

2 RMLNLUJ (2010) 83

Juvenile Justice System in India-an Attempt at Reformation

by
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India has approximately over 385 million children i.e. 42% of its population, the largest for any country in the world, placing an enormous responsibility on the State and nation to rear these, as responsible law abiding citizens. They are the representatives of the future of a nation. However, the dawn of industrialisation, urbanisation, mobilisation, resulting in cultural variations, has eroded the existing protective structure making the juvenile more vulnerable to social maladjustment.¹ Juvenile delinquency is a gateway to adult crime. So every society ought to evolve a proper education, training and guidance, to get their mirth in the society. Criminal Justice System aims to protect the children who have deviated from adolescent to criminality by imprisoning them within the structural framework of law to ensure their reformation without labelling them. Justice system today treats them as patients suffering from a disease and any act committed is a cry for help to survive. Social justice, criminal justice, and social defence. The sanction behind prison deprivation emphasis on enlightened rehabilitation procedures.

The concept of Juvenile Justice as a phenomenon, developed in the 19 century. Earlier no concept of rights of children were adhered to and both the child and adult were treated at par. They were prosecuted in ordinary courts, subjected to same penalties (death penalty and life imprisonment) and served their sentence along with hardened, habitual criminals in the same prisons. This led to breeding of young criminals in the cells. However, in the middle of the 19th century the sufferings of the children, drew the attention of the radical reformist, to bring about a change, for, what a child needs, is not, so much of a reformation as formation² So, the emphasis shifted from protecting the society from a delinquent child, to protecting the child from a delinquent society. This led to the enactment of **Children Act of 1960** which was subsequently re-enacted as **Juvenile Justice Act, 1986**. This act has been repealed by the **Juvenile Justice (Care and Protection of Children) Act, 2000**.



Purpose of the Act

This Act intends to consolidate and amend the law related to juveniles in conflict with law and children in need of care and protection, by providing for proper care, protection and treatment by catering to their development needs, and by adopting a child friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under this enactment.³

The correctional institutions inhabiting juveniles emphasise on understanding the human behaviour and psychology through personal contact to assist these young offenders to rejuvenate themselves and to come out of their deviant behaviour with the cooperation of their family and support of society

Indian Constitution

Indian Constitution under Article 15(3), Article 39 cls(e) and (f), Article 45 and 47, impose a primary responsibility of ensuring the needs of children and of protecting their basic Human Rights. **The General Assembly of United Nations, adopted the Convention on Rights of the Child in November, 1989** and laid *the standards to be followed by all member States in protecting the interest of the child*. It also emphasised on social reintegration of child victims.⁴ The new Act has been enacted to meet the international standards prescribed in **the Convention on Rights of the Child, United Nations Standard Minimum Rules for the Administration of Juvenile Justice 1985, United Nations Rules for Protection of Juveniles Deprived of the Liberty, 1990.**⁵

Meaning of Juvenile/Child in Need of Care and Protection

“Child in need of care and protection”⁶ under the Act means—

- (1) Who is found without any home or settled place or abode and without any ostensible means of subsistence,
- (2) Who resides with a person (whether a guardian of child or not) and such person—
 - (a) Has threatened to killed or injure the child and there is a reasonable likelihood of the threat being carried out.



- (b) Has killed, abused or neglected some other child or children and there is a reasonable likelihood of the child in question being, abused or neglected by that person,
- (3) who is mentally or physically challenged or ill child or children suffering from terminal disease or incurable disease having no one to support or look after.
- (4) Who has parents or guardian and such parent or guardian is unfit or incapacitated to exercise control over the child.
- (5) Who does not have parent and no one is willing to take care of or whose parent have abandoned him or who is missing and run away child whose parents cannot be found after reasonable injury.
- (6) Who is being or is to grossly abused, tortured or exploited for the purpose of sexual abuse or illegal acts.
- (7) Who is found vulnerable and is likely to be inducted into drug abuse or trafficking.
- (8) Who is being or is likely to be for unconscionable gains.
- (9) Who is victim of any armed conflict, civil commotion or natural calamity.

The Act has increased the age of a child to be governed by the Juvenile Act and has deleted the difference between the male and female child. All children who have not completed the age of 18 years will be given the benefit under the Act. If an inquiry has been initiated against a juvenile in conflict with the law or a child in need of care and protection and during the course of such inquiry, the juvenile ceases to be so, than irrespective of the provision under the Act or any other law in force, the inquiry shall continue and orders will be issued in respect of such a person as if he continues to be a juvenile or a child.²

Juveniles indulge in deviant behaviour despite the unbridled efforts of the penologists to curb and restrict the menace. It has emerged as a global phenomena and is being dubbed as a social disease by sociologists, psychologist, psychoanalyst,

psychiatrists, criminologists and jurist, etc. The factors contributing to increase in criminality among youth are—

1. **Economics Factors:** Background of the juvenile often betray a life of deprivation. They usually hail from low income groups or from socially backward communities. They are forced to break the law generally to survive and indulge in begging, engage in prostitution, shoplifting and other



Page: 86

serious crimes. They often become vulnerable and are exploited by the bad elements of the society. But however among the privileged lot, economic factors work to produce delinquency in a different manner. Rich parents are either too busy to spend time with their children or are so career oriented that they consider spending time with children as wastage. They are willing to buy anything and everything for the child so long he is out of the way or does not demand attention or time. Vested with enormous wealth, absence of parental control, care and affection and with inexperience they plunge into the world of sin and crime. Neglected, lonely and depressed they find resort in excessive drinking, smoking and drug addiction. They experiment with sex and drugs—"the good things in life" at such a young age. Youth no longer can be perceived as innocent far less angels. They endlessly look for thrills as boredom and loneliness frustrates them. "The thrill for stronger and stronger stimuli is almost like an addiction" which often leads to violence.

2. In a world confronted with cut throat competition, technological changes and cultural variations, juvenile prowl tirelessly for a better deal so as to liberate themselves from the economic strains that their parents were accustomed to. As images of realising their cherished aspirations play constantly on their mind, failure to achieve makes them violent and aggressive. Further, lack of opportunities or denial of opportunities frustrate them and they do not hesitate to commit the most vulnerable crimes to achieve what they dream and want in life.
3. Disintegration of the joint family system has deprived the child of set values and behavioural codes to conduct himself in a society. They usually deviate and fall prey to mischief mongers who divulge them into delinquency. Juveniles coming from broken homes, polygamous set-up and crowded homes usually acquire manipulating, intriguing and hostile tendencies which are usually destructive. Such juveniles usually look for role models outside the family to identify himself with. This hour of identity crisis may tilt the balance in favour of deviant behaviour⁸.
4. Increasing industrialisation has resulted in amazing migration of the rural population to the urban areas in an urge to uplift their dwindling socio-economic status, by opting for gainful occupations. Passion to achieve something makes them prone to opt for residing in urban slums and unplanned congested localities⁹. These further make them vulnerable



Page: 87

to crime. The nature and extent of juvenile delinquency has shown a tremendous rise. Approximately 93% of all heinous crime were committed by young novices.

A report of the National Crime Records Bureau states that young people in the age group of 14 to 20 years are responsible for 50 % of all crimes committed in the country. A total of 9339 Indian Penal Code cases were registered against juveniles during 1998 showing an increase of 18.1 % over 1997.¹⁰ In special and Local law, cases registered against juveniles went up by 36.2% during 1998 as compared to 1997.¹¹ Of the total juveniles involved in crime in 1998, 77.5 % were either illiterate or had education only up to primary level.¹² This makes them highly vulnerable to fall prey to temptations, inducement and mechanisation by vested groups to embark on a path of criminality. In Hoshiarpur juveniles of 7 districts are currently housed and there are approximately 88 juveniles currently in the juvenile jail. Juvenile delinquency should be tackled on the basis of two fundamental assumptions: Young offenders should not be tried but they should rather be corrected.

(a) They should not be punished but reformed so they should be tried by Juvenile Courts and neglected delinquents by Child Welfare Boards.

The Indian Penal Code and the Criminal Procedure Code, 1973 contain special provisions relating to juvenile offenders, their treatment and procedure.

Section 82 of the Indian Penal Code

It specifically states that a child below the age of seven is "doli incapex" that is incapable of committing a crime. "Nothing is an offence which is done by a juvenile below the age of seven years". He is presumed to be innocent in the eyes of law.

Section 83 of the Indian Penal Code

"Nothing is an offence which is done by a juvenile 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 at that occasion."



Section 360 of Criminal Procedure Code

It states that whenever an offence is committed by a person who at the time of its commission is below twenty one years of age and offence committed is other than the one punishable with death penalty and life imprisonment, then he should be awarded a lenient punishment depending on his past history, character, circumstances in which he committed the act labelled as an offence and whether he was capable of knowing what he was doing is right or wrong. Whether he was capable of knowing but incapable of appreciating his acts as he was intoxicated without his knowledge. A person can be released on probation for a period not exceeding three years on entering into a bond with or without sureties.

Section-27 lays down a lenient treatment to juveniles below sixteen years age if they commit an offence other than the one punishable with death or life imprisonment. To protect and prevent stigmatisation and embarrassment, the juvenile is not subjected to the ordinary law courts but are governed by the Control Act i.e. The Juvenile Justice (Care And Protection of Children) Act, 2000 which lays down a different procedure for trial, adjudication and punishment. The consensus is that as far as possible young adult offenders should be saved from the labelling process and the contaminating effect of criminal justice system.


The Juvenile Justice (Care and Protection of Children) Act, 2000

The juvenile justice act 2000 provides for care protection, treatment, development and rehabilitation of juveniles. The gradual breakdown of the traditional means of societal control particularly in the family and community. the expanding rural urban

drift, rapid industrialisation has generated a strong tendency for increasing centralisation of the authority in the hands of the State to reform irregular behaviour of the juveniles. Every type of juvenile misbehaviour is not to be described as delinquency because it maybe an offshoot of the process of developing or a byproduct of the conditions over which a juvenile himself might have no control. The responsibility vests in State to rationalise policies governing the administration of juvenile justice, on the basis of progressive move towards decriminalisation, depenalisation, diversion and deinstitutionalisation to the extent possible so as to be in consonance with the socio-cultural conditions of the country. The act is divided into five chapters and seventy sections.

The main objectives of the Act are:

- (1) To lay down a uniform legal framework for juvenile justice so as to
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 Page: 89

ensure that a child under no circumstances is lodged in a jail or police lock-up.

- (2) To spell out the machinery and infrastructure required for the care, protection, treatment, development and rehabilitation of various categories of children coming within the preview of juvenile justice system.
- (3) To establish norms and standards for the administration of justice in terms of investigation and prosecution, adjudication and disposition, care and protection.
- (4) To develop appropriate linkages and coordination between the formal system of juvenile justice and voluntary agencies engaged in the welfare of neglected and socially maladjusted children.
- (5) To constitute special offences in relation to juveniles and provision for punishment.
- (6) To bring the juvenile justice system in the country in conformation with the United Nations Standard Minimum Rules for the administration of juvenile justice.

The juvenile justice act contemplates a vigorous use of the inherent potentials of the community for dealing with juveniles indulging in delinquent behaviour so as to bring them within the mainstream of social life. The Act authorises the State Government to constitute Juvenile Justice Board comprising of a Judicial Magistrate first class and two social workers of which at least one must be a female. ¹⁴A Magistrate will be designated as the principal Magistrate. Every magistrate so appointed must have a special knowledge of child psychology. Members must have been actively involved in health, education or welfare activities related to children for at least seven years.¹⁵ Persons appointed as members can be removed by the State Government if:—

- (1) He has being found guilty of misuse of power.
 - (2) Has been convicted of an offence in involving moral turpitude, and such conviction has not been reversed or he has not been granted full pardon in respect of such offence,
 - (3) He fails to attend the proceedings of the Board for consecutive three months without any valid reason or he fails to attend less than three fourths of the sittings in a year.¹⁶
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 Page: 90

There must be at least two members present including the Principal Magistrate at the time of final disposal of the case. In case of difference of opinion the majority decision shall prevail. The Juvenile Board exclusively has the power to deal with proceeding under the Act. ¹⁷

The Court will first determine the age of the juvenile to analyse whether he is to be governed by the Act or under the criminal law of the land. For ascertaining the age of the accused an inquiry has to be conducted by a competent authority by giving equal opportunities to the parties to adduce oral and documentary evidence.¹⁸ Such an inquiry must be conducted within four months¹⁹ unless extraordinary circumstances permit otherwise. This would culminate either in treating him as a juvenile and subject him to the provisions of Juvenile Justice Act 2000 or an adult offender. The Court has to determine ***the fact that which is the material date, the date at the time of commission of the offence or at the time when the juvenile is brought to the Court.*** The Court held that the date he is brought before the Court is relevant.²⁰ The juvenile apprehended by the police shall be placed under the charge of special juvenile police unit and then forwarded during the pendency of inquiry to the observation homes. The proof of age is ascertained from entry in the school register. If it is doubtful medical evidence would prevail over it²¹. Proceeding pending on the date of the Act will be concluded under the old Act.²²

The parents or guidance of the child if found must be present before the Board when the juvenile is produced.²³ The Probation Officer will inquire into the family background. ²⁴The juvenile can be brought before a competent authority not only by a police officer but by any other person or organisation duly authorised. The proceedings of the Juvenile Board are informal, strictly confidential and in the nature of a conference between a Judge, Probation Officer, social worker, child and the parents. The issue is why the child committed an offence and not whether he has done it or not. The act denies access to the press and even the right to counsel is not available unless special permission of the Juvenile Welfare Board is taken. The Board can dispense with the presence of juvenile. The Juvenile Board is satisfied that an offence has been committed then it can:

- (a) allow the juvenile to go home after advice and admonition;
- (b) direct the juvenile to participate in group counselling;
- (c) order the juvenile to perform community service;
- (d) order the parents of the juvenile or the juvenile himself pay a fine if he is above fourteen years age and earning; and
- (e) direct the juvenile to be released all probation of good conduct under care of parent or guardian on executing a bond with or without surety for a period not more than three years or make an order directing the Juvenile to be sent to special home if he is over seventeen years but less than eighteen for the period of two years or till he ceases to be a juvenile. A person can be released even early if the Probation Officer submits the report of his good behaviour and reformation.²⁵ No juvenile can be sentenced to be death or life imprisonment or sent to a prison in default of payment of fine.²⁶ The Act forbids joint trials of juvenile and adults offenders.²⁷

The powers vested in the Board may be exercised by the High Court and the Court of Session whenever the proceedings come before them in appeal. Any person aggrieved by the decision of the juvenile Court can file an appeal within 30 days against the order of conviction to the Court of Session.²⁸ Decision of the Court of Session is final and conclusive. No second appeal lies. High Court can however call for the record to determine its legality.²⁹ No appeal lies against the order of acquittal passed by a juvenile Court. ³⁰

A juvenile accused of a bailable or non-bailable offence is arrested and brought before a Juvenile Court then irrespective of the provisions of Criminal Procedure Code, shall be released on bail with or without surety but shall not be released if there appears a reasonable ground for believing that—

- (1) That it is likely to bring him into association with any known criminal or
- (2) To expose him to moral danger or
- (3) That his release would defeat the ends of justice.³¹



The Act specifically prohibits the publication of the name, address or identity of juvenile. ³²Any juvenile in conflict with the law if he escapes from the observation or special home then he shall be arrested and brought back to the home no proceeding instituting against him however information will be given to the Board.³³ Any form of cruelty, assault, exposure or wilful neglect to a juvenile whether physical or mental is punishable with imprisonment for a term of six months or fine.³⁴

Abetment of the offence is punishable up to one year and fine.³⁵ A juvenile suffering from an infectious dangerous disease, in sane, leprosy or addicted to drugs, requiring prolonged medical treatment, may be sent to an approved place to ensure proper treatment. ³⁶Whosoever, employs juvenile for the purpose of begging shall be punished with imprisonment for an term up to three years and fine³⁷.

Any one who intoxicates a child or subject him to drugs without the order of the medical practitioner shall be punished with imprisonment for a term of three years and fined. ³⁸Any one employing a child in hazardous works or keeps in bondage shall be punished with imprisonment for three years and fine.³⁹ Observation homes not only provides juvenile, facilities for accommodation, maintenance, medical examination and education but also provide vocational training for useful occupation. The State Government can release a juvenile from juvenile home and grant him a written license permitting him to live with or under the supervision of any responsible person named in the license who is consenting to take charge of him to educate and train him. Failure would result in revocation or forfeiture of the license. Institutional care is resorted to as a last mode if restoration to parents or guardian, release on advice and admonition, placement on probation or discharge on fine is not considered appropriate. This positive liberal approach provides flexibility in the treatment of the juvenile ensuring behavioural development and responsiveness to therapeutic devices. It also attempts to protect the basic human rights. It is an obligation cast upon the State Government and Union Territory Administration to constitute advisory boards to advice on matters related to the establishment and mobilisation of the resources and coordination



among various agencies. This interaction enables the boards to make optimum use of various sectors of socio-economic welfare in the development of the juvenile justice system.

The Juvenile Justice Act and The Ministry of Welfare has incorporated a provision for creating a juvenile justice fund. It would be exclusively utilised for the welfare and rehabilitation of juveniles. This can be raised from voluntary donations, contributions by organisations. The Ministry has evolved strategies to provide full coverage to services rendered under the Act. This has resulted in setting up of 27 Juvenile Welfare Boards, 189 Juvenile Courts, 280 observation homes, 36 Juvenile Homes and 46 after care homes for juveniles all over the country. Maharashtra having the maximum number of juveniles, has 152 such institutions to handle and reform them. It is followed by Uttar Pradesh and Karnataka at 70 and 52 respectively. The Ministry has proposed to institute various awards to felicitate people working for this noble cause.⁴⁰

In Jalandhar J.H.S. Grewal heads the Juvenile Court. It is held every Friday. 40 cases are filed. 10 to 15 cases are filed while 5 to 10 cases are disposed off. There however 250 to 300 cases of juveniles pending in the court till date and they relate to 379 and 411 of the Indian penal code. Students had committed maximum crime (32 per cent) followed by other profession (26 per cent). Adolescent period is full of stresses and strains. The students are particularly more restless because of uncertainty in their career development and tender age which misled them to commit more crimes compared to others. It was further found that percentage of juvenile criminals was more among the illiterates (32 per cent) and it decreased as the education of the child increased. It was the lowest among the senior secondary pass and graduates (10 per cent each).

Police and Juvenile Delinquency

The Juvenile Justice Act, 2000 assigns a very sensitive role to the police who is the first representative of the law on streets. The police department is the first agency that comes in contact with juvenile delinquents. This finest experience is the deciding factor in the child's future conduct. It is therefore important that case of juvenile be handled by expert who is conscious of the role he may be playing in the life of the children, their future and through them the lives of others who would be influenced by social contacts.

The police officer who apprehends a juvenile has to determine whether



he is a neglected juvenile or a juvenile delinquent. To determine this he can conduct a preliminary inquiry to ascertain his age and then commence proceedings accordingly under the Juvenile Justice Act or the criminal law. The police has been vested with a discretion to release or not to release a juvenile on bail after his arrest and before producing him before a Magistrate discretion must be exercised carefully, conscientiously and diligently to justify the Trust reposed in him by law and to the welfare of the child. This he can do if he has a gift of observation, psychological traits to deal with children in moral danger and fair knowledge of varied social conditions prevailing in his jurisdiction. Police can undertake special programmes of patrolling high delinquency areas and places of entertainment.⁴¹ Police can also launch a drive to educate the juveniles about there legal obligations and responsibilities. They can detect pre-delinquency behaviour and bring it to the notice of parents, teachers and others to take timely corrective action. It organise recreational activities for children

living in high delinquency areas to enable them to spend their leisure hour in a constructive fashion under proper guidance and benevolent supervision.⁴² They should understand the causes behind juvenile delinquency and use force with utmost restraint. Police actively cooperates with the Civil Administration in restricting juvenile delinquency through educative publicity, highlighting what parents and community can do to prevent it.

INTERPOL has recommended the following preventive measures to be taken by the police in the field of juvenile delinquency. ⁴³

- (1) Spotting areas of juvenile delinquency, detection of minors in moral or physical danger, idle and vagrant juveniles, juveniles begging or indulging in parasitical activities.
- (2) Juveniles in situations disposing them to prostitution, drug addiction or delinquency.
- (3) Detection of prostitution and proximitism in juveniles.
- (4) Localization, identification and penetration of juvenile gangs indulging in crime or violent behaviour.
- (5) Guidance of juvenile first offenders by police officers working in association with the family and social welfare workers.
- (6) Mixed night patrols (police monitors and social workers) for visiting public halls and places of amusement which have a floating juvenile



clientele.

- (7) Detection of criminogenic families or families with a retarded level of education (alcoholic families or families where father is constantly out of work).
- (8) Action intended to restore moral and civic standards in schools.
- (9) Police clues for organising and effectively supervising leisure hours of juveniles.
- (10) Supervision of all juvenile gatherings likely to lead violent behaviour.

The constitution of special police units all over the country will definitely help in restricting the growing menace of juvenile delinquency.

Ground Realities


Despite the good offices of the Government, the system is far too officious in its dealing with delinquents and neglected children. The Governments sincere efforts to establish an efficient juvenile system is far from reality as the ground realities reveal a dismal picture.

The members of Juvenile Welfare Boards do not sit on all five days they are not aware of the provisions of the Act. They lack legal qualifications and are incompetent to handle serious cases. Absence of sufficient funds, lack of infrastructure and poor maintenance results in hasty disposal of cases. Training and counselling a necessity for rehabilitation is neither done nor encouraged. The observation homes are overcrowded, understaffed as a result juveniles stay over an a year in violation of the Act. Attendants lack training in child psychology and are incapable of reforming them to enable them to lead a normal life. These homes have become institutions of child abuse rather than rehabilitation.⁴⁴ Further, the children entering these institutions soon realise that even after their discharge they cannot settle in life. The Juvenile Court has failed to prevent them from being stigmatised and labelled. They are generally viewed by the people, schools, armed forces and employers-the society

generally-as criminals. The effort of the court to treat children guilty in a non-criminal way has not been achieved as they are labelled as junior criminals. So the efforts of the Juvenile Act to ensure regenerative treatment has still to be realised so that the juvenile is brought back into the main fold of the society without being a threat to it.

Suggestions

The Juvenile Justice (Care and Protection of Children) Act, 2000, advocates a new concept of justice by making special provisions to ensure that they

 Page: 96

are not subjected to the provisions of criminal law, secrecy is maintained and publicity strictly avoided to prevent humiliation and embarrassment to the juvenile. Certain concrete steps should be initiated to ensure proper functioning and must be taken up by the Government and NGO'S. These are:

- (1) The Act undoubtedly is very well drafted but its administration and implementation is faulty. There is an urgent need of devoted, dedicated, sincere, and determined staff trained to handle juveniles.
- (2) There should be effective coordination between various State Administrators to bring efficiency and effectiveness in the functional machinery. Essential funds must be provided by the Government and private organisations.
- (3) To prevent juvenile delinquency educators interacting with children must be capable of understanding and providing special care and attention. They should:
 - (a) develop a new value system in which school should be a force working against discrimination and rejection experienced by pupils drawn from low classes;
 - (b) make the school a instrument for fostering work attitudes, self-esteem and job skills to improve the employability of graduates coming from deprived areas provide school experiences designed to improve the self-image of delinquency prone children.
- (4) The community must step in to provide a sense of belongingness to the juveniles desperately in need of. This initiative would give them the identity to bring themselves back from where they had drifted away. Emphasis should be on understanding the child psychology, his attitude, reasons for deviance socio-economic position, his family background to provide treatment, counselling and compassionate understanding to his or her requirements.

The effective establishment of after care organisation is a necessity to ensure actual reformation. These organisations would assist the child when he leaves the observation home to lead an honest, industrious and meaningful life in a conducive environment.

The juvenile justice system is an effort to establish a social therapy based on benevolent intentions towards juvenile delinquents. The juvenile justice system is a movement towards decriminalisation and depenalisation, for every man is born good but circumstances transform him into a criminal.

“If every saint has a past, every sinner has a future.”

The objective is thus to recreate this good child by bridging the gap between the institutional treatment and the process of re-assimilation into the society.

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- ² Boparai, Harinder, "Juvenile Delinquency—The Phenomena in Child Criminality in Nigeria", 1998.
- ³ The Juvenile Justice (Care and Protection of Children) Act, 2000.
- ⁴ The Juvenile Justice (Care and Protection of Children) Act, 2000.
- ⁵ The Juvenile Justice (Care and Protection of Children) Act, 2000.
- ⁶ Section 2(d); The Juvenile Justice (Care and Protection of Children) Act, 2000.
- ⁷ *Arnit Das (2) v. State of Bihar*, (2001) 7 SCC 657 : 2001 CriLJ 4238.
- ⁸ Paranjape, N.V., *Criminology and Penology*, CLP, Allahabad, 2005, p. 391.
- ⁹ Paranjape, N.V., *Criminology and Penology*, CLP, Allahabad, 2005, p. 391.
- ¹⁰ "Crime in India 1998", National Crime Records Bureau, Ministry of Home Affairs, New Delhi.
- ¹¹ "Crime in India 1998", National Crime Records Bureau, Ministry of Home Affairs, New Delhi.
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- ¹⁴ Section 4(2) of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ¹⁵ Section 4(3) of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ¹⁶ Section 4(5) of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ¹⁷ Section 6 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ¹⁸ Section 49 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ¹⁹ Section 14 proviso of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ²⁰ *Arnit Das (1) v. State of Bihar*, (2000) 5 SCC 488 : AIR 2000 SC 2264.
- ²¹ *Sunil Kumar v. State of U.P.*, 2000 Cri. L.J. 4687.
- ²² *Lallan Singh v. State of U.P.*, (2002) 4 All India Criminal Law Reporter 947.
- ²³ Section 13(a) of the Juvenile Justice (Care and Protection of children) Act, 2000 at 14.
- ²⁴ Section 13(b) of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ²⁵ Section 15 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ²⁶ Section 16 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ²⁷ Section 18 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ²⁸ Section 52 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ²⁹ Section 53 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ³⁰ Section 52(2)(a) of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ³¹ Section 12 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ³² Section 21 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ³³ Section 22 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ³⁴ Section 23 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ³⁵ Section 24 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ³⁶ Section 58 of the Juvenile Justice (Care and Protection of children) Act, 2000.
- ³⁷ Section 24(1) of the Juvenile Justice (Care and Protection of children) Act, 2000.

³⁸ Section 25 of the Juvenile Justice (Care and Protection of children) Act, 2000.

³⁹ Section 26 of the Juvenile Justice (Care and Protection of children) Act, 2000.

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