

## Juvenile delinquency: Elementary concepts, causes and prevention

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### Abstract

Children and their problems have been receiving attention of both government and the society. But it has been seen that the problems are enormous and never ending, thus resulting in lack of everything that has been done till today. If these problems are not curbed soon then the growth of the children will be hampered giving a dark future to our country. Children are greatest national asset and resource. In India, under section 82 of the Indian Penal Code, nothing is an offence which is done by a child under seven years of age and under 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 consequence of his conduct on that occasion. There is no single cause of Juvenile delinquency but there are many and varied causes. Basically, causes of Juvenile delinquency are of three types: 1) Biological 2) Socio-Environmental and 3) Psychological, Physiological and personal. The aim of juvenile justice should be that any reaction to juvenile offenders should always be in proportion to the conditions of both the offender and offence. Juvenile delinquency is an ongoing problem in today's society, there needs to be more programs created in order to correct this issue.

**Keywords:** juvenile, delinquency, behavior, justice

### Introduction

Children are greatest national asset and resource. Children should be allowed and provided opportunity to grow up to become robust citizens, physically fit, mentally alert and morally healthy, endowed with skills and activations needed by the society. Equal opportunities for development to all children during the period of growth should be provided for reducing inequality and ensuring social justice, which in turn would serve as an effective tool to curb delinquency in juveniles. Children are expected to be obedient, respectful and imbibe virtues and good quality in them. Due to various reasons children do not follow settled social and legal dictum. Juvenile delinquency, also known as "juvenile offending", is participation in illegal behavior by minors (juveniles, i.e. individual's young era than the statutory age of majority). Most legal systems prescribe specific procedures for dealing with juveniles, such as juvenile, and courts. A juvenile delinquent in the United States is a person who is typically below 18 years of age and commits an act that otherwise would have been charged as a crime if they were an adult. Depending on the type and severity of the offense committed, it is possible for people under 18 to be charged and treated as adults.

### Meaning and definition of Juvenile Delinquency

Juvenile can be defined as a child who has not attained a certain age at which he, like an adult person under the law of the land, can be held liable for his criminal acts. The juvenile is a child who is alleged to have committed /violated some law which declares the act or omission on the part of the child as an offence. Juvenile and minor in legal terms are used in different context. Juvenile is used when reference is made to a young criminal offenders and minor relates to legal capacity or majority. To make the meaning more clear resort can

profitably be made to some other source. The concept of the juvenile varies from State of State for convenience.

In the United States age of juvenile ranges from 16 to 21 but 18 is the most common. In England, a child below 10 cannot be committed of any criminal offence because of an irrefutable presumption of innocence and absence of men's rea. Between the age of 10 and 14 they are in a "twilight zone" in which they are morally responsible not as a class but as individuals, when they know their act to be wrong. In France and Poland, the age limit is 13. In Australia, Germany, Norway and Czechoslovakia it is 14 and in Denmark and Sweden it is 15.

In India, under section 82 of the Indian Penal Code, nothing is an offence which is done by a child under seven years of age and under 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 consequence of his conduct on that occasion. Maturity of understanding is to be presumed between the ages of seven and twelve unless the contrary be proved. Section 27 of the Criminal Procedure Code, 1973, provides that any offence, other than one punishable with death or imprisonment for life, committed by any person who at the date when he appears or is brought before the court is under the age of sixteen years may be tried by the court of Chief Judicial Magistrate or any Court specially empowered under the Children Act, 1960 or any other law for the time being in force providing for the treatment, training and rehabilitation of youthful offenders, The Reformatory Schools Act defined a youthful offender as any male child who is below 15 years. The eschatological meaning of the word 'Delinquency' is 'wrong doing'. Juvenile Delinquency is a Legal term that was first defined in 1889 when Illinois passed the first law on Juvenile Delinquency. Since then each state has passed

delinquency laws. In U.S. the laws were passed for the purpose of changing the concepts of Delinquency, which have led to changes in some of states. The Definition of delinquency includes conduct, which violates the law only when committed by children e.g. truancy, ungovernable behavior and running away<sup>14</sup>.

Delinquency is an act or conduct of a juvenile which is socially undesirable. Juvenile delinquency generally means the failure of children to meet certain obligations expected of them by the society. Juvenile delinquency is expression of an unsatisfied urge in the juvenile delinquent. Whether a particular act or conduct of the child would be deviant or not will depend on various factors and vary in different States, Cities and also time to time. The juvenile delinquent has even been defined as "a child trying to act like a grown up". A particular act of the child may be viewed as ordinary childish prank but in another particular context it may cause concern and anxiety. The distinction between a delinquent and normal child, at times is very blurred and deciding point between a playful act and the juvenile delinquency is his relation to concerned person. In fact there is a haze of vagueness and confusion surrounding the definition of juvenile delinquency and there is no single definition that may be acceptable to all. The first legislation on juvenile delinquency, passed by the State of Illinois in 1899 specifies many exact kinds of delinquency in addition to the offences covered by the criminal laws.

A delinquent child is any male who while under the age of 17 years, or any female who while under the age of 18 years violates any law or is incorrigible, or knowingly associates with thieves, vicious or immoral persons; or without just cause and without the consent of its parents, guardian or custodian absents itself from its home or place of abode, or is growing up in idleness or crime, or knowingly frequents a house of ill repute; or knowingly frequents any policy shop or place where gambling device is operated; or frequents any saloon or dram-shop where intoxicating liquors are sold; or patronizes or visits any public pool room or bucket shop, or wanders about the streets in the night time without being on any lawful business or lawful occupation; or habitually wanders about any railroad yards or tracks or jumps or attempts to jump on to any moving train, or enters any car or engine without lawful authority, or uses vile, obscene, vulgar, or indecent language in any public place or about any school house, or is guilty of indecent or lascivious conduct.

The juvenile delinquency is expression of unsatisfied desires and urges. For a delinquent, his deviant act is a normal response to his inner desire. Like a non-delinquent a delinquent is also conditioned by various attending and prevailing circumstances around him. A juvenile delinquent is a person who has been so adjudicated by a judicial court though he may be no different from other children who are not delinquent. Delinquency is an act, conduct or interaction which is socially undesirable.

The legal definition of Juvenile Delinquency is obvious. Any act prohibited by law for children up to prescribed age limit is Juvenile Delinquency and it follows, therefore that a child found to have committed an act of Juvenile Delinquency by a court is Juvenile Delinquent.

The Illinois law defines a child/delinquent as a person who is incorrigible or who is growing up in idleness, one wanders about the streets in night time without being on any lawful

business, or one who is quietly of indecent or lascivious conduct<sup>15</sup>. The Definition is vague as to the words incorrigible indecent or lascivious conduct.

India is one of the youngest nations of the world with nearly 42 per cent of its population being children. Although the children all over the world have similar mindsets and similar deviants there is a basic difference between how the Western world treats its children and the Indian philosophy. The Juvenile Justice System (JJ System) in India can be traced back to a differential legal process which goes back to the Reformatory School Act 1876, which in effect means that the focus is on reforming the deviant youth or child.

In recent years a higher proportion of youth have experienced arrests by their early 20s than in the past, although some scholars have concluded this may reflect more aggressive criminal justice and zero-tolerance policies rather than changes in youth behavior. Juvenile crimes can range from status offenses (such as underage smoking), to property crimes and violent crimes. Youth violence rates in the United States have dropped to approximately 12% of peak rates in 1993 according to official US government statistics, suggesting that most juvenile offending is non-violent. However, juvenile offending can be considered normative adolescent behavior. This is because most teens tend to offend by committing non-violent crimes, only once or a few times, and only during adolescence. Repeated and/or violent offending is likely to lead to later and more violent offenses. When this happens, the offender often displayed antisocial behavior even before reaching adolescence.

In India, until passing of Children Act, 1960 there was no uniformity regarding age limitation of juvenile delinquent. Bombay Children Act 1948 defined "Child" to mean a boy who has not attained the age of sixteen years or girl who has not attained the age of eighteen years. The U.P. Children Act defined "Child" as a person under the age of sixteen years. The East Punjab Act, Andhra Pradesh (Telangara Area) Children Act also prescribed the sixteen years age limit but included the children who are in certified schools, though they have attained the age of 16 years.

### Causes of Juvenile Delinquency

The causes of juvenile delinquency are varied. The concept of delinquency also varies with the point of view of the people who feel challenged by it. According to a social worker, "delinquency consisted of socially unaccepted acts". A psychiatrist suggests that delinquent behaviour is activity which deviates from the normal. And a lawyer would say juvenile delinquency is what the law says it is. In the words of W.H. Sheldon, it is "behavior disappointing beyond reasonable expectation". Cyril Burt says, delinquency occurs in a child 'when his anti-social tendencies appear so grave that he becomes or ought to become the subject of official action. According to Robison Holt, "we use the term delinquent as we sometimes use the term 'love' as though it were a simple concept whereas it actually embraces complex patterns of behaviour." Delinquency, it is clear, is many things to many people. The man in the street is concerned chiefly with behaviour that interferes with his property, his person and his rights. He believes that the official label of delinquency is attached only when the behaviour is really harmful and has occurred repeatedly. To assume that the label

'delinquent' is defined or applied uniformly is as naive as it would be to assume that divorce statistics accurately and uniformly reflect the incidence of marital discord. Frederick B. Sussmann presents a summary list of acts or conditions included in delinquency definition or description, viz, violation of any law or ordinance, habitual truancy, association with thieves, vicious or immoral persons, and incorrigible beyond control of parent or guardian and so on. Edwin Powers and Helen Witmer found in their study that in order to define the real delinquents it was necessary to take into consideration three concepts or criteria namely, the seriousness of the behaviour, its frequency and the attitude of the offender toward a lawfully constituted society. Accordingly, they classified the delinquents into five groups most, ordinary, occasional, seldom and least delinquent. Thus the term delinquency does not have a fixed meaning. However, there are two generally accepted approaches to the interpretation of the term, viz the sociological and the legal.

Prof. Walter C. Reckless of the Ohio state University has brought out the triangular locational problem of defining delinquency. He said, "Criminal and delinquent behaviour has been located in the society as a social problem. It has also been located in the behaviour prospective in answer to question as to what types of behaviour becomes delinquency crime. There remains one other basic location, namely the location of crime delinquency as a system of law and the location of law in system of social values and norms, to be more accurate, these three location problems are:-

- a) Delinquency as a social problem
- b) Delinquency as a behavioural problem.
- c) Delinquency as a legal problem.

Professor Reckless has analysed these locational problem in three distinct stages, viz, legal definition of crime and delinquency delinquent behaviour as a social problem ad causative behaviour vis-à-vis normative behaviour. In the chain of relevance "Legal Definition" is not to have the final say. He has very rightly observed "behaviour as an observable phenomenon is central. It is the focus of concern and it is the target for outlawing, i.e. for legal definition or for coverage by criminal law and sanctions."

This concept of delinquency is best represented by the United States. In the absence of a fixed meaning the nature and type of acts which may constitute delinquency differ in the different parts of the country. It may be said against this approach that "if we decide to broaden the definition to include not only adjudged delinquents but arraigned cases disposed otherwise than by a finding of delinquency; cases referred to the police but dealt with directly by that agency through investigation and warning or by referral to unofficial and private treatment services; and cases known to public school agencies and either handled directly or referred to unofficial agencies for treatment; then not only will the magnitude of the delinquent group have been greatly increased, but the problems of definition and of measurement will have been multiplied for lack of a set of legal working definitions of what constitute social misconduct, and for lack of a central agency through which such cases may be cleared for registration or enumeration." It becomes difficult to determine where exactly the approved behaviour ends and where from the disapproved begins. "It is like the spectrum of a darker color shading into lighter tint and gradually disappearing or merging with the white so that at no level can

it be pointed out this is this color". No wonder therefore some people say 'delinquency has come to mean all things to all people'. Moreover, it would be unfair to label a child as an offender even though he has not violated any provisions of the law, an adult can be arrested and tried only when he acts against a law, why, then, should children be treated in a severer way?

There is no single cause of Juvenile delinquency but there are many and varied causes. Basically, causes of Juvenile delinquency are of three types:

- Biological
- Socio-Environmental
- Psychological, Physiological and personal

## **1. Biological Causes**

### **i) Ocular Ailments**

It leads to irritability. It is a discontent factor causing emotional disturbance and discomfort. Moreover, this may prevent the acquisition of sufficient knowledge so useful for making one able to make a living.

### **ii) Nose and throat problem**

This may cause weakness and discomfort and may result in school truancy or dislike for work. Breathing may be obstructed, and may result in mouth breathing and may, thus, give an appearance of inefficiency in work.

### **iii) Hearing Problem**

Such as deafness or difficulty in hearing makes the person concerned inefficient. Efficiency is generally weak and adversely affects his ability to work and he depends on others which may lead to antisocial behavior.

### **iv) Speech Problem**

It is also found to lead to delinquency acts especially in children. A person with speech problem is pitted or laughed at in the society. Due to this, feeling of inferiority may be developed which may lead to a desire to make up in criminal acts.

### **v) Enuresis**

It involves a disorder of functions of the bladder. Sometimes it discomfort and even some time may lead to delinquency.

### **vi) Irritation**

Irritation caused by ailments such, as ringworm eczema, irritation of sexual organs is also a significant factor resulting in delinquency.

### **vii) Headache**

It may cause irritation of temperamental though rarely may result in some sort of outburst.

### **viii) Excessive strength**

A person who is possessed excessive physical strength and his mental trait being uncultured and not properly channelized, probability of his committing an act of offence becomes higher.

### **ix) Hypoglycemia**

Hypoglycemia caused by low level of glucose in blood disturbs the mental equilibrium and affects the level of

consciousness, memory and orientation. It may make the patient liable to assault violent breaches of peace, suicide homicide, drunkenness, perversions, theft, mischief, arson and slander.

## 2. Socio-Environmental

### i) Mobility

This factor is responsible for crime causation in the society. The rapid growth of industrialization and urbanization has led to expansion of means to communication, travel facilities and propagations of views through press and platform. Migration of persons to new places where they are strangers offers them opportunity for crime as chances of detection are minimized considerably.

### ii) Cultural conflicts

In a dynamic society, social change is an inevitable phenomenon. The impact of modernization urbanization and industrialization in a rapidly changing society may sometimes result in social disorganization and this may led to culture conflicts between different valves of different sections of society. The immigration affects the crime rate of a place. Culture conflict between inhabitants and immigrants results in deviant behaviour. Ruth & Cavan found that Eskimos who are still not free from the problem of crime till now. How they frequently indulge into deviant behaviour such as loitering drunkenness and sex offences due to their immigration to urban areas and social contract with non-Eskiness. India has faced this problem during Indo-Pak partition days in 1947 and Bangladesh in 1971. There was in flood of 'Refugees' from Sindh and North West frontiers region in 1947, which broke down their traditional social structure of Indian Society and resulted into enormous increase in crime.

### iii) Family background

This factor also incites or encourages the Juvenile to commit for offence/crime in society. Sutherland said that the family background has greatest influence on the criminal behaviour of offender or Juvenile. The Children are apt to imbibe criminal tendencies, if they find their parents or members of the family behaving in the similar manner. A child who is brought up in a broken family is likely to face an easy prey to criminality. The lack of parental control over children due to death, divorce, or desertion of parent or their ignorance or illness may furnish soothing ground for children to resort to criminal acts. The frequent quarrels amongst parents, undue domination of one over the other, step-motherly treatment with children, frequent births in the family, immorality of parents, misery, poverty of unwholesome family atmosphere unemployment, low income or parent's continued long absence from home may led to the child to do commit the offence in the society. Some are the same factor which emanates from the family background are as under:-

#### a) Family Structure

Family is considered to be the most effective variable in socializing the child and also in serving as a source for learning various types of behaviour. The nature and structure of the family are largely responsible for carving out the personality make-up of the children. A functionally adequate family encourages growth, confidence, frankness and ability to face reality. Delinquents mostly come from functionally

inadequate homes (Carrand Srivastava). Ingramfound family structure to have important bearings on delinquent behaviour of a child. Dornbuschs study revealed that both the pattem of family structure and decision making contribute distinctly to adolescents deviant behaviour.

#### b) Broken Homes

One facet of family structure which has been the subject of many studies is the broken home. Broken home means a home where either of the parents is dead or living separately or is divorced or that parents are drunkards or drug addicts or 53the parents or any other member of the family often fights with each other. In such circumstances, the child feels disowned and insecure and thereby finds his way on the cross roads. He is exposed to the anti-social activities, which he adopts to satisfy himself and in the process, he is led towards delinquency. Some researchers have found very high incidence of broken homes among juvenile delinquents. Shaw and McKay (1932), Weeks and Smith (1939), Glueck and Glueck (1950), Browning (1960), Peterson and Becker (1965) have reported in their studies the relationship between broken home and delinquency. Badami (1965);considered broken homes with other factors, such as, poverty, lack of recreational facilities, disorganized family, including family conflicts, and neglect of children to be the important factors causing juvenile delinquency. Rankin (1983) found that broken homes were highly associated with family offenses such as running away from home and school truancy rather than with other types of juvenile delinquent activities.

#### c) Child's Birth Order in the Family

Another aspect of family structure which has often been related to delinquency is the ordinal position of the child in the family. Lees and Newson (1954) <sup>[2]</sup> found differences among the delinquents which could be attributed to sibling position. Their study showed that intermediate children having both older as well as younger siblings were significantly overrepresented in a group of delinquents. They found that the intermediate children were attended to less by parents as compared to the oldest and youngest children which lead the intermediate children towards delinquency. The results of their study have received some support from the findings of Gluecks (1950) and Nye (1958).

#### iv) Neighborhood

Neighborhood influences also have much to do with the nature of crimes in the particular locality. Thus, thickly inhabited areas, towns and cities offer frequent opportunities for sex offences and crimes relating to theft, burglary, Kidnapping, cheating, deceit etc. The cases of pick pocketing are common at railway stations and bus stops and other halt station. Vehicle theft by youngsters is too common at few places and other gathering places. Another significant feature of delinquency is certain anti-social activities in the neighborhood. These include prostitution houses, gambling houses, brothels and similar other dubious characters institutions. The cinema theatres, swimming pools sport grounds, racecourse generally offer a favorable atmosphere for delinquents.

#### (v) Socio-economic condition

Socio-economic condition is also the factor, which leads to

the child to commit the offence. Present day industrial progress, economic growth and urbanization have paralyzed our domestic life. The loose control over the wards has slackened this leaving them free to behave as they like. Now-a-days, money is the parameter to gauge or measure the social status of a man in society. The crimes in the high circle of society may easily be covered up through money. The poverty contributes a major factor in commission of crime. This important factors contributing to delinquency seems to be from low status in social system, educational deficiency, poverty, inadequate accommodation, broken houses, bad neighborhood and large size of family. Their adverse factors occur in the clusters and interact to make a very patent crime-producing situation. Goldhas said that parents of low status are at a disadvantage in trying to exert control over their sons to react to social frustration in a rebellious and delinquent fashion. Therefore, parent's occupation educational level and their income are considered important factors in steering the youth towards or away from delinquency. West feels that poor attainment educational is the important factor for delinquency. Unclothed children coming from poorer homes are unpopular with teachers, not encouraged by parents to do well in school they play truant. Bad neighborhood too contributes to it. According to him "delinquency is more prevalent in town than in small villages because of the densely populated industrial areas and slums inhabited by poverty stricken families accompanied by illegitimacy, immorality, alcoholism and disease. Financial hardship plays another prominent role for committing the crime. When the parents due to financial condition do not fulfill minimum requirements of children then the children lead to criminality or commit offence. Ferguson stated that size of family is another factor of crime. When there are many members in the Houses, a worker's earnings may be insufficient and one earner and several dependent which in turn, may lead to both physical and mental deprivation and truancy in school.

### **Psychological, Physiological and personal**

The offender's mental traits, peculiarities to abilities play a very important role in the determination of delinquency. It is really the mind that controls it, the mind is designed, defective or feeble, we must turn, for acute, to removal of defect or to the fortification of the faculty. There are some substantial factors in causation of anti-social behavior and crime.

Psychological and Neuro-Physiological conditions and ailments, ocular ailment, nose and throat obstructions, eating trouble, speech defects, entheses, phinosis physical irritations excessive physical strength mental disorder etc; as in the case of normal behaviour, the delinquent behaviour is also affected by intellectual factors. It is commonly observed that intelligent persons in teenagers perform delinquent acts in rather refined manner. Early studies by Goring (1913), Goddard (1921), found low intelligence as the single factor influencing juvenile delinquency. In India, Kundu (1969) found delinquents to be of inferior intelligence. In contrast, some researchers have found delinquents to be more intelligent. Muthayya and Bhaskaran (1964) found delinquents to be slightly more intelligent than normals.

The personality traits, such as neuroticism, psychoticism, frustration and maladjustment appear to be important causative factors of juvenile delinquency. Hinderlang (1971)

found delinquents to be more neurotic than non-delinquents. Shanna (1979) found delinquents to be highly frustrated. They were reported to have higher scores on regression and aggression. Moreover, Basu (1984) on the basis of his study pointed out that emotional instability, in-security, feelings of inadequacy (both in respect of primary and secondary needs) and inferiority are common denominations or behaviour disorders in juvenile delinquency. Healy and Bronner (1936) found that delinquents were rejected, deprived or in-secure. Russell (1977) found that neuroticism, depression, sensitivity, impulsivity, social extroversion and social non-conformity were dominant personality characteristics in juvenile delinquents.

### **i) School Factors**

The school has the closest contact with most children over the longest period of time. Bad schooling which includes cruel treatment by teachers creates hatred and frustration among the school going children which forces them to leave the school and take the path of delinquency. Bhatia (1977) pointed that the unfavourable school conditions may include harsh and unsympathetic treatment which often aggravates the situation. According to Pathak (1975): "School is usually thought as a constructive agency but when it fails to perform its designated functions, it may become by virtue of its negligence, a main contributor to delinquency." To many children schooling is uninteresting, monotonous and distasteful with the result that they play truant (Desai, 1979). Feldhusen, Thurston and Berming (1973) and Elliott and Voss (1974) found school related variables as more contributing factors to delinquent behaviour than the effects of either family or friends. Martin (1978) pointed out that delinquent behaviour is the manifestation of psychological defense against threats to self-esteem, and a substantial part of those threats originates in school experiences. He further pointed out that the school experience may frustrate lower class youths and negatively affect their self-concepts by labeling some individuals as bad or problem children. He found that highly isolated children in the schools were more related to delinquent activities. Braithwaite (1978) in his study on delinquency and nature of schooling at Australian schools reported that the students from the highly competitive schools show less delinquency than students from non-competitive schools. Gold (1978) proposed that delinquent behaviour is the manifestation of a psychological defense against the threats to self-esteem, and a substantial part of those threats originates from the school experiences. Sekar, Edwari and Shariff (1983) concluded from their study that there is an association between children who are anti-social and neurotic with their below average performance and irregular attendance in the school.

### **ii) Drug-addiction**

Use of drugs by the youngsters in these days is very common. Due to drug-addiction the children starts committing small offences. Intoxication results in assault on other family members particularly females and children which disturbs family discipline. The lack of discipline in family is highly hazardous to the child. The child should be checked whenever it is necessary otherwise they may indulge commission of offence.

**iii) Overcrowding**

It is a very bad for young children, whose mind is impressionable. The child sleeping in the same room with his parents sees and overhears things which the better to do are shielded. The shadow of father jealousy towards others or other negative discussion falls across the young and impressionable mind. The activities of the father and mother may change the mind of children and they may also lead to crime.

**Classification of Juvenile Delinquency**

It is extremely difficult to assess precisely the extent of the problem in any part of the country since accurate statistics are not available and are not indicator of the true extent. This is because of the fact that a large number of such acts remain undetected or unreported. Nevertheless, it has been observed that delinquency rates are highest in all developed countries. It is in countries with the highest levels of technical and economic advancement that social change occurs most rapidly, and traditional social roles and institutional controls over child conduct tend to breakdown. Different classifications of the juvenile delinquency and delinquents have been given by various authors. A few important classifications are noted below. Hirsh delineated the following kinds of juvenile offences:

1. Incurability, which includes keeping late hours, disobedience, and so on.
2. Truancy, which can be from home or school.
3. Destruction of property, which includes both public and private property.
4. Violence which is perpetrated against the community by using such means as knives and guns.
5. Sex offenses which can range from homosexual activity to criminal assault and rape.

Eaton and Polk classified the delinquents by the following types of offences they have been involved in:

1. Minor violations which include disorderly conduct and minor traffic violations.
2. Property violations which include all property thefts except automobiles.
3. Major traffic violations which include automobile theft and drunk driving and any other offence that would involve an automobile.
4. Human addiction which includes sex offenses as well as alcohol and drug addiction.
5. Bodily harm which includes homicide offenses that involve sexual deviation; such as rape, and generally, all other acts of violence against a person.

Kvaraceus classifies youngsters who become delinquent in relation to three major variables:

1. The extent to which the individual engages in delinquent behaviour.
2. The degree of demonstrable emotional pathology.
3. The individual's social class.

Sellin and Wolfgang also used the type of offence for classifying the delinquent behaviour into two classes. Under class I they list:

1. Bodily or physical injury;
2. Property theft; and
3. Property damage.

Under class II, they include the following:

1. Intimidation.
2. Property loss and property loss threatened.
3. Primary victimization which is committed against a person.
4. Secondary victimization which is committed against a commercial establishment.
5. Tertiary victimization which includes offenses against the public order and regulatory offences such as violation of city ordinance.
6. Mutual victimization which includes offenses that involve two individuals such as rape.
7. No victimization which includes truancy.

**Trojanovicz classified juvenile offenders in the following five categories****1) Gang Organized and Collective Delinquency**

Youngsters classified in this category would be those who perpetrate their illegal activities within a group. These children usually come from economically and socially deprived areas of the city and often seek excitement and express themselves through the gang. Much of their delinquent motivation and activity is a result of the strain produced by the crowded conditions of their environment in large inner cities where economic opportunities are lacking and where upward mobility is difficult.

**2) Unsocialized-Aggressive Boys**

Boys classified in this category would have long police records and would probably come from the homes where they were rejected and where there was an early identification with a criminal parent or an anti-social type of parent. Families of such type of children are prone to physical violence. There is much hatred and aggression within the homes and this hatred is often transmitted to the children. Their frustration and hatred is then vested on the community where they become very aggressive. These youngsters, obviously, do not learn how to sublimate their impulses in a socially acceptable manner.

**3) Accidental Offender**

A youngster classified in this category would be one who is law-abiding most of the time but who has a lapse of judgment. He involves himself in a delinquent activity. This type of youngster is not a problem and his delinquent behaviour comes to an end when he realizes what he has done or when he has been caught in the delinquent activity.

**4) Occasional Delinquency**

In general, the occasional delinquent is similar to the accidental offender in that he also becomes involved in minor offenses but not on a chronic or regular basis. There is no real pattern to his delinquency.

**5) Professional Delinquency**

A youngster classified in this category usually steals for profit. Stealing is for economic gain to satisfy some desire. Schafer emphasized on psychological typologies and psychological dynamics of personality as the basis of classification of juvenile delinquents. The following types have been envisaged by him.

**i) Mentally Defective**

This is an individual who has an organic problem and who has difficulty in controlling himself because of it. For example, offenders who are mentally defective are involved in petty crimes. This category also includes mentally retarded youngsters.

**ii) Situational Offenders**

They are similar to the accidental offenders but, in these cases, there are more contributing factors. Their delinquency is precipitated by a crisis or by some external event which they are unable to handle. In other words, they do not necessarily go out looking for trouble but because of tempering circumstances, they do not use good judgment.

**iii) Psychotic Offenders**

A small number of youngsters do not have contact with reality. They may be classified as schizophrenic or may be given some other psychiatric label. As a result of dysfunctional thought patterns, they may hallucinate, have delusions or "hear voices" that command them to become involved in certain types of delinquent behaviour. The incidence of psychotic oriented delinquency is minimal in relation to the other forms.

**iv) Cultural Offenders**

Youngsters in this category have either emulated a faculty identification model or they live in an economically and socially deprived environment. Cultural offenders are considered normal members of a deviant sub-culture and their patterns of behaviour are often accepted and called normative in their own environment.

**Programmes under the Juvenile Justice Act**

The programme for Juvenile Justice endeavors to provide for full coverage of services envisaged under the Juvenile Justice Act so as to ensure that no child under any situations lodged in prison; to bring about qualitative improvement in the juvenile justice services and to promote voluntary action for the prevention of juvenile social maladjustment and rehabilitation of socially maladjusted juveniles. The Juvenile IPC crimes in 2001 rose significantly by 78.1 percent as compared to the data of earlier years. Under the Programme for Juvenile Justice, the Government of India provides assistance to the State Government for establishment and maintenance of Observation Homes, Juvenile Homes, Special Homes and after-care institutions for children in conflict with law and children in need of care and protection. The cost of maintenance of the inmates of the Observation Homes is borne by the State Government and Central Government on a 50:50 sharing basis under a Centrally Sponsored Plan Scheme. The number of inmates in these Observation/Special Homes during the year has been varying between 110-120. As per the provisions of the Juvenile Justice Act (Care and Protection of Children Act) 2000 (amended in 2006) State governments are required to establish a Child Welfare Committee or two in every district. Each Child Welfare Committee should consist of a chairperson and four members. The chairperson should be a person well versed in child welfare issues and at least one member of the board should be a woman. The Child Welfare Committee has the same powers as a Metropolitan Magistrate or a Judicial Magistrate of the

first class. A child can be brought before the committee (or a member of the committee if necessary) by a police officer, any public servant, CHILDLINE personnel, any social worker or public spirited citizen, or by the child himself/herself.

The Child Welfare Committee usually sends the child to a children's home while the inquiry into the case is conducted for the protection of the child. The Child Welfare Committee meets and interviews the child to learn his/her background information and also understand the problem the child is facing. The probation officer (P.O) in charge of the case must also submit regular reports of the child. The purpose of the Child Welfare Committees to determine the best interest of the child and find the child a safe home and environment either with his/her original parents or adoptive parents, foster care or in an institution.

A final order must be given within four months of the admission of the child before the Child Welfare Committee. The Child Welfare Committee also has powers to hold people accountable for the child such as in the case of child labour, the employers are fined or made to give bonds to the children. Child Welfare Committee also has the power to transfer the child to a different Child Welfare Committee closer to the child's home or in the child's state to dispose of the case and reunite the child with his family and community.

**Special Provisions for the Juvenile Delinquents**

"The center of interest in juvenile court is always a juvenile and his welfare, and not the act or its consequences which might have resulted in his or her being brought before the court." The Juveniles have been given special rights for under the Act:

- Juvenile cannot be kept in police lock-up or jail.
- Juveniles cannot be treated or sentenced in the same manner as the adult criminals.
- Cases involving juveniles are tried by juvenile Justice Board and not by regular courts.
- Juvenile Justice board consists of magistrate and two social workers.
- The case is decided by majority.
- If a Juvenile criminal is convicted, at maximum he gets three years in a reform facility. Thereafter he must be released on probation.
- Juvenile can only be kept at the special home till he attains 18 years of age.
- Capital punishment (hanging) or life imprisonment cannot be imposed on a Juvenile offender, irrespective of the gravity of the crime.
- Section 46 -subsections (1), (2) and (3) provides for absolute power of the State Government to discharge and transfer neglected juveniles from one juvenile home to another.

**Conclusions**

In nut shell, India is perhaps the only nation in the world which has the uncertain distinction of having maximum number of laws to regulate the conduct of society. It is the only nation where almost all aspects of human behaviour are sought to be governed by laws rather than through education or innate enlightenment which is the preserve of every egalitarian society.

It may be concluded that we have to take a stern outlook of the changing trends of behavior among our children which

has almost made age as too superfluous and immaterial factor determining who actually is a Juvenile in real sense and who is not and tailor out a socio-legal plan to oversee their conduct in such a way that they get full opening to develop their faculties without trailing the bliss of their childhood such as innocence, naughtiness, playfulness, which are the basic attributes of childhood and ultimately turnout to be good human beings. The aim of juvenile justice should be that any reaction to juvenile offenders should always be in proportion to the conditions of both the offender and offence. Juvenile delinquency is an ongoing problem in today's society, there needs to be more programs created in order to correct this issue.

## References

1. "Childstats.gov - America's Young Adults: Special Issue, 2014 - Contraception".childstats.gov.
2. Glanville L. Williams. The Criminal Responsibility of Children, Cr.L.R. 1954, 493-494.
3. Hirsh N. Dynamic Causes of Juvenile Crime. Cambridge; Mass, Sci-Art Publisher. 1937, 10.
4. Juvenile Delinquency, Walter C. Reckless. The Crime Problem (Indian Reprint, 1971), 1960.
5. Khan IAAA, Hussain MM. An Invent ory for Juvenile Delinquency. Indian Journal of Criminology. 1982; 10(1):47-51.
6. Kusum K. 'Juvenile Delinquency-A Sociolegal Study'(1979) Published by KLM Book House, New Delhi.
7. Moffitt. *Life course persistent versus adolescent limited antisocial behavior. In Cicchetti, D.; Cohen, D. Developmental Psychopathy (2nd ed.). New York: Wiley, 2006.*
8. Ruth Shonle, Cavan Theodore N. Ferdinand, Juvenile Delinquency (III Edition): 27
9. Schafer,S, Introduction To Criminology. Boston; Publishing, 1976.
10. Siegel Larry J, Welsh Brandon. *Juvenile Delinquency: The Core (4th ed.). Belmont, CA: Wadsworth/cengage Learning, 2011.ISBN 0534519326.*
11. Steinberg L. *Adolescence (8th ed.). New York: McGraw-Hill, 2008. ISBN 9780073405483.*
12. The Young Delinquent. 1925, 15.
13. Trojannovicz RC. Juvenile Delinquency; Concept and Control. New Jersey; Prentice Hall Inc.1973, 57-60.