

**Educational Facilities in the Institutions Working under  
Juvenile Justice Act( 2000) in Kerala state- An Analysis**

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**Abstract:**

The Juvenile Justice (Care and Protection of Children) Act, 2000 give guidelines for the proper functioning of children's home, observation home, special home and after care home. These institutions were established by Government of Kerala to rehabilitate childre, who are in need of care and protection under the Act. Shelter, Food, Education, Medical care, Developmental opportunities and Exposure for socialization/ Mainstreaming are the services provided in the institutions. The investigators focused on educational systems, its implication and available facilities in the institutions under Juvenile Justice (Care and Protection) Act, (2000) in Kerala state. Both the inmates and authorities are satisfied with the educational facilities, vocational training facilities, clothing and recreational facilities. Some of the superintendents are not satisfied with the medical facilities provided in juvenile homes. The authorities encourage deinstitutionalized educational practices because it produces a positive impact.

**Introduction:**

Education is a process of development; a development of the inherent capacities of the child to the fullest extent. "The chief task of education is to shape man" says Maritain . Education sublimates the animal basic instincts in a child to socially useful activities, habits of thinking and behaving. It inculcates in a child higher social ideals together with spiritual values, so that he is able to form a strong character useful to his own self and society, of which he is an integral part.

Education meets the immediate needs of a child and also prepares him for his future life. It culturizes the child by promoting social and refines patterns of his behaviours. Education develops all his intellectual and emotional powers, so that he is able to meet the problems of life squarely and solve them successfully. It also develops the social qualities of service, tolerance, co-operation, fellow feelings etc... Education infuses in the child a spirit of dynamic citizenship which urges him and on, in the service of his nation. The Department of Social Welfare has been implementing various schemes and programmes for the development of children for improving their overall quality of life.

Social Welfare Department has been giving much importance to child related issues, problems of the adolescents and various categories of children in difficult circumstances such as street children, abandoned, neglected, orphaned and destitute children. The New Juvenile Justice (Care and Protection of Children) Act, 2000 is progressive child related legislation and its preamble invokes the UN convention on the Rights of the child.

Here, an Act to consolidate and amend the law relating to Juveniles in conflict with law and children is need of care and protection by providing for proper care, protection and treatment by catering to their developmental 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 enactment.

The Constitution has, in several provisions, including clause (3) of article 15, article 21, article 21A, clauses (1) and (2) of article 22, articles 23 and 24, clauses (e) and (f) of article 39, article 39A, articles 45, 47 and 51A(k), impose on the State a primary responsibility of ensuring that all the needs of children are met and that their basic rights are fully protected;

The Central and State departments of Social Welfare are concentrating their attention to correct the inmates under Juvenile Justice (Care and Protection of Children) Act, 2000. In correcting and rehabilitating them, the service of probationary officers are arranged in each- institutions. The insight of these officers and other personnel dealing with these children about the psychological needs of these children is crucial. Unless these officials are skilled, the effect will be disastrous. The responsibility of parents and teachers is socialising these children is also important.

The inmates of Juvenile home are mostly wandering children, waifs and strays. Some of them are brought to book for petty nuisance cases and thefts. In spite of their law violations, they are normal individuals with some sort of maladjustments. The cut and thrust of home life, poverty, quarrel, rejection, death of parents, school hardships etc.thwart the satisfaction of their fundamental needs.

The Juvenile Justice Act 1986 is the primary legal framework for Juvenile-Justice in India. The law replaced the Children Act, 1960. This act was amended in 2000 and is now known as the Juvenile Justice (Care and Protection) Act 2000. The main features of the new Act are that the act covers all children below 18 years, the definition of a child in need of care and protection has expanded to include children who are victims of any armed conflict, civil commotion or natural disaster. The new Act provides many institution like children's Home, Observation Home, Special Homes and After Care Home. This Act provides many facilities like education, vocational training development opportunities, care and protection rehabilitation etc.

The Juvenile Justice Act 2000 and Rules give guidelines for the proper functioning of educational system, vocational facilities, medical care, remedial activities, etc. under these institutions.

#### **OBJECTIVE OF THE STUDY**

1. To analyse the facilities associated to the following aspects in the institutions working under Juvenile Justice (Care and Protection of Children) Act, 2000 in Kerala.

- a) Educational Practices
- b) Vocational Training Facility
- c) Medical Care
- d) Clothing and
- e) Recreational Facility

#### **METHODOLOGY**

##### **(i) Sample Selected for the Study**

The present study was conducted in the following institutions of Kerala state:

- i. Children's Homes: Trivandrum, Kollam, Ernakulam (Girls), Thrissur, Kozhikode (Boys and Girls).
- ii. Observation Homes: Trivandrum, Kollam, Ernakulam, Thrissur, Kozhikode (Boys and Girls).
- iii. Special Homes: Trivandrum, Kozhikode (Girls).
- iv. After Care Homes: Kozhikode (Girls), Thalassery (Boys)

130 students from Children's home, 5 students from observation homes, 5 students from Special homes and 60 students from after care homes constitute the sample. ( students from special homes are very less in number in the population itself)

In selecting sample appropriate representation was given to each institution so as to enable cross checking of the data collected from Juvenile Inmates and Superintendents of the Institutions.

**(ii) Tools Used for the Study**

To fulfil the above said objectives, data was collected using the following tools:

- i) Interview Schedule on Functioning of Fundamental Principles Under Juvenile Justice (Care and Protection of Children) Act, 2000 in Kerala prepared by the investigators
- ii) Questionnaire on Functioning of Fundamental Principles Under Juvenile Justice (Care and Protection of Children) Act, 2000 in Kerala prepared by the investigators

**(iii) Statistical Technique:**

Percentage analysis was used as the statistical techniques.

**RESULTS AND DISCUSSION**

The responses regarding various dimensions of the objectives were analyzed. The results are presented under various subheads as per the dimensions.

**I. Availability of Facilities**

One of the objectives of the study was to investigate the availability of facilities in the institutions under Juvenile Justice (Care and Protection of Children) Act, 2000. For this purpose the sampled institutes are categorized into Children's Home, Observation Home, Special Home and After Care Home.

**a) Educational Practices**

Rule 47(1) of Juvenile Justice (Care and Protection of Children) Act, 2007 says that every institution shall provide education to all children according to age and ability, both inside the institution and outside, as per requirement. Table 1 shows the details of percentage of positive responses related to the aspects listed, in the concerned institutions.

Table 1

Percentage of Positive Responses of Inmates Regarding Educational Practices

Aspect	Availability in			
	Children's Home	Observation Home	Special Home	After Care Home
Prior Educational Status	93.82	100	80	76
Comprehension ability	95.5	Not applicable	60	88
Relevance of curriculum	98.70	Not applicable	60	95.23

The analysis reveals that, 93.82 percent, 100 percent, 80 percent and 76 percent of the children were educated before coming to Children's Home, Observation Home, Special Home and After Care Home respectively. For the question whether they are able to follow the lessons being taught in the institutions, 95.5 percent of inmates from Children's Home opined that they are able to follow it very well. It is to be noted that only 60 percent of the Special Home inmates are able to comprehend the materials being taught, but a higher figure (88 percent) was noted for After Care Home inmates.

The analysis revealed that according to 95.23 percent of After Care Home Inmates the present curriculum is relevant with regard to their aims and interests. 88.76 percentage of Children's Home Inmates and 60 percent of the Special Home inmates also expressed that the present curriculum is relevant with regard to their aims and interests.

In all the institutions except Observation Home common curriculum is being followed and the inmates were aware of it too. In Observation Home no schooling is provided as it is mainly for detaining juveniles in conflict with law for short periods of time.

The data obtained from administering the schedule to the superintendents were also analysed. According to superintendents, most of the institutions have their own Lower Primary or Upper Primary schools, even though they provide de-institutionalized educational facilities. Majority of the superintendents support common curriculum and they disagree with special packages to the inmates.

**b) Vocational Training Facility**

Rule 48(a) of Juvenile Justice (Care and Protection of Children) Rules, 2007 says that every institution shall provide gainful vocational training to children.

Table 2 shows the details of responses in percentages of the inmates regarding vocational training facility.

**Table 2**  
**Percentage of Positive Responses of Inmates Regarding Vocational Training Facilities**

Aspect	Type of institutions	Percentage of Positive responses			
		Children's Home	Observation Home	Special Home	After Care Home
Availability of vocational facilities		83.14	N.A	100.00	80.95
Relevance of vocational training facility		88.76	N.A	60.00	88.00

The analysis revealed that all the inmates of the Special Homes are getting vocational training, but only 60 percent of them agreed that the training given to them is relevant. In the case of other two institutions, viz., Children Home and After Care Home, 83.14 percent and 80.95 percent inmates expressed that they are being given vocational training in their respective institutions. Majority of inmates, i.e., 88.76 percent and 88.00 percent, from Children Home and After Care Home respectively, also agreed that the training is relevant in the present social context.

For cross checking the data collected from inmates with that of superintendents, the responses of the superintendents were also analysed. They stated that vocational training is given to all the inmates who are not going to schools and also that, still traditional method of vocational training is given in all institutions. It is to be noted that all the superintendents argued in favour of IT related Vocational Training Programme. As per the rules, it is not applicable in Observation Home.

**c) Medical Care**

The Rule 13(I) of Kerala Juvenile Justice (Care and Protection of Children) Rules, 2003 provides that every juvenile shall be provided with adequate medical care- both preventive and remedial. 13(II) says that each institution shall provide for the necessary medical staff including a nurse and a part time medical officer.

Table 3 gives the details regarding the medical care provided in the selected institutions.

**Table 3**  
**Percentage of Positive Responses of Inmates Regarding the Medical Care Provided in the Institutions**

Availability of	Percentage of positive Responses			
	Children's Home	Observation Home	Special Home	After Care Home
Health Care	85.39	100	60	100
Medical Officer	64.60	80	80	85.70
Counselling service	88.20	40	100	83.00

All the inmates of Observation Home and After Care Home wholeheartedly expressed that the authorities are considering their health needs. Only 85.39 percent of Special Home Inmates agreed that the authority considered their health needs.

85.70 percent of After Care Home inmates reported that there is a medical officer in their institution. 80 percent of Observation Home and Special Home inmates and 64.6 percent of Children Home inmates reported that the services of a medical officer are available in their institutions.

About the counselling services in the institutions, all the Special Home inmates reported that they are being provided with counselling. 88.2 percent of Children Home inmates and 83 percent of After Care Home inmates were also of the same opinion. It is to be noted that only 40 percent of the Observation Home inmates agreed to this view.

The data obtained from the schedule to the superintendents were also analysed to check the point. Majority claimed that the services of part-time doctors, psychologists and counsellors are being made available in their institutions.

**d) Clothing facilities**

As per the Kerala Juvenile Justice (Care and Protection of Children) Rules 2003, Rule 10 says that each juvenile shall be provided with clothing and bedding including under-garments, towels, jersey for winter, school uniforms for juveniles attending outside schools, bed sheets, pillow, chappal or shoes, utensils that are required, tooth powder, soap, oil, comb etc., as per the scale laid down by the government from time to time.

Table 4 presents the details of responses of the inmates of different institutions regarding clothing facilities.

**Table 4**  
**Percentage of Positive Responses of Inmates Regarding Clothing Facilities**

Type of Institution		Percentage of Responses			
		Children's Home	Observation Home	Special Home	After Care Home
Adequately Provided	Clothing	91.57	100	80	97.6

The analysis of the data revealed that most of the inmates in all juvenile homes are satisfied with the provision of adequate clothing facility. 100 percent Observation Home inmates, 97.6 percent After Care Home inmates, 91.57 percent Children's Home inmates and 80 percent Special Home reported satisfaction towards the clothing facilities that they are receiving. Superintendents also claimed that adequate clothing is provided to all the inmates in all the four types of institution.

**e) Recreational Facilities**

As per Juvenile Justice (Care and Protection of Children) Rules 2007, Rule 49(I) proclaimed that, a procession of guided recreation shall be made available to all juveniles or children. Table 5 shows the results obtained regarding this aspect.

**Table 5**  
**Percentage of Positive Responses of Inmates Regarding the Recreational Facilities**

Type of Institutions		Percentage of Responses			
		Children's Home	Observation Home	Special Home	After Care Home
Leisure and Rest		88.20	80	60	83.3
Tour Programme		85.39	N.A	60	83.3
Celebration of festivals		97.75	40	100	100
Arts and Musical Programmes		82.58	60	100	88



Table 5 revealed that 88.20 percent, 80 percent, 60 percent and 83.3 percent of children were getting enough time for leisure and rest in Children's Home, Observation Home and After Care Home respectively.

85.39 percent Children's Home inmates, 88.3 percent After Care Home inmates and 60 percent Special Home Inmates are satisfied with the tour programmes arranged for them in their respective institutions. As per the rules it is not applicable in Observation Home, as they are not permitted to leave the premises of their homes.

For the questions about celebration of festivals in the institutions 97.75 percent Children's Home inmates, 40 percent Observation Home inmates, 100 percent Special Home and After Care Home inmates positively responded. The Observation Home inmates do not get enough chance to celebrate the festivals. Only 40 percent of the inmates reported that festivals are being celebrated in the Observation Homes.

From the analysis, it is revealed that 100 percent of the Special Home inmates get enough opportunity to participate in arts and musical programmes. 88 percent After Care Home inmates 82.58 percent Children's Home inmates and 60 percent of the Special Home inmate opined that they are getting enough opportunities to participate in arts and musical programmes.

### **Summary of the Findings**

- The curriculum that they are practicing is the common curriculum like other students.
- From the study it is found that the inmates, who are not going to regular schools, get some vocational training from their respective institutions. As per rule it is not provided in observation homes.
- It is found that majority of the inmates of all the four institutions are satisfied with the medical care they are receiving.
- As per rule, there should be a part time medical officer and a psychologist in juvenile homes. It was found the superintendents are not satisfied with the availability of this facility.

- Majority of the students showed satisfaction in getting adequate primary needs like food, clothing, etc.
- Except in observation homes, the inmates get enough opportunities to participate in recreational activities like arts, music, tour, celebration of special days etc., .As per rule it is not allowed in observation homes.
- One of the important findings of the study is that, the authorities of the homes never treat the inmates as criminals.
- From the study it is found that there is a good interpersonal relationship between the juveniles and the authorities. The inmates are satisfied with the attitude and behaviour of the authorities towards them.

### Conclusions

The major findings of the study lead to the following conclusion:

Both the inmates and authorities are satisfied with the educational facilities, vocational training facilities, clothing and recreational facilities in the institutions under Juvenile justice Act. Some of the superintendents are not satisfied with the medical facilities provided in juvenile homes. The authorities encourage deinstitutionalized educational practices because , according to their opinion, it will produce a positive impact.

### Educational Implications

Deinstitutionalized educational practices should be encouraged, because through this the inmates get opportunities for character formation, moral development, interacting with society etc. The vocational training facilities received by the inmates do not meet the current needs of themselves and the society. So it should be improved. More technological aspects should be incorporated. No separate curriculum or teaching method is needed, because it may lead to disparity. A full time Psychologist and a counselor should be made available in every institution under the Act. The authorities had the opinion that, the faculties in the outside schools treat the juveniles as second citizens. It is not fair, because nobody is born as a criminal, the situations make him so. So the attitude of the faculties should be changed.

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