

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UN-STARRED QUESTION NO.3433
TO BE ANSWERED ON 17.12.2021

JUVENILE HOMES

3433. SHRIMATI NAVNEET RAVI RANA :

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

- (a) whether the Government has taken note that children are not being taken care of in juvenile homes across the country and are given physical punishment, served substandard food, deprived of any medical and legal assistance and denied proper education and skill development, if so, the reaction of the Government thereto;
- (b) whether several juvenile homes are not presenting children before child welfare committees or Juvenile Justice boards as per the provisions of Juvenile Justice Act;
- (c) if so, the details thereof along with the measures being adopted by the Government in this regard;
- (d) whether the Government has also taken note of the miserable condition of children who are malnourished and victims of child marriage, child labour, trafficking and illiteracy; and
- (e) if so, the details thereof and the corrective steps taken in this regard?

ANSWER

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

(a) to (c) : The Juvenile Justice (Care and Protection of Children) Act, 2015 is the primary legislation for ensuring the safety, security, dignity and well-being of children. The Act provides for protection of children in need of care and protection and those in conflict with law by catering to their basic needs through care, protection, development, treatment and social re-integration. Under the centrally sponsored scheme namely Child Protection Services (CPS) Scheme support is provided to the States and UT Governments for delivering services for children in need of care and in difficult circumstances as mandate under JJ Act, 2015. The primary responsibility of implementation of the JJ Act lies with the respective State/UT Government.

Under section 54 of the Juvenile Justice (Care and Protection of Children) Act, 2015, the State Governments have to appoint Inspection Committees and under section 53, to assess the basic facilities and infrastructure of the Institution for maintaining their standards. Also section 32 to 34 of JJ Act, 2015 mentions the procedure for mandatory reporting including offence for non-reporting and penalty.

The Ministry regularly follows up with the State / UT Governments so as to ensure that Child Care Institutions (CCIs) including Juvenile Homes adhere to standards of care as per the JJ Act, 2015 provisions. Various advisories have been sent to all State/UTs regarding mandatory inspection of all CCIs.

(d) & (e) : Ministry has time and again requested all States/UTs regarding adhering to the procedures stipulated under JJ Act, 2015 and JJ Rules, 2016 relating to physical infrastructure, clothing/bedding/toiletries, sanitation & hygiene, Nutrition and Diet scale, Medical care, mental health, Education etc. of the CCIs.

Further, the Prohibition of Child Marriage Act 2006 has been enacted with the objective of prohibiting child marriages. The Act prohibits the solemnization of child marriages where a person who, if a female has not completed 18 years of age and if a male has not completed 21 years of age. According to the Act, child marriage is a cognizable and non-bailable offence.

Further, it is stated that "Police" and "Public Order" are State subjects under the Seventh Schedule (List-II) to the Constitution of India and, therefore, the State Governments and Union Territory (UT) Administrations are responsible for prevention, detection, registration, investigation and prosecution of all crimes within their jurisdiction including trafficking in persons. State Governments/ UT administrations are empowered to deal with such matters under extant provisions of law.
