

## **IL – 406: Rehabilitation of Criminals and Juveniles in Society and Law**

### **Unit I: Introduction:**

- a. Basic concept of Rehabilitation of Criminals
- b. Man is not born as criminal but circumstances compel him to do crime.
- c. Various theories of causation of Crimes: Lombroso, Enrico Ferri, Freud.
- d. Differential Association Theory of Crime (Sutherland's Theory)
- e. Punishment: Meaning, need and object
- f. Kinds of Punishment:
- g. Different Theories of Punishment in civil Society Retributive Theory
- h. Deterrent Theory
- i. Preventive Theory
- j. Expiation Theory
- k. Reformatory Theory

### **Unit II: Constitutional and legislative measures towards rehabilitation of criminals on their good behaviour:**

- a. Constitutional Provisions
  - a. Powers of the President of India to tender the pardon the criminal o Powers of the Governor of State to tender the pardon to the criminal o Powers of the Supreme Court under Article 142 (Complete Justice)
- b. Criminal Procedure Code
  - a. Security for Good Behaviour o
- c. Tender of pardon to accomplice
  - a. Order to release on Probation of good conduct or after admonition
- d. Indian Penal Code
  - a. Commutation of Death Sentence and Life Imprisonment
- e. Parole and Furlough to the prisoners: concept, facilities and rules
- f. d) Probation of Offenders' Act, 1958
  - a. Powers of the court To release certain offenders after admonition
  - b. To release certain offenders on probation of good conduct
  - c. Restriction on imprisonment of offenders under 21 years of age
  - d. Powers and duties of the probation officer
- g. POSCO Act, 2012
  - a. Object and salient features of the Act
- h. United Nation Convention on the Rights of Child

### **Unit III: Legislative Protection and Care for Juveniles**

- a. History and concept of juvenile justice in India
- b. Juvenile Justice (Care and Protection of Children) Act, 2015
- c. Object, reasons and salient features of the Act
- d. Definitions: child in need of care and protection, Juvenile, Juvenile in conflict with law

#### **Unit IV: Machineries for taking care and rehabilitation of juveniles**

- a. Remand Homes, Observation Homes, Shelter Homes, Special Homes : Roles and functions
- b. Juvenile Justice Board, Child Welfare Committee : Constitution, Functions and Powers
- c. Provisions relating to protection, employment and rehabilitation of Juveniles
- d. Rehabilitation and social integration of Juveniles
- e. Approach of the society towards rehabilitation of Criminals and Juveniles : Role of parents, society, Government and NGOs

#### **Suggested Readings**

- 1. Criminology and Penology : Prof N.V.Paranjape
- 2. Rehabilitation, Crime and Justice: Peter Roynor and Gwen Robinson
- 3. Sutherland: Principles of criminology (latest Edition)
- 4. Criminology : Ahmad Siddique
- 5. New Horizons in Criminology by Barnes and Tetters.
- 6. Alf Ross, On Guilt, Responsibility and .Punishment (1975)
- 7. S. Chhabbra, The Quantum of Punishment- in Criminal Law (1970) H.L.A.
- 8. Hart, Punishment and Responsibility (1968)
- 9. K.S.Shukla, Adolescent Offender (1985)
- 10. Dr. Pratap S. Malik: Protection of children from Sexual Offences Act(POSCO)
- 11. Malik's Law of Juvenile Justice in India