Chapter-I

INTRODUCTION AND REVIEW OF LITERATURE
Chapter - I

INTRODUCTION

Children constitute over 400 million of the one billion plus population of India. It is indeed an important factor in shaping the future of the nation if childhood can be endowed with the minimum requisites for healthy growth and development. Unfortunately, it is not happening today despite some of the key initiatives of the government and a number of significant interventions of the judiciary and international as well as civil society organizations.

Care of the child is primarily the responsibility of parents and elders in the family. In traditional India, the child in need of care and protection was looked after in the joint family, caste group, village community, and religious institutions. To be born in a happy and comfortable home is a privilege that not many children are destined to enjoy. With the spread of urbanization and industrialization, breakdown of family structures and religious sanctions, population explosion, prospects of adventure and excitement in cities, the conditions of children deteriorated (Asha Bajpai, 2010). The vast majority of the children are impoverished. This has given rise to children in especially difficult circumstances (CEDC) who are vulnerable, marginalized, destitute, and neglected, and are quite frequently deprived of their basic rights to family care, protection, shelter, food, health, and education. According to an estimate, there are around 340 million deprived children in India. The vulnerable
group of deprived children can be categorized as: orphans, abandoned and destitute, working and street children, victims of natural calamities, emergencies or man-made disasters, children with disability, AIDS affected children, children engaged in substance abuse, children of sex workers, juvenile offenders or children in conflict with law, children of families 'at risk' like refugees, migrant and construction workers, chronically and terminally ill, prisoners or lifers, single parents and the girl child (Asha Bajpai, 2010).

Among the vulnerable groups of children, India has a substantial population of delinquent children. According to National Crime Bureau, 2009, there are 23,926 juveniles who were involved in various offences. As per the Juvenile Justice Act 2000, the juvenile delinquents are used as “Juvenile in Conflict with Law”, means a person who is alleged to have committed an offence.

Delinquency is any act, course of conduct, or situation, which might be brought before the court and adjudicated whether in fact it comes to be treated there, or by some other resources or indeed remains untreated. The juvenile delinquent or a child in conflict with law, is thus a person who has been adjudicated as such by a court of proper jurisdiction though he may be no different, at any rate, up and until the time of court contact and adjudication, from masses of children who are not delinquents. Juvenile delinquency is an act or omission by a child or young fantasy, which is punishable by law under the legal system (Asha Bajpai, 2010).
Studies in India indicated that juvenile delinquency is a result of the interactions of contextual, individual, and situational factors. Some of these factors within a family are:

- Living with criminal parents,
- Harsh discipline,
- Physical abuse and neglect,
- Poor family management practices,
- Low levels of parent involvement with the child,
- High levels of family conflict,
- Parental attitudes favorable to violence and
- Separation from family.

It is in this background the present study seeks to understand the impact of social, economic, familial factors on the incidence of delinquency among children. It analyses the problems and perceptions of juvenile in conflict with law regarding peer group, neighbourhood and observation homes. The study focuses on 200 delinquent children who are the inmates of Observation Home of Dharwad, District Head Quarter, Dharwad District, Karnataka.

**Conceptual Clarity**

Juvenile Delinquency is a social problem. It is deviant behaviour exhibited by persons of a tender age. Deviant behaviour is manifested through erratic acts depicting the defiance of norms, rules and regulations and actions in violation of law committed by them. It is a kind of abnormality when an individual deviates from the course of normal social life. When a juvenile, below an age specified under a
statute exhibits behaviour which may prove to be dangerous to society
and to himself, he may be called a Juvenile delinquent. Juvenile
delinquents are those offenders including boys and girls who are
normally under 18 years of age. A Juvenile delinquent is a young
person who is incorrigible or habitually disobedient.

Act of delinquency may include:

1. Running away from home without the permission of parents.
2. Habitual behaviour beyond the control of parents.
3. Spending time idly beyond limits.
4. Use of vulgar languages.
5. Wandering about rail roads, streets, market places.
6. Visiting gambling centers.
7. Committing sexual offences.
8. Shop-lifting.
9. Stealing etc. Juveniles may do such activities singly or through a
gang.

The term ‘delinquency’ has been derived from the stem ‘de’
(away from) and ‘linquere’ (to leave); the Latin infinitive ‘delinquere’
translated as to ‘emit’ in its original, earliest sense. It was apparently
used in Roman literature to refer to the failure of an individual to
perform a task or duty. The first official use of the term ‘delinquency’
was made in 1825 when the Society for the Prevention of Pauperism in
New York City changed its name to the Society for Reformation of
Juvenile Delinquency. Bloch (1970) has described that the Latin
connotation of delinquency ultimately found its way into English
literature where William Caxton used the term 'delinquent' to describe a person "guilty of an offence against the customs".

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 which is either violative 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 conform to the social milieu (Mukherjee and Basu, 1980).

There are two main approaches in the elucidation of the meaning of delinquency—the psychological and the sociological. The psychological approach emphasizes upon deviant personality aspects, such as emotional instability, aggressiveness and neurotic tendencies. They consider delinquency to be an "unfortunate expression of personality".

According to the sociological approach to define the delinquency, mention may be made of Warren (1962) who says "a delinquent is essentially a criminal or social offender, viewed as a social type." Burt (1929) who is considered to be an authority in the field of delinquency maintains that "a person is regarded as delinquent when his anti-social tendencies appear to be so grave that he becomes or ought to become the subject of official action."
The legal statutes consider that juvenile delinquency constitutes commission or omission of a certain act in violation of a law forbidding that act, by a young person under a certain age. The upper limit of the chronological threshold for calling a child to be a juvenile delinquent varies from country to country. For example, an individual who falls under statutory age limit up to seventeen or eighteen years in most states in United States of America who is considered as juvenile in conflict with law.

Coming to India, The Indian Penal Code (Act XLV of 1860) exempts all children under the age of seven from all criminal responsibility. In the Central Children Act (1960) the juvenile delinquent was defined as the child (in certain age range) who has been found to have committed an offence. According to the Indian Penal Code Section 2 (e) specified that the term ‘juvenile delinquent’ holds for a boy whose age range is seven to sixteen years, and a girl who is under the age of seven to eighteen years. Under Juvenile Justice Act 1986, juvenile means a boy who has not attained the age of sixteen years or a girl who has not attained the age of eighteen years [Section 2(h)]. The juveniles are further classified into neglected juveniles and delinquent juveniles.

The General Assembly of the United Nations adopted the Convention on Right of the Child on 20th November, 1989, which prescribed a set of standards to be adhered to by all the state parties in securing the best interest of the child. The convention also emphasized on social reintegration of child victims, to the extent
possible, without resorting to judicial proceedings. The Government of India ratified the Convention on 11th December, 1992 and therefore, it become expedient to re-enact the existing Juvenile Justice Act, 1986 to meet the standards prescribed by the convention on the Right of the Child and all other international instruments. It is in this backdrop that the Juvenile Justice (Care and Protection of Children) Act, 2000 was enacted repealing the Juvenile Justice Act, 1986.

In the Juvenile Justice (Care and Protection of Children) Act, 2000, the term ‘delinquent juvenile’ used in the earlier Juvenile Justice Act, 1986 has been substituted by the words “juvenile in conflict with law.”

In this Act, ‘juvenile’ or ‘child’ means a person who has not completed eighteenth year of age [Section 2(k)] whereas the ‘juvenile in conflict with law’ means a person who is alleged to have committed an offence [Section2(l)]. Thus there are two distinct categories of children under this Act:

❖ ‘juvenile’ for children in conflict with law and
❖ ‘child’ for children in need of care and protection [Section 2(d)].

According to Amendment Bill, Juvenile Justice (Care and Protection of Children) Act, 2005, ‘juvenile in conflict with law’ means a juvenile who is alleged to have committed an offence and has not completed eighteen years as on the date of commission of such offence.

The present study has adopted the term ‘juvenile in conflict with law’ as per the Juvenile Justice Act 2000 and analyzed 200 delinquent
children under the age of 18 who were brought before the court (Juvenile Justice Board) and those who were retained in the Observation Home during a specified period of time.

**Juvenile Delinquency: Global Scenario**

The problem of juvenile delinquency will remain a paradox despite efforts on the part of penologists to curb this menace. Several causes such as poverty, slum-dwelling, neglect or partiality by parents towards their children, lack of parental care or social security may be attributed to the unprecedented increase in juvenile delinquency.

The situation in European countries in this regard is, however, not so alarming as in United States where the problem has touched its climax in recent years.

Turkey has shown keen interest in juvenile justice. Even though rate of juvenile delinquency is not very high in this country, slightest rise in child delinquency is a matter of concern because of the strong hold of the family institution.

The magnitude of the problem of juvenile delinquency has been engaging the attention of penologists at the international level also. The international Penal and Penitentiary Commission (This was called the International Penal Commission before 1928) worked successfully for the prevention of crime and treatment of offenders till October, 1951 and repeatedly stressed on the necessity of rationale and humane treatment methods which could avoid the need of keeping juvenile offenders in prison and thus disassociate them from the criminal world.
The preparatory meeting of experts in social defence (African Region) for the Fourth United Nations Congress (Kyoto in Japan held during 17.26 August 1970) on prevention of crime and treatment of offenders was held in Addis Ababa on 5.7 November, 1971. The consensus in that meeting was that family tensions make the problem of juvenile delinquency more extensive because of neglect and misbehaviour of parents.

The pressing problems of juvenile delinquency in developed and developing countries drew attention of the United Nations to work out some guiding principles for Juvenile Justice System, made significant contribution in this regard. As a result of the seventh U. N. Congress on Prevention of Crime and Treatment of Offenders adopted in September 1985, the Standard Minimum Rules for Administration of Juvenile Justice. These rules were subsequently adopted by the U.N. General Assembly in November 1985 embodied the following basic principles:

1. Juveniles in trouble with law should be provided with carefully constructed legal protection.

2. Pre trial resort. Child and juvenile offenders should not be held in a jail where they are vulnerable to the evil influences of the adult offenders.

3. Juvenile offenders should not be incarcerated unless there is no other appropriate response that will protect the public safety and provide the juvenile with the opportunity to exercise self-control.
4. Member nations should strive individually and collectively to provide adequate means by which every young person can look forward to a life that is meaningful and valuable.

India, being a member of the U. N. has responded favourably to this call of the international body and enacted a comprehensive law from time to time.

**Law and Juvenile Delinquency in India**

Since 1860, attempts have been made for the welfare of delinquent children in India.

The Indian Penal Code (Act XLV of 1860) exempts all children under the age of seven from all criminal responsibility. The Central Children Act (1960) has defined the Juvenile delinquent as a child (in certain age range) who has been found to have committed an offence. According to the Indian Penal Code, Section 2 (e) of the same legislation specified that the term ‘Juvenile delinquent’ holds for a boy whose age range is seven to sixteen years and a girl, who is under the age of seven to eighteen years. In 1986 the Loksabha passed a Bill on juvenile delinquents which provides a legal framework under which the states will be able to make rules to the juvenile delinquents and will have various procedures to follow while trying them for various delinquent acts, the Union Social Welfare Ministry has provided a taken grant of Rs. 40 lakhs to the States for creating the minimum infrastructure for the implementation of Juvenile Justice Act (1986). The scheme provides that no child under any circumstances should be lodged in a prison. Towards attaining these objectives there is a
provision for the Observation Home for juvenile delinquents in every district. The new legislation came into force throughout the country from October 2, 1987 on a uniform bases for the whole country. The preamble of the Juvenile Justice Act 1986 (JJA 1986) states that the Act is to provide for the care, protection, treatment, development, and rehabilitation of neglected and delinquent juveniles and adjudication of certain matters relating to disposition of delinquent juveniles.

Under the Juvenile Justice Act 1986, juvenile means a boy who has not attained the age of sixteen years or a girl who has not attained the age of eighteen years [Section 2(h)]. The juveniles are further classified into neglected juveniles and delinquent juveniles.

A delinquent juvenile is one who has committed an offence under any law of the land and comes in conflict with law. The Juvenile Welfare Board deals the neglected juvenile whereas the delinquent juveniles are brought before the juvenile court.

The Act has provided for the classification and separation of delinquents on the basis of their age, the kind of their delinquency, and the nature of offences committed by them. The four types of institutions under the Act are as follows:

❖ Observation Home: These are for temporary reception of juveniles during the pendency of any inquiry regarding them under this Act [Section 11].

❖ Juvenile Homes: A neglected juvenile is sent for accommodation, maintenance, and facilities for education, vocational training, and rehabilitation [Section 9].
الفئات الخاصة: يتم إرسال شباب غير قانوني لالة للاستقراض والصيانة، ومرافق التعليم والتعمية والتعافي [المادة 10].

الفئات المكرسة: هذه هي بناءً على الغرض من الرعاية للشباب الذين خرجوا من منازل الشبان أو منازل الشبان الخاص، وبناءً على الغرض من منحهم الحياة العصرية، الصالحة، والعمل الصالح [المادة 12].

**Juvenile Justice (Care and Protection of Children-Act 2000)**


الموجب من القانون الذي يحمي الأطفال، 2000 يحتوي على النص التالي:

1. مجلس الشابين الاستشاري، كما هو مذكور في القانون، هو مجلس الشابين الاستشاري.

المجلس يتألف من عقيد محكمてしまった، أو محكم الشابين، أو بعض العمال الاجتماعي، وعندما يكون الأمر مناسب، فعلي المجلة الحكومية، يشكل في نطاق المجلة الحكومية، لغرض تدريس القضاة على محاكمة الشبان الذين يتعارضون مع القانون، وتفعيل الواجبات والواجبات الموضحة في القانون. 

فالمؤسسات المستقرة، بناءً على القانون، هي منظورات على الشباب الذين خرجوا من منازل الشبان أو منازل الشبان الخاص، وبناءً على الغرض من منحهم الحياة العصرية، الصالحة، والعمل الصالح [المادة 12].

**Juvenile Justice (Care and Protection of Children-Act 2000)**

- Special Homes: A delinquent juvenile is sent for accommodation, maintenance, and facilities for education, vocational training, and rehabilitation [Section 10].
- After-care Organizations: These are for the purpose of taking care of juveniles after they leave juvenile homes or special homes and for the purpose of enabling them to lead an honest, industrious, and useful life [Section 12].

**Juvenile Justice (Care and Protection of Children-Act 2000)**

The ratification of the Convention on the Rights of the Child 1989 by India in 1992 and the changing social attitudes towards criminality by children reflected in Supreme Court decisions and the need for a more child-friendly juvenile justice system were some of the factors that led to the passing of the Juvenile Justice (Care and Protection of Children) Act 2000.

The Juvenile Justice (Care and Protection) Act, 2000 has the following provisions and practices:

1. Advisory Board as provided in the Act is a Juvenile Justice Board.

The State government, by notification in its official gazetteer, constitutes for a district or group of districts specified in the notification, one or more Juvenile Justice Boards for exercising the power and discharging the duties conferred or imposed on such Boards in relation to Juveniles in conflict with law under this Act. A Board shall consist of a Metropolitan Magistrate or a first class Juvenile Magistrate or the as the case may be and two social workers of whom at least one shall be a woman, forming a bench
and every such bench shall have the powers conferred by the Code of Criminal Procedure 1973.

2. **Under this Act**, 'Juvenile in Conflict with Law' means a juvenile or child who is alleged to have committed an offence.

‘Offence’ means an offence punishable under any law for the time being in force.

‘Observation home’ means a home established by a State government or by a voluntary organization and certified by that State government as an observation home for the Juvenile in conflict with law. The Act provides that every juvenile who is not placed under the charge of parent or guardian and is sent to an observation home shall be initially kept in a reception unit of the observation home for preliminary inquiries, care and classification for juveniles according to his age group, such as seven to twelve years, twelve to sixteen years and sixteen to eighteen years, giving due considerations to physical and mental status and degree of the offense committed, for further induction into observation home.

3. The Act further provides that any State government may establish and maintain either by itself or under an agreement with voluntary organizations observation homes in every district or a group of districts, as may be required for the temporary reception of only juvenile in conflict with law during the pendency of any inquiry regarding them under the Act. The State government may, by rules made under the Act provide for the management of Observation Homes including the standards and the types of services to be
provided by them for rehabilitation and social integration of a juvenile and the circumstances under which, and the manner in which the certification of an Observation Home may be granted or withdrawn.

4. *Juvenile Activities*

The following activities are considered as delinquent behaviour: "Lying, stealing, burglary, begging, swindling, forgiving, gambling, truancy from home and school, cruelty to animals and smaller children, destructiveness, malicious or mischievous damage to property, incorrigibility sexual offences and attempt to commit suicide or murder."

5. *Apprehension of Juvenile in Conflict with Law*

As soon as a juvenile in conflict with law is apprehended by police, he shall be placed under the charge of the special juvenile police unit or the designated police officer shall immediately report the matter to a member of the Board. The State Government provides for rules consistent with this Act to provide for persons through whom any juvenile in conflict with law may be produced before the Board and to provide the manner in which the juvenile may be sent to an Observation Home.

6. *Bail for Juvenile Delinquents*

The law provides for bail to juvenile delinquents. When a juvenile is arrested or brought before a Board, such person shall be released on bail with or without security but he shall not be released if there appear reasonable grounds for believing that the release is likely
to bring him into association with any known criminal or expose him to moral, physical or psychological danger or that his release would defeat the ends of justice.

7. Orders that may be passed against the juvenile

Where a Board is satisfied an inquiry that a juvenile has committed an offence and then it thinks fit;

- Allow the juvenile to go home after advice or admonition, following appropriate inquiry against and counseling to the parents or the guardian and the juvenile.
- Direct the juvenile to participate in group counseling and similar activities.
- Direct the juvenile to be released on probation of good conduct and placed under the care of any parent, guardian or other fit person executing a bond, with or without surety, for the good behaviour and well being of the juvenile for any period not exceeding three years.
- Direct the juvenile to be released on probation of good conduct and placed under the care of any fit institution for good behaviour and wellbeing of the juvenile for any period not exceeding three years.

8. Orders that may not be passed against juvenile

The Act provides that not withstanding anything to the contrary contained in any other law for the time being in force no juvenile in conflict with law shall be sentenced to death or life imprisonment or committed to prison in default of payment of fine or in default of furnishing security provided that where a juvenile who has attained
the age of eighteen years has committed an offense and Board is satisfied that the offense committed is of so serious in nature or that this conduct and behaviour have been such that it would not be in his interest of other juvenile to send him to special home that none of the other measures provided under this Act is suitable or sufficient, the Board may order the juvenile in conflict with law to be kept in such place of safety. Amendment to the Juvenile Justice (Care and Protection of children) Act, 2000.

Amendment Bill 2005

In a public interest litigation (Civil Writ Petition No. 3447 of 2001), certain provisions of the Juvenile Justice Act were challenged before the High Court of Delhi. During the course of the hearings, the High Court observed that some of the provisions of the Act merited reconsideration. Keeping in view these observations, it was proposed to carry out amendments to Sections 32, 33, 56, 57 and 59 of the Act.

An Amendment Bill was introduced in the Lok Sabha on 29.8.2005 called the ‘the Juvenile Justice (Care and Protection of children) Amendment Bill, 2005’.

The important amendments which were introduced to the Act and made applicable to all cases involving detention, prosecution or sentence on imprisonment of juveniles under any such law are as following:

1. An important provision is that a claim of juvenility may be raised before any court and it shall be recognized at any stage even after disposal of the case in terms of the provisions. If the court finds a
person to be juvenile on the date of commission of the offence, it shall forward their juvenile to the Board.

As soon as a juvenile in conflict with law is apprehended by the police, he shall be placed under the charge of a special juvenile police unit or the designated police officer, who shall produce the juvenile before the Board without any loss of time but within a period of twenty-four hours of his apprehension, excluding the time necessary for the journey from the place where the juvenile was apprehended, to the Board. Under the amendment, the juvenile can be placed with or without surety, and can also be placed in a fit institution.

2. An order can be made directing the juvenile to be sent to a special home for a period of three years or until he ceases to be a juvenile, whichever is later.

3. It has been provided that no report in any newspaper, magazine, news-sheet or visual media of any inquiry regarding a juvenile in conflict with law or a child in need of care and protection under this Act shall disclose the name, address of the school, or any other particulars calculated to lead to the identification of the juvenile or child, nor shall any picture of any such juvenile or the child (Asha Bajpai, 2010).

**Extent of Juvenile Delinquency in India**

Juvenile Delinquency is a universal phenomenon and no society is immune from this malaise. The peculiarities of the Indian culture and
varying conditions in the Indian social institutions may account for differential rates of incidence of delinquency and reacting against it.

According to the Bureau of Police Research and Development of the Union Ministry of Home Affairs (Crime in India, 1981) has mentioned that, 61019 crimes in total were committed under the Indian Penal Code (IPC) by the juvenile and offences during 1981 against 55159 in 1980 recording an increase of 10.7 per cent in 1981 over 1980. The juvenile and youthful offenders were responsible for 4.4 per cent of the total IPC crime reported during 1981 against 4 per cent during 1980. The volume of Juvenile Crimes per 100000 population was 8.9 per cent during 1981 against 8.3 per cent in 1980 (Bedi, 1989).

The crime pertaining to different heads of juvenile delinquency during 1971-81 was robbery 1.7 per cent, thefts 28.7 per cent, riots 16.4 per cent cheating 0.5 per cent, burglary 11 per cent and dacoity one per cent, kidnapping and abduction 0.9 per cent and other crimes 37.4 percent.

The Bureau (Crime in India, 1986) reported that 55887 crimes were committed in total under the IPC by the juvenile and youthful offenders during 1986 as against 49317 in 1985, recording an increase of 13.3 per cent. The juvenile and youthful offenders were responsible for 4 per cent of the total IPC crimes reported in 1986 against 6.6 per cent in 1985.

The break up of juvenile crimes under the Indian Penal Code revealed that the highest number of crimes committed by juveniles during 1986 was under the crime “theft” (21.3 per cent) followed by
'riots' (11.3 per cent) and burglary (9 per cent) more than 80 per cent of the juvenile and youthful offenders apprehended over the past ten years belonged to the age group of 16-21 years.

Since 1995, National Crime Record Bureau, has collected and published data on crimes in India. As per this Bureau the incidence of juvenile delinquencies during the last one decade from 1995 to 2005 indicates some significant trends:

1. There is a considerable increase in the juvenile delinquency over the years.

2. The rate of the juvenile delinquency is much higher among boys than among girls.

3. The rate of juvenile delinquency is the highest during late adolescence (16-18) years.

**Share of Juvenile Crimes**

The incidence of Juvenile Delinquency under Indian Penal Code during 1998-2009 is given in Table 1.1.

Table 1.1 highlights the incidence of juvenile delinquency during the period between 1998 and 2009. It indicates a considerable increase in the incidence of juvenile crimes in a span of one decade. A declining trend of juvenile crimes between 1998 and 2009 is observed in relation to total crimes. However a sharp increase in the incidence of juvenile crime from 2001 to 2005 is significant. The rate of juvenile crime remained constant at one per cent between 2001 and 2005. But in 2005 it increased to 1.1 and remained constant at 1.1 per cent in 2009.
The share of crimes committed by juveniles to total IPC crimes reported in the country during 1998 to 2000 was same at 0.5 per cent. This share has increased to 0.9 per cent in 2001 and further marginally increased to 1.0 per cent in 2002 but remained static in 2007. This share increased marginally to 1.2 per cent in 2008. The increase in 2001 may be partly attributed to increase in age of delinquent boys from 16 to 18 years as per the new definition of juveniles. Similar pattern was observed in juvenile crime rate also. Juvenile crime rate was 0.9 during 1999 and 2000 whereas it has shown a mixed trend during 2000-2006 and was 2.1 in 2008 (See Table 1.1).

Table 1.1

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Year</th>
<th>Incidence of Juvenile Crimes</th>
<th>Total Cognizable Crimes</th>
<th>Percentage of Juvenile Crimes to Total Crimes</th>
<th>Estimated Mid Year Population * (in Lakhs)</th>
<th>Rate of Crimes by Juveniles</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1998</td>
<td>9352</td>
<td>1778815</td>
<td>0.5</td>
<td>9709</td>
<td>1.0</td>
</tr>
<tr>
<td>2</td>
<td>1999</td>
<td>8888</td>
<td>1764629</td>
<td>0.5</td>
<td>9866</td>
<td>0.9</td>
</tr>
<tr>
<td>3</td>
<td>2000</td>
<td>9267</td>
<td>1771084</td>
<td>0.5</td>
<td>10021</td>
<td>0.9</td>
</tr>
<tr>
<td>4</td>
<td>2001**</td>
<td>16509</td>
<td>1769308</td>
<td>0.9</td>
<td>10270***</td>
<td>1.6</td>
</tr>
<tr>
<td>5</td>
<td>2002</td>
<td>18560</td>
<td>1780330</td>
<td>1.0</td>
<td>10506</td>
<td>1.8</td>
</tr>
<tr>
<td>6</td>
<td>2003</td>
<td>17819</td>
<td>1716120</td>
<td>1.0</td>
<td>10682</td>
<td>1.7</td>
</tr>
<tr>
<td>7</td>
<td>2004</td>
<td>19229</td>
<td>1832015</td>
<td>1.0</td>
<td>10856</td>
<td>1.8</td>
</tr>
<tr>
<td>8</td>
<td>2005</td>
<td>18939</td>
<td>1822602</td>
<td>1.0</td>
<td>11028</td>
<td>1.7</td>
</tr>
<tr>
<td>9</td>
<td>2006</td>
<td>21088</td>
<td>1878293</td>
<td>1.1</td>
<td>11198</td>
<td>1.9</td>
</tr>
<tr>
<td>10</td>
<td>2007</td>
<td>22865</td>
<td>1999673</td>
<td>1.1</td>
<td>11366</td>
<td>2.0</td>
</tr>
<tr>
<td>11</td>
<td>2008</td>
<td>24535</td>
<td>2093379</td>
<td>1.2</td>
<td>11531</td>
<td>2.1</td>
</tr>
<tr>
<td>12</td>
<td>2009</td>
<td>23926</td>
<td>2121345</td>
<td>1.1</td>
<td>11694</td>
<td>2.0</td>
</tr>
</tbody>
</table>


* The Registrar General of India.
** The boys' age group of 16-18 years has also been considered as Juveniles Since 2001 onwards as per revised definition of Juvenile Justice Act.
*** Actual population as per 2001 Census.
Sex Wise Distribution of Juvenile Apprehended under IPC and Special Local Law (1995-2005)

As per Table 1.2, the percentage of delinquency among girls was low at 22.6 in 1995 while it was much high at 76.4 per cent for boys. A marginal increase in the juveniles apprehended among girls to 23 per cent and 77 per cent for boys in 2000 was reported. But there has been a drastic reduction of juvenile apprehended among girls to just 6.9 and a sharp increase to 93.1 per cent among boys in 2001 was reported. This change in the juvenile apprehended in 2001 coincided with the revision of definition of ‘juvenile’ and its implementation in the year 2001. The percentage distribution of boys and girls among the juvenile apprehended in the year 2005 has largely remained the same at 93.7 per cent and 6.3 per cent respectively. This trend clearly indicates that juvenile delinquency rate among boys is high compared to girls.

Table 1.2 shows sex-wise distribution of juveniles apprehended under the IPC and special Local Law Crimes for the period 1995 to 2005.
Table 1.2

Information about the Percentage of Delinquency among Boys and Girls

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Year</th>
<th>Boys</th>
<th>Percentage of Boys</th>
<th>Girls</th>
<th>Percentage of Girls</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1995</td>
<td>14542</td>
<td>76.4</td>
<td>4251</td>
<td>22.6</td>
<td>18793</td>
</tr>
<tr>
<td>2</td>
<td>1996</td>
<td>14068</td>
<td>73.7</td>
<td>5030</td>
<td>26.3</td>
<td>19098</td>
</tr>
<tr>
<td>3</td>
<td>1997</td>
<td>14282</td>
<td>80.3</td>
<td>3514</td>
<td>19.7</td>
<td>17796</td>
</tr>
<tr>
<td>4</td>
<td>1998</td>
<td>13974</td>
<td>73.8</td>
<td>4949</td>
<td>26.2</td>
<td>18923</td>
</tr>
<tr>
<td>5</td>
<td>1999</td>
<td>13088</td>
<td>70.6</td>
<td>5372</td>
<td>29.4</td>
<td>18460</td>
</tr>
<tr>
<td>6</td>
<td>2000</td>
<td>13854</td>
<td>77.0</td>
<td>4128</td>
<td>23.0</td>
<td>17982</td>
</tr>
<tr>
<td>7</td>
<td>2001</td>
<td>31295</td>
<td>93.1</td>
<td>2333</td>
<td>6.9</td>
<td>33628</td>
</tr>
<tr>
<td>8</td>
<td>2002</td>
<td>33551</td>
<td>93.8</td>
<td>2228</td>
<td>6.2</td>
<td>35779</td>
</tr>
<tr>
<td>9</td>
<td>2003</td>
<td>30985</td>
<td>93.0</td>
<td>2335</td>
<td>7.0</td>
<td>33320</td>
</tr>
<tr>
<td>10</td>
<td>2004</td>
<td>28878</td>
<td>93.3</td>
<td>2065</td>
<td>6.7</td>
<td>30943</td>
</tr>
<tr>
<td>11</td>
<td>2005</td>
<td>30606</td>
<td>93.7</td>
<td>2075</td>
<td>6.3</td>
<td>32681</td>
</tr>
</tbody>
</table>


Juvenile Crime Heads

Table 1.3 provides information about juveniles’ crimes under different heads from 1998 to 2007.

Table 1.3

Juvenile Crimes recorded under (IPC Crimes)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>MURDER (Sec 302,303 IPC)</td>
<td>252</td>
<td>465</td>
<td>472</td>
<td>522</td>
<td>605</td>
<td>672</td>
</tr>
<tr>
<td>2</td>
<td>ATTEMPT TO COMMIT MURDER (Sec 307 IPC)</td>
<td>163</td>
<td>475</td>
<td>443</td>
<td>374</td>
<td>489</td>
<td>547</td>
</tr>
<tr>
<td>3</td>
<td>C.H NOT AMOUNTING MURDER (Sec 304,308 IPC)</td>
<td>22</td>
<td>25</td>
<td>19</td>
<td>58</td>
<td>36</td>
<td>41</td>
</tr>
<tr>
<td>4</td>
<td>RAPE (Sec 304,308 IPC)</td>
<td>199</td>
<td>466</td>
<td>586</td>
<td>586</td>
<td>656</td>
<td>746</td>
</tr>
<tr>
<td></td>
<td>i) CUSTODIAL RAPE *</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>ii) OTHER RAPE *</td>
<td>0</td>
<td>466</td>
<td>568</td>
<td>586</td>
<td>656</td>
<td>746</td>
</tr>
<tr>
<td>Sl. No.</td>
<td>Crime Head</td>
<td>Year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>------------</td>
<td>-----------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>KIDNAPPING &amp; ABUDUCTION (Sec 362-369,371-373 IPC)</td>
<td>153</td>
<td>202</td>
<td>232</td>
<td>246</td>
<td>271</td>
<td>301</td>
</tr>
<tr>
<td></td>
<td>iii) OF WOMEN &amp; GIRLS</td>
<td>134</td>
<td>158</td>
<td>167</td>
<td>191</td>
<td>208</td>
<td>205</td>
</tr>
<tr>
<td></td>
<td>iv) OF OTHERS</td>
<td>19</td>
<td>44</td>
<td>65</td>
<td>55</td>
<td>63</td>
<td>96</td>
</tr>
<tr>
<td>6</td>
<td>DACOITY (Sec 395-398 IPC)</td>
<td>35</td>
<td>122</td>
<td>121</td>
<td>120</td>
<td>99</td>
<td>144</td>
</tr>
<tr>
<td>7</td>
<td>PREPARATION &amp; ASSEMBLY FOR DACOITY (Sec 399-402 IPC)</td>
<td>2</td>
<td>38</td>
<td>46</td>
<td>58</td>
<td>74</td>
<td>87</td>
</tr>
<tr>
<td>8</td>
<td>ROBBERY (Sec 392-394,397,398 IPC)</td>
<td>52</td>
<td>208</td>
<td>224</td>
<td>230</td>
<td>321</td>
<td>409</td>
</tr>
<tr>
<td>9</td>
<td>BURGLRY (Sec 449-452,454,455,457-460 IPC)</td>
<td>1294</td>
<td>2134</td>
<td>2138</td>
<td>2270</td>
<td>2675</td>
<td>2603</td>
</tr>
<tr>
<td>10</td>
<td>THEFT (Sec 379-382 IPC)</td>
<td>2143</td>
<td>3680</td>
<td>4554</td>
<td>4846</td>
<td>5316</td>
<td>5606</td>
</tr>
<tr>
<td></td>
<td>i) AUTO THEFT *</td>
<td>604</td>
<td>748</td>
<td>904</td>
<td>1072</td>
<td>1068</td>
<td>1068</td>
</tr>
<tr>
<td></td>
<td>ii) OTHER THEFT *</td>
<td>3076</td>
<td>3806</td>
<td>3942</td>
<td>4244</td>
<td>4538</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>RIOTS (Sec 143-145,147-151, 153, 153A,153B,157,158,160 IPC)</td>
<td>574</td>
<td>1030</td>
<td>982</td>
<td>934</td>
<td>988</td>
<td>1440</td>
</tr>
<tr>
<td>12</td>
<td>CRIMINAL BREACH OF TRUST (Sec 406-409 IPC)</td>
<td>19</td>
<td>56</td>
<td>43</td>
<td>30</td>
<td>15</td>
<td>40</td>
</tr>
<tr>
<td>13</td>
<td>CHEATING (Sec 419,420 IPC)</td>
<td>32</td>
<td>104</td>
<td>149</td>
<td>106</td>
<td>94</td>
<td>111</td>
</tr>
<tr>
<td>14</td>
<td>COUNTERFEITING (Sec 231-254,489A-489D IPC)</td>
<td>0</td>
<td>8</td>
<td>9</td>
<td>7</td>
<td>8</td>
<td>12</td>
</tr>
<tr>
<td>15</td>
<td>ARSON (Sec 435,436,438 IPC)</td>
<td>24</td>
<td>34</td>
<td>44</td>
<td>60</td>
<td>36</td>
<td>63</td>
</tr>
<tr>
<td>16</td>
<td>HURT (Sec 323-333,335-338 IPC)</td>
<td>1645</td>
<td>3074</td>
<td>3226</td>
<td>2979</td>
<td>3585</td>
<td>3810</td>
</tr>
<tr>
<td>17</td>
<td>DOWRY DEATHS (Sec 304B IPC)</td>
<td>77</td>
<td>52</td>
<td>51</td>
<td>102</td>
<td>60</td>
<td>70</td>
</tr>
<tr>
<td>18</td>
<td>MOLESTATION (Sec 354 IPC)</td>
<td>136</td>
<td>522</td>
<td>460</td>
<td>478</td>
<td>488</td>
<td>476</td>
</tr>
<tr>
<td>19</td>
<td>SEXUAL HARASSMENT (Sec 509 IPC)</td>
<td>37</td>
<td>286</td>
<td>186</td>
<td>137</td>
<td>148</td>
<td>129</td>
</tr>
<tr>
<td>20</td>
<td>CRUELTY BY HUSBAND AND RELATIVES (Sec 498A IPC)</td>
<td>249</td>
<td>202</td>
<td>206</td>
<td>275</td>
<td>219</td>
<td>302</td>
</tr>
<tr>
<td>21</td>
<td>IMPORTANTION OF GIRLS (Sec 366 IPC)</td>
<td>*</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>22</td>
<td>DEATH DUE TO NEGLIGENCE (Sec 304A IPC)</td>
<td>*</td>
<td>78</td>
<td>60</td>
<td>65</td>
<td>163</td>
<td>108</td>
</tr>
<tr>
<td>23</td>
<td>OTHER IPC CRIMES</td>
<td>2243</td>
<td>4558</td>
<td>4996</td>
<td>4456</td>
<td>4742</td>
<td>5148</td>
</tr>
<tr>
<td>24</td>
<td>TOTAL COGNIZABLE CRIMES IPC</td>
<td>9352</td>
<td>17819</td>
<td>19229</td>
<td>18939</td>
<td>21088</td>
<td>22865</td>
</tr>
</tbody>
</table>

Source: National Crime Record Bureau, Ministry of Home Affairs, Government of India.

* Indicates that the Crime Head was not introduced till that year.

Note: As per revised definition of Juvenile Justice Act 2001 the boys age group of 16-18 years has also been considered as Juveniles.
**Special and Local Laws Crimes [SLL Crimes]**

Juvenile delinquency under SLL Crimes has decreased by 24.2 per cent in 2008 as compared to 2007 as 4,163 cases of juvenile delinquency under SLL were reported in 2007 which decreased to 3,156 in 2008. Cases under ‘Dowry Prohibition Act,’ ‘Immoral Traffic (Prevention) Act’ and ‘Excise Act’ have registered a decrease of 87.0 per cent, 53.2 per cent and 32.4 per cent respectively. In terms of absolute numbers; 46 cases reported in 2007 declined to six in 2008 under ‘Dowry Prohibition Act’, from 47 to 22 under ‘Immoral Traffic (Prevention) Act’ and from 528 cases to 357 cases under ‘Excise Act’ respectively (See Table 1.4).
## Table 1.4
Special and Local Laws Crimes (SLL Crimes)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Crime Head</th>
<th>Number of Cases During</th>
<th>Percentage Change in Over 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2007</td>
<td>2008</td>
</tr>
<tr>
<td>1</td>
<td>ARMS ACT</td>
<td>279</td>
<td>257</td>
</tr>
<tr>
<td>2</td>
<td>NARCOTIC DRUGS &amp; PSYCHOTROPIC SUBSTANCES ACT</td>
<td>64</td>
<td>66</td>
</tr>
<tr>
<td>3</td>
<td>GAMBLING ACT</td>
<td>780</td>
<td>596</td>
</tr>
<tr>
<td>4</td>
<td>EXCISE ACT</td>
<td>528</td>
<td>357</td>
</tr>
<tr>
<td>5</td>
<td>PROHIBITION ACT</td>
<td>496</td>
<td>398</td>
</tr>
<tr>
<td>6</td>
<td>EXPLOSIVES &amp; EXPLOSIVESUBSTANCES ACT beu</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>7</td>
<td>IMMORAL TRAFIC [(P) ACT</td>
<td>47</td>
<td>22</td>
</tr>
<tr>
<td>8</td>
<td>INDIAN RAILWAYS ACT</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>9</td>
<td>REGISTRATION OF FOREIGNERS ACT</td>
<td>26</td>
<td>37</td>
</tr>
<tr>
<td>10</td>
<td>PROTECTION OF CIVIL RIGHTS ACT</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>i) PCR ACT FOR SCs</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>ii) PCR ACT FOR STs</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>11</td>
<td>INDIAN PASSPORT ACT</td>
<td>16</td>
<td>8</td>
</tr>
<tr>
<td>12</td>
<td>RESSENTIAL COMMODITIES ACT</td>
<td>13</td>
<td>9</td>
</tr>
<tr>
<td>13</td>
<td>TERRORIST &amp; DESRUPITIVE ACTIVITIES</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>14</td>
<td>ANTIQUITIES &amp; ART TREASURES ACT</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>15</td>
<td>DOWRY PROHIBITION ACT</td>
<td>46</td>
<td>6</td>
</tr>
<tr>
<td>16</td>
<td>CHILD MARRIAGE RESTRAINT ACT</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>17</td>
<td>INDECENT REPRESENTATION OF WOMEN (P) ACT</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>18</td>
<td>COPYRIGHT ACT</td>
<td>23</td>
<td>23</td>
</tr>
<tr>
<td>19</td>
<td>SATI PREVENTION ACT</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>20</td>
<td>SC/ST (PREVENTION OF ATROCITIES) ACT</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) PREVENTION OF ATROCITIES ACT FOR SCs</td>
<td>37</td>
<td>43</td>
</tr>
<tr>
<td></td>
<td>ii) PREVENTION OF ATROCITIES ACT FOR STs</td>
<td>15</td>
<td>2</td>
</tr>
<tr>
<td>21</td>
<td>FOREST ACT</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>22</td>
<td>OTHER SLL CRIMES</td>
<td>1783</td>
<td>1315</td>
</tr>
<tr>
<td>23</td>
<td>TOTAL COGNIZABLE CRIMES UNDER SLL</td>
<td>4163</td>
<td>3156</td>
</tr>
</tbody>
</table>

Source: National Crime Record Bureau, Ministry of Home Affairs, Government of India.
@ Indicates infinite variation because of division by zero.
State-Wise Distribution of Juvenile Delinquency [SLL]

The highest number of juvenile delinquency cases under Special and Local Laws was reported from Madhya Pradesh (669) which accounted for 21.2 per cent of total juvenile crimes under SLL followed by Tamil Nadu (596) and Gujarat (477). These three States taken together have accounted for 55.2 per cent of total juvenile delinquency cases under SLL reported in the country.

Out of 257 cases reported in the country under ‘Arms Act’ involving juveniles, 41.2 per cent cases were reported from Madhya Pradesh (106). Madhya Pradesh accounted for 42.4 per cent 253 out of 596 cases reported under ‘Gambling Act’. Gujarat and Maharashtra contributed 57.8 per cent (230) and 30.4 per cent of the 398 cases reported under ‘Prohibition Act’. 12 out of 22 cases under ‘Immoral Traffic (Prevention) Act’ were reported from Haryana whereas seven out of nine cases reported under ‘Essential Commodities Act’ were reported from Bihar. 22 out of 45 cases under ‘Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act’ were registered in Tamil Nadu and the lone case under ‘Forest Act’ was registered in the state of Jharkhand.
Juveniles Apprehended under IPC & SLL Crimes 1999-2009

Year

1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009

Boys Girls

Incidence

40000 35000 30000 25000 20000 15000 10000 5000 0

31295 33551 30986 28878 30606 32671 32795 31560 2092 1712 1866 2075 2228 2335 2333 2288 13854 1388 6372 4128 0
Disposal of Juvenile Arrested During 2009

- Sent to Special Home, 16.10%
- Dealt with Fine, 3.30%
- Acquitted or Otherwise Disposed of, 4.50%
- Released on Probation under the care of Fit Institutions, 3.70%
- Released on Probation under the care of Parents/Guardians, 14.30%
- Sent to Home after Advice/Admonition, 14.80%
- Pending Disposal, 43.30%
Social Factors Causing Juvenile Delinquency

Scholars have attempted to explore reliable causal factors which could explain why juvenile delinquency occurs in society. The dominant social factors have been highlighted here.

1. **Family Structure**

Family is considered to be the most effective variable in socializing the child and also in serving as a source for learning various types of behaviour. The nature and structure of the family are largely responsible for carving out the personality make-up of children. A functionally adequate family encourages growth, confidence, frankness and ability to face the reality. Delinquents mostly come from functionally inadequate homes (Carr, 1950; Srivastava, 1963). In-gram (1974) found family structure to have important bearings on delinquent behaviour of a child. Dornbusch's (1985) study revealed that both the
pattern of family structure and decision-making contribute distinctly to adolescent's deviant behaviour.

2. Broken Homes

Broken home is one facet of family structure. A broken home is one where the parents are dead or living separately or is divorced or that parents are drunkards, or drug addicts or the parents or any other member of the family often fights with each other. In such circumstances the child feels disowned and insecure. He adapts to such activities and in the process, she/he is exposed to antisocial activities. Very high incidence of broken homes among juvenile delinquents was found by scholars like Shaw and McKay (1932), Weeks and Smith (1939), Glueck and Glueck (1950), Browing (1960) and Peterson and Becker (1965). Broken homes coupled with other factors such as poverty, lack of recreational facilities, disorganized family including family conflicts and neglect of children contribute to juvenile delinquency (Badami, 1965).

3. Child's Birth Order in the Family

The order position of the child in the family is related to delinquency. Intermediate children having both older as well as younger siblings were significantly overrepresented in a group of delinquents according to a study conducted by Lees and Newson (1954).

4. Family Size and Type

Family size has also been found to be a factor in causing delinquent behaviour in juveniles. Delinquents were found more often
among larger families as compared to smaller families. Studies by scholars like Glueck (1950), Andrew (1976) and Fisher (1984) found that delinquent boys were more often from larger families.

5. Parent-Child Relationship

Relationship of children with their parents including parental behaviour is one of the most important factors in the development of children. The studies by Glueck and Glueck (1950) and Nye (1958) have affirmed that the pattern of interpersonal relationship, the interpersonal behaviour and cognition of the child. In many cases, misunderstandings, hard feelings and open conflicts occur between parent and child. The development of hostile and rebellious behaviour towards parental figures appears to be related to scarce and inconsistent parental display of affection and recognition towards the child. (Bandura and Walters, 1956)

6. Gang

Gangs act as contributory factor to Juvenile delinquency. Children often learn techniques of committing crimes in gangs. Teenage individuals from gangs in which a number of individuals associate together in group activity which often emerges into criminal tendency (Rogers, 1960). Gang is a means of conveying techniques of delinquency its members engaged in delinquency (Kaldare 1982).

7. Nature of Society

Nature of society based on political systems like democratic or authoritarian also determines the incidence of delinquent behaviour of children in the society. Habitat of people in society like rural and
urban settings also tend to affect juvenile delinquency, such settings differ considerably in terms of occupation, education and interpersonal relationship. Socio-cultural environment is also a contributory factor to juvenile delinquency. Children moving in society may mix up with different shades of people some of whom are engaged in destructive activities. Antisocial elements may convert children into delinquents. Further socio-economic status of a member of society plays an important role in influencing delinquent behaviour. Most of the delinquents were from poor families (Gluecks, 1956).

Theories of Delinquency

The nature of delinquency has been viewed by various writers. These may be discussed in the form of important theories viz., Biological, Psychological and Sociological.

Biological Theories

Biological theories attribute crime to biological or physiological reasons. The physical qualities, which people inherit or develop may cause them to violate the law, according to those who attribute crime to biological factors. They believe that physical makeup separates the deviant from the non-deviant.

Lombroso (1859) the advent of positivism in scientific research had a marked impact on the understanding of criminal behaviour. This type of thinking was voiced in 1872 by the Italian criminal anthropologist Cesare Lombroso. Lombroso, whose original training was in medicine, was deeply influenced by the work of Darwin who had published his “Origin of Species” in 1859 and “The Descent of
Man" in 1871. Lombroso found certain peculiar physical characteristics which he called "Stigma" in criminals. For years Lombroso had studied the physiognomies of criminals in the Italian penitentiaries. He was impressed with the "savage-like" form of the body and particularly of the skulls of these inmates.

Lombroso's work was hailed as path breaking by his followers, Enrico Ferri and Raffaele Garofalo. Ferri, though stressed the importance of psychological conditions and social factors, laid overwhelming emphasis on physical and geographical influences in causation of crime (Vold, 1986:41). Garofalo another student of Lombroso, who emphasized the biological factors, viewed that all criminals lacked some degree of moral sensitivity and recommended that the seriousness of punishment should be based upon a criminal degree of moral inferiority (Mannle, 1990). Ernst Kretschmer (1955) in his influential book titled 'Physique and Character' emphasized that particular kinds of body builds were associated with particular temperament or personality patterns (Meier, 1989:102).

**Psychological Theories**

Psychological Theories attribute criminality to be the 'intent of mind', which is the consequence of personality make-up of an individual. This approach emphasizes upon the dependence of an individual on his motivational patterns as an important aspect in explaining delinquency and crime elements of personality cause deviant modes of behaviour.
Scarpitti, Murray, Dinitz and Reckless (1960) perceived in their theory of self-concept that a negative self-image or self-concept is conducive to the development of delinquent behaviour. The research conducted by Healy and Bronner (1926) focused on the individual, his conflicts, and his early family relationships and the way such factors influenced criminal behaviour.

Eysenck's theory (1964) of behaviour posits three personality dimensions; Extra version (E), Neurotizism (N) and Psychoticism (P). He affirms that early childhood learning experiences condition the human behaviour. He comprehends that those with highly extroverted personalities are unlikely to learn proper socialization responses since they respond less well and are likely to violate social rules and norms. He suggests that people psychotic traits are also likely to be offenders.

Freudian theory suggests that an imbalance in personality traits because of an early traumatic experience and wrong childhood, can produce a damaged adolescent personality. The archaic perspective of psychology therefore rests on the assessment and analysis of the individual as delinquent in relation to the stimuli provided by motivational situations in various stages of his personality development and social experiences (Shipra Lavania, 1993).

**Sociological Theories**

Sociological theories emphasis that occurrence of deviant behaviour in a particular society is due to the contribution of social forces. However sociologists view that it is difficult at the operational level to find out a universal pattern and model of juvenile delinquency
applicable alike to all societies and cultures. Thrasher's (1926) studies in Chicago on boys' gangs or Juvenile delinquents led to the conclusion that these gangs are congregations of those who have purposively withdrawn from society to rebuild themselves in order to show and demonstrate their strength in order to achieve various ends. Delinquency was explained by Shaw and Mekey (1969) within the context of the changing urban environment. They came out with the theory of cultural transmission. Miller (1958) supported this theory and suggested that delinquent traditions are believed to be transmitted from one generation of youth to the next. He viewed delinquency as a product of the values and attitudes that are ingrained in all elements of the lower class culture. Durkheim (1898) propounded the theory that serious economic or political stress can lead to a breakdown of power in the social system where by cultural norms no longer have inhabitating influence over the group and individual behaviour. This he calls as 'anomic' or 'normlessness' which is the breakdown of the rule of law. These conditions lead to considering crime as a 'normal' response to the existing social conditions. Merton (1975) believed that the two elements of modern culture interact to produce potentially anomic conditions the culturally defined goals and the socially approved means for obtaining them. Merton's theory emphasizes the difficulties which arise when avenues towards, and forms of identification with, the goals and values of the society are not available.
The theory of delinquent subculture was first articulated by Cohen (1955). Cohen considers that delinquents as forming a separate subculture in a gang and possessing a value system directly in opposition to that of the larger society. He believed that children learn to become delinquent by becoming the members of groups in which delinquent conduct is already in practice. Cohen carried the work of the cultural transmission. He went a step further by explaining the factors that promote and sustain a delinquent sub-culture. He introduced the concepts of status frustration, failure to meet middle class measuring rods and family disability. Through these concepts he makes a clear presentation of the factors that cause lower class delinquency.

Significant contribution to the knowledge of delinquent subculture has been made by Cloward and Ohlin (1960). They agreed with Merton that socio-economic class membership controls access to the legitimate means of achieving social goals. They perceived delinquency as the result of unsuccessful efforts to achieve goals of the society legitimately, thereby causing the individual to engage in non-legal avenues to obtain material wealth and social status to steal or be a part of assaultive gangs or to retreat from social participation through addiction.

Some sociological theories deal with crime and delinquency in relation to social processes. Sutherland (1947) pleaded that crime is a socially learned behaviour. He developed the concept of differential
association and explained systematic criminality as a result of international process.

For the present study the "Theory of Delinquent Subculture" developed by Cohen was considered appropriate which emphasis's the value system of lower class culture that contribute to the incidence of higher delinquency.

Rationale of the Study

Much has been written about victim children, and children in need of care and protection, but very little about juvenile offenders who are the truly neglected children. The state machinery hides them in institutions where no outsider is allowed to tread, and leave them to their own devise with scant attention being paid to their well-being and rehabilitation. On completion of their sentence they are flushed out ill-equipped to handle life outside of the institution. This treatment meted out to juvenile offenders is most deplorable, especially when juvenile legislation that requires juveniles in conflict with law require care and protection. In this connection it is important to analyze the social factors causing the emergence of delinquency such as socio-economic status, place of residence, relationship with parents and siblings, commitment of crime by family members etc. The present study seeks to understand the problem of juvenile in conflict with law in relation to these social aspects.

Further the Juvenile Justice Care and Protection Act 2000 deals with such children who are in need of care and protection. The present study explores the role of state machinery in rehabilitating the
juvenile in conflict with law. The present study aims at analyzing their subjective aspects such as self perceptions and attitudes in order to lead a normal life in society.

REVIEW OF LITERATURE

Juvenile delinquency has assumed serious problem among all the crimes. Kaldate (1982) maintains that juvenile delinquency is a sign of the 'sick society'. Keeping in view the importance and seriousness of the problem, social scientists have conducted intensive researches on various dimensions of juvenile delinquency and its ramifications on the individuals in particular and society in general.

In this connection several research studies have been conducted both in India and abroad. They have been discussed in this section.

Every family has the responsibility to socialize the children. They have to be brought into the mainstream of society. A socialized child becomes an asset for the society at large. A healthy family is a pre-requisite for proper growth and development of a child. Various studies have been made in this context.

Dasarath Ramaiah (1976) perceived that family is the guiding influence in the personality development of children. The socio-cultural and the physical environment of the child subsequent to his/her entry into childhood from infancy become increasingly important in moulding a child's personality. Several new conditions enter into the shaping of the child's personality and the child has to deal with his/her peer groups, siblings and other members of his/her family. The author mentions that the child learns new competencies
and develops perceptions about himself or herself and others. He argues that overprotection or rejection by the parents has to be avoided and they should be fairly consistent in their methods of dealing with children.

**Baruah (1991)** stressed the importance of disciplining the child in the family. He mentioned the two types of parents’ disciplinary practices viz. authoritarian and democratic. Parents with an authoritarian approach try to assert their authority and rightly enforce restrictive rules and children obey them without questioning. Democratic control by parents is characterized by general permissiveness, avoidance of arbitrary decision and a high level of verbal contact with children. Baruah’s survey reveals that members of lower socio-economic classes experience a sense of deprivation in society. Most of the parents were found adopting more forceful and primitive methods for controlling their children without understanding the consequences of these on their children. This approach was found with parents who had more number of children and limited material resources at their disposal. Parents belonging to affluent or middle class families were generally democratic in nature and disposition. They were found to be equipped with requisite knowledge regarding child development.

**Shamsuddin (1992)** refers to the fact that during the formative years of a child the growth is very fast. He contends that in one’s childhood many positive or negative factors in the family shape a child’s future behaviour. He argues that every parent should help the
child grow with distinct personality. There is tendency that as age advances children become very keen in having companions either to indulge in dramatic or personality play. This kind of role play initiates the child into social relationships of various kinds.

Family is the basic institution in which children learn social, moral and ethical conduct of rules. Children learn to differentiate between right and wrong within the family environment. Children experience both negative and positive aspects of life. Children develop certain qualities through experiences with the family. These qualities would also enable them to interact with the environment. Some children adjust themselves to the changing conditions in the family. While others find it difficult to adjust themselves due to various changing conditions both in the family and outside.

Krishna and Kumar (1981) made an attempt by adopting Hindi Adaptation of Bell's Adjustment Inventory, consisting of 135 items and measure four areas of adjustment namely, Home, Health, Social and Emotional. On the basis of ratings by class monitors and teachers for study the authors selected 72 truants and 150 non truants from 9th and 10th grades. Both the samples were drawn from five local high schools located in the municipal areas of Gaya, Bihar and matched with their educational levels. The age range of both the groups was 12 to 15 years. The findings revealed that truants scored significantly (showing poor adjustment) high on home, social, emotional and overall dimensions compared to non-truants.
Ali et al. (1990) tried to understand the relationship between adjustment and deviance. The study covered 91 children from Certified School 73 from a slum school and 67 from a rural school. The mean age of the sample was 16 years. The place was 40 kms away from Bangalore city. The study revealed that the children of the school situated in a slum were poorly adjusted to their family, school, peer groups, teachers and adjustment in general. Further the children of the Certified School exhibited high deviance and maladjustment to their teacher and school. The study revealed that the school children of rural areas were found to be poorly adjusted to their family members, and peers.

Srinivas Prasad and Ramana Reddy (1990) examined the relationship of self assessment and personality adjustment. The study covered samples located at Cuddapah Eluru, and Hyderabad. The study covered 60 delinquents and another 60 from 3 secondary schools of Andhra Pradesh who were non-delinquent. The study revealed that discrepancy between the self and the ideal self was significantly greater among the delinquents than among the non-delinquents. Further, it was found that delinquents possessed significantly low personality adjustment as compared to non-delinquents.

Taylor et al. (1991) examined whether intellectual and emotional impairment among parents were contributing factors to child abuse and neglect. The authors examined court records of 206 seriously abused or neglected children and their families in a large urban area.
The study revealed that in 50+ per cent of cases parent had been diagnosed as having an emotional disorder and/or low IQ, with a majority of these diagnoses indicating significant impairment.

The twin problems of child abuse and neglect are the two serious problems in all societies. These problems occur in many forms. Western countries are paying more attention to these problems compared to developing countries.

Light (1973) offered many suggestions for ameliorating conditions leading to child abuse and neglect. Several sources of data were examined by the author to estimate the incidence of abuse, its social and demographic features and the nature of incidence of abuse. He analyzed three potential social policies (1) health screening, (2) education in child rearing and (3) the development of profiles of abusing families with the hope of offering them preventing help. He was opined that urging more systematic and carefully designed investigations of reporting systems and ameliorating efforts were being included.


Piasecki et al. (1989) has covered 55 federal human service providers regarding troubled, abused and or neglected children. They obtained data from 1155 cases. They have found that 67 per cent of the sample were neglected or abused. It further revealed that more
boys were neglected while more girls were abused, including sexual abuse.

Child abuse and neglect were more commonly found in the families of lower socio-economic strata. Parents of these families usually abused their children in many ways. Sometimes children go out of track when they are abused in any form.

**Haase and Kempe (1990)** examined the role of school in identifying the abused and neglected children. They presented the needs of children and the consequences of child abuse and neglect. They also discussed recognition and reporting of the child abuse by school officers. They further examined the functions of child protective services relevant to the school, viz. (1) intake, (2) investigation, (3) child placement considerations and (4) on going protective services and treatment issues. They also discussed barriers in the child protective services system. The authors also presented the educator's role in identifying the abuse and the issues involved in a child's disclosure of abuse.

**Srinivasan and Majhi (1995)** examined the relationship between bio-demographic factors and physical abuse and examined the relationship between emotional negligence and physical abuse. The study revealed that 94.5 per cent of the respondents were subject to physical abuse and considerable percentages were also emotionally neglected. The study also revealed that there was no significant relationship between bio-demographic factors and physical abuse and similarly it was also established that there was no significant relationship between emotional neglect and physical abuse.
Killen (1991) evaluated parental capabilities and relating these to prognosis. The study revealed nineteen stress and socio-economic factors which affect the functioning in terms of maturity, emotional disturbances, psychosis, mental retardation, and alcoholism and drug abuse in childhood, youth and early adulthood life. It was also found that the prognosis for abusive and or neglectful parents was poorer when they scored high on immaturity than on emotional problems.

Nirmala and Anand (1998) conducted a study to know the personality characteristics of parents who physically abuse their children. The study covered 50 parents consisting of 25 fathers and 25 mothers. The results showed that abusive fathers expressed tendency towards extraversion and psychoticism, whereas abusive mothers expressed tendency towards introversion and neuroticism as their personality characteristics. The study also revealed that abusive fathers and mothers possessed personality characteristics such as psychopathic deviance and aggression.

Kurtz (1993) conducted a study on 22 children of physically abused, 47 neglected and 70 students for comparison. Parents and child interviews, teacher ratings and data from school records were used to assess comprehensively children’s school performances, emotional development in school, at home, in the community and with peers. The study revealed that with the effects of socio-economic status so varied, abused children displayed pervasive and severe academic and socio-emotional problems. Further it was also found that neglected children differed little from children who were neither
abused nor neglected on measures of socio-emotional development but they displayed severe academic delays.

**Sirpal (1994)** utilized computerized records of substantiated abuse in the Florida's Protective Services System's Department of Children, Youth and Families to examine the effects of child abuse on the early onset of delinquency. A control group matched on racial group, age and socio-economic status was used to compare the delinquency rates among the abused and non-abused. The abused children had a higher delinquency referral rate than the control group children and the relationship between abuser and delinquency was found to be statistically significant at .038 level. These differences were not statistically significant by race or gender, implying that abuse has severe uniform effects across all categories of race and gender. Age was found to be significant at .091 level.

**Kaul (1996)** conducted a survey in four cities – Adilabad, Cuddapah, Hyderabad and Vishakapatnam in Andhra Pradesh on child labour. The study indicated that there were 1559 working children below 14 years of age from 1232 families inhabiting 37 slums, constituting 22 per cent of the study area. The study revealed that 94 per cent of the families were not sending their children to school due to poverty and 63 per cent had one working child in the family and the rest had more than one working child in the family. As many as 66 per cent of the families favoured employment of children which would supplement family income.
Shanmugam (1974) developed a test of cognitive dissonance, to be administered to delinquents and no-delinquents to facilitate an objective comparison between them. The test proper consisted of twenty pictures. The test was administered to sixty-five normal boys, sixty-seven normal girls, sixty-two delinquent boys and sixty-five delinquent girls in the age group 14+ to 18+ years. The normals hailed from the corporation schools of Madras and the delinquents from the approved schools in Tamil Nadu. The results of the experiments showed that delinquents were prone to have a higher degree of dissonance than non-delinquents. The theory of cognitive dissonance points out that the outcome of the dissonance situation is more decided by the type of punishment in terms of their severity. If the punishment is severe in a dissonance situation, the individual seems to only to stick to the desire for the prohibited act but also to increase his balance for the same. On the other hand, when the punishment is mild, it has been found that the individual experiences a lesser degree of temptation to indulge in the prohibited act.

Sutherland and Cressy (1968) note that, the criminal acts differ among themselves in terms of the motives and characteristics of the offenders, the characteristics of the victims, the situations in which they occur, the techniques used, the damages which result and the reaction of the victims and the public.

Sirohic (1980) mentioned that psychological tension and emotional disturbances at home because of favouritism, rejection, insecurity, harshness rigidity, irritation and other tensions affect the
behaviour patterns of the child. The child feels disturbed emotionally and his/her emotional disturbance is the result of emotional disturbance in his/her home. Children develop an acute sense of deviant behaviour when they feel humiliated or disturbed emotionally by the family.

**Krishna (1993)** examined the impact of personality factors on delinquent behaviour. The study covered 200 urban based male adolescent of 10th grade from three high schools located in Gaya District of Bihar State. The subjects were in the age group of 13 to 15 years. The findings of the study revealed that the adolescents with high delinquent behaviour were more neurotic, extraverted anxious and suffered more from guilt feeling compared to those with low delinquent behaviour tended to bear significant positive relationships with neuroticism, extraversion, anxiety and morality dimensions of guilt.

**Ahuja (1995)** conducted disorders among children are characterized by a persistent and significant pattern of character in which the basic rights of other persons are grossly violated or the rules of society are not adhered. A diagnosis of conduct disorders is made only when the child’s behaviour is extreme and cannot be construed as routine mischief of children and adolescents. Earlier, children with conduct disorders were considered as ‘juvenile delinquents’.

Intelligence is influenced by heredity and environment. Children exposed to healthy family environment that provides them stimulation
to develop adaptive behaviour usually acquire skills that are needed to manage day-to-day development tasks. A child with low intelligence is either over-protected or rejected by parents. Children adopt destructive and nonconformist pattern of behaviour when their attempts in self actualization and self assertion, become futile.

Sivanandan (1974) studied how intelligence is related to delinquency and criminal behavior. His study covered 200 juvenile delinquents and 200 non-juvenile delinquents. The delinquents were in the age group of 13 to 18 years. The study revealed that the delinquents showed significantly/over intellectual capacity than the non-delinquents.

Gupta and Gupta (1978) conducted a study regarding intelligence and delinquent tendencies. The study covered 144 Indian urban adolescent girls in the age group of 14 and 18 years studying in Hindi medium colleges in Lucknow. The study revealed that delinquent tendencies were highest in lowest IQ group and lowest in the highest IQ group. It was also found that intelligence was negatively related to delinquent tendencies had also been proved statistically.

Ravindranath and David (1992) made an attempt to study the influence of intelligence on delinquency. The study covered 77 delinquent boys referred to Juvenile Guidance Bureaus by Metropolitan Magistrate Madras for psychological testing. These boys belonged to different slums in Madras (Now Chennai). Another 77 normal boys were selected randomly from different slums. The delinquent boys were in the age group of 14.3 years and normal boys
were in the age group of 14.7 years. The study revealed that both delinquent and normal boys did not differ in intelligence.

Family has profound influence on children's behaviour. A sound family atmosphere provides the way for a child to develop on a desirable and accepted line. On the contrary, adverse effect on the children is likely to take place if there is any disturbance in the family.

Amati (1975) states that juvenile delinquency is caused due to families, which involve persons with physical, mental and emotional handicaps, drunkenness and also criminality. The members in such families face a lot of financial problems. There are difficulties in to making their children adjust to the changed condition. Delinquent families normally do no have self-respect, ambition or pride. The parents of these families have more dominance over their children, as their conjugal relations are very poor. The author opines that when the home becomes disorganized and fails to perform important functions, it is potentially if not actually, the source of trouble frequently, which leads to deviant behaviour on the part of children.

Criminal-adults or juveniles do not relatively exhibit a homogeneous pattern of behaviour, made up of acts and behaviour patterns, which are prohibited by criminal law.

Sing and Agarwal (1986) examined some important family factors in the home environment which lead to delinquent behaviour of children. The study covered 150 male delinquents and 150 male no-delinquents in the age groups of 11 to 16 years. The results of the study indicated that
• No significant deference was found between delinquent and non-delinquent groups with regard to the size of their families.
• It was found that 53 per cent of the delinquents experienced moderate disciplinary atmosphere as against 81 per cent of non-delinquents.
• Parents of 67 per cent of delinquents as against 30 per cent non-delinquents had poor or indifferent relationship.
• As many as 65 per cent of delinquents as against only 14 per cent of non-delinquents had poor relation with their parents.

Sen (1993) observed that the family exerts a profound influence on the development of a child. He says unstable and stressful families led children to delinquencies. Thus behaviour patterns of the parents have a strong influence on the children. Children form a clear concept of right and wrong by observing the conduct of their parents.

Kodanda Ram (1986) found that absence of parents had an adverse effect on the children especially during the formative years. The absence of mother had greater impact on the child than the absence of the father. The author studied 60 delinquents from a Certified School of Bangalore in the age group of 12 to 16 years. Of these, 30 boys had experiences of father’s absence either due to death, separation or desertion. The other group had thirty delinquent boys who had never experienced the father’s absence. Both the groups were compared with regard to age, sex, social class and their educational standards. It was found in the study that father absent delinquents are more field dependent than father present delinquents.
Chokalingam (1974) compared a group of recidivists with a group of non-recidivists. He chose fifty male non-recidivists in the age ranging from twenty to thirty-five years with a mean age of 23.78 from the Central Jail, Salem, where the population consisted mainly of habitual offenders.

It was found in the study that the results were in line with the hypotheses like: (1) More Recidivists than Non-Recidivists will have parental rejections, (2) More Recidivists than Non-Recidivists will be vagrants, and (3) More Recidivists than Non-Recidivists will have bad company.

Free (1991) also made a study of a similar nature which analyzed the broken home and delinquency relationship based on the reviews of sixty-eight studies reported since 1972 in Sociological Abstract and The Criminal Justice Periodical Index including some studies from additional source. The effects of homes broken from death versus divorce of single parent homes and of step parenting on delinquency were considered. Studies utilizing unofficial measurements of delinquency were also included. Longitudinal studies utilizing official measures of delinquency found more delinquency in homes broken by divorce than death, but cross-sectional research using self-reported delinquency measures did not find differences by type of broken home. The analysis also found that gender, race, socio-economic status, and neighbourhood impacts influenced the broken home delinquency relationship. Results on the timing of the home break for delinquency were mixed. There was some association
between broken homes and illicit substance use, but not for broken homes and serious offences. There was a strong relationship between broken home and status offences.

**Diaz (1993)** observed that every child is a product of the influence of certain social conditions. A child deprived of his parental care becomes helpless in coping with the new situations of the society. The children of these situations face many problems due to the denial of education, health and recreational facilities. Diaz views that delinquency arises due to unhelpful situations of environment and the tensions in an individual personality in a contact of low resistance in the individual and society.

**Kaldate (1978)** views that formal education in schools and colleges has turned out to be useless and futile. Number of drop-outs and run away children appears to be increasing day by day due to lack of parental care and discipline both at school and home.

Neglected children are those found in the streets. They spend much of their time on the streets or on pavements. Neglected children are the products of undesirable situations of the family and urban system with slums and other factors.

**Parmar and Solanki (1993)** perceived that when children are abused or neglected and maltreated they venture to the streets. These children are deprived of parental care to a great extent until there is a change from evil to good.

**Sharma (1994)** observed that childhood cannot be protected, if repressive environment prevails at home. When the family environment
affects the interests of young children, the maladjustment takes place in them. The lower socio-economic conditions at home also render children to suffer in many ways.

Raghu and Devi Prasad (1994) explore the socio-demographic characteristics of street children, their earnings, family background and the reasons for leaving home and their 40 children in Vishakhapatnam City. They belonged to work categories. Most parents of street children worked in low paying jobs in unorganized sectors. The study revealed that high incidence of parental abuse and neglect was reported and children left home at a very tender age. Movie going, drug use, and gambling were common activities. Police brutality and exploitation by street workers were reported by the children.

Thilagaraj and Priyamvadha (2000) sought to understand various forms of deviance among street children in the city of Chennai. The study revealed that most of the street children had habits of smoking, drinking, drug abuse and gambling. It was found that peer group influenced these children to a great extent in developing deviant behaviour. The study revealed that unemployment and failure of the family as an agency to control behaviour were found to be the main causes for deviant behaviour.

Nalini and Romala Rayalu (1994) made a case study in urban slums of Hyderabad, Andhra Pradesh, highlighted the seriousness of this phenomenon. In this study, the pressures of abusive home environment might result in children running away from homes or taking up criminal careers.
Varma (1974) explained that a broken home, distressing poverty, having only one parent and being one of the many children in the family, these could give rise to the utter neglect of a child. A neglected child had more chances of getting caught in the net of antisocial activities.

There are quite a number of studies conducted as the institutional support for the delinquent children.

Juvenile Guidance Bureau is a non-institutional measure used for reformation and rehabilitation of children referred by the juvenile court as well as voluntary cases. The Bureau gives professional service to both the juvenile court and juvenile welfare board.

Kumar (1979) wrote about the working of a juvenile Guidance Bureau located in Chennai which was established in 1954 under the auspices of Indian Council for Social Welfare. The Centre helps many children to solve their own problems. Cases are usually referred to the Centre through the juvenile courts. It also gets voluntary cases only when parents decide to seek advice when they have a child who has a problem. The Centre has a team of both clinical psychologists and trained social workers, who identify the problems of children through various psychological tests to assess both the intelligence and the personality of the child. They visit the houses and study the living conditions of the child. They give counseling to both the parents and the child depending upon the magnitude of the problem.

David (1988) observed the working of the Juvenile Guidance Bureau of Madras. In his view delinquent children should be studied
individually as two children are not alike in their personality make up. Factors influencing their behaviour may be different. Hence Juvenile Courts are more suitable in such cases. They can be assisted by professionals like probation officers and psychologists attached to the Juvenile Guidance Bureau.

Juvenile Justice Act 1986 has been reviewed by many scholars. For example, Rao (1988) appreciated the Juvenile Justice Act 1986 as well framed and aimed for the protection and rehabilitation of the neglected and delinquent juveniles. Jayasingh (1988) felt that the implementation of he Juvenile Justice Act required co-operation of judiciary, police, and functionaries of both correctional administration and voluntary organization. Arya (1988) referred to some of the merits of the Act. He says it lays down a uniform legal framework and propounds a new concept of ‘Juvenile Justice’. The Act envisages a comprehensive programme for care, protection, treatment, development and rehabilitation of the neglected and delinquent Juveniles. Bedi (1988) observed that the Juvenile Justice Act 1986 provides a uniform and integrated Juvenile Justice System for India as a whole for the protection, development and rehabilitation of neglected and delinquent juveniles. He considers it as a most progressive piece of legislation. The provisions of the Act are important for ensuring use of probation service by the court and for establishing contact of the parents of the juveniles with the juveniles. The objectives of the Act according to Bedi are to ensure justice for juveniles in trouble.
Whereas Belavadi (1989) mentioned that there is no provision for classification centre in the new Act of 1986. Classification refers to a continuous process of classifying delinquency. The treatment is prescribed on the basis of their classification. The system of classification also presupposes arrangements of institutions to cater to different categories of delinquents.

Kumari (1996) examined the scheme, scope and operation of the Juvenile Justice Act 1986 and has found that the legislation suffered from certain inherent lacunae. It also suffered from certain difficulties in its implementation. The Act does not impose any additional financial burden on the State. The Act has empowered the State to take charge of any child and there by leaving the children on the mercy of the whim and caprices of the implementation machinery.

Several scholars have also expressed their views on Probation services and child welfare institutions. Probation is a non-institutional measure and is used as a method for dealing with incorrigible offenders. It refers to the suspension of institutional care as punitive measure with the underlying philosophy that a chance is given to the person to mould his/her behaviour in the accepted manner thereby make him/her free from institutional care probation is used generally for the first offenders so as to enable them to be reformed Adequate opportunities are being provided to the offender to adopt himself/herself in a socially and legally accepted behaviour.

Srivastava (1988) perceived probation as the most suitable non-institutional alternative for offenders suffering from maladjustment
and not too serious behaviour disorders. It is a method of treatment for both children and adult offenders intended for their reformation. Probation, whether juvenile or adult, permits a more normal social experience than institutionalization.

**Narayana and Viswa (1900)** consider probation as a form of community treatment which permits normal social experience which is not available in the correctional institutions. It does not disrupt the relationship with his family friends, wife and occupation.

**Paranjape (1979)** also viewed that the purpose of probation was to keep the delinquent away from evil consequences of prison and offer him/her an opportunity to lead a socially useful life.

Family is primarily responsible for the care and development of children. The role of the state is minimal as long as the child receives adequate care from the families.

In the absence of family, the institutional care becomes important in providing protection to the children. In this connection, Punalekar (1993) made an inquiry into the working of child welfare institutions in Gujarat. He covered 18 of the 25 child welfare institutions and interviews among 502 inmates conducted to gain a better insight into the overall working of the child welfare institutions. His study revealed that rehabilitation of children were done in three ways, viz. restoration to family, marriage and employment. Most of the inmates received training in crafts and minor industrial trades. The study also revealed that the infrastructure and the socio-economic
status of the Child Welfare Institutions were inadequate and the financial assistance under the central scheme was very low.

**Datta and Kunte (1998)** conducted a study for understanding the lifestyle, aspiration and preparation for institutional life. The study covered 60 adolescents in the age group of 12-18 years living in residential care institutions. The study revealed that the institutions offered adequate care to the children including education and vocational services but did very little as regards psycho-social needs. Anxiety on employment and accommodations were foremost on their minds.

**Paul (1987)** conducted a study on delinquent children. The study covered 30 delinquents in Delhi who were either found guilty by the children’s court or were awaiting trial. The findings of the study revealed. The following significant facts;

1. Majority of the delinquents (20) were apprehended for theft, three for murder, three for picketing, two for rape and one each for dacoity and kidnapping.
2. Majority of them (21) asserted that the treatment meted out to them by the police was cruel.
3. More than 50 per cent of the delinquents responded that they were leading honest life before their arrest.
4. Majority of them (17) informed that they would be accepted in their families as before and their involvement in criminal charges would not make any difference.
5. Poverty was the major cause for their deviant behaviour.
An overview of literature reveals that the following themes emerged as the focus of attraction of scholars.

2. Adjustment of children to Different Aspects of Life.
3. Child Abuse and Neglect.
4. Delinquent Behaviour Pattern.
5. Intelligence and Delinquent Behaviour.
6. Delinquency and Family Factors.
7. Neglected Children.

Hence delinquent behaviour is to be treated in the context of societal underpinning. It is an outcome of social process which distorts or repudiates the existing social relationship. Poverty and illiteracy and the inhabitance of families have been identified as major causal factors for juvenile delinquency. Rural parents devoting more time to agriculture and parents working in urban areas are prone to neglect the children which may lead to their deviant behaviour.