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Recommendation of the Commission's
prepared and placed on 'A' for concurrence

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Chairman (Incharge)

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Issue order

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Before the Maharashtra State Commission for Protection of Child Rights.
Enquiry, under section 13(1) & 14 of the Child Right Protection Act, 2005.
with respect to children homes at District Ratnagiri.

C.R.No.325/2011-2012

Background:-

With respect to enquiry of Children Homes at District Ratnagiri.

The State Commission For Protection of Child Rights has received a letter from the Government of Maharashtra on the 4th June 2011, to enquire into children's homes running in the state, by private organizations and collect records from the office of the Commissioner, Women and Child Development, Pune, especially for those Children Homes which have been inspected, after constituting a committee at the district levels by the respective Collectors/C.E.O.s. The State Commission for Protection of Child Rights by issuing letter directed the Commissioner, Women and Child Development, to submit the report along with related documents for inspections of Children Homes in the Ratnagiri district as done by the team constituted especially for the said purpose however; Commissioner's office did not give any response. Thereafter the State Commission for Protection of Child Right (herein after called as Commission) issued a notice under Section 14(1) of Child Right Protection Act, 2005 to the Commissioner, Women and Child Development Department after which document alongwith report of the team, for twenty districts have been received viz for Latur, Parbhani, Jalna, Osmanabad, Buldhana, Wardha, Yatmal, Raigad, Mumbai City, Solapur, Kolhapur, Ratnagiri, Satara, Sangli, Sindhudurg, Nandurbar, Dhule, Ahmednagar, Akola, Yavatmal.

2. The State Commission for Protection of Child Rights (herein after called Commission) had allotted the work to its members / committee to enquire into the matter and submit the report. However, none of the members submitted their reports, even though primary enquiry in some cases was done by the member, Mr. Suryakant Kulkarni for the district of Osmanabad. Shri Suryakant Kulkarni has submitted the report to the Commission regarding some Children Homes. The report regarding the rest of the districts was not prepared by the members till their terms ended.

3. The Commission took the cognizance, issued the notices for hearing accordingly hearing took place on 6th January, 2012 at Kolhapur, called total 12 Children Homes working in the District Ratnagiri. The lists of Children Homes called for hearing are as follows:-

Sr. No.	Name of the Organization
1.	<i>District Pariviksha & Anurakshan Sanghtana sanchlit boys observation home, Ratnagiri</i>
2.	<i>District Pariviksha & Anurakshan Sanghtana sanchlit Girls observation home, Ratnagiri</i>
3.	<i>Pratibha Mahila Vasatigruh</i>
4.	<i>Mahe Sanstha, Shirur, Pune sanchalit Mahe Balgruh, Ratnagiri</i>
5.	<i>Matrumandir Gokul Orphanage Vasatigruh, Devrukh</i>
6.	<i>Sandipani Gurukul Sanchalit Balsadan, Sangameshwar</i>
7.	<i>Janakibai Tendulkar Mahilashram, Lanja sanchalit mahila vasatigruh</i>
8.	<i>Janakibai Tendulkar Mahilashram, Lanja sanchalit balgruh vasatigruh, Lanja</i>
9.	<i>Janakibai Tendulkar Mahilashram, Lanja sanchalit Girl vasatigruh</i>
10.	<i>Janakibai Tendulkar Mahilashram, Lanja sanchalit balgruh vasatigruh, Lanja</i>
11.	<i>Vatsalya Mandir Sanchalit Niradhar Balakashram Vasatigruh, Rajapur</i>
12.	<i>Bharatiy Samajseva Balsudhar, Chiplun</i>

4. Owners and Superintendent of Children Homes appeared before the Commission submitted detailed report regarding number of children, permission from C. W. C., category of the children, P. L. Account of the Society, bye-laws etc which was permitted to run the Children Home in the year 2008. In the district out of twelve children home, two are running by the Government. Except Children Home mentioned at S.N.11 other Children homes running in the district are old. Report submitted by team reveal that No. of children having both the parents are less, children either having one parent or orphan. Therefore majority of the cases fall under the category of fit children even in case of children having both parents having problem therefore in the district, it is appearing that children homes are not being used as hostel. However it required to undertake survey regarding problematic children and if required then new children homes may be permitted.

5. The Commission has given detailed report in the matter of the Children Homes, running in the Districts of Osmanabad, Beed, Nanded, Parbhani, Latur, and has prescribed modalities to licensing the homes, action against the persons / officers for whom omission and commission if happened and closer of the Children Homes etc.

6. File No.Bals./2008/C.R.36/8 received from the Government reveal, that in the Ratnagiri District, one Children Home was approved without following the due procedure.

7. In the District, Children Homes are running properly. Their records, P.L. Accounts, Balance Sheet are all in proper and legal way. However, in some cases children who do not fall under the category as mentioned in section 2d(I) to (IX) have been admitted while only those children who need care and protection are required to be admitted in the Children Home.

8. In view of the above observations, the Commission is making following recommendation:-

- (1) Permission was granted to run Children Home (in the year 2008) mentioned at Sr.No. 11 without following due procedure of law should be cancelled.
- (2) To undertake survey regarding problematic children who fall under the category of need for care & protection in the district.
- (3) On the basis of survey new children homes may be permitted.

By order and seal of the Commission



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 (A.N.Tripathi) 29.6.2015
 I.F.S.

Secretary
 Maharashtra State Commission for Protection
 of Child Rights.