Implementation of Juvenile Justice Act in Orphanages an Uphill Task - T...

By Athul Lal A G
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KOZHIKODE: If the recent workshop organised by Kerala State Muslim Orphanages Old Students Association (KSMOOSA) for orphanage managements in Kozhikode is any indication, the state government’s proposed makeover of orphanages through the implementation of Juvenile Justice (Care and Protection of Children) Act (JJ Act) is going to be an uphill task due to various reasons.

For one, a majority of the orphanage managements seem to disagree with the concept of non-institutionalised care of orphans and destitute children, which forms the crux of JJ Act. Secondly, orphanage managements, except a few, are completely ignorant about the rules and regulations related to functioning of orphanages and protection of children.

The workshop was aimed at creating awareness among managements of Muslim orphanages on the need to change the functioning of the orphanages with the times in view of the recent controversies. “Involvements were sent twice to 180 orphanages from Kasaragod to Ernakulam but only 47 institutions responded. This itself shows the lack of interest among orphanages in this topic,” said an office-bearer of KSMOOSA, who preferred anonymity citing religious restraints.

“One among the basic ideas of JJ Act is to ensure care and primary education to orphans and destitute in their native place itself. In short, destitute children in Jharkhand should be given care and protection there itself. But, these orphanage managements want these children to be brought to Kerala. For, they have already invested huge sum to set up infrastructure including educational institutions and commercial complexes,” he added.

However, the silver lining is that almost all the participants have requested the association to organise such workshops twice or thrice a year.

Said Khalid of C H Mohammed Koya Orphanage, Vatanapally: “Our orphanage has been functioning over the past 29 years. But, the managements change frequently. The present committee was constituted a few years. Till attending the workshop, I was totally unaware of many rules and regulations. This is a serious issue faced by various orphanage managements.”

Responding to the issue, social critic and author M N Karassery said the Social Justice Department must take adequate measures to make the orphanage managements aware of the law of the land. “I understand that majority of the violations are occurring out of sheer ignorance of the rules and regulations. For Muslims, welfare of the orphans is something equivalent to serving the prophet. Hence, the government should immediately take steps to create awareness among them and to enforce a uniform working mechanism in all orphanages,” he said.

Secondly, Karassery said, political parties especially the Indian Union Muslim League (IUML) should enlighten the office-bearers of Muslim orphanages that ignorance of the law is no excuse.

“In order to keep its mass base intact, IUML leadership is giving false assurances to Muslim orphanage managements that they will be protected. This should stop as the Indian Penal Code is applicable to all the citizens without any exception. Instead of giving such fake promises, IUML should use the service of teachers, advocates and other professionals who are members of the party to educate the orphanage managements,” Karassery said.

Significantly, the State Human Rights Commission, in its interim report submitted to the Chief Secretary suggested that the staff in orphanages should be trained to deal with children and others who need protection.

“They shall also be made aware of the various laws regarding rights of children, senior citizens, differently-abled persons, women etc. so that they can ensure that these laws are implemented. Detailed rules shw
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