



# "A REVIEW OF JUVENILE DELINQUENCY IN MAHARASHTRA UNRAVELING THE MAIN CAUSES AND PREVENTIONS "

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## ABSTRACT

Juvenile delinquency is becoming more of a problem in several nations, including India, China, and Pakistan. This research examines the causes and preventative methods of adolescent delinquency in the Indian state of Maharashtra. The introduction emphasises the rise in adolescent criminal activity and the transfer of cases to adult courts. The historical overview of India's juvenile justice system and the gradual development of laws to protect and rehabilitate juvenile offenders is provided in the background section. The literature overview includes research investigating the reasons and elements that contribute to juvenile delinquency, such as family environment, peer impact, surrounding environment, urbanization, and industrialization. The review also examines the effects of literacy, parental knowledge and attitude, socioeconomic conditions, and state-level per capita income on juvenile criminality. The conclusion emphasises the need for more study to understand the underlying reasons better and create appropriate solutions to this complicated problem. The results emphasize the need for preventative measures, increased education, family support, social reforms, and early intervention in delinquent juvenile rehabilitation.

**Keywords:** - *juvenile delinquency, Maharashtra, causes, preventions, criminal activities, transfer to adult courts, historical background, juvenile justice system, legislation.*

## INTRODUCTION

Juvenile delinquency is the commission of a crime by an individual younger than 18. Due to various causes and circumstances, the frequency of these crimes has risen dramatically in recent years. In most jurisdictions, juveniles accused of severe offences such as larceny or homicide are sent to criminal tribunals and tried as adults. Occasionally lawyers make this determination, while other times, an investigation is required to consider the juvenile's age and criminal history, the nature of the offence, and the probability that the juvenile court can assist the minor. Due to a tough-on-juvenile-crime mentality, numerous counties have updated their juvenile laws to make transferring juvenile offenders to adult justice simpler.<sup>1</sup>

Simply put, juvenile delinquency is the participation of minors in unlawful activities. A juvenile delinquent is typically a person under 18 who conducts a crime for which adults would have been charged and prosecuted. Even though juvenile delinquency is not found in every adolescent, it is evident that it is a part of the behavioural changes that occur in a person's life during the turbulent period known as adolescence. The degree of crime differs from person to person, and it goes undetected until something specific becomes society's concern. Because puberty is the turning point of life, rapid evolutionary changes occur in one's physical, mental, moral, spiritual, erotic, and social perspective during this time. They exhibit emotional instability and frequent mood shifts. It is a time of anxiety, concern, conflict, and complexity. Consequently, throughout this period, they engage in conduct that frequently leads to delinquency to satiate a need.<sup>2</sup>

In addition to being labelled as socially deviant or socially handicapped, delinquent children are exceptional children who display significant deviations in their social adjustment and, as a result, are classified as socially deviant. They engage in illicit conduct and are subject to legal repercussions. Therefore, violating cultural standards and principles endangers the social order and is considered a criminal offence. The nature and severity of the offence may range from very minor to severe, but they are all antisocial and, as

<sup>1</sup> Moktadir, A., Ali, S. M., Jose, C., Jabbour, C., Paul, A., Ahmed, S., Sultana, R., & Rahman, T. (2019). *Journal Pre-proof*.

<sup>2</sup> WHO. (2021). The WHO Prison Health Framework. In *Regional Office for Europe*. <https://apps.who.int/iris/bitstream/handle/10665/344561/9789289055482-eng.pdf?sequence=3&isAllowed=y>

such, subject to legal criminal acts. In this regard, they are comparable to criminals and antisocial individuals. However, legal terminology refers to them as criminals and not criminals.<sup>3</sup>

### Background: -

The Indian Constitution's initiatives to protect its citizens' fundamental rights and impose obligations on the authorities by means of the Directional Principles of Government Policy are where the system for youth courts in that nation first emerged or at least its context in history. Following its declaration of independence, India had to pass a legislation safeguarding youths and kids from crime, which served as one of those most crucial criteria.

As a result, the Children's Act of 1960 was enacted. This Act was outstanding. It kept youth out of incarceration and provided those in need with aid, education, mentoring, and training. In addition, the Act included provisions for establishing surveillance residences, special schools, etc.<sup>4</sup>

The 1973 Code of Criminal Procedure restricts the juvenile court's authority in India to minors under the age of 16 who do not have committed an offence punished by death or life imprisonment. The juvenile court in India must take extremely prudent and cautious measures when dealing with juveniles.

The juvenile justice overhaul of 1986 came after this. This is because the United Nations Standard Rules concerning the Implementation of Juvenile Justice were established in 1985. The juvenile justice reform act of 2000 was an attempt to follow the guidelines outlined in UN Resolutions. The primary focus of this Act was on the recovery of juveniles. Additionally, the Youth Justice Board is established under Section 4 within the Juvenile Justice Act, which was of 2000. (Hahn et al., 2007)

Until the Nirbhaya (Delhi Gang Rape Case) incident, we may observe a reformed approach towards adolescent offenders. A rise in the number of teenagers committing serious offences necessitated modifying the Juvenile Law in India. In response, a punitive approach was adopted towards the situation. The preceding discussion addresses the history of the Indian juvenile court system and the historical context of juvenile delinquency in India. This article also addresses questions like "Who is a juvenile in India?"

The primary function of the juvenile court system in India is to ensure that children are not prosecuted in adult courts and that the laws governing juveniles rectify them in every way feasible. The majority of juvenile offenders originate from impoverished or uneducated households. In India, the juvenile justice system prioritizes the schooling of minors over their punishment. The children's experiment is based on non-punitive social oversight organisations such as surveillance residences, special residences, and special institutions.<sup>5</sup>

### Juvenile Delinquency

Although most crimes in New York are thought to have been committed by adults, it is important to remember that some kids are innocent. Teens younger than 18 have also been known to commit offences. These offences are commonly known as delinquent actions. A minor who commits these crimes is designated a juvenile offender. Typically, children are tried as juveniles, yet if the crime is particularly grave, such as homicide, the child may be prosecuted as an adult. The juvenile justice system is governed by family law, similar to divorcing and disputes over child custody. The life of a minor accused of an offence can be affected in numerous ways. A criminal allegation can impact the child's future educational and college plans. It may also impact employment opportunities. Thus, it is crucial to comprehend these crimes, how to argue against them, and how to mitigate the consequences.<sup>6</sup>

### Causes of Juvenile Delinquency

#### The family environment

The family setting, the level of parental oversight, how parents control a child, especially severe retribution, divorce or separation, parents who are criminals or who have criminal children, parents neglect or abuse, and the character of the relationship between parents and children may all have an impact on criminal behaviour.

<sup>3</sup> Fagan, J., & Meares, T. L. (2005). Punishment, Deterrence and Social Control: The Paradox of Punishment in Minority Communities. *SSRN Electronic Journal*, 173. <https://doi.org/10.2139/ssrn.223148>

<sup>4</sup> Osaghae IP, Eriamiator CO, I. L. (2019). Pattern of orofacial injuries between the genders following interpersonal conflicts in Benin-City , Edo State , Nigeria. *Nigerian Journal of Dental and Maxillofacial Traumatology*, 2(1&2), 43–50.

<sup>5</sup> Chileshe, N., Njau, C. W., Kibichii, B. K., Macharia, L. N., & Kavische, N. (2022). Critical success factors for Public-Private Partnership (PPP) infrastructure and housing projects in Kenya. *International Journal of Construction Management*, 22(9), 1606–1617. <https://doi.org/10.1080/15623599.2020.1736835>

<sup>6</sup> Rahmawati, A. S., & Dewi, R. P. (2020). View metadata, citation and similar papers at core.ac.uk. *PENGARUH PENGGUNAAN PASTA LABU KUNING (Cucurbita Moschata) UNTUK SUBSTITUSI TEPUNG TERIGU DENGAN PENAMBAHAN TEPUNG ANGKAK DALAM PEMBUATAN MIE KERING*, 3, 274–282.

### Peer influence

Peer groups substantially influence the decisions of criminals. Teenagers who engage in athletics or social programmes but do not satisfy the expected academic achievement standards frequently fall behind compared to others.

### Surrounding environment

At times, poor companionship and surrounding conditions encourage youth to act out. Children are too immature to understand the long-term implications of their actions. They are in danger of getting stuck in the environment of contraband and slums.

### Due to unemployment and the loss of riverside land

Residents are leaving the countryside for the metropolis. They continue to lack access to necessities and seek shelter in slums, roads, and roadways.

### Growing urbanization and industrialization

are responsible for the problem of youth delinquency. Social scientists and criminal justice researchers regard crime as a consequence of the transition phase, defined as the procedure during which a majority of people transition from peasantry to industrialized workforce citizens.<sup>7</sup>

### Judicial Aspects of Juvenile Delinquency in Maharashtra

#### System of Juvenile Justice in India:

The Indian Juvenile Justice System is designed to handle juvenile delinquency problems and provide treatment and safeguards for minors who have broken laws. The approach acknowledges that children are distinct from people and places rehabilitation and social reintegration ahead of discipline.

#### 2015 Juvenile Justice (Care and Safety for Children) Act:

The Juvenile Justice (Care and Protection of Children) Act 2015 is an essential component of law in India regulating juvenile offenders' care and treatment. It provides guidelines for young criminals' care, protection, and rehabilitation. The Act defines a "juvenile" as a person under eighteen. It includes the establishment of Juvenile Justice Boards and Child Welfare committees, as well as other procedures to deal with juvenile problems.

#### The Function of Juvenile Justice Boards:

The Juvenile Justice (Care and Protection of Children) Act 2015 is a crucial law regulating juvenile offenders' treatment in India. It provides guidelines for juvenile offenders' care, protection, and rehabilitation. The Gujarat Juvenile Justice (Care, Defence, and Treatment of Children) Act of 2015 governs Gujarat's child welfare system.<sup>8</sup>

#### Measures for Rehabilitation and Reintegration:

The Young Justice, the Juvenile Justice (Care and Protection of Children) Act, 2015, is a crucial law regulating juvenile offenders' treatment in India. It provides guidelines for juvenile offenders' care, protection, and rehabilitation. The Act defines a "juvenile" as a person according to the age of eighteen. It includes the establishment of Juvenile Justice Boards and Child Welfare committees, as well as other procedures for dealing with juvenile problems. It recognizes that rather than exposing juveniles to punitive measures, the main objective should be rehabilitating and reintegrating them.

#### Difficulties in Implementing Juvenile Justice Laws:

Despite the progressive provisions of the Juvenile Justice Act, implementing juvenile justice legislation in Maharashtra and other regions of India is fraught with difficulties. Among the major difficulties are:

- **Lack of infrastructure:** Inadequate infrastructure, such as observation houses, special homes, and aftercare facilities, impedes the successful execution of rehabilitation and reintegration programmes.
- **Delayed justice:** Backlogs in the legal system often cause delays in settlement of juvenile cases, impeding the timely delivery of justice and rehabilitation initiatives.

<sup>7</sup> Evans, P. (1996). Introduction: Development strategies across the public-private divide. *World Development*, 24(6), IN1-1037. [https://doi.org/10.1016/0305-750x\(96\)00014-9](https://doi.org/10.1016/0305-750x(96)00014-9)

<sup>8</sup> Winterdyk, J., Antonopoulos, G. A., & Corrado, R. (2016). Reflections on Norway's juvenile justice model: A comparative context. *Crime Prevention and Community Safety*, 18(2), 105–121. <https://doi.org/10.1057/cpcs.2016.3>

- **Socioeconomic factors:** Poverty, a lack of education, and restricted chances contribute to children's vulnerability, making them more likely to engage in delinquent behaviour.
- **Awareness and sensitisation:** There is a need for increased knowledge and sensitisation among stakeholders, including law enforcement agencies, the court, and the general public, on the rights and needs of adolescents who have broken the law.
- **Coordination among agencies:** Coordination among multiple parties, such as police, judges, social workers, and child welfare committees, is critical to providing a coherent and complete approach to juvenile justice.<sup>9</sup>

## LITERATURE REVIEW

### Dr. Rahul Sharma et al. (2022)

Gujarat's welfare for kids system is governed by the Gujarat Juvenile Courts (Care, Armed Forces, and Protection of Children) Act of 2015. It also examines the way the NCRB records reveal startling facts and how the number of offences carried out by juveniles is on the rise. In India, juvenile crime is rising, with a rise in offences such as homicide, burglary, dacoity, theft, insurrection, and abduction. The Indian government has addressed this problem by adopting the Convention on the adoption of the juvenile justice system and Maintenance of Childhood Act of 2000 & the Bill of Rights of Children Act. The effectiveness of these measures has yet to be determined, and more study is required to identify the causes of juvenile crime and develop efficient remedies<sup>10</sup>.

### Suman Mazumdar et.al (2022)

This paper discusses juvenile delinquency and the factors that contribute to it. It uses a qualitative research methodology and looks at historical data to understand the problem. Delinquency is a term used to describe aberrant behaviour or conduct prohibited by the law and generally despised by society. The alarming global delinquency epidemic has intensified due to growing poverty and societal inequality. The paper employs a qualitative research methodology approach and means of a historical database to explain in depth the concept and factors that undermine the development of a nation.<sup>11</sup>

### Qingyun Bu et.al (2022)

This paper investigates the current state of juvenile delinquency in China, explains the causes of criminal behaviour among adolescents from the viewpoints of the individual, familial, educational, and society, and suggests preventative measures. China's youth delinquency is increasing at a worrying pace. Individual, familial, educational, and social variables all contribute to juvenile delinquency in China. In China, juvenile crime prevention includes enhanced schooling, assistance for families, and social services.<sup>12</sup>

### Azka Murtaza et.al (2021)

This qualitative study aimed to determine the causes of juvenile crime in Punjab, Pakistan. The research discovered several social factors contributing to juvenile crime, including family dysfunctions, peer pressure, and exposure to violence. Eight juveniles below 18 years old from the prisons of Punjab, Pakistan Family dysfunctions, peer motivation, and exposure to violence are linked with juvenile delinquency. Hunger, lack of education, poor academic achievement, and a lack of moral instruction can all contribute to criminal behaviour.<sup>13</sup>

### Mrs Payel Bose et al. (2021)

This study looks at the knowledge and attitude of parents in rural and urban areas regarding early detection of juvenile delinquency. It finds that parents in urban areas have more knowledge and negative attitude—1000 parents in West Bengal, India. Parents in urban areas have more average knowledge and negative attitude than rural areas regarding early detection of juvenile delinquency.

<sup>9</sup> Feld, B. (1995). Violent Youth and Public Policy: A Case Study of Juvenile Justice Law Reform. *Minnesota Law Review*, 79(5), 965–1128.

<sup>10</sup> Sharma, D. (2022). An Analytical Study of Juvenile Delinquency in India with Reference to 2021. *Legal Research Development: An International Refereed e-Journal*, 6, 13–15. <https://doi.org/10.53724/lrd/v6n3.06>

<sup>11</sup> Ghosh, R., Sil, M., Kumar Mondal, S., Gorai, P., Sahu, D., Kumar Kushwaha, R., Sivaraman, B., & Das, A. (2022). Phenol in High-mass Star-forming Regions. *Research in Astronomy and Astrophysics*, 22(6), 65021. <https://doi.org/10.1088/1674-4527/ac6aa9>

<sup>12</sup> Yan, C., Jang, D., Kwon, S., & Jin, Q. (2023). An integrated perspective of the demand–control and effort–reward imbalance models on burnout among sport coaches: The moderating role of over-commitment and coaching efficacy. *International Journal of Sports Science and Coaching*, June. <https://doi.org/10.1177/17479541231181971>

<sup>13</sup> Azka Murtaza, Dr. Yasir Nawaz Manj, Dr. Arshad Hussain Hashmi, Muhammad Umar Zara, Dr. Manzoo Akhtar, & Ali Asfand. (2021). Causes Leading To Juvenile Delinquency: a Case Study Conducted At Punjab, Pakistan. *Khaldunia - Journal of Social Sciences*, 1(1), 41–52. <https://doi.org/10.36755/khaldunia.v1i1.45>

Parents in urban areas have more knowledge than parents in rural areas. Parents in urban areas have more negative attitudes than parents in rural areas.<sup>14</sup>

#### Jai Prakash Kushwah et.al (2021)

This paper discusses the impact of literacy on juvenile delinquency in India. It finds that literacy is a major factor in juvenile delinquency, and the government has initiated several policies to address this issue. Literacy directly impacts juvenile delinquency in India, particularly in sexual offences. There is an implementation gap in the Constitutional provisions for literacy. Union and State Governments have implemented several policies to increase literacy, but their effect on juvenile delinquency is yet to be seen.<sup>15</sup>

#### Amrita Chauhan et al. (2021)

This cross-sectional study looked at 200 consecutive subjects referred from the juvenile justice Court. It found that disturbed family dynamics and associated psychopathology significantly impact the development of delinquent behaviour—200 juveniles in conflict with the law. Disturbed family dynamics, such as poverty, broken family, and a history of criminality in the family, significantly influence the development of delinquent behaviour among juveniles. Early initiation of substance use is associated with increased severity of juvenile crime.<sup>16</sup>

#### Riyaka Surong et.al (2020)

The present research investigates the causes of juvenile crime and the preventative measures that the community can take. It employs a design for exploratory research and an informal survey. The study ends that schooling plays a significant role in developing the belief system and moral values and that schools and the community can develop consciousness initiatives, role plays, and therapy to help young people learn how to engage in optimistic self-evaluation and deal with violence and dispute. Eighteen individuals in Shillong, which Meghalaya, such as educators, the superintendent of schools, police, juvenile surveillance home employees, and social services workers. Pressure from peers, adolescence monetary instability, factors related to the environment and social media are the leading causes of adolescent criminal behaviour. Education has a significant impact on shaping the belief system and ethical principles.<sup>17</sup>

#### K. Kaur, et.al (2020)

This paper discusses juvenile delinquency in India. It describes how juvenile crimes are illegal activities against social norms and how the deviant behaviour of children is the main reason for juvenile crimes in India. The paper also discusses how the juvenile justice system punishes children in serious cases. Juvenile delinquency is a worldwide problem, and certain laws have been created to control it.<sup>18</sup>

#### Nabamita Dutta et.al (2020)

This paper examines the connection between income per capita at the local level and juvenile offenders in India. It reveals a curvilinear connection: delinquent youth rates rise when areas are comparatively impoverished, but the rate of increase decreases as areas become wealthier. There is an irregular connection between state revenue per capita and juvenile crime rate in Indian states. As a state's relative wealth increases, so do the chances of committing the crime and the profits from property crime.<sup>19</sup>

#### J. Hazarika et.al (2020)

This paper discusses juvenile delinquency in India. It provides a detailed account of such cases, and there was an attempt at foreseeing instances. In India, the juvenile justice system is an issue of significant worry, with numerous causes and kinds of crime. The article gives an overview of the types of crimes committed by juveniles over the years. An attempt was made to predict instances in this field to comprehend trends in the future.<sup>20</sup>

#### Sandeep Kumar et al. (2019)

This paper discusses the emerging trends of juvenile delinquency in India. It highlights the drastic change in juvenile crimes after introducing the new Juvenile Justice Act. Juvenile delinquency is a major problem in India and is on the rise. The government of

<sup>14</sup> Karki, P., & Rangaswamy, M. (2023). A Review of Historical Context and Current Research on Cannabis Use in India. *Indian Journal of Psychological Medicine*, 45(2), 105–116. <https://doi.org/10.1177/02537176221109272>

<sup>15</sup> Kulkarni, S., & Santhanam, B. (2021). *Consumer Perspective on Product Hygiene on Tea Sales and Emerging Insights ISBN : 978-93-91765-23-1. December.*

<sup>16</sup> Karki, P., & Rangaswamy, M. (2023). A Review of Historical Context and Current Research on Cannabis Use in India. *Indian Journal of Psychological Medicine*, 45(2), 105–116. <https://doi.org/10.1177/02537176221109272>

<sup>17</sup> Olofinbiyi, S. A., & Singh, S. B. (2020). The role and place of covid-19: An opportunistic avenue for exponential world's upsurge in cybercrime. *International Journal of Criminology and Sociology*, 9(January), 221–230. <https://doi.org/10.6000/1929-4409.2020.09.20>

<sup>18</sup> Kaur, B., Ahuja, L., & Kumar, V. (2020). *Modeling the Factors Affecting Crime Against Women: Using ISM Technique.* 469–478. [https://doi.org/10.1007/978-981-15-0222-4\\_44](https://doi.org/10.1007/978-981-15-0222-4_44)

<sup>19</sup> Dutta, N., & Maus, H. (2021). Share of women in parliament and health and education outcomes. *Journal of Economic Development*, 46(3), 85–108.

<sup>20</sup> Hazarika, P. J., & Goswami, D. (2020). *Juvenile Delinquency in India: Incidences and Forecasting.* 16(4), 37–42. <https://doi.org/10.9790/5728-1604053742>

India has implemented an effective legal framework to combat juvenile crimes. In 2014, the Juvenile Justice Act became law to resolve the loopholes in the existing Juvenile Justice Act.<sup>21</sup>

### J. Vemuri et.al (2019)

This cross-sectional study investigates the factors influencing juvenile delinquency. It finds that age, sex, school attendance, and time spent with parents are significant factors. Two hundred male and female inmates of the juvenile homes in Hyderabad, Telangana. 77.5% of the study participants were male, and 22.5% were female. Age, sex, school attendance, and time spent with parents were significantly associated with juvenile delinquency ( $p < 0.05$ ). Peer influence, smartphone usage, influence of movies, and truancy from home were also significantly associated with juvenile delinquency ( $p < 0.05$ ). The study findings cannot be generalized as they are institution based.<sup>22</sup>

### CONCLUSION

Juvenile delinquency is a developing problem in several nations, including India, China, and Pakistan. These publications offer light on various facets of this topic and suggest solutions. According to the data, juvenile criminality is increasing, with kids committing crimes ranging from murder and robbery to rebellion and abduction. Socioeconomic factors, familial dysfunctions, peer pressure, exposure to violence, and a lack of moral education are all factors that contribute to this problem. The influence of parental literacy, knowledge, attitude, and state-level per capita income has also been investigated. Preventive measures, enhanced education, family support, societal interventions, and early intervention on rehabilitative needs are all emphasized in the research. While governments have tried efforts to combat adolescent delinquency, their efficacy has yet to be proven.

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<sup>21</sup> Kumar, S., & In Psychology, J. R. F. (2019). THINK INDIA JOURNAL The Emerging Trends of Juvenile Delinquency in India. 01, 682–688.

<sup>22</sup> Elkind, M. S. V., Lisabeth, L., Howard, V. J., Kleindorfer, D., & Howard, G. (2020). Approaches to Studying Determinants of Racial-Ethnic Disparities in Stroke and Its Sequelae. Stroke, 51(11), 3406–3416. <https://doi.org/10.1161/STROKEAHA.120.030424>

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