

An Analytical Study of Juveniles in Conflict with Law in India: Evolution and Need of the Juvenile Justice System

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Abstract

Juvenile delinquency has emerged as a significant socio-legal concern in India, necessitating a comprehensive juvenile justice system that balances accountability with rehabilitation and child welfare. This paper examines the concept of juveniles in conflict with law by explaining the meaning of juvenile and juvenile delinquency, analysing the trends in offences committed by juveniles in India during the period 2013-2023, and exploring the need for a separate juvenile justice law. The study also traces the historical evolution of the juvenile justice system in India, covering the period before 1850, the colonial era (1850-1949), the post-independence period (1950-2013), and the legislative developments under the Juvenile Justice Acts of 1986, 2000, the 2006 amendment, and the Juvenile Justice (Care and Protection of Children) Act, 2015.

Keywords: Juvenile, Juvenile Delinquency, Juvenile Justice Act

Introduction

We read or hear about crimes committed by juveniles on a daily basis. One could wonder if all of the young people in our country are involved in crime, regardless of whether they have been arrested, based on everything we see and hear in the media about juvenile criminality. We read about juvenile offenders being tried in adult courts after committing crimes such as school shootings. In actuality, it is inappropriate to believe that our young people will use marijuana. Although many young people use and/or sell drugs and commit serious crimes, the majority are essentially law-abiding children who are occasionally persuaded to break the law but who will grow out of illicit activity before they turn 18. Juvenile delinquency is a global problem that is increasing day by day and is affecting every section of the society. Children of any society are considered to be the bright future of their country. If these assets of the society are involved in illegal activities, then there is a big threat to the progress of that society. Juvenile delinquency is basically a violation of the law committed by a person who has not yet reached the age of maturity. It is necessary to understand juvenile delinquency, criminals and criminal activities. In this process, any illegal act committed by children or adolescents who have not reached the age of 18 is called juvenile delinquency. (Shoemaker, 2010)

India's juvenile justice system is intended to uphold justice while safeguarding children's rights. It is based on the idea that children should be treated differently under the law since they are not as psychologically mature as adults.

Who is a Juvenile?

A young individual who has not yet attained adulthood is typically referred to as "juvenile." Depending on the context (legal, biological, or general use), its precise meaning may differ slightly. Childhood is used here as a legal term that is frequently found in the juvenile justice system's records, not in any demeaning or derogatory sense, because young people under the age of majority, regardless of what that age may be in a particular state, are legally considered minors, or children.

The word Juvenile delinquency is used for a person who engages in activities that are unacceptable to society (English-Punjabi Dictionary). In terms of the origin of the word Juvenile Delinquency, Juvenile Delinquency is derived from two Latin words “**Juvenis**” and “**Delinquere**”. The Latin word ‘**Juvenis**’ refers **to something that is related to youth** and the word ‘**Delinquere**’ means “**to make a mistake**”. Thus, the word juvenile delinquency refers to the process of breaking social norms by minors (Balint, S. 2010).

Juvenile delinquency includes property damage and other criminal behaviour committed by young people who are not legally considered adults (Collins COBUILD Advanced Learner’s Dictionary). Juvenile is associated with young people who have not yet reached adulthood (Oxford Advanced Learner’s Dictionary). Juveniles are generally defined as persons under the age of 18, and most juvenile offenders are between the ages of 10 and 17. (Sander, 1998)

Juvenile delinquency is defined as behaviour committed by a young person under the age of 18 that is socially unacceptable, outside parental control, and subject to legal action. (Coleman, 1981)

United Nations Convention on the Rights of the Child (1989) defined a child is defined as “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”

In its crime statistics, juveniles are generally considered persons below 18 years of age who are apprehended for offences (National Crime Record Bureau).

What is Juvenile Delinquency?

Any legal violation that results in harm to the public or a member of the public and is punished by the state is regarded as a crime. The breaking of criminal laws by individuals under the age of eighteen is known as delinquency. Therefore, any criminal activity committed by an individual under the age of eighteen is regarded as a delinquent act.

Juvenile Delinquency means participation in unlawful activities by a minor who is under the legal age restriction (Welsh and Siegel, 2014).

Significance of the study

Rate of offences committed by juveniles has been increased nowadays in which the lack of responsibility of our society, family, media, friends and technological development have played a major role. Processes of modernization, urbanization, industrialization, technological development and changing patterns of social interaction have considerably transformed the social environment in which number of crimes among the children and adolescents had grown up. The rationale of the present research lies in understanding juvenile delinquency not merely as an individual violation of law but as a phenomenon shaped by wider social and institutional conditions. The period from 2013 to 2023 provides an important basis for examining changes in the nature and incidence of offences reported against juveniles in India. Therefore, examining the trends and nature of offences committed by juveniles is important for understanding the

broader social conditions associated with juvenile delinquency. The study is also significant for assessing the development of the juvenile justice system in India, which has increasingly emphasised care, protection, rehabilitation and social reintegration. Such an understanding can contribute to more effective prevention strategies and a child-sensitive approach to juvenile justice.

Research Objectives

- To examine the current rate of juvenile in conflict with law in India
- To understand the need for juvenile law in India and evolution of juvenile justice system in India

Research Methodology

The present research paper aims to examine the current rate of juvenile in conflict with law in India and to understand the need for juvenile law in India. The paper's concern is also to examine the evolution of juvenile justice law in India. The study employs mixed data (qualitative and quantitative), secondary source-based methodology that provides an in-depth review of the literature to understand the juvenile delinquency and juvenile justice system in India. Various scholarly articles and credible sources were reviewed, including journals, books and government reports, thematic papers, newspapers, and reliable online databases etc.

Offences Committed by Juveniles in Conflict with Law in India (2013-2023)

Children are called the future of the country. Therefore, it is the responsibility of every country to create a safe and friendly environment for children. (Beliwal, 2016) But in the last few years, juvenile crime has increased at such an alarming rate in the society in which the lack of responsibility of our society, family, media, friends and technological development have played a major role. As a result, children have become involved in criminal activities and are becoming victims of psychological problems. (Kavitha and Ajay Ranga, 2021)

The National Crime Records Bureau (NCRB) data shows that a total of 31,170 cases were registered against juveniles in India in the year 2021. While 29,768 were registered in the year 2020, which shows an increase of 4.7%. The most disturbing thing is that most of them, 76.2%, were children between the ages of 16 and 18. According to the NCRB, the crime rate among minors has also increased from 6.7% to 7.0%. These figures are shocking for the argument that more and more minors are getting into conflict with the law day by day. In the year 2022, there was a decline of 2.0 percent in juvenile crimes with 30,555 cases. In which 78.6 percent of the minors were between the ages of 16 and 18. The NCRB "Crime in India 2023" report states that there were 31,365 adolescent criminal cases in 2023, a 2.7% increase from 2022.

(<https://www.newindianexpress.com/opinions/2022/Dec/23/why-children-conflict-with-law-and-order-2531149.html>)

Table No. 1
Crimes Committed by Juveniles (IPC+SLL)-2013-2023

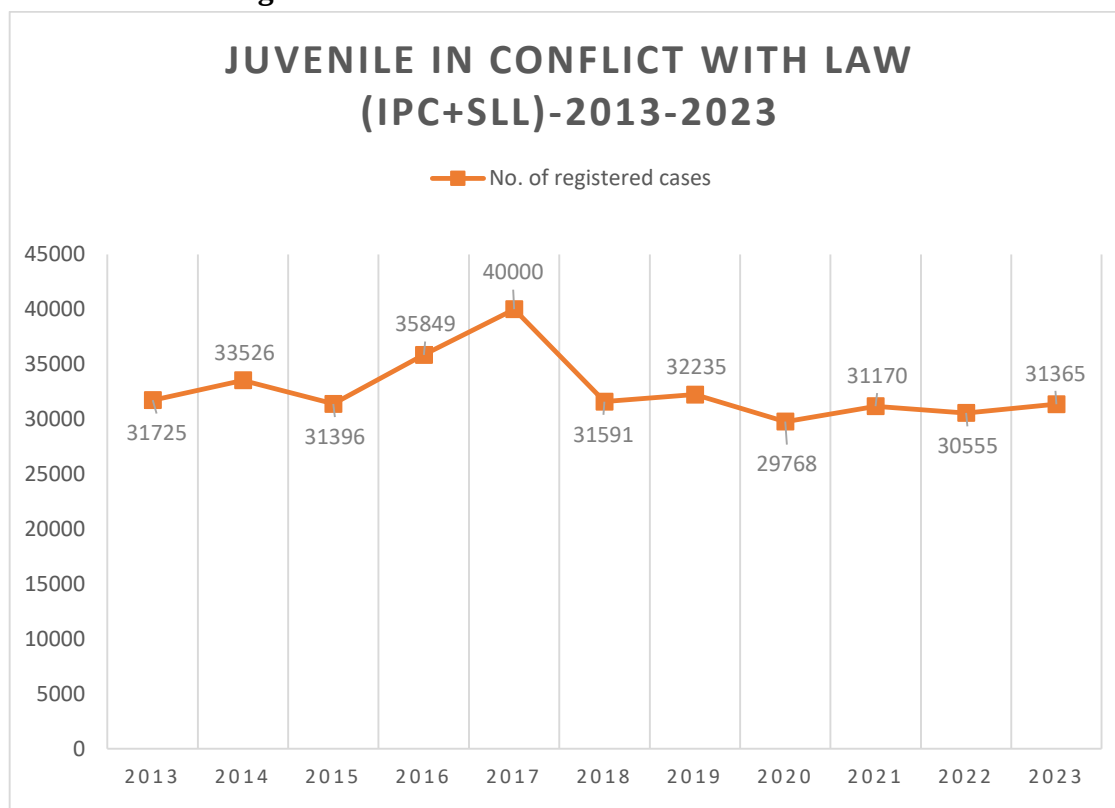
Sr. No.	Year	No. of Registered Cases (IPC+SLL)
1.	2013	31,725
2.	2014	33,526
3.	2015	31,396

4.	2016	35,849
5.	2017	40,000
6.	2018	31,591
7.	2019	32,235
8.	2020	29,768
9.	2021	31,170
10.	2022	30,555
11.	2023	31,365

(Source- NCRB Report)

The data presented in Table No. 1 reveal considerable fluctuations in the number of crimes committed by juvenile under IPC and SLL during 2013-2023. The number of registered cases increased from 31,725 in 2013 to a peak of 40,000 in 2017, followed by a substantial decline in 2018. The lowest number of cases, 29,768 was recorded in 2020, after which the figures showed moderate fluctuations reaching 31,365 cases in 2023. Overall, the data do not indicate a uniform upward or downward trend but demonstrate periodic increases and decreases in registered juvenile crime. The exceptionally low figure in 2020 should be interpreted in the context of the COVID-19 pandemic and associated restrictions, which may have influenced crime occurrence, mobility, reporting and registration.

Figure 1 Juvenile IPC Crime Incidence 2013-2023



Source: National Crime Records Bureau, 2013-2023

The above figure presents the trend in the number of juveniles in conflict with law (IPC+SLL cases) in India during the period of 2013-2023, based on data from National Crime Record Bureau (NCRB). In

2013, a total of 31,725 juvenile cases were registered. The number increased by 5.68% in 2014 with 1,801 cases. However, in 2015, the cases declined to 31,396, representing a 6.35% decrease compared to previous year. A significant rise was observed in 2016 and 2017, reflecting an annual growth of 14.18% and 11.58%. following this peak, a sharp decline occurred in 2018, when the number fell to 31,591, a reduction of 8,409 cases. It was the largest annual decrease during the study period. In 2019, the number represent the rise of 2.04%. The year 2020 recorded the lowest number of cases, reflecting a decline of 7.65% cases from 2019. This reduction may be associated with the COVID-19 pandemic. In 2021, showing a 4.71% growth over the previous year. The figure declined slightly in 2022 to 30,555, a decrease of 1.97%, before rising again in 2023 to 31,365, representing an increase of 2.65%.

Types of Offences Committed by Juveniles

The types of juvenile delinquency in India between 2013 and 2023 show that juvenile offenses fell into a variety of categories, such as offenses against the human body, property, women, public tranquillity, and other miscellaneous offenses. Property-related crimes, including theft and burglary, continued to be prevalent during this time.

- According to NCRB data, there were 6,386 juvenile **theft** instances in 2013, 6,717 in 2014, 6,046 in 2015, 7,717 in 2016, and 8,406 in 2017. Juveniles were the target of 8,332 theft crimes in 2018, which fell to 6,081 in 2020, rose to 6,463 in 2021, and then reached 6,495 in 2022. **Robert K. Merton's Strain Theory**, which holds that a gap between culturally promoted goals and access to legitimate means may develop the tendency toward illicit means. However, factors like consumer goals, peer pressure, family economic situations, school discontinuation, neighbourhood conditions, and risk for offending may work together to explain juvenile theft, but poverty should not be considered a direct or adequate reason.
- **Burglary** also constituted an important property offence, with 2,860 cases in 2013, 2,546 in 2014, 2,605 in 2015, 2,747 in 2016 and 2,718 in 2017; the corresponding figures were 1,999 in 2018, 2,128 in 2019, 1,954 in 2020, 1,983 in 2021 and 2,030 in 2022. The comparatively high rate of property crimes indicates that serious interpersonal violence was not the only way to understand juvenile delinquency; peer networks, economic circumstances, societal goals, and opportunity structures must also be taken into consideration.
- According to NCRB data, Juvenile delinquency also included violent crimes against the human body as a significant component. There were 1,007 **murder** cases involving juveniles in 2013, 841 in 2014, 853 in 2015, 892 in 2016, and 727 in 2017. These were followed by 827 in 2019, 842 in 2020, 917 in 2022, and 995 in 2023. **Attempt to murder** similarly represented a significant category, with 825 cases in 2013, 728 in 2014, 980 in 2015, 933 in 2016 and 844 in 2017; the figure was 981 in 2020, 1,291 in 2021 and 1,292 in 2022. **Albert Bandura's Social Learning Theory**, which highlights that aggressive behaviour can be learnt through observation, imitation, and reinforcement, may help explain juvenile aggression. Children who witness or experience violence in their neighbourhoods, peer groups, or families on a regular basis may develop attitudes that normalize using violence to settle conflicts. Violent behaviour may also be influenced by peer pressure, abuse of drugs, family conflict, exposure to violence, insufficient parental supervision, and masculine expectations.
- **Sexual assault** and **crimes against women** constitute a significant aspect of delinquent behaviour during that time. In 2013, there were 1,884 adolescent **rape cases**, followed by 1,989 in 2014, 1,688 in 2015, and 1,903 in 2016. In 2020, there were 937 reported instances. These offences necessitate a

sociological analysis in terms of gender socialization, patriarchal views, unequal gender relations, ideas of masculinity, peer culture, and the social construction of sexuality.

- **Abduction and kidnapping** continue to be significant categories of juvenile offenses. There were 1,121 instances reported in 2013, 1,455 in 2014, 1,630 in 2015, 1,538 in 2016, and 919 in 2017. In 2020, there were 725 cases.
- **Robbery and dacoity** were considered more serious types of property-related offences. The number of robberies rose from 904 in 2013 to 1,024 in 2014, 1,358 in 2015, 1,276 in 2016, and 1,361 in 2017. Dacoity accounted for 112 incidents in 2020 and 153 cases in 2019, while the number was 696 in 2019 and 955 in 2020, due to the use of force, threats, or group participation (National Crime Records Bureau, 2013-2023).

Overall, the NCRB trend for 2013-2023 indicates that there was significant diversity in the type and severity of offences committed by juvenile offenders in India. A significant portion of juvenile offenses were property offenses, including theft and burglary, other significant types of juvenile offences included injury, attempt to murder, murder, kidnapping and abduction, sexual offenses, robbery, dacoity, and riots. The facts that are now available also suggest that an individualistic or economic viewpoint should not be the only one used to explain juvenile offenses. Rather, it should to be viewed as a socially constructed phenomenon that is influenced by the interaction of family, peer group, education, economic conditions, gender socialization, neighbourhood environment, substance use context, and social control mechanisms. In conclusion, juvenile delinquency is produced phenomena through a complex interaction of individual agency and social structure rather than attributing juvenile crime to a single factor such as poverty, family breakdown or peer pressure.

Need for Juvenile Delinquency Law in India

Juvenile offending has been recognized for hundreds of years in the majority of the world. It would make sense to wonder how juvenile criminals were treated historically. A formal juvenile court was not established until 1899. However, during the 19th century, juvenile facilities and other practices for dealing with juveniles were established in America.

Despite strict control over children, the problem of juvenile unrest and anti-social activities existed even in the past. Examples of juvenile misbehaviour are found in the epic Mahabharata. The evil plot of the Kauravas to exterminate the Pandavas is well known from ages. During the Hindu period, certain moral codes were followed to deal with any such problem. According to the Hindu moral code, a parent should not punish a child below the age of five for any crime. Children of such a tender age should only be brought up with love and given good education. After the age of five, punishment can be given in any suitable form, such as physical punishment or scolding by the parents. From the age of sixteen and above, sons and daughters should be treated as friends by the parents. Similarly, during the Mughal period, the teachings of the Quran were followed to deal with matters related to juvenile delinquency. (Bhattacharya, 2000)

The present era has been considered as one of the most difficult periods after the independence of India. The main reason for this is that we are living in a society where centuries-old values are rapidly disappearing and the new economy has brought many vices. This is causing violence and crime as well as instability in the society which is dragging the society towards destruction. In the present times, juvenile delinquency has become a serious problem among various types of problems. (Rastogi, 1959)

Evolution of Juvenile Justice Law in India

When we talk about India, the juvenile justice system has been divided into three time periods in terms of legislative development: the first period is before 1850, the second period is from 1850 to 1949, and the third period is from 1950 to 2013 (Kakar S, 2013).

The First Period: Before 1850

Before 1850, there were no specific laws or guidelines related to crime that stated how to deal with children who violated social and cultural norms, despite the fact that India was governed by a complex legal framework created by the Muslim and Hindu faiths. The history of the past shows that there was no specific law to deal with the problem of juvenile delinquency. Families and communities were thereby permitted to determine how to handle children who violated social and cultural norms. The fact is that in those days, due to the strict social control system, there was very little scope for a child to go astray (Bhattacharya, 2000). But as society moved from simplicity to complexity, the problem of juvenile delinquency also increased, hence the need to formulate formal laws to address crime (Prakash, 2013).

The Second Period: From 1850 to 1949

The first formal law to deal with juvenile delinquency in India was the Apprentice Act of 1850. According to which, a child offender between the ages of 10 and 18 years would be placed in apprenticeship i.e. they would be provided with vocational training. In 1860, the Indian Penal Code (IPC) came into existence. Through which guidelines were issued to address juvenile delinquents. As per the Section 82 of the IPC, a child under the age of seven years was considered "doli incapax", which states that a child under seven lacks the mental capacity to establish a deliberate intent to commit an offense.

The Reformatory Schools Act was framed in 1897. It was one of the most important juvenile legislations in India in time period of 1850-1949. This act was considered important for two reasons. First, this act led to the separation of children and adults, secondly, under this act, a community alternative to imprisonment was introduced. Under which the power to order detention of an offender below the age of 15 years was given (Kakar S, 2013). These changes significantly influenced later legislation in states without Children's Acts or other unique legislation addressing juvenile offenders (Bhardwaj, 2011).

After the publication of the Indian Jail Committee's 1919–20 report, there was another noteworthy advancement in juvenile justice in India during this time (Bhardwaj, 2011). This report makes a number of important recommendations, including the creation of children's courts with the most informal and adaptable procedures feasible, the provision of aftercare, and the keeping of records. It was also suggested by the committee that regular magistrates hear accusations against juvenile offenders during specific hours, preferably in a separate room (Government of India, 1920a). In 1919-20, the Indian Prison Committee made recommendations for the provision of care for juveniles, maintenance of records, and provision of informal and flexible juvenile courts. Keeping these recommendations in mind, Madras was the first state to pass the Juvenile Act in 1920 (Government of India, 1920). Bengal and Bombay followed the Madras model in 1922 and 1924, respectively, and passed Children's Acts for both states (Government of India, 1922, 1924; Prakash, 2013). In subsequent years, more states passed their own Children's Acts, following suit (Bhardwaj, 2011).

The Third Period: From 1950 to 2013

After this, the first Children Act was passed by independent India in 1960. The main objective of this Act

was to "provide for the care, protection, welfare, training, education and rehabilitation of neglected or delinquent children and for the prosecution of delinquent children in the Union Territories" (Children Act, 1960). Although this Act made significant improvements over the existing laws in various states, several issues were left unresolved by this Act, such as the lack of uniformity in the definitions and laws of juveniles and juvenile delinquency in different states. Each state defined juveniles differently and dealt with delinquency according to the provisions of the Child Act established in its state. (Rickard and Zani, 2010) The Supreme Court therefore ordered that the Central Government should make parliamentary laws so that the Children Act made by Parliament should not only provide for the investigation and prosecution of offences against children below the age of 16 years, but also include mandatory provisions to ensure the social, economic and psychological rehabilitation of children who have been convicted of offences or have been released. (Government of India, 1960)

Journalist Sheela Barse filed a writ of habeas corpus before the Supreme Court in 1983, requesting the release of 1400 children detained in Indian jails despite many Children Acts prohibiting their usage. While this petition was pending, the Supreme Court acknowledged that various Children Acts that were in effect in various regions of India had different cut-off ages for defining children, which violated the fundamental right to equality before the law and equal protection of the law guaranteed to all children by the Indian Constitution. For instance, in certain states, a child between the ages of 16 and 18 may be arrested for a crime and tried as an adult, but in other states, the Children's Court may handle the case. The latter set of kids benefited from rules such as the prohibition on disclosing their identities and the elimination of any disqualification associated with an offense conviction. Consequently, it was pointed out in one of its directives that unified laws for the entire nation would be preferable.

Juvenile Justice Act, 1986

When the Juvenile Justice Act of 1986 was being passed, juvenile delinquency was not limited to violent crimes. A substantial proportion of recorded juvenile offences consisted of property offences such as theft and burglary, while collective/disorder offences such as rioting also constituted an important category. Another noteworthy instance was captured during the Rajya Sabha discussion of the 1986 Juvenile Justice Bill. Two teenagers, ages 14 to 16, were implicated in a series of murders and robberies in a town, according to the speaker. The story is that they were previously incarcerated for a common theft, where they met experienced criminals and were later inspired or trained by them.

(https://rsdebate.nic.in/bitstream/123456789/321231/2/ID_140_18111986_11_p179_p236_11.pdf?utm_source=chatgpt.com)

In accordance with this directive, the first Juvenile Justice Act (JJA) in India was passed in 1986, according to which boys below the age of 16 years and girls below the age of 18 years are kept in the category of juvenile offenders. The Children Act of 1960 was mostly followed; however, the term "child" was replaced with "juvenile," possibly as a result of the General Assembly's recent adoption of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, 1985 (also known as the Beijing Rules). The JJA was enacted under Article 253 of the Constitution which empowers Parliament to make any law for the whole of the country or any part of the country.

(<https://www.indianbarassociation.org/wp-content/uploads/2013/12/JUVENILE.pdf>)

With the implementation of the JJA, 1986, the use of police stations or jails for the purpose of confining girls under the age of eighteen and boys under the age of sixteen became unlawful across all of India, with the exception of the State of Jammu & Kashmir. The JJA, 1986 significantly altered the Juvenile Court's

(the new name for the Children Court) constitution by mandating that two social workers assist the court throughout its hearings. The State of Jammu and Kashmir later approved the JJA, 1986. (Ved Kumari, 2024)

Juvenile Justice (Care and Protection of Children) Act, 2000

When India ratified and signed the United Nations Convention on the Rights of the Child in December 1992, it was deemed necessary to adopt the uniform cut-off age of 18 for both boys and girls in accordance with the CRC's definition of child. The JJA, 2000 took the place of the JJA, 1986 and went into effect on April 1, 2001. Under this act, a boy and a girl up to the age of 18 years can be detained for 3 years for committing any kind of crime. But if an offender is below the age of 18 years, then his punishment for the alleged crime is exempted. A previously diverse system in India was formally codified by the Juvenile Justice (Care and Protection) Act of 2000 (Kumari Ved, 2024). The JJA and other state laws pertaining to children's rights and welfare served as the foundation for current policy prior to the 2000 Act's approval. As was previously indicated, the JJA's flaw was the absence of a statutory distinction between the two categories of children mentioned above: those who were in conflict with the law and those who needed care and protection. In order to do this, one of the main objectives of the 2000 Act was to establish a distinct system and the infrastructure that goes along with it for situations in which minors break the law. This system would be distinct from the adult criminal justice system. In recognition of India's ratification of the UN Convention on the Rights of the Child, the Beijing Rules, and other pertinent international instruments, JJA (1986) was repealed in 2000 and replaced by the Juvenile Justice (Care and Protection) Act of 2000 (JJ (C&P) Act), which was amended in 2002, 2006, and 2010.

(https://www.indiacode.nic.in/bitstream/123456789/8863/1/juvenile_justice_act_200.pdf)

Juvenile Justice (Care and Protection of Children) Amendment Act, 2006

Civil society played a key role in strengthening the Juvenile Justice Act (JJA), 2000 through sustained advocacy, social action litigation, and continuous monitoring of its implementation. Their efforts led to significant amendments in 2006, particularly to Sections 2(1), 20, 64, and 68, along with the insertion of new provisions such as Sections 1(4) and 7A. One major change was the addition of Section 1(4), which clarified that the JJA, 2000 would override all other laws, thereby resolving disputes about its applicability to juveniles involved in offences under special statutes like Terrorist and Disruptive Activities Act (TADA), the Prevention of Terrorism Act (POTA), and the Narcotics Drugs and Psychotropic Substances Act (NDPS) Act. The amendments also addressed judicial inconsistencies, especially those highlighted in the Pratap Singh case, where the Supreme Court had earlier taken a narrow view on the application of the Act to pending cases. The revised definition of “juvenile in conflict with law” established that age should be determined at the time of the offence, meaning anyone below 18 years at that point would be covered under the Act. Furthermore, the explanation added to Section 20 overturned the earlier interpretation, ensuring broader and more consistent application of juvenile justice principles (Juvenile Justice (Care and Protection of Children) Amendment Act, 2006; Pratap Singh v. State of Jharkhand).

Through social action litigation and other strategies, civil society was instrumental in maintaining the spotlight on the JJA, 2000. A number of legal concerns that had been raised in numerous instances before the Supreme Court and the High Courts were resolved in 2006 as a result of extensive and significant changes to the JJA, 2000 brought about by civil society's ongoing monitoring of the difficulties

encountered in its appropriate implementation. The revisions made to Sections 2(1), 20, 64, and 68 as well as the addition of new Sections 1(4) and 7A were the most important changes made in 2006.

The JJA, 2000's provisions superseded those of any other currently enacted statute when Sub-section (4) was added to Section 1. This modification put an end to cases that contested the JJA, 1986's applicability to minors who had committed crimes under special laws like the Terrorist and Disruptive Activities Act (henceforth referred to as TADA), the Prevention of Terrorism Act (henceforth referred to as POTA), and the Narcotics Drugs and Psychotropic Substances Act (henceforth referred to as NDPSA), which established special courts and procedures for such offenses.

Before the five-judge panel in Pratap Singh eventually settled the issue and found that the age at the time of the offence determined the applicability of the Act, the Supreme Court had reviewed the topic at least three times. According to the revised definition, "juvenile in conflict with law means a juvenile who is alleged to have committed an offence and has not completed eighteen years of age as on the date of commission of such offence."

In Pratap Singh's case, the Supreme Court narrowly interpreted Section 20 of the JJA, which allowed the JJA to be applied to pending cases. It held that the JJA, 2000 applied to the pending case of a boy who was older than 16 but younger than 18 if the boy remained younger than 18 on the date the JJA, 2000 went into effect, which was April 1, 2001. That ruling was clearly overturned by the explanation¹⁷ that was inserted to Section 20.

Following the decision in Pratap Singh v. State of Jharkhand, Section 64 of the Juvenile Justice Act, 2000 was expanded to include all individuals who were between the ages of 16 and 18 at the time of the offense, regardless of their age when the Act went into effect. In 2007, new Model Rules were issued, with States expected to adhere to them to the greatest extent possible, after Section 68 was amended to allow the Central Government to make binding rules until States framed their own, since many States had not framed rules under the Act and the earlier Model Rules were deemed non-binding.

Juvenile Justice (Children in Need of Care and Protection) Act 2015

After the incident of 16th December 2012, where 23 years old girl was gang raped in a running bus and a juvenile was equally and dastardly involved in the crime, there has been an outcry from all sections of the society, and a strong demand for amending the act and reducing the age of a juvenile from 18 to 16 years (Sanyal, 2022).

On December 31, 2015, the President of India signed the JJA, 2015 into law. On January 15, 2016, it was published in the Indian Gazette and went into effect. However, by specifically mentioning development and incorporating social reintegration in addition to care, protection, and treatment of children as elements of a child-friendly approach, the JJA, 2015 has significantly broadened the scope of care and protection to children in conflict with the law and children in need of care and protection.

According to the Juvenile Justice (Care and Protection of Children) Act, 2015, a minor is defined as a person who has not attained the age of eighteen years. The Act also defines a child in conflict with the law who has committed an offence or has been found guilty of committing an offence as a minor. (<https://cara.wcd.gov.in/PDF/JJ%20act%202015.pdf>)

It clearly defined three types of offences: **Heinous Offences** such offences for which there is a minimum punishment of 7 years of imprisonment under any existing law. **Serious offences** such offences for which there is a minimum punishment of 3-7 years of imprisonment. **Petty offences** with a maximum punishment of 3 years.

Conclusion:

The present study examined the concept of juveniles in conflict with law in India by discussing the meaning of juvenile and juvenile delinquency, analysing the trends in offences committed by juveniles during the period 2013–2023, types of offences committed by juveniles, highlighting the need for a separate juvenile justice law, and tracing the historical evolution of the juvenile justice system in India from the pre-1850 period to the enactment of the Juvenile Justice (Care and Protection of Children) Act, 2015. The analysis of offence trends indicates that although the nature and number of offences have varied over the years, juveniles continue to come into conflict with the law, underscoring the need for an effective and child-centred juvenile justice system. The evolution of juvenile legislation in India, beginning with the early legal measures, followed by reforms during the colonial and post-independence periods, and culminating in the Juvenile Justice Acts of 1986, 2000, the 2006 amendment, and the Juvenile Justice (Care and Protection of Children) Act, 2015, reflects a gradual shift from a punitive approach towards a welfare- and rights-based framework that recognises children as capable of reform and rehabilitation.

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