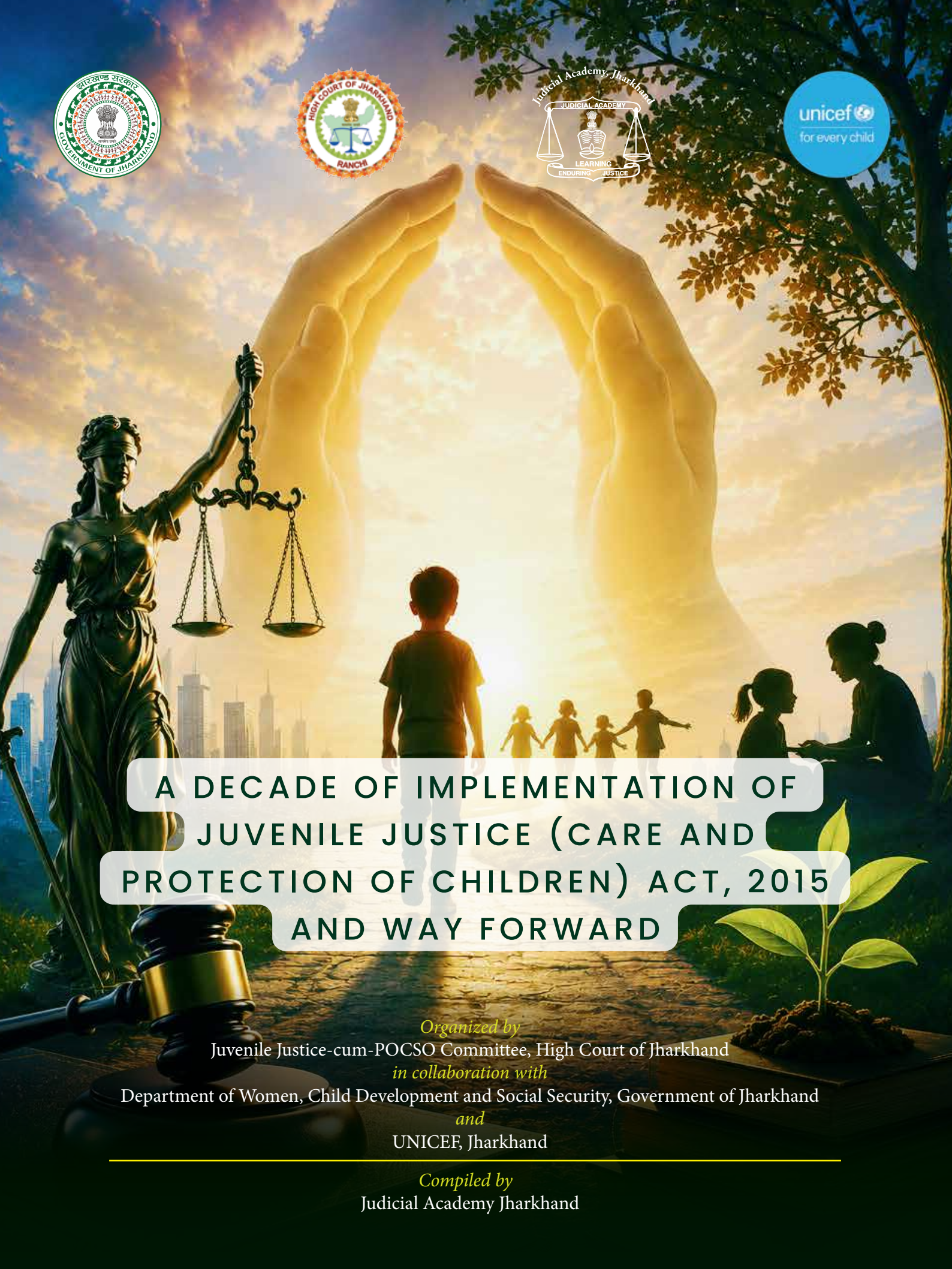




A DECADE OF IMPLEMENTATION OF JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015 AND WAY FORWARD

Organized by
Juvenile Justice-cum-POCSO Committee, High Court of Jharkhand
in collaboration with
Department of Women, Child Development and Social Security, Government of Jharkhand
and
UNICEF, Jharkhand

Compiled by
Judicial Academy Jharkhand



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Justice M.S. Sonak
*The Chief Justice,
High Court of Jharkhand -cum-
Patron-in-Chief Judicial
Academy, Jharkhand*

Message

A justice system reveals itself most clearly in how it treats its most vulnerable; and none are more deserving of our care than children. A child in conflict with the law is not defined by the allegation against him, just as a child in need of care and protection is not defined by the adversity she has endured. Both require a system of justice that looks beyond the present moment and holds steadfast faith in their future.

It is on this very faith that the Juvenile Justice (Care and Protection of Children) Act, 2015 is built. Few statutes carry such profound weight, for few laws so directly shape the hands to which we will one day entrust our future. The dignity, compassion, protection, and care we extend to our children today will directly define the strength of the nation they build tomorrow.

Translating this legislative vision into reality demands a great deal across the spectrum of our institutions; from Juvenile Justice Boards, Child Welfare Committees, and the judiciary, to law enforcement, legal aid providers, healthcare workers, schools, and families. None of these entities can succeed in isolation. Their responsibilities must converge into a unified effort, moving in the same direction, focused on the best interests of the exact same child.

A period of ten years provides a meaningful vantage point from which to reflect. It allows us to ask, with candor, whether the core purposes of this law have been realized, to recognize where jurisprudence has matured and where critical gaps remain in institutional coordination, legal aid, rehabilitation, and after-care. Acknowledging these gaps does not weaken the law; rather, it is how jurisprudence matures and remains faithful to the children it serves.

It is with great satisfaction that I present “**A Decade of Implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Way Forward**,” published under the aegis of the Juvenile Justice-cum-POCSO Committee of this High Court. This volume brings together legal principles, judicial thought, and institutional practice to assess the past decade, cataloguing its achievements and its unfinished work in equal measure. I trust it will deepen understanding of the law and reinforce our collective resolve to keep the rights and dignity of every child at the centre of our justice system.

I place on record my appreciation for all the partner institutions, experts and the members of the Committee whose collective efforts brought this publication to fruition. I extend my best wishes to all those engaged in this vital endeavour, grounded in the conviction that every effort made today for a child is a lasting investment in our nation's future.

Warm Regards,

Hon'ble Mr. Justice M.S. Sonak



Justice Sujit Narayan Prasad
*Judge and Chairperson,
Juvenile Justice-cum-POCSO Committee,
High Court of Jharkhand*

Message

The manner in which a society treats its children is among the clearest expressions of its commitment to justice and equality. Children constitute a particularly vulnerable section of society, and this vulnerability becomes more pronounced when they are deprived of family care, subjected to abuse, exploitation or neglect, or come into conflict with law. Whether a child is in conflict with law or in need of care and protection, the response must recognise the circumstances of vulnerability, safeguard the child's rights and seek to secure the child's development, rehabilitation and well-being.

The Juvenile Justice (Care and Protection of Children) Act, 2015 gives effect to this approach by establishing a framework of care, protection, rehabilitation and social reintegration. The decade from 2016 to 2026 has witnessed significant jurisprudential and institutional development under this framework, while also bringing to the fore the challenges of effective implementation. Addressing these challenges necessarily requires the coordinated efforts of the judiciary, statutory bodies, government agencies, professionals and civil society. In this institutional framework, the Juvenile Justice Committee of the High Court has an important supervisory role in facilitating effective implementation and coordination, strengthened further by the establishment of the Juvenile Justice Secretariat in the High Court of Jharkhand in 2017.

Ultimately, the effectiveness of the statutory framework depends upon the translation of its safeguards into meaningful action. Timely production before the competent authority, protection from police lock-up or adult prison, proper consideration of bail and age, and access to appropriate care, rehabilitation and restoration are essential to protecting the dignity and future of the child. For children in need of care and protection, this responsibility extends beyond identification or institutional placement to continued monitoring, adequate standards of care, institutional accountability and meaningful rehabilitation.

It is with great pleasure that I endorse and promote the present publication, "*A Decade of Implementation of Juvenile Justice (Care and Protection of Children) Act, 2015 and Way Forward*". By bringing together the legal and institutional developments from 2016 to 2026, the publication offers a valuable opportunity to appreciate the evolution of juvenile justice, reflect upon the experience gained and consider the responsibilities that lie ahead. I am pleased to promote this endeavour and hope that it will serve as a valuable resource for all stakeholders and contribute to strengthening a framework that protects childhood, preserves dignity and advances the care, protection, rehabilitation and reintegration of every child.

Warm Regards,

Hon'ble Mr. Justice Sujit Narayan Prasad



Justice Anubha Rawat Choudhary
Judge and Member
Juvenile Justice-cum-POCSO Committee
High Court of Jharkhand

Message

The idea of juvenile justice rests upon a fundamental recognition that childhood is a stage of formation, not finality. A mistake committed during this formative period, or circumstances of deprivation experienced during childhood, should not by themselves determine the course of an entire life. The law must, therefore, leave room for correction, growth and a meaningful second chance.

Children who come into conflict with law may arrive at the threshold of the justice system carrying circumstances that are often beyond their control. Equally, children who are abandoned, neglected, exploited or otherwise deprived of a secure environment may require intervention long before their circumstances translate into more serious consequences. In both situations, the response of society assumes significance. The question is not merely what has happened to or through the child, but what can be done to prevent the circumstances of childhood from becoming the circumstances of adulthood.

This perspective places considerable importance upon prevention and early intervention. Education, a stable family environment, access to healthcare, emotional support, counselling and opportunities for constructive engagement are not merely welfare measures; they are important elements of child protection. Where vulnerability is identified at an early stage, timely intervention can often prevent deeper exclusion and enable a child to remain connected with family, education and the community.

For children who have already entered the juvenile justice system, the possibility of transformation must remain central to the response. Rehabilitation is meaningful only when it equips a child to move forward. It may require education and vocational opportunities, psychological support, restoration of family relationships, development of life skills and, wherever necessary, continued support after institutional care. The measure of success is therefore not simply whether a proceeding has concluded, but whether the child is better placed to lead a constructive and dignified life thereafter.

This also calls for a change in the manner in which society perceives children who have come into conflict with law. Labelling can become a barrier to reintegration. A child who has undergone the process of correction and rehabilitation should not be permanently defined by an incident of childhood. The objective of Juvenile Justice (Care and Protection of Children) Act, 2015 must be to enable the child to reclaim a place within the family and community, with dignity and without the continuing burden of the past.

It gives me great pleasure to commend this publication, “A Decade of Implementation of Juvenile Justice (Care and Protection of Children) Act, 2015 and Way Forward”, as a thoughtful endeavour to bring together the experience and learning that have shaped the juvenile justice system, provides a valuable opportunity to reflect upon the progress made and to consider how the system can respond more effectively to the evolving needs of children. It is hoped that this endeavour will strengthen the commitment to early intervention, education, rehabilitation and reintegration, and reaffirm the collective responsibility to ensure that every child is afforded the opportunity to grow, recover and realise his or her potential.

Warm Regards,

Hon'ble Mrs. Justice Anubha Rawat Choudhary



Hon'ble Mr. Justice Sanjay Prasad
*Judge and Member,
Juvenile Justice -cum- POCSO Committee,
High Court of Jharkhand*

Message

Every case that comes before a Juvenile Justice Board or Child Welfare Committee begins with a question of category 'Is this a child in conflict with law, or a child in need of care and protection?' and that first determination shapes everything that follows: whether the child is produced before a magistrate or a committee, whether the setting is custodial or protective, whether the process that unfolds is adversarial or supportive. Getting this threshold right is not a formality; it is the first act of justice the system owes the child.

Once that determination is made, a sequence of decisions follows in quick succession, that is of age verification, the manner and timing of apprehension, whether bail is granted, where the child is held pending inquiry, and, in cases involving heinous offences, the preliminary assessment under Section 15 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Each of these decisions carries consequences that extend well beyond the proceeding itself, which is why the Act surrounds them with specific safeguards rather than leaving them to general discretion.

A child-sensitive approach, however, is not one that dispenses with scrutiny. The allegation, the material on record, and the statutory conditions governing bail, custody or assessment must still be examined with the same rigour the law demands in any proceeding the difference lies in the lens through which that rigour is applied. The judicial task is to hold both requirements together, fidelity to the statute and attentiveness to the fact that the person before the court or committee is a child.

This same discipline must extend to children in need of care and protection, where the choice between institutional placement, restoration to family, or foster care is not a default but a determination one that has to be made on the specific facts of that child's circumstances rather than by routine.

It is a privilege to be the part of "*A Decade of Implementation of Juvenile Justice (Care and Protection of Children) Act, 2015 and Way Forward*," which brings together ten years of experience in applying this framework. For those who administer it and the professionals who support them, this record of what has worked and what remains difficult should prove genuinely useful.

Warm Regards,

A handwritten signature in blue ink, consisting of a stylized 'S' followed by a horizontal line.

Hon'ble Mr. Justice Sanjay Prasad

DISCLAIMER

- This book is intended for Private Circulation Only.
- The information contained in this book is intended for information purposes only and should not be construed as legal advice on any subject matter.
- The cases and content provided are for educational purposes and illustrative understanding. For a comprehensive understanding, readers are encouraged to refer to the complete case laws and official sources.
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- Page 1 to 54 prepared by Judicial Academy, Jharkhand.
- Page 55 to 80 prepared by Jharkhand State Legal Services Authority (Jhalsa)
- Page 81 to 130 prepared by Department of Women, Child Development and Social Security, Government of Jharkhand and UNICEF, Jharkhand
- Page 131 to 140 prepared by Ranchi Institute of Neuro-Psychiatry & Allied Sciences (RINPAS)

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A DECADE OF IMPLEMENTATION OF JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015 AND WAY FORWARD

The decisions collected in this chapter trace how the Juvenile Justice (Care and Protection of Children) Act, 2015, has been read and applied in the decade since its commencement. Decisions have been drawn from the Hon'ble Supreme Court of India and the Hon'ble High Court of Jharkhand, and are arranged thematically such as --- that of *claim of juvenility and the forum before which it may be raised, determination of age, apprehension & bail, categorisation of offences, the preliminary assessment under Section 15 regarding nature of offence, the orders that can be passed under Sections 18(3) with regard to child in conflict of law & powers of Children's Court under 19(1) and the protective guarantees that attach to a child at every stage.*

I. CLAIM OF JUVENILITY

Supreme Court of India

1. ***Ashok Kumar Mehra v. State of Punjab*, (2019) 6 SCC 132**

[Juvenility raised even for the first time before the Supreme Court is maintainable; where the date of birth certificate stands undisputed throughout, no further enquiry is necessary.]

In this case, a father and son were prosecuted for the murder of one Inderjit Dhimman under Section 302 read with Section 34 IPC (Section 103(1) read with Section 3(5) BNS). The Sessions Judge, Rupnagar acquitted both on 06.06.2000. On the State's appeal and the complainant's revision, the Punjab and Haryana High Court reversed the acquittal on 21.07.2008 and sentenced both to life imprisonment. The father died during the pendency of the appeals. The son was born on 14.06.1980 and was 17 years and 5 months old on 04.01.1998, the date of the offence. Juvenility was raised for the first time before the Hon'ble Supreme Court.

The issues in this case were (i) whether the appellant could raise juvenility for the first time in appeal before the Hon'ble Supreme Court and (ii) whether a further enquiry into age was required before granting relief.

Following the three-Judge Bench decision in *Raju v. State of Haryana*, AIR 2019 SC 1136, which traced *Hari Ram* (2009) 13 SCC 211, *Mohan Mali* (2010) 6 SCC 669, *Daya Nand* (2011) 2 SCC 224, *Dharambir* (2010) 5 SCC 344 and *Jitendra Singh* (2013) 11 SCC 193, the Hon'ble Supreme Court reiterated two settled propositions. First, a juvenile who had not completed eighteen years on the date of commission of the offence is entitled to the benefit of juvenility as per standards prescribed under erstwhile Juvenile Justice Act, 2000. Second, the claim of juvenility can be raised at any stage before any Court by an accused including before the

Hon'ble Supreme Court. It is irrelevant that the plea was not raised before the trial court. In this case, the Hon'ble Supreme Court identified four circumstances which together made a further enquiry redundant as enunciated below:

- (i) the appellant had filed his date of birth certificate in the Sessions Court;
- (ii) the prosecution had not objected to its correctness before the Sessions Judge;
- (iii) the Hon'ble Supreme Court had earlier granted him bail on the very ground that he was a juvenile below eighteen at the time of the offence, which the State had not disputed; and
- (iv) even at the hearing of the appeal the State did not dispute the certificate.

It is pertinent to mention that while relying upon the case of *Abuzar Hossain* (2012) 10 SCC 489 (2024) 15 SCC 341, same principal was adhered to in the case of ***State of Madhya Pradesh v. Ramji Lal Sharma***, (2025) 5 SCC 697, wherein the plea of juvenility was not only entertained rather upheld after the appeal was disposed off in conviction by the Hon'ble Apex Court. The case mentioned above bears importance also for the fact that Hon'ble Supreme Court held that slight discrepancy in the names of petitioner in school record and Aadhar card can't negate the claim of juvenility where the paternity was not in dispute and it is a point of practical importance in districts where names are recorded inconsistently across school, revenue and identity records.

2. ***Vinod Katara v. State of Uttar Pradesh, (2023) 15 SCC 210***

[The plea of juvenility may be claimed even after dismissal of the Special Leave Petition and may be pursued afresh by petition under Article 32; there obligation to consider it and this is not a discretionary power.]

In this case, the writ applicant was convicted under Section 302 read with Section 34 IPC (Section 103(1) read with Section 3(5) BNS) for an incident of 10.09.1982 and sentenced to life imprisonment by the Additional Sessions Judge, Agra on 06.01.1986. The Allahabad High Court dismissed his appeal on 04.03.2016 and the Hon'ble Supreme Court dismissed his special leave petition on 16.08.2016, juvenility never having been raised all through the judicial process. A Medical Board thereafter reported the applicant could have been about fifteen years old in 1982. A Family Register was also adduced which showed his birth year as 1968, thereby giving the benefit of juvenility.

The issue in this were (i) whether a plea of juvenility can be entertained even after dismissal of the special leave petition and (ii) what evidentiary value may be attached to a Family Register and to an ossification test conducted when the convict has crossed fifty (50) years of age.

The Hon'ble Supreme Court held that Section 7A of the erstwhile JJ 2000 Act permits the plea to be raised before any court, at any stage, even after final disposal of a special leave petition under Article 136. The dismissal of the special leave petition therefore worked no bar. The later replacement of the 2000 Act by the 2015 Act makes no difference to that entitlement. The

obligation to consider the plea was held not to be discretionary: notwithstanding the dismissal, the Hon'ble Supreme Court described itself as still obliged to consider the plea of juvenility and grant appropriate relief. The Supreme Court found that the Family Register was unreliable, as the original register on which it was allegedly based was unavailable and the entries contained circumstances rendering the document doubtful. Whereas with regard to ossification test, Hon'ble Apex Court held that ossification testing is to be resorted to only in the absence of the prescribed documentary evidence.

3. ***Pramila v. State of Chhattisgarh, (2024) 15 SCC 341***

[The enactment in force on the date of the occurrence governs the claim; where the custody already suffered exceeds the maximum institutional period permissible, the proceeding is terminated outright and the person is not remitted to the Board.]

In this case, the appellant was convicted under Sections 302 and 201 read with Section 34 IPC [Sections 103(1), 238 read with Section 3(5) BNS] and sentenced to life imprisonment, the conviction being affirmed by a Division Bench of the Chhattisgarh High Court. Juvenility was raised for the first time before the Hon'ble Supreme Court by interlocutory application during the hearing of the appeal. On a Court-directed enquiry, the Additional Sessions Judge, Ramanujan reported that the date of birth of convict was 01.09.1982, making her 17 years 9 months and 14 days on 15.06.2000, the date of occurrence.

One of the principal issues in this case was which enactment will govern claim of juvenility where the alleged offence predates the commencement of erstwhile Juvenile Justice, 2000 Act.

On the temporal question, the Hon'ble Supreme Court applied the enactment in force on the date of the occurrence. As *erstwhile Juvenile Justice, 2000 Act* was admittedly not in force on 15.06.2000 i.e. on the date of occurrence, the Hon'ble Apex Court held that that the case would be governed by the Juvenile Justice Act, 1986. Accordingly, Hon'ble Court held that the case of petitioner would be governed by Section 21 of the Juvenile Justice Act, 1986 which provides for '*orders that may be passed regarding delinquent juveniles*'. In the case at hand, the petitioner was found be juvenile delinquent girl, Hon'ble Court held that the delinquent juvenile ought to have been committed to a special home as Section 22(1) of the JJ Act, 1986 prohibited sentencing a juvenile to imprisonment. Therefore, the sentence passed in breach of that prohibition was held not to be in consonance with the applicable law of 1986, accordingly the judgments of the High Court and the Additional Sessions Judge were set aside insofar as the appellant (juvenile delinquent) was concerned. Further as the juvenile delinquent had already undergone incarceration for more than eight years, far exceeding the maximum period for which a juvenile could have been sent to a special home, the Hon'ble Supreme Court held the proceeding against the delinquent girl stands terminated.

High Court of Jharkhand

4. ***Tulsi Kapardar v. State of Jharkhand*, 2020 SCC OnLine Jhar 1966**

[Directing an enquiry and declaring a person to be a juvenile are two different exercises governed by two different standards; documents outside the Section 94(2) hierarchy may suffice to trigger an enquiry though they could not, by themselves, sustain a final declaration of age.]

In this case, the petitioner was convicted on 05.10.2012 by the Judicial Magistrate First Class, Bokaro in G.R. Case No. 431 of 2001 under Sections 448 and 354 IPC (Sections 329(3) and 74 BNS) and sentenced to rigorous imprisonment for one year and simple imprisonment for six months, to run concurrently. The Sessions Judge, Bokaro dismissed his appeal on 20.05.2013. During the pendency of the revision, he filed an interlocutory application at the High Court under Section 7A of the JJ Act, 2000 Act claiming juvenility as on the date of occurrence, 17.05.2001 and relied on a Voter Identity Card for the claim of juvenility. The State produced an admit card of the Jharkhand Madhyamik Pariksha Parishad showing his date of birth as 12.11.1984 and objected that neither the Voter I Card nor the Admit Card of Jharkhand Madhyamik Pariksha Parishad fall within Section 94(2)(i) or (ii) of the JJ Act, 2000.

The issue in this were, whether a claim of juvenility raised for the first time in revision, seven years after conclusion of trial, is maintainable; and what quality of material suffices to direct an age enquiry where none of the documents [*Voter I Card nor the Admit Card of Jharkhand Madhyamik Pariksha Parishad*] produced falls within the first two clauses of Section 94(2) JJ Act, 2000 to support the claim of Juvenility.

The Hon'ble Court observed that the judgment of conviction recorded the petitioner's age about 11 years old at the occurrence, the Voter Identity Card put him at 21 years as on 01.01.2007 and the admit card annexed by the State placed him at about 16 years and 6 months at the occurrence. With the above observation, Hon'ble Court held that initiation of an enquiry into claim of juvenility and declaring a person to be a juvenile are two different exercises governed by two different standards. At the first stage the court records only a *prima facie* conclusion and the approach must be more liberal whereas at the second stage the court makes a declaration on evidence which it scrutinises and accepts only if worthy of acceptance. Hon'ble Court further held that documents outside the Section 94(2) of the JJ Act may therefore be enough to trigger an enquiry even though they could not, by themselves, sustain a final declaration of age. The revision was allowed and the matter remitted for enquiry.

II. DETERMINATION OF AGE

Supreme Court of India

1. ***Parag Bhati (Juvenile) v. State of U.P., (2016) 12 SCC 744***

[Doubtful or fabricated age records cannot be relied upon for determining juvenility; where the prescribed documentary evidence is unreliable, ossification test can be the last resort to prove the juvenility.]

In this case, the appellant claimed juvenility on the basis of various school certificates, which would have made him below eighteen years on the date of occurrence. However, serious discrepancies were found in the school records, including certificates which the concerned schools stated had not been issued by them. The Juvenile Justice Board therefore referred the appellant for medical examination, and the Medical Board assessed his age at approximately 19 years.

The Supreme Court reiterated that a genuine matriculation or equivalent certificate ordinarily carries decisive evidentiary value; in its absence, the date-of-birth certificate from the school first attended and thereafter the birth certificate issued by the local authority are to be considered. Medical opinion may be resorted to where the prescribed documents are unavailable or are found to be fabricated or manipulated. Relying on ***Ashwani Kumar Saxena v. State of M.P., (2012) 9 SCC 750***, the Court further held that the credibility of documents must be assessed on the facts of each case and that a roving enquiry is unnecessary unless the records themselves give rise to doubt.

Applying these principles, the Court found that the documents relied upon by the appellant were unreliable and that the medical examination was therefore properly resorted to. The assessment of approximately 19 years meant that the appellant was above eighteen on the relevant date. The Supreme Court accordingly upheld the rejection of his claim of juvenility.

2. ***Mukarrab v. State of U.P., (2017) 2 SCC 210***

[Ossification test is only a guiding factor and not conclusive proof of age; medical opinion must be assessed with the entire facts and circumstances of the case.]

In this case appellants claimed that they were below eighteen years of age on the date of the occurrence. As there was no reliable documentary evidence from which their dates of birth could be ascertained, the Supreme Court directed that an ossification test be conducted by a duly constituted Medical Board at AIIMS, New Delhi. The Medical Board examined the appellants more than twenty-two years after the occurrence, and opined that their ages on the date of examination were between 35 and 40 years.

The Supreme Court reiterated that age determination cannot ordinarily be made with mathematical precision. Medical examination, including ossification tests, carries a margin of approximately plus minus 2 years and is only a useful guiding factor, not conclusive proof. Such opinion must be assessed along with other cogent evidence and the surrounding circumstances. The Court further observed that ossification tests become increasingly unreliable for precise age determination after the age of 30 years. Since the appellants were examined after crossing that age, the medical evidence could not, by itself, establish that they were approximately fifteen years old on the date of the occurrence.

The Supreme Court accordingly held that the opinion of the Medical Board determining the appellants' age as 35 to 40 years could not be relied upon to extend to them the benefit of juvenility. In the absence of other cogent evidence establishing that they were below eighteen years on the date of the offence, their claim of juvenility was rejected. The decision thus underscores that medical/ossification evidence is not conclusive and cannot be considered in isolation; age must be determined on a holistic appreciation of the evidence and circumstances of each case.

The principle of law regarding hierarchy of documents so provided under the relevant provision for consideration of age determination and also recognised in the ***Mukarrab v. State of U.P.***, was further reiterated in:

- i. ***Ram Vijay Singh v. State of U.P.***, (2021) 15 SCC 241 [*The Supreme Court held that when ossification test is conducted upon a person of around 40 to 55 years of age, the structure of bones cannot be helpful in determining age.*]
- ii. ***Manoj @ Monu @ Vishal Chaudhary v. State of Haryana and Another***, (2022) 6 SCC 187 [*The Supreme Court accepted the finding of a member of the Medical Board, that the same stage of bone fusion could be found in persons aged 30 to 32 years and even above 22 years.*]
- iii. ***State of J&K v. Shubam Sangra***, (2022) 20 SCC 1 [*Reiterating medical opinion is subsidiary to documentary evidence in age determination, the Supreme Court however, observed that where documentary records are doubtful or conflicting, medical opinion may be considered, though it remains an opinion and not conclusive proof of age.*]
- iv. ***Vinod Katara v. State of U.P.***, (2024) 4 SCC 150 [*The Court reiterated that Section 94(2) of the JJ Act prescribes a hierarchy in which school records occupy a higher position, while ossification testing is to be resorted to only in the absence of the prescribed documentary evidence. It further accepted the finding that X-ray-based age estimation becomes uncertain after 25 years.*]
- v. ***Sri Ganesh v. State of Tamil Nadu***, (2017) 3 SCC 280 - Although ***Mukarrab*** was not relied upon, the same principle of law was reiterated by the Supreme Court. [*Relying on ***Ashwani Kumar Saxena v. State of M.P.***, (2012) 9 SCC 750, the Supreme Court reiterated that age determination must follow the statutory hierarchy under Rule 12 of the JJ Rules, 2007 and such reliable documentary evidence is sufficient to establish juvenility.*]

And the JJB is not required to conduct a roving enquiry into documents maintained in the ordinary course of business. Further, it was held that medical examination cannot be insisted upon or used to unsettle the determination.]

- vi. **Rajni v. State of Uttar Pradesh and Another**, 2025 SCC OnLine SC 1183 - Although **Mukarrab** was not relied upon, the same principle of law was reiterated by the Supreme Court. *[JJB cannot resort to medical examination where documentary evidence under Section 94(2) is available. It also cannot subsequently reopen or contradict its earlier determination of age, as the JJ Act confers no power of review upon JJB.]*

3. **Sanjeev Kumar Gupta v. State of U.P., (2019) 12 SCC 370**

[Prima facie material may justify an age-determination inquiry, but the final determination of juvenility requires scrutiny of the credibility and authenticity of the documents; a doubtful matriculation certificate cannot prevail merely by virtue of its form.]

In this case, the accused claimed juvenility on the basis of a CBSE matriculation certificate showing his date of birth as 17.12.1998. However, the school first attended by him recorded his date of birth as 17.12.1995, which was also consistent with the date voluntarily disclosed by him while obtaining his driving licence and Aadhaar card. The Juvenile Justice Board rejected his claim, while the High Court accepted the matriculation certificate.

The Supreme Court held that age determination under Section 7-A of the 2000 Act read with Rule 12 requires an inquiry into the credibility and acceptability of the material relied upon. Relying on **Abuzar Hossain v. State of W.B.**, (2012) 10 SCC 489, the Court clarified that the standard at the stage of directing an inquiry is only prima facie satisfaction, and no rigid rule can be prescribed regarding the weight of particular documents. However, at the stage of final determination, the Court must scrutinise whether the documents are worthy of acceptance.

Applying this principle, the Court found that the CBSE matriculation record was based merely on the final list forwarded by the school and lacked an underlying document supporting the 1998 date of birth. In contrast, the record of the school first attended showed 17.12.1995 and was corroborated by the accused's own disclosures in his Aadhaar card and driving licence. The matriculation certificate was therefore held not to be authentic or credible, and the Supreme Court restored the rejection of the claim of juvenility.

4. **Raju v. State of Haryana, (2019) 14 SCC 401**

[Plea of juvenility taken first time before the High Court and rejected; where an inquiry by the Registrar (Judicial), Supreme Court finds the person to be less than 18 years, the report was accepted after the Supreme Court itself tests its correctness.]

In this case, the appellant had not taken the plea of juvenility before the trial court. The plea was raised before the High Court relying upon a Transfer Certificate from one school and a certificate issued by another Government school stating the same date of birth. But the plea

was rejected by the High Court on the ground of failure of raising the plea of juvenility before trial court, and failure to produce birth certificate and non-corroboration of the documents produced. Thereafter, the Supreme Court got an inquiry conducted by the Registrar (Judicial), Supreme Court, who found the appellant to be less than 18 years.

The judgment dealt with the issue as to whether the report of the Registrar (Judicial) could be accepted over and above the finding of the High Court. The Supreme Court held that this could be done provided this Court itself tests the correctness of the report of the Registrar (Judicial). Thus, the finding regarding age could be arrived at on the basis of the inquiry report after the Supreme Court itself tested its correctness.

5. ***Rishipal Singh Solanki v. State of U.P.*, (2022) 8 SCC 602**

[Under Section 94 of the JJ Act, 2015, where the required documents are available, age is to be determined on the basis of such evidence; ossification test or other medical age determination test can be resorted to only in the absence of such documents.]

In this case, the respondent claimed juvenility relying upon school records and the matriculation certificate showing his date of birth as 25.09.2004, which made him 15 years 7 months old on the date of the incident. The genuineness of the school records was questioned on the ground that the admission forms contained discrepancies. The JJB, however, accepted the matriculation certificate and determined the respondent to be a juvenile.

The Supreme Court explained that Section 94 of the JJ Act, 2015 deals with presumption and determination of age. Where there are reasonable grounds for doubt whether the person brought before the Committee or Board is a child or not, the age is to be determined by seeking evidence in the prescribed order. The Court further reiterated that ossification test cannot be the sole criterion for age determination and a mechanical view regarding the age of a person cannot be adopted solely on the basis of medical opinion.

Applying these principles, the Court found no reason to interfere with the determination of age made on the basis of the matriculation certificate, which recorded the date of birth as 25.09.2004. Since the date of the incident was 05.05.2020, the respondent was 15 years 7 months old on the relevant date and was therefore a juvenile. The appeal was dismissed.

6. ***P. Yuvaprakash v. State Rep. by Inspector of Police*, (2024) 17 SCC 684: 2023 SCC OnLine SC 846**

[School transfer certificate is not the date of birth certificate from the school as it did not answer the description of documents under Section 94(2)(i); in the absence of documents under Section 94(2)(i) and (ii), the ossification test assessing the victim between 18–20 years was the most authentic evidence for determination of age.]

In this case, the issue was the determination of the age of the victim in the context of the POCSO Act. The Court held, on a conjoint reading of Section 34 of the POCSO Act and

Section 94 of the JJ Act, that wherever a dispute with respect to age arises, the courts have to take recourse to the steps indicated in Section 94. The established hierarchy under Section 94(2) was followed: the date of birth certificate from the school or matriculation or equivalent certificate is firstly preferred, followed by the birth certificate issued by the Corporation, Municipal Authority or Panchayat, and only thereafter an ossification test or any other latest medical age determination test.

In the present case, only a transfer certificate was considered. The certificate showed the date of birth of the victim as 11.07.1997, but it was produced by the court-summoned witness and not by the prosecution. The Court held that the prosecution could not have fallen back upon a document which it had never relied upon. Further, the records for the year 1997 relating to births and deaths were missing. Since the transfer certificate did not answer to the description of any class of documents mentioned in Section 94(2)(i), it could not be relied upon to hold that the victim was below 18 years at the time of commission of the offence.

The Court further held that, in such circumstances, the prosecution was required to prove through acceptable medical tests that the victim's age was below 18 years. The ossification test certificate indicated that the victim's age was more than 18 years and less than 20 years, and the doctor admitted that her age could be taken as 19 years. The Court held that this evidence was very material for determination of the victim's age and that rejection of the medical evidence on the ground that the precise date of birth was available from school records was incorrect and erroneous. The result of the ossification or bone test was held to be the most authentic evidence, corroborated by the examining doctor.

7. ***Suresh v. State of Uttar Pradesh and Another, 2025 SCC OnLine SC 1579***

[A school certificate based merely on an oral parental assertion cannot be treated as conclusive proof of age; where such record is unreliable and conflicts with public records and medical evidence, the latter may be relied upon to determine juvenility.]

In this case, the accused claimed juvenility on the basis of a transfer certificate issued by the first school attended. The entry, however, had been made on the basis of an oral representation by his father, without any supporting document. The claim was contradicted by the Family Register, Voters' List and a Medical Board report, which assessed his age at about 22 years in 2012.

The Supreme Court held that although Rule 12(3) of JJ Rules, 2007 prescribed a hierarchy of evidence, the school certificate could not be treated as conclusive where its authenticity was doubtful. The headmaster's testimony established that the date of birth had been recorded merely on the father's oral statement and no horoscope or other supporting document had been produced. The Court also noted that the subsequent school certificates were based on the same entry and therefore could not independently establish the date of birth. The Court accordingly held that the school certificate could not prevail over the public records and medical evidence showing that the accused was a major. His declaration as a juvenile was therefore set aside.

High Court of Jharkhand

8. ***Nakul Turi and Another v. State of Jharkhand*, 2023 SCC OnLine Jhar 1702**

[Class-I school register entries must be duly proved and authentic to merit preference under section 94; where such records are ambiguous or unproved, medical evidence may be relied upon for determining juvenility.]

In this case, the petitioners, Nakul Turi and Vikash Turi, claimed juvenility on the date of occurrence and relied on school certificates and Class-I admission register entries. However, the teacher examined during the enquiry was not posted in the school when the entries were made and could not state who had made or signed them. The entries were therefore not duly proved and were treated as unreliable. The court below consequently relied on medical evidence, which assessed their ages at 21–22 years in 2020, making them over eighteen on the date of occurrence. This case thus concerned whether an unproved Class-I school admission entry could be preferred under Section 94 of the JJ Act over medical evidence for determining juvenility.

The Jharkhand High Court held that Section 94 of the JJ Act prescribes a hierarchy of evidence for determining age. Where age is in doubt, preference must first be given to the school date-of-birth certificate or matriculation/equivalent certificate; in their absence, the birth certificate issued by the competent local authority may be considered, and only thereafter may medical age determination be undertaken.

However, the Court clarified that a Class-I school-register entry is not automatically authentic merely because it is a school record. In the present case, the teacher who deposed about the entries was not posted in the school when they were made and could not identify the person who made or signed them. The entries were therefore found insufficiently proved and ambiguous. In the absence of reliable documentary evidence, the Court by relying upon ***Sri Ganesh v. State of Tamil Nadu***, (2017) 3 SCC 280, held that medical evidence could be relied upon for determining juvenility. Applying this principle, the medical evidence placed both petitioners above eighteen years on the date of occurrence. The Court accordingly upheld the rejection of their claim of juvenility and dismissed the revision.

9. ***Raj Kumar Turi v. State of Jharkhand*, 2023 SCC OnLine Jhar 1912**

[Aadhaar Card cannot be the basis to determine age under Section 94; where there is no school certificate, age may be determined by Medical Board, and the benefit of margin of two years in bone ossification test is to go to the child in conflict with law.]

In this case, there was no school certificate for determination of age. The petitioner relied upon the Aadhaar Card, in which the date of birth was shown as 01.01.2009, but the Court held that the Aadhaar Card could not have been accepted as a basis for determination of age

in view of Section 94 of the JJ Act. The JJ Board accordingly adopted the procedure of medical examination, and the Medical Board assessed the age of the petitioner as 16 to 18 years.

The Jharkhand High Court held that, in view of Section 94 of the JJ Act, there being no school certificate, the Medical Board of three doctors was constituted, which determined the age as 16 to 18 years. The Court referred to **Ram Suresh Singh v. Prabhat Singh @ Chhotu Singh**, (2009) 6 SCC 681 and **Jyoti Prakash Rai v. State of Bihar**, (2008) 15 SCC 223, wherein it was held that the bone ossification test is not conclusive in nature for age determination, as it does not reveal the exact age and leaves a margin of two years on either side. The Court held that the benefit of margin of two years less may be given to the juvenile child in conflict with law. Accordingly, on the Medical Board's assessment of 16 to 18 years, the Court held that the benefit of the margin of two years less may be given to the petitioner. Thus, the High Court while holding that holistic evaluation of the child was not made and the assistance of the experienced psychologists or psycho-social worker was not taken, remitted the matter back to the JJB to decide afresh the preliminary assessment of petitioner.

10. **Santosh Baraik v. State of Jharkhand, 2023 SCC OnLine Jhar 2528**

[Strict adherence to Section 94 of the Juvenile Justice Act is to be made for the purpose of assessment of age; medical evidence as to age, though a very useful guiding factor, is not conclusive and has to be considered along with other cogent evidence.]

In this case, the victim no. 2 was stated to be 16 years at the time of occurrence. The Court found that the age had not been assessed based upon any material document as stipulated under Section 94 of the JJ Act, 2015. The age had instead been assessed based upon the material assessment, wherein the age of the victim no. 2 was assessed to be between 14 to 16 years.

The Jharkhand High Court held that strict adherence to the provision of Section 94 of the JJ Act is to be made for the purpose of assessment of age. Relying upon **Manoj v. State of Haryana**, (2022) 6 SCC 187, and the principles referred to therein from **Babloo Pasi v. State of Jharkhand**, (2008) 13 SCC 133, the Court observed that the date of birth is to be determined on the basis of material on record and on appreciation of evidence adduced by the parties, and that medical evidence as to the age of a person, though a very useful guiding factor, is not conclusive and has to be considered along with other cogent evidence.

The Court further held that where a certificate is given from the school concerned by the headmaster of the said school or the institutional head, it is the onus upon the prosecution to get it proved by calling upon the author of the said certificate, referring to **Birad Mal Singhvi v. Anand Purohit**, 1988 Supp SCC 604.

11 ***Manoj Marandi v. State of Jharkhand, 2023 SCC OnLine Jhar 2689***

[Where no documentary or oral evidence is adduced for determination of age, the Court below is required to follow Section 94(2)(iii); age written by the Court of Sessions in the format of Section 313 CrPC cannot be a ground to declare the appellant juvenile.]

In this case, the appellant had raised the point of juvenility during the trial. The impugned judgment dated 14.09.2021 mentioned his age as 19 years, and while recording his statement under Section 313 CrPC on 21.06.2021, the Court had assessed his age as 19 years. Since the date of occurrence was 16.10.2018, the appellant contended that he was under 18 years of age on the date of occurrence and, as such, he was juvenile.

The Court below had rejected the application under Section 9 of the JJ Act on the ground that the age written by the learned Court of Sessions in the format of Section 313 CrPC cannot be a ground to declare the appellant juvenile. The record further showed that, despite several opportunities, no evidence either documentary or oral was adduced on behalf of the appellant.

The Jharkhand High Court, therefore, set aside the order dated 11.03.2022 and directed the Court below to send the case to the JJB for carrying out necessary enquiry vis-a-vis determination of the age of the appellant on the date of occurrence. The Court further directed that, if necessary, the help of the Medical Board should also be taken for ascertaining the age of the appellant on the date of occurrence.

12. ***Babloo Turi v. State of Jharkhand, 2024 SCC OnLine Jhar 3261***

[School leaving certificate cannot be relied upon where it does not answer to the description of the date of birth certificate from the school; in the absence of the documents under Section 94(2)(i) and (ii), Section 94(2)(iii) has to be followed.]

In this case, the prosecution relied upon a photostat copy of the school leaving certificate, in which the victim's date of birth was mentioned as 05.03.2002. The certificate showed that she was admitted in Class VII on 04.04.2013, but it was not known on the basis of which document her date of birth had been entered. Further, the Investigating Officer had neither gone to the school from where the certificate was issued nor to the school where the victim was studying on the date of her alleged abduction.

The Jharkhand High Court, relying upon ***P. Yuvaprakash v. State***, 2023 SCC OnLine SC 846, held that the date of birth certificate from the school or matriculation or equivalent certificate from the Examination Board concerned has to be firstly preferred, followed by the birth certificate given by a Corporation, Municipal Authority or Panchayat, and only thereafter can age be determined through an ossification test or any other latest medical age determination test. The Court held that the school leaving certificate, being not the date of birth certificate from the school or the matriculation or equivalent certificate from the Examination Board, cannot be relied upon.

In the absence of the documents under Section 94(2)(i) and 94(2)(ii), the Court held that Section 94(2)(iii) had to be followed. However, the said provision had not been followed. The trial court had instead relied upon the ages assessed by two judicial officers in the “Form of Heading and Deposition”, recording the victim’s age as 16 years and 15 years, without any known basis for such assessment. The Court held that such reliance was not proper.

The Court further noted that the victim had stated her age as 19 years in her statement under Section 164 CrPC, while the doctor had stated that, according to the X-ray report, the radiological age of the victim was more than 18 years. Relying on the X-ray report and the evidence of the doctor, the Court held that it could be safely presumed that the victim was not a minor at the time of occurrence, i.e. 16.07.2016.

13. ***Rajan Chik Baraik v. State of Jharkhand, 2025 SCC OnLine Jhar 1417***

[Age is to be determined under Section 94(1) and 94(2); only in the absence of the documents can recourse be taken to Section 94(3), and a non-conclusive assessment of age cannot conclusively establish that the victim was a child.]

In this case, the Medical Board assessed the age of the victim between 17 to 18 years. However, there was no assessment of age by taking recourse to Section 94(1) or Section 94(2) and straightway the prosecution had taken recourse to Section 94(3) of the JJ Act, 2015.

The Jharkhand High Court held that the definition of age has bearing with the culpability and the same is to be determined on the basis of law provided under Section 94(1) and 94(2). Following ***P. Yuvaprakash v. State Rep. by Inspector of Police***, 2023 SCC OnLine SC 846, the High Court held that if the documents are not available, only then is there to be a switchover while seeking recourse to Section 94(3). The Court followed the established hierarchy under Section 94(2) as.

The Court further noted that the victim was studying in intermediate, but the Investigating Agency had not produced any certificate issued by the Board so as to assess the age in the light of Section 94(1). The Court therefore held that, on the basis of the non-conclusive assessment of the age, prima facie, the victim could not be said with all conclusive finding to be a child at the time of the alleged offence.

III. APPREHENSION, BAIL AND CUSTODY

Supreme Court of India:

1. ***Exploitation of Children in Orphanages in the State of T.N., In re, (2020) 14 SCC 327***

[Directions were issued implementing Sections 10 and 12 of the JJ Act. Emphasised that bail is the default rule for a child in conflict with the law under Section 12 of the Act]

In this case, the Amicus Curie filed an Interlocutory Application drawing attention of the Court regarding an article published in a Hindi newspaper, related to children being detained in police custody and subsequently tortured in Delhi and Uttar Pradesh. The Hon'ble Court issued notices to – (i) Uttar Pradesh State Commission for Protection of Child Rights (ii) Delhi Commission for Protection of Child Rights (iii) National Commission for Protection of Child Rights (NCPCR) and (iv) The Union of India.

The Hon'ble Supreme Court of India held that under Section 10 of Juvenile Justice (Care and Protection of Children) Act, 2015, an apprehended child in conflict with the law must be placed under the charge of a Special Juvenile Police Unit (SJPU) or designated Child Welfare Officer must be produced before the JJB within 24 hours of apprehension and the proviso to Section 10 of the Act explicitly prohibits lodging such children in police lock-up or jail.

While referring to Section 12 of the Act, Hon'ble Court held that bail is the rule for juveniles, irrespective of whether the offence is bailable or non-bailable and bail can only be denied if there are reasonable grounds for believing that the release would expose the child to moral, physical, or psychological danger, bring them into association with known criminals, or defeat the ends of justice, with the required written reasons recorded. Further, even when bail is denied, the child must be placed in an observation home or place of safety, never a jail.

The important directions are:

- **Bail is the rule for a child in conflict with the law**
- **Prohibition of Lockup Detention**
- **Proactive Oversight:** JJBs should not act as passive spectators; they must actively monitor local conditions and intervene if any child is wrongfully detained in a prison or police lockup.

Further, the principle that bail is a rule for juveniles also finds reiteration in the case of ***Juvenile in Conflict with Law V v. State of Rajasthan***, 2024 SCC OnLine SC 5297, wherein the Hon'ble Apex Court observed that the Psychological Assessment Report of the Juvenile records that the juvenile does not belong to high risk category and against the column “worry list of child” it is mentioned that there was “no worry” and that none of the Courts below have recorded a finding that in the facts of the case and accordingly bail was allowed.

2. ***X (Juvenile) v. State of Karnataka, (2024) 8 SCC 473***

In this case, the order of High Court of Karnataka was under challenge wherein the petition of mother of victim to terminate the proceedings against alleged juvenile before Board and then transferring the matter to the Children's Court for trial of the juvenile as adult was allowed. While disposing off the matter, the order passed by the High Court of Karnataka was upheld but the important issues discussed by the Hon'ble Apex Court is extracted and summarised below.

The issues in this case were as follows :

(i) ***Whether the period provided for completion of preliminary assessment under Section 14(3) of the act is mandatory or directory?***

Finding – After analysing the related provisions of the Act and catena of case laws, the Hon'ble Apex Court relied upon the case of *Bhola v. State of M.P.* 2019 SCC OnLine MP 521, *X (Juvenile) v. State (NCT of Delhi)*, 2023 SCC OnLine Del 5063] which while dealing with the provisions of Section 14 of the Act have held that the time period prescribed for completion of the preliminary assessment is not mandatory but merely directory in nature.

(ii) ***Question regarding exercise of revisional power by the High Court to set aside the order of rejection of prayer by the Juvenile Justice Board to terminate proceedings before the Board and transferring the case to the Children's Court for trial.***

Finding - The Hon'ble Apex held that High Court can exercise its revisional powers for satisfying itself as to the legality or propriety of any such order and may pass such order in relation thereto as it thinks fit.

(iii) The Hon'ble Apex Court also flagged the issue regarding the terms used as “Children's Court” and “Court of Session” in the Act and held that the conjoint reading of the aforesaid provisions of the Act and the 2016 Rules, in our opinion, wherever words “Children's Court” or the “Sessions Court” are mentioned both should be read in alternative. In the sense where Children's Court is available, even if the appeal is said to be maintainable before the Sessions Court, it has to be considered by the Children's Court. Whereas where no Children's Court is available, the power is to be exercised by the Sessions Court.

High Court of Jharkhand:

3. ***Sahabuddin Ansari Vs. The State of Jharkhand. 2017 SCC OnLine Jhar 638***

Bail granted to the petitioner accused, considering the period of custody and observing that as per the report of Forensic Science Laboratory, the DNA profile generated from the source of the blood

positive gauze piece cuttings of accused Shahabuddin Ansari (petitioner) were not found present in the DNA profile of the cuttings of the garments of the prosecutrix.

However, this view was subsequently reconsidered and overruled by the Division Bench in the case of **Guddu Kumar Singh v. The State of Jharkhand**, B.A. No. 4677 of 2020, decided on 12 May 2021.

4. ***Birbal Munda v. State of Jharkhand, 2019 SCC OnLine Jhar 1794***

[Anticipatory bail under Section 438 CrPC is maintainable for a child in conflict with law; Section 12 JJ Act does not exclude the remedy.]

In this case, the petitioners apprehended arrest in connection with Kuchai P.S. Case No. 02 of 2019, registered under Sections 302/201/34 IPC. Petitioner Nos. 5 to 8 were children in conflict with the law, aged between 5 and 11 years. The petitioners sought anticipatory bail under Section 438 CrPC. Their counsel contended that the allegations were false and based only on suspicion arising from an earlier murder in 2001. The State opposed the prayer.

The preliminary issue concerned the maintainability of anticipatory bail for juveniles under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The Hon'ble Jharkhand High Court held that an application for anticipatory bail under Section 438 CrPC at the instance of a child in conflict with the law is maintainable. The court further held that the said provision does not take away the remedy of anticipatory bail available under the Code of Criminal Procedure.

5. ***Mohd. Ramjani v. State of Jharkhand, 2024 SCC OnLine Jhar 2996***

[Granted bail to a juvenile under Section 12 of the J.J. Act, holding that the gravity of the offence cannot deny bail.]

In this case, an FIR was registered under Sections 366A/34 IPC and Section 6 of the POCSO Act, alleging that the juvenile petitioner enticed away a 13-year-old girl. The victim's statements supported the prosecution's allegations. Both the Juvenile Justice Board and the Appellate Court rejected the juvenile's bail application, primarily citing the gravity and seriousness of the alleged offence. The petitioner challenged these orders before the High Court through a Criminal Revision.

The issue in this case was whether bail to a child in conflict with the law under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 can be denied based on the gravity of the offence.

The Hon'ble High Court of Jharkhand set aside the lower courts' orders. It was held that under Section 12(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015, granting bail to a child in conflict with the law is the mandatory rule, irrespective of whether the alleged offence is bailable or non-bailable. Bail can only be refused if the case falls strictly within

the three exceptions specified in the proviso to Section 12: if release brings the juvenile into association with known criminals, exposes them to moral, physical, or psychological danger, or defeats the ends of justice.

6. ***Juvenile X represented through his father v. State of Jharkhand, 2026 SCC OnLine Jhar 105***

[Bail was granted to a juvenile in conflict with the law, stating that the gravity of the alleged offence cannot be a ground to deny bail under Section 12.]

In the said case, the petitioner is a juvenile aged about 15 years, and he has been in the Remand Home since 28.10.2025. The Social Investigation Report states that the petitioner is of good behaviour and is an Intermediate student. He also submits that there is no eyewitness to the occurrence. The petitioner's name has come up in the confessional statement. The petitioner is being represented by his father, and he is giving an undertaking that he will take care of the child.

Now, the issue in this case is whether the gravity or seriousness of the alleged offence can be a valid ground in denying bail to a child accused under this Act

The juvenile was released on bail via assurance and surety given by his natural guardian/father, subject to the condition that he will not be permitted to go in contact or association with any criminal or allowed to be exposed to any moral, physical, or psychological danger and further that the father will ensure that the juvenile will not repeat the offence.

The Hon'ble High Court emphasised that Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 establishes a mandatory rule by granting bail for juveniles, irrespective of whether the alleged offence is bailable or not.

“The Juvenile Justice Act is primarily based on the belief that children are the future of society and in case they go into conflict with law under some circumstances, they should be reformed and rehabilitated and not punished. No society can afford to punish its children. A punitive approach towards children in conflict with the law would be self-destructive for society. At the same time, if the keeping of the child in custody is helpful in his development and rehabilitation or protection, only then could it be said that release of the child would defeat the ends of justice.”

The gravity, or seriousness of the offence, cannot serve as a ground to refuse bail to a child in conflict with the law. Bail can only be denied if the court finds clear evidence that the release is likely to bring the juvenile into association with any known criminal or defeat the ends of justice.

IV. CATEGORISATION OF OFFENCES, PRELIMINARY ASSESSMENT, TRIAL AS AN ADULT, AND RIGHTS, SAFEGUARDS AND PROTECTIVE GUARANTEES

Supreme Court of India

1) ***Union of India v. Ramesh Bishnoi, (2019) 19 SCC 710***

[A juvenile cannot be deprived of getting a job on the basis of charges for an offence committed while he was a juvenile; the object of the Juvenile Justice Act is to obliterate the stigma of juvenile offending and reintegrate the juvenile into society without stigma, in accordance with the principle of “fresh start” under Section 3(xiv) of the JJ Act, 2015.]

The case concerned the respondent, who had been selected and offered appointment to the post of Sub-Inspector in CISF, but whose appointment was cancelled on the ground that a criminal case had been lodged against him in the past. The respondent had disclosed the FIR under Sections 354, 447 and 509 IPC and had also disclosed that he was acquitted of the offences on 24-11-2011, as there was no evidence adduced against him.

The issue in the case was whether the respondent could be deprived of appointment on the basis of criminal charges which had been framed against him when he was below the age of 18 years and of which he had subsequently been acquitted.

The Supreme Court held that “even if the aforesaid is found to be true, it cannot be said that the respondent had committed such a crime, which would be covered under the definition of moral turpitude, specially when the respondent is said to have committed the alleged offence when he was a minor.” The Court further held that “even if he had been convicted, the same could not have been held against him for getting a job, as admittedly, he was a minor when the alleged offences were committed and the charges had been framed against him.” The thrust of the Juvenile Justice Acts, held, “is that even if a juvenile is convicted, the same should be obliterated, so that there is no stigma with regard to any crime committed by such person as a juvenile,” with the clear object “to reintegrate such juvenile back in the society as a normal person, without any stigma.” Referring to Section 3(xiv), the Court held: “All past records of any child under the juvenile justice system should be erased except in special circumstances.” The Court also held that there was no suppression by the respondent, as he had “very fairly disclosed about the charges which had been framed and his acquittal”. Consequently, the appeal was dismissed and the respondent was held entitled to all the benefits of the judgment of the writ court.

2) ***In Shilpa Mittal v. State (NCT of Delhi), (2020) 2 SCC 787-***

[Only offences prescribing a minimum sentence of seven years or more qualify as “heinous offences” under Section 2(33) of the JJ Act, 2015; offences carrying a maximum sentence of over

seven years but with no minimum sentence or a minimum of less than seven years must be treated as “serious offences” under Section 2(54) until Parliament amends the law.]

The case concerned a child above 16 but below 18 years alleged to have committed an offence under Section 304 IPC, which prescribed imprisonment up to ten years but no minimum sentence. The Juvenile Justice Board treated it as a heinous offence and initiated proceedings for trial as an adult. The Delhi High Court held that the offence did not satisfy Section 2(33), since no minimum sentence of seven years was prescribed. The matter reached the Supreme Court.

The issue in the case was whether an offence carrying a maximum punishment exceeding seven years, but prescribing no minimum punishment or a minimum punishment of less than seven years, could be treated as a “heinous offence” under Section 2(33) of the Juvenile Justice Act, 2015.

The Supreme Court held that only those offences which prescribe minimum sentence of 7 yrs or more can be regarded as heinous offences. Offences not providing minimum sentence of 7 yrs, held, cannot be treated as heinous offences. Offences prescribing maximum sentence of more than 7 yrs but not providing any minimum sentence or providing minimum sentence of less than 7 yrs’ imprisonment, held, are not covered by Section 2(33). In exercise of power under Article 142 of the Constitution, it was held that such offences shall be treated as “serious offences” within meaning of Section 2(54) till Parliament steps in to make provisions clearer. When two views are possible, one in favour of children is to be preferred.

3) ***Karan v. State of M.P., (2023) 5 SCC 504***

[Hierarchical rules of age determination under Section 94 of JJ Act, 2015, validity of regular trial conviction upon post-conviction declaration of juvenility, deeming of adult sentences as ineffective under Section 9(3), maximum three-year incarceration limit under Section 18 for juveniles below 16 years, and immediate release upon serving over five years]

The case concerned criminal appeals preferred by the appellant challenging the judgment dated 15-11-2018 passed by the High Court of Madhya Pradesh (Indore Bench) in *Karan v. State of M.P.*, which affirmed the conviction and death sentence awarded by the trial court under Section 302 IPC, alongside convictions under Sections 363, 376(2)(i), and 201 IPC and Sections 5(m)/6 of the POCSO Act. During the pendency of the appeals before the Supreme Court, the appellant filed an application (IA No. 43271 of 2019) claiming juvenility on the date of occurrence (15-12-2017) under Section 9(2) of the Juvenile Justice (Care and Protection of Children) Act, 2015. The Supreme Court directed the trial court (First Additional Sessions Judge, Manawar, District Dhar, M.P.) to conduct an age inquiry. The trial court submitted a comprehensive report dated 27-10-2022 recording that the appellant’s date of birth was conclusively proved as 25-07-2002 based on school admission registers, marksheets, and birth certificates from a government primary school, establishing his age as 15 years, 4 months, and 20 days on the date of the incident (i.e., a child below 16 years under Section 2(12) of the JJ Act,

2015). The State opposed the report, contending that the appellant should undergo a medical ossification test.

The issues before the Supreme Court were: (i) whether the trial court's inquiry report declaring the appellant a child below 16 years on the date of occurrence should be approved, and whether an ossification test is required under Section 94 of the JJ Act, 2015; (ii) whether a post-conviction finding of juvenility vitiates the conviction recorded by a regular Sessions Court or merely renders the sentence ineffective under Section 9(3) of the Act; and (iii) what relief/sentence can be granted to a juvenile below 16 years who has already undergone over five years of incarceration.

The Supreme Court rejected the State's demand for an ossification test and approved the inquiry report holding the appellant to be 15 years, 4 months, and 20 days old on the date of occurrence. The Court held that Section 94(2) of the JJ Act, 2015 prescribes a strict hierarchy for age determination: (i) school birth certificate or matriculation certificate; (ii) municipal or panchayat birth certificate; and (iii) ossification test only in the absence of categories (i) and (ii). Since a valid birth certificate and school records from a government primary school were produced and proved by government school teachers without cross-examination or objection by the State, there was no occasion to order an ossification test. The Court emphasized that an ossification test provides only a broad estimate with a margin of error of +/- 1 to 2 years and cannot override conclusive documentary evidence under Section 94(2)(i).

On the legal effect of a post-conviction claim of juvenility, the Supreme Court held that under Section 9(2) proviso of the JJ Act, 2015, a claim of juvenility can be raised before any court at any stage, even after final disposal of the case. Under Section 9(3), if a person is found to have been a child on the date of the offence, the court forwards the child to the JJ Board, and "the sentence, if any, passed by the court shall be deemed to have no effect." Relying on *Jitendra Singh v. State of U.P.*, *Mahesh v. State of Rajasthan*, and *Satya Deo v. State of U.P.*, the Supreme Court held that Section 9(3) (and Section 25 regarding pending cases) does not vitiate, quash, or set aside the conviction recorded by the regular trial court. The legislature intended only to neutralize the sentence part, not to allow offenders who committed heinous crimes to go scot-free without testing the merits of conviction.

Regarding sentence and relief, the Supreme Court observed that under Section 18(1)(g) of the JJ Act, 2015, the maximum period for which a child below 16 years convicted of a heinous offence can be sent to a special home or place of safety is three years. Since the appellant had been continuously incarcerated since December 2017-undergoing over five years of imprisonment-his continued detention beyond the statutory maximum of three years was illegal.

Consequently, the Supreme Court upheld the conviction of the appellant under Sections 363, 376(2)(i), 302, and 201 IPC and Sections 5(m)/6 of the POCSO Act, but set aside the death sentence and all other sentences awarded by the trial court. As the appellant had attained over 20 years of age and had already served more than the maximum permissible sentence under the JJ Act, 2015, the Court directed his immediate release from judicial custody without

remanding him to the Juvenile Justice Board or any child care facility. The appeals were partly allowed.

4) ***Ajeet Gurjar v. State of M.P., (2023) 15 SCC 678***

[Mandatory nature of Section 19(1) inquiry by Children's Court, interpretation of "may" as "shall", non-finality of Section 18(3) transfer orders based on preliminary assessment, and statutory duty to evaluate need for trial as an adult under Rule 13 of Model Rules]

The case concerned a Criminal Appeal challenging the order dated 28.02.2023 passed by the High Court of Madhya Pradesh in a petition under Section 482 CrPC (*Ajeet Gurjar v. State of M.P.*, 2023 SCC OnLine MP 3675). A First Information Report was registered against the appellant and co-accused alleging offences under Sections 302, 307, 147, 148, 149, 395, and 397 IPC, Sections 11/13 of the MPDVPK Act, 1981, and Sections 25/27 of the Arms Act, 1959. Following chargesheet submission on 12.09.2016, the Juvenile Justice Board, based on a preliminary assessment under Section 15 of the Juvenile Justice (Care and Protection of Children) Act, 2015, passed an order under Section 18(3) transferring the case to the jurisdictional Children's Court (Special Court under MPDVPK Act). The appellant moved an application before the Children's Court seeking compliance with Section 19(1) of the JJ Act read with Rule 13 of the JJ Model Rules, 2016, which was rejected by the trial court. The High Court affirmed the rejection, reasoning that the order under Section 18(3) had attained finality, the appellant was 24 years old with criminal antecedents, and the Special Court was already a Children's Court.

The sole issue before the Supreme Court was whether compliance with Section 19(1) of the JJ Act, 2015 by the Children's Court is mandatory after receiving a case transferred by the Juvenile Justice Board under Section 18(3).

The Supreme Court held that holding an inquiry under Section 19(1) of the JJ Act, 2015 is a mandatory statutory requirement and not an empty formality. The Court observed that an order passed by the JJ Board under Section 18(3) is based merely on a "preliminary assessment" under Section 15 and does not constitute a final adjudication on whether a child in conflict with law should be tried as an adult. The statutory scheme explicitly mandates a further, independent inquiry by the Children's Court under Section 19(1).

Interpreting Section 19(1), the Supreme Court held that although the opening clause uses the word "may", it must be read as "shall" (mandatory). Under Section 19(1)(ii), if the Children's Court determines after evaluation that there is no need to try the child as an adult, the Court itself conducts an inquiry as a Board and disposes of the matter strictly in accordance with Section 18 of the Act. Because trying a child as an adult versus conducting an inquiry as a Board entails vastly different legal consequences regarding procedure, conviction, disqualification, and sentencing limits, the Children's Court cannot bypass or brush aside the mandatory requirement of Section 19(1).

The Supreme Court held that the High Court erred in treating the preliminary transfer order under Section 18(3) as a final determination.

Consequently, the Supreme Court allowed the appeal, set aside the orders of the High Court and the trial court, and directed the Special Court/Children's Court to expeditiously comply with Section 19(1) of the JJ Act, 2015 in accordance with Rule 13 of the JJ Model Rules, 2016. The Court further directed the Sessions Judge, Gwalior to examine whether the case should be administratively transferred to the Special POCSO Court designated as a Children's Court if it is not overburdened.

5) ***State of M.P. v. Ramji Lal Sharma, (2025) 5 SCC 697***

[Claim of juvenility permissible at any stage, including after final conviction; determination of age under Section 94 of the JJ Act, 2015 through school records and supporting evidence; benefit of juvenility despite delay, discrepancies in identity documents and prior adult conviction; setting aside conviction and consequential acquittal]

The case concerned a Miscellaneous Application filed by Brijnandan alias Brajesh Sharma, arrayed as Accused 3, in a disposed Criminal Appeal seeking release from the remaining sentence on the ground that he was a juvenile on the date of the offence. The prosecution arose from FIR No. 8 of 2002 registered under Sections 302, 307 and 34 IPC read with Section 3(2) (v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The applicant and the co-accused were convicted under Section 302 read with Section 34 IPC and sentenced to life imprisonment by the Special Judge. Although the High Court subsequently acquitted them, the Supreme Court, in an appeal filed by the State, restored the conviction and sentence by judgment dated 09.03.2022.

After the restoration of his conviction, the applicant claimed that he was below eighteen years of age on 17.01.2002, the date of occurrence. There was a discrepancy between his date of birth in different documents: the school record showed his date of birth as 04.10.1984, whereas the Aadhaar Card recorded it as 10.03.1984. In view of the inconsistency, the Supreme Court directed the Sessions Court to conduct an enquiry under the JJ Act. The Sessions Court examined the applicant, his mother and the Head Teacher of the school in which he had studied, and considered five documents. On the basis of the enquiry, it concluded that the applicant was born on 04.10.1984 and was aged 17 years, 3 months and 13 days on the date of the offence.

The principal issue before the Supreme Court was whether a plea of juvenility could be raised after the applicant had already been convicted and sentenced, including after the conviction had attained finality. Relying upon *Abuzar Hossain v. State of W.B.* and *Pramila v. State of Chhattisgarh*, the Court held that a claim of juvenility may be raised at any stage of the criminal proceedings and even after conviction and sentence. The delay in raising the plea is not, by itself, a ground for rejecting the claim. Since juvenility concerns the jurisdiction of the criminal justice system and the entitlement of the accused to the special protective regime

under juvenile justice law, the plea must be examined whenever it is raised and supported by credible material.

On age determination under Section 94 of the JJ Act, 2015, the Court accepted the report of the Sessions Court because it was based not merely on the applicant's assertion, but on a proper evidentiary enquiry. The applicant, his mother and the Head Teacher were examined, and the school record and other supporting documents were considered. The Court therefore accepted the date of birth recorded in the school documents. The discrepancy in the Aadhaar Card did not defeat the claim, particularly when the school record was supported by oral evidence and the identity of the applicant as the son of Ramji Lal was not genuinely disputed.

The Court accordingly held that the applicant was a child in conflict with law on the date of the offence. The fact that the offence alleged was murder and that the applicant had been tried and convicted by an adult criminal court did not prevent the Court from granting the benefit of juvenility at the post-conviction stage. The Court did not undertake a fresh preliminary assessment under Section 15 or examine whether the applicant ought to have been tried as an adult under Sections 18 and 19, since the claim arose after the conclusion of the trial and conviction. The essential question was the applicant's age on the date of the occurrence and his consequential entitlement to the protective provisions of the JJ Act.

The decision also illustrates the protective guarantee against imposing ordinary criminal consequences upon a person who was legally a juvenile when the offence was committed. The subsequent conviction and sentence, even though restored by the Supreme Court, could not be allowed to stand once the applicant's juvenility had been established. The Court therefore set aside the conviction recorded against him and acquitted him. As he had already been released on interim bail pursuant to the earlier order, his bail bonds were cancelled.

Consequently, the Miscellaneous Application was allowed. The Supreme Court upheld the applicant's claim of juvenility, set aside his conviction and sentence, and directed that he be treated in accordance with the statutory protection available to a juvenile under the JJ Act, 2015.

6) ***Sagar v. State of Haryana, 2026 SCC OnLine SC 1315***

[Passing a reasoned order under Section 19(1) of the JJ Act, 2015 is a mandatory statutory duty for the Children's Court upon transfer under Section 18(3), without which trying a child as an adult vitiates the entire trial; where the child has already undergone over six years of incarceration and reached adulthood, a retrospective assessment is unfeasible, necessitating acquittal.]

The case concerned a Criminal Appeal arising out of SLP (Crl.) No. 8113 of 2024 challenging the judgment dated 16.12.2023 passed by the High Court of Punjab and Haryana in CRA-D-649-2019(O&M), which affirmed the judgment of conviction and order of sentence dated 13/14.03.2019 passed by the Additional Sessions Judge (Children's Court), Kaithal in CIS No. SC/11/2019. The prosecution alleged that on 21.10.2018, the appellant ('S', aged 16 and a half years on the date of occurrence) along with co-accused intercepted the deceased Mandeep

Kumar and attacked him with an iron pipe, knife, and danda due to a prior grudge, causing injuries that resulted in his death. Following investigation under Sections 148, 323, 341, and 302 read with Section 149 IPC, the Juvenile Justice Board (JJ Board), Kaithal conducted a preliminary assessment under Section 15 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and vide order dated 24.01.2019 transferred the case under Section 18(3) to the Children's Court to try the appellant as an adult. Upon committal, the Children's Court directly proceeded with a Sessions trial without passing an order under Section 19(1) of the Act, convicting the appellant under Section 302 IPC and sentencing him to 14 years rigorous imprisonment.

The primary issue before the Supreme Court was whether the conviction and sentence imposed by the Children's Court and affirmed by the High Court could be sustained in the absence of a mandatory order under Section 19(1) of the JJ Act, 2015.

The Supreme Court held that compliance with Section 19(1) of the JJ Act, 2015 is mandatory for the Children's Court upon receiving a preliminary assessment report transferred under Section 18(3). Although Section 19(1) uses the word "may", it must be construed as "shall" when read alongside sub-clauses (i) and (ii) and Rule 13(6) of the Juvenile Justice Model Rules, 2016 (which explicitly provides that the Children's Court "shall record its reasons"). Holding an evaluation under Section 19(1) is a substantive statutory duty, not a mere procedural formality. It determines the very jurisdiction and procedure of the court-whether to try the child as an adult in a Sessions trial under Section 19(1)(i) or to conduct an inquiry as a Board following Summons trial procedure under Section 19(1)(ii) read with Section 18.

Relying on *Ajeet Gurjar v. State of M.P.*, *Barun Chandra Thakur v. Master Bholu*, and *Thirumoorthy v. State*, the Supreme Court held that trying a child in conflict with law as an adult without an independent application of mind and a reasoned order under Section 19(1) strikes at the root of the protective statutory scheme and vitiates the entire trial. Bypassing Section 19(1) deprives the child of the statutory safeguards, child-friendly inquiry, and the reformatory maximum three-year limit in a Special Home under Section 18.

Addressing the question of remand, the Supreme Court observed that the appellant was 24 years old at the time of judgment and had already undergone incarceration for over six years. Relying on *Thirumoorthy v. State*, the Court held that it is neither realistic nor feasible for the Children's Court to conduct a retrospective assessment of the appellant's mental and physical capacity as it existed in 2018. Consequently, remitting the matter back to the Children's Court would serve no useful purpose.

Consequently, the Supreme Court allowed the appeal, set aside the judgments of the High Court and the Children's Court, and acquitted the appellant. The Court further issued a nationwide caution and direction to all Children's Courts across the country that upon receiving records transferred under Section 18(3) from the JJ Board, their primary duty after taking cognizance is to pass a reasoned order under Section 19(1) of the JJ Act, 2015 upon due assessment before proceeding further in the matter.

7) **In Juvenile Delinquent v. State of U.P. and Others, 2026 SCC OnLine SC 645**

[Once a child is declared a juvenile, he must be treated strictly as a child in conflict with law; unless the JJB, after preliminary assessment under Section 15, or the Children's Court under Section 19, records a need for trial as an adult, the juvenile justice framework must prevail, and a juvenile cannot be kept in a regular jail after such declaration.]

The case concerned an appellant who had been declared a juvenile by the Juvenile Justice Board on the basis of educational records, his date of birth being recorded as 12.07.2005, making him 16 years 11 months and 21 days on the date of the incident. His bail was rejected by the JJB, the Appellate Court and the High Court, inter alia, on the ground that the offence was heinous, he was being tried as an adult and his release might expose him to moral, physical or psychological danger. Despite his declaration as a juvenile, he remained lodged in a regular jail for more than two years and five months.

The issue in the case was whether, after the appellant had been declared a juvenile, the Courts could reject his bail by treating him as an adult merely because he was above 16 years and below 18 years and the offence was heinous in nature, and whether a juvenile declared by the JJB could continue to remain in regular jail in the absence of an order directing trial as an adult.

The Supreme Court held that the determination whether a child above 16 years but below 18 years is to be tried as an adult is a two-tiered process. First, under Section 15, the JJB must conduct a preliminary assessment, which is not a trial but a capacity-centred inquiry into the child's mental and physical capacity, ability to understand the consequences of the offence and the circumstances of its commission. If the JJB considers that trial as an adult is warranted, it may transfer the case to the Children's Court under Section 18(3). Thereafter, under Section 19, the Children's Court must independently determine whether trial as an adult is required. The Court found that there was no order of the JJB or the Children's Court directing trial of the appellant as an adult. Therefore, the High Court's observation that his trial was proceeding as an adult merely because he was above 16 years was wholly unwarranted. Once declared a juvenile, he was required to be treated strictly as a Child in Conflict with Law and the ordinary statutory framework, including release on bail or probation, care of parents or guardians, supervision, or appropriate reformatory measures, was applicable. The Court further held that keeping a declared juvenile in regular jail, even after declaration, amounted to a serious infringement of his right to life under Article 21 and directed institutional mechanisms for prompt communication of orders declaring juvenility and immediate transfer to observation homes. It also took note of the SOP prepared by the Allahabad High Court, the State's acceptance of the SOP, and the payment of Rs. 5 lakhs compensation to the appellant for the constitutional tort.

8) **X v. State of Bihar and Another, 2026 SCC OnLine SC 1363**

[An offence punishable under Section 302 IPC is a "heinous offence" under Section 2(33) of the JJ Act, 2015; the expert report in a Section 15 preliminary assessment is merely an advisory input among others (SBR, SIR, interaction) and not binding on the JJ Board, while the word "may" in

Section 101(2) gives appellate courts the discretion- rather than a mandatory duty-to seek expert assistance.]

The case concerned a Criminal Appeal arising out of SLP (Crl.) No. 5633 of 2026 challenging the judgment dated 24.07.2025 passed by the High Court of Judicature at Patna in Criminal Revision No. 300 of 2024. The High Court had affirmed the order of the Additional District and Sessions Judge-XII, Saran at Chapra in Criminal Juvenile Appeal No. 29 of 2022, which set aside the majority order of the Juvenile Justice Board (JJ Board) and directed that the appellant (a child in conflict with law aged 16 years 4 months on the date of occurrence) be tried as an adult before the Children's Court. The prosecution was initiated under Sections 302, 201 read with Section 34 IPC (Cr. No. 72 of 2022, Kopa PS) on the complaint of the victim's mother, alleging that on 01.05.2022 the appellant slit the throat of her son with a knife. Following age determination declaring the appellant a juvenile under Section 94(2)(i) of the JJ Act, 2015, the JJ Board conducted a preliminary assessment under Section 15. The majority of the JJ Board, relying substantially on a counsellor's report, held that the child lacked the mental and physical capacity to commit the offence and directed trial before the Board itself, whereas the Presiding Magistrate dissented. On appeal by the complainant, the Appellate Court reversed the majority decision, ordering trial as an adult, which was subsequently upheld in revision by the High Court.

The issues before the Supreme Court were: (i) whether an offence punishable under Section 302 IPC (prescribing "death or imprisonment for life") falls within "serious offences" under Section 2(54) or "heinous offences" under Section 2(33) of the JJ Act, 2015; (ii) whether the expression "may" in Section 101(2) of the JJ Act mandates the Appellate Court to invariably take the assistance of experienced psychologists or medical specialists while deciding an appeal against a preliminary assessment order; and (iii) what parameters, materials, and approach must be adopted by the JJ Board while conducting a preliminary assessment under Section 15 of the Act.

The Supreme Court held that an offence punishable under Section 302 IPC (now Section 103(1) BNS) carries imprisonment for life as its minimum sentence, as courts have no statutory discretion to award any sentence less than life imprisonment. The use of the disjunctive "or" between "death" and "imprisonment for life" merely confers discretion between two punishments without allowing a sentence below life imprisonment. Therefore, Section 302 IPC satisfies the threshold of minimum punishment of seven years or more and squarely constitutes a "heinous offence" under Section 2(33) of the JJ Act. The Court rejected the argument that Section 302 falls into the fourth category of offences recognized in *Shilpa Mittal v. State (NCT of Delhi)* and codified in Section 2(54)(b) by the 2021 Amendment, holding that *Shilpa Mittal* applied only where the minimum sentence is less than seven years or no minimum sentence is prescribed. The Court further held that Section 21 of the JJ Act (prohibiting life imprisonment without release) operates at the sentencing stage and does not alter the statutory classification of offences for determining trial forums.

On the interpretation of Section 101(2) of the JJ Act, the Supreme Court held that the word “may” is enabling, permissive, and directory. While *Barun Chandra Thakur v. Bholu* held “may” in the proviso to Section 15(1) to be mandatory for the JJ Board when it lacks a child psychology professional, that rule cannot be mechanically transplanted onto Section 101(2). The Sessions Court acting as an appellate court evaluates the correctness of the Board’s order on existing materials (including expert reports already obtained) and possesses the discretion to seek additional expert assistance only where the factual circumstances of a case necessitate it, rather than in every appeal.

Regarding the parameters of preliminary assessment under Section 15 of the JJ Act, the Supreme Court emphasized that it is a statutory assessment, not a trial, and the Board must not express any view on the guilt or innocence of the child. The Board must independently evaluate all four parameters under Section 15(1): (a) mental capacity; (b) physical capacity; (c) ability to understand consequences (including manifold, long-term, family, social, and emotional impacts); and (d) circumstances of the offence⁸. The Court held that an expert report under the proviso to Section 15(1) is merely one input among several and is not solely determinative or binding on the Board. The Board must independently weigh the expert report alongside the Social Background Report (SBR), Social Investigation Report (SIR), witness statements, and personal interaction with the child. The majority of the JJ Board erred in abdicating its responsibility by relying exclusively on the counsellor’s report while completely ignoring the SBR and SIR.

The Supreme Court held that the High Court committed no error of law in affirming the Appellate Court’s direction to try the appellant as an adult. The Supreme Court dismissed the Criminal Appeal.

High Court of Jharkhand:

9) ***Birbal Munda and Others v. State of Jharkhand, 2019 SCC OnLine Jhar 1794***

[An application for anticipatory bail under Section 438 CrPC is fully maintainable on behalf of a child in conflict with law, as the non-obstante clause in Section 12 of the JJ Act, 2015 does not bar pre-arrest remedies, and apprehension under Section 10 constitutes a restraint on personal liberty equivalent to arrest.]

The case concerned an Anticipatory Bail Application (A.B.A. No. 5042 of 2019) filed under Section 438 CrPC on behalf of multiple petitioners, including Petitioner Nos. 5 to 8 who were young children between the age group of 5 to 11 years (children in conflict with law), apprehending arrest in connection with Kuchai P.S. Case No. 02 of 2019 registered under Sections 302/201/34 IPC. The FIR implicated the petitioners on suspicion arising from the murder of the informant’s uncle in 2001, despite the fact that Petitioner Nos. 5 to 8 were not even born in 2001, Petitioner Nos. 3 and 4 were infants at the time, and Petitioner No. 1 was only 14 years old.

The primary legal issue before the High Court was whether an application for anticipatory bail under Section 438 CrPC is maintainable before the High Court or Court of Session at the instance of a child in conflict with law (juvenile) in view of Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The High Court undertook an exhaustive survey of conflicting judicial opinions across various High Courts:

- (i) Decisions holding anticipatory bail maintainable (*Munwa Devi* [Jharkhand HC], *Sudhir Sharma v. State of Chhattisgarh* [Chhattisgarh HC DB], *Tara Chand v. State of Rajasthan* [Rajasthan HC], and *Mr. X v. State of Kerala* [Kerala HC]); and
- (ii) Decisions holding anticipatory bail unmaintainable (*Krishna Garai v. State* [Calcutta HC DB] and *K. Vignesh v. State* [Madras HC DB]).

Resolving the conflict, the High Court held that an application for grant of anticipatory bail under Section 438 CrPC on behalf of a child in conflict with law is fully maintainable before the High Court or Court of Session, laying down the following key propositions:

- i. **Scope of Non-Obstante Clause in Section 12 JJ Act:** The non-obstante clause in Section 12 (“notwithstanding anything contained in the Code of Criminal Procedure, 1973...”) does not extinguish or bar the pre-arrest remedy under Section 438 CrPC. Relying on *Nikesh Tarachand Shah v. Union of India* and *Siddharam Satlingappa Mhetre v. State of Maharashtra*, the Court held that Section 12 merely removes statutory barriers to post-arrest bail for juveniles under Sections 436/437 CrPC, putting the child in a more favorable position than adults. Interpreting Section 12 to deprive a child of anticipatory bail would be an illogical and detrimental construction of a beneficial statute.
- ii. **Definition of “Person” under Section 438 CrPC:** Section 438 CrPC extends pre-arrest protection to “any person”. Applying Section 11 IPC read with Section 2(y) CrPC, “person” encompasses human beings of any age, thereby including a child in conflict with law.
- iii. **Equivalence of “Apprehend” and “Restraint/Arrest”:** Rejecting the narrow view that the use of the word “apprehend” instead of “arrest” in Section 10 of the JJ Act excludes Section 438 CrPC, the Court observed that “apprehending” a child under Section 10 involves physical touch, restraint, or submission to custody akin to Section 46(1) CrPC and *Gurbaksh Singh Sibbia v. State of Punjab*. Since apprehension curtails personal liberty, the reasonable fear of being apprehended satisfies the statutory prerequisite of apprehension of arrest under Section 438 CrPC.

The High Court affirmed the maintainability of anticipatory bail applications for juveniles and directed the Registrar General to circulate a copy of the order to all judges of the Superior Judicial Service in Jharkhand to rectify the practice of rejecting such applications on maintainability grounds. On the merits of the case, given the implausible allegations and lack of material, the High Court granted provisional anticipatory bail to the petitioners.

10) ***Guddu Kumar Singh v. State of Jharkhand, 2021 SCC OnLine Jhar 373***

[A regular bail application under Sections 439 and 440 CrPC is not maintainable on behalf of a juvenile against an order of the Children's Court rejecting bail, as the JJ Act, 2015 is a self-contained special statute and the exclusive remedy available is a statutory appeal under Section 101(5).]

The case concerned a reference made by a Single Judge to the Division Bench regarding the maintainability of a regular bail application under Section 439 CrPC filed on behalf of a juvenile (Guddu Kumar Singh), who was detained in an observation home in connection with Baliapur P.S. Case No. 151 of 2019 (G.R. Case No. 199 of 2020) registered under Section 302/34 IPC. The petitioner's regular bail petition (M.C.A. No. 847 of 2020) was rejected by the District & Additional Sessions Judge-1, Dhanbad vide order dated 17.06.2020, following which he filed a bail application under Sections 439 and 440 CrPC before the High Court. The reference was necessitated due to conflicting judicial views on whether a juvenile aggrieved by an order of the Children's Court rejecting bail must invoke Section 439 CrPC or file a statutory appeal under Section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The issues referred to the Division Bench were: (i) whether, in view of Section 101(5) of the JJ Act, 2015, an appeal is maintainable before the High Court where a bail application filed by a juvenile under the Act is rejected by the Children's Court; and (ii) whether the decision in *Sahabuddin Ansari @ Nannu Ansari v. State of Jharkhand* (Cr. Appeal (S.J.) No. 2119 of 2017), holding that an appeal is not maintainable for seeking bail and that regular CrPC provisions apply, laid down good law.

The High Court held that the Juvenile Justice (Care and Protection of Children) Act, 2015 is a self-contained, special enactment designed exclusively for the welfare, care, protection, rehabilitation, and best interests of children in conflict with law, containing specific provisions governing bail (Section 12) and appeals (Section 101). Relying on Section 4(2) CrPC, the Court observed that general provisions of the Code yield to special statutory schemes governing specific classes of offenders or offences. The Court clarified that the phrase "in accordance with the procedure specified in the Code of Criminal Procedure, 1973" in Section 101(5) of the JJ Act, 2015 refers solely to the procedural rules for filing and processing the appeal, and does not incorporate substantive CrPC powers like Section 439 CrPC.

Consequently, the High Court answered the reference by holding that: (i) a bail application under Sections 439 and 440 CrPC is not maintainable on behalf of a juvenile against an order of the Children's Court rejecting bail, and the exclusive statutory remedy is an appeal under Section 101(5) of the JJ Act, 2015; and (ii) the contrary decision in *Sahabuddin Ansari* is not good law. The Division Bench answered the reference accordingly and remitted the matter back to the Single Judge for appropriate orders in accordance with law.

11) ***Ajay Bhuiyan through his natural guardian father Nanka Bhuiyan v. State of Jharkhand, 2021 SCC OnLine Jhar 576 –***

[Mandatory requirement of Section 19 of JJ Act, 2015 and Rule 13 of Model Rules, 2016 for independent evaluation by Children's Court, non-compliance as a curable irregularity not vitiating trial in absence of prejudice, validity of bail cancellation for flouting conditions, and saving of recorded evidence]

The case concerned a Criminal Miscellaneous Petition filed under Section 482 CrPC seeking quashing of: (i) order dated 16.06.2020 passed by the Principal Magistrate, JJ Board, Latehar transferring the case under Section 18(3) of the Juvenile Justice (Care and Protection of Children) Act, 2015 to the Children's Court; (ii) order dated 29.01.2021 rejecting the petitioner's surrender-cum-bail petition; and (iii) order dated 03.02.2021 reframing charges under Section 376 IPC and Section 4 of the POCSO Act in Children Court Case No. 03 of 2020. The prosecution was initiated on the fardbeyan of a cook at Rajhara Gurukul alleging that on 03.08.2017, the petitioner (a minor aged about 17 years at the time of occurrence) assaulted, strangulated, and sexually assaulted a minor girl student. Following investigation, chargesheet was filed, six witnesses were examined, and statement under Section 313 CrPC was recorded before the matter was sent to the JJ Board. The Medical Board at RINPAS evaluated the petitioner and found him physically, mentally, sexually, and psychologically mature, leading the JJ Board to transfer the trial under Section 18(3) to the Children's Court to be tried as an adult.

The issues before the Court were: (i) whether the Children's Court is mandatorily required under Section 19 of the JJ Act, 2015 read with Rule 13 of the Model Rules, 2016 to independently decide and record reasons whether there is a need to try the transferred child as an adult or as a child; (ii) whether the failure of the Children's Court to pass a formal order under Section 19 before reframing charges vitiates the proceedings or constitutes an illegality; and (iii) whether the rejection of the petitioner's surrender-cum-bail petition was lawful when the petitioner flouted interim bail conditions.

The High Court, relying on *Lalu Kumar @ Lal Babu @ Lallu v. State of Bihar* (Patna HC) and *CCL LK v. State* (Delhi HC), held that the provisions of Section 19(1) of the JJ Act, 2015 read with Rules 13(1) and 13(6) of the Juvenile Justice Model Rules, 2016 are mandatory. Upon transfer of a case under Section 18(3), an independent duty is cast on the Children's Court to apply its mind, decide whether the child needs to be tried as an adult or a child, and pass a speaking order recording reasons.

However, relying on *CCL LK v. State*, *Willie (William) Slaney v. State of M.P.*, and *Supdt. and Remembrancer of Legal Affairs v. Anil Kumar Bhunja*, the High Court held that the omission of the Children's Court to record an independent order under Section 19 prior to reframing charges is a curable irregularity rather than an illegality that vitiates the trial. Since trial in either eventuality (whether as an adult or as a child) proceeds before the Children's Court, and no prejudice was demonstrated or suffered by the petitioner in framing charges for a sessions-triable offence, the proceedings and reframed charges remain valid.

On the issue of bail, the High Court held that the petitioner was granted interim bail on medical grounds which expired on 25.09.2020, but he flouted court directions and failed to appear physically. Therefore, the rejection of the surrender-cum-bail petition dated 29.01.2021 was held completely justified and free from illegality.

Consequently, the High Court dismissed the Criminal Miscellaneous Petition. The Court directed the Children's Court (Additional Sessions Judge-I-cum-Children's Court, Latehar) to formally pass an order in terms of Section 19 of the JJ Act, 2015 read with Rules 13(1) and 13(6) of the Model Rules, 2016, while ordering that all evidence already brought on record shall be saved.

12) ***Raj Kumar Turi v. State of Jharkhand, 2023 SCC OnLine Jhar 1912 –***

[An Aadhaar Card is invalid for age determination under Section 94 of the JJ Act, 2015, and a preliminary assessment under Section 15 requires a holistic evaluation of all four statutory parameters with mandatory expert psychological assistance when the Board lacks a child psychologist.]

The case concerned a Criminal Revision preferred under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 against the order dated 03.12.2022 passed by the Additional Sessions Judge-I-cum-Children's Court, Sahibganj in Criminal Appeal No. 34 of 2022. The appellate court had affirmed the order dated 17.08.2022 passed by the Juvenile Justice Board (JJ Board), Sahibganj in connection with Barhait P.S. Case No. 16 of 2022 (registered under Sections 376 and 506 IPC and Section 6 of the POCSO Act), which transferred the case under Section 18(3) to the Children's Court to try the petitioner (a child in conflict with law) as an adult. The prosecution alleged that on 03.03.2022, the petitioner intercepted a 10-year-old girl returning from a market, forcibly took her to a jungle, repeatedly sexually assaulted her under criminal intimidation, and held her at a relative's house until her recovery on 05.03.2022. In the absence of school records, a three-member Medical Board conducted an ossification test assessing the juvenile's age as 16 to 18 years. Based on a 14-question questionnaire administered to the CCL-specifically relying on answers stating that women should not be molested and rapists should be jailed-the JJ Board concluded he possessed adult understanding of consequences and ordered his trial as an adult.

The issues before the High Court were: (i) whether an Aadhaar Card can be relied upon for age determination under Section 94 of the JJ Act, 2015, and how margin of error in medical ossification tests should be applied; and (ii) whether a preliminary assessment under Section 15 of the JJ Act, 2015 based solely on a questionnaire without obtaining expert assistance from psychologists or conducting a holistic evaluation across all statutory parameters is legally sustainable.

The High Court held that under Section 94 of the JJ Act, 2015, an Aadhaar Card cannot serve as a valid basis for age determination, and in the absence of school or municipal certificates, an ossification test is the required statutory procedure. Relying on *Ram Suresh Singh v. Prabhat*

Singh @ Chhotu Singh and Jyoti Prakash Rai v. State of Bihar, the Court noted that bone ossification tests carry a margin of error of two years and, all things being equal, the benefit of doubt in age estimation goes to the accused child.

On the preliminary assessment under Section 15 of the JJ Act, 2015, the High Court held that the assessment requires a holistic evaluation covering four distinct statutory aspects: (i) mental capacity to commit the offence; (ii) physical capacity to commit the offence; (iii) ability to understand the consequences of the offence; and (iv) the circumstances under which the offence was allegedly committed. Relying on the landmark Supreme Court decision in *Barun Chandra Thakur v. Master Bholu*, the High Court held that where the JJ Board does not include a practicing child psychiatrist or psychologist, the word “may” in the proviso to Section 15(1) operates as mandatory, obliging the Board to seek the assistance of experienced psychologists, psycho-social workers, or other experts.

Applying these principles to the facts, the High Court observed that the JJ Board failed to take the mandatory assistance of an experienced psychologist or psycho-social worker. Furthermore, the questionnaire administered by the Board focused exclusively on the child’s understanding of consequences (Questions 13 and 14), while completely omitting any inquiry into his mental capacity, physical capacity, or the circumstances surrounding the alleged crime. The appellate court similarly failed to rectify this fundamental error.

Consequently, the High Court allowed the Criminal Revision, set aside the impugned orders dated 03.12.2022 (Appellate Court) and 17.08.2022 (JJ Board), and remitted the matter back to the JJ Board, Sahibganj to decide the preliminary assessment afresh in accordance with law and the guidelines laid down in *Barun Chandra Thakur v. Master Bholu*.

13) ***Amit Kumar Mandal v. State of Jharkhand, 2023 SCC OnLine Jhar 1909 -***

[Maintainability of Criminal Revision under Section 102 of JJ Act, 2015, applicability of Section 12 bail provisions to juveniles transferred for trial as adults, irrelevance of offence gravity for bail, and grant of bail to child in conflict with law]

The case concerned a Criminal Revision preferred under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 against the order dated 31.03.2023 passed by the Special Judge, POCSO Act, Giridih in M.C.A. No. 693 of 2023 (Children Case No. 02 of 2023), rejecting the bail application of a juvenile (Amit Kumar Mandal). The prosecution was initiated under Case Crime No. 224 of 2022 on the FIR lodged by the victim’s mother alleging that on 01.09.2022, the petitioner (a child in conflict with law under 18 years of age) offered a lift to her 17-year-old daughter on his motorcycle, took her to a relative’s house, forcibly established physical relations under the promise of marriage, performed a temple marriage, and subsequently refused to solemnize the marriage. Following preliminary assessment under Section 15 of the JJ Act, 2015, the JJ Board declared that the petitioner should be tried as an adult before the Children’s Court. The trial court rejected the petitioner’s bail application solely on the ground that the alleged offence was heinous in nature.

The issues before the High Court were: (i) whether a Criminal Revision under Section 102 of the JJ Act, 2015 is maintainable against an order of the Children's Court rejecting bail, in light of Section 101(5) providing for appeals; (ii) whether the bail application of a child in conflict with law who has completed 16 years of age and has been transferred to the Children's Court for trial as an adult continues to be governed by Section 12 of the JJ Act, 2015; and (iii) whether the rejection of bail based on the gravity or heinous nature of the offence was sustainable under Section 12.

The High Court held that a Criminal Revision under Section 102 of the JJ Act, 2015 is fully maintainable before the High Court to test the legality or propriety of any order passed by a Committee, Board, or Children's Court. Rejection of an objection raised by the private respondent, the Court clarified that while Section 101(5) employs the permissive word "may" regarding appeals, Section 102 explicitly vests revisional powers in the High Court.

On the applicability of Section 12 of the JJ Act, 2015, the High Court, relying on the Full Bench decision of the Patna High Court in *Lalu Kumar @ Lal Babu @ Lallu v. State of Bihar*, held that Section 12 is the sole and overriding provision governing bail for any person who was a child on the date of occurrence. The Court affirmed that even where a juvenile aged between 16 and 18 years is transferred to the Children's Court to be tried as an adult under Section 15 read with Section 18(3), his bail application continues to be governed exclusively by Section 12 of the Act, and not by general CrPC provisions. Under Section 12, grant of bail to a juvenile is the general rule, which can be denied only if there exist reasonable grounds to believe that release would bring the child into association with known criminals, expose him to moral, physical, or psychological danger, or defeat the ends of justice. The seriousness or heinous nature of the offence is not a valid ground to refuse bail.

On evaluating the merits, the High Court observed that there was an unexplained delay in lodging the FIR (incident dated 01.09.2022, FIR lodged 25.09.2022), the medical examination offered no definite opinion corroborating sexual assault, and the Social Investigation Report (SIR) contained nothing adverse against the child. Since none of the disqualifying conditions under the proviso to Section 12 were present, the trial court erred in rejecting bail based merely on the gravity of the offence.

Consequently, the High Court allowed the Criminal Revision, set aside the order dated 31.03.2023 passed by the Special Judge, POCSO Act, Giridih, and directed that the petitioner-CCL be released on bail upon furnishing a bail bond of Rs. 25,000/- with two sureties of like amount by his natural guardian (maternal uncle), along with an undertaking by the guardian to keep vigil and prevent the juvenile from associating with known criminals.

14) ***State through informant Sadhu Rai v. Mithu Rai, 2023 SCC OnLine Jhar 1557 -***

[Post-conviction declaration of juvenility renders the sentence passed by a trial court ineffective without automatically vitiating the conviction itself, while rushing a capital trial without effective

legal aid or a separate sentencing hearing under Section 235(2) CrPC violates Article 21 and invalidates the trial, warranting a de novo proceeding.]

The case concerned a Death Reference submitted under Section 366 CrPC for confirmation of the death penalty and a criminal appeal preferred by three convicts (Mithu Rai, Ashok Rai, and Pankaj Mohali) challenging their conviction under Sections 366/34, 376-DB/34, 376-A/34, 302/34, and 201/34 IPC and Section 6 of the POCSO Act, 2012. The prosecution alleged that on 5th February 2020, the accused took a 6-year-old girl ('V') to a village fair, whereupon she went missing and her dead body was recovered on 7th February 2020 showing signs of severe sexual violence and asphyxiation due to smothering. Following investigation, DNA matching, and arrests, the trial court conducted the entire trial, recorded conviction, and awarded capital punishment to all three accused within seven court working days from taking cognizance.

The issues before the Court were: (i) whether accused Ashok Rai and Pankaj Mohali were juveniles on the date of occurrence and the legal effect of post-conviction juvenility under Section 9 of the Juvenile Justice (Care and Protection of Children) Act, 2015; (ii) whether conducting a capital trial in extreme haste without providing reasonable time to legal aid counsel violated due process, fair trial guarantees under Article 21, and Section 304 CrPC; (iii) whether non-compliance with Section 235(2) CrPC by combining conviction and death sentencing on the same day without a real opportunity to present mitigating evidence invalidates the sentence; and (iv) whether the trial was vitiated requiring a de novo trial and appropriate remand directions.

The High Court accepted the inquiry report of the Juvenile Justice Board declaring Ashok Rai and Pankaj Mohali as juveniles below 18 years of age on the date of occurrence (5th February 2020) based on matriculation certificates from the Jharkhand Academic Council and school admission registers proved by the headmaster, rejecting the State's demand for an ossification test under Section 94 of the JJ Act, 2015. Relying on *Jitendra Singh v. State of U.P.*, *Mahesh v. State of Rajasthan*, and *Karan @ Fatiya v. State of M.P.*, the Court held that under Section 9 of the 2015 Act, declaring an accused a juvenile post-conviction does not automatically set aside or vitiate the conviction itself, but renders the sentence passed by the trial court ineffective, requiring procedure in accordance with the JJ Act.

The High Court held that the trial in POCSO Act Case No. 08 of 2020 was a "mockery of fair trial and justice" and an aberration in the criminal justice system. The Court observed that chargesheet was filed on 25th February 2020, legal aid counsel was appointed on 27th February 2020, six primary prosecution witnesses were examined the very next day, and judgment of conviction (72 pages) and death sentences (10 pages) were pronounced on 3rd March 2020. The Court held that legal representation under Article 39-A, Section 304 CrPC, and Article 21 must be real, meaningful, and effective rather than a mere formal pretense, as the legal aid counsel was provided no time to read the record, prepare defense, or scrutinize scientific evidence.

The Court reaffirmed the mandatory, two-stage requirement under Section 235(2) CrPC, holding that sentencing decisions-especially where capital punishment is possible-require a real and effective opportunity for the convict to place antecedents, socio-economic background, and mitigating circumstances before the court. The Court held that clubbing conviction and sentencing on the same day without meaningful hearing or time to adduce evidence violates natural justice, Article 14, and Article 21, and renders the sentence vulnerable and incurable. In capital cases, trial courts must explicitly inform convicts of their right to submit mitigating evidence and grant necessary adjournments for the same.

The Court further observed that scientific and DNA profiling evidence involves intricate technicalities requiring complete opportunity for defense cross-examination regarding sample extraction, sealing, chain of custody, and testing protocols, which was completely bypassed during the rushed trial.

Consequently, the High Court declined the Death Reference and dismissed Death Reference No. 02 of 2020, allowed Criminal Appeal (DB) No. 493 of 2020, and set aside the judgment of conviction and order of sentence dated 3rd March 2020. The Court directed that:

- (i) The case records of juveniles Ashok Rai and Pankaj Mohali be transmitted to the JJ Board at Dhanbad to conduct an inquiry and proceed under Section 19 of the JJ Act, 2015 before the competent Children's Court;
- (ii) The trial of POCSO Act Case No. 08 of 2020 against adult accused Mithu Rai commence afresh (de novo trial) and be decided expeditiously by another court of competent jurisdiction, excluding the trial judge who delivered the original judgment.

15) ***Bodhi Pandit v. State of Jharkhand, 2024 SCC OnLine Jhar 758 -***

[Perfunctory and negligent police investigation in missing children cases in violation of statutory SOPs warrants disciplinary proceedings against erring officers - serving or retired - under the Kishanbhai framework, alongside mandatory institutional measures including centralized tracking portals and standing committees to review acquittals.]

The case arose from a writ petition originally filed by the mother of a girl who had gone missing in 2010, seeking action against named accused persons who were allegedly roaming free with police connivance, and directing the police to search for her daughter. After the original petitioner's death, her brother was substituted as petitioner. Given the seriousness of the matter, the Court appointed an Amicus Curiae to assist it.

The issue before the Court was whether the investigating and supervising police officers had shown due diligence in searching for the missing girl, or had instead pursued a lethargic, misdirected, or ill-motivated investigation that resulted in her never being traced and in the eventual acquittal of all the accused.

Over more than a decade, the police filed a long series of counter and supplementary counter-affidavits. Read together, the Amicus Curiae's review of these affidavits and the Court's own assessment revealed a pattern of serious lapses: investigation began only after the FIR was lodged, with little urgency shown despite the girl having gone missing days earlier; a year-long period passed with no chargesheet or meaningful progress; witness statements were inconsistent and appeared to have been used to cast suspicion on the informant and victim rather than to pursue the accused; a key accused's own admission of having last been with the victim (the "last-seen" lead) was not properly followed up; requests for polygraph tests were repeatedly rejected by the courts below, in part because the police had gathered no material evidence and had not obtained the accused persons' consent; police teams sent to other states on weak leads returned empty-handed, including one raid that recovered an unrelated girl; and there was little evidence of coordination between investigating and supervisory officers or of compliance with the Standard Operating Procedure (SOP) for missing children.

The investigating officer responsible for a stretch of over a year, ASI Raj Kumar Singh, was found by the Court's own earlier order to have effectively kept the file without any investigative activity, amounting to a "dereliction of duty" for which the Court had directed a departmental proceeding. A Special Investigation Team (SIT) was later constituted, but its efforts-covert operations, mobile surveillance, "Operation Muskan," Hue and Cry notices, coordination with Child Welfare Committees - still failed to yield any concrete lead.

Tragically, the original petitioner (the girl's mother) was later murdered in 2016, allegedly by relatives implicated in the kidnapping case, in circumstances the Court found the police had also failed to anticipate or prevent despite the surrounding threats and disputes.

Both the criminal trials that followed - one for the alleged kidnapping (Sessions Trial No. 264/2017) and one for the murder (Sessions Trial No. 34/2017) - ended in acquittal of all accused. In both, prosecution witnesses, including close family members, turned hostile; confessional statements were found inadmissible for want of recording before a Magistrate; and the prosecution failed to prove either the kidnapping or the alleged motive for murder beyond reasonable doubt. The investigating officers themselves were not examined as witnesses in either trial, which the Court treated as a serious lapse.

The Court traced the SOP framework issued by the Ministry of Women & Child Development pursuant to the Supreme Court's directions in *Bachpan Bachao Andolan v. Union of India*, (2014) 16 SCC 616, and also relied on the safeguards laid down by the Supreme Court in *Hori Lal v. Commissioner of Police, Delhi*, 2002 SCC OnLine SC 37, regarding prompt publicity, inquiries with family and institutions, use of women police officers, and multi-agency coordination in cases of missing children. It found that the police in the present case had not meaningfully complied with either.

Drawing on *Ram Bihari Yadav v. State of Bihar*, (1998) 4 SCC 517, *Pooja Pal v. Union of India*, (2016) 3 SCC 135, and *Dayal Singh v. State of Uttaranchal*, (2012) 8 SCC 263, the Court reiterated that negligent or perfunctory investigation erodes public confidence in law

enforcement, and that flagrant lapses must not be overlooked by courts regardless of whether they can be shown to have caused prejudice to the prosecution's case. The Court characterised the present investigation as not merely faulty but reflecting an intent to let the accused escape accountability.

Since 13 years had passed with the victim still untraceable and the accused already acquitted, the Court held that keeping the writ petition pending would serve no further purpose, but that accountability still had to be fixed for the officers who had failed in their duty. Relying on *Nagesh v. State of Karnataka*, (2012) 6 SCC 477, and *State of Gujarat v. Kishanbhai*, (2014) 5 SCC 108, the Court held that a finding of departmental culpability could and should be made against erring officers, including those who had since retired, and that instances of acquittal caused by investigative failure ought to be systematically examined and fed back into police training.

The Court accordingly disposed of the writ petition with several directions: initiation of disciplinary proceedings against the named erring investigating and supervising officers, whether serving or retired; a further enquiry into any other officers responsible for the failure to trace the victim; institution of training programmes on investigating missing-persons cases (particularly involving children), incorporating the law from *Bachpan Bachao Andolan* and *Hori Lal* and the 2016 SOP, along with modern investigative techniques; measures to build informants' and witnesses' trust and confidence; creation of a centralised, publicly accessible State-level database of missing persons linked to other States and the Centre; a public online portal for reporting missing persons, backed by public awareness campaigns; and a direction to verify whether a Standing Committee to review acquittals (as mandated in *State of Gujarat v. Kishanbhai*) had been constituted, and if not, to constitute one and have it examine the present acquittals to extract lessons for police training.

16) ***Sobhnath Bhogta v. State of Jharkhand*, 2024 SCC OnLine Jhar 3302**

[Where an accused aged 16–18 years accused of a heinous offence raises juvenility for the first time at the appellate stage after attaining adulthood, an adult trial cannot be invalidated merely for lack of a Section 15 preliminary assessment as retrospective evaluation is unfeasible, and post-conviction relief is governed by Section 389 CrPC rather than Section 12 of the JJ Act.]

The case concerned two criminal appeals arising from convictions for serious offences, including gang rape, in which the appellants subsequently raised claims of juvenility. In one appeal, the Juvenile Justice Board had determined that the appellant was 17 years, 10 months and 23 days old on the date of occurrence. In the other, the appellant claimed that he was about 15 years and 8 months old on the date of occurrence and sought an age determination under Section 9(2) of the Juvenile Justice Act, 2015.

The issue before the Court was whether an accused who was above 16 but below 18 years on the date of a heinous offence could, after conviction and at the appellate stage, seek to invalidate an

adult trial on the ground that the mandatory preliminary assessment under Section 15 of the JJ Act had not been conducted.

The High Court held that under the JJ Act, 2015, all persons below 18 years remain children, but the Act creates a distinct category of children between 16 and 18 years accused of heinous offences. Such offences are those carrying a prescribed punishment of seven years or more, as explained in *Shilpa Mittal v. State (NCT of Delhi)*.

The Court explained that where a child below 16 years is accused of a heinous offence, the matter is to be dealt with by the Juvenile Justice Board. However, where a child above 16 but below 18 years is accused of a heinous offence, the Board must undertake a preliminary assessment under Section 15 concerning the child's mental and physical capacity to commit the offence, ability to understand its consequences, and the circumstances in which the offence was allegedly committed.

The Court further held that if, after such preliminary assessment, the Board considers that the child should be tried as an adult, the case may be transferred to the Children's Court under Section 18(3). If the Board considers that adult trial is unnecessary, the matter remains with the Board and is dealt with under the applicable provisions of the JJ Act.

The Court emphasised that the preliminary assessment is a significant statutory requirement and that the scheme introduced by the 2015 Act is materially different from the earlier regime, under which all children below 18 years were dealt with by the Juvenile Justice Board irrespective of the gravity of the offence.

However, in the case of the appellant who was found to have been 17 years, 10 months and 23 days old at the time of the offence, the plea of juvenility had not been raised during investigation, inquiry or trial. It was raised only at the appellate stage, after the trial had already concluded.

The Court held that, although the plea of juvenility can be raised even at the appellate stage, the preliminary assessment contemplated by Section 15 cannot meaningfully be conducted after the child has crossed the age of 18 years and a considerable period has elapsed. It would be practically impossible for the Board to retrospectively assess the mental and physical capacity of a person as it existed when he was 16-18 years old, or his ability at that time to understand the consequences of the offence.

The Court therefore observed that a child seeking the benefit of the Section 15 preliminary-assessment mechanism should raise the plea of juvenility at the earliest stage, so that the statutory assessment can actually be undertaken. Permitting such a plea to be deliberately withheld until after adulthood, when assessment has become impossible, could defeat and misuse the statutory scheme.

The Court also distinguished the position of a child below 16 years from that of a child aged 16-18 years accused of a heinous offence. In the former case, determination of juvenility may directly affect the jurisdiction of the regular criminal court. In the latter case, the 2015 Act

introduces the additional statutory requirement of preliminary assessment before determining whether the child should be tried as an adult.

The Court accordingly held that the appellant, who had attained adulthood and whose mental and physical condition at the time of the offence could no longer be assessed, could not claim prejudice merely because the trial had been conducted by an Additional Sessions Judge rather than through the procedure contemplated after a Section 15 assessment.

With regard to bail, the Court held that Section 12 of the JJ Act applies to a child who is apprehended or detained by police or appears before the Board and does not apply after conviction. After conviction, the appropriate provision for suspension of sentence is Section 389 CrPC.

In the connected appeal, where the appellant claimed to have been below 16 years on the date of occurrence, the Court directed the matter to be sent to the Juvenile Justice Board for determination of his exact age.

Thus, the judgment clarifies the three-fold statutory requirements for Section 15 - the child must be above 16 years, the offence must be heinous, and the Juvenile Justice Board must conduct the prescribed preliminary assessment. It further stresses the practical importance of raising juvenility at the earliest stage where the accused seeks the benefit of the preliminary-assessment mechanism and distinguishes the legal consequences applicable to children below 16 years from those aged 16-18 years accused of heinous offences.

17) ***Istekhar Mian v. State of Bihar, 2025 SCC OnLine Jhar 2983 –***

[Where a person is subsequently found to have been below 16 years of age on the date of occurrence, the preliminary assessment under Section 15 of the Juvenile Justice Act, 2015 is not required even where the offence is heinous; trial of such juvenile as an adult is vitiated, though the conviction may be upheld and the sentence of imprisonment set aside.]

The case concerned an appellant convicted under Section 302/34 IPC for an occurrence dated 16.05.1990. At the initial stage, a Medical Board had assessed his age as 16-17 years and, under the Juvenile Justice Act, 1986, he was not treated as a juvenile and was committed to the Sessions Court. During the appeal, an enquiry under Section 7-A of the Juvenile Justice Act, 2000 was conducted by the Juvenile Justice Board. On the basis of the School Leaving Certificate and other evidence, the Board assessed his date of birth as 02.01.1975, making him 15 years, 4 months and 12 days on the date of occurrence. The State did not challenge this subsequent age assessment.

The issue in the case was whether an accused subsequently found to be below 16 years of age on the date of commission of a heinous offence could be subjected to the preliminary assessment under Section 15 of the Juvenile Justice Act, 2015 and tried as an adult, and what would be the effect on his conviction and sentence.

The High Court held that the plea of juvenility can be raised at any stage of the proceedings, including at the appellate stage, and that the Juvenile Justice Act, 2000 applies to persons who were below 18 years on the date of commission of the offence even where the offence was committed during the operation of the Juvenile Justice Act, 1986. The subsequent enquiry by the Juvenile Justice Board established that the appellant was below 16 years of age on the date of occurrence. Therefore, the special procedure under Section 15 of the 2015 Act, which applies to a child above 16 years accused of a heinous offence, was not required, even though the offence alleged was murder. The Court distinguished between children below 16 years and those above 16 years accused of heinous offences. Since the appellant was below 16 years, his trial as an adult was vitiated. However, on merits, the Court found no perversity in the conviction, as the eyewitnesses had proved his presence and participation in the murder. Following *Daya Nand v. State of Haryana*, the Court therefore upheld the conviction but set aside the sentence of life imprisonment and directed the appellant, who was on bail, to appear before the Juvenile Justice Board for passing appropriate orders under Section 18 of the Juvenile Justice Act, 2015.

18) ***Rajan Oraon v. State of Jharkhand, 2025 SCC OnLine Jhar 2025 –***

[While a claim of juvenility can be raised at any stage under Section 9(2) of the JJ Act, 2015, a delayed plea seeking a preliminary assessment under Section 15 for an offence committed between 16 and 18 years of age cannot be entertained after trial completion and attainment of adulthood, as retrospective evaluation of mental and physical capacity is practically impossible.]

The case concerned an interlocutory application filed under Sections 9(2) and 9(3) of the Juvenile Justice (Care and Protection of Children) Act, 2015, seeking a declaration that the appellant was a child on the date of the alleged occurrence. The appellant relied upon his matriculation certificate showing his date of birth as 20.01.2002, which would make him 17 years and 10 months old on 26.11.2019, the date of the alleged offence.

The issue before the Court was whether the appellant could raise the plea of juvenility for the first time at the appellate stage and, if found to be between 16 and 18 years of age and accused of a heinous offence, whether the absence of the preliminary assessment under Section 15 of the JJ Act, 2015 required interference with the conviction and proceedings.

The High Court held that a claim of juvenility can be raised at any stage, including for the first time before an appellate court or even after final disposal of the case. Referring to Section 9(2) of the JJ Act and *Abuzar Hossain v. State of West Bengal*, the Court reiterated that delay in raising the claim cannot by itself defeat it. However, the person claiming juvenility must initially produce material which prima facie satisfies the Court that an inquiry into juvenility is necessary.

The Court further observed that where a plea of juvenility has not been duly adjudicated in accordance with the procedure prescribed under Section 9(2), the right to raise such plea continues to subsist. However, once the issue has been duly determined following the prescribed procedure, the same cannot ordinarily be reopened.

The Court explained the statutory scheme under the JJ Act, 2015, under which a child below 18 years remains a child, but children between 16 and 18 years accused of heinous offences constitute a distinct category for the purposes of inquiry and possible trial as an adult. The Court noted that offences are classified into petty, serious and heinous offences, with a heinous offence being one for which imprisonment of seven years or more is prescribed.

The Court emphasised that where a child below 16 years is accused of a heinous offence, the matter is dealt with by the Juvenile Justice Board. Where a child above 16 years but below 18 years is accused of a heinous offence, Section 15 mandates a preliminary assessment by the Juvenile Justice Board regarding the child's mental and physical capacity to commit the offence, ability to understand its consequences, and the circumstances in which the offence was allegedly committed.

The Court further explained that the preliminary assessment under Section 15 is not a trial. If, upon such assessment, the Board considers that the matter should remain with it, the proceedings are dealt with in accordance with the statutory procedure applicable before the Board. If the Board considers that the child needs to be tried as an adult, Section 18(3) permits transfer of the trial to the Children's Court having jurisdiction.

The Court observed that the statutory scheme therefore requires the question whether a child aged 16-18 years accused of a heinous offence should be tried as an adult to be determined through the preliminary-assessment mechanism. The Court considered it more practical that a plea of juvenility be raised at the earliest stage so that the statutory assessment can effectively be undertaken.

The appellant relied upon *Ajeet Gurjar v. State of Madhya Pradesh*, 2023 SCC OnLine SC 1255, where the Supreme Court had emphasised that the inquiry concerning whether a child should be tried as an adult is not an empty formality and that the child is entitled to the consequences of being dealt with under the JJ Act if the Children's Court finds that adult trial is unnecessary.

The High Court, however, distinguished *Ajeet Gurjar* on facts. In the present case, the trial had already concluded about five years earlier, and the application seeking determination of juvenility and the consequential preliminary assessment was filed only at the appellate stage. By then, the appellant had attained about 23 years of age.

The Court held that although the plea of juvenility could be raised at the appellate stage, the preliminary assessment contemplated by Section 15 had become practically impossible after such a long lapse of time. The Board could no longer reliably assess the appellant's mental and physical capacity, his ability to understand the consequences of the alleged offence, or the circumstances existing when he was 17 years and 10 months old.

The Court therefore observed that a person claiming the benefit of the preliminary-assessment mechanism on the ground that he was between 16 and 18 years of age at the time of the offence should raise the plea at the earliest opportunity, since a timely assessment enables the Board to meaningfully examine the statutory parameters under Section 15.

The Court cautioned that the provisions of the JJ Act cannot be misused by raising the plea at a much later stage when the statutory assessment has become incapable of effective determination merely because the accused has subsequently attained adulthood.

Accordingly, considering that the appellant was already more than 23 years old, that the alleged offence was a heinous and grave offence, and that it was no longer practically possible to assess his mental and physical status and ability to understand the consequences of the alleged offence as they existed when he was 17 years and 10 months old, the Court held that no useful purpose would be served by allowing the application.

Thus, the interlocutory application under Sections 9(2) and 9(3) of the JJ Act was rejected.

19) ***Juvenile 'X' through his mother v. State of Jharkhand, 2025 SCC OnLine Jhar 4131***

[Bail to a juvenile under Section 12 of the Juvenile Justice Act, 2015 is the rule and refusal is an exception; bail can be denied only on the three grounds expressly contemplated by Section 12.]

The petitioner, aged about 14 years at the time of the alleged occurrence, was in the Remand Home since February 2025 in connection with a case registered under Sections 103(1) and 238 of the BNS, 2023. His bail application had been rejected by the Juvenile Justice Board and the appellate court on the ground that his release might expose him to moral, physical or psychological danger. The petitioner's mother undertook to take care of him and ensure that he was not exposed to such danger. The adult co-accused had already been granted bail.

The issue in the case was whether bail could be refused to a juvenile merely on the ground that his release may expose him to moral, physical or psychological danger, without material or evidence establishing reasonable grounds for such apprehension.

The High Court held that Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 overrides the bail provisions contained in the CrPC or any other law for the time being in force. Bail to a juvenile is the rule and refusal is an exception. A juvenile can be denied bail only where there are reasonable grounds for believing that his release is likely to bring him into association with any known criminal, expose him to moral, physical or psychological danger, or defeat the ends of justice. The Court observed that the Juvenile Justice Act is based on the belief that children in conflict with law should be reformed and rehabilitated and not punished. In the absence of any material or evidence providing reasonable grounds, it could not be said that the petitioner's release would defeat the ends of justice. The Court therefore set aside the orders rejecting bail and directed his release subject to conditions relating to his guardian's undertaking, education and constructive activities, monthly reporting to the Probation Officer and supervision through periodic social investigation reports.

20) ***Juvenile “X” represented through his father v. State of Jharkhand, 2026 SCC OnLine Jhar 104***

[Grant of bail to a juvenile under Section 12 of the JJ Act, 2015 is the statutory rule and can be denied only if one of the three statutory exceptions under the proviso is established on record; the gravity, heinousness, or seriousness of the alleged offence is completely irrelevant for refusing bail.]

The case concerned a Criminal Revision Petition filed under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 challenging the judgment dated 26.11.2025 passed by the Additional Sessions Judge, 1st cum Special Judge, Bokaro in Criminal Appeal No. 243/2025. The appellate court had affirmed the order dated 14.10.2025 passed by the Juvenile Justice Board, Bokaro in connection with Sector-4 P.S. Case No. 83/2025 (registered under Sections 115, 126(2), 117, 109, 352, 351(2), 351(3), 303(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023), which rejected the petitioner’s prayer for bail. The petitioner (aged about 16 years at the time of occurrence) was not named in the FIR, was implicated solely on a confessional statement, and had been detained in an observation home since 18.09.2025 (undergoing ~4½ months of custody). The Social Investigation Report (SIR) submitted by the Probation Officer confirmed that the petitioner had no criminal antecedents. Moreover, the petitioner was a student whose Class 12th Board examinations were scheduled to commence on 04.02.2026, and the named adult co-accused had already been granted regular bail.

The issues before the High Court were: (i) whether the refusal of bail to a juvenile under Section 12 of the JJ Act, 2015 based on the gravity or heinousness of offences under the BNS, 2023 is legally sustainable; and (ii) whether there existed any material on record establishing the three statutory exceptions under the proviso to Section 12 to deny bail to the child in conflict with law.

The High Court held that Section 12 of the JJ Act, 2015 is a self-contained, overriding provision that supersedes general bail provisions under the Code of Criminal Procedure, 1973, the Bharatiya Nagarik Suraksha Sanhita, 2023, or any other law. Under Section 12, grant of bail to a juvenile is the statutory rule, and refusal is an exception permissible only upon establishing reasonable grounds under three specific contingencies: (i) likelihood of bringing the juvenile into association with known criminals; (ii) exposing the juvenile to moral, physical, or psychological danger; or (iii) defeating the ends of justice.

The Court emphasized that the gravity, seriousness, or heinous nature of the alleged offence, as well as the age of the juvenile (even if above 16 years), are completely irrelevant considerations for refusing bail under Section 12. The underlying philosophy of the Juvenile Justice Act is reformatory and rehabilitative rather than punitive, premised on the principle that society cannot afford to punish its children. Refusal of bail based on unfounded apprehensions or the gravity of the offence without evidentiary support constitutes a failure to exercise jurisdiction in accordance with law.

Finding that both the JJ Board and the Appellate Court rejected bail merely on the heinousness of the allegations without any material justifying the three statutory exceptions, the High Court held both orders legally unsustainable.

Consequently, the High Court allowed the Criminal Revision, set aside the judgment dated 26.11.2025 (Appellate Court) and the order dated 14.10.2025 (JJ Board), and ordered the release of the petitioner on bail upon furnishing a personal bond by his father with two sureties, subject to the following conditions:

- (i) The natural guardian/father shall furnish an undertaking that the juvenile will not be permitted to associate with known criminals, be exposed to any danger, or repeat the offence;
- (ii) The father shall undertake that the juvenile will pursue his Class 12th Board studies and constructive pursuits;
- (iii) The juvenile and his father shall report to the Probation Officer on the second Monday of every calendar month starting February 2026; and
- (iv) The Probation Officer shall maintain strict vigil and submit periodic Social Investigation Reports to the JJ Board, Bokaro.

V. COMMUNICATION, EXECUTION AND COMPLIANCE OF ORDERS PASSED BY THE BOARD

- i. **Re: Exploitation of Children in Orphanages in the *State of Tamil Nadu v. Union of India & Ors.*, (2017) 7 SCC 578.**

[All child care institutions must be registered under Section 41 of the Juvenile Justice (Care and Protection of Children) Act, 2015; failure of State officers to maintain minimum standards of care amounts to actionable negligence; and annual social audits and Juvenile Justice Committee Secretariats are directed as enforcement mechanisms.]

In this case, the proceedings originated in a Public Interest Litigation registered by the Hon'ble Supreme Court on 10.09.2007 upon a newspaper article detailing systematic sexual abuse of children in orphanages in the State of Tamil Nadu. Finding a persistent failure across States and Union Territories to enforce the juvenile justice legislation then in force, the Hon'ble Supreme Court expanded the scope of the proceedings beyond Tamil Nadu to address systemic institutional accountability and the enforcement of statutory safeguards for children in need of care and protection. By the time of the judgment the governing enactment was the Juvenile Justice (Care and Protection of Children) Act, 2015, which had repealed and replaced the Juvenile Justice (Care and Protection of Children) Act, 2000.

The issue in this were:

1. whether all child care institutions are required to be compulsorily registered under the Juvenile Justice (Care and Protection of Children) Act, 2015;
2. what consequence follows where officers of the State fail to ensure that minimum standards of care are maintained in a child care institution;
3. what mechanisms are to be operationalised to secure continuous monitoring of the implementation of the 2015 Act; and
4. how the expression "child in need of care and protection" is to be construed.

On the first issue, the Hon'ble Supreme Court held that the State must ensure the comprehensive registration of every child care institution under Section 41 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Registration is not optional, and the obligation extends to all institutions housing children in need of care and protection, whether or not they receive grant-in-aid from the Government. For a court or magistrate before whom a child is produced, the practical consequence is that it must be verified that the institution in which the child is placed holds a valid and current registration certificate under Section 41 of the 2015 Act. On the second issue, the Hon'ble Supreme Court held that where officers of the State do not ensure that minimum standards of care are followed in child care institutions, they may be guilty of negligence. On the third issue, two mechanisms were directed. *First*, the Hon'ble Supreme Court held that a social audit is to be conducted every year to ensure that implementation of the 2015 Act proceeds in the right direction. *Second*, recognising the supervisory role already

performed by the Juvenile Justice Committee of each High Court in implementing the 2015 Act and the Model Rules, the Hon'ble Supreme Court requested each such Committee to establish a Secretariat to assist it: On the fourth issue, the Hon'ble Supreme Court held that the definition of a "*child in need of care and protection*" under Section 2(14) of the Juvenile Justice (Care and Protection of Children) Act, 2015 is to be interpreted expansively, so as to include victims of sexual abuse and of trafficking.

Institutional Implementation

Following the judgment of the Hon'ble Supreme Court in the case Re: Exploitation of Children in Orphanages in the State of Tamil Nadu and with the support of the Department of Social Welfare, Government of Jharkhand, a dedicated Secretariat to support the Juvenile Justice Committee, High Court of Jharkhand was established on 19.07.2017.

This Secretariat plays a key role in overseeing the functioning of various statutory bodies constituted under the Juvenile Justice (Care and Protection of Children) Act, 2015, such as Juvenile Justice Boards, Child Welfare Committees, and Special Juvenile Police Units. Additionally, it liaises with the State Government to facilitate the efficient and timely enforcement of the JJ Act, 2015.

The Juvenile Justice Secretariat in High Court of Jharkhand comprises of the following:

- Secretary (In the Rank, Principal District & Sessions Judge): 01
- Deputy Secretary (Civil Judge, Senior Division): 01
- Assistant: 01

ii. ***Juvenile Delinquent v. State of U.P., 2026 SCC OnLine SC 645***

[Failure to transfer a declared juvenile from a regular jail to an observation home is an infraction of Article 21 sounding in constitutional tort; a child is not to be treated as an adult in the absence of an order under Sections 15 and 18(3) of the Juvenile Justice (Care and Protection of Children) Act, 2015; and the gravity of the offence is germane at the preliminary assessment stage, not at the bail stage.]

In this case, the appellant was declared a juvenile by the Juvenile Justice Board, Agra, his date of birth being proved as 12.07.2005 from the school forms, the tabulation registers and the transfer certificate, making him 16 years, 11 months and 21 days old on the date of the incident, 02.07.2022. A copy of the declaration was directed to be sent to the Superintendent, District Jail, Agra. The Board refused bail under Section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 on the ground that the child needed moral, social and practical knowledge and would fall into the company of a known criminal. The Special Additional Sessions Judge dismissed his appeal, describing the offence as extremely disgusting, heinous and gruesome. The Allahabad High Court dismissed his revision, proceeding on the footing that as he was above sixteen and below eighteen in a heinous case, his trial was going on as an adult. When

the matter came before the Hon'ble Supreme Court, the record revealed that despite the declaration of juvenility he had remained lodged in a regular jail throughout, for over two years and five months.

The issue in this were:

1. what consequences follow from the continued detention of a declared juvenile in a regular jail;
2. whether a child above sixteen accused of a heinous offence is to be treated as an adult in the absence of an order under Sections 15 and 18(3) of the Juvenile Justice (Care and Protection of Children) Act, 2015; and
3. whether the concurrent refusal of bail could be sustained.

On the first issue, the Hon'ble Supreme Court held that the statutory mandate of the Juvenile Justice (Care and Protection of Children) Act, 2015 is not merely procedural but advances the guarantee under Article 21 of the Constitution, and that any lapse in ensuring the immediate transfer of a declared juvenile from a regular jail to an observation home not only defeats the object of the legislation but results in a serious infraction of the juvenile's right to life. All three courts below had failed to notice that the appellant remained in a regular jail despite the declaration. The State's explanation was found unsatisfactory: the Board's communication was said to have been sent to the Superintendent, Central Jail, while the State authorities claimed not to have received it, and it was not clear from the explanations of the State and of the Member of the Board who was at fault. The Registrar General's report, contending that the rule-making power for transfer from jail to observation home vested in the State Government under Section 10(2) of the 2015 Act, was held to proceed on a complete non-application of mind and an improper understanding of the law. Guided by Article 21, the Hon'ble Supreme Court called for the State's response on compensation in lieu of the constitutional tort committed against the appellant, and the State paid Rs. 5,00,000, which was deposited and affirmed on affidavit.

On the second issue, the Hon'ble Supreme Court held that the determination whether a child above sixteen is to be tried as an adult is two-tiered: a preliminary assessment by the Board under Section 15(1) of the 2015 Act, followed by an order of transfer under Section 18(3) of that Act, and thereafter an independent evaluation by the Children's Court under Section 19. In the absence of any such order, the High Court's observation that the trial was going on as an adult was held to be incorrect on the face of it, and the ordinary statutory framework applicable to juveniles must prevail. **On the third issue,** the Hon'ble Supreme Court held that the gravity of the offence is germane at the stage of the preliminary assessment under Section 15 of the 2015 Act and not at the stage of bail, and that a refusal of bail cannot rest on a recital which contradicts the very report of the Probation Officer relied upon, a report which in this case contained no adverse remark in any of its forty-nine columns.

Directions: A Standard Operating Procedure addressing the transfer of declared juveniles from regular jails to observation homes was produced by the Registrar General and taken on record, the State expressing agreement with it. ***The Hon'ble Supreme Court directed that its order***

along with the SOP be forwarded to the Chief Justices of all the High Courts, who may examine it and, where no such mechanism exists in their jurisdictions, take suitable measures to ensure effective implementation of the statutory mandate, particularly as to prompt communication of orders declaring a person juvenile and immediate transfer of juveniles lodged in regular jail to observation homes upon such declaration. Recognising that implementation ultimately rests with State Governments, it directed transmission of the order and SOP to the Chief Secretaries of all States and Union Territories, and further directed the Registry to circulate the order to the Directors of all Judicial Academies across the country for the purpose of sensitising and apprising judicial officers.

In compliance with the aforesaid judgment, the following Standard Operating Procedure has been formulated and issued for the State of Jharkhand vide Letter No. 14/2026, Government of Jharkhand, dated 18.08.2026, and is reproduced as issued.

Standard Operating Procedure (SOP) for Communication and Compliance of Orders Passed by Juvenile Justice Boards
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In order to ensure effective implementation of the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015, particularly in matters relating to declaration of juvenility, grant or refusal of bail to a child in conflict with law, and transfer to Observation Homes or Places of Safety, it has been considered necessary to streamline the procedure for prompt communication and execution of orders passed by the Juvenile Justice Boards.

In light of direction contained in Hon'ble Apex Court's Judgement dated 06.04.2026 in Criminal Appeal No. 2010 of 2026 @SLP(Crl.) No. 16883 of 2025 arising out of High Court of Judicature at Allahabad in Criminal Revision No. 1491/2024 titled "Juvenile Delinquent v. the State of U.P and Ors" following SOP has been formulated which is to be followed in the State of Jharkhand.

1. Applicability

This SOP shall apply to:

- i. All Juvenile Justice Boards in State of Jharkhand.
- ii. Superintendents of District Jails
- iii. Superintendents/Officials of Observation Homes / Places of Safety
- iv. District Probation Officers/ Legal-cum-Probation Officers
- v. All other competent authority responsible for implementing orders passed by the Boards.

2. Communication of Orders

The **Juvenile Justice Board** shall ensure that every order passed in the following circumstances is forthwith communicated on the same day to the concerned authorities (Superintendent of Jail, Superintendent of Observation Home, District Probation Officer and DLSA):

(i) Orders Declaring a Person as Juvenile

Every order declaring a person as a juvenile/child in conflict with law shall immediately be communicated to:

- (a) Superintendent of the concerned District Jail (if the juvenile is in the jail)
- (b) Superintendent of the Observation Home/ Place of Safety
- (c) District Probation Officer
- (d) All competent authority in the district
- (e) Juvenile and his/her family members or guardian (if known)
- (f) concerned Special Juvenile Police Unit / Deputy Superintendent of Police, Headquarter of concerned district.

Communication shall be made through:

- (a) Official E-mail to the official E-mail ID of the concerned authority.
- (b) Speed Post/Registered Post
- (c) Special messenger/Process Server

(ii) Orders Granting Bail

Whenever bail is granted under Section 12(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the order shall be immediately communicated to:

- (g) Superintendent of the District Jail
- (h) Superintendent of Observation Home
- (i) Superintendent of Place of Safety
- (j) District Probation Officer
- (k) All other Competent Authority
- (l) Juvenile and his/her family members or guardian (if known)

The communication shall be sent through:

- (a) E-mail on the same day, followed by dispatch through Registered Post/Speed Post
- (b) Special Messenger/Process Server

(iii) **Orders Refusing Bail**

Whenever bail is refused under Section 12(1) of the Act, the Board shall ensure strict compliance with **Section 12(3)** of the Act, which mandates that the child shall be sent to an Observation Home or Place of Safety.

Accordingly:

- (a) The order refusing bail shall specifically contain a direction for transfer of the child from jail to an Observation Home or Place of Safety.
- (b) The direction for such transfer shall form an integral part of the order passed by the Board.
- (c) The order shall immediately be communicated to the Superintendent of the Jail and Superintendent of the Observation Home/Place of Safety to ensure prompt transfer.

(iv) **Remand Orders in respect to Child in Conflict with Laws**

(A) In every instance where an alleged Child in Conflict with Law (CICL) is produced before the Juvenile Justice Board (JJB) or the competent Court or an application for first remand is preferred by the Police/Investigating Agency and thereafter in subsequent remand orders, the Board shall, while adjudicating upon such remand application, explicitly record in such judicial order:

- a) **Place from where the CICL is produced:** The specific institution or facility (e.g., police station Observation Home, Place of Safety, or Jail) from where the child is produced; and
- b) **The Destination of Remand:** The specific institution or facility (e.g., Observation Home, Place of Safety, or Jail) where the child is being remanded to serve the period of custody as per the directions of the Board/Court.

(B) To ensure strict compliance with the procedural safeguards under the Juvenile Justice (Care and Protection of Children) Act, all Principal Magistrates and Member of the Juvenile Justice Board are hereby directed to adhere to the following guidelines pertaining to recording of age of CICL in the remand orders:

- a) **At the stage of first remand:** The concerned Magistrate/Court, at the stage of first remand, upon perusal of the age-related documents or other material available on record and where it appears that the person produced before it may be a Child in Conflict with Law, shall record a brief prima facie observation regarding the apparent age of such person in the remand order and shall thereafter proceed in accordance with the applicable provisions of law.

- b) **Pending Age Determination Inquiry:** In cases where the statutory inquiry into the age of the CICL is pending at the time of consideration of the remand application, the Board shall mandatorily record the age as claimed by the child and mentioned in the prosecution document in the remand order. Such recording shall be provisional and subject to the final outcome of the age determination inquiry.
- c) **Concluded Age Determination Inquiry:** In cases where the age determination inquiry has been concluded, the age as determined and adjudicated by the Board/Court shall be specifically mentioned in the remand order.

3. **Mandatory Communication Protocol**

All Juvenile Justice Boards, with regard to orders in the following matters:

- a) Age determination
- b) Bail orders (involving grant or denial of bail)
- c) Remand orders

Shall mandatorily communicate to all concerned in the following manner:

- (i) Digitally communicated through official E-mail immediately upon pronouncement to the official E-mail ID of the concerned authority (Superintendent of Jail, Superintendent of observation Home, District Probation Officer and DLSA).
- (ii) Dispatched through Speed Post / Registered Post on the same day or the next working day.
- (iii) Dispatched through Special Messenger or Process Server or PLVs
- (iv) Communicated to:
 - (a) Superintendent of Jail (if applicable)
 - (b) Superintendent of Observation Home / Place of Safety
 - (c) Deputy Superintendent of Police, Headquarter
 - (d) District Probation Officer
 - (e) All Competent Authority
 - (f) Juvenile and his/her family members or guardian

4. Acknowledgement of Receipt

To ensure accountability and effective monitoring:

- (i) The receiving authority (Superintendent of Jail, Superintendent of Observation Home, District Probation Officer and DLSA) shall issue a written acknowledgement of receipt of the order passed by the JJB.
- (ii) Such acknowledgement shall be sent:
 - (a) By E-mail within 24 hours and
 - (b) By official letter thereafter.
- (iii) The acknowledgement shall confirm:
 - (a) Receipt of the order
 - (b) Steps taken for compliance (release/ transfer/ production etc. as may be required)

5. Compliance Reporting

- (i) The receiving authority (Superintendent of Jail, Superintendent of Observation Home, District Probation Officer and DLSA) shall submit a compliance report to the Juvenile Justice Board within 48 hours of receipt of the order passed by the JJB.
- (ii) The compliance report shall include:
 - (a) Date and time of receipt of the order
 - (b) Date and time of release or transfer of the juvenile
 - (c) Institution to which the juvenile has been transferred (if applicable)

6. Record Maintenance

In every district, Juvenile Justice Board, Superintendent of Jail, Superintendent of Observation Home, District Probation Officer and DLSA shall maintain a **Communication and Compliance Register / Digital Record** containing:

- a) Date of order
- b) Nature of order
- c) Date and time of e-mail dispatch
- d) Postal dispatch details
- e) Acknowledgement received
- f) Compliance status

In the Observation homes and JJ Boards across the state, it shall be mandatory to make a chart showing following details:

- (a) **Date of Admission:** The specific date the juvenile was admitted to the Observation home.
- (b) Date of order by which juvenility was decided.
- (c) Age determined by the JJ Board.
- (d) Status and date of order of Bail
- (e) Date of release
- (f) Place where the Child is currently residing

7. Monitoring Mechanism

- (i) The District Judge and District Magistrate shall periodically review compliance with this SOP.
- (ii) The District Probation Officer shall assist in monitoring implementation.
- (iii) Any instance of non-compliance or delay shall be reported to District Judge and to the Hon'ble High Court, if required.
- (iv) The Juvenile Justice Board shall also include compliance matter related to order of Board to the concerned in their monthly and quarterly meetings.

8. Legal Aid Integration

A copy of the order(s) passed by the Juvenile Justice Board may also be sent to the State or District Legal Services Authorities (subject to privacy and confidentiality constraints) for assisting the Juvenile / his family members for effective implementation of the order(s).

9. Coordination with State Government

For effective implementation of this SOP, necessary coordination may be undertaken with the Government of Jharkhand, including:

- (a) Ensuring functional official E-mail systems
- (b) Availability of transport for transfer of juveniles
- (c) Institutional coordination between Jails and Observation Homes.

The Juvenile Justice (care and Protection of Children) Act, 2015 shall be referred as Juvenile Justice Act, 2015. Some important sections of this Act are reproduced here for ready reference:

- **Section 2(12)** of Juvenile Justice Act, 2015 says that child means person who has not completed eighteen years of age.
- **Section 2(13)** of Juvenile Justice Act, 2015 says that Child in Conflict with Law means a child who is alleged or found to have committed an offence and who has not completed eighteen years of age on the date of commission of such offence.
- **Section 5** of Juvenile Justice Act, 2015 of the Act says that where an inquiry has been initiated in respect of any child under this Act, and during the course of such inquiry, the child completes the age of eighteen years, then, notwithstanding anything contained in this Act or in any other law for the time being in force, the inquiry may be continued by the Board and orders may be passed in respect of such person as if such person had continued to be a child.
- **Section 6(1)** of Juvenile Justice Act, 2015 says that Any person, who has completed eighteen years of age, and is apprehended for committing an offence when he was below the age of eighteen years, then, such person shall, subject to the provisions of this section, be treated as a child during the process of inquiry.
- **Section 6(2)** of Juvenile Justice Act, 2015 says that the person referred to in sub-section (1), if not released on bail by the Board shall be placed in a place of safety during the process of inquiry.
- **Section 8(m)** of Juvenile Justice Act, 2015 — The Board shall conduct regular inspection of jails meant for adults to check if any child is lodged in such jails and take immediate measures for transfer of such a child to the observation home.
- **Proviso to Section 10** expressly prohibits lodging child alleged to be in conflict with the law in police lock-up or jail.
- **Section 9(4)** of J.J. (Care and Protection of Children) Act, 2015 says that if the Court is doing inquiry regarding persons claim of being a child at the time of offence and if such person is required to be kept in protective custody, such person may be placed in the intervening period in a place of safety.

By
JHALSA
Jharkhand State Service Legal Authority

2. JHARKHAND STATE LEGAL SERVICES AUTHORITY: PROTECTING CHILDHOOD, RESTORING DIGNITY LEGAL SERVICES, PROTECTION AND ACCESS TO JUSTICE FOR JUVENILES AND POCSO VICTIMS IN JHARKHAND JUSTICE FOR ALL – ACCESS TO JUSTICE, PROTECTION AND EMPOWERMENT

INTRODUCTION

Justice acquires its fullest meaning when it reaches the most vulnerable.

For a child, contact with the justice system can be an overwhelming experience. A juvenile in conflict with law may find himself or herself confronted with unfamiliar institutions, procedures and authorities at an age when guidance, care and rehabilitation are of paramount importance. A child who is a victim of sexual abuse may simultaneously face trauma, fear, social stigma, disruption of education, financial hardship and the daunting prospect of participating in a criminal justice process.

For such children, access to justice cannot mean merely access to a courtroom.

It must mean access to protection, legal assistance, dignity, participation, rehabilitation and hope.

This is the space in which the Jharkhand State Legal Services Authority (JHALSA), together with the District Legal Services Authorities (DLSAs), plays a vital role.

The legal services system in Jharkhand has progressively moved beyond the traditional understanding of legal aid as simply the provision of a lawyer. It has developed into a broader framework of assistance, protection, representation, compensation, awareness and rehabilitation, particularly for children and other vulnerable sections of society.

The work undertaken by JHALSA and the DLSAs between 2016 and 2026 (till date) demonstrates the scale and reach of this intervention. During this period:

- 1,815 juveniles received legal aid;
- 2,705 POCSO victims received victim compensation; and
- ₹7,73,01,985/- was provided as compensation to POCSO victims.

These figures are not merely administrative achievements. Behind every number stands a child, a family, a crisis and an intervention by the justice delivery system.

The significance of these interventions lies in ensuring that vulnerability does not become a barrier to justice.

JUSTICE MUST REACH THE CHILD

A justice system is truly accessible only when its protections are available to those who may not possess the knowledge, resources or confidence to seek them independently.

Children are uniquely vulnerable in this regard. A child may not know:

- where to seek legal assistance;
- whom to approach;
- what rights are available;
- how to participate in legal proceedings;
- how to obtain compensation;
- how to access rehabilitation or support services; or
- how to navigate the institutions with which he or she has come into contact.

The role of legal services institutions is therefore not confined to responding after a legal proceeding begins.

It is equally important to identify vulnerability, create awareness, facilitate access and accompany the child through the justice process.

JHALSA's decentralised network of DLSAs provides the institutional framework through which this philosophy can be translated into action across the State.

The supplied report describes JHALSA as an institutional bridge between the justice delivery system and ordinary citizens, extending services beyond courtrooms to women, children, victims of crime, persons in custody, weaker and disadvantaged sections and other vulnerable groups.

For children, this bridge becomes particularly significant.

THE CONSTITUTIONAL PROMISE OF EQUAL JUSTICE

The commitment to legal services for vulnerable persons is rooted in the constitutional vision of equal justice.

The constitutional promise is not merely formal equality before law. It requires the justice system to respond to circumstances in which economic, social or other disadvantages prevent a person from effectively accessing legal remedies.

The legal services movement embodies this principle by seeking to ensure that **poverty, vulnerability, geography or social circumstances do not determine who can obtain justice.**

JHALSA's institutional philosophy may therefore be understood through three interconnected principles:

ACCESS

Every person, including every child, must be able to reach the justice delivery system.

ASSISTANCE

Access must be accompanied by meaningful legal assistance, representation and guidance.

EMPOWERMENT

The ultimate objective should be to enable individuals and communities to understand their rights and participate meaningfully in the justice process.

This philosophy is reflected in JHALSA's work across legal aid, legal advice, assistance to children and juveniles, victim support, compensation, legal awareness, mediation, Lok Adalat services and community-based outreach.

CHILDREN AND THE JUSTICE SYSTEM

A child is not merely another litigant

The justice system must recognise that a child cannot be approached in exactly the same manner as an adult.

Whether the child is in conflict with law or is a victim of an offence, the justice process must take into account:

- age and developmental stage;
- vulnerability;
- emotional and psychological needs;
- family circumstances;
- educational continuity;
- protection from further harm;
- dignity and privacy; and
- the child's long-term welfare and rehabilitation.

This requires a justice system that is child-sensitive, child-friendly and restorative wherever the law so permits.

The supplied report appropriately emphasises that children who come into contact with the justice system require not merely legal representation but a sensitive, protective and child- friendly justice process.

Legal services institutions are uniquely positioned to make this principle meaningful on the ground.

JUVENILES IN CONFLICT WITH LAW: LEGAL AID WITH DIGNITY

A child alleged to have committed an offence must not be defined solely by the allegation.

The juvenile justice framework is founded upon the recognition that children are capable of reform, rehabilitation and reintegration. The justice process must therefore protect the child's legal rights while simultaneously addressing the circumstances that may have contributed to the child's involvement with the law.

Legal assistance assumes particular significance at this stage. A juvenile may require assistance in understanding:

- the nature of the proceedings;
- the allegations made against him or her;
- the rights available under the juvenile justice framework;
- the role of the Juvenile Justice Board;
- the importance of family and social support;
- rehabilitation and social investigation processes; and
- the available legal remedies.

An effective legal services intervention therefore involves much more than appearance by counsel.

It requires continuity of representation, communication with the child, protection of procedural rights and sensitivity towards rehabilitation and reintegration.

Between 2016 and 2026 (till date), 1,815 juveniles received legal aid through the legal services mechanism in Jharkhand.

This represents 1,815 instances in which the justice system reached a child who required assistance.

LEGAL AID AS AN INSTRUMENT OF REHABILITATION

Legal aid for juveniles should be understood as part of the larger philosophy of rehabilitation. A child who enters the justice system may require assistance not only with the immediate

proceeding but also with the process of returning to education, family and community life.

The objective should be to prevent the justice process itself from becoming an additional source of exclusion.

Thus, legal services can contribute to:

Protection → Representation → Participation → Rehabilitation → Reintegration

This approach is consistent with the larger philosophy reflected in the supplied report, that legal aid is not simply a courtroom service but an instrument for ensuring that children receive appropriate assistance at a crucial stage of their lives.

REACH OF LEGAL AID FOR JUVENILES ACROSS JHARKHAND

The district-wise data demonstrates that legal aid for juveniles has reached different parts of the State.

Among the figures recorded in the supplied data:

DLSA/District	Juveniles Provided Legal Aid
Ranchi	412
Chaibasa	172
Jamshedpur	146
Dumka	115
Khunti	114
Garhwa	91
Dhanbad	87
Gumla	85
Bokaro	83

Ranchi recorded the highest number in the supplied consolidated data, followed by Chaibasa and Jamshedpur.

These figures illustrate the geographical footprint of the legal services system and demonstrate the importance of the DLSAs as the local interface between vulnerable children and the justice delivery system.

POCSO VICTIMS: JUSTICE BEYOND CONVICTION

For a child subjected to sexual abuse, the consequences of the offence frequently extend far beyond the criminal proceeding.

The child may experience:

- physical and emotional trauma;
- fear and insecurity;
- disruption of education;
- social stigma;
- financial hardship;
- loss of family income or support;

- medical and rehabilitation needs; and
- long-term consequences affecting development and well-being.

Consequently, justice for a child victim cannot be measured solely by the outcome of the criminal case.

A victim-centred justice system must also ask:

Was the child protected?

Was the child heard?

Was legal assistance available?

Was compensation facilitated?

Was the child and family supported?

Was rehabilitation made possible?

Victim compensation is therefore an important component of a comprehensive justice response.

The supplied report records that **2,705 POCSO victims received victim compensation between 2016 and 2026 (till date)**, with compensation amounting to **₹7,73,01,985/-**.

VICTIM COMPENSATION: SUPPORTING RECOVERY AND DIGNITY

Compensation cannot undo the harm caused by sexual violence.

It can, however, provide an important measure of institutional support at a time when the child and family may be facing considerable emotional and financial hardship.

The importance of compensation therefore lies not merely in the amount disbursed but in the message conveyed by the justice system:

The victim has not been forgotten.

Compensation may assist families in meeting legitimate needs arising from the consequences of the offence and may support the broader process of recovery and rehabilitation.

JHALSA, through the DLSAs, plays an important facilitative role in ensuring that eligible victims can access the compensation mechanism within the applicable legal framework.

The institutional objective is therefore not simply disbursement of money.

It is restoration of dignity, support for rehabilitation and recognition of the continuing needs of the victim.

THE SCALE OF COMPENSATION

The district-wise figures recorded in the supplied data demonstrate substantial intervention. Among the districts highlighted:

DLSA/District	POCSO Victims	Compensation
Ranchi	276	₹4,51,76,000
Dhanbad	284	₹9,44,65,000
Godda	152	₹7,77,70,000
Chaibasa	174	₹6,01,90,000
Bokaro	247	₹4,99,50,000
Garhwa	178	₹3,35,52,600
Gumla	173	₹5,06,75,000

The supplied report specifically highlights Dhanbad, Godda, Chaibasa, Gumla, Bokaro and Ranchi among districts recording substantial compensation figures.

These figures demonstrate that the legal services mechanism has been operating across both major urban centres and geographically challenging and rural districts.

EVERY NUMBER REPRESENTS A CHILD

Statistics are indispensable for measuring institutional performance. But statistics must never make us forget the individual.

1,815 juveniles means 1,815 children who required legal assistance.

2,705 POCSO victims means 2,705 children whose lives were affected by sexual offences and for whom the compensation mechanism became a source of institutional support.

₹7.73 crore+ means financial assistance reaching families during periods of exceptional vulnerability.

The supplied report rightly observes that behind every number lies a human story. For a legal services institution, this human dimension is particularly important. The success of legal aid should therefore be measured not merely in terms of: **How many cases were handled?**

but also:

- How many children were reached?
- How many children understood their rights?
- How many children received representation?
- How many victims obtained compensation?
- How many vulnerable families were connected with the justice system?

THE DLSA: THE LOCAL FACE OF JUSTICE

The effectiveness of JHALSA's work is inseparable from the functioning of its DLSAs.

For many citizens, particularly those living in rural or remote areas, the DLSA may represent the most accessible point of contact with the legal services system.

This decentralised structure allows legal services to respond to local circumstances while maintaining a common institutional vision.

The role of DLSAs in relation to children may encompass:

- facilitating legal assistance;
- connecting children and families with appropriate authorities;
- assisting victims in accessing compensation;
- promoting legal awareness;
- supporting vulnerable families;
- coordinating with relevant institutions;
- facilitating access to legal representation; and
- undertaking community outreach.

The strength of the system lies in taking justice closer to the people rather than expecting vulnerable persons to navigate the justice system alone.

FROM LEGAL AID TO LEGAL EMPOWERMENT

The ultimate vision of legal services must extend beyond the appointment of counsel. A community that knows its rights is better positioned to protect its children.

Legal literacy can therefore become an important preventive tool.

Awareness initiatives should ensure that children, parents, teachers, community leaders and other stakeholders understand:

- the importance of child protection;
- the avenues available when a child is at risk;
- the availability of free legal assistance;
- the importance of timely reporting and assistance;
- the availability of victim compensation;
- the institutions that can be approached; and
- the safeguards available within the justice system.

The supplied report identifies children and adolescents, women and survivors of violence, rural and economically weaker communities, persons in custody, victims of crime, persons with disabilities and other disadvantaged groups as important beneficiaries of legal awareness and outreach.

The message should be simple:

Know your rights.

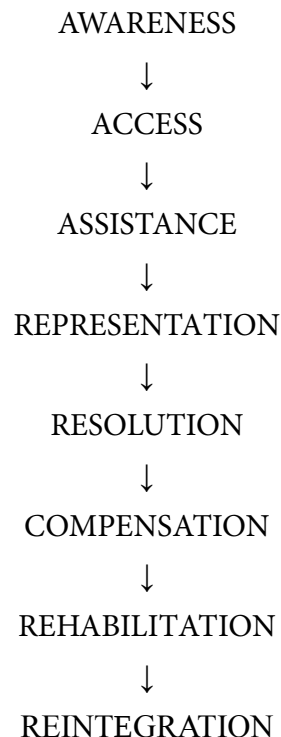
Know where to go.

Know whom to approach.

Know that legal assistance is available.

A CONTINUUM OF JUSTICE

The work of legal services institutions can be visualised as a continuum:



This continuum captures a fundamental transformation in the understanding of legal services. Justice does not begin when a case reaches the courtroom.

It begins when a vulnerable person becomes aware that help is available.

For a POCSO victim, the continuum may involve awareness of rights, access to appropriate assistance, legal representation, facilitation of compensation and support towards rehabilitation.

For a juvenile, it may involve representation, protection of legal rights, participation in proceedings and assistance towards rehabilitation and reintegration.

The supplied report identifies this broader continuum as a defining feature of a people-centric justice delivery system.

JHALSA'S ROLE IN BUILDING A CHILD-FRIENDLY JUSTICE CULTURE

The contribution of JHALSA should also be viewed from the perspective of institutional culture.

A child-friendly justice system is not created merely by legislation.

It is created through the conduct of institutions and individuals who interact with the child. Every interaction matters:

- the first conversation;
- the explanation of legal rights;
- the manner in which questions are asked;
- the environment in which the child is heard;
- the availability of legal assistance;
- the manner in which information is communicated to the family; and
- the continuity of support throughout the proceedings.

JHALSA and DLSAs can contribute significantly to strengthening this culture by ensuring that legal services are **accessible, sensitive, timely and child-centric**.

REACHING THE UNREACHED

Jharkhand's geographical and socio-economic diversity makes outreach particularly important. A child living in a remote rural area should have the same opportunity to access legal assistance

as a child living in a major urban centre.

This requires legal services to move beyond institutional boundaries. The supplied report envisages outreach through:

- schools;
- colleges;
- Panchayats;
- community institutions;
- police stations;
- hospitals;
- prisons;
- childcare institutions; and

- other public platforms.

Such outreach can help transform JHALSA from an institution known primarily to persons already involved in litigation into **a trusted public institution known before a crisis occurs.**

THE WAY FORWARD

The achievements reflected in the data provide a strong foundation, but they also point towards the next stage of institutional development.

1. Strengthening awareness at the grassroots

Legal literacy should be made increasingly accessible through simple, local-language and child-friendly communication.

The objective should be to ensure that vulnerable families know about JHALSA and DLSAs before the legal crisis becomes overwhelming.

2. Strengthening child-centric legal assistance

Legal aid for children should continue to focus on meaningful assistance rather than merely formal representation.

The child should understand the process and be treated with dignity throughout.

3. Improving outreach in remote areas

Particular attention may be given to geographically difficult and underserved areas so that distance does not become an invisible barrier to justice.

4. Strengthening awareness regarding compensation

Families of victims should be made aware of the availability of the compensation mechanism and the avenues through which assistance can be obtained.

5. Building stronger institutional convergence

Effective child protection requires coordination among the justice delivery system, legal services institutions and other child-protection stakeholders.

The objective should be to ensure that the child does not have to repeatedly navigate multiple institutions alone.

6. Measuring outcomes, not merely outputs

The future of legal services reporting should increasingly capture qualitative outcomes alongside numerical achievements.

The question should move from:

“How many cases?”

... § 67 §...

to:

“What difference did the intervention make?”

FROM STATISTICS TO SOCIAL IMPACT

The figures recorded for 2016–2026 demonstrate considerable institutional reach:

1,815

Juveniles provided legal aid

2,705

POCSO victims provided victim compensation

₹7.73 CRORE+

Compensation provided to POCSO victims

These numbers represent an important institutional footprint.

Yet the larger impact cannot be captured entirely through numbers.

The true measure of success lies in whether a child who entered the justice system found someone to explain the process.

It lies in whether a juvenile was provided meaningful legal assistance rather than left to navigate the system alone.

It lies in whether a child victim received compensation and institutional support when the family was facing crisis.

It lies in whether a vulnerable family discovered that justice was accessible even when it lacked financial resources.

And it lies in whether the justice system succeeded in restoring, as far as possible, the child's sense of dignity, security and hope.

THE JHALSA VISION

The work of JHALSA represents a broader understanding of the meaning of legal services. Legal aid is not charity.

It is an instrument through which the constitutional promise of equal justice is made real.

For vulnerable children, it can be the difference between confronting the justice system alone and having an institution stand beside them.

The JHALSA model can therefore be understood through five interconnected commitments:

REACH

Take legal services to the people.

PROTECT

Place the safety and dignity of vulnerable persons at the centre.

ASSIST

Ensure meaningful and accessible legal assistance.

EMPOWER

Enable people to understand and exercise their rights.

RESTORE

Support compensation, rehabilitation and reintegration.

CONCLUSION

The story of JHALSA's work with juveniles and POCSO victims is ultimately a story of access, dignity and hope.

Between 2016 and 2026 (till date), the legal services mechanism in Jharkhand recorded assistance to 1,815 juveniles, compensation to 2,705 POCSO victims, and compensation amounting to ₹7,73,01,985/-.

These figures are significant.

But the deeper significance lies in what they represent.

They represent children who were not left without assistance. They represent victims whose needs were recognised.

They represent families who were connected with the justice system.

They represent the principle that financial hardship must never become a reason for being denied justice.

And they represent the continuing evolution of legal services from a system of courtroom assistance into a broader institution of access, protection, empowerment and rehabilitation.

The journey, however, does not end with these achievements.

Every child who remains unaware of his or her rights is a child yet to be reached.

Every vulnerable family that does not know where to seek legal assistance represents an opportunity for greater outreach.

Every victim who remains unaware of the compensation mechanism represents an unfinished task.

The future therefore lies in reaching the unreached, informing the uninformed, assisting the vulnerable and ensuring that every child who comes into contact with the justice system encounters not merely a legal process, but a system capable of responding with humanity and dignity.

JHALSA's message is therefore both simple and powerful:

JUSTICE IS YOUR RIGHT. LEGAL AID IS YOUR SUPPORT. JHALSA IS WITH YOU.

JHARKHAND STATE LEGAL SERVICES AUTHORITY

Reaching the Unreached • Empowering the Vulnerable • Delivering Justice

Justice for All – Access to Justice for Every Citizen of Jharkhand

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date

NAME OF DLSA	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
Bokaro	83	247	49950000
Chaibasa	172	174	60190000
Chatra	32	39	14550000
Deoghar	11	75	21165000
Dhanbad	87	284	94465000
Dumka	115	51	19240000
Garhwa	91	178	33552600
Giridih	39	65	17250000
Godda	70	152	77770000
Gumla	85	173	50675000
Hazaribagh	17	95	24921250
Jamshedpur	146	133	22450000
Jamtara	12	81	10195000
Khunti	114	77	24300000
Koderma	35	63	24360000
Latehar	37	59	26505000
Lohardagga	31	118	33545000
Pakur	15	23	5540000
Palamau	24	67	33515000
Ramgarh	53	64	14575000
Ranchi	412	276	45176000
Sahibganj	46	40	11100000
Seraikella	52	79	27600000
Simdega	36	92	30430000
TOTAL	1815	2705	773019850

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
Bokaro			
2016	3	41	1200000
2017	6	45	3075000
2018	14	13	2325000
2019	4	10	2200000
2020	26	10	2700000
2021	2	20	10500000
2022	8	17	7450000
2023	11	49	8075000
2024	1	21	5425000
2025	4	8	1415000
2026	4	13	5585000
TOTAL	83	247	49950000
Chaibasa			
2016	7	4	1140000
2017	3	9	3600000
2018	8	7	2600000
2019	12	24	13000000
2020	3	8	4400000
2021	13	10	4200000
2022	22	7	1600000
2023	30	30	4550000
2024	22	15	4850000
2025	31	27	10000000
2026	21	33	10250000
TOTAL	172	174	60190000
Chatra			
2016	0	2	150000
2017	1	0	0
2018	0	2	500000
2019	2	3	650000
2020	1	7	1700000
2021	1	5	1300000

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
2022	11	3	800000
2023	9	2	900000
2024	2	1	400000
2025	2	7	3800000
2026	3	7	4350000
TOTAL	32	39	14550000
Deoghar			
2016	0	4	260000
2017	0	5	875000
2018	0	4	1400000
2019	0	2	900000
2020	0	4	1100000
2021	0	0	0
2022	01	8	2800000
2023	03	11	4000000
2024	05	20	4100000
2025	02	15	4730000
2026	0	2	1000000
TOTAL	11	75	21165000
Dhanbad			
2016	12	6	850000
2017	9	16	1450000
2018	10	28	5600000
2019	3	21	5200000
2020	1	0	0
2021	3	2	950000
2022	10	82	29010000
2023	8	0	0
2024	11	14	8300000
2025	12	52	19266000
2026	8	63	23839000
TOTAL	87	284	94465000

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
Dumka			
2016	6	0	0
2017	9	0	0
2018	11	1	450000
2019	7	5	1800000
2020	8	0	0
2021	10	4	1600000
2022	13	15	6250000
2023	9	16	5400000
2024	11	7	2740000
2025	12	2	400000
2026	19	1	600000
TOTAL	115	51	19240000
Garhwa			
TOTAL	91	178	33552600
Giridih			
2016	0	0	
2017	0	4	700000
2018	0	7	1250000
2019	1	6	1400000
2020	0	7	1450000
2021	1	4	1200000
2022	4	10	1250000
2023	16	9	0
2024	10	5	4750000
2025	3	13	5250000
2026	4	0	0
TOTAL	39	65	17250000
Godda			
2016	6	0	0
2017	5	0	0
2018	7	8	3095000
2019	9	0	0
2020	11	41	7200000

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
2021	5	6	3600000
2022	3	10	6100000
2023	7	34	17800000
2024	4	12	6600000
2025	7	22	20550000
2026	6	19	12825000
TOTAL	70	152	77770000
Gumla			
2016	0	2	500000
2017	8	15	2950000
2018	2	3	400000
2019	2	7	1800000
2020	3	0	0
2021	1	2	850000
2022	0	13	5400000
2023	18	37	4975000
2024	18	43	14250000
2025	25	19	7400000
2026	8	32	12150000
TOTAL	85	173	50675000
Hazaribagh			
2016	2	0	0
2017	4	4	1000000
2018	0	1	3000000
2019	0	1	25000
2020	0	0	0
2021	3	10	4080000
2022	0	5	1905000
2023	4	9	4131250
2024	1	7	4200000
2025	2	34	3565000
2026	1	24	3015000
TOTAL	17	95	24921250

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
Jamshedpur			
2016	4	2	100000
2017	5	3	110000
2018	6	5	1400000
2019	4	3	800000
2020	0	12	3650000
2021	10	15	3400000
2022	6	11	1550000
2023	31	26	3610000
2024	26	14	1400000
2025	40	15	600000
2026	14	27	5830000
TOTAL	146	133	22450000
Jamtara			
2016	0	11	275000
2017	0	1	300000
2018	1	3	75000
2019	1	5	355000
2020	1	0	0
2021	0	4	1500000
2022	2	1	600000
2023	3	38	2790000
2024	1	4	100000
2025	1	6	2150000
2026	2	8	2050000
TOTAL	12	81	10195000
Khunti			
2016	0	0	0
2017	0	2	150000
2018	0	6	650000
2019	1	12	1000000
2020	17	0	0
2021	8	6	2150000
2022	13	5	2200000

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
2023	40	8	4000000
2024	22	24	8400000
2025	10	6	3200000
2026	3	8	2550000
TOTAL	114	77	24300000
Koderma			
2016	1	2	60000
2017	0	1	350000
2018	0	4	1450000
2019	2	7	2000000
2020	3	0	0
2021	3	3	2100000
2022	1	0	0
2023	5	25	10100000
2024	5	13	4950000
2025	14	8	3350000
2026	1	0	0
TOTAL	35	63	24360000
Latehar			
2016	1	1	70000
2017	7	2	500000
2018	1	0	
2019	3	4	1740000
2020	2	1	600000
2021	9	8	3700000
2022	3	5	1470000
2023	1	8	3750000
2024	2	15	7775000
2025	4	11	4800000
2026	4	4	2100000
TOTAL	37	59	26505000

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
Lohardagga			
2016	1	1	20000
2017	1	1	50000
2018	3	14	3210000
2019	4	13	3285000
2020	4	1	450000
2021	2	8	1600000
2022	5	15	5075000
2023	2	18	5000000
2024	3	14	3800000
2025	4	15	4330000
2026	2	18	6725000
TOTAL	31	118	33545000
Pakur			
2016	0	0	0
2017	1	2	320000
2018	4	0	0
2019	0	0	0
2020	0	0	0
2021	0	0	0
2022	0	0	0
2023	3	12	2890000
2024	2	6	1300000
2025	2	3	400000
2026	5	0	0
TOTAL	15	23	5540000
Palamau			
2016	0	0	0
2017	0	1	0
2018	0	3	925000
2019	0	0	0
2020	0	2	750000
2021	0	0	0
2022	0	3	2350000

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
2023	4	26	13100000
2024	5	23	11340000
2025	9	5	3850000
2026	6	4	1200000
TOTAL	24	67	33515000
Ramgarh			
TOTAL	53	64	14575000
Ranchi			
2016	10	39	780000
2017	5	6	280000
2018	4	4	310000
2019	55	8	1650000
2020	41	0	0
2021	51	25	2300000
2022	74	11	4926000
2023	45	60	11090000
2024	53	67	12450000
2025	34	19	3950000
2026	40	37	7440000
TOTAL	412	276	45176000
Sahibganj			
2016	2	0	0
2017	0	1	300000
2018	1	1	300000
2019	2	0	0
2020	2	0	0
2021	0	1	300000
2022	7	6	3000000
2023	12	14	1600000
2024	10	7	1900000
2025	5	8	2600000
2026	5	2	1100000
TOTAL	46	40	11100000

Data relating to Juveniles and POCSO Victims from 2016 to 2026 till date			
YEAR	No. of juveniles given legal aid year wise from 2016-2026	No. of POCSO victims given Victim Compensation year wise from 2016-2026	Amounts of compensation given to POCSO victims year wise from 2016-2026
Seraikella			
2016	1	0	0
2017	3	0	0
2018	4	3	850000
2019	4	3	1200000
2020	7	1	200000
2021	4	1	200000
2022	2	7	2100000
2023	0	15	5000000
2024	3	11	6400000
2025	13	36	10750000
2026	11	2	900000
TOTAL	52	79	27600000
Simdega			
2016	1	0	0
2017	1	13	960000
2018	6	8	2300000
2019	3	22	5900000
2020	0	0	0
2021	3	9	2600000
2022	2	0	0
2023	0	17	5410000
2024	1	11	6610000
2025	15	8	5100000
2026	4	4	1550000
TOTAL	36	92	30430000

By
**Department of Women,
Child Development and Social Security,
Government of Jharkhand**
and
UNICEF, Jharkhand

STRENGTHENING CHILD PROTECTION AT THE DISTRICT LEVEL: THE DEPUTY COMMISSIONER, MISSION VATSALYA AND LESSONS FROM JHARKHAND

India is home to one of the largest child populations in the world. According to UNICEF, an estimated 472 million children live in India, constituting nearly a third of the country's population. Of these, a significant proportion belong to communities that face multiple deprivations in terms of health, nutrition, education and protection. The State of Jharkhand, with a population of 32.9 million (Census 2011), of whom approximately 38 per cent belong to Scheduled Tribes and Scheduled Castes, presents both a challenging and an instructive landscape for child protection. UNICEF has noted that the State contends with systemic issues including limited availability of trained workforce in hard-to-reach areas, high levels of child malnutrition, and vulnerabilities arising from child marriage, child labour and trafficking that make the need for a robust and responsive child protection system particularly acute.

The Juvenile Justice (Care and Protection of Children) Act, 2015, and its Amendment of 2021, significantly enlarged the supervisory role of the District Magistrate and placed the District Child Protection Unit under the overall administrative control of the Deputy Commissioner. The Act, read with Mission Vatsalya, the flagship programme of the Government of India that succeeded the Integrated Child Protection Scheme (ICPS), envisages a comprehensive child protection architecture at the district level, spanning institutional care in Observation Homes, Special Homes and Places of Safety, as well as non-institutional care through sponsorship, foster care and after care programmes.

In Jharkhand, the implementation of this framework is facilitated through the Jharkhand State Child Protection Society (JSCPS), which functions under the Department of Women, Child Development and Social Security, Government of Jharkhand. UNICEF has been a key technical partner in this effort, working with the State Government, the Jharkhand State Legal Services Authority and civil society organisations to strengthen the functioning of statutory bodies including Juvenile Justice Boards, Child Welfare Committees, Special Juvenile Police Units and District Child Protection Units, and to improve data management, alternative care programmes and community-level vigilance mechanisms. As of the financial year 2025–26, the State operates 9 Observation Homes, 1 Special Home, 2 Places of Safety, and 9 Specialised Adoption Agencies. Nearly 9,738 children benefit from non-institutional care programmes across the State's 24 districts, and the Child Helpline (1098), operational in all districts with 14 railway helpdesks and 7 bus stand helpdesks, has addressed over 10,265 cases in the preceding

three financial years. During the financial years 2024–25 and 2025–26, a total of 1,044 missing children cases and 719 child trafficking cases were handled, and 1,656 children were restored or repatriated to their families.

This chapter presents the role of the Deputy Commissioner under the Juvenile Justice Act, 2015 (with its 2021 Amendment) and other key child protection legislations, together with an account of the implementation of Mission Vatsalya in the State. It also includes success stories and case studies from the field that illustrate how the statutory framework operates in practice, and the innovations adopted at the district level to strengthen community-based child protection and inter-district coordination. The material has been prepared jointly by UNICEF and the Government of Jharkhand, Department of Women, Child Development and Social Security (Jharkhand State Child Protection Society).

A. Role of Deputy Commissioners (DC) under the Juvenile Justice Act and other key child protection legislations, and Mission Vatsalya

Philosophical Foundation and Principles of Juvenile Justice

Over the years, there has been a clear shift in approach from one based on welfare to one based on rights in addressing the needs of children. Children's rights to protection from violence, abuse and exploitation are clearly laid out in international law, the legal standards of regional bodies, and in the constitutional and legal framework of most countries in the world. It reflects a basic human consensus that a world fit for children is one in which all children are protected, at home or outside of it. The Rights approach is an acceptance of the legal and moral obligations of the state and its institutions to fulfil its duties and responsibilities towards children in the "*Best Interests of the Child*". This must govern the approach to be followed in all actions concerning children.

Across the world, there is a separate legal system for dealing with children, recognising that they are still adults in the making. "Growth and development are an ongoing process. Adolescents are more prone to peer influence and less aware of the risks and benefits when making decisions. Hence, even if their actions might be the same as adults', they do not come from the same process of reasoning, or at least the variables which influence this process are different". It is this recognition that has been reflected in the establishment of the Juvenile Justice system in India and around the world.

The UNCRC and other international standards on the administration of Juvenile Justice require nations to establish a child-centred, specialised justice system whose overarching aim is children's social reintegration and which should guarantee that their rights are respected.

One of the principal roles of the Juvenile Justice System has been to **provide specialised and preventive treatment services for children and young persons as a means of 'secondary prevention, rehabilitation and improved socialisation'**.

Accepting the fact that the JJ Act 2015 covers a wide range of issues relating to children and how it intersects with other laws, it becomes imperative also to recognise that several schemes and programmes will have to be drawn upon for the successful implementation of the JJ Act to ensure that the rights of all categories of children are safeguarded at different levels — panchayat, block and district. Mission Vatsalya is one such flagship programme.

Recognition of the need to invest in Child Protection

Name of the Act/Scheme	Action	Brief Description	Section
Juvenile Justice Act 2015 with 2021 Amendment and Jharkhand JJ Rules 2017	Review of Child Welfare Committee	- The Child Welfare Committee shall submit a Quarterly report to the DC/Collector, in Form 16, about children in need of care and protection received by it, on the nature of disposal of cases, pendency of cases and reasons for such pendency; for review of such cases. The District Magistrate shall conduct a quarterly review of the functioning of the Committee.”; - After review under sub-section (4), the District Magistrate shall direct the Committee to take necessary remedial measures to address the pendency, if necessary, and send a report of such reviews to the State Government, which may cause the constitution of additional Committees, if required. - The DC shall review the functioning of the Committee, including by inspection, once every quarter and also appraise the performance of the Chairperson and the members of the Committee on the basis of their participation in the proceedings of the Committee, and submit a report to the Selection Committee constituted under rule 87. - The DC shall direct the Child Welfare Committee to take necessary remedial measures to address the pendency, if necessary and send a report of such reviews to the State Government, which may cause the constitution of additional Committees, if required - If the pendency of cases remains unaddressed by the CWC even after three months of receiving such directions from the DC, the State Government shall terminate the said Committee and constitute a new Committee.	Sec 27(8) Sec 36 (4), (5)
	Procedure for declaring a child legally free for adoption.	The Committee shall inform the DC, State Agency, and the Authority, every month, regarding the number of children declared legally free for adoption and the number of cases pending decision, in the manner as may be prescribed.	Sec 38 (5) JJ Amendment 2021

	Process of Restoration of a child in need of care and protection	The Committee shall submit a quarterly report regarding restored, dead and runaway children to the State Government and the District Magistrate in such form as may be prescribed.	Sec 40 (4), JJ Amendment Act 2021
	Grievance redressal on the orders passed by the CWC	The DC shall be the grievances redressal authority with respect to the functioning of the Child Welfare Committee and the affected child or anyone connected with the child, as the case may be, may file a complaint before the DC, who shall take cognisance of the action of the Committee and, after giving the parties an opportunity of being heard pass the appropriate order	Sec 27(10)
	Operation of Suggestion Box / Grievance Box at CWC	The DC or his nominee shall operate a suggestion box or grievance redressal box maintained by the CWC at its premises, to encourage inputs from children and adults concerned with the rights of children.	Rule 17
	Appeal	Any person aggrieved by an order or decision made by the Child Welfare Committee related to Foster Care, Sponsorship & Aftercare, may prefer an appeal to the DC within thirty days of the passing of such order. The DC may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time and such appeal shall be decided within a period of thirty days.	Sec 101 (1)
	Review of pendency of inquiry	The information of such pendency shall also be furnished by the Board to the Chief Judicial Magistrate or the Chief Metropolitan Magistrate and the District Magistrate on quarterly basis in such form as may be prescribed by the State Government	Sec 16 (3)
	Information regarding roster of sitting of the JJ Board and Child Welfare Committee	A member of the JJB and the CWC will always be available / accessible to deal with respective cases in emergency, even on holidays and Sundays. The DCs will stay informed about the roster of duties of such members of JJB and CWC, by the Principal Magistrate and the Chairperson respectively.	Rule 6 (8) & Rule 16 (6)
	Mandatory registration of all Child Care Institution	At the time of registration under this section, the State Government shall, after considering the recommendations of the District Magistrate, determine and record the capacity and purpose of the institution and shall register the institution as a Children's Home or open shelter or Specialized Adoption Agency or observation address or special home or place of safety, as the case may be.	Section 41

Inspection of institutions registered under this Act.	District Inspection Committees shall mandatorily conduct visits to all facilities housing children in the area allocated, at least once in three months in a team of not less than three members, of whom at least one shall be a woman and one shall be a medical officer, and submit reports of the findings of such visits within a week of their visit, to DCs/DMs for further action. On the submission of the report by the inspection committee within a week of the inspection, appropriate action shall be taken within a month by the DMs/DCs and a compliance report shall be submitted to the State Government.	Section 54(2, 3) JJ Amendment Act 2021
Evaluation of functioning of structures	The Central Government or State Government, DM/DC may independently evaluate the functioning of the Board, Committee, special juvenile police units, registered institutions, or recognised fit facilities and persons, at such period and through such persons or institutions as may be prescribed by that Government.	Sec 55(1) JJ Amendment Act 2021
Adoption	Any person, who takes or sends a child to a foreign country or takes part in any arrangement for transferring the care and custody of a child to another person in a foreign country without a valid order from the DM/DC shall be punishable as per the provisions of section 80. (provided in the adoption regulations framed by the Authority.	Sec 56 (5) JJ Amendment Act 2021
Procedure for adoption by Indian prospective adoptive parents living in India.	On the receipt of the acceptance of the child from the prospective adoptive parents along with the child study report and medical report of the child signed by such parents, the Specialised Adoption Agency shall give the child in pre-adoption foster care and file an application before the District Magistrate/DC for obtaining the adoption order, in the manner as	Sec 58 (3) JJ Amendment Act 2021
Procedure for inter-country adoption of an orphan or abandoned or surrendered child.	On receipt of the acceptance of the child from the prospective adoptive parents, the Specialised Adoption Agency shall file an application before the District Magistrate/DC for obtaining the adoption order, in the manner as provided in the adoption regulations framed by the Authority. On the receipt of a certified order passed by the District Magistrate/DC, the specialised adoption agency shall send immediately the same to Authority, State Agency and to the prospective adoptive parents, and obtain a passport for the child	Sec 59 (7, 8) JJ Amendment Act 2021

Procedure for inter-country relative adoption	A relative living abroad, who intends to adopt a child from his relative in India shall obtain an order from the DM/DC and apply for no objection certificate from Authority, in the manner as provided in the adoption regulations framed by the Authority.	Sec 60 (1) JJ Amendment Act 2021
Court procedure and penalty against payment in consideration of adoption.	Before issuing an adoption order, the DC/DM shall satisfy itself that -- (a) the adoption is for the welfare of the child; (b) due consideration is given to the wishes of the child having regard to the age and understanding of the child; and (c) that neither the prospective adoptive parents has given or agreed to give nor the specialised adoption agency or the parent or guardian of the child in case of relative adoption has received or agreed to receive any payment or reward in consideration of the adoption, except as permitted under the adoption regulations framed by the Authority towards the adoption fees or service charge or child care corpus. The adoption proceedings shall be held in camera and the case shall be disposed of by the DM/DC within a period of two months from the date of filing.	Sec 61 (1, 2) JJ Amendment Act 2021
Appeals	Any person aggrieved by an adoption order passed by the DM/DC may, within a period of thirty days from the date of such order passed by the DM/DC, file an appeal before the Divisional Commissioner.	Sec 101 (6) JJ Amendment Act 2021
Review of pendency of children to be declared legally free	Review the reports of Orphaned, Abandoned and Surrendered Children pending with CWC to be declared legally free for adoption	Section 36 (4) to (7)
Definitions.	“District Child Protection Unit” means a Child Protection Unit for a District, established by the State Government under section 106, shall function under the supervision of the District Magistrate to ensure the implementation of this Act and other child protection measures in the district; “District Magistrate” includes Additional District Magistrate of the District;	Sec (2)26 and 26(A) JJ Amendment Act 2021

	Review of pendency of inquiry.	The District Magistrate may, as and when required, in the best interest of a child, call for any information from all the stakeholders including the Board and the Committee.”	Sec 16 (4), JJ Amendment Act 2021
Child Protection Services – Mission Vatsalya	DC – as the Head of DCPU	The District Child Protection Units (DCPU) shall function under the overall administrative control and supervision of the DC of the concerned District. The DC shall be responsible for effective implementation of Mission Vatsalya and all other child protection policies, laws and programmes at the district level.	Section 106 of the JJ (C&PC) Act 2015 and Mission Vatsalya
	DCPC	The DC will chair the meetings of the District Child Welfare and Protection Committee for effective implementation of Mission Vatsalya and to improve interdepartmental convergence.	
	Recruitment of DCPU staff	The DC shall head the selection committee to recruit the staff for DCPU adopting procedure of the respective State Government.	
	SFCA	DC will head Sponsorship and Foster Care approval Committee, which is mandated to meet every month for approving financial support for preventive sponsorship and foster care.	
The Prohibition of Child Marriage Act 2006	Powers of Child Marriage Prohibition Officer in the events of Mass Marriage of Children	To prevent solemnisation of Mass Child Marriage the DC shall be deemed to be the Child Marriage Prohibition Officer with all its powers.	Section 13 (4)
		The DC shall have additional powers to stop or prevent solemnisation of child marriages by taking appropriate measures and using minimum force	Section 13 (5)

District Magistrate (DM)/Deputy Commissioners: Role as per Mission Vatsalya

- i) The District Magistrate shall perform the functions as given under Juvenile Justice (Care and protection of Children) Rules as amended from time to time.
- ii) The District Magistrate shall implement the scheme in the district in a time-bound manner.
- iii) The District Magistrate shall ensure need and resource mapping exercise in terms of the children especially children in difficult circumstances in the District on annual basis.
- iv) Develop District Annual Plan of action in consultation with all stakeholders including all members of the District Child Welfare and Protection Committee, for Survival, Development, Protection and Participation of Children in the District.
- v) Engage with the State government, other Districts and Agencies for restoration, rehabilitation and social reintegration of children.

- vi) Secure benefits and entitlements to the child under other existing schemes of the government with special efforts to ensure benefits reach children through convergence planning and action.
- vii) Conduct surprise inspections of the Child Care institutions
- viii) Facilitate After care in terms of supplementary education, career counselling facility, vocational training, for them at appropriate time.
- ix) Encourage participation and contribution of the public and private sector, academic institutions and other stakeholders towards sponsoring the higher education of these children, institutionalising scholarships, facilitating loan for studies, etc.
- x) Hold monthly meetings with DCPU, CDPO, Police, Education Department, Health Department, DLSA and other stakeholders to discuss the following issues relating to children in the district:
 - Needs of children and availability of resources
 - Vaccination and other health services, including health education
 - Pattern of crime and violence against children and actions taken to arrest crime against children
 - Availability and quality of Child care Institutions for children
 - Status of Sponsorship and Foster Care and arrangements for After care
 - Report regarding missing, lost, run away or dead children in CCIs and in district
 - Coordination arrangements for restoration of children
 - Any other matter deemed necessary with respect to children
- xi) Ensure placement of suggestion box in Child Care Institutions, Police Stations and other places with sizeable population of children and look into the complaints and suggestions given by the children and take appropriate action
- xii) Adoption matters as defined in the Adoption Regulations.
- xiii) The District Magistrate shall be the grievances redressal authority for the purpose of this scheme. District Child Welfare and Protection Committee The District Magistrate shall chair the District Child Welfare and Protection Committee in every District. It shall be responsible for the effective implementation of Mission Vatsalya. The District Magistrate shall hold quarterly review meetings of the Committee. The composition of the Committee would be as under:
 - xi) Ensure placement of suggestion box in Child Care Institutions, Police Stations and other places with sizeable population of children and look into the complaints and suggestions given by the children and take appropriate action
 - xii) Adoption matters as defined in the Adoption Regulations.

- xiii) The District Magistrate shall be the grievances redressal authority for the purpose of this scheme.

District Child Welfare and Protection Committee

The District Magistrate shall chair the District Child Welfare and Protection Committee in every District. It shall be responsible for the effective implementation of Mission Vatsalya. The District Magistrate shall hold quarterly review meetings of the Committee. The composition of the Committee would be as under:

Sl. No.	Members	Designation
1.	District Magistrate	Chairperson
2.	Superintendent of Police	Member
3.	Representative from District Legal Services Authority	Member
4.	Commissioner/Chief Executive Officer Urban Local Body	Member
5.	Chief Executive Officer Zilla Parishad/Rural Development Officer	Member
CD	District/Chief Medical Officer/Civil Surgeon	Member
7.	District Labour Officer	Member
CO	District Education Officer	Member
9.	District Sports Officer	Member
10.	District Social Welfare Officer	Member
11.	Project Officer, Integrated Tribal Development Project (ITDP)	Member
12.	District Skill Development Officer	Member
13.	District Planning Officer	Member
14.	District Program Officer (WCD)/ District Social Welfare Officer/ Child Development Project Officer HQ	Member-Secretary
15.	Any other domain expert/statutory body/departments	Co-opted member

Reference:

- JJ Act 2015, amendment 2021 and Jharkhand JJ Rules
- JJ Act 2015 Handbook for Field Administrators
- Mission Vatsalya

B. Initiatives by the Government and the success stories

झारखण्ड राज्य बाल संरक्षण संस्था (JSCPS) का भौतिक प्रतिवेदन

- क. योजना का नाम : मिशन वात्सल्य
- ख. योजना का प्रकार : केन्द्र प्रयोजित योजना
- ग. केन्द्रांश एवं राज्यांश का वित्तीय अनुपात –

क्र.सं०	अव्यव	केन्द्रांश	राज्यांश
1.	GIA (Mission Vatsalya)	60	40
2.	Non-Institutional care (NIC)	60	40
3.	Sawachhata Action plan (SAP)	60	40
4.	Construction	60	40
5.	Child Help Line (CHL)	100	00
6.	POCSO	100	00

घ. योजना का उद्देश्य: – मिशन वात्सल्य (MV) का उद्देश्य कठिन परिस्थितियों में जीवन यापन कर रहे बच्चों की दशा में सुधार करने तथा विधि के उल्लंघन में लिप्त बच्चों के अलावा बच्चों एवं संवेदनशीलता के साथ भागीदारी सुनिश्चित करना है। इन उद्देश्यों को प्राप्त करने हेतु (i) बाल संरक्षण सेवाओं तक पहुँच एवं इनकी गुणवत्ता में सुधार करके (ii) बाल अधिकारों के बारे में जन-जागरूकता लाकर (iii) बाल संरक्षण के सुस्पष्ट उत्तरदायित्व एवं जिम्मेदारी सौंपकर (iv) सरकारी स्तरों पर अवसंरचना स्थापित करके एवं उसे कार्यशील बनाकर (v) साक्ष्य-आधारित निगरानी एवं मूल्यांकन प्रणाली स्थापित करके बच्चों को सामाजिक सुरक्षा एवं संरक्षण प्रदान किया जाता है।

ङ. लक्षित समूह: – विषम परिस्थितियों में जीवन यापन करने वाले तथा विधि के उल्लंघन में लिप्त 0 से 18 वर्ष के बच्चे।

मुख्य बिन्दु :

- झारखण्ड राज्य बाल संरक्षण संस्था (JSCPS) : मिशन वात्सल्य (MV) के प्रभावी क्रियान्वयन हेतु राज्य स्तर पर राज्य बाल संरक्षण संस्था का गठन किया गया है। मिशन वात्सल्य योजना अन्तर्गत संस्थागत देखभाल (Institutional Care) के तहत कुल-44 बालगृह, 09 दत्तक ग्रहण संस्थान, 01 खुला आश्रय गृह, 09 संप्रेक्षण गृह, 01 विशेष गृह एवं 02 संप्रेक्षण गृह औबधिक रूप से PoS के रूप में संचालित हैं।

अनुलग्नक-01

- राज्य दत्तक ग्रहण अभिकरण (SARA) : मिशन वात्सल्य (MV) के अन्तर्गत गैर-संस्थागत देखभाल के प्रभावी क्रियान्वयन हेतु राज्य स्तर पर राज्य दत्तक ग्रहण अभिकरण का गठन किया गया है।

1. गैर संस्थागत देखरेख :

- विशेष दत्तक ग्रहण संस्था (Specialized Adoption Agency) : अनाथ , परित्यक्त एवं अन्यर्पित बच्चों को दत्तक ग्रहण हेतु आवासीय सुविधा हेतु स्वयं सेवी संस्था द्वारा संचालित एवं सरकार द्वारा



वित्त पोषित कुल 09 विशेष दत्तक ग्रहण संस्था संचालित है। विशेष दत्तक ग्रहण संस्था में 06 वर्ष से कम उम्र के बच्चों को रखा जाता है। वर्तमान में 79 बच्चे आवासित हैं। वित्तीय वर्ष 2025-26 में पूरे राज्य में 59 बच्चों का दत्तक ग्रहण हुआ है।



- ii. **प्रायोजन (Sponsorship)** : बाल प्रायोजन कार्यक्रम विषम परिस्थितियों में कमजोर बच्चों के लिए पारिवारिक देखरेख एवं संरक्षण पर आधारित कार्यक्रम है। इस योजना का लक्ष्य प्रायोजन सहायता से बच्चों को उनके जैविक परिवार से अलग होने से रोकना है। इसमें बच्चों के जीवन स्तर में सुधार लाने के उद्देश्य से उनकी चिकित्सा, पोषण, शिक्षा एवं विकास संबंधी आवश्यकताओं की पूर्ति के लिए बच्चों के परिवार को अनुरूपक सहायता या वित्तीय या अन्य माध्यमों से प्रति माह प्रति बच्चा 4000 रुपये वित्तीय सहायता का प्रावधान है। वर्तमान में 9675 बच्चे प्रायोजन कार्यक्रम से अच्छादित हैं।

अनुलग्नक-02

- iii. **पालन-पोषण देखरेख (Foster Care)** : पालन पोषण देखरेख एक ऐसी व्यवस्था है, जिसमें एक बच्चे को घर जैसे पारिवारिक माहौल में वैकल्पिक देखभाल के उद्देश्य से बच्चों को असंबंधित परिवारों के सदस्यों के साथ देखभाल और संरक्षण हेतु अल्पावधि या दीर्घावधि के लिए रखा जाता है। पालन-पोषण देखरेख कार्यक्रम में अंतर्गत प्रति माह प्रति बच्चा 4000 रुपये वित्तीय सहायता का प्रावधान है। वर्तमान में 42 बच्चे प्रायोजन कार्यक्रम से अच्छादित हैं।

अनुलग्नक-03

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4. **बाल तस्करी (Child Trafficking)** : 18 वर्ष से कम उम्र के बच्चों का अवैध व्यापार और शोषण है, जो एक गंभीर सामाजिक अपराध है। इसके तहत तस्कर बच्चों को डराकर, अगवा करके या माता-पिता को चंद पैसों का लालच देकर एक स्थान से दूसरे स्थान पर बेच देते हैं। इन मासूम बच्चों का इस्तेमाल बंधुआ मजदूरी, कारखानों और होटलों में बाल श्रम, भीख मंगवाने, अवैध गोद देने और यौन शोषण जैसे घिनौने कामों के लिए किया जाता है। अत्यधिक गरीबी, अशिक्षा और प्राकृतिक आपदाओं के कारण अनाथ हुए बच्चे इसका सबसे आसान शिकार बनते हैं।

विगत दो वित्तीय वर्षों (FY 2024-25 एवं FY 2025-26) में गुमशुदा एवं लापता बच्चों एवं बाल तस्करी के दर्ज तथा निष्पादित मामलों का जिला-स्तरीय समेकित विवरणी -

Sl. No.	Category	FY 2024-25	FY 2025-26	Total
1.	Missing Children Cases Handled	489	555	1044
2.	Child Trafficking Cases Handled	319	400	719
3.	Children Restored/Repatriated	771	885	1656
4.	Children Yet to be Restored/Rehabilitated	24	83	107

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Details of CICLs residing in 9 Observation Home/ 01 Special Home/02 Place of Safety of Jharkhand As on dated-22.07.2026

Sl no	District Name	Concerned Observation Home	Capacity	No of children	Types of Offence			Total
					Petty	Serious	Henious	
1	Hazaribagh	Hazaribagh OH Boys	100	20	5	2	13	
	Chatra			21	3	0	18	
	Girdih			34	3	2	29	
	Koderma			4	0	1	3	
	Ramgarh			7	0	1	6	
	Khunti			1	0	0	1	
	Ranchi			1	0	0	1	
			Total	88	11	6	71	88
	Koderma	Deoghar	50	1	0	0	1	
	Bokaro			1	0	0	1	
			Total	2	0	0	2	2
	Dhanbad	Dhanbad OH Boys	50	35	7	13	15	
	Bokaro			17	2	4	11	
	Ranchi			2	0	1	1	
			Total	54	9	18	27	54
4	Dumka	Dumka OH Boys	100	47	2	6	39	
	Deoghar			41	2	7	32	
	Godda			29	1	2	26	
	Jamtara			7	0	2	5	
	Pakur			28	3	1	24	
	Sahebganj			33	2	10	21	
			Total	185	10	28	147	185
5	East Singhbhum	East Singhbhum OH Boys	50	28	3	10	15	
	Sarikelā			1	0	0	1	
			Total	29	3	10	16	29
6	Palamu	Palamu OH Boys	50	7	0	0	7	
	Latehar			24	1	0	23	
	Garhwa			13	1	1	11	
	kKhunti			1	0	0	1	
	Jamshedpur			1	0	0	1	
			Total	46	2	1	43	46
7	Gumla	Gumla OH Boys	100	35	4	1	30	
	Lohardaga			22	3	2	17	
	Simdega			5	1	0	4	
			Total	62	8	3	51	62
8	Ranchi	Ranchi OH Boys	100	120	5	70	45	
	Khunti			37	0	6	31	
	Other state			1	0	1	0	
			Total	158	5	77	76	158
9	West Singhbhum	west singhbhum OH Boys	100	47	19	11	17	
	Seraikela			21	0	13	8	
			Total	68	19	24	25	68
		Total		692	67	167	458	692

Special Home								
SL no	District Name	Concerned Observation Home	Capacity	No of children	Types of Offence			Total
					Petty	Serious	Henious	
1	Dhanbad	Dhanbad SH Boys	50	2	0	0	2	
	Ranchi			10	0	0	10	
	Seraikela Kharsawa			2	0	0	2	
	Koderma			3	0	0	3	
	Giridih			1	0	0	1	
	Total		18	0	0	18	18	
Place of Safety								
SL no	District Name	Concerned Observation Home	Capacity	No of children	Types of Offence			Total
					Petty	Serious	Henious	
1	Simdega	Place of Safety Simdega	50	9	0	0	9	
	Lohardaga			5	0	0	5	
	Gumla			8	0	0	8	
	Seraikela Kharsawa			1	0	0	1	
	Khunti			1	0	0	1	
	West Singhbhum			19	0	0	19	
	Giridih			1	0	0	1	
	Other state			1	0	0	1	
	Total		45	0	0	45	45	
2	Bokaro	Place of Safety Bokaro	50	1	0	0	1	
	Chatra			2	0	0	2	
	Deoghar			1			1	
	Dhanbad			5	0	0	5	
	East Singhbhum			5	0	0	5	
	Giridih			1	0	0	1	
	Godda			6	0	0	6	
	Hazaribagh			3	0	0	3	
	Khunti			4	0	0	4	
	Ranchi			11	0	0	11	
	Seraikela Kharsawa			4	0	0	4	
	Total		43	0	0	43	43	
Total			88	0	0	88	88	

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Weekly update report of CNCP CCIs in Jharkhand- Funded under Mission Vatsalya

Sl. No	Name of district	Name of CCI	No of inmates	Age Group				No of Child whose SIR is ready	No of Child whose ICP is ready	No of inmates with Aadhar Card	No of inmates with PM JAY Card	No of Children with Special Need	No of Orphan Child in CCI	No of Abandon ed Child in CCI	Whether family of child have PDS card	No of Child have Alter Care Plan of 17+ Age Group	No of child of other State	No of Child of District
				0-8	9-14	15-18	18+											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Children Home (CCIs) Government Run																		
1	East singbhum	Children Home	14	4	4	5	1	7	13	4	0	5	0	1	0	0	0	1
2	Deoghar	Children Home (Girls), Deoghar	44	2	9	27	6	18	25	17	0	14	0	5	0	0	2	25
Total			58	6	13	32	7	25	38	21	0	19	0	6	0	0	2	26
Children Home (CCIs) Funded																		
1	Boikaro	Sahyog Village Chas Boikaro	37	9	18	8	2	6	24	21	0	4	10	8	0	3	16	34
2	Chatra	RISE, CCI (Boy)	4	0	4	0	0	4	4	2	0	0	0	0	0	0	0	0
3	Chatra	JAN LOK KALYAN PARISAD, CCI (Girl)	25	2	5	18	0	6	17	19	0	9	8	0	5	0	1	14
4	Dhanbad	Girls Home	25	2	11	12	0	0	25	0	0	0	5	5	0	0	1	4
5	Dumka	Children Home Boys Sri Amra	28	8	15	5	0	24	25	25	0	0	0	0	10	0	1	3
6	Dumka	Children Home Girls, Dhanbad	40	10	12	17	1	31	27	34	1	2	9	0	24	0	2	22
7	Dumka	Children Home, Boys, Pajore	47	0	47	0	0	47	47	47	0	0	1	0	38	0	0	1
8	Dumka	Children Home, Girls, Pajore	49	0	21	28	0	49	49	49	0	0	0	0	39	0	0	1
9	Gumla	Children Home (Girls), Vikas Bharti	10	3	3	4	0	3	10	9	2	3	0	0	4	0	1	0
10	Hazaribagh	Jan jagran kundra, kurhi	14	2	4	7	3	11	11	8	0	11	0	11	0	0	0	6
11	Jamtara	Jan Sahbagi Vikas Kendra CCIs (Boys) Jamtara	5	2	1	2	0	1	4	5	0	2	0	2	0	0	1	0
12	Khunti	Sahyog village	26	3	14	7	1	15	25	21	0	9	8	5	0	3	0	6
13	Lanchur	ROSE CCI	13	2	9	0	2	8	13	9	3	3	0	0	5	0	0	0
14	Loahardaga	SAMARPAN CCI for Boys	3	0	2	1	0	0	3	2	0	0	0	0	0	0	1	1
15	Pakur	BAL ASHRAV GIRL, PAKUR	34	1	29	3	1	33	34	31	0	8	4	0	28	1	0	7
16	Palamu	Vatsalya Dham Balgrih Palamu	17	0	8	7	2	15	16	1	0	6	3	2	0	5	0	6
17	Ranchi	Balstray Balgrih	20	3	13	2	2	0	17	10	0	8	3	4	0	0	2	3
18	Rangarh	Vatsalya Dham children home	8	2	0	4	2	0	8	5	0	0	0	0	0	2	3	4
19	Sahibganj	Child Home (Boys) Vikas Bharti Sahibganj	4	2	1	1	0	1	4	4	0	2	0	2	0	0	0	0
20	Seraikela kharsawa	Jan Sahbagi Vikas Kendra CCIs (Girls)	6	1	1	4	0	1	1	6	7	0	2	2	6	0	1	4
21	Simdega	Sahyog village CCIs boys home	13	2	7	02	01	11	12	12	5	02	02	0	6	0	0	02
22	Simdega	Sahyog Village Girls Home Samoli Simdega	11	3	5	3	0	8	8	8	2	3	2	0	5	0	0	0
23	West singbhum	Chaya baika grh	64	20	33	10	1	38	37	41	5	9	9	3	0	4	7	4
24	West singbhum	Balkunj home	46	8	16	20	2	34	46	28	15	1	5	1	0	5	2	10
Total			549	85	279	163	19	346	467	397	40	80	66	45	170	23	39	130

Weekly update report of CNCP CCIs in Jharkhand- Funded under Mission Vatsalya

Sl. No	Name of district	Name of CCI	No of inmates	Age Group				No of Child whose SIR is ready	No of Child whose ICP is ready	No of inmates with Aadhar Card	No of inmates with PM JAY Card	No of Children with Special Need	No of Orphan Child in CCI	No of Abandoned Child in CCI	Whether family of child have PDS card	No of Child have After Care Plan of 17+ Age Group	No of child of other State	No of Child of Other District
				0-8	9-14	15-18	18+											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Special Adoption Agency (SAA)																		
1	Dumkha	SAA, Dumkha	16	16	0	0	0	0	16	0	0	3	0	7	0	0	0	10
2	Dhanbad	SAA	2	2	0	0	0	2	0	0	0	0	0	2	0	0	0	0
3	Dumka	SAA Sh. Anna, Dumka	3	3	0	0	0	2	2	0	0	0	0	1	0	0	0	0
4	East Singhbhum	SAA	19	19	0	0	0	0	19	0	0	4	1	9	0	0	0	13
5	Hazaribagh	SAA, Srijan Foundation	8	8	0	0	0	0	7	0	0	1	0	2	0	0	0	2
6	Lohardaga	SAA (GSKVM)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Ranchi	Satyog Village SAA	13	13	0	0	0	0	13	0	0	2	2	4	0	0	0	12
8	Ranchi	Kanana NMO	13	13	0	0	0	0	9	0	0	4	0	13	0	0	0	3
9	Sindega	Guru Gobind Singh Ashramaya Satyog Village Samoli Sindega	4	4	0	0	0	0	0	0	0	2	0	2	0	0	0	1
Total			78	78	0	0	0	4	66	0	0	16	3	40	0	0	0	41
Open Shelter Home																		
1	Ranchi	ASHA Open Shelter Home	18	3	15	0	0	0	0	0	0	0	0	0	0	0	0	0
Total			18	3	15	0	0	0	0	0	0	0	0	0	0	0	0	0

Weekly update report of CNCP CCIs in Jharkhand- Self Funded

Sl. No	Name of district	Name of CCI	No of inmates	Age Group				No of Child whose SIR is ready	No of Child whose ICP is ready	No of inmates with Aadhar Card	No of inmates with PM JAY Card	No of Children with Special Need	No of Orphan Child in CCI	No of Abandon ed Child in CCI	Whether family of child have PDS card	No of Child have After Care Plan of 17+ Age Group	No of child of other State	No of Child of Other District
				0-8	9-14	15-18	18+											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Children Home (CCIs) Non- Funded																		
1	Bokaro	Manav Seva Asram (Boys)	3	0	2	1	0	0	3	2	0	3	0	0	0	0	0	1
2	Bokaro	Manav Seva Asram (Girls)	2	0	1	1	0	0	1	1	0	2	2	0	0	0	0	1
3	Deoghar	Naryan Seva Ashram, Naiyadh, Deoghar	10	0	10	0	0	3	10	8	0	2	0	10	0	0	0	3
4	Deoghar	Shruti Trust	13	2	8	2	1	0	13	0	0	7	0	5	0	0	2	1
5	Dhanbad	MOC	27	1	8	9	9	26	26	22	16	26	0	12	0	7	2	17
6	Dumka	Missionaries Of Charity	9	9	0	0	0	0	0	5	0	0	0	0	0	0	0	0
7	East singbhum	MOC	20	20	0	0	0	0	20	2	0	0	2	2	2	0	0	13
8	Godda	Missionaries Of Charity	0															
9	Gumla	Khushnarna (Boys), Children Home	6	0	6	0	0	5	6	5	0	0	2	0	0	0	1	0
10	Gumla	MOC (Girls+ Boys)	7	7	0	0	0	2	0	0	0	0	0	0	0	0	0	0
11	Giridih	Missionaries Of Charity	17	1	0	0	0	11	13	3	0	0	0	1	0	0	0	0
12	Khunti	Asha Kiran	13	2	6	4	1	3	13	10	0	3	1	4	3	2	0	3
13	Khunti	Calvary Chapel Trust	16	0	8	8	0	16	16	16	0	16	6	0	0	3	6	8
14	Palamu	MOC	0															
15	Ramgarh	Divine Onkar mission Ramgarh	2	0	0	1	1	0	2	2	0	0	0	0	0	0	0	0
16	Ranchi	Premshray Shelter Home (Girls)	37	3	14	16	4	4	18	20	0	4	3	6	2	4	3	7
17	Lohardaga	HOPE for Girls	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18	Sahibganj	Missionaries Of Charity																
Total			182	45	63	42	16	70	141	96	16	63	19	40	7	16	14	54

have

Number of beneficiary in Non-Institutional Care

S.N	Districts	Girls	Boys	Total
1	2	3	4	5
1	Bokaro	237	337	574
2	Chatra	47	48	95
3	Deoghar	199	213	412
4	Dhanbad	370	362	732
5	Dumka	226	233	459
6	East Singhbhum	162	106	268
7	Garhwa	140	124	264
8	Giridih	470	481	951
9	Godda	47	31	78
10	Gumla	299	314	613
11	Hazaribagh	227	266	493
12	Jamtara	37	48	85
13	Khunti	68	73	141
14	Koderma	333	365	698
15	Latehar	179	172	351
16	Lohardaga	98	91	189
17	Pakur	65	63	128
18	Palamu	561	533	1094
19	Ramgarh	162	185	347
20	Ranchi	168	155	323
21	Sahibganj	92	67	159
22	Saraikela Kharsawan	157	199	356
23	Simdega	151	154	305
24	West Singhbhum	326	301	627
Total		4821	4917	9738



Number of beneficiary in Non-Institutional Care - Sponsorship

S.N	Districts	Girls	Boys	Total
1	2	3	4	5
1	Bokaro	236	328	564
2	Chatra	44	47	91
3	Deoghar	199	213	412
4	Dhanbad	370	359	729
5	Dumka	226	233	459
6	East Singhbhum	160	105	265
7	Garhwa	140	124	264
8	Giridih	470	481	951
9	Godda	47	31	78
10	Gumla	297	314	611
11	Hazaribagh	227	266	493
12	Jamtara	37	48	85
13	Khunti	61	62	123
14	Koderma	333	365	698
15	Latehar	179	172	351
16	Lohardaga	98	90	188
17	Pakur	65	63	128
18	Palamu	561	533	1094
19	Ramgarh	162	185	347
20	Ranchi	167	151	318
21	Sahibganj	92	67	159
22	Saraikela Kharsawan	157	199	356
23	Simdega	151	154	305
24	West Singhbhum	316	290	606
Total		4795	4880	9675



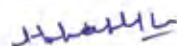
Number of beneficiary in Non-Institutional Care- Foster Care

S.N	Districts	Girls	Boys	Total
1	2	3	4	5
1	Bokaro	1	3	4
2	Chatra	3	1	4
3	Deoghar	0	0	0
4	Dhanbad	0	3	3
5	Dumka	0	0	0
6	East Singhbhum	0	0	0
7	Garhwa	0	0	0
8	Giridih	0	0	0
9	Godda	0	0	0
10	Gumla	1	0	1
11	Hazaribagh	0	0	0
12	Jamtara	0	0	0
13	Khunti	3	5	8
14	Koderma	0	0	0
15	Latehar	0	0	0
16	Lohardaga	0	0	0
17	Pakur	0	0	0
18	Palamu	0	0	0
19	Ramgarh	0	0	0
20	Ranchi	0	3	3
21	Sahibganj	0	0	0
22	Saraikela Kharsawan	0	0	0
23	Simdega	0	0	0
24	West Singhbhum	10	9	19
Total		18	24	42

H. K. S. .

Number of beneficiary in Non-Institutional Care- After Care

S.N	Districts	Girls	Boys	Total
1	2	3	4	5
1	Bokaro	0	6	6
2	Chatra	0	0	0
3	Deoghar	0	0	0
4	Dhanbad	0	0	0
5	Dumka	0	0	0
6	East Singhbhum	2	1	3
7	Garhwa	0	0	0
8	Giridih	0	0	0
9	Godda	0	0	0
10	Gumla	1	0	1
11	Hazaribagh	0	0	0
12	Jamtara	0	0	0
13	Khunti	4	6	10
14	Koderma	0	0	0
15	Latehar	0	0	0
16	Lohardaga	0	1	1
17	Pakur	0	0	0
18	Palamu	0	0	0
19	Ramgarh	0	0	0
20	Ranchi	1	1	2
21	Sahibganj	0	0	0
22	Saraikela Kharsawan	0	0	0
23	Simdega	0	0	0
24	West Singhbhum	0	2	2
Total		8	13	21



Number of Child Help Line Services in the State of Jharkhand

Sl. No.	Districts	District CHL	Railway HelpDesk	Bus Stand Help Desk
1	2	3	4	5
1	Bokaro	1	1	0
2	Chatra	1	0	0
3	Deoghar	1	1	1
4	Dhanbad	1	1	0
5	Dumka	1	1	0
6	East Singhbhum	1	1	1
7	Garhwa	1	0	0
8	Giridih	1	0	0
9	Godda	1	0	0
10	Gumla	1	0	1
11	Hazaribagh	1	0	0
12	Jamtara	1	0	0
13	Khunti	1	0	1
14	Koderma	1	1	0
15	Latehar	1	1	0
16	Lohardaga	1	0	0
17	Pakur	1	0	0
18	Palamu	1	2	1
19	Ramgarh	1	1	0
20	Ranchi	1	2	2
21	Sahibganj	1	1	0
22	Saraikela Kharsawan	1	0	0
23	Simdega	1	0	0
24	West Singhbhum	1	1	0
Total		24	14	7

Jharkhand

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er Consolidated District-Wise Event Statistics (2024 - 2026 Half-Yearly)
 erall Case Summary (2024 - 2026)

#	District Name	JAN-DEC 2024	JAN-DEC 2025	Events Received H1 2026(JAN TO JUNE)	Total Events Received	Total Events Closed
1	Bokaro	117	238	119	474	474
2	Chatra	60	59	33	152	152
3	Deoghar	232	467	362	1,061	1,061
4	Dhanbad	154	286	131	571	571
5	Dumka	209	294	105	608	608
6	East Singhbhum	117	174	58	349	349
7	Garhwa	60	150	59	269	269
8	Giridih	296	395	202	893	893
9	Godda	122	186	75	383	383
10	Gumla	63	120	98	281	281
11	Hazaribag	159	149	82	390	390
12	Jamtara	41	97	48	186	186
13	Khunti	61	126	13	200	200
14	Koderma	90	139	56	285	285
15	Latehar	35	100	53	188	188
16	Lohardaga	311	58	44	325	325
17	Pakur	108	132	50	290	290
18	Palamu	153	147	70	370	370
19	Ramgarh	82	150	55	287	287
20	Ranchi	206	502	280	988	988
21	Sahibganj	176	198	162	536	536
22	Seraikela Kharsawan	117	201	101	419	419
23	Simdega	185	184	46	415	415
24	West Singhbhum	112	129	104	345	345
Total / Overview		3,266	4,681	2,406	10,265	10,265

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West Singhbhum.

GOVERNMENT OF JHARKHAND

जिला बाल संरक्षण इकाई, पश्चिमी सिंहभूम, चाईबासा

केस स्टोरी - After Care

देखभाल से आत्मनिर्भरता की ओर

नाम	अजीत ठांगिल
श्रेणी	After Care Care Leaver
स्थान	चाईबासा, पश्चिमी सिंहभूम
प्रशिक्षण संस्थान	Tata Multi Skill Development Centre, Chaibasa
प्रशिक्षण	Automotive Training

1. देखभाल से आगे की यात्रा

बाल देखभाल संस्था से बाहर निकलकर वयस्क जीवन की शुरुआत करना किसी भी युवा के लिए एक महत्वपूर्ण परिवर्तन होता है। Care Leaver के लिए यह परिवर्तन नई जिम्मेदारियों और आत्मनिर्भरता की चुनौती लेकर आता है। After Care का उद्देश्य ऐसे युवाओं को शिक्षा, कौशल, रोजगार और स्वतंत्र जीवन की दिशा में आगे बढ़ने का अवसर देना है।

2. एक हुनर, एक नई उम्मीद

अजीत ठांगिल वर्तमान में Tata Multi Skill Development Centre, Chaibasa में Automotive Training प्राप्त कर रहे हैं। यह प्रशिक्षण उन्हें ऑटोमोटिव क्षेत्र से संबंधित व्यावहारिक एवं रोजगारपरक कौशल विकसित करने का अवसर दे रहा है। उनके लिए यह प्रशिक्षण केवल एक कोर्स नहीं, बल्कि रोजगार, आजीविका और आत्मनिर्भरता की दिशा में एक महत्वपूर्ण कदम है।

3. After Care से आत्मनिर्भरता तक

After Care का वास्तविक उद्देश्य यह है कि देखभाल की व्यवस्था से बाहर आने वाला युवा धीरे-धीरे अपने जीवन के निर्णय स्वयं ले सके और सम्मानजनक आजीविका अर्जित कर सके। अजीत की वर्तमान यात्रा इस दिशा में एक सकारात्मक उदाहरण है।

देखभाल → मार्गदर्शन → कौशल विकास → रोजगार की तैयारी → आजीविका → आत्मनिर्भरता

4. एक नए भविष्य की तैयारी

आज अजीत अपने तकनीकी कौशल को विकसित कर रहे हैं और आने वाले समय में रोजगार की दुनिया में प्रवेश करने के लिए स्वयं को तैयार कर रहे हैं। उनकी यात्रा यह संदेश देती है कि Care से बाहर निकलना यात्रा का अंत नहीं है— बल्कि एक स्वतंत्र और आत्मनिर्भर जीवन की शुरुआत है।

5. After Care की भूमिका

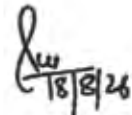
After Care केवल सहायता प्रदान करने की व्यवस्था नहीं है। यह युवाओं को अवसरों से जोड़ने, कौशल विकसित करने और सम्मानजनक आजीविका की दिशा में आगे बढ़ने का माध्यम है। अजीत का कौशल प्रशिक्षण से जुड़ना इसी दृष्टिकोण को दर्शाता है।

6. एक भविष्य जो आकार ले रहा है

अजीत की कहानी यह दर्शाती है कि सही अवसर, मार्गदर्शन और कौशल विकास के माध्यम से Care Leaver अपने भविष्य को नई दिशा दे सकता है। Tata Multi Skill Development Centre, Chaibasa में उनका Automotive Training उनके आत्मनिर्भर और सम्मानजनक जीवन की ओर एक महत्वपूर्ण कदम है।

“After Care केवल सहायता नहीं, बल्कि आत्मनिर्भर भविष्य की ओर बढ़ने का एक पुल है।”

नोट: अजीत डांगिल की यह केस स्टोरी वर्तमान में उपलब्ध जानकारी के आधार पर तैयार की गई है। व्यक्तिगत पृष्ठभूमि, प्रशिक्षण की अवधि, पूर्व संस्थागत देखभाल आदि के तथ्य उपलब्ध स्रोत में न होने के कारण शामिल नहीं किए गए हैं।


DPO

बच्चों के जीवन की "एक नया अध्याय" की शुरुआत : "फोस्टर केयर परिवार"

(कवर-स्टोरी)

असमर्थ, बेसहारा एवं अनाथ बच्चों के जीवन में नई खुशियों के किरणों से उनके सफलता तक का सफर का सार्थक पहल कर पालन पोषण में अहम भूमिका निभा रहा "फोस्टर परिवार" के आवासित बच्चों, जिसका सार्थक प्रयास जिला बाल संरक्षण ईकाई, पश्चिमी सिंहभूम, कार्यालय द्वारा मिशन वात्सल्य योजना के अन्तर्गत उपायुक्त महोदय के निदेश में किया जा रहा है। इनमें उन कड़ियों को जोड़ा गया, जिसकी अवधारणा तो थी, परन्तु कियाशीलता शून्य थी। लेकिन अब बाल सुरक्षा पर बने कानून किशोर न्याय अधिनियम को सामाजिक विकास के मुख्य घटक के रूप में तेजी से स्वीकार किया जा रहा। इसके तहत फोस्टर केयर को कियाशील किया गया, जो पूरे राज्य में सर्वाधिक फोस्टर केयर में पश्चिमी सिंहभूम जिला प्रथम स्थान रखता है।

सघन घने वनों से घिरे सारंडा जंगल के अन्दर एक छोटा गांव बिनुआ, चिरिया, जो मनोहरपुर प्रखण्ड क्षेत्र में आते हैं। कुछ ही दिन पहले पिता के देहांत होने के उपरांत उनकी चार बच्चे के साथ उनकी माता की स्थिति दयनीय थी। जैसे-तैसे वन से तोड़े गये पत्तों, लकड़ियों को मनोहरपुर शहर में बेचकर जीवन-यापन चलाकर चार बच्चों का पेट पाल रही थी। कुछ समय के बाद एक और दर्दनाक घटनाक्रम में चार बच्चों की माता की मृत्यु की सूचना दैनिक अखबार में प्रकाशित होती है। ये वही बच्चों की माता थी जिसने कुछ दिन पहले अपने पिता को खोया था। फिर चारों ओर बच्चों के दुःखों के पहाड़ों के बीच अपनी पालक माता को खो देना छोटे-छोटे बच्चों के मानसिक पर गहरा असर पड़ा। अब परिवार में केवल उनकी बुढ़ी दादी का सहारा जो खुद ही अपना पेट पालने में कमजोर थी। ऐसे में गांव के मुंडा (मुखिया) ने इसकी सूचना लोगों की बीच साझा की और इस चारों बच्चों को पालने के लिए गांव के लोगों को प्रेरित किया। परन्तु गांवों की समस्या जटिल थी, लोगों ने समय-अंतराल के साथ उनके परिवारों का साथ तक छोड़ दिया। तब कल्पना की जा सकती थी कि ऐसे नन्हें-नन्हें बालकों पर क्या प्रभाव पड़ा होगा ? जब 2 समय का निवाला भी नसीब नहीं होता होगा ?



फाईल फोटो : कुपोषण का शिकार बच्चों साथ में उनके परिजन और गांव स्थानीय लोग।

चारों बच्चों (1 बालिका एवं 3 बालक) कुपोषण का शिकार होने लगे। गांवों की मदद से सरकारी चावल मिलता था, परन्तु पकाने के लिए जरूरत के सामान नहीं थे। इन बच्चों को ये चित्र में देखने के बाद अंदाजा लगाया जा सकता है कि वो किस हालत में थे।

तत्पश्चात् इसकी जानकारी जिला बाल संरक्षण ईकाई को हुई। उन्होंने चारों बच्चों के लिए स्थायी व्यवस्था की बात सोची। डॉ० कृष्णा कुमार तिवारी जो गैर-संस्थागत देखभाल अधिकारी हैं, उन्होंने परिवार आधारित देखभाल की योजना बना डाली। चारों बच्चों को बाल कल्याण समिति के समक्ष प्रस्तुत कराया। बाल कल्याण समिति, चाईबासा मुख्यालय स्थित कार्यालय में अवस्थित है, जिसकी दूरी उस गांव से 100 किलोमीटर से भी ज्यादा है। ऐसे में गांवों के सामाजिक कार्यकर्ताओं के सहयोग से सभी को प्रस्तुतीकरण कराया गया। बच्चों की संस्कृति, परम्परा और सरना धर्म को देखते हुए एक ऐसे परिवार का चयन किया गया जो सभी सुविधाओं और मिलान में सही पाया जाय।

कुछ सप्ताह के उपरांत ही ऐसे रुचि परिवार का चयन किया गया जो सभी परम्पराओं, संस्कृति और सरना धर्म का मिलान करता हो। उनके विगत और वर्तमान परिदृश्यों का सामाजिक अन्वेषण किया गया जिसमें सभी तरफ से बच्चों को लालन-पालन के साथ किशोर न्याय प्रणाली दिशा-निर्देशों का अनुपालन करता हो। अन्वेषण उपरांत बच्चों को फोस्टर परिवार में उपयुक्त दंपति पाया गया।



चाईबासा कोर्ट : चयनित फोस्टर परिवार के साथ मिलान करते हुए संबंधित स्टैकहोल्डर्स एवं उनके परिवार और पार वोलन्टियर सदस्य।

बाल कल्याण समिति तथा गांवों के बैठक उपरांत फोस्टर परिवार हेतु सभी मानदंड को पूरा करने वाले श्री सुखदेव टोप्पो एवं श्रीमती दमयन्ती खलखो (उनकी पत्नी) को फोस्टर फैमिली के लिए चयनित किया गया। जिसमें श्री सुखदेव टोप्पो का अपना एक जैविक बालक भी है। श्री सुखदेव जी सामाजिक कार्यकर्ता के साथ मास्टर डिग्री उपाधि से सम्मानित हैं तथा उनकी पत्नी श्रीमती दमयन्ती खलखो ग्रेजुएट तथा योगा में पोस्ट ग्रेजुएट हैं।

ये फोस्टर परिवार मनोहरपुर प्रखण्ड के ही अंतिम ओडिसा बोर्डर के गांव धानापाली निवासी हैं। बच्चों की गांव से दूरी लगभग 30 किलोमीटर पर है।

श्री सुखदेव टोप्पो एवं श्रीमती दमयन्ती खलखो (उनकी पत्नी) ने बताया कि जब चारों बच्चे उनके परिवार का हिस्सा बने तब बच्चों को नित्यकर्म तक का बोध नहीं था। बच्चों कहीं भी मल-मूत्र त्याग देते थे। बच्चों अन्य सामान्य बच्चों की तरह नहीं थे। उन्हें फलों तक का सेवन करना नहीं आता था। उनका शरीर और पेट निकला हुआ था। गांवों में प्रचलित मादक पदार्थ हड्डियां जो रानू के संयोजन से बनने के कारण नशा होता था, उनका सेवन पूर्व में कराया जाता रहा था, जिसके कारण विकास की गति थम गयी थी। साथ ही भोजन दिन में कभी नसीब होता तो कभी नहीं होता था और जो भी भोजन नसीब होता वो भी पोषक नहीं होता था। जिसके कारण

सभी बच्चों को कुपोषित पाए गए थे। बच्चों के शरीर में कई दिनों से कपड़ा नहीं होने के कारण बच्चों बिमारियों के भी चपेट में थे। ऐसे में जिला बाल संरक्षण पदाधिकारी श्रीमती पुनीता तिवारी द्वारा सभी बच्चों को कपड़ा पहनाया गया।

फोस्टर परिवार द्वारा बच्चों को नित्यकर्म सीखाया जाने लगे। प्रतिदिन सुबह बाथरूम में स्नान के साथ मल-मूत्र त्याग करना, सुबह 5 बजे योगा सिखाना, भोजन का समय सारणी तय करना, माता-पिता का वंदन के साथ दोस्तों, पड़ोसियों के साथ मैत्रीभाव रखना तथा सबसे महत्वपूर्ण जैविक माता-पिता के बालक के साथ आपस में रोचक कहानियां भोजन के बाद बिछावन में सुनाना था।



फाईल फोटो : चयनित फोस्टर परिवार के साथ योगा एवं खेल करते हुए बच्चे।

बच्चों को पपीता, अमरुद, जामुन, आम, ईमली तथा अन्य बागानों में फलने वाले पोषक फलों का सेवन नित्य कराया गया जिससे उनके शरीर के अग्र भाग में निकले हुए पेट तथा अन्य हिस्से को संतुलन किया गया। प्रतिदिन रात्रि सेटी खाता सिखाया गया जो पूर्व में अभिनज्ञ थे। बच्चों को उचित शिक्षा देने के लिए जिला बाल संरक्षण ईकाई ने नजदीकी सरकारी प्राथमिक विद्यालय में नामांकन कराया जहां सभी बच्चों शिक्षा प्राप्त कर सकें।



फाईल फोटो : चयनित फोस्टर परिवार के साथ फल और बागवानी का आनंद लेते बच्चे।

बच्चों को दिए जाने के तीन माह के बाद बच्चों में काफी बदलाव देखने को मिला। सभी बच्चों हिन्दी भाषा बोलने सीख गये। बच्चों फोस्टर परिवार को मम्मी और पापा कहने लगे। फोस्टर परिवार जैसे उनका अपना परिवार लगने लगे।



वर्तमान फोटो : हंसता खेलता फोस्टर परिवार के साथ भाई-बहन।

6 महीनों के बाद बच्चों कुपोषण मुक्त हो चुके थे। बच्चों में अक्षर-ज्ञान, भाषा-ज्ञान, सामाजिक समावेश की स्थापना हो चुकी थी। बच्चों का शरीर सामान्य बच्चों की तरह हो गयी थी। बच्चों खेलना, शारीरिक व्यायाम, योगा तथा आत्मनिर्भर बन गये। बचपन जैसे नया मोड़ ले रही हो। बच्चे संगीत सीख चुके हैं। ऐसा प्रतीत होता है, मानो जैसे जीवन का एक नया अध्याय की शुरुआत हो चुकी है।

निष्कर्ष -

फोस्टर केयर परिवार मिलने के उपरांत इन बच्चों की स्थिति-

इस व्यवस्था के साथ जब ऐसे विन्धित फोस्टर परिवार में बच्चों को दिया जाता है तब बच्चों को पारिवारिक वातावरण, बौद्धिक कुशलता का स्तर में सुधार, अनुशासित जीवन, पड़ोसियों के साथ मैत्री भाव, सामाजिक समावेशन, के साथ-साथ बच्चों में खेल कूद, शारीरिक व्यायाम, योगा आदि के प्रति स्वरुचि और आत्मनिर्भरता में बदलाव परिलक्षित हुई है। पूर्व परिकल्पना से सहमा जीवन मानो, बचपन एक नया मोड़ लिया हो, मानो ऐसा प्रतीत हुआ जैसे जीवन के "एक नये अध्याय" की शुरुआत हो गयी।

फोस्टर केयर परिवार के साथ क्या कहते हैं, चाईबासा उपायुक्त

इस पूरी योजना को लेकर चाईबासा के उपायुक्त महोदय श्री मनीष कुमार कहते हैं कि बच्चे ही समाज के भविष्य का नींव हैं, जिसमें किसी कारणवश परित्यक्त परिवार के असहाय बच्चों, अनाथ और बेसहारा बच्चों सबसे ज्यादा जोखिम में हैं, जो शहरों के विभिन्न सार्वजनिक स्थानों बस स्टैंड, रेलवे स्टेशनों आदि स्थानों पर आसानी से दिख जाएंगे। इन बच्चों के लिए एक नया घर और नया परिवार का चयन कर उन्हें इन परिवारों के

साथ जोड़ना हम सभी समुदाय व वर्ग को आगे आने की जरूरत है। जमीनी स्तर पर मानव संसाधन को विकसित करने की जरूरत है। इन बच्चों को गुणवत्ता पूर्ण जीवन और पुर्नवास सेवाओं को लागू करना, जिसमें बच्चों के खिलाफ हिंसा, दुर्यवहार और शोषण मुक्त की दिशा में सार्थक पहल करना तथा सामाजिक जागरूकता लाने, कानून को बढ़ावा देने और पोषित करने की दिशा में सभी के सामंजस्य से काफी इजाफा हुई। लेकिन इन बच्चों को परिवार आधारित देखभाल में लेना है, ताकि उनके बचपन, स्नेह, प्यार की जरूरतों को पूरा किया जा सके। जिला में फोस्टर परिवारों के प्रति जब्बा अन्य लोगों के लिए प्रेरणादायक है।

किसी भी कार्य को घरातल से शिखर तक ले जाने में कोई न कोई का हाथ होता है। इन बच्चों को नया जीवन प्रदान करने हेतु जिला दण्डाधिकारी-सह उपायुक्त (IAS) श्री मनीष कुमार का समर्थन भरपुर मिला। इसके साथ ही समय-समय पर मार्गदर्शन हेतु सहायक निदेशक, सामाजिक सुरक्षा कोषांग, श्री खुशेन्द्र सोनकेशरी तथा जिला बाल संरक्षण पदाधिकारी श्रीमती पुनीता तिवारी ने नियमित इन बच्चों की देखभाल के लिए तत्परता दिखाई।

लेखांकन
श्री कृष्ण कुमार तिवारी,
(पोस्टबलन अधिकारी, डी सी डी यू)

Innovation and Best Practices

Case Study: Leveraging Technology and Inter-District Coordination for Family Restoration of an Unidentified Child

(The identity of the child has been withheld to protect her privacy.)

Background

To strengthen community-based child protection and facilitate timely identification of children in vulnerable situations, the Deputy Commissioner, Simdega, launched the "Satark Simdega" Campaign. As part of the initiative, a QR code-based reporting mechanism was introduced, enabling citizens and frontline stakeholders to report children in need of care and protection by uploading information through a Google Sheet. The information received is promptly shared with the concerned stakeholders for immediate intervention and rehabilitation.

On 1 December 2024, an unidentified minor girl was found wandering alone in Kalebira Bazaar, Simdega district. She was unable to disclose her name, address or family details and did not possess any identity documents. Since the local community could not understand the language spoken by the child, the matter was immediately reported to the Kalebira Police Station, and the child was produced before the **Child Welfare Committee (CWC), Simdega**, which ordered her placement in a Child Care Institution to ensure her immediate care and protection.



Intervention The District Child Protection Unit (DCPU), Simdega, initiated multiple efforts to trace the

child's family. Information about the child was disseminated through local newspapers, and interpreters were engaged to identify the language spoken by her. However, these efforts did not yield any positive results.

Subsequently, under the directions of the Child Welfare Committee, the child was taken for field visits in nearby areas. During the visits, members of the local community indicated that the child might have migrated from **West Singhbhum district**. Based on this lead, the **District Child Protection Officer (DCPO), Simdega**, established coordination with the



District Child Protection Unit, West Singhbhum. Through sustained inter-district coordination, verification and family tracing, the child's parents were successfully identified.

Restoration and Outcome: Following due verification and in accordance with the orders of the Child Welfare Committee, the child was safely restored to her family.

This case demonstrates how **community participation, innovative technology-based reporting mechanisms, coordinated efforts of the Police, Child Welfare Committee, District Child Protection Units and inter-district convergence** can successfully restore unidentified children to their families. The "**Satark Simdega**" initiative has emerged as a promising practice in strengthening community vigilance and enabling timely identification, rescue and rehabilitation of children in need of care and protection.

Case Study 1: Restoration of a Missing Child through Counselling, Mental Health Support and Family Tracing

(Name changed to protect the identity of the child.)

Background: Simmi Munda (name changed), a 16-year-old girl from Sundargarh district, Odisha, was found wandering alone at Tatisilwai Railway Station in Ranchi on **3 April 2024**. She was unable to communicate coherently, appeared physically weak and emotionally distressed, and was unable to provide any information about her identity or family. Following the directions of the **Child Welfare Committee (CWC), Ranchi**, she was placed in a Child Care Institution for care and protection.

Intervention: Upon admission, the child exhibited symptoms of mental and emotional distress. The District Child Protection Unit, in coordination with the Child Care Institution, initiated regular psychosocial counselling and facilitated her medical assessment. She was subsequently referred to the **Ranchi Institute of Neuro-Psychiatry and Allied Sciences (RINPAS)** for specialized psychiatric evaluation and treatment.

With continuous counselling, treatment and supportive care, the child's condition gradually improved. Over time, she was able to recall fragments of information about her family, including her father's name and references to places such as Sundargarh and Rourkela in Odisha. She also expressed a strong desire to return to her family.

Restoration: Based on the child's statements, the Child Welfare Committee directed a family tracing exercise. A restoration team accompanied the child to Sundargarh district, where she was encouraged to identify familiar locations. As the team approached Nayabazar, the child confidently recognized the locality and guided them through the streets to her residence. During the journey, local residents also recognized the child and confirmed her identity.

The child was reunited with her parents, who became visibly emotional upon seeing their daughter after a prolonged period of separation. Following due verification and compliance with the orders of the Child Welfare Committee, the child was safely restored to her family.

Outcome: The case demonstrates the importance of **trauma-informed counselling, specialized mental health care, patient family tracing and inter-state coordination** in restoring missing children who are initially unable to disclose their identity. It also highlights that timely therapeutic interventions can significantly improve a child's ability to reconnect with family and facilitate safe restoration.

Case Study:- Restoring Safety, Dignity and Hope

(All names used in this case study are fictitious to protect the identity of the child.)

Rekha Kumari (name changed), a 14-year-old girl, lost her father at an early age. Following his death, her mother returned to her parental home with the child and subsequently remarried. Rekha then began living with her mother and stepfather.

After some time, Rekha's mother fell seriously ill and was admitted to the hospital. During this period, Rekha fled from her stepfather's house and sought refuge at her maternal grandmother's home. She firmly refused to return despite repeated persuasion by her grandmother. Concerned about the child's distress and unable to understand the reasons behind her refusal, the grandmother approached the **Child Welfare Committee (CWC), Giridih**, seeking assistance.

Upon being produced before the CWC, the child was referred to the **District Child Protection Unit (DCPU), Giridih** for counselling. During a series of counselling sessions conducted by the DCPU Counsellor, Rekha disclosed that her stepfather had repeatedly attempted to sexually abuse her. Out of fear, dependency and concern for her family's livelihood, she had remained silent and had never disclosed the abuse to anyone.

Considering the serious nature of the disclosure, the **Child Welfare Committee, Giridih**, directed appropriate legal action against the accused in accordance with the applicable provisions of law. Simultaneously, the child was provided with continuous psychosocial counselling and emotional support to help her recover from the trauma.

After a careful assessment of her best interests and safety, the Child Welfare Committee facilitated her admission to a **Kasturba Gandhi Balika Residential School**, ensuring a secure environment where she could continue her education and receive appropriate care and protection. To strengthen her long-term rehabilitation, the child was also linked with



चाइल्ड हेल्प लाइन (1098)

सखी वन स्टॉप सेंटर राजवाडी,
जिला - जामताड़ा, झारखण्ड, 815351
(Email id- childhelplinejamtara@gmail.com)



सफलता की कहानी

शीर्षक : जनशताब्दी एक्सप्रेस से हावड़ा ले जाए जा रहे 07 नाबालिक बच्चों का रेस्क्यू एवं 03 बिचौलियों की गिरफ्तारी ।

विवरण :-

दिनांक 02 जुलाई 2026 को चाइल्ड हेल्प लाइन (1098) को गुप्त सूचना प्राप्त हुई कि ट्रेन संख्या 12024 के जरिए 07 नाबालिक बच्चों को बाल मजदूरी कराने के हेतु झाड़ा से हावड़ा ले जाया जा रहा है । सूचना मिलने पर त्वरित कार्रवाई करते हुए चाइल्ड हेल्प लाइन के परियोजना समन्वयक मनीषा देवी के द्वारा रेलवे सुरक्षा बल जामताड़ा को सूचना दी गई । चाइल्ड हेल्प लाइन टीम (सुपरवाइजर अभिनय कुमार एवं केस वर्कर विकास कुमार पंडित) ने RPF जामताड़ा, RPF चितरंजन एवं राजकीय रेल पुलिस के साथ संयुक्त अभियान चलाया ।

जामताड़ा रेलवे स्टेशन से ट्रेन रुकते ही चाइल्ड हेल्प लाइन टीम तथा RPF जामताड़ा के द्वारा नाबालिक बच्चों से पुछताछ की गई इस दौरान ट्रेन जामताड़ा स्टेशन से खुल गई तुरंत RPF चितरंजन को सूचना दी गई । चितरंजन रेलवे स्टेशन पर ट्रेन रुकते ही टीम ने तत्परता दिखाते हुए सभी 07 नाबालिक बच्चों को सुरक्षित रेस्क्यू किया गया पुछताछ के दौरान बच्चों ने बताया कि उन्हें जकारिया स्ट्रीट में उद्योगों में काम करवाने के लिए जा रहे 03 अभियुक्तों को गिरफ्तार किया गया ।

रेस्क्यू किए गए सभी 07 नाबालिक बच्चों को बाल कल्याण समिति में प्रस्तुत कर उन्हें बालक बाल गृह जामताड़ा में आवासित की गई । वहीं तीनों बिचौलियों को पुलिस हिरासत में लेकर उनके विरुद्ध राजकीय रेल पुलिस में विधि सम्मत कानूनी कार्रवाई दर्ज कराई गई ।

Mamisha Devi
18/07/2026
परियोजना समन्वयक,
चाइल्ड हेल्प लाइन,
जामताड़ा ।

परिवार परामर्श केंद्र

(विधि का उल्लंघन करते पाए गए बालकों के लिए जीवन के मुख्य धारा में वापसी का प्रयास)
किशोर न्याय (बालकों की देखरेख और संरक्षण) अधिनियम 2015 के तहत विधि का उल्लंघन के लिए अभिकथित या उल्लंघन करते पाए जाने वाले बालकों के न्याय निर्णयन की प्रक्रिया में परिवार की सहभागिता, समर्थन विधि द्वारा उपबंधित किए गए हैं किशोर न्याय अधिनियम 2015 के सिद्धांत एवं नियम 2(31) 3(v)(iii)(xv)8(3)(क).ख.घ.3 10(i)11,13,18(5)18(2) में किशोर के परिवार माता-पिता संरक्षण की भूमिका सुनिश्चित किए जाने का प्रावधान है।

किशोर न्याय बोर्ड के समक्ष न्याय निर्णयन के दौरान किशोर को परिवर्तना पर छोड़े जाने एवं मामलों का निष्पादन के समय परिवार की भूमिका एवं बच्चों के भविष्य निर्माण में दृष्टिकोण का अभाव प्रतीत होता है। इसके कारण यह महसूस किया गया कि बच्चों के सर्वोत्तम हित में परिवार को परामर्श और मार्गदर्शन की जरूरत है, ताकि संरक्षक बच्चों के लिए आर्थिक, सामाजिक, पारिवारिक परिनेश को मजदूती प्रदान करने में सक्षम हो सके एवं बच्चों का मार्गदर्शन कर सके। न्याय निर्णयन की प्रक्रिया में बालकों की ससमय उपस्थिति का कम हो पाती है जिससे न्याय निर्णयन में विलम्ब होता है।

किशोर न्याय बोर्ड यह समझता है कि बालकों के सर्वोत्तम हित के लिए संरक्षक में पालन पोषण कौशल, शारीरिक और भावनात्मक देखभाल, मनोवैज्ञानिक समर्थन, अनुशासन संचार, सकारात्मक महौल, आत्म देखभाल, न्याय प्रक्रिया में सहभागिता के साथ आर्थिक स्वावलंबी होना भी आवश्यक है। तभी किशोर मुख्य धारा में शामिल होकर बेहतर नागरिक बन सकेगा।

इसे सुनिश्चित करने के लिए किशोर न्याय बोर्ड ने परिवार परामर्श केंद्र संचालित करने का निर्णय लिया है किेंद्र परिवार को परामर्श और मार्गदर्शन देकर पुनः विधि का उल्लंघन करने से किशोर को रोकने का उपाय समझाएगी। न्याय निर्णयन प्रक्रिया में सहभागिता सुनिश्चित करेगी। उनके परिवार को समृद्ध करने के लिए केंद्र व राज्य

सरकार की योजना का लाभ सुनिश्चित करेगी। विधिक सेवा प्राधिकार द्वारा विधिक सेवा सुनिश्चित करेगी।

किशोर न्याय बोर्ड गुमला के प्रस्ताव पर माननीय प्रधान जिला एवं सत्र न्यायाधीश गुमला श्री ध्रुव चंद्र मिश्रा की अध्यक्षता में दिनांक 28.11.2025 को संपन्न बैठक में सहमति, मार्गदर्शन के साथ स्वीकृति प्राप्त है।

परिवार परामर्श केंद्र का प्रमुख उद्देश्य

1. किशोर के परिवार से बोर्ड का सीधा संवाद।
2. न्याय निर्णयन में परिवार की भूमिका सुनिश्चित करना।
3. परिवीक्षा अवधि में बच्चों को देख-रेख के बेहतर उपाय सुझाव देना।
4. भावनात्मक सामाजिक और व्यावहारिक समस्याओं में सहयोग।
5. परिवार और बच्चे के बीच संबंध मजबूत करना, एवं पुर्नमिलन।
6. बच्चों के अधिकार को सुनिश्चित करना।
7. परिवार को तनाव से मुक्त होने में सहयोग करना।
8. कानूनी अधिकार सुनिश्चित करना।
9. समृद्ध परिवार खुशहाल परिवार सुनिश्चित करना।
10. समयबद्ध न्याय सुनिश्चित करना।

परिवार परामर्श केंद्र में सुविधाएं एवं सेवाएं।

1. विधिक सहायता।
2. परिवार परामर्श।
3. केन्द्र राज्य सरकार की योजना की जानकारी।
4. संप्रेक्षण गृह और किशोर न्याय बोर्ड की कार्यवाही की जानकारी।
5. सुनवाई के दौरान विधिक सहायता।
6. संरक्षण और देखभाल के जरूरतगंद बच्चों के लिए मार्गदर्शन।
7. शिक्षा से जोड़ने का परामर्श।
8. परिवार के लिए जिला अधिकारियों से सम्पर्क/संवाद/समाधान।

परिवार परामर्श केन्द्र की जिम्मेवारी

1. विधि सह परिवीक्षा पदाधिकारी।
2. अधीक्षक, संप्रेक्षण गृह गुमला।
3. परिवीक्षा पदाधिकारी/ बाल कल्याण पदाधिकारी।
4. शिक्षक
5. परामर्शी (बाल संरक्षण इकाई/ संप्रेक्षण गृह गुमला)।
6. पारा लीगल वोलंटियर विधिक सेवा प्राधिकार गुमला।
7. संरक्षण पदाधिकारी संस्थागत देखभाल/ गैर संस्थागत देखभाल।
8. बोर्ड के निर्देश पर जुड़ने वाले अधिकारी।
9. कार्यालय सहायक सह डाटा एंट्री ऑपरेटर किशोर न्याय बोर्ड।

परिवार परामर्श का दिवस

1. संप्रेक्षण गृह में मुलाकात दिवस प्रत्येक शनिवार।
2. बोर्ड के निर्देश पर तय समय।
3. कार्य दिवस पर उपस्थित अधिकारी।

SUCCESS STORY

संप्रेक्षण गृह गुमला से इंजीनियरिंग कॉलेज तक

एक विधि-विरुद्ध किशोर के सपनों को मिली नई उड़ान

दिनांक 18.01.2025 को एक विधि-विरुद्ध किशोर श्याम विहारी मुंडा, पिता-चरवा मुंडा, ग्राम-वनियाडीह, थाना-घाघरा, जिला-गुमला, उम्र लगभग 17 वर्ष, घाघरा थाना कांड संख्या- 74/24, धारा 376, 504, 323, 500 IPC एवं धारा 4 POCSO Act के मामले में विधि-विरुद्ध किशोर के रूप में संप्रेक्षण गृह, गुमला में आया। उसका वाद किशोर न्याय बोर्ड, गुमला में विचाराधीन था।

संप्रेक्षण गृह में रहने के दौरान किशोर ने अपनी पढ़ाई के प्रति विशेष रुचि दिखाई। वह पढ़ाई में अत्यंत मेधावी था और उसने आगे चलकर इंजीनियर बनने की अपनी प्रबल इच्छा व्यक्त की। उसके भीतर सीखने की लगन और अपने भविष्य को बेहतर बनाने का दृढ़ संकल्प स्पष्ट दिखाई देता था।

किशोर की प्रतिभा और उसकी शिक्षा के प्रति रुचि को देखते हुए संप्रेक्षण गृह, गुमला के अधीक्षक श्री अविनाश कुमार गिरी ने उसे आगे की पढ़ाई के लिए प्रोत्साहित किया। किशोर को संप्रेक्षण गृह में ही कक्षा 12वीं के Physics, Chemistry एवं Mathematics की NCERT पुस्तकें उपलब्ध कराई गईं। सीमित संसाधनों के बावजूद किशोर ने संप्रेक्षण गृह में रहकर पूरी लगन और मेहनत के साथ अपनी पढ़ाई जारी रखी।

इंजीनियरिंग की पढ़ाई के अपने सपने को साकार करने के लिए किशोर ने JEE Mains की परीक्षा हेतु आवेदन किया। परीक्षा की तैयारी के साथ-साथ उसके परीक्षा केंद्र तक सुरक्षित पहुंचने की भी व्यवस्था की गई। पुलिस अधीक्षक, गुमला द्वारा उपलब्ध कराए गए वाहन एवं सुरक्षा

व्यवस्था के माध्यम से किशोर को धनवाद स्थित ION. Digital Zone परीक्षा केंद्र भेजा गया, जहाँ उसने JEE Mains की परीक्षा दी।

मेहनत, लगन और सही मार्गदर्शन का परिणाम सामने आया। किशोर ने JEE Mains में सफलता प्राप्त की और आगे की पढ़ाई के लिए उसका नामांकन Government Engineering College, Palamu में हुआ। वर्तमान में वह वहाँ Computer Science में B.Tech की पढ़ाई कर रहा है और अपने इंजीनियर बनने के सपने को साकार करने की दिशा में आगे बढ़ रहा है।

किशोर की इस उल्लेखनीय सफलता को देखते हुए उसे उस समय माननीय प्रधान जिला एवं सत्र न्यायाधीश द्वारा संप्रेक्षण गृह में सम्मानित भी किया गया। यह सम्मान न केवल किशोर के परिश्रम का सम्मान था, बल्कि यह भी दर्शाता है कि उचित अवसर, सकारात्मक वातावरण, शिक्षा और मार्गदर्शन मिलने पर कठिन परिस्थितियों से गुजर रहे बच्चे भी अपने जीवन की दिशा बदल सकते हैं।

दिनांक 21.02.2025 को माननीय न्यायालय के आदेशानुसार किशोर को संप्रेक्षण गृह से विमुक्त कर दिया गया। किंतु संप्रेक्षण गृह में बिताया गया उसका समय उसके जीवन में एक महत्वपूर्ण मोड़ बन गया—जहाँ उसने अपनी परिस्थितियों को अपनी कमजोरी नहीं बनने दिया, बल्कि शिक्षा को अपनी ताकत बनाया।

प्रेरणा

श्याम बिहारी मुंडा की कहानी इस बात का प्रेरणादायक उदाहरण है कि किसी बच्चे की पहचान केवल उसके अतीत या उसके विरुद्ध चल रहे मामले से नहीं होती। उसके भीतर छिपी प्रतिभा, उसकी मेहनत और उसे मिलने वाला सही अवसर उसके भविष्य की नई कहानी लिख सकता है।

संप्रेक्षण गृह का उद्देश्य केवल संरक्षण और अनुशासन तक सीमित नहीं है, बल्कि बच्चों को शिक्षा, मार्गदर्शन, कौशल और बेहतर भविष्य के अवसर उपलब्ध कराकर उन्हें समाज की मुख्यधारा से जोड़ना भी है।

श्याम बिहारी मुंडा ने यह साबित किया कि—

“परिस्थितियाँ चाहे कितनी भी कठिन क्यों न हों, यदि लक्ष्य स्पष्ट हो, मेहनत सच्ची हो और सही मार्गदर्शन मिले, तो सफलता की राह जरूर बनती है।”

आज संप्रेक्षण गृह, गुमला के लिए श्याम बिहारी मुंडा की सफलता गर्व का विषय है और अन्य बच्चों के लिए यह संदेश है कि सपने देखना ही नहीं, बल्कि उन्हें पूरा करने के लिए निरंतर प्रयास करना भी जरूरी है।

धन्यवाद।

Success Story

Title: The Story of a Legally Disputed CICL Turned Into a Successful Lawyer

Introduction: Rajesh (name changed) is an ordinary Child from a small village in Ranchi. Due to his family's poor financial situation, he always wanted to stand on his own feet.

Challenge: Rajesh (name changed) did not have money to start a business and there were many restrictions in the society regarding child working outside. He neither had understanding of social norms nor any other skills. Meanwhile, juvenile Rajesh (name changed) became implicated in a murder case. While staying in an observation home, he completed his 10th-grade education and while staying in Observation Home, he developed interest in law and developed passion for money so that no minor child gets trapped in any wrongful legal cases. During this period, Rajesh (name changed) case was acquitted by the Juvenile Justice Board, Ranchi.

Solution and Efforts: CICL Rajesh (name changed) completed his law studies on the strength of his passion and started working as a lawyer.

The result: Today, Rajesh (name changed) earns a good monthly income through his hard work. He is also encouraging other childrens in the village to become lawyers. His life has completely changed, and he is able to support his family well.

Tracing and Handover of Missing Child: (Gudiya Kumari) Kanchan Kumari.
Reference Number: CWC/RNC/702/2026
Location: Premashray Shelter Home, Ranchi, Jharkhand

Introduction

This report documents the tracing of a missing child and her safe handover to her family under Mission Vatsalya. The child is a deaf and mute girl who had been reported missing.

Child's Name Known by Gudiya Kumari, the official name is Kanchan Kumari. On 06/07/2026, Deepthi Hessa, the CHL Supervisor from Jamshedpur handover Gudiya Kumari in Premashray Shelter Home, Ranchi at 19:10 PM with the order of DC, East Singhbhum. The girl was transferred from Jamshedpur for her proper medical treatment at RINPAS.

Age: 15years, **Gender:** Female. **Special Condition:** Deaf and mute

Missing Complaint: According to the family members, the complaint was filed at Saramohanpur Thana, Darbanga, Bihar the four months ago.

Tracing Process

Premashray Shelter Home, Ranchi undertook extensive efforts to trace the family members of the missing child.

Agencies Involved: Premashray staff, CWC Ranchi, DCPO Ranchi and Saramohanpur Thana, Darbanga, Bihar.

Steps Taken:

- ✓ **Observation and proper diet:** Gudiya Kumari was in need of 24x7 care and protection hence the primary action taken by home was constant observation other behaviour pattern and proper diet. Meantime we also tried to involve her in different activities.
- ✓ **Medical Assistance:** Secondly, we consulted with our Dr. Debjani, she also suggested us to take her RINPAS.
- ✓ **Counselling:** On 11/07/2026 Rajni Dodrai, the counsellor of the Home, did the first counselling of the girl.
- ✓ **Inquiries (Information gathering):** On 12/07/2026, the Superintendent made a call to the police personal from Jamshedpur who had come to reach the girl but we failed to get any proper information.
- ✓ **13/06/2026.** She complained shortness of breath, so we consulted with Dr. Debjani, and provided her an inhaler.
- ✓ **13/06/2026:** The Superintendent talked to Mr. Sudhir Raj CHL from Jamshedpur who gave a vivid report on a girl. According to him the girl was rescued by Uladi Thana, Jamshedpur in collaboration with the Red Cross Society, Jamshedpur and handed over to CHL, Jamshedpur. Then she was transferred to Chaibasa CCI.

- ✓ **Follow up Medical Assistance:** 15/07/2026 we took her to RINPAS for the medical follow-up.
- ✓ **Information gathering:** On 18/07/2026, with the help of Madam Sangeeta Devi, Dalsa PLV, we invited teachers from Niwaranpur Deaf and Dumb school for better communication.
- ✓ **Information gathering:** On 20/07/2026, the Superintendent called Chaibasa CWC office for more information but they suggested to contact CCI of Chaibasa.
- ✓ **22/07/2026** the Superintendent visited Chaibasa CWC, met the CCI in charge still no proper information. According to them the girl was admitted in the Deaf and Dumb school Chaibasa. She got sick and was admitted at Sadar Hospital Chaibasa, and from there she was referred to MGM Jamshedpur.
- ✓ **23/07/2026,** She was taken to Niwaranpur Deaf and Dumb school for better communication and information.

New UDI Enrolment Process.

- On 24/07/2026, We took her to Mangal Tower for new UDI Enrolment. After a week we came to know that it is rejected.
- On 04/08/2026 she was taken to Riyada for the follow up of UDI Failure. There we came to know that her Aadhar Card has been made earlier and her official name is Kanchan Kumari, Father's name, Prabhu Shani, Bihar.
- We updated her Aadhar card, added our office number and on the third day we got her new Aadhar card. Kanchan Kumari, Father's name, Prabhu Shani, Gram-Mohanpur, Belhar, Saramohanpur, Darbanga, Bihar.
- We gave the letter for SIR with the proper address to DCPO Ranchi.
- 09/08/2026 The Superintendent, downloaded a vlog of Saramohanpur, Darbanga, and asked her to watch the vlog. Seeing the market area, she started to yell and cry, this gave us trust that she is from that area.
- On 11/08/2026, with the order of CWC, I tried to connect with Keoti Thana, Bihar, the police personal told me to connect Sadar Thana Bihar and the Sadar Thana.
- 12/08/2026 For Medical follow taken to RINPAS.
- On 14/08/2026 finally Saramohanpur Thana called us (Premashray office) and inquired us about the girl. They gave us the family member's contact number. On the same evening the girl talked to her father and brother. On the following day she talked to her mother and rest of the family members. They told us that they would be reaching on 17/08/2026 to receive the girl.

Outcome: After sustained efforts, the family members were successfully traced on 14/08/2026.

- ✧ **Handing Over to Family** was successful on 17/08/2026
- ✧ **Place of Handover:** Premashray Shelter Home Ranchi.

The following procedures were followed in accordance with Mission Vatsalaya guidelines:

- Child's safety and well-being ensured during the process.

- Counselling and medical check-up conducted prior to handover.
- Documentation completed and signed by family and officials
- Case closed after successful reintegration with family.

Conclusion:

The Successful Tracing and Family Reunification of a deaf and mute missing girl

Premashray Shelter Home Ranchi is pleased to announce the successful tracing and safe reunification of a missing child with her family under Mission Vatsalaya. On 06/07/2026 a deaf and mute missing girl was transferred to Premashray Shelter home, from Jamshedpur for better medical assistance at RINPAS. She was brought in our home without proper documents. Premashray team undertook extensive efforts over a prolonged period to trace her family members. Through persistent fieldwork, coordination with local authorities' support, we finally managed to identify and handover to her family.

On 17/08/2026, the child was formally handed over to her family. Her safety, well-being, and dignity were ensured throughout the process.

This successful reintegration reflects the commitment of CCI and Mission Vatsalaya towards protecting vulnerable children and ensuring their right to family care.

Submitted by: Premashray Shelter Home Ranchi.

An. Rinsuaw
18/08/26
प्रेमाश्रय
Shelter Home for Girl Children
Nazareth Convent, Club Road
Ranchi-834001, Jharkhand

Success Story

Ref # 28

हमारी संस्था काका Namo में दिनांक 07/02/2022 को एक बच्ची आई जो कि पूरा शरीर में -जक से काटा गया था तथा उसे आने के बाद संस्था से उस बच्चे से लतपत बच्ची को इलाज के लिए रानी हॉस्पिटल में भर्ती कराया गया। उसकी स्थिति काफी नाजुक थी परन्तु रानी हॉस्पिटल से कीब। मर्नेपट संस्था में आई और बिल्कुल ठीक हो गई और उसे दत्तक ग्रहण से जोड़ा गया तथा CARA के द्वारा एक अच्छे परिवार को सौंपा गया। लोकेत के सारे जोड़-पट्टी गई और आज वह अपने परिवार में बहुत खुश है।

Sangeeta Sahay
18/8/2026



बालाश्रय बालगृह

राँची

पवन कुमार

उम्र :- 07 वर्ष।

माता :- सरस्वती देवी।

पता :- कुमारघुबी धनबाद।

सी. डब्ल्यू. सी. नं.- 893/2021

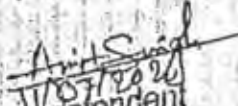
नामांकन तिथी :- 16/10/2021

बालक पवन कुमार जिसे दिनांक 16/10/2021 को बाल कल्याण समिति राँची के समक्ष प्रस्तुत रेलवे चाइल्डलाइन राँची के द्वारा किया गया। बालक पवन को आर. पी. एफ. मुरी के द्वारा रेलवे चाइल्डलाइन राँची को सौंपा गया था। प्रस्तुति के पश्चात बालक को अन्य होम में शेल्टर दिया गया। दिनांक 04/01/2024 को बालाश्रय बालगृह में बाल कल्याण समिति राँची के द्वारा संवाचित किया गया।

इस क्रम में बालक का कई बार काउंसलिंग करने के पश्चात भी कुमारघुबी धनबाद के अलावे घर के सामने एक मैदान एवं बजरंग बलि का मंदिर बताया जाता था। जिस कारण बालक का S.I.R. पूर्ण नहीं हो पाया। बालक का आधार बनाया गया। समय बितता रहा इसी क्रम के दौरान D.I.C Meeting में बालक का प्लेस विजिट करवाने का निर्णय लिया गया। सारी प्रक्रिया पूर्ण होने के पश्चात दिनांक 24/10/2024 को बालक पवन को सुबह सवेरे ले जाया जाता है सर्वप्रथम पवन को धनबाद के रेलवे स्टेशन जहाँ रेल का पुराना इंजन बाहर में रखा गया है जिसका जिक्र बालक के द्वारा पूर्व में किया गया था परन्तु बालक पवन को घर का पता याद नहीं कर पा रहा था ना हिं वो इस जगह को पहचान सही से कर पा रहा था। इसके पश्चात पवन को लेकर कुमारघुबी रेलवे स्टेशन लेजाया गया वहाँ सारे एरिया को घुमाने के पश्चात भी पवन अपने घर का रास्ता बताने में असक्षम था तत्पश्चात वहाँ के स्टेशन मास्टर से संपर्क कर बच्चे के विषय में पुछने पर उन्होंने अपने सारे कर्मियों को बुलाकर बच्चे का पहचान करवाया गया जहाँ से एक कर्मी का कहना था कि इस तरह का बालक साईडिंग एरिया का हो सकता है। पुनः हम सबों ने सारे साईडिंग एरिया के साथ-साथ बजरंग बलि का मंदिर एवं मैदान की ओर चलपड़ा। हर चौक चौराहा पर रोक कर सबों से पुछा करता वहाँ के दुकानदारों से एवं बालक से की ये जगह कभी देखे हो तो जवाब होता नहीं। इस क्रम में कई सारे गली मुहल्ला घुमता रहा, इस प्रकार समय बितता जा रहा था एवं निराशा घर करता जा रहा था। अन्त में लगा कि क्यों ना थाने से मदद लिया जाए इस प्रकार बच्चे को लेकर कुमारघुबी थाना पहुँचा वहाँ से सहयोग किया गया पर वो ना काफी रहा। थाना अधिकारी के सलाह पर चिरकुंडा थाना से संपर्क करने को कहा गया दुसरी तरफ रात होता जा रहा था, फिर लगा एक अन्तिम प्रयास किया जाए नहीं होने पर वापस लौटा जाएगा।

इस प्रकार से चिरकुंडा थाना पहुँचा तो वहाँ के थाना प्रभारी मौजूद नहीं थे परन्तु उनसे संपर्क करने पर कुछ समय में थाना पहुँचने का आश्वासन दिया। उनके आने के पश्चात उन्होंने कई लोकल नेता एवं समाज सेवी को थाना बुलाकर बच्चे का पहचान कराया गया उन सब में एक बिजेपी का कार्यकर्ता ने बच्चे को अपने साथ ले चलने को कहा उनके साथ हम सब चलपड़े कई मुहल्ला घुमता रहा इसी क्रम में एक ट्रेन गुजर रही थी तो बालक को कुछ पहचाना सा लगा फिर हम सभी आगे बढ़ते रहे जिस दौरान आगे एक रेलवे फाटक आया जिसके विषय में पुछने पर अपनी सहमति अधुरे तरह से देने के पश्चात उस व्यक्ति के द्वारा यह पुछा गया की इस जंगल के बिच में एक कुआँ है तो बालक पवन ने अपनी हाँ भरी और वहाँ से वह आगे-आगे अपने नाम के अनुसार और हमसब उसके पीछे चल पड़े और सीधा वह अपने घर को पहुँचा।

इस प्रकार से बालक पवन अपनी से मिलपाया। वहाँ मौजूद सारे ने ये मान बैठा था की बालक अब इस दुनिया में नहीं है।


11/07/2024
Superintendent
BALASHRAY
I.T.I. Hehal, Ranchi

By
RINPAS
RANCHI INSTITUTE OF NEURO-PSYCHIATRY
& ALLIED SCIENCES

ARTICLE: PRELIMINARY ASSESSMENT OF JUVENILE: CLINICAL PERSPECTIVE AND CHALLENGES

Dr. Masroor Jahan,

Additional Professor in Clinical Psychology

Dr. Vinod Kumar Mahto

Medical Superintendent

Mr. Rahul Sharma

*Project Research Officer (Clinical Psychologist) , Tarang Project
Ranchi Institute of Neuro-Psychiatry and Allied Sciences (RINPAS), Kanke, Ranchi*

The term 'Child' has been understood differently in different acts and laws over the course of history. The 16 to 18 Years Sub-Group represents approximately 5.0% to 5.4% of India's total estimated population as Interpolated from the Report of the Technical Group on Population Projections (2011–2036) [National Commission on Population, 2020]. The 2024 National Crime Records Bureau (NCRB) reports that the crimes committed by juveniles nationwide saw an upward trend from 30,555 cases in 2022 to 31,365 in 2023, reaching 34,878 cases in 2024. The overall national crime rate for juveniles stood at 7.9 per lakh children.

The 2012 Nirbhaya case was a watershed moment in Indian Criminal law, serving as the catalyst for structural overhaul in the Juvenile Justice (Care and Protection of children) Act, 2000. Under Section 2(12) of the Juvenile Justice (Care and Protection of children) Act, 2015, a "Child" is defined simply and universally as a person who has not completed eighteen years of age. Section 2, of the Juvenile Justice Act, 2015 defines "heinous offences" includes the offences for which the minimum punishment under the Indian Penal Code or any other law for the time being in force is imprisonment for seven years or more. The provision of preliminary assessment is made under section 15 of the Juvenile Justice (Care and Protection of Children) Act (JJ Act), 2015. Section 15(1) states that in case of a heinous offence alleged to have been committed by a child, who has completed or is above the age of sixteen years, the board shall conduct a preliminary assessment. The preliminary assessment is to be conducted regarding the mental and physical capacity to commit such an offence, ability to understand the consequences of the offence and the circumstances in which it was allegedly committed. Aim of preliminary assessment is to determine whether the child in the age of 16-18 years should be tried as an adult in case of heinous offence. Also, while making the preliminary assessment, the child shall be presumed to be innocent unless proved otherwise [Rule 10A (3)]. The preliminary assessment is not a trial but merely to assess the capacity of such a child to commit and understand the consequences of the alleged offence. Before starting with the preliminary assessment, the age of the child alleged of heinous offence is determined by the Juvenile Justice Board. A child in conflict with law, can also be considered as a child in need of care and protection depending upon the prevailing circumstance.

The National Commission for Protection of Child Rights gave guidelines for the same in year 2023 on the directions of Hon'ble Supreme Court of India. There have been directives from time to time on the preliminary assessment from various quarters including the Allahabad High Court, which observed a problem with Section 15 of the 2015 Juvenile Justice Act. While it requires assessing if a 16 to 18 year old accused of a serious crime should be tried as an adult, it gives no clear steps on how to do it. The Court created temporary guidelines in year 2025 for judges and experts to follow until the government updates the legal rules.

The Juvenile Justice Act 2015 mentions that the preliminary assessments need to be done considering four important parameters:

1. **Physical capacity of the child to commit alleged offence:** The physical capacity is assessed specially the gross motor abilities like walking, running, lifting, throwing etc. Impaired abilities and functions in relation to vision, hearing and speech should also be considered.
2. **Mental capacity of the child to commit alleged offence:** A child's "mental capacity" isn't just about general intelligence; it is about how they make choices and judgments around other people. To understand a child's mental capacity, we have to look at the whole picture:
 - Mental health and brain development: Issues like ADHD, intellectual disabilities, or other mental health disorders.
 - Home and family life: Lack of supervision, poor adult role models, or neglect.
 - Personal struggles: Life skill deficits including (emotional dysregulation/difficulty coping with peer pressure/ assertiveness & negotiation skills / problem-solving / conflict-resolution/ decision-making), drug or alcohol abuse, and past experiences of trauma or abuse.
3. **The circumstances in which the child allegedly committed the offence:** A child's actions during an offense are rarely just about what happened in that exact moment. The child's background reveals multiple intersecting vulnerability factors across family, social, and personal domains. Offending behavior is usually the end result of problems that have been built over a long time, often starting in early childhood. These long-term issues stem from experiences with family, school, peer groups, trauma, and mental health. The challenges at home can spill over into education and work and often lead to premature entry into the workforce where the child might face negative workplace influences. Outside the home, adverse experiences can compound the problem. To understand why an offense happened, we must look at the child's whole life story (longitudinal view), rather than just capturing a snapshot of the day the crime occurred (cross-sectional view).
4. **Ability to understand the consequences of the offence:** Assessing a child's understanding involves looking at whether they can grasp three specific types of consequences for their behavior:

- ***Social Consequences:*** Do they realize how society will view them? Do they understand that people might judge, label, or stigmatize them?
- ***Interpersonal Consequences:*** Do they understand how their actions affect close relationships—such as losing the trust, love, or respect of family and friends?
- ***Legal Consequences:*** Do they know the basic laws they are breaking (e.g., laws against theft or abuse) and understand that breaking rules leads to serious legal punishment?
- Other than these the child's insights regarding committing such an offence should also be documented.

Consistency and procedural standardization:

A primary structural challenge in conducting preliminary assessment is the lack of standardized tools which are applicable throughout the country. The guidelines laid by the National Commission for Protection of Child Rights do not suggest or provide any guidance on specific assessment tools which can introduce subjectivity in assessments and interpretation. The whole process can sometime cross the 3 months statutory timelines for the preliminary assessment as mentioned in the JJ Act, 2015 and can take months or years. In such circumstances as the child is maturing over time, it becomes difficult to measure retrospective mental capacity at the exact time of the alleged offence. The Hon'ble Supreme Court (in *Barun Chandra Thakur v. Master bholu*) has repeatedly emphasized that preliminary assessment is not a mini-trial and must not be conducted casually. The Hon'ble court also held assistance from experienced psychologists, psychosocial workers, or mental health professionals (MHPs) to be mandatory unless a JJB member is a practicing professional with a degree in child psychology or child psychiatry.

Common intelligence tests (e.g., Binet Kamat Test) can favor formal education if nonverbal tasks are not taken into consideration. A severe shortage of trained district-level psychologists forces over-reliance on raw IQ, which is not the true indicator for emotional maturity, emotional regulation or to act rationally under stress while omitting Emotional Intelligence (EQ). The recommendations from psychologists act as advisory expert evidence rather than solely relying on it. Professionals owing to overload and lack of clarity sometimes do not mention appropriate details of the specific tests and methodology used, which courts can reject for lacking a strong basis.

Safeguards against adultification and stigmatization:

- ***Presumption of Innocence & Trial Forum:*** The assessment occurs before trial completion. The Explanation to Section 15(1) confirms the assessment strictly determines the trial forum (JJB vs. Children's Court) and must not function as a mini-trial on case merits. Until then there is a clause of presumption of innocence Section 15 applies exclusively to children aged 16 to 18 accused of heinous offences (statutory minimum punishment of 7+ years); children below 16 cannot undergo preliminary assessment.

- ***Right Against Self-Incrimination:*** Unregulated probing risks compelling disclosures about the offense, violating constitutional protections. The final report should not include any kind of statement or document that could be incriminating in nature.
- ***Two-Tier Judicial Scrutiny:*** Under Section 19(1)(ii), the Children's Court must independently re-evaluate whether a transferred child should be tried as an adult or treated under juvenile provisions. Constitutional courts cannot conduct this assessment themselves and are restricted to reviewing for legal propriety under revisionary powers.
- ***Confidentiality & Statutory Penalties:*** Identity protections prevent lifelong stigmatization. Violating confidentiality regarding a child's identity is punishable under the JJ Act with up to six months imprisonment, a fine up to two lakh rupees, or both.

Multidisciplinary assessment framework:

Social Investigation Report (SIR), Social Background Report (containing information regarding the antecedents and family background of the child and other material circumstances likely to be of assistance to the Board for making the inquiry), Individual Care Plan (ICP), Witness report by CWPO, Interaction with parents/guardians; staff of school or other institution attended by the child; peer group; neighbours or any other person deemed appropriate for giving insights regarding the child within the scope of assessment is sought. The Board may take assistance of an experienced psychologist or psycho-social worker or other experts if there is no expert (child psychologist, child psychiatrist) in the board. Any other observation made during the assessment regarding the child's social temperament/ child's behaviour in the observation home/ level of motivation for change/ if any positive behaviour noted is also provided from various quarters.

Due process controls:

Children and guardians must have access to competent legal representation. International frameworks (e.g., EU Directive 2016/800) emphasize mandatory defense and free legal aid. The National legal Service authority is entrusted with this role to provide legal representation in India. Also, the Copies of psychological assessments and social investigation reports must be shared with defense counsel to enable a meaningful opportunity to challenge expert findings.

Clinical studies (such as Swatantra Clinic, NIMHANS) highlight that 74% of evaluated juveniles were unaware of the legal and social consequences of the alleged offense, and 40% claimed they were simply in the wrong place at the wrong time (Manohar et al., 2024)

Child rights alignment:

The JJ Act, 2015 mandates prioritizing the child's best interests. Adolescents act due to developmental features like risk-taking or environmental stressors; institutionalization and adult trials should remain a last resort to preserve the reformatory, non-punitive ethos of juvenile jurisprudence. Building rapport with the child and for carrying out the assessment by admitting the child through in-patient or out-

patient setting as deemed appropriate is considered important. The report prepared by psychologist or psycho-social workers or other experts based on their analysis cannot be submitted as final Preliminary assessment Report. The assessment is made in a manner by making statements in third person, in order to not get any incriminating responses in the form of a confession.

Factors like socioeconomic status or lack of schooling must be viewed as contextual vulnerabilities. Studies show over 90% of justice-involved youth report on adverse childhood experiences (ACEs); nearly 69% have child labor histories, and 65% have deviant peer associations (Manohar et al., 2024). Facility overcrowding severely compromises child rights by limiting access to healthcare, education, nutrition, and adequate space.

Disability inclusion:

Children with intellectual disabilities, neurodevelopmental conditions (Autism, ADHD), or psychosocial disabilities face high risks of bias during capacity evaluations. The JJ Act 2015 explicitly categorizes children with mental or physical challenges without support systems as 'children in need of care and protection' (CINCP) and removes outdated provisions that previously mandated the separate segregation of children with unsound minds. Impairment manifestations (poor impulse control, suggestibility) must not be misconstrued as intentional criminal culpability. Multi-systemic post-integration support and tailored screening tools are critical, especially given low post-assessment follow-up rates.

Challenges Faced in Preliminary Assessment:

- There is a shortage of standardized tool to be administered for preliminary assessment.
- There is also a lack of guidance on the appropriate tools that can be used for the assessment.
- Sometime due to a time lag of months or years retrospective evaluation of mental capacity needs to be done, which is a challenge itself owing to the rapid growth in this stage of life.
- There is a timeline of three months for the preliminary assessment, which directs the concerned authorities to complete the due process even if it means testing is compromised.
- At times the child is brought for the assessment from different districts owing to lack of facilities and the psychologist or experts have to make the assessment in one sitting only, which too can compromise the findings as proper rapport sometime could not be established during this short span of time.
- The family members are sometime not available and it becomes difficult to establish or corroborate few parameters during the psychological testing
- Sometimes assessments rely on Social Investigation Reports (SIRs) and poor background checks compromise the evaluation.

- Information disclosed can be used to decide whether to try the child as an adult, creating ethical issues regarding the child's right against self-incrimination.
- Children from backgrounds of chronic trauma may struggle to understand the consequences of the assessment. Sometimes, regardless of reassurance, they may also be apprehensive of the purpose of the testing and therefore may choose not to respond appropriately.
- It has also been observed that at times the child will fake bad after being convinced by adults.

Future Direction:

Most adolescents do not understand the nature of the offense or the consequences it may entail. Therefore, school mental health programs should also include orientation programs on such issues. There is also a need to provide proper guidance on the psychological tools that can be used as well as the reporting of such findings. The cross-sectional assessment of child alleged to be in conflict with law should be replaced by a more meticulous longitudinal assessment involving comprehensive assessment, which will provide proper time and space to the child as well as the expert to justice with the preliminary assessment.

The experts or professionals who have the required qualification to assist the JJB in conducting the preliminary assessment must undergo a training with respect to Section 15 of the Act. There should also be clear direction (in the form of recommendation) on what assistance the child requires, thus creating an imperative for the board to consider options and respond in ways that are supportive and proactive.

Year-wise No. of Juveniles (2017–2026) for whom preliminary assessment was done at RINPAS, Kanke, Ranchi

Sl.	Year	Male	Female	Total No. of Juveniles
1	2017	22	00	22
2	2018	29	00	29
3	2019	97	00	97
4	2020	60	04	64
5	2021	107	00	107
6	2022	139	02	141
7	2023	179	03	182
8	2024	154	00	154
9	2025	159	01	160
10	2026 (Till July 2026)	138	02	140

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