

STEP-BY-STEP PROCEDURES OF THE JUVENILE JUSTICE BOARD (JJB)



1 The child who is taken charge of / caught / apprehended by the police is brought before the JJB within 24 hours

If the JJB is not in session, for any reason, then the child can be produced before the Metropolitan Court, who may be holding additional charge of the JJB



2 Child sent to the observation home for safe custody

3 If the parents / guardian are present before the JJB, the magistrate can release the child on Bail, on certain terms and conditions, if the JJB deems it fit, and in some of the offences which are minor in nature

4 If the "Juvenile in Conflict with Law" (JCL) is not released on bail, he / she stays in the Observation Home till the matter is completed before the JJB. The child is to be presented before the JJB, atleast every 15 days

CHILDLINE is a national 24-hour free, phone emergency outreach service for children in need of care and protection. The project is supported by the Union Ministry of Women and Child Development and links State Governments, NGOs, Bilateral / Multilateral Agencies, Allied Systems and the Corporate Sector.

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5 The police to file a chargesheet within 90 days before the JJB for all children who are in the Observation Home, as per the orders of the JJB.

For the child who has been released on bail, the police file the chargesheet when it is ready



6 When the chargesheet is filed and the child is brought before the JJB for a hearing, the JJB explains to the child the charges levelled against him



7 If the JCL pleads guilty, the JJB passes a final order under section 15 of the JJ Act, with an admonition or decision to keep the child in a Special Home till 18 years or release the child under probation /supervision and follow up

8 If the JCL does not plead guilty, the trial of the case continues before the JJB

9 Once the trial is over, the final orders are passed under Section 15 of the JJ Act



Note: THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000 as amended by Juvenile Justice (Care and Protection of Children) Amendment Act, 2006

An Act to consolidate and amend the law relating to juveniles in conflict with law and children in need of care and protection, by providing for proper care, protection and treatment by catering to their development needs, and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under this Act.

Juvenile Justice Board is a Board constituted under section 4 of the Act. It stipulates that the State Government may, by notification in the Official Gazette, constitute for every district specified in the notification, one or more Juvenile Justice Boards for exercising the powers and discharging the duties conferred or imposed on such Boards in relation to juveniles in conflict with law under this act.

A Board shall consist of a Metropolitan Magistrate or a Judicial Magistrate of the first class, as the case may be, and two social workers of whom at least one shall be a woman, forming a Bench and every such Bench shall have the powers conferred by the Code of Criminal Procedure, 1973 (2 of 1974), on a Metropolitan Magistrate or, as the case may be, a Judicial Magistrate of the first class and the Magistrate on the Board shall be designated as the principal Magistrate.