

**Report on the Regional Round Table Conference of Eastern States
On
Effective Implementation of Juvenile Justice (Care and Protection of Children) Act, 2000¹**

13- 14 September 2014

I. Introduction

The Regional Round Table Conference of Eastern States on the Effective Implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act) was attended by participants from the states of West Bengal, Bihar, Chhattisgarh, Jharkhand and Odisha. The participants included Hon'ble Mr. Justice S.C. Parija, Judge Orissa High Court & Member, Juvenile Justice Committee, Hon'ble Mr. Justice D.N. Patel, Acting Chief Justice, Jharkhand High Court, Hon'ble Mr. Justice V.N. Sinha, Judge Patna High Court, Hon'ble Mr. Justice Navin Sinha, Chhattisgarh High Court, Hon'ble Ms. Justice N. Patherya, Judge, Calcutta High Court, representatives of the Department of Women and Child Development; State Commissions for Protection of Child Rights; Department of Social Welfare; Department of Health; Department of Home; Director and Office bearers of the Odisha Judicial Academy; Members of the Registry of Orissa High Court; Member Secretaries of the State Legal Services Authority; Judicial Officers; Chairpersons and Members of the Child Welfare Committees; and civil society organisations.

In his Welcome Address **Hon'ble Mr. Justice Subhash Chandra Parija**, Judge and Member Juvenile Justice Committee, Orissa High Court emphasized the constitutional mandate of the State to ensure that all the needs of children are met and their human rights are fully protected. He voiced his view that a law that remains confined to the statute book carries no meaning if it is not brought alive by making it work on the ground. According to him, the Round Table Conference was an opportunity for the stakeholders from the participating States to share with one another their problems, experiences, ideas and wisdom and to develop strategies for more effective implementation of the JJ Act.

In his Introductory Remarks, **Hon'ble Shri Justice Amitava Roy**, Chief Justice of the Orissa High Court, provided a constitutional perspective on the rights of children and the duties imposed on the State and the objectives of the JJ Act. He highlighted that apart from the infrastructural deficiency; the implementation of the JJ Act fell short in the areas of counselling, health care, education, rehabilitation etc. and has posed formidable challenges towards achieving the objectives of the JJ Act. The lack of coordination and initiatives and the want of sensitization of the stakeholders are other impediments. Laying emphasis on the rehabilitation and reintegration of children in conflict with the law, he felt it was time for every institution entrusted with the role of protecting the rights of vulnerable citizens to shake off their inertness, to rouse our collective conscience in order to secure a better and meaningful life for children.

Sharing his Reflections and Views, **Hon'ble Mr Justice Madan B. Lokur**, Judge, Supreme Court of India, emphasized on the need to focus on children - the future of India and for this purpose to consider both short term as well as long term measures. In the short term, we must address the needs of children in conflict with the law and children who are homeless, abandoned and other

¹ Prepared by the team at Centre for Child and the Law, National Law School of India University, Bangalore including Nina Nayak and Bharti Sharma, consultants to CCL for this project.

children whose needs are threatened because of their circumstances. Through this Round Table, he sought to send out the message that we need to get socially involved and make people aware that children do have rights like adults. In the long term, implementation of the laws related to the right to education, child labour, trafficking, etc and sensitization of the local mass will require the involvement of everyone in society and not just NGOs. He felt that we should consider inclusion of children under the Corporate Social Responsibility mandate of companies and work towards building up in society a feeling of inclusiveness for children.

II. Challenges faced in the effective implementation of the JJ Act

On 13 September 2014, representatives of the States of West Bengal, Bihar, Chhattisgarh, Jharkhand, and Odisha made brief presentations on the status of implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act). Representatives of the State West Bengal also explained the status of implementation of the Act in Andaman.

Several systemic, infrastructural, and human resources related challenges that impeded the effective realisation of the objectives of the JJ Act were highlighted. The unique challenges that emerged from the Eastern Region Round Table was the plight of tribal children in Chhattisgarh who are seen as being in conflict with the law for practicing traditional customs, the vulnerability of children living in naxal areas in Chhattisgarh and Jharkhand, the problems posed by remote access in Andamans, and magnitude of trafficking in Jharkhand.

The issues emerging from their presentations have been clustered below as follows:

- 2.1. Issues of Common Concern – a listing and tabular depiction of issues that were raised by two or more States.
- 2.2. State-specific Challenges – a listing of unique challenges faced by some of the States that affects the effective implementation of the JJ Act.

2.1. Issues of Common Concern

At the Eastern Region Round Table, several challenges that impaired the effective functioning of the JJBs, CWCs, management of institutions, and provision for legal aid were shared. The **lack of convergence** among key stakeholders and need for greater dialogue and coordination among CWCs, JJBs, police, DCPUs, SLSAs and State Departments was repeatedly stressed upon. The need for scrutiny of the **selection processes** for the appointment of members of JJBs and CWCs was also identified as an issue that merits attention as it impacts the functioning of these bodies. Most participants emphasized on the **need for a dedicated cadre of ICPS staffs** that can be trained on the JJ Act and be expected to fulfill their responsibilities. The need to **focus on rehabilitation measures** also emerged very strongly during the State and Group presentations.

The issues that emerged have been depicted below in the form of a State-wise table under four themes.

2.1.1. *Effective Functioning of CWCs*

Key challenges that affect the effective functioning of CWCs that emerged from the State-wise Round Tables are as follows:

- **Lack of Coordination:** CWCs are not sufficiently coordinated with other stakeholders particularly the police resulting in many children not being produced before the CWC especially victims of trafficking and child sexual abuse. The communication of CWCs with the DCPO and with the LSAs is also very poor.
- **Lack of sufficient infrastructure:** CWCs lack basic infrastructural support such as separate office space, furnished office, travel support, etc which greatly impedes their functioning.
- **Lack of a robust database and poor data management:** Documentation at CWCs is poor consequently records do not have an organized database. This creates more work and confusion and impairs the functioning of these bodies. Accessibility to government schemes is minimal there is no comprehensive data on the functional schemes or clarity of their structural framework.
- **Lack of initiative on the part of CWC members:** CWC members often wait for children to be produced before them and do not take *suo motu* cognizance of cases.
- **Staffing problems:** CWCs face severe staffing problems resulting from failure to make appointments or due to frequent transfers
- **Inappropriate Appointments:** Some CWCs are presided over by IAS officers who generally play the monitoring role leading to a conflict in interest

The following table indicates issues that were flagged as a concern by two or more states:

Table 1: Issues affecting the effective functioning of Child Welfare Committees

| Issues | West Bengal | Bihar | Chhattisgarh | Jharkhand | Odisha |
|--|-------------|-------|--------------|-----------|--------|
| Need for capacity building and awareness among stakeholders | √ | √ | √ | | |
| Lack of awareness among authorities and courts about their jurisdiction and powers | √ | | | | √ |
| Infrastructural concerns | √ | | √ | √ | |
| Non-functional CWCs | | √ | | | |
| Lack of monitoring mechanism for CWCs | | √ | | | √ |
| Part-time members and limited sittings | | √ | | | |

2.1.2. Effective Functioning of JJBs

Key challenges that affect the effective functioning of JJBs that emerged from the State-wise Round Tables are as follows:

- **Lack of proximity between the JJBs and OHs:** The JJBs are situated at a distance from the Observation Homes thus making the transportation and production of children before JJBs a huge challenge. This in turn affects pendency.
- **CJMs serving as Principal Magistrates:** Chief Judicial Magistrates have been designated as Principal Magistrates in some JJBs in contravention of the JJ Act.
- **No full-time Magistrates:** The absence of full-time Magistrates in the JJBs affects the disposal of cases in a timely manner. There are no alternative arrangements made in case of absence of the Principal Magistrate if she or he is transferred or is on long leave. This in turn affects the speedy disposal of the cases.
- **Large number of petty cases pending:** There is a need to address the disposal of petty cases as a significant number of cases have been pending in most States for years. Some participants proposed the options of plea bargaining and Bal Samvaad Adalats to deal with this issue.
- **No clarity on role of Social Work Members:** There is a need for clarity on the role of Social Worker Members in the JJB.
- **Lack of accountability of Social Work Members:** While the functioning of the Principal Magistrate is monitored by the judiciary, no such oversight mechanism exists in the case of the Social Work Members. It was proposed that the Director of DWCD be made responsible for monitoring the SW members.
- **Lack of infrastructure/support systems has rendered the passing of certain orders impossible under Section 15 of JJ Act** such as the ordering the juvenile to do community service etc.
- **Places of safety are absent:** Need for establishment of ‘places of safety’ as in most States they do not exist.
- **No understanding of Individual Care Plans:** There is a lack of understanding about preparation and implementation of individual care plans for children and this affects not only the orders passed by the JJB but the ultimate goal of rehabilitation and re-integration of children in conflict with the law.
- **Problems with the grant of bail:** There are problems with the grant of bail to juveniles by the JJBs due to insufficient understanding of section 12 of the Act.
- **Poor data management and follow up:** JJBs do not maintain a proper database and there is poor organization of their data, which contributes to pendency.

The following table indicates additional issues that were flagged as a concern by two or more states:

Table 2: Issues affecting the effective functioning of Juvenile Justice Boards

| Issues | West Bengal | Bihar | Chhattisgarh | Jharkhand | Odisha |
|--|-------------|-------|--------------|-----------|--------|
| Lack of awareness among authorities and courts about their jurisdiction and powers | √ | | √ | | |

| Issues | West Bengal | Bihar | Chhattisgarh | Jharkhand | Odisha |
|---|-------------|-------|--------------|-----------|--------|
| Need for training and capacity building | | | √ | | |
| Infrastructural concerns | √ | √ | √ | | √ |
| Need for monitoring and accountability of Social Work Members | | √ | | | |
| Pendency | | √ | √ | √ | √ |

2.1.3. Effective management of child care institutions

A fundamental issue that was raised in the context of child care institutions pertained to the co-existence of the requirement of **registration** under the JJ Act along with laws related to **licensing** of institutions for children. Ambiguities related to registration hinder the monitoring of child care institutions. The need to focus on **non-institutional forms of rehabilitation** and to avoid overreliance on institutional forms of care was also emphasized.

States also raised the severe **shortage of child care institutions** which leads to the **lack of proper segregation** of the children as mandated by the Act. Many of the **monitoring committees** in these institutions are not in place. States further raised the issue of **lack of holistic care** to these children in these institutions.

The following table indicates additional issues that were flagged as a concern by two or more states:

Table 3: Issues affecting the effective management of Child Care Institutions

| | West Bengal | Bihar | Chhattisgarh | Jharkhand | Odisha |
|--|-------------|-------|--------------|-----------|--------|
| Shortage of staff | √ | | | √ | |
| Lack of trained staff | √ | | | | |
| Limited/lack of after-care services | √ | | | | √ |
| Paucity of funds and delay in release of funds | √ | | | | |

| | | | | | |
|---|---|---|---|---|---|
| Need for focus on rehabilitation and social-integration | | √ | √ | √ | √ |
| Violation of RTE | √ | √ | | | |
| Lack of adequate CCIs in every district | √ | | √ | √ | √ |

2.1.4. Effective Provision of Legal Aid for Children

The **availability** of sensitized lawyers with an understanding of the JJ Act was cited as a key challenge by most States.

The following table indicates additional issues that were flagged as a concern by two or more states:

Table 4: Issues affecting the effective provision of legal aid

| | West Bengal | Bihar | Chhattisgarh | Jharkhand | Odisha |
|---|-------------|-------|--|-----------|--------|
| Empanelled lawyers are inadequate | √ | | Legal Aid Clinics attached to all JJBS | | |
| Availability of LALs is a concern | √ | | | | |
| Insufficient emoluments for LAL | √ | | | | |
| Absence of sufficient funds to pay LALs | √ | | | | |
| Need for trained para-legal volunteers | √ | √ | | | √ |
| Need for training on Child Laws | | √ | | √ | |

2.2. State-specific Challenges

2.2.1. Andamans

- Geographical isolation presents a problem of accessing information on CINCPs.

- Tribal culture, tradition, rites & rituals and **less interaction with outsiders by the tribal community** poses the danger of their social isolation.
- **Non availability of sufficient trainers** for imparting training to the staff of Child Care Institution.
- **Lack of sufficient number of NGOs with expertise in child care practices.**
- **Lack of trained persons** in providing **special education to children with special needs**

2.2.2. Bihar

- **JJ Rules need to be modified** in order to comply with the Model Rules.
- Need for **critical research** and studies on CWCs and JJBs.
- **Absence of NGO partnerships** to provide supportive supervision.
- **Segregation** – housing of older CICLs transferred from jail with children in the OH.
- No **Place of Safety** designated.
- **High pendency** of cases before JJBs of approximately 21,000 cases.
- Cognizance of **cases before the Bal Lok Adalat has dropped** drastically to 14 in 2014 from 356 in 2008 leading to large pendency of petty cases.

2.2.3. Chhattisgarh

- **Plight of the tribal child in conflict with the law:** Justice Mr. Narayan Sinha, Hon'ble Judge of the Chhattisgarh High Court shared that 14% of the tribal population in the States is between 12 and 18 years. The tribal child is often treated as a child in conflict with the law while practicing customs such as *ghotul*, *paithu*, hunting, or drinking. For instance, hunting which is a way of life is often seen as violation of the Wildlife Protection Act, 1972. Customs that allow solemnization of marriage through capture conflict with the penal provisions on kidnapping. The danger of alienating the tribal child was stressed on and the need to arrive at a solution collectively to deal with them was flagged by the State representatives.
- **Access to education in naxal areas a concern:** Children living in naxal areas are being deprived of their right to free and compulsory education.
- **Attrition of staff:** In remote areas within the State, retention of staff is a huge challenge as they often quit upon getting better opportunities. The instruction by the Government of India that the staff be appointed on contract is not working out. Instead, it might be better to have the senior-most staff members under the ICPS on deputation from government departments.

2.2.4. Jharkhand

- **Trafficking:** Jharkhand is the biggest source for trafficking of children. Of the 2-3 lakhs of domestic maids in Delhi, 90% are from Jharkhand.
- **Naxalism: Children between 14-18 years are target population for recruitment by naxals** and at risk of becoming CICLs.
- **Inadequate institutions:** There are no separate institutions for girls and they are kept in Nari Niketan with adult women.
- **Low sitting fees** for CWC Members – Rs 350.

2.2.5. Odisha

- Sitting of **JJBs in normal courts**
- **Shortage of OHs** in the state
- **Lack of cooperation** between the CWC and the DCPO office
- Large **case pendency** amongst over-age children

2.2.6. West Bengal

- **SJPU** exists only **on paper**.
- Child Welfare Officers are holding **additional charges**
- Functioning of the CWCs is hampered by **lack of a robust database**.
- Children in conflict with the law are **not allowed to attend schools** and their right to education is affected.
- Children Homes, OH, SH, short stay homes and Swadhar homes are all clubbed together and there is **no separation or classification** as a result of which children from all categories are placed together.
- Persons in key positions hold **additional responsibilities** leading to **de-motivation** of the staff as well as **lowering the standards of care** provided to children in their care.

III. Key Challenges and Proposed Solutions

On 13 September 2014, participants were divided into eight groups under four themes and urged to deliberate on the key challenges, solutions and the way forward. The four themes were:

- Effective functioning of Juvenile Justice Boards
- Effective functioning of Child Welfare Committee
- Effective management of institutions.
- Effective legal aid for children

This section captures the solutions proposed in response to the challenges identified.

3.1. Key Challenges and Proposed Solutions to Ensure Effective Functioning of JJBs

| Issue | Key Challenges | Proposed Solutions |
|-------------------------------------|---|--|
| Infrastructural deficiencies | Lack of adequate number of Observation Homes and Special Homes. In several States, a single OH serves a group of districts and transportation time from the Home to the JJB can take several hours. With even fewer Special Homes, remoteness of these Homes it has become stressful and totally impractical to produce them before JJBs in a timely manner | <ul style="list-style-type: none"> • Observation Homes and Special Homes should be established in every district. • Alternatively Place of Safety should be set up in every district for easy accessibility of juveniles to JJBs |

| Issue | Key Challenges | Proposed Solutions |
|---|--|--|
| | <p>Basic infrastructure lacking resulting in absence of a child-friendly ambience within most Obs. and Sp. Homes. Lack of segregation, study, vocational training and counseling areas, proper hygiene maintenance, inadequate security and safety, outdoor recreational areas, family meeting area etc.</p> <p>All this contributes of violation of children's rights and often leads to violence within Homes.</p> | <ul style="list-style-type: none"> • ICPS provides resources for various facilities which must be utilized. Additionally public funds could also be mobilized for better facilities. Example TV, beds, library, study materials etc. • Registration and licensing of institutions • Each Home must have a Standards of Care manual /ISO certification and close monitoring by internal and external agencies to protect the rights of children entering the Homes • The Odisha model of creating Juvenile Justice Bhavans in two districts where CWCs, JJBs and DCPUs and the Homes are all located in one complex would ensure improved monitoring • Principal Magistrates and JJ Members must make unannounced visits and seek reports of Inspection Committees, Management Committees and Children's Committees as a monitoring strategy |
| | <p>Segregation of boys by age and gravity of offence and segregation of persons above 18 years in Homes not being followed causing management problems and increasing the vulnerability of younger children to abuse in closed environments (Homes) by young adults with history of unlawful behavior. .</p> | <p>Place of safety for detainment of such persons should be identified or constructed.</p> |
| <p>Selection Process for Social Work Members</p> | <p>Absence of transparency in the selection process</p> | <ul style="list-style-type: none"> • Merit of the members should not be compromised • Transparency in the selection process should be adhered to and advertisements should be issued in the local and national print media. • Social Work Members should be appointed from the locality in which the JJB is functioning. |
| <p>Magistrates</p> | <p>Part time magistrate</p> | <ul style="list-style-type: none"> • Where case load and pendency is high, full time must be assigned to |

| Issue | Key Challenges | Proposed Solutions |
|---------------------------|--|--|
| | <p>In some States, JMFC are working as Principal Magistrates of JJB. There is a need to appoint experienced Judicial Magistrates.</p> | <p>the JJBs.</p> <ul style="list-style-type: none"> The Hon'ble High Courts may consider providing orientation on issues related to correctional administration relating to children to newly posted Principal Magistrates |
| Pendency | <p>SIRs delayed. Adjudication of cases of juveniles living out of district or State time consuming due to SIRs not coming in or families not seeking bail. Juveniles not traceable once sent on bail also a contributing factor. All these result in failure to complete investigation into case within stipulated period of 4 months.</p> <p>Where pendency and case load high, one JJB within a district insufficient to handle the case load.</p> <p>Transfer of Prl Magistrate or Social Workers or availing of long leave by Prl Magistrate and failure to fill in vacancy caused</p> | <ul style="list-style-type: none"> The Act allows the creation of one or more JJBs and this must be done in districts with a high case load. BallokAdalats should be held on a quarterly basis to dispose off petty cases. Police should be orientated and trained for providing bail at PS where this is permissible by law Additional POs must be recruited and attached to Homes/JJBs to expedite SIRs High Court to oversee that JJBs function as full bench without any interruption |
| Family Antecedents | <p>Economic and social depravity of families leading to exclusion, migration and dysfunctional families unable to provide care and protection to their children and a conducive and caring home for reform.</p> | <ul style="list-style-type: none"> Children in need of care and protection should be the focus area of State because once they are taken care of they will not turn into children in conflict of law. Consequently need to strengthen CWC |
| Role of Police | <p>Overall poor sensitivity of police force to child rights violations and in particular regarding reasons why children commit unlawful deeds. Police serving as CWOs/JCOs and in SJPU not dedicated. Both reasons contribute to poor implementation of provisions in law like interacting with parents of juveniles, giving bail etc. to the detriment of children.</p> <p>Failure to invoke responsibility provided u/s 13(a)&13(b)</p> | <ul style="list-style-type: none"> SJPUs should perform their duties as mandated by law and optimize non-institutional options for Juveniles Sensitization of police on priority basis for granting bails and disposing of petty cases would reduce the burdens of JJBs. JJB must invoke accountability of police u/s 13(a)&13(b) |

| Issue | Key Challenges | Proposed Solutions |
|---------------------------------------|--|--|
| | <p>Children apprehended unable to produce proof of age or misguided and often thus wrongly entering adult criminal justice system</p> | <ul style="list-style-type: none"> • The investigating officers should act as per provisions in law and collect the documents regarding age proof of the juveniles to prevent wrongful detention and entry into adult criminal justice system. |
| <p>Gaps in Human Resources</p> | <p>Lack of clear understanding by JJBs of causes why children indulge in anti-social and unlawful behavior, come under peer influence, recruitment of children by naxalities and other outfits and cultural practices of certain tribal and other communities.</p> <p>Sanctioned posts not filled up particularly POs to undertake SIRs.</p> <p>Lack of supportive staff who are trained and skilled at JJBs</p> <p>Non availability of sufficient trainers for imparting training to the staff of Child Care Institution.</p> <p>Lack of sufficient number of NGOs with expertise in child care practices.</p> <p>Lack of trained persons in providing special education to children with special needs</p> <p>Lack of knowledge on certain elements of tribal culture, tradition, rites & rituals and minimal interaction with outsiders by the tribal community cause for apprehension of juveniles</p> <p>Difficulties in implementing provisions u/s15 as per spirit of the Act</p> | <ul style="list-style-type: none"> • Thorough orientation and on the job training would empower Prl. Magistrate and Members to implement the various provisions according to the spirit of the Act • Adequate number of POs must be sanctioned and attached to JJBs to facilitate implementation of provisions u/s 15. • Need for dedicated cadre of ICPS staff. • DCPU social workers must be available at JJBs to provide counseling etc. • Orientation of State functionaries including POs and police on tribal culture, tradition, rites & rituals a necessity to gain better sensitivity to issues of juveniles of tribal origin • Support of local NGOs must be mobilised |
| | <p>Legal Aid cell not attached to JJBs and failure to keep track of juveniles once the case is registered at JJB with the assistance of free legal aid</p> | <ul style="list-style-type: none"> • State Legal Services Authority must recruit lawyers and set up Legal Aid unit at all JJBs to ensure that free legal aid is accessible by every |

| Issue | Key Challenges | Proposed Solutions |
|----------------------------------|--|--|
| | | juvenile entering the system. <ul style="list-style-type: none"> • Services of para legal volunteers would be used for this purpose too. |
| | Absence of Additional PPs in Chhattisgarh. | <ul style="list-style-type: none"> • The issue can be taken care by the State Government. |
| Grant of Bail | Principles and provisions in JJ Act not complied with while granting bail | <ul style="list-style-type: none"> • Sensitization of Principal Magistrate and Members of Juvenile Justice Board required. • Bail should be granted in accordance with the principles contained in Section 12 of the JJ.Act. • Nature and gravity of offence should not be considered while granting bail. • Ends of justice to be construed in the context of welfare and development of juveniles. • Due consideration to be given to empirical data that brain matures slowly till the age of 25 and therefore the propensity to take risks among juveniles. • Justice Verma committee report relied on this research finding for rejecting the proposition to lower the definition of juvenile from 18 years to 16 years |
| Rehabilitation and Reform | <p>Lack of sufficient emphasis on rehabilitation and reform due to failure to prepare individual care plan for each juvenile, employing adequate skilled and trained human resources and building community linkages to facilitate reform, rehabilitation and reintegration of juveniles.</p> <p>Lack of convergence among key stakeholders and need for greater coordination among CWCs, JJBs, police, DCPUs, SLSAs and State Departments</p> <p>Victim rehabilitation and social integration lacking</p> | <ul style="list-style-type: none"> • Stress on preventive measures rather than curative mechanism. • Need to focus on non-institutional forms of rehabilitation and avoid overreliance on institutional forms of care. • Mobilise sponsorship support from ICPS and through NGOs • High Court could seek monthly reports on rehabilitation outcomes for juveniles entering the system • State to ensure that State and District Advisory Boards discuss this matter as a priority agenda in their review meetings and Home Management Committees supervise the preparation of individual care plans based on inputs from juvenile, his/her family and their problems and specific needs. |

| Issue | Key Challenges | Proposed Solutions |
|-------------------------------|--|---|
| | | <ul style="list-style-type: none"> Ensuring support to victims for their rehabilitation and social integration must gain priority |
| | Disposition of cases | Section 15 should be explored first and detention should be the last resort. Victim compensation scheme should be borne in mind. |
| Assessment | Absence of focus on quality of disposal | <ul style="list-style-type: none"> The focus should be more on right protection than to ensure disposals Qualitative output should be stressed upon Constant monitoring, after care, liaisoning, among all stakeholders as JJB does not work in isolation. |
| Data Management System | Absence of a data management system that maps or tracks the number and status of children in conflict with the law | Need for the establishment of case management system for creating data base for mapping the children in conflict with the law and the status of the cases at the earliest. |

Way Forward identified by Groups:

- Children in need of care and protection should be the focus area of State intervention. Once their interests are taken care of, their vulnerability to come in conflict with the law will be largely reduced.
- To become more accessible, JJBs should hold sittings at different places within the districts.
- Where pendency is high, JJBs should organize Lok Adalats quarterly
- Adequate legal aid counsels should be provided at all JJBs
- State should undertake constant monitoring of After Care Services and liaison with all stakeholders to provide linkages for the effective functioning of JJBs as they cannot work in isolation.
- Providing children sponsorship support through NGOs should be explored as a primary non-institutional approach to rehabilitation
- Stress should be on preventive measures rather than curative mechanisms.
- Focus should remain on implementation of all the provisions of JJ Act 2000 which seems a distant reality. The solution does not lie in re-enactment of the JJ Act.

3.2. Key Challenges and Proposed Solutions to Ensure Effective Functioning of CWCs

| Issue | Key Challenges | Proposed Solutions |
|-------------------------------------|---|--|
| Resource and Infrastructural | General lack of adequate infrastructure | <ul style="list-style-type: none"> State should specifically work for |

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|-------------------------------------|---|---|
| Issues | | <p>providing adequate infrastructural facilities for functioning of CWC.</p> <ul style="list-style-type: none"> • Child friendly environment to be created—Seating facility, waiting room, computer and internet facility , recreation area with toys, books, creative material to keep children engaged while they wait to be seen by the CWC |
| | Reimbursement to the volunteers involves lots of procedural delays | Expenses made by volunteers should be reimbursed expeditiously |
| | Inadequate interim shelter facilities to provide refuge to the child received by the CWC. | State needs to facilitate the establishment of a larger number of shelters for interim care and protection. |
| | Not all CWCs have independent bank accounts | Opening of bank account of CWCs and state authority for utilisation of funds |
| Staffing | Inadequate number of trained personnel in CWCs | Appointment of trained personnel in CWCs |
| | Lack of adequate skilled child protection functionaries | State should provide skilled child protection functionaries as per ICPS norms |
| Follow up & Repatriation | Poor follow-up of children placed in CCIs or repatriated to families. | Need to mobilise support from DCPU , District Inspection Committee and involving Panchayat/Block /Village Level Child Protection Committee to improve follow-up |
| | The process of repatriation of children at the inter state/intra state level is cumbersome. | National level circular defining uniform transfer mechanisms must be followed |
| | Slow pace of inter-country repatriation due to lack of human resources and inter-country agreements | MEA should liaise with other countries and finalise such agreements which would improve coordination and expedite repatriation |
| | Slow Pace of inter-state repatriation | States should through holding dialogues work out inter-state protocols to expedite repatriation |
| Police Support | Lack of support from police during lodging FIRs and other processes as mandated by law. | Sensitising and building skills and knowledge of the police is called for. When CWCs direct filing of FIRs, they should not be made a third party. Police need to work collectively with CWCs to protect the interests of CNCP they encounter |

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|---|--|--|
| Rehabilitation of children who have faced trial before JJBs | JJBs fail to refer cases that have been referred to CWCs for further rehabilitation and support . | Channel of communication between JJBs with CWCs must be open and on disposal of cases, JJBs must be advised to refer them to the CWCs for their rehabilitation and follow-up. |
| Sittings and Workload | Sittings of CWCs at three sittings per week are insufficient in several districts | Where vulnerable child population is high and case load has increased, provision for holding sittings should be increased to six days weekly. Additional financial allotment must also be made |
| Visibility and Awareness about the CWCs | Lack of awareness about the functioning of CWCs and lack of respect towards orders passed by CWCs | Awareness, sensitization and orientation on the provisions in the JJ Act and role and function of CWCs must be provided to all stakeholders |
| | Non-compliance with the orders/directions/recommendations issued by the CWCs to CCIs, Police and other stake holders restricts the CWCs ability to make appropriate decisions in the best interest of CNCP | Strictures must be served by DCPUs against any agency/person/department not following the orders of the CWCs. |
| Selection of CWC Members and Ensuring Competent Persons are selected | Selection Committee for CWCs have not been constituted as per the JJ Rules | Constitution of the Selection Committee should be strictly according to JJ Model rules 2007 |
| | Invitation/advertisement for calling of applications for appointing CWCs not followed | Public advertisements in newspapers should be undertaken for greater transparency |
| | Efficiency of the Chairperson and Members is compromised | Training and exposure of CWCs to best practices is a must |
| Enquiry | Proper enquiry into antecedents of child sometimes become difficult | Seeking the support of agencies like police, Child line and Aanganwadis, etc would facilitate improved inquiry |
| Rescue Operations | Low efficiency of rescue operations of children who are being exploited | Coordination between CWCs within the State and also with all other stakeholders is a necessity |
| Nodal Departments | Lack of initiative to mitigate the problems faced by CWCs by the nodal Department | Nodal Departments should take proactive steps of introducing CWCs all the stakeholders particularly the district administration |
| Professional services | Absence of professionals in CWC such as counselors, psychologists. | Appointment of said experts in the CWC must be considered as a priority |
| Child Tracking | No proper child tracking system in place | Appointing POC's in wards for better information flow |
| Convergence | CWCs working in isolation to the detriment of CNCP | Need for convergence and proper communication between CWCs and all other stakeholders through monthly District Advisory Committee Meetings |
| Monitoring | Levels of functioning of CWCs not | Need for putting in place a monitoring |

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| | always up to the mark | mechanisms to assess the functioning of the CWCs |
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Way Forward identified by Groups:

- State needs to ensure establishment of all types of institutions under the JJ Act and provide for skilled staff as per ICPS norms.
- State should provide adequate infrastructural facilities for functioning of CWCs.
- Constitution of Selection Committee should be in accordance of the JJ Model Rules, 2007. There is need for transparency in the selection of CWCs – advertisements must be issued.
- Need for efficient coordination and convergence between all stakeholders.
- Need to create awareness among all stakeholders about the functions and powers of CWCs
- Penalties should be imposed for non-compliance of orders of CWCs.
- Need for a monitoring mechanism to assess the functioning of the CWCs
- Appointment of professionals in CWCs such as counselors, psychologists in the Committee
- Child tracking necessary at the village level-involving panchayats in child tracking; appointing POCs in wards for better information flow and setting up Point of Contact (POCs) in Wards.
- Need for a national level circular defining uniform transfer mechanism for repatriation of children inter-state/intra-state.
- Provision for number of sittings per week should be revisited and a minimum of three days per week should not be a limitation.
- Need for referral of CICL to CWCs after disposal for further rehabilitation and support system.
- CWCs must open a bank account to have emergency funds and must be authorised to utilize the funds.
- Need to ensure a child friendly environment – sitting facility, waiting room, computer and internet facility, recreation facility for children.
- Need for a Child Protection Policy in all CCIs

3.3. Key Challenges and Proposed Solutions to Ensure Effective Management of Institutions

| Issue | Key Challenges | Proposed Solutions |
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| Registration for child care institutions under JJ Act: | Identification of registered and non-registered CCIs | <ul style="list-style-type: none"> • Mapping of CCIs • Penalty procedures for non compliance to be introduced • Unrecognized CCIs to be prohibited from functioning unless approved under some other dept. |

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| | Inclusion of CCIs run by various depts. | <ul style="list-style-type: none"> Govt. Order to be passed and advertised to promote the registration of CCIs |
| Place of Safety | Lack of clarity as to what such an institution encompasses | |
| | Non-implementation of such a provision | Expediency in recognition/ establishment of Places of Safety |
| | Scope of such an institution is too limited | <ul style="list-style-type: none"> Scope should be expanded to include children whose age verification is under process and persons who are young adults |
| Education | CICLs are not given formal education and only CNCPs are provided this service | <ul style="list-style-type: none"> Amendment of RTE Act to include children in CCIs CICLs should also be included in services which provide formal education outside the CCIs |
| | Rampant failure to provide educational services in CCIs leading to violation of the RTE Act | <ul style="list-style-type: none"> Build linkages of these CCIs with services under the SSA Technical requirements by HRD must be exempted/removed to facilitate inclusion of children in CCIs |
| | Lack of moral education and life skills | <ul style="list-style-type: none"> Moral education and vocational training including life skills to be given – linkage with National Skill Development Mission |
| Inadequate Health Care Services | No specific services for differently abled children. | <ul style="list-style-type: none"> Linking CCIs with National Health Mission: Arrange regular visits by doctors to conduct health check-ups and provide medical attention Fulltime para medical staff must be employed in CCIs |
| | Poor status of WASH (Water, Sanitation & Hygiene) | <ul style="list-style-type: none"> Guidelines for health care services for differently abled children (all categories) must be prepared and adopted by all CCIs Statutory audit of all services must be a regular feature |
| Provision of Counseling in all CCIs | Poor quality of counseling services prevalent | <ul style="list-style-type: none"> Recruitment of trained counsellors must be a priority Partnership with professional institutions & NGOs working in this context. |

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| Establishment of Monitoring Committees | Non-functional Children's Committees | Strengthening Children's Committees in partnership with NGOs and academic institutes. |
| Restoration rehabilitation and aftercare services | Absence/poor quality of such services | <ul style="list-style-type: none"> • Better coordination among various stakeholders: • Develop and adopt state specific aftercare guidelines |
| Segregation | Absence of age-wise classification | Age wise classification is necessary with separate accommodation |
| | Transporting of juvenile offenders with adult prisoners | <ul style="list-style-type: none"> • Place of Safety must be established in proximity to the JJBs • Use of videoconferencing must become the norm to interact with CICLs housed in distant Homes |
| Number, Capacity & Accessibility of Institutions | Overcrowding in certain CCIs | For larger cities there should be more than 1 unit as per requirement |
| | Accessibility of Institutions | Establishment of at least 1 Observation Home for each cluster of districts- effective range of distance not to exceed 50 kms. |
| Environment & Infrastructure within the Institutions | Environment and infrastructure is not child friendly | Up gradation of infrastructure as per ICPS guidelines and possible consultation with experts on this point |
| Staff | Perpetual shortfall of staff <i>vis-a-vis</i> sanctioned strength | All vacant posts should be filled up as per ICPS guidelines |

Way Forward identified by Groups:

1. Mandating a child protection policy for all CCIs (for example to include banning of corporal punishment etc.)
2. Building a cadre of skilled child protection professionals.
3. Exploring possibility of support through CSR in all aspects of CCIs.
4. Establishing standards of care for CCIs, notifying same and making it mandatory
5. Setting uniform standards for monitoring and evaluation of CCIs to avoid duplication and serve best interest of the child.
6. Re-orientating entire institutional set up under JJA towards rehabilitation, reintegration and re-socialisation
7. Counseling and mentoring facilities a must for each and every CCI
8. Ensuring community and family involvement and making this a priority. Constant counseling support to children and families.
9. Humanizing CCIs and providing a homely environment for children
10. Converging all medical (including psychiatric) services preferably through a cluster referral unit
11. Creating special child care plans for every child

12. Leveraging technology for data/monitoring/measurability

3.4. Key Challenges and Proposed Solutions to Ensure Effective provision of Legal Aid for children

| Issue | Key Challenges | Proposed Solutions |
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| <p>Awareness about the JJ Act among panel lawyers and the availability of free legal aid among beneficiaries</p> | <p>Lack of sensitization among panel lawyers about their roles and responsibilities under the JJ Act</p> | <p>More sensitization programs by Legal Services Authority should be held on at regular intervals.</p> |
| | <p>Lack of awareness among beneficiaries about the legal aid services available</p> | <p>A sustainable awareness program must be developed such that parents can be oriented about their rights & responsibilities under the JJ System and the right to free legal aid.</p> |
| | <p>After apprehension, juveniles are to be produced before JJBs but in most of the cases they are produced before the CJM. Sometimes the police marks the age of juveniles to be 19 years in order to deprive them of the beneficial provisions of the JJ Act.</p> | <ol style="list-style-type: none"> 1. The officers of SJPU must be given proper training in this respect. 2. The CJMs should be imparted training to direct juveniles presented before them to the JJB without any delay. 3. The CJMs should use their discretion to assess the age of accused youth produced before them and if they suspect that the youth is a minor, directions must be passed to produce them before JJBs instead of remanding them to judicial custody. |
| <p>Children’s right to participate and to be legally represented</p> | <p>Lack of participation of children and parents in proceedings before the JJB/CWC is a concern.</p> | <p>It should be made mandatory for CWCs and JJBs to hear the testimonies of children as well as parents during the proceedings.</p> |
| | <p>The parent/guardian of juveniles in conflict with law mostly prefer to engage a private lawyer instead of panel lawyers providing free legal aid to the juveniles.</p> | <ol style="list-style-type: none"> 1. The Para Legal Volunteers (PLV) deputed at each police station in compliance of the direction in <i>Bachpan Bachao Andolan v. Union of India</i>², should be given the additional duty to inform the apprehended juvenile and their parents/ guardian about the right to free legal aid provided by panel lawyers. |

²*Bachpan Bachao Andolan v. Union of India*, Writ Petition (Civil) No. 75 of 2012. In its order dated 10.05.2013, the Supreme Court directed the National Legal Services Authority “that the para-legal volunteers, who have been recruited by the Legal Services Authorities, should be utilized, so that there is, at least, one para-legal volunteer, in shifts, in the police station to keep a watch over the manner in which the complaints regarding missing children and other offences against children, are dealt with.”

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| | | <p>2. The SJPU s and Juvenile/ Child Welfare officers (J/CWO) should also be given instructions to inform the apprehended juvenile and their parents/ guardian about right to get free legal aid provided by panel lawyers.</p> |
| | <p>.Instead of sending their children to schools, many of parents/guardians of impoverished families send them for employment. as child labor.</p> | <p>1. Panel Lawyers services be made available for children cases in CWC also.</p> <p>2. There is need for intensive legal awareness campaigns about children’s right to education as well as fundamental duties of parents/ guardian to send their children of 6-14 years of age to schools.</p> <p>3. Intensive awareness needs to be created about the availability of non-institutional services such as adoption, sponsorship and foster care for children which will promote their right to grow up in families and contribute to achieving their optimal development.</p> |
| Compensation & Rehabilitation | <p>The children who are victims of sexual assault or other criminal acts suffer physically, mentally and emotionally.</p> | <p>Information about the newly added provision of Section 357 (A) in CrPC about victim compensation, should be widely disseminated so that immediate compensation is released to children who are directly or indirectly impacted by crimes through the legal services authority</p> |
| Quality of Panel Lawyers | <p>Lack of quality panel lawyers is a concern.</p> | <p>Monetary incentives should be hiked to attract talented panel lawyers.</p> |
| Budgetary constrains | <p>The delay in allocation of funds for JJB panel lawyers affects their functioning.</p> | <p>Separate funds should be sanctioned and made available to the JJBs & CWCs for timely payment of honorariums to panel lawyers.</p> |
| Monitoring utilization of legal aid | <p>Lack of monitoring of allocation of cases by JJB to the panel lawyers.</p> | <p>The JJBs should link every fresh case with a panel lawyer. Record of performance of the panel lawyer must be maintained and periodically reviewed.</p> |
| Convergence | <p>Lack of convergence of CWCs with allied bodies to promote children’s well being</p> | <p>A one-stop resource centre must be set up in every district to facilitate easy access of CNCP to</p> |

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| | | government schemes and other entitlements |
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Way Forward identified by Groups:

- Separate allocations of funds for payment to panel lawyers must be assigned to JJBs. This will ensure their ready availability to CICLs.
- Need for legal representation of children before the CWCs should be considered in special cases with the consent of the CWCs. CWCs could take legal advice of panel lawyers to arrive at decisions which are in the best interests of children.
- Regular orientations programs for panel of lawyers, parents and community on JJ Act and child centric laws.
- Need for a robust database on utilization of legal aid lawyers to indicate whether children have had access to free legal aid services.
- Need to adopt a monitoring mechanism for JJB/CWCs to examine utilization of legal aid lawyers.
- Need for scheduled training on juvenile justice within the police training academy.

Good/Innovative Practices that emerged from State Presentations

- BalSamvaad Adalats in **Bihar** for speedy disposal of petty cases.
- BalMitra Police Stations, AHTUs, Missing Child Helpline, One Stop Resource and Facilitation Centres, Social Policing Unit in **Jharkhand**.
- SOP for CWCs, child safety guidelines, detailed standards of care, food safety guidelines, protocol for repatriation in **Odisha**. State and District level festival – Rainbow.
- Process of registration of all CCIs under JJA has been initiated in **West Bengal** and there have been monitoring visits by State Level Inspection Team and High Court Committee.
- Legal clinics attached to all JJBs in **Chhattisgarh**.
- **Act and Rules to contain Placement Agencies and protect children (from being trafficked) at source formulated and implemented across the State.**

IV. Short-term and Long-term Goals

This section captures the submissions by the participants on the one goal they would like to achieve in six months and the three goals they would like to achieve in the next two years to ensure the effective implementation of the JJ Act.

ODISHA

| Short Term Goals | Long-term Goals |
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| <ol style="list-style-type: none"> 1. Ensure timely disposal of pending cases by JJBs. 2. Adoption of a child friendly approach while disposing matters in view of the developmental needs of children. 3. Sanction sponsorship support to children affected by HIV/AIDS in the district. 4. Conduct of Lok Adalats at regular intervals for speedy disposal of cases involving CICLs. 5. Sensitization of lawyers, JJBs, DCPUs and other stakeholders on child rights issues 6. Adhere to Section 12 of the JJ Act while passing bail orders. 7. Ensure rehabilitation of CICLs. | <ol style="list-style-type: none"> 1. Ensure implementation of SOPs and guidelines by all Child Care Institutions. 2. Work towards deinstitutionalization of children having families. 3. Make the atmosphere child-friendly within the JJBs 4. Increase the sittings of the JJBs. 5. Ensure educational opportunities for CICLs within institutions. 6. Reach out to all CNCPs who are not in a position to be produced before the CWCs. 7. Work towards changing the mindset of police, advocates and other stakeholders. 8. Undertake speedy inquiry of cases in accordance with provisions of the JJ Act and Model Rules. 9. Ensure quick disposal of non-serious offences in accordance with Rule 13(7), JJ Model Rules. 10. Rehabilitate the child who is found to have committed an offence and bring him or her to the mainstream. 11. Establish one Observation Home for at least three districts instead of one for 10 districts. 12. State to ensure meeting necessary and inevitable needs of the OH in matters relating to staffing arrangements for taking care of the children, provision for extending immediate health services to the children, facilities for safe drinking water and other improvement of infrastructure which very often remains a constraint for running of the institution. 13. Ensure that delays are avoided in submission of charge-sheet by IOs. 14. Ensure that CICLs are not harassed by the police during custody 15. Aim to achieve substantial reduction of pendency 16. Sensitize stakeholders such as Probation Officers, JJBs, lawyers, police, SJPU etc. 17. Collaborate with CWCs, DCPUs, NGOs and District administration to follow up on CICLs released from OH/SH. |

CHHATTISGARH

| Short Term Goals | Long-term Goals |
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| <ol style="list-style-type: none"> 1. Provide vocational training to all CICLs in institutions. 2. Sensitize stakeholders, PRIs, different departments, etc. 3. Establish Village Level Child Protection Committees. 4. Facilitate transfer of children from other States living in various CCIs to their respective States. 5. Engage with key stakeholders to ensure that adoption processes are not delayed. 6. SCPCR to conduct inspection of CCIs. 7. Ensure availability of adequate infrastructure based on the capacity of each district. | <ol style="list-style-type: none"> 1. Ensure rehabilitation of CICLs by forging contacts with NGOs. 2. Recruit requisite staff under ICPS for the child care institutions. 3. Prepare district level action plan on implementation of the JJ Act. 4. Ensure the establishment of the institutions in all districts as per the JJ Act. 5. Facilitate adoption of a child protection policy in all residential institutions run by various departments. 6. Facilitate creation of a cadre of skilled child protection through TOT of teachers, superintendents of homes, PRI members etc. 7. Ensure implementation of norms and standards as laid in JJ Act in all the CCIs in the State. 8. Improve the condition within CCIs through CSR. 9. Plan Bal LokAdaalats. 10. Sensitize the police and other stakeholders. 11. Identify the financial, social and psychological needs of every CNCP on an individualized basis and try and address them under various schemes and services. |
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JHARKHAND

| Short Term Goals | Long-term Goals |
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| <ol style="list-style-type: none"> 1. Undertake rapid assessment of gaps between the legal provisions and its effective implementation of JJ Act in 24 districts of Jharkhand. 2. Work for bridging the gaps by working closely with JJB,CWC, DCPUs & SJPU in at least 6 districts 3. Speed up inquiry in old cases, while trying to complete the new ones within the time frame provided by the Act. 4. Deal with non-compliance on the part of concerned departments, voluntary organizations for effective implementation of the Act 5. Liaise with the NGOs, Probation Officers for attendance of juveniles out on bail. 6. Ensure establishment of One stop Resource | <ol style="list-style-type: none"> 1. Strengthening of CWC, JJB, SJPU strengthened and ensure implementation of provisions of the JJ Act and Rules in “best interest of the child” in at least 80% of the districts in the State. 2. At least 50 police stations in the state will be complying/meeting all 21 parameters and be certified as child friendly police stations thus discharging their duties as envisaged under JJ Act. 3. Strong monitoring and compliance assessment mechanism developed at the state level for effective implementation of JJ Act (Regular review and follow up and accountability to be fixed, time bound implementation etc. 4. Regular meetings of High Court Committee on |

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| <p>Centre at Ranchi, Jharkhand</p> <ol style="list-style-type: none"> 7. Utilize fully the fund allocated through I.C.P.S. 8. Ensure child safe environment within the various existing child care institutions and provide them with all the necessary infrastructure for their proper development i.e. physically, mentally, emotionally and psychologically 9. Establish all required CCIs as envisaged in the Act for all districts. 10. Undertake awareness program for children with the help of DLSA, JLSA. 11. Through advocacy expedite the improvement in the situation of children staying in at least three CCIs. | <p>Juvenile Justice.</p> <ol style="list-style-type: none"> 5. Ensure convergence between the administration, judiciary, education department, municipal authorities, panchayats, police, DCPU, members of JJBs, members of CWCs, SCPCR, Human Rights Commission and all to ensure awareness and effective implementation of JJAct. 6. Ensure that JJBs and CWCs do not operate out of court premises. 7. Ensure OH, SH, CH, Shelter Home are established in each District. 8. Ensure appointment of full-time Magistrates and Members of the JJB. 9. Have clear cut guidelines regarding rehabilitation measures 10. Ensure proper education facility for children living in institutions. 11. Work towards removing the bottlenecks which hamper the conclusion of enquiries within the statutory time frame 12. Have better co-ordination amongst the various stake holders with the avowed goal that the best interest of the child is achieved. 13. Establish Shelter Home, Children Home and After care Home for girls. 14. Create a database/MIS for a JJ network 15. Freeze of standards of care and protection in the State. 16. Ensure Police cooperation and contribution towards timely disposal of pending cases in JJB through sensitization and training 17. Develop Comprehensive Case Management System so that there is effective control over the cases for timely disposal. 18. Liaison with other JJBs both within and outside the State for disposing cases where CICL are involved in two or more States 19. Liaison with the District Courts in cases where CICL are involved in cases with adults as witnesses and are to attend trial proceedings in original cases, so that timely inquiry can be done. 20. Pass necessary directions to the district authorities to provide necessary facilities to the CICL especially for imparting education, physical training etc. 21. Spread awareness among the support staff in the JJ system regarding the true spirit of the Act. 22. Work towards termination of long pending cases 23. Promote the participation of parents & children in the proceedings of the JJ system in order to ensure appropriate rehabilitation services are provided for their children |
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WEST BENGAL

| Short Term Goals | Long-term Goals |
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| <ol style="list-style-type: none"> 1. Ensure disposal of cases before the JJB within the prescribed period. 2. Sensitize SJPU on handling CINCP 3. Ensure registration of all child care institutions including open shelters. 4. Ensure implementation of Rule 11(11 &12) by the police through training, orientation programmes and monitoring. 5. Ensure free legal aid to children in conflict with the law. 6. Ensure improvement in functioning of the JJ Homes with minimum standards of care in these institutions as part of the Home Management Committees. 7. Ensure use of the case monitoring sheet with, inclusion of socio-economic background of each child and drawing the individual care plan. 8. After Care Plan to be prepared for restored children especially trafficked girls. 9. Training/Orientation of judicial officials (at least one annually) 10. Annually organise one coordinating meeting between all stakeholders. 11. Establishment of a Children's Home for specially abled children is required in every district. 12. Undertake mapping CICL whose cases are yet to be disposed off, showing distribution of age, sex, nature of offences, time lag between apprehension and granting of bail and between granting of bail and reasons for delay in disposal. 13. Ensure establishment of a Legal Aid Clinics in every JJB having at least two panel advocates and two para-legal volunteers. | <ol style="list-style-type: none"> 1. Issue directives to the SJPU to prioritize cases involving CICL from different states. 2. Give directions to Probation Officers to pay attention to non-institutionalized care of CICLs after release on bail. 3. Urge district administration to create separate homes for CICLs and CNCs. 4. Sensitization of SJPU must be a priority 5. Initiate Bal Lok Adaalats to clear pending cases at JJBs 6. Constantly pressuring the appropriate authorities to address infrastructural deficiencies. 7. Organise training of newly appointed Magistrates (JMFC) of the State batch-wise on the provisions in the JJ Act, 2000. 8. Organise training of Additional District Judges of the State batch-wise on POCSO Act, 2012. 9. Judicial Academy to undertake research programmes in collaboration with WB - NUJS on the topic "Juvenile Justice in Marginalised Section of the Society-Analysing the Reality". 10. Ensure Uniform standards of care in CCIs. 11. Ensure establishment of strong non-institutional services. 12. Establish a robust Child Protection Management Information System and (nation-wide) web-based child tracking portal. Case History Forms and Individual Care Plan should be filled up and updated regularly in consultation/involving the children concerned. 13. Implementation of RTE for each child coming within the purview of the JJ Act. 14. Convergence of various departments (Health, Education, Labour, etc) and Public-private-partnership (tapping CSR) and |

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| | <p>NGOs to ensure sustainable development of the CICLs through vocational training and at the same time ensuring minimum basic academic education of these children.</p> <p>Submit innovative project proposals to Government wherein the NGOs in partnership with the JJBs and various departments ensure academic education of the CICLs through vocational training and job placement of these children (above 14 years) in various sectors, thus inducting them into mainstream society.</p> <ol style="list-style-type: none"> 15. Draw up of individual care plan for each child (CNCP & CICL) and follow up to ensure that the plan is implemented in a timely and appropriate manner. 16. Ensure the formation of dedicated SJPU in the State. 17. Spread/generate awareness in schools/academic institutions, amongst the public about the working of the Juvenile Justice System and gain their empathy and understanding for these marginalized, stigmatized children. 18. Use of culture therapy along with other tools to bring about positive changes in these children, where they are weaned away from unlawful activities and brought back to mainstream society. 19. Ensure the conviction of the adult perpetrators who are responsible for introducing children to the criminal world. 20. Ensure child-friendly infrastructure. 21. Ensure transparent selection process of competent and sensitive members in the CWCs. 22. Organise regular training and orientation for the police, advocates and PPs 23. Establish Coordination Committee/Task Force with inclusion of different stakeholders in each district. 24. Institute a Child Protection Policy. 25. De-institutionalization of children through sponsorship programmes under ICPS must be a priority |
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| | <p>26. Ensure convergence of services provided by various Govt departments to bring about qualitative changes in the institutional care services</p> <p>27. Ensure legal aid services to all CICLs and their parents.</p> <p>28. WB-SLSA to organize regular awareness and training programmes of PLVs, Panel Advocates, Police (SJPU) and JMs.</p> <p>29. Ensure victim compensation to all child victims.</p> |
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BIHAR

| Short Term Measures | Long-term Measures |
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| <ol style="list-style-type: none"> 1. Promote Kishore Nyaya Sabhas for sensitization of all persons dealing with children. 2. Conduct outreach awareness programmes among community as well as stakeholders to ensure the effective implementation of JJ Act. 3. Ensure the setting up of rehabilitation/after-care provisions in all CCIs especially Observation Homes at district head of child protection unit. 4. Ensure that no CICL remains unrepresented during enquiry, 5. Ensure that cases of CICLs are disposed off within the stipulated time-frame. | <ol style="list-style-type: none"> 1. Sensitization of all police officers dealing with CICLs and CNCs. 2. Sensitization of the public at large through collaboration with NGOs and other stakeholders. 3. Facilitation of inter-sectoral response. 4. Application of Rule 13(7) of JJ Model Rules to reduce case pendency and dispose of non-serious cases. 5. Organise regular awareness programmes and development of IEC materials. 6. Ensure the right to education for CICLs in the Observation Home through correspondence/open school. 7. Ensure effective implementation of rehabilitation services for CICLs especially in Observation Homes. 8. Ensure speedy disposal of cases relating to CICLs. 9. Conduct regular inspection of Observation Homes to check abuses and facilities available. 10. Utilize the Victim Compensation Scheme to assist victims of crime |