Chapter II
Review of Literature

This Chapter presents a review of studies, which were undertaken by the researcher both in India and Orissa on the multifarious aspects of children abuse of Juvenile delinquency.

1. Concept and magnitude of Juvenile Delinquency
2. Nature and extent of Juvenile Delinquency
3. Socio economic background of Juvenile Delinquency
4. Factors and Causes of Juvenile Delinquency
5. Type of classification of Juvenile Delinquency
6. Approaches of Juvenile Delinquency
7. Correctional institutions / treatment for Juvenile Delinquency

A review of literature for any scientific research enables the investigator to highlight the in-depth understanding of previous work done related to the present study. In reviewing the literature available on child abuse especially Juvenile Delinquency one often come across the findings of various researches which in turn help the researcher to learn newer facts about the Juvenile Delinquency and the ramification fram varied angles. It also helps to compare the correct findings with that of the previous findings and analyses a set of similarities and dissimilarities.

A precise meaning of the concept of juvenile delinquency is difficult to be stated. In the Encyclopedia of Crime and Justice (1983) juvenile delinquency has been defined as “such conduct by children that is either vocative of prohibition of the criminal law or is otherwise regarded as deviant and inappropriate in social context. Modern concept of delinquency, on the whole, suggests that children who are called delinquent are deficient primarily in terms of social laws and norms of conduct and also in their ability to con form to the social milieu (Mukherjee and Basu, 1980).

Misra (1991) has maintained that “Juvenile delinquency encompasses not only violation of criminal law committed by persons below a certain chronological age but, also such acts or courses of conduct that are forbidden for minors such as truancy,
incorrigibility, association with immoral persons, running away from home, promiscuity, drinking and drug addition”.

Intense review of literature shows that the terms delinquency and juvenile delinquency have been defined synonymously (Sharma 1981). It may be elucidated here that the term juvenile delinquency does not differ from delinquency merely in respect of chronology of age but also in respect of the activities involved and their intensity. Schafer and Knudten (1970) explained that the term juvenile delinquency implies not only a specific age group but also the responses to the variable challenges and influences that impinge upon the resistance capabilities within the group. Kaldate (1982) has argued that the younger delinquents must be distinguished from the adult criminals because the juvenile has not yet developed the adult offender criminal habits. Varma (1970) found that in school children, delinquent behaviour was the outcome of some bad habits, prominently profane language, smoking disobeying the siblings, parents and teachers, gambling, masturbation, homo sexuality and intoxication. Singh (1954) went much farther in the modern context and has maintained that incidents of delinquent behaviour owe to “drug addiction”. He has apparently been only monistic and deterministic in his approach. Discussing various aspects of social deviance (including delinquency), Cohen (1966) encompasses in it all acts of skullduggery, cheating, unfairness, crime sneakiness, malingering, cutting corners, immorality, dishonesty, betrayal graft, corruption, wickedness, and sin.

Infact the activities involved in juvenile delinquency need to be elaborated. Finckenaour (1984) maintained that juvenile delinquency includes such crimes as homicide, rape, aggravated assault, robbery burglary larceny theft and arson. Shukla (1981) stated that in the Indian context, Juvenile Delinquency included wide range of criminal offences from theft, burglary and cheating to more serious acts like murder, kidnapping, dacoity, robbery and rape.

1. The concept of Juvenile Delinquency in India

In India, the definition of juvenile delinquency presents no such problems as are faced in the USA and some other countries. The concept is confined to the violation of the ordinary penal law of the country so far as the jurisdiction of the juvenile court is concerned. The Juvenile Justice act 1986, for instance, defines a delinquent juvenile
as a juvenile who has been found to have committed an offence\textsuperscript{1}. Juvenile under the act means a boy under 16 years of age and a girl under 18 years\textsuperscript{2}. The word "Offences" means any act or omission made punishable under any law in force at a given time.

As regards the age factor for qualifying as juvenile the crucial factor is the relevant date for determining the status of the person whether it is the date of committing the offence, or date of arrest or date of the trial. Somewhat surprisingly, the rulings of some of the High Courts\textsuperscript{3} are at variance with that of the Supreme Court on the subject\textsuperscript{4}. While the Supreme Court taking a liberal stand, holds that the age on the day of the commission of the offence is the relevant age, the age at the trial is the material age according to some of the rulings of the high courts. Further, the Supreme Court issued a directive that in any case where an accused appears to be less than 21 years of age. It is the duty of the Magistrate to enquire into his age for possible eligibility under the juvenile justice system\textsuperscript{5}.

Establishing the age of the offender also presents a somewhat difficult task and it is not possible to discern any consistent judicial approach as reflected in the various rulings of the high courts. Though birth certificates, school records and reports based on medical examination are the best, and often the only sources of evidence, the judicial verdicts are quite unpredictable. While the judicial approach, for instance, has been less rigid in Vunnam Lakshminaryan, it was far from being protective in Anita V. State of MP.

\begin{enumerate}
    \item Juvenile justice act 1986 section 2(f)
    \item Section 2 (j)
    \item Sheo Mangal Singh v. state of UP 1990 Cri LJ 1698
    \item Vunnam Lakshminaravan v. state of AP 1992 Cri LJ 334 (AP) Umesh Chandra v. state of Rajasthan 1982 Cri LJ 994.
    \item Gopinath Ghosh 1984 Cri LJ 168
\end{enumerate}
In the former case, the age was determined by reference to the statement of the medical officer without a medical examination but in the later case even a certificate of births issued by the Register of Birth and Deaths was not acceptable to the lower court though the authenticity of the certificate was not questioned. In Balbir Singh vs State of Rajasthan, the obvious approach based on common sense was adopted that the court must be extra cautious when determining age, giving opportunity to both parties to adduce evidence and to cross-examination the opposite party. To this it may be added that the matter regarding age must be dealt with, abundant caution in situations involving serious offences like rape and murder. As it is the upper age limits prescribed for juvenile delinquents seem to be on the higher side keeping in view the escalating phenomenon of violence in the society. The present age limits were perhaps more appropriate when offence carrying death sentence or life imprisonment committed by juveniles were beyond the purview of juvenile courts.

Through its two recent rulings, the Supreme Court has also been more cautious than what appeared from some of its earlier rulings. In Rajan Sinha v. State of Bihar\(^6\), the trial court, as per the offender’s school record, found him above the prescribed as on the date of commission of offence but the High Court holding that the school record was unreliable reversed the trial court’s verdict giving more credence to the statement of the offender regarding his age. The Supreme Court held that the reversal order by the High Court was wrong and the school certificate provided better evidence of age. In Dayachand V. Sahib Singh\(^7\), the court laid down that in case of a conflict between the school certificate and the medical report regarding age, the medical report shall prevail.

\(^6\) 1991 SCC 1015
\(^7\) 1991 SSC (Cri) 438
\(^8\) See Juvenile Justice Act, 1986, Section 4 which creates the Board.
Under the Juvenile Justice Act separate provisions have been laid down for neglected and uncontrollable children. They are dealt with by the Juvenile Welfare Boards and not by the Juvenile Court\(^8\). A neglected juvenile has been defined by the Act as a child who

i) Is found begging; or

ii) Is found without having any home or settled place of abode or any ostensible means of subsistence or is found destitute, whether he is an orphan or not; or

iii) Has a parent or guardian who is unfit to exercise or does not exercise proper care and control over the child; or \(^9\)

iv) Lives in a brothel or with a prostitute or frequently goes to any place used for the purpose of prostitution, or is found to associate with any prostitute or any other person who leads an immoral, drunken or depraved life\(^10\).

Uncontrollable juvenile are to be dealt with in the same way as neglected juveniles under the Act\(^11\).

It follows, therefore, that the Indian Position is different from the one in the USA in two ways. Firstly, the juvenile courts in India do not have jurisdiction in relation to neglected children as they have in the USA and also in England. Delinquency is the only area, which gives jurisdiction to the juvenile courts in India. Secondly, the Indian definition has been given more briefly and clearly and the content of delinquency is the same as that of adult offences. The only difference between adult and juvenile offenders is in the jurisdiction of the courts and the procedure followed by them. On this point, the Indian position is closer to the Canadian position where the parliamentary law provides:

9. The definition on this point has been widened under the children (Amendment) act, 1978 see Appendix.

10. Section 2(1)

11. Section 17

“Juvenile delinquent means any child who violates any provision of the criminal code or any Dominion or Provincial statute, or any by law or ordinance of any municipality, or who is liable by reasons of any other act to be committed to an industrial school or juvenile reformatory under the provisions of any dominion or provincial statute.\textsuperscript{12}

2. Nature and Extent of Juvenile Delinquency

To point out that juvenile delinquency is on the increase in India is to state the obvious and this can easily be demonstrated with the help of statistics. What is probably more interesting and useful is the rate at which delinquency is continuing to rise and the types of crime in which it is manifested in a higher degree than in others. Also it may be significant to find out the patterns of juvenile delinquency in terms of differentials based on age, sex and religion.

In 1992, and 1993 the total number of juveniles apprehended in India for cognizable crimes under the Penal code and local and special laws was 21,358 and 20,067\textsuperscript{27} respectively. The facts, which emerge from the figures, are as follows:

1. Juvenile delinquency, as manifested the world over understandably for obvious reasons, is essentially a problem of males, about 18.3% of the offenders are females.
2. Though the number of violent crimes like murder, rape, robberies compared to offences like theft and other nonviolent crimes. Again the crimes committed under the special and local laws e.g. gambling and bootlegging are much more than the panel code crimes.
3. The highest number of arrest was made for the offender of theft, gambling, rioting and those under the prohibition act.

The tables on the accompanying pages give detailed break up of juveniles apprehended for the offences under the panel code and local and special laws for the year 1993.
3. Socio Economic Background of Juvenile Delinquency

Due to poor socio economic conditions in most of the developing countries including India, children do not get proper facilities for education and development and therefore, the ill fed, ill clad and illiterate children often get diverted to anti social activities and tend to become delinquent. To quote Kaldate (1978): “Indian is facing a number of socio economic difficulties and enough attention is not being paid to the development of children. “ On account of these situation children starts pick pocketing, committing thefts, wandering, legging, hoodlism, which, subsequently, may take severe forms of delinquent behaviour such as robbery, violence and arson etc. Some studies have been reported on the effect of socio economic status on juvenile delinquency. These may be discussed here.

It has been stated that most of the delinquents were from families, which were economically needy, but all the needy juveniles were not delinquents. Merrill (1947) found a marked difference in economic status between a group of delinquents and a group of non-delinquents. Mukhopadhyaya (1953) reported poverty to be a contributory factor associated with juvenile delinquency. Glueck and Glueck (1956) in their study showed that out of five hundred American families having delinquent children, only five per cent were in economically comfortable circumstances. Bhattacharya (1958) pointed out that poverty was the major factor influencing vagrancy in juveniles. Badami (1965) also reported that juvenile delinquents emerged mostly from poor economic conditions. Singh and Singh (1970) maintained that the lack of proper recreational facilities for the children in their growing age was responsible to its own extent for the causation of delinquency among them. Sullivan (1973) in his study concluded the delinquent behaviour goes around the poor economic opportunities, Uttar (1975) observed that poverty, high rate of unemployment and low socio economic status families in comparison to truants. Kulshreshtha (1981) pointed out that poor economic condition was the most effective factor in Juvenile delinquency.

The role of inhabitance of subjects in incidence of juvenile delinquency has not been probed extensively. In India about 80 percent of people live in the villages. There is a
growing tendency among rural parents to devote more time to agriculture / industrial work than to look after their children. Thus, the children get deprived of their parental love and affection and this deprivation may be a causal factor in juvenile delinquency. Similarly, with the modernization processes in Indian society, in many of the urban families where both the parents are working, they are unable to attend to and take due care of their children. This may also be factor in their abnormal personality development. In view of the differential situations in rural and urban families the relative effects of rural and urban inhabitance of children upon their delinquent behaviour is emerging as a current problem of research and has been taken up in the present study.

3.1 Family Background
About of 80% of juveniles\(^{13}\), about whom information was available, were living with their parents and guidance and about 20% were homeless. This is somewhat surprising but the statistics available for 1993 reveal a gradual shift of juvenile delinquency from poorer economic status towards the affluent class.

3.2 Economic Set Up
The income of about 50 percent of the parents or guardians was less than five hundred rupees per month and of 33 percent between five hundred and one thousand rupees; only in a microscopic number of cases i.e. about 0.021 percent, the income crossed the three thousand rupees per month.

The above figures show that most of the apprehended juveniles came from extremely poor families, which, just confirms the obvious relationship between poverty and crime. Such a conclusion must, however, be made with same caution since statistics may vitally be affected by the fact that the police acts differently towards juveniles coming from different backgrounds. Other factors being the same the possibility of a lower class child being arrested is more likely as compared to a child of a higher class.

\(^{13}\) Crime in India, 1988
3.3 Religion
Figures over the years indicate that Muslims, Christians and others are slightly over represented compared to Hindus having regard to the population ratio. One possible reason may be that Muslims and Christians, compared to Hindus are located in the urban areas and are bound to have a higher share in the overall criminality, and juvenile delinquency being essentially urban phenomenon.

3.4 Education
More than sixty five percent of the juveniles apprehended in 1993 were illiterates and the number of those having gone up to primary classes was 40 percent. Only 5 percent of the arrested juveniles had studied up to metric level and above.

3.5 Sex
As could be expected, the number of female juveniles apprehended is much lower than that of boys. In 1987, the number of boys and girls was 1,66,407 and 13,555 respectively. However, there has been a steady rise in the percentage of girls, over the years, the percentage for the year 1993 being about 20 percent. 30

3.6 Regional distribution
As regards the regional distribution, Maharashtra and Andhra Pradesh have the dubious distinction of topping the list in the Penal code and special laws categories respectively. In the case of Uttar Pradesh somewhat surprisingly, the figures are extremely low though it does not lag behind in terms of its contribution to general criminality. Though the disparity can be explained to some extent because of peculiar industrial, cultural, urban and geographical nature primarily manifested through Bombay perhaps some other factors such as the attitude of law enforcement agencies towards juveniles could also be among the determining factors.

4. Factors and Causes of Juvenile Delinquency
Researchers generally agree that a number of factors play an important part in a youngster's delinquencies. We may divide these factors into two groups of individual factors and situational factors. The former include personality traits like submissiveness, defiance, hostility, impulsiveness feeling of insecurity, fear, lack of
self-control emotional conflict, etc. while the latter may be subdivided into five groups - family companions, school environment, movies and work environment. We will mainly discuss here the family contribution to delinquency.

4.1 Family

Many theorists consider family as the most significant factor in the development of juvenile delinquency. Class status, peer groups relations class mobility etc. are also directly or indirectly related to the family environment. Psychological theorists like Irving Kaufman (1959:15) Sidney Burman (1964:142) August Aichhorn (1969:16) etc. relate the causation of delinquency to early childhood experiences, emotional deprivations, child rearing processes etc. which influence the formation of the personality and the development of attitudes, values and life style. The abnormal expression of behaviour expressed in an anti social form, is the result of these factors according to psychologists. Whereas the psychologist is concerned with the identification of individual variables such as motivation, drives, values, and needs, the sociologist is concerned more with the social environment. The factors in the social system, and the functioning of the institutions affect delinquency. Thus, the psychologists focus on internal control and the sociologists focus on external control.

Family environment producing delinquent behaviour may be analysed with reference to a broken home, family tension, parental rejection, parental control and family economy. A normal family according to Carr, is described one which is structurally complete (with both parents alive), functionally adequate (each member performing his expected role which reduces conflicts), economically secure (gratifying important needs of the members) and morally strong (each member conforming to the moral values of the family social culture). The family is abnormal if it lacks any of these characteristics.

The broken family (where one parent is absent because of parental operation, divorce or death) fails to provide affection and control to the children. Sheldon and Glueck (1968:12) found in their study of delinquents and non delinquents that more than half of the delinquents studied were reared by one parent, whereas only 10 percent of the non delinquents were reared by one parent. Monhan (1957:250 58) Browning (1960-
Gold Martin, Slocurn and Stone (1965) and Peterson and Becker (1965) also found that a significantly greater number of delinquents than non-delinquents were from broken homes.

Family tension is also a major contributing factor to delinquent behaviour. Abrahamsen (1960:43) found that family tension results from hostility, hatred, etc. The youngster does not feel secure and content in the tension-filled family environment. Long-term tension reduces family cohesiveness and affects the parents' ability to provide a conducive atmosphere to satisfactory child rearing and family problem solving. McCords and Zola (1959) also found that cohesive homes produce fewer delinquents whereas homes where tension and hostility exist are good breeding grounds for future delinquents. Gluecks (1968:8) found that one in three delinquent families, as compared with one in seven non-delinquent families, was disrupted when one of the parents left the family because of a tension-filled and quarrelsome relationship.

Parental rejection or emotional deprivation has much to do with juvenile delinquency. If a rejected or neglected child does not find love and affection as well as support and supervision at home, he will often join groups of a deviant nature outside the family. Studies have found that mutual rejection of parent and child markedly affects positive relationship and can ultimately result in delinquent behaviour. Jenkins (1957:528-37) found that parental rejection had a direct effect on the child's development and growth of conscience. He averred that lack of adequate conscience, combined with feelings of hostility for being rejected, led to aggression. Andry (1960:40) also has maintained that delinquents were recipients of less parental love both in quantity and in quality than were non-delinquents.

Just as a broken home, family tension and parental rejection can affect the capability of the family structure, methods of parental control of forms of discipline also can play a part in the development of delinquent behaviour. The type of discipline enforced by parents in rearing children varies from situation to situation and from child to child. An authoritarian approach to discipline affects the child in his peer group relationships, as the child will not be able to interact freely with his peers.
Conversely, rather lenient discipline will not provide the child with the necessary controls to guide his behaviour. Unfair or partial discipline fails to form an adequate conscience in the child, prevents the adults from serving as a model to be imitated by the child, and reduces the adolescents wish to avoid hurting parents and delinquents behaviour. Gluecks (1968 15-16) found that parents of delinquents used physical punishment more than verbal discussion. Both parents were less consistent in their disciplinary measures than were the parents of non-delinquents. If the methods of disciplining are classified as love oriented discipline, punitive discipline, lax discipline, and erratic discipline (punitive and lax) the last three types can be related to delinquency.

Emotional instability and behavioral disturbances in one or both of parents also lead to a child’s delinquent behaviour. A child of the parents who are constantly in conflict often exploits the situation and gets away with a great deal of misbehavior.

Lastly, family economics is also an important contributing variable in delinquency. A family’s inability to provide for the material needs of the child can create insecurity and affect the control that the family exerts over the child, because he often seeks material support and security outside the home. Peterson and Becker (1965) have pointed out that the homes of delinquents are often physically deteriorated which can affect a delinquent’s perception of himself and can act as repellent, driving him away from the home. It should however, be pointed out that economic status and material possessions do not explain middle and upper class delinquency. The economic condition of the family can be one of many contributing factors in a multiproblem family.

The impact of neighborhood on the child is greater in urban areas than in rural areas. After the family, the child spends a good part of the day in the company of children in his neighborhood. The neighborhood can contribute to delinquency by blocking basic personality needs, engendering culture conflicts, and fostering anti social values. On the other hand, it can supplement the influence of the home in the maintenance of social values. Congested neighborhoods with inadequate recreation facilities deny the natural play impulses of children and encourage the formation of delinquent gangs.
Picture houses, cheap hotels, video halls etc. in neighborhood become breeding places of vice and delinquency.

4.2 Cinema and Pornographic Literature
Movies and storybooks featuring immorality smoking drinking and brutality leave a strong impression on the young minds of children and adolescents. Many a time, they teach techniques of crime and delinquency. Several children are arrested in different parts of our country for using cinema techniques to commit thefts, burglaries and kidnappings etc. they claimed to have seen such procedures in the movies. These movies also develop attitudes conducive to delinquent behaviour by arousing desires for easy money, suggesting questionable methods for their achievement, inducing a spirit of toughness and adventurousness, arousing sexual desire, and by invoking daydreaming.

4.3 Age feature in delinquency
Infancy is the stage, considered by psychologists, concerning the development of selfhood, development involving an intricate interlarding of the initial sensory motor and emotional components with the infinitely complex effects of the individual’s unique experience as he emerges into adulthood.

The rational of fixing the minimum age limit of the act of crime is made clearing the penal statute itself in many countries. Section II of the panel code of Germany provides that means rea must be present in an act of crime. In section I of Austrian Penal Law it is provided that evil intent is required in a felony. Section 45 of Turkey Penal Law provides that absence of criminal intent preludes punishment. Article 18 of the Penal code of Japan sates that acts done without a mind to commit a crime are not punishable. All these statement of provision of the Penal Laws indicate that an act is not a crime if a child having no mind of conceiving evils to a person commits it.

The determination of discriminatory age fixation for the application of criminal law is not an arbitrary one; rather it is based on various factors of development of a child into a man. It is rightly observed that although there is a progression from biophysical and biochemical through biological and psychological of social frames of reference
in our conceptualization of development, the individual does not change identifiably from a physicochemical into a biological psychological and finally into a social being. Naturally a social and phenomenological average study determines these discriminatory age groups. Inter alia, the factors that determine these age groups are of various natures. The lists of factors include physical chemical and biological growth potential as well as normal psychosocial growth of the person concerned. Physical development includes, muscular and tissue development, maturation, puberty and adequate understanding of the organized sensory, chemical development includes normal glandular secretion, proper growth of reflex action and various other reactions.

Psychological and social growth factors of a child are other very important factors. Fertilization of knowledge through learning processes, understandability of phenomenal stations, gathering experiences, application of knowledge and capacities of adjustment, adaptability determine assessment in social situations are the interacting development processes of a child into a being. These are all psychosocial factual conditions of development of a child into a man.

It is very difficult to determine the interpolating age in the interacting process of all development factors, in fact, even within the country, Indian state have different legal framework to handle the law and its application. In most of the Asian countries the age limit is 16 excepting in Japan and Thailand 20 and 18 are the age limit in those countries respectively.

Children like in all other fields of life are the most neglected group of our population in India so far the administration of criminal justice is concerned. It is high time that at the national level national policy is determined about the children and a uniform attitude is taken by all the state governments to implement the national policy. As a part of this national policy child welfare legislations are to be enacted, principally at the national level. It is, therefore, advisable to have either a national understanding and state legislation, in the line of the national policy or a central statute codifying the various welfare provisions regarding the children.
So far as age fixation of a child, a consideration has to be made about the children of the rural area and of the backward classes because it is natural that they do not get an equal exposure to various natural and social phenomena that exist in the growingly complicated urbanized and industrial settlement. Children of these area have wider scope of gaining experience and social understanding at a comparatively early age than the children living in rural areas.

Since our court system has little machinery and mechanism incoming to a decision involving intricate psycho social phenomena and since our penal measures have very little to individualize the punishment, it is advisable keeping in view the advisory natural of our penal laws. To keep our children at a safest boundary, especially where an offence involves certain understanding and mental aptitude. From that point of view 12 is perhaps a comparatively safest minimum limit. The maximum limit on the other hand has to be in the line of Minority and Guardianship Act, since a person is considered as Juvenile if he is infant. According to Indian Law, 18 therefore, is quite logical age limit. In fact, the provision of children act of Gujurat, Tamil Nadu and West Bengal seems to be logical though reasonable further extension of the age up to 21 may be made on the ground of sex backwardness and habitation.

5. Type of classification of Juvenile Delinquency

Delinquency exhibits a variety of styles of conduct or forms of behaviour. Each of the patterns has its own social context, the causes that are alleged to bring it about, and the forms of prevention or treatment most often suggested as appropriate for the pattern in question. Howard Becker (1966-226-38) has referred to four types of delinquencies - Individual delinquency, Group supported delinquency, Organized delinquency and Situational delinquency.

5.1 Individual delinquency

This refers to delinquency in which only one individual in committing a delinquency act and its cause is located within the individual delinquency. Most of the explanations of this delinquent behaviour come from psychiatrists. Their argument is that delinquency is caused by psychological problems stemming primarily from defective/ faulty/pathological family interaction patterns. Researches of Healy
Witmer, and Albert Bandura and Richard Walters, Edwin powers and Helen Witmer, and Henry Meyer and Edgar Borgatta are based on this approach. Healy and Bronner (1963) compared delinquent youths with their non-delinquent siblings and analysed the difference between them. Their most important finding was that over 90 percent of the delinquents compared to 13 percent of their non delinquent siblings had unhappy home lives and felt discontented with their life circumstances. The nature of unhappiness differed some felt rejected by parents and others felt either inferior or jealous of siblings or suffered from mental conflict. They indulged in delinquency as a solution to these problems as it either brought attention from parents or provided support from peers or reduced their guilt feelings. Later studies also identified important aspects of family relations leading to delinquency. Bandura and Walters compared the aggressive actions of the white delinquents with those of non-delinquent boys with no clear sign of economic hardship. They found that delinquents differed from non-delinquents a little in their relationship with their mothers but more in their relationship with their fathers. Thus, father son rather than mother son relations seemed more crucial in delinquency, as delinquent boys could not internalize moral values because of the absence of good role models in their fathers. In addition their discipline was also more harsh and stern.

5.2 Group supported delinquency

In this type, delinquencies are committed in companionship with others and the cause is located not in the personality of the individual or in the delinquents family but in the culture of the individuals home and neighborhood. The studies of Thrasher, and Shaw and Mckay talk of this type of delinquency. The main finding in understanding why the young became delinquent was later put very clearly by Sutherland, who developed the Theory of Differential Association. Unlike the psychogenic explanations, this set of ideas focuses on what is learnt and who it is learnt from rather than on the problems that might produce motivation to commit delinquencies.

5.3 Organized delinquency

This type refers to delinquencies that are committed by formally organized groups. These delinquents were analysed in the United States in the 1950s and the concept of delinquent subculture was developed. This concept refers to the set of values and
norms that guide the behaviour of group members encourage the commission of delinquencies, award status on the basis of such acts and specify typical relationships to persons who fall outside the groups governed by group norms. Cohen was the first person to refer to this type of delinquency. Cloward and Cline and a few others followed him.

5.4 Situational Delinquency
The above-mentioned three types of delinquencies have one thing in common. In all of them delinquency is viewed as having deep roots. In individual delinquency (according to the psychogenic explanation) the roots of delinquency lie primarily within the individual, in group supported and organized delinquencies (the sociogenic explanation) the roots (of delinquency) lie in the structure of the society with emphasis either on the ecological areas where delinquency prevails or on the systematic way in which social structure places some individuals in a poor position to compete for success. Situational delinquency provides a different perspective. Here the assumption is that delinquency is not deeply rooted, and motives for delinquency and means for controlling it are often relatively simple. A young man indulges in a delinquent act without having a deep commitment to delinquency because of less developed impulse control and or because of weaker reinforcement of family restraints, and because he has relatively little to lose even if caught. David Matza is one scholar who refers to this type of delinquency. However, the concept of situational delinquency is undeveloped and it not given much relevance in the problem of delinquency causation. It is a supplement to rather than a replacement of other types.

6. Approaches towards Juvenile Delinquency
During the later half of the 19th century the biological Sciences made great studies. Cesare Lombroso and his student an ardent follower, Enrico Perri, were the leaders in the attempt to correct criminal behaviour with biological causes. They developed that came to be known as the positive school of criminology. Lambroso was an Italian Physician, who was an army doctor, had speculated upon physical differences between confronting and disorderly soldiers. He discovered a series of physical
anomalies in the structure of the brain and believed he had determined the primary cause of criminal behaviour. He examined other criminals and as often on possible the skulls and brains of prisoners after death, soon he elaborated a theory of biological origin of crime which was set forth in 1876 in L'Uomo delinquents. He believed that the criminal was so low in the evolutionary scale that he retained certain animal characteristics of savagery not found in non-criminal persons. In the examination of 383 skulls of criminals he found 15 anomalies that he believed distinguished them from the skulls of non-criminals. These anomalies included small capacity of the skull fusion of its bones instead of normal structure, retreating forehead, asymmetrical development, various deformities, irregular development of the teeth and exaggerations official bones. He also claimed to have found difference in the convolutions of the brain and in the development of the heart, skeleton, genital organs and stomach. In addition to studies of cadavers, he measured and observed many living criminals. He came to the conclusion that in criminals the measurement of the outstretched arms from finger tip to finger tip exceeded the height and that there was a predominance of left handedness, a prehensile foot precocious wrinkles, hairiness, low and narrow forehead, large jaws and cheek bones, outstanding ears and so forth. These observable physical characteristics were regarded as stigmata of crime. Lombroso argued that a person with these various structural anomalies of the brain could not have the same impulses and sentiments as a normal person. He identified them with early man, whom he believed to have been a savage like animals. The criminal thus was a type of undeveloped and by inference only partial human being 40% of all criminals were born criminals according to Lombroso. They would be recognized by their physical type and were not really responsible for their act. 14.

6.1 Psychological Approach

The psychological approach was focused chiefly on the attempt to relate crime to feeble mindedness. It will be recalled that going on the basis of observation and comparisons between prisoners and civilians Henry H. Goodard came to the conclusion that prisoners tended to be of lower intellectual capacity than non criminals. Henry H. Goodard, Director of Laboratory of the training school of
Vineland, New Jersey, for feeble minded girls and boys (1910 and 1920) was the most ardent advocate in the U.S. of mental defect as the cause of crime.

Goodarrd divided criminals into two types. Those who committed crime as a result of some defect and who were not wholly responsible for their conduct and those who became criminals from carelessness, indifference or willful refusal to comply with the demands of society and who were responsible for their acts. Their mild statement is modified, however, by the assertion that the "greatest single cause of delinquency and crime is low grade mentality much of it within the limits of feeble mindedness.

In an earlier publication Goodarrd asserted that "very feeble-minded person is a potential criminal"15.

6.2 The Psychiatric Approach

This service was performed by Dr. William Healy, Head of the Juvenile Psychopathic Institute in Chicago. In 1951, he published the Individual Delinquent, which presented an analysis of 1000 cases of delinquent boys and girls examined and treated at the institute. In view of his training, it is natural that Dr. Healy should lay greatest emphasis on mental factors but the examination of each delinquent included investigation of heredity, name environment / situation comparisons and physical conditions.

6.3 Criminal conduct, Conflicts and Frustration

In mental conflicts and misconduct Healy discussed a group of children, constituting about 11% of the total number of delinquents handled at the institute, whose delinquencies developed as an attempt on their part to find some solution to mental conflicts. Delinquency thus was viewed as an element in the process by which the children sought to satisfy certain inner needs and to relieve themselves of inner tensions. Their delinquency was deliberate or planned, but was nevertheless purposive in that it was a part of an attempted adjustment on the part of the child. In his later studies of delinquents, Healy has elaborated on this theory.

Although Healy makes the general statement that the primary human desires are for ago satisfaction and affection from other, he does not discuss those low urges but pins his discussion to more specific desires. These specific desires are, to feel, secure in the family and other social relationships, to be accepted by some person or groups, to obtain recognition and status, to feel personally adequate. Other urges are urges for accomplishments satisfying for the self, for new experiences for outlets for physical and mental energies and for ownership of possessions. As the child grows towards adults and she wants more opportunity for self-assertion and independence from the restrictions of the family. If the customary satisfaction of these urges is interfered any way the child feels thwarted and frustrated. He reacts emotionally with jealousy, anger or hatred. Anad tries to find some direct or substitutive satisfaction for the
compulsive urges within him. In his random attempts to find satisfaction for thwarted desires that have not been satisfied by socially approved channels, the child sometimes wits upon methods of satisfaction that are regarded by the community, but not by himself. Thus, the Delinquents Acts contain meaning for the child, although not the implication that the community attaches to them for instance a boy who has been rejected in other group may be acceptable to a boys’ gang if he participates in their activities, including stealings. In order to satisfy his needs for inclusion in a group he steals on the other hand, a boy may feel personally inadequate and may steal alone in order to prove himself that he is not a coward. Thus, the delinquent act, stealing has meaning for the boy in terms of the emotional need that it satisfies.16

6.4 Psycho analytic Approach

The psycho analytic approach also views crime as significant in terms of the persons inner emotional urges and as a part of the process by which he seeks inner peace and self approval. But the theoretical structure of needs and process differ from the just presented ones.

In psycho-analytic theory, the id consists of the unsocial instinctive impulses possessed at birth, which dominate infancy and early childhood. As social pressure and training starts bearing on the child, he represses the more crude and unsocial aspects of the id or finds acceptable ways of expressing his instinctive impulses. Gradually he develops ideals and moral standards, which are called the super age.

Aichhorn in his stimulating and interesting book "Way Wad Youth" discussed at various points other situations that may result in delinquency a painful or traumatic experience in which the emotion is too great to be assimilated.

The range of delinquent behavior found in adolescence is seen to be the expression of a phase of human development marked by deep changes and producing intense but temporary vulnerability to recognize such behavior and constitute to its resolution, one must not be limited to a diagnostic and stigmatizing approach, systematic phenomenological approach is more suitable for it can place these behavior patterns in their overall context and restore their meaning to both their perpetrators and society.

7. Correctional institutions / treatment for Juvenile Delinquency

In India, it would appear that relatively (Clayton. A 1943) few juveniles are subjected to legal control, but that those who are so subjected are generally treated in a tolerant, non-punitive manner. In this respect, not only is delinquent behaviour in India. Infrequent and mild, but official reaction to such behavior is also infrequent and mild, but official reaction to such behavior is also infrequent and lacking in severity. Of course, it is impossible to determine the relative rates of reaction vis-à-vis the occurrence of delinquent acts in India compared to some country like the United States. However, there does appear to be a distinct tendency in India not to treat youthful misconduct as a matter for formal social control. As a result, delinquency does not materialize as a social problem in India; or, at least, it is one with considerably smaller dimensions than are found in Western or developed nations.

Given the rather substantial difference in the frequency of delinquent behavior and the extent of official reaction to it in developed versus developing countries, it seems plausible that social arrangements relating to the economic conditions generic top these kinds of countries might help to explain why (1) young people engage in illegal conduct with different rates of frequency and (2) why the agencies of formal social control react to such behavior with different frequencies and in different ways. The basic argument is that since youth in India are integrated into the dominant socioeconomic system, they are not likely to require, or to be perceived as requiring, legal repression by police courts or correctional agencies.