

(2) as per the rules of
procedure as



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(2) A child in conflict with law may be produced before an individual member of the Board, when the Board is not sitting. (3) A Board may act notwithstanding the absence of any member of the Board, and no order made by the Board shall be invalid by reason only of the absence of any member during any stage of proceedings: Provided that there shall be at least two members including the principal Magistrate present at the time of final disposal of the case. (4) In the event of any difference of opinion among the members of the Board in the interim or final disposition, the opinion of the majority shall prevail, but where there is no such majority, the opinion of the principal Magistrate shall prevail. Comment: The section lays down the procedure in relation to the working of the Juvenile Justice Board.

The sittings of the Board shall be held at such times and as per the rules of procedure as may be prescribed. According to this section, the juvenile in conflict with law may be produced before any single member of the Board and the proceedings of the Board cannot be challenged on the ground that the other two members were not present in the proceeding. However, the final decision in the case requires the presence of at least two members one out of which should be the judicial Magistrate or the Metropolitan Magistrate, as the case may be.

In other words, a single member of the Board who has conducted the proceedings cannot take final decision in the matter of a juvenile who is in conflict with law. Sub-section (4) further provides that in case of difference of opinion among the members of the Juvenile Justice Board about the interim or final decision with regard to a juvenile in conflict with law against whom proceedings have been concluded by the Board, the majority view will

prevail, and where there is no majority opinion, the decision of the Judicial Magistrate shall prevail.