

Juvenile Delinquency in Contemporary India: Challenges, Trends, and Legal Perspectives

Dr. Gorli Murali

Guest Faculty, Department of Sociology
College of Arts and Commerce, Andhra University

Abstract: *The study is undertaken to determine Juvenile delinquency in India and also the latest trends and amendments in the Indian Juvenile justice act. It is a serious issue and can leave a damaging impact on the social setup of any region. The ratio of juvenile crimes is increasing all across the world and similar trends of violent crimes can also be observed in the Indian region. The statistical data available on the official sites are being used to reach results for the study. The Juvenile delinquency act of India has gone through certain amendments so that the heinous crime rate can be controlled. Different psychological, social and biological factors could be the reason of Juvenile delinquency and all these factors are going to be discussed in detail within this report followed by conclusive summary at the end.*

Keywords: Juvenile delinquency, psychological factors, social factors, India, heinous crimes..

I. INTRODUCTION

In the process of future building of any nation, there is a crucial role played by children. Children should be provided the best knowledge so that they can think creatively and can start making efforts to improve the progress and growth of any region. At a young age, children are least aware of how to differentiate right and wrong and it could be the reason that they might get the victim of bad company. The main problem arises when delinquent tendencies are being developed by juveniles and according to a study conducted by Hirschi and Gottfredson, it has been proved that there is a universal relationship present between age and crime rate. Serious concerns within any nation can arise due to juvenile crimes. A child who has not reached a certain age limit and believes that he can take part in the rational thinking process is known as a juvenile. The juvenile justice care act is present under section 2(k) of Indian law and this law states that a person less than 16 years is juvenile. Initially, the age for juveniles was 18 years but new amendments have been made to the law with time. In different Indian states, the age group of juveniles can vary between 14 and 18 years.

Research methodology and aims

The doctrine research method is being used for conducting this research. The secondary sources including relevant books, online data, and research articles are being used to gather the right information (Agarwal, 2018). The study has helped to identify various causes and reasons that could lead to juvenile delinquency and theoretical propositions given by scholars are being used to reach results. The statistical data required for the study is being obtained from the National crime records Bureau that is the official crime data site of India. The statistical data and empirical studies present in the literature have helped to reach the final evaluation of the study.

Reasons behind juvenile crimes

The author has highlighted in the study that various factors can contribute to juvenile crimes within any region. When a person is at growing age he starts going through various behavioral changes. The sudden changes in the body could be due to the hormonal surge associated with puberty (Purana, & Rato, 2021). Moreover, physical changes are also prominent at this age and these physical changes indicate that adolescents have started reaching the age of maturity. Physical changes also lead to mental changes among children.



Social factors

The first important category of factor that can lead to juvenile crimes is social factors. Cultural deprivation and status frustration are the most important reasons that children go through at a young age. The delinquent tendencies can also be adopted by children due to peer pressure exerted on them (Vyas, 2019). Sometimes it happens that youth belonging to the lower social class of the society no longer try to adopt the social values and belief systems. It is the reason that they start making changes in the value and belief system of society. Juvenile delinquents are no longer willing to follow the value systems upheld by any society member. The criminal activities are easily adopted by youth members if they are offered easy access to illegal activities. Access to illegal activities can also lead to situations like increased street crimes and hooliganism (Palit, & Chhabra, 2021). Other social factors that might lead to juvenile delinquency include poverty and poor educational level. The vulnerability to offending is increased if youth become habitual of substance abuse. A dysfunctional family system is a reason that children get less attention from family members and they eventually become the victims of juvenile delinquency.

Psychological factors

Apart from the social factors, various psychological factors might lead to juvenile delinquency. The psychological factors can be better understood with the help of the Freudian concept of id, ego, and superego explained by the author in the study. Ego starts developing in anti-social people when id becomes strong and the superego becomes weak (Mohanty, & Nanda, 2018). The primary groups start suffering from the issues of weak control over areas like self-control and social control. The reasons behind deviance and delinquent tendencies could also be the breakdown of social institutions. It is found that female juveniles are mainly suffering from psychiatric disorders and these juveniles are also suffering from issues of high substance abuse. High rates of offending are observed among youth members due to weak relations maintained with the neighborhood, poor family system, and also ineffective parenting style used by parents. It eventually forces youth to become the victim of juvenile delinquency.

Biological factors

The author has also highlighted in the study that biological factors can also lead to issues like juvenile delinquency. The biological and genetic makeup of individuals leaves impacts on the kind of practices being adopted by them (MISHRA, & BISWAL, 2018). The impulsive and rebellious behavior might be adopted by youth members due to hormonal changes taking place within their bodies. All these factors can together result in increased rates of crime within any social setup.

Socio-psychological studies relevant to the need of creating international instruments

The current situation of juvenile delinquency faced by various countries across the world indicates that they need strong instruments to get this issue resolved. The United Nations Convention on the rights of children was formulated in 1989 and it is known to be the pioneer for formulating children's rights within any social setup (Rathinabalan, & Naaraayan, 2017). The social, cultural, political, and economic rights of children living within any region can be preserved with the help of the CRC. The total articles covered by CRC are 54 and these articles highlight children's rights and governmental activities that must be followed to offer protection to these rights. The convention is being signed by 194 countries and all countries are bound to follow the laws and regulations that are part of articles proposed by CRC. The ratification to CRC was made by India in 1992 and the region is also trying its best to formulate various legislations that might help to cover up children's rights. The issues of erring children in India can be accurately dealt with the help of the Juvenile justice act.

Evolution of Juvenile justice legislations in India

The author has also thoroughly performed the analysis of the juvenile justice legislation formulated in the Indian region. The juvenile justice act was passed in the region in 2000. A uniform legal framework was provided with the



help of this act that could be followed by all regions present in the country. The new act was formulated to ensure that no children under the age of 18 years are kept in jail. Apart from offering care, protection, and rehabilitation facilities to children, the juvenile act also makes sure that the adjudication and disposition system is made children-friendly. The new act of juvenile delinquency that is currently followed in the region was proposed in 2015 and governmental bodies have tried their best to offer protection to vulnerable children with the help of this act.

Important provisions in the Indian juvenile justice act

Section 2(I) of the act states that any child is a juvenile who has committed a crime and is under the age of 18 years. The second category of children is described in the article which states that children who are homeless and orphans often become the victim of juvenile delinquency. Children living under difficult conditions and facing peer pressure often feel that committing crimes is the only way to get rid of all kinds of issues faced by them in life. Therefore, two categories of children that come under the juvenile justice act include juvenile offenders and vulnerable children (Kohli, et, al, 2019). Moreover, child-friendly measures have also been adopted by the Indian government and it is an indication that regional authorities are trying their best to offer good living standards to children. The provisions made in the social justice system are following juvenile jurisprudence.

Current trends of juvenile delinquency in India

Year	Cases Registered		Percentage cases of Juvenile in conflict with law to total cognizable Crimes	
	Against Juveniles in conflict with law	Under total cognizable IPC Crimes		
2005	18939	1822602	1.0	1.7
2006	21088	1878293	1.1	1.9
2007	22865	1989673	1.1	2.0
2008	24535	2093379	1.2	2.1
2009	23926	2121345	1.1	2.0
2010	22740	2224831	1.0	1.9
2011	25125	2325575	1.1	2.1
2012	27936	2387188	1.2	2.3
2013	31725	2647722	1.2	2.6
2014	33526	2851563	1.2	2.7
2015	31396	2949499	1.1	2.5

Source: NCRB

Figure 1: Cases registered against Juvenile in conflict with law and Crime Rate under IPC during 2015- 2016

It is found that the ratio of juvenile delinquency is increasing in the capital city Delhi of India. The types of crimes include attempts to murder someone, murder cases, gang rape, kidnapping, and also abduction (Dhaka, 2021). It is also found that youth can try to act as brutal as an adult. The psychiatrists are also of the opinion that access to the internet is the major reason behind juvenile delinquency issues increasing ratio in the Indian region. The crime data has been



collected by the National crime records bureau and it is found that children under the age of 16 and 18 years are increasingly becoming victims of juvenile delinquency.

The above table indicates that how cases of juvenile delinquency have increased and from 2005 till 2015 the average increase in the number of cases was reported from 18939 to 31396 and the rate of crimes in the category of juvenile delinquency has increased from 1.7 to 2.5.

S.no.	Types of crime	No. of cases
1.	Murder (Section 302 IPC)	853
2.	Attempt to commit murder (Section 307 IPC)	980
3	Culpable Homicide not amounting to murder (Section 304 IPC)	36
4	Attempt to commit Culpable Homicide (Section 308 IPC)	60
5	Rape (Section 376 IPC)	16988
6	Kidnapping and Abduction	1630
7	Dacoity	193
8	Robbery (Section 392 To 394, 397 And 398 IPC)	1358
9	Criminal Trespass/Burglary (Section 457 To 460 IPC) (Total)	2605

Figure 2: Cases registered in India against Juvenile in conflict with law under different crime heads of IPC during 2015

The psychiatrist community and women's rights activists think that easy access to pornography and changing food habits can be the reason for the increased ratio of crimes in the region (Moitra, et, al, 2018). Sexual offenses have also increased in the region and youngsters are also not able to control the biological impulses that are being faced by them as a result of hormonal changes. Rape cases are at a rapid rise in the urban regions as compared to the rural regions. Another reason is that societal control has been weakened with time.

Juvenile crimes in Indian region are at rapid rise and this is clear from various crime detail reports issued by NCRB. In India, it is observed that every night one minor is arrested for raping woman or girl and the incident was repeated every eight hours in 2019. Everyday cases of women assault are also reported in the region and according to report published by NCRB it was found that total 2750 juveniles were arrested in 2019 (Changalasetty, et, al, 2019). The accused were found guilty of rape, assault on women, and attempted rape. As compared to 2018, there was 15% increase in juvenile crimes in 2019. Adolescents are involved in heinous crimes due to ease of access to social media platforms and they do not have ability to think about the consequences of any action. The comparison of years 2015 and 2016 is provided in the chart below. It indicates that how juvenile rate has increased significantly over time of only one year.



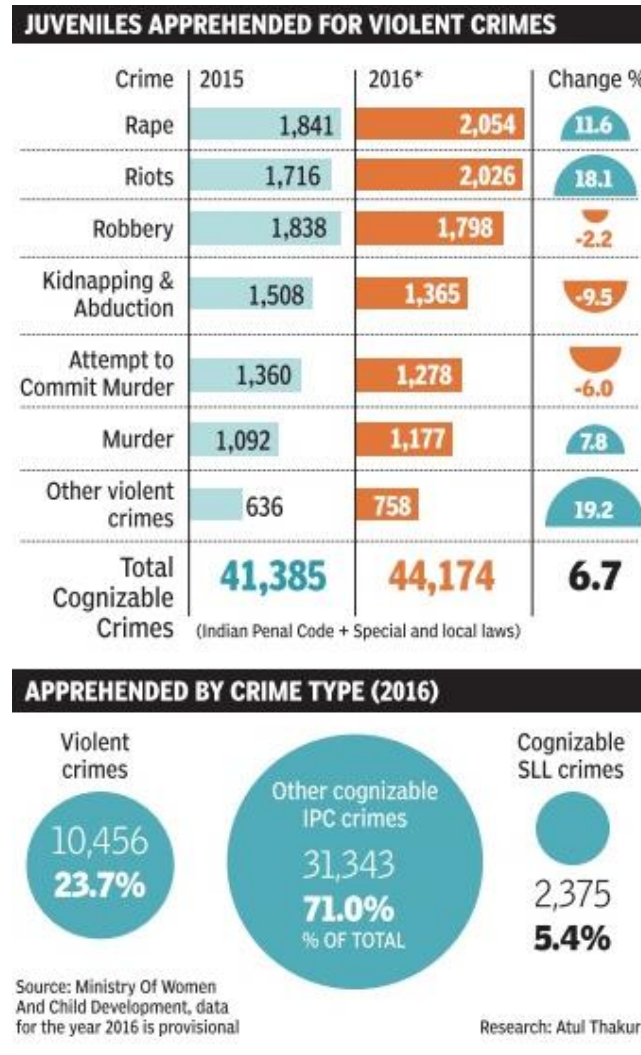


Figure 3: Juveniles apprehended for violent crimes data issued by ministry of women and child development
It is not necessary that only homeless children are involved in juvenile crime staking place in the region. The report was published by NCRB in which it was found that in 2018, 2391 juveniles were homeless, 3432 were living with guardians and 32433 were living with their parents. Therefore, living away from family or belonging to broken family cannot be regarded as the root cause of juvenile crimes. The ratio can also be observed from the graph presented below.



Family Background of Juveniles
(NCRB, 2018)

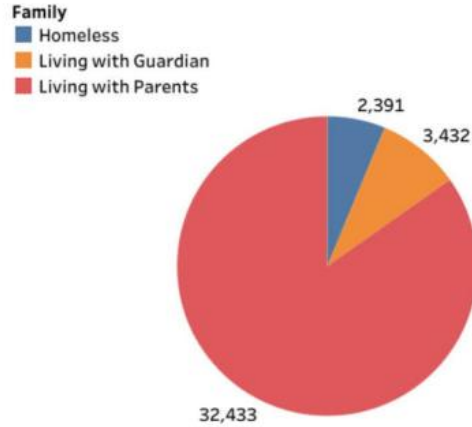
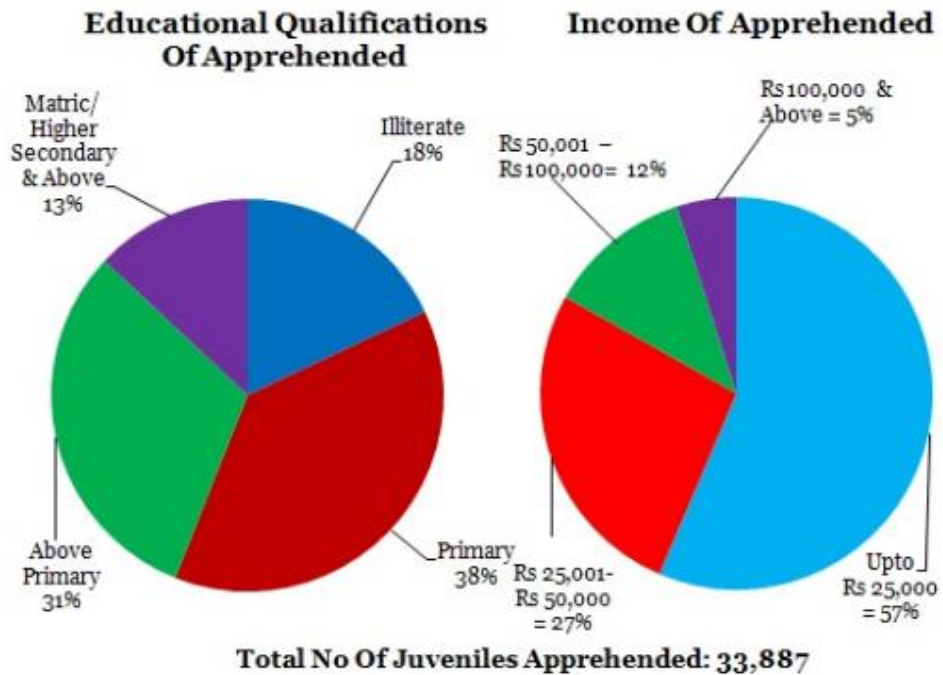


Figure 4: Family background of juveniles data issued by NCRB

Educational background and low income level of people can be the root cause of increased juvenile crimes. It can also be observed from the following graph:



Source: National Crime Records Bureau

Figure 5: Educational and income background of juveniles



Amendments in juvenile justice act

The increasing ratio of crime rates in the region is the reason that juvenile act followed in India is required to go through certain changes. The state intervention can help to come up with new amendments and also to make new legal provisions for the region. The latest amendment in the juvenile act was made in 2015 and the amendment was made by the juvenile justice board. The amendment also states that the level of maturity of any criminal will be matched with his capacity of committing the offense. In the Lok Sabha region, the juvenile justice bill was introduced in 2014 and the bill highlighted that there is a need to stop heinous crimes conducted by people of age group 16 to 18 years (Dutta, et, al, 2020). The new act followed in the region has made several preventive efforts to keep control over the increasing ratio of juvenile delinquency in the region. The act has also emphasized that family members should keep a close check on activities followed by children. Parents can guide their children that how they can differentiate between right and wrong. Family plays the role of the building block in any society and without the help of family support it is never possible to meet the targets of reducing the juvenile delinquency ratio in the Indian region. The family members especially parents should be offered a grooming session so that they start considering themselves an integral unity of the society. The bad habit of adoption among children can be avoided with the help of different efforts made by family members. If family members have good relations maintained with each other then it can lead to avoiding issues of substance abuse and watching pornography (Rathinabalan, & Naaraayan, 2018). Children under the age of 16 should not have free access to the internet and this is how the social decorum of society can be preserved. Dysfunctional family units should work towards improving the quality of living standards offered to children. Education should be made free at least till secondary level so that every child in the region is educated and can make his way to improve living standards by finding better job opportunities. Therefore, these movements made in justice systems and social setup can lead to better outcomes.

II. CONCLUSION

To conclude, the progressive step has been made by the Indian government in the form of introducing the juvenile delinquency act of 2016. The new act and reform have been introduced while keeping in view the changes made in society with respect to juvenile crimes. The bold steps mentioned in the new act highlight that how the juvenile justice board is trying its best to pay attention to the changing trends of juvenile crimes in the region. The issue of lowering the age of juveniles into the act was raised by the Justice Verma committee. It shows that the committee is vigilant enough and paying close attention to any kind of amendment followed in the law. The committee is also trying its best to ensure that there is no violation made of children's rights introduced by the United Nations. Therefore, the Indian government is trying its best to propose laws that can be accepted not only within Indian region premises but also at the international level. The government had adopted a sensible approach and is no longer willing to perform any violation of the rights. Constant efforts are also being made to improve the living standards of people. These efforts will help people to not suffer from social issues and the overall setup of the society can be improved to a significant extent.

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