

REPORT

Capacity Building and Methodology Development Workshop on Child Budget Analysis:

With Specific Reference to ICDS, ICPS and RTE Act, 2009



Venue: A. N. Sinha Institute of Social Studies, Patna

Date: 7 and 8 January 2014

Organised by: FLAIR and Save the Children

I. Context

Nineteen per cent of world's children live in India. India is home to more than one billion people, of which 43 crores are children, defined as persons less than 18 years of age. In articulating its vision of progress, development and inclusion, India has reaffirmed its commitment to fulfil children's rights, recognizing them as the nation's supreme asset. The Constitution of India accords a special status to children as deserving of special provisions and protections to secure and safeguard the entitlements of 'those of tender age.'

It is estimated that around 172 million or 40 per cent of India's children are vulnerable to or experiencing difficult circumstances or vulnerable which include children without family support, children forced into labour, abused / trafficked children, children on the streets, vulnerable children, children affected by substance abuse, by armed conflict / civil unrest / natural calamity etc. as well as children, who due to circumstances have committed offences and come into conflict with law. Survival, growth, development and protection of these very large numbers of children therefore need priority focus and attention.

In the last few years the entitlements of children in form of legislative and constitutional rights as well as those through programmes and schemes have seen a positive change. The major changes have been through the enactment and implementation of the RTE Act 2009, introduction of ICPS and revamping of ICDS. ICPS is an important programme in the light of POCSO Act 2012 and the amendment process underway for the JJ Act 2000. ICDS assumes a huge significance in the light of the National Food Security Bill and the acceptance of the importance of ECCE.

However, the financial norms for these programmes have not been developed from the perspective of entitlements of the children for ensuring their due rights. There have been demands raised by the civil society organisations for budget allocations and expenditure, but they have mostly been in terms of percentage increase and there has been no empirical basis to the demands.

Also, there has been no in-depth analysis of the under expenditure in the existing line items and their ensuing creation of backlog of deliverables that were due and how exactly do they manifest in terms of financial requirements in the subsequent budgets of the States and the Union.

II. INTRODUCTION

In this context, FLAIR and Save the Children are undertaking a process to inform the civil society's advocacy for budget allocation and expenditure, based on empirical evidence and analysis of State and Union Budgets.

We are taking up three most important programmes for this analysis and study in the light of the positive legislative and programmatic changes and will come up with a financial memorandum from a child rights perspective. We are taking up the Union Budget and the State Budgets of Rajasthan and Bihar as case in example and will also conduct empirical field study to find out the projects unit costs required for ensuring the rights of children as promised through these legislations and programmatic improvements.

The three programmes that we will study are – (a) ICDS, (b) ICPS, and (c) RTE Act, 2009 along with the implications from the State Rules and SSA.

The workshop at A. N. Sinha Institute, Patna was aimed at building the capacity of civil society organisations in Bihar to undertake the advocacy on budget allocations and expenditure and develop the methodology in a consultative manner.

It was a two day workshop with participation from prominent NGOs working on the issue and concerned government departments.

III. Session – Wise Report

DAY I – 7th January 2014

Introduction to participants and Welcome note by Mr. Rafay Ejaz Hussain-Save the Children

The capacity building workshop started with the ice breaking session; where the participants introduced themselves with a brief of their respective organizations work. Participants were from different NGOs and child rights based organizations.

Mr. Rafay Ejaz Hussain from Save the Children in his brief speech gave warm welcome to all the participants in the capacity building workshop and shared his thought as; in a country like India, the problem is not with the budget, rather lack of correct strategies for implementation and monitoring. The real need is of a constructive public participation during the implementation and monitoring of the programs and disbursement of budgetary funds. In view of the fact that no financial norms are being developed by the Government so far from the perspective of entitlements of children for ensuring their right, Save the Children and FLAIR is partnering to undertake a project to analyse state and union budget. Three important child specific Centrally Sponsored Schemes such as ICDS, ICPS and SSA(post enactment of RTE Act 2009) are taken up for this project to study the implementation status and conduct empirical field study to find out the project unit cost for ensuring rights of the children as promised. Main objective of this capacity building workshop, therefore, is to build capacity of CSOs on child budgeting analysis, share field level data collection formats and work out in collaborative way the possible areas for unit cost analysis that can further be studied to come up with final financial memorandums for the selected schemes. Mr. Hussain hoped that the workshop will be fruitful to attain the objectives set for it.



Background, context and proposed methodology by Ajay Sinha, FLAIR, Delhi

Mr. Sinha of FLAIR started with sharing present socio- economic situation of India's children as well as the context of the present study and proposed methodology to carry out the project. He mentioned that India is home to 43 crores children, defined as persons less than 18 years of age. The Constitution of India accords a special status to children as deserving of special provisions and protections to secure and safeguard the entitlements of 'those of tender age.' Around 172 million or more than 40 per cent of India's children are vulnerable to or experiencing difficult circumstances or vulnerable including: Children In need of care and protection (missing, runaway, abused, assaulted, trafficked, child labour, and street children), and children in conflict with law etc. Survival, growth, development and protection of these children need priority based focus and attention.

There has been huge jump in budget for rural infrastructure and social security schemes in India. However, none of the stimulus packages made any financial provision to develop areas that would impact children, through programmes such as Education for All (Sarva Shiksha Abhiyan), Integrated Child Development Services catering to children of 0-6 years, the National Child Labour Project and the Integrated Child Protection Scheme, among others. These schemes still have huge deficit in terms of infrastructural facilities such as class rooms, child care centres, Health sub-



centres, teachers and general staff, homes and courts for children. On one hand, there was neither any separate and targeted response for children, nor have any financial norms for these programmes been developed from the perspective of entitlements of the children for ensuring their due rights. Also, there has been no in-depth analysis of the under expenditure in the existing line items and their ensuing creation of backlog of deliverables. So far, demands raised by the civil society organisations for budget allocations and expenditure, but they have mostly been in terms of percentage increase and there has been no empirical basis to the demands.

Considering that the role of civil societies towards budget advocacy with legislatures based on empirical evidence and analysis of state/union budgets is utmost important, we are taking up, for our present study, three most important programmes viz. (a) ICDS, (b) ICPS, and (c) RTE Act, 2009 along with the implications from the State Rules and SSA. We envisaged analysing these schemes/programmes and coming up with a suitable financial memorandum from child rights perspective. Bihar is one of the States taken up for conducting empirical field study to find out the selected scheme's unit costs required for ensuring the rights of children as promised through legislations and different programmatic improvements. Mr. Sinha mentioned that the present workshop is, therefore, to build capacity of civil society organizations to understand the methods of union/state budgeting, implementation status and functioning of the scheme at service provider levels and financial gaps in those schemes. The agenda is to come out with

specific demands as well as the process to advocate for those demands to get maximum impact.

Keynote address by Prof. Nil Ratan, Professor and Registrar, A.N. Sinha Institute of Social Studies, Patna

In his keynote address, Prof. Nil Ratan of A.N. Sinha Institute of Social Studies discussed about the poor Nutritional indicators of children in Bihar and that children below 6 years should be the first priority of any state government before thinking about school going and adolescent age group. According to Prof, Nil Ratan it is by now well known to all, that the first five years are



critically important in the life of a person. Studies have shown that 90 per cent of the brain growth happens during this period. To put it differently, if children in the 1-5 year age group are not given nutritious food, they will never be able to reach their full potential. A large number of children in our country are born so poor that they do not get good food and are, consequently, unable to attain the capabilities they would have otherwise attained. The only national programme to address children in 0-6 years is the Integrated Child Development Services (ICDS) scheme, initiated as far back as in 1975.

Implementation status of ICDS and functioning of the AWCs are poor in all the states in India including Bihar. Budget allocations are not sufficient against the actual need which needs to be address. Prof Nil Rattan hoped that this workshop will be helpful in bringing out some sort of financial memorandum on the basis of actual requirements on ICDS.

Addressing children in school going age group, the Prof mentioned that after introduction of RTE there have been improvements in access and enrolment of children in Bihar. Considering retention of children especially girls utmost important, Government of Bihar initiated 'cycle poshak yojna' to distribute free cycles and uniforms to children UPS. Bihar is still lagging in terms of providing infrastructural facilities in school, addressing needs of differently abled children, children of SC/ST/Minorities etc. Free textbooks to SC/STs are often not supplied and sometimes supplied at the end of academic year hampering their education. RTE has enacted some norms and standards to be followed, though there is no financial memorandum. On one hand, the present study should analysis whether those infrastructural norms have been fulfilled or not. Secondly, there has to be unit cost budget requirement analysis on the basis of actual need to fulfill the norms and standards under RTE. He hoped that the workshop will be helpful

in bringing out the requirements at end user level on the basis of which further advocacy can be started.

Talking about protection of children in the state, Prof Nil Ratan mentioned that child protection in all the state and Union budget is the most neglected sector among child specific sectors. Child protection received only 0.04% of total Union budget in the FY 2013-14. Child labour, Migrant children, children in refugee status and many more categories are still not the focus of our government. The only program to address child labour has been NCLP which is also not functioning properly. Children rescued are not been rehabilitated into the NCLP schools in reality. Integrated Child Protection Scheme (ICPS) is the only national flagship programme started to address children who are in difficult circumstances. Although there has been service delivery structures clearly mentioned under ICPS, no financial memorandums are defined by the govt. The recent programme ICPS is still in a nascent stage in Bihar. Apart from registering the State Child Protection Society and District Child Protection Societies in all districts, nothing much has been done. Officials are not all recruited and functioning is not yet started. From the present workshop, we can get data on implementing status of ICPS and work out some sort of unit cost requirement at the district and statutory service structures such as CWC and JJB.

*SSA and RTE act 2009- issues and challenges in provisioning Session chaired by Prof Vinay Kanth;
Panelists: Mr. Mokhtarul Haque- BBA, Mr.Raghupati- SGSS*

The most significant development vis-à-vis Child Rights has been insertion of Article 21-A in the Constitution of India through the Constitution (86th Amendment) Act, 2002 to make elementary education a fundamental right, and its consequential legislation, the Right of Children to Free and Compulsory Education (RTE) Act, 2009, became operative on 1st April 2010.

Government has since revised the Framework of Implementation for Sarva Shiksha Abhiyan (SSA) to correspond with the provisions of the RTE Act, as also the fund sharing pattern between the Central and State Governments to provide for a more favorable sharing ratio for the States. The Government has also accorded approval to a financial estimate of Rs 2.31 lakh crore for the implementation of the RTE Act over a period of five years for the period 2010-15.

- Prof Vinay Kanth started with the present status of implementing RTE act 2009 in the state of Bihar. The implementation of the Act is not happening in Bihar. For example, RTE Act envisaged to set up SMC committee for each school which should start functioning properly by 2013. However, actually there has been huge delay in SMC set up and in Bihar the regulation for setting up SMC came in 2013 when the timeline for implementing the act was already over.

- Prof. Kanth expressed his unacceptance to merge Sarva Siksha Abhiyan along with RTE Act. According to him, SSA should not be merged to RTE act the way Union Government tried to shoulder implementation of RTE through provisioning under SSA. A programme and an act cannot be matched and we need to keep that in mind while finding out the unit cost.
- Secondly, Bihar Education Project Council has been shouldered to implement RTE act through implementation of SSA which is not correct, because BEP is a statutory body, not a part of government and they cannot be hold accountable for non effectiveness of RTE. NCPDR pointed out the same by saying that, there should be a nodal authority for implementing RTE act.
- Main different between our three selected schemes viz. SSA, ICDS and ICPS is that SSA is enacted already under article 21.A whereas other two schemes are not enacted. Norms and regulations under RTE is laid down in the act and that cannot be changed whereas we can do a detailed cost analysis and come up with financial memorandum for ICDS and ICPS for which there is no such enacted financial memorandum so far.
- While doing the analysis, we need to focus on the accessibility issues as well, that is, whether SC, ST, minorities and disabled children in school are being covered under RTE. Whether there is a ramp and special teacher in every school for differently abled Children, or scholarship and free textbooks/uniforms are provided to SC/ST children. The fund disbursement and their utilization to cover special categories of children are required to be looked at.
- The idea of introducing CESS was to provide additional resources to education budget. However, in reality, introduction of CESS was just to hallucinate people of the country showing increased fund for education. Budget analysis in India revealed that after introduction of CESS, education budget was actually declined and union govt managed to increase the total allocation to Education Department through collection of CESS.
- *Approach has to be bottom-up:* Planning process under SSA is not bottom-up in any state including Bihar, as envisaged under SSA. Actual requirements at village levels are not submitted to the block and upper levels. Habitation plans at the village level are not prepared in Bihar based on actual ground level requirements. Without decentralization, nothing is possible. According to RTE Act there has to be School Development Plans for every village which is not happening in any state including Bihar. District officials are generalizing the requirements whereas there has different requirements for different schools. This has to be taken into account and there has to be a detailed development plan and local planning according to the actual need in each school. Panchayat is only receiver of fund and they do not have any power in terms of financial and planning which is why actual requirements are not been tabled at district and state level.

- Underutilization of allocated funds is the main cause of concern. Fund disbursement is at stake mainly because of delayed disbursement of state matching share. For which there has been underutilization. There has been critical gap in Human resource which has to be filled up and we need to keep in mind that factor for effective implementation.

ICDS- issues and challenges in provisioning Session chaired by Dr. Nirupa Kumari Panelists: Dr. Papiya Raj-IIT Patna, Mr Pravind Praveen-OXFAM, Mr Manish-IIH

What's the status of the Indian children, 38 years after ICDS was started?

Since inception of ICDS in 1975, the programme has matured and expanded and covers over 16 million expectant and nursing mothers and over 75 million children under the age of six in India. However, though it is operational in almost every block, barely one-fourth of all children under six are covered under the very important supplementary nutrition component of the programme. On the other hand, the indicators that the ICDS attempts to improve (e.g. nutritional outcomes of young children) remain poor.



Therefore, the question here is not exactly about how much money the Central government spends on children but how effective the programme is in addressing the problem of under-nourishment of children.

- *Accessibility of resources:* Success of any policy that is made at the central involves availability of resources and utilization is the most important part. Accessibility of the resources to the targeted group at ground level has to be assessed for successful implementation of any policy and schemes which is not happening in country like India. What utmost important at this point is to make the policies realistic and approach has to be bottom up to make a policy accessible to those whom they are made for.
- According to Dr. Nirupa, Bihar is lagging behind the ladder in terms of health and development indicators. Also universalization is a big issue and there is a huge gap in no of AWC against the need.
- *Accountability:* The main objective of ICDS has been to make children healthy but we failed mainly because of lack of accountability. Provisions made in the ICDS are insufficient and so is the lack of human resources. No one is accountable to anyone and there has to be change in attitude of the workers at ground level, AWC in case of ICDS. And that is associated with providing training to the workers who are responsible in delivering services to children AWC level.

- *Gap in planning, Implementation, and monitoring:* According to Dr. Papia Raj, there is huge gap from planning to implementation at the ground level. Monitoring of all aspect for successful implementation and make the scheme accessible to target group is what needed. There has to proper monitoring of distance of AWC from habitations, availability of equipment and infrastructure at the centre, attendance of AWW and attitude of the workers towards children. Corruption is rampant everywhere. The anganwadis in the state spend more time in fudging of records than in serving the needs of children and lactating mothers.
- *Poor service and low maintenance:* Actual situation in most of the AWC is quite pathetic. AWWs are not empathetic towards children and so not bothered of performing their duties at the centers. Dr Papia mentioned in surveys of ICDS, it was found that weighing machine of newborn are not functioning, or even if functioning they are not being used. In certain AWCs the workers defended themselves saying that ‘we don’t need to weigh the child, we can guess the weigh just seeing them’. Mr. Praveen from OXFAM shared the same experience. In a survey by OXFAM, 3000 children growth chart was monitored in more than 1000 AWC in Bihar. Weight of the children have been generalized and recorded at 2.5 kg and the reasons behind this was lack of weigh machine (functional) in certain cases, or as the AWW are not bothered about taking weight of the children. The most important reason is, if the child is less that 2.5 kg, the AWW is responsible in continuous monitoring of that child what the AWW is not ready to or can not because of being overburdened with work at the center. Once again this is the question of Accountability. AWWs are not accountable to the CDPO or supervisor in reality, as there is no such monitoring mechanism at ground level.
- *Awareness creation:* Policy can be successful in the long run with intensive mobilisation and awareness proramme.
- The panel member Mr Manish shared a snapshot of Dalsinghsarai block in Bihar. There is huge shortage of AWC, PHC, CHC, district hospitals and referral hospitals. Anemia among women in reproductive age group is prevalent in the surveyed block which is leading to severely malnourished children or children with TB. Child TB patients accounts for almost 20% in the age group of 2-17 years
- *Poor Monitoring and service delivery:* According to one of the panel members Mr. Mokhtarul Haque of Bachpan Bachao Andolan, an 8 days residential Training has been imparted to AWW on IMECI and hundreds of crores of rupees allocated in India for this training. However the training is not been utilized at the ground level. Implementation status at AWC level is still the same which is mainly due to lack of monitoring at service provider level. Supervisory staff for ICDS is very less in Bihar resulting poor monitoring of activities.

- Mr. Mokhtarul also expressed his opinion that there has to be extensive involvement of people (social audit) for effective implementation. There has been reduction in Social Sector budget this year. However, what stands important at this point is, whatever available, let them utilize optimally. There is 5 years monitoring of every scheme by the govt, but lack of no close monitoring a service provider level hampers effectiveness of schemes. He suggested for our present study that the cost analysis for provision of food under ICDS has to be done keeping in mind the inflation (cost of food at current price)

ICPS: Issues and challenges in provisioning: Session Chaired by Prof Daisy Narain;

Panelists: Mr. Suresh-Prayas, Mr. Mokhtarul Haque- BBA , Mr. Saif ur Rehman- Save the Children

Children need special protection because they are particularly vulnerable to violence, exploitation, abuse and neglect. However, given that the exact and precise data on children in difficult circumstances is difficult to figure out, exploitation of children in most of the cases, go under reported. Children vulnerable in terms of the danger or risk to their right to survival/development/participation include are divided into two categories viz. i) Children in Need of Care and Protection and ii) Child in Conflict with Law. In order to provide for care and protection of all the children in



conflict with law and children in need of care and protection the Ministry of Women and Child Development has launched “Integrated Child Protection Scheme (ICPS)” in 2009-10 for implementation of schemes and programmes envisaged under JJ Act 2000/Amended JJ Act 2006.



Financial assistance is provided under the Scheme for construction of new Homes; up-gradation of existing Homes; setting up a system to track missing children; providing emergency help through child helplines etc. At the same time, family based non institutional care, as provided in the JJ Act is also supported under the Scheme through Adoption, Sponsorship and Foster Care.

- Prof Daisy Narain started the session saying that for effective implementation of any child specific scheme, there is utmost need of change in the public attitude. People should be empathetic towards children the way they are concerns for their own

children. Nation's children are our children too and it is we who can demand from the government for their rights as they do not have any political power and voice. Children therefore should be at the focal point of discussion in all seminars, symposiums and there has to be children participation in such seminars.

- Despite so many children are forced to work in our country, no programme and policies are effectively addressing the issue of child labour. No separate budget provision made by the govt for release and rehabilitation except NCLP which is also not functioning very effectively. In the National Child Policy came in force in April, 2013, there is no such mention of budget for addressing child labour issue. Under ICPS as well Child labour issues are not very well dealt with. Children in labour force are not addressed by CWC who are responsible to address children in need of care and protection though child labour comes under CNCP. Officials in Bihar were less or not at all aware of state action plan for rescue elimination and rehabilitation of child labour.
- According to the panelists, the state action plan for rescue, elimination and rehabilitation of child labour formulated in 2009 and all departments were shouldered to implement the action plan in a collaborated way. However, unfortunately, there is no budget provision for implementing the action plan and none of the department came forward with some allocation. No rehabilitation provision in any district except Supreme Court judgment 1996 that says defaulter employer will deposit Rs20000 per child rescued from that employee and along with that state govt will contribute 5000/ that has to be used in child's welfare and rehabilitation purpose.
- ICPS in Bihar is in a nascent stage yet and lack clear guidelines in many states including Bihar on how to implement the programme. According to all the panelists, ICPS did not achieve anything so far apart from the orientation/training programmes and formation of DCPU in all districts with absolutely no clue on the functioning of the unit.
- *Budget for ICPS:* There is very less allocation against the budget requirement. In Institution, expenditure on soaps bedding etc stands at 67/ per child. In SAA, 1000/ per child per month spent by state govt. No provision for intra state or interstate rehabilitation of Child in need of care and protection.
- *Lack of support system and human resource for CWC and JJB:* Sitting premise for JJB and CWC is very bad, no separate office for regular sitting and running its office has been provided under the scheme. CWC generally seats in the children homes, uses stationaries provided to the Homes etc. Lack of human resources, even Data entry operators are not provided by the department to CWCs towards maintaining children records/data base, typing orders, serving summons/orders etc.
- Functioning of JJBs is also poor in Bihar. There is no separate space for JJBs to operate and their sittings are very irregular. There are huge pendency because of reasons such as, frequent transfer of Magistrate from one district to another, lack of sufficient

training after new Magistrate takes charge and also lack of interest accorded by some of the principal magistrate to sit to resolve the cases. One of the panelists for the session mentioned that Principal Magistrate, JJB are not empathetic towards children and wants to be transferred to avoid their duties being in JJB.

- Though as per the government record, there are SJPU set up in all 44 police districts in Bihar, none of them is actively functioning. The SJPU teams are not aware of the JJ act and ICPS, neither the designated Child Welfare Officer in the police station are aware of their role under the scheme. The panelists mentioned that the Police officers need to be trained extensively towards capacity building and changes will be visible slowly.
- There has to be a citizen body to monitor activities at the home and not only that, there has to be an advisory juvenile board involving NGOs to discuss problems and monitor activities and functioning of JJB
- In the concluding note of this session, Prof. Narain mentioned that most of the homes in Bihar lack probationary officers. Child is best looked after in a non-institutional system. CWC members and chairperson are not really bothered about the children concerned and in certain cases members take money from the children in the name of rehabilitation.
- Training component budget has not been used though it is important. All child mapping and child tracking can be done at the Panchayat level. However, nothing has been done towards launching website under ICPS. Why can not departments come together in adopting the system of child mapping and tracking system?

DAY II – 8th January 2014

The day started with a quick recap of Day I by Mr. Ajay Sinha, FLAIR on the issues and challenges in provisioning for three selected schemes ICDS, ICPS and SSA-RTE. Some of the reflections (questions/suggestions/discussions) from the participants on Day I sessions came as follows:

- There is ultimate need of professional workers, counsellor etc. with proper salary who can counsel children at Homes under ICPS.
- After taking up a detailed analysis of unit cost as per actual requirements, we need to pressurize govt. to make proper financial memorandum component wise for each scheme. This is required for effective implementation of any scheme.
- Government is allocating fund for child specific scheme/programme based on the fund available with them, not per analyzing the actual requirement at ground level.
- Fund disbursing is delayed due to political reason especially the ruling party of State and Center differs.

- Mr. Amit from KVT shared that his organization has recently taken up a survey in schools to analysis school development fund, which is Rs. 10000/ allocated every year towards spending on children in school. However, requirements of children were not actually addressed. Children were not asked about their demand/need, neither any interaction between BEO, DEO on how to spend the amount. In the schools surveyed, main expenditure in school repair, whitewash etc though actual requirements were something else. Mr. Amit raised a question on whether we can build capacity among children so that they are able to demand for their requirements which can be taken to block and district level officer for needful spending.

Public Provisioning and Legislative Advocacy: Session by Mr Ajay Sinha-FLAIR and Mr. Abhijeet Nirmal-Save the children

In this session, the speakers built capacity of the participants on definition of budget, cycles of budget, budgeting processes and legislative advocacy. Participants were involved to reflect upon the issues and also clarify their queries.



- Mr. Sinha and Mr. Nirmal shared that budget is not merely an economic document but an indicator of State's priorities and intent. To undertake child budget analysis, the main documents referred was the *detailed demand for grants* of those departments where child component finds some place for plan and non-plan grants. Participants were demonstrated the copy of demand for grants to show the way to gather allocation and expenditure data of various child specific scheme/programmes. The research questions taken up in so far budget analysis were just to find out the i) share of children in Union and state budgets; ii) percentage of social sector spending on children; iii) trend of allocations on various schemes specific to children; iv) share of education and health as percentage of Gross Domestic Product (GDP) and v) pattern of utilization of allocated fund.
- The Rights of the Child are ensured through
 - o Legislature - formulation of Laws, policies, State rules etc;
 - o Executive - Designing programmes and their implementation, Budgetary provisions, monitoring etc.
 - o Judiciary - Progressive judgments, quick action in redressal.
- Cycles of budgets are consists of i)Formulation- Budget proposals of different states for various dept/ ministries are put together by Finance Minister; ii)Enactment: Proposals are debated, altered and approved by the Parliament; iii) Implementation: Govt policies

are carried out by different govt/ministries and iv) Actual expenditures are accessed and audited

- Budgeting processes consists of
 - Budget Estimates (BE) which is prepared by the estimating authorities according to the requirements of a particular year, keeping in view the actuals of previous years and trend of expenditure of current year as well as previous years.
 - Revised Estimates (RE) which is prepared in the middle of a financial year on the basis of actuals of current year, past years and taking into account appropriation or re-appropriation of funds, sanction to expenditure already issued or proposed to be issued during the remaining part of the year.
 - Actual Expenditure (AE) is the amount actually spent in the year.

The need for a study of this nature to calculate the requirement cost to operate and implement the schemes from the first principles was explained by Mr. Ajay Sinha and accepted by the participants. Only the basis of a calculation of this nature can a real budget advocacy be done because the demand for allocation and expenditure to ensure rights of the children has a real basis and cannot be based only on percentage increase or decrease – it has to match the costing for the schemes. This will be an exercise in developing that basis by taking three schemes as examples.

CB Session 4 – Issues in Budgetary Planning and Expenditure for ICPS; CB Session 5 – Issues in Budgetary Planning and Expenditure for ICDS; CB Session 5 – Issues in Budgetary Planning and Expenditure for SSA-RTE Act 2009; Data presentation by Dolon Bhattacharyya, FLAIR

Session Facilitation by: Ajay Sinha, FLAIR

In this session, Ms. Dolon presented gaps in functioning, fund flow processes and budgetary gaps in implementing three selected schemes, ICPS, ICDS and SSA-RTE.

ICPS:

- Some of the key areas highlighted including status of Bihar's children which is quite a cause of concern. Male to female child ratio in the 0-6 age group has declined in Bihar between Census 2001 and 2011. About 8.6% of different crimes committed against children in India in 2012 were from Bihar. 2546 children in Bihar are victims of trafficking and 276522 children in 5-14 years are working in Bihar
- Looking at the present status of ICPS in Bihar, it is observed that MoU implemented in Bihar in 2010 and the state society and all 38 DCPUs are registered though not functioning as of now. There are 28 CWCs, 38 JJBs and 44 SJPU are registered under ICPS. The state has 14 Children homes, 11 open shelter and 2 SAAs

- *Budget for ICPS:* As per demand for grants, an amount of Rs. 13.50 crore was allocated for ICPS in Bihar. Component wise budget for FY 2013-014 are as under:
 - o State Protection Support Unit(SPSU): 8.61 lakh
 - o State Child Protection Society(SCPS): 32.75 lakh
 - o State Adoption Resource Agency(SARA): 5.17 lakh
 - o District Child Protection Society(DCPS): 177.76 lakh
 - o Open shelter for CNCP: 50.94
 - o Government run SAA: 36.75 lakh
 - o NGO run SAA: 11.03 lakh
 - o Construction of maintenance of Homes: 213.69 lakh
 - o Maintenance of new and existing CWCs : 118.97 lakh
 - o Maintenance of new and existing JJBs : 89.96 lakh
- Going by the government's own record of fund disbursal at CWC and JJB , it was calculated that Rs. 3.71 lakh allocated to run one CWC and Rs. 2.37 lakh allocated to run one JJB in the state

ICDS:

- Nutritional development of children in the state of Bihar has been poor, as per government's own statistics. IMR is at 44 live births in Bihar per 1000 live births; 56% children in Bihar suffering from malnutrition; 26% children in Bihar are severely malnourished, 33% children are fully immunized and 78% of total children are anemic.
- *Status of ICDS in Bihar:* As of now there are 544 projects and 80211 AWCs reporting in Bihar; 35.08 lakh children and 7.10 lakh pregnant women were covered under SNP, 19.37 lakh children in 3-6 years benefitted for PSE.
- *Gaps in terms of coverage:* Still 38078 AWCs need to be constructed; almost 71% children under 6 years are to be covered under SNP; 52346 AWCs are not providing PSE; 207.61 lakh Adolescent girls are still out of coverage under ICDS; 51% of the Supervisor posts and 11.2% of AWW posts are still vacant; One CDPO is in charge of about 171 AWC and one Supervisor is in charge of 53 AWCs in Bihar.
- *Budget for ICDS:* As per demand for grants, Rs. 168.09 crore was allocated under ICDS in FY 2013-14. However, utilization of fund has been the area of concern, with 15.2% of allocated fund in 2010-11 and 62% of allocated fund in 2011-12 kept unspent.
- *Gap in required and actual allocation:* Estimated budget to run all functional AWCs in Bihar as on 2012 was calculated at Rs. 546.72 crore whereas the actual allocation for ICDS in FY 2012-13 was 403.78 crore leaving a shortfall of 142.94 crore

SSA-RTE Act 2009

- *Gaps against RTE act norms:* Pupil-teacher ratio is at 51:1 For PS and 55:1 in UPS against the norm of 30:1 and 35:1 respectively; 5.3% schools in Bihar are with single teacher and 4.7% schools running with only one classroom; only 46.6% of regular teacher are received trainings; 28% school lacks common toilet and 33% lakh separate toilets for girls; 48152 govt. schools runs without playground; 34159 govt. school runs without Boundary wall; 39182 schools do not have Library; 14998 PS did not received Teaching-learning materials; 34883 schools lack Kitchen shed.



- *Budget for SSA:* As per govt record, the **Approved AWP&B for SSA in 2012-13 was Rs. 10349.46 lakh.** It was calculated that 63% of allocated fund in 2011-12 and 49% of allocated fund in 2012-13 remained unspent. Teachers' salary and Infrastructure (civil works) the two resource-intensive components with 30% and 53% of fund allocation respectively.
- *Unspent balance:* Intervention wise % unspent as on 2012 has been as under
 - Teacher's Salary: 54.4%
 - Civil works: 69.5%
 - Out of school children: 75%
 - Distribution of textbooks, uniforms etc: 67.8%
 - Training: 80%

Open House, Group Work and Group Presentation

Participants were divided into 3 groups for this session with one scheme per group. Each group has been given formats of ICDS, ICPS and SSA-RTE with a set of questionnaire to jot down issues and challenges in implementation based on their own experiences. Each group presented the key issues that need to be taken care of further for this study.

Group Presentation:

Group 1 on ICDS:

- Community is less aware of their rights. So there is no motivation in registering children at the AWCs. Status of Birth registration is also poor in Bihar. Pregnant and lactating mothers are also not that motivated to be registered in AWC
- There is no such focus on identifying children with malnutrition.

- Budget for SNP is very low and not according to the actual need of how many children are to be provided
- There is no proper orientation and training for AWW and AWH
- No kitchen shed or space for cooking in the center. During monsoon, food is not cooked well due to lack of kitchen shed
- Family of the children of new born are reluctant in taking weigh of their children and that is due non-functioning of weighing scale or lack of AWW's efficiency to take their weight.
- Attitude of AWW towards children is not acceptable. This is because very less money is paid to them and AWW are overburdened in less wage.
- *Health check-up*: no medicine kit in AWCs and no such medicine for seasonal illness like diarrhea and pneumonia. AWW does not know what type of medicine to be given. Proper training are not yet provided to them. One counselor who is professional has to be hired and AWW's work has to be distributed
- *Equipment and record-keeping*: Lack of weighing machine or not functional. In nodal AWCs has all equipment
- *Pre-school education*: AWWs are not trained on how to provide PSE. No syllabus, TLM in the center and if available, its not been used in most of the cases.
- *Monitoring and evaluation*: CDPO's visits are very less or not at all visited. CDPOs are also overburdened.



Group 2 on SSA:

- Teachers' salary is not sufficient and not paid on regular basis, teachers are not motivated
- CRCs are overburdened.
- Lack of training to teachers. New teachers are not being trained in most of the cases
- Out of school children are not identified and very less access or no access of school for them. Long distance is sending girls to go to ECE centers
- Lack of building and sanitization.
- No special training for children differently abled.
- Textbooks not supplied to all

Group 3 on ICPS:

- *Time to Cases disposal* : taking a lot of time , not been finished in 3 months so children has to stay long in the observation centers
- CWCs are in general sitting in the children homes with 3-4 chairs and a table. Stationaries and papers are used from the home, as there is no separate set up for CWC
- Though government is saying there is 38 JJB in Bihar, actually 32 are functioning.
- Situation of observation home is very poor, children are not even provided blanket, no facility of drinking water within the premise.
- There are 44 SJPU according to the government, but in reality, police are not aware of the term even, neither the designated Child Welfare Office is aware of his designation under SJPU
- Attitude of the District Magistrate is bad and he does not cooperate at all with the two other members of JJB, sometimes do not allow the members to enter his cabin.
- All members of CWCs are not sitting on regular basis.
- Children are provided education inside home in the fear that if they are sent to school, they will escape. Therefore, education is not very well imparted to home children
- CWC and JJB are trained periodically taking 10 districts at a time
- There are 3 Adoption center in Bihar notified by the govt. Orphans identified by CWC are sent to Mother Teresa institute at ... district of Bihar, but, there is no such follow up on how orphans are rehabilitated from the institute.



Valedictory sessions: Chaired By Dr. Aditya Raj-IIT Patna

Speakers: (i) Mr. Rupesh Kumar, Right to Food Campaign, Bihar, (ii) Mr. Ajay Sinha, FLAIR

In this session, Mr. Rupesh Kumar reiterated the issues that had been discussed and shared during the preceding sessions of the workshop that need to be kept in mind while carrying out our present project further.

- Budget management is a politics and should be analysed in two aspects: firstly, based on the financial norms of unit, and how many children are covered, what is the allocation.

Secondly, actually how many children are need to be covered and what is the allocation, per child allocation and whether that is sufficient or need to increase the unit cost?

- Government data on budget allocations (increase or reduction) has to be studied and advocated in detail. Time period is also need to be taken into consideration during advocacy. Government data (yearly) recorded are manipulated and cannot be relied. The problem is periodical or month to month monitoring of government official data is not possible. Community/society should initiate to gather information on actual ground level requirements.
- While analysis differences of approved or released fund and under utilization of allocated fund for any specific scheme, we need to analyse the reason behind those gaps. For example, Budget for welfare of street children has been deducted as there is separate fund under SSA to address out of school children (EGE) which has not been spent most of the time resulting reduction of budget allocation for street children programme.



Mr. Ajay Sinha once again explained the methodology of the study and advocacy to raise demands on budget allocation and expenditure to ensure the rights of children and reiterated the timeline. He assured the participants that the study will be conducted within a time frame to publish the findings by 30 March 2014.

Dr. Aditya Raj in his valedictory speech reiterated the emerging problem of children in Bihar. He mentioned that we, the people need to gear up the right kind of values. Professionals need to be recruited especially for children in 0-6 years of age group. There are some indigenous practices that have to be enhanced and implanted through professional at the service delivery centers, that is, AWCs. The state needs to have proper teachers training. Instead of having IITs, the state now should have institute for teachers training for pre-school, primary and secondary. He congratulated FLAIR and Save the Children for undertaking this study and highly appreciated the methodology and the timeline.



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ICDS – Issues and Challenges in Provisioning:

Issues & Challenges in Registration			
Children (0-3 yrs)	Children (3-6 yrs)	Mothers	Adolescents
<ol style="list-style-type: none"> 1. Couldn't reach out because of caste differentiation. 2. Couldn't reach out because of distance barrier. 3. The village is in low catchment area and far from AWC. 4. Shortage of space in AWC. 5. Community Awareness. 6. Birth registration. 7. AWW never reach out to the needy families. 	<ol style="list-style-type: none"> 1. AWW doesn't know the difference between AMCs and SMCs. 	<ol style="list-style-type: none"> 1. Late registration. 2. Women hide their pregnancy. 3. Migration 	<ol style="list-style-type: none"> 1. Early Marriage. 2. Dropouts of many adolescent girls 3. Primitive practices. 4. Less no of adolescent girls register. 5. Lack of service delivery. I.e. medicines. 6. Less home visits

Issue and Challenges in Supplementary Nutrition			
Children (0 – 3 yrs)	Children (3 – 6 yrs)	Mothers	General Systematic Reasons for disruption
<ol style="list-style-type: none"> All needy children couldn't avail the services because of the shortage of items. The amount given is less as compared to market price. 	<ol style="list-style-type: none"> Lack of pakka kitchen shed. 		<ol style="list-style-type: none"> Delay in fund release. Late supply of THR. Work Pressure.

Issues & Challenges in Growth Monitoring of Children		
Children (0 – 3 yrs)	Children (3 – 6 yrs)	General Systemic Reasons
<ol style="list-style-type: none"> No regular weighing of children. Lack of proper knowledge and expertise to deal with children. Irregular growth chart fill up. 		<ol style="list-style-type: none"> Faulty and non-availability of weighing machine. Lack of training of AWW. More work pressure.

Issues & Challenges in Health Check Up – Medicine Kit			
Children (0 – 3 yrs)	Children (3 – 6 yrs)	Mothers	General System Reasons for disruption

<ol style="list-style-type: none"> 1. Non-availability of medicines. 2. Lack of preparedness and support by AWWs for seasonal diseases. I.e. Pneumonia 	<ol style="list-style-type: none"> 1. Non-availability of medicines 2. Lack of personal Hygiene and sanitary equipments. I.e. Hand wash. 	<ol style="list-style-type: none"> 1. Non-availability of medicines. 2. No proper/regular health checkups. 3. Pregnant women were unable to reach in AWC. 4. Change in date for THR. 	<ol style="list-style-type: none"> 1. Lack of supply of medicines. 2. Lack of information for prevention and precaution for seasonal diseases. 3. Less medicine kit. 4. Less home visits. 5. No referral services by AWW.
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Issues & Challenges in Availability of Equipments and Record Keeping						
Availability of Salter Machine	Availability of Weighing Machine	Availability of Growth Monitoring Register	Pre-School Education facility	Availability of Growth Utensils	Availability of Playing Kit	Availability of Furniture
1. Not used in	2. No where available. 3. Not		1. Lack of Pre-schooling		Not available	Not available

most of the centers.	<p>Working.</p> <p>4. No maintenance.</p> <p>5. Lack knowledge to operate</p>		<p>knowledge.</p> <p>2. Lack of space.</p> <p>3. No Syllabus.</p> <p>4. No knowledge of using TLM.</p>			
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Issues of Monitoring			
Visit of CDPO in AWC frequency	CDPO's role during visit	Visit of Supervisor in AWC frequency	Supervisor's role during visit
<p>1. More AWC's.</p> <p>2. Handling charge of double projects at a time.</p> <p>3. Lack of monitoring.</p>	<p>1. Proper direction for right things.</p> <p>2. Lack of follow ups.</p>	<p>1. Lack of supervisory training and orientation. I.e. for monitoring.</p>	<p>1. Proper direction and follow ups.</p>

ICPS – Issues and Challenges in Functioning and Provisioning

Service delivery structure: CWC and JJB

1. When were the CWC and JJB for districts constituted – examples of 10 districts (Name the districts)?

CWC	Year	No of CWC	No of JJB	Year

District 1 – Gaya	16/08/2012	5	2	
District 2 – Patna	10 – 11	5	2	
District 3 – M.Pur	10 - 12	5	2	
District 4 – Khagariya		5	2	
District 5 – Bhojpur		5	2	
District 6 – Bhagal Pur		5	2	
District 7 – Darbhanga		5	2	
District 8 – Munger		5	1	
District 9 – Purnia		5		
District 10 - Munger		5	1	
District 11 - Madhubani	05/01/2014		2	

2. What is the hierarchy structure in CWC and JJB

CWC:					
Name of District	No of CWC Members	Vacant position in CWC	No of sitting per week	Premises for CWC sitting	Status of training for CWC chairperson and members
11 district	5 CWC members (all district)		1) 3 days/week 2) 12 days/m	<ul style="list-style-type: none"> Gaya – ngo run home. Patna – Apna Ghar. M.Pur – ADDS 	<ul style="list-style-type: none"> No proper training as per rules of JJ Act.

			onth	office.	<ul style="list-style-type: none"> • Only onetime training of chairperson and member of CWC. I.e. once in 2012.
				<ul style="list-style-type: none"> • Khagariya • Bhojpur • Bhagalpur • Darbhanga – cwc directed children home • Munger – Children Home • Purnia – children home • Madhubani – ADDS office 	

JJB:					
Name of District	No of members in JJB incl. Principal Magistrate	Vacant Position	No of sitting per week	Premises for JJB sitting Home/court premises	No of training for JJB Principal Magistrate and members
JJB in 38 districts	3 Members per JJB all district in	No	20 days/month	OH	<ul style="list-style-type: none"> • P.M training time to time. • Members training at

	Bihar				Lucknow & ... & Bal Sakha
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3. Infrastructural support to CWC and JJB

- Whether CWC has separate office set up (including furniture, equipments, office documents etc)?

- Not Infrastructural support to CWC office
- No – Referral
- No – Stipend
- No – Office infrastructural Support

- Whether JJB is given separate set up (including furniture)?

A: Yes

Budget for service delivery structure: CWC and JJB

4. What is the functioning of CWC in withdrawal of children? What were the best practices taken by CWC of sample district?

There is lack of knowledge among members of CWC and JJB.

5. What is the detailed functioning and activities of JJB?

To deal with the issues of children-in-conflict-with-law and to restore them to their families within four month.

6. How much is provided per member per sitting in CWC and JJB?

CWC: 500/sitting $500 \times 12 = 6000$

JJB: 500/sitting $500 \times 20 = 10000$

7. Is there any fund on running the CWC and JJBs like furniture grant, maintenance grant etc?

A: - Not provided

**Budget in different types of Home
Emergency outreach services (CHILDLINE)**

- **How many CL services in the State (CHILDLINE)**

A: -13 in Bihar (Patna, Gaya, Munger, Vaishali, Darbhanga, Saharsa, Bhagalpur, Purnia, Kishanganj, Sitamarhi, Buxar, Katihar, Araria)

- **How the record of rescued children being maintained under Child-Line service for rehabilitation and restoration?**

Yes, maintain in collaboration center of child line.

Institutional Services: Different types of Homes

- **Apart from Superintendent, who are the staffs in these institutions?**

A: D.E.O (Government Teacher)...., P.O & Counselor supported by A.D.SS/D.C.P.O

- **Is there any “Probation Officer” in every Observation/Special Home (as depicted in JJ act)?**

A: Yes. (But lake of training between D.C.P.S staff)

- **What are the counseling and awareness facilities for children in homes?**

A: Group Counseling between children lives in home. Family counseling.

- **What are the vocational training facilities available to the children lodged in various homes?**

A: No

- **What is the type of training being given to the staff of homes and how many training programme are conducted in last 3 years?**

- **SSA- RTE Act, 2009 – Issues and Challenges in Provisioning**

Components	Issues and Challenges

Teacher's Salary	Not Regular, Unequal, Not Sufficient, Used in other governmental purpose
Teacher's Grant	Insufficient material, Government has stopped TLM
BRCs	Lack of professional training , Unprofessional work, Lack of coordination between teachers and BRCs
CRCs	Sudden work pressure, Burden of work
Teachers Training	Lack of training and orientation, Lack of workshops and seminars, no regular trainings
Out of School Children	lack of awareness among parents for education, Long distance between school and home, lack of resource material, lack of quality education, lack of protection for girl and special children, lack of water and sanitation
Special Training	No such training for any type of children
Free Text Books	Late and improper distribution
2 set of uniform to children studying in government schools	Not successfully distributed
Inclusive Education	Not found
Civil Works	Somewhere children trying to participate but a long gap is being found in between them
Teaching learning equipments	Not properly used
maintenance Grant	Not Sufficient
School Grant	Not Sufficient
Research & Evaluation	Not found
Management cost & MIS SPO	Nowhere found
Community Mobilization	Very low and not interested
Somewhere but very less	
Innovative Activity	Somewhere
Community Training	Not found
Management & MIS	Somewhere but not regular
Residential School for specific category of children	Not found
Any other	N/A