PREFACE

Children are most important asset of nation. The growth and decline of civilization can be determined by its degree of concern for the children. Government in general and society in particular must recognize that children need protection and care. These innocent lives neither demand for services nor exercise right to franchise. The parents are also enabling to organize themselves to raise their voice on children issues. It's very unfortunate that children are subjected to child neglect, child labour and child abuse. However, being physiologically and intellectually immature, the child is vulnerable to the onslaughts harshness and its tenderness can be wounded so easily. Law and society understand its fragile and delicate temperament but perhaps reluctance to act become so much powerful that the child remained and continues to remain a neglected piece of commodity. Significant concepts like equality before law, life means to live with dignity, human rights, social justice, played a great role in diverting the attention of the international community and focused it on a concentrated point that the childhood must be cared and protected.

To convert myth into reality, the Central Government enacted the Children Act, 1960, though meant only for Union Territories. The real aim was to bring in uniformity. This was the beginning but ultimately paved the way to enact the Juvenile Justice Act, 1986 to meet the long standing demand for a uniform legislation and neglected children and all the earlier Children Acts passed by the Parliament and the States except the Jammu and Kashmir Children Act, 1970 stood repealed since the enforcement of the Juvenile Justice Act on 2nd October, 1987.
But the Juvenile Justice Act, 1986 merely incorporated the rhetoric statements of State's policy for care and protection of children. It did not incorporate the law laid down and clarified by the Courts over the year under similar provisions of the Children Act. However, by acceding to the U.N. Convention for the Rights of the Child on 2nd December, 1992, the State obligated itself to protect and ensure protection of the right of Children. This resulted in converting the Juvenile Justice Act, 1986 from a welfare legislation to an instrument for empowerment of children for the care and protection of their rights and thus the new enactment called the Juvenile Justice (Care and Protection of Children) Act, 2000 came into the Statute Book with effect from 1st April, 2001 and subsequently, were introduced some amendments by the Amending Act, 2006 with effect from 22nd August, 2006.

The present Act, 2000 is more towards empowerment of the child of its rights and time is not far off when the child shall get its rights recognized and an opportunity to enjoy them if the States sincerely implement the provisions incorporated in Act, 2000. The provisions of the present Act, 2000 are examined in detail in the research work with the sole aim that child is child and not a commodity. The research work also discuss in detail the present endeavor made by the legislature to provide teeth to the law, as applicable in India and to strengthen it further for making it a real source of enforcement than an eye wash. It must not be forgotten that a child is a person and has rights to be enjoyed by it unhindered. It is to achieve this object that the researcher has undertaken the present research work.