

SCHEDULE C
LL.M. (HUMAN RIGHTS AND DUTIES EDUCATION) COURSE OF STUDY

LL.M. (HRDE) FIRST SEMESTER

CORE PAPER-1

LMH 411: HUMAN RIGHTS AND DUTIES JURISPRUDENCE

The course shall comprise of the following:

1. Concept of Rights
 - (a) Meaning, Nature and Definition
 - (b) Classification of Rights
 - (c) Relationship between Rights and Duties
2. Concept of Human Rights
 - (a) Historical Background
 - (b) Theories: Traditional and Modern
 - (c) Principles
3. Concept of Human Duties
 - (a) Moral and Ethical
 - (b) Social and Economic
 - (c) Political and Cultural
4. Dialectics of Human Rights
 - (a) Universal versus Cultural Relativism
 - (b) Basic needs versus Value – Based
 - (c) Individualism versus Collectivism
5. Emerging Concept of Human Rights
 - (a) Human Rights: Human Sufferings
 - (b) Human Rights Movements and Human Rights Markets
 - (c) Emergence of an Alternative Paradigm: Trade related Market Friendly Human Rights.

GROUP- A

**LMHA 411: HUMAN DUTIES, RESPONSIBILITIES AND ITS
EFFECTUATION**

The course shall be comprised of the following:

1. Concept of Human Duty; Values of Humanism-Justice, Liberty, Equality, Fraternity and Human Dignity.
2. Evolution of Human Duties and Responsibilities-Ancient, Medieval and Modern era.
3. Human Duties in India; Duties under different religions; Duties towards self (body and mind), family, society, nation and human being.
4. Fundamental Duties under the Indian Constitution; Analysis of Fundamental Duties and its justifiability.
5. Enforcement of Fundamental Duties; Judicial pronouncements; Justice Verma Committee Report; Other statutory provisions
6. Changing dimension of Fundamental Duties.

LMHA 412: INTERNATIONAL OBLIGATION

The Course shall be comprised of the following:

1. State Obligation through international law
 - (a) Sources of International Law
 - (b) Principle of Pacta Sunt Servanda
 - (c) Human Rights as Jus Cogens
2. International Concern for Human Rights Protection
 - (a) Anti-Slave Trade treaties. ILO and Labour Welfare, Nazi and Fascist atrocities and totalitarianism
 - (b) International Military Tribunals for trial of major war criminals
3. United Nations Concern for Human Rights Protection
 - (a) State Obligation under UN Charter
 - (b) Development of Normative order
4. Issues of International Accountability
 - (a) State Sovereignty (Domestic Jurisdiction), Principle of Non-Intervention
 - (b) Rule of Exhaustion of Local remedies
 - (c) Problems of cooperation between states: Extradition, Asylum

GROUP- B

LMHB 411: EMERGING DIMENSION OF HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Inter-relativity of Human Rights and Duties; Need of spelling out Human Duties and Eternal Human values.
2. Diverse perspective of Human Rights; Evolution of rising aspirations and need of the people
3. Challenging problems in the areas of the rights of Women, Children, Disabled and the Aged people; Freedom from sexual discrimination and harassment.
4. Freedom from Torture; Anti-terrorist laws and human rights
5. Right to live with Human Dignity; Basic need of food, water, housing, health and Education.
6. Universal entitlement of the people to democracy as a legitimate form of government; Good governance.

LMHB 412: ENVIRONMENT AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Constitutional Perspective:
 - (a) Fundamental Rights: Evolution of the Right to Clean Environment, Education and Compensation
 - (b) Directive Principle of State Policy
 - (c) Fundamental Duties
2. Environment Pollution and Legal Order
The Water Act, 1974 and the Air Act 1981
 - a) Pollution Control Boards and their Functions

- b) Pollution Control Measures with special emphasis on sampling, consent mechanism and power to give directions.
- c) Procedure and Penalties
- 3.Environment Protection and Legal Order
 - (i) Environment (Protection) Act, 1986
 - (a) Powers of the Central Government to take Environmental Measures
 - (b) Environment Protection Mechanism
 - (c) Procedure and Penalties
- 4.Principles of Environment Protection: National Perspective
 - (a) Polluter Pays Principles: Absolute Liability of Hazardous Industries
 - (b) Precautionary Principle
 - (c) Public Trust Doctrines
 - (d) Sustainable Development
- 5. Mega Projects with special reference to displacement and rehabilitation of the affected persons

GROUP-C

LMHC 411: HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM

The course shall comprise of the following:

1. Conceptual perspective
 - (a) Concept of crime and criminal liability
 - (b) Role of Criminal Justice System in protection of Human Rights
2. Human Rights Problems:
 - (a) Police Atrocities and Accountability
 - (b) Violence against Women and Children
 - (c) Terrorism and Insurgency
3. Rights to Accused:
 - (a) Ex post facto law
 - (b) Double Jeopardy
 - (c) Protection against Self Incrimination
 - (e) Fair Trial
4. Rights of Inmates of Prison and Custodial Homes:
5. Compensation to victims of crime
6. Punishment and Human Rights
7. International Perspectives:
 - (a) International Crimes and International Cooperation in combating of Transnational organized crimes.
 - (b) International Norms on Administrative of Criminal Justice.

LMHC 412: PEOPLE'S RIGHT OF SELF-DETERMINATION

The course shall comprise of the following:

1. Conceptual Perspective:
 - (a) Meaning of Self-Determination
 - (b) External and Internal Self-Determination, New Dimensions and Emerging Debates

2. Origin and Development of the Concept:
 - (a) Theories of Self-Governance: Kant, Locke, Rousseau and Marx; Proponents of Pluralism: Maciver and Laski, Mahatma Gandhi, Issues of Legitimacy of State and Forms of Governance
3. Historical Perspective:
 - (a) Age of Colonial Empire: Nationalism and Statehood
 - (b) Emergence of the Principle of Self-Determination: Mandate Territories, Trust Territories, Non-Self Governing States: Debate concerning Domestic Jurisdiction and the People's right of Self-Determination
4. Self-Determination in International Relation:
 - (a) Common Article 1 of the International Covenants on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.
 - (b) UN Declaration on the Granting of Independence to Colonial Countries and Peoples
 - (c) UN Declaration on the Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations
 - (d) Charter of Economic Rights and Duties of States

LL.M. (HRDE) SECOND SEMESTER

CORE PAPER LMH 421: RESEARCH METHODOLOGY

The course shall comprise of the following:

Part – A : Study

1. Introduction
Meaning and objectives of Research; kinds of Research; Criteria of good Research; Problems of Researchers in India.
2. Formulation of the Research Problem
3. Research Methodology:
Importance of Research Methodology, Procedural guidelines regarding the Research Process;
4. Defining the Research Problem; Survey of the Literature; Working Hypothesis; Preparation of Research Design. Determination of Sample design, collection of Data; Observation, Personal Interviews; Questionnaires & Schedules; Analysis of Data; Test of Hypothesis;
5. Preparation of the Report. Different steps in writing of Research Report; Layout of Research, Mechanics of writing a Research Report, Treatments of quotations, Footnotes, Documentation Style etc.
6. Use of computer and Information Technology.

Part- B Research Project Work

Formulation of one Research Problem; Involvement of Research Methodology; Preparation of Research Project Work.

GROUP-A

LMHA 421: INTERNATIONAL HUMANITARIAN LAW

The course shall comprise of the following:

1. Introduction
Nature; Basic Principles; Historical Development since 1899
2. Protection of Victim of War – Wounded; Sick; Shipwrecked; and Prisoners of War
3. Implementation of International Humanitarian Law
4. Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law

LMHA 422: SOCIALY & ECONOMICALY DISADVANTAGED PEOPLE AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Philosophical and Social Perspectives
 - (a) Role of Social Reformers: Gandhi, Ambedkar and Others
 - (b) Socio-Economic thoughts of Marx and Amartya Sen
 - (c) Identification of Disadvantaged People
 - (d) Economic and Social Inequalities Land Rights, Rural Indebtedness; Impact of Forest Law on Tribal Community; Bonded Labour; Issues of Human Dignity
2. Constitutional Protection:
 - (a) Fundamental Rights and Directive Principles of State Policy
 - (b) Special Protection under the Indian Constitution
3. Laws and Polices:
 - (a) Protection of Civil Rights Act 1955; Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989; Employment of Manual Scavenges and Construction of Dry Latrines (Prohibition) Act 1999.
 - (b) Policies of Reservations, Special Drives and Schemes
4. Institutional Mechanisms
 - (a) National Commissions, State Commissions
 - (b) Non-Governmental Organizations
 - (c) Information Media
5. International Norms Relating to Tribal and Other Indigenous Groups

GROUP-B

LMHB 421: INTERNATIONAL REFUGEE LAW

The course shall comprise of the following:

1. Introduction:
Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967
2. Human Rights of the Refugees
3. Solution to Refugee Problem:
 - (a) Resettlement in Third Country

- (b) Local Integration
- (c) Voluntary or Forced Repatriation
- (d) Comprehensive Responses
- 4. Contemporary Developments in Refugee Law:
 - (a) International Burden Sharing
 - (b) International Safe Countries Burden
 - (c) Temporary Protection
 - (d) Environmental Refugees
 - (e) Safety Zones
- 5. Internally Displaced Persons: UN Guiding Principles on Internal Displacement 1998
- 6. Refugee Law and Policy in India.

LMHB 422: MINORITIES AND HUMAN RIGHTS

The course shall comprise of the following:

1. Conceptual Perspective:
 - (a) Historical, Philosophical and Social Perspectives
 - (b) Minorities as a Socio-Economic-Religious-Linguistic Concept; Regional Minorities
2. Rights and Duties of Minorities in India:
 - (a) Constitutional Framework
 - (i) Fundamental Rights; Directive Principles of State policy
 - (ii) Special Provisions under Indian Constitution
 - (b) Special Laws and Policies:
 - (i) National Commission for Minorities Act, 1992
 - (ii) Caste (Disabilities Removal) Act, 1950
 - (iii) Policy of Secularism and Politics of minorities
3. Institutional Mechanisms:
 - (a) Non-Governmental Organizations
 - (b) Information Media
4. International Protection of Minorities:
 - (a) Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistics Minorities Act, 1992; Racial Discrimination Convention 1965;
 - (b) UN Sub-Commission on Minorities; Committees under the Racial discrimination Convention.

GROUP-C

LMHC 421: SCIENCE & TECHNOLOGY AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Introduction:
 - (a) Positive Role of Science & Technology
 - (b) Negative Role of Science & Technology
2. Rights to Human Dignity:

- (a) Developments in Bio-technology: Human Cloning, Foeticide, Abortion, In-Vitro Fertilization and Surrogate Parenthood; Organ Transplantation and Sale of Human Organs
- (b) Computer Crime, Pornography Online
- (c) Rights to Die in Dignity and Peace: Euthanasia
- 3. Freedom From Torture:
- 4. New Torture Technologies Such As Electric Shock, Trauma-Inducing Drugs and Psychotropic Substances
- 5. Impact of Biotechnology:
 - (a) Food Production and Food Security
 - (b) Food Management and Storage
- 6. Right to Health:
 - (a) Improvement of Individual and Community Health and Hygiene
 - (b) Experiments on Human Being

LMHC 422: AGED AND DISABLED AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Conceptual Perspective
 - (a) Poverty, Illiteracy and Breakdown of old social and family institutions
 - (b) Impact of improvements in the health care on morality
 - (c) Social taboos regarding the disabled
2. Protection of the Aged and the Disabled under the Indian Legal System
 - (a) Constitutional Framework: Fundamental Rights, Directive Principles and Fundamental Duties.
 - (i) Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995; Chapters IV to VIII
 - (ii) Mental Health Act, 1987;
 - Central and State Authorities for Mental Health Services
 - Establishment and Maintenance of Psychiatric Hospitals and Psychiatric Nursing Houses.
 - Administration and Detention in Psychiatric Hospitals and Psychiatric Nursing Houses.
 - (iii) The new Enactment
3. International Norms for Protection of the Aged and the Disabled
 - (a) UN Declaration on the Rights of the Disabled Persons, 1975
 - (b) Declaration on the mentally retarded persons, 1971.
 - (c) Second World Assembly on the Ageing
4. Vienna International Plan of Action on Ageing.

LL.M.(HRDE) THIRD SEMESTER

CORE PAPER

LMH 511: HUMAN RIGHTS AND DUTIES LAW IN INDIA

The course shall comprise of the following:

1. Right to Equality; Special provisions for weaker sections of the society; Reservation policy under the Constitution.
2. Right to Freedom of Speech and Expression; Reasonable Restrictions; Freedom of Press; Right to Information.
3. Right to Life and Personal Liberty; New Dimension; Judicial approach
4. Secularism and Freedom of Religion
5. Emerging regime of new human rights in India; Reading Directive Principles of State Policy and Fundamental Duties into Fundamental Rights
6. Implementation and Enforcement Mechanism; Remedies provided by the judiciary; National Human Rights Commission- Powers and Functions.
7. Fundamental Duties: Article 51-A; Concept of Duty; Need of Fundamental Duties; Enforcement and Effectuation of Fundamental Duties.

GROUP-A

LMHA 522: WOMEN AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Status of Women in contemporary Indian Society:
 - (a) Poverty, illiteracy, lack of independence, oppressions, social customs and gender justice.
 - (b) Violence against and abuse of women in public and private domains; Domestic violence, sexual harassment.
2. International Norms for protection of Women.
 - (a) UN convention on the Elimination of all forms of Discrimination against Women
 - (b) Convention on the Nationality of Married Women
3. Political Rights of Women

Convention on the Political Rights of Women

 - (i) Universal suffrage
 - (ii) Equal Right to Vote
 - (iii) Equal Right to be elected
 - (iv) Equal Right to hold Public Office
4. Constitution of India and the Status of Women
 - (a) Equality provisions in Fundamental rights and Directive Principles
 - (b) Special provisions for the protection of women Article 15(3), Article 39(d) & (e), Article 42, Articles 243-D & 243-T
5. Special Laws for Protection of Women
 - (a) Prevention of Immoral Traffic Act, 1956
 - (b) Indecent Representation of Women (Prohibition) act, 1986
 - (c) Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.
 - (d) Medical Termination of Pregnancy Act, 1971
 - (e) Maternity Benefit Act, 1961
 - (f) Equal Remuneration Act, 1976
 - (g) Dowry Prohibition Act, 1961
 - (h) Provisions Relating to Women Specially under IPC: Rape, Dowry Death, Cruelty by Husband or Relatives of Husband.

LMHA 522: SOCIETAL ISSUES OF HUMAN RIGHTS IN INDIA

The course shall comprise of the following:

1. Concept and Approaches
 - (a) Societal problems and human rights
 - (b) Theoretical Approaches
2. Social Problems:
 - (a) Problems of hierarchy: scheduled castes, scheduled tribes, minorities
 - (b) Pollution explosion
 - (c) Casteism
3. Economic Issues
 - (a) Poverty and Unemployment
 - (b) Corruption, Consumer rights
 - (c) Sustainable Development
4. Health Problems.

Negligence, Mismanagement, Lack of access to public health care, Environmental degradation.

GROUP- B

LMHB 521: CHILDREN AND HUMAN RIGHTS AND DUTIES

1. International Norms for Protection of the Child
 - (a) UN Declaration of the Rights of the Child 1959
 - (b) UN Convention on the Rights of the Child 1989
2. Indian Constitution and the Protection of Child
 - (a) Fundamental Rights and Directive Principles of State Policy
 - (b) Government of India's National Policy for Children 2013 and National Plan of Action for Children 2016
3. Protection against Economic Exploitation:
 - (a) ILO Convention on Restriction and Prohibition on Child Labour including ILO Convention on Child Labour, 1999
 - (b) Child Labour (Protection and Regulation) Act 1986.
4. Protection against Sexual Exploitation
 - (a) Child Prostitution and POCSO 2012
 - (b) Prevention from abduction; sale and Immoral Trafficking
5. Juvenile Justice System
 - (a) Juvenile Justice (Care and Protection of Children) 2015
 - (b) UN Standard Minimum Rules for Administration of Juvenile (The Beijing Rules) 1985
6. Protection of Disabled Child
 - (a) Convention on the Rights of Persons with Disabilities
 - (b) The Rights of Persons with Disabilities Act, 2016

LMHB 522: SOCIAL MOVEMENT AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Conceptual Perspective
 - (a) Concept of Social Movement
 - (b) Types of Social Movement
 - (c) Ideology, Organization
 - (d) Mobilization Leadership
2. Reform Movements and Human Rights
 - (a) Brahma Samaj and Arya Samaj Movement
 - (b) Dalit Movement
 - (c) Feminist Movement
3. Political Movement and Human Rights
 - (a) Freedom Movement
 - (b) Peasant Movement
 - (c) Trade Union Movement
 - (d) Student Unrest
4. Ecological Movement
 - (a) Chipko Movement
 - (b) Narmada Bachao Movement

GROUP-C

LMHC 521: INTERNATIONAL LAW OF DEVELOPMENT

The course shall comprise of the following:

1. Conceptual Perspective
 - (a) Meaning, Nature and Concept of Development
 - (b) Sources of International Law of Development
 - (c) Theories of Development
2. International Trade and Development:
 - (a) From ITO to WTO
 - (b) Role of Unfair Terms of Trade in Human Rights Violation
3. Trade Related Aspects of Human Rights
 - (a) Debate on the Social Clause
 - (b) Trade Related Sanctions under the Multilateral System
 - (c) Human Rights Standards and International Trade
4. Right to Development:
 - (a) Perspective on Third Generation of Human Rights
 - (b) UN Declaration on the Rights to Development 1986
 - (c) Vision of the NIEO

LMHC 522: WORKING CLASS AND HUMAN RIGHTS AND DUTIES

The course shall comprise of the following:

1. Conceptual Issues
 - (a) Definition; Classification
 - (b) Working Class Movement

- (c) From Laissez Fare to Welfare State
- (d) Privatization to Globalization
- 2. Status of Working class:
 - Causal Workers, Contract Labour, Bonded Labour, Agricultural Labour, Migrant Workers
- 3. Human Rights of the Workers
- 4. Labour Welfare Problems:
 - (a) Health Hazards: Accidents, Occupational Diseases
 - (b) Social Security
 - (c) Collective Bargaining
 - (d) Worker's Participation in Management
 - (e) Impact of Technological Developments
- 5. International Standards

LL.M. (HRDE) FOURTH SEMESTER

CORE PAPER

LMH 521: INTERNATIONAL LAW OF HUMAN RIGHTS

The course shall comprise of the following:

1. International Concern:
 - Protection of Individual in International Law; League of Nations; War Crime Trials
2. Human Rights and the United Nations Charter;
 - (a) Normative and Institutional Framework of the UN
 - (b) Role of the permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights
3. Universal Declaration on Human Rights:
 - (a) History of the Declaration
 - (b) Structure of the Declaration
 - (c) Legal Significance
4. International Covenants: ICCPR and ICESCR
 - (a) Nature and Characteristic
 - (b) Optional Protocols
5. Regional Instruments
 - (a) European Convention on Human Rights
 - (b) American Convention on Human Rights
 - (c) African Charter on Human And People's Rights
 - (d) Asia and Human Rights

LMH 522: DISSERTATION

LMH 523: VIVA-VOCE