



Role Of Children's Home In Promoting A Sustainable Life To The Vulnerable Child In India

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Abstract: Child Care Institution, constituted under the Juvenile Justice (care and protection of children) Act 2015 has been playing a pivotal role in protecting children's rights. These institutions are formed not only to provide shelter to some children but also these institutions stand as catalysts to justice, fairness, equity and social inclusion. This work aims to gain a clear picture about the life of those children residing in such children homes. Through this work, the researcher wants to analyze the surrounding under which a vulnerable child spends a considerable amount of time of his childhood. The researcher wants to draw precise attention by a thorough study about the basic amenities provided under such institutions. The fundamental purpose of this research paper is to analyze the multifaceted contributions of these institutions in promoting a sustainable life for vulnerable child. Children Homes in India play a vital role in promoting a sustainable life for vulnerable children by offering holistic support that addresses their immediate needs and long term development. Under the Juvenile Justice (care and protection) Act 2015, these institutions should maintain a homely environment as because the vulnerable child should be raised in a good environment where they can receive quality education and also they can prepare themselves to well survive for the rest of their life. The study is confined to a doctrinal method of study. The study also examines challenges such as resource constraints, inconsistent oversight to enhance the effectiveness of CCI's. This paper argues that Children's Homes are critical agents in shaping a more inclusive and sustainable future for India's marginalized child.

Index Terms - Child, Children's Home, Right to life, social integration

1. INTRODUCTION

Children being the most important assets on earth, their well-being is utmost important for the development of a society. Children is the most wonderful gift of God, who have a right to thrive, have the potential to develop themselves and live in a sustainable world. Childhood is the most crucial part of all human being as childhood decides what he to do in future. This stage is foundational not as because it has great impact on carrying good academic career but this stage shape the ability of child to survive in a society with meaningful consideration. Health, learning and mental ability are all have profound influence in the early childhood. Early evidences show that childhood is a critical stage of human development as it shapes the

brain architecture and foundation. So children's growth and development is well dependent on the opportunities that are provided by the parents and guardian.

Millions of children around the world remain trapped in cycles of vulnerability, and have certainly failed to access education, healthcare, clean water, nutritious food, and also deprived of protection from exploitation and any form of abuse.¹ According to UNICEF, there are a vast portion of countless kids live in multidimensional poverty—experiencing simultaneous deprivations in their basic rights². In India, census counts number of the household used electricity and opportunities among them. But census cannot estimated how many orphaned children live in our country. These are the child who are neglected and abuse and forcefully dropped out from his families. Such numbers of child cannot be counted. A country's future is largely depend upon the these children, so they are the bedrock of sustainable development. The term sustainable development is acts as a crucial pathway for ensuring a balanced relationship between growing economy, protection of environment, and social equity.³ The Sustainable Development Goals 2015 aims to reduce poverty and hunger, to provide quality education and reduction to mortality and also to consume affordable energy and sustainability, and thus children have been placed at the center of these goals. For sustainable growth of a nation child safety and protection is of grave important. Hence, role of state in balancing equality among all is a commendable one. The State by enacting various legislations and rules can established a balanced society. The Juvenile Justice Act 2015 can be noted tremendous one which have been playing a crucial role regarding sustainable growth of child who need extra care, attention and protection. The Act states some provisions under which various child care institutions in the form of Children Homes', Shelter Homes', Observation Homes' are established. These homes are created for overall development of a child within institutional care. Sustainable development cannot be achieved without safeguarding and investing at the marginalized children, often deprived of the basic essentials for survival. Addressing child vulnerability helps to break cycles of poverty and marginalization, contributing to more inclusive and equitable societies. Thus this paper wants to analyzing the role of children homes' in protecting interest of vulnerable child under the JJ Act 2015 and also to adopt strategy or policy to remove shortcomings and figure out solution regarding the basic problems that any child suffer within institutional treatment.. A clear communication protocol and ideal trust based management system is required to maintain standard of life of vulnerable child, and insists for a right based approach for children that signifies sustainable growth within institutional care.

1.2 Objectives of this paper:

This work is carried with the following objectives

- (I) To evaluate the role of Children Homes' in promoting sustainable growth and development of the vulnerable children.
- (II) The second objective is to suggest some remedial measures to remove the barriers concerning protection of vulnerable children can be removed.

1.3 Research Methodology

The method adopted in present work is primarily doctrinal and analytical. The investigation is based on analysis of relevant case laws, statues, analytical publication etc, by applying logic and reasoning and through systematizing legal propositions.

¹ Available at: www.slideshare.net

² Child Poverty, available at: <https://www.unicef.org/> (last visited on July 18, 2025)

³ Journalofeconomicstructures.springeropen.com

The source of material comprises of various books, commentaries, law journals, newspaper and periodicals. Besides the literatures of eminent personalities, international documents, relevant case laws and elaborate internet archives which present the latest online ideas could be taken recourse to.

1.4 Theoretical framework

Discussion on the concept of Justice and equity to vulnerable Child in CCI with reference to Juvenile Justice and protection and care act 2015:

The term Justice basically mean that all people should get to what they deserve. It generally refers to fairness, righteousness and moral righteousness in how individuals and institutions treat each other and distribute resources and opportunities. It is a dynamic idea that makes societal changes and encompasses various aspects like equality, fairness, liberty and proper application of laws. Historically there are certain eternal evidences to prove that without administration of justice, a civilized society cannot exist without.⁴ Those civilizations which lacked the presence of a justifiable system vanished with time. As the society being progressed the realization of need for inclusion of justice administrative system has increased. It became essential an approach for those in power which demand more cautious and systematic approach. Thus justice has evolved as an important aspects moral and political concepts with no agreed definition. Being an evolving concept it's meaning is different under various circumstances.⁵

Justice under Indian Constitution:

Indian Constitution promoted some basic principle in its various provisions. Justice is one of the essential principle included in the Constitution. The founding fathers to the Indian constitution were given wide importance about the need of justice as a valuable consideration for establishment of a welfare country. So the Justice, Equality and Fraternity whether socio, economic and political are enshrined in the preamble to the Indian Constitution.

Article 14 which speak about Right to Equality, article 15 which ensures no discrimination on the ground of caste, creed ,sex, place of Birth etc and also article 17 which banned untouchability enshrined in the Indian constitution reflect the idea of justice. All of these articles are included under the part III of the constitution which establishes fundamental justice and equity to every citizen. The preamble to the Constitution of India is the main provision which explicitly enshrined the principle of justice.

In accordance with Article 39 A of the Indian Constitution, the Directive Principle of State Policy also includes provisions pertaining to "Equal Justice and Free Legal Aid". It grants every citizen the right to get free legal counsel from court officers. Free legal aid cannot be denied to anyone. The state's main responsibility is to guarantee that legal system operates according to the principles of justice, that equal opportunity is provided, to ensure that no citizens as denied the chance to obtain justice because of financial or other societal barriers. In other sense providing free legal aid is primary duty of State to ensure that working of the legal system is based on principles of justice.⁶

⁴ The concept of jusice,available at: <https://legalvidhiya.com> (last visited on September 11,2025)

⁵ Available at: <https://articles.manupatra.com>(last visited on August12, 2025)

⁶ M.P Jain, *Indian Constitutional Law*,Lexis Nexis,7th edition

Concept of Equity:

The term equity derived from the Latin word *aequitas*, which means fairness and justice. It is originated in English court that provide remedies for injustices. Equity ensures that the rigid application of law do not lead to unjust outcomes, rather it provide a base of smooth functioning equity stand as a core stone of Indian legal system also as it providing a framework that ensures strict legal rules with fairness , justice and good concise. During pre independence period in India Hindu law contained several equitable principles. A judgment should be founded on righteousness and legal principles, according to the ancient Hindu treatise Manusmriti. Likewise Muslim personal law also recognized the principles of equity while deciding a particular concept. After adoption of Indian Constitutions Equity become an integral part of constitution. Our constitution included equity principles particularly through the Preamble and Fundamental rights. Over the years Indian Courts have followed equity principles in delivering various judgments. There are certain equitable principles that are directly connected to Indian legal system such as he who seek equity must do equity, delay defeats equity, equity follows the law etc.⁷

Provisions relating to Children's Home

The key legislation regarding child protection is the Act of Juvenile Justice (Care and Protection) 2015. The Act provide equity and security to vulnerable child within India. This Act aims to ensure fairness and safety to vulnerable children within India. It's purpose is to guarantee equal treatment and significant development opportunities for children who are unsafe and often required special care and attention. The Act offers protection to two groups of children :

- (i) the children, those in conflict with the law and
- (ii) children, those in need of care and protection among vulnerable child.⁸

The children requiring special care and protection are often runaway children, orphan children or destitute child, street children or children of victims of various offences .The term “ Children in conflict with law” refers to those⁹

“who has not reached the age of eighteen on the date of offense and who is accused or proven to have committed an offence”

Through the creation of child care institutions, Juvenile Justice Act 2015 has brought a range of institutional care choices for vulnerable children under its jurisdiction for both short term and long term care. These CCIs are broadly divided in two categories. The first category contains laws pertaining to the establishment of certain institutions including Children's Homes, special homes, observation homes and places of safety. These institutions are established to provide institutional care to a child ,that not able to get all the essentials for a worth living or who during pendency of a trial proceedings faced multiple challenges for survival . Like these institutions Specialised Adoption Agency¹⁰ also provides institutional care to the vulnerable child. These are set up with the primary focus of keeping those children to give them in adoption. The second category which can be created by governmental and non governmental organizations consists of open shelters, fit facilities and fit persons for community based facilities for children who may need residential support on a temporary basis. As per Section 50 the JJA 2015,

⁷ Available at: <https://lawbhoomi.com/> (Visited at 11.00 a.m, on August12, 2025)

⁸ Ved Kumari, *The Juvenile Justice (care and Protection) Act 2015 Critical Analysis*, Lexis Nexis, 2016

⁹ The Juvenile Justice (care and Protection of Children) Act 2015, sec2(13)

¹⁰ The Juvenile Justice (care and Protection of Children) Act 2015, sec 2(12)

“In each district or group of districts should have a children’s home set up for placement of children who require additional care and attention both during committee’s proceedings and if the committee so requests after their case is resolved. The state government itself or non governmental or non profit organization may create or run the Children’s home.”¹¹

1.5 DISCUSSION

Role of Children Home in sustainable growth and development childhood of vulnerable child

Children home or observation home have been playing a beneficial role in the sustainable growth and development to the vulnerable child who are placed in such home to secure security and peace. Sustainable development is “development that meets the needs of the present without compromising the ability of future generations to meets their own needs”¹² according to the seminal Bruntland report.

Ensure human dignity and planetary health is the ultimate goal of sustainable development. Among the various dimensions of equality —economic, social, and environmental—the social component often centers on human welfare, with special attention to marginalized and at-risk populations. vulnerable child often those child who, due to poverty, conflict, disability, displacement, exploitation, or neglect, often facing reduced opportunities for survival, development, and participation in society.

Children Home, a component of Child care Institutions has been essential to the general well-being of children who require special care and attention since the creation of CCI under the Juvenile Justice Act 2015. The institution of children’s home or observation home have the potential to stand as catalysts as it enables child to survive well after release from such institutional care. The role of Children Home in the sustainable growth of children who required extra care and protection can be discussed as under-

A. Contribution to preserve Right to Live a Dignified Life

The fact that children are the backbone of future human being, contribution Children’s homes in shaping the future of vulnerable child is always appreciable. In India Children’s home be a part of Child Care Institution have been providing a serious contribution in preserving the right to life¹³ of children as provided under Section 21 of the Constitutions. This right provides not only the protection for life from physical injury but also it promote life to live in a dignified manner. It also provide concern to give care and security of life to those child who are abandoned, orphaned, traffic or abused. Children homes act as sanctuaries that shield them from immediate threat. Violence, abuse, neglect, exploitation are often directly impact upon the lives of those child, and hence these homes provide a homely environment to the homeless, also provide peace and security to the abandoned. These home prioritize physical and mental well being of children by offering medical attention psychological support. In short ,these institutions not only prevent harm or injury it also restore the life of child to live without fear and suffer. It focus to bring a life with broader aims that mandate constitutional standard. These dwellings turned the framers’ ideals of the Indian Constitution’s guarantee of the Right to life into realities for the majority of vulnerables It strongly confirm that every child irrespective of background has the right to heal and survived, thus the foundational role of Children home in protecting right to life is indispensable.

¹¹ Juvenile Justice (Care and protection) Act 2015, Sec 50

¹² Iris Borowy, ‘Defining Sustainable Development: the World Commission on Environment and Development (Brutland Commission), Milton Park: earthscan/Routledge, 2014 available at: www.eajournals.org

¹³ Constitution of India, Sec 21

B. Contribution to a healthy environment

Children's home functions as a powerful tool to secure a safe, nurturing and homely environment for the marginalized children who are often neglected. The institution like Children home or observance home constituted under CCIs under section 50 of the juvenile Justice (care and Protection)Act 2015 provides that are Children homes' have to maintain certain qualities laid out in Model rules 2016 which emphasis child friendly environment, well infrastructure, vocational and skill enhancement programme etc. The CCIs have to operate in a child friendly manner avoiding any resemblance to custodial settings, rather they have to provide a homely environment where child can take part actively in decision making process. Children encourage to build relationship and engage in skill building program that prepare them for rest of their life to be independent. The Act mandate that the CCIs have to provide a expert staff for regular counseling and mentorship to mental resilience. In short Children's home serve as a safe heavens in laying foundation for a stable self- reliant future.

C. Protection of Equality

By 86th amendment 2002 the Constitution in it's article 21 A provide and promote Right to Education.. Accordingly all children irrespective of their background race, colour, sex are eligible to acquire right to education. Education is the key to eradicate poverty in any country. It is regarded as a supreme power to shape a wonderful society. It's role is important as to bring equality among the unequals. It acts like a keystone upon whom life depend and learn to grow and acquire knowledge for survival. The children living in children home have different life histories. They forced to live in street for various factors such as poor, cultural diversity or due to some socio economic factors and family background. Hence a considerable emphasis is given by the Juvenile Justice Act 2015 to education as a fundamental tool for societal reintegration of child is required for special care and attention. It is the obligation of Child Care Institutions to provide education suited to their age and aptitude and developmental needs. Section 39 of the Act providing for

“ rehabilitation and reintegration via education and vocational training.”

Section 53 of the act mandates that “each kid have a personalized care plan. “

Section 41 and 42 of the Act stipulates that “ the Child Care Institutions must be registered.”

Moreover children with disabilities and having challenges are entitled to special trainee and educator. The Child welfare committee is entitled to supervise all opportunities that are being provide to children with care. Education is a pathfinder of those child who deserve to learn grow and thrive within the surrounding of Children home.

D. Role in eradicate poverty and zero hunger

If poverty of a child is first language, the effect will not remote but it affected in a long way. Childhood poverty is also differs from global poverty. It affect children as how they think learn and imagine the depth of life. When child are forced to live in such an environment where they cannot access a single meal in a day or suffer with inadequate food stuff in such case it destroys all the potentials for their growth. And yes for millions of people of the world specially in India children are died of poverty and hunger are common in past decades. According to the latest World Bank figures, around 900 million people suffer from severe hunger and poverty.¹⁴ Children Homes' often collaborate with Non Governmental Organization and various government scheme have been trying to nurturing the potential children specially who are vulnerable by

¹⁴ Available at: <https://www.unicef.org> (last visited on July 31,2025)

providing food and other essentials to develop in a sustainable manner. Children Home' stands as a catalysts for change, nurturing every potential of children and also effort to lay a hunger free future.

1.7 Analysis of Challenges and effective measures

The Indian Government since the adoption of our constitution adopted various legislations for upliftment of every citizen of our country. The key legislative measures to protect the rights of people that directly related to the life of marginalized child in India is The Juvenile Justice (care and protection) Act 2015. Though government adopt ,enact laws to overcome societal barriers but its proper implementation have been quite disturbing. A number of hindrances faced by the authorities of Children home in providing a quality life to child. While reviewing literature various obstacles that are facing each and every child care institutions across various regions in India are found. One of the major challenges that lack of resources within institutional care. The fund provided by the respective government is not sufficient to nurturing every child with adequate nutrition. It can lead to serious health issues. Secondly, such institutions have not maintained properly due to lack of expert or trained employees. Thus inefficient staff cannot take good care and cannot able to give quality life lesson to vulnerable child. Lack of proper monitoring agency is another challenges for effective utilization of Children Homes'. Some child care institutions operate with little responsibilities where lots of unreported cases abuse or neglect are exist.

The key element to eradicate the challenges faced by the child care institutions is the effective implementation of the Juvenile Justice Act 2015. For this effective enhancement of budget under scheme like Mission Vatsalya and the integrated child protection scheme is required. Secondly regular training of caregiver, educator and other staff are also required to be scrutinized for proper monitoring. Moreover in the era of digitalization digital literacy should also be enhanced among the staff. Besides the challenges within institutional care there is lack of government data regarding reporting of orphan child which also diminishing the right to life of vulnerable child. It is of worth sharing that Supreme Court of India recently ruled in urging the Union Government to count orphan children in the 2027 census by creating a separate category of them is a crucial step forward. Besides the challenges within institutional care there is lack of government data regarding reporting of orphan child which also diminishing the right to life of vulnerable child.¹⁵

1.6 Conclusion

Children Homes' constituted as a part of Child Care Institutions under the Juvenile Justice Care and Protection Act 2015 have been standing as a key framework in providing justice and equity to vulnerable child by sustain their life with development and growth. As these institutions keep trying to provide adequate food and nutrition, education and healthcare that directly contribute to human development. By rescuing vulnerable child from poverty, neglect and exploitation they break the cycles of poverty and exploitation and prepare them for future so they can participate and contribute in the society. By providing education to the marginalized they can prepare the children for future employment. Many children home collaborate with local NGO's ensuring efficient use of government's fund and expanding the use of social programme. By promoting equity and inclusive development children home help to build a more balanced economy. By providing protection to the needy one they help to accomplish the initiative of the Government which directly fulfill the goals of Sustainable Development. Through various case studies it is seen that a child whose journey began at juvenile home where he completed his intermediate education now able to perform duty as a hotel manager. Another instance where an accused of murder case aged about 17 years, after spending two years at juvenile home, after releasing, his life turns and established himself as a lawyer. So the impact of working of the

¹⁵ Anil Pandey, "Two in every classroom: The forgotten children who must be counted", the Sentinel-of this land for it's people, August 27, 2025

child care institution on a child is not rare, the children homes' certainly support to the development of our country through providing a helping hand in molding the future of the neglected one.

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