

Juvenile Justice Act - UPSC Polity Notes

The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2018 has been introduced in the Lok Sabha. It intends to amend the Juvenile Justice (Care and Protection of Children) Act, 2015. This is an important legislation in India that is also relevant for the GS Paper-II of the [UPSC exam](#).

Juvenile Justice (Care and Protection of Children) Amendment Bill, 2015

The Juvenile Justice Act (JJA) pertains to provisions for children found in conflict with the law in India. It also gives provisions for children in need of care and protection.

Salient Provisions of the JJA, 2015

The JJA, 2015 replaced the Juvenile Justice Act, 2000.

Reasons for amending the 2000 Act:

- The government amended the existing law dealing with children in conflict with the law citing implementational issues and procedural delays with adoption, etc.
- The government also cited figures from the National Crime Records Bureau to show that there had been a hike in the number of juveniles committing crimes, particularly in the age bracket of 16 to 18 years.
- In the 2000 Act, there was no distinction between children in conflict with the law and children in need of care and protection. The amended act changed that.
- The 2000 Act also did not have provisions for the reporting of abandoned or lost children to the appropriate authorities, in order to ensure their protection and care.
- The amendment in the 2000 law came about because of public outrage at the infamous Delhi gang-rape case (Nirbhaya Case) in 2012. One of the offenders in the case was a 17-year-old.
- The legislation strives to achieve a balance between child rights and justice by not sentencing juveniles to the death sentence and life imprisonment.

History of Legislation concerning Children in Conflict with the Law

- The Apprentices Act, 1850, was the first law enacted in India dealing with children in conflict with the law. This law allowed the courts to treat children who had committed petty crimes as apprentices instead of sending them to prisons.
- The second law that dealt with juvenile offenders was the Reformatory Schools Act, 1876.
- The Indian Jails Committee (1919-20) also made some recommendations with regard to children in conflict with the law.
- In 1960, the Children Act was passed to provide for the care, maintenance, protection, welfare, education, training, trial and rehabilitation of neglected and delinquent children.
- The Juvenile Justice Act, 1986: This was the first central law on juvenile justice that provided a uniform law for the whole country in this respect.
- In 1992, the government of India ratified the United Nations Convention on the Rights of the Child which made it expedient to have a law that conformed to the standards of the Convention.
- Hence, the JJA, 1986 was repealed and the Juvenile Justice (Care and Protection of Children) Act, 2000 was enacted.