

# CHILD PROTECTION BULLETIN

STATE CHILD  
PROTECTION  
SOCIETY, ASSAM

MONTHLY BULLETIN OF ACTIVITIES CONCERNING CHILD PROTECTION IN ASSAM

## EDITORIAL

Children are our future. We need to make them responsible citizens. Unless and until they become responsible we are not going to have a safer society. The duty lies in the hands of the families. The new Juvenile Justice Act, 2015 includes the principle of family responsibility in the act which states "It's the primary duty of families to care, to nurture, and protect the child whether they be the biological parents or adoptive or foster."

The families need to be made aware and explain to them that they cannot leave their children without rules of discipline, acquiring bad habits, missing from homes without parents knowing their whereabouts, drinking away, dropping out of school, abusing drugs, and being vagabonds.

Therefore, it's very essential to build responsible families who would raise their children responsibly to be law-abiding citizens of the country. Let us all make this awareness among the parents/adoptive parents or foster parents to bring up their children in a most worthy manner.

*Editorial Board,  
State Child Protection Society, Assam*

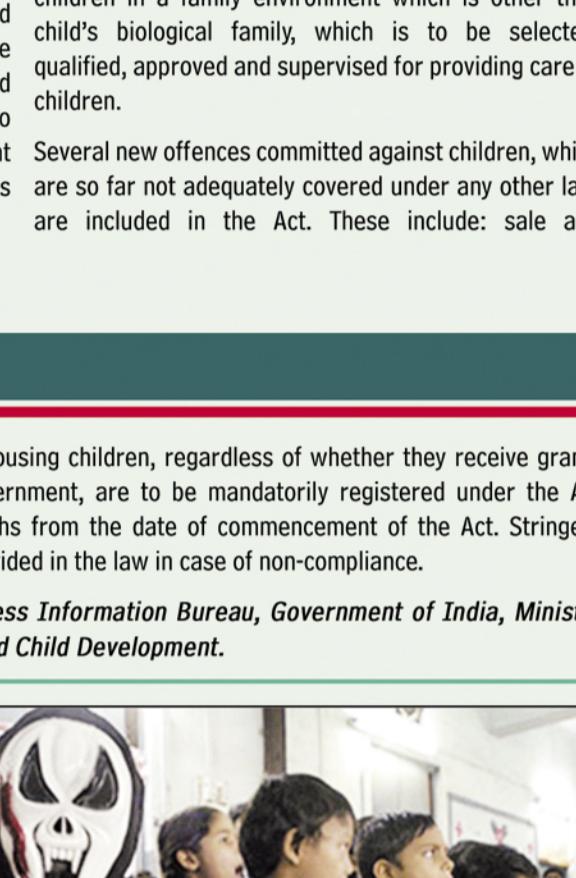
## Salient Features of the Juvenile Justice (Care and Protection of Children) Act, 2015

The Juvenile Justice (Care and Protection of Children) Act, 2015 has come into force from 15th January, 2016 and repeals the Juvenile Justice (Care and Protection of Children) Act, 2000. The Juvenile Justice (Care and Protection of Children) Bill, 2015 was passed by Lok Sabha on 7th May, 2015; was passed by Rajya Sabha on 22nd December, 2015 and received Presidential assent on 31st December, 2015.

The JJ Act, 2015 provides for strengthened provisions for both children in need of care and protection and children in conflict with law. Some of the key provisions include: change in nomenclature from 'juvenile' to 'child' or 'child in conflict with law', across the Act to remove the negative connotation associated with the word "juvenile"; inclusion of several new definitions such as orphaned, abandoned and surrendered children; and petty, serious and heinous offences committed by children; clarity in powers, function and responsibilities of Juvenile Justice Board (JJB) and Child Welfare Committee (CWC); clear timelines for inquiry by Juvenile Justice Board (JJB); special provisions for heinous offences committed by children above the age of sixteen year; separate new chapter on Adoption to streamline adoption of orphan, abandoned and surrendered children; inclusion of new offences committed against children; and mandatory registration of Child Care Institutions.

Under Section 15, special provisions have been made to tackle child offenders committing heinous offences in the age group of 16-18 years. The Juvenile Justice Board is given the option to transfer cases of heinous offences by such children to a Children's Court (Court of Session) after conducting preliminary assessment. The provisions provide for placing children in 'place of safety' both during and after the trial till they attain the age of 21 years after which an evaluation of the child shall be conducted by the Children's Court. After the evaluation, the child is either released on probation and if the child is not reformed then the child will be sent to a jail for remaining term. The law will act as a deterrent for child offenders committing heinous offences such as rape and murder and will protect the rights of victim.

To streamline adoption procedures for orphan, abandoned and surrendered children, the existing Central Adoption Resource Authority (CARA) is given the status of a statutory body to enable it to perform its function more effectively. Separate chapter (VIII) on Adoption provides for detailed provisions relating to adoption and punishments for not complying with the laid down procedure. Processes have been streamlined with timelines for both in-country and inter-country adoption including declaring a child legally free for adoption.



Several rehabilitation and social reintegration measures have been provided for children in conflict with law and those in need of care and protection. Under the institutional care, children are provided with various services including education, health, nutrition, de-addiction, treatment of diseases, vocational training, skill development, life skill education, counselling, etc to help them assume a constructive role in the society. The variety of non-institutional options include: sponsorship and foster care including group foster care for placing children in a family environment which is other than child's biological family, which is to be selected, qualified, approved and supervised for providing care to children.

Several new offences committed against children, which are so far not adequately covered under any other law, are included in the Act. These include: sale and

procurement of children for any purpose including illegal adoption, corporal punishment in child care institutions, use of child by militant groups, offences against disabled children and, kidnapping and abduction of children.

All child care institutions, whether run by State Government or by voluntary or non-governmental organisations, which are meant, either wholly or

partially for housing children, regardless of whether they receive grants from the Government, are to be mandatorily registered under the Act within 6 months from the date of commencement of the Act. Stringent penalty is provided in the law in case of non-compliance.

*Courtesy: Press Information Bureau, Government of India, Ministry of Women and Child Development.*

## Juvenile Justice Act: India is the only nation to impose harsh penalty on sale of Tobacco to minors

Juvenile Justice (Care and Protection of Children) Act, 2015 of Ministry of Women and Child Development came into force on 15th January, 2016. This is an Act to consolidate and amend the law relating to children in need of care and protection, by catering to their basic needs through development, treatment, and social re-integration, by adopting a child-friendly approach.

This Act recognizes the harmful effects of tobacco and the tobacco industry's sinister design to specifically target vulnerable children as their new consumers. In a path breaking amendment to curb the growing menace of tobacco, the act has modified section 77 as follows:

It is an offence against a child, if a person gives or causes to be given, to any child, any intoxicating liquor or any narcotic drug or tobacco products or psychotropic substance, except on the order of a duly qualified medical practitioner. This shall be punishable with rigorous imprisonment for a term which may extend to seven years and shall also be liable to a fine which may extend up to one lakh rupees.

The earlier law called Cigarette and Other Tobacco Products Act 2003 miserably failed to protect the sale to minors because the fine imposed was only 200 rupees. Mrs Maneka Gandhi deserves highest appreciation for her noble effort that is already being seen as a game changer in the national and international tobacco control community.

With this act, India has become the only nation in the entire world to impose such a harsh penalty for selling to minors and selling by minors. Nearly 27.5 crore Indians are using tobacco and a vast majority of them start their habit in their childhood.

As per Global Adult tobacco Survey, the age of initiation of tobacco habits in India is 17 years. As per Global Youth Tobacco survey, up to 20% of children in India are users of Tobacco. More than 5500 children /Adolescents start tobacco consumption daily. This act will save our future generations from this lethal habit. It is proven beyond doubt that Tobacco kills every third user prematurely through cancer, heart disease, stroke etc.

The use of tobacco is a prominent risk factor for 6 to 8 leading causes of death and almost 40% of the Non Communicable Diseases (NCD) including cancers, cardio-vascular diseases and lung disorders are directly attributable to tobacco use.

A conservative estimates of tobacco attributable deaths in India are about 10 lakhs a year. Of the dead, about 70% (90,000 women and

580,000 men) will be lost during the productive periods of their lives. Nearly 50% of cancers in males and 20% cancers in females can be directly attributed to tobacco use. As per the findings of the study titled "Economic Burden of Tobacco Related Diseases in India" (2014) commissioned by Ministry of Health & Family Welfare the total economic costs attributable to tobacco use from all diseases in India in the year 2011 for persons aged 35-69 years amounted to Rs. 1,04,500 crores.

The efforts of the tobacco industry seems to be to attract young and gullible to the world of tobacco. "Catch them young" is their motto, and use of tobacco products is projected as synonymous with adulthood, modernity, affluence, social class norm, elegance, etc.

The fear of falling sales, adverse articles and medical and media reports have prompted the tobacco industry to innovate new ways to promote their products amongst children through food products and stationery products intended for use of children. Hence the purport of the said Act is to ensure by all means a complete protection to the children below the age of 18 years from exposure to tobacco, for it's a known fact and evident from several studies that if a person is not addicted to tobacco use till 18 years the chances of him taking up the habit thereafter is very slight. This problem is so important that the international treaty, WHO-Framework Convention on Tobacco Control, has on full Article (no. 16) on this particular issue.

With regards to enforcement, in every police station, at least one officer, not below the rank of assistant sub-inspector, with aptitude, appropriate training and orientation may be designated as the child welfare police officer to exclusively deal with children either as victims or perpetrators, in co-ordination with the police, voluntary and non-governmental organisations.

- Pankaj Chaturvedi

*The author is professor and head and neck surgeon at Tata Memorial Hospital, Mumbai*

## National Deworming Day February 10, 2016

Every year on 10 February is observed as National Deworming Day to combat parasitic worm infections among preschool and school-age children across India. This year it is second edition of the observance of this day after it was launched in 2015 by the Union Ministry of Health and Family Welfare (MoHFW).

### Key facts

- Goal of National Deworming Day: Deworm all preschool and school-age children between the ages of 1-19 years in order to improve their overall health, cognitive development, nutritional status and quality of life. On this day, Albendazole tablets are given to all targeted children.

- Dosage of half tablet to 1-2 years children and one full tablet for 2-19 years is given.

- Organisers: Implementation of deworming programmes is led by the Union MoHFW.

- The Department of School Education and Literacy under the Union Ministry of Human Resource Development (HRD) and the Ministry of

Women and Child Development (WCD) also collaborate to implement the day.

- Union Ministries of Panchayati Raj, Tribal Affairs, Drinking Water and Sanitation, Rural Development and Urban Development are also other key stakeholders.

### Parasitic worms infestation

- Parasitic worms or Soil-Transmitted Helminths (STH) are among the most common infections worldwide that causing parasitic infestation with nutrient uptake in small children.

- STHs live in human intestines and consume essential nutrients meant for the human body. It causes complications among the children resulting in anaemia, malnutrition and improper mental and physical development.

- Each day, parasitic worms produce thousands of eggs which are passed in human faeces and spread to others by contaminating soil in areas where open defecation predominant and sanitation is poor.

Source: MIS Cell, SCPS, Assam

Corrigendum: Nalbari JJB: The data of December 2015 published in CPB January (2016) issue is to be read as No. of Cases Instituted(5), Case Disposed (2) and Pending (45) and in the Total, No. of Cases Instituted(90), Case Disposed (153) and Pending (161)

For any feedback, write to :

Chairperson, Editorial Board,

State Child Protection Society, Assam

DSW, Government of Assam

46, Survey Bus Stop, Beltoha, Guwahati-781028, Phone: 0361-2229275, Email: scpsassam@gmail.com, Website: assam-scps.com/termsofuse.php

## Status Report on the functioning of the Juvenile Justice Boards and Child Welfare Committees in Assam for the month of January 2016

Sl. No.	Districts	Juvenile Justice Boards			Child Welfare Committees		
		No. of cases instituted	No. of cases disposed	Total cases pending	No. of cases instituted	No. of cases disposed	Total cases pending
1	BAKSA	Cases are jointly dealt with Nalbari JJB			4	3	3
2	BONGAIGAON	3	2	22	6	7	10
3	BARPETA	1	0	113	8	5	23
4	CACHAR	3	4	69	7	4	7
5	CHIRANG	2	5	40	2	2	5
6	DARRANG	5	1	87	1	6	10
7	DHEMAMI	12	5	51	3	4	1
8	DHUBRI	10	0	89	1	3	16
9	DIBRUGARH	2	4	65	12	13	1
10	DIMA HASAO	3	0	20	1	1	0
11	GOALPARA	2	0	98	12	4	17
12	GOLAGHAT	3	1	21	2	1	11
13	HAILAKANDI	2	0	41	2	2	5
14	JORHAT	1	0	56	3	0	10
15	KAMRUP (M)	7	8	70	40	51	79
16	KAMRUP (R)	3	4	51	1	2	22
17	KARBI ANGLONG	1	0	40	1	0	3
18	KARIMGANJ	4	1	53	3	0	32
19	KOKRAJHAR	4	0	143	4	2	10
20	LAKHIMPUR	3	1	2	10	10	13
21	MORIGAON	0	0	8	12	10	19
22	NAGAON	5	5	239	17	14	30
23	NALBARI	2	5	42	0	1	35
24	SONITPUR	2	3	124	16	8	46
25	SIBSAGAR	9	2	53	4	3	54
26	TINSUKIA	4	2	43	12	2	23
27	UDALGURI	2	1	17	6	3	21
<b>Total</b>		<b>95</b>	<b>54</b>	<b>1657</b>	<b>190</b>	<b>161</b>	<b>506</b>

Source: MIS Cell, SCPS, Assam

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