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Title of the Thesis: “A Study of the Journey, Life, and Prospects of Children living without Parental Support in Government / NGO run Institutions in Kashmir”

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ABSTRACT

The research is an attempt to understand the factors that have contributed to the mushrooming of institutional care for children without parental support since 1990s in Kashmir. The life of children without parental support prior to institutional care has also been explored. Further the study has also attempted to ascertain the capacity of the family to ensure the survival and development of children without parental support. Consequently the study traces the journey of the child from the home to the institution which inter alia includes the process adopted by the family in identifying the institution, the nature of preparatory work that they undertook to understand the institution and acquaint the child with the institution. Having entered into the institution, the study uses the UNCRC framework to understand the fulfillment of the survival, development and participation rights of the child. Finally the study moves to the plane of life beyond institutional care with the help of respondents who have already moved out of institutional care. The study which had an exploratory design covered eight institutions located in two districts of Kashmir. Further ten children were selected from each institution along with one caretaker and administrator from each of the institutions. The guardian of each of the selected children was also included as part of the research.

The research findings reveal that majority of the children present in these institutions had a single parent alive which in all the cases was the mother. It was found that the primary consequence after the loss of the parental support was on the income of the family. Further the researcher also explored the capacity of the surviving parent to deal with the loss. It was found that the socio economic conditions of these families were not adequate to compensate for the loss. Additionally the support offered by the external agencies like the neighbors, relatives, community and government was limited which could not prevent the institutionalization of the child. The study found that the traditional support system which was previously available to children without parental support in Kashmir has undergone many changes. The conclusions drawn about the life of children within institutions were that as per the UNCRC framework, the survival rights are being fulfilled but the fulfillment of rights with respect to development and participation are

still a far cry. The study also reveals that once into an institution, the connections with the family are limited due to distance and poverty. The lives of children who had moved out from these institutions were also explored. The study found that Institutional Care was coming as an ad-hoc arrangement which is arbitrarily withdrawn, irrespective of the age of child, and then they are left to manage on their own. This was particularly true for children coming out of government run institutions. Children were found to be limitedly prepared for life beyond the institution.

The research has recommended that wherein the child has lost one parent, the other member should be provided sustainable support if institutionalization is to be prevented. A system of licensing has to be created for the institutions so that the rights of the children within them are secured. The mechanism is provided within the Juvenile Justice (Care and Protection of Children) Act, 2000 which has been recently adopted by the State of Jammu and Kashmir. There is a need that the State Commission for the Protection of the Child Rights should be established in order to carry out regular review of the implementation of the existing legislations and take suo moto cognizance of incidents pertaining to violation of child rights. *Zakaat* is a system whereby Muslims are expected to compulsorily pay a certain percentage of their income towards people who are unable to manage their life on their own. Since this has the potential to generate considerable funds, the channelization of the same towards families who lose their family member due to conflict may reduce the chances of institutionalisation of their children. For children living within institutions, it should be made mandatory that the child visits home frequently and guardians also visit the institution frequently. The children should be able to maintain connections with the family while they are in the institution. The government department may take the initiative of undertaking a training need assessment and thereafter design programmes for staff from both government and non-government institutions. Social Workers could take on the role of advocacy in the state to bring forth the relevance of non institutional alternatives not only for the value that they hold for the children but also for their cost effectiveness. The existing networks of social workers in Kashmir may be used for the above purpose. Social workers by virtue of their training can take up counseling role not only with children living in the institutions but also with the families that are affected by the conflict.