



Life on the streets: A young cobbler and his cousin, Central Delhi.

Photo Credit: Rahul M.

Little Men and Little Women of City Streets

Urban Street Children

Harsh Mander, Deepti Srivastava, Preeti Mathew and Satya Pillai*

'There can be no better measure of governance than the way we treat our children, and no greater failing on our part to allow them to be subjected to violence, abuse or exploitation.'

–Jessica Lange (UNICEF, 2004)

Street children challenge the social representation that childhood is always sheltered and protected. In fact, children in street situations are extremely vulnerable and endure severely deprived living conditions, a profound lack of protection and the basic support for nutrition, health and education. While India, the second most populous and one of the fastest growing economies, is home to the world's largest population of street children, we still do not have any definitive and accurate official figures of the number of children for whom city streets are home. They escape the attention and counting in all official censuses and surveys, including the decadal censuses, official national sample surveys, as well as surveys of out-of-school children; as these are designed and conducted around counting people who live in 'census houses' and their imagination very imperfectly includes people who are homeless, even less children who are alone on the streets. In fact they survive by keeping out of sight of all state authorities as they do not even have any proof of identification. Going by the findings of a recent survey (Save the Children report on Life on the Street, 2016, p. 34)

that street children constitute 0.5 to 1.4 per cent of the population, we can only broadly assume that there are likely to be anywhere between 1.5 to 5.3 million children on the streets in India today.

Table 1: Estimate of Street Children if they were 1 per cent of the Population

| City | Population as per Census 2011 | 1% of city population |
|---------|-------------------------------|-----------------------|
| Delhi | 11034555 | 110346 |
| Mumbai | 6993262 | 69933 |
| Kolkata | 4496694 | 44964 |
| Chennai | 4646732 | 46467 |

Children end up on city streets due to a range of reasons, including extreme poverty and deprivation, abuse, violence and neglect by families, abandonment, trafficking and forced child labour, lure of glamour and opportunities, developmental displacement, migration, natural disasters and sometimes horrendous massacres (ibid., p. 18). Whatever be the reason, once on city streets, the rights of these children are withheld in many ways, their basic needs unmet, their prospects and futures profoundly damaged by conditions that threaten their physical, social and emotional health and undermine their development (UNICEF, 2010). Kofi Annan, the UN Secretary General, acknowledged that while cities are often described as cradles of civilization, and sources of cultural

* Reviewer: Robert Chambers, Devika Singh, Shanta Sinha

and economic renaissance, for roughly one-third of the developing world's urban population that lives in extreme poverty, they are anything but that (UNICEF Report on Poverty and Exclusion among Urban Children, 2002, p. 1). As the World Health Organization has recognized, urban settlements can become among the world's most life-threatening environments, with the street child being the most vulnerable of all. They say '...being poor is in itself a health hazard; worse, however, is being urban and poor. Much worse, is being poor, urban, and a child. But worst of all is being a street child in an urban environment.' (De la Barra, 1998, p. 1)

This chapter attempts to open up the unseen and unheard lives of the urban street child. It illustrates how they are inadvertently or otherwise marginalized, rendered invisible and eventually excluded from access to public goods, such as safety and protection, food and nutrition, health, public space and education. It highlights the deprivations, denials, violence and exploitation they face, and their daily struggles to merely survive. It questions the national commitment, the state responsibility and the public conscience as these relate to street children. Finally, we have attempted to propose a set of recommendations that can reverse the situation from that of chronic exclusion into inclusion and is truly in the 'best interest' of the children in street situations.

Many of the insights in the chapter are based on the experiences of all the writers with the Rainbow Home Model¹ through which we have been supporting the street children to reclaim their childhood. During our work with the children in the last 10 years, we studied, reviewed and analysed our own experiences as well as perspectives existing worldwide to build an in-depth understanding of the nuances of vulnerabilities, laws, policies, responses, lacunas therein, etc., and documented them. One document that has been an important source of information has been our series of handbooks on various aspects of quality care for children formerly on the streets.

A report titled 'Life stories of children in street situations: An interactive exploration into lives of street children who are now in institutional homes or are independent adults' was undertaken by the authors of this report, at the Rainbow Foundation India, in collaboration with Save the Children supported by the Department for International Development (DFID)/UK Aid. It has helped to further deepen our understanding of the streets and the children. It captured the indifference, and sometimes active hostility, endured by street children from people in power (by virtue of age, resources, position or privilege), leading to intense, dense and persistent suffering, the magnitude and dimensions of which are rarely understood. Similarly, the same collaboration undertook a detailed census survey of street children (Save the Children report on Life on the Street, 2016, p. 34), which included a head-count and also looked closely at the circumstances of street children in five locations namely, Lucknow and Mughal Sarai in Uttar Pradesh, Patna (Bihar), Kolkata-Howrah twin cities in West Bengal, and Hyderabad, the joint capital of Andhra Pradesh and Telangana. A budget analysis which tracked the translation of political commitments into plans, budgets and expenditures was also a contributor to this study (Policy & Budget Analysis, 2016). Another study, a mapping of policies and programmes for street children that looked into the factors that shape the existence of homelessness, urban children, the existing perspectives, policies, schemes, interventions, their strengths and gaps that have a direct bearing on the work with children, has also deepened our thoughts on the subject (Save the Children report on Policy Mapping and Analysis, 2015).

1. Understanding the Child on the Streets

The standard understanding on street children is: A street child is 'any girl or boy...for whom the

street (in the widest sense of the word, including unoccupied dwellings, parks, parking lots, spaces under bridges, shop corridors, wastelands, etc.) has become his or her habitual abode and/or source of livelihood; and who is inadequately protected, supervised, or directed by responsible adults' (Inter-NGO Programme cited in UNCHS, 2000, p. 273). Within this population, UNICEF identifies two groups of street children, children 'ON' the streets and children 'OF' the streets. Children 'of' the streets are more vulnerable than children 'on' the streets, because they have no adult protection. Either they have no parents, or have escaped onto the streets from abusive, violent, alcoholic or irresponsible parents and live on the street with no home to go back to. These children are most 'at risk'. As distinct from children of the street, children on the street retain contact with their families in the city, who may live on the streets or in slums. However, because of extreme poverty, substance abuse or irresponsible parentage, the children are left largely to their own devices.

The survey report (Save the Children report on Life on the Street, 2016, p. 17) shows that there is not always as sharp a distinction as may be expected between these two categories, as some children of the streets may still have loose and occasional links with their families and some children on the streets often sleep on the streets away from their families. From our years of engagement with the street children, we identify street children as children who have abandoned their families, children whose families have abandoned them and children who have ties with their families. Families here are not always normative families where '...children are domiciled at home, are dependent on their parents for necessities and who are nurtured at school and at home to succeed as adults', (Aptekar & Stoeklin, 2014, p. 21). Many a times their families are a network of jointly created social relations or relations they find themselves in.



Figure 1: Categorizing the street children



Figure 2: Broad profile of children who live and work on the streets

2. Life on the Streets: Indifference, Deprivation, Violence and Exploitation²

It is a freezing winter night on the streets of Delhi. Through the swirling smog, on pavements, side streets, road dividers, under-bridges, in subways, shop-fronts and lofts of staircases, in railway platforms and bus stations, one can dimly make out the huddled forms of sleeping children. If one cares to count, the numbers on any night would cross fifty thousand, children who live, work, play, eat, fall sick, fight and love, despair and dream, all under the open sky. One of them is Raju, a boy of twelve, who sleeps with other homeless children around the water tank at New Delhi station. For most of the five years since he left his home in Shantipur, a small town in the Kamrup district of Assam, this has been his only home. Like many children who flee their families to escape intolerable abuse, Raju is unwilling to talk about precisely what drove him from his home. But one night at the age of seven, he walked away decisively from his truck driving father, mother and two younger brothers, never to return.

(Mander, 2016)

It was an act of incredible courage for a child so young, echoed and repeated in the lives of tens of thousands of street children who decide at very young ages to bravely escape violence and abuse in their homes—alcoholic fathers, physical and sexual violence—by fending for themselves, whatever it costs.

Streets have fewer girls than boys, but those girls who are forced to work on the mean streets negotiate daily the metropolis at its predatory worst. Rosy was barely ten years old when she lost her parents and saw her sister commit suicide just days after their death. Her brother did not keep her, so her aunt took her to Assam saying that she might have a better living. But as things turned out, she was a ‘burden’ even there. She was a girl. Her aunt would not pay for her upkeep as

she grew up, and one day gave her thirty rupees and sent her away with other village folk in the train, to Delhi. Listless with jaundice, she does not remember how long the journey was. She reached Delhi and located her way back to where she stayed earlier with her family. Only this time, there was no house.

(Save the Children and ARUN’s study on Life stories of street children in India, 2015).

Shubham’s mother abandoned him when he was young. He remembers running after her, calling, shouting and screaming so she would turn back and take him along but she walked away with her husband’s younger brother. What had he done? Why did she leave him alone? He saw her get on a train. He climbed in too but never found her. Instead he reached Mumbai. He didn’t know where he was.

(Ibid.)

These snippets mark just the beginning of the unremitting struggle of a street child for the most basic rights—a guaranteed and safe place to stay, affection and care of adults and longing for protection and respect for self. The survey (Save the Children report on Life on the Street, 2016, p. 50) shows that 14.4 per cent of children on the streets are in the most vulnerable age group of 0–3 years who require immediate attention of the child protection system, 6 per cent are those who are differently abled, for whom the situation must be doubly difficult and 46 per cent children are in an impressionable age group of 8–14 years.

The survey also showed that over 29 per cent of the total number of children covered under the study did not have a permanent place to sleep. In Hyderabad, this figure was a numbing 91 per cent. At night, boys in particular, sleep mostly in the open; usually under or on the sides of flyovers, on pavements, public parks, and even graveyards. Intermittently, they find their way into some kind of temporary shelters in *katchi abadi* (make-

shift) homes or squatter settlements, informal, small ghettos or pockets of concentration that are invariably overcrowded, with poor sanitation and no basic amenities, prone to disasters, but where they can live without the fear of eviction. This is especially important for children who have abandoned their families and fear discovery or forced repatriation to their biological family.

To protect themselves from the weather, children use makeshift arrangements like blankets that someone may have donated or flimsy plastic and cardboard materials or curl up inside large pipes stocked up at construction sites.

Rosy had to look for a place to sleep. She learnt to trade her labour of rag-picking for a space to sleep and a plate of food. She was accompanied by another girl her age. They were woken up at 4:00 am to sort through and pick garbage. She remembers how difficult it was, to evade the predatory men on the streets. Those abuses were like poison forced down her throat. She dared not rebuke them for she was a street girl. She would find clothes in the garbage bin. She collected them for she needed a change of clothes when she bled. After a day's work, when she returned at night, she was able to buy a plate of food which she ate ravenously and slept, curled up inside the hardboard boxes, around the place. It gave her a feeling of safety, just a feeling for there were nights when she was raped.

(Save the Children and ARUN's study on Life Stories of Street Children in India, 2015)

Leave alone a safe place to sleep, even necessary amenities for defecating or bathing and washing are missing for children on the streets. While 58 per cent of them defecate in the open, near rail lines or secluded lanes, older children, especially girls, find this even more difficult during their menstrual cycles and the lack of sanitary napkins further complicates the problems (Save the Children report on Life on the Street, 2016, p. 75). In such cases, they wake up very early in the morning when it is still dark and

where possible, resort to pay and use toilets and bathe when they get a chance at railway stations or community taps. Girls usually bathe in the open when it gets dark or in the shacks that are close to their homes. During the survey, one of the older girls in Mughalsarai commented, 'The government has made toilets for us just like they make roads but still they charge money for using these toilets.'

The survey also pointed out that girls on the street are involved in sex work from an early age and many were sent out/given to do sex work by their families, with their mothers or guardians acting as 'pimps'.

Shubham returned to Patna as Delhi was more difficult to survive. At Patna, the police thrashed the other boys but him. One day however, a policeman caught hold of him, pulled him into the bogey and shut all doors. He demanded sexual favours. He remembers breaking open an emergency window and lunging out to save himself. He felt humiliated. The next time he saw the policeman, he got onto the moving train with a stone in his hand, his face ahead, cracked the policeman's head with it. The policeman could not identify him as he did not look back and the train moved on.

(Save the Children and ARUN's study on Life stories of street children in India, 2015).

Boys face peer bullying and sexual abuse too. Older boys and adults who have had a longer presence at the stations do not let new children work until they have 'permission' and sometimes as this 'permission' to work at the station comes at the cost of sexual favours, it results in the sexual exploitation of children on a regular basis.

According to a newspaper report of 2010, the National Crime Record Bureau (NCRB) came out with shocking figures of crimes against children: 5484 children were raped and 1408 others killed in India. In the capital alone, 29 children were murdered and 304 raped. Not surprising is the fact

that these figures do not include even a fraction of the crimes committed against children on the streets. 'Not even 10% cases of rape, sodomy or murder of street children are recorded. Who is going to file an FIR for these children who have been abandoned by society and trapped by gangs?' (*Times of India*, 2011)

Many children, who are on the streets to avoid ill treatment and abuse by adults around them, find an aggressor in the law enforcing agency, the police who once again subject them, to hostility and violence.

The survey (Save the Children, 2011) showed that 38.2 per cent male children and 23.7 per cent females on streets reported abuse. Interestingly, abuse by male police officers was higher on male children (42.6 per cent) and female police abuse (30 per cent) was reported higher on female children.

In July 2013, the Delhi Police brought out a campaign on street children that said, 'Help him learn to chop an onion, before someone teaches him how to chop a head.' (In Image 1) This portrayal of children also shows the deep rooted bias against

Box 1: Street Children and the Law: A View from Human Rights Watch

Children living on the streets are charged with vague 'offences' such as vagrancy or loitering, or status offences such as being 'in need of protection or discipline,' which effectively make child poverty and homelessness, or status as children, a crime. Some street children are arrested and jailed because of their involvement in small businesses, deemed to be illegal, such as unlicensed hawking, or are accused of petty theft, drug related crimes, or prostitution. Some are arrested as scapegoats, or in order to catch others. Many police officers believe that street children have information about crimes committed on their beat, or attribute crimes in the area to street children directly, thereby imputing criminal associations and criminal activities to street children in general.

Whatever be the alleged crime, children who live on the streets face frequent roundups. They are often held in jails for days and even weeks, under horrendous conditions, and usually mixed with adults. There they may be further beaten by the police, or forced to pay bribes in order to be released. Girls may be coerced into providing sexual services to police in exchange for release, or are raped. From jails, street children may be transferred eventually to long-term penal institutions, sometimes euphemistically called 'homes' or 'schools', where they may languish, out of sight, for years. Few advocates, let alone lawyers or prosecutors, speak up for these children, and street children rarely have family members or other concerned adults able to intervene on their behalf.

Widespread impunity and the slowness of law enforcement bodies to investigate and prosecute cases of abuses against street children have allowed violence against these children to continue unchecked. Establishing police accountability is further hampered by the fact that street children often have no alternative but to complain directly to the police about police abuses. The threat of police reprisals acts as a serious deterrent to any child willing to come forward to testify or make a complaint against an officer. After witnessing and experiencing acts of brutality inflicted by law enforcement, it is no surprise that street children place little faith in the system to bring their tormentors to justice.

Source: Poverty and Exclusion Among Urban Children, Innocenti Digest no. 10 – November, 2002, <http://www.unicef-irc.org/publications/pdf/digest10e.pdf> ; Children's Rights. Street Children at Human Rights Watch, 2010 www.hrw.org/children/street.htm

street children and the perception that street children are a menace to the society.

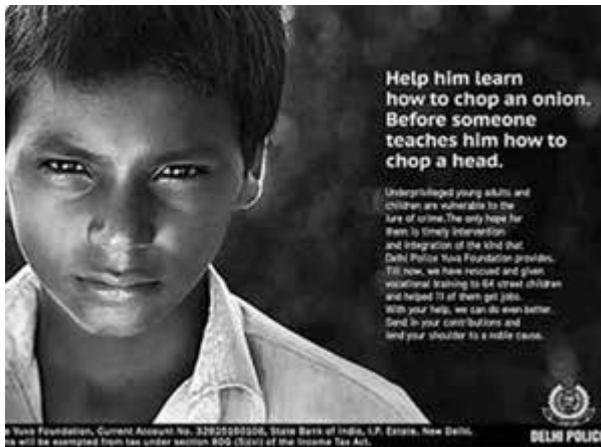


Image 1: Delhi Police Campaign on Street Children

With time, street children learn to live by their wits on the streets, find work or beg to get money and fight for whatever they need. Contrary to popular belief, more children prefer to work than to beg. They do rag-picking, hawking/street-vending or find odd jobs at roadside stalls. As per the survey done amongst Mumbai children by Action Aid, while 68.6 per cent street children were involved in some or the other occupations, only 7.9 per cent were involved in begging. While 87 per cent children in Delhi worked, only 4 per cent children begged in Patna and Hyderabad respectively. Asif asks, ‘Why should I beg when I can work? I sell pens, flowers, flags, etc., at the signal, but the police do not allow us to do even that, often shooing us away, or confiscating our things. Now you tell me; is it wrong to sell pens or flower? If I beg, it’s not ok, if I work, I am caught. How am I supposed to survive?’³

Before long, Raju learnt to earn his living by rag-picking, starting out in the early hours of the morning, with a huge sack often bigger than his own small frame, with separate pockets for bits of paper, cloth, plastic pieces, scraps of iron and other trash. At the end of the day, he sells his

daily foraging to wholesale waste traders near the Shiela Cinema Bridge, who in turn sell these to recycling units. Some of Raju’s friends also take up other seasonal occupations like working with caterers in the wedding season, reserving places in the trains during vacations, selling cinema tickets at higher rates, cleaning cars or taxis, buses or lorries, even trains, as vendors for tea and food stalls, apprentices in roadside automobile repair garages, carrying loads and shoe polishing.

(Mander, 2009)

Among the occupations, rag/scrap picking is the most preferred occupation of children, as it gives them the freedom to live and work independently without adult supervision. On an average, they work for 9–10 hours a day. Rag-picking also gives them the freedom to choose their hours of work and leisure (Save the Children report on Life on the Street, 2016, p. 42). Although boys are equally susceptible and also get trafficked, girls who get trapped into being ‘domestic help’ have their own serious vulnerabilities and traumas. Around 14 per cent of the girls surveyed in Patna and 16 per cent in Hyderabad were found working as domestic help in neighbourhood homes. There are many unregistered agencies in the urban centres that provide domestic help across the city. Children trafficked into work are treated like slaves and endure extremely long working hours, absence of leave and rest, deprivation of food, delayed or non-payment of wages, physical and sexual abuse (Rao, 2015). As the staff members in a home in Kolkata shared with the surveyors, ‘Mostly girls are brought by their uncles, aunts and other relatives in the name of providing work. Even if they join as domestic helps in houses they are tortured and beaten by the owners; such girl children run away and come here to the railway station’ (Shelter staff, Kolkata).

Ganga decided to come to Delhi to work, against her mother’s wish, for she could not bear to see

her father, suffering from mental illness, scream and whine. She used to stay back at home and fend for her father while her mother would go out to earn. Once while she was brooding over her father's condition, a certain uncle suggested she leave this life and go to a better place, like Delhi. Since her mother disagreed with her, she decided to slip out with the help of a man who traded her with an unregistered agency in Delhi as domestic help. During the journey, she lost her mother's phone number written on a piece of paper and the little money she carried. In Delhi 'that very evening, that agent took me to their house. They were doctors, both of them. I waited outside till they discussed and called me in. I was told that I had to work well and could call any time I wanted but they gave me no number.' That woman led her inside a room and examined her luggage. Ganga couldn't help crying as that woman pulled out a lotion and ordered her to undress and apply it in front of her. She sobbed as she complied. That night passed somehow but what was to come was even more horrifying. Each day started with her having a bath, kneading the flour and cooking food. Her entire day was slotted to do chores. It started at 4 am to end at 2 pm. She got beaten the very first day itself when her *rotis* (flat bread made of wholemeal flour) were not round. When she resisted work, both of them dug their nails into her flesh and pulled out her hair. They fed her stale old dried *rotis*. They asked her to sit like a cock and hit her face with their boots. They went for a holiday for five days and she was left alone without food. The ration was reachable yet inaccessible, as the box was marked for quantity she could eat. They even counted the pieces of chicken so that she could not steal.

(Save the Children and ARUN's study on Life Stories of Street Children in India, 2015).

The survey (Save the Children report on Life on the Street, 2016, p. 69) also informs us that timely meals are a rarity and skipping a meal once a day is a common occurrence among street children.

25 per cent of children have to go hungry at least once a week because of lack of money (20 per cent) or have to skip it because of long working hours (12 per cent). 52.5 per cent children beg or eat leftovers on railway platforms while at other times their meals get snatched away. Even if the quantities of food may (not always) be sufficient, the quality tends to be monotonous, elementary, of poor nutritional value and unhygienic. Similarly, they are unable to access clean drinking water, and rely on water supplied at roadside eateries, tea stalls, shops, public hand pumps and wells, parks and bus stands.

Making a living off the streets is hazardous work and a predictor of poor health. The survey found that at least 30 per cent of the children on the streets report sick and ailments like cold, cough, fever, diarrhoea, dysentery, headache, etc., are so commonplace that they are not even considered illnesses and are therefore ignored. 47 per cent children prefer not to seek treatment till they can no longer bear the problem but on finding it difficult to buy medicines, when the government-run health facilities or NGOs do not offer it for free, settle mostly for easier to approach quacks and faith healers. This also leads to discontinuation of treatment. A grave problem that they face is the lack of emergency medical care facilities like ambulance and transport facilities. Most of them are helped only when they are reached out to by an NGO working in the area. The persistent and harsh struggles of coping with traumatic experiences of neglect, abuse, hostility, discrimination and exclusion also leave behind a range of mental health issues like depression and anxiety on the street child's psyche.

The widespread intake of drugs further complicates the situation for them. Drugs are used to suppress hunger, dodge the cold and to keep them awake for work. Intoxication also allows for a short-lived thrill and helps suppress the sense of loneliness and abandonment (Mander, 2009). The survey

(Save the Children report on Life on the Street, 2016, p. 19) found that the prevalence of drug use among the boys before coming to the observation home was between 60–70 per cent. They usually consume substances which are readily available and cheap like tobacco, alcohol, food additives, adhesives, correction fluid, petrol/diesel solution, shoe polish and industrial chemicals, certain over-the-counter medicines, over-the-counter drugs and also grass (*ganja*) which is common. Children on the streets, in short, end up spending a large part of their earnings on substances.

Raju like most street children was introduced to the easy but deadly escape from pain and loneliness offered by soft drugs early in his days on the streets of Delhi. Thinners are readily available at any stationery shop for 25 rupees a bottle. Shopkeepers know that the children who buy these are not using them for painting, but they do not hesitate to sell to the street urchins who flock their stores. Two bottles are enough for a day for one child. They soak a rag and inhale the fumes of the solution, and it transports them to another world. But it also destroys their lungs, rendering them vulnerable to TB. Many children graduate to hard drugs like smack, but Raju has steered himself away. He knows that for those who succumb to smack, it is virtually the end of the road....

(Mander, 2016)

Another fundamental right that is violated among street children is Education. The Right to Education Act, 2009, that came into effect in 2009, entitles free and compulsory education to children of 6–14 years in an environment that is equity-

based, non-discriminatory, and free from fear, anxiety and stress, but to children on the streets, education still remains a dream.

Defining basic literacy as ‘...the ability to read or write in any language’ the survey (Save the Children report on Life on the Street, 2016, p. 12) found that about 63 per cent of the children were illiterate. Illiteracy was highest among street working children, which shows that getting involved in earning money adversely impacts a child’s learning opportunities. Analysis of education data of the Survey across five cities, around various age groups, reveals that the school drop-out rate of street children is very high, especially after 14 years of age. There are many reasons for leaving school and poverty, which necessitates more helping hands to earn and support the family, is the most prominent of all. Children, who were forced to leave school due to poverty, however, admitted that they knew they were missing out on the opportunity to study.

School-going street children emphasized during FGDs (Focus Group Discussions) that the school environment and facilities require major improvement if they are to meet the needs and aspirations of children. A young girl reported, ‘I like to go to school and study but I would also like to play in school but there is no place to play... even to eat our lunch we are asked to stay in class’ (FGD Street Children Living with Families, Younger Girls, 2015, Lucknow). Some also mentioned about the discrimination they faced in school like how they were made to clean the classroom and toilet since they were from the backward castes.

Box 2:

The Survey showed that 68.8% children work and do not pursue any kind of education. Only 23% have received education of some kind. 39% work on all seven days of the week and 35 to 73% children work for 5 to 8 hours on an average, in a day. 47.3% receive only two years of schooling.

Source: Save the Children report on Life on the Street, 2016, p. 48

During the day, Shubham went to a newly opened day care centre at the station. It provided them food and non-formal education. He started going there on a regular basis as the care-givers offered him a place to rest, watch TV, play games and eat. When he became regular, they offered him help to locate his family. He misled them about where

to look as he never wanted to go home. Why would he want to suffer rejection? When he saw their persistence, he took them along. His uncles were shocked to see him. They did not want him to stay with them therefore he returned to the streets of the city. He remembers what he last saw, his ox had been taken by the village headman, his

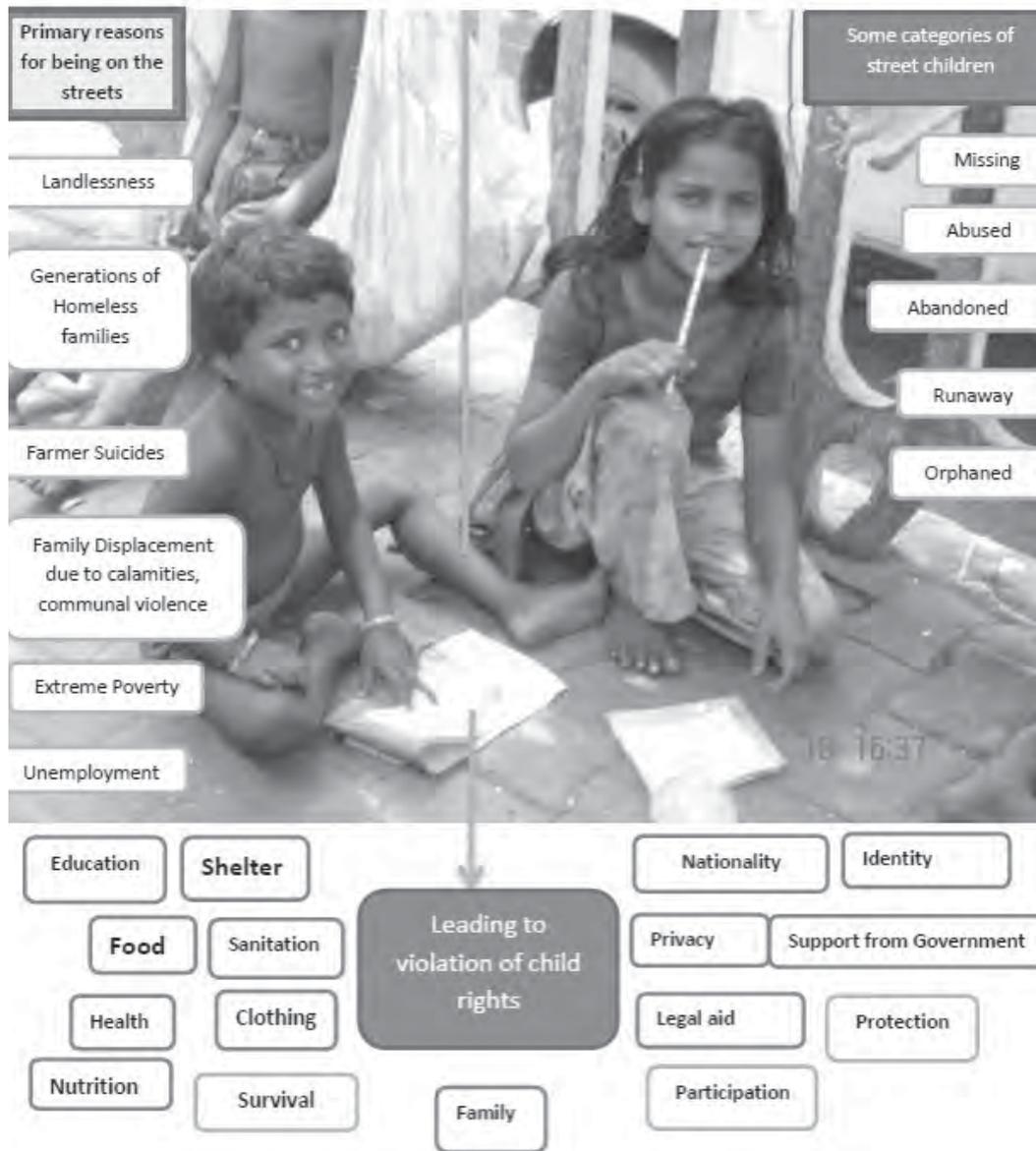


Figure 3: Violation of Rights Suffered by Children on Streets

Source: Photograph by Dil se Delhi team in 2005.

fields were sold off and his belongings removed from the room. All his belongings were gone. He came back. He felt there was no point pursuing temporary 'time pass' education and so started rag picking bottles again. One day a woman lost her purse at the station and all the boys at the station were forced into a lock-up for a month. Sometime later they were caught again. This time, it was a big theft. They were locked up in a newly inaugurated remand home. That place was a jail. He was thrashed and beaten hard. He says he became resistant. He stayed there for five years before he was released to be back at the railway station, picking bottles once again....

(Save the Children and ARUN's study on Life stories of street children in India, 2015).

As the survey report points out, for a part of population living in such highly challenging circumstances, assistance of any kind can be more than helpful—it can even be life changing. Data shows that only a miniscule percentage of children on the streets are aware of any authority or agency that can be approached for any assistance at times of need. Of those 224 children who were aware of assistance services or options, only 112 (51.6 per cent) said that they had ever received it.

Deprived of families, adequate and appropriate adult protection, education and healthcare, and the unsafe environment of city streets, street children bring to the fore all the agencies and resilience required to survive each day precariously and bravely. Despite being highly visible on the urban city landscape, we have chosen to keep them 'invisible' and 'hidden from our conscience', thus pushing them to the bottom of the social hierarchy and keeping them away from what is their due.

3. Current Provisions

With no legitimate identity, recognition or social status that can make them count, and no specific

policy, street children are missing in most policies for child rights, protection, education, water, sanitation, and urban welfare in general. Locating the street child in the policies in India, Mander says,

'The law, policies and programmes at the various levels of government covers categories of vulnerable children with whom the street child partially overlaps. These are the legal categories of the "child in need of care and protection", child labour; and also the urban deprived, out-of-school child. Every street child is all of these—a child in intense need of care and protection, a child worker, and an urban deprived, out-of-school child—but by no means is every child in need of care and protection, every child worker and every urban out-of-school child a street child. Within the policies, laws and programmes aimed at these broad groups, street children are to be identified as a major sub-group to be targeted with specific intervention that casts a special lens singularly pointed on their unique vulnerabilities.'

(2016)

Even at the State level there are no examples of policies, laws and programmes targeted at street children and interventions are largely restricted to implementing the existing Central government laws and programmes. Local government bodies, i.e., municipal corporations in urban areas and *panchayats* (oldest form of local government in the Indian Subcontinent) in rural areas, which play a crucial role in ensuring that government interventions effectively achieve their intended objectives on the ground, also have an extremely limited role in relation to interventions for street children which are largely restricted to implementing the directions of the state government.

Some of the specific laws and policies for children (from the Save the Children report on Policy Mapping and Analysis, 2015) that need to be highlighted in this context are—

3.1 The National Policy for Children

(Revised in 2013), it is an overarching policy meant to guide and inform all government interventions affecting children in India. A progressive document in principle, it adopts a rights-based approach to address the situation of children and emphasizes that the best interests and the own view of a child must be the primary concern in all decisions and actions affecting them. Although it recognizes that children are not a homogenous group and that special efforts are required to respond to the needs of children living in difficult circumstances who face multi-dimensional vulnerabilities, it does not specifically mention street children.

3.2 Juvenile Justice (JJ) Act

This is the primary legislation dealing with children in need of care and protection and children in conflict with the law. It was enacted in 1986 and first passed in the year 2000. It aims to ensure that laws dealing with such children are in the best interests of the child and it is consistent with India's obligations under the UNCRC and other relevant international laws that the country is a party to. Here too, despite several revisions in the act, with the latest one in 2015, the interventions are for the broad set of CNCP, with the street children (barring mention at two instances) being fit into the scheme as one of them, thus hampering its ability to address their acute and very specific vulnerabilities.

3.3 Integrated Child Protection Scheme (ICPS)

Launched in 2009, it is a broad flagship government programme that brought under its ambit the various institutions and provisions established under the JJ Act. As a programme, the ICPS has definitely aided in the improvement of the existing infrastructure for child protection. Operationally, despite its commendable aims, the ICPS lacks

a structured mechanism to reach out to street children through proactive and sustained efforts for their identification, rescue and rehabilitation. Instead, interventions under the scheme remain almost exclusively reactive in nature, with a focus on institutionalization of children. Moreover crucial aspects of the scheme that are of high relevance for street children, such as foster care, sponsorship programmes and aftercare for older children remain highly underdeveloped even six years after its launch.

3.4 Right to Free and Compulsory Education (RTE)

The passage of the 86th Constitutional Amendment in 2002 and the Right of Children to Free and Compulsory Education Act, 2009, that mandates mainstream education to every child between 6 and 14 years of age is potentially the most significant large government programme, under the SSA programme, designed to cater substantially to the specific needs of street children. However, there are many concerns regarding its implementation due to which it is not benefiting them as much as it should or can.

3.5 National Health Policy

This talks about the government interventions related to the survival, health and nutrition of children; it also does not explicitly identify street children as a target group with specific vulnerabilities and needs. Though there is a provision under the ICPS to designate at least one shelter home in each state for the care, detoxification and counselling of children affected by substance abuse, very few such specialized homes have been established so far.

The **Draft National Health Policy, 2015** however does make a special mention of street children as a high-risk category, and suggests specific measures such as health centres at railway stations and bus

stands. Similarly, the **National Mental Health Policy, 2014** proposes to pay special attention to vulnerable populations, including children in custodial settings, who bear a disproportionate and higher burden of mental health problems. There is, however, no evidence of these on the ground.

3.6 National Child Labour Project (NCLP)

NCLP mandates children in the 9–14 year age groups, who are engaged in hazardous occupations, to be withdrawn from employment and enrolled in Special Training Centres, where they receive bridge education, vocational training, nutrition, healthcare and a monthly stipend, and are mainstreamed into an age-appropriate class in formal schools. Here too, the facilities are typically non-residential in nature, which makes them less relevant for street children and other groups of children who, besides working, are also deprived of a family environment.

In the absence of a specific policy for street children, their issues are addressed under the broad category of CNCP. Although these contain many elements which are critical for street children, they do not address adequately how the services should be organized and operationalized bearing in mind the unique situation and vulnerabilities of street children. The next section explores the numerous practical gaps and bottlenecks that make their access and engagement difficult for these children.

4. Ground Realities

4.1 Lack of Mechanisms to Identify

To begin with, there are no formal systematic operationalized mechanisms and processes for locating and engaging street children for their rescue and rehabilitation. The major stakeholders who come in contact with the street children are the Police and the NGOs. Police, (as understood earlier in this report) in the absence of any alternative instructions, usually resort to rounding up the

children insensitively and roughly produce them to the Child Welfare Committee (CWC), which only reinforces the mistrust and suspicion that street children already have for adults around them. Although there is a provision for every police station to have an officer marked as Special Juvenile Officer who is trained especially for meeting children, this is rarely seen in practice. Even the *anganwadi* (courtyard shelter) workers reach out to children only in age groups of 0–6 years and reaching out to homeless children is not a key highlight of their work profiles. Although Child-line has been effective in reaching out to children in distress, its role is restricted to attending to children who they are ‘informed’ about. Even under RTE, their task to count ‘Out of school children’ focuses only on children who live with families and in homes, thereby leaving out a significant portion of the street children.

4.2 Inadequate Options for Care

The interventions for care of street children have seen little modification and innovations either in its principles or methods to suit the distinct needs of a child coming off the streets. For example, India prides itself on a well-studied and developed system for adoptions for the youngest children, especially orphaned/abandoned/separated children. However the adoption agencies are not mandated to seek out the children (under 6 years who may be abandoned) who may potentially benefit by getting adopted by a family. Parents who are in dire circumstances and wish to relinquish their child/children do not know where and whom to approach, and often abandon the child, whose survival is then entirely left to chance. It is only in the recent revision that JJ recognizes the relevance of this child-care model and encourages it as an intervention for children in need of care and protection.

Similarly **Foster care**, which countries worldwide believe is the next-best-thing to family

care and can form the backbone of an alternative care system for children, has evolved too slowly in India and evidence of its existence can only be seen, and that too rarely, in Maharashtra, Rajasthan and Karnataka so far. There are also very few sponsorship programmes and street-based programmes in India that work with the family and address the myriad issues that surround homelessness in order to improve the lives of the children. At the most, efforts are made to provide medical and legal aid, temporary shelter, basic education, and livelihood options, which do not address the far more complex issues needed to tackle the travails of homelessness and deprivation.

An intervention of direct relevance for the protection of street children are the homeless night and open shelters, to be established under a Supreme Court order in the Right to Food case and mandated by the Court to be operated in all major cities. Such shelters in urban and semi-urban areas are an important component of the ICPS too. For children who are most at risk, long-term residential care facility is essential for any kind of impact to ensue. Barring a few instances under the JJ and RTE, the schemes and its operations on the ground typically offer facilities that are non-residential in nature, which make them less relevant for street children and other groups of children who are living and working on the streets.

4.3 Inadequate Number and Quality of Services

Compared to the volume of deprived children on the streets requiring safety and protection, the numbers of the above-mentioned services are still woefully inadequate. As of December 2014, only 1389 homes of various kinds, and 283 special adoption agencies were receiving funding from ICPS (Save the Children report on Policy Mapping and Analysis, 2015). Of these only 639 homes (46 per cent) are

government-run although the government has the core mandate to reach out to the largest possible number of children in need of care and protection.

Chandni is one among the 3500 such children who had been surviving on streets before they joined one such hostel. Her blind mother has begged all her life but heroically taken her five daughters through elementary school. Proud that she has studied up to class 7, Chandni insists on speaking in broken English. But most street girls are not so fortunate. Every single girl we have met on the streets longs to study, but this is possible only if the government opens hundreds of residential schools for them. The Delhi government has at last agreed to open four such residential schools for street children, and many more mothers have agreed, than we have space for, to sacrifice the earnings of their girls so that they live safe and happy childhoods illuminated by learning.

(Save the Children and ARUN's study on Life stories of street children in India, 2015).

Similarly, the Delhi Street Children Survey (2011) done by Save the Children indicates that there were about 51,000 children (which might have increased with every passing year) but the government-run homes catered to only 2471 children in Delhi during 2014–15, and that too mainly through custodial jail-like institutions.

Quality of care in the existing homes is most criticized for being synonymous with custodialization, wherein the children, in the name of care and protection are locked up. Many government-run homes are overcrowded as the number of children exceeds the sanctioned strength, leading to insufficient space and amenities. The most important element missing in such a set-up is the lack of care from the staff. Instances of abuse and violence are frequent (but unreported). Rehabilitation plans are not given due attention and no post-rehabilitation reviews are done.

4.4 Lack of Support from Ancillary Services

The JJ Act is a crucial legislation for the care and protection of children. It was amended twice (in 2006 and 2011), repealed and re-enacted in 2015 considering the incidents of increased abuse of children, quality of care and protection, pendency of cases and so on. As per the act, the Child Welfare Committee (CWC) is a district-level body having critical responsibility towards the ‘best interest’ of children in need of care and protection. As per the year-end review of the Department of Women and Child Development (WCD) in December 2014, only 619 CWCs have been set up in the country. The CWC enjoys enormous powers to make orders affecting children and families in substantial ways but they lack procedural or functional discipline owing to want of training in court functioning, skill of conducting proceedings, writing judicial orders and maintaining judicial discipline.

Our own experience and the findings of the Policy mapping (Save the Children report on Policy Mapping and Analysis, 2015) confirm that there are many instances when children were hurriedly restored to high risk or exploitative families and on the other hand, correspondingly, there are a higher number of instances of repeated re-entries of children into government homes or NGO homes. This shows lack of sufficient options for the state to ensure that street children are given the most appropriate response. This is a clear limitation of the state’s intervention.

As per the JJ Act revised in 2015, the District Child Protection Unit (DCPU) has been entrusted with the administration and monitoring of child-care institutions and the CWCs. This automatically shifts the focus to children already in institutional care rather than proactively reaching for the child on the street—as highlighted earlier in this section—an element crucial for ensuring participation and the best interest of the child. In our experience, on the ground, there is a lot of confusion about the roles

of the DCPU and the CWC. Whereas the CWC has the authority to write orders for the rescue and rehabilitation of the children in need of care and protection, the DCPU provides funds and secretarial support to the CWCs. The DCPU is mandated as per the Act to review the implementation of the act at the district level. It has powers to administer and monitor child-care institutions as well as the CWC but in case of missing or abandoned children, the DCPU has to submit a report to the CWC about the child’s family background. Thus there remains some confusion regarding its role and reporting lines.

National bodies like the National Commission for Protection of Child Rights (NCPCR) and its state counterpart, State Commissions for Protection of Child Rights (SCPCR), set up under the Commissions for Protection of Child Rights Act (CPCR Act), 2005 have wide-ranging powers to inquire into violations of child rights, including the lack of implementation or compliance with relevant laws, policy decisions, guidelines and instructions. It is also the designated grievance

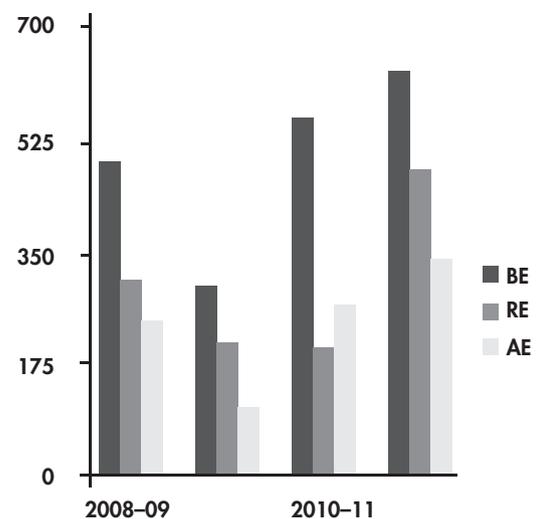


Figure 5: Trend in Budget and Expenditure for Child Protection

Source: Budget for Children in India, 2008–9 to 2013–14, HAQ Centre for Child rights

redressal and monitoring institution under the RTE, the Protection of Children from Sexual Offences Act (POCSO), and most recently, the JJ Act, and provides for the creation of Children's Courts, Special Court and the appointment of a Special Public Prosecutor, in order to ensure speedy trials for offences against children or of violation of child rights. Despite the important role that they play, their functioning remains heavily dependent on governmental support, in terms of accepting and taking action based on their findings. The performance of the SCPCRs varies considerably from state to state, based on the expertise and initiative of its members.

4.5 Low-budget Allocations

The share for children in the union budget has fallen in the recent years (HAQ: Centre for Child Rights report on Budget for Children 2016–17, 2016). Currently it stands at 3.32 per cent as against 4.76 per cent in the year 2012–13. Within the budget for children, the share of child protection is reduced and remains the most under-resourced area among all the other sectors.

Under the ICPS—the scheme most relevant to street children—however, the financial norms for various components were revised upwards in 2014, including a rise in the child maintenance grant from INR 750 to INR 2000 per month per child, construction and maintenance of a home for 50 children from INR 77.61 lakh to INR 129.85 lakh, for children with special needs from INR 4.22 lakh to INR 10.48 lakh, and greater flexibility in staffing patterns and enhanced cost of construction. Despite these increased proposals, actual funds sanctioned and released to state governments have been significantly below the proposed allocations, reflecting poor fund utilization by states, including in states like Tamil Nadu and Delhi which have been relatively proactive in implementing the scheme. The decreasing trend of actual expenditures

indicates the lack of sufficient planning and allocation of resources. It also shows that investing in children can be delayed as the government does not come under any pressure as much as they do while working on programmes for adult citizens. More so because the latter are part of a vote bank and children are not. Budgetary allocation for 2015–16 for children has been left unchanged from the previous year, at INR 402.23 crore as against the projected demand of INR 700 crore.

Another scheme that can benefit the street child directly is the URH under the SSA. Children are provided residential facility to stay within the government premises which are run by NGOs. The allocation of the building is done by the Municipal Corporation. This scheme enables street children to live in the safety of a home within public institutions. The funding pattern of this scheme however is based on that of the Kasturba Gandhi Balika Vidyalayas (KGBV) which is inappropriate because the KGBVs (residential schools) start from Class 5, whereas street children under URH include those as young as 6 years of age. Moreover, due to the per child expenditure by the government being very low, in most cases, NGOs have to make up for this shortfall with their own funds.

The above facts reveal that despite laws, policies and schemes for children, and state and non-state actors, the street child is clearly falling through the cracks and only an alarmingly miniscule proportion are really being impacted. Beginning from a lack of understanding of who the child on the streets really is and what they need, to lack of coordination and convergence, lack of will and budget issues, we have been utterly unsuccessful in addressing the needs of scores of children suffering on the streets.

5. Recommendations

According to Articles 20.1 and 20.2 of CRC (Convention on the Rights of the Child), a child

temporarily or permanently deprived of his or her family environment, or in whose own interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State. As a signatory to the CRC committed to ensuring all children's basic rights, the State has to act more proactively and responsibly towards the growing number of children left out and violated on the streets.

When it comes to the issue of street children, honest reflection might reveal that the nation, state, as well as the community are part of the continuum of discounting it because of 1. lack of recognition of the issue ('it's not a problem') 2. no cognizance of the gravity of the situation ('it's not a serious one') 3. shaky trust in the rights perspective and the expectations of positive impact ('there are no real

solutions') and 4. denial of ownership and therefore responsibility towards contributing to the process ('it's not really my responsibility').

As a UN study (UNICEF report on Excluded & Invisible, 2006, p. 59) states, a 'business as usual' approach will never reach excluded and invisible children. It has to be a concerted, collaborative effort and the recognition and belief of each of these steps in the continuum has a role that cannot be compromised. It is long overdue and we must force ourselves to take a clearer look at the slate and make corrections urgently.

5.1 Revisiting Existing Policies and Schemes

Schemes, policies and initiatives targeted at the general children's population, aiming to include as many children as possible (ibid., p. 67), cannot reach the street child and therefore will continue to keep them invisible and excluded. Instead of being seen as sub-sets of other groups, such as children in care of need and protection, child labour or out-of-school children, children living and working on the streets are in need of unique schemes and interventions, including health and drug policies, with clearly demarcated roles for central, state and local governments within these (Save the Children report on Policy Mapping and Analysis, 2015).

Box 3

We are guilty of many errors and faults, but our worst crime is abandoning the children, neglecting the foundations of life. Many of the things we need can wait, but the child cannot; right now is the time his bones are being formed, his blood is being made and his senses are being developed. To him, we cannot answer 'tomorrow', his name is today.
—Gabriel Mistral, 'His Name is Today', Nobel Prize Winning Poet from Chile.

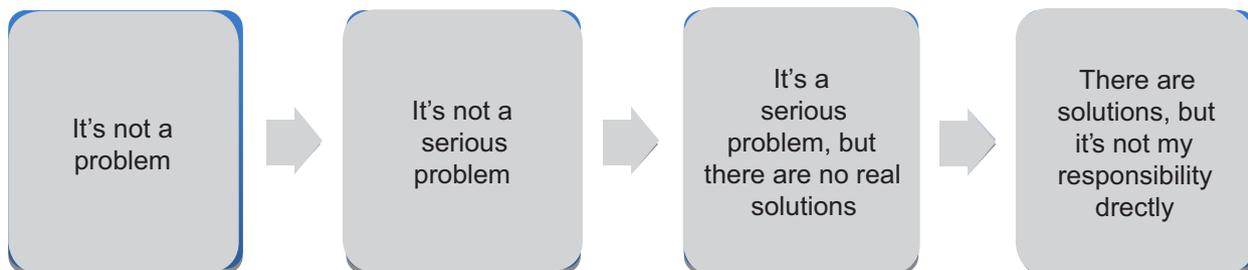


Figure 6: The continuum of discounting

The existing policies that need revision to address specific vulnerabilities include the Juvenile Justice (Care and Protection of Children) ICPS, RTE, etc., and they must contain a section about the protection of street children, underlining the duty of the State to secure for every street child comprehensive, non-coercive, rights-based care and protection. Similarly, the Integrated Child Protection Scheme (ICPS) should have greater flexibility for innovation and designing interventions based on the specific needs of street children. The Sarva Shiksha Abhiyan (SSA) that has provisions for Non-residential Special Training Centres, Residential Special Training Centres and Urban Residential Hostels, contains the potential to reach out to the largest numbers of street children with voluntary, non-coercive, rights-based care (such as the Rainbow Homes) and therefore their numbers should increase. Likewise, the National Urban Health Mission (NUHM) should be made more effective in reaching out to street children as a highly 'at-risk' category by creating more health centres at railway stations and bus stands for street children.

5.2 Assessing the Magnitude, Bridging the Data Gaps

In the absence of any formal, overall data, as a preliminary step to making the street child 'visible', the government must inform itself, through a national as well as state-level survey, about the number of children living and working on the streets in situations and conditions that make their lives a gross human rights violation. This mapping exercise will not only provide the numbers of homeless children and adults residing permanently or temporarily on streets, but will even help to include and lay the foundation for mobilizing and synergizing the local stakeholders to rise and respond. Since streets are dynamic and street children a highly mobile population, it is important that every state should review and update their data over a time period of not more than two years and use that data to fine-tune the interventions and implementation plans to the changing needs.

The survey is on the lines of the ones recently concluded by SC-RFI (Save the Children report on Life on the Street, 2016; Save the Children report

Box 4

Good Practice: In what can be called a model collaboration, Pune city in 2016 undertook a detailed study beginning with a headcount of the children on its streets. Initiated by the Municipal Corporation of Pune, in partnership with Rainbow Foundation India and other local NGOs, they undertook an intensive mapping of the children across the 76 wards and two cantonments of the city, and their situation. The intensive exercise was collectively undertaken by a team consisting of 31 social mobilizers of the social service department who were already active in their respective wards and were familiar with the dynamics and situations that exist therein, and 40 field workers from RFI and other local NGOs with a strong experience of the street situation and its realities, especially vis-a-vis children. With the commissioner as the driving force and the teams complementing each other perfectly, they were able to complete this mammoth exercise smoothly in a record 24 days. Based on the findings and recommendations, the corporation is committed to drawing up a substantial, realistic plan towards the convergence of the good offices of various related departments such as the water department, *Aganwadi*, PWD, Housing, Health, Education, etc., and roll it out at the earliest.

Source: Pune Survey Report, December 2016, By Pune Municipal Corporation and RFI.

Box 5: The MV Approach

Based on the non-negotiable principles that ‘no child works and every child attends full time formal school as a matter of right’, MV (Mamidipudi Venkatarangaiya) foundation has been working on abolishing child labour in all its forms and mainstreaming children into mainstream formal schools. They follow an area approach rather than a target approach seeking to address the children in the entire area. The Child Rights Protection Forum constituted for this includes the gram *panchayat* members, school committee members, school teachers, youth, local employers, women’s groups and political leaders.

Source: Excerpts from interaction with Venkat Reddy, MV Foundation, August 2015.

on Survey of Delhi, 2012; ARUN’s Survey Report of Street Children in Pune City, 2015) that includes information like where to locate them, when to meet them, how to get them to elicit information about themselves and their lived experience, expectations, etc., which can then be used as a reference resource for such an exercise. The local findings should be clubbed with recommendations for stakeholders, lessons learned from experiences of other regions and even other countries to produce the most effective response.

5.3 Stronger Mechanisms for Identification and Mobilization of the Children

Such a mapping survey would reveal the prevalence and the points of concentration in the city, usually spread across temples, stations, bus terminals, etc. However, merely identifying the hotspots does not mean that street children will automatically begin to access any facility that one will provide for them, even if in and around the same locality. For that a trained person over a period of time has to consistently meet and mobilize them through a manner that rebuilds the faith in them that there are genuine alternate possibilities. Going by the shocking finding by a survey on railway children, every five minutes, a child arrives alone on a platform in India, 1,12,000 children arrive on platforms at

35 stations every year. Before the horrors of life on the platforms become a reality for them,⁴ an effective intervention can be ensured by reaching them promptly on their first arrival. This makes for a strong preventive intervention only if the police, railways and community-based organizations play a proactive role towards the same.

6. ‘Best Interest’; Moving beyond the Polarities of Detention and Restoration

The two typical extreme perceptions and responses when a child is met on the street are: 1. The child is a nuisance and the best reaction would be to detain or lock him/her up in the best interest of everybody, or, 2. The child is young and innocent and can only be helped by placing them back in the family. Both perceptions operate either on the assumption that it is not really the state’s responsibility or that there are no real solutions and the best one can do is a temporary Band-Aid approach of ‘managing them here and now’.

One of the reasons that has built the image of street children as being dangerous and risky has been the criminalization of activities that street children have to indulge in for their sheer survival, which includes running away from home,

scavenging, loitering or begging, selling sex toys, petty stealing or vagrancy. In 2015 alone, 56,501 children were apprehended out of which eventually 2578 were released after a small fine, 7354 were sent home, 8842 were restored to their families, 1918 were sent to institutions, and 4582 children were acquitted or the case disposed of (NCRB, 2015). This clearly shows the overuse of detention on the part of the state. We need to reduce the number of children entering justice systems by decriminalizing 'status offences' (offences that are only a crime when committed by children, such as truancy, running away from home, survival behaviours such as rag-picking, scavenging, or loitering) (UN Report on Violence against Children, 2006, p. 29). Even those detained should be offered the best and most intensive community-based rehabilitation and reintegration programmes (ibid.)

The other customary response that is exercised in the name of 'best interest' is restoration/repatriation, i.e., placing the child back with its biological family. Many times the child has escaped from an abusive situation of their own will and to save themselves from abuse and/or violence; simply sending them back after 'counselling' does not prove to be a lasting solution. It, in fact, can be a traumatic and harmful one. Hence, one should not be in a hurry to repatriate and this decision should be taken in close consultation with the child, respecting their agency and without influencing them by putting undue moral stress on reunification with the family. The best interest of the child would be to have a plan based on factors such as the age, quality of the child's attachment to his/her family, the family's capacity and readiness to safeguard the child's well-being and holistic development and most significantly, the child's desire to be part of the family.

6.1 Creating Safe Spaces

Creating safe spaces for rest during the day and especially at night are important for street children.

Operationally, it should be a focus of state and local governments to establish a large network of drop-in shelters at all public spaces such as major urban railway stations and bus stations, as well as other points of assembly of street children not less than 3 km apart. These open shelters should have provisions for children such as lockers, showers and toilets that allow them to maintain hygiene and change their clothes, apart from feeding and basic healthcare services including drug de-addiction and education. These shelters should be linked with basic essential services like immunization programmes, entitlement documents like proof of identity (legal recognition of the child as a member of society) like the Aadhar card, etc., helping them to move one step closer to accessing public goods and services and negotiating the system seamlessly.

These shelters, however, should not be the final destination and should also be closely linked to other child-care interventions. A child who is say, discharged from a drug addiction unit, should thus be able to graduate smoothly to other appropriate long-term interventions such as restoration, sponsorship, foster care and urban residential special training centres and hostels.

6.2 Residential Services: A Real Need

The multi-faceted nature of deprivation faced by street children means that their rights cannot be guaranteed merely by temporary spaces like drop-in shelters. For those children who are without families or have abusive or irresponsible families and do not wish to connect with them any longer, or children who are alone on the streets, it is important to ensure that they have access to appropriate residential facilities. While there is a strong wave of moving away from institutional care in many parts of the world, in our country, due to the absence of established alternative care options and with the number of children on the streets growing, it would be inappropriate to simply move away from institutional care.

As observed earlier in the chapter, although residential ‘Children Care Institutions’ (CCIs) run by the government now do exist across the country, they are not adequate in numbers and usually follow the custodial approach. The quality of care should be professionalized (through SOPs for quality care) and the regressive (repressive) custodial approach towards children’s needs to be phased out, and replaced by voluntary homes where children are not locked up; instead these should be places where children stay willingly rather than being forced to run away. Children from the street do not take kindly to being locked inside a gate, being supervised closely, and being corrected constantly. They learn and grow when not approached by condemnation or rejection and when in non-threatening, accepting, loving, caring, stimulating secular environments and not merely temporary shelters (Mander, 2011).

6.3 Good Practice, the Non-custodial, Residential, Long-term Care Approach

The idea of opening Rainbow Homes⁵ (run under SSA) offering long-term care grew out of the limitations of custodial care, and cannot be equated with the idea of institutionalization. The homes are open and non-custodial or in other words, entirely voluntary and the decision to enter and stay on is the child’s. In fact, even after coming off

the free life of the street, most children coming into the homes remain in an unsettled, ambivalent state for long and invariably go through multiple exits and re-entries. During this initial stage of indecisiveness and perplexity and later throughout the stay in it, caution is exercised to ensure that the administrative systems and protocols are not limiting for the children and do not leave them with a feeling of being just a number in an institution. The programme is also participatory and provides a broad outline of the basic needs of the growing children and the fundamental non-negotiable principles, with the choice of activities relying significantly on the feedback of a council consisting of the children and staff. This results in a rich mix of educational, life-skills, recreational and health activities catering to the needs of every individual child in a violence-free environment. The families are key members of the care team and stay connected with the children during the entire duration of their stay in the home. With long-term care as one of its strong characteristics, when the children reach young adulthood they are, through a carefully conceptualized ‘Futures’ programme, launched into independent living.

Although the residential services extended so far under the RTE add up just to a drop in the ocean, the Urban Residential Hostels (URH) of the SSA have been an effective option for the neediest of the

Box 6

Bridging programmes are based on the unstated idea that every child has a family. After completion of the bridge course, the child is expected to be mainstreamed into the regular school, but there is inadequate provision for residential schooling for children without families or homes. Whatever provisions are made under the component of URH, they are restricted to children at the elementary stage only. As these children move to the secondary stage, they are expected to move to other hostels or schools to complete their schooling. The education department of the Indian government needs to conceive education from elementary to secondary and indeed senior secondary as a continuum, which enables children to seamlessly transit from bridge courses to elementary, and to the secondary/post-secondary stage of education.

Source: Comprehensive Residential Care for Street Children, A Study by Anita Kaul, supported by UNICEF, 2015.

needy among the 'out of school' children. However this has not been implemented universally; for e.g., there is a variation in the age of admission into URHs and the onus to identify and prepare the child for the age-appropriate class practically falls on the NGOs. Further, the duration of the support also varies: e.g. in Tamil Nadu, a child admitted to a Residential Special Training Centre (RSTC) is eligible for funding for up to two years, while in Delhi, Bihar, Telangana and Andhra Pradesh, RSTC is available for a maximum period of one year. Both schemes lack a continuum of care, not catering to children outside the age group of 6–14 years. One of the limitations of the current provisions is that many children who initially enter into the special training scheme are expected to start living at home by the end of the year. Acknowledging the predicament of street children who mostly do not have a home, or a family, or both to return to, the scheme must have provision for their automatic graduation to hostels (URH), which should be made available to them in a maximum period of three years. Also recognizing that such children have either never been to school or dropped out very early, it is also important for SSA to have a strong and uniform bridging mechanism that will prepare the children to join their age-appropriate class in one to two years.

Educationists should be brought in to design high-quality bridge courses, especially for the much harder to bridge group of children, i.e., those who have never been to school, or dropped out early, and are now over 10 years of age. Language difficulties must be given adequate importance in this learning process. Once the courses are developed, the teachers need to be trained to transact this effectively with the children. For the children entering the formal schools late, concession for age of completion of education should be relaxed by two years.

Life skills education, including healing, self-care, social skills, responsibility in relationships and sexuality, drugs and substance abuse, health and hygiene, yoga, etc., could be included. Strong,

flexible assessment systems to diagnose need and monitor learning and development of individual students should also be introduced. Further, a system for teacher development and support over time, in order to provide child-centred, need-based teaching and support, will help them appreciate the unique background and spirit of children who live and work on the street.

6.4 Alternative Care Options

Although residential care services are required for a section of street children, there are others for whom family-based alternatives like adoption, and state-supported foster care, will be more suitable and beneficial. Central and state governments, in consultation with WCD and NCPCR and the SCPCR's, should operationalize foster care under the existing provisions (Juvenile Justice Act, 2015) or should prepare appropriate schemes for these, and actively and widely promote these family-based alternatives. Foster care must be provided for juveniles in conflict with the law as well as for children in need of care and protection. For children restored to destitute and homeless families, the sponsorship programme should be activated to provide families and homes with supplementary support to meet their needs and for the establishment of after-care organizations to support them once they have left a home.

6.5 Continuum of Care till they are Settled

We go to find some work; we are asked a series of questions like: 'From where have you come? What do you do? Do you thieve? Since when have you left your home? For all these days, where were you and what were you doing? Since when are you here? During that period, what were you doing? Is there anyone who knows you? Who can stand guarantee for you?' Now you tell me, how can you get work like this?

(Mander, 2009)

For those who come into care late, say at 14 years or even later, transition milestones obviously do not occur in a linear fashion that one expects, especially so in the case of a child from the streets. Despite this fact, between the ages of 14 and 18 years, while their education is still incomplete and they are vocationally unemployable, the services available to the children and adolescents under state schemes (both under JJ as well as SSA) come to an end abruptly and sometimes in phases. In effect, they get pushed from temporary inclusion to exclusion overnight in the last phase of care, leaving them to their own devices.

The minimum supports that the transitioning child should be provided with are—completion of basic education, safe and secure accommodation, movement towards dignified source of income and adequate daily living skills.

The home gave me a life, everything I needed, it was a heavenly opportunity. When they asked me to leave the day I turned 18, I forgot the years of support and only the anger and sadness of this betrayal and abandonment stayed with me.... This was the finishing line, if I was not to be supported at this important time in my life, what was the point of getting me here from the streets.

(RFI-ARUN, 2016)

It is important that the laws and policies be extended uniformly across the schemes for the street child. The current 'Aftercare' option mandated under the JJ Act is applicable only up to 21 years and in order to ensure the smooth transition and reintegration of a young adult stepping into adulthood, there should be a policy of special stipends and scholarships for higher and technical education as well as assistance for supported group living until they complete their higher and technical education. This support should be on par with admission quotas, stipends and scholarships available for SC and ST children.

6.6 Stronger Ancillary Protection Service Units and Mechanisms

The existing ancillary protection services need strengthening to ensure that the response is well-rounded. First, there should be an adequate number of CWCs, thoroughly capacitated to appreciate the unique circumstances of a child from the street, their range and the interplay and dynamics that impact a child's behaviour patterns and the choices they (have to) make. As a service mandated for ensuring the welfare of the child, the dealings must be made more participatory with strong weightage given to

Box 7: Good Practice

One particularly innovative action has been the Child Friendly Police initiative, **NABADISHA** whereby the Kolkata Police adopted a Child Protection Card, which can be issued to any child, but is of particular use to children with inadequate family support who live on the streets, in stations or in markets. Since 1998, CLPOA [City Level Programme of Action] has coordinated with Kolkata Police in conducting training courses for police officers with the aim of sensitizing them to the rights of deprived children and juvenile offenders, and of establishing stronger links with social welfare and protection services. Yearly city-level and zone-level work-plans are developed jointly to identify activities for implementation and provide a framework for area-based monitoring. The police also provide self-defence training to children at risk and host health service delivery in their stations every Sunday morning. As many as 42 police stations in the city are involved in such activities to protect children at risk.

Source: Community Policing Wing, Kolkata Police. See: <http://www.kolkatapolice.gov.in/images/docs/cpw.pdf>

the opinion of the child and the parents wherever appropriate, and to the extent possible their consent must be taken before decisions are reached. Similarly the state should design a comprehensive programme to sensitize the police force to enhance its capacities to understand the circumstances and challenges of the children on the streets and to be equipped and trained to respond to them without violence, but in appropriately child-friendly ways. This synergy with the law keepers is extremely significant in the context of street children.

6.7 Resolving Budgets Woes

Modifying schemes and policies to make them more inclusive will mean little, if the financial resources to implement and enforce them are not forthcoming or inadequate to fulfil the commitments to these children. As a case in example, the budgetary allocation for Telangana in FY 14–15 was 26.92 crore, which includes several components like running of CCIs, open shelter, Child Line, maintenance for Juvenile Justice Boards (JJB), CWC, etc., whereas going by a per child maintenance grant of INR 2000 per month alone, the requirement adds up to 70 crore. Such lacunae must be corrected and allocations should be made realistic to match ground realities. According to research findings (Policy & Budget Analysis, 2016),⁶ the Union Government transfers funds in two instalments to state governments—once in April and then again in September. But, the second installment is released only after the state government also adds its contribution. So if there is a delay in releasing the state's matching share, the second instalment gets delayed which also means a rush to spend money as the year ends which may result in poor quality spending. Unspent funds in turn point to low or no achievement of objectives of these schemes. Instead of simply reducing the next year's allocation the Centre, as well as states, should introspect at all levels and examine the processes as well as outcomes so that shortfalls can be corrected.

6.8 Prevention, to the Extent Possible

Considering that street children phenomenon is largely an urban one, along with taking steps for managing the immediate situation at hand, the State also needs to act on 'Pull and Push' factors that contribute to bringing the children to the streets.

For instance, people are rendered homeless because of the demolition of their slums. Like the experience of 14-year-old Lakshmi:

She remembers happier times, when she was still living in the JJ colony at Yamuna Pushta. They had a home then, her father was a rickshaw puller, she and her sister went to school in the slum, they had friends who they played with and her mother stayed at home with her younger siblings. Her whole world was shattered when one day they received a notice setting a date for the demolition of the slum she was living in. Hers was one of the slums demolished a few years back as part of the slum demolition campaign of the Government of Delhi. Once the slum was demolished her family was 'rehabilitated' in Bawana, where they were given a small piece of land. However, the area was so inhabitable that Lakshmi's father decided to sell it and with no option remaining moved to living on the street. Lakshmi, her mother and her siblings now survive by begging and rag-picking.

(Mander, 2009)

Some are also simply born to the streets and have lived for several generations on the same piece of pavement and the new generations too grew up in the same stretch of pavement. Mohan, a street boy in Chennai shared, 'Homelessness is not a new thing for me. I was born into streets, and it was here that I was brought up. I have a lot of friends who still live on the streets. Our parents got a house very recently and I am not sure how long they can manage to be there.' He is convinced that they will be forced to return to the streets. Likewise, Mythili, (Mander, 2009) describes herself of 'homeless lineage', recalls that her father was irresponsible, '...a drunkard, he

never cared for us...' and that her mother fed them by selling food cooked by her on the pavements to other homeless people. (Mander, 2009)

A critical aspect of prevention should mean reaching the families and the children with essential services before they get sucked into the vortex of an abyss of street life and, for others, breaking the cycle of chronic homelessness. Apart from the specialized set of services for children, adequate safe spaces, livelihood training and services to especially support single women, those disabled, or those migrating initially into the city in search of better prospects, etc., these families can significantly limit the number of people becoming unproductive and pushed into marginalization and exclusion. Although it's a complex maze, a strong, multi-pronged approach aimed at poverty alleviation, better education and health in the rural parts, better opportunities, etc., will certainly be helpful.

Conclusion

Street children have been hugely misunderstood and shunned by mainstream society. They are

viewed as a menace but actually their lives on the streets are a result of the indifference of society. Despite having signed the CRC nearly 25 years ago, that emphasizes the rights-based perspective, as a country we need to honestly answer the question whether we have really begun to see children on the streets as citizens with legitimate rights.

If the physical, emotional and sexual health and educational needs of these children go unaddressed, they will become inter-generational, and further, failing to organize support and resources for them and keeping them excluded will have serious implications not just for the children but also for the society, more than we have ever chosen to acknowledge. We simply cannot let the lives of millions of children be destroyed only because they don't have a voice or are not a vote bank.

While the barriers faced by excluded children are high, they are very much reversible and some of the recent moves of the government indicate this. We hope that these efforts can be consolidated, collaborations strengthened and aligned to the real needs and synergized to ensure that no child is left out on the streets of India.

Endnotes

- 1 Rainbow Homes for Girls and Sneh Ghars for boys are run in eight cities by Rainbow Foundation India using the Residential, Non-custodial, Comprehensive, long-term care approach.
- 2 In all the examples of children's experiences appearing across this chapter, their real names have been changed for the purpose of confidentiality.
- 3 From *Patri Par Bachpan*, a documentary film made by street children with the assistance of ActionAid India aimed at empowering the less privileged sections. See: <http://www.thehindu.com/lf/2004/03/23/stories/2004032301470200.htm>
- 4 Railway Children is an international children's charity working with street children in India, East Africa and the UK.
- 5 All the authors are part of the team that runs Rainbow homes across the country.

List of Abbreviations

- CCI:** Child Care Institution means children home, open shelter, special home, place of stay, specialized adoption agency and a fit facility recognized under the JJ Act for providing care and protection to the children, who are in need of such services. (source: JJ Act 2015, section 2 (21)).
- CLPOA:** City Level Programme of Action is a networking body of more than 200 NGOs throughout the state of West Bengal. It reaches out to more than 1 lakh children in areas of education, health, sensitization and capacity building.
- Child Line:** It is India's 24 hour, free emergency phone service for children's aid and assistance. This service is provided by the Department of Telecommunication, accessed through the toll free number 1098.
- CNCP:** Child in Need of Care and Protection covers children who need care and protection from a broad range of

neglect, abuse, exploitation, injury, illness, abandonment, torture including armed conflicts, civil unrest and natural calamity. For a specific definition please refer to JJ (Care and Protection of Children) Act, 2015, section 2 (14).

CPCR Act: The Commissions for Protection of Child Rights Act, 2005, is an Act to provide for the constitution of a national commission and state commissions for protection of child rights and children's courts for providing speedy trial for offences against children or of violation of child rights or for matters connected therewith. (source: http://www.egazette.nic.in/WriteReadData/2006/E_5_2011_080.pdf)

CWC: Child Welfare Committees have the sole authority to deal with matters concerning children in need of care and protection. They comprise one chairperson and four members of whom at least one member of the board should be a woman. The CWC has the same powers as a metropolitan magistrate or a judicial magistrate of the first class.

DCPU: District Child Protection Unit is a fundamental unit in the districts under the ICPS scheme. The DCPU coordinates and implements all child rights and protection activities at the district level. Its specific functions include effective implementation of child protection legislation, and achievement of child protection goals laid out in the National Plan of Action for Children.

FGD: Focus Group Discussion is a qualitative research method that involves interaction within the group based on topics supplied by the researcher (Morgan, 1997, quoted in <http://sru.soc.surrey.ac.uk/SRU19.html>).

ICPS: Integrated Child Protection Scheme is a centrally sponsored scheme aimed at building a protective environment for children in difficult circumstances as well as other vulnerable children through government-civil society partnership. Some of the service structures for care, support and protection of children under ICPS are Child Line, open shelters, improvement of sponsorship, foster care, adoption and after-care services.

JJ Act: The Juvenile Justice (Care and Protection of Children) Act was enacted in 2000 to provide for protection of children. It was amended in 2006 and 2011. It was repealed in 2015.

JJB: Juvenile Justice Boards are constituted in every district by the state government to exercise powers and discharge functions relating to children in conflict with law under the JJ Act, 2015. They comprises a Metropolitan Magistrate or a Judicial Magistrate of first class with at least three years of experience and two social workers (of whom at least one should be a woman). The purpose of setting up the JJB is to make possible socio-legal rehabilitation in a child-friendly space not intimidating or overwhelming for the child.

JJ Colony: Jhugi Jhopari clusters are squatter settlements located on public land that come under the category of unplanned settlements in urban cities.

KGBV: Kasturba Gandhi Balika Vidyalaya is a Government of India scheme integrated with the SSA to provide educational facilities to girls belonging to SC, ST, OBC, minority communities and families below the poverty line in educationally backward blocks where female literacy is below the national average and gender gap in literacy is above the national average.

NCPCR: National Commission for Protection of Child Rights is a statutory body under the CPCR Act, 2005, under the administrative control of the Ministry of Women and Child Development, Government of India. The Commission's Mandate is to ensure that all Laws, Policies, Programmes, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child (source: <http://www.ncpcr.gov.in/>).

POCSO: The Protection of Children from Sexual Offences Act, 2012, was formulated in order to effectively address sexual abuse and sexual exploitation of children.

RTE: The Right of children to Free and Compulsory Education Act commonly known as the RTE Act mandates that the State provide free and compulsory education to all children of the ages of 6–14 years.

SCPCR: State Commissions for Protection of Child Rights were established in each state as per the provisions of the CPCR Act, 2005. They were set up to protect, promote and defend child rights in each state. The commission consists of a chairperson and six persons (one of whom should be a woman) who are well-versed in child welfare. The functions of the SCPCR are same as those of NCPCR (source: <http://www.childlineindia.org.in/state-commission-on-the-protection-of-child-rights.htm>).

SOP: Standard Operating Procedure

SSA: Sarva Shiksha Abhiyan (SSA) is an intervention programme launched in 2000–2001 with the aim of achieving universalization of elementary education. This campaign is committed to achieving its objectives in a time-bound manner as mandated by the 86th amendment to the Constitution of India that makes free and compulsory education to children of the ages of 6–14 years a fundamental right.

UDRH: Urban Deprived Residential Hostels are a full-time residential facility for the urban deprived children run in government buildings where children in the age group of 6–14 years undergo bridge courses and are subsequently admitted to formal schools for education. The residential facility adopts the voluntary, long-term, non-custodial, comprehensive care approach.

UNCRC: United Nations Convention on the Rights of the Child is a legally binding international agreement setting out the civil, economic, political, social and cultural rights of every child, regardless of their race, religion or abilities.

It was adopted by the United Nations in 1989 and ratified by India on 11 December 1992. (source: <http://www.savethechildren.org.uk/about-us/what-we-do/child-rights/un-convention-on-the-rights-of-the-child>)

WCD: Department of Women and Child Development, Government of India, is a nodal ministry for the

advancement of women and children. It formulates plans, policies and programmes. It coordinates efforts of governmental and non-governmental organizations working in the field of Women and Child Development.

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