



India's Young People And Criminal Behavior

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Abstract: In any country, adolescent delinquency is a serious transgression that impedes social progress. Around the world, the number of teenage crimes is on the rise, with the young playing an increasingly larger role in vicious crimes. Adolescents in India are committing more and more heinous crimes at an ever-increasing rate. It's a major source of concern for the country, therefore finding solutions is something that should be approached with caution. As a response to these trends, India's general set of laws as well as its legal executive has made several changes to teenage equity in India. This paper aims to examine the causes of adolescent misconduct and the explanations given by researchers from many professions to better understand the issue. Teenagers' involvement in horrific crimes is increasing as evidenced by the study of information that is readily available at actual crime scenes. The Act on Juvenile Delinquency in India has been amended to treat juveniles who commit heinous wrongdoing as adults in order to address the problem of adolescent misconduct.

Keywords: Juvenile, Investigation, Information, Justice, Mental health, System, suicide, youth, India.

Introduction:

When it came to adolescent instances before 1850, there was no such law in place. In 1850, the first enactment of a form of Apprentice Act was issued, which established the provisions for preparing convicted juveniles for professional employment. Indian Penal Code, 1860 was passed soon after, which gave an entire resistance to the child under the age of 7 from criminal risk under section 82, while section 83 grants partial invulnerability to children between the ages of 7 and 12. Under this law, everyone older than 12 was considered an adult. A potential negative outcome of confining these young people in an institution for adults existed [1]. Because of this, the Reformatory School Act of 1897 allowed for the establishment of reformatory schools for young people (kids not above 15 years). Various states sanctioned their local children's wrongdoings under the Additional Children Act,

1960, which was passed in 1960. It was long overdue for a single piece of legislation to address juvenile crime, and the Juvenile Justice Act of 1986 was finally passed in 1986, with the most recent revision occurring in 2015 with the passage of the Juvenile Justice (Care and Protection) Act, which now applies to the entire country of India, with the exception of Jammu and Kashmir. In the wake of this demonstration, there was at least one adolescent equity board established for practising and unleashing the powers and capacities associated with young people who are in legal conflict [3]. If an adolescent of 16 years or older commits a Heinous Crime, they may be tried as adults, as shown in this demonstration by the Lok Sabha in 2015. There are three months in which the adolescent Justice board will evaluate whether or not the teenager is fit to be exhausted as a grown-up. When children are born, they are innocent of any wrongdoing; rather, it is their surroundings that infuse them with a sense of guilt. Legitimate improvement is essential, as is proper access to resources, equal freedom, and clean air for children to grow up with a brain free of wrongdoing. Physical and mental growth are essential for real progress, and they have numerous benefits. Many people believe that children are innocent until proven guilty, yet their circumstances make it difficult for them to avoid crime; they need proper management, guardianship, high-quality education, and attention.

The family plays an important role in children's development because children who live in a family unit are more likely than those who live in a joint family to engage in wrongdoing, and this is because they lack oversight and therefore are unable to judge whether something is fortunate or unfortunate. When people are able to meet their needs using these methods, it becomes a habit for them. 35448 teenagers were arrested by the National Records Bureau in 2015 for a variety of crimes, the majority of which were felonies not measuring murder or attempted murder such as robbery, burglary, or seizing and snatching.

Juvenile Delinquency: Theories and Observations

The classic hypothesis: Individuals are normal and are used to deciding what they will do prior to a demonstration, according to this idea. In order to carry out any wrongdoing, adolescent reprobates first gather information on the exact event in question, and then examine data about the wrongdoing itself, before deciding whether or not to carry it out.

When it comes to adolescent mis behaviour, the basic hypothesis in sociological theory on adolescent misconduct is that kids would break the law if they don't have some sort of control over their actions [2][6]. Adolescent mis behaviour is considered natural in this perspective. The primary goal was to stop teenage delinquency at the earliest opportunity.

Connection, duty, contribution, and conviction are the four components that make up the social bond hypothesis. Young people will be less inclined to commit crime if their sense of commitment to others is more anchored. The likelihood of adolescent involvement in criminal activity decreases when they focus on their career and education. Those kids who

have a strong relationship with their parents and understand the importance of 'Qualities' and 'Convictions' are less likely to turn delinquent, according to various studies.

According to Robert Merton, the primary cause of adolescent delinquency is the desire for resources to fulfil their goals, and to do so they do not break down off-base and proper technique but engage in activities that are contrary to the rules everyone must follow.

The percentage of cases filed under the IPC against adolescents in conflict with the law and criminality between 2003 and 2015.

Year	Cases Registered		% cases of juveniles in conflict with the law to total cognizable crime	Rate of crime under cases of juveniles in conflict with the Law.
	Against juveniles in conflict with the law	Under total cognizable IPC crimes		
2003	17819	1716120	1	1.7
2004	19229	1832015	1	1.8
2005	18939	1822602	1	1.7
2006	21088	1878293	1.1	1.9
2007	22865	1989673	1.1	2
2008	24535	2093379	1.2	2.1
2009	23926	2121345	1.1	2
2010	22740	2224831	1	1.9
2011	25125	2325575	1.1	2.1
2012	27936	2387188	1.2	2.3
2013	31725	2647722	1.2	2.6
2014	33526	2851563	1.2	2.7
2015	31396	2949400	1.1	2.5

Since 2003-2015, there has been an increase in the number of bodies of evidence enlisted against adolescents who are in conflict with the law, from 17819 to 31396, which means that the rate of adolescents in a conflict with the law has ranged from 1.1 percent to 1.2 percent.

Factors of the Social Environment:

Adolescents may form delinquent subcultures due to socioeconomic hardship and discontent with their social status. Because of peer pressure, they are more likely to succumb to their criminal tendencies. Adolescents, according to Walter B. Mill operator (1958), turn the normal culture upside down, resulting in the surrender of what is valued and considered as certain by society and the establishment of the polar opposite esteem framework [4]. As a result, young reprobates throw up their morality and try to dominate in the areas of strength, overpowering their peers, and savouring the things that give them energy if certain ethics are upheld by society. Recent studies in the United States have used the delinquent

sub-culture concept to examine the new zone of teenage mentality in China regarding the police. According to Cloward and Ohlin (1960), teenagers develop their own particular delinquent tendencies based on the opportunities available to them in their surrounding environment. If given the freedom to practise illicit activities, teenagers are more likely to become lawbreakers.

Psychological Aspects:

Mental explanations for misconduct can be found through Freudian concepts of the id, the inner self, and the super-personality, as well as other theories. Conscience becomes antagonistic to the social individual when the id (the inherent component of a man's personality) becomes overly firm and the superinner self (the socially shown element of character) becomes feeble. Adolescents develop delinquent tendencies when restraint and social control through crucial meetings are weakened. Aberration and misconduct have also been linked to a weakened social base. Adolescent mental health and criminal proclivities can go hand in hand. Female juvenile centre inmates in Bangladesh were found to have a high rate of mental health difficulties, according to the results of an investigation [8]. Those who were found guilty also had a high rate of drug abuse. India's social and mental contexts have been extensively examined by David Brandt (2006). In terms of social factors, it has been found that adolescents' wandering tendencies are strongly influenced by the current social atmosphere [7]. Adolescent delinquency may be influenced by a variety of factors, including the adolescent's social and neighbourhood ties. His and Laurence Steinberg's investigation of the matter reveals that (2006). It has been shown that when the local links are weak and the social association components are nonexistent, the general public's social command becomes weaker, which leads to delinquent tendencies. In addition to the fragile area, the young's relationships with their weird peers and their inability to provide adequate care causes higher rates of culpability [9].

Juvenile Justice in India has been examined by a number of authors. Before the British arrived in India, children's activities were covered by existing Hindu and Muslim laws, which held members of the respective groups responsible for monitoring the behaviour of their own members' children [5]. The British principle in India prompted the need for new legislation for children. Certain laws, such as the Apprentice Act (1850), the Criminal procedure Code (1861), as well as the Reformatory School Act (1879), were enacted between 1850 and 1919. (1876 and 1897). Dejected or unimportant offenders under the age of 18 were to be dealt with on their own, according to the Apprentice Act (1850). Indicted minors were required to serve as financial advisors' disciples. Additionally, the Indian Penal Code of 1860 recognised the unique position of minors in Section 82. There were age restrictions placed on criminal responsibility, ensuring that children under the age of seven would not be held accountable. 7 to 12-year-old children are deemed to be sufficiently developed for understanding the concept of their actions in specific scenarios. The Code of Criminal

Procedure of 1861 provided for separate preliminary hearings for minors under the age of 15 and reformatory treatment instead of detention facilities. It also outlined procedures for placing young offenders on probation. As a result, the state's approach to teenage reprobates changed from correctional to reformatory, and their attempts were a sign of that change. In this way, the Reformatory School Acts of 1876 and 1897 served as a foreshadowing of these new laws. " The provisions laid out in the Act provided for the placement of criminals in reformatory schools for a period ranging from two to seven years. Regardless, when they turned 18, they were transferred to adult penitentiaries. The 1897 Act outlined procedures for treating and rehabilitating young criminals. Under the British premise, there was no public enactment. Despite this, several localities devised their own laws to deal with adolescent delinquency.

Adolescents face an increase in the number of legal defences they can use against them. It has grown from 18939 to 31396 (in the category of Against Juvenile Conflict with Law) and from 1822602 to 2949499 (in the category of Against Juvenile Conflict with Law) between 2005 and 2015. (Under absolute cognizable IPC Crimes). Despite the fact that the percentage of juvenile law violations that total cognizable crimes has increased from 1.0 to 1.1, the rate of wrong under juvenile law violations has increased from 1.7 to 2.5.

Recommendation:

Adolescents' misconduct is increasing, no matter how many laws are passed. Initially, we assumed that poverty was the key motivator for these protests of children, but when we examined data from 2003 to 2015, we found that poor wages and the lack of education and management were also factors. Young people are influenced by guardians who don't spend enough time with them and by an inexorably serious society, according to Dr. Rajesh Kumar. These days, working-class families are obsessed with bringing in money, and when their children reach adulthood, they don't have anyone to join them and do what they feel is best, ignoring consequences.

Working-class families expect their children to get excellent grades in school, which often causes them to suffer when they don't, and they try to overcome their fear of disappointment by various methods, unintentionally picking the wrong ones to accomplish such objectives, and thus leading the kid to manhandle, and then to wrongdoing and when we get to big league salaries.... Such children fail to distinguish between the wrong and the right.

- In order to prevent criminal activity among the children, proper instruction will be provided.
- When it comes to their social conduct, school dropouts should be given the proper guidance
- The goal of rehabilitation should be to transform the delinquent into a better human being.
- The person in charge of these scumbags will provide them with plenty of fresh air.

- Parents should provide adequate care for their children and create a welcoming environment in the home.

Conclusion:

We may conclude that our adolescent equity framework is usually excellent, although there is disagreement among the numerous organisations that work under it. The use of these bodies was disrupted due to the fact that they work and are managed by a variety of agencies and divisions. All parties involved should put up their best efforts in a coordinated manner. There is a widespread lack of understanding of the concept, law, and reasoning behind adolescent equity framework by all those involved in the framework, including legal consultants and legal officials. To achieve the ultimate goal of government support for children, the laws enacted must be effectively implemented. In light of the fact that services for children are not yet a foundation, the general public should arouse the attention of children in matters affecting their rights. By interpreting the arrangements of Juvenile Justice Acts, the legal executive has taken an evident and significant role in the right and advantageous application of the adolescent equity enactment and contributed a lot to the most numerous adolescents encompassed under the useful and good enactment. Adolescents' misbehavior patterns can be fundamentally altered by a well-planned enactment that is carried out properly and seriously.

References:

1. Alok Kumar, A.P The Problem of Child Sexual Abuse in India Laws, Legal Lacuna and the Bill – PCSOB-2011. J Indian Acad Forensic Med, pp 170.2012.
2. P. Cane, Responsibility in Law and Morality, 2002, Hart Publishing, Oxford
3. Wasserman D, Cheng Q, Jiang GX. Global suicide rates among young people aged 15-19, World Psychiatry, 2005, vol. 4 (pg. 114-20)
4. De Leo D. , The Interface of Schizophrenia, Culture and Suicide, Suicide Prevention – Meeting the Challenge Together., 2003Hyderabad, IndiaOrient Longman
5. Ved Kumari. 2004. The Juvenile Justice System in India: From Welfare to Rights (Law in India) Oxford University Press, USA; 1st Edition edition.
6. Patel V, Andrew G. Gender, sexual abuse & risk behaviours: a cross-sectional survey in schools in Goa, Natl Med J India, 2001, vol. 14 (pg. 263-67)
7. Pillai A, Patel V, Cardozo P, Goodman R, Weiss H, Andrew G. Non-traditional life styles and the prevalence of mental disorders in young adolescents in a community in India, Br J Psychiatry, 2008, vol. 192 (pg. 45-51)

8. Patel V, Araya R, Chowdhary N, et al. Detecting common mental disorders in primary care in India: a comparison of five screening questionnaires, *Psychol Med*, 2008, vol. 38 (pg. 221-28)
9. Rockhill B, Newman B, Weinberg C. Use and misuse of population attributable fractions, *Am J Public Health*, 1998, vol. 88 (pg. 15-19)