CHAPTER VII

CONCLUSION & SUGGESTIONS

More than a century ago, Abraham Lincoln said: “A child is a person who is going to carry on what you have started. He is going to sit where you are sitting, and when you are gone, attend to those things you think are important. You may adopt all the policies you please, but how they are carried out depends on him. He is going to move in and take over your churches, schools, universities and corporations. The fate of humanity is in his hands”\(^1\).

Way back in 1974, the National Policy for Children declared that the nation’s children were its most important asset. In one of its judgment\(^2\) the Supreme Court rightly observed that the children are the citizens of future era. On the proper bringing up of children and giving them the proper training to turn out to be good citizens the future of the country depends. Children are, no doubt, supreme assets of the country. “Child is the father of man”. Child of today cannot develop to be responsible and productive member of tomorrow’s society unless an environment which is conducive to his social and physical health is assured to him. Neglecting the children means loss to the society as a whole. Juvenile crime, formally known as juvenile delinquency, is a term that defines the participation of a minor in an illegal act. The problem of juvenile delinquency is not new. It occurs in all societies simple as well as complex. The children are the future and blessing to the world. The obligation of the state towards this burgeoning generation is to ensure that the children are the blessing to the world. The future of the world hang on the practical concern shown for the worth and growth of the child. The finest investment in the future for any country is in the nourishment (physical and mental) of children. The reason as to why we should do it immediately and that we cannot wait is highlighted by Gabriela Mistral of Chile – “We are guilty of many errors and many

\(^1\) Henry M Wrobleski. An introduction to law enforcement and criminal justice, Thomson learning, USA, pp-540.

faults, but our worst crime is abandoning the children, neglecting the fountain of life”. Many of the things we need can wait, the child, cannot. Right now, is the time his bones are being formed, his blood is being made and his senses are being developed. To him we cannot answer tomorrow. His name is today”.

This passage will also justify not only the study but also the necessity and urgency for the study.

7.1 Juvenile Justice Act

The Juvenile Justice (Care and Protection of Children) Act, 2000 is more in line with the recent thinking and the emerging need of the treatment and handling of juveniles. The objective of this legislation is to ensure the care, protection and development needs of the children, who are either neglected or have come into conflict with law constituting delinquency. The status of implementation of JJ Act has been notified on the website of the Ministry of Child and Family Welfare. The information columns of different states show their progress mainly about establishment of various institutions as per provisions of this Act. While this information merely gives the very primary idea about basic preparation made in these states, it definitely does not provide any clue about the quality and effectiveness of the enforcement of this Act.

Even at the Ministerial level\(^3\), the state of implementation of juvenile justice was not found satisfactory. It is stated “……these policies and legislations for children have on the whole suffered from weak implementation, owing to scant attention to issues of child protection, resulting in scarce resources, minimal infrastructure, and inadequate services to address protection problems.”

\(^3\) http://wcd.nic.in/welcome.html, accessed on 12.07.2014.
The juvenile justice system in India is an offshoot of the criminal justice system. Because of this, its approach towards children has always been marked by the tension between the protective approach of juvenile justice and the traditional approach of dealing with crime. Even though the Juvenile Justice Act perceive the delinquency or the issue of children exploitation in holistic terms, because of lack of implementation the objective of the Act is not achieved.

The recent Nirbhaya incident at Delhi and the recent judgment of the Madras High Court would highlight the lacuna in the Act and the lacuna in the implementation.

An incident of gang rape and consequent death after 13 days of a female physiotherapy intern, which triggered strongest protest from all sections of the society, developed a debate in the entire country as to the age up to which a juvenile should get protection under Juvenile Justice (Care and Protection) Act. In the gang rape, the most aggressive behaviour was from the juvenile, by name, Pawan (imaginary). That made the blood of all human being to boil. The 33 page charge-sheet did not contain the name of the juvenile naturally. The likelihood of the juvenile being sentenced only to the maximum period of three years by the Juvenile Justice Board, this created alarm from all sections of the society. Therefore, there was a popular demand to reduce the age of protection from 18 to 16.

At the same time, the juvenile lawyer, Ananthkumar Asthana, pointing out the statistics that there are 80,000 children living on the streets in the India’s capital alone, claimed that lowering the age for juvenile offenders will only amount to making mockery of the protection afforded to the juvenile under the Act. About $1/3^{rd}$ of the country’s population is below 18; whether all of them can be put behind bars, especially when most of the juvenile
offenders come from economically weaker section of the society was the cry heard everywhere.

During 1986, the age limit for the juvenile was lowered to 16. During 2000, amendments were made making the age limit 18.

During 1860, when the Indian Penal Code was framed, as per Section 82, nothing is an offence which is done by a child under seven years of age. As per Section 83, nothing is an offence which is done by a child above seven years of age and under twelve, who has not attained sufficient maturity of understanding to judge the nature and consequences of his conduct on that occasion. Comparing Sections 82 and 83, it is evident that the capacity of the child to understand the nature and consequences of the Act was taken into account to decide the responsibility of the child to the crime.

Mankind and civilization are exponentially growing. Consequently, with the growth in science and technology the ability/opportunity to understand and gain knowledge is also equally growing. When such is the position whether there is justification to give protection up to the age of 18 and is it not justifiable to reduce the age from 18 to 16 are the questions discussed. There are also reports that the adults use children as a tool to commit crimes and to get escaped from the clutches of criminal law. There is also another theory that youngsters are more brilliant than the adult of the same century, because of technological development of which the children are more familiar. Opportunity to understand includes opportunity to understand bad things also. But, at the same time, there is wide disparity in the knowledge level between children of rural and urban and the divide is because of availability of technological knowledge between these two places. This digital divide should be taken into consideration while fixing the responsibility for the crime. On par with Section 83 of the Indian Penal Code, the responsibility for the crime can be fixed when the juvenile is between
16 and 18 depending upon the ability of the child to understand the nature and consequences of the act complained of. This suggestion takes into account the rival claims made for reduction and non-reduction of the age of juvenile.

There is no comprehensive and systematic collection of data as to why a child develops delinquent behaviour. Even though there are several theories attributing motives, causes and reasons for the delinquent behaviour, those theories are not scientifically strong. Only if documentation is made and a scientific analysis is done, only then the State will be able to device a preventing mechanism, which will be in-tune with the saying ‘prevention is better than cure’.

The Juvenile Justice Board dealing with cases should have a data bank, covering comprehensive details regarding the entire background of the child right from the time of birth till the date of production before the Juvenile Justice Board along with the family and social background. This impassionately collected data will provide the real picture as to the cause of delinquent behaviour.

The Crimes Records Bureau of the State which is interested in collecting only the numbers should evince interest in finding out the reasons as to why there are such a huge number of cases and what is the cause for it.

The Act has a dual division, namely, Child in conflict with law and children in need of care of protection. Out of which the later gets more protection than the former. The children in conflict with law also are children in need of care and protection. This sensibility is lacking throughout, right from the parents handling the children and the officials handling the children. Only if this sensitivity is developed through proper awareness and training to all
concerned, the implementation of the Act would be in accordance with the spirit of the enactment.

With reference to the rehabilitation programme, the rehabilitation implemented never matches with the rehabilitation contemplated. The professionals in charge of implementation never bothers about the views of the child. The participation by the child is critical to the implementation programme. Unless the mind of the children is known it is difficult to devise the implementation programme. The right of hearing, accorded to the child, often goes to a deaf ear. That is the major lacuna in the implementation of the Act.

The rehabilitation measures should not target at the traditional way of pushing the children to do activities and instead it should inculcate the values involved in making the children to do such kind of activities. It is said “if you give a fish you are giving food for one day and if you teach, how to catch a fish, then you are giving food for the whole life”. The bottom-line involved in the above principle should be kept in mind while implementing the rehabilitation programme for the child.

7.2 Disappointment in the appointment

The Principal Magistrates of Juvenile Justice Board are either not qualified or even if qualified, are not properly trained. This is a major hurdle in the implementation of Juvenile Justice Act. The Judicial Officers, who are not specially trained in child’s psychology and issues relating to child, are normally appointed as Principal Magistrates, which results in the Juvenile Justice Board being converted into the Criminal Court.

The Judicial Magistrates who are dealing with criminals under normal circumstances in the regular court, did not have a different mind set to treat the juveniles with love and affection, but to treat them like any other criminals.
The child friendly atmosphere is contemplated to prevail in the Juvenile Justice Board, but because of the regular Magistrates of the Criminal Court presiding over the Juvenile Justice Board and the tendency to apply the Criminal Procedure Code rather than the Juvenile Justice Act results in ultimate injustice to the juvenile, depriving the child friendly atmosphere as well as the child friendly treatment. Therefore it is desirable and preferable to have exclusively appointed Principal Magistrate for the Juvenile Justice Board.

Equally the prosecutors, who handle the case of the juveniles, do not have requisite knowledge, skill expertise and the right attitude to handle the case of juveniles, as juveniles, but they handle, as though it is a case of a criminal, results in failure to achieve the objective of rehabilitating the juveniles. The chance of reformation thereby hampers.

Special Juvenile Police Unit has been constituted at least in some places, but there is no requisite change in the mindset. The treatment of juvenile expected of under the Juvenile Justice Act is not given to the Juveniles.

7.3 Bottlenecks
1. The act fails to express the minimum age, below which the Act would not be applicable. The definition of juvenile delinquency provides very little scope for petty acts to be dealt within the community.
2. There is no concept of parental responsibility in generating situations ripe for delinquency under this Act. In many cases, the parents place the children in situations where their exploitation and abuse become imminent.
3. The education, training and recreation of children, who are in observation homes, have not been provided for. Besides, basic or school education, even higher education and training of these children should be considered in this Act.
4. The Act fails to provide for procedural guarantees like right to speedy trial
5. The Act does not take into account the orders and directions of the Supreme Court.

6. It empowers the Juvenile Justice Board to give a child in adoption; even though, it is the Child Welfare Committee that deals with children in need of care and protection. The Act is silent on inter-country adoption. There is no linkage between the Juvenile Justice Act 2000 and the other legal provisions relating to children, for instance child labor, primary education, sexual abuse, adoption, disabilities and health.

   The Act does not cast any obligation on the part of the state. A rights based perspective, is a missing dimension in this law. In its present shape, child protection becomes more of charity than a commitment. Protection of such children is not seen as a right but as charity or welfare. The Juvenile Justice Act does not have specific provisions ensuring services for children relating to education, health, legal and social. In the absence of any mechanism of identification of juvenile in need of care and protection, the reach of this law becomes restricted.

   Addressing to the requirement of such children needs a regular coordination amongst parallel government agencies working in the similar areas. This lack of coordination and convergence of programmes defies the core objective for juvenile justice policy. The Juvenile Justice Act does not have any provisions, which could ensure the continuous supervision, monitoring and evaluation of the functioning of juvenile justice system as a whole.

   The coverage of the act is quite limited and a large number of children technically fall away from the preview of this law.

   The resources and infrastructure required for the effective implementation of this law is hardly proportionate to the population and geographical regions covered under it.
Children caught in the system are often helpless with very little redressal. The children affected by the problems like HIV/ AIDS, drug abuse, militancy, disaster etc. do not have any redressal under this law. Similarly the concomitant issues like child marriage, female feticide, street children, and working children too fall away from being covered in it.

The lack of institutional infrastructure and trained manpower in the states has blunted the whole objective of this legislation. The requirement of constitution of Child Welfare Committees and Juvenile Justice Board is largely remain unfulfilled resulting in the delay of disposal of cases.

The problem of enforcement of this law is also characterized by the lack of support services to vulnerable families, which becomes a major factor in turning their children into delinquency. The J.J. Act has got relatively greater emphasis on institutional setup as compared to non-institutional services. The facilities and services in the institutions in different states are found to be varying and lacking and there is no yardstick to standardize them. There is a dearth of services and programmes to the children of special needs.

There is no index of performance measurement of the institutions in the area of juvenile justice. Therefore, there is no way of knowing the quality of performance of these segments of juvenile justice.

There are number of incidences violating the procedure of handling of juveniles by the police. In fact the indifference of police towards this law is most disappointing feature. The basic idea of this law has not been internalize by the police due to insufficient training and orientation. The instances of bringing the age of juvenile into adult range while writing the FIR by the police are often heard. Handcuffing and keeping the juvenile in police lockup is not unusual.
The basic idea of juvenile justice was to reintegrate the child into family and society. This needs a proper network of rehabilitation and after care services. Unfortunately, this arrangement is almost nonexistent.

The current juvenile justice policy does not have a preventive approach. The delinquency prone situations are increasing but there is no substantial mechanism to check it.

7.4 Judicial Impact Assessment

It is not enough to enact flowery laws, but the implementation should be complete and perfect. Before bringing the law into force, the legislation should consider the infrastructure required to implement the law and financial implication involved in implementing the law. Without any discussion as to the possibility / feasibility of the implementation, laws are brought into force instantly. Consequently, there is failure in the implementation of the laws. The view was expressed in judgment of the Supreme court as matter of suggestion that wherever any law is enacted by the Government, it should be ensure beforehand that the states are ready with the infrastructure to implement it. Otherwise, besides the law getting blunted, the objective of the law puts the whole machinery into unnecessary pressure and frustration. Our zeal to bring the law is more pronounced than evolving the ways and means to implement the same. It is not enough that goals alone are ambitious but the implementation should be more ambitious.

7.5 Suggestions on the Basis of the Critical Study

A. Juvenile Justice Board

1. As referred in section 4 of the Act, a special training programme must be prepared and the officers of the Board including the Principal Magistrate should be given training of child psychology and child welfare.
2. Ambience of the place where the Board holds enquiry should be child friendly. Wearing of black coats, using raised platforms or dias etc should be avoided. Practice of making the juvenile stand in front of the Board should be stopped. The child must be made comfortable and feel free from fear of any person. Sittings can be held by the Board in the observation homes.

3. Basic infrastructure like computer, typewriter, stenographer, furniture and buildings should also be provided to the Board for smooth discharge of duties.

4. There should be a proper maintenance of files and case records.

5. Video linking of the homes should be provided for children to facilitate inspection and supervision by the Board to keep a check on anything done against the best interest of the child.

6. At least one of the two social workers in a Board should be a person with a minimum qualification of law degree.

7. The Board should be provided with a list of experts in the field of psychology, counseling, clinical psychiatric, NGOs, panelists of advocates and fit institutions and fit persons, observation homes, special homes and voluntary organizations who are dedicated to the field of child welfare. The services of such persons may be utilized. The officers manning the juvenile courts/Boards need to be sensitized to the development need of the juvenile in which case, flexible enough to respond to new discoveries in social sciences research and willing to invest in the experiment with promising new interventions for offenders.

8. For giving good services to the juvenile and the parents of the child, they should be treated psychologically in consultation with a psychiatric. For the same, a psychologist and one social worker, who has awareness of the relevant law, must be appointed in the Juvenile Justice Board.
9. Co-operation of NGOs and other social organizations may also be sought for by the J J Board in addition to special juvenile police unit and probation officer. Probation officer should be given the sufficient training as to that how they have to prepare the social investigation report which will help the JJB. Lady probation officer be appointed instead of government probation officer for the preparation of social investigation report.

10. One government welfare official should be appointed by the government to work as a liaison officer between the NGO and Juvenile Justice Board child welfare committee. In this regard, the State Government Welfare Department may organize seminar, sensitization and orientation programme inviting all the probable officials, police personal who are responsible for better delivery of justice to the children

B. Treatment of Juvenile

1. Juvenile should be brought before JJB within 24 hours.

2. The age of the juvenile should be determined with reference to the date of commission of the offence. A detailed scientific investigation for determination of the age is not required.

3. The Board should ensure that privacy rights of the juvenile are not violated and section 21 of JJ Act is strictly complied with in letter and spirit.

4. The juvenile has the same Constitutional safeguards like other adult offenders. The statement of the juvenile under section 313 Cr PC should be recorded and if he/she wants to adduce evidence then that should also be allowed.

5. In no case the juvenile shall be sent to prison in default of payment of fine or default of furnishing security.

6. Whenever a juvenile is produced before a magistrate not empowered to exercise the powers of the board under the J. J. Act such magistrate should without any delay record such opinion as regards the juvenile and forward the records and the juvenile to the Board and the board shall hold the enquiry as if the juvenile had originally been brought before it.
7. Judges in the juvenile courts should be trained to recognize the educational, social and treatment needs of the children in crisis.

8. Without there being proper infrastructure or its proper implementation remains incomplete. This part should also be simultaneously dealt with by all concerned government or non-governmental agencies.

9. There is religion based adoption system in India. It needs to be under uniform law not based on religion and a comprehensive inter-country adoption law is also required.

10. For proper implementation and giving relief to the juveniles determination of age is a relevant factor. In India because of many reasons many children do not have birth certificates and so, the implementation of the registration of Birth and death of the children should be made in fullfledged way.

C. Procedure for Inquiry

1. Principal Magistrate should not be entrusted with any other work of the criminal court except the JJB as the Board is required to complete the enquiry within 4 months.

2. Due to the variations in state rules from state to state, there is an ambiguity regarding proper implementation of provisions of the Act. Therefore, common rules should be followed throughout India in all JJ Boards.

3. Stay in special home or observation home to be ordered only in exceptional cases and for strong reasons which are to be recorded.

4. The board should conduct independent and private inquiries with the juvenile to ascertain whether he/she was abused, sexually or otherwise by anyone or is suffering from any disease and if it so the juvenile be sent to government hospital for checking and treatment.

5. The Board should also ensure that the police officer who apprehends a juvenile should inform the parent or guardian of the juvenile regarding such apprehension.
6. The Board shall not adjudicate the proceedings without calling for the report of probationer officer.

7. Summary procedure prescribed should be adopted during enquiry.

8. Child should never be asked to state as to whether the child admits the offence or not.

9. Monthly group meeting should be organized of all departments which are engaged in the welfare of the child i.e. District Judge, members of J.J.Board, welfare officer and superintendent of the observation home etc for discussing the programme for welfare and betterment of children.

10. JJ B should conduct awareness programmes about offences against children in every school situated in their jurisdiction through legal aid campaign.

11. The Board may also be complainant and lodge the case in any regular court when it is found that provisions of section 21,23,25,26 have been violated and offence is committed against the juvenile by any person who has been given actual control or control of the juvenile.

D. Rehabilitation/ Shelter Home/ Observation Home.

1. There should be separate homes for juveniles and the destitute should not be mixed with the juveniles. Homes should not be constructed like jails. The homes for children should be video linked to facilitate inspection and supervision by the Board so as to keep a check on anything done against the best interest of the child. Also, surprise visits should be made at the special homes, juvenile homes and observation homes. Senior citizens should be involved as community resource person to look after the well being of the children in various homes with their expertise in different fields.

2. Schooling of the children in the homes up to the age of 14 should be made compulsory. They should be given the best of the facilities and opportunities like any Boarding school
(hostel) making a course of moral science and civics compulsory for those who are in homes. For the welfare of juvenile, he must be allowed to go on leave and released on license during examination so that he can continue with his studies. Sponsorships should be provided for education of juveniles in good institutions. Personality enhancement courses should be organized.

3. For better welfare of juvenile games, sports and other functional programmes may be organized in observation home and institution and encourage the juvenile to participate in these programme so they connect themselves with society. During festival seasons some cultural programmes should be organized in the homes for the inmates with the assistance of voluntarily organizations.

4. Adoption used in section 41 should be defined to avoid conflict.

5. The property right of the juvenile on adoption be incorporated in the Act in clear terms.

E. Police

1. The state governments should be directed to establish a special juvenile police unit in every district and the unit must be specially instructed and trained in child psychology and child welfare. The public prosecutors handling the cases should be sensitised and given training with the juvenile police.

2. As soon as a juvenile ‘in conflict with law’ is apprehended by the police he/she should be placed under the charge of the special juvenile police unit or the designated police officer.

3. A time limit should be fixed for investigation. Juvenile police officers who investigate the case, must submit the final form within 60 days or 90 days depending upon the nature of the offence from the date of complaint.

4. A social worker may be associated in the investigation made by the police officer. In the child cell at least one lady police officer should be posted/appointed.
5. The police department also plays a very important role in ensuring child protection. But, practically police officials are not aware about provisions of the JJ Act. Hence, awareness programmes should be conducted at the police station level wherein Principal Magistrate and members of J JB, members of child welfare committees and NGOs should also be involved.

**F. Miscellaneous**

1. The High Court should take initiative to create and establish more and exclusive Juvenile Justice Boards in order to dispose Juvenile cases within specified period as intended in J. J. Act, of 2000.

2. The Juvenile Justice Board should be made functional on all working days and the proceedings be held on all working days.

3. The Act should be amended to enable the JJB to directly entertain complaints of child for offence against them instead of being through police so that the child can give his complaint without any fear.

4. The J J Act, 2000 does not make any difference between a male and a female child. Such scheme of the J J Act however fails to take a note of the fact that the female juvenile being highly vulnerable is likely to be more comfortably and conveniently exploited and even abused adversely. Such a female juvenile needs special protection even at an observation home or at a place of safety, notwithstanding the fact that voluntary social organizations may come forward to provide a place of safety. An inbuilt safety mechanism is required to be provided to such a female juvenile in the Act itself.

5. Provision should be made to divert at least 25% of the fine amount collected by the criminal courts at each place towards creation of a juvenile welfare and rehabilitation fund, at the disposal of the J J Board of the particular place/area to be utilized by it in day to day rehabilitation need of the juvenile or child concerned.
6. Section 16(1) of the Act should be amended and expression “life imprisonment”, be substituted by expression "any imprisonment”. This shall be in consonance with the Legislative intent in section l6(2) of the Act.

7. The Act is silent as to whether a juvenile involved in a TADA/POTA/NDPS Act case can be bailed out under section l2. To avoid any confusion and give immediate relief to the juveniles the Act should specifically provide for bail even in cases of above said categories.

8. The Juvenile Justice Act is silent about doing justice to the victims who have been victimized in the hands of juveniles. Necessary provisions/amendments should be made in this regard.

9. ‘Protective custody’ should be defined in Juvenile Justice Act to avoid any confusion.

10. The Act should make it clear as to when enquiry commences. Section 14 being silent about it may create confusion.

11. Voluntary social organisation with necessary government supervision and assistance should be allowed to run after care programmes to build a meaningful and constructive after care programme in order to rehabilitate the inmates by helping them to secure jobs in various government and private undertakings.

12. Until special police units are constituted investigation of cases of juveniles should be done by the specially trained police officers for which a training should be imparted to them.

13. Orientation courses, seminars and awareness programmes should be organized by government on juvenile justice on regular intervals to enable the functionaries imbibe the message discussed and conveyed to them.

14. It is not enough to make good legislation unless it is honestly, strictly and scrupulously enforced without fear and favour. The Juvenile Justice Act has been enacted for the purpose of providing care and protection to the child. So the functionaries of the JJS should enforce the Act honestly, strictly and without any fear and favour.
15. The primary purpose of JJS being protection of the child, it is required to adopt measures for keeping the child integrated with the family and within the mainstream of the society. The Advisory Board should be established at the central, state, district and city level for integration of the children with the family. The Advisory Boards should be provided infrastructure and facility so that desired qualitative output can rendered by them.

16. The community participation should be maximised.

17. NGOs working on the street and with children should be increasingly involved. For children without family, every efforts should be made to find out an alternative family placement, failing which institutionalization may be resorted to.

18. The pattern of the SOS children’s villages which stood recommended as far back as 1920 by the Indian Jail Committee 1919-20 should be followed by the homes established or recognized for placing children. Community services for education, vocational training and recreation along with other children in the society may be used by these homes to ensure that the institutionalized juveniles are not marginalised and that the standard of programmes for the institutionalized children is at par with those for other children.

19. The community based programmes should be under close supervision to ensure fulfillment of obligation by the child and the person in whose care juvenile is placed under the placement order. For this purpose the number of probation officers/social workers and case workers be also increased to the standardized ratio between such workers and children.

20. The National Commission for Protection of Child Rights (NCPCR) was set up in March 2007 under the Commission for Protection of Child Rights Act, 2005, an act passed by Parliament in December 2005. The Commission's Mandate is to ensure that all Laws, Policies, Programmes, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child. The Commission should focus and evolve programmes for all
categories of children co-ordinating various programmes, undertaking follow-up of its recommendation with various other bodies and departments to create a database for policy formulation and review.

21. The states should establish a clear relationship between JJA and other legislations that affect the life of the children covered under its scope.

22. There is need to evolve alternative ways of dealing with children. Merely renaming the existing structures as by done the JJA serves no purpose. The state should start experimental projects with alternative ways for dealing with children and after successful evaluation they should be made part of the enforceable law.

23. Probation and other community based programmes, apart from being cost effective should be preferred for their potential for ensuring better care and rehabilitation of juveniles.

These suggestions would be helpful for the policy makers to make further improvement in the Juvenile Justice System, so that the future of this Country is saved. In brief, it can be said that juvenile justice system in India has gained momentum. Attitude and perception towards Child Rights needs a change. On the legislative side a lot of work has been done in India but implementation part still requires improvement. The laws enacted requires to be effectively implemented to achieve the desired goal of welfare of the children. The society must encourage children's participation in matters affecting their rights as services to the children are no longer a charity. A good intended legislation, properly and sincerely implemented with teleological vision in interpretation, can significantly reverse the tendency to be in conflict with law in the juveniles. In that event the juveniles, as future leaders, would provide a better world for us to live in.