

# No Black and White Answers

Inside an Observation Home, where juveniles with a criminal past face an uncertain future

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**D**ecember 16, 2012 changed the way the public looked at juvenile or child offenders and demanded stricter measures and harsher laws to be implemented. Earlier in the week, the government moved the Juvenile Justice Amendment Bill in the Lok Sabha. The amended Bill calls for children between 16 and 18 years who have committed heinous crimes to be tried as adults. The amendment, according to the government, is necessary in the light of the serious crimes committed by children in that age group. The counterview, though, is that rather than punishing these teenagers, perhaps a long-term solution would be to look into the reasons these children are drawn towards crime – illiteracy, poverty and peer pressure being the apparent ones – and work on those.

Who are these boys, where do they come from, what are their crimes, why is there a complete lack of fear of the judicial system, what is the driving force behind it all? A visit to an 'Observation Home' for boys called Sewa Kutir in New Delhi throws up a few, if not all answers.

Blaring Hindi songs like 'Choli ke peechhe

kya hai' greeted her from the outside of this home guarded like a fortress with high walls and barbed wires. There were roughly 130 boys when she visited, although the numbers keep changing every other day; the boys are not legally allowed to be kept here for more than 14 days until their trial in the Juvenile Justice (JJ) court, though the term can keep getting renewed, which is what happens in most cases.

Each boy in here has committed a crime, although how severe it is can't be told by his playful, boyish mannerism. They are all eager to talk and be photographed. From minor thefts to murders and rapes, they have a past that will be deciding their future.

How do these boys appeal for sympathy for their heinous crimes? If let go, what is the guarantee they won't commit one again? After all, there are many repeat offenders. Many are migrants from smaller towns, waiting for their date in court; until then this Observation Home will attempt to reform and discipline them.

Says Premoday Khakha, superintendent of Sewa Kutir: "The obvious solution is to reprimand and convict an assaulter and



send him/her behind bars, but a significant and overlooked situation is the environments where these kids come from and the ones they go back to after their time in the Observation Home. The real change must happen at home, if there is a home in the first place." Khakha points out that there is a reason why these boys are not kept with hardened adult criminals – it is very easy to get influenced there. But then home may not be much of an improvement, not if their fathers are beating their mothers. "I am a law enforcer but let us not be blindfolded to the complications that kids undergo at these stages of their lives."

Documentaries may get made, laws

may be passed but clearly, JJ courts and Observation Homes are no guarantee that these children will change their ways. The larger question is: does or doesn't a criminal – a rapist or a murderer – deserve a second chance so early in life? Having said that, it is difficult to forgive someone who has raped or murdered a loved one. And one mostly presumes it can never be our own child who could be an offender and therefore it is easy to condemn others. Fact is, young offenders are from all classes – and change is a slow process. There is no black and white answer to that. ■

(The writer is an independent photojournalist based in Chennai)

Sewa Kutir visit courtesy NGO Leher

