

"Special Features and Relevance of the Juvenile Justice Act, 2000."

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Abstract

Juvenile justice and criminal justice are quite distinct fields, and the laws that apply to juveniles are also very diverse, due to differences in terminology and character. Love, care, protection, rehabilitation, and aftercare therapy are all parts of the juvenile justice philosophy that aim to address the issues of both offending youth and those who come into contact with them. To protect children's cases from the negative consequences of criminalization, penalization, and stigmatization, the JJ system places a strong emphasis on minimizing the need for judicial interventions. Protecting children from the punishing nature of traditional criminal court processes is the rationale for this shift in perspective. The idea of justice at the first phase (before to the beginning of delinquency) seldom has a legal meaning, according to the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Social and ethical fairness are at the heart of the idea. This shows that society cares for the kid by transferring and even imposing social duties on him.

1.1 Introduction

Most people agree that the best way to stop adolescent delinquency is to intervene while it's still in its early stages. This procedure requires us to first classify these minors, and only then can we treat them. Efforts must be made at the individual, group, and organizational levels to prevent minors from breaking the law. Economic growth, professional training programs, and education are all ways to keep young people out of trouble with the law and away from criminal activity. It is essential for authorities to first engage with the Juvenile justice system and establish an effective collaboration with society in order to apply the Juvenile Justice Act. Community participation and non-governmental organizations (NGOs) may also play a role in reducing juvenile delinquency. If the government is serious about helping young people regain their self-esteem and find the motivation to become contributing members of society, it must prioritize initiatives that are both successful and long-term. According to the 1974 national policy on children, which proclaimed children to be the most valuable resource of the country, the responsibility for children's social and environmental development rests squarely on the shoulders of the state, which must ensure that children have enough opportunity to grow emotionally, intellectually, and physically. Also, the government has a responsibility to protect kids from harmful adults who would exploit, mistreat, or neglect them. Education, vocational training, and rehabilitation services have been made available to disadvantaged youth who engage in criminal or delinquent behavior. Additionally, this 1974 National Policy for Children includes a provision for a personal assistant to help every kid from disadvantaged backgrounds achieve equitable opportunity.¹

To aid in the reintegration of abused and neglected children into society, the JJA has included a number of measures and principles to guarantee them extra safety and care. The Beijing Rules were followed by those particular rules and regulations. Providing care, protection, and non-penalization for children dealt with under the JJA was the basic premise behind all of these regulations. Included in the JJ (C&P) Act, 2000 are the following provisions from the JJA.

(a) Continuation of Inquiry

If a person's status as a juvenile changes while an investigation is underway, the JJ (C&P) Act, 2000 allows for the investigation to continue with that individual. Children, because to their mental immaturity, need protection from the consequences of their wrongdoing, and the underlying idea is that they cannot be imbued with the same degree of mensa as adults. Even if the offender is no longer a minor at the time of final orders,

¹ International Journal of Interdisciplinary and Multidisciplinary Studies (IJIMS), 2014, Vol 1, No.6, 64-70. 70

the reasoning remains valid since time has passed since the offense was committed. It is not possible to later prove that the individual dealt with under the responsible authority's orders was not a juvenile, therefore nullifying those orders. According to the JJ(C&P) Act, a person's actual age is the one documented by the responsible authorities after a thorough investigation.

The law was passed to safeguard children who, due to their immaturity, were unable to comprehend the gravity of their actions; thus, investigations involving such a minor must continue as if he were a juvenile, even though he turned eighteen during the course of the investigation.

The High Court and Supreme Court have taken it a step further by extending the reach of this Act to minors whose cases have previously been heard in either the Juvenile Court or a normal court, despite the fact that they are no longer considered juveniles under the 1986 Act since they are above the age of 16. According to the 2006 amendments to Sections 2(1), 7A, 20, and 64 of the Juvenile Justice (Care and Protection of Children) Act, 2000, a juvenile would still be deemed a juvenile if "he was below 18 years of age on the date of commission of offence," regardless of whether he or she ceased to be a juvenile on 1.4.2001.

The date of the offense is relevant for determining juvenility, as long as the offender was under 18 years old on or before the beginning date of the Act, which is 1.4.2001. A claim of juvenility may now be brought before any court at any point, even after the case has been finalized. The court will decide on the claim after hearing evidence in line with the rules and the requirements of the Act. On the other hand, the accused's age should be assessed based on the date of the alleged offense when dealing with a continuing crime involving a juvenile delinquent.²

(b) Special Provision of Bail

A difference between severe and other offenses, known as bailable and non-bailable offences, was abolished by the "Juvenile Justice (Care and Protection of Children) Act, 2000" with respect to bail. According to "The Juvenile Justice (Care and Protection of Children) Act, 2000," a juvenile offender should be granted bail regardless of whether the crime they committed is bailable or not. Release on bond or placement under the supervision of a probation officer or suitable adult is the standard procedure when a minor is brought before a Juvenile Board.

(c) Constitution of Competent Authority

Children who are "in need of care and protection" or "juvenile in conflict with the law" are primarily handled by the Juvenile Justice Board and the Child Welfare Committee, respectively.

1.2 Juvenile Justice Board (JJB)

Juvenile matters are exclusively handled by the Judicial Judgment and Bar (JJB), which is presided over by a Principal Magistrate "who should be a Metropolitan Magistrate or a Judicial Magistrate First Class with specific understanding in child psychology. Two social professionals are needed, with one of them having to be a woman. With a master's degree in social work, psychology, child development, or another social science field, they must have worked with children in some capacity for seven years, primarily in the areas of health, education, or welfare.

Juvenile Justice Board has exclusive authority to hear and judge cases involving juveniles, as well as exclusive jurisdiction over all matters pertaining to juveniles. A Juvenile Justice Board is now required to investigate any allegations of a juvenile offender's involvement in a crime under the "Juvenile Justice (Care and Protection of Children) Act, 2000," which supersedes previous statutes such as the NDPS Act, the Arms Act, and the SC/ST Prevention of Atrocities Act. When it comes to minors, not even Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (which forbids anticipatory bail) applies.³

1.3 The Child Welfare Committee

Within one year of the Juvenile Justice (C & P of Children) Amendment Act, 2006's start date, the state government can establish one or more Child Welfare Committees by notifying them in the official

² VimalChadha v. VikasChoudhary, 2008 (8) SCALE 608 : 2008 (9) SCR 911

³ Tara Chand v. State of Rajasthan, 2007 Cri. L.J.3047.

gazette, which is constituted for each district. These committees will be responsible for carrying out the powers and duties given to them by the Juvenile Justice (Care and Protection of Children) Act, 2000. A minimum of one woman and three additional members, including a chairperson, are required to make up the committee that will deal with the kid in need of protection and care. If no one with a master's degree in child development, psychology, or social work is available to serve as committee chair or member, the minimum qualification is a bachelor's degree in a social science, or the individual must be a licensed physician, educator, or social worker with experience in the area of child development.

The state government appoints the chairman and member for three-year terms; their qualifications and tenure are specified. Each member's allowance must not be less than 500/- every meeting. It is possible for the government to fire the committee member once an investigation has concluded if

- i. In the event that he has been found guilty of abusing his authority as granted by this Act,
- ii. In the event that he has been convicted of a crime involving immorality and either that conviction has not been overturned or that he has not been granted a full pardon for that crime,
- iii. In the event that he either does not show up to the Board's proceedings for three months in a row without a good reason or shows up to less than one-third of the sittings each year.

(d) Procedure of Competent Authority

A bench of Magistrates should be established by combining the Juvenile Justice Board with the Child Welfare Committee. To guarantee that children get particular protection and a fair trial, the JJ (C & P) Act incorporates a number of procedural changes. Only individuals with a direct interest in the outcome of the proceedings may attend the hearings before the relevant authorities.

By establishing a deadline of four months for the completion of all investigations pertaining to minors, the JJ(C&P) Act has ensured the expedited disposition of actions before a Juvenile Justice Board. It is possible to prolong the time by two months in extreme circumstances, such as those involving transitional criminality, a large number of accused, or excessive delay in the production of witnesses. Proceedings for non-serious offenses are terminated if they go on for more than four to six months. If a major offense takes more than six months to resolve, the board is required to notify the CJM/CMM and explain what happened during that time. To avoid the lengthy process of warrant cases, even in instances involving severe offenses committed by minors, the competent authority is to follow the same protocol for conducting the investigation as is required for the trial of summons cases.

A child-friendly setting is required for all meetings of the Board or Committee.

(e) Ban on Disclosure of Identity of the Children

Without the express consent of the competent authorities, it is illegal and punishable under the Act to publish a report of any investigation involving a child that discloses her or his name, residence, school, or any other details likely to identify her or him. In line with the idea outlined in the Beijing Rules, this clause seeks to safeguard the child's interests and shield him from social shame.

(f) Segregation from Hard core and Adult Offenders

To make sure that minors never have to deal with adults who commit crimes, the JJ(C&P) Act, 2000 included a number of measures to that effect. Every case involving a juvenile offender must be processed and resolved by the Board. In addition to superseding the sections of Cr.PC that allow joint trials, this Act prohibits the joint trial of minors with others. Juveniles are further protected from contact with adult criminals by the JJA's provisions for their confinement in institutions and other facilities specifically designated or recognized for this purpose. Juveniles should not be held in prison, according to the JJ(C&P) Act.

(g) Removal of Disqualification

Additionally, the JJ (C&P) Act addressed the issue of any disqualification that may be associated with a conviction for a crime in cases involving children.

(h) Individual Care

Every kid will get tailored care according to the many requirements of the Act. Considering all of the juvenile's relevant circumstances, the competent authority is free to determine the sequence that is most appropriate for the youngster. It is the competent authority's or the local authority's prerogative to release a

child from care early if doing so is in their best interest, either unconditionally or under to conditions deemed suitable under the JJ (C&P) Act. In some cases, children may be released from prison early to pursue further education, vocational training, or rehabilitation under the supervision of a parent, guardian, or approved adult. Additional aspects demonstrating the tailored character of the services and programs provided by the JJ(C&P) Act include the establishment of an aftercare program and the subsequent reporting of progress for juveniles housed in institutions.

(i) **Role of NGO and Social Organisation**

Involvement of community services and volunteer social workers is crucial to the JJ (C&P) Act's efforts to protect juveniles. Children who have been neglected or abused might have social workers involved in their intake, decision-making, community placement, institutionalization, and rehabilitation processes. With the expanded responsibilities of volunteer social workers, the juvenile justice system becomes more open and the youth is able to maintain contact with society; nonetheless, the goal of reintegration into society cannot be accomplished without the community's cooperation.

1.4 The Juvenile Justice (Care And Protection Of Children) Act, 2015

This law, which replaces the Juvenile Justice (Care and Protection of Children) Act, 2000, has just taken effect and is known as the Juvenile Justice (Care and Protection of Children) Act, 2015. After receiving presidential assent and coming into effect on December 31, 2015, the Juvenile Justice (Care and Protection of Children) Bill, 2015 was approved by the Rajya Sabha on December 22, 2015, after having been passed by the Lok Sabha on May 7, 2015.

Support for children in danger and those who are in trouble with the law are both bolstered under the JJ Act, 2015. The following provisions are important: a change in terminology from "juvenile" to "child" or "child in conflict with law" throughout the Act to eliminate any negative connotation; new definitions of orphaned, abandoned, surrendered, and petty, serious, and heinous crimes committed by children; clarification of the roles and duties of the Juvenile Justice Board (JJB) and the Child Welfare Committee (CWC); clear deadlines for investigations by the Juvenile Justice Board (JJB); special provisions for horrific crimes committed by children older than sixteen years old; a new chapter on adoption to facilitate the adoption of abandoned, surrendered, orphaned, and petty offenses committed by children; new offences committed against children; and mandatory

The Act includes a number of new crimes perpetrated against children that have not been appropriately addressed by any previous legislation up to this point. Some examples of these crimes include the following: kidnapping and abduction, assaults on children with disabilities, the use of children by militant organizations, physical punishment in child care facilities, and the sale or procurement of children for any reason, including unlawful adoption.

1.5 Need of Amendment in Existing JJ (C&P) Act 2000

One of the suspects in the 2012 Delhi gang rape was discovered to be only a few months short of becoming eighteen years old. Because of this, a juvenile court held his trial. A politician named Subramanian Swamy petitioned India's highest court for the juvenile to hear the case as an adult on July 31, 2013. A stay of judgment was requested by the court from the juvenile court.

The Supreme Court upheld the juvenile court's decision, and the kid was subsequently given a three-year term in a rehabilitation institution. According to the parents of the victims, the court was inadvertently encouraging other juvenile criminals to conduct the same crime by not sentencing the juvenile as an adult criminal. Hence, they were critical of the decision.

The new legislation that would permit the trial of individuals as adults at the age of sixteen was announced by Mrs. Maneka Gandhi, Minister of Women and Child Development, in July 2014. Teens who know they can get away with it conduct half of the offenses perpetrated by juveniles, according to her. She went on to say that the law may be changed so that a minor could be prosecuted for rape and murder as an adult. On August 12, 2014, the measure was brought before Parliament by Mrs. Maneka Gandhi. Following revisions, the Cabinet approved the final version on April 22, 2015.

A Juvenile Justice Board would be empowered to determine whether a juvenile offender between the ages of 16 and 18 is to be tried as an adult according to the provisions of the bill. Additionally, the law

included provisions that were absent from the prior legislation, including the Hague Convention on the Protection of Children and Cooperation in Respect of Inter-Country Adoption, 1993.

1.6 An Over View of the Juvenile Justice Acts

By establishing a consistent and non-punitive strategy to dealing with juveniles in India, the Juvenile Justice Act of 1986 alleviated several problems that had developed as a result of the previous lack of regulation. Despite the significant improvement, there were still numerous gaps in the field of Juvenile Justice that needed to be filled in order for it to fulfill its stated goals of providing care, protection, rehabilitation, etc., to neglected and delinquent children and bringing the Juvenile Justice System into compliance with the Beijing Rules and other UN standards, statements and protocols.

In order to identify whether individuals were covered by the JJA, the terms "juvenile," "neglected juvenile," and "delinquent juvenile" were defined. A thorough analysis of these criteria in the JJA revealed a lack of precision. There was no scientific foundation for the prejudice and the concept of "juvenile" was sexist. Girls in Indian civilization needed protection for a longer length of time, hence the differentiation was rationalized as being important. However, the JJA did not address the unique needs of females in any way, other than by setting a separate cut-off age. Girls were more ignored than boys, but it didn't acknowledge it. To guarantee that girls did not get less care, protection, or treatment than boys, it was vital to pay particular attention to JJA programs for girls in line with the Beijing Rules. There are no gender-specific requirements in the JJA Act of 2015, which sets the minimum age at 18 for boys and girls equally.

For neglected and delinquent kids, the JJA has offered a variety of therapeutic options. In their fight for existence, these kids face comparable living situations and repeatedly vacillate between honest, hardworking lives and criminal ones. The process of classifying somebody as delinquent or ignored solely based on the commission of an offense, particularly in cases involving minor offenses, is arbitrary and driven by legal requirements. When a neglected minor is apprehended for gambling, they are to be treated as a juvenile delinquent. Even if another homeless youth's social investigation report indicates a history of gambling, he will be treated as a neglected youth until and until detected gambling.

The distinction between "children in need of care and protection" and "juveniles in conflict with the law" has been further defined by "The Juvenile Justice (Care and Protection of Children) Act, 2015." Despite the fact that the Act begins by saying that it takes a child-friendly approach, it never once calls any of the children whose lives it affects children. A few of them are considered minors, while others are considered juveniles. "Juvenile" has been elevated to the same level as "delinquent child." The term "juvenile" is used in many parts of the JJ (C&P) Act to describe a minor who is either accused or found guilty of a crime.

It utilizes the words "child" and "juvenile" interchangeably, even though they both refer to people under the age of eighteen, in order to include provisions for punishing those who exploit minors as beggars. It would seem that "juvenile" is synonymous with "child" if it means that children involved in legal disputes are also included in this section.

Additionally, there is no apparent policy in the classification of a neglected juvenile. Almost all impoverished youngsters in India would have been considered neglected juveniles under the JJA's expansive definition. Hundreds of thousands of impoverished parents in India would be subject to punishment under the Act if they allowed their children to work to earn a living or if they used mild punishments like hitting to discipline their children, which could disrupt society as a whole. The clause granted the state unchecked intervention authority, even if the goal was to provide care and protection to all children in need. In addition, the JJA did not place nearly as much emphasis on community involvement and non-institutional care of children as the JJ Act did, which was necessary to include such a diverse and large number of children. Although it does not apply to child beggars, the JJ (C&P) Act has broadened the category of children in need of care and protection.

Like the Children Act of 1960, the JJA built complex administrative machinery; however, the government's indifference meant that only a small number of agencies were actually put into place, further widening the gap between those in need of care and protection and the agencies supposed to be there to give it. As a result, the parents and children are subjected to harassment due to the distance. Institutionalization isolates a youngster from his or her loved ones and the society at large. For the sake of the children involved,

it would be best if juvenile justice services were more locally based and easily available so that they could remain connected to their families and communities. Considering the general lack of interest in carrying out the previous Children Acts, the JJA ought to have favored a unified system that placed more value on customization and division. This concern has not been resolved and the JJ (C&P) Act still has a complex administrative framework. Institutional and non-institutional approaches to child welfare were detailed by the JJA. It would seem that the JJA was slanted toward institutionalization due to the abundance of clauses dealing with the institutionalization of children and the lack of a provision requesting that institutions be used only as a last option. No amount of institutionalization or rehabilitation would have been effective for the large and diverse group of youngsters involved with the JJA.

The JJA need to have embraced the community-based programs and semi-institutional arrangements that were part of the Beijing Rules. As a crucial component of the juvenile justice system, a juvenile guidance bureau should provide the psychological support that is essential for rehabilitation. Additional community-based choices have been included in the JJ (C&P) Act, but the specifics of these programs are yet up to the regulations that will be drafted in accordance with the Act. This process may be lengthy and, in some cases, requires involvement by the judiciary.

Despite a promise to help low-income families with their children in the National Policy for Children, the JJA does not include any provisions to address this particular issue. The Beijing Rules' primary goal of less involvement and distraction went unnoticed by the JJA. Juvenile justice administration initiatives did not include or coordinate services pertaining to mothers' and children's care and welfare in accordance with trends in child neglect and delinquency.

In practice, "taking charge" of a minor and "arresting" a juvenile offender are interchangeable terms. Only if separate adjudicatory bodies are established for the region will the two types of children be considered. Otherwise, both types of children are handled by the same Magistrate. All of them must adhere to the same process, which is the process that the Cr.P.C. has established for the trial of summons cases. Since comparable disposal alternatives are available in both the delinquent and neglected kid scenarios, the repercussions of each verdict cannot be much different. Juvenile Justice (C&P) Act provisions do not differentiate between the types of homes established for neglected and delinquent children. On top of that, the Act provides housing for them, so it's essentially mandatory that they stay there. In reality, most communities only have room for one kind of kid per family.

Deprivation of liberty, according to India's signing of the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, encompasses any type of confinement, whether public or private, and the inability to leave such a setting at will, except by an order of a court, administrative body, or other public authority. Only under the Beijing Rules is it permissible to restrict the freedom of children. So, if India wants to live up to its global responsibilities, it must ensure that all children, regardless of whether they are in trouble with the law or need care and protection, have access to legal representation. This is not addressed in the JJ (C&P) Act. Rather, it views a child's time spent in a children's home or special needs facility as temporary. Incorporating its responsibilities under Indian and international law is mostly a formality in the Act.

Similar to the JJ Act, which remained mute on the subject of fingerprinting, the JJ(C&P) Act, 2015 took a step forward by stating that the Board is responsible for directing the removal of the relevant conviction record when the appeal time has ended, or after a reasonable term as specified by the regulations. The JJA had previously remained mute on the topic of fingerprinting minors and using records of child hearings in later cases.

The JJA only outlined the domains where state governments had the authority to establish regulations. It did not even specify the kind or level of follow-up care that was to be given. This vital part of the JJS was pushed to the sidelines as after-care matters were allowed to be handled by lower-level laws. Evaluation and enhancement of the JJS's functioning were further hindered by the lack of a formal framework for input on a child's development after they left the home. Nothing has changed with regard to the JJ (C&P) Act, 2015.

The unique plans, provisions, principles, and modifications brought about by any Special Act may be realized via the Act's proper and genuine execution. Similarly, the JJA's provisions could only have any

impact upon the Act's appropriate implementation. Despite Parliament having passed the JJA, the federal government's only obligation with respect to the Act was to announce its execution. In most areas, the state government was tasked with building the necessary infrastructure to accommodate all types of children. Concerns about states' inability to pay for Children Act implementation were not addressed throughout the Act's notification process. Neither the kind of the welfare fund nor the percentage that the state would contribute were defined by the new law, which was expressed in very broad words. There was no extra cost to the federal government as a result of the Juvenile Justice Bill of 1986, according to the accompanying financial memorandum.

The states would be mainly responsible for implementing this law, and the same would be true for Union Territories; the current infrastructure would be restructured and made use of in accordance with the Children's Act, 1960, as revised in 1978 by Parliament. That meant the federal government wasn't going to pony up any more cash to help the states build up the apparatus the law mandated. Following the same format and approach, the JJ (C&P) Act, 2015 has carried on as well.

All of the JJA's sections for the establishment of new agencies made use of the enabling term "may," giving the states the authority to create, recognize, and establish the required agencies. Such leeway might be required in a huge nation like India to accommodate the diverse requirements of its many regions. It just gave the states the authority to carry out the Act's requirements; it did not compel them to do so. "May" was not changed with "shall" in the JJA and the same pattern has been followed by The JJ(C&P) Act, 2015, as is evident from the pattern of implementation of the Children Act, which grants comparable discretion.

The re-enactment of the JJ(C&P) Act, 2000 and the JJ (C&P) Act 2015 was justified by the Indian state's recognition of its responsibilities under both domestic and international law. With the texts and their concepts so well explained, it is reasonable to anticipate a change from welfare to rights, which will ultimately empower children. Some may interpret a clause in the Act as acknowledging rights guaranteed by the CRC. As a result of Section 31(1)(vi), which allows vulnerable youngsters to independently contact the Committee for assistance. Unfortunately, there is no equivalent clause that guarantees the promised care to all disadvantaged children. We do not have any information, not even ballpark figures, on the demographic breakdown of the children in India who are in need of protection and care.

Section 11 of the JJ(C&P) Act 2015 is another instance of children being disempowered. It grants control to the person or people responsible for a child's care, similar to a parent, but the "obligation" is limited to the child's maintenance, rather than the child's complete development and growth, as would be the case with a parent. The JJ (C&P) Act demonstrates even more disregard for several legal concerns brought up by the other Acts. These are some of the numerous concerns about the JJA that have been brought up time and time again in previous cases before the highest courts in the land.

Under the Juvenile Justice (C&P) Act of 2015, the police continue to be the primary agency responsible for bringing children before the Juvenile Justice board, particularly those who are in confrontation with the law. This section permits the establishment of the Committee and the Board. Children are nevertheless fully controlled by the police for long periods of time, despite provisions such as bringing them before a judge within 24 hours and prohibiting their custody at police stations.

The situation is made worse since according to the JJ (C&P) Act, 2015, children cannot be released on bond by police authorities and must be put in an observation home between their arrest and production. The fact that many states have just one observation house means that children, particularly females, will have to stay in places like police stations or residences that are distant from their normal homes.

Despite its frequent use under the JJ (C&P) Act, 2015, the term "inquiry" remains undefined. It would be an enormous undertaking to identify every single instance of ambiguity, conflicting wording, or sloppy drafting under the JJ (C&P) Act, 2015. To make a point, it is possible to zero attention on only a few clauses. Under this Act, what kind of investigation is being planned? How will the committee, an individual police officer, the designated officer, or the special juvenile police unit investigate? Are probation officers included in the definition of "social worker"?

1.7 Conclusion and Suggestions

In conclusion, the long-standing standards and principles of legal writing and interpretation have been

severely tested by The JJ(C& P) Act, 2015. The Act did not adhere to current international human rights standards, particularly those cited in its preamble, such as the Convention on the Rights of the Child 1992 (sic), The Beijing Ruler (1985), and UN Rules for Juveniles Deprived of their Liberty (1990). This raises the question of whether the issues were seriously addressed. For all intents and purposes, the JJ (C&P) Act 2015 is still only a symbolic step toward a more child-friendly law.

Since there has been no thorough evaluation of juvenile justice policy in India, the findings of this research highlight the need of implementing systemic reforms in this area. Mild revisions to each law have been introduced in an effort to address some of the issues with their implementation. There are still unanswered concerns about the interpretation of certain terms, phrases, or clauses in these statutes, and they have not completely integrated the law established by higher courts.

The best way to deal with minors who commit major crimes is to implement a system that requires tailored solutions according to the specifics of each case, considering not only the juvenile's needs but also those of the victim and society at large. Based on the analysis above, it is evident that juvenile law in India does in fact establish a system based on juvenile jurisprudence. This system aims to reform and rehabilitate juveniles who commit serious crimes through the provision of individualized, multidisciplinary services that are closely monitored and reviewed. This approach differs from the adult criminal justice system, which is based on punishment and retribution. It also keeps the victim's and society's interests in mind while concentrating on the goals of justice.

The following factors are crucial to take into account under the JJ Act and Rules in order to reform or rehabilitate juveniles and improve their conduct:

- i. The custody of any juvenile not released on bond is to be maintained in an observation home.
- ii. The authority of the state government to designate and regulate the placement of minors in residential treatment facilities.
- iii. The power of the JJB to issue a final order establishing protective custody.
- iv. No juvenile accused of a particularly egregious or severe crime may be sentenced to a Special Home for a period exceeding three years.
- v. Adoption, foster care, and sponsorship with aftercare are all forms of social integration and rehabilitation that all youths have a right to.
- vi. Juveniles get extensive personalized care.
- vii. It is recommended that children who are facing significant criminal charges be admitted to a psychiatric hospital or nursing home since they may be suffering from a mental illness or a psychological problem, such as an addiction to alcohol or narcotics, which may cause behavioral changes.

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