

5. Juvenile Justice (Care and Protection of Children) Act, 2015

Prelims Syllabus: Governance – Policies

Mains Syllabus: GS-II Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections.

Why in News?

- Recently, a Group of Ministers (GoM) chaired by the Home Minister met to discuss proposed amendments to the Juvenile Justice (Care and Protection of Children) (JJ) Act, 2015.

About Juvenile Justice (Care and Protection of Children) Act, 2015:

- The Juvenile Justice (Care and Protection of Children) Act, 2015 replaced the Juvenile Justice (Care and Protection of Children) Act, 2000 to comprehensively address children in conflict with law and children in need of care and protection.
- The Act changes the nomenclature from 'juvenile' to 'child' or 'child in conflict with law'. Also, it removes the negative connotation associated with the word "juvenile".
- It also includes several new and clear definitions such as orphaned, abandoned and surrendered children; and petty, serious and heinous offences committed by children.
- Included special provisions to tackle child offenders committing heinous offences in the age group of 16-18 years. It mandates setting up Juvenile Justice Boards and Child Welfare Committees in every district. Both must have at least one woman member each.
- A separate new chapter on Adoption to streamline adoption procedures for an orphan, abandoned and surrendered children.
- Also, the **Central Adoption Resource Authority (CARA)** was granted the status of a statutory body to enable it to perform its function more effectively.
- The Act states that the adoption of a child is final on the issuance of an adoption order by the court. Currently, there are 629 adoption cases pending in various courts.
- The Act included several new offences committed against children (like, illegal adoptions, use of child by militant groups, offences against disabled children, etc) which are not adequately covered under any other law.
- All Child Care Institutions, whether run by State Government or by voluntary or non-governmental organisations are to be mandatorily registered under the Act within 6 months from the date of commencement of the Act.

What is CARA?

- Central Adoption Resource Authority (CARA) is a statutory body of Ministry of Women & Child Development, Government of India.
- It functions as the nodal body for adoption of Indian children and is mandated to monitor and regulate in-country and inter-country adoptions.
- CARA is designated as the Central Authority to deal with inter-country adoptions in accordance with the provisions of the Hague Convention on Inter-country Adoption, 1993, ratified by Government of India in 2003.
- CARA primarily deals with adoption of orphan, abandoned and surrendered children through its associated /recognised adoption agencies.

What does the New Bill Proposes?

- The Bill provides that instead of the court, the district magistrate will issue adoption orders to address the high pendency of adoption cases.
- The Bill also seeks to transfer all pending matters related to adoption before any court to the district magistrate having jurisdiction over the area.
- The proposed amendments intend to expedite proceedings.

Who are the Group of Ministers?

- Groups of Ministers (GoMs) have been constituted from time to time to look into different issues/subjects.
- These are **ad hoc bodies** formed to give recommendations to the cabinet on certain emergent issues and critical problem areas.
- Ministers heading the concerned ministries are inducted into the relevant GoMs and when the advice is crystallised they are disbanded.
- Some of these GoMs have been also empowered to take decisions on behalf of the Cabinet known as Empowered Groups of Ministers (EGoMs).
- But with time the constitution of a large number of GoMs has resulted in many GoMs not being able to meet regularly to complete their work thus leading to significant delays on many major issues. Thus all the Groups of Ministers (GoMs) and Empowered Groups of Ministers (EGoMs) were abolished in 2014.
- Further in 2015, 16 informal Groups of Ministers (GoMs) were formed to discuss key issues of the country.