

Suspension of juvenile justice in Manipur



Comments 0



Daya Nath Singh 23 October 2012 10104 views

Asian Centre for Human Rights (ACHR) in its latest report released in Guwahati on October 22, 2012 has claimed that juvenile justice in Manipur has been suspended by the Ministry of Women and Child Development due to corruption and misuse of the resources. The Manipur government had claimed that Juvenile Justice Boards (JJBs) have been set up in all the nine districts and the Project Approval Board (PAB) for the Integrated Child Protection Scheme (ICPS) of the WCD ministry in its 14th meeting on 22 February 2011 approved the grants for nine JJBs. However, the state government failed to establish the JJBs, the PAB in its meeting held on January 17, 2012 and the ministry had no other option but to stop funding to the JJBs for the financial year 2012-2013.

The ACHR director, Suhas Chakma alleged that the service delivery for institutional care is an astounding case of total misuse of resources. For the first year grant under the IPCS for 2009-2010, the complete grant was shown to have been utilized by the state government, even though no staff has been appointed to State Project Support Unit, State Child Protection Society (SCPS) etc. The state officials informed that the equipments had been purchased in advance. It was a clear evidence of fund diversion.

The Manipur government claimed that there were more than 3000 children in the state who were affected by armed conflict, ethnic clashes, orphan children and children living with HIV/AIDS. The situation of the children homes are far from being satisfactory. Since no inspection committee had been set up as required under the JJC &PC) Act, the situations in the homes established under the Act remain deplorable.

ACHR director said that the Juvenile Justice (Care & Protection of Children Act) prevails over any other National security legislation including the Armed Forces Special Powers Act (AFSPA), 1958. The Central security forces have no knowledge about it. As the result, the children have been regularly apprehended, detained and subjected to torture, while many were killed in fake encounters in clear violation of the Act. The report cited 14 cases of extra-judicial execution of children by the Central and State security forces.

Suhas Chakma informed that in the entire state of Manipur there is only one government run observation cum special home at Takyelpat in capital Imphal, whereas the Army and paramilitary forces are deployed all over the state. This indicates that the children who are apprehended by the Army and paramilitary forces are not produced before the Juvenile Justice Boards and Observation Homes, but detained in their camps and in the best circumstances sent to the police lockup or prisons. He alleged that the state government of Manipur constituted Special Juvenile Police Units on paper only as their functioning remained confined to mere notification.

He added that in absence of adequate Homes, the children in need of care and protection have to be kept in a building attached to the observation cum special home at Takyelpat in Imphal until further arrangement is found for them. These children in need of care and protection were shifted from the Children Home in Imphal East district.

ACHR recommended to the state government of Manipur to issue a direction to the Army and paramilitary forces, who are legally bound to operate in aid of and under the civil administration to ensure full respect and compliance with the Juvenile Justice (Care & Protection of Children Act 2000 while dealing with children, operationalise the existing Special Juvenile police units, Juvenile Justice Boards and the Inspection committees in letter and spirits and provide updated information on the website of the Social Welfare Department to ensure transparency, accountability and accessibility. It also suggested to provide adequate human and financial resources to the Child Welfare Committees, register a case under the Juvenile Justice (Care & Protection) Act 2000 with respect to ill treatment of children at children homes including in the destitute children home run by the Leprosy Patients Welfare Society (LPWS) and conduct training programme for the judges appointed under the State Judicial Services on the Juvenile Justice (Care & Protection of Children) Act 2000. It also recommended to the Ministry of Women & Child Development to conduct an inquiry into the misuse of resources for purposes other than stipulated including non-appointment of the staffs under the IPCS and develop guidelines to provide that the IPCS funds are non-divertible and non-lapsable.

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