

THE TRENDS OF JUVENILE DELINQUENCY IN ARUNACHAL PRADESH

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Abstract: Children are the greatest resource and very important asset of the nation. They are the life veins of society. If nurtured and taken care of, the children would bring development in the state and steer the country to the right direction. Wrong company and harmful surroundings can spoil the innocent soul and turn the child into a delinquent. But we know that to think of crimeless society is a myth, as man by nature is a fighting animal. The recent rise in crime is alarming. What is more surprising is the rise in crime committed by the juveniles in the Tribal State like Arunachal Pradesh. The JJA 2015 was signed and made into law by the president on 31st December 2015. After coming of the Juvenile Justice Act, the Juvenile Justice system in Arunachal Pradesh has drastically changed. The Juvenile Justice Board has been delivering the justice needed for the welfare of children is.

INTRODUCTION

Arunachal Pradesh, meaning the 'the land of rising sun' and popularly known also known as the 'Land of Dawn lit Mountains' is situated in the extreme North-East of India. The word 'Aruna' means charioteer of Sun god and 'Achal' means Mountain. In this state Sun appears first in India. It was formed from the North-East Frontier Agency (NEFA) region, and India declared it as a state on 20 February 1987.¹

The **North-East Frontier Agency (NEFA)**, originally known as the **North-East Frontier Tracts (NEFT)**, was one of the political divisions in British India and later the Republic of India until 20 January 1972, when it became the Union Territory of Arunachal Pradesh and some parts of Assam. Its administrative headquarters was Shillong (until 1974, when it was transferred to Itanagar). It received the status of State on 20th February 1987.²

The total area of Arunachal Pradesh is 83,743 square kilometers (32,333 sq mi). The State is bounded by independent countries on three sides and by Assam and Nagaland states by one side. There are Bhutan, Tibet, China and Myanmar to the west, north-east, north and east of this state respectively, and to the south it sharing its boundaries with Indian states like Assam and Nagaland. It is the largest North

Eastern states in the country. Arunachal Pradesh is situated in the north-eastern tip of India approximately between the latitudes 26.28⁰ N latitude 91.20⁰ E and 97.30⁰ E.³

Arunachal Pradesh is home to dozens of distinct ethnic groups, most of which are in some ways related to the peoples of Tibet and the hill region of western Myanmar. More than two-thirds of the state's people are designated officially as Scheduled Tribes, a term that generally applies to indigenous peoples who fall outside of the prevailing Indian social structure. There are total of 28 districts in the state of Arunachal Pradesh please refer to Table No.4.

Arunachal Pradesh has 1283727 population with 26.00 percentage of decadal growth rate 2001-2011. The Sex ratio is 938(females per 1000 males) and the literacy rate is 65.38 as per the census of India 2011.⁴

At present there are 28 districts in the state of Arunachal Pradesh.⁵ As per the Ministry of Development of North East, the number and diversity of languages/dialects spoken in Arunachal Pradesh are not conclusively known. 30, possibly 50, distinct languages/dialects in addition to innumerable dialects and sub-dialects coinciding with tribal areas are in use. Some of them are Nyishi, Apatani, Miji, Adi, Galo, Wancho, Tagin, Monpa, Nocte, Aka, Tangsa, Khamti,. Vast majority of them belong to the Tibeto – Burman. language family. Hindi is making constant inroads. Nagamese is fairly widely used as a link language in some areas.

As per the report of The Technical Group by the National Commission, the population of Arunachal Pradesh is projected to be 1,565,000 or 1.57 million or 15.65 lakhs as of July 1, 2023. Arunachal Pradesh is the 26th most populous state in India. In 2023, the sex ratio of the total population in Arunachal Pradesh is 105.650 Males per 100 females. There are 8,04,000 males and 7,61,000 females in Arunachal Pradesh. Arunachal Pradesh has 43,000 more males than females.⁶

2 METHODS OF ANALYSIS:

The various methods are used for analyzing the crime distribution of this state. These methods have developed the researchers to reach the correct conclusion. The raw data have been processed and a percentage of juvenile crimes to total crimes have been calculated using the area. On the basis of intensity and magnitude, the ranking of offences from highest intensity to lowest intensity has been made. Columns are being drawn to show age, sex wise distribution.

The Tables are being prepared to depict crime head wise as received from Arunachal Pradesh Police. In this chapter, the juvenile delinquency analysis is made as follows:

1. Overview of the crimes occurred in the state of Arunachal Pradesh.
2. Age and sex wise, contribution of the Crime.
3. The chapter includes crime wise ranking of offences.

The nature and statistics of Juvenile delinquency are published by the National Crime Record Bureau (NCRB), Delhi. It is the main source of data from where the researcher has collected the maximum data. Juvenile statistic is usually hard to find as the family hardly disclose the name of the juvenile offender. The crime committed by Juvenile goes mostly unnoticed by the court and police. And most of time even parents don't want to disclose the crime committed by the delinquents as a matter of prestige.

3 ARUNACHAL PRADESH AND JUVENILE DELINQUENCY

The Society has many problems in today's modern era. Among various problems, one of the major problems is the Juvenile delinquency. The Children is the asset of the state. And if the children are going astray or out of the normal path, it is a major cause of concern. Arunachal Pradesh has received the status of State on 20th February 1987. Compared to other mainland states, Arunachal Pradesh is still in its nascent period and developing day by day on its own pace.

Juvenile Delinquency is a major security problem in the North East in general and Mizoram and Arunachal Pradesh in particular. It can become a major security/law and order problem at a later date if it is not addressed at right time, as a petty thief at tender age may become a hardcore criminal/dreaded terrorist in days to come. It is definitely easier to address Juvenile Delinquency in the embryonic stage itself rather than being confronted by hardened and totally motivated militants/hardcore criminals in the future.⁷

To study the gravity of the Juvenile Crime in Arunachal Pradesh, the researcher has collected data related to the child population of India and Arunachal Pradesh along with the Juvenile Crimes. The figures have been prepared in the tabulation for easier understanding.

Also, the crime data has been collected from the sources such as the National Crime Report Bureau, Govt of India's portal. The analysis of the data has been made to the various crime committed by the Juveniles in the state. And the crimes are categorized one by one.

I. **Child Population of India.**

Table 4.2 All India Child Population							
0-6 years		0-14 years		0-18		Total Population	
Male	Female	Male	Female	Male	Female	Male	Female
857522 54	787629 99	1943513 75	1780927 41	2474893 56	2246221 21	6232702 58	58758447 19
Total - 164515253		Total- 372444116		Total - 472111477		Total-6499114977	
<i>Source: Census of India 2011, Registrar General of India</i>							

II. **Child Population of Arunachal Pradesh.**

Table: 4.3 Child Population of Arunachal Pradesh							
0-6 years		0-14 years		0-18		Total Population	
Male	Female	Male	Female	Male	Female	Male	Female
107624	104564	249602	243759	315516	308093	713912	669815
Total- 118188		Total-268719		Total-623609		Total-780727	
<i>Source: Census of India 2011, Registrar General of India</i>							

As per the Census of India 2011 report, percent share of the Child population of total population in India is 3.9 %. The total percent of child population in Arunachal Pradesh is 45.1%. The male consists of 44.2% and the Females consist of 46.0%. Female population is higher than the male population. With the projected Child population, the Juvenile resources have to utilized in the right manner. The Children are hope of the future

III. **Incidence Rate of Juvenile Crimes from the year 2017-2022 in India and Arunachal Pradesh.**

The Times of India reported that the state of Arunachal Pradesh records 9% drop in the cognizable crimes in the year in 2022⁸. In the year 2022, the State recorded, 2308 cases registered under the Indian Penal Code, in comparison to 2,626 recorded in the year 2021. The drop in overall IPC crime was pleasant news for the State. But the Juvenile related crime has increased over the time, which is a cause of concern. The children are the future of the state, so, it reflects the kind of future the state will have. The Arunachal Pradesh is a tribal State with a close knitted family and community system. The current trend of modernization as well as urbanization has brought about many untold stories which have directly or

indirectly affected that society. Every now and then there is a report in the social media, press relating to Juvenile delinquents.⁹

Table No.4.4 depicts the crime rate of Arunachal Pradesh compared to the crime rate of all India. The crime in India was highest in 2017 with 33606 crimes being committed by the Juveniles. From 2017-2022, the highest rate of crime committed by the Juveniles. Arunachal Pradesh was in the year 2018 with crime rate rising to 6.6 percent. From the year 2017 to 2022 as per NCRB total of 141 crimes was committed by the Juveniles in the state of Arunachal Pradesh.

Table No. 4.4 Incidence Rate of Juvenile Crimes per 100000 Pop. From the year 2017-2022 in India and Arunachal Pradesh.							
Sr. No	Year	India Crime committed by Children	Actual Children in Population of India(in Lakhs)	Rate of Total Crime against Juveniles	Crime Committed in Arunachal Pradesh	Actual Children in population of Arunachal Pradesh (in lakhs)	Rate of Total Crime by Juveniles (2022)
1	2017	33606	4458.0*	7.5	48	4.7	10.3
2	2018	31591	4458.0*	7.1	31	4.7	6.6
3	2019	32269	4458.0*	7.2	24	4.7	5.1
4	2020	29768	4441.5**	6.7	15	5.9	2.5
5	2021	31170	4441.5**	7.0	8	5.9	1.4
6	2022	30555	4441.5**	6.9	15	5.9	2.5
	Total	188959			141		
*Estimated Mid- year population of children (below18 years) of the year 2014.							
** (Actual Population of Children as per the Population Census 2011							
<i>Sources: NCRB Report 2017-2022 Crime in India</i>							

IV. Crime head wise categorization by the Juvenile Delinquents in Arunachal Pradesh.

The total Juvenile apprehended is 141 from the year 2017-2022. The highest number of IPC case was reported in the year 2017 with 46 number of Juvenile apprehended followed by 31 in 2018 and 24 in 2019. In 2021, the total number Juvenile apprehended was 3, which marks the lowest from 2017 to 2022. The SLL crime was highest in the year 2021 with 5 juveniles apprehended. From the year 2018 to 2020, the juveniles reported are nil. All total, 9 Juveniles have been apprehended from the year 2017 to 2022 under SLL crimes in Arunachal Pradesh.

Table: 4.5 Juveniles apprehended based on IPC and SLL in the year 2017-2022

Sl. No	Year	Apprehended based on IPC Crimes	Apprehended based on SLL Crimes
1	2017	46	2
2	2018	31	0
3	2019	24	0
4	2020	15	0
5	2021	3	5
6	2022	13	2
	Total	132	9

Sources: NCRB Report 2017-2022 Crime in India

V. Crimes committed by the Juveniles under Indian Penal Code.

The Total number of IPC Crime committed by the Juveniles from the Year 2017 to 2022 is 133. (Refer Table 5). Offences against the Property are greater than the offences against the body. The details of the crime and its gravity will be studied in detail.

Table 4.6 IPC Crimes category committed by Juveniles in Arunachal Pradesh.

Sl. No.	Cognizable IPC Crimes/Year	2017	2018	2019	2020	2021	2022	Total
1	Offences Affecting the Human Body	10	11	14	5	2	4	46
2	Offences against State	0	0	0	0	0	1	1
3	Offences against public Tranquility	0	0	0	0	0	0	0
4	Offences relating to property	30	14	8	7	1	7	67
5	Offences against documents and property Mark	1	0	0	0	0	0	1
6	Miscellaneous IPC crimes	2	2	1	1	0	1	7
7	Other IPC crimes	3	4	1	2	0	1	11
	Total	46	31	24	15	3	14	133

Sources: NCRB Report 2017-2022 Crime in India

Table: 4.7 Top IPC crimes Committed by the Juveniles under offences against body in the State of Arunachal Pradesh.

Sl. No	Offences against the body as per NCRB 2022 report	2017	2018	2019	2020	2021	2022	Total
1	Hurt& Grievous Hurt	2	7	6	3			18
2	Attempt to Commit Murder (Sec. 307 IPC)	2						
4	Kidnapping and Abduction (Sec 363-369 IPC)	1	1	1			1	5
5	Murder (Sec 302 IPC)	2				1		3
6	Culpable Homicide not amounting to Murder				1			1
7	Rape (sec 376 IPC)			4		1	1	6
8	Attempt to Commit rape 376/511					1		
9	Causing Death by Negligence (304-A IPC)	1		1	1			3
10	Assault on Women with Intent to Outrage her Modesty (Sec. 354 IPC)	2	1	2			1	6
							Total	42

Sources: NCRB Report 2017-2022 Crime in India

VI. Top IPC Crimes committed by Juveniles under offences against body in Arunachal Pradesh.

The rise in crime in the category of offences against body is cause of concern. According to Yamini Abde, a child rights campaigner, one of the driving motivations behind children being involved in horrible crimes like rape and murder is the desire to do something new, brave, unique, and thrilling. Peer pressure, a need for quick cash, and easy access to crime and pornographic images on the internet increased hostility and sexual activity among teenagers, as well as the awareness that they will not face criminal charges since they are minors, are also catalysts in the process of building a child offender. The lack of fear of punishment has resulted in an increase in the rate of criminality among minors.¹⁰

VII. Top IPC crimes Committed by the Juveniles under offences against property in the State

Table: 4.8 Top IPC crimes Committed by the Juveniles under offences against property in the State of Arunachal Pradesh.								
Sl. No	Offences against the Property	2017	2018	2019	2020	2021	2022	Total
1	Theft	10	10				6	26
2	Burglary (Sec-454 r/w Sec380 IPC)	14	4				1	29
3	Extortion& Blackmailing 389 IPC	4						4
3	Dacoity	1						1
4	Robbery (Sec.392/394/397 IPC)	1						1
5	Forgery Cheating & Fraud	1						1
6	Rash Driving on Public Way (Sec.279/r/w 336/337/338/other IPC)	2	1				1	4
7	Criminal Trespass Sec.447 to 452		1					1
Total Crimes							67	
8	Miscellaneous IPC Crimes						1	1
9	Other IPC Crimes	3	41				1	45
<i>Sources: NCRB Report 2017-2022 Crime in India</i>								

A petty crime in general and heinous crimes in particular is being committed regularly in India by children. Crimes such as theft, burglary, snatching which are not so serious in nature or crimes such as robbery, dacoity, murder and rape, etc., which are relatively serious are on the rise in whole of the country. And the unfortunate thing is that all types of these crimes are also being committed by children below the age of 18 years.¹¹The crimes by juveniles are studied one by one in details, so as to know and to get the firsthand knowledge of the kind of crime majorly committed by Juveniles in the State of Arunachal Pradesh.

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a. Theft

‘Theft’ is defined under Section 378 of the Indian Penal Code, 1860, which states that any person with a dishonest intention to take any movable property out of the possession of a person without the

person's consent to whom it belongs moves that property is said to commit theft. Thefts come under offence against property. In simple word a theft means taking away someone's belonging without his or her consent. Theft is mostly money motivated. The Juvenile finds it easiest kind of crime, where no much of physical or muscle power is needed to commit such offence. If not caught, the thinks stolen adds to the benefit of young offenders. Basically, it is kind of easiest means of offence where risk factors are not much compared to other crimes. Most of the juveniles are a habitual shop lifter.¹²

b. Hurt

The Hurt, is defined in Section 319 of the IPC. It is an act of inflicting another person bodily pain, disturbance, or sickness. The term 'hurt' refers to the effect of an action that causes bodily anguish, discomfort, or injury to a person's body, which may include pain, disarray, or even a temporary health issue. And the Grievous hurt refers to a type of bodily injury that is more severe in nature. Sections 320 to 338 of the IPC go into great detail on severe hurt. It includes a variety of particular injuries that are deemed more severe because they have the potential to inflict more injury, agony, or long-term implications to the person. The intensity of pain degree of pain inflicted is the difference in distinguishing Hurt and the Grievous Hurt.

Under "Offences against Body" of IPC Crimes, Hurt & Grievous Hurt are one of the dominant Crime in the State of Arunachal Pradesh.

c. Burglary

According to Section 446 of IPC, whoever commits house breaking after sunset and before sun rise, is said to commit house breaking by night. Basically, house breaking by night is termed as burglary.

This breaking can include actions such as forcing opening a door, or constructive, such as by fraud or threats etc. Entering means either physical entry by a person or any insertion of an instrument to remove property. It is an unlawful entry into a building or any other location with an intention of committing an offence. Mostly this offence is theft, but sometimes may jurisdictions include others within the ambit of burglary.¹³

The Burglary is one of the top-ranking crimes committed by Juveniles in the State of Arunachal Pradesh. The crime is mostly committed in the cities.

The Burglary is committed during night. The Juveniles finds it safer in the night time to commit the crime when the people are out of sight. Most of the item stolen are the electronic items such as Laptops,

mobiles etc. Some of the Juveniles are habitual offenders but most of them commit in the heat of the moment.¹⁴

d. Extortion and Blackmailing (389 IPC)

According to IPC, Whoever, in order to the committing of extortion, puts or attempts to put any person in fear of an accusation, against that person or any other, of having committed, or attempted to commit, an offence punishable with death or with imprisonment for life, or with imprisonment for a term which may extend to ten years, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

In simple words, extortion is an offence where a person forces another person to transfer his property or valuable security under the fear of an injury or threat. Extortion is punishable under Section 384 of the Code, 1860. In Arunachal Pradesh, from the year there are 4 reported numbers of extortions committed by the juveniles from the year 2017 to 2022.

From time-to-time cases of extortion of shopkeepers, mobile-snatching incidents from pedestrians and night burglary cases were reported in the Newspaper. For an instant, in a Telegraph India, there was a an official statement from the police, which that, 10 people were arrested for their alleged involvement in several cases of mobile snatching, burglary and extortion from various parts of Itanagar.¹⁵

e. Kidnapping and Abduction (Sec 363-369 IPC)

From 2017-2022, there are 4 numbers of the extortion case by Juveniles. But many cases go unreported due to various other reasons such as fear of being retaliated by the youngster. **Kidnapping and Abduction (Sec 363-369 IPC)**Section 362 says that whoever by force compels or by any deceitful induce any person to go from anyplace is said to abduct that person.

f. Rape (sec 376 IPC) & Assault on Women with Intent to Outrage her Modesty (Sec. 354 IPC):

Rape under Section 375 of the Indian Penal Code is defined as "sexual intercourse with a woman against her will, without her consent, by coercion, misrepresentation or fraud or at a time when she has been intoxicated or duped, or is of unsound mental health and in any case if she is under 18 years of age." There is total of 6 Rape case reported to be committed by the Juveniles from the year 2017 to 2022. The highest number of the cases was committed in the year 2019.

As per the Indian Penal Code, Assault on Women with Intent to Outrage her Modesty has been defined in Sec. 354 of IPC. Whoever assaults or uses criminal force to any woman, intending to outrage

or knowing it to be likely that he will there by outrage her modesty, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to five years, and shall also be liable to fine. There are six cases of Assault on women reported from the year 2017-2022. These are the two of the most prominent crime committed by Juveniles against the Women as per IPC crime in Arunachal Pradesh.

g. Culpable Homicide, Murder (IPC 302) and Attempt to Commit Murder (Sec. 307 IPC).

Under Offences against the body as per NCRB report of Crime in India, Culpable Homicide not amounting to Murder, Murder under 302 and Attempt to Commit Murder (Sec. 307 IPC) are the offences committed by the Juveniles.

The word “culpable homicide” refers to the act of killing another human. According to the provision, culpable homicide is committed when the act that causes death is done with the purpose to cause death or with the knowledge that it is likely to cause death. It also encompasses circumstances when the act is committed with the purpose to inflict bodily harm that is likely to result in death, or with knowledge that such bodily harm is likely to result in death.

Murder is one of the most serious offences under the IPC and is punished by life imprisonment or the death sentence. However, not all homicides are considered murder by the law. In some cases, a person may be charged with culpable homicide, which is a lower offence than murder.¹⁶

In Arunachal Pradesh from the year 2017-2022 there are 3 offences of Murder, 1 Culpable Homicide and 2 attempt to murder under 307 IPC reported.

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h. Rash Driving on Public Way under Sec.279:

Rash Driving on Public way under Sec. 279, is also a common crime committed by the Juveniles in Arunachal Pradesh. When it comes to rash driving, in simple words, it can be described as driving a vehicle without following the safety rules and violating the driving rules. The careless behavior of the driver is

often the cause of the rash and negligent driving. The young minds often get distracted while driving and most of the time lack of experience also tends to make the Juveniles commit the crime. The distraction caused by the mobiles and gadgets while driving is also one of the major factors in rash driving.

i. Causing Death by Negligence (304-A IPC).

Whoever causes the death of any person by doing any rash or negligent act not amounting to culpable homicide, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both. In the legal field ‘negligence’ can be defined as an act or omission that causes damages to the property of another person. Here in this Section of the Indian Penal Code the term rash or negligent act can be defined as an act that is the immediate cause of death. There is a difference between these terms (rash and negligent) also. By ‘rash act’ we mean any act which is done restlessly. By the term ‘negligent act’ we mean a breach of duty due to omission to do something, which a reasonable man will do.¹⁷

There are three cases of causing death by negligence by the juveniles from the year 2017-2022.

I. Crimes committed by the Juveniles under Special Local Law.

Table 4.9 SLL crimes category committed by Juveniles (2017-2022)								
Sl.No	Cognizable SLL Crimes/Year	2017	2018	2019	2020	2021	2022	
1	Crime against Women-related Acts	0	0	0	0	0	0	
2	Children Related-Acts	1(POCSO)	0	0	0	0		
3	Narcotic Drugs & Psyc. Sub Act.					5	2	
9	Environment & Pollution-Related Acts	1(The Wild life Protection Act, 1972)	0	0	0	0		
	Other SLL Crimes	0	0	0	0	0		
	Total cognizable crime	2	0	0	0	5	2	
<i>Source: NCRB reports (2017-2022) Crime in India</i>								

The Special Local Law (SLL) has lesser number of Crimes compared to the IPC Crimes. In the SLL Crimes, maximum numbers of crimes are committed by Juveniles relating to Narcotic Drugs & Psyc. Sub Act. And one case of Environment & Pollution Related Acts was reported in 2017.

Drugs are one of the major crimes of present time. It is prevalent everywhere especially in the Northeast India, due to its international boundary with country as Myanmar, Burma, Bangladesh etc. A

significant portion of the population in Northeast India is young and vulnerable to drug abuse. Peer pressure, lack of awareness, and easy availability of drugs contribute to the rising number of drug users.

4.4 JUVENILE JUSTICE SYSTEM IN ARUNACHAL PRADESH.

There are no coded customary laws with regard to the punishments to the Juvenile delinquents in the State of Arunachal Pradesh. The simple case of thefts etc., were punished in the kinds or goods such as ornaments or animas (Mithuns). The Juvenile delivery system of Arunachal Pradesh mainly focuses around the Juvenile Justice Board (JJB) constituted under Sec. 4 of the Juvenile Justice (Care and Protection of Children) Act 2015.

The JJA 2000 introduced a revolutionary change in the constitution of the Juvenile Court, renamed it as the Juvenile Justice Board consisting of three members- One Magistrate designated as Principal Magistrate, and two social workers as the members of the Board vested with the powers of the Magistrate. Similar Provision has been made in JJA 2015. In Arunachal Pradesh, the working of Juvenile Justice is guided by the “the Arunachal Pradesh Juvenile justice (care and protection of children) rules, 2020”.¹⁸

The JJB Board is functional in all the 25 districts of Arunachal Pradesh including the Itanagar Capital Complex(ICC).¹⁹ (except for the two newly created Keyi Panyor and Bichom), The Juveniles in Conflict with Law (Sec.2(i)) as soon as, is apprehended by the police, such child shall be placed under the charge of the special juvenile police unit or the designated child welfare police officer, who shall produce the child before the Board without any loss of time but within a period of twenty-four hours of apprehending the child excluding the time necessary for the journey, from the place where such child was apprehended.²⁰

As per the **Section 18** of JJA 2015 following orders are taken regarding child found to be in conflict with law:

(1) Where a Board is satisfied on inquiry that a child irrespective of age has committed a petty offence, or a serious offence, or a child below the age of sixteen years has committed a heinous offence,²¹ [or a child above the age of sixteen years has committed a heinous offence and the Board has, after preliminary assessment under Section 15, disposed of the matter] then, notwithstanding anything contrary contained in any other law for the time being in force, and based on the nature of offence, specific need for supervision or intervention, circumstances as brought out in the social investigation report and past conduct of the child, the Board may, if it so thinks fit, —

- (a) allow the child to go home after advice or admonition by following appropriate inquiry and counselling to such child and to his parents or the guardian;
- (b) direct the child to participate in group counselling and similar activities;
- (c) order the child to perform community service under the supervision of an organization or institution, or a specified person, persons or group of persons identified by the Board;
- (d) order the child or parents or the guardian of the child to pay fine:

Provided that, in case the child is working, it may be ensured that the provisions of any labour law for the time being in force are not violated;

- (e) direct the child to be released on probation of good conduct and placed under the care of any parent, guardian or fit person, on such parent, guardian or fit person executing a bond, with or without surety, as the Board may require, for the good behaviour and child's well-being for any period not exceeding three years.
- (f) direct the child to be released on probation of good conduct and placed under the care and supervision of any fit facility for ensuring the good behaviour and child's well-being for any period not exceeding three years;
- (g) direct the child to be sent to a special home, for such period, not exceeding three years, as it thinks fit, for providing reformatory services including education, skill development, counselling, behaviour modification therapy, and psychiatric support during the period of stay in the special home: Provided that if the conduct and behaviour of the child has been such that, it would not be in the child's interest, or in the interest of other children housed in a special home, the Board may send such child to the place of safety.

(2) If an order is passed under clauses (a) to (g) of sub-section (1), the Board may, in addition pass orders to :—

- (i) attend school; or
- (ii) attend a vocational training centre; or
- (iii) attend a therapeutic centre; or
- (iv) prohibit the child from visiting, frequenting or appearing at a specified place; or
- (v) undergo a de-addiction programme.

(3) Where the Board after preliminary assessment under section 15 pass an order that there is a need for trial of the said child as an adult, then the Board may order transfer of the trial of the case to the Children’s Court having jurisdiction to try such offences.

4.5 NUMBER OF JUVENILE CASE DISPOSED FROM 2017-2022

Table 4.10 Disposal of IPC& SLL Juveniles Apprehended in the JJB from 2017-2022								
	Arunachal Pradesh	Year						
Sl.No		2017	2018	2019	2020	2021	2022	Total
1	Number of Juveniles whose Cases pending disposal at the beginning of the Year	13	73	100	92	38	57	373
2	Juveniles Apprehended during the year	98	62	39	33	25	33	290
	Total number of Juveniles Apprehended	111	135	139	125	63	90	663
4	Juveniles discharge during Investigation (Cases Un-Occurred/ Quashed/ Discharge by the Courts)	8	14	6	45	0	5	78

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5	Juvenile sent home after advice or admonition	4	5	21	18	3	0	51
6	Juveniles Sent to Special Home or fit Institute	4	13	8	6	3	9	43
7	Juvenile dealt with fine	0	19	2	0	3	0	24
8	Juveniles awarded Imprisonment	0	0	0	0	0	0	0
9	Juveniles Acquitted or discharged	0	0	0	18	0	0	18
10	Percentage of Juveniles held Guilty	100.0	100.0	100.0	57.1	100.0	100	
11	Pending Disposal (2 to 8)	95	84	102	38	57	76	452
<i>Source: NCRB reports (2017-2022) Crime in India</i>								

The National Crime Report Bureau has collected data from the state about the disposal of Juveniles arrested and presented every year. The study has been made from 2017-2022.

The number of Juveniles cases pending for disposal at Juvenile Justice Board is a serious problem faced by the State. There are total of 452 cases to be disposed of from 2017 to 2018. The Total number of Juveniles apprehended from the year 2017-2022 is **663** in numbers, which is alarming for the peaceful state like Arunachal Pradesh. The Highest being in the year 2019 with 139 Juveniles apprehended.

The total number of Juveniles discharge during Investigation (Cases Un-Occurred/ Quashed/ Discharge by the Courts) is 78 from the year 2017-2022. And the highest discharge was made in the year 2020.

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The number of Juveniles that were sent home after advice or admonition is 51 from the 2017-2022. Every year, at least more than 2 juveniles were sent to the observation Home. From the year 2017-2022, 43 juveniles were sent for rehabilitation. As the number of crimes is increasing day by day, the cases in the court too are increasing.

Table No. 4.11 Education & Family Background of Juveniles apprehended in the State of Arunachal Pradesh from the Year 2017-2024								
Sl No		2017	2018	2019	2020	2021	2022	Total
1	Illiterate	14	0	0	0	0	0	14
2	Upto Primary	20	13	9	2	0	7	51
3	Above Primary to Matric	71	45	27	23	24	14	204
4	Above Matric to Higher Secondary	3	1	3	8	0	8	23
5	Above Higher Secondary	0	3	0	0	1	4	8
	Total	108	62	39	33	25	33	300
6	Living with Parents	78	43	25	25	24	29	224
7	Living with guardians	20	10	12	8	1	4	55
8	Homeless	0	9	2	0	0	0	11
	Total	98	62	39	33	25	33	290

The Educational level of the Juveniles so presented before Juvenile Justice Board (JJB) from the year 2017-2022 shows that from total of 300 Juveniles apprehended both in IPC & SLL Crime, the highest number of Juveniles from above Primary to Matric were 204 in numbers, up to the Primary level, had around 51 Juvenile delinquents, above matric had 23 Juveniles, 14 Juveniles who were Illiterate and 8 Juveniles above Matric respectively. The Data Shows that person with above matric had lowest crime rate, which means that good education matters a lot in the Juveniles life. But the person who were in between primary to Matric had highest number of delinquents. Every effort has to be made at primary level itself to retain the children once admitted and make them complete their studies.

The family background of the Juveniles is also very important. As per the NCRB report out of 290 Juveniles, 224 Juveniles arrested were living with their parents. 55 Juveniles were living with the guardians when arrested and only 11 were homeless from the year 2017-2022.

4.6 CONCLUSION

The tabulation of the reports from the NCRB data has been studied in this chapter. Crime such as Theft, Burglary, Hurt, Grievous Hurt are some of the highest intensity crimes committed by the Juveniles under Indian Penal Code. Theft is very common type of crime which is committed by both boys and girls. It is more frequent in the urban areas.

Burglary i.e., House breaking by night is also a common crime. The youth between 12 to 18 years are more involved in the Burglary. The present-day technologies, such as lap top, mobiles, Tv. Set, sound systems are the things most stolen by the Juveniles. Juveniles find the night time most suitable for committing crime as no one can see them. In Arunachal Pradesh, scooty, bike etc. has also been stolen and reported many a times in the newspaper. Kitchen items specially the gas cylinder is the most common thing to have been carried away by the Juveniles.

The IPC crimes affecting women are also one of the major crimes that has come up in the study. The Juveniles in this modern era, has an easy access to the mobile phones. They get easy prey to the pornography sites. The young minds get easy influence by the vulgarity shown in social media too.²² Thus, many instances of rape and assaults cases are reported now and then, which needs to be taken care of. Rape charges against juveniles are very complex and sensitive issue that demands a balanced approach. While it is essential to protect the rights of victims and ensure justice, it is equally crucial to offer a chance for reform and rehabilitation to young offenders. And utmost care should be taken when dealing with the offenders so that they may not become deviants in future.

REFERENCES:

1. Arunachal Pradesh https://en.wikipedia.org/wiki/Arunachal_Pradesh
2. North East Frontier Agency https://en.wikipedia.org/wiki/North-East_Frontier_Agency
3. (Choudhury, Ratnadip (23 September 2020). "Arunachal Residents Write To PM On Road Project, Quote National Security". NDTV.com. Archived from the original on 30 October 2020. Retrieved 27 January 2021.)
4. Arunachal Pradesh https://en.wikipedia.org/wiki/Arunachal_Pradesh
5. North East Frontier Agency https://en.wikipedia.org/wiki/North-East_Frontier_Agency.
6. https://statisticstimes.com/demographics/india/arunachal-pradesh-population.php#google_vignette.

7. (Peace and Development in North East a Virtuous Spiral by P.L Sanjeeva Reddy, PC Shekar Reddy 2007).
8. http://timesofindia.indiatimes.com/articleshow/105797726.cms?utm_source=contentofinterest&utm_
9. (<https://arunachaltimes.in/index.php/2018/09/24/the-rising-cases-of-juvenile-delinquency/>)
10. Adult time for adult crime- The Road to juvenile Justice by Ashta Mishra,<https://www.scconline.com/blog/post/2018/01/31/adult-time-adult-crime-road-juvenile-justice/>
11. <https://infinitylearn.com/surge/study-materials/english/social-issues/juvenile-crimes>
12. (<https://arunachal24.in/itanagar-capital-police-arrested-two-juvenile-recovered-stolen-laptops-mobiles/>).
13. (<https://www.pathlegal.in/Difference-between-Burglary-dacoity-robbery-and-theft-are-un-blog-1110934>).
14. (<https://arunachaltimes.in/index.php/2022/03/23/4-including-three-juveniles-involved-in-aprb-head-office-theft-case/>).
15. (<https://www.telegraphindia.com/north-east/juvenile-crime-on-the-rise/cid/1531335>
16. (<https://lawctopus.com/clatalogue/clat-pg/ipc-notes-culpable-homicide-and-murder/>)
17. (<https://blog.ipleaders.in/death-by-negligence-section-304a-under-ipc/>).
18. No WCD-90/2020-21(APJRR).— In exercise of the powers conferred by the proviso to sub-section (1) of section 110 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016), and in supersession of the Notification No. WCD-27/2016-17(APJRR) dated 3rd May, 2017 whereby the State Government had adopted the Juvenile Justice (Care & Protection of Children) Model Rules, 2012 framed by the Ministry of Women and Child Development, GoI, except as respect to things done or omitted to be done before such supersession, the Government of Arunachal Pradesh is hereby pleased to make the following rules, namely:-ARUNACHAL PRADESH JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) RULES, 2020.
19. <https://arunachal.mygov.in/group-issue/child-development-and-care-arunachal-pradesh/>
20. (Chapter IV procedure in relation to children in conflict with law Sec.10. Apprehension of child alleged to be in conflict with law).
21. (Ins. by Act 23 of 2021, s. 8, (w.e.f. 1-9-2022).