CONSTITUTIONAL AND INTERNATIONAL PERSPECTIVE OF JUVENILE JUSTICE SYSTEM IN INDIA

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INTRODUCTION

India has roughly around over 45 million children that is more than 30% of its population, the largest for any country in the world, placing a gigantic responsibility on the Government of the State and the nation to guide these juveniles as responsible law abiding citizens. They are the representatives of the future of the nation. However, the dawn of industrialization, urbanization and modernization resulting in cultural and diversified variations, has eroded the pre-existed caring and shielding edifice making the juveniles more and more vulnerable to social instabilities in the current societal atmosphere.\(^1\) There have been various regulations regarding juvenile care which have been made first of them being the Juvenile Justice Act, 1986 which was later amended in the year 2000 to ensure that it is in accordance to all the international convention and rules India is a signatory too. Finally in the year of 2015 after the series of horrible events such as the Nirbhaya Rape case and others came the much awaited Juvenile Justice Act, 2015 with various changes.

CONSTITUTIONAL PERSPECTIVE ON JUVENILE JUSTICE ACT, 2015.

There are various facets to the constitutionality of the latest Juvenile Justice Act, 2015 (JJ Act, 2015). There is an approach towards the constitutionality of the Act from both sides one being the reformists and the other being intolerant to the happenings in the country. The reformists have

\(^1\) Indian Journal of Criminology, Vol. 26 (1 and 2), January and July, 1998.
various issues regarding the Act, first of them being “Violates the very essence of JJ Act”.\(^2\) Secondly it also violates various Fundamental rights by making an irrational classification, contravening the basic presumption of innocence until proven guilty.\(^3\) Thirdly, it does not take into consideration the fact that India is a signatory to International Conventions and is not in conformity to the same. Fourth, does not take into account other relevant factors like social background and psychological issues.\(^4\) It has been well established by many neuroscientist and medical experts that in adolescent period, child faces tremendous physiological, hormonal, emotional and structural change in the human brain, which subjects the child to great vulnerability.\(^5\) Fifth, this act has also open the flood-gate of cases by angry parents who wants to resist their children from getting into love relationship.\(^6\) Sixth, it is in contravention to the basic doctrine or principle of fresh start which allows a juvenile to start from the beginning. The primary issue raised by the reformist is that the JJ Act, 2015 is in complete contravention of the Fundamental Rights of the Juvenile as the legislators have made a classification between two different classes of a juvenile itself. Where juvenile is itself a class a further classification into a class cannot be done and hence there is a violation of the Fundamental Rights under Art.14 of The Constitution of India.\(^7\) The S.15 of the JJ Act is not satisfying the three tests laid down by the Supreme Court\(^8\) while interpreting Art.14, as it is neither creating a rational classification nor the said classification is to achieve the object of the Act. The object or the purpose of the JJ Act is to “provide care, protection and child friendly approach”\(^9\) but the said object vanishes and fades off unexpectedly when the age of juveniles is 16-18 years. Thus the object of JJ Act is not being fulfilled as Juveniles are being treated as an adult criminal where they will be thrown behind bars and which will in turn lead to them being influenced by hardened criminals so the object or purpose of the Act to protect the juvenile from committing the crime is not fulfilled rather the government is trying to convert them into a hardened criminals and not to reform the juveniles so that the juveniles would be accepted into the society. It is irrational

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\(^2\) Amendment to JJA criticised, The Hindu, April 25.2015.
\(^3\) International Journals of legal development and allied issues written by Sayashi Saha.
\(^4\) Ibid
\(^5\) Ibid
\(^6\) Ibid
\(^7\) Art.14 of the Constitution of India.
\(^8\) Ibid.
\(^9\) JJA 2015.
and arbitrary as the Act on one hand replaces the word juvenile with child in conflict with law which is supposedly more humane. This very child in conflict with law is meant to be tried for offences in an adult manner which is vicious and brutal in nature as conceived by the Government. The Act is also in indirect violation of Fundamental Right under **Art. 20(1) and Art. 21**.

**Art. 20(1)** states that a person cannot be given higher punishment than what it would have been at the date of the commission of the crime. The said Act lays down that if a juvenile commits a crime and is apprehended at a later date when he is attained an age of majority he will be given a different punishment. The said provisions of the act do not directly violate the Fundamental Right because it is only prospective in nature but erodes the basic essence of Art.20 of the Constitution of India.

**Art.21** of the Constitution is also getting violated because it states that no person shall be deprived of personal life and liberty. In the landmark case of *Maneka Gandhi v. U.O.I.*\(^{10}\) the court laid down that any law should be just, fair and reasonable. The differential treatment of juveniles based on the different dates of apprehension is not just and fair in the eyes of law. The same had been reiterated in the case of *Pratap Singh v. State of Jharkhand*\(^{11}\) where the constitutional bench categorically stated that while determining the age and the punishment of the crime the date of the offence has to be taken into consideration. The said Act is detrimental to the fundamentals of Juvenile Justice completely as it does not ensure the complete option of fresh start. The principle of fresh start, which embraces that the criminal records of the Juvenile offender be erased, is based on the objective of restoring juvenile delinquents into society. It flows from the right to privacy and right to be forgotten of the Juveniles, embodies under the CRC, which guarantees to all juvenile offenders without discrimination, this right during all stages\(^{12}\) it is meant to avoid the labelling and stigmatization of the Juvenile offender, prejudicing his access to future education, employment, or housing.\(^{13}\) In the case of *United States v. Dancy*\(^{14}\) remark that “the stigma of a criminal conviction may itself be a greater handicap in later life that an entire misspent youth” expunging records of a juvenile is also in sync with rehabilitative ideals of the Juvenile Justice

\(^{10}\) In the case of Maneka Gandhi v. U.O.I., 1978 1 (SCC) 248.


\(^{12}\) Art.16, 40(2) (b) (iii) of United Nation Convention Right of Child, 1989.

\(^{13}\) United States of America v. Vicken Hovesepian 307F 3d 922 (9th Cir 2002).

\(^{14}\) United States v. Dancy, 640F 3d 455 (1st Cir 2011).
System, which aims to ensure reintegration of Juvenile Offender into society.\textsuperscript{15} The JJ Act, 2015 espouses the principal of fresh start by requiring that the records of Juvenile offenders be erased. However this provision is accompanies a caveat which allows deviation from the rule in “special circumstances”.\textsuperscript{16} The nature of these special circumstances have however been not specified leaving an aspect so sensitive completely open ended. It is feared that the open ended nature of the provision could lead to “racial profiling of the offender, on the basis of his family background caste community and religion”\textsuperscript{17} This clause does not give the same discriminatory safeguard to the Juvenile offenders between the age of 16-18.\textsuperscript{18} The biggest issue is the misuse of the law by adolescents who are found to have consensual sex but later the male would be charged for rape and will be convicted as an adult and sent to prison. One of the oldest and the most established principles in law that “lex iniusta non est lex” that says unjust law is not a law.

PERSPECTIVE ON APPLICABILITY OF INTERNATIONAL CONVENTIONS IN INDIA

The JJ Act, 2015 is in complete violation to the International Conventions such as United Nations Convention on Rights of Child, Beijing Rules etc. to which India is a signatory and has also ratified the same. The specific rules laid down under these various guidelines and conventions which have not been reiterated in India are mentioned below along with non-implementation of the same.

Reformists have claimed that India has not only signed to the UN Convention on the Rights of the Child, 1989 but has also ratified it. Thus, in pursuance of the treaty obligations, the legislation in the year 2000 had set the minimum age criteria at 18. The JJ Act, 2015 is a clear discrimination between the children of the age group of 16-18 in the matter of trial and punishment as in complete violation of Art. 2 of the UNCRC.\textsuperscript{19} The Art. 40 (2) (b) (i) of the UNCRC is violated by S. 16 (1) of the Act as it lays down the presumption of innocence as the key tenet of the Act. Under Art.40 (1) of the UNCRC\textsuperscript{20} it states that the child when tried in the court while being alleged of an offence should be treated in a manner of promotion of the child's sense of dignity and worth, which does

\begin{footnotesize}
16 S.3 (xiv) of The JJA, 2015.
17 https://www.thehindu.com/todays-paper/tp-opinion/crime-and-commensuratepunishment/article7449219.ece
18 S.15 read along with S.3 of the Juvenile Justice, 2015.
\end{footnotesize}
not enhance any stigma to his function in the social order whereas the new JJ Act, 2015 gives the power to the sessions court to deal with these matters which is in direct contradiction to the convention as ground reality of Indian courts is known. While transferring the case from the Juvenile Justice Board to another court under the Art. 25(3) of JJ Act, 2015 it violates Art.40 (2) (vii) of UNCRC²¹ that there should be no discloser of information of the juvenile and should maintain privacy at all stage of the proceedings. Transfer of children to prison under cl. 20(3) and 21(2) (ii) violate the mandatory requirement of separation children from adults under Art.37(c) under the UNCRC.²² The new provisions laid down by Indian JJ Act has absence of basic community based Programme and semi institutional arrangement²³ which enumerates some important aspects of the Beijing rule which would lead to the advancement of the Indian society, legislation needs to incorporate them as it lacks right now.

JJ Act in the matter related to fine there is the involvement of parents and procedure dealing with release of the child after due admonition however there is no involvement of parents in the matter of sponsorship which is far more important. In spite it was clearly stated by the facts of internationally acknowledged principles of Beijing rules that no child should be deprived of right to fair and just trail²⁴ however, the JJ Act, only permits the learned counsel in the case of neglect and delinquency still continues to prohibit the presence of the children in the case of delinquency. While adopting various measures the JJ Act still missed the basic fundamental provisions stated in Beijing rules related to the rules of intervention and diversion.²⁵ Under Rule 11.1 the basic fundamental motto behind the diversion is to redirect the community support system through some formal or informal ways. Diversion is an important aspect because if the child is dealt with criminal justice system it will keep no place to remove stigma to the child criminality. Rule 11.2 empowers the police and other authorizes to formally or informally divert child in a positive way for the appropriate response of the society, it also alarms the system to deal cases with the minimal criminal justice system. Thus rendering of diversion is an important instrument²⁶. These Beijing rules having a reformative and progressive approach have not been taken into consideration and

reiterated even after India being a signatory to the same. Under Rule 13.1 detention while trial is pending shall be used only as a measure of last resort and for the shortest possible period of time.\(^{27}\)

The same has not been adopted by Indian legislators.

Under Rule 67 of the UN Rules for Juveniles Deprived of their Liberty it states that all inhumane methods and conditions should be strictly prohibited.\(^{28}\) Under Rule 70 of the UN Rules for Juveniles deprived of their Liberty it states that due procedure of law should be followed in all circumstances whatsoever and proper notice should be given with proper information.\(^{29}\) India adopted the UN rules of juvenile deprived of their liberty (1990) to safeguard the liberty of the children suffering under the juvenile and from the ambit of the criminal system. The rules stated under this Act are applicable to the juvenile of all the age group below 18. The above stated Rules 67 and 70 which are theoretically in the books of JJ Act of India but their existence in the practical functioning of the act is not-binding. Any child deprived of his liberty should not be accepted in any form for the progressive country. The rules should be followed for the mental as well physically wellbeing of the juveniles of the country. The Rules also mandate the state to incorporate the rules into their legislation or amend it accordingly and provide effective remedies for their breach, including compensation when injuries imposed on juveniles.

On the other hand it has to be understood that India might be a signatory to UN conventions but India is a common law country, thus the municipal law of the country prevails over the international law. International law holds primacy only when for the subject matter of the convention there is no law governing the field of the domestic law.\(^{30}\) It’s true that once a treaty is ratified, a nation becomes duty bound to enact statutes in consonance with the treaty obligations. It is important to note that, “legal obligations of a treaty are not in the nature of legal compulsions, for the international law recognises not only the principle of comity of nations (that is, nations

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\(^{30}\) In the case of Vishaka & Ors v. State of Rajasthan & Ors, JT 1997 (7) SC 384.
associate with each other for the want of mutual benefits) but also principle of sovereign legal status with respect each State”.

It is also important to note that the Beijing Rules do not forbid detention of a juvenile delinquent if he is convicted to commit a heinous or horrendous crime. Rule 17.2 of the Beijing Rules only prohibit the imposition of capital punishment on juveniles. Secondly, Rule 11(a) of the Havana Rules, 1990 has defined a juvenile as any person under the age of 18 years but the same Havana Rules allow national laws of a Member States to determine the minimum age limit below which delinquent individuals will not be detained. Thus, the Havana Rules give much leeway with respect to the prerogative of the Member States to set the minimum age threshold for the trying of the delinquent juveniles.

The last stance being that under Art.51 of the Constitution of India which states Promotion of International Peace an d Security which the State shall endeavour to- foster respect for international law and treaty obligations in the dealings of organised peoples with one another; and Art.51 of the Constitution of India, 1950 falls in Part IV of the Constitution which are Directive Principles of the State Policy. The Directive Principles of the State Policy cannot be legally enforced through the due process of law, as their nature is directive and not compulsive. Thus, to say that India by enacting the 2015 Act is doing violence vis-à-vis its treaty obligations with respect to the 1989 Treaty is completely incorrect.

LAWS PREVAILING IN OTHER COUNTRIES

<table>
<thead>
<tr>
<th>COUNTRY/STATE</th>
<th>MINIMUM AGE (JUVENILE CAN BE TRIED FOR)</th>
<th>AGE (JUVENILE CAN BE TRIED AS AN ADULT)</th>
<th>OFFENCE (CLASSIFIED TO BE HEINOUS CRIME)</th>
<th>PENALTY (JUVENILE TREATED AS ADULT)</th>
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31 Children in Conflict with Law: Indian and International Perspective by Shivam Goel.
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<tr>
<td><strong>United Kingdom</strong>&lt;sup&gt;32&lt;/sup&gt;</td>
<td>10 yrs.</td>
<td>17 yrs. in England, Wales and North Ireland and 16 yrs. in Scotland (can be lower in exceptional cases).</td>
<td>Murder; rape; causing explosion likely to endanger Life or Property.</td>
<td>Same as an adult no life Imprisonment or death penalty.</td>
</tr>
<tr>
<td><strong>South Africa</strong>&lt;sup&gt;33&lt;/sup&gt;</td>
<td>10 yrs.</td>
<td>16 yrs.</td>
<td>Murder, Rape Robbery</td>
<td>Same as an adult no life Imprisonment or death penalty.</td>
</tr>
<tr>
<td><strong>USA</strong>&lt;sup&gt;34&lt;/sup&gt;</td>
<td>From 6-10 yrs.</td>
<td>13 yrs.</td>
<td>Assault, murder, robbery and sexual abuse, firearms offences, drug offences.</td>
<td>Same as an adult no life Imprisonment or death penalty.</td>
</tr>
<tr>
<td><strong>France</strong></td>
<td>On case to case basis.</td>
<td>16 yrs.</td>
<td>Murder, armed robbery, serious offences and rape.</td>
<td>Same as an adult imprisonment on case to case to basis.</td>
</tr>
<tr>
<td><strong>Canada</strong>&lt;sup&gt;35&lt;/sup&gt;</td>
<td>12 yrs.</td>
<td>14 yrs.</td>
<td>Murder, aggravated sexual assault seriously bodily harm to another person.</td>
<td>Murder 7-10 yrs. maximum penalty for other offences is 3 yrs. no life</td>
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ADOPTION UNDER JUVENILE JUSTICE ACT, 2015

In India, it is well acknowledged that ‘adoption’ is one of the paramount and suitable forms of establishment of a parent-child relationship through a legal and a social process other than birth process. Adoption in particular depending upon their role and perspective has various facets and touches people in different ways. It is essential to be aware of the fact that the guiding rules and regulations for the process of adoption in country as well as inter-country are framed bearing in mind the challenges faced by Central Adoption Resource Authority (CARA), The Hindu and Adoption Maintenance Act, 1956 (HAMA), The Juvenile Justice (Care and Protection of Children) Act, 2015, Child Welfare Committee (CWC), Guardians and Ward Act (GAWA), Hague Adoption Convention, Children welfare of Paramount importance, United Nations Convention on the Rights of the Child (UNCRC), etc. In India there are legal adoptions as well as illegal adoptions, whereas only legal adoptions are valid and recognized.

<table>
<thead>
<tr>
<th>Country</th>
<th>Age of Adopting Parent</th>
<th>Age of Adopting Child</th>
<th>Ground for Adoption</th>
<th>Duration of Imprisonment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>14 yrs.</td>
<td>14 yrs.</td>
<td>Sexual abuse abuse leading to death.</td>
<td>10 yrs. Imprisonment no life imprisonment and no death penalty.</td>
</tr>
<tr>
<td>Japan</td>
<td>14 yrs.</td>
<td>20 years</td>
<td>Exception: 16 years (Death)</td>
<td>5 years imprisonment in cases of Rape. Others case to case basis,</td>
</tr>
</tbody>
</table>

38 Art.20 of the Juvenile Law (Shōnen Hō), Law No. 168 of 1948.
Chapter VIII of the Juvenile Justice Act deals with the provisions related to adoption, eligibility of adoptive parents, the procedure of adoption, punishments for not complying with the laid down procedure, etc. The CARA is given the status of a Statutory Body to enable it to carry out its functions efficiently. Relationship of the child is severed legally from his/her biological parents. Child becomes the lawful child of his/her adoptive parents. All the rights, privileges and responsibilities post adoption are similar to that in case of a biological child.

**FUNDAMENTAL PRINCIPLES GOVERNING ADOPTION**

The JJ Act, 2015 itself lays down certain guidelines through its provisions such as Adoption shall be resorted to safeguard right to family for the Orphan, Abandoned & Surrendered (OAS) children\(^{39}\), the child's best interests shall be paramount and above everything else\(^{40}\) it ensures that the placement of the child is in a similar socio-cultural environment.\(^{41}\) For safeguard of the juvenile it is mandatory for all adoptions to be registered on Child Adoption Resource Information & Guidance System (CARINGS)\(^{42}\) and also maintaining the confidentiality of the same.\(^{43}\)

**SIGNIFICANT AMENDMENTS IN THE JUVENILE JUSTICE ACT, 2015**

There are various amendments made under the JJ Act, 2015 regarding Adoption in India one of them being that it has to be resorted to as per the provisions of the Act, Rules and the Adoption Regulations framed by CARA, to ensure right to family for orphan, abandoned and surrendered children.\(^{44}\) One of the striking amendment being religion will not make a difference in the case where adoption is from a relative by another relative.\(^{45}\) The new act approves all inter-country adoptions if they are done in accordance and compliance to the provisions under this Act and the Regulations framed by the Authority.\(^{46}\) In order to safeguard the juveniles a stricter punishment

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\(^{39}\) Section 56(1) of JJA, 2015.
\(^{40}\) Regulation 3(a) of Adoption Regulations, 2017.
\(^{41}\) Regulation 3(b) of Adoption Regulations, 2017.
\(^{42}\) Regulation 3(c) of Adoption Regulations, 2017.
\(^{43}\) S.74 of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{44}\) S.56 (1) of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{45}\) S.56 (2) of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{46}\) S.56 (4) of Juvenile Justice (Care and Protection of Children) Act, 2015.
has been provided which is under S. 80 of the said Act which will apply to those who do not take prior permission before sending or taking a child to a foreign country.\(^{47}\)

Other striking features and amendments made in the new JJ Act, 2015 is the concept of prospective adoptive parents which requires them to compulsorily be physically fit, financially sound, mentally alert and highly motivated to adopt a child for providing a good upbringing to the juvenile.\(^{48}\) The new Act ensures that in every scenario whether it being a married couple or a single person there is a requirement to fulfill the criteria in accordance with the provisions of the Regulations.\(^{49}\) Together with such requirements it ensures to strike a balance of security by also making sure that a single male is not eligible to adopt a girl child.\(^{50}\) The laying down of procedures and framework of adoption by Indian prospective adoptive parents living in India\(^{51}\), for inter-country adoption of an orphan or abandoned or surrendered child India\(^{52}\), Inter-country relative adoption\(^{53}\) and Court procedure for adoption\(^{54}\) has led to transparency and safeguards the safety of the Juveniles.

The new framework, procedures, rules and guidelines that are introduced keeping in mind the issues faced by several adoption agencies, CARA as well as PAPs have proved to be very effective. The framed rules and procedures have turned out to be very efficient in the regulation of the adoption process. It has successfully tackled the ambiguity faced by the parents and has helped increasing the transparency in the entire system of adoption. Various things like placement of children, tracking of the status of parent’s application for adoption, lack of clarity etc is no more an issue. There was an easy accessibility of any check-list of rehabilitation and re-integration services to be provided for the children. Lack of delay in the procedure to be followed has in turn removed the previous chaos which was under the Juvenile Justice Act, 2000. The present legislation and regulation regarding is not only child friendly but also ensures easier access for parents to adopt.

\(^{47}\) S.56 (5) of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{48}\) S.57 (1) of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{49}\) S.57 (3) of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{50}\) S.57 (4) of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{51}\) S.58 of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{52}\) S.59 of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{53}\) S.60 of Juvenile Justice (Care and Protection of Children) Act, 2015.
\(^{54}\) S.61 of Juvenile Justice (Care and Protection of Children) Act, 2015.
RECENT TRENDS OF JUVENILE JUSTICE SYSTEM

Children are exploited, ill-treated and directed in to undesirable channels by antisocial element in the community.\textsuperscript{55} In today’s time juveniles are committing more and more crimes in the prevailing cultural and social setting. Belgium social statistician Adolphe Quetelet about two centuries ago observed that adolescent’s particularly young males are prone to crime, disorder and delinquency because of their childish impulsiveness or adolescent conflict. To quote him “the propensity to crime is its maximum at the age when strength and passions have reached their height, yet when reason has not acquired sufficient control to master their combined influence”\textsuperscript{56}.

In a country like India the number of juvenile delinquent are rising day by day specially because of low income and poor background especially those children who live in the area of slums. The issue being lack of guidance and care as both the parents go for a job and due to this they cannot take proper care and protection of their children. The issue being that even the high income groups of children are taking part in such activities due to neglect of their parents as they are extremely busy in their lives and business.

Crime committed by juvenile have risen in the last decade. According to National Crime Record Bureau Data 2013 crimes committed by juveniles to total IPC crimes was reported as 1.2%. The highest percentage of crime reported by juvenile was reported under assault on women to outrage her modesty 132.3% then after insult to the modesty of women 70.5% and rape 60.3%. In the year apprehended juvenile under IPC was 66.3% in the age group of 16-18 years. Out of the total juveniles (43,506) involved in various crimes, 8,392 were illiterate and 13,984 had education up to primary level. In totality the two accounted for 51.9% of the total juveniles arrested during the year 2013. A large number of juvenile 50.2% belonged to the backward families in financial condition having an annual income was up to Rs. 25000.\textsuperscript{57} This shows the high increase of crimes by juveniles in India and requires more and more stringent laws which have a deterrent and a reformative effect on the Juveniles who are delinquent.

\textsuperscript{55} Crime In India 2013, National Crime Records Bureau, Ministry of Home Affairs, New Delhi
\textsuperscript{56} Dr.N.V.Paranjape, Criminology and Penology, Central Law Publication, Allahabad 2012 p. 570
\textsuperscript{57} Crime In India 2013, National Crime Records Bureau, Ministry of Home Affairs, New Delhi.
CONCLUSION

No individual ever is born as a criminal in the world it is the circumstances, problems and different kind of adversities which are faced by them in the adolescent age due to which they are deviated to unlawful and harmful acts. There has been a drastic shift or approach of legislator which in turn is the general public at large to change the reformatory Juvenile Justice system into a deterrent one due to the tragedies happening all over the world. It is for the government to ensure that there is proper implementation of the new act and also together with that make sure that children especially the under trials should be kept away from hardened criminals so that they are not influenced, since this new act came into effect on increased heinous crimes as reported by NCRB data but in reality the said data or information is not on the basis of conviction rather it is on the basis of First Information Reports filed throughout the country. The enactment of the Juvenile Justice (Care and Protection of Child) Act, 2000 and its amendments in 2015 is definitely a major attempt of the legislature towards recognition of Adoption towards the Orphaned, Abandoned and Surrendered children. The Juvenile Justice (Care and Protection of Children) Act, 2015 fights for the right of the child. The laws and the policies related to adoption have become very clear and simpler. The changes that are made protects the children from human trafficking, child abuse, etc. Proposed changes in the act have made the entire process very efficient and user friendly. Due to the rules and procedures, adoption agencies are working efficiently. It is a secular legislation where any person can adopt a child despite of their religion. The amendments regarding to adoption in the JJ Act 2015 have proved to be a boon to the country. It is now the responsibility of the executive as well as the citizens to ensure the proper implementation of the new amendments for the welfare and benefit of the nation especially the future that is the Juveniles.