

Roots of Rebellion: Exploring the Underlying Causes of Juvenile Delinquency in Contemporary India

Soundharya P

IIIrd LL.B. LAW “C” - VIth Semester (2026), School of Law, Vels Institute of Science, Technology and Advanced Studies (VISTAS), Chennai. The author gratefully acknowledges the guidance of Mrs. G. Uma Maheswari, Assistant Professor, Department of Legal Studies, VISTAS.

ABSTRACT

The phenomenon of juvenile delinquency represents one of the more telling fault lines in India's social and legal architecture. This article examines the constellation of factors: economic deprivation, fractured family structures, peer dynamics, and the disruptive pull of digital media that collectively propel children into conflict with the law. It interrogates the adequacy of the governing statutory scheme, namely the *Juvenile Justice (Care and Protection of Children) Act¹, 2015*, which stakes its legitimacy on a rehabilitative rather than punitive rationale. Drawing on a doctrinal analysis of primary legislation, Supreme Court pronouncements, and secondary socio-legal scholarship, the article argues that the legislative framework, though conceptually sound, is undercut by fragmented implementation, procedural inconsistency, and an underprepared institutional apparatus. It further contends that the growing incidence of technology-facilitated juvenile offences demands a calibrated expansion of the legal framework. The article concludes that lasting reform requires coordinated investment in family support, community infrastructure, and adaptive legal policy none of which can succeed in isolation.

I. INTRODUCTION

Every society that takes children seriously must eventually reckon with the uncomfortable question of what to do when a child crosses the threshold of unlawful conduct. In India, that question has grown more pressing with each passing decade. A child, under both domestic legislation and international human rights instruments, is any person below the age of eighteen years². When such a person commits an act that would constitute an offence if done by an adult, the resulting legal category juvenile delinquency activates a distinct regime of law, one rooted in the premise that young offenders are not simply junior criminals but individuals whose trajectories remain open to redirection.

The statistical picture, though incomplete, is striking. Data compiled by the National Crime Records Bureau indicate that juvenile involvement in reported crimes has remained a persistent feature of India's criminal justice landscape, with urbanisation, economic stress, and digital exposure emerging as recurrent correlates³. Yet numbers alone cannot capture the lived complexity of children who offend. Behind each

¹ Juvenile Justice (Care and Protection of Children) Act, 2015, No. 2, Acts of Parliament, 2016 (India).

² United Nations Convention on the Rights of the Child art. 1, Nov. 20, 1989, 1577 U.N.T.S. 3

³ National Crime Records Bureau, Crime in India 2022 (Ministry of Home Affairs 2023), available at <https://ncrb.gov.in>

figure lies a story shaped by neglect, poverty, inadequate schooling, peer pressure, or simply the catastrophic influence of an unmediated internet connection.

This article approaches juvenile delinquency as a multidimensional legal problem. Part II sets out the scope and objectives of the study. Part III identifies the core research problem and the questions the article seeks to answer. Part IV states the working hypothesis. Part V describes the methodology. Part VI acknowledges the study's limitations. Part VII provides a schematic overview of the argument. Part VIII surveys the existing literature. Each subsequent section builds toward an integrated account that takes seriously both the architecture of Indian juvenile justice law and the socio-legal forces that repeatedly test its limits.

II. OBJECT AND SCOPE OF THE STUDY

The immediate object of this study is to examine, within the Indian legal context, the causes that draw children toward delinquent behaviour and to assess whether the statutory framework designed to address that behaviour is adequate to its stated purpose. The inquiry proceeds on the understanding, shared by leading scholars of juvenile justice, that delinquency cannot be reduced to individual moral failure; it is, rather, the product of overlapping structural conditions that the law must recognise and respond to.

More specifically, the study aims to: (i) trace the conceptual and historical development of juvenile delinquency as a legal category in India; (ii) analyse the institutional and procedural mechanisms established under the *Juvenile Justice (Care and Protection of Children) Act, 2015*; (iii) evaluate the socio-economic, familial, and media-driven factors that contemporary research identifies as principal contributors to juvenile offending; (iv) examine how superior courts have interpreted and applied juvenile justice law; and (v) propose concrete legal and policy interventions aimed at strengthening prevention and rehabilitation⁴.

The scope of the study is deliberately bounded. It is confined to the Indian legal system and relies primarily on doctrinal analysis of statutes, judgments, official reports, and peer-reviewed scholarship. It does not undertake empirical fieldwork or offer a systematic comparative analysis of foreign legal orders, though international instruments and standards are referenced where they illuminate gaps in domestic law.

III. RESEARCH PROBLEM

The legislative history of juvenile justice in India is, in a sense, a record of incremental accommodation between reformative idealism and the insistent pressure of public anxiety about serious crime. The progression from the *Apprentices Act, 1850*⁵, through the *Reformatory Schools Act, 1897*⁶, the *Juvenile Justice Act, 1986*⁷, and the *Juvenile Justice (Care and Protection of Children) Act, 2000*⁸, each represented a step toward a more rights-centred approach. The 2015 Act, however, introduced a structural tension that has not been fully resolved: it retained the rehabilitative framework for the majority of young offenders while creating a channel the preliminary assessment mechanism through which children aged sixteen to eighteen who are accused of heinous offences may be transferred to adult courts.

⁴ Kumari, Akanksha. *The Juvenile Delinquency in India: A Critical Analysis*. Indian Journal of Law and Legal Research (2025)

⁵ Apprentices Act, 1850, No. 19, Acts of the Governor General in Council, 1850 (India).

⁶ Reformatory Schools Act, 1897, No. 8, Acts of the Governor General in Council, 1897 (India).

⁷ Juvenile Justice Act, 1986, No. 53, Acts of Parliament, 1986 (India).

⁸ Juvenile Justice (Care and Protection of Children) Act, 2000, No. 56, Acts of Parliament, 2000 (India).

The research problem, accordingly, is this: the 2015 Act rests on a conceptually sound but operationally unstable foundation. Legislative ambiguity surrounds the preliminary assessment process particularly regarding what counts as a 'heinous offence' where no minimum sentence is prescribed and judicial interpretation has produced outcomes that are not always consistent. At the same time, the socio-economic and psychological conditions that generate juvenile offending continue to receive insufficient legal attention. The result is a system that can, in principle, achieve both accountability and rehabilitation but frequently falls short of either in practice.

IV. RESEARCH QUESTIONS

The study is organised around five central questions:

First, how has juvenile delinquency been conceptualised and defined across the historical arc of Indian legislation, and what is its current legal meaning under the 2015 Act?

Second, what institutional and procedural framework does the 2015 Act establish, and how effectively does that framework discharge its stated goal of rehabilitation over punishment?

Third, what weight do socio-economic conditions, media influence, and substance exposure carry as contributing factors to juvenile delinquency, and how, if at all does the legal system formally account for them?

Fourth, how have the Supreme Court and the High Courts interpreted key provisions of the juvenile justice statutes, and what do those interpretations reveal about the gaps and ambiguities in the legislation?

Fifth, what legal and policy reforms are necessary to bring practice into closer alignment with the rehabilitative purpose of the law?

V. HYPOTHESIS

The study proceeds on the hypothesis that India's juvenile justice framework, while progressive in design, is rendered inconsistent in practice by three interrelated deficits: legislative ambiguity in the classification and treatment of heinous offences; an institutional apparatus that is chronically under-resourced relative to the demands placed upon it; and a failure to systematically integrate the socio-economic and psychological context of offending into legal decision-making. These deficits collectively produce outcomes that satisfy neither the rehabilitative aspirations of the law nor the accountability expectations of the wider public. Correcting this requires not a choice between rehabilitation and accountability, but a more rigorous commitment to both supported by adequate funding, training, and regulatory adaptation to the digital environment.

VI. RESEARCH METHODOLOGY

This study adopts a doctrinal methodology. It proceeds through systematic analysis of primary legal materials statutes, subordinate legislation, and judicial decisions supplemented by secondary sources including official reports, academic monographs, and peer-reviewed journal articles. The primary statutory sources examined are the *Juvenile Justice (Care and Protection of Children) Act, 2015*, the *Indian Penal Code, 1860*, the *Code of Criminal Procedure, 1973*, and the *Information Technology Act, 2000*⁹. Judicial decisions of the Supreme Court and High Courts on juvenile justice have been drawn from the Supreme Court Cases and All India Reporter series.

⁹ Information Technology Act, 2000, No. 21, Acts of Parliament, 2000 (India).

Secondary sources include the annual reports of the National Crime Records Bureau, publications of the Ministry of Women and Child Development, UNICEF India reports on child protection, and scholarly works including those of Kumari and Paranjape¹⁰. International instruments notably the United Nations Convention on the Rights of the Child and the Beijing Rules¹¹ are deployed not as binding authority within the domestic legal order but as normative benchmarks against which the adequacy of Indian law is evaluated.

The methodology is analytical rather than empirical: it identifies the structure, internal logic, and practical operation of the legal framework from publicly available materials. It does not involve original data collection, field interviews, or surveys. Where the analysis calls for comparative insight, foreign legal systems are referenced illustratively rather than systematically.

VII. LIMITATIONS OF THE STUDY

Every legal study operates within constraints, and intellectual honesty demands that they be stated plainly. Four limitations bear acknowledgement here.

First, the study is confined to the Indian legal system and does not undertake a sustained comparative analysis of other jurisdictions. While comparative references appear where instructive, the analytical framework is resolutely national.

Second, the absence of empirical research means that the study's conclusions rest on legal analysis and secondary social-scientific sources rather than on original field data. Ground-level realities in juvenile justice institutions staffing, daily conditions, and informal practices are accessible only through the lens of official reports, which may not fully capture the situation.

Third, the confidential nature of juvenile proceedings under Indian law limits the availability of detailed case-level data for academic scrutiny. Only publicly reported decisions and officially published statistics have been used, which necessarily produces an incomplete picture.

Fourth, the law and its administrative implementation are both in motion. Amendments, new rules, and significant court decisions continue to emerge. The analysis offered here reflects the state of the law as discernible from available sources, but readers should verify developments that post-date the present study.

VIII. SCHEME OF THE STUDY

The argument unfolds across six chapters. The first chapter of this Introduction frames the problem, states the research questions, and maps the methodology. Chapter Two examines the concept and legal meaning of juvenile delinquency, tracing its evolution from colonial-era reformatory legislation through the foundational shifts introduced by the 2015 Act, with particular attention to the emerging challenge of technology-facilitated offending.

Chapter Three sets out the statutory and institutional architecture of the current framework the Juvenile Justice Boards, Children's Courts, Observation Homes, and Special Homes and analyses the classification of offences and the procedural safeguards that govern each stage of the process¹².

¹⁰ N.V. Paranjape, *Criminology and Penology* 312 (Central Law Publications 2019).

¹¹ United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), G.A. Res. 40/33, Annex, U.N. Doc. A/RES/40/33 (Nov. 29, 1985).

¹² Juvenile Justice (Care and Protection of Children) Act, 2015, No. 2, Acts of Parliament, 2016 § 2(13) (India).

Chapter Four shifts from law to context, examining the socio-economic conditions, family dynamics, patterns of urbanisation and migration, media exposure, and digital influence that research consistently identifies as drivers of juvenile delinquency. Chapter Five undertakes a case law analysis, drawing on landmark Supreme Court decisions to identify how courts have clarified statutory ambiguities and reinforced the rehabilitative purpose of the law, while also grappling with the tension introduced by the heinous-offence provisions.

Chapter Six synthesises the findings, identifies the structural gaps that impede effective implementation, and advances a set of concrete, actionable recommendations. These include strengthening the infrastructure of child care institutions, regularising legal aid provision, integrating social investigation reports more rigorously into decision-making, and updating cyber-related provisions to address the evolving forms of technology-mediated juvenile offending.

IX. REVIEW OF LITERATURE

The scholarly literature on juvenile delinquency in India spans several disciplines, and the most useful contributions typically resist the temptation to explain the phenomenon through a single variable.

A. Legal and Doctrinal Scholarship

Among doctrinal accounts of Indian juvenile justice law, Kumari's work remains foundational. Her monograph traces the shift from a welfare-oriented to a rights-based conception of juvenile justice and offers a rigorous critique of implementation deficits that, though written prior to the 2015 Act, identifies structural problems that persist today¹³. Paranjape's survey of criminological theory locates juvenile delinquency within the broader tradition of strain theory and social learning theory, providing the conceptual vocabulary through which the empirical literature on Indian delinquency is most productively read¹⁴. Gaur's work on criminal law offers useful doctrinal context for understanding the interface between the Juvenile Justice Act and the Indian Penal Code, particularly on questions of criminal capacity and the defence of infancy¹⁵.

B. Sociological and Criminological Research

The sociological literature consistently highlights poverty, educational deprivation, and family instability as the most robust predictors of juvenile offending in Indian contexts. Children raised in environments marked by parental neglect, domestic conflict, or economic precarity face substantially elevated risk. What distinguishes the stronger studies is their attention to the interaction among these variables: poverty alone does not determine delinquency, but poverty combined with school dropout, absent supervision, and peer exposure to criminal behaviour creates compounding vulnerabilities that are difficult to address through legal intervention alone.

The literature on urbanisation and migration is particularly relevant to contemporary India. Rapid urban growth has weakened the informal social controls neighbourhood networks, community institutions, extended family that historically tempered juvenile risk. Children in migrant families, lacking both roots and resources, are disproportionately represented in juvenile justice caseloads.

C. Psychological and Developmental Perspectives

Developmental psychology has contributed the insight, now embedded in international juvenile justice

¹³ Ved Kumari, *The Juvenile Justice System in India: From Welfare to Rights* (Oxford University Press 2004).

¹⁴ NV Paranjape, *Criminology and Penology with Victimology* (19th edn, Central Law Publications 2023).

¹⁵ K.D. Gaur, *Criminal Law: Cases and Materials* 218 (LexisNexis 2016).

standards including the Beijing Rules¹⁶, that adolescence is a period of neurological and emotional flux during which decision-making capacity is structurally immature. Trauma, abuse, and sustained exposure to violence during childhood produce measurable effects on impulse control and risk assessment. This literature provides both a normative justification for treating juvenile offenders differently from adults and a pragmatic argument for early, therapeutic intervention over punitive responses.

D. Technology and Emerging Forms of Delinquency

A growing body of research addresses the relationship between digital technology and juvenile offending. Cyberbullying, online fraud, identity theft, and exposure to extremist or harmful content are documented as both new categories of offending and as factors that amplify the risk of other forms of delinquency. The legal literature in this area is still catching up: the *Information Technology Act, 2000* provides a framework for cyber offences generally¹⁷, but its interaction with the juvenile justice framework remains under-theorised. Courts have begun to fill this gap recognising that cyber offences committed by minors must be processed through the Juvenile Justice Board but a coherent doctrinal synthesis is lacking.

E. Judicial and Institutional Literature

Judicial decisions have themselves become a significant source of legal knowledge about juvenile justice. The Supreme Court's holdings in *Pratap Singh*¹⁸, *Hari Ram*¹⁹, and *Shilpa Mittal*²⁰ address foundational procedural and definitional questions that the legislation left ambiguous. The Delhi High Court's observations in *Court on its Own Motion v. States*²¹ regarding institutional conditions underscore the gap between the law's aspirations and the reality of child care facilities. Cases such as *Sheela Barse v. Union of India*²², *Sampurna Behura v. Union of India*²³, and *Salil Bali v. The Union of India*²⁴ collectively established a jurisprudence in which the courts have assumed an activist role in monitoring the welfare of children within the justice system.

Taken together, the literature establishes that juvenile delinquency is an inherently multifactorial problem; that legal responses, however well-designed, cannot substitute for broader social investment; and that the gap between statutory aspiration and institutional reality remains the central challenge for juvenile justice in India.

¹⁶ United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), GA Res 40/33 (29 November 1985) Rule 4

¹⁷ Rahul Goyat, 'Digital Crimes and Juvenile Offenders: Legal Gaps and Policy Challenges in India' (2025) 9(10) IJIM 4

¹⁸ *Pratap Singh v. State of Jharkhand* (2005).

¹⁹ *Hari Ram v. State of Rajasthan*, (2009) 13 SCC 211 (India).

²⁰ *Shilpa Mittal v. State (NCT of Delhi)*, (2020) 2 SCC 787 (India).

²¹ (2012) 193 DLT 252.

²² *Sheela Barse v. Union of India*, (1986) 3 SCC 596 (India).

²³ *Sampurna Behura v. Union of India*, (2018) 4 SCC 433 (India).

²⁴ *Salil Bali v. Union of India*, (2013) 7 SCC 705 (India).