

**Increasing involvement of juveniles in heinous crimes**

1993. SHRI BAISHNAB PARIDA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that as per National Crime Statistics reports, involvement of juveniles in heinous crimes has been steadily increasing in the country;

(b) if so, the details with reasons therefor;

(c) whether Government has worked out a corrective action plan to address this menace; and

(d) how far has this action plan been implemented and what are its positive results?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIBHAI PARTHIBHAI CHAUDHARY): (a) and (b) The National Crime Records Bureau (NCRB) has reported 27,936 cases, 31,725 cases and 33,526 cases during 2012, 2013 and 2014 respectively against juveniles in conflict with law under IPC cognizable crimes.

(c) and (d) To control the menace of rising juvenile offences, the Ministry of Women Child Development has drafted a new Juvenile Justice (Care and Protection of Children) Bill, 2015. It is proposed to define offences in three categories - petty offence, serious offence and heinous offence, which is currently lacking in the existing Act. The offences have been classified as per the punishments for adults for similar offences. Petty offences are those offences, where the maximum punishment for adults is up to three years, serious offences are those where punishment for adults is between three years to seven years and heinous offences are those where punishment for adults is seven years or more.

Special provisions have been made to address heinous offences committed by children between the ages of 16 -18 years, which will act as a deterrent for child offenders committing such crimes. This will address the issue of increased lawlessness in the society to some extent and will also protect the rights of victims to justice. In case a child between the ages of 16-18 years commits a heinous offence then the Juvenile Justice Board is required to conduct a preliminary assessment with regard to the child's mental and physical capacity to commit such offence, ability of the child to understand the consequences of the offence and the circumstances in which he committed the offence. After conducting a preliminary assessment, the Board has been given the option to transfer the matter to the Children's Court, which is a Court of Session having jurisdiction to try heinous offences. If after trial, a child is found

guilty of committing a heinous offence by the Children's court, then such child is proposed to be sent to a 'place of safety' for reformation and rehabilitation up to the age of twenty one years. After completing the age of twenty one years, an evaluation of the child is to be conducted by the Children's Court after which either the child is released on probation or transferred to an adult jail for the remaining term.

#### **Death of prisoners in police custody**

1994. SHRI AAYANUR MANJUNATHA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the State-wise total number of deaths of prisoners reported in police custody during each of the last three years and the current year;
- (b) the State-wise action taken against the guilty personnel during the said period;
- (c) the corrective steps taken by Government to check such cases in future; and
- (d) the State-wise number of deaths of prisoners in jails on other grounds during the said period?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) and (b) As per information received from National Crime Records Bureau, details indicating State-wise, total number of persons who died in police custody, cases registered, police personnel charge-sheeted and police personnel convicted during 2012-2014 is given in the Statement-I (*See* below). The National Crime Records Bureau further intimated that the latest data pertains to the year 2014.

(c) Pursuant to the guidelines framed by the National Human Rights Commission, every death in judicial or police custody is to be reported to the Commission within 24 hours of occurrence.

The National Human Rights Commission calls for various reports such as inquest, post mortem report, magisterial enquiry report, viscera report etc. for ascertaining foul play as well as negligence, if any, by public escorts, which resulted in the death in custody.

During various workshops, seminars camp sittings the National Human Rights Commission sensitizes public servants for better protection of human rights.

(d) Details mentioning the State-wise total number of deaths of prisoners in jail on other grounds during 2012, 2013 and 2014 are given in the Statement-II (A), II (B) and II (C) respectively.