
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

**PREVENTION AND CONTROL OF JUVENILE DELINQUENCY IN
INDIA: A NEED TO RE-LOOK AT THE LOOPHOLES IN THE LAWS
DEALING WITH JUVENILE DELINQUENCY**- Shubham Dutta¹**Abstract**

The plight of juvenile delinquency is as aged as the society itself. Juvenile Delinquency is a very solemn and grave issue because it paves its way towards adult criminality. In order to solve the issue of juvenile delinquency continuous efforts are being made by the Criminologists and Penologists. Juveniles are to be dealt in very delicate manner different from that of adult criminals and hence proper care, treatment and rehabilitation must be given to them so that they can adjust in the society and make themselves law-abiding citizens because children's determine the future of any nation. Hence, reformatory approach must be adopted for the juveniles and young offenders rather than punitive approach. Juvenile Delinquency cannot be uprooted completely from the society but we can take certain preventive and reformatory measures to control the menace which will help in minimizing it to certain extent. History shows that it was only during the British rule that the Juvenile Justice System had taken birth in India. The primary legislations dealing with juveniles in India are the Juvenile Justice (Care and Protection of Children) Act of 2000, the Juvenile Justice (Care and Protection of Children) Act of 2015 and the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021. In spite of these legislations functioning in India, they have not been successful in preventing and controlling juvenile delinquencies in India. Therefore, in the present article, the author has thrown light upon the loopholes existing in the current legislations dealing with juvenile delinquency and has also tried to suggest measures which shall help in preventing and controlling juvenile delinquencies in India.

Keywords: Juvenile Delinquency, Prevention, Reformatory Measures, Reformatory Approach

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1. Introduction

In contemporary advanced nations, a felon is viewed as a psychologically ill person or someone who has been victimized by situations, rather than a malefactor or a nasty person. Even children used to be harshly penalized if they engaged in some sort of wrongdoing. However, when psychotherapists continued to bring the reasons of juvenile delinquency to the knowledge of the sophisticated world, the practice of punishing children fell out of favor, and was replaced by attempts to improve and regenerate them. Today, instead of punishing the young offender, each country aims to repair him. All procedural and human rights laws are clearly infringed when children are held in jail cells.²

The most fascinating part of the issue of juvenile delinquency is that it has been considered as a problem unique to modern society at every age, despite the fact that, like adult criminal conduct, it has always existed in some form or another and there is no reason to believe it will not continue to do so in the future. This phenomenon is based on a two-dimensional model. To begin with, breaking any rule of conduct, whether for adults or children, is unavoidable. Second, the concept of juvenile delinquency as aberrant child conduct is based on societal standards, i.e., the elders, and there is certain to be a collision of values owing to the generation difference.³

Juvenile delinquency is not a recent issue. It may be found in both basic and sophisticated communities. The negligence of children by their parents, family, community has harmful influence on their physiological, psychological development and on the whole progress. Without a doubt, the elements that lead to delinquency are numerous in India, and any endeavor to avoid and manage them would benefit not just the children, but the entire world's civilization. After all, children are a country's most great resource, and every nation's future growth and development, including stability and affluence, is dependent on them.⁴ Because a huge majority of criminal careers have their origins in childhood, juvenile delinquency is a doorway to adult crime. It's a global issue that's creating great worry; even in industrialized nations, the number of cases of juvenile delinquency is rising every year.⁵

Gabrial Mistral, a well-known Nobel Laureate, has long expressed his concern for child care

²Dr. Shivani Verma, *Criminology, Penology and Victimology* 525 (University Book House Pvt. Ltd., Jaipur, 2019).

³Ahmad Siddique & S.M. Afzal Qadri, *Criminology, Penology and Victimology* 375-376 (EBC, Lucknow, 7th edn. 2018).

⁴Shimpi Gera, "Juvenile Delinquency and Law a socio legal study with special reference to India", *Shodhganga 2* (2018) available at: https://shodhganga.inflibnet.ac.in/bitstream/10603/269950/9/09_chapter%201.pdf (last visited on December 21, 2021, 06:42 PM).

⁵Dwivedi Kumar Azad, "Juvenile Delinquency and its Justice System in India a Critical Study with special reference to Juvenile Justice Care and Protection of Children Act, 2000" *Shodhganga 3* available at: <https://shodhganga.inflibnet.ac.in/handle/10603/188816> (last visited on December 21, 2021, 09:48 PM).

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in following words:

“We are guilty of many errors and many faults but our worst crime is abandoning the children, neglecting the foundation of life. Many of the things we need can wait, the child cannot right now is the time his bones are being formed, his blood is being made and his senses are being developed. To him we cannot answer tomorrow. His name is Today.”⁶

The predicament of juvenile delinquency is increasing in India as well, despite statistics to the contrary. The reason for this is because the majority of delinquent behavior goes unnoticed. When a little youngster of seven or eight years old is caught stealing someone’s wallet, the most that can be done is to reclaim the wallet from him and give him a light spanking of two or three slaps. He is then free to travel as before. No one tries to take him to the police station and report the incident. The country’s conventional police image is also a major hindrance in this regard.⁷

It must be admitted that biophysical reasons itself cannot account for youth’s rampant delinquency. A child is born naive and will develop into a man with great height if nourished with sensitive love and compassion. Toxic environments, neglect of fundamental necessities, the improper companionship, and other maltreatment, on the other hand, might develop a youngster into a delinquent. Other factors, such as population growth, societal, economical, and political changes, educational patterns, and so on, all contribute to the rising frequency of juvenile problems, which have reached alarming proportions in recent decades.⁸

Towards the close of the eighteenth century, a trend for particular treatment of young criminals arose. Before this, juvenile criminals were treated in the same way as adults. They were charged in a criminal court and faced the same punishments as adults. Aside from that, they spend their sentences in the same jail as other serious criminals. The apparent outcome of putting adolescents and chronic criminals in the same jail was that these facilities became breeding grounds for unhealthy habits and crimes. The system’s bigger problem was that it introduced juvenile offenders to contagion as a result of their detention with other criminals. However, throughout the mid-eighteenth century, a surge of liberalization and legal changes ushered in a drastic shift in law reformists’ attitudes about youthful criminals. They aroused the interest of a penologist to the fact that a child needed formation rather than reformation.⁹

Most legislative provisions in India, that has a longstanding experience of juvenile

⁶*Ibid.*

⁷*Supra* note 4 at 4.

⁸*Supra* note 1 at 665.

⁹*Id.* at 666.

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regulation, have supported the British model somewhat. In the final part of the nineteenth century, India adopted the English idea of providing different treatment for young offenders. The Apprentices Act of 1850 is the first statute in the United States to deal with children in need of training for commerce and industry. In England, the Reformatory Schools Act was passed in 1854, while in India; the Reformatory Schools Act was passed in 1876. Children under the age of seven years are protected from criminal responsibility under Section 82 of the Indian Penal Code 1860.

The Children Act was enacted in 1960. The Children Act of 1960 established a system for the care, protection, maintenance, welfare, training, education, and rehabilitation of neglected and delinquent children. The Children Act made it illegal to jail children under any circumstances for the first time in India. Following that, all states enacted Children Acts that were similar but not identical. The term “child” was defined differently in each state. As a result of the various ideas of child and childhood, delinquent and neglected children were exposed to disparate treatment. The Juvenile Justice Act of 1986 was enacted to address these issues. This Act was in effect all throughout the country. Meanwhile, as suggested by the Beijing regulations and the UN Convention on the Rights of the Child, the idea approach and technique of juvenile justice were experiencing some fundamental modifications.

The Juvenile Justice Act, like the 1960 Children Act, advocated a sex prejudiced description of a juvenile. Furthermore, the majority of the states and union territories that had developed rules for implementing the JJA lacked the fundamental infrastructure of juvenile welfare boards, juvenile courts, observation homes, juvenile homes, special homes, and after-care facilities. With the passage of the 1989 Convention on the Rights of the Child (CRC) and its ratification by the Government of India in 1992, the disparity between reality and the execution of the law became even more apparent. The CRC’s provisions on children in conflict with the law were bolstered by two additional UN documents: the United Nations Guidelines for the Administration of Juvenile Delinquency (Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (JDL Rules).

As a result, the Juvenile Justice (Care and Protection of Children) Act of 2000 was enacted. One of the most significant differences between the 1986 Act and the 2000 Act is the age of males and girls. A juvenile is defined as a male juvenile under the age of sixteen and a female juvenile under the age of eighteen in accordance with the 1986 Act. The difference between male and female juveniles on the basis of age was not retained in the 2000 Act. Both male and female participants must be at least eighteen years old.

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Following the gang rape in Delhi in 2012, the government saw the need to create new juvenile law, and Maneka Gandhi tabled a bill in Parliament on August 12, 2014. The Lok Sabha passed the Juvenile Justice (Care and Protection of Children) Bill, 2015 on May 7, 2015. On December 22, 2015, the Rajya Sabha passed it. It received the President's assent on December 31, 2015, and went into effect on January 15, 2016. The Juvenile Justice (Care and Protection of Children) Act of 2015, which repeals the Juvenile Justice (Care and Protection of Children) Act of 2000, went into effect on January 15, 2016.

2. Factors Responsible for Juvenile Delinquencies in India

Despite rigorous rehabilitative efforts and unique procedures for dealing with the problem of juvenile delinquency, there is a rising propensity among young people to be arrogant, aggressive, and defiant to the law, resulting in a significant increase in the prevalence of juvenile delinquency.¹⁰ A variety of elements, according to researchers, have a significant role in juvenile delinquency. These factors can be divided into two categories: individual factors and situational influences. Personality traits such as submissiveness, defiance, hostility, impulsiveness, feelings of insecurity, fear, lack of self-control, emotional conflict, and so on are included in the former, whereas the latter can be divided into two categories: family, companions, school environment, movies, and work environment.¹¹ The overall causes of juvenile delinquency have been discussed below:

1. Uncongenial Home: In certain circumstances, juvenile criminality is the outcome of an unpleasant family environment. The conduct of parents with their children, as well as the behavior of parents between themselves, is a critical factor in shaping a child's psychology from the start. Another factor affecting family unity is the unprecedented rise in divorce lawsuits and marriage disagreements. Discriminatory or step motherly treatment of children has a negative psychosocial impact on children.¹²

2. Industrial Development & Economic Growth: India's industrial development and economic progress have resulted in modernization, which is giving birth to new difficulties such as housing, slum living, congestion, and a shortage of affordable housing in metropolitan areas, forcing even women to work outside to support their families financially. As a result, their children are abandoned at home with no parental supervision. Furthermore, the desire for modern comforts of life tempts young people to use illegal measures to achieve their desires. All of these variables together have resulted in a significant increase in adolescent delinquency

¹⁰Supra note 1 at 670.

¹¹Ram Ahuja, *Criminology* 111 (Rawat Publications, Jaipur, 2010).

¹²Supra note 1 at 671.

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in metropolitan areas. Today, it has been correctly observed that “there is no crime, but just criminals in the modern meaning of the term.”

3. Irresistible Impulse: The desire is often not subject to simple self-control during adolescence. A child’s behavior can be highly reckless. He/She does not comprehend the concept of evading little difficulties, and as a result, he may argue about petty subjects.

4. Adolescence Instability: Adolescent behavior is influenced by genetic mechanisms. Physiological maturation, or puberty, is also a significant role. At this period, intolerance to constraints begins to emerge. At this age, the youngster wishes to keep his own individuality. At this period, fashion, clothes, language, dancing, eating, and play are all attractions at this stage.

5. Associational Impact: When a child begins to venture outside the home, he encounters a wide range of people of different ages and genders. He forms a distinct social group outside of the house, as well as at school. He adopts the culture of the organization with which he is affiliated. If someone makes an unfavorable association, he begins to act in that manner.

6. Lack of proper education: When a child is kept completely involved in his studies, he has little time for anything else. Because of his or her parent’s situation, or because of his or her lack of enthusiasm in studying, often hanging around with no employment and an empty mind, they are naturally drawn to commit things that are not justifiable and lawful, or they seek the companionship of criminals. They may skip lessons and be considered truants.

7. Modernized Way of Living: Children and teenagers find it challenging to adapt to new lifestyle due to the fast-paced world of contemporary life. They are faced with a dilemma of cultural clash and lack the ability to distinguish between good and wrong. This may encourage them to engage in criminal activity.

8. Movies: Themes of sex and violence are prevalent in today’s movies. In the conditions, the hero is portrayed as invincible and unstoppable. In love, he is a risk-taker. The splendor of the villain's existence until he is revealed to the public, the authorities, or the book has a profound effect on the adolescent mind. As a result, the youngsters became delinquents.

9. Sex Indulgence: People who had a sex encounter as a youngster are always enticed to do so. The typical age of puberty in females has decreased by three or four years, implying that girls reach puberty between the ages of ten and twelve, while remaining cognitively and psychologically unable of conceptualizing about the facts of life. As a result, children are easy target for sex relationships for the sake of temporary pleasure, and they become engaged in brothels and child pornography.

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10. Poverty: Poverty is a contributing factor in criminality, including juvenile delinquency. When youngsters observe others enjoying life with more conveniences and a better standard of living, they get dissatisfied and, as a result, develop a drive to obtain these things by any means necessary, giving rise to delinquency. Stealing and betting, in general, are the beginnings of it.

3. Loopholes in the Legislations Dealing with Juvenile Delinquencies in India

The Juvenile Justice (Care and Protection of Children) Act, 2000¹³: To lend support to various United Nations resolutions adopted by the global community and to address the shortcomings of the Juvenile Justice Act, 1986, the Ministry for Social Justice and Empowerment appears to have been inspired to draught a new Juvenile Justice Law, the final result of which was the Juvenile Justice (Care and Protection of Children) Act, 2000, which came into force on April 1, 2001. According to the Act's preamble, it is an Act to consolidate and amend the law relating to juveniles in conflict with the law and children in need of care and protection, by providing for proper care, protection, and treatment by catering to their developmental needs, and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation, and for matters connected therewith or incidental thereto.

Loopholes of the Act of 2000: Despite these characteristics, the Juvenile Justice (Care and Protection of Children) Act of 2000 has received widespread criticism for a variety of reasons. Here are a few of them:

1. The correct implementation of any Act is critical to its success. A law may look nice on paper, but it has no significance unless it is followed to the letter. Because the current Act has not been adopted by all states, the Act's goal has remained unmet.
2. The entire system is messed up due to a lack of collaboration amongst numerous juvenile authorities.
3. The provisions of the Act, particularly those concerning children in need of care, are neglected by the police and society. Each police station should establish a special police unit, with people specialized in dealing with juveniles.
4. These observation homes all have one thing in common: they are all closed facilities that take away the child's liberty totally. The Act's design ostensibly focuses on how to effectively reform the offending individual, rather than on punishment. As a result, denial of liberty is viewed as a means of reintegrating the juvenile back into society, rather than as a punishment.

¹³ The Juvenile Justice (Care and Protection of Children) Act, 2000 (Act No. 56 of 2000).

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Thus, the concept appears to be that by keeping children until they reach the age of eighteen and putting them to a repetitive daily pattern and enforced separation from all kinds of life outside the daily schedule; individuals may be produced who can be reintroduced into society. However, the practical harsh truth in most “homes” indicates a commitment to the classical punishment approach.

5. While the goal of reducing the time a juvenile spends in a juvenile home or special home is admirable, there are substantial doubts about whether restoration is the ideal answer. This method, for example, may be ill-conceived in situations of child sexual abuse. Restoration may not be an option for children in terrible situations (e.g., children on the street, youngsters involved in sex industry, etc.).

6. An additional source of contention is that the Act has no protections for the processes governing adoption and foster care, leaving it solely to the discretion of the States, who have the authority to enact rules under the Act.

7. The Act lacks enough safeguards to guarantee that adolescents in state custody get appropriate and need-based education.

The Juvenile Justice (Care and Protection of Children) Act, 2015¹⁴: The Juvenile Justice (Care and Protection of Children) Act of 2015 assures the appropriate care, preservation, rehabilitation, counseling, and re-integration of children in challenging situations by using a child-oriented approach while keeping the child’s best interests in mind. The current Act is an Act to consolidate and amend the law relating to children alleged and found to be in conflict with the law and children in need of care and protection by catering to their basic needs through proper care, security, growth, treatment, social re-integration, by adopting a child-friendly approach in the adjudication and disposal of matters in the best interest of children and for their rehabilitation through processes provided, the organizations and bodies formed there under, as well as issues relevant to or incidental to them. The Juvenile Justice (Care and Protection of Children) Act of 2015, which repeals the Juvenile Justice (Care and Protection of Children) Act of 2000, went into effect on January 15, 2016. The Juvenile Justice (Care and Protection of Children) Bill, 2015 was approved by the Lok Sabha on May 7, 2015, by the Rajya Sabha on December 22, 2015, and by the President on December 31, 2015

Loopholes In The Juvenile Justice (Care & Protection) Act , 2015:

1. The Juvenile Justice Board has discretionary authority. There is no clear definition of when a case will be moved to the court in the Juvenile Justice (Care and Protection) Act, 2015, and the

¹⁴ The Juvenile Justice (Care and Protection of Children) Act, 2015 (Act No. 2 of 2016).

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juvenile is handled as an adult. Because the laws and guidelines are ambiguous, the juvenile justice board exercises its discretion in issuing directives.

2. There is a breach of the notion of a new beginning. The youngsters are given a second shot at life by being sent to a juvenile home for reformation. Their condition is cured and they are given a fresh lease on life at a juvenile home, where they are given all of the possibilities that a normal youngster is given. However, by categorizing juveniles as adults, the 2015 Act undermines their right to equal opportunity and denies them a fresh start.

3. The Fresh Start Principle is supported by the 2015 Act, which protects their right to privacy. It protected young offenders' right to privacy by wiping their records. There is, however, a clause that permits for a departure in exceptional instances. The nature of these unique conditions has not been disclosed, leaving the situation open-ended. This infringes on his right to privacy, and it is believed that this broad clause would lead to "racial profiling" of criminals based on colour, caste, religion, background, and other factors.

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5. Under the 2015 Act, juvenile offenders are protected from being disqualified for the conduct of an offence under any legislation. However, minors above the age of sixteen who commit terrible crimes are not excused from prosecution and are not protected by this section.

6. The primary goal of any law is to benefit society, and the primary goal of the juvenile justice system is to benefit children. The 2015 Act, on the other hand, is opposed to the notion of children's wellbeing. Treating youngsters beyond the age of sixteen as adults in terrible crimes turns them into hard core criminals. It severely undermines the Juvenile Justice System's therapeutic base. The myriad growing causes of juvenile delinquency are not taken into account by the legislature. These juveniles who have run afoul of the law require assistance in order to recover. The ages of sixteen and eighteen are particularly sensitive and vital, and they require additional care.

4. Preventive and Reformative Measures for Controlling Juvenile Delinquency in India

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According to the author, law cannot solve any problems on its own. To give it vitality, it will undoubtedly require a great deal of consciousness and real devotion to the community. For this, community must maintain adequate supervision over legislation, policies, and programmes linked to the development and safety of children. People need to shift their restricted perspectives on gender disparity and their outdated mindsets. It should begin with our own families, and only then can we expect for a happier future and see smiles on the faces of Indian children. In order to address the threat of juvenile delinquent misbehavior and bridge the gap between juvenile justice systems, the researcher would like to provide some modest suggestions in the form of preventive and reformatory methods.

A. Preventive Methods to Curb Juvenile Delinquency

1. Role of Parents: Parents in today's materialistic environment do not spend time with their children. It is a responsibility of the parents to spend time with their children, listening to their difficulties, and educate them what is fair and unfair for them. Parents must raise their children with the same attention and affection as their peers in order to encourage them to voice their opinions without fear of being judged. Parents must educate their children that they must quickly notify them if something wrong occurs in their home, school, neighborhood, or anywhere else. In Indian society, discussing sex is considered taboo, and no family wishes to discuss the subject with their children. Mothers may play an important role here by providing suitable guidance to their daughters on sex matters. Every parent owes it to their children to reassure them that they will always be there for them in their times of need. As a result, parents have a primary responsibility to safeguard their children from abuse, neglect, damage, or exploitation.

2. Role of State: The state, as custodian of a child's fundamental rights, has the authority to interfere when parents fail to fulfill their obligations to their children. Without a doubt, the Right of Children to Free and Compulsory Schooling Act was approved, which mandates compulsory education for children aged six to fourteen, as well as being inscribed in Article 21 A of the Indian Constitution. Despite all of our efforts, education is still limited to the language of legislation. To achieve 100 % literacy, every one of us must play a good role at the civic, educational, and elite levels, without any avarice.

3. Create Awareness as to Child Laws: During the study, the researcher discovered that there is a lack of understanding regarding laws protecting juveniles from crime, which has resulted in an increase in crime statistics. People do not always report child abuse to the police or approach authorities because they are unaware of the law. On the other side, the perpetrator takes

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advantage of the child's ignorance on a regular basis, and as a result, the youngster becomes a victim of "child crimes."

4. Proper Implementation of Juvenile Laws: The researcher points out that there are several regulations pertaining to juvenile protection. Despite these regulations, there is crime committed by or against juveniles in society. In reality, the issue is one of implementation. There are committees, commissions, judgments, guidelines, draught legislation, and recommendations, yet none of them are properly implemented. As a result, it is proposed that these laws be implemented effectively. It is not enough to have determined goals; the implementation must also be determined. It is proposed that the only answer to the challenges of establishing adjudicatory authorities in execution, coordination, accountability, and monitoring is to separate children in need of care and protection from the justice system.

5. Effective Administrative Machinery of the Juvenile Justice Laws: Any law's administrative machinery must be robust and effective in order for it to be properly implemented, and juvenile laws are no exception. Police officers, executive officers, judicial officers, law officers, public prosecutors, health professionals, teachers, and institutional heads in charge of children's institutions would benefit from these programmes. Except for the Juvenile Justice Board, no further activity of the criminal court shall be committed to the Principal Magistrate. A list of specialists in the fields of psychology, counseling, clinical psychiatrists, non-governmental organizations, panelists of advocates, and fit institutions and fit individuals, observation homes, special homes, and volunteer organizations should be presented to the Board.

6. Separate Children Code in India: All Centre and State legislation containing provisions for the protection of children against crimes should be repealed, and a different Children Code in India, dubbed "The Children Code of India," should be created to deal solely with violations of children's rights and crimes committed against them. This Code should be uniformly applied across India's territory and divided into various criminal acts involving children, such as child workers, child molestation, child prostitution, homeless youth, miscreant children, child sex tourism, child prostitution, female child feticide, child panhandlers, underage marriage, child soldiers, and child pornography, among others. In cases of crimes against children or violations of child rights, this Code should include harsher sanctions. According to the researcher, if this sort of Code is passed, there would undoubtedly be uniformity in sentencing across India.

7. Accountability of Police Officers: It is proposed that police officers must receive specific training on subjects relating to crimes against children, so that they can respond effectively in

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situations when children are the perpetrators of or victims of crimes. A children's cell should be established at police stations, led by a female police officer who is specifically trained in criminal cases involving children and who only deals with crimes committed by female delinquents. Furthermore, police attitudes toward child victims ought to be pleasant so that children may speak freely and without fear in front of them about the occurrence.

8. Separate Department for dealing matters relating to Juvenile Delinquency: The Juvenile Justice (Care and Protection of Children) Act, 2015 strives to take a child-friendly approach to adjudication and disposal of problems in the best interests of children, as well as to their ultimate rehabilitation through the different institutions established under the Act. However, rehabilitation just on paper would be ineffective. There should be a special department dedicated solely to dealing with the problem of juvenile delinquency.

9. Role of Judiciary should be Increased: Wherever feasible, the courts have taken children's preferences into account, but many youngsters may be readily trained by the noncustodial parent's excessive influence over the absentee parent. Evidently, the priorities criteria provide judges a great deal of leeway. The judges' backgrounds and knowledge of what is in the best interests of the child are critical. In terms of protecting children's rights, the Indian judiciary has done an admirable job. The Honorable Supreme Court of India, as well as several High Courts around the country, has issued notable rulings in the area of children's welfare and protection from crime, following in the pace of the Supreme Court. Though there are several judgments on the subject of children's rights and crime prevention, the concern is whether the directions issued by these judgments are implemented in text or spirit. The answer is probably "No," because most court judgments are publicly circumvented by states and enforcement agencies. The majority of Supreme Court and High Court judgments have remained a devout desire since state governments have failed to enforce these courts' decisions, despite the fact that the states bear the burden of execution, demonstrating an absence political will.

10. Miscellaneous:

- i. Children who have been designated as orphans or homeless by the police should be placed in correctional facilities.
- ii. Children should be supplied with healthy amusement, such as good films, novels, and literature, so that they receive not just enjoyment but also valuable lessons and moral instruction.

iii. Numerous criminologists, psychologists, and other social workers will hold seminars and conferences to explore the various issues surrounding juvenile delinquency and to come up with actual measures to avoid it.

iv. To avoid juvenile delinquency, the government should follow the recommendations made by specialists in this field and incorporate them into current laws and legislation.

B. Reformative Measures to Curb Juvenile Delinquency: The goal of modern welfare states is to reform juvenile delinquents so that they can grow up to be responsible citizens. The most essential approaches for realizing the thing are listed below:

➤ **Probation:** The juvenile delinquent is maintained under the general supervision, whose function it is to watch after the criminal, assist in his or her reintegration into society, and ensures that the delinquent follows the bail-bond regulations. As a result, the offender not only has the opportunity to reform, but also receives guidance and practical assistance in doing so.

➤ **Reformative Institutions:** To reform imprisoned delinquents, institutions such as reformatory schools, auxiliary homes, and borstal schools were created. These institutes are dedicated to the delinquent's whole development. For the reform of juvenile delinquents, psychologists use psychological approaches. The following are the most important of these:

(a) **Play Therapy:** Delinquent children are provided opportunities to engage in plays that allow them to release their suppressed emotions and aid in the development of creative energy in this technique. Individual as well as group play should be included in play therapy.

(b) **Finger Painting:** The child is given simple sheets and some color in this manner. He is permitted to paint with his fingers on his own. The goal is not to paint, but to allow the youngster to vent repressed emotions, leaving him rational and healthy.

(c) **Psycho-Drama:** In this approach, the adolescent is permitted to play several roles in a group theatre, allowing him to express his suppressed emotions.

Aside from the approaches listed above, psychologists may help delinquents by creating a healthy environment in the home and giving enough, healthy entertainment. Finally, curtailing juvenile criminality necessitates the collective effort of educators, parents, and the government.

➤ **Government Measures:** The state should enact legislation to combat juvenile delinquency. Remand homes, accredited schools, borstal schools, boy's clubs, and probation hostels should all be established.

5. Conclusion and Suggestions

India has the world's greatest number of children. The Indian Constitution provides all

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children in the country fundamental rights and authorizes the government to make particular arrangements for them. The Directive Principles of State Policy expressly direct the state in protecting children of a vulnerable age from exploitation and guaranteeing that children are provided with opportunity and amenities to grow in a positive way in a liberated and dignified environment. The state has a responsibility to safeguard children against misuse and ethical and monetary abandonment. The picture of Indian children demonstrates that the overwhelming amount of them are poor, simply lacking existence, sustenance, and cognitive options. High child death rates, school dropout rates, child labor, disabled children, and the problem of juvenile delinquency are all evidence that the state has to intervene.

The rising rates of juvenile criminality in India are a serious worry that must be addressed. Although the administration has enacted different laws and regulations to reduce juvenile crime, the current laws on juveniles do not have a deterrent impact on juveniles, and hence the outcomes are ineffective and the legislative objective is not being fulfilled. The juvenile justice system is considered to have evolved as a distinct discipline of justice administration, sometimes known as juvenile justice administration. The conundrum is that the Indian Constitution has no particular stipulations for administering of juvenile justice.

Overall, the Legislature and the Courts have made earnest attempts to address key concerns involving children and juveniles involved in the juvenile justice system. The most recent Juvenile Justice (Care and Protection of Children) Act, 2015, establishes nationally consistent measures for the rehabilitation of children who have run afoul of the law as well as children who require care and protection. Laws pertaining to juveniles, on the other hand, must be strictly enforced. We may conclude from the preceding discussion that violent crimes such as rape and murder go unpunished because the perpetrator is under the age of eighteen. Only the correct execution and revisions of the Juvenile Justice Act will be able to prevent juvenile offences. To restore juveniles who have run afoul of the law, the juvenile system as a whole must be overhauled first. The squalid circumstances of juvenile justice boards and observation houses must be rectified promptly. The country must go on strike to ensure that every child has access to school, affordable healthcare, sanitation, and shelter. It is hoped that this study would inform and awaken everyone involved regarding the nature and scope of the juvenile delinquency problem. The study has also raised awareness about the need for parents, communities, and civil society organizations to take particular actions to address the problem of juvenile delinquency. The study has proposed that the law on juvenile delinquency should be reformative rather than punishing. In fact, the goal of any decent legislation should be to

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reform criminals rather than simply punish them. In conclusion, the juvenile justice system in India has acquired traction. The way people think about children's rights has to change.



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