Rehabilitation and Social Reintegration of Juvenile: The Route to Righteousness

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Children are the foundation on which the dynamic future of a nation shall be built. They are nation's greatest asset. The delicate mind of a child can easily be molded and subjected to an inclination towards criminal activities. They increase their ability to think abstractly and develop their views regarding everything. They have a tendency of making comparison of self with the others. They year for separate identity and independence from their parents. This is an age where peer influence and acceptance become very important.

However, these are normal changes but the problem arise when these Juveniles develop delinquent tendencies and get into law and order problems. The general observation is that delinquency peaks in adolescence and diminishes with age. Indulgence in conventional crimes is more wide spread in teenagers and young adults. Most of these offenders disengage from crime after a brief career in crime.

Juvenile crimes have become such common phenomena that they raise serious concern in any nation. In common terminology Juvenile is a child who has not attained a certain age of which he can think rationally and after understand the consequences of his/her act. Hence, the juvenile can't be held liable for his/her criminal acts. A juvenile delinquent may be regarded as a child who has allegedly committed/ violated some law, under which his/her act of commission or omission becomes are offence.

"Child in conflict with law", has been defined under section 2(13) of the Juvenile Justice (Care and Protection of children) Act, 2015 as a child who is alleged or found to have committed an offence and has not completed eighteen years of age on the date of commission of such offence.

William Coxton in the year 1484 used the word delinquent to refer a person who was found guilty. Juvenile delinquency means the involvement by the teenagers in an unlawful behaviour who is basically under the age of 18 and commits an act a which is against the law and is not accepted by the society delinquency is a kind of abnormality. Where a juvenile below an age specified under a statute exhibits behaviour which may prove to be dangerous to society and /or for him he may be called child delinquent.

Act of delinquency many included running away from house without the permission of parents, Habitual behaviour beyond the control of parents, committing sexual offence, stealing etc.
The number of juvenile delinquents has risen by leaps and bounds in the last few years. According to National Crime Records Bureau, 23,25,575 cases were registered against juvenile under IPC Crime in 2011. The number steadily rose to 29,49,400 in 2015.

The Juvenile Justice systems is based on principles of promoting, protecting and safeguarding the rights of children. It was enacted by the Indian parliament in 1986. In the year 2000, the act was comprehensively revised based on United Nations convention on the rights of child (CRC), which India had ratified in 1992, the Beijing rules, the united rules for the protection of Juveniles rules deprived of their liberty and all other national and international instruments. The Juvenile Justice Act, 2000 was based on provisions of Indian Contribution and the four broad rights defined by the UNCRC-

- Right to Survival
- Right to Protection
- Right to Development
- Right to Participation

But this Act has further amended in 2006. Now in year 2015, new act on Juvenile Justice has been passed.

The Juvenile Justice Act, 2015 provide for strengthened the provision for both children in "Need of Care and Protection of Children in Conflict with Law"

But the introduction of the new Juvenile Justice (Care and Protection of Children Act) 2015, has introduced a number of changes like Juvenile between sixteen to eighteen years of age, who are found guilty of committing heinous offences are to tried like adults, also such juveniles can be detained in a 'place of safety' until they reached the age of twenty one. If still not found to have been 'reformed" by 21 then can be sent to jails housing adults. However, these choices are taken by the Juvenile Justice Board. This is for the first time in Indian history that such provisions has been prescribed. New act is also criticized for prescribing an opaque age determination system. Another point, the Juvenile offenders will be treated under either IPC or the Juvenile Justice Act. The Board will be aided by expert aided by expert in making that decision and new act does not clearly define under what circumstances a case will be transferred to the adult court. Once a minor is tried in adult court, the cannot be tried in Juvenile Justice Board again. Due to so many ambiguity in new act the Juvenile Justice Board uses its discretionary power in passing orders.

Juvenile Justice system is based on the principle of social welfare and rights of the children. Juvenile Justice System performs the rehabilitation cum criminal justice function in duality of its roles.

The idea behind rehabilitation is that people are not born criminals, thus should be given a chance to be restored back into society. Rather than punishing them as a criminal,
rehabilitation seek by means of education or therapy, to make the Juvenile in conflict with law a healthy citizen of the society.

The Juvenile Justice (Care and Protection) Act, 2015 places importance on the rehabilitation of the Juveniles in conflict with a view to promote their 'dignity and self-worth'. In fact, reforms and rehabilitation and not punishment are the guiding principle of the Juvenile Justice (Care and Protection) Act, 2015. The Process of rehabilitation shall also secure the right of the child in conflict with law' every child in conflict with law shall have the following rights, including but not limited to:

a) Human Treatment.
b) No Corporal Punishment.
c) Separation from about criminals, if detained.
d) Access to legal assistance.
e) Bail and release on recognizance.
f) Privacy.
g) Diversion, if qualified
h) Proportionate Judgment
i) Restrictions on liberty kept to a desirable minimum.
j) Automatic suspension of sentence.
k) Probation, if qualified.
l) Confidentiality of proceedings.
m) Right against discrimination.
n) Constitutional rights.

The Act provides that children in conflict with law and children in need of care and Protection are to be catered for their basic needs through Proper care, Protection, development, treatment, social reintegration by adoption, faster care, sponsorship and sending to child to an aftercare organization. The faster care may be used for temporary placement of those infants who are ultimately to be given for adoption. After care organisation are setup for the purpose of taking care of Juvenile or the children after they leave special homes. Children homes and for the purpose of enabling them to lead an honest, industrious and useful like restoration of Juvenile back to the society is very important for the reformation of the child in conflict with the law and to make than into a model citizen. The government and non-government organization work together for the rehab of the Juvenile.

There are so many NOG's Play a vital and essential role in betterment and rehabilitation of children because when a person has a better present he has better future.

Mahatma Gandhi said: The future depends on what you do today.

There are many more NGO's out there to work for children like-
1. Child right and you (CRY)- They are working since 1970 for child welfare.
2. Katha- It provides quality education to under-privileged children.
3. Smile Foundation- This organisation works for education, healthcare and livelihood.
4. Childline India Foundation- It is India’s first free emergency phone service for children in need at aid and assistance.

There NGO's are working tirelessly day and night for there children who are in need at care and Protection or the delinquent child. They work for the betterment of these children. By this way, they reduce the possibilities of child delinquency.

That's how NGO's plays the important role to reduce delinquency and help in restoration of Juvenile back to society. These NGO's help Juvenile delinquents get a fresh lease on life.

It is in the best interest of the delinquent Juvenile to rehabilitate him/her as early as possible an integrate them back into society. The state has a duty to protect the rights at these children and to came up with reformatory methods to inculcate values in these children which can socially uplift and give confidence to them so that they can further play a constructive role in society. Psychological and reformatory approaches are milestone in achieving Juvenile Justice ground level improvements always outshine the government policies. The future of Juvenile is not dark, but needs prayer long them perspective and planning.

We should understand the primary motto of Juvenile Justice (Care and Protection) Act is to reform and not simply punish the child in conflict with the law. A society wants to get rid of crimes should start the reformates from within. This starts with rehabilitation of the our young mind back to the path of righteousness.