management Committee to manage the CCI must be constituted. None of the OHs have constituted a Management Committee which has to consider and review the educational, medical, sanitation facilities, legal aid services, daily routine etc. Hence, there are no record of minutes for Children's Committee and Management Committee in any OH.

All the OHs are in blatant violation of Sec 53 (2) & (3) of JJ Act. They are not reviewing the core facilities at the OH and not providing a voice for CCLs to raise their concerns

5.12. REHABILITATION AND REINTEGRATION OF THE CCLS

All the staff have seen a positive change in the CCLs after they were appointed at their respective OHs. There have been times when the CCLs have tried to escape the Observation Home as well, but there has been a change that the staff have seen in most of the CCLs. 10 of the 12 staff members stated that they have witnessed positive change among the CCLs after they were admitted to the OHs and that in most cases, this change is driven due to several activities including teaching, counselling sessions and vocational training in which the CCLs are engaged at the OHs.

"When they come to the OH, they are very scared and sad. The staff talks to them and counsels them. They even ask other CCLs to interact with the newly admitted CCLS so that they can feel better" – Supervisor, Hyderabad OH

"They definitely change. After leaving the OH, they come back later or call the OH to talk to the staff. They even tell them about the progress they are making in education or employment" — Superintendent, Karimnagar OH 2 of the 4 staff members at the OHs in both Hyderabad and Warangal felt that the rehabilitation process isn't quite effective while the other 2 at each of these OHs felt that it is effective and adequate. The staff suggested that the CCLs must be provided some training while they are at the OH so that they can be employed after they leave the OH. It was also suggested that the parents or guardians of CCLs need to be integrated into this process as they are the ones who take care of CCLs once they leave the OH.

"Rehabilitation doesn't seem to really work as there are many CCLs who are repeat offenders. Most of these are the CCLs who don't have either of the parents or are orphans"

- Supervisor, Hyderabad OH

"CCLs rehabilitation should not be limited to the confines and the time period in which they stay within the observation home. There should be some mechanism to ensure that the CCLs don't fall back into the traps of bad behaviour and activities and stay focused on their studies or careers." – Intake Probation Officer, Hyderabad OH

All the 4 staff members at the Karimnagar OH stated that the rehabilitation process is in fact effective and suggested that more vocational training sessions be conducted in order to further improve the rehabilitation process.

"If proper classes and vocational training sessions can be conducted regularly along with adequate counselling, there can be a significant improvement in the CCLs behaviour. most of the CCLs do change after their stay at the o home, especially if they stayed for a longer period." — Superintendent, Karimnagar OH

6.EXPERIENCES OF THE CCLS

6.1. EXPERIENCE OF CCLS AT THE OHS FOR THE FIRST FEW DAYS

The CCLs feel sad and scared when they are admitted into the OH. They have the urge to go home and constantly think of their family members. A couple of CCLs stated that they were scared at the OH for the first few days because of their experience at the police station. They stated that the police hit them for days together which made them think that a similar treatment would be meted out at the OH as well.

"I was scared and I didn't understand any at the JJB or at the OH. My family had to pay five thousand rupees to hire a private lawyer for me" – A CCL at OH, Warangal

They stated that after some days they understood that the staff will not hit them like the police did and weren't scared anymore. They even enthusiastically shared that they made new friends in the OH. However, they still wanted to leave the OH to go back to their families and that's the only thought that keeps them occupied during their stay.

"I was very confused when I came and didn't like the OH. The staff has been saying that I will leave in few months but it has been 21 months now and I am still here" – A CCL at OH, Hyderabad who was admitted in July 2017

The CCLs also recollected that none of the staff members told them anything about the routine at the OH. They were simply sent to the dormitory directly after their belongings were deposited with the staff. This led to a lot of confusion among them and they had to speak to the other CCLs to know about the schedule or just had to follow what the others were doing. This shows that there is a lack of communication between the staff and CCLs which creates an uncertain environment for the CCLs.

6.2. CONTACT WITH THE FAMILY

Family members of 11 CCLs visit them at the OH around once in a fortnight, while the family members of the remaining 5 CCLs have never visited them during their stay at the OH. The CCLs stated that they are allowed to talk to their family members for around 15 minutes at the OH in Warangal, 30 minutes at the OH in Karimnagar and around 10 to 15 minutes at the OH in Hyderabad.

The only other mode of communication between the CCLs and their families is over the phone. CCLs at all the three OHs stated that they are allowed to speak to their family members for around 3 to 5 minutes once or twice in a week or whenever there is a need. Only 2 CCLs have never spoken to their families as they do not have the phone numbers.

6.3. PARTICIPATION OF CCLS IN CHILDREN'S COMMITTEE AND MANAGEMENT COMMITTEE

When asked Children's committee and Management Committee, CCLs at all the OHs stated that they have never been a part of any such committee and that they have never been consulted regarding the various issues, challenges and facilities at the OH. It shows that Children's Committee and Management Committees are not constituted in these OHs and even if they are constituted, they function without any representation from the CCLs. None of the OHs maintained any minutes for the meeting of Children's Committee or Management Committee which further substantiate the finding that these Committees haven't been constituted or are not active.

6.4. BEHAVIOUR OF THE OH STAFF

None of the staff members at the 3 OHs consumes liquor or bidi, cigarette, tobacco or any other psychotropic substance.

CCLs at Warangal OH said that one of the supervisors uses vulgar language and even hits them with belt and kicks them for no reason whatsoever. They said that they don't feel safe at the OH and that whenever they feel scared, they just stay quiet.

CCLs at Karimnagar OH said that the staff treats them with utmost care and has never hurt them or used any abusive language. The CCLs themselves use abusive language among themselves. They said that they feel safe at the OH and that the staff treats them nicely.

CCLs at Hyderabad OH also said that they did not observe any staff member using vulgar language but said that a lot of CCLs use abusive language to scare other CCLs. They also said that the OH staff hits them with a pipe whenever they commit any mistakes which include staring out of the window or wasting food. In spite of this, the CCLs stated that they feel safe inside the OH. However, one of the CCL recollected incidents where the newly admitted CCLs were hit by a group of 6 to 7 CCLs inside the OH itself. OH at Hyderabad.

6.5. GOOD AND BAD EXPERIENCES

The CCLs at Warangal OH said that they did not have any good experiences to share with the team. The CCLs at Karimnagar and Hyderabad OHs said that they felt good when they got to play or learn something new. CCLs at the Hyderabad OH said that they really enjoyed the dance sessions that are conducted in the morning every day.

"I feel good when I get to play in the ground. It also feels good to know that I have learnt how to write my name in Telugu" - A 15-year-old CCL at OH, Hyderabad who has never attended school

CCLs at Karimnagar OH stated that they did not have any bad experiences at the OH while the CCLs at Warangal OH said that they are scared about whether they would get the bail or not. Most of the CCLs at Hyderabad OH said that they did not have any particularly bad experience at the OH. While 1 CCL recollected an incident when the staff hit him, another CCL recollected an incident when the CCLs hit him for half an hour.

"My 1st day at the OH was very bad. Around 7 to 8 CCLs hit me continuously for half an hour while one CCL kept an eye on the staff members. I developed backache after that incident and the pain still persists." – A CCL at OH, Hyderabad

6.6. PLANS FOR THE FUTURE

When asked about what they want to do after leaving the OH, 6 out of the 16 CCLs said that they would either continue studying or just appear for their 10th standard examination to improve their employment prospects thereafter. The remaining 10 CCLs said that they would go back and find some work so that they can earn and take care of their families.

7. RECORDS

CCLs from Warangal and Khammam Districts are sent to the OH in Warangal. CCLs from Hyderabad, Rangareddy and Mahbubnagar are sent to the OH in Hyderabad. These OHs are run by the Government while the OH at Karimnagar is run by an NGO.

7.1. NUMBER OF CCLS

The number of children residing at the OHs at the time of visit were 3 in Warangal, 3 in Karimnagar and 56 in Hyderabad. While Warangal and Hyderabad OHs display the number of CCLs staying on that particular day, the Karimnagar OH display board presents data on the number of children admitted every month as well.

7.2. AGE DEMOGRAPHICS

Following is the data on age demographics of CCLs (June 2018 – March 2019) in Warangal and Karimnagar OHs:

Age	Warangal OH	Karimnagar OH
7 - 12 years	0	4
12 – 16 years	15	18
16 - 18 years	59	63
Total	74	85

Table 5 – Age demographics of CCLs in Warangal and Karimnagar OHs.

The data on age demographics of CCLs in Hyderabad OH was not provided. From the above table, it can be observed that for the last nine months, there were only 4 CCLs in the age group 7 to 12 years in Warangal and Karimnagar OHs while 33 CCLs belonged to the age group 12 to 16 years and 122 CCLs, constituting the biggest group, belong to the age group 16 to 18 years.

7.3. CASTE DEMOGRAPHICS

Following is the data on religion and caste demographics of CCLs (June 2018 – March 2019) in Warangal and Karimnagar OHs:

Religion and Caste	Warangal OH	Karimnagar OH
ОС	1	2
Sikh	1	0
OBC	25	49
Muslim	3	18
SC	19	7
ST	25	6
Total	74	82

Table 6 – Table on religion and caste demographics of CCLs in Warangal and Karimnagar OHs.

The data on caste demographics of CCLs in Hyderabad OH was not provided. From the above table, it can be observed that approximately 97% of CCLs in both the homes belong to socially and economically backward communities. Only 4 of the 156 CCLs belong to socially and economically forward castes. The biggest group of CCLs belong to OBC followed by ST and SC.

7.4. DURATION OF STAY

The team could access the data on the duration of stay of CCLs (June 2018 – March 2019) at Warangal OH:

Duration of Stay	No. of CCLs at Warangal OH	No. of CCLs at Karimnagar OH
1 day – 1 week	47	28
1 week – 15 days	12	21
15 days - 1 month	6	18
1 month – 4 months	9	9
4 months – 6 months	0	3
Total	74	79

Table 7 - Duration of Stay of CCLs at Warangal and Karimnagar OH

The team was also able to access the data on the duration of stay of CCLs for the year 2018 at Hyderabad OH:

Duration of Stay	No. of CCLs at Hyderabad OH
Upto 30 days	575
1 month - 2 months	83
2 months – 4 months	96
4 months – 6 months	52
More than 6 months	51
Total	857

Table 8 - Duration of Stay of CCLs at Hyderabad OH

From Tables 7 and 8, it can be observed that out of a total of 1010 CCLs, 707 CCLs were released from the OHs within 30 days, i.e 70% of the CCLs stayed in the OHs for less than a month. Considering that keeping the children in CCIs has always been considered to be detrimental to their development, the fact that 70% of the CCLs were able to leave the OH within a month can be considered to be a positive development.

The argument presented by the staff at both Warangal and Hyderabad OHs was that most of the CCLs leave the OH within a month which makes preparation of ICPs frivolous and time consuming. However, giving due consideration to the principle of best interest of the child which forms the foundation for both the Convention on the Rights of the Child as well as the JJ Act, it is pertinent that ICPs of every child be prepared without fail. The staff will not be aware of the duration of stay of each child until the time when they are released and in such conditions the children who actually stay within the OH for a longer period of time will be at a loss.

Consider that the remaining 30% of CCLs stayed in the OHs for over a month and over 51 CCLs, i.e. 5% of CCLs stayed in the OHs for more than 6 months, preparing ICPs of all the CCLs will prove to be a constructive exercise through which the staff can further work on the aspects of rehabilitation and reintegration of CCLs with a greater efficiency.

7.5. NEW AND DISCHARGED CCLS

Following is the data on the new and discharged CCLs in Warangal OH:

Month	CCLs from last month	New CCLs	Discharged CCLs
April, 2018	3	18	10
May, 2018	11	11	18
June, 2018	4	15	15
July, 2018	4	11	11
August, 2018	4	11	10

September, 2018	5	4	8
October, 2018	1	1	0
November, 2018	12	13	13
December, 2018	2	7	5
January, 2019	4	4	5
February, 2019	3	6	4
March, 2019	5	2	7
Total		107	106

Table 9: New and discharged CCLs in Warangal OH

Following is the data on the new and discharged CCLs in Karimnagar OH:

Month	CCLs from last month	New CCLs	Discharged CCLs
April, 2018	8	3	7
May, 2018	4	7	5
June, 2018	6	13	9
July, 2018	10	9	9
August, 2018	10	9	9
September, 2018	10	4	5
October, 2018	9	15	9
November, 2018	15	4	11

December, 2018	8	2	3
January, 2019	7	15	19
February, 2019	3	6	4
March, 2019	5	3	5
Total		90	95

Table 10: New and discharged CCLs in Karimnagar OH

Following is the data on the new and discharged CCLs in Hyderabad OH:

Month	CCLs from last month	New CCLs	Discharged CCLs
April, 2018	74	73	78
May, 2018	69	52	48
June, 2018	73	79	102
July, 2018	50	66	58
August, 2018	58	57	56
September, 2018	59	45	59
October, 2018	45	42	43
November, 2018	44	96	72
December, 2018	68	98	104
January, 2019	62	81	90
February, 2019	53	67	68
March, 2019	52	100	103
Total		856	881

Table 11: New and discharged CCLs in Hyderabad OH

It can be observed from Tables 9 and 10 that the number of CCLs getting discharged is very close to the number of new CCLs, which means that most CCLs are able to go back to their families soon. However, it can also be observed from Table 11 (Hyderabad OH) that though the number of CCLs getting discharged is close to the number of new CCLs, the carry forward CCLs from the previous months are a considerably large number (averaging around 59 per month).

7.6. PARENTAL VISITS

Parents can visit the OH to meet the CCLs after taking a permission from the Juvenile Justice Board. But in practice, they meet their children unofficially as well. Only official visits are recorded in a register. The team intended to observe the records for the financial year (April 2018 to March 2019) but were only provided with records for limited time frames. From July 2018 to March 2019, 18 parental visits are recorded in Warangal OH. From April 2018 to March 2019, 6 parental visits are recorded in Karimnagar OH. From January 2019 to March 2019, 233 parental visits are recorded in Hyderabad OH. There is a clear indication of high number of parental visits in Hyderabad OH which can be attributed to larger jurisdiction (3 districts with one of them hosting 33% of the state's population) leading to higher admission of CCLs. Another factor deciding the magnitude of the parental visits would be the accessibility of the OH. Hyderabad OH is very accessible as it is in the capital city and the other two districts are very close while OHs in Karimnagar and Warangal have CCLs spread across the district far away from the OHs' location leading to inaccessibility.

Observation Home	Time Span	No. of Parental Visits
Warangal	July 2018 - March 2019	18
Karimnagar	April 2018 - March 2019	6
Hyderabad	January 2019 - March 2019	233

Table 12 – Parental Visits

7.7. JJB VISITS

Sec 8 (j) of JJ act r/w Rule 7 (v) of the JJ Model Rules mandates a monthly inspection of the CCI by the members of the Juvenile Justice Board to issue appropriate directions, suggestions etc. These visits and their suggestions must be recorded by the OH and appropriate measures taken to follow their directions and incorporate their suggestions. Following is the data of visits by Principal Magistrate, Social Worker for Warangal OH:

Month	Principal Magistrate	Social Worker
January, 2019	0	1
February, 2019	0	0
March, 2019	1	1

Table 13 – Visits by Principle Magistrate, social worker for Warangal OH

Data regarding the visits of DPO are not maintained. Data for the earlier years for PM & SW was not provided. It is also observed that despite many short-comings of the OH, neither PM nor SW had made any remarks or provided any suggestions or issued any directions.

Following is the data of visits by PM, SW and DPO for Karimnagar OH:

Month	РМ	SW	DPO
April, 2018	0	0	1
May, 2018	0	0	0
June, 2018	0	0	1
July, 2018	1	0	2
August, 2018	1	1	1

September, 2018	1	0	1
October, 2018	0	0	1
November, 2018	0	0	2
December, 2018	0	0	0
January, 2019	2	0	2
February, 2019	0	0	1
March, 2019	0	0	1

Table 10 - Visits by PM, SW and DPO for Karimnagar OH

The record of their visits is entered in a separate diary with a specialized format for easy access and operability. It is also observed that despite some short-comings of the OH, none has made any remarks or provided any suggestions or issued any directions.

The records for visits of PM, SW and DPO are not maintained properly and separately in the OH in Hyderabad. The data of their visits was inaccessible.

8. RECOMMENDATIONS

8.1. INFRASTRUCTURE OF THE OHS

- The OH buildings and dormitories have to be renovated in such a manner that they don't resemble jails / lockups, which create terror in the minds of CCLs.
- In order to ensure that the CCLs do not try to escape, CCTVs must be installed, security personnel must be engaged and high walls must be built around the OH.
- The CCLs in the dormitories need to be segregated based on their age and on the nature of the crimes committed. Such segregation is meant to ensure that the stay at the OHs does not negatively impact the CCLs behaviour. Older CCLs can easily influence and manipulate the younger CCLs into engaging into serious criminal activities. Similarly repeat offenders and CCLs who had committed serious or heinous offences can negatively influence the other CCLs.
- The OHs need to increase the number of dormitories in consonance with the need of segregation. As a temporary measure, they must install artificial partition in the dorms with ample amount of space for each segregated lot.
- The OHs need to provide safe drinking water by installing functional RO plants.
- This water must be stored and drawn through taps from the purifiers or safe water containers and not in cans.
- These containers should be in the vicinity of the dormitories or in the dormitories itself so that the CCLs have complete access to it.
- Sanitation Facilities throughout the OHs needs to be improved. At least 2 toilets and 2 bathrooms must be made available to the CCLs.

- Ideally, the washroom area must be separate and not attached to the dormitories to maintain hygiene in the OH.
- There must be separate and enclosed shower stalls in all the OHs.
- The storeroom where all the food items are kept should be clean and free from any insects / bugs

8.2. BASIC AMENITIES

- The CCLs should be provided with basic amenities such as a mattresses, pillows, blankets and footwear.
- Each CCL on admission into the OH must be provided with separate clothes
- Toiletries like soap, handwashes, shampoo etc should be provided to each CCL.
- The CCLs must also be provided mosquito nets and repellents at the time of their admission to ensure that they do not contract any vector borne diseases.
- Better quality rice should be provided to the CCLs.
- There must be a strict prohibition placed on engaging CCLs for cleaning the washrooms, dormitories or any part of the OH. Workers must be availed for this purpose.

8.3. STAFF AT THE OHS

- Professional counsellors, teachers and nurses must be appointed for every OH. This will ensure that the CCLs receive individual attention from experienced individuals in the respective fields.
- Requisite number of staff should be appointed to fill the vacancies so that every staff member can properly perform his/her work without carrying the burden of additional responsibilities.
- Every staff member should be provided training immediately post his/ her appointment to the OH.
- The staff should also be provided periodical training, at least once ev-

ery year.

- The staff must be strictly informed that they should not manhandle the CCLs at any cost and any staff member found to be in violation of it should be immediately removed from his post and disciplinary action must be initiated.
- Biometric attendance system for staff ought to be adopted.

8.4. EDUCATION FACILITIES

- The OHs must adopt the practice of finding age demographics once every 3 months to locate the age groups that are frequenting the OH so that it can be utilized for further customizing education activities as per the requirements.
- Regular classes must be made mandatory for every OH.
- The OHs should maintain records for the classes conducted, books provided in the library and the course being taught to the children to assess the quality of education being provided.
- It is important to provide CCLs access to the library.
- The data on age demographics of the CCLs will be very useful in identifying and providing facilities based on different age group's needs. Older CCLs can be taught complex concepts like sustainable development (for protecting environment), global warming, life goals etc.
- They can also be allowed to play age appropriate games.
- It would be highly beneficial for the CCLs if the government could appoint teachers at each OH who can conduct regular classes and can also cover all the subjects till 10th standard. Since the CCLs are not being allowed to attend regular schools, they should be provided with teachers who can conduct regular classes covering all the subjects.
- Their stay at the OH should not have detrimental effect on their studies and the classes should be held in such a way that the CCLs are able to continue their education even after they leave the OH.
- The authorities should provide adequate education depending on the age of the CCL and they should not teach the same content for CCLs of all age

groups.

8.5. VOCATIONAL TRAINING FACILITIES

- All the OHs must develop a mechanism to identify and assess the skills of the CCLs.
- Such information must be gathered once every 3 months.
- Based on the data, appropriate vocational training sessions must be conducted by engaging professionals from the respective fields.
- Older CCLs can be trained in more job market skills like vehicle repairing, cooking, first aid training as paramedics etc.
- Since the CCLs are actually learning some skills, it will be much more useful if they are given certificates for the skills that they learn. It will further improve their employability prospects.
- The parents or guardians of CCLs need to be integrated into this process as they are the ones who take care of CCLs once they leave the OH.

8.6. MEDICAL FACILITIES

- Health Check-ups of CCLs must be conducted every fortnight with the first check-up being conducted within 3 days of the CCL joining the OH.
- Health records of the CCLs must be maintained and updated.
- Every OH must maintain a separate and hygienic sick room which is at least equipped with first aid kits.

8.7. RECORD MAINTENANCE

- The Individual Care Plans are to be made for every CCL by the Probation Officer within 2 days of joining and must be updated every fortnight.
- All the OHs must maintain separate records with specific formats for parental visits, JJB members' visits, Inspection Committee visits and for medical records.
- A record of the daily activities of the CCLs has to be maintained
- A Social Background Report of each CCL has to be submitted by the

8.8. DISPLAY OF INFORMATION

- Information regarding the Childline services, District Legal Services Authority, JJB members must be displayed in the OH.
- Every CCL at the time of joining must be explained why such information is displayed and how he can contact them.
- The same must be made available to the parents/guardians of the CCLs as soon as possible. Display of the contact information of legal aid lawyers would be invaluable for CCLs with poor families who cannot afford lawyers.

8.9 SUGGESTION BOX

- Suggestion box must be maintained at every OH.
- The staff should explain its usage to every CCL as they cannot directly report their grievances to the staff.
- Such a suggestion box must be opened every 3 days by the Superintendent of the OH and appropriate action must be taken immediately.

8.10. PARENTAL VISITS

- Parental visits are important because they provide some sort of confidence, assurance to the CCLs.
- CCLs are much more inclined to discuss about their stay at the OH and the issues they are facing with their family.
- The family can represent the concerns of the CCL before the staff and help in solving/rectifying them.
- It has to be understood that the family members of CCLs travel long distances to visit their children at the OH and when they are allowed to speak to them for only 10 or 15 minutes, they become reluctant to visit more often.
- Ensuring that the CCLs can communicate with their families on a regular basis, through in-person visits to the OHs or over the phone, will further help in making the OHs child friendly.

• CCLs have stated that they felt sad, confused, tensed and scared when they were first admitted to the OH as they had to stay away from their families in a completely new place. If in such a scenario, they are not allowed to communicate with their family members, it will have a negative impact on their mental health and they will not be able to benefit from any training, education or counselling services provided at the OH. The entire rehabilitation and reintegration process should integrate parents as one of the important role players.

8.11. VISITS BY OFFICIALS

- Regular visits by JJB members is important because they can inspect
 and understand the conditions and facilities of the OH and provide appropriate feedback and necessary suggestions.
- The Principal Magistrate, members of the District Legal Services Authority, Deputy Director, District Probation Officer, Social Workers, etc. have to visit the Observation Homes regularly.

8.12. SEGREGATION OF CCLS FROM CNCPS

- CCLs and CNCPs should not be placed together in a combined home.
- It is highly problematic to allow CCLs and CNCPs to be in contact even if it is for the purpose of education. The staff at the OH should ensure that the classes are conducted separately for the CCLs.

8.13. COUNSELLING SESSIONS

- Counselling sessions should be conducted by a professional regularly. The effects of counselling on the CCLs have been very positive and have helped them reintegrate into society and hence are a necessary facility that should be available to them.
- While it is a positive thing to treat all the CCLs in a similar manner, it is also important to ensure that the CCLs who have committed serious or heinous offences receive special attention at least while counselling sessions are conducted.

8.14. SECURITY

• Deployment of security personnel at the OHs as mandated by the Model Rules⁴⁵ is not only essential for the purpose of ensuring that the CCLs do not try to escape from the OH or hurt each other or the staff, but to also ensure their safety from any external threat.

8.15. AWARENESS ABOUT RIGHTS AND PROCEDURES

- Lack of awareness among the CCLs about their own rights, denies them the opportunity to even seek any kind of service that is prescribed under the JJ Act and Model Rules thereby making them completely reliant on the staff.
- The fact that the Model Rules requires that the CCLs should have access to the JJ Act and Model Rules further substantiates the argument that it was meant to equip the CCLs with appropriate knowledge about the processes and procedures followed by the Juvenile Justice Board and at the OH.
- Only then the staff at OH can be questioned and made accountable by the CCLs.
- It is the responsibility of the Child Welfare Officer / Case Worker to familiarize the CCL with the rules and regulations, rights and responsibilities at the OH after the child is received.⁴⁶

⁴⁵ Rule 26 (9), Model Rules, 2016.

⁴⁶ Rule 69 G (iii), Juvenile Justice Act, Model Rules, 2016.

ANNEXURE 1

QUESTIONNAIRE FOR THE STAFF OF OBSERVATION HOME

CENTRE FOR ECONOMIC AND SOCIAL STUDIES HYDERABAD STUDY OF OBSERVATION HOMES IN TELANGANA

Respondent: Observation Home Staff

Name of the Observation Home:	
District:	
Name of the Respondent:	
Date of the interview:	

Declaration

What is your designation?	
What are your primary duties and responsibilities in the observation home?	
For how long have you been working in this observation home?	
Prior to working here, did you have any experience in handling or taking care of children?	
Did you undergo any special training to handle CCLs after your appoint- ment at the Observation Home?	
What measures have you implemented to make the observation home child friendly?	
From your experience, do you think anything else should be done apart from what you mentioned above?	
What are the facilities that the government provides to your Observation Home?	
From your experience, do you think that the government can support you in any other way for taking better care of the children?	
Does anyone in the observation home record the daily activities of the child?	
Do you think any activity must be added or removed for the development and benefit of children?	

How often is the observation home cleaned?			
What is a normal day menu of the food that is served to the children?			
Do you think that there can be any other additions to the diet plan for ensuring that the children get adequate nutrition?			
Are the CCLs provided with proper clothing as per the season?			
EDUCATION, CO-CURRICULAR AND EXTRA-CURRICULAR ACTIVITES			
Are the CCLs provided with educational facilities?			
If yes, who teaches them and how often?			
Do you think the quality of educational facilities provided in the observation home are adequate and if they can be further improved?			
If classes are conducted within the premises of observation home, are the children divided according to their classes during these sessions?			
Do you think there are any other challenges in the process of providing educational facilities? Please elaborate.			

Are there Life Skill Training or Vocational Training programmes for the CCLs at this Observation Home?	
If yes, what are these programmes?	
How often are they conducted?	
Are certificates provided for successful completion?	
In your opinion, is the quality of these sessions satisfactory? From your experience, what else can be done for making these sessions more effective and beneficial for the children?	
Do the CCLs have access to a working computer at the Observation Home?	
How often are they allowed to use the computers? Do you think the CCLs should be trained properly about how to use the computer?	
Is there a provision for indoor and outdoor games at the Observation Home? Is there sufficient space available for this purpose?	
Are the children encouraged to play these games? Have you taken any steps to ensure that they spend some time on these activities every day?	
Are there any other recreational facilities for the CCLs at the observation home?	

Do you think the training and other facilities provided at the Observation home help the CCLs in reintegrating with the society? If yes, please explain. If not, what else can be done to achieve these objectives? MEDICAL and HEALTH FACILITIES Is there a separate sick room? When is this room used and what equipment does it have? Is there a nurse or paramedic available round the clock at the Observation Home? Does a doctor visit the observation home and conduct health checkups? How often does he/she visit the observation home? Do you think the medical facilities that are currently being provided are adequate? Do you think they can be improved? If yes, please elaborate. Are there first aid boxes in the Observation home? Are you trained in handling first aid? How frequently are the medical check-ups of each CCL conducted? What steps do you take in case of a medical emergency? How often are the counselling services provided to the CCLs? Who provides these counselling services?

Do you think the counselling services are helping the CCLs in rehabilitation and reintegration process? If yes, have you observed any improvement in the behaviour of CCLs after undergoing counselling? Please explain.	
Do you think that the counselling services can be improved and further tailored to suit the needs of the CCLs?	
MISCELLANEOUS	
Is there a suggestion box/grievance redressal box in the Observation Home?	
Are the CCLs informed about how to use that box? If yes, when?	
Do the children give their sug- gestions/ report their grievances through this? How often is the box opened?	
Has any action been taken based on any suggestion given by one of the CCLs? If yes, please elaborate.	
Does the observation home have a copy of the JJ act and rules framed by the state government? If yes, are the children provided access to these copies?	
Have you ever seen a Social Back- ground Report? If yes, when is it given to you and is it prepared for every CCL?	

What are its contents and does it help you in gaining a better understanding of the CCL?	
Do you think you require more details about the CCL than what is covered by the Social Background Report? If yes, please give us some suggestions.	
Generally, who all come to visit the Observation Home? Do you have a record for it? (verify)	
How frequently are the inspections conducted at the Observation Home? Who all come to conduct these inspections?	
When was the last inspection conducted? Who all were part of it?	
Did you receive any suggestions from the members of the inspection committee? If yes, what are they and have they been implemented?	
Do the CCLs have access to the contact details of SJPU or Child Welfare Police Officer? (verify if it is displayed properly)	
In your experience, do you generally observe any positive changes in the attitude of CCLs after they come to the observation home?	
If yes, could you please tell us what contributed to the same?	
Have there been any incidents where CCLs have tried the escape from the Observation Home? If yes, what steps do you take to prevent them?	

Is there any difference in providing care to the CCLs who have committed serious and heinous offences as opposed to those who have committed petty offences at the Observation Home?	
Considering the manner in which observation homes function, do you think it facilitates the process of rehabilitation and integration of CCLs into the society? Please explain.	
Could you provide us some suggestions on how Observation Homes can further facilitate the development of CCLs?	

ANNEXURE 2

QUESTIONNAIRE FOR THE CHILDREN IN CONFLICT WITH LAW

CENTRE FOR ECONOMIC AND SOCIAL STUDIES HYDERABAD STUDY OF OBSERVATION HOMES IN TELANGANA

Respondent: CCL

Name of the Observation Home:	
District:	
Name of the Respondent:	
Date of the interview:	
Declaration	
ration with CESS-UNICEF-Child Protect permission from the Director, Juvenile Nof Street Children, Hyderabad to assess in Telangana. We would like to intervier of the observation homes in your district these questions. We only seek your of the issues which will be helpful for improving the facilities provided in the cyour personal details as well as the inferior	we are conducting a study in collabo- ction Resource Centre (CPRC), with due Welfare, Correctional Services & Welfare is the functioning of observation homes we you in this regard to know the status rict. There is no right or wrong answer responses and opinion regarding some identifying the existing challenges and observation homes. We assure you, that cormation given by you will be kept con- research purposes only. The interview

May we proceed? Yes/No Signature of the Interviewer

Signature of the Respondent

Name of the CCL	
Age	
Residence/Village (full address in- cluding district name)	
What is your father's and mother's profession?	Father- Mother-
Total number of family members	
When did you last meet them?	
Which standard were you in before coming to the observation home?	
Were you employed anywhere before coming to the Observation Home? If yes, where and since when?	
What do you want to become when you grow up?	
Since when have you been in the Observation home?	
What are you accused of? (petty, serious, heinous offence)	
How do you communicate with your family from the observation home?	
How often do your parents/relatives come to meet you and how much time is given to meet them?	

How did you feel when you first came to the observation home?	
How do you feel at the observation home now? Is there any difference since the time you came here?	
Do the observation home staff, social worker and some children have meetings and discussions about various issues of the observation home?	
Do the children belonging to different age groups meet and discuss about the facilities available in the observation home and how they can be improved?	
If yes, did you participate in any of such discussions?	
Basic Amenities	
How often are the toilets and bath- rooms cleaned?	
Are the floors swept and wiped every day?	
Do you like the food provided in the observation home? Do you think the quality of food can be improved? Is the amount of food given to you adequate?	
Are the kitchen premises clean?	

How many pairs of clothes are provided by the Observation Home?	
When did they give you the clothes and other toiletries?	1st day – Within 2 to 3 days – Within a week – After a week – Never –
How often do you get a new set of clothes?	
How often do you get toiletries?	
How often are your clothes washed and who washes them?	
Medical Facilities	
Have you or any of your friend ever had to use the services of a doctor in the observation home? If yes, was the doctor easily available?	
Is a nurse/paramedic present in the Observation at all times?	
Do you have monthly medical check- ups?	
Are you satisfied with the medical facilities available at the observation home? Do you think they can be improved? If yes, how?	

Education, Co-Curricular and Extra-Curricular Activities	
What is your daily routine? (cross-check with the one displayed in the Observation Home)	
Do you think any activity needs to be removed or added to the daily routine? If yes, what and why?	
Is any life-skill/vocational Training provided in the Observation Home? If yes, what kind of vocational training?	
Is a certificate provided at the end of the vocational training?	
Do you think the vocational training will be useful to you when you leave the observation home? If yes, how? If no, what would you suggest to make it useful?	
What do you do during the counselling sessions? Do you think they help you in any way?	
Who conducts the counselling sessions and how often?	
Would you prefer to have these counselling sessions on a daily basis or weekly basis? Why?	

Where are you made to sit while you are provided counselling? (In the counselling room/any room)	
Do you go to school outside the observation home?	
If you are allowed to attend school, are you provided with the following?	Books Pens/Pencils School Bag Shoes and Socks
If you go to school, who accompanies you to school?	
If classes are conducted only in the observation home, who teaches you and for how long?	
Can you understand what is being taught and do you face any other problems during these classes?	
If there is a library, how often are you allowed to use it?	
Do you have sufficient space for out- door games and activities?	
If yes, what kind of games and/or activities?	
Do you have access to indoor games?	

Are you happy with the sports facilities at the observation home? Would you want to suggest something to make them better?	
Behaviour of the care-takers and Person	n-in-charge
Were you consulted when the Individual Care Plan was prepared?	
Does anyone consume liquor in the Observation Home?	
Have you seen anyone consuming bidi, cigarette, tobacco or any other psychotropic substance in the premises of Observation Home?	
Has anyone used abusive or vulgar language in the Observation Home? [Rule 66(6)]	
Are you made to work in the Observation Home? If yes, what kind of work?	
Did anyone hurt you while you were in the observation home?	
Do you interact with the CCLs of other age groups? Did anyone do anything to scare you?	
Do you feel safe at the observation home? If not, why?	

What do you do when are feel scared or when you don't feel good at the observation home? Who do you talk to?	
How are you treated by the care-tak- ers and person-in-charge/superinten- dent?	
Suggestions and experience	
What do you want to do after leaving the observation home?	
What are you most afraid of and are concerned about? Can you share it with us?	
Can you please tell us about a good experience that you had at the observation home?	
Can you also share any bad experience that you had at the observation home?	
Do you have any suggestions/com- ments about the Observation Home?	
Have you met any of the inspection teams that come here? What questions did they ask you?	
Have you given any suggestions through the Suggestion Box? If yes, did the authorities accept your suggestion and work accordingly?	

ANNEXURE 3 FOCUSED GROUP DISCUSSION

QUESTIONS	RESPONSES
PROCEDURE	
Did anyone inform you about the daily routine of the observation home, the diet and other facilities available when you first came to the observation home?	Yes - No - Notes:
Do your family/relatives come to meet you? How frequently are they allowed to meet you? How long are they allowed to meet you?	Yes - No - Notes:
Are you segregated according to your age?	Yes – No – Notes:
Are you segregated according to your gender?	Yes - No - Notes:
Is there a suggestion box / grievance redressal box in the Observation Home?	Yes – No – Notes:
Is there a copy of Juvenile Justice Act and Model Rules available in the observation Home?	Yes - No - Notes:

Do you have the contact details of SJPU or Child Welfare Police Officer?	Yes - No - Notes:
Have you met any inspection teams? What did they ask you?	
BASIC AMENITIES	
Do you have access to safe drinking water in the Observation Home?	Yes - No - Notes:
Do you get hot water for bathing and washing clothes?	Yes - No - Notes:
Do you have access to mosquito nets or repellents?	Yes - No - Notes:
Do each one of you have a mattress, pillow and blanket?	Yes - No - Notes:
Is the food good and adequate?	

HEALTH AND MENTAL HEALTH	
Is there a doctor who comes for regular check- ups? If you fall sick, do you get immediate medical attention? Does this doctor treat you or are you taken to hospital?	
Is there a nurse who comes here everyday?	
Have you received individual counselling services in the Observation Home?	Yes - No - Notes:
Were you a part of any group counselling service in the observation home?	Yes - No - Notes:
EDUCATIONAL ACTIVITIES	
Do you attend school outside the observation home?	Yes - No - Notes:
Are regular classes conducted in the Observation Home?	Yes – No – Notes:
Do you get to use the computers in the observa- tion home? (If computers are available)	Yes – No – Notes:
Do you have a library in the Home?	

Who helps you with your homework?	
RECREATION	
Do you play indoor games?	Yes – No – Notes:
Do you play any outdoor games?	Yes - No - Notes:
Do you watch television in the Observation Home?	Yes - No - Notes:

ANNEXURE 4 CHECK LIST FOR THE OBSERVATION HOMES

CHECK LIST FOR THE OBSERVATION HOME

Name of the observation home –	
Government run/NGO run –	
Date of Visit –	
Are the CCLs segregated according to their age? Provide the details.	7 to 11 – 12 to 15 – 16 to 18 -
Are the CCLs segregated according to the gravity of the crime that they are accused of/committed? Provide the details.	Petty offences – Serious offences – Heinous offences -
Is there adequate lighting and ventilation in the observation home?	
Is there a copy of JJ Act and JJ Model Rules available in the Observation home?	
I. SECURITY	
Is the Observation Home surrounded by high walls and barbed fence?	
Is there a functional CCTV at the entrance of observation Home?	
How many security guards are avail- able?	

Number of fire extinguishers in the Observation Home?	
II. HEALTH AND NUTRITION	
Is there a first aid kit? [Rule 27 (11)]	
Is there a sick room?	
Are there beds in the sick room?	
Are wheelchairs available and functional? If yes, how many?	
Is a nurse or paramedic available?	
Is there an ambulance available on call?	
Are mosquito nets provided to every child?	
Is the diet plan displayed in the Observation Home?	
III. INFRASTRUCTURE	
How many rooms are used as dormitories?	
Does the Observation Home look like a jail/lock-up?	
Number of Office rooms in the Observation Home and for whom?	
Is the residence of superintendent within the Observation Home?	
Are beds and pillows provided to the children? Are they clean?	

Are there individual lockers for children?	
Are blankets provided to the children?	
Is there a separate dining hall?	
Is the dining hall equipped with adequate tables and chairs?	
Are the CCLs given separate plates and glasses?	
Is there a store room in the Observation home?	
Are the utensils adequate and clean?	
Is there a fridge available to them?	
Is a gas stove used?	
Is there a chimney in the kitchen?	
Are the gas cylinders safely placed?	
Is there a water purifier in the home?	
Is there a telephone for children?	
Is the ChildLine number displayed near it?	
IV. EDUCATION, TRAINING AND COU	NSELLING SERVICES
Is there a classroom?	
Are there tables and chairs in the classroom?	

Is there a library?	
Is the library equipped with books for the respective age groups?	
Is there a vocational training room?	
Is there a separate recreation room?	
Is there a TV in the home?	
Is there a separate counselling room?	
Is the recreation room equipped with provisions for indoor games?	
Is there open space for children to play outdoor games?	
Does the Observation Home have any provisions for outdoor games? (football, volleyball etc.)	
How many computer sets are available?	
Are the computers connected to internet?	
V. SANITATION	
Number of bathrooms in the Observation Home?	
Number of toilets in the Observation Home?	
How many children share each bath- room?	
How many children share each toilet?	

Are the bathrooms and toilets clean? Is the floor slippery?	Cleaned – Slippery -
Is there a hand wash in the bathrooms and toilets?	
Are the toilets disabled-friendly?	
Is the flush working in the toilets?	
Are the children provided with buckets and mugs?	
Are the children provided with toilet- ries?	
Are the taps functioning?	
Does the door have a latch? Are there any peepholes in the door?	Latch- Peephole -
Is there a children's suggestion book placed in an accessible place?	
Is the daily routine displayed in the Observation home?	
Are the clothes of the children clean and of good quality? Do all the children have footwear?	

ANNEXURE 5

RECORDS MAINTENANCE AND VISITS OF JJB MEMBERS

Records Maintenance	
Sanctioned capacity of the observation home	
Number of children currently residing in the Observation Home?	
Are the Individual Care Plans prepared for every child?	
Are the Individual Care Plans updated regularly?	
Are the minutes of children's committee maintained?	
Are the minutes of management committee maintained?	
Are records maintained for the visits of JJB members? If yes, is it updated?	
Are records maintained for the visits of guardians and parents? If yes, is it updated?	
Are health records maintained for every child?	
Are the health records updated?	
Visits of JJB members	
According to the records, how many times has the PM visited the observation home in the past 1 year?	

According to the records, how many times has the JJB Social worker visited the observation home in the past 1 year?	
According to the records, how many times did the Probation Officer visit the observation home in the past 1 year?	

ANNEXURE 6 PHOTOGRAPHS

Photo 1 - RO Plant at OH, Karimnagar



Photo 2 - White board showing the number of CCLs at the OH on each day of the month at OH, Karimnagar



Photo 3 - Store room at OH, Warangal



Photo 4 - Shattered roof of Vocational Training room at OH, Warangal



Photo 5 - Dormitory at OH, Hyderabad



Photo 6 - Iron grills (windows) at OH, Hyderabad



Photo 7 – Refrigerator at OH, Warangal



