

**MUMBAI HIGH COURT
DIRECTIONS IN PIL 182/2010
PROMOTING AND PROTECTING RIGHTS OF INTELLECTUALLY CHALLENGED CHILDREN IN INSTITUTIONS**

Background: On 24 August, 2010, Mumbai Mirror reported the death of 5 mentally challenged children due to malnutrition and starvation at a government-recognized and aided home at Shahpur in Thane district. 18 children (13 boys, 5 girls) were subjected to severe malnutrition and unhygienic living conditions at the children's home, and some were also sexually and physically abused. They had been locked in a dingy room, where they ate, slept and defecated. In spite of being ill and malnourished they were not provided with any medical care. This was the first evidence of the breakdown of the regulatory machinery in Maharashtra state designed for the protection of children under Juvenile Justice (Care and Protection of Children) Act 2000. A division bench of Chief Justice Mohit Shah and Justice DY Chandrachud took suo moto cognizance and filed a PIL and the CWC and the DWCD were made respondents in the case. Dr. Asha Bajpai was appointed Amicus Curiae in this case and at her behest, a 6-member State Coordination Committee for Child Protection (SCCCP) was constituted to assess the condition of the other MDC Homes across the state.

Accordingly, the Committee appointed Divisional Committees and along with these members, visited 23 Homes and presented a report to the High Court. The Konkan Divisional Committee members, during their visit unearthed the sexual abuse of the 19 girls housed there. Legal action was taken and the girls were rescued. At present the Coordination Committee consists of the following members:

1. Dr. Asha Bajpai – Chairperson and Amicus Curiae
2. Dr. Harish Shetty - member
3. Ms. Sarita Shankaran - member
4. Mr. Pramod Nigudkar - member
5. Ms. Chitra Acharya - member

Nearly 49 hearings have taken place so far. The Coordination Committee has been giving regular updates to the Hon. Court on the status of children and the Hon. Bombay High Court has been monitoring the matter since 2010. The current Bench is of Hon. Justice Kanade and Hon. Justice Phansalkar Joshi.

Date of Directions	Directions by the Hon. Court	Action taken by concerned authorities	Impact on the Rights of Children
Prevention of abuse in MDC Homes			
14/12/10	<p>Formation of Divisional Co-ordination Committees: The concerned authorities shall issue necessary orders for constitution of the Divisional Coordination Committees for Child Protection for each of the six divisions.</p>	<p>State Coordination Committees and Divisional Coordination Committees formed to inspect the mentally deficient homes across the state and prepare a status report with recommendations to prevent incidents of abuse and neglect and to ensure proper implementation and enforcement of laws.</p>	<p>The Konkan Divisional Committee members during their visit unearthed the sexual abuse of the 19 girls housed there. Legal action was taken and the girls were rescued. This case was also included in the PIL 182/2010.</p> <p>Status Report on the Mentally Deficient Childrens' Homes in the State of Maharashtra prepared. The Report has given Home-wise, region-wise recommendations as well as recommendations for the entire state, for the improvement of the Homes in the best interest of children</p>
29/03/12	<p>Before any MDC home is to be shut down, steps must be taken for the transfer of the children in the home to an appropriate alternate home with requisite facilities, through the Child Welfare Committee. The State Government shall, within a period of one month from today, formulate an exit</p>	<p>An exit plan/crisis management protocol for taking care of the needs of children who are required to be relocated upon the closure of a home has been prepared on 2nd May, 2012 and the Deputy Commissioner (Child Development) has informed all District Women and Child Development</p>	<p>An exit plan helped the children who were transferred, to be mentally and physically be prepared for the changes.</p> <p>Benefits of Bal Sangopan Yojana scheme have been made available to</p>

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	<p>plan/crisis management protocol for taking care of the needs of children who are required to be relocated upon the closure of a home. However, in an emergency, a home can be closed down in the best interests of the children, but by providing for alternate care and rehabilitation of the children.</p>	<p>Officers to act in accordance with the plan.</p>	<p>3 inmates from Boys-Girls Mentally Retarded Home, Daund which was run by Shriram Development and Rehabilitation Centre for Mental Retardation, Daund, Dist. Pune which was closed down due to cancellation of its registration and recognition</p>
Licensing and Registration			
<p>16/09/10</p>	<p>A streamlined procedure for scrutinizing and processing applications for the conduct of children's homes shall be formulated. . For licensing, it was further directed that the procedure shall take due care to ensure that all applications are carefully scrutinized in order to verify the expertise of the persons involved in submitting the proposal, norms shall be framed in regard to infrastructural facilities which must be made available, finances must be available to run the home, nature of personnel who would be employed to conduct and manage the home, availability of medical and psychiatric facilities, nutritional requirements of the inmates and provision of vocational training. The State Government shall review all the licenses for running Homes for Mentally Deficient Children after</p>	<p>The DWCD revised its licensing norms. A revised licensing format was submitted by the High Court-Appointed Committee.</p>	<p>Online Registration of Homes and new licensing format was created by DWCD.</p>

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	ascertaining whether they are complying with all the terms and conditions of the license.		
11/03/11	The State Government shall review the procedure for granting licenses for running Homes for Mentally Deficient Children.	The Hon. Court was informed on 29 March, 2012, by the Special Counsel that the licensing protocol developed by the State Coordination Committee was adopted and being implemented by the State government.	DWCD cancelled registration of a few Homes due to irregularities and poor quality of care.
Victim, Witness Protection			
16/09/10	Steps shall be taken to ensure the security of all the inmates who had been lodged in the two Homes after their rescue.	24/7 security was provided through police for children who were rescued from the Home and were relocated in the two Homes.	Attempts were reportedly made by the accused to approach the children in an effort to threaten them. The security provided by the police at the two Homes where the rescued children were placed was increased. This gave them a secure environment.
09/12/12	The Officer-in-charge of the Trombay Police Station is directed to forthwith enhance the security cover provided for the children at the MDC Home at Mankhurd.	On 15 January, 2013, the Senior Inspector of Police, Trombay Police Station, submitted an affidavit to Hon. High Court in which it was stated that the security at the MDC Home at Mankhurd has been upgraded.	Children placed in Home following their rescue from their earlier Homes were to appear as witnesses in the criminal cases against their perpetrators. The Home did not have adequate security. The additional security at the Home helped protect the victims and child

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			witnesses.
11/03/11	The Committee appointed by this Court is directed to prepare the guidelines for Code of Conduct for Child Protection.	The Committee has prepared and submitted a draft code of all MDC Homes in the state and a draft Code of Conduct for Schools where special children from MDC Homes attend such schools to the High Court.	<p>Protocols drafted by the High Court Coordination Committee for the DWCD for training, inspection, licensing and dealing with child sexual abuse and malnutrition.</p> <p>Child Protection Policy and Code of Conduct framed for the staff of MDC Homes and for teachers and staff of Special Schools for dealing with children with disabilities was formed and disseminated by the High Court-appointed Committee.</p>
19/12/12	The Principal Secretary in the Public Works Department shall personally ensure that necessary steps are taken for providing proper fencing and gates at the MDC Home, Mankhurd. He shall depute a responsible officer who shall supervise the entire exercise which shall be completed no later than within a period of two weeks from today.	On 11 January, 2013, the PWD has constructed a 14 ft. wide gate and fencing to a height of 6 ft. to cover a <i>nalla</i> (open drain) in the premises of the MDC home at Mankhurd.	The children were more secure as this step checked instances of intruders or threats from the accused.
Investigation and Trial			
07/04/11	The Investigating Officer (IO) shall ensure that victims are given assistance of support persons from the members of CWC, Raigad and also from a psychologist and a	Even though the POCSO Act was not in operation at that time, the support person was provided to Investigating Officer.	This enabled the children to narrate their experiences to the Magistrate in detail, which lead to convictions in both the cases.

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	psychiatrist.		
04/05/11	New IO for further investigation	<p>The Mumbai Mirror reported 10 loopholes in the charge sheet filed. The Committee brought to the notice of the Hon. Court that further investigation is required. On 4 May, 2011, new Additional Government Pleader, stated that the investigation into the offence in relation to the inmates of the said home has been entrusted by order dated 3 May, 2011 to a lady ACP.</p> <p>The Director General of Police informed the Court on 7 July, 2011 and authorized suitable action against the officer who was conducting the investigation prior to lady ACP.</p>	Further investigation conducted by Lady ACP and charge sheet filed.
25/07/2011 and 24/06/13	An Action-taken-report on the inquiries conducted against the officials who are involved in respect to the violations that took place in the MDC Homes shall be placed on the record of this Court by 31 July, 2013 by the DWCD.	State Government-instituted inquiries into erring officials. As per an affidavit provided by DWCD on 24 September, 2013, a Departmental Inquiry is going on against 4 officers; the Government will take appropriate action against them.	Appropriate action taken after completion of inquiry.
29/07/11	Guidelines for cases of sexual abuse/assault/sexual offences against mentally deficient children, the following guidelines need to be followed by all stakeholders in a coordinated manner:	This matter came before the POCSO Act hence Guidelines for cases of sexual abuse/assault/sexual offences against mentally deficient children were required	For the first time in the criminal justice system, a group of mentally challenged, abused, orphaned children gave evidence before the court and secured convictions.

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	<ul style="list-style-type: none"> – A Crisis Intervention Centre which will be a recognized agency appointed by the Police and the Maharashtra State Commission for Children for responding to calls of sexual assault at the police station to provide counselling and other support services to victims of rape and sexual assault. – Every police station to have 24 hours a lady police officer or a designated police officer. – The presence of a support person permitted while recording the statement of the MDC. – The recording of statements of MDC will require a lot of time and patience on the part of the IO. They are special children and the IO will first have to build a rapport with the children as many of them will not speak initially. Statement must be recorded under S.164 CrPC before a Magistrate. – Assistance must be made available of sign language experts, counselors and psychiatrists, and a support person must be allowed to be present with the 		<p>These guidelines will be beneficial in all future cases.</p>

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	<p>child, at the police station and Court.</p> <ul style="list-style-type: none"> – A sexual assault forensic evidence (SAFE) collection kit consisting of a set of items used by medical personnel for gathering and preserving physical evidence following a sexual assault should be available in all government hospitals. – All hospitals must cooperate with the police and preserve the samples likely to putrefy in their pathological facility till such time that the police are able to complete their paperwork for despatch to forensic lab test, including DNA. – Child welfare committee shall monitor that the necessary medical and psychological aid and rehabilitation facility are provided to the MDC victim. – An endeavour must be made to commit such cases to the Court of Sessions expeditiously. – The Legal Services Authority to provide such victims with a counsel. – The Additional Sessions Judge/District Judge shall maintain language that could assist in recording the statement 		

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	<p>of witnesses as and when requested by the Sessions Court.</p> <ul style="list-style-type: none"> – The trial to be conducted through video conferencing. • Permitting use of a video tapped interview of a child’s statement by a Judge in the presence of a child support person. The cross examination of a MDC victim only be carried out by the Judge or an expert wherever required, based on written questions submitted by the defense upon perusal of the testimony of the MDC. <p>The learned trial Judge may also consider the feasibility of examining the child through video conferencing or in the chamber so that the MDC victim is not intimidated</p>		
Infrastructure and Repairs			
24/06/13	<p>The MDC Home, Mankhurd has written to the PWD pointing out that there is a leakage as a result of which serious problems have been faced in the monsoon. The PWD shall forthwith commence carrying on repairs to ensure that the children do not suffer from the monsoons. The Secretary in the PWD shall personally ensure that the direction is observed.</p>	<p>Repairs have been done by PWD to prevent leakage during monsoons in MDC Home, Mankhurd.</p>	<p>Children could avail of clean, dry rooms. There was no leakage in their rooms during monsoon. Their clothes and other belongings remained dry.</p>

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Capacity building			
15/09/11	<p>Having regard to the enormity of the problems being faced by the inmates of the Homes for Mentally Deficient Children, which are registered as well as unregistered homes, and in the other Children Homes and also the practical difficulties arising in implementation of the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000, the State Government shall organize a workshop of the District Child Welfare Officers as well as the representatives/members of the Child Welfare Committees of the Districts and the Police Officers in-charge of Special Juvenile Police Units in the State of Maharashtra who shall be called upon to participate in the workshop.</p>	<p>DWCD officers were given training on Care Plans.</p> <p>DWCD organized Training on Child Trafficking System for Chairman and Members of CWC, JJ Board and SJPU. 1410 CWC Members and Officers from 1162 police station participated in the training. The members of Coordination Committee were the resource persons</p> <p>Trainings were organized for the staff of MDC Home, Mankhurd on positive disciplining, mental retardation, child rights etc. trainings were also conducted for functionaries of 18 MDC Homes in Maharashtra on mental retardation, sexual abuse, J.J Act, POCSO, care plan development etc.</p>	<p>This sensitized the DWCD Officers, CWC members, police officers and staff of MDC Homes concerned officers to the issue of mental disability, care plan, JJ Act, POCSO Act, RTE Act, PWD Act, rights of children, and sexual abuse and how to deal with them.</p>
05/07/12	<p>Video-conference meeting with the Civil Surgeons: A serious grievance has been expressed about the fact that the manner in which the medical examination of the mentally challenged children had been conducted in the past was insensitive and the</p>	<p>High Court committee members held a video conferencing with civil surgeons throughout the state on sensitively handling the cases of child sexual abuse (CSA).</p>	<p>Through video conferencing, the civil surgeons of all districts were made aware of handling CSA cases of mentally challenged children. Further, repeated gynecological examinations were stopped and the</p>

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	<p>girls were subjected to repeated gynecological examination. The learned Amicus Curiae points out that this is a source of harassment to the girls and that a gynecological examination should not be carried out as a routine measure. We are in agreement of the suggestion and expect that the authorities would deal with the issue with sensitivity. The medical examination should be carried out having regard to the mental status of the children and in a manner that would not cause harassment to the children. Routine and repeated gynecological examinations affect the dignity of the mentally challenged girls.</p>		<p>process of health check-ups was streamlined and made sensitive.</p>
Implementation of JJ Act and other relevant Laws			
16/09/10	<p>The State Government shall take necessary steps for the constitution of advisory boards under Section 62, Child Protection Units under Section 62A, inspection committees under Rule 63 and District Protection Units under Rule 81.</p>	<p>The process of establishment of Advisory Board in each of the 13 Districts of State of Maharashtra has been initiated pursuant to the provisions of JJ Act, 2000 and Revised Act, 2006 and as per Rules 2002 and Revised Rules 2011.</p>	<p>Advisory Boards established in 13 districts in Maharashtra</p>
03/09/10	<p>The State of Maharashtra shall frame rules in compliance with the obligations cast by the Juvenile Justice (Care and Protection of Children) Act 2000</p>	<p>Till then Central Rules were being followed in Maharashtra. State rules of the JJ Act (amended 2006) were formed by the DWCD.</p>	<p>Rules to the JJ Act 2000 were framed by the Government for the State of Maharashtra.</p>
16/10/10	<p>Government grant to the homes for children at</p>	<p>The grants to the homes Of mentally</p>	<p>Increase in grants to MDC Homes</p>

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	<p>the rate of Rs.950/- per normal child and Rs.1140/- per mentally challenged child was provided. It is obvious that the norms prescribed by the statutory rules for physical infrastructure, nutrition and diet, sanitation and hygiene, clothing and bedding, etc., cannot be fulfilled with such meager amounts. The State Government will, therefore, have to consider revising the amounts of grant.</p>	<p>challenged children were increased.</p>	<p>may enable the Homes to provide better facilities to the mentally challenged children.</p>
16/10/10	<p>It was directed that a Co-ordination Committee is required to be appointed which can make appropriate recommendations to the State Government and co-ordinate the activities of various government agencies and the institutions recognized/to be recognized under the Rules of JJ Act.</p> <p>The Co-ordination Committee shall also suggest the names of sub-committees for each division of the 7 divisions in the State of Maharashtra, in consultation with Ms. Vandana Krishna, Secretary, Women and Child Development Department.</p>	<p>State Coordination Committee was formed.</p> <p>On 26 October, 2010, Hon. High Court appointed members of the Maharashtra State Coordination Committee for child protection.</p> <p>Additional Government Pleader placed on record Government Resolution dated 29 November, 2010 constituting the Maharashtra State Coordination Committee for Child Protection (hereinafter referred to as the "Coordination Committee") to assist this Court.</p>	<p>The State Coordination Committee with the help of Regional Committees prepared a report on the status of all MDC Homes in Maharashtra and gave Home-wise, region-wise recommendations and overall recommendations for the State. The Committee has been providing regular updates on the status of the children in the MDC Homes, compliance of the recommendation and the provisions of PWD Act, and highlighting issues in the implementation of JJ Act, in the interests of the children. (Ongoing)</p>
05/02/11	<p>The Department of Social Welfare through the Commissioner of Disabilities to issue</p>	<p>Instead of providing services from the Social Welfare Department, the MDC</p>	<p>It may be expected that the children will receive more specialized</p>

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	<p>appropriate instructions to the concerned resource persons and the persons in-charge of their training centers and speech therapist centers that resource persons may visit the homes for mentally deficient children to provide for all the necessary services like speech therapy, vocational training etc. to children in the homes for the mentally deficient children.</p>	<p>Homes were transferred to the Social Justice Department by a GR. The State Government issued a Government Resolution on 30 May 2012, under which the children in the MDC Homes in Maharashtra were transferred from the DWCD to the Social Justice Department.</p>	<p>services. Staff structures for these Homes have been approved and will be funded through the Department of Disabilities. This will benefit children as there is likelihood of children receiving more consistent and better quality care and the provisions of the PWD Act followed. The HC-appointed Committee is following up on the compliance of PWD Act, Rules and JJ Act. (Ongoing)</p>
11/03/11	<p>In order to ensure that the objects underlying provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000, including the provisions dealing with Homes for Mentally Deficient Children and rules framed there under as well as the Government schemes for providing assistance to such homes are fulfilled, the State Legal Services Authority as well as the District Legal Services Committees and Taluka Legal Services Committees shall extend necessary cooperation and assistance in each of the districts where such Homes for Mentally Deficient Children are being run.</p>	<p>District Judge and Civil Judge, Junior Division/J.M.F.C are paying inspection visits to MDC Homes in Maharashtra</p>	<p>Instances of abuse and neglect to the children can be reduced through regular visits by judicial officers.</p>

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	The Principal District Judge shall nominate a judicial officer of the rank of District Judge when the home is in the District Headquarters or Civil Judge, Junior Division/J.M.F.C. when the home is in the Taluka headquarters or a remote place, (preferably a lady judicial officer in either case) to submit reports about the manner in which the concerned homes for Mentally Deficient Children are run in their respective jurisdictions.		
07/04/11	The concerned authority in the State Government to renew the appointment of the present members of the Child Welfare Committee for Raigad District.	Interviews for CWC members were conducted by the Government	Child Welfare Committee members were appointed in every district in Maharashtra
07/04/11	The State Government will take necessary steps to fill vacant positions of Probation Officers.	Vacant posts for probation officers filled on contractual basis by DWCD	Appointment of probation officers on contractual basis.
5/7/2012	The State Government had issued a Government Resolution on 30 May 2012, under which the children in the MDC Homes are to be transferred from the DWCD to the Social Justice Department.	All MDC homes for orphaned children were transferred to the Department of Social Justice and Empowerment. Staff sanctions and processes are being finalized.	The Department of Social Justice initiated a detailed assessment of all the children at the MDC Home, Mankhurd headed by the group of experts. The other directions are being complied (ongoing)

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	<p>- The following provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 (PWD Act) should be complied in every MDC Home-</p> <p>Every child with disability has access to free education (Sec 26 a)</p> <p>Setting up of special schools (Sec 26 c)</p> <p>Vocational training facilities (Sec 26 d)</p> <p>Part-time classes</p> <p>Government to provide aids and appliances to persons with disabilities (Sec 42)</p> <p>To undertake rehabilitation (Sec 66)</p> <p>Disability certificate to be issued to all children (Rule 4)</p> <p>-As per the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act 1999, there is a National Trust for welfare of persons with mental retardation (Sec 3). All mentally challenged children in institutions should benefit from this trust.</p>		

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	-A time-bound plan of action and a transition plan must be chalked out for all the services and facilities to be provided to the mentally challenged children in the MDC Homes which will now be transferred to Social Justice Department.		
Right to Education			
24/06/13	The security, which has been provided for, these children in the MDC Home shall also be provided while they proceed to school, return from school, and when they are at the school. These directions are issued in order to ensure that the safety of the children is not compromised particularly having regard to the pending criminal trial.	The MDC Home was short of staff. Additional protection and security was provided to children attending school under SSA program through Trombay Police Station.	This additional security provided to the children enabled these children to attend formal school, which they had never had a chance to attend before this. The Right to Education of the children could be exercised.
24/06/13	The children from Thane and Panvel, numbering 12 who are personally lodged at the home for the mentally deficient children at Mankhurd will be attending school outside the MDC Home together with other children comprising a total of 25.	The SSA provided 3 teachers to provide inputs for the children at the CC Home school.	This was the first time these children with mental disability attended regular school. 25 children attended regular school under SSA program, 3 more children joined in the next academic years. Children showed remarkable academic progress. One of the children topped in his class. Other children participated in cultural

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			programmes and annual sports events along with regular children and won prizes as well.
18/09/14	Sarva Shiksha Abhiyan was directed, that the children with disability in MDC Home should be permitted to continue their education till the age of 18 years.	Children with disabilities were not allowed to continue schooling after 14 years. This direction enabled them to attend school under SSA program till they completed 18 years of age.	This ensured continuity of schooling for the children with disabilities till 18 years for all MDC children in Maharashtra.
24/06/13	The education of the children has been affected due to the lack of space in the school. Under the Sarva Shiksha Abhiyan, resource rooms are required for the children. The Assistant Commissioner of Police, Trombay Police Station occupies some of the rooms in the school. These rooms shall be vacated within a period of four weeks from today to make space for the activities of the children in the MDC Home.	The space occupied by Assistant Commissioner of Police, Trombay Police Station was vacated from premises of MDC Home, Mankhurd.	More space was available for activities with the children.
28/10/13	Since the premises, which were in the occupation of the ACP, have now been vacated, we direct that a resource room may be created for the children either in the school itself or in the MDC home with necessary aids to enable the children to develop in a proper manner.	Resource Room was created in CC Home School where children are attending school under SSA programme	Children were provided special inputs, which helped them to cope with the regular school.
Health and Mental Health			

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30/09/10	Two girl victims of sexual abuse to be sent to KEM Hospital for treatment of post-traumatic stress disorder (PTSD) and security to be provided to them.	<p>The Secretary WCD transferred the two girls to KEM Hospital</p> <p>The Child Welfare Committee (CWC), Thane, directed the Special Juvenile Police Unit, Thane to provide twenty four hours' female security to the two girls at KEM Hospital, Mumbai</p>	The sexually abused victim girls, who were suffering from the complex post-traumatic stress disorder due to sexual abuse and exploitation, underwent psychiatric treatment and were later discharged.
16/09/10 and 16/04/14	The State Government shall issue instructions to the District Child Welfare Officer in each district, where the Homes for Mentally Deficient Children are run, to ensure that each child is medically examined. All concerned including the Public Health Department of the State Government and the Women and Child Development Department shall ensure that each inmate of the Homes for Mentally Deficient Children undergoes medical examination by a team of experts including physician, mental health expert, psychologist/psychiatrist and in case of a female inmate, a gynaecologist.	Medical Reports revealed that not only have the children been neglected but they have also been sexually abused. Medical and therapeutic treatment was commenced for all children at the local civil hospitals.	<p>Civil and Public Hospitals in all districts linked to MDC Homes in Maharashtra to regularly assess the children's health.</p> <p>Orientation of Civil Surgeons in Maharashtra on handling child sexual abuse through video conferencing.</p>

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07/04/11	Superintendent of each home for Mentally Deficient Children in the State of Maharashtra which are run by the State Government or NGOs shall be paid an amount of Rs.5000/- to be retained as petty cash/contingency medical fund for the purpose of medical expenses for such child and the necessary provision will be made by the State Government	The Superintendent of each MDC Home has been allowed to keep cash of Rs. 5000 towards medical emergency.	There is medical emergency fund and petty cash in each MDC Home in Maharashtra, which will ensure that children receive timely medical attention.
29/7/2011	Special rooms to be set up in all government hospitals for MDC victims to be examined and questioned in privacy. Psychiatric units must assign pediatric wards for the sexually abused children.	Letter written by DWCD to Directorate of Health Services communicating the Hon. Court's direction	Compliance of this direction to be obtained
24/06/13	Safe and filtered drinking water to be provided to all children across the State.	A water purifier has been installed in each of the 19 MDC Homes constructed in 13 districts of the State of Maharashtra	The children are assured of pure drinking water, which was found to be unavailable during the initial visit of the Committee.
Rehabilitation and Social Integration			
01/10/10	CWC, Thane shall take steps to publish the photographs of all the children in question in the electronic media and the local Marathi newspapers having circulation in different	Pictures were published in print and electronic media.	3 boys have been reunited with their families. (2 boys from Kavdas case and 1 from Ulhasnagar Home).

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	parts of the State. The exercise shall be monitored through the Women and Child Development Department with a view to tracing out the parents of the children.		
10/02/12	A rehabilitation project for 35 children rescued from MDCs at Thane and Panvel together with children under the age of 18 years in MDC Home, Mankhurd shall commence	A Field Action Rehabilitation Project called Chunauti was started with the support of Tata Institute of Social Sciences and external funding. The main objective of this project is to develop a model of rehabilitation for mentally challenged, orphaned children, which can be replicated in other Homes.	35 children rescued from the two homes as well as 58 minor children from the MDC Home, Mankhurd were covered under TISS Field Action Rehabilitation Project 'Chunauti'. Under this project, a detailed assessment was done of 93 children under the Project; 71 children were provided with Individual Counseling and 72 children were provided with Group Counseling. 55 children were trained in life skills along with 43 older inmates. 25 children were provided with Special Education. 28 children attended regular school under the SSA programme. 7 children are enrolled under NIOS. 33 children received Occupational Therapy. 30 children were trained in Dance Therapy.

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			28 children were trained in gardening 10 girls were trained in mehendi. 18 caretaker staff of MDC Home, Mankhurd were trained in Strategies of Positive Disciplining.
15/11/13	The Social Justice Department shall ensure that special teachers from the special schools shall periodically and at least once a week visit the homes for carrying out an assessment of all the children lodged in the homes.	Experts from special schools in visit the MDC Home.	The Department of Social Justice initiated a detailed assessment of all the children at the MDC Home, Mankhurd headed by the group of experts.
30/10/14	Child Welfare Committee, Mentally Deficit Home at Mankhurd and the Social Justice Department directed to make an assessment of all those children, who are kept in the home where the mentally challenged children are kept and if it is found that some of the children are in fact, not mentally challenged, they should be sent to homes for normal children and they should then be sent to normal schools.	One child with an average IQ was shifted from MDC Home, Mankhurd to BKN Home.	One child with high IQ moved out of MDC Homes to general homes. This child has received a new identity and has a better chance at social re-integration. 7 more children at the MDC Home, Mankhurd have been found to have IQ over 70. They will soon be moved out of the MDC Home
20/03/15	Principal Secretary, Women & Child Welfare Department and Social Justice Department to ensure that the Chunauti rehabilitation model is replicated in all the MDC Homes in Maharashtra	The Project Chunauti Model has been developed as a model of rehabilitation of children with disabilities in institutions. The Model will be presented to Government Departments, NGOs and Homes and they will be asked to replicate	The Project Chunauti Model has been developed as a model of rehabilitation and reintegration of children with disabilities in institutions. This model will enable all Homes to work towards

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		the same.	preparing proper individual plans for the rehabilitation and social integration of the children.
Compensation			
24/09/13	DWCD shall formulate an appropriate scheme for providing compensation, interim and final, to the children in the MDC homes who were subjected to child sexual abuse. DWCD to expedite the process of making available the compensation to the sexually abused children from the Thane and Panvel MDC Homes	The Manodhairya Scheme was formulated to provide compensation to the victims of sexual abuse and acid attacks. Under this scheme, compensation for 24 girls from the Thane and Panvel Homes has been approved.	Children will benefit from the compensation amount as it will help them in case of medical treatments, to enroll in better vocational training courses. etc.

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