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Date: 04/12/2011

Place: Bengaluru.

Ref: Abt-01/04/12/2011

To,
The Secretary,
Ministry of Women and Child Development,
6th Floor A Wing Shastri Bhawan
New Delhi - 110001 (India).

The Secretary,
Ministry of Social Justice and Empowerment,
Ministry of Social Justice and Empowerment,
Room. No. 609, 'A' , Wing, Shastri Bhawan,
Dr. Rajendra Prasad Road,
New Delhi - 110001 (India).

The Secretary,
Ministry of Law and Justice,
Room No.402, 4th Floor,
Shastri Bhawan, A Wing, Janpath,
New Delhi – 110001 (India).

The Secretary,
Ministry of Human Resource Development
Department of Secondary & Higher Education
National Scholarship Division,
A-1/W-3, CURZON ROAD BARRACKS,
K.G.MARG, NEW DELHI-110001 (India).

The Secretary,
Ministry of Parliamentary Affairs,
98, Parliament House Annexe,
CP, New Delhi-110001 (India).

The Secretary,
Ministry of Human Resource Development,
Room No 302,
Shastri Bhawan, Dr. Rajendra Prasad Road
New Delhi, Delhi - 110001(India).

The Secretary,
Department of Administrative Reforms & Public
Grievances,
R No-513, Sardar Patel Bhavan,
Sansad Marg, Parliament Street,
New Delhi – 110001(India).

**The Chairperson,
National Human Rights Commission,
Faridkot House, Copernicus Marg,
New Delhi - 110001 (India).**

**The Chairperson,
National Commission For Protection Of Children Rights,
5TH FLR, Chanderlok Building,
36, Janpath,
New Delhi - 110001(India).**

**Subject: Recommendation of “Special Protection /
Legislation for Orphaned and abandoned Children” by the
Govt. Of India**

Respected Sir/Madam,

With respect to the above subject I, Kalyan Krishna Bandaru, President, Abilashrayam Trust (R), (Reg. No 251/08-09) Bengaluru, would like to bring to your attention the plight of orphaned and abandoned children in India with respect to benefits when compared to reservations under Caste/Minority clauses that are not at par or very limited.

According to Indian Constitution, there are Reservations for Minorities, Scheduled Castes, Scheduled Tribes, Backward

Classes, Other Backward Classes and those with physical disabilities, etc.

However, there are no nationwide provisions for the education, health and future employment of orphaned / abandoned children. Specifically, there are limited scholarships and stipends for higher education. There is no defined quota for government jobs.

Since orphaned/abandoned children are considered as casteless/religion less, they do not enjoy any scope of benefits under the reservation system in India (Which is predominantly based on caste & religion based quotas). Hence the need for a Special Protection / Reservation Bill for orphaned / abandoned children.

There are some reservation benefits allotted to orphaned/abandoned children by the state governments of Andhra Pradesh, India (**Ref: Annexure 1 attached – Government of Andhra Pradesh - G.O.Ms.No.47 Dated: 31-08-2010.**) with respect to education of orphaned/abandoned children below 15 years.

Most of the orphaned / abandoned children have no or limited support for their higher studies and life security. As a result, there are chances that these children are forced in to anti-social activities, become drug addicts / street urchins / Juvenile delinquents / victims of child trafficking / prostitution / child labour etc., in spite of all the efforts made by NGOs, child

welfare departments, institutions and individuals to sustain their future.

We would kindly request you to consider the above said proposal along with the comprehensive research report (submitted along with this letter) which includes suggestions/recommendations towards successful implementation of the **Special Protection / Reservation Bill** for orphaned and abandoned children in India, by formation of a special commission who can recommend the bill.

Rights that orphaned / abandoned children are not currently considered / ignored / overlooked / not entitled for

- Right to reservation
- Right to higher education
- Right to relaxation
- Right to benefits
- Right to Schemes
- Right to Quotas
- Right to educational concessions
- Right to central & state government's assistance

It is undoubted that central and state governments have various schemes for education, nutrition and health of orphaned and abandoned children (**Ref: Annexure 2 attached - National Charter for Children, 2003**).

However, the support for these children after the age of 14 is undefined or indefinite.

A few examples of reservations/benefits not extended to orphaned and abandoned children when compared to other reservation categories

- Admissions to professional courses like medicine, engineering, law etc.
- Reservations in Colleges/Universities via Government Funding
- Govt. / PSU / Private / Nationalized Bank Job quotas
- Age relaxation for direct recruitments in to Govt. sectors
- Govt. provided Secondary & higher educational concessions like exemption of tuition fees, free supply of books, mid day meals, special hostel facilities, stipends, scholarships etc.
- Free vocational trainings
- Election quotas
- Or such reservations permissible under the Indian constitution

As The Constitution of India states in article 15(4), children of the society that are most vulnerable to abuse and discrimination should be given the utmost priority while drafting secure systems / schemes / benefits.

As per the article 15 (4), it is duly noted that social justice is not achieved at any levels for orphaned / abandoned children. Hence the critical need for a “Special Protection / Reservation Bill”.

We kindly request you to consider this letter along with the detailed report attached herein.

Thanking you,

Yours Sincerely,

(KALYAN KRISHNA BANDARU)

President

Abilashrayam Trust (R)