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CRIME, CRIMINAL, CRIMINOLOGY AND JUVENILE DELINQUENCY

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ABSTRACT

A juvenile delinquent is one who is a minor with major problems. The age limit and also the meaning of delinquency vary in most countries, but it is always below 18 years. Generally, any person between the ages 7 to 18, who violates the law, is considered as delinquent and persons above this age are considered as criminals. The incidence of delinquency is rising amongst the girls also. Juvenile delinquency is one of the most serious problems of our times. It basically means **anti-social behavior**. The different forms of delinquent behavior include loitering, loafing, pick-pocketing, stealing, gambling, sexual offences like eve teasing, etc. The rate of delinquency is rising very fast all over the world and one of the main suspected reasons could be the negligence of parents. In this paper we have to find causes and consequences of juvenile delinquency.

INTRODUCTION

Delinquency a legal term for criminal behavior carried out by a juvenile is often the result of escalating problematic behavior. Definitions of delinquency vary among different groups. To alleviate confusion we describe four perspectives on delinquency.

A Parental View

Parents may define disruptive and delinquent behavior as disobedience fighting with siblings destroying or damaging property stealing money from family members or threatening parents with violence.

An Educational View

School staff members often regard delinquent behavior as that which interrupts or disturbs classroom learning violates the school code of conduct and threatens the safety of faculty and students.

A Mental Health View

Mental health professionals consider delinquency to include a wide range of disruptive behaviors that may involve aggression toward others or animals destruction of property deceitfulness theft and violations of curfew and school attendance.

A Legal System View

The majority of states and the federal government consider persons under the age of 18 to be juveniles. However when children under this age commit serious crimes (for example murder) they may be prosecuted as adults.

From a juvenile justice perspective delinquent behavior is divided into two categories: "status" offenses and "delinquency" offenses. Status offenses are those acts which would not be considered offenses if committed by an adult; they include acts such as truancy (skipping school) running away alcohol possession or use and curfew violations.

Delinquency offenses involve destruction or theft of property commission of violent crimes against persons illegal weapon possession and possession or sale of illegal drugs.

Causes of Juvenile Delinquency

Some of the causes of juvenile delinquency include the following:

Family: Almost all research workers have accepted that families of delinquents are characterized by discords, desertions and divorces. Such families have been pointed out as one of the main causes of delinquency.

Peer Group: To those in sore need of a substitute for family love and group-belongingness, the peer group or the gang presents itself as a kind of close knit unit that will solve the purpose.

Neighborhood: The immediate environments of a child also affect the trend he will adopt in connection with his personality. It has been seen that more delinquents come from slums and thickly populated areas.

Educational Curriculum: Although schools and educational institutes are playing an increasingly important role in the training and upbringing of future citizens, they are also contributing towards many cases on juvenile delinquency. Delinquents are typically non-bookish and non-academic individuals who take studies like a burden. When they fail in exams and get scolded by their family, they tend to indulge themselves in delinquent acts.

Poverty and Democracy: Poverty and democracy are also the major contributing factors towards juvenile delinquency. People indulge themselves in delinquent acts in order to meet and satisfy the primary wants of their life. Democratic orders also increase delinquency.

Data on Juvenile Delinquency

Over 33,000 juveniles, mostly between the age group of 16 to 18, have been arrested for crimes like rape and murder across the country in 2011, the highest in last decade. According to a Home Ministry data, of the total of 33,387 juveniles apprehended in 2011, 21,657 were in the 16-18 age group, 11,019 of 12-16 age group and 1,211 between 7-12 age groups. A total of 33,628 adolescents were held in 2001, 35,779 in 2002, 33,320 in 2003, 30,943 in 2004 and 32,681 in 2005 for their involvement in different criminal acts.

Whereas, 32,145 such youngsters below 18 years of age were held in 2006, 34,527 in 2007, 34,507 in 2008, 33,642 in 2009 and 30,303 during 2010, the data said. The data also shows increasing cases of rape by juveniles. As many as 1,419 such cases were recorded in 2011 as compared to 399 cases in 2001, it said. It is pertinent to mention that a juvenile and five others

were arrested by Delhi Police for brutally raping and assaulting a 23-year-old girl in the national capital on December 16. The victim later succumbed to her injuries.

The cases of murder by juveniles have also shown a surge in last ten years. As many as 531 youngsters below the age of 18 were apprehended for murder in 2001 as against 888 arrests between January and December 2011. According to the data, 6,770 juveniles were arrested in Maharashtra, 5,794 in Madhya Pradesh, 2,692 in Chhattisgarh, 2,542 in Rajasthan and 2,510 in Gujarat among others in 2011. In the same year, a total of 2,474 adolescents were arrested in Andhra Pradesh, 2,083 in Tamil Nadu, 1,204 in Uttar Pradesh and 1,126 in Bihar, the data said. Whereas, 942 juveniles were arrested in Delhi, 159 in Chandigarh, 85 in Puducherry, 22 in Dadar and Nagar Haveli, 16 in Daman and Diu and eight in Andaman and Nicobar in 2011.

Incidence and Rate of Juvenile Delinquency

The increasing trend in incidence of Juvenile Crimes (under IPC) is a matter of grave concern, though the percentage of juvenile crimes to total crimes is around 1% during 2001 to 2011 (National Crime Record Bureau, 2011).

Share of Juvenile Crime: Indian Penal Code (IPC) and Special Local Laws (SLL):

The juvenile IPC crimes in 2011 have increased by 10.5% over 2010 as 22,740 IPC crimes by juveniles were registered during 2010 which increased to 25,125 cases in 2011. Major Juvenile crimes were under 'Theft' (21.17%), Hurt (16.3%) and Burglary (10.38%) in 2011. The highest decrease in Juvenile delinquency was observed under the crime head 'Preparation & Assembly for Dacoity' (35.3%), 'Death due to negligence' (25.6%) and 'Criminal breach of trust' (14.0%) in 2011 over 2010. The highest increase in the incidence of juvenile crimes was observed under the heads 'Counterfeiting' (81.8%), 'Dowry deaths' (63.2%), 'Arson' (57.6%) and 'Kidnapping & abduction of women & girls' (53.5%).

Juvenile delinquency under SLL crimes has increased by 10.9% in 2011 as compared to 2010 as 2,558 cases of juvenile delinquency under SLL were reported in 2010 which increased to 2,837 in 2011, while there was substantial decrease of 40.8% in 2010 as compared to 2009. A large number of Juvenile crimes (SLL) were reported under Gambling Act (14.77%) followed by Prohibition Act (10.7%). Cases under 'Indian Passport Act' and 'Forest Act' have registered a sharp decline of 66.7% each, while cases under 'Prohibition of Child Marriage Act' and 'Immoral Traffic (P) Act' registered sharp increase of 200% and 50% respectively. (Children in India-2012, A Statistical Appraisal, Ministry of Statistics and Programme Implementation, 2012 and National Crime Record Bureau (NCRB), 2011)

Juveniles Apprehended

A total of 33,887 juveniles were apprehended during 2011 out of which 31,909 were boys and 1,978 were girls. The percentage of girls to total juveniles is 5.84% in 2011 whereas the percentage share relating to 2010 was 5.1%. Out of total 33,887 Juveniles arrested, 30,766

(90.7%) were arrested under IPC crimes while 3,121 (9.3%) were arrested for committing SLL crimes. Out of the total 33887 juveniles apprehended, 1,211 juveniles are in the age-group of 7-12 years, 11,019 juveniles are in the age-group of 12-16 years during 2011 whereas bulk of juveniles (21,657) were arrested under the age-group 16-18 years. The percentage shares of Juveniles apprehended under these age groups are 3.3%, 32.5% and 63.9% respectively. An increase has been observed in number of juveniles apprehended in all these age groups and it is shocking to note that in 2011 over 2010, highest percentage increase was for 7-12 age group (30.6%) whereas the rise in crimes in 12-16 years and 16- 18 years were 8.9% and 12.5% respectively.

The overall increase in juveniles apprehended at the national level is 11.8% in 2011 as compared to 2010. Maharashtra has reported the highest number of juveniles arrested (6,417, 20.9%) under IPC crimes followed by Madhya Pradesh (5,495, 17.9%), Rajasthan (2,445, 7.9%), Andhra Pradesh (2,424, 7.9%), Chhatisgarh (2,178, 7.1%), and Gujarat (1,968, 6.4 %). Maharashtra has reported the highest number of juveniles arrested for Murder (201), Attempt to Murder (180), Dacoity (67), Preparation and Assembly for Dacoity (17), Robbery (218), Burglary (838), Theft (1,673), Riots (736), Cheating (35), Hurt (1,331) and Cruelty by Husband and Relatives (128). Madhya Pradesh led in apprehending the juveniles for Rape (281), Arson (14), Kidnapping (110) and Molestation (173). Among UTs, Delhi UT alone has apprehended 934 (77.3%) Juveniles under different crime heads during the year.

The highest number of juveniles under SLL were apprehended in Tamil Nadu (683, 21.9%) followed by Gujarat (542, 17.4%), Chhatisgarh (514, 16.5%) and Maharashtra (353, 11.31%). These four states have accounted for 67% of total juveniles apprehended under SLL crimes. (National Crime Record Bureau (NCRB), 2011).

Classification of Juveniles by Attributes

It is highly disturbing to observe that, out of the total juveniles involved in various crimes, 81.4% are children living with parents, whereas the share of homeless children involved in various crimes are 5.7% and the remaining are children living with guardians. Out of the total juveniles involved in various crimes 6,122 (18.1%) are illiterate and 12,803 (37.8%) had education up to primary level. 31 % juveniles belonged to the education level of above primary but below secondary category and 13.11% are with secondary/ higher secondary & above education.

A large chunk of juveniles (57%) belonged to the poor families whose annual income was up to Rs. 25,000/. The share of juveniles from families with income between 25,000/- and 50,000/- was 27%. The share of juveniles hailing from middle income group (50,000- 2,00,000) was 11%. (National Crime Record Bureau (NCRB), 2011).

How to control Juvenile Delinquency

Following are some of the suggestions for the prevention of juvenile delinquency:

1. Accept the delinquent as a person in his own right, and give affection and security.
2. Watch for the signs of maladjustment; early treatment may prevent this maladjustment from taking a delinquent trend.
3. Providing the child with a variety of experiences like music and dance, art and craft, etc. can serve the purpose.
4. Attempt to build-up a stable system of moral and social values.
5. Reject the delinquent behavior without rejecting the delinquent.
6. Encourage the child to talk about and admit the existence of anti-social tendencies.
7. Change the conditions of home, school and community that seem to give rise to such behavior.
8. Give a potential delinquent some post of special responsibility, such as task of preventing other children from committing delinquent acts.
9. Once a delinquent act has been detected, never pass it over. Make clear to the child that he has done something wrong, but do not punish him harshly.
10. Minimize the chances of a child's going wrong by putting the smallest possible number of temptations in his way.

Thus, parents and the other family members, and the teachers in school can do a lot in the prevention and controlling of **juvenile delinquency**.

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