

Rebuilding Young Lives: Juvenile Justice in India

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Abstract

Juvenile justice is not merely a matter of punishment. It is essentially a matter of childhood, dignity, rehabilitation and social reintegration. The juvenile justice system in India is gradually changing from a largely punitive conception of juvenile delinquency to one that is child-centric and perceives children in conflict with law as reform able beings. The Juvenile Justice (Care and Protection of Children) Act, 2015, along with amendments and rules framed from time to time, forms the main legal framework for this approach. The law provides for the establishment of Juvenile Justice Boards, Child Welfare Committees, rehabilitation mechanisms and special procedures for children alleged to have committed offenses. At the same time, the system faces serious challenges including institutional shortcomings, delays, inadequate psychosocial services and uneven implementation across states, stigma and the difficult balance between rehabilitation and accountability. The present article discusses the evolution, legal framework, institutional structure and the major challenges of juvenile justice in India. It argues that in an effort to rebuild young lives we need to move from detention to education, counseling, family support, restorative justice, vocational development and meaningful reintegration into society.

Introduction

The way a society responds to children in conflict with law, is a reflection of how that society understands childhood itself. A child offender is not just a small adult offender. Childhood is a time of psychological, emotional and social development. Behavior at this stage can be greatly affected by family circumstances, poverty, peer pressure, abuse, neglect, exclusion from education and the social environment. Juvenile justice, therefore, requires a balance between accountability and the recognition of the great potential for change in children.

The present system of juvenile justice in India is mainly governed by the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act). The Act replaced the Juvenile Justice (Care and Protection of Children) Act, 2000 and was enforced from 15 January 2016. Its stated purpose is not only to deal with offending behavior but to provide care, protection, development, treatment, social reintegration and rehabilitation through a child friendly approach.

The word itself is important. The 2015 legislation uses the phrase “child in conflict with law” rather than viewing the child primarily as a “juvenile offender.” This is an important conceptual shift: the law recognizes that the child has entered into conflict with the legal system without defining the child’s entire identity through the alleged offense.

Evolution of Juvenile Justice in India

The development of juvenile justice in India has been shaped by constitutional ideals, international child-rights standards and evolving concepts of rehabilitation. The Constitution provides for equality before law and protection of life and personal liberty. Provisions like Articles 15(3), 39(e) and 39(f) talk about protection and development of children.

India's legislative journey was through the Juvenile Justice Act, 1986, Juvenile Justice (Care and Protection of Children) Act, 2000 and finally the JJ Act, 2015. The 2015 law was aimed at improving the protection of children needing care and protection and also improving the system for children in conflict with the law. It defined or clarified categories of offenses increased the responsibilities of institutions and set out specific procedures for dealing with children.

The law was amended later in 2021 and the government now lists the JJ Act, 2015, along with the Juvenile Justice (Care and Protection of Children) Amendment Act, 2021, and the Model Amendment Rules, 2022, as part of the present legislative framework.

The Juvenile Justice Act, 2015

The JJ Act provides an extensive framework for children in conflict with law as well as children in need of care and protection. General principles of the Act are the presumption of innocence, dignity and worth, participation, best interests of the child, family responsibility, safety, positive measures, non-stigmatizing language, and institutionalization as a measure of last resort, repatriation and restoration, and principles of fresh start and diversion.

The main institutional machinery is the Juvenile Justice Board (JJB). The Board deals with children alleged to have committed offenses and is aimed at providing a specialized, child friendly forum rather than subjecting children to the ordinary criminal justice process. The Act also provides for a separate Child Welfare Committee (CWC) for children who need care and protection. The government calls these institutions statutory structures that are part of India's child-protection mechanism, along with State Child Protection Societies and District Child Protection Units.

The Act also classifies petty, serious and heinous offenses. One of its most controversial clauses concerns children aged between 16 and 18 accused of heinous offenses. In those cases, the JJB is required to carry out a preliminary assessment of the mental and physical capacity of the child to commit the offense, ability to understand the consequences of the offense and the circumstances in which the offense is alleged to have been committed. Importantly, this does not mean that all older adolescents automatically are transferred to the adult criminal justice system. The law still has a special procedure and judicial safeguards.

Rehabilitation as the Central Principle

The most important question in juvenile justice shouldn't just be, "What is the deserved punishment?" but also, "What intervention can prevent future harm and help this child build a constructive life?"

Rehabilitation and social reintegration is clearly provided for under the JJ Act. Its framework consists of institutional and non-institutional measures, education, vocational training, counseling, behavioral support, family restoration and aftercare. The Act has a separate chapter on rehabilitation and social reintegration, which implies that correction is to be developmental and not simply punitive.

This approach is particularly crucial considering that children coming into the justice system frequently have multiple disadvantages. Vulnerability can be increased by poverty, school dropout, family

instability, substance misuse, homelessness, abuse and exploitation. A justice response that overlooks these circumstances risks responding to symptoms without attending to causes.

Rehabilitation should, accordingly, be individualized. One child may need educational help, another psychological counseling, still another family intervention, and another vocational training. A uniform institutional response cannot adequately address different needs.

Contemporary Challenges

The statutory framework is progressive; the problem is mainly with implementation. Official crime data revealed that 31,365 cases were registered against juveniles during 2023 and 40,036 juveniles were apprehended in cases under the Indian Penal Code and Special and Local Laws. Around 79% of those picked up were in the 16-18 age group.

These figures should not be taken at face value as evidence of increasing criminality among children. Police registration and apprehension statistics are indicative of reported and detected cases and not the whole social reality of juvenile offending. But they also highlight the ongoing importance of an effective juvenile justice system.

Institutional capacity is one major challenge. Juvenile Justice Boards, Child Welfare Committees and Child Care Institutions need to have adequate infrastructure, trained personnel and effective coordination. The government has reiterated that the implementation of the JJ Act is primarily done by the States and Union Territories and administrative capacity and state level commitment are important.

The second challenge is delay. Justice delayed can be particularly damaging for children because a great part of childhood can be lost in the pendency of a case. Long term institutionalization can interfere with education, family relationships and social development.

A third challenge is the availability of mental health and psychosocial support. Counseling is not something that happens in passing with an employee of the institution. Children who have experienced violence, neglect or exploitation may need ongoing professional intervention. For effective rehabilitation, trained psychologists, social workers, counselors and probation personnel are needed.

A fourth issue is social stigma. Even after they have gone through the legal process, schools, employers, neighbors, and sometimes even their own families can reject them. The label of “offender” can become a self-fulfilling social identity. The principle of a “fresh start” is therefore central: rehabilitation cannot work if society permanently brands a young person for a mistake made in childhood.

Restorative Justice and Diversion

The future of juvenile justice in India should be more oriented toward restorative approaches and diversion wherever legally and practically feasible. Restorative justice is about repairing harm, building responsibility and repairing relationships. It's not just about punishment.

Diversion can stop children charged with less serious offenses from becoming too deeply involved in formal criminal proceedings. Where appropriate, community-based interventions, mediation, supervised counseling, educational programs and family conferences can sometimes lead to better long-term outcomes than institutionalization.

In 2023, the Supreme Court's national consultation on child protection focused on prevention, restorative justice, diversion and alternatives to detention for children in conflict with the law. This reflects a growing awareness among institutions that detention should not be the default response to juvenile offending.

Rebuilding Young Lives: A Way Forward

A really effective juvenile justice system has to start before a child enters an institution. Prevention means stronger families, education within reach, safe neighborhoods, child protection services and early identification of children at risk."

Education must be a fundamental part of rehabilitation, first. Children in conflict with law should not be deprived of their educational future because of their interaction with justice system. Flexi-schooling, digital learning, bridge courses and access to examinations can support the continuity of education.

Secondly, vocational training and employment pathways need to be strengthened. Skills in computing repair work, crafts, hospitality, agriculture, design and other sectors can offer young people real opportunities for economic independence.

Third, more attention should be paid to the reintegration in the family. In families that are safe and supportive, returning the child to the family may be more beneficial than long-term institutional care. Alternative care and community support should be developed where family environments are harmful.

Fourth, aftercare should be continued after release from the institution. Rehabilitation does not stop when a child leaves a Child Care Institution. As young people move into adulthood, they may need accommodation, education, employment assistance, counseling, identity documents and community support.

Finally, the training of justice personnel is important. Police officers, Board members, social workers, lawyers, probation officers and staff of institutions need specific knowledge of child development and trauma-informed practices. If those who implement the law are poorly trained, then child friendly law cannot result in child friendly justice.

Conclusion

Juvenile justice in India: The crossroads of law, child rights and social policy. The JJ Act, 2015 lays an important legal foundation by emphasizing care, protection, rehabilitation and social reintegration along with accountability. Its institutional structures, in particular the Juvenile Justice Boards, the Child Welfare Committees and Child Care Institutions, provide the mechanisms through which these principles can be implemented.

Legislation alone will not bring back young lives. The overall effectiveness of juvenile justice relies on implementation, resources, professional capacity, and society's willingness to believe in the possibility of change. Children entering the justice system must be held accountable in ways that are proportionate, developmentally appropriate and consistent with dignity.

The goal, therefore, should be neither impunity nor excessive punishment. It should be restorative. A child who has committed an offense needs to learn from the experience, where possible make amends, learn skills, reconnect with family and community and become a productive adult. Juvenile justice succeeds not when a child is most severely punished but when a child is helped to leave the justice system without the need to return.

Rebuilding young lives is therefore not an act of mercy. 'It is a long-term investment in public safety, human dignity and future of Indian society'.

References

1. Government of India. *The Juvenile Justice (Care and Protection of Children) Act, 2015*. India Code, Ministry of Law and Justice. India Code – Juvenile Justice Act, 2015

2. Government of India, Ministry of Women and Child Development. *The Juvenile Justice (Care and Protection of Children) Act, 2015*. Official text of the JJ Act, 2015
3. Government of India, Press Information Bureau. (2016). *The Juvenile Justice (Care and Protection of Children) Act, 2015 comes into force from today*. Ministry of Women and Child Development.
4. Government of India, Ministry of Women and Child Development. (2026). *JJ Act provides a security net of service delivery structures to ensure comprehensive well-being of children in distress situations*. Press Information Bureau.
5. Government of India, Ministry of Women and Child Development. (2026). *Ministry of Women and Child Development is nodal Ministry for administration of Juvenile Justice Act, 2015*. Press Information Bureau.
6. Supreme Court of India, Juvenile Justice and Child Welfare Committee. (2023). *National Annual Stakeholders Consultation on Child Protection – 2023: Children in Conflict with Law—Prevention, Restorative Justice, Diversion and Alternatives to Detention*
7. Savitribai Phule National Institute of Women and Child Development. (2026). *Legislation and Rules relating to Child Protection and Juvenile Justice*. Ministry of Women and Child Development, Government of India.
8. India Justice Report. (2025). *Juvenile Justice and Children in Conflict with the Law: A Study of Capacity at the Frontlines*. India Justice Report – Juvenile Justice Resource.