

Juvenile Delinquency Issues In India And Its Impact

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ABSTRACT:

In present civilized countries a criminal is not treating as a sinner or a evil person, instead of that he treated like a mentally diseased individual or one who has been victimized by situations/conditions. Juvenile Delinquency is one of the major problems in the society. As we know that J J Act/ Juvenile Justice (Care and Protection of Children) Act, 2000 dealing with the Juvenile Justice in India. It is a successor to the Juvenile Justice Act, 1986 and has been enacted to correct glaring loopholes that were a characteristic feature of its ancestor, through completely not without failings of its own. These laws have been enacted in the recent past with not even a time gap of a quarter of a century as against existing times. This article explores the situation of juvenile justice in India. The paper focuses on the issue of age determination – possibly the biggest loophole when it comes to misusing the law that was legislated with the intent of being child friendly and the objective of meeting the requirements of conventions on the rights of the child.

Keywords – Juvenile, offences, age, juvenile justice, care and protection.

1. INTRODUCTION

Juvenile delinquency is not only a state issue but also a global phenomenon. Juvenile delinquency mentions to a large variety of disapproved behavior of teenage and adolescents whom the society does not approved of, and for which some kind of punishment or corrective measure is justified in the public interest. Certain acts such as- truancy, drinking, vagrancy, kidnapping, stealing, hijacking, begging, and gambling etc. are included within the meaning of the term juvenile delinquency (Paranjape, 1998: 356). At present, juvenile delinquency is one of the important social problems in the world that varies country to country. The condition of European nations is not so distressing like United States. Turkish scholar Nephan Saran's observation shows, during 1956-68, in Istanbul, Burgary, violence, sexual offences, smuggling and pick pocketing were the most prevalent crimes and these delinquency was concentrated in the age group of 16 to 18 years. The strength of juvenile misbehavior in India

has confirmed in many periods. The states of Maharashtra, Madhya Pradesh and Bihar were essentially affected by juvenile wrongdoing in 1996. That time theft and burglary organized 39.6% of total IPC crimes. Juvenile murder showed significant increase in Madhya Pradesh. The state of Delhi registered highest incidence of juvenile delinquency in 1996, though there was some marginal decline in total crimes in the territory. The state of Tamil Nadu continuous to record the maximum percentage of total offenses committed under local and special laws during 1995-96 (Paranjape, 1998: 381-82).

One of the most significant matters in offense present day is juvenile delinquency. Till 19th century, children who committed offenses faced about the same punishment as an adult criminals like public shaming, incarceration and even execution by hanging. Towards end of 19th century, reformers such as Jane Addams of Chicago worked to improve a new system of righteousness intended to safeguard the abused children from injury and reform trouble making youth.

Juveniles account for only about sixteen percent of grave ferocious offences, but nearly one-third (32%) of economic crimes, according to FBI arrest statistics from the Uniform Crime Reports. Juveniles are involved in the majority (54%) of arson arrests and disproportionate numbers of vandalism (42%), motor vehicle theft (35%), and burglary (33%) arrests. Of the 2.5 million juvenile arrests in 1999, the most common charges were larceny-theft, drug abuse violations, simple assaults, curfew and strolling, messy behavior, and liquor law violations. Arrest statistics are tough to interpret, because they do not relate directly with the number of youth arrested or the number of offenses committed; some youths might be arrested for the similar offense, a single youth might be arrested many times in the same year, or a youth might be arrested just the once, but charged with several crimes. Nevertheless, comparisons of adult and juvenile offenders, again as summarized by Snyder and Sickmund, specify that juveniles are generally not predisposed to offense, and even though they commit a uneven number of minor offenses, they are much less likely than adults, specially young adults, to commit severe violent offenses.

India is home to millions of deprived children. Many of them — all too often uneducated, sick, and malnourished — live in negligence with insufficient families who cannot take care of them. Millions new are required into the work force at the time they should be learning how to speak, read and write. Millions still alive in the streets as a result of the loss of their loved ones, the breakdown of their families, or just because they no longer could tolerate the exploitations caused upon them by parents, relatives, and employers. While this phenomenon is by no means new, globalization and economic liberalization have in some instances aggravated the vulnerability of children. In India, where the confounding economic growth continues to produce scores of nouveau possessions, the sharing of wealth has developed increasingly unequal. Such progress has certainly not reduced poverty, which continues to afflict hundreds of millions (Federico Ferrara and Valentina Ferrara, 2005)

2. JUVENILE DELINQUENT:

"The term juvenile delinquency is heard and used so repeatedly that it is often assumed that everyone means the same thing when using it. Yet definitions change widely in meaning and content. People generally agree that juvenile delinquency is misbehavior by children but there is much less contract on the specifics of what creates misbehavior or who falls into the category of children.

In general terms, juvenile delinquency is deviant child behavior. When a young person gets involved in a criminal act, we call him as a juvenile and the crime as juvenile delinquency. Juvenile delinquency could mean any type of behavior by those socially defined as juveniles that violates the standards (standards of proper behavior) set by the controlling group.

There is no single profile or adequate characterization of the diverse group of youth who come to be identified as juvenile delinquents. Most adolescences who commit offenses as juveniles cease in early childhood, and most who come to juvenile court of law never return on a new referral. However, a small group of children is liable to continued criminal.

3. THE MAIN CAUSES OF JUVENILE DELINQUENCY

Understanding the causes of juvenile delinquency is a primary part of preventing a young person from involvement in incorrect, dangerous and criminal conduct. Four primary threat factors can identify young people motivated to delinquent activities: specific, family, mental health and substance abuse. Often, a juvenile is exposed to risk factors in more than one of these classifications.

a) SPECIFIC RISK FACTORS

Several risk factors are identified with juvenile delinquency. A minor who has a poor intellect and who does not receive a proper schooling is more liable to become involved in antisocial behavior. Other danger issues include impulsive behavior, uncontrolled anger and an incapability to delay indulgence. In many instances, multiple individual risk factors can be identified as contributing to a juvenile's involvement in harmful, destructive and illegal activities.

b) FAMILY RISK FACTORS

A reliable pattern of family risk factors are related with the increase of delinquent activities in young people. These family risk factors contain a lack of proper parental supervision, ongoing parental conflict, neglect and abuse (emotional, psychological or physical). Parents who determine a lack of respect for the law and social norms are likely to have children who think equally. Finally, those children that show the weakest attachment to their parents and families are exactly the same juveniles who involve in wrong activities, including delinquent conduct.

c) MENTAL HEALTH RISK FACTORS

Several mental strength factors are also seen as paying to juvenile delinquency. It is essential to keep in mind, however, that a diagnosis of such types of mental health conditions--primarily personality disorders--cannot be made in regard to child. However, there are precursors of these conditions that can be showed in childhood that incline to end up being showed through delinquent behavior. A common one is conduct disorder. Conduct illness is defined as "a lack of empathy and disregard for social norms " (Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, American Psychiatric Association, 2004.)

d) SUBSTANCE ABUSE RISK FACTORS

Material exploitation is found in a majority of cases of juvenile misbehavior, 2 trends are recognized in regard to substance exploitation and children. First, juveniles are using more potent drugs today than was the case as recently as 10 years ago. Second, the age at which some juveniles begin using drugs is earlier. Children in elementary schools are found to be using influential prohibited drugs. The use of these illegal materials or the use of legal materials illegally provokes young people to commit offenses to gain money for drugs. Additionally, juveniles are extreme more likely to engage in negative, dangerous and illegal activities when consuming drugs and alcohol.

4. IDENTIFICATION

Through the practice of classifying probable risk factors that spur a juvenile to wrong and even illegal manner and behavior, primary exclusion can take place. Positive involvement, through programming, education and therapy, can focus a juvenile from a track that otherwise would outcome in delinquency as a child and offense as mature.

5. CONCLUSION

Misuse of children has been a long standing practice. These delinquent go through a lot of abuse which differ in nature as physical, sexual, or psychological or as a combination. The abuse has a long lasting and profound effect on a child's life. The problem of child exploitation is a severe one and it is questionable that it gets explained any faster. Also the cause why this has protracted is that the society has affected the children in a negative way and in the society there are issues such as family impact, social environment, mental disorder and sexual abuse. This develops in young people low self-esteem and they go through mental trauma which later correlates with delinquent behavior. What needs to be done is the question that arises before us. We cannot displace this risk but there are solutions to keep a control on the issues of Juvenile Delinquency. In the best interest of the delinquent he or she should be rehabilitated as quick as possible and united back in the society. Also the State must protect the rights of these children and come up with reformative methods and instill in them values

that can socially uplifts them and give them a new found confidence so that they can play a constructive role in the society.

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