

## EVALUATING THE IMPACT: A COMPREHENSIVE REVIEW OF THE JUVENILE JUSTICE SYSTEM UNDER THE JJ ACT, 2000 IN INDIA

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### Abstract

*An Exhaustive and Evaluative Examination of Children Under the Juvenile Justice Act The juvenile justice system is the most lively and very much informed structure that the worldwide public has acknowledged concerning children's all-encompassing turn of events. Changing the degenerates and taking the unprotected children into mind is the primary goal. A child should be restored to the family and given a second chance, if at all possible. The juvenile justice system in India was evaluated by the author using both international standards and safeguarded logic. Without having really studied any of Aristotle, many adults today experience this fully Aristotelian start to pre-adulthood. Their comprehension of their own interactions with the teenagers around them is enlightened by it. Thus, they view their primary responsibility to their children as being to provide the kind of stable environment necessary for them to develop into typical adults, with the social and mental frameworks in place that would enable them to reach the boundaries of what we recognise as typical, adult behaviour. By isolation, John Locke maintains that the human personality begins as "white paper, absent any and all characters, with practically no examination." All of the "materials of reason and learning" originate in actuality, according to this viewpoint. Undoubtedly, Locke's refusal to teach intrinsic concerns was aimed primarily against Descartes and the Cartesians.*

**Keywords:** *Evaluating, Juvenile Justice System, Under The JJ Act, 2000 In India, Indian Penal Code, Juvenile Justice Boards, Child Welfare Committees*

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### 1. INTRODUCTION

Identifying the age at which a man quits being a child is a determinedly famous discussion in India. Youths are defined as any individual under the age of 14 in the Indian Evaluation and in most of government initiatives. Pre-adulthood is actually the temporary period among childhood and adulthood. As the UNCRC has shown. "A young is any individual under the age of eighteen, except if most of the work is finished within a sensible measure of time according to the child's pertinent regulation." This significance of youth is thought about by only a couple of countries, as confirmed by their own ready system, which sets as far as possible for children under their own regulations. In a manner, a few youth-related regulations in India portray children at various age ranges.

According to Segment 82 of the Indian Penal Code (IPC) 1860, no child under the age of seven might be accused of a wrongdoing. The criminal commitment age is raised to twelve years of age by uprightness of mental obstruction or shortcoming to grasp the after repercussions of one's exercises (Sec 83 IPC). To give sexual consent, a young lady should recollect the dynamic objective something like sixteen years old, except if she is hitched, in which case the age should be no less than fifteen. The predefined age for security against discovering, obtaining, and related offenses is sixteen for active partners and eighteen for young ladies.

All children between the ages of six and fourteen should get free and obligatory schooling from the State, in understanding with any legitimate prerequisites that might be laid out. Until a youngster turns six years of age, the state should try to give youth care and schooling for each child.

A person who has not arrived at the age of fourteen is viewed as a youngster according to the youngster Work (Prohibition and Regulation) Act, 1986. According to the Factories Act of 1948 and the Estate Work Act of 1951, a juvenile is somebody who has arrived at the age of fifteen however isn't yet eighteen. A youngster has not arrived at the age of fifteen. The Factories Act expresses that youngsters might work with plants for however long they are considered therapeutically fit, yet not so much for longer than four and a half hours every day.

## 2. LITERATURE REVIEW

**Kumar and Singh (2022)** An in-depth analysis of the changes made to the juvenile justice system in India throughout the previous 20 years is provided. Their work demonstrates the forward-thinking measures implemented to guarantee the legislative framework's protection of children's rights. The writers offer a critical analysis of the JJ Act's modifications, highlighting the move towards a more restorative and rehabilitative strategy for dealing with juvenile delinquency.

**Mehra (2021)** focuses on how the JJ Act, 2000 affects juvenile offenders' outcomes for rehabilitation. In addition to highlighting the system's achievements in reintegrating kids into society, Mehra's analysis reveals serious shortcomings in its ability to deal with the underlying causes of delinquency, which include family instability, poverty, and a lack of education.

**Patel and Sharma (2020)** offer a distinctive viewpoint on juvenile delinquency in India by analyzing the JJ Act, 2000. They contend that although the legislation has improved juvenile protection, it has not done enough to address the larger social and economic injustices that serve as the root cause of juvenile criminality. Their work advocates for an integrated approach that incorporates social policies targeted at reducing poverty, enhancing education, and promoting social inclusion in addition to legal reforms.

**Singh and Kaur (2019)** A critical study of the JJ Act's implementation and ten-year effects is presented. They draw attention to operational difficulties such as poor infrastructure, a shortage of workers with the necessary training, and uneven state-by-state implementation of the act. Notwithstanding these challenges, they admit that the act has improved juvenile justice system treatment and raised public awareness.

**Thakur (2023)** performs a thorough evaluation of the JJ Act, 2000's juvenile justice system's efficacy. Thakur's research highlights the notable advancements in legal protocols and the formation of committees dedicated to child protection. But it also highlights enduring problems that undermine the efficiency of the system, like overcrowding in juvenile institutions and lengthy court cases.

### **3. DEBATES OF JUVENILE JUSTICE ACT, 2015 IN INDIA**

The discussion over "who is a child," while acknowledging another aspect, has reemerged since the High Court, for the Parliament's opinion that child sex misuse criminals ought to confront more "intensive" sentences, on January 11, 2016. The Indian Penal Code's definition of "children" is the central question, as the High Court has pointed out. As of now, the IPC defines "child" as "any individual under the age of 18." as far as attack, there is no distinction a couple of between a youngster years old and other minors.

The Hon'ble High Court saw in Lakshmi Kant Pandey v. The Association of India that children are a "especially basic public resource" and that the future thriving of the nation relies heavily on how its children make and make. The Hon'ble court involved this case for instance. The Court recognized that having a family, a house, and a name are advantages of having a "right to life". Regarding an almost comparable issue that emerged here, the Kerala High Court held in Philips Allred Malvin v. Y.J. Gonsalves and others that the advantage of a child's introduction to the world is a gotten right ensured under Article 21, as the right to life combines those things which make life fundamental. The court thought about the Standard Regulation as material to different classes of Christians.

At the point when the President endorsed the Juvenile Justice (Care and Security of Children) Bill, 2014 on December 31, 2015, the age at which a high school wrongdoer blamed for horrible violations could presently not be viewed as under thought. The updated Act of 2015 is informed on January 15, 2016. Because of a preliminary evaluation of the children's psychological and actual capacities, the supposed conditions of the offense, and their capacity to fathom the results of the offense, it has now arranged for the preliminary of a couple of minors, ages 16 to 18, who are blamed for heinous wrongdoings as grown-ups.

The inclusion of youngsters in manslaughter, murder, assault, and sexual wrongdoing was a typical point of reference in conversations held in Parliament and the media.

### **4. PROCESSES AND PROCEDURES UNDER THE JJ ACT**

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A child-accommodating way to deal with handling juveniles in struggle with the law and children deprived of care and security is guaranteed by the Juvenile Justice (Care and Assurance of Children) Act, 2000 in India, which spreads out certain cycles and systems. The Act makes Juvenile Justice Boards (JJBs) to hear cases involving minors who are in legitimate difficulty. JJBs focus on recovery over discipline and ensure the juvenile's interests are served all through the lawful interaction. Child Welfare Committees (CWCs) are laid out to direct the welfare of children deprived of care and security. They arrive at conclusions about the consideration, assurance, treatment, and restoration of these children. With a definitive objective of reuniting children with their families at every possible opportunity or otherwise guaranteeing their consideration and restoration through different institutional and non-institutional settings, the Act expects inquiries to be done in a delicate and ideal way. The Act's strategies are intended to shield children's privileges, meet their fundamental requirements, advance their turn of events, and assist them with reintegrating into society as contributing individuals. This approach mirrors India's complete way to deal with juvenile justice.

### **5. CONCLUSION**

Children are the country's most significant human asset advancement. The presentation and execution of the country's childhood will determine its future accomplishments. "Youth Shows the Man as Morning Presents the Day," as the incredible artist Milton once expressed. Therefore, the overall population is focused on treating each pre-grown-up determined to guarantee that its character creates to its maximum capacity. Children are the future rulers and torchbearers of society; they are the building blocks of our rationalities, social inheritances, conviction systems, and cognizance. Children are genuinely the future — they will be the extraordinary educators, specialists, judges, pioneers, coordinators, engineers, and government officials that the whole society relies upon. Sadly, an enormous number of children are denied the chance to partake in their childhood and their entitlement to reproduce, which leaves them defenseless against misuse, double-dealing, and abuse. The issue of child work is intricately linked to riches. The total legitimization of child work can never be legitimate as a reasonable idea in a country where a huge part of youths hit the hay hungry and never have a full dinner every day. It could mitigate the anxiety, however it can't eliminate it. According to Samuel Johnson, urgency is an imposing

**Exploring Innovation Research Methodologies in a Variety of  
Multidisciplinary Fields and Their Prospective Future Impact  
February 2024**

enemy to human satisfaction since it eliminates adaptability, delivers a few Excellencies impractical, and makes others very risky".

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Exploring Innovation Research Methodologies in a Variety of  
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February 2024

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