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GOVERNMENT OF INDIA
MINISTRY OF WOMEN & CHILD DEVELOPMENT
SHASTRI BHAWAN, NEW DELHI-110 001
Website : <http://www.wcd.nic.in>

D.O.No.CW.II/5/2020-CW.II

Dated: 30th April, 2021

Dear Chief Secretary,

Today the Country is dealing with one of the most severe pandemics in recent history of human civilization. While we are resolute in our commitment to prevent and protect all our citizens, I wish to draw your attention towards the issues impacting children in these circumstances. Their perils range from loss of daily routine and related mental distress to losing their loved ones and parents to COVID.

2. The Ministry had issued advisories and guidelines for encouraging COVID appropriate behavior, monitoring of Child care Institutions and coping strategies during COVID times for de-stressing children, last year. Recently, support for Child psychosocial care & counseling by SAMVAD(Support, Advocacy & Mental health interventions for children in Vulnerable circumstances And Distress)-a national initiative managed by NIMHANS with support of Ministry of Women and child Development, has also been extended to all stakeholders vide OM dt. 27.04.21.I am hopeful that due action is being taken for care and protection of children already registered in juvenile justice set up, including Child care Institutions. However, immediate measures are to be taken for children recently orphaned due to COVID.

3. Under section 2(14) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter mentioned as the Act), children without parents or care givers are defined as children in need of care and protection. The Act and Rules made thereunder mandate a safety net of service delivery structures along with institutional and non-institutional care for these children. It also prescribes detailed Standard Operating procedure for rehabilitation of such children.

4. The Ministry is also implementing a Centrally Sponsored Scheme namely Child Protection Services (CPS) in partnership with the State Governments /UT Administrations for delivering the institutional and non-institutional care as stipulated under the Act. A 24x7 helpline for children, called Childline is also implemented under the scheme, for extending outreach and support to children in distress situations

5. In light of the foregoing, I would request you to direct the District Magistrate in all the Districts of your State/UT to ensure that immediate action is taken for rehabilitation of COVID orphaned children in accordance with the provisions of the Act, and rules thereunder, while leveraging the facilities funded under the scheme for Child protection Services.

6. It may be ensured that such children are produced before the Child Welfare Committee (CWC) within 24 hours, excluding the time necessary for the journey (Section 31 of the Act). Digital platform for interaction may be used in exceptional cases where physical interaction is not possible in current circumstances due to COVID related restrictions. The CWC shall ascertain the immediate need of the child and pass appropriate orders for rehabilitation of the Child(Section 37of the Act), either to restore the child to care givers or place her/him in Institutional or non-Institutional care, on case to case basis. Effort should be made to sustain the children in their family and community environment as far as possible, while ensuring their safety in their surroundings and safeguarding their interest, as prescribed under the Act. If the Child is restored to any kind of kinship care, CWC will continue to check the well being of the child on regular basis. Care must be taken to protect the identity of the Child to avoid undue distress to her/him, as provisioned under section 74 of the Act. COVID protocols as prescribed by the competent authority may be followed, while delivering these responsibilities.

7. The information about any child who has lost both the parents may be shared with Childline (1098). The local Childline unit will contact the child to confirm the case and ascertain the well-being of COVID orphaned child. Childline will help produce the Child before the CWC within 24 hours. Local Childline unit will also assist CWC in monitoring the well-being of the Child as and when required.

8. The District administration under the District Magistrate may take all necessary measures to restore normalcy in the life of COVID orphaned child on immediate basis. In this regard, the District Magistrate shall be assisted by all the stakeholder agencies, including those working for protection of children i.e. local Police, District Child protection unit, local Childline unit, Child Welfare Committees etc.

9. The District Magistrates may also be asked to review the action taken regarding such children on daily basis, and submit a report to the State government. State Commission for protection of Child Rights may also be involved in monitoring the status of these children. A weekly report may be submitted to Ministry in this regard.

10. Your personal intervention in this matter, along with periodic review, will be extremely helpful to ensure proper rehabilitation of COVID orphaned children on priority.

With regards,

Yours sincerely



(Ram Moham Mishra)

Chief Secretaries of States/Administrators of UTs