
INSTITUTIONAL SILOS AND SYSTEMIC FRAGMENTATION: A STUDY OF CONVERGENCE FAILURE AMONG CHILD PROTECTION BODIES IN DELHI

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ABSTRACT

The Juvenile Justice (Care and Protection of Children) Act, 2015, distributes responsibility for children in conflict with law (CCL) across at least five statutory bodies: the Juvenile Justice Board, the Child Welfare Committee, the District Child Protection Unit, the Special Juvenile Police Unit, and the probation apparatus, each answerable to a different administrative hierarchy. This article argues that the persistent implementation failures documented in Delhi over the past decade are better explained as failures of inter-institutional convergence than as failures of statutory design or of any single institution's capacity. It develops this claim in three steps. First, it distinguishes structural convergence (shared data, formal linkages, joint accountability) from relational convergence (trust, common professional norms, informal coordination), building on the collaborative-governance and street-level bureaucracy literatures. Second, it traces how constitutional courts, most significantly the Supreme Court in *Sampurna Behura v. Union of India*, and, at the district level, the Delhi High Court's own coordination-focused orders have judicially recognised this deficit without resolving it. Third, it locates the deficit's structural causes in divergent administrative hierarchies, chronic vacancy in the coordinating layer, an absence of shared data infrastructure, and misaligned professional incentives, and proposes a sequenced, feasibility-ranked reform agenda centred on the interfaces between institutions rather than on further amendment of the Act's substantive text. The article is offered as the doctrinal, theoretical and secondary-evidentiary foundation for a companion empirical study of selected Delhi districts, whose research protocol is set out in the Appendix.

Keywords: Juvenile Justice Act 2015; Child Welfare Committee; Juvenile Justice Board; District Child Protection Unit; collaborative governance; institutional convergence; Delhi.

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I. Introduction

India's juvenile justice framework rests on Articles 15(3) and 39(e)-(f) of the Constitution and on India's obligations under the United Nations Convention on the Rights of the Child, which the Juvenile Justice (Care and Protection of Children) Act, 2015 ("the Act") is intended to operationalise domestically.² The Act replaced its 2000 predecessor amid public debate that centred overwhelmingly on a single, highly visible design question: whether older adolescents accused of heinous offences should be tried as adults following the 2012 Delhi gang-rape case.³ That debate, and much of the scholarship that has followed it, has left a quieter and more consequential design feature of the Act comparatively unexamined: its dependence on the coordinated functioning of at least five distinct bodies for every child who enters the system the Juvenile Justice Board (JJB), which conducts inquiry and disposition;⁴ the Child Welfare Committee (CWC), which exercises jurisdiction over children simultaneously found to need care and protection (CNCP);⁵ the Special Juvenile Police Unit (SJPU);⁶ the District Child Protection Unit (DCPU), described in the Act as "the focal point to ensure the implementation of this Act" in the district;⁷ and the probation and social-work personnel who are meant to carry information across all four.

This article's central claim is that recurring implementation failures in Delhi delayed inquiries, unfulfilled individual care plans, unmonitored childcare institutions, and children who fall between the "conflict with law" and "care and protection" tracks are best understood not as failures of any one institution's competence but as a failure of convergence between institutions with overlapping jurisdiction over the same child.⁸ This is more than a semantic distinction: a coordination failure calls for redesigning interfaces, information flows and joint accountability; a substantive-law failure calls for further textual amendment, an approach India has already tried twice, in 2015 and 2021, without closing the gap this article documents. The research gap

²The Constitution of India, arts. 15(3), 39(e)-(f); United Nations Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3; Statement of Objects and Reasons, the Juvenile Justice (Care and Protection of Children) Act, 2015.

³Wikipedia, Juvenile Justice (Care and Protection of Children) Act, 2015, [https://en.wikipedia.org/wiki/Juvenile_Justice_\(Care_and_Protection_of_Children\)_Act,_2015](https://en.wikipedia.org/wiki/Juvenile_Justice_(Care_and_Protection_of_Children)_Act,_2015) (last visited July 25, 2026).

⁴The Juvenile Justice (Care and Protection of Children) Act, 2015, §§ 4-9.

⁵Id. §§ 27-30.

⁶Id. § 107.

⁷Id. § 2(26) read with § 106.

⁸The convergence framing draws on Devsolutions, Convergence — Critical to the Effective Functioning of Child Protection Systems in India, <https://devsolutions.org/convergence-critical-to-the-effective-functioning-of-child-protection-systems-in-india/> (last visited July 25, 2026).

this article addresses is correspondingly specific. Existing scholarship on the Act divides largely into two strands: doctrinal commentary on individual provisions (the transfer of 16–18-year-olds to adult trial being the dominant example), and capacity-focused audits that catalogue vacancies, pendency and infrastructure deficits institution by institution. Neither strand systematically asks how these institutions fail, or succeed, at exchanging information and accountability about the same child, the question this article treats as primary.

The article proceeds in nine further parts. Part II sets out the research framework and states, rather than conceals, the limits of the evidence marshalled here. Part III develops a two-dimensional theory of convergence, structural and relational, drawing on the collaborative-governance and street-level bureaucracy literatures. Part IV maps the statutory architecture of convergence under the Act and the 2016 Model Rules. Part V examines judicial recognition of the deficit, from the Supreme Court's 2018 judgment in Sampurna Behura to Delhi-specific High Court orders. Part VI reviews the empirical record and is explicit about its own evidentiary limits. Part VII undertakes a causal analysis that extends beyond formal structure to professional incentives and political economy. Part VIII considers distributive consequences for children in conflict with the law. Part IX proposes a sequenced reform agenda, and Part X concludes the entire idea.

II. Research Framework and a Note on Method

This article is the doctrinal, theoretical and secondary-evidentiary foundation for a companion empirical study evaluating the effectiveness of the Act across selected districts of Delhi. It combines three sources of evidence: (i) the statutory and regulatory text, read to identify points at which the Act contemplates but does not operationalise inter-agency coordination; (ii) constitutional court jurisprudence, read as a form of continuing judicial audit of the convergence deficit; and (iii) national and Delhi-specific performance-audit and capacity-assessment literature, principally the Comptroller and Auditor General's 2021 performance audit and the India Justice Report's 2025 capacity study.

Two limitations are stated here rather than left implicit. First, this article does not contain new district-level primary data, interviews with JJB and CWC members, RTI-verified staffing figures, or case-file reviews across the districts selected for the underlying doctoral study. Rather than present a placeholder empirical section dressed as analysis, Part VI(B) below states plainly what the national and Delhi-specific secondary record already shows and does not

show. The detailed research protocol for the primary fieldwork that would complete the picture is set out separately in the Appendix, where it can be evaluated on its own methodological merits rather than mistaken for findings. Second, the secondary sources on which this article relies are not treated as unqualified facts. The India Justice Report's 2025 study is based on more than 250 Right to Information applications;⁹ RTI-based methodologies of this kind are subject to well-recognised limitations non-response or partial response from some public authorities, variation in the quality and completeness of departmental record-keeping across States, and the possibility that districts with the weakest institutions are also the least likely to respond promptly or accurately, biasing the resulting picture in an unpredictable direction. The analysis in Part VI, therefore, treats the Report's national figures as indicative of an order of magnitude and a directional pattern, not as a precise census, and this qualification should carry through to any district-level figures the companion fieldwork ultimately produces.

III. Theoretical Framework: From Systems Theory to Structural and Relational Convergence

Child protection scholars increasingly analyse statutory regimes not as single institutions but as networks of interdependent subsystems whose collective performance depends on the linkages between nodes rather than the strength of any one node.¹⁰ This article adopts that system's premise but sharpens it using two bodies of literature that the child-protection literature on India has engaged with only lightly: collaborative-governance theory and street-level bureaucracy theory.

Collaborative-governance scholarship, associated principally with Ansell and Gash's influential model of collaboration as a process shaped by starting conditions, institutional design, leadership and iterative trust-building, and with Emerson, Nabatchi and Balogh's integrative framework distinguishing the “collaboration dynamics” of principled engagement, shared motivation and joint capacity from the formal “collaborative structure” that houses them, offers a vocabulary for separating two dimensions of convergence that the existing literature on the JJ Act tends to run together.¹¹ Structural convergence refers to the formal

⁹India Justice Report, *Juvenile Justice and Children in Conflict with the Law: A Study of Capacity at the Frontlines*, Press Release (Nov. 20, 2025),

https://indiajusticereport.org/files/IJR_JJ%20Report_Press%20Release_20%20November%202025.pdf.

¹⁰Systematic Review of Institutional Mechanisms for Child Protection, Better Care Network (2026),

https://bettercarenetwork.org/sites/default/files/2026-04/Institutional_Mechanisms_CP_India.pdf.

¹¹Chris Ansell & Alison Gash, *Collaborative Governance in Theory and Practice*, 18 J. Pub. Admin. Res. &

architecture of coordination: statutory hand-off provisions such as Section 8(3)(g), shared or interoperable data systems, common reporting timelines, and a single point of accountability for a case that spans institutions. Relational convergence, by contrast, refers to the informal substrate on which formal structures depend to function, mutual trust between a JJB's social workers and a CWC's members, a shared professional understanding of the child's best interest across police, welfare and judicial actors, and the willingness of officials to treat a hand-off as a shared obligation rather than a file to be closed. The distinction matters because the two dimensions fail differently and require different remedies: a data grid (a structural fix) cannot substitute for professional trust between an SJPU officer and a CWC chairperson who have never been trained together, and, conversely, goodwill between individual officials cannot compensate indefinitely for the absence of any system that survives their transfer or retirement.

Street-level bureaucracy theory supplies the second missing piece. Lipsky's account of how frontline officials police officers, caseworkers, magistrates' staff exercise discretion to manage case-loads that exceed the resources and time available to them, and in doing so develop informal routines that substitute for the formal policy they are nominally implementing, explains why statutory hand-off provisions such as Section 8(3)(g) can remain on the books for a decade while being honoured only inconsistently in practice.¹² Where a probation officer or CWC member is managing a caseload well beyond capacity, a condition documented for Delhi's Juvenile Justice Boards in Part VI below the rational frontline response is to prioritise disposing of the cases directly within one's own institutional remit and to defer, or quietly drop, the additional administrative burden of a formal cross-institutional transfer whose benefit accrues to the child rather than to the transferring official's own workload. Read together, collaborative-governance and street-level bureaucracy theory generate the proposition tested in the remainder of this article: that convergence failure in Delhi's juvenile justice system is simultaneously a structural deficit (absent data systems, divergent hierarchies, discussed in Parts IV and VII(A)-(C)) and a relational and incentive deficit (frontline discretion exercised under case-load pressure, discussed in Part VII(D)) and that a reform agenda addressed only to the former will under-perform.

This framework generates three propositions structuring the remainder of the article. First, the

Theory 543 (2008); Kirk Emerson, Tina Nabatchi & Stephen Balogh, An Integrative Framework for Collaborative Governance, 22 J. Pub. Admin. Res. & Theory 1 (2012).

¹²Michael Lipsky, *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services* (Russell Sage Found. 30th anniv. ed. 2010) (1980).

statute creates formal structural linkage points which, left unimplemented or unsupported by matching relational investment, produce predictable failure at each hand-off (Part IV). Second, courts monitoring implementation should be expected to name structural deficits (vacancies, absent funds, absent data systems) more readily than relational ones, and the persistence of non-compliance after repeated judicial intervention is itself evidence that structural remedies alone have not sufficed (Part V). Third, empirical audits should reveal not only the specific hand-off points at which convergence is weakest, but also patterns consistent with case-load-driven discretion rather than simple non-compliance (Part VI-VII).

IV. The Statutory Architecture of Convergence under the Act

A. The JJB–CWC hand-off

The Act's clearest structural convergence provision is the hand-off between the JJB and the CWC: Section 8(3)(g) requires the Board, where a CCL is found also to be a CNCP, to transfer the matter to the Committee for appropriate action.¹³ This is not a marginal provision, since a significant proportion of children apprehended for survival-linked offences, such as begging, petty theft, and substance use, present precisely this dual profile.¹⁴ Whether this hand-off occurs, and whether the CWC, on receipt of a transferred case, can access the JJB's inquiry record, is a direct structural test of convergence rather than of either institution's individual competence.

B. The SJPU as the first convergence node

Every district must have an SJPU, headed by an officer not below the rank of Deputy Superintendent of Police, required by the Model Rules to “work in close co-ordination with the District Child Protection Unit, the Board and the Committee.”¹⁵ The SJPU is required to produce the child within twenty-four hours and is assisted by two social workers supplied by the DCPU. This structural coupling transmits DCPU capacity failure directly into the first police contact with the child.

¹³The Juvenile Justice (Care and Protection of Children) Act, 2015, § 8(3)(g).

¹⁴Comptroller and Auditor General of India, Performance Audit on Children in Need of Care and Protection for the Year Ended 31 March 2021, <https://cag.gov.in/defence/new-delhi/en/audit-report/details/124697>.

¹⁵Juvenile Justice (Care and Protection of Children) Model Rules, 2016, r. 84; Frequently Asked Questions under JJ Act, 2015, https://jjcdhc.nic.in/?page_id=1619.

C. The DCPU is designated as the convergence hub

Section 106, read with the Integrated Child Protection Scheme, establishes the DCPU as the district's designated convergence hub, functioning under the District Magistrate, who also co-chairs the District Child Protection Committee.¹⁶ Its prescribed functions include following up on JJB inspection visits, assisting post-restoration follow-up, and ensuring inter-departmental coordination.¹⁷ On paper, the DCPU is precisely the hub a structural reading of the Act would prescribe; whether Delhi's DCPUs perform this integrating function in practice, rather than operating as one more node with its own separate reporting line, is addressed empirically in Part VI.

D. Individual care planning as the substantive convergence output

Sections 4 and 8 require a probation officer, or, in their absence, a Child Welfare Officer or social worker, to submit a social investigation report and, at the conclusion of the proceedings, an individual care plan for the child's rehabilitation.¹⁸ The care plan is the document in which convergence must become concrete: it is meant to travel from the JJB's order to the childcare institution's daily practice to the DCPU's post-restoration follow-up. A plan prepared but never transmitted to the institution actually holding the child is a paradigm case of structural convergence failure, formally discharged, functionally inert.

V. Judicial Recognition of the Convergence Deficit

A. Sampurna Behura and the national record

The most authoritative account is the Supreme Court's judgment in *Sampurna Behura v. Union of India*, decided 9 February 2018 in a public interest petition first filed in 2005.¹⁹ Its directions target coordination rather than substantive law: filling vacant positions across the NCPDR, SCPCR, JJBs and CWCs; mandating regular Board and Committee sittings; directing time-bound studies of required probation-officer strength; and requiring “meaningful” establishment

¹⁶The Juvenile Justice (Care and Protection of Children) Act, 2015, §§ 2(26), 106; Module 2: District Child Protection Unit, https://newconceptinfosys.net/Tarang/Upload/Training/Modules/Module%20_English.pdf.

¹⁷JJB, CWC & DCPU under JJ Act 2015, Manipur State Commission for Protection of Child Rights, <https://manipursepcr.com/jjbcwc-dcpu-under-jj-act-2015/>.

¹⁸Id. §§ 8(3)(g)-(h); Powers and Functions of the Juvenile Justice Board, <https://www.makalahakku.com/main-control/uploads/Powers%20and%20Functions%20JJB.pdf>.

¹⁹*Sampurna Behura v. Union of India*, (2018) 4 SCC 433.

of SJPU's with clearly identified duties.²⁰ The Court also found that several States had either not established Juvenile Justice Funds or had funded them negligibly, and impleaded the NCPCR and NALSA to assist in monitoring compliance, acknowledging that no single existing institution could be trusted to drive implementation without external coordination.²¹ An earlier order in the same proceedings, dated 12 October 2011, had already directed State Legal Services Authorities to coordinate specifically with Child Welfare Departments on establishing SJPU's, a direction addressed at the coordination mechanism between two departments rather than at either department's standalone performance.²²

That the deficit persists is confirmed by the Kerala High Court's 2025 judgment in a suo motu petition. Companion PIL filed by Bachpan Bachao Andolan seeking enforcement of the 2018 directions, in which the Division Bench observed that “mere enactment of laws is not enough” and issued a fresh set of directions to strengthen CWCs and JJBs.²³ Read against the seven-year gap between the two judgments, this is best understood as evidence that judicially driven monitoring, standing alone, has structural limits: a court can order vacancies filled and funds established. Still, it cannot itself supply the relational convergence, the shared professional trust and case-level information exchange that Part III identifies as the second, harder-to-litigate half of the problem. This meta-observation about the limits of judicial supervision is developed further in Part VII.

B. Delhi-specific orders: coordination named, not always cured

Delhi's own High Court has, contrary to any suggestion of judicial silence on this question, issued several orders squarely addressed to inter-institutional coordination. In September 2021, a Division Bench of Justices Siddharth Mridul and Anup Jairam Bhambhani ordered the immediate release of 1,108 children whose petty-offence inquiries had remained pending or inconclusive for over a year in excess of the four-to-six-month statutory ceiling under Section 14 acting on data placed before it by the DCPCR itself and on submissions from the Delhi State Legal Services Authority attributing part of the delay to age-determination taking

²⁰Sampurna Behura v. Union Of India (2018), Drishti Judiciary, <https://www.drishtijudiciary.com/juvenile-justice-act/sampurna-behura-v-union-of-india-2018>.

²¹Id.

²²Sampurna Behura v. Union Of India And Others, Writ Petition (C) No. 473 of 2005, order dated Oct. 12, 2011, summarised in CaseMine, <https://www.casemine.com/judgement/in/5609af09e4b0149711415687>.

²³'Mere Enactment Not Enough': Kerala High Court Issues Directions For Effectively Implementing Juvenile Justice Act, SC Guidelines, LiveLaw, <https://www.livelaw.in/amp/high-court/kerala-high-court/kerala-high-court-issues-directions-to-strengthen-juvenile-justice-system-308962>.

substantial time across agencies.²⁴ In January 2022, following the DCPCR's own complaint that it was facing difficulties in inquiries owing to delayed document-sharing, the Delhi government directed all government schools to accord priority to requests for records from JJBs, CWCs and the Delhi Police, a direct, if narrow, structural fix aimed at exactly the kind of inter-departmental information gap this article's framework predicts.²⁵ Most significantly, in *Salek Chand Jain v. Government of NCT of Delhi* (2023), the Delhi High Court, faced with the inadequate physical infrastructure for JJBs and related homes, did not simply direct the Department of Women and Child Development to act alone; it directed the constitution of a dedicated "Coordination Committee" of the Principal Secretaries of the Departments of Social Welfare and Women and Child Development together with the Delhi Development Authority's Commissioner (Land Disposal), empowered jointly to identify and commit land for JJBs and related homes.²⁶ The Court's remedy is telling: it did not attempt to resolve an infrastructure shortfall through a single department's compliance affidavit, but instead constituted, in effect, a standing interdepartmental body, judicially mandating the very structural convergence mechanism this article argues the Act itself should have built in. That such a mechanism had to be judicially improvised, case by case, rather than existing as a standing feature of the district-level architecture, is itself evidence for this article's thesis rather than against it.

VI. Empirical Evidence of Convergence Failure

A. National indicators

The India Justice Report's 2025 study, compiled from more than 250 RTI applications across twenty-eight States and two Union Territories, including Delhi, and submissions from 362 JJBs, found that as of 31 October 2023, 55% of 100,904 pending cases remained undisposed, with each Board carrying an average annual caseload of 154 pending cases.²⁷ Twenty-four per cent of JJBs were functioning without a full bench despite 92% of India's 765 districts having constituted one, and nearly 30% had no attached legal-services clinic.²⁸ Against a requirement

²⁴Over 1,000 Petty Crimes Involving Children Closed, *Hindustan Times* (Oct. 2, 2021), <https://www.pressreader.com/india/hindustan-times-st-noida/20211002/281745567548584>.

²⁵Delhi Govt Tells Schools to Promptly Share Documents Sought by Juvenile Justice Boards, CWCs, PTI (Jan. 19, 2022), <https://news.careers360.com/delhi-govt-tells-schools-promptly-share-documents-sought-juvenile-justice-boards-cwcs-delhi-police>.

²⁶*Salek Chand Jain v. Govt. of NCT of Delhi & Anr.*, decided July 4, 2023 (Delhi High Court), <https://indiankanoon.org/doc/144081748/>.

²⁷India Justice Report, *supra* note 8.

²⁸Juvenile Justice and Children in Conflict with the Law, <https://mobile.kgs.live/current-affairs/daily-current-affairs/2025-10-15/juvenile-justice-and-children-in-conflict-with-the-law>.

of 1,992 monthly Child Care Institution inspections across the states examined, only 810 were conducted, a compliance rate of roughly 41% for what is, by definition, a coordination and monitoring function.²⁹ The Report also noted the absence of any centralised public data system for juvenile justice, comparable to the National Judicial Data Grid, without which no institution in the chain can verify what the others have already done for the same child.

These findings are corroborated by the Comptroller and Auditor General's 2021 performance audit, which identified deficiencies distributed across the State Adoption Resource Agency, CWCs, DCPUs and Child Care Institutions rather than concentrated in any one body,³⁰ and by reports of a 2023 Ministry of Women and Child Development review finding vacancy levels above 30% in several States for the professional staff Sections 4 and 8 require, and of gaps in cross-reporting flagged on the Ministry's Baal Swaraj case-tracking portal between 2021 and 2023 both cited here as reported in secondary current-affairs literature pending independent primary verification.³¹

B. Delhi: what the secondary record shows, and what it does not

Delhi presents an unusual institutional configuration: a Union Territory government whose seven JJBs sit alongside a statutory child-rights commission, the DCPCR, constituted under the Commission for Protection of Child Rights Act, 2005, which functions as an active monitor of but not as a formal link within the JJB–CWC–DCPU–SJPU chain.

The secondary record already establishes three things about Delhi specifically. First, the DCPCR's own 2018 mapping of childcare institutions across the city, categorised by location, residents' gender, and purpose, shows that Delhi possesses exactly the kind of consolidated cross-institutional information base that convergence theory identifies as a precondition for coordinated case management. Still, its existence as a static report is not evidence that it has been operationally integrated into day-to-day JJB or CWC referral decisions.³² Second, the DCPCR has itself, on at least two occasions between 2021 and 2022, been the institution that

²⁹Fifty Thousand Children, One Fragile System, LiveLaw, <https://www.livelaw.in/articles/juvenile-justice-india-justice-report-2025-and-child-rights-312467>.

³⁰Comptroller and Auditor General of India, *supra* note 15.

³¹Juvenile Justice System in India: Reforms, Gaps & Implementation, Dhyeya IAS, <https://www.dhyeyaias.com/current-affairs/daily-current-affairs/juvenile-justice-system-india-reforms-gaps-implementation> (reporting the Ministry of Women and Child Development's 2023 review and Baal Swaraj portal gaps; primary Ministry documentation should be sought before final citation).

³²Delhi Commission for Protection of Child Rights, Mapping of Childcare Institutions in Delhi (June 2018), http://sevriti.delhi.gov.in/wps/wcm/connect/doi_dcpcr/DCPCR/Home/Publications.

had to escalate a coordination failure stalled petty-offence inquiries and delayed school record-sharing to the Delhi High Court or the Delhi government for resolution, rather than resolving it through the ordinary functioning of the JJB–CWC–DCPU chain itself, which is consistent with this article's thesis that the chain lacks an internal convergence mechanism and instead externalises coordination failure to whichever body is willing to escalate it. Third, the Salek Chand Jain litigation confirms that, as recently as 2023, Delhi's JJB infrastructure planning still required judicial construction of an ad hoc coordination committee rather than proceeding through any pre-existing convergence mechanism between the Departments of Social Welfare, Women and Child Development, and the DDA.

What the secondary record does not yet show and what this article does not claim to show — is the district-level granularity that would allow the reform agenda in Part IX to be targeted rather than generic: the functional bench status of each of Delhi's seven JJBs and their associated CWCs; the staffing position of probation officers, Child Welfare Officers and social workers attached to each; the actual (as opposed to prescribed) rate at which Section 8(3)(g) transfers and individual care plans are completed and transmitted; and the DCPU inspection compliance rate for childcare institutions in the districts selected for the underlying study. Rather than gesture at this gap in the body of the argument, the detailed protocol for closing it, including the specific indicators, data sources (RTI applications, departmental records, structured interviews) and sampling approach, is set out in the Appendix, to be executed as the fieldwork component of the doctoral study this article supports.

VII. Anatomy of Convergence Failure: A Causal Analysis

A. Divergent administrative hierarchies

The most structural cause of convergence failure is that the institutions the Act requires to cooperate answer to different administrative principals: the JJB and CWC to the Department of Women and Child Development, while exercising quasi-judicial functions; the SJPU to the Home Department and police hierarchy; the DCPU to the District Magistrate, while drawing funding through the Women and Child Development-administered ICPS.

Where no single officer is accountable for the child's passage across these hierarchies, coordination becomes discretionary rather than obligatory, a dynamic explicit in practitioner assessments of the ICPS's village- and block-level committees, whose members simultaneously

report to different departments, producing an absence of “single accountability” and consequent non-functionality in many committees.³³ The same logic operates, in attenuated form, at the JJB–CWC–DCPU–SJPU level in every Delhi district, and is precisely what the Salek Chand Jain Coordination Committee was judicially constructed to overcome on an ad hoc basis.

B. Chronic vacancy in the coordinating layer

Convergence depends disproportionately on personnel probation officers, social workers, and Child Welfare Officers whose function is to carry information and continuity across institutional boundaries rather than to adjudicate. It is exactly this layer that national data show to be most chronically vacant: 24% of JJBs functioning without a full bench, and reported vacancy levels above 30% for the relevant professional cadre.³⁴ A vacant probation officer post does not merely slow one institution's internal work; because the probation officer is the designated conduit between a JJB order and a childcare institution's practice, the vacancy severs that link.

C. Absence of shared information infrastructure

A recurring finding across Parts V and VI is the absence of any centralised, cross-institutional data system comparable to the National Judicial Data Grid. Without it, a CWC receiving a transferred case under Section 8(3)(g) cannot reliably access the JJB's inquiry record; a DCPU conducting post-restoration follow-up cannot systematically verify whether an individual care plan was ever delivered to the relevant institution; and an SJPU officer cannot confirm, at the point of apprehension, whether a child has any prior history with the CWC. Each represents a specific, identifiable point at which statutory hand-offs depend on informal, person-to-person communication, which the Act does not itself structure.

D. Professional incentives, discretion and the political economy of a national capital Union Territory

A purely structural account, however, cannot fully explain why formally mandated hand-offs collapse even where personnel exist. Applying Lipsky's framework, a JJB member or probation

³³Devsolutions, *supra* note 5.

³⁴India Justice Report, *supra* note 8; Juvenile Justice System in India, *supra* note 33.

officer facing the case-load documented in Part VI, an average of 154 pending matters annually per Board has every incentive to prioritise disposing of matters within their own institutional remit, where progress is visible and measurable, over the additional, unmeasured administrative labour of a cross-institutional transfer whose benefit is realised by the child and by a different institution's statistics.³⁵ No institution in the chain is formally measured on convergence itself, on transfer completion rates, or on the timeliness with which a care plan reaches its destination, and what is not measured is, on ordinary public-administration logic, unlikely to be reliably produced under case-load pressure.

This incentive problem is compounded by unresolved professional-identity conflict among the actors the Act yokes together: the JJB combines a judicial officer trained in adjudicatory neutrality with social workers trained in a welfare ethic that privileges the child's rehabilitation over procedural closure; the SJPU is staffed by police personnel whose institutional training and performance metrics are oriented toward case detection and disposal rather than welfare follow-through; and the CWC's quasi-judicial members sit between both logics without either's institutional backing.³⁶ These are not merely staffing gaps to be filled but differences in professional culture that a shared data system alone will not dissolve, which is why this article's theoretical framework in Part III insists on treating relational convergence as analytically distinct from, and not reducible to, structural convergence.

Finally, Delhi's status as the national capital and a Union Territory under direct central oversight creates a distinctive political economy for juvenile justice implementation that a State-level analysis would miss. Delhi's child protection institutions operate under unusually intense and continuous media and judicial scrutiny illustrated by the DCPCR's willingness and evident ability to escalate coordination failures directly to the High Court, as in the 2021 petty-offence release order and the 2023 Salek Chand Jain litigation which creates strong incentives for episodic, court-driven fixes to acute, visible failures (a backlog of detained children; a stalled land allocation) but comparatively weak incentives for the quieter, harder-to-litigate work of building durable, everyday convergence mechanisms that no single crisis makes visible. Divided administrative control between the Union Territory government, the Lieutenant Governor's office, and central ministries for functions touching land, police and

³⁵Lipsky, *supra* note 20.

³⁶On the JJB's composition and the tension between adjudicatory and welfare functions, see The Juvenile Justice Board, <https://www.drishtijudiciary.com/to-the-point/ttp-juvenile-justice-act/the-juvenile-justice-board>.

certain welfare schemes further multiplies the number of principals whose sign-off any standing inter-agency mechanism would require, raising the transaction cost of exactly the kind of durable coordination this article recommends.

VIII. Consequences for Children in Conflict with the Law

The consequences of convergence failure fall disproportionately on the child rather than on any institution, precisely because no institution bears sole or final accountability for the outcome. High JJB pendency, an average of 154 pending matters annually per Board nationally, translates into prolonged uncertainty and, in many cases, extended institutionalisation for children whose matters remain open; Delhi's own 2021 backlog of 1,108 petty-offence inquiries pending beyond the statutory ceiling, several under-registered for over a year, is direct local evidence of this consequence rather than a hypothetical one.

Where individual care plans are not transmitted to the institution actually responsible for a child's custody, rehabilitation becomes generic rather than individualised, defeating the Act's central rehabilitative premise; where monthly CCI inspections fall to roughly 41% of the statutory requirement, children in institutional care are correspondingly less protected from precisely the abuses inspection exists to detect.³⁷ These consequences are not evenly distributed even within the population of children in conflict with the law. Historical NCRB-derived data while not recent, and no longer published by NCRB at the same level of socio-economic granularity illustrate a consistent pattern: in 2014, 55.6% of juveniles apprehended nationally belonged to families with an annual income below Rs 25,000, and 92.28% belonged to families earning under Rs one lakh annually, with Delhi itself contributing 1,252 such children to that year's national figure of over 26,800; roughly half of all apprehended juveniles that year were reported to be illiterate or educated only up to primary level.³⁸ By 2018, NCRB data still showed 85% of apprehended juveniles living with parents. Still, around 9% were illiterate, and a further 28% were educated only to the primary level, while the apprehended population remained overwhelmingly male and concentrated in the 16–18 age band.³⁹

³⁷On the rehabilitative premise generally, see *Juvenile Justice in India: Trends, Challenges, and the Way Forward*, <https://www.cdpp.co.in/articles/juvenile-justice-in-india-trends-challenges-and-the-way-forward>.

³⁸HAQ Centre for Child Rights, *Number of Poor, Uneducated Children Taking to Crime Goes Up: NCRB*, <https://www.haqcrc.org/number-of-poor-uneducated-children-taking-to-crime-goes-up-ncrb/>; 55 pc Minor Offenders Poor, *Deccan Herald* (PTI, reporting Home Ministry data placed before the Rajya Sabha), <https://www.deccanherald.com/amp/story/india%2F55-pc-minor-offenders-poor-2167310>.

³⁹More than 99% of the Juveniles Apprehended for Crimes in 2018 are Boys, *Factly*, <https://factly.in/more-than->

Children from this socio-economic profile are also the least likely to have a parent, guardian or engaged NGO capable of independently tracking and chasing a case across institutional boundaries on the family's behalf. Convergence failure, therefore, does not operate neutrally across the population of children the Act is designed to protect; it operates as a regressive tax whose cost is paid disproportionately by children already disadvantaged by poverty and limited education, precisely the children Section 3's statement of general principles identifies as most in need of the Act's protective, non-punitive orientation.

IX. Towards a Convergence Model: A Sequenced Reform Agenda

The five measures below are not offered as an undifferentiated list. They are ranked by an approximate combination of expected impact on convergence and implementation feasibility within Delhi's existing legal and administrative architecture, and each notes the principal source of institutional resistance it is likely to encounter.

Priority 1: A single district-level convergence officer

Delhi's District Magistrates already chair the District Child Protection Committee and supervise the DCPU. Administratively designating each as the accountable convergence officer for their district with an explicit duty to report on the functional status of the JJB–CWC–SJPU–DCPU hand-offs mapped in Part IV, not merely on the DCPU's own internal performance, requires no new legislation and builds on a role the Act already assigns. Its principal resistance is likely to come from the JJB and CWC themselves, whose quasi-judicial character makes them institutionally wary of executive oversight of their coordination (as opposed to their substantive) performance; this can be mitigated by confining the convergence officer's mandate strictly to process metrics transfer completion, care-plan transmission, inspection compliance, and expressly excluding any oversight of adjudicatory content.

Priority 2: A district-level juvenile justice data grid

Building on the India Justice Report's recommendation for a national, child-centric data grid modelled on the National Judicial Data Grid,⁴⁰ Delhi's comparatively small number of districts and existing e-governance capacity make it a plausible pilot site for a shared, real-time system

99-of-the-juveniles-apprehended-for-crimes-are-boys/.

⁴⁰India Justice Report, *supra* note 8.

giving the JJB, CWC, DCPU and SJPU common visibility of a child's case status. This is high-impact but medium-feasibility: the principal obstacle is not technical but institutional, since it requires the Department of Women and Child Development, the Delhi Police and the judiciary-administered JJBs to accept a shared data standard and access protocol across three different administrative hierarchies, and data-protection and juvenile-confidentiality concerns under Section 74 of the Act will need careful design rather than being treated as a mere implementation detail.

Priority 3: Ring-fenced funding for the coordinating layer

Consistent with the Supreme Court's finding on inadequately funded Juvenile Justice Funds,⁴¹ a defined proportion of Delhi's Juvenile Justice Fund and ICPS allocation should be ring-fenced for probation officers, social workers, joint training and the data infrastructure above, rather than being available for absorption into whichever institution's budget is under the greatest immediate pressure. This is high-impact but faces predictable resistance from finance departments reluctant to earmark funds away from discretionary allocation, and from institutions that would prefer flexibility to redirect funds to their own, more visible, pressures.

Priority 4: Recurring, independent social audits targeted at hand-off points

Building on the CAG's 2021 audit methodology, Delhi should institute annual, independent audits specifically targeting the hand-off points identified in Part IV of the JJB–CWC transfer rate, individual care plan transmission rate, and DCPU inspection compliance rate with findings placed before the DCPCR and the Delhi High Court on a fixed schedule, operationalising the continuing judicial supervision Sampurna Behura contemplates at the district level. This is medium-impact and medium-feasibility: audits document failure but do not themselves remedy it, and are vulnerable to becoming a ritualised annual exercise, as the persistence of similar CAG findings between 2021 and the present suggests may already be occurring; their value depends entirely on being paired with Priorities 1 to 3 rather than substituted for them.

Priority 5: Institutionalised civil society and school-sector convergence forums

Regular, mandatory convergence meetings between the DCPU and all registered childcare

⁴¹Sampurna Behura v. Union of India, supra note 27.

institutions and NGOs operating within the district, irrespective of ICPS-grant status and a standing (rather than complaint-triggered) protocol requiring schools to share records with JJBs, CWCs and police on request, generalising the ad hoc 2022 Delhi government directive into a durable rule, would close the information gaps documented in Parts V and VI. This is the lowest-impact, highest-feasibility measure of the five, useful as a relational-convergence complement to Priorities 1 to 3, but insufficient on its own to address the structural deficits identified in Part VII(A)-(C).

X. Conclusion

The Juvenile Justice (Care and Protection of Children) Act, 2015, has twice been amended on the implicit assumption that the principal obstacle to effective delivery is the sufficiency of substantive legal provision. A decade of judicial monitoring from Sampurna Behura's national directions to the Delhi High Court's own ad hoc coordination committee in Salek Chand Jain together with national performance audits and the India Justice Report's 2025 capacity study, points instead to a persistent, secondary failure that substantive amendment cannot by itself cure: the failure of the JJB, CWC, DCPU, SJPU and allied institutions to converge, structurally and relationally, around the child who is meant to be the system's single shared object of concern.

This article's contribution to the Indian juvenile justice literature is to reframe that failure in explicitly convergence-theoretic terms, distinguishing structural from relational convergence and locating professional incentives and Delhi's distinctive political economy as a national capital Union Territory alongside the more familiar diagnoses of vacancy and under-funding. Its contribution to the broader comparative literature on multi-agency governance in the Global South is to illustrate, through a single jurisdiction's decade-long record, how judicially driven implementation monitoring a remedy Indian courts have used more extensively and more directly than most comparable jurisdictions can compel structural compliance (vacancies filled, committees constituted, funds established) while leaving the harder, less litigable relational substrate of coordination largely untouched, a limitation with implications well beyond juvenile justice for any Global South jurisdiction that relies on public interest litigation as its principal implementation-forcing mechanism. The district-level empirical study for which this article provides the doctrinal and theoretical foundation, using the protocol set out in the Appendix, should test these propositions directly against the lived experience of children in

conflict with law in Delhi's selected districts and, in doing so, help move the reform conversation from the question of what the law says to the question of whether its institutions actually speak to one another, and why, when they do not, no single court order has yet been enough to make them.