

REPORT

SOCIAL AUDIT OF NON-GOVERNMENT AND GOVERNMENT WELFARE INSTITUTIONS

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GRAVE CONCERNS

INSTITUTIONS REQUIRING IMMEDIATE ATTENTION

While abuse, varying in forms and degrees of intensity, was reported to be prevalent in almost all institutions, there were certain institutions that stood out in a manner that was appalling. Almost all institutions were found to be running in violation of the respective schemes and the essence of the Juvenile Justice Act, but the residents' inalienable right to life was in question in certain institutions. Here, we list down the names of these institutions, along with the nature of abuse reported to be carried out in an attempt to draw attention to the moral degradation humanity has suffered and calling out for stringent action to be taken against them.

1. The **Girls' Children Home in Muzaffarpur** run by '**Seva Sankalp Evam Vikas Samiti**' was both found by us to be running in a highly questionable manner along with grave instances of violence that was reported by the residents. Several girls reported about violence and being abused sexually. This is very serious and needs to be further investigated promptly. Immediate legal procedure must be followed to enquire into the charges and corrective measures be taken. The situation, also materially, was found by us to be in an extremely deplorable condition. The girls had no access to any sort of open space and were literally locked up in their wards except for when they went to the dining hall to take their meals. Vocational trainings and recreation were also missing.
2. Serious physical Violence and Sexual Abuse were reported by the residents of the **Boys' Children Home in Motihari** run by '**Nirdesh**'. One of the staff members was reported to be involved in severe physical violence. Another pattern of abuse we encountered in this Home involved the staff beating 'all' children when a child or a group of children 'made mistakes'. When asked to elaborate upon the mistakes they could make in order for it to qualify as one deserving of a beating, these were some of the reasons they cited – '*badmasbi karna*' (naughty behaviour), '*bhaagne ki koshish karna*' (trying to escape), '*aapas me ladai karna*' (fighting amongst each other). The older boys were clubbed in for accommodation with the younger boys. Boys from both the groups reported sexual abuse and violence. This again, calls for immediate action by the concerned authorities at the district and state level. These incidents of violence and abuse must be promptly investigated as per the procedures laid down by the law.

On the day of the audit visit, all staff members except one person, who could not properly explain, what his role in the Home was, were absent.

3. The **Boys' Children Home in Bhagalpur** being run by '**Rupam Pragati Samaj Samiti**' was yet another home where grave abuse was reported. Only one member from the staff was reported to be in support of the children, for which he reported being targeted by the NGO Secretary. He spoke of how the Secretary was responsible for the suspension of the previous Home Superintendent, who was

empathetic and had constantly raised voice against the manner in which the home was running. Financial malpractice was also alleged to be carried out by the NGO. Audit team asked the 'complaint box' to be opened as few children spoke about writing the complaint letters. The keys were first said to be misplaced but later produced and complaint box was opened. There was huge stock of letters written by the residents providing details of violence and other violations being carried out in the home. The RTO, Ms. Rekha, was mentioned in almost all letters as being the most abusive both physically and verbally. There was no educational, recreation or vocational facilities available.

Letters written by residents should have been taken seriously by the institution and corrective measures should have been taken. Also, the 'key' for complaint box should not be kept with the institutions as that would deter the children from making any complaints as they would fear

4. The **Munger Boys' Children Home** run by '**Panaah**' was being run from a building meant for Observation Homes. It was also run in the same premises as the Observation Home in Munger and had the same barrack like infrastructure. The boys reported being forced to work for the Superintendent whose residential quarters were in the same premises. They were made to cook and clean for him and if they refused, as reported by the boys, they were beaten up. One of the older boys, suffering from hearing and speech impairment, and supposedly a very good cook, showed us a 3 inch long scar across his cheek from the previous time he was hit by the Superintendent when he refused to cook for him. Such behavior from an officer in charge of the institution can result in abuse at large scale and therefore district authorities must investigate this properly and take required measures.

Another really young boy, about 7 years old, also suffering from hearing and speech impairment, told us his hearing aid had been taken away by the staff. He requested us to ask them back for the aid. We did and he was handed it back but it showed complete lack of sensitivity on part of the concerned staff.

5. The **Boys' Children Home** in **Gaya** run by '**DORD**' was found to be running in a custodial and exploitative manner. The boys were always kept locked up. During FGDs, the boys spoke about how some of the female staff members were forcing them to write lewd messages on paper and passing them to another female staff member who had joined recently. Upon being enquired if they were beaten up, the children replied in affirmation. While there is a possibility of some staff dynamics coming into play where children were being used, the issue of children being beaten up has to be dealt with appropriately and firm action be taken.

6. Three Specialized Adoption Agencies – Patna's '**Nari Gunjan**', Madhubani's '**RVESK**' and Kaimur's '**Gyan Bharti**' were found to be running in a condition that is likely to be life-threatening for the residents. There were very few caretakers as against the number of babies and children who lived here. The infrastructure of these homes was found to be inappropriate for housing infants and young children.

The premises were unhygienic. The children in these homes seemed hungry and unhappy. The adoption process from the Homes' end was found to be very slow and the adoption rate very low. The staff reported not having been paid for long durations. Since this institution had residents who were too young to give information, we had to rely entirely on the FGD with the staff and on the physical condition we found these Homes in.

7. The **Government run Observation Home in Araria** had a particular security guard appointed by the Bihar Police who was reported to be carrying out extreme violence against the boys. One of the older boys showed us a mark that went across his entire chest and looked like a compression of muscle tissues in the area and swelling around it. Another boy showed badly bruised knuckles and said they received no ointments or treatment. The superintendent admitted to be aware of this and said he has already spoken to the concerned guard. However, he also sounded helpless saying the guard had been appointed by the State and was from the Bihar Police and he can't do much. The boys had intense feelings of hatred towards this particular guard. When we tried discouraging them from such thoughts of vengeance, one of the boys stated – “*Is jagah ka naam sudhaar grih se badal kar bigaad grih kar dena chahiye*” (This place should be called 'Destruction Home' instead of 'Correction Home'). Since the matter is already verified by the Superintendent, appropriate action, including removing the guard from posting at child care institutions, must be taken.
8. The residents at **Short-stay Home in Patna** run by '**IKARD**' reported violence. Several girls who had lost their way and ended up there but had the addresses and phone numbers of their homes reported not being put in touch with their families. One of the RTOs and the Accountant were reported to be both verbally and physically abusive. One girl had reportedly committed suicide about a year ago, unable to cope with the violent atmosphere of the Home. Another girl, who had her parents' phone number and repeatedly requested the staff to get her on the phone, reportedly lost her mental balance from the trauma she suffered there. The girls reported that they got no clothes, medicines, toiletries etc. The food was reported to be very bad. The overall living condition of the Home not satisfactory.
9. The residents of **Short-stay Home in Motihari** being run by '**Sakhi**' reported incidents of physical violence, especially against women and girls suffering from mental illness. The Counselor was reported to be resorting to violence. Many girls reported about not receiving sanitary pads regularly. The overall living conditions of the Home were questionable and not satisfactory.
10. The **Short-stay Home in Munger** run by '**Novelty Welfare Society**' had sublet a portion of the building to a family and was drawing a rent of rupees 10,000 a month from them. One of their staff lingered around while we tried conducting the FGD with the girls. None of the girls said anything except that the bathrooms had no latches from the inside and that they felt unsafe. During inspection, one of our staff got a locked room opened and found a woman/girl suffering from mental illness sitting on

- woman/girl
11. The **Short-stay Home** in **Madhepura** run by '**Mahila Chetna Vikas Mandal**' seemed to be coercive. One girl reported to have been brought there forcibly from the streets and was neither allowed to leave nor call her family. We wanted to look into her case details but since no staff except for the Cook was present at the time of our visit, it could not be done. The cook seemed too scared to speak anything. There were no cots and mattresses in the Home and the women/girls had been sleeping on the floor.
 12. The residents at **Short-stay Home** in **Kaimur** run by '**Gram Swaraj Sewa Sansthan**' reported to be facing abuse. The security guard was reported to be sexually abusive. The women/girls reported that he often passed lewd comments and has inappropriate conduct. The fact that Security guard manages day to day affairs of the Home provides him undue power and authority over the residents.
 13. Disturbing instances and patterns of physical violence and abuse were reported by the residents in **Sewa Kutir, Muzaffarpur** run by '**Om Sai Foundation**'. Few residents shared about some staff members being abusive. They had informed the doctor who visits on a weekly basis, about the beating. They also spoke about how they had been brought into the Home on the pretext of being given work. There was no first aid box or any emergency medicines found. We could not access mandatory documents since the staff said the keys to the cupboard that held all the records was with another staff who was absent on the day of the audit. Complaints of violence needs to be taken up seriously and concerned staff be dealt with accordingly.
 14. The conditions in **Sewa Kutir, Gaya** run by '**Metta Buddha Trust**' was unsettling. The residents were all painfully thin; sitting huddled up together in the hall. We noticed some of the staff members hovering and gesturing to the residents while we tried talking to them. Few young, working people had been brought there on the pretext of getting work. The Home was found to be running in a highly controlling manner. During the time that was allotted for recreation, the residents, even the old and frail, were compelled to play. There were a large number of people with mental illness and the residents reported that they could notice some of their friends there slowly losing their mental balance and they knew they would soon join them, but could do nothing but watch helplessly.
 15. **Kaushal Kutir in Patna** run by '**Don Bosco Tech Society**', though not a violent space is faced with the prejudices of the management. To begin with, physical violence and verbal abuse against both men and women were reported. One of the female caretakers, who was once homeless herself, was reported to be abusive towards the female residents. People had been brought on the pretext of work and made to stay for long. Men and women segregation was followed with an authoritarian intensity. They attended classes together and lived in the same premises but were never allowed to speak to or even look at each other each

ANNEXURE V

SOCIAL AUDIT TEAM

1. Qayam Masumi
2. Sunita Vishwas
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