



Mapping of Institutions and Fund Flow Architecture of Child Protection Services (CPS) Scheme in Andhra Pradesh and Uttar Pradesh



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List of Acronyms

BCPC	Block Level Child Protection Committee
BDO	Block Development Officer
CARA	Central Adoption Resource Authority
CCI	Child Care Institutions
CIF	ChildLine India Foundation
CPS	Child Protection Services
CWC	Child Welfare Committee
DCPC	District Child Protection Committee
DCPS	District Child Protection Society
DCPU	District Child Protection Unit
ICDS	Integrated Child Development Services
ICPS	Integrated Child Protection Schemes
JJ	Juvenile Justice
JJB	Juvenile Justice Board
JJSC	Juvenile Justice Selection Committee
MWCD	Ministry of Woman and Child Development
NIPCCD	National Institute of Public Cooperation and Child Development
PAB	Project Approval Board
SAA	Specialised Adoption Agency
SARA	State Adoption Resource Agency
SCPS	State Child Protection Society
SJPU	Special Juvenile Police Unit
VCPC	Village Level Child Protection Committee



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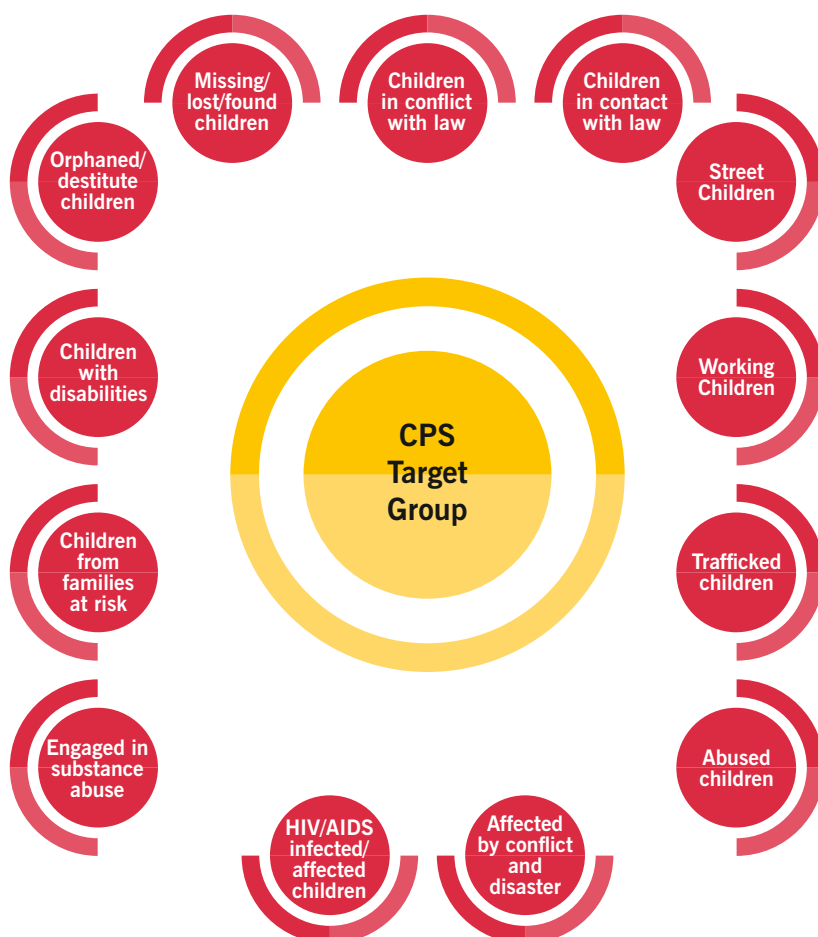
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I. Introduction

In 2009, Ministry of Woman and Child Development (MWCD) introduced the Integrated Child Protection Schemes (ICPS) for effective implementation of the Juvenile Justice (JJ) Act. Based on the principles of 'Protection of Child Rights', the scheme was implemented to establish a system that would efficiently and effectively protect children. In 2014, it was comprehensively revised. Since 1st October, 2017, ICPS has been brought under Umbrella Integrated Child Development Services (ICDS) scheme as a sub-scheme with the nomenclature - 'Child Protection Services' (CPS). CPS provides preventive, statutory care and rehabilitation services to children who are in need of care and protection and those in conflict with law as defined under the Juvenile Justice (Care and Protection of Children) Act, 2015 as well as other vulnerable children (Figure 1).

Figure 1: CPS Target Group



Source: ICPS Revised guideline, 2014; Available online at: <https://wcd.nic.in/sites/default/files/revised%20ICPS%20scheme.pdf>

In addition to the major interventions under CPS, the Ministry has set up web two portals called 'TrackChild' and 'Khoya-Paya' to track missing and found children. In sync with Juvenile Justice (Care and Protection of Children) Act, 2015, JJ Model Rules 2016 & CPS, the TrackChild portal became functional in 2012. It provides pan India data base of missing and found children.

II. Rationale and Objective

As an important intervention for adolescent children, the role of CPS is vast. However, even after 10 years of its implementation, data shows high incidences of child marriage, child labour, and domestic violence among children, especially adolescent girls. In recent years, an increase in juvenile crime rates in India has been a matter of grave concern. According to National Crime Record Bureau (NCRB) data for 2015-17, crimes against children in India is 22.7 per cent (NCRB, 2019). As per Census 2011, around 10.1 million children between 5-14 years age group are engaged in work. The Union Government's reply in Parliament to a question on child labour revealed that 10,826 cases of violation of the Child Labour Act were reported across the country in the past four years. Of these, only 56 per cent cases went to the prosecution stage (India Today, 2019).

A mixed picture is observed at state level. As per the NCRB report, between 2015-17, the proportion of crimes against children is 15.7 per cent in Andhra Pradesh and the 21.6 per cent in Uttar Pradesh. Uttar Pradesh has more than 2.1 million child labourers, making it the state with highest incidence of child labour (Census 2011).

This implies that somewhere the objective of the child protection schemes and policies are not translating into effective government interventions on the ground. It could be because either there are major gaps in the planning and budgeting stage of the CPS or due to gaps in the implementation of the scheme. Thus, to know how CPS is working at the ground level and how successful is the scheme's implementation, it is important to understand the institutional architecture, the planning and budgeting process and fund flow mechanism associated with it at different levels of governance (Union, State and District). Only a comprehensive mapping of all these aspects can generate the insights needed to suggest corrective policy measures.

III. Methodology

A factsheet has been developed for practitioners working on child protection in Chittoor district in Andhra Pradesh and Sitapur district in Uttar Pradesh based on secondary sources. Crime against children in Chittoor and Sitapur is quite high as compared to other districts in the respective states (NCRB, 2019). Unfortunately, there is a dearth of district level information pertaining to children in need of care and protection. Information pertaining to planning, budgeting and implementation of CPS in these states and select districts is also not available in the public domain. The latest minutes of the Project Approval Board (PAB) meeting of CPS/ICPS for states that are available in the MWCD website are for the year 2013-14.

The methodology includes a review of policies related to child protection, review of ICPS guidelines, analysis of all relevant government documents relating to child protection in Andhra Pradesh and Uttar Pradesh, Government Orders, and state budget documents.

IV. Mapping the Key Institutions in the Service Delivery Structure of CPS

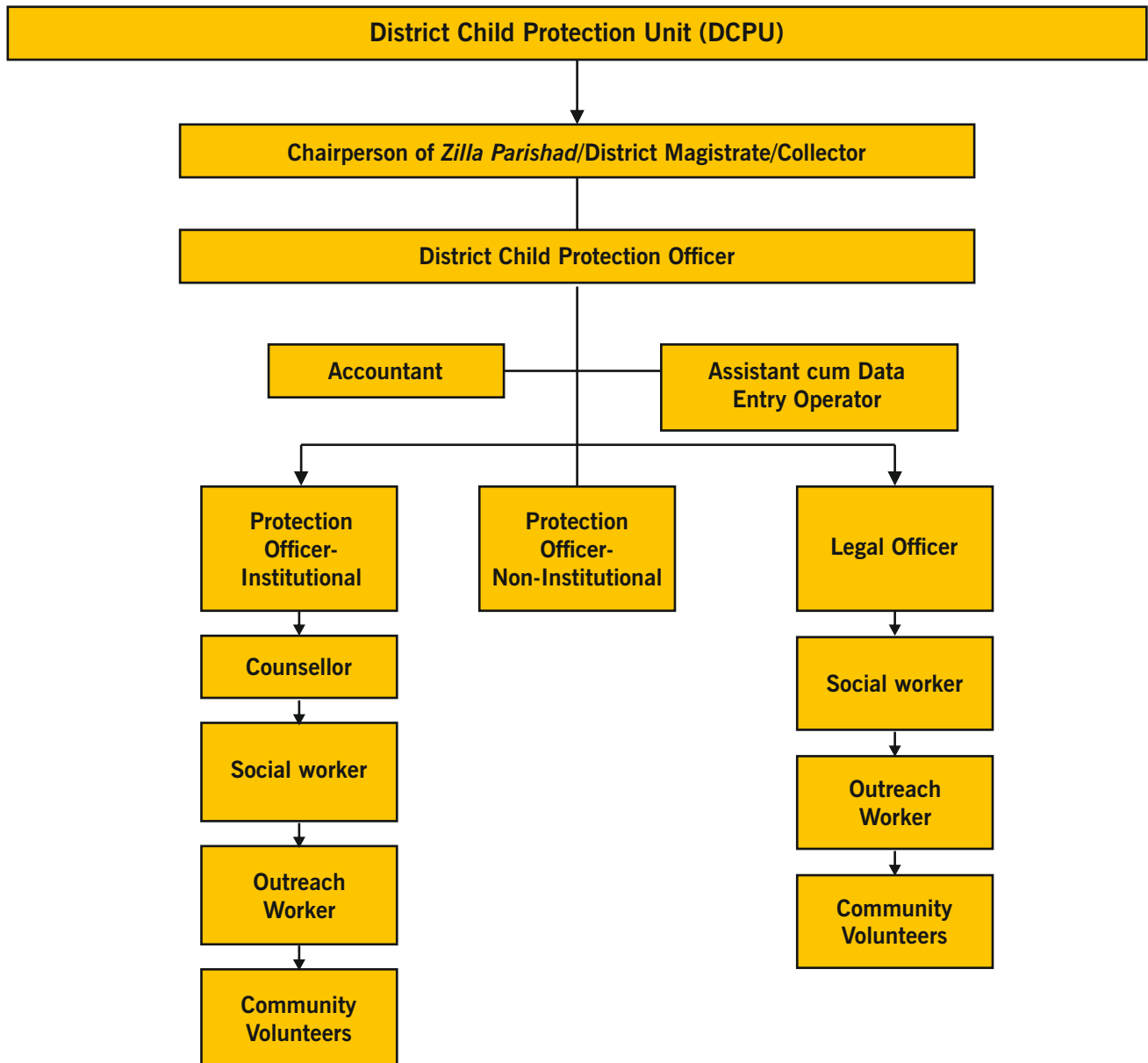
Table 1: Key Institutions Responsible For Service Delivery Under CPS

<p>National Level</p>	<ul style="list-style-type: none"> • Childline India Foundation - a voluntary organization established by the Government of India. Under CPS, Childline Foundation is the nodal agency setting up, managing and monitoring the CHILDLINE service. • National Institute of Public Cooperation and Child Development (NIPCCD) - has the responsibility of carrying out all child protection training and research activities in the country. • Central Adoption Resource Authority (CARA) functions as an autonomous body under the MWCD and as an advisory body for in-country and inter-country adoptions.
<p>State Level</p>	<ul style="list-style-type: none"> • State Child Protection Society (SCPS) - is the fundamental unit for implementation of the scheme in every State/Union Territory (UT) and is under the Secretary of Child Welfare/Development in the state. • State Adoption Resource Agency (SARA) - is a unit under the SCPS. It coordinates and monitors adoption in the state and provides support to CARA.
<p>District Level</p>	<ul style="list-style-type: none"> • District Child Protection Unit (DCPU) - is the fundamental unit for implementation of the scheme in every district. • Sponsorship and Foster Care Approval Committee - is present in each district to review and sanction sponsorship and foster care fund. It functions under the District Child Protection Officer. While sponsorship aims at giving support to families in conditions of extreme deprivation to raise their children, foster care is a non-institutional programme that provides temporary/substitute care for children through foster families/parents.
<p>Village & Block Level</p>	<ul style="list-style-type: none"> • Block Level Child Protection Committee (BCPC) - is under the chairmanship of the Block/Ward Level elected representative with the Block Development Officer (BDO) as member secretary. It is responsible for recommending and monitoring the implementation of child protection services at block level. • Village Level Child Protection Committee (VCPC) - is under the chairmanship of the head of the <i>Gram Panchayat</i>. It is responsible for recommending and monitoring the implementation of child protection services at village level.

Source: ICPS Revised Guideline, 2014

V. District Child Protection Unit (DCPU): An Overview

Figure 2: Institutional Architecture of CPS at District-level Responsible For Implementation of the Scheme



Source: ICPS Revised Guideline, 2014

District Child Protection Unit (DCPU) is the fundamental unit for the implementation of CPS at the district level.

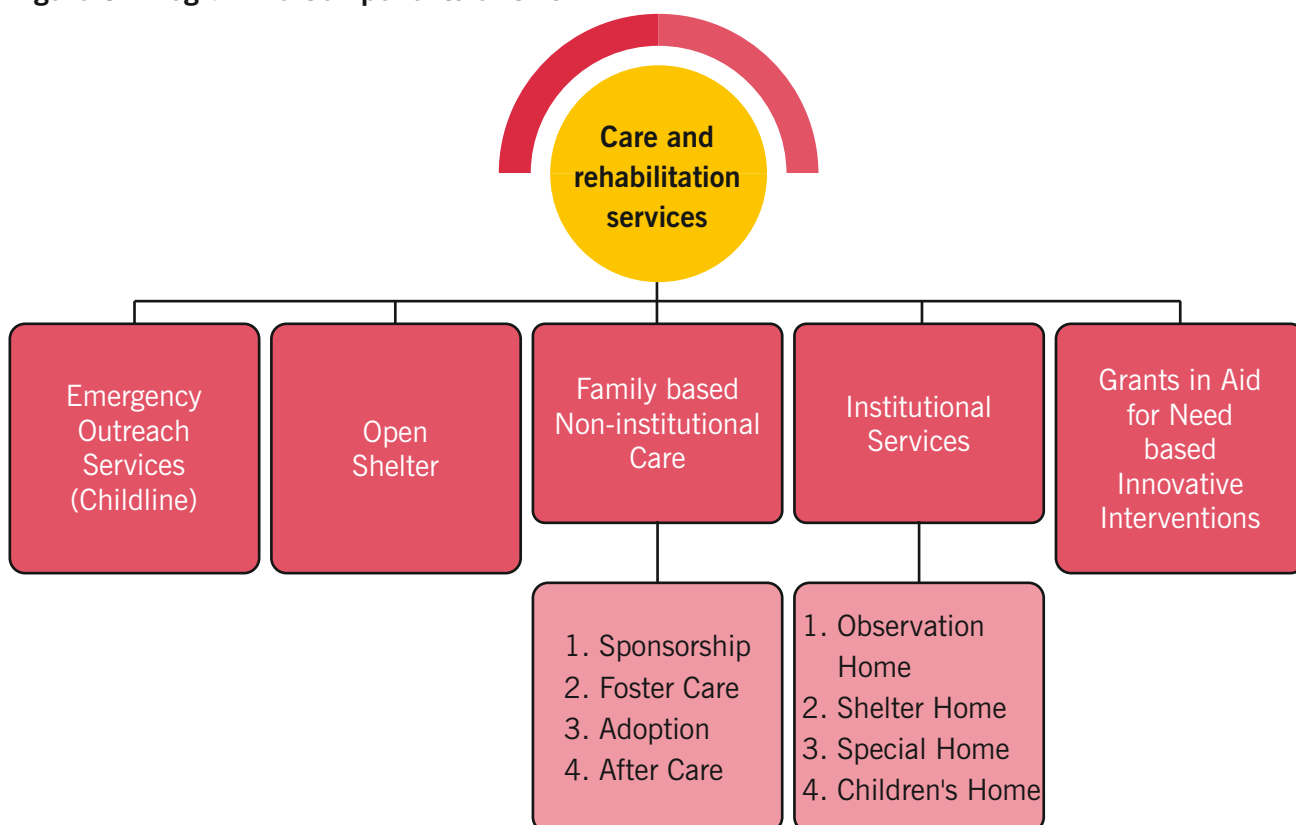
The *Zilla Parishad* Chairperson/District Magistrate/Collector is the chairperson of a DCPU. All staff members of DCPU are engaged on contractual basis. The scheme allows flexibility for staff on the basis of the geographical spread and population of the State, with the approval of PAB. A DCPU is responsible for the following:

- Undertaking needs assessment, mapping of services and supporting the implementation of non-institutional programmes available to children in difficult circumstances, and vulnerable children and their families in a district;
- Coordinate and implement all child rights and child protection activities at district level;
- Setting up the District, Block and Village level Child Protection Committees for effective implementation of the programme;
- Facilitating effective implementation of all child protection legislations, schemes, adhering to the National or State rules and guidelines;
- Coordination with all government allied departments and voluntary organisations at the district level;
- Capacity building of all professionals working under the Child Protection system and liaise with the State Child Protection Society (SCPS), State Adoption Resource Agency (SARA) and DCPU of other districts;
- Maintaining database of all children availing services at the district level and provide secretarial support to the District Child Protection Committee (DCPC).

VI. Programme Components of CPS

The programme components of CPS which are being delivered through DCPU are mainly care and rehabilitation services (Figure 3).

Figure 3: Programme Components of CPS



Source: ICPS Revised Guidelines, 2014

- **Emergency Outreach Services:** Childline is a toll-free 24/7 emergency phone outreach (by calling 1098) service for children in need of care and protection which is operational in all districts of India.
- **Open Shelters:** CPS facilitates setting up of open shelters particularly in the urban and semi-urban areas. Generally, homeless children, street children, working children, child substance abusers and child beggars, left on their own and in need of care and support, residing in urban areas are given shelter here. These Open Shelters also have provisions for health care, quality and flexi-time education (including connecting with mainstream schools) and vocational training and have space where children can safely keep their belongings and earnings.
- **Family based Non-Institutional Care:** The Juvenile Justice (Care and Protection of Children) Act, 2015 provide for the rehabilitation and reintegration of children through sponsorship, foster-care, adoption and after-care. There is a provision of Rs.10 lakh per district per year with the DCPU for the Sponsorship and Foster Care Fund. Specialised Adoption Agency (SAA) in every district is responsible for the placement of orphaned, abandoned or surrendered children for adoption. Under the provisions of after-care, financial support has to be provided to children who leave institutional

care after attaining 18 years to help them transition into independent life. The funds for managing the after-care Program are provided to the SCPS at the State level, based on the number of districts in the State. Andhra Pradesh with 13 districts (Norm is less than 15 districts will get 15 lakh) gets Rs. 15 lakh and Uttar Pradesh with 75 districts (norm is more than 30 districts will get 45 lakh) gets Rs. 45 lakhs.

- **Institutional Services:** These services are provided by Child Care Institutions (CCIs)¹ under the supervision of DCPU. In the CCIs, children are provided age-appropriate education either within the institution or outside in a formal education system through convergence with other schemes and programs of the Government and civil society initiatives. All CCIs are registered under the Juvenile Justice (Care and Protection of Children) Act, 2015.
- **General Grant-In-Aid for Need Based/Innovative Interventions:** Through this intervention, the scheme caters specific needs of a district/city. For example, special programs for children of sex workers, children of prisoners, children in need of rehabilitation post a disaster are some of the interventions covered through this grant in aid. The SCPS has a provision of general grant-in-aid fund of Rs. 15 lakh under which such projects are supported.

Table 2: Profiles of CCIs as on 2016

	Observation home	Special home	Children's home	Shelter home	Swadhar home	SAA	Combination home	Any other	Total
Andhra Pradesh	5	4	346	16	7	12	0	372	762
Uttar Pradesh	13	0	101	21	25	0	0	10	170

Note: Table does not include 34 CCIs/Homes in Uttar Pradesh in accordance with the request from the State Government
 Source: MWCD, 2018

Table 3: Capacity and Occupancy of Child Care Institutions Funded Under the ICPS as on 2014-15

State	Govt. run homes		NGO run homes	
	Capacity	Occupancy	Capacity	Occupancy
Andhra Pradesh	4870	3957	-	-
Uttar Pradesh	2410	1991	189	NA

Note: Data is not available for 7 government run homes managed by the Juvenile Welfare department in Andhra Pradesh
 Source: Policy Mapping and Analysis Report, Save the Children, 2016

¹ Child Care Institutions as defined in Section 2 (21) JJ Act, 2015, means a children's home, open shelter, observation home, special home, place of safety, specialized adoption agency, and a fit facility recognized under this act for providing care and protection to children who are in need of such services.

VII. Statutory Bodies under CPS

The statutory mechanisms, as per the Juvenile Justice (Care and Protection of Children) Act, 2000 and Amendment Act 2015, every district will have a Child Welfare Committee (CWC), a Juvenile Justice Board (JJB) and a Special Juvenile Police Unit (SJPU). Depending on the size of the district, population, and number of children, one or more of these can be established in a district.

Under CPS, there are provisions for infrastructure and financial support to facilitate the effective functioning of the CWCs and JJBs in every district. The scheme also has provisions to meet the salary costs of the two Social Workers who are to be deputed by the District Child Protection Society (DCPS) to the SJPU as and when necessary, in order to facilitate the functioning of the Unit.

Table 4: Nos. of CWC, JJB and SJPU

State	CWC	JJB	SJPU
Andhra Pradesh	22	13	13
Uttar Pradesh	71	75	81

Source: PIB release, 2018a, 2018b

Child Welfare Committee

Child Welfare Committee (CWC) deals with children who are in need of care and protection, and provide for their proper care, protection, treatment, development and rehabilitation. The CWC is constituted by the State Government through a notification in the Official Gazette. The Chairman and members of the CWC are appointed on the recommendation of Juvenile Justice Selection Committee (JJSC), set up by the State Government. The Committee consists of a chairperson and four other members, of whom at least one is a woman. Ideally, the members selected for the CWC should not be part of any adoption agency². The State Government provides training and orientation to all members of the Committee in child psychology, child welfare, child rights, national and international standards for juvenile justice as it considers necessary. The Committee has a tenure of three years and the Chairperson and members' tenure is co-terminus with that of the Committee. The Chairperson and members of the Committee are eligible for appointment for a maximum of two consecutive terms. Extension of the tenure of members of the Committee is done on the basis of their performance appraisal by the DCPU or the State Government and on the recommendation of the JJSC.

1. Juvenile Justice Boards

Juvenile Justice Boards (JJB) deals with matters relating to children in conflict with law. The appointment of Members in the Juvenile Justice Board is made on the recommendation of JJSC, set up by the State Government. The Board consists of a Metropolitan Magistrate or a Judicial Magistrate of

² Rule 20 (30 of the Model Rules 2007 states that while selecting the Chairperson and Members of CWC, the Selection Committee shall as far as possible ensure that none of them are from any adoption agency, a rule to avoid a possible area of conflict of interest.

the first class, as the case may be, and two social workers of whom at least one shall be a woman. A Magistrate with special knowledge or training in child psychology or child welfare is designated as the Principal Magistrate of the Board. The Board has a tenure of three years and the appointment of members is co-terminus with the tenure of the Board. A social worker as a member of the Board is eligible for appointment for a maximum of two consecutive terms. Any extension of the tenure of members of the Board is made on the basis of their performance appraisal by the DCPU of the State Government and on the recommendation of a Juvenile Justice Selection Committee.

2. Special Juvenile Police Units

Special Juvenile Police Units (SJPUs) have been set up to handle matters concerned with children in conflict with law and children in need of care and protection. The SJPU consists of a Juvenile or Child Welfare Officer of the rank of Police Inspector and two paid Social Workers with experience in working with children. One of the Social Workers must be a woman. Every police station designates one officer as the 'Juvenile' or 'Child Welfare Officer' who has the aptitude, appropriate training and orientation to deal appropriately with children.

VIII. Fund Flow Architecture: CPS

CPS is a centrally sponsored scheme. Thus, the responsibility of financing the scheme rests on both Centre and the States. In order to create a protective environment for children in all parts of the country, CPS envisages the expansion of this service to all districts/cities through a 'mother NGO' and other NGOs and Specialized Adoption Agencies (SAA), to facilitate the implementation process. Under the scheme, financial assistance is provided to State Governments/UT Administrations and NGOs for various interventions for children including children above 18 years of age. The financial norms of CPS (ICPS) were last revised in April, 2014.

At present, the scheme is getting implemented through the following fund sharing pattern between the Centre, State and NGOs.

Table 5: Fund Sharing Pattern under CPS

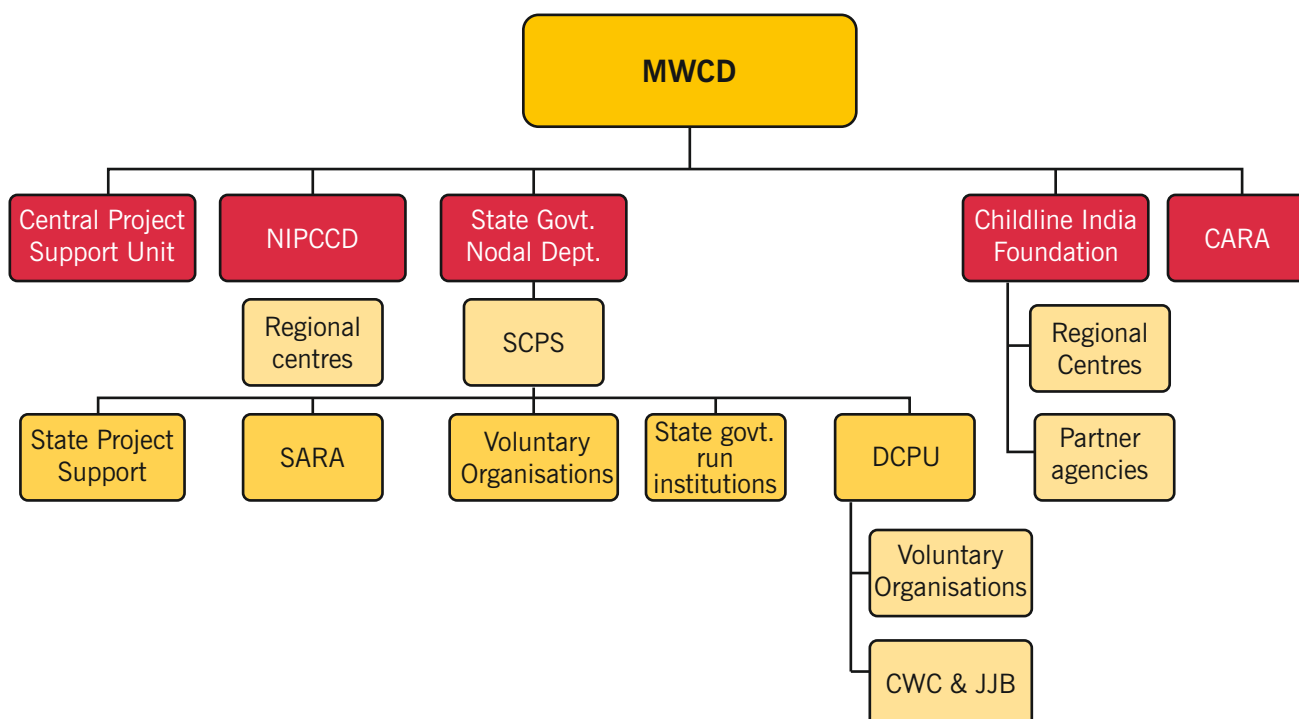
Components	Centre share	State share	NGO share
All structural components of SCPS, SARA and DCPU	60%	40%	–
Regulatory bodies provided for under the JJ Act, i.e., JJB and CWC	35%	65%	–
All Homes/SAA run by Government	75%	25%	–
All Homes/SAA run by NGOs	75%	15%	10%
Open Shelters run by NGO participation	60%	30%	10%
Central Project Support Unit (CPSU)	100%	--	–
CARA	100%	--	–
Regional Centers of NIPCCD	100%	--	–
Regional Centers of 'Mother NGO'	100%	--	–
Childline Services managed by a 'Mother NGO'	100%	--	–

Source: ICPS Revised Guidelines, 2014

With the revision of ICPS guideline in 2014, there were some changes in the financial norms. These include:

- (i) The maintenance grant of Rs. 2000 for children has been increased by eight per cent annually in homes, open shelters and SAAs.
- (ii) Sitting allowance of CWC and JJB members have been enhanced from Rs.1000 to Rs.1500.
- (iii) Increase in programmatic allocation for Childline Head Office and its regional centers by Rs. 9.7 crore for protection services

Figure 3: Fund Flow Mechanism Under CPS



Source: ICPS revised guidelines, 2014

Step 1: The MWCD provides funds to the States. In Andhra Pradesh, the money flows through state treasury to the Women Development and Child Welfare Department and in Uttar Pradesh, it flows through the Department of Women and Child Development.

MWCD also provides 100 per cent funding to ChildLine services, NIPCCD and CARA.

Step 2: The concerned departments in the state transfer their share of funds along with the funds received from MWCD directly to the Bank Account of the SCPS within 15 days of receiving funds from the Centre.

Funds are disbursed from the ChildLine India Foundation (CIF), Mumbai to the organizations delivering services in the States.

Step 3: SCPS disburses the funds to the DCPUs and voluntary organizations under different components of the Scheme within 15 days from the date of receiving funds from the State Government.

Step 4: DCPU releases funds to CWCs and JJBs in the form of Grants in Aid. The Scheme provides both recurring and non-recurring grants to these statutory bodies - a construction and maintenance grant for setting up new CWC/JJB and a maintenance grant only to existing CWCs for their day-to-day functioning.

Step 5: Fund released from the MWCD to the state government, if unutilised, is returned back to the Union government and reallocated to states which are in need of additional resources.

VIII.a Tracking Budgets for Child Protection Service in Andhra Pradesh and Uttar Pradesh

Table 6: Status of the Fund Released by MWCD and Fund Utilized Under CPS as on 31.03.2019 (Rs. Crore)

States	2016-17		2017-18		2018-19	
	Amount released	Amount utilised	Amount released	Amount utilised	Amount released	Amount utilised
Andhra Pradesh	1.1	5.9	14.7	15.4	18.7	14.8
Uttar Pradesh	32.1	31.1	18.3	42.2	78.3	53.5

Source: PIB Release, 2019

Table 6 describes the pattern of fund allocation by MWCD to states and how states are utilising the fund. A higher utilisation amount as compared to release amount indicates either spillover from previous year or need for higher allocation from the Union Government under CPS.

Table 7: Government Expenditure on ICPS/CPS (Rs. Crore)

	2017-18 (A)	2018-19 (BE)	2018-19 (RE)	2019-20 (BE)
Andhra Pradesh	46	63	13	58
Uttar Pradesh	138	247	237	314

Source: State Budget documents

IX. Monitoring Mechanism

The monitoring mechanism for juvenile justice and child protection has been prescribed under Section 54 of the Juvenile Justice (Child and Protection of Children) Act, 2015 (JJ Act) and Rules 41 of the Juvenile Justice (Child and Protection of Children) Model Rules, 2016. Besides, the Government has legislated The Commissions for Protection of Child Rights Act, 2005 (CPCR), under which National Commission for Protection of Child Rights (NCPCR) and State Commission for Protection of Child Rights (SCPCRs) have been created as statutory bodies for protection of child rights. The Commissions are mandated to monitor the implementation of the provisions of the Juvenile Justice (Child and Protection of Children) Act, 2015 under Section 109 of the JJ Act, 2015.

Monitoring of the implementation of CPS is carried out at district, state and national levels (Table 8). At each level, a standardized format and a minimum set of input, output and outcome indicators for evidence-based monitoring has been established. At the district level, the DCPU collects, upgrades and maintains disaggregated database of all children in institutional and non-institutional care and children from vulnerable groups.

Table 8: Institutions Responsible for Monitoring of the Implementation of CPS

Level of Governance	Respective Monitoring Authority and their function
National Level	<ul style="list-style-type: none"> Project Approval Board (constitute of Secretary, MWCD; Additional Secretary, MWCD; Joint Secretary, MWCD; secretary of other relevant ministries like health, education, social welfare etc.; CARA, NIPCCD) <p><i>An annual review meeting of State Secretaries by MWCD, and conducting external audit in the area of child protection in the States periodically to oversee the implementation of the scheme</i></p>
State Level	<ul style="list-style-type: none"> Secretary, Department of Women and Child Welfare State Child Protection Committee (SCPC) (include members from the concerned government departments like health, education, labour, housing, judiciary, home, railways and members of the local bodies like PRIs, ULBs, voluntary organizations and members of the civil society) <p><i>The SCPC monitors the implementation of CPS on the basis of the state specific indicators. The Chief Secretary of the concerned State conducts an annual review of the implementation of the CPS at State level.</i></p>

<p>District Level</p>	<ul style="list-style-type: none"> • Chairperson of <i>Zilla Parishad</i> • District Magistrate • District Child Protection Committee (DCPC) (includes members from the allied government departments like health, education, labour, housing, judiciary, home, railways; members of local bodies like PRIs, ULBs; and members of voluntary organizations and civil society) <p><i>DCPC monitors the implementation of CPS on the basis of district-specific indicators.</i></p>
<p>Block Level</p>	<ul style="list-style-type: none"> • Block Level Child Protection Committee (BCPC) (under the chairmanship of the Block/ Ward Level elected representatives with the Block Development Officer (BDO) as the member secretary). It includes a member of the DCPU, one ICDS functionary, representatives of education and health departments, Chairpersons of the Village Level Child Protection Committees as well as respected community members and civil society representatives. <p><i>Responsible for recommending and monitoring the implementation of child protection services at the block level.</i></p>
<p>Village Level</p>	<ul style="list-style-type: none"> • Village Level Child Protection Committee (VCPC) (under the chairmanship of the head of the Gram Panchayat includes two child representatives, a member of the DCPU, Anganwadi workers, school teachers, auxiliary nurse midwives, as well as respected village members and civil society representatives). <p><i>Responsible for recommending and monitoring the implementation of child protection services at the village level.</i></p>

X. Accessing Budget Information for the District

1. What kind of budget information for the scheme is required?

Following are some of the key financial indicators which partially captures how good or bad a scheme is performing and the reasons behind its level of performance.

- Funds demanded
- Funds approved
- Funds released
- Funds utilised/Actual expenditure

For a better analysis, it is important to get the information across components and at least for the last five financial years.

2. Which government documents/reports/sources of data possibly have the required budget information?

Table 9: Documents with Financial Information on CPS

	Document/Report that has financial information
State	ICPS guidelines, Project Approval Board meeting's minutes (PAB), State Budget, Outcome Budget, Departmental Annual Report, Govt. orders, Audit reports, CAG reports
District	District Treasury, District Action Plan

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ICPS revised guidelines 2014: <https://wcd.nic.in/sites/default/files/revised%20ICPS%20scheme.pdf>

District wise crimes against children: <https://ncrb.gov.in/en/node/3009>

Uttar Pradesh ICPS Portal: <http://mahilakalyan.up.nic.in/ICPS.aspx>



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