



PANDEMIC COVID-19 AND ITS EFFECT: A STUDY ON JUVENILES HOME IN WEST BENGAL

Prosenjit Pal

Research Scholar, Email- prosenjit.0488@gmail.com, Ph No- 9614754254

Department of Social Work, Visva-bharati University, Sriniketan, West Bengal, Pin- 731236.

Paper Received On: 25 September 2023

Peer Reviewed On: 21 October 2023

Published On: 01 December 2023

Abstract

All human being are born free and should have equal right and dignity to live in the society. Human being should not be depriving of these specified or enacted human rights. It shall conclude that every human being whether he/she be an adult or minor shall have equal rights in the country. Such rights are specified by Indian govt. before independence when UN Declaration of Human Right formed and later which was prescribed by Indian govt. in Part-III of Art.12 - Art.35 in the Constitution of India in post-independence period. Each prisoner shall have some basic rights whether he is an adult offender or a minor or juvenile offender. Indian govt. has separated the juvenile offender from adult or aged-heinous criminal. Because juvenile are in that age when he has done some crime for which he/she shall have repentance and their age is such minor that they have their longer remain in life. The inmates will have better life if they get proper rehabilitation; training and education program before send them to the society. Govt. has made separate cell for civil and criminal offender and they also have right to live with dignity and shall have also some basic and fundamental right as prescribe by the govt. the civil and criminal both kind of inmates shall not be deprived from such prescribe right during the Covid-19 pandemic situation. The paper will explore whether the govt. shall take special care of the inmates by giving proper nutrition, sanitization and regular health check up during covid-19. This paper will also highlight some special precaution of the correctional home as the third wave of Covid-19 may hit the low aged inmates especially in the coming month as stated by the medical bulletin.

Keywords: Juvenile, Juvenile home, Pandemic, Human Right, Rehabilitation, Sanitization Inmates, Correctional Convention and Quarantine

Introduction:-

All human being are born free and should have equal right and dignity to live in the society. Human being should not be depriving of these specified or enacted human rights. It shall conclude that every human being whether he/she be an adult or minor shall have equal rights in the country. Such rights are specified by Indian govt. before independence when UN

Declaration of Human Right formed and later which was prescribed by Indian govt. in Part-III of Art.12 - Art.35 of the Constitution of India in post-independence period. Each prisoner shall have some basic rights whether he is an adult offender or a minor or juvenile offender. Indian govt. has separated the juvenile offender from adult or aged-heinous criminal. Because juvenile are in that age when he has done some crime for which he/she shall have repentance and their age is such minor that they have their longer remain in life. They will have better life if they get proper rehabilitations, training and education program before send them to the society. Govt. has made separate juvenile home for juvenile offender and they also have right to live with dignity and shall have also some basic and fundamental right as prescribe by the govt. Such juveniles shall not be deprived from such prescribe right during the Covid-19 pandemic situation.

PROBLEM IDENTIFICATION:

The proposed study will reveal the present condition of the juveniles in correctional home. It is not an understatement to conclude that the juvenile home mandated to provide care and protection as well as resocialisation, rehabilitation, restoration of the juveniles in conflict of law, have become India's hellish home where youth inmates are subjected to sexually assault and exploitation, torture and ill-treatment apart from this they are being forced to live in inhuman condition.

The pandemic situation has been faced by everybody whether he is an ordinary person or inmates or youth offender. Adolescence age groups are more or less affected by this Covid-19 disease. A recent medical bulletin shows that if third wave of Covid-19 would come the upcoming months at that time it mainly would affect to the young generation. Youth offender may have a chance to get affected by this disease because according to West Bengal correctional home the inmate's population strength is greater than the capacity of correctional homes. Children those are also having with the women inmates are also chances to get affected. Such infant children were needs better care during that tough situation. The question is whether such youth inmates got their right during that situation. Whether they were get proper and special care, like- giving daily nutrition, regular health check up, giving proper covid-19 protocol instructions and disallowed outsider's visits during that pandemic situation. A recent study shows that there has lack of take care about the youth inmates in juvenile homes basically in that pandemic situation.

RATIONALE

Proper understanding the issues that would help the govt. to take proper covid-19 measure for

the young inmates which help them to fight against the third wave of pandemic covid-19 and makes a mental and physical satisfaction in preparing intervention model to cope up with the issues and ensure smooth function of the juvenile home.

REVIEW OF LITERATURE

“Children alleged and found to be in conflict with law and children in need of care and protection by catering the basic needs through proper care, treatment, and social reintegration by adopting child friendly approach and disposal of matter in the best interest of children and for their rehabilitation through process provided and institutions and bodies establish, hereunder and for matter connected there with or incidental thereto” (**Juvenile Justice Act, 2016**).

This study highlighted the crime rate in rural areas which depicted that the crime rate was higher than urban areas due to poor economic condition, lack of education. Politics indulged in crime in lower dose in individual's lives. Impulse governs his behaviour, he is therefore improvident what one cannot use immediately considers valueless. His physical needs (especially for sex) and his state for action take precedence anything else-and certainly over any work routine (**E S Banfield, 1974**).

Culture is an important factor of crime. Heterorganic culture has strong effect on one mind. Slum culture many time forward one to be criminal. The individual is a carrier and transmitted of it, he may modify it but no individual creates more then on infinitesimal portion of the culture he acquires through membership, in a group (**W. D Wallis, 1927**).

Youth are the important segment and one kind of pillar on which our future society laid. Every state has a duty to protect every child from mental and physical abuse by giving proper care and protection with implementation of law and social justice. By establishment and enactment human rights for every human being by UN conventions and such rights followed by the India. Indian parliament has enacted the Children Act 1960 and enacted juvenile justice Act 1986 and later it amended and enacted Juvenile Justice (Care and Protection) Act 2000 for the protection and care for children in juvenile home (**Thapa Nisha, 2012**).

In juvenile justice is including juvenile delinquency. Juvenile delinquency is an act of child misbehaviour or it may say youth crime. Juvenile delinquency is about the younger age conglomeration of sociological, legal and psychological effects. In juvenile home tough an adolescence done a sinful act but it is the duty to take care and protect the children and give him justice and send them to their own society by various reformation programs (**Sharma Monika, 2013**).

This research is an attempt to implement juvenile justice system within the rights of child under present national and international instrument like- Juvenile justice act 2000 has amended by Juvenile justice (care and protection) act and UN convention on the rights of child. The main

objectives of the research is well being of juvenile social rights and their implementation and aid in legal social justice system. The main aim to open juvenile institution is to provide care, protection, education and vocational skills with a view to assist for playing his/her role in society after their detention period (**Das Bikash (2009)**).

The study explored an appraisal of the existing system of Juvenile delinquency and Correctional services in West Bengal. It point out how the juvenile authority does treatment of juvenile with providing juvenile rights and social justice to them. This study mainly focused on the juveniles care and treatment in juvenile home and their correctional services without deprive any right of the juveniles. And do all such assessment and assistant that will help them to cope up with the society after over their juvenile confinement (**Mitra Nripendra Lal, 2016**).

The children are forced into anal and oral sex by the security guard, girl inmates of the orphanage has been physically and mentally abused by the superintendent, tow caretaker, and a security guard, the accused touched their parts, and touched their toes for an hours as punishments for small mistakes, even visitors come to the orphanage (**Jai Anand Nirashrit Ashram, Nashik**).

“It will not be understatement to the state that juvenile homes, established to provide care and protection as well as reintegration, rehabilitation and restoration of children in conflict with law and children in care and protection, had become India’ hell hole where inmates subject to sexual assaults and exploitation, torture and ill treatment apart from being forced to live in inhuman conditions. The girls remain the most vulnerable, It matters little whether the home are situated in the capital or in the mofussil town” Subhas Chakma, Director of Asian Centre of Human Right, Stated.

Case: In Shakti Mills Juvenile Rape Case is seen the convict become a habitual offender, three years confinement for the gang rape did not deter him for committing crime, it appears he does not have fear of law and continues to indulge in criminal activity and third time a criminal case against him filed for assaulting a 48 years old man since released from Nasik Boston School in July in 2017. Later he started Mumbai bhai whatsapp group to join the youth for antisocial activity.

As a result of this some problems may come as atmosphere of mistrust at all level. High prevalence of mental disorder, Negative body image Inadequate provision for children's education, Lack of medical service, Negative health out comedue to lifestyle, Future crime rate may be high.

SCOPE OF THE STUDY

This study will help the Juvenile home authority to pay attention about the Juveniles rights and what precaution they have taken to prevent affection to inmates from this covid-19 pandemic situation and steps taken for improving the inmates right and welfare system and with special care of children during this pandemic situation.

LIMITATION

- People are careless about this pandemic corona virus.
- Lack of medical equipment and doctor, nurse and other medical employees.
- Covid-19 treatment becomes very costly to the daily wage earners and village people.
- People became bored and were getting anxious in a long time lockdown.
- Inmates do follow jail instruction in corona situation.
- Lack of equipment and doctor for treatment in prison hospital.
- People do not follow the govt. proclaim epidemic rules.
- People do not wear mask while they comes for marketing or buying medicine or other daily necessities.
- It is impossible to maintain distance with children in a family from father, mother or aged family members.

ETHICAL CONCERN

Will abide by principles which are to be followed by any researcher, i.e

1. Integrity
2. Professional and scientific responsibility
3. Respect for people's rights, dignity and diversity
4. Social responsibility

Ethical issues and values:-

1. It should not create epidemic in local area.
2. It should not cause any anxiety in the neighborhood.
3. It should give awareness among others that they do not get panicked and how to treat the virus comfortably.
4. Not to create any kind of panic among other inmates in correctional homes.

5. Use of proper precautions as govt. instructed to the state people.
6. Do not create any unnecessary comments and should not spread any rumors in the locality.
7. Give awareness to the govt. if anyone has infected any kind of long duration flu or fever etc.
8. Give knowledge to the infected person and her family that they must self quarantine and isolate them.
9. Provide food and other essential necessities to the quarantine family.

The basic principle that should be followed during the study is:-

1. Avoiding any kind of harm to the respondents.
2. The respondents will be informed the reason behind the study.
3. Intrusion into privacy will be avoided.
4. Plagiarism will be avoided.

OBJECTIVE

The objective of the study is to point out the main reason whether the inmates are getting their basic rights and proper care as welfare provision prescribes by the govt. During this pandemic situation whether govt. has taken special care for inmates by giving pandemic protocol instruction and their implementation and whether such instruction are regular followed by inmates or the correctional home staffs. The paper will explore whether the govt. shall take special care of the inmates by giving proper nutrition, sanitization and regular health check up during covid-19. This paper will also highlight some special precaution of the juvenile home as the third wave of Covid-19 may hit the low aged inmates especially in the coming month as stated by the medical bulletin.

The main objective of the study is-

To know about the pandemic covid-19 effects on juveniles in Juvenile Home.

METHODOLOG

This topic is based on exploratory research design. Qualitative research design has been used for this study. Exploratory research design has been taken. Sources of data **collection:-** Only secondary data has been collected from different journals, books, govt. sites, library, and from other research paper etc.

FINDINGS OF THE STUDY:-

1. Inmates in correctional home are living their life in a disciplinary manner. They have no other liberty except some basic which are specifically describe in prison code.

2. Indian correctional homes are more or less built during British colonials and prison administration also follows their code.
3. Over crowded in every correctional home is a major challenge for every state govt. Undertrials is making correctional homes crowded because there is delay in justice.
4. Unemployment, extreme poverty pushes the youth in a vulnerable situation and sometimes they are getting touched with the local antisocial and thereafter they become done any crime.
5. At the initial stage of covid-19 there was no proper medicine which prevents covid-19 spread among inmates. But the govt. taken initiative by isolation, maintaining distance, not to use daily necessities of other inmates and regular health checkup.
6. Youth basically at this age are done any crime reason is their lack of education, unemployment, no stable occupation, alcoholic habit of family member etc.

CONCLUSION:- Corona virus resulted in death of many people over the whole world. It created anxiety to many people about their future. Many people become jobless basically those are migrant worker and daily wage earners. Due to the reason of covid-19 almost one year all educational institution remained closed and resulted in increase of school dropouts due to unavailability of regular classes and electronic gadgets for online class. Many countries are trying to invent corona vaccine like- USA, UK, Russia. Few countries are almost in last stage to produce vaccine. India also is trying to produce corona vaccine named COVAXIN collaborate with Bharat Biotech and ICMR. India will try to launch the vaccine and provide country people with minimum cost. Hopefully we all will get vaccine in the year 2021 and make our country corona free and wish that the world including India will come back to the normal situation and people shall live their live comfortably as they lived their life before corona pandemic.

BIBLIOGRAPHY

Problem in India, Inter India Publication New Delhi:-

- Thapa, Nisha (2012), 388p., Protection and care of juveniles the recent trend in juvenile justice in India, Department of Law, University of North Bengal, <http://hdl.handle.net/10603/165875>*
- Sharma, Monika(2013), The strategy of juvenile justice and human rights_dimensions and challenges, Department of Law, Maharaja Ganga Singh University, <http://hdl.handle.net/10603/296351>*
- Das, Bikash (2009), 411p., Juvenile justice, child rights and the state in India, Centre for the study of Law and Governance, Jawaharlal Nehru University, <http://hdl.handle.net/10603/14598>*
- Mitra, Nripendra Lal(2016), xxvii, 551p., Juvenile delinquency and correctional services in West Bengal an appraisal of the existing system, Department of Law, University of*
- Copyright@2023 Scholarly Research Journal for Humanity Science & English Language

Calcutta, <http://hdl.handle.net/10603/155359>

Carry J.T 1976 chapter 1, *An Introduction of Criminology Practice*, Hall, INC, New Jersey.

Banfield E.S 1974, Chapter -1 *The unevenly City Revisited*, little Brown, Boston.

Clemmer D. 1958, Chapter -5 *the Prison Community*. Holt Rinehart and Winston, New York.

Fieldman.M.P Chapter -7, *Criminal Behaviour. A Psychology Analysis*, The Pitman Press Limited, Great Britain.

Inside Criminology. Prints Hall. NCR New Jersey.

Ruche G. and Kirchheimer O. 1939. Chapter -2 *Punishment and Social Structure*. Columbia University Press.

Taft D.R & England R.W. 1956. Chapter - & *Criminology*. The Macmillan Company, New York.

Wilson D. Wallis, 1927. *The analysis of culture*.

Cite Your Article as:

Prosenjit Pal. (2023). PANDEMIC COVID-19 AND ITS EFFECT: A STUDY ON JUVENILES HOME IN WEST BENGAL. In *Scholarly Research Journal for Humanity Science & English Language* (Vol. 11, Number 60, pp. 256–263). Zenodo. <https://doi.org/10.5281/zenodo.10374726>