

Bill Summary

The Himachal Pradesh Sukhashraya (Care, Protection and Self-Reliance of Children of the State) Bill, 2023

- The Himachal Pradesh Sukhashraya (Care, Protection and Self-Reliance of Children of the State) Bill, 2023 was introduced in the Himachal Pradesh Legislative Assembly on April 5, 2023. The Bill establishes child care institutions for care, protection, and development of children. Key features include:
- **After care institutions:** The Bill mandates the state government to establish after care institutions. These institutions will provide food, shelter, clothing, higher education, and skill development to unmarried orphans between 18 and 27 years of age who have no place to live and are unemployed.
- **Admission to after care institutions:** The state government will constitute a child welfare committee in each district. The committee will have a chairperson and four other members. It will have at least one woman member and another, an expert on matters concerning children. The functions of the committee are: (i) order admission of orphans in after care institutions, (ii) issue release order to residents of after care institutions, and (iii) get family surveys done to identify orphans. Appeals against the orders of the committee may be made to the District Magistrate.
- **Benefits:** Residents of child care institutions and after care institutions will be eligible for certain benefits such as: (i) clothing allowance, (ii) festival allowance, (iii) inter or intra-state annual exposure visits, and (iv) recurring deposit accounts where contributions will be made by the state government. Children in conflict with the law will not be eligible for these benefits. Child care institutions are established for children in need of care and protection. Note that under the Juvenile Justice (Care and Protection of Children) Act, 2015, state governments can run child care institutions.
- **Higher education:** The state government will provide for the education of ex-residents of child care institutions till the age of 21 years (or 23 years in exceptional cases) and orphans (up to the age of 27 years). Applications for higher education, vocational training, skill development, or coaching must be disposed by the District Programme Officer or District Child Protection Officer within a prescribed period. A state level committee will ratify the applications approved by the concerned office. It will also approve the requisite funds. The committee will be chaired by the Minister for Social Justice and Empowerment, and will have six other members.
- During the period of higher education, vocational training, or skill development, the enrolled person will receive a stipend to meet personal expenses.
- **Fund for startup:** Orphans, of at least 18 years of age, willing to establish start-ups will be provided with financial support. The state level committee will approve the application and funds.
- **Grants for housing:** Landless orphans will be provided three biswas of government land and a grant for constructing a house during their life time. Biswa is a traditional unit of measurement of land area and is equivalent to about 37.6 square metres in Himachal Pradesh.
- **District level committee:** A district level committee will be constituted in each district for monitoring child care institutions and after care institutions. It will review standards of care, education, and vocational training being provided in these institutions to ensure their quality. It will be chaired by the District Magistrate and have 15 members including Superintendent of Police, Chief Medical Officer, District Labour Officer, and District Welfare Officer. The committee must meet at least once in three months.
- **Sukhashraya Kosh:** The state government may create a Sukhashraya Kosh with an initial corpus of Rs 101 crore. The interest earned on the deposit will be used for welfare and rehabilitation of children and orphans. Grants, donations, contributions, or subscriptions may be made by the government, individuals, or organisations into the fund. The state-level committee will monitor and operate the Sukhashraya Kosh.

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