

**UTKAL UNIVERSITY**  
**REGULATION FOR THE MASTER OF LAW IN HUMAN RIGHTS (LL.M (HUMAN RIGHTS)**  
**EXAMINATION (Semester Course)**  
**ON CHOICE BASED CREDIT SYSTEM**

Effective from the 1st Semester, LL.M (HUMAN RIGHTS) Admission during the Academic Session 2013-14)

1. Name of the Course: **MASTER OF LAW IN HUMAN RIGHTS (LL.M (HUMAN RIGHTS))**
2. **Applicability:** This Master Degree Course is only applicable to The Utkal University, Vani Vihar, Bhubaneswar-4 and shall come into effect from the Academic Session 2013-2014.
3. **Duration:**
  - 3.1 The duration of the Course shall spread over for a period of two academic years.
  - 3.2 A candidate for MASTER OF LAW IN HUMAN RIGHTS (LL.M (HUMAN RIGHTS)) degree shall be required to appear in the examinations in Four Semesters.
4. **Eligibility:**
  - 4.1 A second class Bachelor degree in Law equivalent to the Degree of Utkal University is eligible for admission to the Course.
  - 4.2 From among the eligible candidates selection for admission to the Course shall be made on the basis of the procedure to be decided by the Utkal University.
  - 4.3 No student shall be ordinarily admitted as a matter of right or provisionally to the 1st Semester Class of the Course unless he fulfills the criteria for admission. Admission to subsequent Semesters is subject to fulfillment of Rules and Regulations set by the Utkal University from time to time.
5. **Qualification for admission into Semester Examinations of MASTER OF LAW IN HUMAN RIGHTS (LL.M (HUMAN RIGHTS))**
  - 5.1 Any Regular student may be admitted into the Semester Examination if he fulfills the conditions as laid in the Regulations and completed the Semester Course of study provided he/she is not otherwise ineligible to appear the said examination.
  - 5.2 Enrollment for 1st Semester is compulsory. He has to enroll for First Semester Examination and then he can appear the subsequent semesters' examinations.
  - 5.3 An examinee may appear odd semester examination and even semester examinations simultaneously i.e. 1 & 3, 2 & 4 can be taken together) provided he/she fulfills the criteria mentioned in 5.2.
  - 5.4 If a student could not appear in the University Examination at the end of any Semester due to shortage of attendance, he/she may take admission in the same semester at the beginning of the next academic session over and above the sanctioned strength with prior permission of the authority.

5.5 In order to clear a Semester, a candidate is required to secure 40% (Grade Point 5.0) in each paper and 50% (Grade Point 6.0) in aggregate.

5.6 Notwithstanding anything contained in the foregoing Regulations a candidate shall appear and pass in all examination for the MASTER OF LAW IN HUMAN RIGHTS (LL.M (HUMAN RIGHTS)) degree within a period of 5 Years from the date of his/her First registration in the MASTER OF LAW IN HUMAN RIGHTS (LL.M (HUMAN RIGHTS)) degree.

## 6. ATTENDANCE:

6.1 A student shall be required to attend 75% of the lectures in each Semester in the aggregate to appear each semester examination. Further a student is allowed to appear examination by securing 60% attendance on health ground subject to production of Medical Certificate.

6.2 The Syndicate of University may grant further condonation of shortage of attendance to the extend of 10% in respect of candidates who represents the State/Zonal/Country/National Campus, Competitions, Games or Sports in production of relevant certificates.

## 7. Application for Admission to the Examinations

7.1 Application for Admission to the 1st, 2nd, 3rd, & 4th Semester Examination shall specify the papers and subject/group allotted to him/her in which he/she is to be examined in the prescribed application form provided by the College along with other relevant documents and fees as prescribed by the College. Provided he/ she is eligible to appear the semesters' examinations as per Regulation.

## 8. Pass Mark and Classification of successful candidates:

8.1 A student is required to secure at least 40 percent in individual paper (Grade-0 with Grade Point 5.0) and 50 percent marks in Aggregate (Grade-C with Grade Point 6.0 and above) in order to pass in a semester.

8.2 Aggregate marks for passing the degree examinations shall be sum total of the aggregate of the 1st, 2nd, 3rd, & 4th Semester Examinations taken together (i.e. CGPA)

8.3 (a) If a candidate is marked absent in many paper(s) in an examination, such a candidate shall have to appear in that paper(s) in order that his/her results are declared within subsequent prescribed.

(b) A candidate failing to secure 40% in any paper and 50% in aggregate in any of the 1st, 2nd, 3rd, & 4th Semester Examinations of this University may be allowed to appear in those subjects not more than once within two subsequent examinations of the same Semesters for which he/she was registered to clear-up back paper(s) on payment of prescribed fees.

8.4 A candidate failing to secure 40% in any paper and 50% in aggregate in any of the 1st, 2nd, 3rd, & 4th Semester Examinations of this University may be allowed to appear in those subjects not more than once within two subsequent examinations of the same Semesters for which he/she was registered to clear-up back paper(s) on payment of prescribed fees.

8.4 (a) A candidate may improve his/her marks/class by appearing the examination in one subsequent chance only within the prescribed period.

**9. Duration of Class/Period:**

For the 1st, 2nd, 3rd, & 4th Semesters each period shall be at least of 45 minutes duration.

**10. Limitation:**

10.1 If a candidate eligible to appear at the examination does not fill up the application into the examination at the end of one Semester or if he/she remains absent or fails in the examination may be allowed to appear at the subsequent examination (s) once only.

10.2 If a candidate does not pass the examination at the end of two subsequent examinations within the stipulated time of his admission into the Course, he/she shall be declared to have failed and shall not be allowed to re appear at examination thereafter.

**11. THE CREDIT SYSTEM:**

The credits specified for LL.M (HUMAN RIGHTS) programme describe the weight ages of various courses of the programme. The number of credits along with grade points that the student has satisfactorily completed, measures the performance of the student. Satisfactory progress of a student is subject to his/her maintaining a minimum Cumulative Grade Point Average (CGPA), as well as minimum grades in different subjects of the programme. Description of credit distribution for the course has been given below.

- TOTAL NO OF SEMESTER-04
- TOTAL PAPERS OF ALL SEMESTERS=22
- EACH PAPER CONSISTS OF 04 CREDITS
- TOTAL NO CREDIT= 22 x 04= 88 CREDITS
- NO OF CORE PAPERS = 1<sup>ST</sup> SEM 05+ 2<sup>ND</sup> SEM 05=10
- NO OF CORE ELECTIVE PAPERS = 3<sup>RD</sup> SEM 04 + 4<sup>TH</sup> SEM 04=08
- NO OF FREE ELECTIVE PAPERS : 3<sup>RD</sup> SEM 01+4<sup>TH</sup> SEM 01= 02(Choice based Elective Paper Across Specialization Mentioned)
- NO OF ALLIED ELECTIVE PAPERS: 3<sup>RD</sup> SEM 01 + 4<sup>TH</sup> SEM 01 = 02 (The students are to take any one of the papers mentioned in the syllabus as Allied Elective Paper)

- NO OF AUDIT PAPERS = 3<sup>RD</sup> SEM 01 + 4<sup>TH</sup> SEM 01 = 02 (No Credit would be awarded and Students are to take any one of the Audit Paper as mentioned in the syllabus over and above the minimum required Courses. This is purely Optional in nature.)

## 12. GRADING SYSTEM:

GRADE		MARK SECURED	POINT
Outstanding	O	90-100	10
Excellent	I	80-89	9
Very Good	A	70-79	8
Good	B	60-69	7
Fair	C	50-59	6
Pass	P	40-49	5
Fail	F	Less than 40 marks	0

- A student is required to secure at least 40 percent in individual paper (Grade-P) and 50 percent marks in Aggregate (Grade-C)
- Each paper consist of 4 Credit
- Credit for each paper= Grade Point Secured X Credit.  
(For example: If candidate has secured 55 marks in an individual Paper the corresponding credit of 55 is Grade -C with 6 point. His/her credit in that paper is 6 x 4 = 24.)
- Credit Index= Summation of credits in a semester
- SGPA (Semester Grade Point Average)=  $\frac{\text{Credit Index}}{\text{Total No of Credit of a Semester}}$
- CGPA (Cumulative Grade Point Average)=  $\frac{\text{Sum of Credit Index All Semester}}{\text{Sum of Credit in All Semester}}$

## 13. Publication of Results:

- 13.1 The results of the MASTER OF LAW IN HUMAN RIGHTS (LL.M (HUMAN RIGHTS)) degree Examination and the Division/Class to be awarded shall be determined on the basis of combined results of 1st, 2nd, 3rd, & 4th Semester Examinations taken together. The minimum passing Grade is C with Grade point 6.0.

13.2 A candidate who has passed in all the papers/courses of I, II, III and IV Semesters of 2-year LL.M (HUMAN RIGHTS) programme taken together shall be declared as 'Passed'. Such passed candidates may be awarded with the division according to the following criteria.

- (i) First Division CGPA 6.5 and above
- (ii) Second Division CGPA 5.5 and above, but below 6.5

13.3 The list of candidates who passed in 1st Class shall be arranged in order of merit candidates who passed all examinations in 1st appearance will be placed above those who passed with back paper/repeat clearance in the merit list.

14. **Miscellaneous:**

- (i) Presentation/Viva Voce Examination:
  - (a) Presentation/Viva Voce Examination shall be conducted by a Board of Examiners.
  - (b) The Board shall consist of members of the Teaching Staff of the Department (one of them may be an external member.)
- (ii) Hard case Rule:

As prescribed by the University from time to time.
- (iii) Grace:

The Conducting Board of Examiners may provide grace to the students' basing on the performance of the results as deems proper.

15. **Diploma:**

Each successful candidate at the end of Semester examinations of the course shall receive a Diploma for MASTER OF LAW IN HUMAN RIGHTS (LL.M (HUMAN RIGHTS)) provided by the University signed by the Vice-Chancellor.

## UTKAL UNIVERSITY

**COURSES OF STUDIES FOR THE MASTER OF LAW IN HUMAN RIGHTS (LL.M  
(HUMAN RIGHTS)) EXAMINATION (Semester Course)  
ON CHOICE BASED CREDIT SYSTEM**

(Effective from the 1st Semester, LL.M (HUMAN RIGHTS) Admission during the Academic Session 2013-14)

This syllabus has been designed on Choice Based Credit System as per the guidelines provided by University Grant Commission and the Curriculum Development Center of U.G.C. This LL.M (HUMAN RIGHTS) Programme is a U.G.C. Innovative Programme and projected to train future researchers and the students to enquire and also to explore about the legal frame work of the contemporary society relating to Humans Rights. This syllabus shall come into effect from the Academic Session 2013-2014.

This regular syllabus (on Choice Based Credit System) for Master of Law in Human Rights (LL.M. (HUMAN RIGHTS)) examination consists of four semesters. The 1st Semester shall cover the period from June to December & 2nd Semester from January to May during the first academic session. The 3rd Semester shall commence from June to December and 4th Semester from January to May of the second academic session.

The credits specified for LL.M (HUMAN RIGHTS) programme describe the weightages of various courses of the programme. The number of credits along with grade points that the student has satisfactorily completed, measures the performance of the student. Satisfactory progress of a student is subject to his/her maintain a minimum Cumulative Grade Point Average (CGPA), as well as minimum grades in different subjects of the programme. Description of credit distribution for the course has been given below.

- TOTAL NO OF SEMESTER-04
- TOTAL PAPERS OF ALL SEMESTERS=22
- EACH PAPER CONSISTS OF 04 CREDITS
- TOTAL NO CREDIT = 22 x 04 = 88 CREDITS
- NO OF CORE PAPERS = 1<sup>ST</sup>SEM 05 + 24<sup>ND</sup>SEM 05=10
- NO OF CORE ELECTIVE PAPERS= 3<sup>RD</sup>SEM 04 + 4<sup>TH</sup>SEM 04= 08
- NO OF FREE ELECTIVE PAPERS: 3<sup>RD</sup>SEM 01 + 4<sup>TH</sup>SEM 01 = 02 (Choice based Elective Paper Across the Specialization mentioned)
- NO OF ALLIED ELECTIVE PAPERS: SEM 01 + 4<sup>TH</sup>SEM 01 02 (The students are to take any one of the papers mentioned in the syllabus as Allied Elective Paper)
- NO OF AUDIT PAPERS = 3<sup>RD</sup>SEM 01 + 4<sup>TH</sup>SEM 01 = 02 (No Credit would be awarded and Students are to take any one of the Audit Paper as mentioned in the syllabus over and above the minimum, required Courses. This is purely Optional in nature.)

The following shall be the subjects and the Courses of Study for Master of Law in Human Rights (LL.M (HUMAN RIGHTS)) Examination with Full Marks and Credit Points.

### Subjects for 1st Semester

CS-01	LL.M (HUMAN RIGHTS)-CS-01-P-I	Law & Social Transformation in India
CS-02	LL.M (HUMAN RIGHTS)-CS-02-P-II	New Dimensions in Indian Constitutional Law-I
CS-03	LL.M (HUMAN RIGHTS)-CS-03-P-III	Judicial Process
CS-04	LL.M (HUMAN RIGHTS)-CS-04-P-IV	Legal Education System in India
CS-05	LL.M (HUMAN RIGHTS)-CS-05-P-V	Presentation (PPT) (Internal)

### Subjects for 2nd Semester

CS-06	LL.M (HUMAN RIGHTS)-CS-06-P-VI	Law and Social Engineering in India
CS-07	LL.M (HUMAN RIGHTS)-CS-07-P-VII	Indian Constitutional: The New Challenges.
CS-08	LL.M (HUMAN RIGHTS)-CS-08-P-VIII	Administration of Justice and Judicial Process
CS-09	LL.M (HUMAN RIGHTS)-CS-09-P-IX	Research Methodology
CS-10	LL.M (HUMAN RIGHTS)-CS-10-P-X	Dissertation

### Subjects for 3rd Semester

LL.M (HUMAN RIGHTS)-CE-P-XI	Concept and Development of Human Rights
LL.M (HUMAN RIGHTS)-CE-P-P-XII	Human Rights Law: International Order
LL.M (HUMAN RIGHTS)-CE-P-XIII	Indian Constitution & Human Rights
LL.M (HUMAN RIGHTS)-CE-P-XIV	Dissertation

### FREE ELECTIVE SUBJECT

During 3rd Semester each students shall opt one paper as Free Elective Papers from the following Specializations.

LL.M (HUMAN RIGHTS)-FE-01/01-P-XV	Child & Human Rights
LL.M (HUMAN RIGHTS)-FE-01/01-P-XV	Women & Human Rights

### ALLIED ELECTIVE SUBJECTS

The College offers Two Allied Elective Subjects of Inter-Disciplinary nature. A student is required to select any One for 3rd Semester of the following Allied Elective subjects and apply to the Course Co-coordinator in writing expressing his/her interest. Considering majority of choice of the students and teaching Facilities, the Course Co-coordinator in consultation

with the Teaching Council shall notify the Allied Elective Subject to be taught for that academic session. In this regard, the decision of the Course Co-ordinator is final and binding.

- LL.M (HUMAN RIGHTS)-AE-01-P-XVI Torture, Custodial Violence & Disappearance  
 LL.M (HUMAN RIGHTS)-AE-02-P-XVI Science Technology & HR

### AUDIT COURSE

No Credit Awarded and Students are to take any one of the Followings over and above the minimum required Courses. This is purely Optional in nature.

- LL.M (HUMAN RIGHTS)-AC-01 Tribal Rights and Law  
 LL.M (HUMAN RIGHTS)-AC-02 Role of Judiciary & PIL & Media

### Subjects for 4th Semester

- LL.M (HUMAN RIGHTS)-CE-P-XVII International Humanitarian and Refugee Laws  
 LL.M (HUMAN RIGHTS)-CE-P-XVIII Human Rights of Disadvantaged Groups  
 LL.M (HUMAN RIGHTS)-CE-P-XIX National Human Right Provision  
 LL.M (HUMAN RIGHTS)-CE-P-XX Presentation and Viva (Practical)

### FREE ELECTIVE SUBJECT

During 4th Semester each student shall opt one paper as Free Elective Papers from the following Specializations.

- LL.M (HUMAN RIGHTS)-FE-02/01-P-XXI Religion & Human Rights  
 CL.M (HUMAN RIGHTS)-FE-02/02-P-XXI Development of Regional Convention of HR& HR Courts

### ALLIED ELECTIVE SUBJECTS

The College offers Two Allied Elective Subjects of Inter-Disciplinary nature. A student is required to select any one for 4th Semester of the following Allied Elective subjects and apply to the Course Co-ordinator in writing expressing his/her interest. Considering majority of choice of the students and teaching Facilities, the Course Co-ordinator in consultation with the Teaching Council shall notify the Allied Elective Subject to be taught for that academic session. In this regard, the decision of the Course Co-ordinator is final and binding.

- LL.M (HUMAN RIGHTS)-AE-05-P-XXII Pre-trial Detention & Under-Trial & Prisoners  
 LL.M (HUMAN RIGHTS)-AE-06-P-XXII Human Rights & Criminal Justice System

### AUDIT COURSE

No credit Awarded and students are to take any one of the Followings over and above the minimum required Courses. This is purely Optional in nature.

- LL.M (HUMAN RIGHTS) -AC-03 Population & Human Rights  
 LL.M (HUMAN RIGHTS) -AC-04 Human Rights During Emergency .



**FIRST SEMESTER**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**LLM-CS-01-P-I LAW AND SOCIAL TRANSFORMATION IN INDIA****UNIT-I Law and Social Change**

- 1.1 Concept and Theories of Social change and the Role of law
- 1.2 Law as the product of traditions and culture. Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.
- 1.3 Socio-Legal dynamics of India Social Transformation
- 1.4 Counter Forces and Social Transformation

**UNIT-II Religion and the Law**

- 2.1 Religion as a divisive factor.
- 2.2 Secularism as a solution to the problem
- 2.3 Reform of the law on secular lines: Problems.
- 2.4 Freedom of religion and Rights of Religious minorities

**UNIT-III Language and the Law**

- 3.1 Language as a division factor formation of linguistic states.
- 3.2 Constitutional guarantees to linguistic minorities.
- 3.3 Language policy and the Constitution: Official language; multi-language system.
- 3.4 Non-discrimination on the ground of language.

**UNIT-IV Community and the Law**

- 4.1 Caste as a divisive factor
- 4.2 Non-discrimination on the ground of caste.
- 4.3 Protective discrimination: Scheduled castes, tribes and backward classes
- 4.4 Reservation; Statutory Commissions, Statutory provisions.

**Suggested Readings:**

1. Basu, D.D.(2012) Shorter Constitution of India, Prentice - Hall of India (P)Ltd., New Delhi.
2. Baxi U., (1982). The Crisis of the Indian Legal System, Vikas, New Delhi.
3. Chowdhuri. J.P.(2012) Caste System, Social Inequalities and Reservation Policy in India: Class, Caste Social Policy and Governance through Social Justice LAP LAMBERT Academic Publishing
4. Derret, Duncan, The State, Religion and Law in India, Oxford University Press, New Delhi.
5. Flavia, Ages, (1999), Law and Gender Inequality: The Politics of Women's Rights in India, Oxford University Press, New Delhi,
6. Friedmann W.(2010), Law and Social Change, EBC
7. Galanter, Marc (1997). Law and Society in Modern India, Oxford,
8. Gary Jeffrey Jacobson, (2005) The Wheel of Law India's Secularism in Comparative Constitutional Context. Princeton University.
9. I LI, (1988), Law and Social Change: Indo-American Reflections, Tripathi
10. Jain, M.P.(1988), Outlines of Indian Legal History, Tripathi, Bombay.
11. Judith A. Baer Page (2006) The Constitutional and Legal Rights of Women: Cases in Law and Social Change, Oxford University Press,
12. Kripalani, J.B. (1970), Gandhi: His Life and Thought, Ministry of Information and Broadcasting,
13. Lingat, Robert(1998), The Classical Law of India, Oxford
14. M.S.Gore, (2002) Unity in Diversity: The Indian Experience in Nation-Building, Rawat Publications
15. P. Ishwara Bhat (2012), Law and Social Transformation, EBC
16. Ronojoy Sen(2010), Articles of Faith: Religion, Secularism and the Indian Supreme Court (Law in India), Oxford University Press,
17. Seervai, H.M (1999). Constitutional Law of India, Tripathi.
18. Trevor Noble, (2009), Social Theory and Social Change, Palgrave Macmillan
19. William Could (2011), Religion and Conflict in Modern South Asia, Cambridge University Press.

**LLM-CS-02-II NEW DIMENSIONS IN INDIAN CONSTITUTIONAL LAW**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**UNIT-1 Federalism**

- 1.1 "State": Need for widening the definition in the wake of liberalization.
- 1.2 Concept of Federal Comity and Constitutional frame work of Center-State Relationship
- 1.3 Allocation and share of resources - distribution of grants in aid
- 1.4 The inter - state disputes on resources .

**UNIT-II Democratic process**

- 2.1 Nexus of politics with criminals and the business.
- 2.2 Election and Constitutional Provisions
- 2.3 Election Commission: status.
- 2.4 Electoral Reforms

**UNIT -III Separation of powers: stresses and strain**

- 3.1 Judicial activism and judicial restraint.
- 3.2 Judicial Independence.
- 3.3 Accountability: executive and Judiciary.
- 3.4 Tribunals

**UNIT-IV Emerging regime of new rights and remedies**

- 4.1 Emergence of new Rights under Directive Principles and Fundamental Duties and Fundamental Rights.
- 4.2 Doctrine of eminent domain and rights of the displaced
- 4.3 Constitutional tort and State Liability
- 4.4 Right to Education and Commercialization of education and its impact.

**Suggested Readings**

1. Basu, D.D(2008), Comparative Constitutional Law, LexisNexis Butterworths
2. Basu, D.D(2008), Introduction to the Constitution of India
3. M.P. Singh, (2011) Comparative Constitutional Law (Festschrift in honour of Professor PK Tripathi), EBC
4. Mona Shukla (2010) Indian Judiciary and Good Governance, Regal Publications
5. Mool Chand Sharma, Raju Ramachandran, (2008) Constitutionalism Human Rights & the Rule of Law - Essays in Honour of Sli J Sorabjee, Universal Law Publishing Co Pvt Ltd.
6. P.Chakraborty (2012), Indian Judiciary in Transition, Global Publishing House

7. P. Ishwara Bhat, (2004) Fundamental Rights, EBC
8. Satyaranjan Purushottam Sathe(2002) Judicial Activism in India, Oxford University Press,
9. SDeervai , H.M. (2012) Constitutional Law of India (3 Vols), Universal Law Publishing Co Pvt Ltd.
10. Shailja Chander, V.R. Kreshna Iyer, (1992) Justice V R Krishna lawyer on Fundamental Rights and Directive Principle, Deep and Deep Publications, New Delhi
11. V.S Rama Devi and SK Mendiratta (2008) How India Votes Election Laws, Practice And Procedure, LexisNexis India
12. Subhsh C. Kashyap, Anti-Defection Law and Parliamentary Privileges, Universal Law Publishing Co Pvt. Ltd.
13. Sunil Dewshtha and Kiran Deshta. (2000). Law and Menace of Child Labour Anmol Publications, New Delhi.
14. Savitri Gunasekhare (1997). Children, Law and Justices age Publications.
15. Ved Kumari, (2008) Offences Against Women in Karmala Sankaran and Ujjwal Kumar Singh(ed)Towards Legal Literacy An Introduction to Law in India PP.78-94 Oxford, New Delhi.
16. Virendra Kumar(2007): Dynamics of Reservation Policy: Towards a More Inclusive Social Order 50, Journal of the Indian Law Institute PP 478-517

### LLM-CS-03-P-III JUDICIAL PROCESS

**University Assessment : 70 Marks**

**Internal Assessment : 30 Marks**

#### **UNIT-I The Concepts of Justice**

- 1.1 The concept of Justice or Dharma in Indian thought.
- 1.2 Dharma as the foundation of legal ordering in Indian thought.
- 1.3 The concept and various theories of justice in the western thought.
- 1.4 Various theoretical bases of justice: the liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

#### **UNIT-II Relation between Law and Justice**

- 2.1 Equivalence Theories - Justice as nothing more than the positive law of the stronger class
- 2.2 Dependency theories - For its realization justice depends of law, but justice is not the same as law.
- 2.3 The independence of justice theories - means to end relationship of law and justice -The relationship in the context of the Indian constitutional ordering.
- 2.4 Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

**UNIT-III Nature of Judicial Process**

- 3.1 Judicial process as an instrument of social ordering.
- 3.2 Judicial process and creativity in law - common law model - Legal Reasoning and growth of law - change and stability.
- 3.3 The tools and techniques of judicial creativity and precedent.
- 3.4 Legal development and creativity through legal reasoning under statutory and codified systems.

**UNIT -IV Judicial Process in India**

- 4.1 Judicial Review: Approach of Indian Judiciary
- 4.2 Judicial Activism and Creativity of the Supreme Court - the tools and techniques of creativity
- 4.3 Judicial process in pursuit of Constitutional goals and values - new dimensions of judicial activism and structural challenges
- 4.4 Judicial Accountability

**Suggested Readings**

1. Anad, A.S (2000). Judicial Review - Judicial Activism - Need for Caution, 42 Journal of Indian Law Institute R149
2. Bodenheimer, (1997), Jurisprudence - the Philosophy and Method of the Law, Universal, Dell
3. Cardozo. (1995) The Nature of Judicial Process Universal, New DELHI
4. Henry J.Abraham, (1998), The Judicial Process, Oxford.
5. J.Stone. (1999), Legal System and Lawyer's Reasoning. Universal Law Publishing Co., New Delhi
6. J.Stone, (1985) Precedent and the Law: Dynamics of Common Law Growth Butterworth
7. John Rawls, (2000), A Theory of Justice Universal, Delhi
8. Rajeev Dhavan, (1977), The Supreme Court of India - A Socio - Legal Critique of its Juristic Techniques, Tripathi, Bombay.
9. S.P. SATHE, (2002) Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi.
10. U.Baxi, (1980) The Indian Supreme Court and Politics, Eastern, Lucknow.
11. Upendra Baxi, " On how not to Judge the Judges" 25 Journal of the Indian Law Indtiture, P.211 (1983).
12. Upendra Baxi, (1980), The Indian Supreme Court and Politics. Eastern Book Co., Lucknow.
13. Virendra Kumar, Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance, 49 Journal of the Indian Law Institute, PP 365-395, (2007).
14. W.Friedmann, (1960), Legal Theory Stevens, London

**LLM-CS-04-P-IV LEGAL EDUCATION SYSTEM IN INDIA**

University Assessment : 70 Marks  
Internal Assessment : 30 Marks

**UNIT -I Scope and Extent of Legal Education**

- 1.1 Professional Education and Status of legal Education in India
- 1.2 Growth and Objectives of Legal education in Indian
- 1.3 Continuing Legal Education
- 1.4 Globalization and Future of legal education

**UNIT-II Law Curriculum**

- 2.1 Curriculum model for Law Studies
- 2.2 Curriculum contents
- 2.3 Evaluation of BCI and UGC Curricular Model

**UNIT -III Teaching Method**

- 3.1 Lecture Method
- 3.2 Case study method
- 3.3 Seminar method
- 3.4 Clinical Legal Education:

**UNIT-IV Evaluation Process**

- 4.1 Objectives of Examinations
- 4.2 Internal and external Assessments
- 4.3 Practical/Oral Examination
- 4.4 Problems in law examination and solution

**Suggested Readings**

1. 18<sup>TH</sup> REPORT ON LEGAL EDUCATION & PROFESSIONAL TRAINING AND PROPOSALS FOR AMENDMENTS TO THE ADVOCATE ACT, 1961 AND THE UNIVERSITY GRANTS COMMISSION ACT, 1956. Part-I. Part-II. Law Commission of India, New Delhi.
2. Agrawal.S.K. (Ed.)(1973), Legal Education in India Tripathi, Bombay.
3. Baxi, U, (1979) Towards a socially relevant legal education: a consolidated report of the University Grants Commission's workshop[s] on modernization of legal education, India. University Grants Commission
4. David M. Moss and Debra Moss Curits (2012) Reforming Legal Education: Law Schools at the Crossroads, Information Age Publishing

5. Education Rules 2008, The Bar Council of India, [www.barcouncilofindia.org](http://www.barcouncilofindia.org),
6. Gang Fan, Chung-YingXin, Jeffrey Sachs, (1998) The Role of Law and Legal Institutions in Asian Economic Development
7. Hemlata Talesra, (2005) Scope & Trends of Research on Teaching, p 17, Authors press
8. <http://papers.ssm.com/sol3/papers.cfm?abstractid=1728451>
9. P.Massey, forward to Sushama Gupta,(2006) History of Legal Education, Deep & Deep Publications (p)Ltd.
10. John Varghese, Global Legal Education and India - A Blueprint for Raising Indian Legal Education to Global Standards
11. Margaret M, Barry, Teaching Social Justice Lawyering: Systematically including Community Legal Education in Law School Clinics, 18 Clinical L. Rev. 401 (2012),
12. MSV Jayakaumar, National Knowledge Commission and Legal Education,
13. N.R. Madhava Menon, ed., (1998). A Handbook on Clinical Legal Education
14. N.R. Madhava Menon, (2012) The Transformation of Indian Legal Education: A Blue Paper, Harvard Law School Program on the Legal Profession, Harvard Law School
15. NATIONAL KNOWLEDGE COMMISSION REPORTS REPORT (2006-2009), INDIAN KNOWLEDGE COMMISSION,
16. Piarey Lai Mehta, Susma Gupta(2002), Legal education and profession in India, Deep & Deep Publications.

#### LLM-C05-P-V PROJECT PRESENTATION (PRACTICAL)

**Total Marks : 100**

**Instruction:** The Head of the Department will notify the Project Title for each Examinee and the concern Examinee shall present the allotted subject through power point presentation before the External Examiner. The Examinee shall submit their soft and hard copies on the date of examination before the external examiner. In the absence of External Examiner, the HOD may contact substitute External examiner with intimation to the Controller of Examinations.



**2ND SEMESTER**

University Assessment : 70 Marks  
Internal Assessment : 30 Marks

**LLM-CS-06-P-VI SOCIAL TRANSFORMATION AND SOCIAL ENGINEERING IN INDIA****UNIT -I Jurisprudential Perspective of Social Engineering**

- 1.1 Concept and jurisprudential theories of Social Engineering
- 1.2 Fundamental Rights and new Social ordering.
- 1.3 Directive Principles of State Policies and Social Transformation
- 1.4 Judiciary and Social Engineering

**UNIT -II Gender Mainstreaming and Law**

- 2.1 Gender injustice and feminist jurisprudence
- 2.2 Broader concept of Gender Equality
- 2.3 Inclusion and Participation of Women in Governance and Decision Making process
- 2.4 Women's Commission: Determination of Status OF women, redressing unfair practices affecting women

**UNIT-III Children and Restorative Justice**

- 3.1 Restorative Justice and Child Rights
- 3.2 Child labour .Sexual exploitation.
- 3.3 Adoption and related problems.
- 3.4 Children and Education (ECCE) Policy.

**UNIT-IV Modernizations and the law**

- 4.1 Democratic decentralization and local self-government.
- 4.2 State Liability and Compensatory Jurisprudence
- 4.3 Agrarian Reforms
- 4.4 Alternative Dispute Resolution System

**Suggested Readings:**

1. Agnes, Flavia, (1999), Law and Gender Inequality: The Politics of Women's Rights in India, Oxford University Press, New Delhi,
2. D.D. Basu, (2012) Shorter Constitution of India, Prentice - Hall of India (P) Ltd., New Delhi.
3. Duncan Demet (1999). The State, Religion and Law in India, Oxford University Press, New Delhi.
4. H.M. Seervai, (1996), Constitutional Law of India Tripathi,
5. Indian Law Institute, (1988) Law and Social Change: indo-American Reflections, Tripathi



6. J.B. Kripalani, (1970) Gandhi: His Life and Thought, Ministry of Information and Broadcasting,
7. M.P Jain, (1993), Outlines of Indian Legal History, Tripathi, Bombay.
8. Manushi, A Journal About Women and Society.
9. Marc Galanter (ed.), (1997) Law and Society in Modern India. Oxford,
10. Robert Lingat, The Classical Law of India (1998), Oxford
11. Savitri Gunasekhanre, (1997} Children, Law and Justice , Sage
12. Sunil Deshta and Kiran Deshta, (2000) Law and Penance of Child Labour Amol Publication,
13. U. Baxi (ed.), (1988). Law and Poverty Critical Essays Tripathi, Bombay.
14. U. Baxi, (1982). The Crisis of the Indian Legal System Vikas, New Delhi.

### LLM-CS-07-P-VII INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

University Assessment : 70 Marks

Internal Assessment : 30 Marks

#### **UNIT -1 Legal Dimensions of State**

- 1.1 Concept of State
- 1.2 Welfare State and Government.
- 1.3 State as instrumentality or agency or government
- 1.4 Implications of Other Authorities

#### **UNIT-II Right to Freedom and Law**

- 1.1 Freedom of speech under constitution of India
- 1.2 Right to strikes, hartal and bandhl.
- 1.3 Right to privacy and media
- 1.4 Media trial

#### **UNIT-III Secularism and Religious Fanaticism**

- 2.1 Secularism in the Caste System
- 2.2 Religious Fanaticism, Religious Conversion
- 2.3 Concept of Secularism under constitution of India
- 2.4 Uniform Civil Code a step towards Secularism

#### **UNIT-IV Right to Equality: Legal Implications**

- 3.1 Right to Equality -Article 14 & 'Reasonable Classification': Supreme Court
- 3.2 Right to Equality vis a vis Reservation Policy in India
- 3.3 The Concept of Equal Pay for Equal Work
- 3.4 Privatization and its impact on affirmative action.

**Suggested Readings:**

1. H.M. Seerval (1996) Constitutional Law of India, Tripathy Publication,
2. M.P. Singh (2012) Constitutional Law,
3. M.K.C.J. Kagzi- The Constitutional Law of India
4. D.D. Basu- (Reprint 2011) The Constitution,
5. Constitutional Development since Independence-ILI Publication
6. A.V. Dicey- Constitutional Law
7. Wade & Phillips- Constitutional Law. An Outline of the Law and Practice of the Constitution Including Central and Local Government
8. AIR Publication- Constitutional Law of India Vol- & ii
9. V.N. Sukla (2012) Constitutional Law of India
10. Mahendra P. Singh, Constitutional Law of India Reprint with supplement,
11. R. Pathak- Legislative and Ordinance Making Power of the President and Governor

**LLM-CS-08-P-VIII ADMINISTRATION OF JUSTICE AND JUDICIAL PROCESS****University Assessment : 70 Marks****Internal Assessment : 30 Marks****UNIT-I Administration of Justice**

- 1.1 Administration of Justice and Judicial Process.
- 1.2 Superior Courts in India and Judicial Process.
- 1.3 Subordinate judiciary in India and Judicial Process.
- 1.4 Role of Natural Justice in Judicial Process.

**UNIT-II Judicial Techniques and judicial process**

- 2.1 Inductive and Deductive method
- 2.2 Judicial Precedent
- 2.3 Interpretations of Statute
- 2.4 Writ Jurisdiction

**UNIT-III Judicial Creativity and Supreme Court**

- 3.1 Doctrine of Locus standi and Public Interest Litigation
- 3.2 Judicial creativity and protection human Rights
- 3.3 Due Process and procedure established by law Green Jurisprudence
- 3.4 Green Jurisprudence

**UNIT-IV Criminal Justice and Judicial Process**

- 4.1 Judicial Approach towards Death Sentence
- 4.2 Speedy trial
- 4.3 Detention in state Custody and Personal liberty
- 4.4 Judicial Approach towards Violence against Women

**Suggested Readings:**

1. Bodenheimer, (1997), Jurisprudence- the Philosophy and Method of the Law Universal, Delhi
2. Cardozo, (1995) The Nature of Judicial Process universal, New Delhi
3. Henry J. Abraham, (1998), The Judicial Process Oxford.
4. J.Stone, (1985) Precedent and the Law: Dynamics of Common Law Growth, Butterworths
5. J.Stone, (1999) Legal System and Lawyer's Reasoning. Universal, Delhi
6. J.Stone, (2000), The Province and Function of Law, Part-II, Chs. 1. 8-16 Universal, New Delhi.
7. John Rawls, (2000), A Theory of Justice Universal, Delhi
8. Rajeev Dhavan, (1977), The Supreme Court of India -A Socio - legal Critique of its Juristic Techniques, Tripathi, Bombay
9. U.Baxi, (1980), The Indian Supreme Court and Politics Eastern, Lucknow.
10. W.Friedmann, (1960), Legal Theory Stevens, London

**LLM-CS-09-P-IX RESEARCH METHODOLOGY****University Assessment : 70 Marks****Internal Assessment : 30 Marks****UNIT-IV Legal Research: Introduction**

- 1.1 Nature and Scope of Research
- 1.2 Objectives Legal Research
- 1.3 Progress of Legal Research in India
- 1.4 Scope and Application of legal Research

**UNIT-II Research Method**

- 2.1 Socio Legal Research, Qualitative and Quantitative Research
- 2.2 Use of observation studies, questionnaire, Interview, and sampling
- 2.3 Induction and deduction through Case Study Analysis
- 2.4 Empirical research and Non Empirical research

**UNIT-III Content of Research**

- 3.1 Review of Literature and Setting of Questions and Issues of research
- 3.2 Formulation Problem and Research Hypothesis
- 3.3 Research Design and Tools of research
- 3.4 Data: Sources, methods, Collection and Processing

**UNIT-IV Interpretation of Research**

- 4.1 Data Interpretation and inference
- 4.2 Implications of Judicial decisions
- 4.3 Interpretations of Legal Instruments
- 4.4 Content and Meta Analysis

**Suggested Readings:**

1. C.R. Kothari, Research Methodology (Methods and Techniques), Vishwa Prakashan
2. Craig Simonsen, Christian Anderson.(2005) Computer-Aided Legal Research on the Internet, Prentice Hall,
3. Erwin C. Surrency, B. Field and J. Crea, (1959) A Guide to Legal Research.
4. H.M. Hyman, Interviewing in Social Research (1965).
5. H.N. Tawari Legal Research Methodology -Allahabad Law Agency.
6. High Brayal, Nigel Duncan and Richard, (1998) Crimes, Clinical Legal Education: Active Learning in you School, Blackstone P. Press Limited, London.
7. J. Myron Jacobsterin and Roy M. Mersky. (2002) Fundamentals of Legal Research, 8th ed. Foundation Press,
8. Legal Research and Methodology. Indian Law Institute , New Delhi
9. M.O. Price, H. Bitner and Bysiewiez, (1978) Effective Legal Research
10. M. Tanulinga, Research Methodology, Himalaya Publishing.
11. Monis L. Cohan, (1996), Legal Research in Nutshell, West Publishing Co.
12. P Saravanavel, Research Methodology, Kitab Mahal
13. Pauline V. Young, (1962) Scientific Social Survey and Research
14. Stephanie Delaney, (2008) Electronic Legal Research: An Integrated Approach, Cengage Learning,
15. Uniform System of Citations. Harvard Law Review Association,
16. William I Grade and Paul Hatt, Methods in Social Research, Me Graw-Hill Book Company, London.

**LLM-CS-10-P-X DISSERTATION****Total Marks : 100**

Each candidate is to select a Human Right issue in consultation with respective teacher guide and submit the report to the Department duly certified by the guide. The total report should be minimum 50 pages and maximum 100 pages in A4 size paper.



## SEMESTAR-III

## CE-P-X1 -CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**UNIT-1: Concept of Human Rights in India**

- 1.1 Scope and definition of Human Rights, Preamble of the Constitution of India, Directive principles of State Policy
- 1.2 Relevant- Indian Legislation Committees/Commissions on the Prison Reforms in India.
- 1.3 Judgements, directing implementation of Human Rights
- 1.4 Indian Laws relating to Human Rights

**Unit-2: Human Rights and Administration**

- 2.1 Concept and Classification and Areas
- 2.2 The Evolution - International Context - The Indian Scenario
- 2.3 Police Context - Perspectives- Area of Violations
- 2.4 Micro Strategies - Training in Human Rights

**UNIT-3: Protection and Transformation of Human Rights**

- 3.1 Protection of Human Rights in India.
- 3.2 Protection and promotion of Human rights in International prospective.
- 3.3 Comparative view of Indian & UN perspectives on Human Rights.
- 3.4 Emerging Dimensions in Human Rights.

**UNIT-4 Theories of Human Rights**

- 4.1 Theoretical Foundation of Human Rights.
- 4.2 Modern Theories of International Human Rights.
- 4.3 Political Philosophy, Paradings of Legal Philosophy.
- 4.4 Legal Realism and Critical Theory.

**Suggested Reading**

- Agarwala S.K. - Human Rights, Some Problems of Developing Countries,' in Giradol and others ed. New Directions in International Law (Frankfurt 1982)
- Bhagwati P.N. Dimensions of Human Rights (Madurai Society for community Organization Trust, 1987.
- Cranston M. What are Human Rights 1 London Bodley Head 1973.
- F. Kazmi, Human Rights. 1987

- H. Beddard, Human Rights and Europe, 1980 Human Rights fora changing World (Delhi Har. Anand Publications 1994).
- J.A. Andrews, Human Rights in International Law, 1986 UN High Commissioner for Human Rights, An introduction making Human Rights a Reality (New York UN Publication Division 1996).
- L. Levin, Human Rights. 1982
- Mahmood, Tahir (ed). Human Rights in Islamic Law- (New Delhi, Genuine Publications 1993
- Moskowitz, Human Rights and World Order, 1958
- Nagendra Singh, Human Rights and International Co-operation, 1969
- S.C.Kashyap, Human Rights and Parliament, 1978 Tuck R. Natural Rights, Theories (Cambridge University Press 1979)
- UNESCO - Taking Action for Human Rights in the Twenty first Century (Paris UNESCO 1998)
- Upendra Baxi (ed.) The right to be Human, 1986
- Upendra Baxi, The Crisis of the Indian Legal System, 1982

### CE-P-XH HUMAN RIGHTS LAW: INTERNATIONAL ORDER

**University Assessment : 70 Marks**  
**Internal Assessment : 30 Marks**

#### **Unit-I: Protection of Human Rights .under International Order**

- 1.1 Introduction to Global system, The U.N system, regional Human Rights Regions.
- 1.2 The European system for protection of Human rights.
- 1.3 The Inter-American Human Rights system, American Convention on Human Rights.
- 1.4 The African system of Human and People's Rights, African charter on Human and people's Rights.

#### **Unit-II Human Rights and International Organization**

- 2.1 Structure, Function, Role of U.N.
- 2.2 Structure. Factions, Role of Specialized Agencies for the Protection of Human Rights
- 2.3 Structure, Functions. Role of General Assembly, Security Council. ECOSOC.
- 2.4 Structure. Functions. Role of UN Commission on Human Rights And Regional Commission on Human Rights

**UNIT-III: International Convention on Human Rights**

- 3.1 Universal Declaration of Human Rights
- 3.2 Preparation of the Draft and adoption of the two covenants.
- 3.3 International Covenants on Civil, Political, Rights.
- 3.4 International Convents on Social, Economic and Cultural Rights

**UNIT-IV: International Human Rights Activism and Role of NGOs**

- 4.1 International Court of Justice and Judicial Activism.
- 4.2 Role of NGO for Implementing UN Decade for Human Rights Education.
- 4.3 Role and Factions of Amnesty International: Amnesty observation on violation of Human rights in India.
- 4.4 International Red Cross and Red crescent-Role in Enforcing Humanitarian Law and Human Rights Law.

**Suggested Reading**

- Amaya Ubeda de Torres and Rosalind Greenstein**, *The Inter-American Court of Human Rights: Case-Law and Commentary* Laurence Burgorgue-Larsen, (May 26, 2011)
- Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran and David Harris**, *International Human Rights Law* (Aug 6, 2010)
- David Malone**, *The UN Security Council: from the Cold War to the 21st century* Lynne Rienner Publishers, (2004) pp.746
- Philip Alston and James Crawford**, *The Future of UN Human Rights Treaty Monitoring* (May 15, 2000)
- Rhona K. M. Smith**, *Textbook on International Human Rights*, (Jan 18, 2010)
- Sandy Gandhi**, *Blackstone's International Human Rights Documents* (Blackstone's Statutes) (Nov 19, 2010)
- THE UNITED NATIONS TODAY**, United Nations, Department of Public Information, (2008) pp.388
- Thomas G. Weiss and Sam Daws**, *The Oxford Handbook on the United Nations* (Oxford Handbooks) (2009)
- UN Centre for Human Rights, Civil and Political Rights, The Human Rights Committee (Geneva World Campaign for Human Rights, 1997)
- UNESCO - Violations of Human Rights. Possible Rights of Recourse and Forms of Resistance (Paris. Unesco. 1984)
- William B.T. Mock**, *Human Rights in Europe Commentary on the Charter of Fundamental Rights of the European Union* (Jan 5. 2010)

**CE-P-XIH: INDIAN CONSTITUTIONAL AND HUMAN RIGHTS**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**UNIT-1: State of Human Rights in India**

- 1.1 Evolution of Human Rights- in India-ancient India, Islamic and British era.
- 1.2 Human Rights in Post-Independence period.
- 1.3 Constitutional Framework in India and Human Rights.
- 1.4 Legal Framework in India, Rights to Equality, civil rights, political rights, Rights to Privacy, Rights of Minorities, Rights to Life and Personal liberty.

**UNIT-II: Protection and Enforcement of Human Rights in India**

- 2.1 Protection Human Right Act, 1993.  
(Salient fealness of the Act, Background of Act)
- 2.2 National Human Rights Commission.
- 2.3 State Human Rights Commission.
- 2.4 Human Rights Courts

**UNIT-III: Indian Judiciary and Human Rights**

- 3.1 Supreme Court and Human Rights.
- 3.2 High Courts and Human Rights.
- 3.3 Public Interest Litigation and Human Rights.
- 3.4 Important Judicial Decisions and Human Rights.  
-Keshwananda Bhati Case  
-A.K. Gopalar Case  
-M.C. Mehta Case

**UNIT-IV: Indian Constitutional and Human Rights related Legislations**

- 4.1 The Scheduled Caste and scheduled Tribe prevention of Atrocities Act 1989
- 4.2 The Juvenile Justice (cave & protection) Act,
- 4.3 The Child Labour (Prohibition & Regulation> Act,
- 4.4 The Dowry Prohibition Act, 1961

**Suggested Reading**

- A.K. Singh**, Role of Judiciary in the Protection and Promotion of Human Rights.  
**Agarwal Om Prakash**, Fundamental Rights and Constitutional Remedies  
**D.D. Basu**, Human Rights in Indian Constitutional Law (1994)



- G.S. Bajwa, *Socio Political Dimension of Human Rights in India* (1995)  
Gurbax Singh Karkara, *Commentary on the Protection of Human Rights Act, 1993*  
J. Rangnath Misra, *Rights of the Child*  
Jagmohan Reddy, *Minorities and The Constitution* (1981)  
James Vadakkumchery, *Human Rights and The Policies in India* (1996)  
Justice Venkataramiah, *Human Rights in the Changing World* (1998)  
K.P.Saxena, *Human Rights, Fifty Years of India's Independence*  
Paramjit Singh Jaiswal and Neshtha Jaiswal, *Human Rights and The Law* (1996)  
Poomima Advani, *Indian Judiciary: A Tribute* (1997)  
Rajendra Mangari, *Protection of Human Rights Act* (1999)  
S.K. Khanna, *Women and Human Rights*  
Upendra Baxi, *Court Constitution and Human Rights*  
Upendra Baxi, *Violence, Dissent and Development: Law and Social Change*  
Ved Kumar, *Human Right of Children*  
Vijay Chitnis, *Human Rights and The Law: National and Global Perspectives* (1997)  
Y.V. Sharma, *Indian Constitution and Human Rights*

**CE-P-XIV: DISSERTATION**

**Total Marks : 100**

Each candidate is to select a Human Right issue in consultation with respective teacher guide and submit the report to the Department duly certified by the guide. The total report should be minimum 50 pages and maximum 100 pages in A4 size paper.



**FREE ELECTIVE SUBJECT****FE-01/01-P-XV: CHILD AND HUMAN RIGHTS****UNIT-I: Rights of Children**

- 1.1 Status of Children in India.
- 1.2 Constitutional and Legal Mechanism for the Protection of Child rights in India.
- 1.3 Convention on Rights of the Child.
- 1.4 National Commission for Child Rights.

**UNIT-II: Crime Against CHILDREN & Their Human Rights**

- 2.1 Sexual Exploitation: Child prostitution, child rape.
- 2.2 Child Labour; Bonded Labour, Forced Labour.
- 2.3 Female Foeticide: Sex Determination & Ultrasonography, Infanticide.
- 2.4 Illegitimate Child and Delinquent Child.

**UNIT-III: Regional And International instruments & Child Rights**

- 3.1 SAARC & AHRC & Child rights.
- 3.2 ASEAN & European Union & Child Rights.
- 3.3 United Nations & ILO & Child Rights.
- 3.4 Millennium Development.

**UNIT-IV: Juvenile Delinquency & Human Rights**

- 4.1 Juvenile justice and child welfare.
- 4.2 Juvenile justice (care & protection of children) Act, 2000.
- 4.3 Juvenile in conflict with law.
- 4.4 Juvenile court system of India.

**Suggested Reading**

1. Juvenile Justice card & Protection Act, 2000
2. Convention on the Rights of the Child.

**FE-01/02-P-XV: WOMEN AND HUMAN RIGHTS****University Assessment : 70 Marks****Internal Assessment : 30 Marks****Unit -I: Rights of the women**

- 1.1 States of women in India; Pre-independence India & post-independence India.
- 1.2 Constitutional & legal mechanism for the protection of women rights in India.
- 1.3 National & State commission for women.
- 1.4 Role of judiciary and role of NGOs in protection and promotion of women's right.

**Unit-II: Crime against women & their human right**

- 2.1 Violence against women: Rape, kidnapping & abduction, molestation.
- 2.2 Domestic violence against women.
- 2.3 Sexual harassment of women at working place.
- 2.4 Matrimonial violence against women: divorce maintenance dowry torture & dowry death.

**Unit-III International instruments for women's right.**

- 3.1 CEDAW: Features & provisions
- 3.2 UN Convention on political rights of women, 1952 & four worlds Convention of women, Mexico 1975, Copenhagen 1980, naiaid 1985.
- 3.3 Gender justice-A comparative study of USA, UK & India.
- 3.4 The Beijing declaration and action plan.

**UNIT-IV: New Trends of Women's rights & Human Rights**

- 4.1 Surrogacy: Concept & Meaning, National & International Provisions.
- 4.2 Live-in-relationship Meaning & Concept, National provision and Supreme Court Guidelines.
- 4.3 Honor Killing: Concept and Judicial Intervention to Protect the rights of Women.
- 4.4 Immoral Trafficking: Meaning and concept Constitutional & legal provision & Judicial Intervention.

**Suggested Books**

1. Women and Human Rights by K. Thomasevki.
2. Women and Human Development by M.C. Nussabaum
3. Women and Criminal Law by Dr. Prativa Panda



**ALLIED ELECTIVE SUBJECTS****AE(01)-P-XVI: TORTURE, CUSTODIAL VIOLENCE AND DISAPPEARANCE**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**UNIT-I: TORTURE**

- 1.1 Definition and different method of torture
- 1.2 Legal prohibition against torture
- 1.3 Torture prevents and the UNO
- 1.4 Important Judicial decision in torture (Arvinder Singhs Boyga Case)

**UNIT-II:**

- 2.1 Elimination of cruel an degrading treatment and punishment
- 2.2 Police Atrocities
- 2.3 National Standards Against torture
- 2.4 Human Rights and Judicial wisdom, against torture

**UNIT-III: CUSTODIAL VIOLENCE**

- 3.1 Meaning and Definition of custodial violence
- 3.2 Causes and cure of custodial violence and Death in Custody
- 3.3 Custodial Violence and human rights
- 3.4 Role of Supreme Court in safeguarding Human Rights against custodial crime

**UNIT-IV: DISAPPEARANCE**

- 4.1 Meaning of disappearance
- 4.2 Schools of disappearance
- 4.3 International Convention against enforced/involuntary disappearance
- 4.4 UNTC (United Nation Treat Committee)

**Suggested Books**

1. TORTURE, Custodial Violence by S.K. Verma.
2. Custodial Violence - S.C. Raina.
3. Custodia Violence - J. Lokaneeta.

**AE-02-P-XVI: SCIENCE TECHNOLOGY & HR**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**UNIT-1: INTERRELATIONSHIP OF SCIENCE TECHNOLOGY & HUMAN RIGHTS**

- 1.1 Implication of development of science and technology on human rights.
- 1.2 Right to environmental in the development of science and technology.
- 1.3 Right to development in the advancement of science and technology.
- 1.4 Right to human health and impact of development in medical sciences.

**UNIT-II: MEDICINE AND THE LAW.**

- 2.1 Organ transplantation
- 2.2 Experimentation on human beings
- 2.3 euthanasia (Many killing)
- 2.4 Gene Therapy

**UNIT-III: ISSUE OF HUMAN RIGHTS ETHIC IN SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENT**

- 3.1 Sex determination test and induced abortion.
- 3.2 Reproductive technology & investor fertilization.
- 3.3 Artificial insemination & cloning.
- 3.4 Surrogate motherhood.

**UNIT-IV: INTELLECTUAL PROPERLY RIGHTS AND INFORMATION TECHNOLOGY LAWS AND HUMAN RIGHTS.**

- 4.1 Intellectual properly rights - international dimensions, protection of economic & social rights of indigenous people.
- 4.2 Scientific and technological researches impact an ethics, morality & human right.
- 4.3 Role of judiciary in the dialogue among science, technology, human rights and law.
- 4.4 Limitation on the right to information under information technology laws the approach of the judiciary.

**Suggested Books**

*A Convergence Of Science and Law: A Summary Report Of The First Meeting Of The Science, Technology, and Law Panel.* National Academies Press (2001-08-30)

- Adwin W. Patterson, *Law in a Scientific Age*, (1963)
- Garling M. *Human Rights Handbook*, (1979)
- Government of India (GOI). 2003. The Pre-Natal Diagnostic Techniques (Regulation And Prevention Of Misuse) Amendment Act (Act. No. 14).
- Gromely W.P. *Human Rights and Environment* (1976)
- Human Organ Transplantation: A Report On Developments Under The Auspices Of WHO (1987- 1991)*, World Health Organization, World Health Organizational 992)
- John Keown, *The Law and Practice of Euthanasia in the Netherlands*, (1992) 108 LQR 51,
- Khare S.C. *Human Rights and United Nations* (1977).
- Kumar Amarasekara, *Euthanasia and the quality of Legislative Safeguards*, (1997) 23 Mon LK2
- Michael D. A. Freeman, Helen Reece, Hlen Reece, *Law And Science: Current Legal Issues 1998 Volume 1*
- R P Anand, *Development Of Modern International Law and India*
- Rachel Cook, Shelley Day-sclater, Felicity Kaganas, *Surrogate Motherhood: International Perspectives*, Hart Publishing Ltd, 2003.
- Raphael Cohen-almagor, *The Right To Die With Dignity: An Argument In Ethics, Medicine, and Law*, Rutgers University Press, (2001).
- Rebecca J. Cook, Bernard M. Dickens, Mahmoud F. Fathalla, *Old Law, New Medicine: Raphael*
- Cohen-almagor *Modern Medical Ethics and Human Rights*, Oxford University Press, USA, 2003
- Regional Health Forum WHO South-East Asia Region, 203.90.70.117/PDS\_DOCS/B0631 .pdf
- S N Mishra, *Abortion Law: In Today's World*, Cyber Tech Publications (2007)
- Sheila A. M. Mclean, *Reproductive Health and Human Rights: Integrating Medicine, Ethics, and Law*
- Steve Jones, Borin Van Leon, *Genetics for Beginners*, (1993)
- Supreme Court Ruling, *Aruna Shanbaug ms. Union of India*, March 7, 2011
- The transplantation of human organs act, 1994
- Weeramantry.C.G. *Human Rights and Scientific and Technology Development* (1990)

**AUDIT COURSE**  
**AC- 01 :TRIBAL RIGHTS AND LAW**

**University Assessment : 70 Marks**

**Internal Assessment : 30 Marks**

**Unit-I: Philosophical an social perspectives**

- 1.1 Socio- Economic thoughts of Gandhi, Ambedkar
- 1.2 Identification of DISADVANTAGED PEOPLE.
- 1.3 Economic inequalities hand rights, rural indebtedness, impact of forest land on tribal community, bounded labour.
- 1.4 Social inequalities: issues of Human Dignity, untouchability, cuddlie

**Unit -II: Constitutional and legislative protection.**

- 2.1 Fundamental Rights and Directive principle of State policy.
- 2.2 Special protection under the Indian Constitution.
- 2.3 Protection of Civil Rights Act, 1955 Scheduled Caste and Scheduled Tribes (prevention of atrocities) Act, 1989.
- 2.4 Policies of Reservations, Special Drives Atrocities Act, 1989.

**Unit -III Integrated tribal development**

- 3.1 Integrated tribal Development definition & meaning.
- 3.2 Planning & programmes for tribal development in India.
- 3.3 Better & stable living through housing remunerative employment, Health & education.
- 3.4 Identification & interpretation of Basic needs of tribals.

**Unit -IV International norms relation to tribal and other indigenous groups.**

- 4.1 Indigenous and Tribal People Rights over their ancestral lands.
- 4.2 International standards on indigenous people's right.
- 4.3 UNDG guideline on Indigenous people.
- 4.4 Application of convention No. 169 by domestic and international.

**Suggested Books**

1. Tribal / Indegeneous People & Human Right by Bhowmick Probadha Kumar
2. Tribal Studies - Yatindra Sisodia & Tapas Kumar
3. Tribal & Law - L.P Vidhyarthi

**A-02 : ROLE OF JUDICIARY & PIL & MEDIA**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**Unit-1: Role of judiciary & Human rights**

- 1.1 Jurisdiction of supreme court & High Court.
- 1.2 Judicial self-restraint & judicial activism
- 1.3 Role of supreme court in protection & promotion of human rights in India.
- 1.4 Role of High Court in protection of human rights.

**Unit-II: Public interest litigation and human rights.**

- 2.1 P.I.L - meaning, concept & evolution.
- 2.2 Judicial activism and P.I.L
- 2.3 Concept, legal provisions & programmes for legal aid.
- 2.4 Lok adalat & human rights.

**Unit-III: Media and human rights**

- 3.1 Concept and scope of development communication on media
- 3.2 Role of media in monitoring human rights.
- 3.3 Social movements and media and human rights.
- 3.4 Towards a baryasming approaches of Indian Jurisprudence of social Action.

**Unit-IV**

- 4.1 Protection of human in criminal justfic administration.
- 4.2 Media and human right education.
- 4.3 Judicial Independence a human right.
- 4.4 Human right Jurisprudence and Public Interest Litigation.

**Suggest Books**

1. PIL by W. Haltom
2. Judiciary and Human Right by E.G. Jenson





**4TH SEMESTAR****CE -P-XVII INTERNATIONAL HUMANITARIAN & REFUGEE LA****University Assessment : 70 Marks****Internal Assessment : 30 Marks****UNIT-1 ORIGIN AND DEVELOPMENT OF HUMANITARIAN LAW AND REFUGEE LAW**

- 1.1 Meaning, concept and origin of humanitarian law
- 1.2 Historical development of international refugee law
- 1.3 Relationship between IHL, refugee law and Human Rights
- 1.4 Role of IHL in non-international armed conflicts.

**UNIT-II REFUGEE CONVENTION, 1951 AND PROTOCOLS, 1967**

- 2.1 Evolution and background of the Refugee convention - 1951
- 2.2 Definition of Refugee in international law
- 2.3 Determination of Refugee status under Refugee convention, 1951
- 2.4 Rights of the Refugees under the convention.

**UNIT-III POSITION AND PROBLEMS OF REFUGEES**

- 3.1 Protection, Relief and welfare of Refugees • 3.2 Problems and status of Refugee in india
- 3.3 The Displaced persons (compensation and rehabilitation Act, 1954)
- 3.4 United Nations High Commissioner for Refugee (UNCR), Role of various Inter-governmental NGOs.

**UNIT-IV IMPLEMENTATION AND INFORCEMENT OF IHL**

- 4.1 Geneva Convention - 1949
  - i. Protection of Prisoners of war
  - ii. Protection of civilian Population
  - iii. Captured Child combatants
- 4.2 Role of United Nations
- 4.3 International Criminal Courts and Tribunals
- 4.4 International Committee of the red Cross (ICRC)

**Suggested Books:**

1. B.S. Chimni, Internatinal Refugee Law
2. M.K. Balachandran & Rose Varghee, Introduction to International Humanitarian Law
3. Guy S. Goodurin Sill, The Refugee in International Law

4. **James C. Hathway**, The Law of Refugee Status
5. **Yves Sandoz**, Implementing International Humanitarian Law
6. **Rajeev Dhavan**, Refugee Law and Policy in India
7. **Abi- Saab.Rozemary**, "The Principle of Humanitarian Law according to the International Court of Justice " International Review of the red Cross, no. 259,1987, pp. 367-78
8. **Dominice, Christinians**, "The Implementation of Humanitarian Law In Kare! Vasak.The International Dimension of Human Rights, vol. (Pairs: UNESCO, 1982), pp.427-43.
9. **M.C. Coubrey, Hilaire**, International Humanitarian Law : The Regulation of Armed Conflict (Aldeshot: Dortmund Publishing House, 1990).
10. **Pictet, Jean**, Development and Principles of International Humanitarian Law (Dordrecht: Martinus Nohhoff Publishers, 1985).

### CE - P- XVIII: HUMAN RIGHTS AND DISADVANTAGED GROUPS

**University Assessment : 70 Marks**

**Internal Assessment : 30 Marks**

#### **UNIT-1 CONCEPT OF DISADVANTAGED GROUPS**

- 1.1 Meaning, definition, concept of disadvantaged groups and identification of disadvantaged people
- 1.2 Analysis of disadvantage group in the international scenario.
- 1.3 Disadvantaged Groups in India - Post Independence study
- 1.4 Legal problems of Disadvantaged Groups in India

#### **UNIT-II EMERGING HUMAN RIGHTS JURISPRUDENTS AND THE ROLE OF JUDICIARY**

- 2.1 Rights of prisoners and the Indian law
- 2.2 Rights of dalits, the tribals and other indigenous people, Rights of minorities
- 2.3 Protecting laws and legal mechanism
- 2.4 Further perspective of the Human Rights of the Disadvantaged.

#### **UNIT-III SOCIALLY AND ECONOMICALLY DISADVANTAGED GROUPS**

- 3.1 Special protection under the Indian Constitution
- 3.2 Law and Policies - Protection of Civil Rights Act 1958 Scheduled Caste and Scheduled Tribes(prevention of Atrocities)Act 1989,Employment of Manval Scavengers and construction of dry latrines(prohibition)Act-1999
- 3.3 Protection of the Aged and the disabled under the Indian Legal System
- 3.4 Economic and Social inequalities- Land rights, rural indebtedness, Impact of forest law on tribal community, bonded labour, Issues of Human dignity

**UNIT-IV WOMEN AND CHILDREN AND HUMAN RIGHTS**

- 4.1 International norms for protection of Women and Child-CEDAW convention, Convention on the Nationality of married Women, UDRC, 1959, CRC 1989
- 4.2 Constitution of India-Status of Women and Child
- 4.3 Legal Measures for protecting the rights of the Women in India
- 4.4 Legal measures for protecting the rights of child in India

**Suggested Books**

- Agarwala S.K. - Human Rights, Some Problems of Developing Countries,' in Giradol and others ed. New Directions in International Law (Frankfurt 1982)
- Bhagwati P.N. Dimensions of Human Rights ( Madurai Society for community Organization Trust, 1987.
- Cranston M. What are Human Rights 1 London Bodley Head 1973.
- F. Kazmi, Human Rights. 1987
- H. Beddard, Human Rights and Europe, 1980 Human Rights for a changing World (Delhi Har. Anand Publications 1994.
- J.A. Andrews, Human Rights in International Law, 1986 UN High Commissioner for Human Rights, An introduction making Human Rights a Reality (New York UN Publication Division 1996.
- L. Levin, Human Rights. 1982
- Mahmood, Tahir (ed). Human Rights in Islamic Law- (New Delhi, Genuine Publications 1993
- Moskowitz, Human Rights and World Order, 1958
- Nagendra Singh, Human Rights and International Co-operation, 1969
- S.C.Kashyap, Human Rights and Parliament, 1978 Tuck R. Natural Rights, Theories (Cambridge University Press 1979)
- UNESCO - Taking Action for Human Rights in the Twenty first Century (Paris UNESCO 1998)
- Upendra Baxi (ed.) The right to be Human, 1986
- Upendra Baxi, The Crisis of the Indian Legal System, 1982

**CE -P -XIX : NATIONAL HUMAN RIGHT PROVISION**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**UNIT-1 EVOLUTION OF HUMAN RIGHTS IN INDIA**

- 1.1 Human Rights during freedom struggle
- 1.2 Constituent Assembly discussion
- 1.3 UDHR, ICCPR, ICESCR and Indian Constitution
- 1.4 Judiciary and human rights in India-judicial activism and landmark judgment

**UNIT-II HUMAN RIGHTS ENSHRINED IN THE INDIAN CONSTITUTION**

- 2.1 Development of human Rights in Indian constitution
- 2.2 Fundamental Rights and Human Rights critical analysis
- 2.3 Directive principles of state policy and Human Rights- a survey and implementation of Directive principles
- 2.4 The preamble and FD and human Rights

**UNIT-III INDIAN LAW RELATING TO HUMAN RIGHTS**

- 3.1 Protection of civil Rights Act, 1955 and the Dowry Prohibition Act
- 3.2 The child Labour( Prohibition and Regulation Act,1986, the Child Labour (prohibition and regulation)Rule,1988)
- 3.3 The National Commission for Minorities Act, 1988, The Juvenile Justice Act, 1986
- 3.4 The Criminal Law(Amendment)act, 1932,1961,1966

**UNIT-IV PROTECTION OF HUMAN RIGHTS ACT, 1993**

- 4.1 Constitution of NHRC, Appointment, removal and term of office of members
- 4.2 Functions and powers of the Commissioner
- 4.3 Human Rights courts and special public prosecutor
- 4.4 Matters not subject to jurisdiction of the Commission, powers of control government to make rules and regulation ?

**Suggested Books**

1. H.M. Seerval (1996) Constitutional Law of India, Tripathy Publication,
2. M.P. Singh (2012) Constitutional Law,
3. M.K.C.J. Kagzi- The Constitutional Law of India
4. D.D.Basu- (Reprint 2011) The Constitution,
5. Constitutional Development since Independence-ILI Publication
6. A.V. Dicey- Constitutional Law
7. Wade & Phillips- Constitutional Law. An Outline of the Law and Practice of the Constitution Including Central and Local Government
8. AIR Publication- Constitutional Law of India Vol- i & ii
9. V.N. Sukla (2012) Constitutional Law of India
10. Mahendra P. Singh, Constitutional Law of India Reprint with supplement,
11. R. Pathak- Legislative and Ordinance Making Power of the President and Governor

**CE -P -XX : PRESENTATION AND VIVA (PRACTICAL)****Total Marks : 100 Marks**

The Head of the Department will notify the Project Title for each Examinee and the concerned Examinee shall present the allotted subject through power point presentation before the External Examiner. The Examinee shall submit their soft and hard copies on the date of examination before the external examiner. In the absence of External Examiner, the HOD may contact substitute External examiner with intimation to the Controller of Examinations.

**FREE ELECTIVE SUBJECT****FE-02/01-P-XXI: RELIGION AND HUMAN RIGHTS****University Assessment : 70 Marks****Internal Assessment : 30 Marks****UNIT-I RELIGIONS PERSPECTIVES IN THE WORLD**

- 1.1 History of freedom of religion v 1.2 Religious Wars
- 1.3 Religion-and politics in international Scenario
- 1.4 Contemporary global overview

**UNIT-II RELIGION AND INTERNATIONAL LEGAL ASPECTS**

- 2.1 Human Rights Act 1993-Religious view
- 2.2 ICCPR and Religious rights
- 2.3 Convention on the Elimination of all forms of Racial Discrimination
- 2.4 Universal Declaration of Human Rights and religious rights

**UNIT-III RELIGION AND HUMAN RIGHTS IN INDIA**

- 3.1 Freedom of religion in India
- 3.2 Plight of religious minorities in India-Abuse of religious freedom
- 3.3 Human Rights and religious traditions
- 3.4 Contemporary global overviews

**UNIT-IV FREEDOM OF RELIGION IN INDIA**

- 4.1 History of freedom of religion in India
- 4.2 The Indian Constitution and other laws governing religious rights

- 4.3 Conversion and laws against conversion
- 4.4 Cases of religious violence and steps to combat religious violence

**Suggested Books :**

- 1. Freedom of Religion, apostury of Islam by A. Saeed
- 2. International Human Right Law & Moral by H.J. Stanion
- 3. Human Right & Religion by D. Bakan.

**FE-02/02-P-XXI: DEVELOPMENT OF REGIONAL CONVENTIONS OF HUMAN RIGHTS  
AND HUMAN RIGHTS COURT**

**University Assessment : 70 Marks  
Internal Assessment : 30 Marks**

**UNIT-I HUMAN RIGHTS IN THE GLOBAL SCENARIO**

- 1.1 Development of human Rights in the World Post World Era
- 1.2 International Human Rights instruments-UDHR, ICCPR, ICESCR
- 1.3 Growth of protection of Human Rights in third world and developing countries
- 1.4 Human Rights in the contemporary world society Bill of Rights for the 21st century, League and political arguments for U.K. Bill of Rights.

**.UNIT-II REGIONAL CONVENTIONS OF HUMAN RIGHTS**

- 2.1 The American convention of Human Rights, 1969
- 2.2 The African Charter on Human and people's Rights-the fight against racial discriminate
- 2.3 European Convention for the protection of Human Rights and Fundamental Freedom, 1950
- 2.4 Additional protocol to the American convention of Human Rights in the Area of Economic, Social and Cultural Rights(protocol of San Salvadon)(1988)

**UNIT-III! HUMAN RIGHTS COURT**

- 3.1 International Court of Justice
- 3.2 Composition and function of European Court on Human Rights
- 3.3 Composition and function of African Court on Human Rights and People's Rights.
- 3.4 U.S. and International Human Rights.

**UNIT-IV HUMAN RIGHTS COURTS IN INDIA**

- 4.1 Development of Human Rights Court Chronology events regarding Human Rights in India

- 4.2 National Human Rights Commission-The Human Rights Courts and Special public prosecution
- 4.3 The state Human Rights Commission
- 4.4 Critical study of Human Rights and other Courts for issues relating Human Rights ?

### Suggested Books

- Agarwala S.K.** - Human Rights, Some Problems of Developing Countries,' in Giradol and others ed. *New Directions in International Law* (Frankfurt 1982)
- Bhagwati P.N.** *Dimensions of Human Rights* ( Madurai Society for community Organization Trust, 1987.
- Cranston M.** *What are Human Rights* 1 London Bodley Head 1973.
- F. Kazmi**, Human Rights. 1987
- H. Beddard**, *Human Rights and Europe, 1980 Human Rights fora changing World* (Delhi Har. Anand Publications 1994.
- J.A. Andrews**, *Human Rights in International Law*, 1986 UN High Commissioner for Human Rights, *An introduction making Human Rights a Reality* (New York UN Publication Division 1996.
- L. Levin**, *Human Rights*. 1982
- Mahmood, Tahir** (ed). *Human Rights in Islamic Law-* (New Delhi, Genuine Publications 1993
- Moskowitz**, *Human Rights and World Order*, 1958
- Nagendra Singh**, *Human Rights and International Co-operation*, 1969
- S.C.Kashyap**, *Human Rights and Parliament*, 1978 Tuck R. Natural Rights, Theories (Cambridge University Press 1979)
- UNESCO - *Taking Action for Human Rights in the Twenty first Century* (Paris UNESCO 1998)
- Upendra Baxi** (ed.) *The right to be Human*, 1986
- Upendra Baxi**, *The Crisis of the Indian Legal System*, 1982



**ALLIED ELECTIVE SUBJECTS****AE-5-P-XXII: PRE-TRIAL DETENTION & UNDER-TRIAL & PRISONERS**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**UNIT-1 HUMAN RIGHTS & PRE-TRIAL DETENTION**

- 1.1 Definition of Pre-trial Detention
- 1.2 Human Right Abuses.
- 1.3 Sensitizing Policy for Human Right Protection
- 1.4 Sensitizing Judicial Personnel

**UNIT-II**

- 2.1 National and International standard on Pre-trial Detention
- 2.2 Rights against Arbitrary Arrest
- 2.3 Treatment of Prisoner
- 2.4 Life Convicts and others

**UNIT-III**

- 3.1 Prison Justice
- 3.2 Judicial Wisdom
- 3.3 Judicial Trend on Pre-trial detention of Prisoners
- 3.4 Judicial Trend on Under trial Prisoners

**UNIT-IV**

- 4.1 Human Rights & Prisoners Reform
- 4.2 Model Agreement on the Transfer of Foreign Prisoner.
- 4.3 Recommendation on the Treatment of Foreign Prisoner
- 4.4 Guideline of Supreme Court of Pre-trial and Under-trial Prisoners.

**Suggested Books**

1. C.M. Upadhaya - Pretrial Detention
2. Ved Kumchery - H.R. & Police in India



**AE-06-P-XXII : HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM****University Assessment : 70 Marks****Internal Assessment : 30 Marks****UNIT-1 CONCEPTUAL PERSPECTIVE**

- 1.1 Concept of Crime, Criminal liability and relationship with Human Rights.
- 1.2 Role of Courts in dispensing Criminal justice.
- 1.3 Offence involving Human Rights-Torture, Rape and death in police custody, arbitrary arrest and detention without communication.
- 1.4 International crime, international crime control and protecting agencies.

**UNIT-II HUMAN RIGHTS AND CONSTITUTIONAL PROTECTION**

- 2.1 Protection from double jeopardy.
- 2.2 Self incrimination, Protection from ex-post facto laws.
- 2.3 Production before magistrate and speedy trial.
- 2.4 Prisoner's Right and treatment.

**UNIT-III ADMINISTRATION OF CRIMINAL JUSTICE**

- 3.1 Ordinary Courts, Special Courts, Districts and State Human rights Courts.
- 3.2 International Criminal Court, prize Courts
- 3.3 International norms on Administration of Criminal Justice-U.N General Assembly Resolutions
- 3.4 Juvenile and restorative Justice-Principles and practices.

**UNIT-IV HUMAN RIGHTS PROBLEMS**

- 4.1 Police atrocities and accountability
- 4.2 Violence against women & children
- 4.3 Maintenance of law and order
- 4.4 Terrorism and insurgency

**Suggested Books :**

**Amaya Ubeda de Torres and Rosalind Greenstein**, *The Inter-American Court of Human Rights: Case-Law and Commentary* Laurence Burgorgue-Larsen, (May 26, 2011)

**Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran and David Harris**, *International Human Rights Law* (Aug 6, 2010)

- David Malone, *The UN Security Council: from the Cold War to the 21st century*  
Lynne Rienner Publishers, (2004) pp.746
- Philip Alston and James Crawford, *The Future of UN Human Rights Treaty Monitoring* (May 15, 2000)
- Rhona K. M. Smith, *Textbook on International Human Rights*, (Jan 18, 2010)
- Sandy Gandhi, *Blackstone's International Human Rights Documents*  
(Blackstone's Statutes) (Nov 19, 2010)
- THE UNITED NATIONS TODAY, United Nations, Department of Public Information, (2008) pp.388
- Thomas G. Weiss and Sam Daws, *The Oxford Handbook on the United Nations*  
(Oxford Handbooks) (2009)
- UN Centre for Human Rights, Civil and Political Rights, The Human Rights Committee ( Geneva World Campaign for Human Rights, 1997)
- UNESCO - *Violations of Human Rights, Possible Rights of Recourse and Forms of Resistance* (Paris, Unesco. 1984)
- William B.T. Mock, *Human Rights in Europe : Commentary on the Charter of Fundamental Rights of the European Union* (Jan 5, 2010)



### AUDIT COURSE

#### AC-03 : POPULATION AND HUMAN RIGHTS

University Assessment : 70 Marks

Internal Assessment : 30 Marks

#### UNIT-I INTERNATIONAL SCENARIO OF POPULATION AND HUMAN RIGHTS

- 1.1 Population trends and policies since 1974 in relation to Human Rights
- 1.2 Social development of Human Rights
- 1.3 International 'conference on population and development
- 1.4 Population and sustainable development

#### UNIT-II WORLD DEMOGRAPHIC TRENDS

- 2.1 Fertility and contraception, mortality and morbidity
- 2.2 Population, Human rights and ageing
- 2.3 Internal and international migration
- 2.4 Urbanisation, population size and city growth.

### UNIT-III DEVELOPMENT FOR POPULATION ASSISTANCE

- 3.1 Population and development indicators for Asia and Pacific
- 3.2 United Nations population information Network (POPIN)
- 3.3 United Nations population fund (UNFPA)
- 3.4 Commission on population development (CPD)

### UNIT-IV POPULATION AND HUMAN RIGHTS IN INDIA

- 4.1 History of population control in India
- 4.2 Population control in India
- 4.3 Ageing, poverty and sterilization
- 4.4 Population growth and gender inequality

### SUGGESTED BOOKS

1. **Bhargava, G.S.**, National Human Rights Commission : An Assessment of Its Functioning", in K.P. Saksena, Ed., *Human Rights: fifty Years of India's Independence* (New Delhi: Gyan Publishing House, 1999), pp.106-118
2. **Bloed, A. and others**, *Monitoring Human Rights in Europe* (Dordrecht: Martinus Nijhoff, 1993)
3. **Davidson Scot**, "Remedies for violations of the American Convention on Human Rights" international and Comparative Law Quarterly, vol.44, no.2, 1995, pp. 405-14
4. **Dinah Shelton**, *Regional Protection of Human Rights: Documentary Supplement*, Oxford University Press, USA (Mar 2008)
5. **Fawcett, J.E.** The Application of the European Convention on Human Rights (Oxford: Clarendon Press, 1987).
6. **Gittleman, Richard**, "The African Charter on Human and People's Rights: A Legal Analysis", *Virginia Journal of International Law*, vol 22 no 2, 1995, pp.405-14
7. **Hamalengama, M. and others**, *International Law of Human Rights in Africa : Basic Documents and Annotated Bibliography* (Dordrecht Martinus Nijhoff, 1998).
8. **Jasvinder Singh, Gurupdes Kaur**, *Human Rights: International And Regional Complaint Mechanisms*, Vdm Verlag (Dec 2010)
9. **Jenks, W.** *Human Rights and International Labour Standards* (London : Stevens, 1960)
10. **Mani, V.S.** "Norms Setting Activities of UNESCO and India's Contribution", in N.Krishan and C.S. R. Murthy, eds., *India and UNESCO five Decades of Co-operation* (New Delhi: Indian National Commission for Co- operation with UNESCO, Govt, of India, New Delhi, 1947), pp. 35-46
11. **Meron, Theodor**, *Human Rights and Humanitarian Norms as Customary Law* (Oxford : Clarendon Press, 1989).

**AC-04 :HUMAN RIGHTS DURING EMERGENCY**

University Assessment : 70 Marks

Internal Assessment : 30 Marks

**UNIT-1 HUMAN RIGHTS AND EMERGENCY**

- 1.1 Evolution of emergency in India
- 1.2 Emergency power and Constitutional Rights
- 1.3 Emergency and states
- 1.4 Evolution of human rights during emergency

**UNIT-II HUMAN RIGHTS AND EMERGENCY IN THE CONSTITUTION**

- 2.1 Emergency and Constitutional provision
- 2.2 Human Rights, emergency and Rule of Law
- 2.3 Position of fundamental rights during emergency
- 2.4 Democratic norms and HR and Constitution

**UNIT-III HUMAN RIGHTS, STATE AND NATIONAL EMERGENCY**

- 3.1 Protection of Human Rights during national emergency
- 3.2 Principles of proclamation of State emergency
- 3.3 Role of judiciary in State emergency
- 3.4 Role of judiciary in national emergency

**UNIT-IV EMERGENCY AND INTERNATIONAL LAW**

- 4.1 State of emergency and general international Law
- 4.2 Human Rights in a state of exception, standards for the third world
- 4.3 Human Rights standards in the state of emergency in the context of multilateral treaties
- 4.4 Derogation from Human Rights treaties in situation emergency.

**SUGGESTED BOOKS:**

1. Human Right & Emergency by John Fitzpatrick.
2. Human Right Education by J, George.
3. Human Right & Emergency by Junaj Raj Jai.

