

JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015

Arrangement of Sections

| SECTION | PAGE |
|--|------|
| <i>CHAPTER I</i> | |
| PRELIMINARY | |
| 1. Short title, extent, commencement and application | 8 |
| 2. Definitions | 8 |
| <i>CHAPTER II</i> | |
| GENERAL PRINCIPLES OF CARE AND PROTECTION OF CHILDREN | |
| 3. General principles to be followed in administration of Act | 13 |
| <i>CHAPTER III</i> | |
| JUVENILE JUSTICE BOARD | |
| 4. Juvenile Justice Board | 15 |
| 5. Placement of person, who cease to be a child during process of inquiry | 16 |
| 6. Placement of persons, who committed an offence, when person was below the age of eighteen years | 16 |
| 7. Procedure in relation to Board | 16 |
| 8. Powers, functions and responsibilities of the Board | 17 |
| 9. Procedure to be followed by a Magistrate who has not been empowered under this Act | 18 |
| <i>CHAPTER IV</i> | |
| PROCEDURE IN RELATION TO CHILDREN IN CONFLICT WITH LAW | |
| 10. Apprehension of child alleged to be in conflict with law | 18 |

| SECTION | PAGE |
|---|------|
| 11. Role of person in whose charge child in conflict with law is placed | 19 |
| 12. Bail to a person who is apparently a child alleged to be in conflict with law | 19 |
| 13. Information to parents, guardian or Probation Officer | 20 |
| 14. Inquiry by Board regarding child in conflict with law | 20 |
| 15. Preliminary assessment into heinous offences by Board | 21 |
| 16. Review of pendency of Inquiry | 21 |
| 17. Orders regarding a child not found to be in conflict with law | 22 |
| 18. Orders regarding child found to be in conflict with law | 22 |
| 19. Powers of Children's Court | 23 |
| 20. Child attained age of twenty-one years and yet to complete prescribed term of stay in place of safety | 24 |
| 21. Order that may not be passed against a child in conflict with law | 24 |
| 22. Proceeding under Chapter VIII of the Code of Criminal Procedure not to apply against child | 24 |
| 23. No joint proceedings of child in conflict with law and person not a child | 24 |
| 24. Removal of disqualification on the findings of an offence | 25 |
| 25. Special provision in respect of pending cases | 25 |
| 26. Provision with respect of runaway child in conflict with law | 25 |

CHAPTER V

CHILD WELFARE COMMITTEE

| | |
|---|----|
| 27. Child Welfare Committee | 25 |
| 28. Procedure in relation to Committee | 26 |
| 29. Powers of Committee | 27 |
| 30. Functions and responsibilities of Committee | 27 |

CHAPTER VI

**PROCEDURE IN RELATION TO CHILDREN IN
NEED OF CARE AND PROTECTION**

| | |
|---|----|
| 31. Production before Committee | 28 |
| 32. Mandatory reporting regarding a child found separated from guardian | 29 |
| 33. Offence of non-reporting | 29 |

| SECTION | PAGE |
|--|------|
| 34. Penalty for non-reporting | 29 |
| 35. Surrender of children | 29 |
| 36. Inquiry | 30 |
| 37. Orders passed regarding a child in need of care and protection | 30 |
| 38. Procedure for declaring a child legally free for adoption | 31 |

CHAPTER VII

REHABILITATION AND SOCIAL RE-INTEGRATION

| | |
|---|----|
| 39. Process of rehabilitation and social re-integration | 32 |
| 40. Restoration of child in need of care and protection | 32 |
| 41. Registration of child care institutions | 33 |
| 42. Penalty for non-registration of child care institutions | 34 |
| 43. Open shelter | 34 |
| 44. Foster care | 34 |
| 45. Sponsorship | 35 |
| 46. After care of children leaving child care institution | 36 |
| 47. Observation homes | 36 |
| 48. Special homes | 36 |
| 49. Place of safety | 36 |
| 50. Children's home | 37 |
| 51. Fit facility | 37 |
| 52. Fit person | 37 |
| 53. Rehabilitation and re-integration services in institutions registered under this Act and management thereof | 37 |
| 54. Inspection of institutions registered under this Act | 38 |
| 55. Evaluation of functioning of structures | 39 |

CHAPTER VIII

ADOPTION

| | |
|---|----|
| 56. Adoption | 39 |
| 57. Eligibility of prospective adoptive parents | 39 |
| 58. Procedure for adoption by Indian prospective adoptive parents living in India | 40 |
| 59. Procedure for inter-country adoption of an orphan or abandoned or surrendered child | 40 |
| 60. Procedure for inter-country relative adoption | 41 |

| SECTION | PAGE |
|--|------|
| 61. Court procedure and penalty against payment in consideration of adoption | 42 |
| 62. Additional procedural requirements and documentation | 42 |
| 63. Effect of adoption | 42 |
| 64. Reporting of adoption | 42 |
| 65. Specialised Adoption Agencies | 43 |
| 66. Adoption of children residing in institutions not registered as adoption agencies | 43 |
| 67. State Adoption Resource Agency | 43 |
| 68. Central Adoption Resource Authority | 44 |
| 69. Steering Committee of Authority | 44 |
| 70. Powers of Authority | 45 |
| 71. Annual Report of Authority | 45 |
| 72. Grants by Central Government | 45 |
| 73. Accounts and audit of Authority | 46 |

CHAPTER IX

OTHER OFFENCES AGAINST CHILDREN

| | |
|---|----|
| 74. Prohibition on disclosure of identity of children | 46 |
| 75. Punishment for cruelty to child | 46 |
| 76. Employment of child for begging | 47 |
| 77. Penalty for giving intoxicating liquor or narcotic drug or psychotropic substance to a child | 47 |
| 78. Using a child for vending, peddling, carrying, supplying or smuggling any intoxicating liquor, narcotic drug or psychotropic substance | 47 |
| 79. Exploitation of a child employee | 48 |
| 80. Punitive measures for adoption without following prescribed procedures | 48 |
| 81. Sale and procurement of children for any purpose | 48 |
| 82. Corporal punishment | 48 |
| 83. Use of child by militant groups or other adults | 49 |
| 84. Kidnapping and abduction of child | 49 |
| 85. Offences committed on disabled children | 49 |
| 86. Classification of offences and designated court | 49 |
| 87. Abetment | 49 |

| SECTION | PAGE |
|---|------|
| 88. Alternative punishment | 49 |
| 89. Offence committed by child under this Chapter | 50 |

CHAPTER X

MISCELLANEOUS

| | |
|--|----|
| 90. Attendance of parent or guardian of child | 50 |
| 91. Dispensing with attendance of child | 50 |
| 92. Placement of a child suffering from disease requiring prolonged medical treatment in an approved place | 50 |
| 93. Transfer of a child who is mentally ill or addicted to alcohol or other drugs | 50 |
| 94. Presumption and determination of age | 51 |
| 95. Transfer of a child to place of residence | 52 |
| 96. Transfer of child between children’s homes, or special homes or fit facility or fit person in different parts of India | 52 |
| 97. Release of a child from an institution | 53 |
| 98. Leave of absence to a child placed in an institution | 53 |
| 99. Reports to be treated as confidential | 54 |
| 100. Protection of action taken in good faith | 54 |
| 101. Appeals | 54 |
| 102. Revision | 55 |
| 103. Procedure in inquiries, appeals and revision proceedings | 55 |
| 104. Power of the Committee or the Board to amend its own orders | 55 |
| 105. Juvenile Justice Fund | 55 |
| 106. State Child Protection Society and District Child Protection Unit | 56 |
| 107. Child Welfare Police Officer and Special Juvenile Police Unit | 56 |
| 108. Public awareness on provisions of Act | 56 |
| 109. Monitoring of implementation of Act | 56 |
| 110. Power to make rules | 57 |
| 111. Repeal and savings | 61 |
| 112. Power to remove difficulties | 61 |

APPENDIX

| | |
|---|----|
| ◆ JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000 [REPEALED BY THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015 (2 OF 2016)] | 63 |
|---|----|