

15 Week Course Outline

Course Title & Introduction:

Constitutional Childhoods: The Child as a Rights-Holder in Law and Governance

*'Between the idea and the reality
Between the motion and the act
Falls the shadow'*

TS Eliot 'The Hollow Men'

The Course takes you on the journey of the child as a rights-holder traveling through constitutional jurisprudence, child legislations, public policy, governance frameworks, parliamentary reports and looks at how rights are realised and the child's entitlement to equality, protection, dignity and participation fulfilled. The title therefore refers to two childhoods: one protected by law and the ground reality of the one which is vulnerable and at risk.

The Course examines the implementation of 4 primary child laws and the problem of child trafficking through the lens of child rights and analyses the degree of legal articulation and the lived reality of children in the areas of juvenile justice, child labour, child marriage, child trafficking and education.

The selected laws are:

The Juvenile Justice (Care & Protection of Children) Act 2015.
The Adolescent & Child Labour (Prohibition & Regulation) Act 2016
The Prohibition of Child Marriage Act 2006
The Right to Education Act 2009

Objectives:

By the end of the course the students will be able to:

- Understand the child as a rights bearing citizen and the changing ideas of childhood within Constitutional law, international child rights framework, child legislations and child governance.
- Understand the constitutional and legal foundations of child rights through key child laws, judicial decisions and policy frameworks.
- Build an inter disciplinary understanding of childhood as a legal and moral space by engaging with combined perspective on laws, governance and intersectionality.
- Develop an understanding of childhood through the lens of constitutional sociology which includes the idea of substantive equality, constitutional visibility, vulnerability, personhood.
- Build strong analytical and reflective skills by examining case laws, policy evaluations, statutory and national reports and other primary sources.
- Critically examine the role and impact of the judiciary in shaping the rights based and child centred landscape.
- Derive insights from tracing how the child's moves through systems and how well the letter and spirit of the law is articulated and whether a constitutional life reaches every child.

Course Content & Timeline

Broadly 5 modules x 3 weeks each with each week x 4 hours.

MODULE 1	Course Roadmap & Foundations	Activity
Week 1	<p>What is a constitutional Childhood?</p> <p>The legal Foundations: How the child evolved into a rights bearing subject.</p> <ul style="list-style-type: none"> • evolution in the idea of childhood, • welfare vs rights • rights bearing • constitutional child. 	Time Slip Game
Week 2	The UNCRC & its Charter	Teach through scenarios & group work
Week 3	<p>The lived reality & intersectionality</p> <p>Gender /poverty /disability/caste/migration/age</p>	<p>Journal Writing: Reflect on the quote with regard to children:</p> <p><i>"The Constitution is not a mere lawyers' document. It is a vehicle of life, and its spirit is always the spirit of the age."</i></p> <p style="text-align: center;">— Dr. B.R. Ambedkar</p>
MODULE 2	The Protected Child	
Week 1	<p>The Juvenile Justice (Care & Protection of Children) Act 2015.</p> <p>Children in need of Care & Protection Children in Conflict with the Law Children in contact with the Law</p> <p>Institutional & Non- Institutional Care</p> <p>Statutory & Programmatic Framework: ICPS to CPS to Mission Vatsalya</p>	Group Exercise: Trace one CNCP and one CCL through the JJ system from case intake to closure, showing each step, agency involved and decision taken.
Week 2	<p>Institutional Drift & Judicial Intervention</p> <p>Case Laws:</p> <p>Sampurna Behura v. Union of India & Ors., (2018)</p>	Case briefing exercise on Sampurna Behura

	RE: EXPLOITATION OF CHILDREN IN ORPHANAGES IN THE STATE OF TAMIL NADU v. UNION OF INDIA & ORS 2017	
Week 3	The Constant Bastion: The Role of the Supreme Court Judicial persistence in upholding child rights: trace the long arc from Sheela Barse to Jaya Thakur vs Government of India & Ors case 2026	Timeline making – from Sheela Barse to Jaya Thakur students chart out the long arc and identify what persisted, what was tackled
MODULE 3	The Working Child	
Week 1	The Adolescent & Child Labour (Prohibition & Regulation) Act 2016 Child Labour – A Ball in Nobody’s Court Poverty -work-invisibility. NCLP appraisal through 52 nd Parliamentary Standing Committee Report	
Week 2	Examine with regard to child labour: 1) MoSPI National Indicator Framework & SDG 8 2) Standing Committee on Labour, Textiles & Skill Development 2024-25 4 th Report, MoLE demand for grants 3) Annual Report of Periodic Labour Force Survey 2025 <hr/> The Right to Education Act 2009 <hr/>	Group Work or Role Play Pose as a journalist and ask questions to about child labour Assess the information on PENCIL portal of MoLE Journal Writing: Reflection on child labour -the right and reality
Week 3	Adolescence – a landscape of risk and missed opportunity The Prohibition of Child Marriage Act 2006	Activity- 2 groups One will prepare a report and presentation on children educational status (girls, boys, CWSN transgender) after reading the following documents:

	<p>Case Law: Society for Enlightenment & Voluntary Action (SEVA) & Anr vs Union of India & Ors 2024.</p> <p>Disappearing girlhood, agency and bodily autonomy</p> <p>Challenges of entrenched gender norms</p>	<p>Chapter 13 in Economic Survey of India 2026</p> <p>Niti Aayog: School Education System in India - Temporal Analysis & Policy Roadmap for Quality Enhancement 2026</p> <p>2nd group to prepare on child marriage. Visit the Bal Vivaah Mukta Bharat Portal plus trace the response to child marriage from Annual Reports of the MWCD from 2014 - 2024</p>
MODULE 4	The Missing Children	
Week 1	Chidiya Udd – a Case Study on child trafficking based on the NHRC BIRD Report	Gudia' story
Week 2	<p>Supreme Court judgement on Pinki vs State of UP & Anr 2025</p> <p>Fragmented rescue and response and rehabilitation gaps</p>	<p>Pinki case mapping game</p> <p>Students map the Pinki case in a grid identifying every agency, every gap identified and every direction issued. Reflect of district administration orders.</p>
Week 3	<p>Over view Very Vulnerable Group: Children with Special Needs Transgender Children; Children with chronic diseases, children (above 10 years) in abandoned and orphan category in CCI's</p>	Mental Health and youth – emotional regulation, self-harm, stress, cyber risks & dysfunction
MODULE 5	Synthesis: Child Laws & Child Governance	
Week 1	Can Courts hold systems together?	<p>Debate and/or discussion</p> <p>Judicial activism or building constitutional memory?</p>
Week 2	<p>Review: what does a child centred constitutional democracy require?</p> <p>Discussion on gaps, deficits and remedies</p>	Essay: What would the next generation of child legislation look like? What would go forward and what would be left behind?
Week 3	Reflection, presentation and Constitutional futures	<p>Compare these two quotes by Dr Ambedkar and write about how it is relevant to constitutional childhoods</p> <p><i>“The prevalent view is that once the rights are enacted in law then they are safeguarded. This again is an unwarranted assumption. As experience proves, rights are protected not by law but by social and moral conscience of the society’</i></p>

		<p><i>"The Constitution is not a mere lawyers' document. It is a vehicle of life, and its spirit is always the spirit of the age."</i></p>
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Methodology:

The course approach avoids lecture based and doctrinal teaching offering instead a guided inquiry where the student gets to interpret laws, policy documents, program evaluations along with the lived reality of children in adversity and the complex intersecting factors which add to their marginalisation.

The course teaches case laws as outcomes and markers of progress in children's access to justice. Scenarios, simulations, case studies are used to deepen engagement.

Assessment:

Class Participation/discussion

Case judgement/policy analysis

Group exercise

Journal entries

Reflective learning project (final review)

Course Reference & Reading List:

Government of India / Ministry of Statistics and Programme Implementation (2025). *Children in India 2025*. MoSPI.

NCRB (2023). *Crime in India 2023*. National Crime Records Bureau, Ministry of Home Affairs. [Chapter on crimes against children]

Supreme Court of India (2025). Handbook on Child Rights

National Indicator Framework Progress Report, 2025 Government of India, Ministry of Statistics & Implementation, National Statistical Office.

Jena Committee (2018). *Report of the Committee on Child Protection (Social Audit of Child Care Institutions)*. Ministry of Women and Child Development

Trafficking of Women & Children: Challenges & Remedies -A Report for NHRC by Bhartiya Institute of Research & Development –(BIRD)2023

Evaluation of Centrally Sponsored Schemes in Women & Child Development Sector Development Monitoring & Evaluation Office DMEO 2020 Niti Aayog, Government of India

Niti Aayog, Evaluation of Centrally Sponsored Schemes in Package 2-Women & Child Development, 2019-2024 Development Monitoring & Evaluation Office.

52nd Report, Standing Committee on Labour, Textiles & Skill Development 2023-24 (17th Lok Sabha) Ministry of Labour & Employment, An Assessment of National Child Policy on Child Labour

Standing Committee on Labour, Textiles & Skill Development (2024-25) (18th Lok Sabha) Ministry of Labour & Employment Demand for Grants 2025-26 Fourth Report.

India Justice Report (2025). *India Justice Report 2025: Ranking States on Police, Judiciary, Prisons and Legal Aid*. Tata Trusts. [Juvenile justice chapter]

Supreme Court of India (2025). *Pinki Child Trafficking Case: Court Order and Directions*. Supreme Court of India, 2025.

MWCD / Mission Vatsalya (2024). *Annual Report 2024-25*. Ministry of Women and Child Development

Ministry of Finance (2025). *Economic Survey 2025-26*. Government of India. [Chapter on human development — adolescent education

National Family Health Survey (NFHS-5) 2019-21

NCLP Guidelines 2016 Ministry of Labour and Employment Child Labour Division

NCPCR (2024). *Annual Report 2023-24*. National Commission for Protection of Child Rights

Combatting Child Labour Through National Child Labour Project Scheme – Kailash Satyarthi Foundation 2022

NATIONAL PLAN OF ACTION FOR CHILDREN, 2016 Safe Children- Happy Childhood

National Policy for Children 2013

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON EDUCATION, WOMEN, CHILDREN, YOUTH & SPORTS, REPORT NO. 377 Rajya Sabha (presented in Lok Sabha on 25th March 2026)

Annual Reports MWCD – 2014 – 2024

Periodic Labour Force Survey (PLFS) Jan-Dec 2025

LOK SABHA UN- STARRED QUESTION NO. 5696 TO BE ANSWERED ON 27.03.2026 SAFETY OF WOMEN AND CHILDREN

Campaign Brief: Child Marriage Free Bharat 27 November – 8 March 2026 MWCD

The General Comment 14 of the UN Committee for Child Rights

The Best Interest of the Child -A dialogue between theory & Practice. Council of Europe 2016