

# FROM CRIME TO COURT: JUVENILE DELINQUENCY TREND IN ODISHA (A TIME SERIES LEGAL ANALYSIS)

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**Abstract** - The juvenile justice framework in India is anchored in a rehabilitative ethos, drawing heavily from restorative justice and the principle of prioritizing the child's best interests. Juvenile delinquency, rather than being innate, is construed as a byproduct of socio-environmental failures such as neglect, poverty, and educational deprivation. Statutory interpretations under the Juvenile Justice (Care and Protection of Children) Act articulate the age of criminal responsibility, yet remain silent on victim compensation—revealing critical legislative lacunae. Odisha's trajectory in juvenile offenses, diverging markedly from national trends, reveals a persistent and erratic escalation, reflecting localized socio-legal fragilities and a lack of cohesive deterrent frameworks. Despite the national trend showing signs of stabilization, Odisha's upward pattern signals a systemic drift fueled by inadequate intervention and fragmented enforcement. Time series analyses underscore the temporality and structure of these patterns, suggesting policy fatigue and short-lived efficacy. The state's growing share in juvenile crime highlights institutional inertia and the disconnection between normative legal aspirations and regional exigencies. These findings call for context-specific recalibrations in juvenile justice policy, emphasizing decentralized and empirically grounded interventions. The enduring rise of juvenile delinquency in Odisha thus emerges not only as a legal concern but as a broader barometer of societal dislocation and institutional insufficiency.

**Keywords:** Juvenile, Rehabilitation, Reform, Investigation, Trial

## INTRODUCTION

Juvenile delinquency has emerged as a pressing socio-legal concern, challenging the efficacy of rehabilitative justice systems worldwide. In Odisha, shifting crime patterns among minors necessitate a rigorous examination of legislative frameworks and judicial responses. This study undertakes a time series analysis of juvenile crime trends, scrutinizing the interplay between statutory reforms, enforcement mechanisms, and recidivism rates. By interrogating longitudinal data from law enforcement agencies and court records, the research elucidates whether punitive or welfare-oriented approaches dominate Odisha's legal trajectory.

The escalation of property offenses, violent crimes, and cyber-related misconduct among minors underscores systemic gaps in deterrence and rehabilitation. While the Juvenile Justice (Care and Protection of Children) Act, 2015, emphasizes reformatory justice, its implementation in Odisha reveals jurisdictional inconsistencies and procedural delays. This paper evaluates judicial precedents and policy shifts, probing their impact on delinquency rates from 2003 to 2023. Through a doctrinal and empirical lens, the analysis not only maps criminogenic factors but also critiques the state's adherence to international child rights standards. Ultimately, the study contributes to interdisciplinary discourse on juvenile justice by proposing evidence-based legal reforms to



reconcile punitive accountability with restorative equity.<sup>1</sup> This paper also aims to explore the procedural safeguards and institutional mechanisms involved in the reporting, investigation, and trial of juvenile cases. It also discusses the trends of juvenile incidences in Odisha during 2003-2022.

### 1. Who is a Juvenile?

According to the Juvenile Justice Act, 2015, a "juvenile" is "a child who is below the age of 18". Earlier, The Juvenile Justice Act, 1986 had set the minimum age requirements for boys at 16 years and for girls at 18 years respectively. With respect to the commission of grave offences, the qualifying age for a juvenile has been set at 16 years for making the policy more stringent in nature. The Juvenile Justice (Care and Protection of Children) Act, 2000 again raised the juvenile's bar limit of age to 18 years. Juvenile, as defined by this Act, is defined as "a person under the age of 18". The Act was essentially passed to convey the discontent with the earlier Act in relation to Juvenile laws.

The following suggestions were given in this regard:

- To adhere to and uphold the UNCRC;
- To recommend an age restriction of 18 years for everyone, whether he/she being a boy or girl;

To determine the age of a juvenile, there are two primary arguments:

- To determine whether the individual who claims to be a child, should be less than the minimum age required to apply for getting protection under the JJ Act, 2015.
- To determine the span of industrialization, the age must be recorded as precisely and roughly.

When children or juveniles lack age-related documentation, a medical examination of the kid can serve as proof of age, even if numerous joints are subjected to an ossification test. Multiple trials have been conducted and different evidences are used in different cases to know about the culpability of the delinquent. It becomes the sole responsibility of the Board to decide, whether the child presented before it to be considered as a juvenile or not. If the Board finds the child to be a minor, it will exercise its authority in the manner mentioned as per the Act.

### 2. Juvenile Delinquency

Giving an accurate definition of the term "juvenile delinquency" is very tough. Due to the number of circumstances, the clear formulation of the meaning is impossible to predict. The inter-relation between the social and legal terminology is that the challenge one faces defines crime generally. According to sociology experts, an individual cannot comprehend the term or the genuine nature of juvenile delinquency through legal definitions of juvenile because the arrest of a child depends on distinctive circumstances. Additionally, they contend that due to the unsuitability of scientific research, the legal definition tends to change frequently and vary from place to place.

The word "delinquent juvenile" was first used in an earlier Act of 1986 and was defined as "a juvenile who has been found to have committed an offence". The phrase "delinquent juvenile" was substituted by the phrase "juvenile in conflict with the law" by the Juvenile Justice (Care and Protection of Children) Act of 2000. The "Juvenile Justice (Care and Protection of Children) Act 2015" defines a "child in conflict with the law" as a minor who has committed an offence or been found guilty of one and is under the age of 18.

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<sup>1</sup>Shibanee Acharya, S.K. Chatterjee, and Omkar Acharya, "Procedure of Reporting, Investigation and Trial in Cases of Juveniles: A Study on Khordha District in Odisha," YMER, Volume 24, Issue 5, 2025.



### 3. Child in Conflict with Law

The term "child in conflict with the law" refers to any young mind who indulges in any kind of unlawful or illegal activities. A person must be younger than 18 at the time of the offence, in order to get protection under the Act. "Child in Conflict with Law" is defined under the JJ Act of 2015 as "a child who has been accused or found to have committed an offence and who is under the age of 18 on the day or date of such offence.

The Supreme Court in *Arnit Das v. State of Bihar*,<sup>2</sup> acknowledged juvenility in the case and identified that the required date to ascertain the juvenility of the child was the date when he was presented before the Court. Another query was made regarding the date with reference to which the petitioner's age must be established in order to ascertain whether or not he is a juvenile. According to the court, a person becomes a minor on the day they are brought before the JJB or another appropriate body. This judgement received a lot of backlash. Many believed that this ruling did not correctly understand the law.

In *Pratap Singh v. State of Jharkhand and Others*,<sup>3</sup> the Supreme Court eliminated the issue of determining the age of a juvenile. The Supreme Court noted that a juvenile's age is determined by the date on which the offence was committed, not by the date on which he was brought before an authority figure or a court.

### 4. Juvenile Justice System

The juvenile justice system deals with both the criminal behaviour of the juvenile offenders as well as the juveniles who come into confrontation with the law. The two following categories can be used to categorize children's justice; the way to protect the child and the way to insulate the child.

The following are the goals for protecting children in India:

- Juvenile justice system protects children's rights.
- Its fundamental objective is to have concepts of restorative and rehabilitative justice for children.
- To initiate action in the juvenile's or the children's best interests.
- Places a strong emphasis on prevention as a key goal.
- To give the young person the right care and shield them from abuse such as torture, cruel treatment, harassment, and exploitation.
- To provide suitable care and instruction.
- To work to improve the child's physical and mental health;

Education is a crucial component of human existence and has a significant influence on both adult and child behaviour. In general, education shapes a person's physical and mental health. It demonstrates the person's accurate knowledge, abilities, and behaviour towards society. The case of *Brown v. Board of Education* asserts that the founding stone of the individual or citizen of the country is education which provides an accurate explanation of the importance of education. The finest approach is to help children become aware of their values and to get them ready for the best professional training. Additionally, it aids in their social and environmental adaptation.

### REVIEW OF LITERATURE

Juvenile crime reporting often begins at the community or police station level. Studies highlight the importance of child-friendly procedures to prevent trauma during initial contact with law enforcement. Reporting mechanisms must adhere to the Juvenile Justice (Care and Protection of

<sup>2</sup>Arnit Das vs State of Bihar, (2001) 7 SCC 657

<sup>3</sup>Pratap Singh vs State of Jharkhand and ors., (2005) 3 SCC 551.



Children) Act, 2015, which mandates that no child in conflict with the law should be treated as an adult at the outset.<sup>4</sup>

Investigations must follow a non-coercive approach, with the police required to inform the Juvenile Justice Board (JJB) immediately upon apprehending a minor. The Special Juvenile Police Unit (SJPU) or a Child Welfare Police Officer must handle the case. Investigative procedures should focus on rehabilitation, not punishment, aligning with restorative justice principles.<sup>5</sup>

The JJB is a quasi-judicial body that conducts trials for children in conflict with the law. Trials are meant to be informal, confidential, and aimed at reform. Juvenile trials differ significantly from adult trials, there's no adversarial cross-examination, and the child's best interest is paramount.<sup>6</sup>

Social Investigation Reports prepared by probation officers provide key background details to the JJB to help them decide on rehabilitation strategies. These reports influence whether the child is placed in an Observation Home or released under supervision.<sup>4</sup>

Major challenges include poor infrastructure, inadequate training of officers, and stigmatization of children. Researchers suggest strengthening the capacity of child welfare institutions, ensuring legal aid, and reducing procedural delays to uphold juvenile rights.<sup>6</sup>

### 1. Gaps in the Existing Literature

- While investigation and trial procedures are widely discussed, the initial stage of reporting (especially how cases are registered, reluctance of victims to report, and police response) remains under-explored in empirical literature.
- There is insufficient research on how well-trained Special Juvenile Police Units (SJPUs) are, and how effectively they implement child-friendly procedures during investigation.
- Studies rarely capture the perspective of juveniles themselves, how they experience arrest, questioning, and court procedures, which limits understanding of psychological and procedural impacts.
- There is a lack of research on how digital tools and data management systems are being used (or underutilized) in tracking juvenile cases and ensuring procedural safeguards.
- Few studies compare Indian juvenile justice procedures with global best practices, which could highlight structural weaknesses or areas for policy borrowing.

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## LEGAL AND THEORETICAL FRAMEWORK OF JUVENILE JUSTICE SYSTEM IN INDIA

### 1. Evolution of Juvenile Justice Laws in India

With the advent of end of 18th century, India began its development in the sector of juvenile justice system. During the ancient era, juveniles were mostly treated alike adults and as a result of which, they used to be inflicted with the same punishments and followed same procedure like that the adults in the criminal courts. Both adults as well as juveniles used to undergo same punishments and they were housed together in order to facilitate their presence in prisons. This was the major flaw in the history of India's justice delivery system.

<sup>4</sup>Swagat Raha, "Treatment of children as adults under India's Juvenile Justice (Care and Protection of Children) Act, 2015." *The International Journal of Children's Rights*, 27(4), 2019.

<sup>5</sup>Archana Vashishth, Sakshi Dudeja, and Teena, "System of Restorative Justice and Juvenile Justice in India: A Brief Comparative Study With Latin American System". *Mexican Law Review* 16 (2), 2024.

<sup>6</sup>Sheila Ramaswamy, Saurabh Shashi Ashok, Shekhar Seshadri, Harsh Mander, Joske Bunders-Aelen, and Justice Madan Lokur, "Criminalisation of Juvenile Justice Questioning the Assumptions of Juvenile Transfer Laws in India" *The International Journal of Children's Rights*, 2024.



The justice delivery system of India has undergone industrialization which dated back to five distinct eras. These key eras in legislative history are:

1. From the beginning to 1773;
2. From 1773 to 1850; and
3. From 1850 to 1918;
4. From 1919 to 1950;
5. After 1950;

The Regulation Act, 1773 was enacted in conjunction with the found-stone of East India Company (EIC) which had the sole authority to enact and enforce those laws strictly in the society. For transforming the company into a governmental entity, Charter 1833 was solely responsible. In order to prevent detention of juveniles, the first piece of law was passed in the year 1850. According to the Report of All India Jail Committee 1919-1920, this served as an impetus for detaching children from the criminal justice system and initiated the process accordingly.

## **2. Key provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015**

The Juvenile Justice (Care and Protection of Children) Act of 2000 was repealed and replaced by the Juvenile Justice (Care and Protection of Children) Act, 2015. Both the juveniles who are in need of care and protection as well as who are in conflict with the law come under the purview of the Act. In accordance with this Act, "Child" and "Juvenile" are defined as "persons who have not attained the age of eighteen" and "child in conflict with the law" is defined as "a child who is alleged to have committed an offence and who has not attained the age of eighteen on the date of such offence."

- **Section 2(33)-** This Act has a significant impact on young offenders who need to be rehabilitated. When a child aged between the ages of 16 to 18 is presented before the court after being found guilty of committing a serious offence, this is regarded as the crucial step towards restoring the retributive justice rather than ensuring juvenile justice.
- **Section 3-** The chief or major principles outlined under the provisions of the Act includes principle of safety, privacy and confidentiality, principle of Dignity and worth, principle of best interest, presumption of innocence, principle of equality and non- discrimination, principle of Natural Justice etc.
- **Section 15-** The Board must perform a preliminary evaluation of a juvenile's mental and physical capability to commit the heinous crime, as well as his capacity to comprehend the circumstances and the consequences of the act, if the juvenile is under the age of 16.
- **Section 18 (3)-** Kids are sentenced for seven years or longer and treated like adults, although the procedures are handled by the Children's Court.
- **Section 19 (3)-** When they reach the age of 21, they are relocated to a secure location before being put in jail.
- **Section 21-** All minors aged under 18 years are treated in the way similar to that of the procedure mentioned under the Act, but when minors aged between 16 and 18 who indulges themselves in serious crimes are preferred to be treated in the manner as the adults are often treated and punished.
- **Section 23-** There is non-mentioning of any concept like joint procedure of child in conflict with law and anyone who does not come under the purview of the definition provided for child as stated by the Act.

## **2. Role of Different Functionaries**

**Role of the Juvenile Justice Board (JJB):** The JJB is a statutory body responsible for conducting inquiries and trials of cases involving Children in Conflict with Law (CCL).



**Section 4 of JJ Act, 2015** provides the composition as- One Principal Magistrate (must be a Metropolitan or Judicial Magistrate of First Class), Two Social Workers (at least one should be a woman). Principal Magistrate must have special knowledge or training in child psychology or child welfare. Social workers should have experience in child-related activities (e.g., welfare, education, mental health, juvenile justice). Members must hold office for a term of 3 years.

#### **Powers and Functions of the JJB**

- a. **Judicial Powers-** Conduct preliminary assessment of offences committed by children, decide whether to try a child as an adult (only for heinous offences and if the child is 16+) and dispose of cases by sending the child for counselling, probation, or rehabilitation—not jail.
- b. **Inquiry and Disposition-** Conducts inquiry in a child-friendly atmosphere. no regular court procedures; the process is informal, rehabilitative, and non-adversarial. It can release the child after advice or admonition, order community service, send child to a Special Home for up to 3 years, order restitution or fine payable by parents.
- c. **Administrative Powers-** It directs the police or CWPOs to investigate cases, call for Social Investigation Reports (SIRs) and psychological assessments, refer children to rehabilitation services like observation homes or counselling.
- d. **Protective Role-** ensure legal aid, psychological support, and safe custody during the inquiry process, take steps to remove the stigma and reintegrate the child into society.

#### **Role of the Child Welfare Committees (CWC):**

- a. **Receiving and Acting on Reports:** When a child is found without care or in distress (e.g., abused, abandoned, or victim of crime), any individual, police, NGO, or SJPU can report to the CWC. Under Section 31 of the Juvenile Justice (Care and Protection of Children) Act, 2015, the CWC has the authority to make immediate decisions for the child's care, including placing the child in a shelter home.
- b. **Medical Aid and Counselling:** If the child is a victim of abuse (e.g., under POCSO Act), the CWC ensures immediate medical examination and treatment, psychological counselling, legal assistance.
- c. **Social Investigation and Inquiry:** The CWC directs a social investigation report (SIR) through a Child Welfare Officer or social worker. This report helps decide the child's best interest: whether to restore them to their family, place them in institutional care, or provide other rehabilitation services.
- d. **Production and Interim Care:** Any child rescued or recovered by police or SJPU is produced before the CWC within 24 hours (excluding travel time). The CWC may order interim care, placing the child in Child Care Institutions, Foster care, Fit persons/organizations.
- e. **Rehabilitation and Follow-Up:** The CWC prepares a Care Plan tailored to the child's needs. They monitor the child's rehabilitation, including education, vocational training, or de-addiction.

**Role of Special Juvenile Police Units (SJPU):** SJPU is a designated wing within the police department trained to handle juvenile matters sensitively.

- i. **Composition:** Headed by a senior police officer, Includes Child Welfare Police Officers (CWPOs) in every police station

#### **ii. Key Responsibilities:**

- Ensure child-friendly environment during reporting and investigation
- Act as liaison between police, JJB/CWC, and child protection agencies
- Maintain records of juvenile cases and submit regular updates to child protection authorities

- iii. **Role in Reporting Procedures:** Receive and record complaints of offences involving children, ensure mandatory reporting under POCSO for sexual offences, provide first responder support,





including medical help, if the child is a victim, notify the CWPO and SJPU headquarters for coordinated response

- iv. **Role in Investigation Procedures:** CWPOs conduct investigation in a child-sensitive manner, avoid intimidating interrogation; use non-coercive language and space, file charge sheet within 60 days (as per POCSO Act), gather background info to support Social Investigation Report submitted to JJB.

### 3. Related Laws and Policies for Juvenile Criminality

**Protection of Children from Sexual Offences (POCSO) Act, 2012:** Applies to children below 18 years, including both victims and perpetrators. **Mandatory reporting (Section 19):** Any person (including police, teachers, doctors) must report sexual offences involving a child; failure is punishable. **Child-friendly procedures (Sections 24-27)** provides statement recorded in a non-threatening setting, preferably by female police officer, no repeated questioning or unnecessary exposure to accused. Assistance during trial includes free legal aid, use of video conferencing for vulnerable children, In-camera trials.

**Indian Penal Code (IPC), 1860:** While IPC provisions define offences, juveniles are not tried under IPC punishments, but these sections are referred during case assessment. **Section 82 & 83** provide immunity to children under 7, and conditional immunity for those aged 7-12 depending on maturity. IPC offences like theft (Sec 379), assault (Sec 351), or sexual offences are applied to juveniles but processed under JJ procedures.

**Code of Criminal Procedure (CrPC), 1973:** Though CrPC doesn't directly apply to juvenile trials, some provisions are referenced procedurally. **Section 27** gives jurisdiction to Juvenile Courts for children under 16 (now considered up to 18 under the JJ Act). **Section 173** governs filing of charge sheets, applies to police investigations involving juveniles. CrPC is subordinated to JJ Act where conflicts arise, prioritizing child-friendly norms.

**Relevant Guidelines and Policies:** **National Policy for Children (2013)** advocates child-sensitive justice delivery and rehabilitation. **Model Rules under JJ Act (2016)** gives detail procedures for JJBs, CWPOs, SJPU functioning, and rehabilitation services.

## REPORTING, INVESTIGATION AND TRIAL PROCEDURES IN JUVENILE CASES

### 1. Legal Procedure of Filing FIR or Complaint

Based on- A Child in Conflict with Law (CCL) - i.e., accused of committing an offence:

- 1) **Lodging a Complaint / FIR:** Any citizen or authority may report the offence to the local police station. FIR is registered under Section 154 of CrPC, but the case is flagged as juvenile. No handcuffing or jail: the child cannot be placed in a regular lock-up.
- 2) **Special Juvenile Police Unit (SJPU) or Child Welfare Police Officer (CWPO):** On receipt of FIR, the case must be referred to the SJPU, and handled only by a CWPO trained in child-friendly procedures.
- 3) **Production Before Juvenile Justice Board (JJB):** The child must be produced before the JJB within 24 hours (excluding travel time), not in court. During this, the child stays in an Observation Home, not police custody.
- 4) **Social Investigation Report (SIR):** A probation officer or social worker submits a report on the child's background, family, and circumstances to help the JJB decide further action.
- 5) **Inquiry by JJB:** An informal inquiry is conducted, and the child is either: Sent for rehabilitation or referred to a Children's Court (for heinous offences, after age and mental maturity assessment).
- 6) **Reporting the Incident:** Anyone can report suspected abuse, trafficking, neglect, or child marriage to: Childline 1098, Police station / SJPU, Child Welfare Committee (CWC), District Child Protection Unit (DCPU).



- 7) **Registration of FIR (POCSO, child labour, etc.):** If the child is a victim of sexual abuse, a mandatory FIR must be registered under POCSO Act. In other CNCP cases, the complaint may be logged as a general diary entry or Child in Need report.
- 8) **Production Before Child Welfare Committee (CWC):** The child must be presented before the CWC within 24 hours. Police or any concerned authority is legally bound to do this.
- 9) **Interim Care:** The child is placed in a Shelter Home or Foster Care pending the CWC's inquiry.
- 10) **Social Investigation & Final Order:** The CWC reviews the child's needs and recommends: Restoration to family (if safe), Long-term institutional care, Adoption or foster placement.

## 2. Inquiry Procedures under JJ Act, 2015

The inquiry is the formal process conducted by the Juvenile Justice Board (JJB) to determine the outcome of a case involving a Child in Conflict with Law (CCL). The process is designed to be child-friendly, non-adversarial, and reformatory.

- a) **Registration of Case:** Upon receipt of a complaint or FIR, the Special Juvenile Police Unit (SJPU) refers the case to the JJB. The child is produced before the JJB within 24 hours (excluding travel time).
- b) **Preliminary Assessment (for heinous offences only):** Section 15 provides that for children aged 16 to 18 involved in heinous offences, the JJB conducts a preliminary assessment of mental and physical capacity to commit the offence, ability to understand consequences, circumstances of the offence. Based on this, the child may be transferred to the Children's Court for trial as an adult (in rare cases).
- c) **Social Investigation Report (SIR):** Rule 10 states that a Probation Officer or Social Worker is assigned to submit an SIR on family background, educational status, circumstances of the offence, psychological health. This report helps determine the best reformatory approach.
- d) **Conduct of Inquiry:** Section 14 states that the JJB conducts the inquiry in an informal, child-sensitive environment. No formal procedures like those in adult courts (e.g., no dock, no lawyers in robes). Proceedings must be completed within 4 months from the date of the first production of the child.

**Final Disposition:** Section 18 provides that based on the nature of the offence and findings, the JJB may allow the child to go home after advice/admonition, Place under care of a fit person or institution, order community service, direct counselling, probation, or supervised release, send to a Special Home for up to 3 years (only for serious offences), The child cannot be sentenced to jail or death penalty.<sup>7</sup>

## FINDINGS ON INCIDENCE OF JUVENILE DELINQUENCY IN ODISHA

Although the term's specific meaning might vary depending on the local jurisdiction, it is frequently used in academic literature to refer to a young person who has committed a crime as juvenile delinquent. Juvenile criminality is not something that a youngster is genetically predisposed to; rather, it is mostly a product of his upbringing, environment, foolish Behavior, or lack of discipline and a sound education. A juvenile is defined as a person who has not reached the age of 18 under Section 2(k) of the Juvenile Justice (Care and Protection of Children) Act, 2000. The Juvenile Justice (Care & Protection of Children) Act of 2015, which establishes criminal responsibility, also states that anybody who commits a severe crime has reached the age of criminal majority when they are between 16 and 18 years old. The basic objectives of juvenile justice are primarily centered on the rights of children. Additionally, it applies the restorative justice idea, which aims to right the wrongs caused by crime rather than only punishing the criminal. The best interests of the kid are given priority in this system. Additionally, the main objective of this system is to put a strong emphasis on preventing crimes and injustices against young people. Juvenile offending is

<sup>7</sup> Tanu Priya, Reformatory Theory of Punishment, Lawctopus's Law Journal, 2014.



another word for juvenile criminality. Consequently, also draws a minimum of 7 years of imprisonment. The results regarding incidence of juvenile crimes along with forecasting upto 2030 are presented.

### 1. Results from Secondary Data

The secondary data has been collected from the website of National Crime Records Bureau, Government of India, New Delhi which is the national archive of crime records. The following figures are presented in the following Table showing a comparative status as well as trends in Juvenile Crimes in national as well as state of Odisha during the period 2003-2022.

**Table 1. Incidences and Rate of Juveniles in Conflict with Law.**

Sl. No.	Year	Incidence in India	Incidence in Odisha	% increase over Previous Year		% of Odisha to India
				India	Odisha	
1	2003	17819	219	--	--	1.2
2	2004	19229	261	7.9	19.2	1.4
3	2005	18939	430	-1.5	64.8	2.3
4	2006	21088	430	11.3	0.0	2.0
5	2007	22865	460	8.4	7.0	2.0
6	2008	24535	489	7.3	6.3	2.0
7	2009	23926	397	-2.5	-18.8	1.7
8	2010	22740	417	-5.0	5.0	1.8
9	2011	25125	470	10.5	12.7	1.9
10	2012	27936	650	11.2	38.3	2.3
11	2013	31725	916	13.6	40.9	2.9
12	2014	38455	938	21.2	2.4	2.4
13	2015	33433	934	-13.1	-0.4	2.8
14	2016	35849	994	7.2	6.4	2.8
15	2017	33606	1111	-6.3	11.8	3.3
16	2018	31591	1078	-6.0	-3.0	3.4
17	2019	32269	1162	2.0	7.8	3.6
18	2020	29768	1095	-7.7	-5.8	3.7
19	2021	31170	1334	4.7	21.8	4.3
20	2022	30555	1163	-2.0	-12.8	3.8

Source: Ministry of Home Affairs, National Crimes Records Bureau (NCRB), Government of India, available at <http://ncrb.nic.in>.

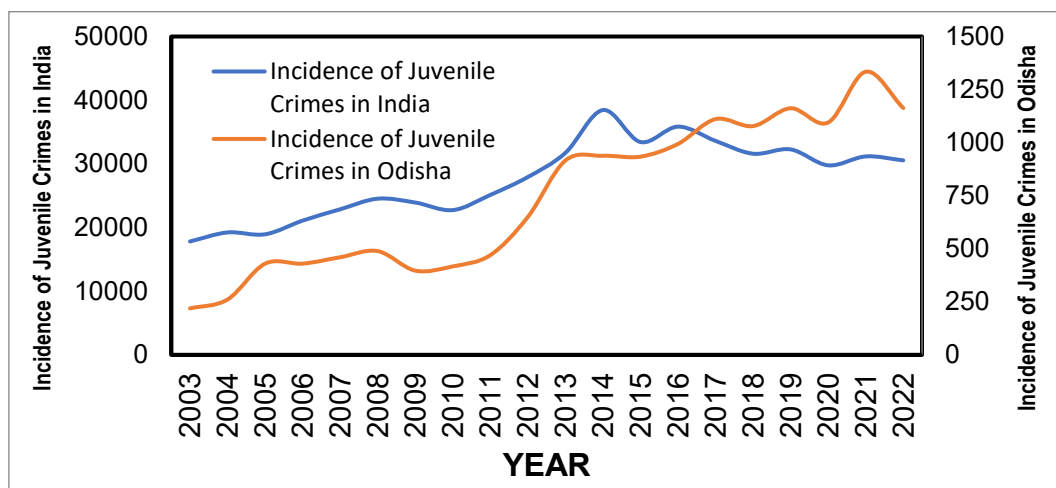


Figure 1. Trend of Incidence of Juvenile Crimes in India and Odisha.

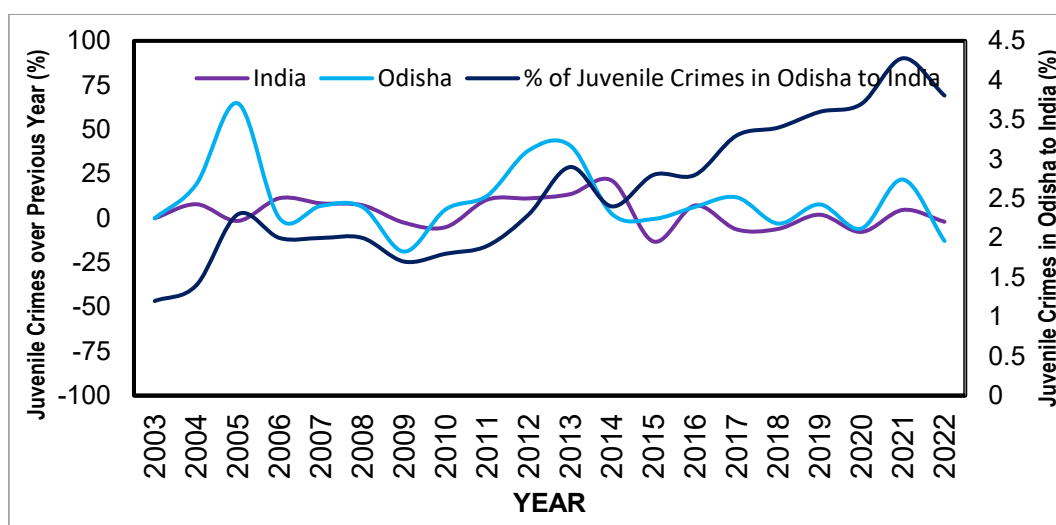


Figure 2. Rate of Yearly Incidence of Juvenile Crimes in India and Odisha.

Table 1, Figure 1 and Figure 2 present the trend and rate of juvenile crimes in India as well as Odisha with comparison by taking the data from the year 2003 to 2022. In all India basis, minimum juvenile crimes (17819) has been noticed in 2003 whereas maximum (38455) in 2014. Upward trend is observed from 2003 to 2014 after which a decreasing trend is seen. In case of Odisha, minimum juvenile crimes (219) has been witnessed in 2003 whereas maximum (1334) in 2021. Interestingly in Odisha, there is an increase in trend in number of juvenile crimes during these 20 years i.e. between 2003 and 2022. A jig-jag trend is observed in % increase in juvenile crimes over the previous year both in case of India as well as Odisha. All India basis figures on annual difference percentage varies between -13.1 and 21.1 whereas Odisha shows a between -18.8% and 64.8% during this period. Further, the ratios of juvenile crimes in Odisha to India show jig-jag with more or less increasing phenomena. These ratios lie between 1.2 and 4.3.

## 2. Time Series Analysis of Data

The persistent rise and episodic fluctuations in juvenile delinquency across Indian state Odisha demand rigorous scholarly attention, that transcends anecdotal interpretation. This section undertakes a time series legal analysis of juvenile delinquency in Odisha, aiming to discern patterns that are statistically significant and legally consequential. By calibrating criminological data, the study endeavors to unravel the trend of juvenile offenders. The analysis situates Odisha's delinquency trajectory within broader legal debates. In doing so, it interrogates not only what the

numbers reveal but also what the law, in its silence or assertiveness, permits or deters for planning purpose.

**Table 2: Time Series Analysis of Juvenile Delinquency in India and Odisha During (2003-2022).**

Year	India		Odisha		% of Odisha to India	
	Forecast	Coefficients	Forecast	Coefficients	Forecast	Coefficients
2023	30673	AR: 0.929* MA: 0.869* LL: -176.418 AIC: 358.837	1217	AR: -0.933* MA: 0.831 <sup>NS</sup> LL: -117.202 AIC: 240.404	3.9	AR: 0.624* MA: 0.353 <sup>NS</sup> LL: -12.406 AIC: 30.812
2024	30781		1167		4.0	
2025	30880		1213		4.1	
2026	30972		1170		4.2	
2027	31056		1210		4.3	
2028	31133		1172		4.4	
2029	31203		1208		4.5	
2030	31269		1175		4.6	

N.B: \* - Significant at 5% level ( $P < 0.05$ ), NS - Not Significant at 5% level ( $P > 0.05$ ), AR - Auto-Regressive coefficient, MA - Moving Average coefficient, LL - Log Likelihood, AIC - Akaike Information Criterion.

Table 2 presents a longitudinal, econometrically grounded comparative analysis of juvenile delinquency trends between India and the state of Odisha over the projected period 2023-2030, based on ARIMA (Auto-Regressive Integrated Moving Average) time series modeling. The data are disaggregated to reflect national and sub-national trajectories, with accompanying autoregressive (AR) and moving average (MA) parameters, as well as inferential metrics such as Log Likelihood (LL) and Akaike Information Criterion (AIC) for model validation and parsimony assessment.

In the national model for India, the AR coefficient (0.929\*) and MA coefficient (0.869\*) for 2023 emerge as statistically significant at the 5% threshold ( $P < 0.05$ ), underscoring a high degree of temporal dependency and smoothing of shocks in the juvenile crime series. The negative log likelihood value (-176.418) and AIC (358.837) corroborate the model's robustness and relative goodness of fit. This forecast projects a steady incremental increase in juvenile delinquency cases, from 30,673 in 2023 to 31,269 by 2030.

Conversely, Odisha's AR coefficient for 2023 is negative (-0.933\*), yet significant, suggesting an inverse autoregressive pattern potentially reflective of policy interventions or structural shifts. However, the MA coefficient (0.831) is not statistically significant (NS), indicating limited immediate-term volatility buffering in the state-level series. The relatively lower LL (-117.202) and AIC (240.404) denote an acceptable, though comparatively less optimized, model fit than the national series.

A notable feature is the projected proportional contribution of Odisha to the national juvenile delinquency burden, which exhibits a gradual escalation from 3.9% in 2023 to 4.6% in 2030. The ARIMA estimates for this percentage series demonstrate moderate autocorrelation (AR: 0.624\*) but a statistically non-significant moving average component (MA: 0.353NS), suggesting that while



historical proportions influence future values, immediate stochastic disturbances have a negligible effect.

This quantitative modeling substantiates the assertion that while the aggregate trajectory of juvenile delinquency in India is stabilizing, Odisha's proportional contribution is incrementally intensifying, thus warranting nuanced policy recalibration at the state level. The interplay between national trends and regional dynamics highlights the imperative for decentralized legal interventions and context-specific juvenile justice reforms.

## SUGGESTIONS

- The legal framework governing juvenile justice in India emphasizes rehabilitation over retribution, anchoring its principles in the broader doctrine of restorative justice and the paramountcy of the child's best interests.
- Juvenile delinquency is conceptualized not as an inherent predisposition but as a socio-environmental construct, shaped predominantly by deficient upbringing, neglectful surroundings, and educational deprivation.
- The statutory definition of a juvenile is firmly rooted in the Juvenile Justice (Care and Protection of Children) Act, which demarcates the threshold of criminal responsibility based on age and gravity of the offense.
- The Act does not specify regarding the victim compensation schemes. To improve the situation for the victims, the provisions need to be changed.
- Over the past two decades, the incidence of juvenile crime in Odisha has exhibited a discernible upward trajectory, reflecting an evolving and increasingly complex pattern of youth criminality in the region.
- While national figures portray an initial escalation followed by gradual deceleration, Odisha's data reveals a more persistent and sometimes erratic growth, suggesting region-specific socio-legal dynamics at play.
- Variability in year-on-year changes underscores the absence of a stable deterrence mechanism, with fluctuations reflecting reactive rather than proactive policy implementation.
- The proportion of juvenile crime in Odisha relative to the national scenario has demonstrated a progressive amplification, indicating a growing share of the state in the national juvenile delinquency burden.
- Time series analysis employing ARIMA models has yielded statistically robust patterns at the national level, highlighting strong temporal dependence and stability in trends.
- Odisha's trend analysis reveals an inverse autoregressive structure, which could point to intermittent intervention efficacy, policy fatigue, or systemic inconsistencies in preventive measures.
- The forecasted data suggest a steady intensification in Odisha's relative contribution to national juvenile delinquency, signalling the urgency for tailored legal strategies and localized judicial reform.
- The study's inferential modelling affirms that while national delinquency figures may be plateauing, the state-specific legal response in Odisha must evolve to address its unique criminogenic variables.

### 1. Lacunae's in Juvenile Justice Act, 2015

1. The coinage of the term "parent's responsibility in case of juvenile delinquency" is not mentioned anywhere in the Juvenile Justice Act, 2015.
2. It hasn't offered any kind of right to prompt trials and procedural protections.
3. Although this Act confers rules relating to "Adoption", but still, it is unable to confer clear protocols to be followed in case of "Inter-country adoption".



4. There exists no linkage between the Juvenile protection laws and other legislative measures addressing various issues like adoption, child labour, exploitation, sexual assault, education etc.

5. Despite the fact that the primary goal of the Act is the welfare of the juveniles, no awareness programs have been initiated in relation to the offender's healthcare, social aid, education. Counsel etc.

### CONCLUSION

In India, the concept of adolescent delinquency is not new to anyone. It is concerned with the behavior of a child with respect of any criminal or unusual manner. There exists no provision for the demarcation and characterization of heinous acts of juveniles prior to the enactment of the Juvenile Justice Act, 2015. The said Act outlines the requirements in relation to various heinous crimes and fixes the age of 16 years to be interpreted in crimes like murder or rape. It became necessary after the advent of Delhi Gang rape case, where the mastermind behind the commission of the crime was a juvenile. It shook the parliament to make significant development for juvenile justice system in India by amending certain provision enshrined under the Juvenile Justice Act, 2015 and by analyzing various core elements like aims, scope, objective, legislations, etc. for having a favorable attitude towards the delinquents.

However, the legislative categorization does not support the differences between severe and heinous crime actions, nor does it clearly exaggerate the reason behind this distinction. Additionally, the typology of crimes which range from minor infractions to serious crimes do not support the criteria that have been used to make a difference between them.

Furthermore, it should be given emphasis that the small violations would lead to infliction of maximum sentence of 3 years, and the range for major acts would be between 3 to 7 years. Again, there exists a commonality in the infliction of penalties. Instead of establishing the clear facts and implement laws in the best interest of the common people of the country, the act itself has created difficulty on its own.

The empirical progression of juvenile delinquency in Odisha affirms a sustained upward pattern, reflecting deeper undercurrents of social dislocation and institutional inadequacy in preventive jurisprudence. The observed divergence between national stabilization and regional escalation underscores a fragmented legal response, wherein centralized policy architecture fails to account for state-specific criminogenic factors.

Odisha's disproportionately growing share in juvenile offenses indicates a structural fault line in the implementation of juvenile justice provisions, calling into question the sufficiency of rehabilitative outreach and community-based corrections. The predictive models demonstrate that juvenile criminality in Odisha is not merely episodic but forms part of a broader systemic drift, suggesting entrenched socio-legal vulnerabilities that remain insufficiently addressed. The presence of inverse autoregressive patterns in Odisha's delinquency trends hints at latent inefficiencies in policy feedback loops, where prior measures may have momentary impact but lack sustainable influence.

The disjunction between legal mandates and actual outcomes signals a pressing need for recalibrating juvenile justice mechanisms toward context-sensitive, decentralised interventions that reflect ground realities rather than normative abstractions. The data trajectory compels an interpretive shift from mere statistical observation to critical legal introspection, emphasizing that juvenile delinquency must be understood as both a legal symptom and a social indicator of deeper developmental fissures. The gradual erosion of deterrence and inconsistent application of rehabilitative principles imply that legal reforms, while well-intentioned, may falter in the absence of integrated institutional accountability and socio-educational infrastructure.

Ultimately, the jurisprudential challenge lies in reconciling the protective ethos of juvenile justice with the exigencies of rising youth crime, necessitating a delicate balance between restorative commitments and preventative rigor.



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