

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO. 2075
TO BE ANSWERED ON 01.08.2025

JUVENILE JUSTICE ACT

2075. SHRI HANUMAN BENIWAL:

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

- (a) whether the Government is considering amendments to Juvenile Justice Act/other laws to mandate stricter action against employers of child labour, if so, the details thereof;
- (b) the number of challans issued and convictions achieved under existing laws in 2024-25;
- (c) whether the Government has identified any gaps in coordination among child welfare committees, police and judiciary; and
- (d) if so, the details thereof and the measures being taken to ensure that rescued children are not re-trafficked/employed?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SAVITRI THAKUR)

(a) to (d): The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015), as amended in 2021 is the primary legislation for ensuring safety, security, dignity and well-being of Children in Need of Care and Protection (CNCP) as well as Children in Conflict with Law (CCL). It caters to their basic needs, care, protection, development, treatment, rehabilitation and social re-integration. The Act creates statutory structures at the State and District levels which include State Child Protection Society, Child Welfare Committees, Juvenile Justice Boards(JJBs), District Child Protection Units. It also provides for establishment of Child Care Institutions. The JJ Act was amended last in 2021 and further amendments are not under consideration at present.

As per Section 2 (14) (ii) and (ix) of Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) as amended in 2021, a child who is found working in contravention of the provisions of this act or labour laws for the time being in force or is found begging, or living on the street and who is found vulnerable is included as a “child in need of care and protection”, among others.

The Government of India has taken several steps to prevent child labour including enactment of the Child and Adolescent Labour (Prohibition & Regulation) Act, 1986. The Act inter-alia covers complete prohibition of work or employment of children below 14 years of age in any occupation or process and prohibition of adolescents in the age group of 14 to 18 years in hazardous

occupations and processes. It also provides for stricter punishment for employers for violation of the Act and made the offence as cognizable.

Ministry of Home Affairs has issued an advisory dated 17.10.2022 to State Governments/UT Administrations regarding appointment of Child Welfare Police Officers and Special Juvenile Police Units under the Juvenile Justice (Care and Protection) Act, 2015 as these play a critical role in dealing with crime against children. Further, MHA has also issued another advisory dated 30.04.2024 to all State Governments/UT Administration to take pro-active steps to eliminate child labour including registration of FIRs, ensuring better coordination between law enforcement agencies and other stakeholders like NGOs; Anti-Human Trafficking Units; District Child Protection Units; Railway Protection Force; Labour factories etc., sensitizing the law enforcement agencies about gravity of child labour by way of training/workshops/seminars etc.

Section 143 of BNS defines trafficking as recruiting, transporting, harbouring, transferring, or receiving a person for exploitation using various coercive means. The section outlines severe punishments for trafficking, with higher penalties for trafficking multiple persons or children. Further, Section 144 of BNS, 2023, deals with the exploitation of trafficked persons, including sexual exploitation. The section outlines different punishments for exploiting trafficked children and adults, with distinct terms of imprisonment and fines. Section 95 of BNS related to hiring, employing or engaging a child etc. to commit an offence, Section 99 of BNS related to buying a child for the purposes of prostitution are also relevant in the context of human trafficking. Additionally, the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 also recognizes trafficking as a cognizable and non-bailable offence.

Further, Ministry of Women and Child Development is implementing Centrally Sponsored Scheme namely Mission Vatsalya through the State/ UT Governments on pre-defined cost sharing basis between the Centre and the State Governments to deliver various services for children in difficult circumstances, which include both institutional and non-institutional care services. The Child Care Institutions (CCIs) established under the Mission Vatsalya scheme support, inter-alia, age-appropriate education, access to vocational training, recreation, health care, counselling etc. Support under non-institutional care is provided by way of sponsorship, foster care and after care to children in need of care and protection.

Also, the Ministry of Women and Child Development regularly follows up with the State/ UT Governments so as to ensure better implementation of the processes and procedures mandated under the JJ Act and Rules.

Further, 'Police' and 'Public Order' are the "State" subjects under the Seventh Schedule to the Constitution of India. The responsibility for preventing and countering the crime of human trafficking, therefore, primarily vests with respective States/ Union Territories, who are competent to deal with such offences under extant provisions of law.

National Crime Records Bureau (NCRB) compiles and publishes information on crime in its publication "Crime in India". The latest published report pertains to the year 2022.
