

Juvenile Delinquency and Reformatory Justice: A Critical Analysis of the Juvenile Justice System

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Abstract: Juvenile delinquency remains a major issue worldwide which has important implications for the proper balance between punishment and rehabilitation. The juvenile justice system in India is mainly regulated by Juvenile Justice (Care and Protection of Children) Act, 2015 based on a reformatory and welfare-based approach. But there has been a growing trend of juvenile offenders taking part in horrendous offences, which has raised questions about the sufficiency of the legal system to meet current challenges. This paper critically analyzes the nature and causes of juvenile delinquency, evolution of reformatory justice in history and effectiveness of rehabilitation and reintegration in Indian juvenile justice system. It also discusses the current conflict between child rights and public safety and how the recent change in the age of the accused to 16–18 years has complicated the situation. Finally, this study suggests that strengthening restorative justice practices, enhancing institutional rehabilitation systems, and tackling socio-economic factors that lead to juvenile delinquency behavior should be encouraged.

Keywords: Juvenile delinquency, reformatory justice, restorative justice, Juvenile Justice Act 2015, child rights, rehabilitation, criminal responsibility, youth crime, India.

I. INTRODUCTION

Juvenile delinquency is defined as behaviour that is illegal or antisocial but is done by a person who is younger than the legal age of adulthood. It is a multi-faceted phenomenon which cannot be simply captured in a legal framework since it is embedded in socio-economic, psychological and environmental factors. Factors that are especially important are poor family functioning, poverty, poor quality education, peer pressure, violence and drug abuse. Juvenile delinquents do not act with a criminal purpose; in many instances, they are committing delinquent acts because of structural inequalities and lack of social support.

The juvenile justice system in India is based on the principle of reform, which emphasizes the need to treat juvenile delinquents differently from adult offenders. India has adopted a more punitive approach than other countries, with a focus on rehabilitation through education and reintegration into society. This is in line with international child rights conventions, including the notion of childrens developing capacities and potential for behaviour change. This philosophy is evident in the Juvenile Justice (Care and Protection of Children) Act, 2015 which emphasises rehabilitation and restorative justice processes.

But the Act of 2015 also makes a major step away from the largely reformatory motivations that had previously justified holding a juvenile under the age of 18 as an adult in so called heinous offence cases. This dual approach has sparked a significant volume of legal and ethical arguments which seek to reconcile safeguarding children with public safety and accountability. This, however, makes it difficult to conclude that juvenile justice in India is a system of



justice that is either reformatory or retributive, and begs the question regarding its efficacy and fairness in today's society.

II. LITERATURE REVIEW

This is a tribute to the memory of Munshi,¹ A., LaCaze, M., and Karandikar, S. (2026) observe that the Indian juvenile justice system is still characterised by a inherent conflict between the two philosophies – reformatory and retributive. Though the Juvenile Justice (Care and Protection of Children) Act, 2015 is based on the welfare and rehabilitative principles, the actual operation of the act has resulted in a blend of punitive and reformatory practices, their study says. This has led to a great deal of confusion in juvenile adjudication, especially in the case of serious offences. Consequently, there are gaps in judicial interpretation and in rehabilitation results, which have reduced the efficacy of the juvenile justice system in meeting its reformatory goals.

V. Joshi² (2024), rehabilitation is discussed in contrast to punitive measures that are being used in the juvenile justice system in India. The study reveals that while reformatory and rehabilitative principles are firmly entrenched in the legislation, there is a lack of implementation. Juveniles are frequently not meaningfully re-integrated into social life, because institutional practices are not efficient enough, there are insufficient infrastructure and fewer opportunities for psychological and behavioural intervention mechanisms. This, therefore, significantly weakens the ability of the juvenile justice system to deliver on the principle of rehabilitation and social reintegration of children in conflict with the law, undermining the system's effectiveness.

Sharma,³ K. & Gupta, K. (2024) give a detailed overview of the Juvenile Correctional strategies along with the fact that rehabilitation has taken the centre stage in the Juvenile justice system in India. However, their analysis reveals that while this step has been taken, there are still gaps in handling the psychological and behavioural aspects of juvenile offenders. Insufficient psychological evaluation, counselling services and tailored interventions restrict the effectiveness of correctional programs in its entirety. This makes that the process of rehabilitation is sometimes not able to achieve sustainable behavioural change and successful social reintegration of JCLs.

Verma,⁴ D. (2025) highlights key structural and operational weaknesses that impede the achievement of effective reformatory outcomes in the Juvenile Justice sector. The study emphasizes that the rehab facilities are often overcrowded, there are fewer skilled staff and delays in the process, all of which have negative consequences for the effective implementation of juvenile welfare policies. Although the Juvenile Justice Act, 2015, lays emphasis on reformatory justice and child-centric principles, the manner in which the institutions operate does not meet the expected standards. These restrictions severely hamper the success of rehabilitation programmes, and negatively impact reintegration opportunities for juveniles in conflict with law.

Singh, R. Restorative justice models are important in combating youth delinquency, (2021) states. The study suggests that the victim–offender mediation process, structured counselling, and the community-based rehabilitation are more beneficial than custodial or detention-based measures. These restorative processes can not only help hold individuals accountable, they can also heal the victim and the offender. Such non-institutional interventions are also effective in lowering recidivism rates and long-term behavioural outcomes, Singh adds. In general, the study confirms the need to move towards restorative and community-based approach in securing successful social reintegration of juveniles in conflict with the law.

¹ Munshi, A. et al. (2026). *Between reform and retribution in juvenile justice*. SAGE Publications.

² Joshi, V. (2024). *Rehabilitation vs punishment in juvenile justice*. ShodhKosh Journal.

³ Sharma, S. (2022). *Juvenile justice system reforms in India*. Cambridge International Annals of Criminology.

⁴ Verma, D. (2025). *Institutional rehabilitation under juvenile justice framework*. RR International Journal.



III. RESEARCH METHODOLOGY

3.1 Research Design

The present study is doctrinal and analytical research design because it is focused on the systematic analysis of the legal principles, legislations and judicial interpretations that is relevant to the problems of juvenile delinquency and reformatory justice. The doctrinal approach includes a comprehensive study of the primary sources of law, such as the Juvenile Justice (Care and Protection of Children) Act, 2015, the constitution, and international conventions like the UN Convention on the Rights of the Child. Further, secondary sources like scholarly articles, research papers, government reports and policy documents are critically analysed for its broader socio-legal context.⁵

The analytical part of the study addresses the effectiveness, shortcomings and implementation of the juvenile justice system in India. This also analyzes judicial trends and interpretations of the courts. Overall, this blended approach can help provide a comprehensive picture of the theory and issues of the juvenile justice system.

3.2 Nature of Study

This is a qualitative study that aims at conceptual, interpretative and analytical understanding of juvenile justice reforms in India. The study does not depend on statistics or numerical data and does not rely on statistical modelling of juvenile delinquency and reformatory justice, but it does focus on a thorough discussion of legal principles, policy frameworks and judicial interpretations. It aims to examine the underlying socio-legal dynamics that affect the way the juvenile justice system operates, with a focus on the balancing of the notions of rehabilitation and accountability.

A qualitative approach was used because the subject of juvenile delinquency is a phenomenon that is complex, having social, psychological, and economic impacts that can't be fully measured by quantitative approaches. The study critically examines the literature, statutory provisions and case laws and creates a holistic understanding of the reformatory mechanisms and their effectiveness. This allows a fine-grained assessment of the differences between policy intent and actual outcomes, and offers useful information on policy and institutional changes.

3.3 Sources of Data

For the present study, the secondary sources of data have been used as it provides a broad base for the doctrinal and analytical study of Juvenile Delinquency and Reformatory Justice in India. The primary legislations for analysis are the Juvenile Justice (Care and Protection of Children) Act, 2015. Furthermore, careful study of the constitutional provisions and related legal documents was conducted to appreciate the legal framework of juvenile justice.⁶

Trends, gaps, institutional performance, etc. have been analysed from government reports including from the National Crime Records Bureau (NCRB) and Ministry of Women and Child Development. The United Nations Convention on the Rights of the Child (UNCRC) and UNICEF reports are international documents that offer a worldwide viewpoint on child rights and standards for juvenile rehabilitation. In addition, numerous peer-reviewed journal articles and academic publications have been used to include the latest interpretations and academic discussions in the field.

3.4 Analytical Framework

This study uses analytical framework of comparative and critical analysis approach to analyse the reformatory and punitive aspects of the Juvenile justice system in India. This framework allows for a systematic analytical consideration of the balance and tensions between the principles of care and protection, and accountability, featured in the Juvenile Justice (Care and Protection of Children) Act, 2015, in the context of juvenile perpetrators of heinous offences.

The comparative aspect is trying to draw parallels between Indian juvenile justice practices and international child rights standards, particularly in the UN Convention on the Rights of the Child and international models of restorative practice. This enables the recognition of differences and successes on a jurisdiction-to-jurisdiction basis. The critical

⁵ Lakra, A. (2024). *Juvenile justice in India: A critical legal analysis*. ShodhKosh Journal.

⁶ Alex, N. S., & Singh, N. K. (2024). *Recalibrating juvenile justice in India*. RRIJM Journal.



analysis aspect targets structural gaps, implementation challenges and inconsistencies in the judicial interpretation and functioning of the institutions. It also assesses the effectiveness of the rehabilitation and restorative mechanisms in operation. This dual lens allows the study to yield a balanced perspective of theory and practice in the administration of juvenile justice.⁷

3.5 Limitations of Methodology

It is important to recognize the limitations of the present study within its methodological context for a balanced interpretation of its results. The research focuses mainly on secondary sources of data such as statutes, government reports, academic works and international documents. This means that the research does not include primary empirical fieldwork, such as interviews with juvenile delinquents, probation officers, psychologists, or institutional administrators. This limits the scope of capturing lived experiences and 'grungy realities' of the juvenile justice system. Furthermore, field investigation is not conducted directly, which restricts the possibilities of verifying theoretical results with practical observations. Use of published literature can also lead to potential bias due to the availability and interpretation of the studies. In addition, there was not enough data available to explore differences in juvenile justice policies across regions in detail. Despite the aforesaid constraints, the study offers a comprehensive doctrinal and analytical understanding to the field of juvenile justice reforms in India.

IV. RESULT

Table 1: Intensity of Methodological Components in the Study

S. No.	Methodological Component	Intensity Score (1–5)
1	Research Design	5
2	Nature of Study	5
3	Sources of Data	4
4	Analytical Framework	5
5	Limitations of Methodology	4

Interpretation

Table 1 displays the intensity scores that were given to the key methodological components of the study indicating their relative strength and emphasis through the research framework. The score of 5 was given to the components of Research Design, Nature of Study, and Analytical Framework signifying that they all had a strong and well-developed methodological basis. This implies that the work is well-structured with a clear doctrinal-analytical structure, the qualitative method is well developed and the analytical framework is well elaborated to analyse the juvenile justice issues.⁸

The aspect of the study "Sources of Data and Limitations of Methodology" scored 4, representing a relatively good but slightly limited aspect of the study. The primary empirical data is found to be wholly lacking, while the use of secondary data sources like statutes, government reports and scholarly literature is found to be very helpful, but it is also found to have some limitations. In the same way, methodological limitations (the absence of empirical research in many cases and secondary sources in others) slightly diminish the overall empirical depth.

In general, the table shows that the study has high methodological rigour with some limitations, which led to credible and analytically sound findings in the field of juvenile delinquency and the justice of reform.

⁷ UNICEF. (2021). *Child justice systems report*.

⁸ UNCRC. (2020). *Convention on the Rights of the Child*.



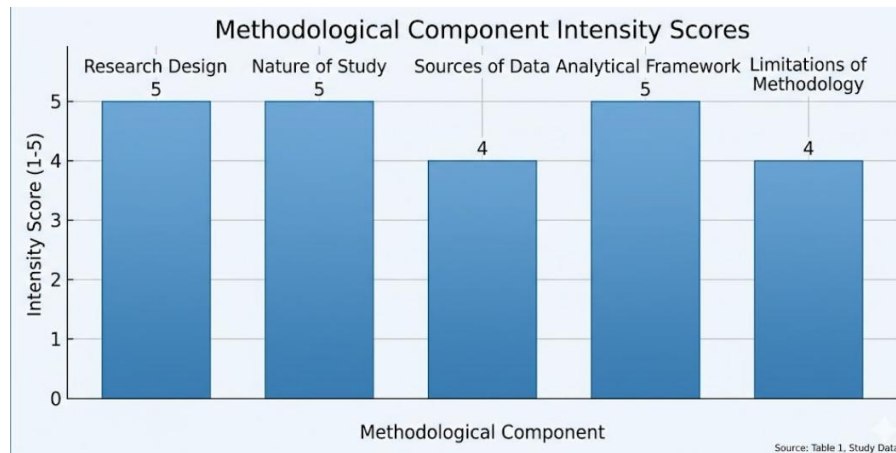


Figure 3: Intensity Scores for Core Research Methodological Frameworks.

4.1 Causes of Juvenile Delinquency

Juvenile delinquency is a multifaceted problem that occurs as a result of various social, economic, psychological and environmental factors. The main cause is family breakdown such as lack of parental supervision, conflict and ineffective parenting, which often results in children being behaviourally unstable. Economic disadvantages and poverty also play a role in delinquent behaviour by restricting access to education, health services and opportunities for social mobility. School dropouts and the absence of education greatly contribute to vulnerability to criminal influences. Peer pressure and association with delinquent groups are also important influences on adolescent deviant behaviour. Increasing exposure to violence in the community or in the media and substance abuse further increases the risk of youth delinquency. Further, psychological trauma, neglect and emotional instability play a role in developing antisocial behavior. The excessive use of social media can also affect behaviour in the modern context. In general, the social inequalities and inadequate support systems are significant factors pushing the juveniles into delinquent behavior.

V. REFORMATIVE JUSTICE APPROACH

Reformatory Justice in Juvenile Justice System is a justice that is concerned with changing the juvenile in conflict with law into a responsible and productive member of society. The Juvenile Justice (Care and Protection of Children) Act, 2015 promotes various corrective measures such as observation homes, counselling services, formal education, vocational training, and structured reintegration programmes. Such mechanisms are aimed at tackling a behavioural problem and at helping the child fit in socially. However, constraints of the reformatory approach such as overcrowding in institutions, lack of skilled social workers and psychologists, lack of follow-up and after care systems, and many other factors, limit the effectiveness of the reformatory approach and diminish the rehabilitation results.⁹

VI. DEVELOPMENT OF JUVENILE JUSTICE IN INDIA

6.1 Custodial Care Phase

The initial approach in the Indian juvenile justice system was mainly custodial, emphasizing the separation of juveniles from adult offenders. The main goal of this period was to assure institutional care and custody and institutional protection and not rehabilitation, social reintegration. Shelter, basic care and corrective supervision for children in conflict with law were made available by setting up juvenile homes and observation facilities. But in most of these institutions a welfare-cum-custodial approach was generally followed with minimum and underdeveloped education, counselling and skill development measures.

⁹ Satarkar Nale, G. S. (2026). *Socio-legal perspective on youth justice*. Research Gate.



6.2 Shift towards Welfare and Reformatory Approach

The system of juvenile justice in India made a gradual shift from a custodial system to a system focussed on welfare and reform over time. This transition focused on the rehabilitation of youth through formal processes like education, skill development and training, counselling and support. The main goal shifted from punishment, isolation to correcting behavior patterns and social reintegration. A different perception of children who were in conflict with the law started to take hold—that they were people who were open to being changed, cared for, and guided instead of punished. This period represented a major shift in juvenile justice thinking: in line with international child rights standards and restorative justice, domestic law was adapted.¹⁰

6.3 Rights-based Framework and International Influence is a Talk by Gowdy

Incorporation of international conventions like the United Nations Convention on the Rights of the Child (UNCRC) has led to the gradual shift of the juvenile justice system in India towards a rights-based approach. The transition represented a major change in values from the previous custodial, welfare-based approaches to children in conflict with the law into a personhood-based approach to children in conflict with the law. The emphasis shifted to their own inherent dignity, developmental needs and right to be protected by the law. Thus, juvenile justice policies started to focus on legal protection, fairness and rehabilitative services. This international influence reinforced India's child-centred approach to justice and ensured that laws in India were in harmony with international human rights norms.¹¹

6.4 Juvenile Justice Act, 2015 and Contemporary Framework

The Juvenile Justice (Care and Protection of Children) Act, 2015 is the latest Act on Juvenile Justice in India. It is reformatory, restorative and also has provisions of accountability for serious offences. Child welfare, rehabilitation and reintegration remain key elements of the Act's goals. But it is a radical change from previous conceptions of a wholly reformatory approach, allowing juveniles between 16 and 18 years old to be prosecuted as adults for serious crimes. The provision reflects a hybrid approach which aims at balancing the interests of child rights and the increasing concerns about public safety and justice.

VII. CRITICAL ANALYSIS OF JUVENILE JUSTICE SYSTEM

7.1 Hybrid Nature of the System

The juvenile justice system in India is a blended system with both the welfare and punitive aspects of the system. It is grounded in a tenets of reformatory justice that focus on the rehabilitation, reintegration and overall development of a child in conflict with the law. In recent times, however, there have been some changes in the law and in policy that have incorporated some retributive tendencies, especially because of growing concerns about serious juvenile crime. The Juvenile Justice Act, 2015 also embodies this approach, with a child-centred welfare approach in tandem with accountability for heinous crimes. This includes accountability measures which permit that juveniles 16-18 years old be tried as adults under certain conditions. The system, therefore, embodies a tension between the rights of the child and public safety, and a planned but still controversial blending of reformatory and punitive principles of justice.

7.2 Gap between Law and Implementation

While the Indian juvenile justice system is very much geared towards rehabilitation, care and child welfare, there is a huge difference in enforcement and implementation. Structural and operational flaws often thwart the goals of reformatory justice in practice. The infrastructure of many juvenile institutions is inadequate, they are overcrowded, have limited access to basic facilities. Also, there is a lack of skilled staff like psychologists, social workers and probation officers that has a direct effect on rehabilitation services. Likewise, weak accountability and monitoring and

¹⁰ Karanjule, S. K. (2025). *Juvenile justice reforms in India*.

¹¹ NCRB. (2023). *Crime in India Report*.



evaluation systems reduce accountability and consistency in institutional functioning. This has resulted in the provision of juvenile justice services being inconsistent and lacking in quality, thus falling short of the fundamental objective of juvenile justice – successful rehabilitation and social reintegration for juveniles in conflict with the law despite the positive steps taken in the law, the Juvenile Justice (Care and Protection of Children) Act, 2015.¹²

7.3 Disparities with the Federal government

Juvenile justice laws are not being implemented in a uniform manner in all states of India and this has a negative impact on the uniformity and effectiveness of juvenile justice. Despite the uniform framework of the Juvenile Justices (Care and Protection of Children) Act, 2015, implementation capacity, funding, and institutional structures differ significantly across jurisdictions. Consequently, the rehabilitative practices, standards of care in institutions, and procedural protections vary from state to state. There are some states which have relatively better developed child welfare system which are other states which find it difficult to have adequate facilities and weak enforcement mechanisms. This difference results in unevenness of judicial and administrative outcomes for juveniles in conflict with law, thus failing to uphold the principle of equality before the law. This means that the implementation of the Juvenile Justice system is not uniform across different states, which creates a significant hurdle in ensuring a uniform and effective juvenile justice system in India.¹³

7.4 Heinous Offence Classification and Legal Complexity

The juvenile jurisprudence in India is complicated with the introduction of the concept of heinous offence under the Juvenile Justice (Care and Protection of Children) Act, 2015. The provision was put in place with concerns about increasing serious crimes by youths, but it has created a lot of legal confusion. Preliminary assessment by the Juvenile Justice Board is important to determine whether a 16 to 18-year-old should be tried as an adult and this may often be interpreted in a subjective manner. This has led to variations in standards of treatment and in the application of the procedures in different cases. Such provisions are condemned by critics who claim that they detract from the general reformatory agenda of juvenile justice by adding retributive features. This has blurred the lines between child protection and criminal accountability, and there are significant issues of balance between rehabilitation, fairness and public safety in the juvenile justice system.

VIII. DISCUSSION

As in many other countries, the Indian juvenile justice system embodies a conflict between reformatory and retributive approaches. The Juvenile Justice (Care and Protection of Children) Act, 2015 is fundamentally rooted in rehabilitation and child welfare, but the age range under which juvenile offenders aged 16-18 years can be tried as adult offenders for heinous crimes shows some movement towards retributive justice. This duality leads to a conceptual and practical confusion in the use of juvenile law. Although there is statutory protection for the reintegration of children, the institutional systems for reintegration are still weak, stemming from a lack of sufficient infrastructure, trained psychologists and monitoring mechanisms, which limits the effectiveness of reintegration outcomes. Inconsistencies are also evident in judicial interpretation: rehabilitation is always signaled in general cases, with higher sentences in more serious offences where psychological evaluations are taken into account. This causes a discrepancy in the implementation of juvenile justice principles. Moreover, socio-economic disadvantage is strongly associated with juvenile delinquents; the majority of delinquent youth are from disadvantaged and socio-economically under-resourced communities suggesting that the root of delinquent behaviour is structural inequality. Restorative justice processes like victim offender mediation, community service, counselling and community based rehabilitation are increasingly being

¹² Ministry of Women and Child Development. (2022). *Juvenile justice report*.

¹³ Government of India. *Juvenile Justice Act, 2015*.



seen as more effective options for long term behavioural change and social re-integration than custody and are increasingly being recognised as such in this context.¹⁴

IX. CONCLUSION

India's Juvenile Justice System is essentially based on a child-centric and child-friendly philosophy that acknowledges the huge potential of children in conflict with the law to change their behavior and reintegrate them into society. The Juvenile Justice (Care and Protection of Children) Act, 2015 is aligned with this philosophy with a focus on rehabilitation, care and protection rather than punishment. But, despite the progressive legal structure, there are also a number of practical and structural issues that remain unresolved and negatively impact system effectiveness.

Apart from this major issue, the complexity and severity of juvenile delinquency are on the rise, raising the question of whether there should only be a reformatory approach taken in all cases. This tension between the right to protection for children and the need for accountability is reflected in the provisions for young people aged between 16 and 18 being tried as adults for serious offences. In addition, the judicial interpretations are inconsistent, there are inadequate psychological support systems and weak institutional infrastructure resulting in the programs of rehabilitation not being effective.¹⁵

There is an urgent need to reinforce rehabilitative and restorative justice mechanisms, which have a focus on healing, correction and reintegration as well as punishment. A holistic and coordinated solution to social support, psychological counseling, support in education and appropriate legal responsibility is necessary. This comprehensive approach can help to maintain the humane and effective nature of juvenile justice, while promoting better social outcomes for youth involved in the system and ultimately leading to lower recidivism rates.

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