

# Involvement of Juvenile Delinquents in Rape in Northern and Southern Region of India

Kiran Yadav

M. Sc. Forensic science,  
Amity Institute of Forensic Sciences,  
Amity University, Sector 125, Noida, Uttar Pradesh.

Received June 12, 2017

Accepted July 18, 2017

## ABSTRACT

*Sexual offences and rape have always been a major problem for our society. Different types of criminal activity can be witnessed in daily life but Rape and sexual offences are one of the most serious criminal offences. In recent years a rapid increase in incidents of sexual offences and rape has been seen. NCRB data shows that with each increasing year incidents of rape committed by juveniles has increased. The present study is aimed at studying the involvement of juveniles in rape in Northern and Southern states of India. In this study it was found that incidents of rape were more in Northern part of India rather than Southern part of India. Juvenile delinquency has emerged as a major threat in hampering overall development of any country. Juvenile delinquents are minors usually between the age of 10 to 17 who have not matured and have committed acts which are considered violation of law. Many reasons and factors are cited for the involvement of juveniles in delinquent act such as poverty, illiteracy, dysfunctional family and peer pressure. Due to globalisation and modernisation each and every level of society and part of country has access to media. Juveniles are found to be involved in serious crimes like rape, murder, burglary, riots and other serious offences which include assaulting women to outrage her modesty.*

**Key words:** juvenile delinquents.

## INTRODUCTION

Juvenile delinquency is a term which is used to refer any individual below eighteen years of age involved in a delinquent act. An act is called delinquent if that act is not acceptable by law and society and violates the norms of society. The word juvenile has been derived from the Latin term “juvenis” which means young. Juvenile is a child who has not attended a certain prescribed age. The word delinquency is derived from the Latin word “delinquere” meaning “away” and linquere meaning “to leave” thus meaning to leave or to abandon. Age criteria vary from one country to another country. In India a child below the age of 18 years is considered juvenile. Juvenile delinquency is not new term to our society. Since ages juveniles have been found to be involved in serious criminal offences.

India is a developing country and any country's greatest asset is its younger population which will further lead its way ahead. Children constitute about 39% of India's total population out of which 27% belong to age group of 11 – 15 while 16% belong to age group of 16-18. In recent years India has seen a striking increase in number of crimes

committed by children and has led to juvenile delinquency a major subject of study in criminology. Juvenile delinquents are a big concern to any developing country. According to NCRB, a significant number of juveniles apprehended were under the age group of 12 years and below 16 years. In the year 2015 according to NCRB data a total of 1688 cases were registered under the IPC SECTION 376 which includes rape and 60 cases were registered under the IPC SECTION 308 which includes attempt to commit culpable homicide. A lot of study has been conducted to know the reasons or factors responsible for involvement of juveniles in acts which leads to violation of law. Factors which are found responsible for the juvenile delinquency are lack of education and illiteracy, lack of knowledge and awareness, family environment as a child brain is first nurtured at its home, unemployment, poverty, getting influenced from media, inferiority complex, mental disorders, peer pressure, drugs and alcohol, access to pornography, bad influence and bad neighbourhood.

Various measures have been taken by Indian government to protect the rights of juveniles. The Indian Penal code (IPC) 1860 finds that no child below the age of seven may be held criminally responsible for an action (Sec 82 IPC) while Juvenile Justice (care & protection of children) Act, 2015 was passed by Indian Parliament to decide the punishment for age group of 16-18 involved in heinous crime. The major objective of Juvenile Justice Act is to treat juveniles differently from adult criminals. This act was amended to decide whether the individual has committed crime according to child mind set or adult mind set and allows Juvenile Justice Board to decide whether the individual should be treated like juvenile or adult for the crime he or she has committed after consulting psychologists and sociologists.

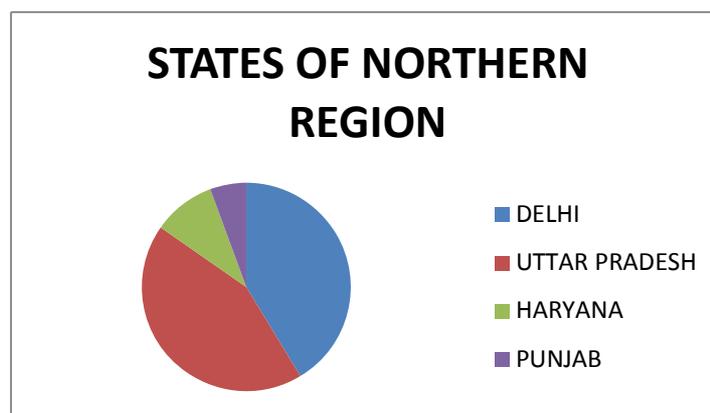
According to this act a child is neither arrested nor kept in lock up during trials. This act was also passed to provide protection and care to the children and ensure social re-integration. If a Juvenile is brought in court room then he or she can be released on bail and if he or she has committed some serious offence and pose some major threat then they are kept in observatory homes till trial. Juvenile welfare board is also present to take care of the neglected children.

Earlier it was found that Juveniles were using these acts to protect themselves and avoid punishments. Since Juveniles knew that they cannot be punished until a certain prescribed age and will be released easily on bail they are

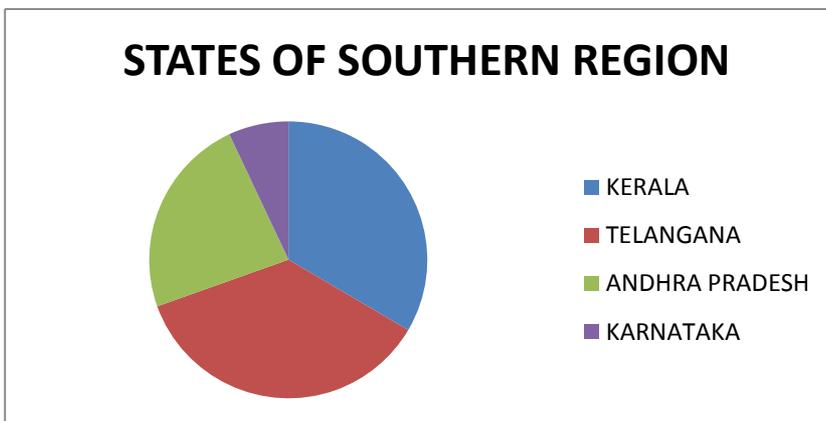
committing crimes without any threat. Laws or Acts which were made to protect the Juveniles Rights were being used by Juveniles to avoid punishment.

In recent years India has witnessed a lot of incidents of rape which were committed by Juveniles. Involvement of Juveniles in such heinous act poses a major threat to the society. In 2012 the numbers of cases registered under the IPC section 376 were 1175 while in 2013 and 2015 the numbers of cases registered under the IPC section 376 were 1884 and 1688. These numbers clearly show increase in incidents of rape committed by Juveniles. In Northern Region the numbers of cases registered under the IPC section of 376 in Uttar Pradesh were 125 while in Southern Region the numbers of cases registered under the IPC section of 376 in Kerala were 67.

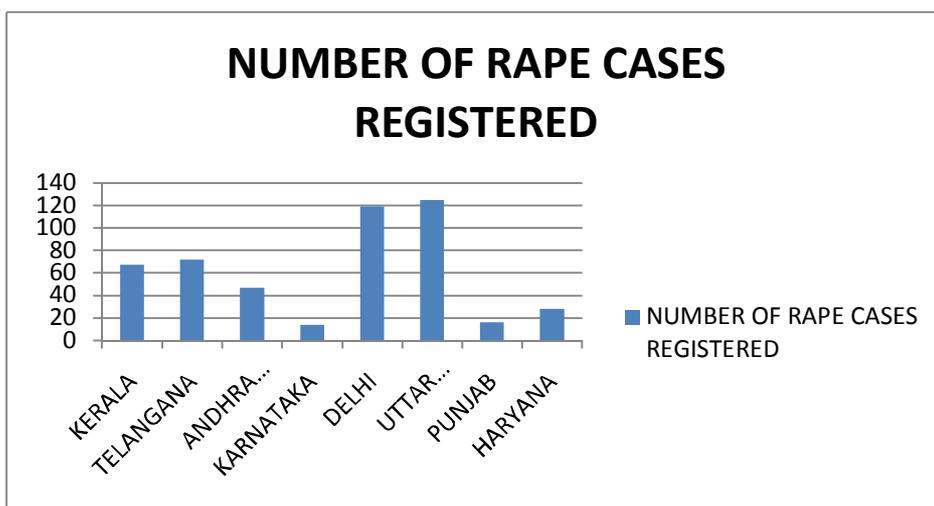
Since prevention is better than cure, preventive measures should be taken to stop or reduce the involvement of juveniles in violent acts. Better access to education can help in curbing a lot of incidents of crime. There should be better communication between parents and children. Parents should be taught to identify red signals and take their child for counselling. Home environment should be nurturing and caring. Child should never be pressurised to outperform. Better study environment should be established at school. Bullying of a child at home and school should be avoided. Sudden change in behaviour of a child should be noticed.



**PIE CHART 1: SHOWING THE NUMBER OF CASES REGISTERED UNDER THE IPC SECTION 376 IN NORTHERN REGION OF INDIA IN 2015.**



**PIE CHART 2: SHOWING THE NUMBER OF CASES REGISTERED UNDER THE IPC SECTION 376 IN SOUTHERN REGION OF INDIA IN THE YEAR 2015.**



**BAR GRAPH: SHOWING INCIDENT OF RAPE IN NORTHERN AND SOUTHERN STATES OF INDIA IN THE YEAR 2015.**

### AIM

The present study is aimed at studying the involvement of juveniles in conflict of law in commission of rape in Northern and Southern Region of India in the year 2015.

### METHOD

In this study data was collected from NCRB crime compendium 2015. Four states of Northern Region and four states of Southern Region of India were chosen for the study of involvement of juvenile delinquents in rape.

### RESULT & DISCUSSION

It can be said that incidents of rape were more in Northern region than Southern region of India. Involvement of juveniles to such a large extent in such type of heinous crime is a major concern for our country. India has a large population of children who will play a better role in development of country if they are nurtured and

raised in a good environment. There are many factors which can play a major role in getting a child involved in delinquent act such as bad influence, influence of gangs operating in neighbourhood or local area, dysfunctional family etc. Lack of education and awareness are most important factors. Poor relations and

dysfunctional family affects a child on psychological level. Sometimes children are forced to commit delinquent acts. If a child is not aware of his or her rights then he or she will not be able to protect him or her. Juvenile delinquents pose a major threat to the development of society. When a child is raised then he or she should be provided with adequate resources to excel. A positive and nurturing environment is necessary for the overall development of a child. Parents play a major role in the overall development of a child. Proper supervision and guidance can help in preventing juveniles from committing delinquent act. Proper counselling sessions should be conducted in school. Anti- social behaviour of a child is clearly a red flag and proper care should be taken of.

In order to stop involvement of juvenile delinquents in such kind of heinous crime it is necessary to make strict laws. Amendment of Juvenile Justice Act, 2015 might play a big role in getting juveniles punished for committing such kind of heinous crime.

## CONCLUSION

From the present study it was found that in Northern Region Delhi and Uttar Pradesh, have witnessed high rate of rapes committed by juveniles while in Southern Region Telangana and Kerala have witnessed high rate of rapes committed by juveniles in India in 2015. This shows that crime is not restricted to any particular region of country. Therefore it indicates that literacy rate doesn't affect the rate of crime as Kerala and Delhi have high literacy rate.

## REFERENCES

- Banham Bridges, K. M. (1927); "Factors Contributing To Juvenile Delinquency", *Journal of Criminal Law and Criminology* 17(4), 531- 580.
- Carolyn Smith, Terence P. Thornberry (1995), "The Relationship between Childhood Maltreatment and Adolescent Involvement In Delinquency", *Criminology*, 33: 451-481.
- Esbensen, F.A. And Huizinga, D. (1993), "Gangs, Drugs, and Delinquency in A Survey Of Urban Youth", *Criminology*, 31: 565-589.
- John Onyango Omboto, Gerald O. Ondiek (2013), "Factors Influencing Youth Crime and Juvenile Delinquency", *International Journal of Research In Social Sciences*, Vol. 1, No.2.
- Solomon Ehiemua (2014), "Juvenile Delinquency: A Comparative Study between Child Rearing Practices In Developed and Developing Countries", *European Journal of Research in Social Sciences*, Vol. 2 No. 4.
- Juvenile justice act 2015. Retrieved February 24, 2017, from [trackchild/readwrite/JJAct\\_2015](http://trackthemissingchild.gov.in/trackchild/readwrite/JJAct_2015), [http://trackthemissingchild.gov.in/trackchild/readwrite/JJAct\\_2015](http://trackthemissingchild.gov.in/trackchild/readwrite/JJAct_2015)
- Juvenile care: Retrieved February 25,2017 from <http://www.legalservicesindia.com/article/article/juvenile-justice-care-and-protection-of-children-act-2015-1972-1.html>
- Factors causing delinquent behaviour: Retrieved February 25, 2017, from <http://scholarlycommons.law.northwestern.edu>
- Case registered against Juvenile delinquents in conflict of law: Retrieved January 22, 2017 from <http://ncrb.nic.in>
- Erdman. B. palmore & Philip, E. Hammond (1964); "Interacting Factors in Juvenile Delinquency", *Journal of American Sociological Review*, 29, 848-854.
- Giordano, P.C., Cemkovich, S.A., & Rudolph, J.L. (2002); "Gender, crime, and desistance: Toward a theory of cognitive transformation", *The American Journal of Sociology*, 107, 990-1066.
- Kierkus, C.A., & Baer, D. (2002) "A social control explanation of the relationship between family structures and delinquent behavior", *Canadian Journal of Criminology*, 44, 425-459.
- Lamin Sesay (1977); "Crime and Development in Africa: *Journal of the America Academy of Political Science*", 432, 42-51.
- Ngale I. (2009); *Family Structure and Juvenile Delinquency: Correctional Centre Betamba, Centre Province of Cameroon, and Internet Journal of Criminology*.
- Peiser N. (2001), "The impact of family relations and personality factors on delinquent behavior among youth", *University of Wollongong*
- Schram, D.D., Milloy, C.D., and Rowe, W.E. 1991. *Juvenile Sex Offenders: A Follow Up Study of Reoffense Behavior*. Olympia, WA: Washington State Institute for Public Policy, Urban Policy Research and Cambie Group International.