



WHERE IS THE GAP?

**Audit of pendency safeguards under the
Juvenile Justice Act, 2015 in Delhi**



The Problem of Pendency in the JJ System

Ten years after the enactment of the Juvenile Justice (Care and Protection of Children) Act, 2015 (“JJ Act”), the promise of a child-centred justice system in Delhi stands in stark contrast to the reality. The JJ Act was designed to shield children in conflict with the law (CCLs) from the punitive lens of the regular criminal justice system, focusing instead on rehabilitation, reform, and a swift resolution of cases. At its heart lies a commitment to speedy justice, recognising that every day spent in legal uncertainty can deepen a child’s vulnerability and derail their future.

Yet, systemic failures have remained unaddressed for years, most significantly the alarming and growing pendency of cases before statutory authorities. To examine the scale of the problem, we filed a series of Right to Information (RTI) applications. The responses paint a troubling picture. A decade into the law’s implementation, the data exposes a severe and persistent breakdown in the functioning of the juvenile justice system in Delhi; one that has trapped thousands of children in prolonged legal limbo, undermining both the intent of the legislation and the rights of the children it seeks to protect.

What it means for the children & their families?

“

I’ve been carrying this case for more than eight years now, stuck in between, neither free nor finished with it.

After everything happened, I tried to rebuild my life. But the case follows me everywhere. In my neighbourhood, people started seeing me differently. Friends pulled away. Even everyday interactions feel heavy, like I’m being judged before I’m heard.

At work, every court date brings anxiety. I either make up excuses to take leave, or tell the truth and risk losing respect. I live with the constant fear of being summoned, of being pulled back into the same stress again and again. I can’t live with a free mind.

This case hasn’t just delayed justice, it has delayed my life. Even my family wants to shift back to our village and start fresh, but we can’t. We’re stuck because the case is still going on. For eight years, I’ve been living under a shadow, waiting for the system to finally decide.”

(adapted from an oral conversation with a child-in-conflict with the law whose case has been ongoing for more than 8 years in one of the JJBs in Delhi)



Data Through RTI

*iProbono India filed Right to Information (RTI) applications with all relevant stakeholders mandated to address pendency under the Juvenile Justice (JJ) system. These included the seven Juvenile Justice Boards in Delhi, the District Magistrates of all 11 districts, the Chief Judicial Magistrate/Chief Metropolitan Magistrate (CJM/CMM) of the respective districts, and the Delhi State Legal Services Authority. The data referenced is as of September 2024.

Timelines under Section 14 under JJ Act

MANDATE

Under Section 14 of the Juvenile Justice Act, the Juvenile Justice Board is required to complete the inquiry within four months from the date of first production of the child, with a maximum extension of two additional months permitted only after recording reasons in writing.

In Delhi, across 7 JJBs there are –

2126 cases remain pending for more than 6 months

1237 cases

for 1+ years

312 cases

for 5+ years

2 cases

for 10 years

MANDATE

Further, in petty offences, if the inquiry remains inconclusive even after the extended period of six months, the proceedings stand terminated by law; however, in serious and heinous offences, if more time is required beyond six months, any further extension can be granted only by the Chief Judicial Magistrate or the Chief Metropolitan Magistrate, and only for reasons recorded in writing.

190+ cases under petty offences remain pending beyond 6 months

Three-Tier Oversight Mechanism under JJ Act

MANDATE

To ensure that JJ Act timelines are not treated as merely aspirational, Section 16 establishes a structured three-tier oversight mechanism to monitor and reduce pendency before Juvenile Justice Boards (JJBs). This report examines the safeguards created under Section 16, including:

- quarterly review of pendency by the Chief Judicial Magistrate (CJM) / Chief Metropolitan Magistrate (CMM), with powers to direct corrective measures such as increasing the frequency of JJB sittings or recommending additional Boards where needed;
- six-monthly review by a High-Level Committee, which must examine the number of pending cases, duration and nature of pendency, and reasons for delay to enable systemic accountability and course correction; and
- mandatory quarterly reporting by JJBs to the CJM/CMM and the District Magistrate (DM) to strengthen monitoring and ensure timely action.

RTI Responses from Delhi State Legal Services Authority

The required High-Level Committees under S. 16(2) JJ Act, 2015 to review pendency is constituted in New Delhi.

The Committee is chaired by:

- The Executive Chairperson, Delhi State Legal Services Authority (DSLISA),
- Two senior officials from the Department of Home (GNCTD);
- Department of Women & Child Development (DWCD, GNCTD); and
- One NGO representative (HAQ Centre for Child Rights).

NO MEETINGS OF THE HIGH-LEVEL COMMITTEE HELD IN THE LAST THREE YEARS.



Pendency: Review & Recommendation by the CJM/CMM

MANDATE

Section 16(1) of the Juvenile Justice Act (JJ Act) says that every 3 months, the Chief Judicial Magistrate (CJM) / Chief Metropolitan Magistrate (CMM) must review the pendency of cases before the Juvenile Justice Board (JJB) and may issue recommendations/directions to reduce delays.

Rrecommendations to Reduce Pendency Made by CJM/CMM in Delhi

Central Delhi	Quarterly recommendations are sent to the JJB
New Delhi	No data was submitted by JJB therefore no recommendations
North Delhi	No directions given
North-West Delhi	
South West Delhi	
North-East Delhi	No information available
Shahdara	
South Delhi	
South East Delhi	
West Delhi	No response
East Delhi	

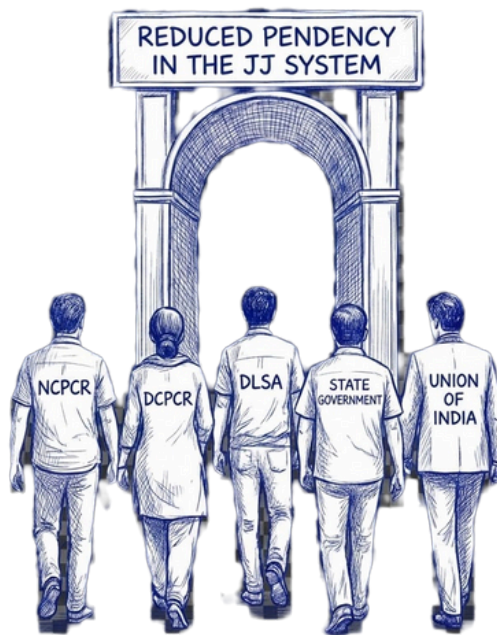
iProbono India Legal Services versus Union of India and Ors *

iProbono India Legal Services has filed a public interest litigation (PIL) before the Delhi High Court highlighting huge pendency of cases before Juvenile Justice Boards (JJBs) and alleging serious gaps in the implementation of the Juvenile Justice Act, 2015, particularly the failure to follow the strict timelines for completing inquiries for children in conflict with law.

The PIL seeks multiple directions few of which are:

- effective enforcement of Section 16(1) through mandatory quarterly pendency reviews by CJMs/CMMs with compliance reporting to the High Court;
- systemic transparency measures such as quarterly publication of pendency data by JJBs, integration of JJBs with the National Judicial Data Grid (NJDG), and
- clearer scheduling for disposal of cases on the first hearing in line with the JJ Rules.

The Delhi HC took cognisance of iProbono's PIL on pendency before JJBs and, issued notice to the Union of India and the Government of NCT of Delhi, directing them to file their responses.

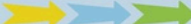





The Government of NCT Delhi, through the Department of Women and Child Development, in its reply, has informed that directions have been issued to all district magistrates in Delhi to conduct an evaluation of the functioning of JJBs under Section 55 of the JJ Act, 2015.

*WP (C) 6369/2025

Advocacy with the Juvenile Justice Committee on pendency in Delhi

Following directions of the Delhi High Court, iProbono India submitted a representation to the Juvenile Justice Committee (JJC). In response, the Committee made the following key observations and commitments:

Recommendation by iProbono India		Response by the Juvenile Justice Committee
Integrate JJB data with the National Judicial Data Grid (NJDG)		Integration has been completed for three JJBs (IV, VI and VII). Integration of the remaining four Boards is being explored, but the process will be revised after the Full Court approves the proposed re-allocation of work among JJBs.
Ensure quarterly publication of JJB-wise pendency data in the public domain		The Committee approved quarterly uploading of pendency figures for each JJB on its website, to begin after the Full Court approves the re-allocation of work.
Strengthen quarterly oversight under Section 16(1) through CJM/ CMM review and reporting		The Committee reiterated that Section 16(1) requires CJMs/CMMs to review pendency every three months, and directed that quarterly reports be submitted to the Court.
Enforce time-bound disposal through a case management schedule		Emphasising Rule 12(1) of the JJ Model Rules, the Committee urged strict use of the Case Monitoring Sheet in every case to ensure timely and efficient inquiries



iProbono India is a social justice organisation that combines the legal expertise of its carefully curated community of panel and network lawyers, ground-level insights of its grassroots partners, and the ethos of social action litigation to advance justice and equality in India. In the last ten years of iProbono's functioning, we have primarily focused on child rights, housing rights, and strengthening civil society. Our modes of intervention comprise legal representation, advocacy, training and capacity-building efforts.

CHILD RIGHTS | DISABILITY JUSTICE | CRIMINAL JUSTICE | HOUSING JUSTICE
DELHI | KARNATAKA | MAHARASHTRA | UTTAR PRADESH

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