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ARTICLE

## Reseon of Juvenil Delinquent in India

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### Abstract:

*Children are known as the innocent assets of the society. They are considered to be the gift from god and are always known for their honest nature. As we know that children have their subconscious mind active. So, they are capable of doing everything. We have an important duty to show them the right path. So, they can differentiate between right and wrong. It is the duty of the government to provide all children of the society equal opportunities, for development during their period of growth. And when due to various reasons some of them do not get opportunity for development during their period of growth. They get involved in crimes and these crimes are known as juvenile crimes.*

*Crime by a juvenile is a harsh reality in today's world. It is increasing, day by day not only in India but also is the other parts of the world. Recently, many juveniles are found to be involved in various crimes such as murder and rape cases. This is all happening because of lack of moral values and poor enforcement of laws by the government. A Government should take strict measures to eradicate this as it is disturbing the society in various measures.*

### INTRODUCTION

Children are considered to be gifts from God. They are the greatest personal as well as national assets. Children are expected to be obedient, respectful and have virtues and good qualities in them. However, due to various reasons, certain percentage of children do not follow settled social and legal dictum. Such children are most often than not get involved in criminal behavior, which is known as 'juvenile delinquency' or juvenile crime. Crime by juveniles is a harsh reality in India. In recent times, juveniles were found to be involved in

most heinous of the crimes such as murder and gang rape. It's a disturbing trend, and society as a whole is anguished by such criminal acts by children.

## DEFINITION

'Juvenile' means a person who is very young, teenager, adolescent or underage. Sometimes the term "child" is also interchangeably used for the term "juvenile".

Legally speaking, a juvenile can be defined as a child who has not attained a certain age at which he can be held liable for his criminal acts like an adult person under the law of the country. Juvenile is a child who is alleged to have committed certain acts or omissions which are in violation of any law and are declared to be an offence.

In terms of law, a juvenile is a person who has not attained the age of eighteen years. It has a legal significance. A juvenile shall not be treated as an adult, even if he/she is involved in any criminal acts, for the purpose of trial and punishment in the court of law.

## Difference between a Juvenile and a Minor

Though in common language we use both the terms interchangeably, but 'juvenile' and 'minor' in legal terms are used in different context. The term 'juvenile' is used with reference to a young criminal offender and the term 'minor' relates to legal capacity or majority of a person.

## REASON OF JUVENILE DELINQUENT IN INDIA

No one is a born criminal. Socio-cultural environment, both inside and outside of home, plays significant role in shaping one's life and overall personality.

Some of the most common causes which are associated with juvenile crimes are: Poverty; Drug Abuse; Anti-social Peer Group; Easy availability of firearms; Abusive parents; Single-parent child; Nuclear Family; Family Violence; Child sexual abuse and Role of Media.

However, as far as India is concerned, it is poverty and the effect of media, especially the social-media, which make juveniles more inclined towards criminal activities.

Poverty is one of the biggest causes which force a child to get involved in criminal acts. Also, the role played by social media today which is having a more negative than positive imprints on young minds. Others factors are also there which need greater study and analysis.

“There are several factors for the rise in crime by juveniles. As the Prime Minister (had) rightly pointed out in his speech on Independence Day, there is a need for parents to take account of their children,” said eminent lawyer Majeed Memon.

- A) Frustration in Age Group: Most of the time, it is seen that the reason behind the juvenile act is mainly because of the frustration in a particular age group. The children of a particular age group may be frustrated because of many reasons that are directly or indirectly related to social, economical or political phenomenon.
- B) Illiteracy and Conflicts: As we see in most of the village areas are full of illiteracy and that leads them to face many conflicts over various matters and they go for anti-social activity. As economy is the most important aspect for a man being the member of a society, he has to earn or manage some money anyhow to meet his daily need. Illiteracy sometimes becomes the barrier to achieve the goal of financial requirement for an individual child and commit crime.
- C) Growing Young: Aggression, rebellion, all these activities are associated with growing physical strength and independency of young persons in particular. Social impression and recognition are important factors which mean young children very much at their adolescence stage; instead they become arrogant against anything which is beyond their will and wish.
- D) Child Environment: It is also believed that juvenile delinquency is the behavior of that kind which is an obstacle of psycho-socio pattern for the development of a child. It is very important for a child where and how his nourishment and socialization has taken place. The entire environment is responsible for the overall development of a child. A sudden shift, from the village life to the life of urban area, for the sake of earning, where the child has to fight with the non-conducive situation, which is a competitive life for the survival.
- E) Economic factors: Economic factors are also responsible for the deviance in the behavior of the child, which make him to go for untoward incident to create for its survival. Then there is a sharp need of money, children do not fear to commit mistakes for want of the need of the day. In a democratic country like India, still there is much discrimination as far as the monetary status of the people is concerned.
- F) Personality factors: Personality factors sometimes become the reason for juvenile act, as this defers from child to child while being the part of socio-cultural set up of the

society. As every individual is deferent from the others, in case of the general nature and behavior of the children is concerned, children personality can be considered as unique in nature for their development of personality, whether good or bad.

- G) Environment factors: The environment factor is another reason for crime, where a child may not get the right conditions to grow as per the need of the society. Right opportunity and condition for the development of a child make him a good citizen; else he may easily be transferred into an anti social element.
- H) Other social causes: As regards causes of delinquency, there are multifarious factors. The conventional thinking is that the delinquency has its basic route in its heredity. As per the view mention above the juvenile delinquency forms deferring in physical and mental situation. The chief exponent of this theory was Casare Lombroso and even earlier exponent of physiognomy and phrenology found meaningful co-relation between the physical feature and social behavior. In fact in the eighteen century physiognomy, the study of facial feature and penology, the study of external confirmation of the cranium developed considerably. However, in course of time, these theories as a basis for explanation of anti social propensities“ have fallen into disuse.
- I) Wrong bringing up: The factors that give rise to anti social tendencies of a child at the initial stage are wrong bringing, neglect and lukewarm attitude of parents, unhappy home , a large family , feeling of insecurity, lack of recreate)ional facilities, abject poverty, odd environment . Illiteracy of the parents makes them unaware of the required steps to be taken for the right upbringing of their children.
- J) Less restriction to go out of home: For want of basic requirement in the family, the child goes out of their house for the earning, and does the antisocial activities. This way the child slowly involve in the gang to do the bad activities. Parents have very little or no control over such activities of their children. Sometimes children are out of the control of the parents, and the children involve in earning or doing antisocial activities.
- K) Adverse Environment: Because of these reasons or some of these factors leads a child to face adverse direction and finally he commits crime. Now- a-days, films, advertisement etc. are presented in the intolerance way, and finally which lead a child to go for illegal activities, which creates a bad impression in the mind of the

children. Being unaware of the consequences they involve in odd activities, from where afterwards they cannot come out, and then they come to know the aftereffects of that.

L) Economic factors: Economic factors play a vital role in deciding the development criteria of a child in his society, which ultimately lead a child to choose the anti-social activities. A large scale migration of the people from the village to the urban area causes a serious nature of unemployment problem for the people. Many of them are sometimes unemployed or under employed. To cope up with such social differences the children of that particular community go for the anti-social activities.

M) Poor and Unhygienic Area: People of the urban slum area most of the time lead their life in the unfavorable and unhygienic area, where there life is not normal and suffers from medical and psychological problem and they, especially children do the unpleasant act which are against the norm of the society. A strange cultural society with anomie occurs in such a situation and the children become the pray of that abnormalities.

## CONCLUSION

Exploitation of children has been a long standing practice. These delinquent go through a lot of abuse which vary in nature as physical, sexual, or psychological or as a combination. The abuse has a long lasting and profound effect on a child's life. The problem of child abuse is a serious one and it is unlikely that it gets solved any sooner. Also the reason why this has prolonged is that the society has affected the children in a negative way and in the society there are factors such as family influence, social environment, mental disorder and sexual abuse. This develops in young people low self-esteem and they go through mental trauma which later correlates with delinquent behavior. What needs to be done is the question that arises before us. We cannot uproot this menace but there are solutions to keep a control on the problem of Juvenile Delinquency. In the best interest of the delinquent he or she should be rehabilitated as early as possible and integrated back in the society. Also the State must protect the rights of these children and come up with reformative methods and instill in them values that can socially uplifts them and give them a new found confidence so that they can play a constructive role in the society.

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