



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: B.A.LL.B.(HONS.)

DETAILS OF COURSE OFFERED

EVEN SEMESTER – ACADEMIC YEAR 2020-21

SL. No	COURSE CODE	COURSE TITLE	L	T	CR	CH
1.	BL107-D	CHILD RIGHTS JURISPRUDENCE IN INDIA(CBCC)	1 PER WEEK	1 PER WEEK	2	

A. CODE AND TITLE OF THE COURSE: CHILD RIGHTS

JURISPRUDENCE IN INDIA (CBCC)

B. COURSE CREDIT: 2 (TOTAL MARKS 50)

C. MEDIUM OF INSTRUCTION: ENGLISH

D. COURSE COMPILED BY: MR HIMANGSHU RANJAN NATH

E. COURSE INSTRUCTOR: MR HIMANGSHU RANJAN NATH

1. COURSE OBJECTIVES

Children are the ones who are very vital for deciding how the world is going to be after some years. However, as of now this is a dream as millions of our children are not fully protected. Many of them are suffering violence, abuse, neglect, exploitation, exclusion and/or discrimination every day. Such violations limit their chances of surviving, growing, developing and pursuing their dreams. The number of Children in need of care and protection, victims of different socio-economic and sexual offences etc. depict numbers which are staggering. The course tends to provide the students an overall idea about the legal provisions enacted to ameliorate the above mentioned situations with special emphasis to existing Indian system. While doing so, the paper attempts a critical analysis at the entire legal framework of India with reference to Children. The constitutional and other legal provisions prevailed in India has been interpreted by the judiciary in tune with the evolving rights of children. The course also intends to analyse such judicial interpretation. To sum up, the course has been designed to fulfil the following objectives:

- To reflect on the socio-historical position of children in India.
- To develop an analytical understanding of the national legal instruments that defines and advocates for the rights of the children.
- To develop an analytical understanding of the prevailing domestic laws in India that provides different legal mechanism for the protection of children.
- To assess the judicial attitude while interpreting the rights of the children in India.
- To develop the spirit of social activism in the minds of the students by giving them an insight about the importance of having women and children friendly legislation.

2. TEACHING METHODOLOGY

The teaching methodology shall aim at the generation of critical thinking among the students. The topic for a particular class shall be informed to the students beforehand and readings shall be assigned to them for the said topic. They are expected to have a basic idea about the topic prior to the class. Subsequent to a brief lecture on the topic, there shall be class discussion on the same as well as on the readings assigned. Pursuant to the class discussion, the teacher shall substantiate the issues raised and answer any questions posed or left unanswered. Case study method shall be also adopted for relevant topics.

3. EXPECTED OUTCOMES OF THE COURSE

On completion of the Course students are expected to understand the basic concepts and underlying ideas of each module and thereby they shall be in a position to understand the laws relating to children in India. Further, by learning this course, it is expected that the students would be immensely benefited in their individual life by well acquainting with the provisions securing the rights of children through various legislations. Likewise, students can also avail the benefit of the course in their professional and social life by contributing their acquired knowledge towards the achievement of a child friendly legal system.

4. COURSE EVALUATION METHOD

YET TO BE DECIDED

5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)

MODULE I

Origin, Development and Realization of Child Rights in India

1. Pre-Independence Period
 - 1.1 Pre-Colonial period
 - 1.2 The Colonial Period
2. Post-Independence Period
 - 2.1 The Constitution of India - Fundamental Rights, Fundamental Duties, Directive Principles of State Policy, Other Constitutional Mandates

MODULE II

Child and Law of Criminal and Civil Procedure

- 2.1 The Indian Penal Code, 1860
- 2.2 The Code of Criminal Procedure, 1973
- 2.3 The Indian Evidence Act, 1872
- 2.4 The Juvenile Justice (Care and Protection of Children) Act, 2015
- 2.5 The Code of Civil Procedure, 1908
- 2.6 The Indian Contract Act, 1872

MODULE III

Some Major Legislations pertaining to Children

- 3.1 The Commission for Protection of Child Rights, Act, 2005
- 3.2 The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986
- 3.3 The Right of Children to Free and Compulsory Education Act, 2009

3.4 The Protection of Children from Sexual Offences Act, 2012

3.5 The Prohibition of Child Marriage Act, 2006

3.6 The Immoral Traffic (Prevention) Act, 1956

3.7 The Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994

6. PRESCRIBED READINGS

1. Constitutional Law of India – V. N. Shukla, 12th Edition, Eastern Book Company, Lucknow, 2013.
2. Indian Constitutional Law – M. P. Jain, 7th Edition (Reprint), Lexis Nexis, Gurgaon, 2014.
3. Law Relating to Women & Children - Anjani Kant, Central Law Publication, 3rd Edition, 2012
4. Law Relating to Women and Children – Dr. S. C. Tripathi & Vibha Arora, 6th Edition, , Central Law Publication, Allahabad, 2015
5. Law Relating to Women and Children – Mamta Rao, Eastern Book Company, 3rd Edition, Lucknow, 2012.
6. Family Law – Paras Diwan, Allahabad Law Agency; 9th Edition, Allahabad, 2012.
7. Labour and Industrial Laws – S. N. Mishra, Central Law Publication, 27th Edition, Allahabad, 2014.
8. Labour and Industrial Laws – V. G. Goswami, Central Law Agency Vol.1, 9th Edition, Allahabad, 2011.
9. Law of Adoption, Minority, Guardianship and Custody – Paras Diwan, Universal Law Publishing Co. Ltd, 5th Edition, New Delhi, 2012.
10. Law Relating to Women & Children – Annjani Kant, Central Law Publication, 3rd Edition, 2012.
11. Text Book on Indian Penal Code – K. D. Gaur, Universal Law Publishing Co Ltd, 4th Edition (Reprint), New Delhi, 2014.
12. The Law of Evidence – M. Monir, Universal Law Publishing Co Ltd, 8th Edition (Reprint), New Delhi, 2013.
13. Law of Contract & Specific Relief – Avtar Singh, 12th Edition, Eastern Book Company, Lucknow, 2013
14. The Code of Criminal Procedure – V. R. Manohar, Lexis Nexis, 20th Edition, Gurgaon, 2011

15. Code of Civil Procedure – V. R. Manohar, Lexis Nexis, 1st Edition, Gurgaon, 2006
16. Child Protection and Juvenile Justice System for Juvenile in Conflict with Law – M. Adenwall, Childline India Foundation, Mumbai 2006
17. Children and Legal Protection – Paras Diwan & Peeyushi Diwan, Deep & Deep Publications, New Delhi, 1996
18. The Juvenile Justice System in India - From Welfare to Rights – Prof. Ved Kumari, Oxford University Press, India 2004