

# The Juvenile Delinquency and Justice System in India: A Critical Legal Analysis

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**Abstract:** *Juvenile Justice in India is a specialized legal framework designed to protect, reform, and rehabilitate children who are either in conflict with law or in need of care and protection. The Indian juvenile justice system is founded on constitutional principles, international conventions, and welfare-oriented legislation such as the Juvenile Justice (Care and Protection of Children) Act, 2015. The system emphasizes rehabilitation rather than punishment, recognizing that children possess greater potential for reform. However, rising juvenile crimes, procedural delays, inadequate infrastructure, and debates regarding trying juveniles as adults continue to challenge the system. This research paper critically evaluates the development, objectives, legal framework, landmark judgments, challenges, and reforms of juvenile justice in India. It also examines contemporary developments and judicial approaches toward balancing child rights with public safety.*

**Keywords:** Juvenile Justice, Child Rights, Juvenile Delinquency, Rehabilitation, Juvenile Justice (Care and Protection of Children) Act, 2015, Children in Conflict with Law, Child Protection, Reformatory Justice, Juvenile Courts, Child Welfare, Constitutional Protection, International Conventions, Rehabilitation over Punishment, Juvenile Crime, Legal Framework, Social Reintegration, Child Care Institutions, Public Safety, Landmark Judgments, Criminal Justice System

## I. INTRODUCTION

Juvenile Justice refers to the legal system and procedures established for dealing with children accused of committing offences and children requiring care and protection. In India, any person below the age of 18 years is considered a child under the Juvenile Justice (Care and Protection of Children) Act, 2015. The philosophy behind juvenile justice is based on reformatory and rehabilitative approaches rather than retributive punishment.

The juvenile justice system seeks to ensure:

- Care and protection of children
- Rehabilitation and reintegration
- Child-friendly adjudication

## II. METHODOLOGY

This research paper adopts a doctrinal and analytical research methodology based on secondary sources such as statutes, case laws, books, journal articles, government reports, and online legal resources. The study examines the legal framework of Juvenile Justice, particularly the Juvenile Justice (Care and Protection of Children) Act, 2015, along with landmark judicial decisions and international child rights principles. An analytical approach is used to evaluate the effectiveness, challenges, and reforms of the juvenile justice system in India.

## III. HISTORICAL EVOLUTION OF JUVENILE JUSTICE IN INDIA

### Apprentices Act, 1850

This was one of the earliest laws concerning neglected and delinquent children.

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**Juvenile Justice Act, 1986**

India's first uniform juvenile law applicable across the country.

**Juvenile Justice (Care and Protection of Children) Act, 2000**

The Act aligned Indian law with the UNCRC and raised the age of juvenility to 18 years.

**Juvenile Justice (Care and Protection of Children) Act, 2015**

The current legislation introduced provisions allowing juveniles aged 16–18 years accused of heinous offences to be tried as adults after assessment by the Juvenile Justice Board (JJB).

**IV. OBJECTIVES OF JUVENILE JUSTICE SYSTEM**

The main objectives include:

- Rehabilitation of juveniles
- Social reintegration
- Protection of child rights
- Providing legal assistance
- Ensuring child-friendly procedures
- Preventing criminalization of children
- Restoring dignity and self-worth

The system prioritizes reform over punishment. Recent judicial observations continue to emphasize this reformative philosophy.

**V. CONSTITUTIONAL FRAMEWORK**

Several constitutional provisions support juvenile justice:

Sr. No.	Article	Provision
1	Article 14	Equality before law
2	Article 15(3)	Special provisions for children
3	Article 21	Right to life and dignity
4	Article 21A	Right to education
5	Article 24	Prohibition of child labour
6	Article 39(e) & (f)	Protection of children against abuse
7	Article 45	Early childhood care

These provisions establish the constitutional basis for child protection and welfare.

**Juvenile Justice (Care and Protection of Children) Act, 2015**

The Juvenile Justice Act, 2015 is the principal legislation governing child protection and juvenile justice in India.

**VI. LANDMARK CASE LAWS**

**Sheela Barse v. Union of India (1986)**

**Issue:** Protection of children lodged in jails.

**Judgment:** The Supreme Court directed the establishment of separate juvenile courts and homes.

**Significance:** Strengthened protection of juvenile rights.

**Pratap Singh v. State of Jharkhand (2005)**

**Issue:** Determination of juvenility.

**Judgment:** The Court held that the relevant date for determining juvenility is the date of offence.

**Significance:** Clarified interpretation of juvenile status.

**Rehabilitation and Reformative Measures**



Important rehabilitation measures include:

- Counselling
- Education and vocational training
- Psychological support
- Foster care
- Sponsorship programs
- Community service
- Social reintegration

The ultimate aim is to transform juveniles into responsible citizens.

### **VII. CONCLUSION**

Juvenile Justice in India is founded on the principle that children are capable of reform and should not be subjected to harsh criminal punishment. The Juvenile Justice Act, 2015 provides a comprehensive legal framework aimed at rehabilitation, protection, and reintegration of children. The judiciary has consistently upheld child rights and emphasized reformative justice. However, increasing juvenile crime, infrastructure deficiencies, procedural delays, and implementation gaps continue to pose serious challenges.

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