

Standing Committee Report Summary

The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2010

- The Department-Related Parliamentary Standing Committee on Human Resource Development submitted its 235th Report on 'The Juvenile Justice (Care and Protection of Children) Amendment Bill, 2010' on February 25, 2011. The Chairperson was Shri Oscar Fernandes.
- The Act requires states to set up Juvenile Justice Boards, Child Welfare Committees, and Inspection Committees for Children's Homes. In 2009-10, the Ministry introduced the Integrated Child Protection Scheme to improve the quality of care and rehabilitation services for children in difficult circumstances. The Committee reiterated its earlier recommendation made in its 219th Report on Demands for Grants 2010-11 in favour of accelerated implementation of the scheme for faster implementation of the Act.
- The Bill seeks to remove discriminatory provisions in the Act against children suffering from leprosy, sexually transmitted diseases, Hepatitis B, Tuberculosis, or unsound mind. The Committee expressed its opinion that the views of state governments and NGOs should have been taken since they are responsible for implementation of the Act.
- The Committee noted that amendments seeking to remove discriminatory provisions against children suffering from sexually transmitted diseases, leprosy, Tuberculosis, or unsound mind are welcome. However, it expressed its concern on the likelihood of juveniles suffering from sexually transmitted diseases or acute mental disorder having an adverse impact on other healthy children. The Committee opined that a close watch and monitoring of such juveniles needs to be kept without their segregation.
- The Committee suggested that discrimination against HIV affected children needs to be removed by incorporating necessary provisions in the Act. The Committee recommends that the Ministry make such amendments after necessary consultations.
- The Bill deletes certain derogatory terms from the Act such as "lepers" and "leper asylums". Additionally, it replaces certain terms such as "of unsound mind" and "drug addict" with the terms "mentally ill person" and "addicted to alcohol or other drugs which lead to behavioural change in a person" in consonance with the Mental Health Act, 1987. The Committee expressed its agreement with these proposed amendments.
- The Committee noted that the Ministry will need to take initiative to sensitise state governments and concerned authorities running shelter homes to provide specialised medical care to children in difficult circumstances. The Committee suggested that the Ministry take steps to provide funds and training to staff of shelter homes in coordination with state governments.

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