

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.3096
TO BE ANSWERED ON 6.08.2021

CONDITION OF JUVENILE HOME INMATES

†3096. SHRI JYOTIRMAY SINGH MAHATO:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether the Government has taken note of the pathetic condition of large number of Juvenile Homes across the country where the children are served poor quality food, exposed to the corporal punishment and are deprived of proper education and skill development and also any medical and legal-aid;
- (b) if so, the details thereof;
- (c) whether several Juvenile Homes are not producing these children before the Child Welfare Committees or Juvenile Justice Boards as mandated under the Juvenile Justice Act; and
- (d) if so, the details thereof and the corrective measures adopted by the Government in this regard?

ANSWER

MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SMRITI ZUBIN IRANI)

(a) to (d): The children in distress situations merit care and protection under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015. The Act and Rules made thereunder mandate a safety net of service delivery structures along with institutional and non-institutional care for these children. The JJ Act and the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 framed thereunder, inter-alia specify the benchmark of services to be delivered to the children. As per the Act, the Child Welfare Committee is mandated to conduct at least two inspection visits per month of residential facilities for children in need of care and protection and recommend action for improvement in quality of services to District Child Protection Unit and State Government (Section 30 (viii)). The Juvenile Justice Board is mandated vide Section 8 (j) to conduct at least one inspection visit every month of residential facilities for children in conflict with law and recommend action for improvement in quality of services to District Child Protection Unit and State Government.

As per Section 10(1) of the JJ Act, as soon as a child alleged to be in conflict with law is apprehended by the police, such child shall be placed under the charge of the special juvenile police unit or the designated child welfare police officer, who shall produce the child before the Board without any loss of time but within a period of twenty-four hours of apprehending the child excluding the time necessary for the journey, from the place where such child was apprehended and under Section 31(1) any child in need of care and protection may be produced before the Child Welfare Committee without any loss of time but within a period of twenty four hours excluding the time necessary for the journey. The primary responsibility of execution of the Act lies with the States/UTs.

As per Section 109 of JJ Act, National Commission for Protection of Child Rights has been mandated to monitor the implementation of the provisions of JJ Act. The Commission has conducted social audit of CCIs across the country. The Report of the social audit is available at the website of NCPDR. Findings of the Report along with recommendations of the Commission have been shared with respective District Magistrates for appropriate action.

The Ministry has asked the State Governments and UT Administrations to register all the CCIs under the provisions of JJ Act, so as to ensure that CCIs offer optimum services, not less than the minimum standard of care and protection as prescribed under the Act & Rules. The States/UTs have also been requested to maintain oversight through the District Magistrates, to ensure quality services to children. The Ministry has also issued an advisory to all States and UTs regarding the action to be taken in case of disruption to the life of children in case of any untoward incidence of abuse in any CCI. The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2021, to amend the Juvenile Justice Act, 2015, has been passed by the Parliament to empower District Magistrates (DM) with the responsibility of care and protection of vulnerable children in the District, as per the provisions of the Act.
