



# Child Rights Centre

## Chanakya National Law University, Patna



# बाल अधिकार बाणी:

## CNLU Child Rights Bulletin

Newsletter Published by CRC

Inaugural Issue/March 2019

### EDITORIAL BOARD

#### *Patron in Chief*

**Justice Smt. Mridula Mishra**  
Vice Chancellor, CNLU, Patna

#### *Patron*

**Shri Manoranjan Prasad Srivastava**  
(Retd. District Judge)  
Registrar CNLU, Patna

#### *Editor in Chief*

**Ms. Sneha**  
Centre Coordinator, CRC, CNLU, Patna  
**Managing cum Executive Editor**  
**Ms. Sugandha**  
Faculty Coordinator, CRC, CNLU, Patna

#### *Editorial Advisory Board*

**Dr. Fr. Peter Ladis.F**  
Assistant Professor of Law, CNLU, Patna  
**Dr. Vijay Kumar Vimal**  
Lecturer of Law, CNLU, Patna  
**Ms. Nandita S. Jha**  
Lecturer of Law, CNLU, Patna  
**Ms. Sushmita Singh**  
Teacher Associate, CNLU, Patna  
**Mr. Vijayant Sinha**  
Teacher Associate, CNLU, Patna  
**Ms. Pooja Srivastava,**  
Teacher Associate, CNLU, Patna

#### *Associate Editor*

**Mr. Chandan Kumar Sinha**  
Programme Coordinator CRC, CNLU, Patna  
**Mr. Shivjee Prasad**  
Senior Library Assistant, CNLU, Patna  
**Ms. Kumari Amrita**  
Senior Library Assistant, CNLU, Patna

### VICE-CHANCELLOR'S MESSAGE



The Child Rights Centre of Chanakya National Law University is going to publish its Newsletter. The First publication will be on 6<sup>th</sup> March, 2019 and I expect that it will provide the Readers with in-depth and concise information in a readable form.

In today's world the more information you can get the better so importance of this incoming Newsletter cannot be underestimated. Through this Newsletter Readers will get all information regarding the activities of the Child Rights Centre and certainly focus will be on the subjects related to child welfare as well as events exclusively organised on the subject.

I congratulate all those persons who are related to the publication of this Newsletter.

I wish all success to the first publication of the Newsletter.

Justice Smt. Mridula Mishra,  
Vice-Chancellor.

### REGISTRAR'S MESSAGE



In the current year, we will be observing the 30<sup>th</sup> anniversary of the United Nations Convention on Rights of the Child (CRC). Despite CRC being one of the most ratified international conventions in terms of the number of signatories, the issue of child right violation is still rampant. In the UN CRC, we identified a set of basic rights which are integral to the existence of a child. Chanakya National Law University (CNLU), being an island of excellence in the field of law per se have an obligation to contribute our share in the field of child rights. The Child Rights Centre (CRC), at CNLU is an attempt in the direction of ensuring proper implementation of child rights.

The release of the monthly newsletter is one of the many coming feathers in the hat of the Child Rights Centre. I wish CRC all the success in all their ventures. Through the newsletter, the information of all the activities, events, competitions, publications by CRC will be disseminated to all the stakeholders.

This newsletter is not only beneficial for the CRC but for the readers also. Through this, the readers will stay connected with the CRC and will be abreast of all the major happenings in the field of child rights. Once again I extend my wishes to the team of CRC and wish them luck for their newsletter.

Registrar

M P Srivastava, District Judge, (Retd.)

CNLU, Patna





# CRC-A VISION FOR THE CHILDREN OF BIHAR

Proposed to be a specialized research centre to assist the different stakeholders in protection and development of child rights, **Child Rights Centre (CRC)** was inaugurated on 20<sup>th</sup> November, 2018 by Shri Vijay Kumar Chaudhary, speaker of Bihar Legislative Assembly. The event was graced with the presence of Hon'ble Justice Smt. Mridula Mishra (Rtd, Patna High Court) Vice Chancellor, CNLU, Shri Manoranjan Prasad Srivastava (Retd. District Judge), Registrar, CNLU, and many dignitaries from UNICEF.



At the occasion of Inauguration, Shri Vijay Kumar Chaudhary asked the concerned departments and civil society organisations to identify the basic requirements of children and prepare a comprehensive plan for safeguarding their rights. He further said, "In several cases, the protectors of children's right become their predators for serving their own vested interest. Intellectuals must remain vigilant against people or organizations playing



with the lives of the innocent children."

Keeping in line with what Shri Vijay



Chaudhary said, CRC is a research centre striving for identification of child right issues and development of comprehensive child right laws. In a time when the state has been shaken by the developments of the Muzaffarpur Shelter home case, it is felt that there is need of more vigilance to protect the cause of the children. The centre will act as a protector of the constitutional rights of the children. The centre is determined to engage with child rights from multidisciplinary perspective and to provide integrated technical support to different layers of institutional governance at local, state and national level for protection of child rights.



The Child Rights Centre aims to serve as an academic and research support available at the disposal of the institutions involved in child rights protection. The centre strives to evolve and support effective delivery and response system for children, their families and communities. The vision of the Centre is to contribute to policy,

law and practice in such a way that ensures the rights provided to the children under the Constitution, CRC, SDGs and other normative frameworks.



Our crusade, to achieve the proper recognition and effective implementation of the rights of child, must start from our own institution. We aim to integrate teaching, research, and field action on child rights within CNLU and to impact the discourse on child rights, the legal education at CNLU and to develop a cadre of trained child rights professionals. Apart from this, the Centre will devise approaches to use the human right institutions and quasi-judicial institutions such as Child Welfare Committee in a way to ensure justice each child. This will be achieved through academic collaboration, outreach programs, research,



organizing conferences, seminars, workshops, symposiums, etc. on issues of child rights and other appropriate interventions on child rights law specifically in the state of Bihar.

Achieving any sort of success is not possible, unless and until you have a pre-defined strategy. We at CRC have a clearly defined strategy to achieve the goal of effective implementation of the Child Rights. Strategies to achieve our goals are

**Human Rights Approach :** We advocate child rights as a human rights issue and promote commitment and accountability among stake holders in delivering child rights as their primary obligation recognizing respecting, and enforcing the UN CRC.

**Building Partnership :** The centre aims to create network and alliances with all the stake holders and institutions that are involved in enforcement of child right in such a way to harness our partnership to improve the law and policy environment relating to child.

**Inter-disciplinary Approach :** To achieve the goal we seek to adopt an approach which cuts through various disciplines. To improve the enforcement of child rights we will carry out studies across various fields and disciplines to contribute to law, policy and practice on child rights.

**Research :** The centre seeks to undertake various kinds of research in order to review the existing laws of the state and also to carry out research in unexplored areas and propose new laws also.

**Advocacy :** We advocate change in child rights through the law review and by proposing best mechanism for implementation of child rights. We thus want the government and authorities to be sensitive about the issue of the child rights.



At Child Rights Centre, we are mainly engaged in three kinds of activities. We aim for **academic enrichment of the students** by providing them opportunities to understand the issue at the ground level through the means of exposure visits and internships with child rights institutions. We aim at **capacity building** of various stake holders in a way such that we can prepare a cadre of people who are trained in child laws. Apart from this the most important part of our work is **research and advocacy**, through which we aim to carry out research with perspectives which are still unexplored in field of child rights and thereby promote the issue of child rights in the society an important and critical aspect of society. The three pillars of our work are:-

## Academic for Students

- Socio-legal events at adopted villages.
- Internships with child rights institutions (JJB, CWCW, Labour Deptt., BsCPCR etc)
- Supports, organize symposium, seminars, presentations, workshop on child protection.
- Introduction of an option module on child rights /Juvenile justice in the University Curriculum
- Publication of Bi annual newsletter and annual journal in which students may contribute

## Capacity Building

- Design appropriate modules, design courses and prepare appropriate learning material for various stake holders for training and dissemination.
- Provide support to child guidance clinics
- Course/Curriculum to offer post Graduate Diploma on regular continuing education and on line courses on child rights, Legal and Psychological counseling and guidance etc for PLVs, CWPOs, CJPUs, CWC members etc.
- Training Programs for various stake holders in child rights, including the police officers, judges, JJB, CWC, CWPO, CJPU school teachers, non teaching staff, care homes sarpanch panch, etc

## Research and Advocacy

- Documentation of various best practices, case law
- Empirical, exploratory, action research on various child rights issues in Bihar
- Publication of Annual Journal
- Publication of Bi-annual news letter
- Review of existing laws and rules, policies relating to child rights and suggestions for amendment, drafting of new rules, guidelines etc
- Empirical Research to gather empirical evidence on the functioning of various children related institutions and
- Advocacy in that regard, building networks with NGOS and preparing documents for advocacy





# Dissemination Workshop on 'Ending Violence in Childhood : Global Report 2017'

Date- 9<sup>th</sup> January, 2019

Three out of every four children has faced a form of domestic violence or the other in previous one year. It is an irony that when in 2019 we will be observing 30<sup>th</sup> anniversary of the United Nation's Convention on Rights of Children (UN CRC), but cases of violence against children are widespread. The issue need urgent attention of different stakeholders in order to prevent cases of violence against kids.

'Know violence in Childhood', an independent global learning initiative has done an extremely detailed research in the issue of childhood violence, the outcome of which is the 'Ending Violence in Childhood: Global Report 2017'. The report delved into different aspects of childhood violence and brought out very enriching information. According to the report, there is no safe place for children, they face violence at home, at schools and at public places in wider communities.

Different forms of violence such as corporal punishment, bullying, physical fights, physical and sexual violence against adolescent girls and child homicide are perpetrated against children. Most common out of these are corporal punishment, which usually happens at home within inter-familial relations, because violence is seen as a way to discipline the child.

The report brings out various similar aspects relating to the issue and thus is really important and helpful in our struggle for the cause of enforcement of child rights. A Dissemination Workshop for the Report 'Ending

Violence in Childhood: Global Report 2017, was organized by Child Rights Centre, CRC at CNLU on 9<sup>th</sup> January, 2019.



The event was chaired by Hon'ble Justice Smt. Mridula Mishra (Rtd, Patna High Court) Vice Chancellor, CNLU. The event was also graced with the presence of Hon'ble Mr. Justice Abhijit Sinha (Chairman, Bihar State Law Commission ), Sri Sunil Dutt Mishra (Member Secretary, Bihar State Legal Services Authority), Shri Manoranjan Prasad Srivastava (Retd. District Judge), Registrar, CNLU. Various other distinguished guests from 'Know Violence in Childhood', and UNICEF were present. Dr. Manisha Priyam, **Policy** Advisory body of MHRD, Govt. of India, was also present for the workshop.



The Workshop was introduced and conducted by Ms. Sneha, Coordinator of Child Rights Centre, CNLU. She talked about how childhood violence can hamper the growth of a child and

in many cases can leave them devastated.

Hon'ble Justice Smt. Mridula Mishra delivered the welcome address and shared her own old memory related to fear of parents in her young age. She talked about the not-so-good implantation of good laws for child protection. The cases of violence against children are not only limited to a single place but takes place everywhere. According to her, the absence of free and open relation between parents and children is a major reason for a kid to take a wrong step. She asks for translation of the report in local language so as to increase the information dissemination.

Registrar Shri Manoranjan Prasad Srivastava, said that these kind of events and seminars should not only be conducted in AC rooms and rather should be organized in vicinity to common people and society.



Hon'ble Justice Abhijit Sinha, Chairman of Bihar State Law Commission, recognized the importance and vulnerability of children. He said that childhood should be carefree, playing in the sun; not living a nightmare in the darkness of the soul. He through his speech showed the link between violence against women and violence against children. He said that for protection of

children it is important to protect women from violence. He said that thoughts are generated in mind backed by the experiences and during this period of growth and thus protection of child has to be done. And this is not only responsibility of parents but it includes whole society. He pointed out the problems involved in protection of children from violence. According to him, only legal enactments are not sufficient in preventing the violence against children as most of the abusers are often close relatives or known people and therefore more caution and awareness is required. The unheard voices needs to be heard and we need to work together to make this world better and safer for our children.



Sri Sunil Dutt Mishra, Member Secretary of Bihar State Legal Services Authority, who was the guest of honour shared his wisdom on how child abuse is a hidden phenomenon in India, when happening inside the boundaries of home and familial relation. In India, focus on child abuse has been more on the public domain such as child labour, prostitution and child marriage and thus there is a terrifying silence around the childhood violence. He said that any form of violence is a violation of human dignity and human rights, especially violence in child good can hamper the growth of a kid, which can extend through many aspects of child's life affecting her or his health, education, and restricting future life opportunities.

Making reference to the case of SaliVali v/s UOI, he said that the Supreme Court has recognized the vulnerability of the children and a need of special rights and legislation. He said despite of several constitutional rights, and special legislations children are facing problems due to lack of

awareness and thus there is a huge need of sensitization. Efforts to end violence in childhood should be seen as a part of "rights revolution". Children are not objects, but persons with rights of their own must be articulated and enforced. Children often don't have a voice of their own to express their traumas and sufferings and have little or no capacity to influence the public decision making. Therefore it is our duty to work for helping these children as well as prevent their abuse and for raising this awareness this particular workshop is being conducted.

#### **The workshop spanned across three technical sessions:-**



First one being on the topic of '**What do we Know About Violence in Childhood**', which was conducted by Mr. A.K. Shiv Kumar, who is an advisor to UNICEF- India, and also member of India's National Advisory Council. He talked about various forms of interpersonal violence and pitched for formation of indices such as VIC Index to measure violence in childhood.



The second session was presented on the Topic of **INDIA AND BIHAR**, by **Soumya Kapoor Mehta**, mainly focusing on - **The Burden of Childhood Violence In India : What Little We Know, What Do We Know of Bihar (from The NCPR)**. She talked about the situation of childhood violence in India and Bihar with the

help of various statistical data. According to her, In Bihar, the reporting of violence against children is very low due to lack of awareness and thus this issue needs to be dealt with.

The third and final session was presented on the topic of **The Way Ahead Ending Violence : Advancing The Agenda In India**, by **Manisha Priyam**, who is an academican and researcher working with NUEPA, the policy advisory body of MHRD, Govt. of India who discussed about the way ahead for ending the childhood violence and what agenda should be advanced in India.



All the sessions were followed by open discussion and Q&A rounds for better understanding of the participants. The workshop was conducted mainly with the aim of proper dissemination of this global report. Various NGOs and students and faculties from various colleges of the city were present for the event.

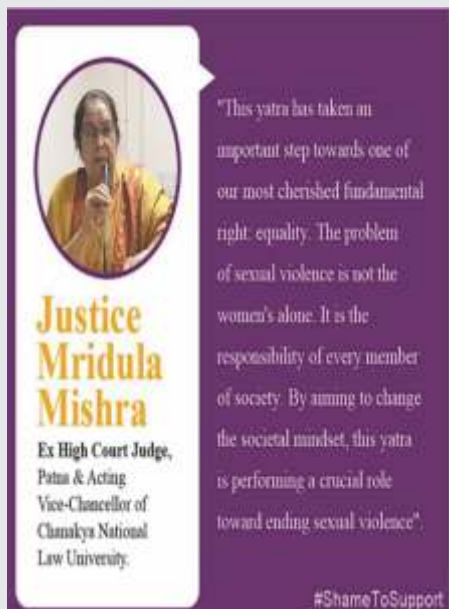






# DIGNITY MARCH TO END SEXUAL VIOLENCE AGAINST WOMEN AND CHILDREN

Date- 24<sup>th</sup> January 2019



According to NCRB data, reported cases of crime against women has increased by 83% from 1,85,312 in 2007 to 3,38,954 in 2016. In 2016, on an average 106 cases of rapes were reported every day, and also that year witnessed a meagre 18.9% conviction. The situation is alarming and requires urgent intervention. The society in which we live, a culture of victim shaming is prevalent. Cases of rape and other sexual harassments are justified by idiotic arguments such as 'short dress of the survivor'.

In an attempt to end the culture of victim shaming, especially in case of sexual assaults, 'dignity march' took off from Mumbai in December. It is an initiative to end sexual violence against women and children. The march will cover a distance of 10,000 KM across 200 districts of 24 states. Dignity March is a call for women and children to speak out their experiences of sexual abuse without shame. It is also an appeal for the stakeholders and the larger community to create a healthy, non-judgemental and a safe

environment to support the voices of the survivors and to take the fight for justice forward.

Dignity March is a platform for the survivors to tell their stories in their own voice, to represent their own narratives. It is a call to end the culture of shame and fear, to encourage others to speak up, and demand zero tolerance for sexual violence in our society. It is to hold society and the state accountable toward punitive action against the perpetrator, through effective implementation of legal guidelines, and ensuring rehabilitation facilities for survivors.



On 24<sup>th</sup> January, the stop of this march was Chanakya National Law University of Patna. The event was organized by 'Rastriya Garima Abhiyan' in collaboration with 'Child Rights Centre, CNLU' and Human Liberty Network. The event was ornamented with the presence of Hon'ble Justice Smt. Mridula Mishra (Rtd, Patna High Court) Vice Chancellor, CNLU and Sri M.P. Srivastava, (Retd. District Judge) Registrar, CNLU. The most remarkable presence was of Mrs. Bhanwari Devi, who is a gang rape survivor and her complaint in that case laid the foundations of Vishakha guidelines to deal with sexual harassment at workplace. The event was also graced with the presence of

Mr. Asif Shaikh, convenor of the dignity march and Mr. P.K. Sharma, state convenor of the Human Liberty Network.

The event provided a stage to the survivors of sexual assault to share their experiences, problems and fight for justice. Hon'ble Justice Mridula Mishra became emotional after hearing the stories of the survivors and said that the CNLU campus was looking like a small India. Registrar Sri M.P. Srivastava put out the irony of the Indian society. He said, on one hand we worship goddesses and on the other, in the same society, women are subjected to sexual violence and ill treatment.



*The key purpose of this yatra is that we want people to listen to us. We want justice and for that we will shake everyone (authorities) up till we receive our justice"*

Mrs. Bhanwari Devi, who rape case led to the formation of Vishakha Guidelines shared her experience of her fight. Through this march she aimed to create a society which listens to the survivors without being judgemental. She was gang raped in 1992 by higher caste men of her



village because she was stopping a child marriage. She urges the law students to be a crusader of justice and ensure justice to the needy.

**Bhanwari Devi, Gang rape survivor** she said that rape has nothing to do with someone's clothes. She was perplexed that how someone can make this assumption. "People say that the once who are raped wear short dresses but look at me, I am such a old woman who wears saree. Why was I raped?" asked Mrs Bhanwari Devi.



**Mr. Ashif Shaikh, convenor of Rashtriya Garima Abhiyan,** highlighted the importance of reporting of cases of sexual violence and further pursuing the cause. Main objective of the March is to create an environment to

end victim shaming in 24 states and 200 districts and to create a network of support and solidarity between victims, families, stakeholders. Besides, public initiatives for justice rehabilitation for survivors. One of the objectives is also of policy reform for a comprehensive socio-medico-legal relief and rehabilitation of survivors'. Through this march many survivors of rape and sexual abuse feel motivated and confident to continue their fight to claim justice, relief and rehabilitation.



The march also aims to take forward the #MeToo campaign on social media through which many women have come forward and narrated their accounts of being sexually harassed by men at workplace. The march

would enable women cutting across socio-economic backgrounds and castes to recount their experiences and fight for justice, said Shaikh.

It aims to bring together survivors, their families, lawyers, police officers and other stakeholders on a common platform at the national level. It will also encourage the survivors to create a forum and hold meetings with state governments and discuss the existing lacunae in laws. "Survivors' forum in each state will meet the local governments to discuss the implementation of the existing laws and rehabilitation of survivors of sexual violence," said Shaikh.



# INTERNSHIP EXPERIENCES @CRC



## **Sourav Kumar, 1<sup>st</sup> Year, NLSIU Bangalore, (AIR-36 CLAT, 2018)**

After completing two trimesters at the national law school Bangalore, I was looking for an internship in my hometown. Initially I was planning to intern with an NGO, but then I came to know about the Child Rights Centre, CRC. I applied for the internship and got selected. Initially, I was a bit skeptical as CRC is a relatively new organization. Through the course of my internship, my liking for my work here increased.

The experience here at CRC was really enriching and fulfilling. The environment of work was very friendly and amicable. I had all the liberty to express my views and opinion on the work. I would specially like to thank Sneha ma'am, who gave me all the freedom to do my work. At CRC, I got to know a lot of new things, not only limited to the child rights but relating to functioning of organisations.



## **Sanu Ranjan, 3<sup>rd</sup> Year, CNLU**

The constitution of India grants a number of rights to the children and the Supreme Court of India have also reiterated these rights and we as a society must ensure these rights.

With this view, I opted for *internship programme with the Child Rights Centre and it has not only given me a remarkable experience but a "living experience of the working of Law in our Society with respect to the rights of Child"*. We have worked with the Child Welfare Committee & Child Care Institution in Patna wherein we focused on *Child Welfare Committee, Patna, Apna Ghar & Nishant*. We went for regular visit to the Child Care Institutions and saw how both of them are working in a desperate state and are not able to stand up to the Constitutional & Legal requirements while Child Welfare Committee was able to do its work in a better manner. Further, we found out how the Law enacted by the State of Bihar is "inadequate & insufficient" to meet out the requirement which has been provided by Juvenile Justice Model Rules, 2016 by Central Government.

I along with my most responsible teammates, Sakshi, Sushmita, Sweta, Ranjana & Chandrakant went for "*appreciative enquiry*" from different stakeholders and through fieldwork, we were able to gather most important information and compare them with Legal Standards and submitted report to Child Rights Centre, CNLU. I thank them for their *hard, courageous & consistent work as cooperative & faithful teammates*. I would like to thanks the Child Rights Centre of my *alma mater & UNICEF* for providing me with this internship experience through which I have contributed something to the Society & has faithfully discharged my Constitutional Duty.



## **Kr. Shiv Siddharth, Law Assistant Cum Researcher Patna High Court**

From my schoolhood days, I take great interest in doing community based services. After completing my Law School, I have felt the need, more urgently than ever, to pursue a career in the field of human rights. I joined the 12 weeks Full-time Internship Programme of Child Rights Centre of CNLU.

As a centre of academic excellence, CNLU established the Child Rights Centre as a specialized research as well as resource unit to be run in assistance with the UNICEF. When the Centre was in its budding stage, I joined as its first intern and I was primarily assigned the task for establishing its office and making it functional. The basic establishing jobs are always the challenging ones, but I believe that I positively contributed to it and performed my part. The Centre is now very well functional and active. Further, I was tasked with organizing conferences, seminars, workshops, & symposiums; arranging internships for the CRC interns/volunteers; liaising with different departments for smooth functioning of the Centre; documentation and research work in the field of child rights and reviewing of child/juvenile laws, etc. I got the real world first-hand experience and exposure during my internship. Working in such a diverse resource centre that too is run in collaboration with an international specialized organisation, is very challenging. But at the same time it is also full of opportunities and vast learning opportunities. In addition, I got institutionalized experience of research, collaborations, training, review, policy suggestions, field research and community action to strengthen child rights laws, policies and practices in Bihar and India. I believe, by joining Child Rights Centre any student/scholar/professional having commitment to tackle issues relating to children in Bihar, can get the chance to make a difference in people's lives.





**Prachi, 1<sup>st</sup> Year  
BBA LLB, CNLU**

This is my first internship and proved to be very fulfilling and enriching experience, and most importantly it was a paid internship. I opted for JJ Board, Gaighat, where I got the opportunity to observe the 'children in conflict with law, and also talked to them. We got the opportunity to observe the proceedings and implementation of juvenile justice Act. We also interacted with the children's as well as their parents. We also interacted with the security guards and police who were appointed at JJ Board. Overall this was a great experience and I am motivated to pursue a career further in the field of child rights.



**Nilofar, 1<sup>st</sup> Year,  
CNLU**

I was selected for internship at juvenile justice Board, Patna. Through this internship I got to learn a lot of things through this experience. The main work that I did in my internship was observation of proceedings at JJ Board. Along with it, I got the opportunity to interact with the 'children in conflict with law', which helped me understand various intricacies and reality. The internship provided me with a chance to know the ground reality of child rights enforcement institutions. The best part of this internship was that I was paid a stipend. This was a really enriching experience and has got me excited to continue in the field of child rights.

## DIFFERENT PLATFORM @CRC









# OUR TEAM@CRC



Ms. Sneha  
Centre Coordinator, CRC



Hon'ble Justice Amreshwar Pratap Sahi,  
Chancellor, CNLU



Shri M P Srivastava  
Registrar, CNLU



Ms. Sugandha Lecturer of Law  
Faculty Coordinator, CRC



Mr. Chandan Kumar Sinha  
Programme Coordinator, CRC



Dr. Fr. Peter Ladis F.  
Assistant Professor of Law  
Member, CRC



Dr. Vijay Kumar Vimal  
Lecturer of Law Member, CRC



Mrs. Nandita S. Jha  
Lecturer of Law Member, CRC



Mrs. Sushmita Singh  
Teacher Associate Member, CRC



Mr. Vijayant Sinha  
Teacher Associate Member, CRC



Ms. Pooja Srivastava  
Teacher Associate, Member, CRC

**CRC@ OFFICE**





Address@CRC



## Child Rights Centre

Chanakya National Law University  
Nyaya Nagar, Mithapur, Patna-800001  
Email : [Childrights@cnlu.ac.in](mailto:Childrights@cnlu.ac.in)  
[Crcnewsletter2019@gmail.com](mailto:Crcnewsletter2019@gmail.com)