

Most juvenile delinquents are booked for petty crimes: study

Menaka Rao

menaka.rao@hindustantimes.com

MUMBAI: While the debate about reducing the age for juvenile delinquents rages on in the country, child rights activists claim that most children are booked by the police for petty crimes such as theft or unlawful assembly.

According to the National Crime Records Bureau (NCRB), theft, robbery and dacoity constitute 69.54% of cases in Maharashtra.

Many of the juvenile boys booked for rape are children under 18 who elope and marry without the approval of their parents.

This was stated in a 2008 study in Maharashtra on the status of justice delivery system for juveniles in conflict with law, authored by Asha Mukundan, assistant professor, Tata Institute of Social Sciences (Tiss).

The study was submitted to the Justice Verma commission in the first week of January 2013. "It is an unfair system where a boy is charged as being a rapist, while the girl he elopes with is a child in need of care and protection," said Mukundan.

"For a rarest of rare case like the one in Delhi, we cannot reduce the age for classifying a juvenile under the Juvenile Justice Act," she said.

According to the NCRB, only 1.1% of the total cognisable offences in the country have been allegedly committed by juveniles. In Maharashtra, rape comprised 2.6% of total juvenile crimes in 2011.

Mukundan's study found that a large number of children were booked as accomplices to adults

THE FINDINGS

The Tiss study on the status of justice delivery system for juveniles in conflict with the law states

62% of the children booked in Maharashtra were either illiterate or had only completed primary education

Most of them had been booked for burglary or theft cases

When families are booked under section 498A of the Indian Penal Code (husband or relative of husband of a woman subjecting her to cruelty), children as young as 10 years old are also booked with the entire family.

Some children have been booked for attempting to commit suicide

At least one third of

ILLUSTRATION:
SHRIKRISHNA PATKAR



juveniles in conflict with the law were booked under section 34 (common intention) with adults as accomplices

The report states that children below the age of 14 should not be booked for such offences as interacting with the juvenile justice system has an impact on their psyche.

under section 34 (common intention) of the IPC.

Between the age group of 14 to 17 years, nearly 38.19% children booked were accused of having assisted in the crime. Among 18 years olds, 39.34% were booked as accomplices to adults.

The researchers accessed 6,380 files of juvenile cases disposed of between 2007 and 2008.

Some of the children who are charged with violent crimes, such as rape and murder need psy-

chiatric help, said activists.

"We had a 14-year-old boy who had allegedly raped and killed a four-year-old girl. He was evaluated as having a psychiatric disorder and was released on bail on the condition that he will receive treatment at a psychiatric institution. In fact, the magistrate ordered that he spend Rs10,000 on his treatment. Such orders can really help children," said Vibhavari Kavale, project officer, Resource Cell for Juvenile Justice, Thane.

43-year-old school teacher booked for raping two girls