

# THE JUVENILE JUSTICE (CARE & PREVENTION OF CHILDREN) ACT, 2001

- The new Act replaced the old Juvenile Justice Act 1986. This Act is in consonance with India's human rights obligations under the Convention of the Rights of the Child. The Act provides for the care, protection, treatment, development and rehabilitation of children.
- In the Act, Juvenile means a boy who has not attained the age of 16 years or a girl who has not attained the age of 18 years. Neglected juvenile means a juvenile who - i) is begging, ii) suffering from, terminal or incurable diseases and having no one to support or look after; iii) who is being abused or exploited, or iv) destitute. Delinquent juvenile means a juvenile who has found to have committed an offence. It is the responsibility of state to look into the problem of juvenile social maladjustment and make special efforts to mobilise all possible resources of the family, the community, and social organisation for rehabilitation and betterment of juvenile future. Any juvenile, who is likely to be abused, exploited and inducted into criminogenic life and is in need of legal support to be appropriately rehabilitated.
- Apart from prohibiting the confinement of the juvenile in a police lockup or jail, his/her contact with the police has been reduced to the minimum. For this beside such child would be produced by police officer, the special juvenile police unit, childlines, NGIs, or by public-spirited citizens authorised by the state, before the Child Welfare Committee. The delinquents are to be dealt with the Juvenile Court. Criteria for admission in Juvenile Homes, Observation Homes, Special Homes, transfer and criteria for Board setting up, selection of members or magistrate have been defined in the Act. Criteria for setting up of social organisation or institution for child welfare are also defined by the Act.
- Where a child is found to be suffering from leprosy, STDs, Hepatitis B, Open case of Tuberculosis, and other such diseases or is of unsound minds, s(he) shall be dealt with separately through various specialised referral services or under the relevant laws as such.
- Th Act provides a system to facilitate the adoption of children. The Act contemplate adoptions, as a manner of rehabilitation of children who are orphaned, abandoned and abused. It also contemplates foster care, sponsorship and after-care organisations as models of rehabilitation and 'reintegration' into society.
- The Act is not providing system to empower children. Rights to make choices and participate in societal processes are not respected in Acts.

## Reference

The Gazette of India. The Juvenile Justice Act. 1986 [Act No. 53 of 1986]