

**MASTER OF LAWS (LL.M.)**  
**(HUMAN RIGHTS & DUTIES)**  
**(TWO YEARS POST GRADUATE DEGREE PROGRAMME)**  
**(Effective from Academic Year 2022-23)**

**SYLLABUS, COURSE OF STUDY**  
**AND EXAMINATION**



**Faculty of Legal Studies**  
**Mahatma Jyotiba Phule Rohilkhand University,**  
**Bareilly U.P. India**

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## **LL.M. DEGREE COURSE OF STUDY AND EXAMINATION**

WHEREAS, it is necessary to adopt and implement the revised curriculum and rules formulated by the University Grants Commission (Guideline of Model Curriculum and Action Plan for Academic and Administrative Reforms DO No.F-1-2/2009(XI Plan Dated 30 March 2009) and implementation of CBCS system MJP Rohilkhand University Bareilly hereby adopts LL.M. Two Years (Four Semester) Degree Course of Study and frames the following general rules and regulations to be applicable from the academic year 2021-22 onwards.

### **1. THE DEGREE OF MASTER OF LAWS**

The M.JP Rohilkhand University may confer the Degree of Master of Laws on such candidates who, being eligible for admission to the LL.M. Degree Course, have received regular instruction in the prescribed courses of study, passed relevant examinations and being otherwise suitable by virtue of their character, have fulfilled such other conditions as may be laid down from time to time by the appropriate authorities.

### **2. REQUIREMENT FOR ADMISSION**

A. Minimum Qualification for Admission:

- Admission to the LL.M. Degree Course of study shall be open to those candidates who have passed the Three Year LL.B. Degree Examination of this University or such Examination of any other University or Institution after Graduation under 10+2+3 pattern: or Five Year LL.B. Degree Course under 10+2+5 pattern as is recognized by this University as equivalent for the purposes of LL.M. Degree Course and have secured not less than 50% marks in aggregate in the LL.B. Examinations: However, For SC/ST and other category candidates, an exemption in the requirement of securing minimum percentage of marks shall be applicable as in other disciplines under University Rules.
- Admission to LL.M. Course may be granted in order of merit in the Entrance Test to be conducted by the University for this purpose or on the basis of marks secured by the candidates in the qualifying examination for each academic session. Admission shall be made according to merit as determined by the University and availability of seats in LL.M. Course.

### **3. RESERVATION AND WEIGHTAGE:**

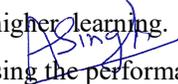
Reservation and weightage shall be as per University Rules.

### **4. PROHIBITION TO REGISTER FOR TWO REGULAR COURSE OF STUDY:**

No students shall be allowed to register simultaneously for LL.M. Course with any other graduate or post graduate degree run by MJP Rohilkhand University or any other University or any Institute for academic or professional learning.

### **5. INTRODUCTION TO CBCS SYSTEM:**

The CBCS provides an opportunity for the students to choose courses from the prescribed courses comprising **Generic Core**, **Elective Groups** (FIVE fixed specialisation) and **Choice Based Disciplinary Courses (CBDC)**, **Choice Based Interdisciplinary Courses (CBIC)** and **Half Credit/Minor Courses /MOOCS/ Value Added Courses**. The courses can be evaluated following the grading system. Grading system provides uniformity in the evaluation and computation of Cumulative Grade Point Average (CGPA) based on student's performance in examinations which enables the student to move across institutions of higher learning. The uniformity in evaluation system also enable the potential employers in assessing the performance of the candidates.\

  
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**6. PROGRAMME OBJECTIVES (POS):**

The LL.M. Programme is aimed at:

- (i) Familiarizing students with laws and judicial interpretations at the national and international level and provide a comparative study of the contemporary and traditional laws and judicial interpretations.
- (ii) Apprising students of the legal system, rule of law, and administration of justice, while promoting specialized branch of study and research in diverse fields of law
- (iii) Imparting interdisciplinary approaches to law and legal development by involving philosophy, economics and scientific approach towards law study and research.
- (iv) Imparting professionally and socially relevant legal education.
- (v) Sensitizing students towards the issues of access to justice of the deprived, marginalized and weaker sections of society.
- (vi) Producing internationally competent litigating lawyers, corporate lawyers, judges, judicial officers, legal officers, researchers, law reformers, law teachers, etc.
- (vii) Imparting skills of legal reasoning, problem solving, research, legal writing, oral and written communication, persuasion, leadership and teamwork.
- (viii) Promoting ethical practices in the profession of law.
- (ix) Promoting inter-disciplinary approach to legal profession.

**7. PROGRAMME SPECIFIC OUTCOMES (PSOS):**

At the end of the LL.M. course, the students will be able to:

- (i) Study and explore law in an interdisciplinary and comparative manner.
- (ii) Do legal research and explore origin, development and prospect of law/laws both in national and international Law
- (iii) Understand, interpret, and apply law.
- (iv) Evaluate and compare domestic and international laws.
- (v) Design, and formulate case theory and strategy.
- (vi) Analyze and differentiate facts and law.
- (vii) Solve problems by employing legal reasoning, research. Choose ethical practices in the profession of law and discharge their social responsibility

**8. LL.M. PROGRAMME DETAILS PROMGRAMME STRUCTURE :**

Master of Laws (LL.M.) will be a full time two-year programme to be covered in four (I,II,III, IV) Semesters, each of six months duration.

Part	Year	Semester	Semester
Part-I	First Year	Semester-I	Semester-III
Part-II	Second Year	Semester-II	Semester-IV

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- The maximum duration of the programme shall be twice the minimum duration of the

**9. PROGRAMME STRUCTURE:**

The LL.M. Programme is a two years course divided into four semesters. A student has to complete 96 credits for the completion of the course and award of the degree. The scheme is as follows:

		<i>Semester</i>	<i>Semester</i>		
<b>Part – I</b>	First Year	Semester I (24 credit)	Semester II (24 credit)		
<b>Part – II</b>	Second Year	Semester III (24 credit)	Semester IV (24 credit)		
Semesters	Generic Core Papers 4 Credits Each Dissertation and viva-voce 8 Credits	Elective Group Papers or MOOCS 4 Credits Each	Value Added or Interdisciplinary or Skill Based Papers 4 Credits Each	Internship or Project Work 4 Credits Each	Total Credits
I	5	-	1	-	24
II	5	-	1	-	24
III	2	2	1	1	24
IV	2	2	-	1 (Dissertation  viva-voce)	24

Total- 96 Credits

  
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Semesters	Core	Elective/MOOCs /Interdisciplinary	Value Added/ Skill Based	Internship /Project Work	Total Credits
<b>I</b>	5Core Papers 5*4 (20)	-	1 Credit 1*4 (4)	-	24
<b>II</b>	5 Core Papers  5*4 (20)	-	1 Credit 1*4 (4)	-	24
<b>III</b>	2Core Papers  2*4 (8)	1 Elective +1 Elective / MOOCs 2*4 (8)	1 Credit 1*4 (4)	1 Credit 1*4 (4)	24
<b>IV</b>	2 core paper 2*4 (8)	1 Electives +1 Elective / Interdisciplinary 2*4 (8)	-	1 Dissertation 1*4 (4) 1 viva voce 1*4 (4)	24

Total- 96 Credits

  
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## 10. ASSESSMENT OF STUDENTS' PERFORMANCE AND SCHEME OF EXAMINATION PASS PERCENTAGE & PROMOTIONAL CRITERIA:

- Assessment of students "performance shall consist of 70 marks (End Semester Written Examination) and 30 marks (Internal Assessment).
- The duration of the End Semester Written Examination in Core Courses and Elective Courses shall be three hours for 70 marks.
  1. For internal assessment of 30 marks, one internal Test+Assignment+Presentation+Viva+seminar shall be in the class in each course in each term.
  2. Internal assessment of each paper shall be evaluated by a panel of three teachers of the department. For each paper panel is to be formed by HOD/Principal accordingly.
  3. Dissertation will carry 100 marks.
  4. Viva-voce exam will carry 100 marks Viva-voce shall be held soon after the forth semester.
  5. In each paper 30 marks shall be reserved for award on the bases of continuous internal assessment of the student in the class room. The HOD will notify information regarding each internal assessment at least one week prior of the presentation with consultation to the teacher concern. All awards of marks will be verified by the HOD and will be send to exam controller accordingly.
  6. The criteria for Internal assessment for each paper will be as follows –
    - Internal Test- 10 marks
    - Assignment with presentation – 10 marks
    - Class room seminar and viva – 10 marks

## 11. ATTENDANCE

The student whose attendance is less than 75% will not be allowed to appear in the end semester examination. Head of the Department may permit a student to appear in examination by relaxation of 25% attendance in special conditions such as;

- Participation in NCC/NSS camps duly supported by a certificate from competent authority.
- Participation in University or College Team (S) Games or Inter State or Inter University Tournament (S) duly supported a certificate from competent authority
- Participation in any of the co-curricular activity organized by University/ Department duly certified by competent authority.
- Prolonged illness duly certified by superintendent/CMO of government hospital or registered medical practitioners/hospitals.

**Note:** The Vice Chancellor shall have power to condone any deficiency of attendance for cogent reasons.

## 12. ENROLLMENT

Admitted candidates shall be required to get him/her enrolled with the University if he/she is not already enrolled as a student of this University. They will be required to submit their migration certificate along with the enrolment form and prescribed fee.

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## 13. END SEMESTER EXAMINATION



calendar of the University. A student proceeding to appear in the end semester examination will submit through the Head of the Department his/her application on the prescribed form along with the required examination fee, etc. to the Registrar of the University. Every student will have to appear in six respective theory papers and one internship, examinations in the I, II, and III semesters except for the IV semester. In the IV semester, every student will be allotted one dissertation work in lieu of Viva-voce Exam.

#### 14. ALLOTMENT OF THE DISSERTATION

- Allotment of the dissertation will be done by a committee comprising of the Head of the Department, one Professor and one Associate Professor of the Department by rotation according to seniority. The Proposal for dissertation shall be submitted by candidate through head of department.
- Candidate shall be required to submit the Dissertation at least two weeks before the commencement of Fourth Semester Examination. Prior of submission of dissertation the students shall make a pre submission seminar in department of law, MJPRU. Seminar shall be opened to all faculty members, research scholar and other LL.M. students of the faculty.
- The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.
- The maximum number of students enrolled for dissertation under one teacher will be as follows-  
Assistant Professor – 05  
Associate Professor – 08  
Professor – 10
- Full time teacher of the department is authorized for dissertation guidance. If there is non availability of full time teachers in the department concern, rest of all student will be supervised by HOD/ principal and Dean accordingly.

#### 15. VIVA-VOCE EXAMINATION:

- The Viva Voce Examination shall be conducted by a Board of Examiners.
- The Board shall consist of three members; One member shall be a Professor/Associate Professor as external member of any other university or college. The head of the department (H.O.D.) shall be a member of the board and one Professor/Associate professor of the department as internal examiner. The internal examiner shall be appointed for every year by rotation.
- The Viva-Voce Examination shall carry 100 marks. The external examiner shall evaluate the candidate out of 70 maximum marks and two examiners shall evaluate out of 15 maximum marks each.
- Candidate shall be required to secure at least 50% marks in the Viva-voce to pass the Examination.

#### 16. GREAD POINTS:

O (Outstanding)	10
A+ (Excellent)	9
A (Very Good)	8
B+ (Good)	7
B (Above Average)	6
C (Average)	5
P (Pass)	4
F (Fail)	0
AB (Absent)	0

  
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**17. CGPA Calculations:****Grading Pattern and illustration of Grading Pattern**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

Illustration:

Course	Credit	Grade	Grade Point	Credit Grade	SGPA
<b>Semester I</b>					
Core I	04	B+	7	28	
Core II	04	B+	7	28	
Core III	04	B+	7	28	
Core IV	04	A	8	32	
Core V	04	B	6	24	
Value Added	04	B+	7	28	
Total	24				196/24=8.1
<b>Semester II</b>					
Core I	04	B+	7	28	
Core II	04	B+	7	28	
Core III	04	B+	7	28	
Core IV	04	B+	7	28	
Core V	04	A	8	32	
Value Added	04	B	6	24	
Total	24				164/24=6.8
<b>Semester III</b>					
Core I	04	B+	7	28	
Core II	04	B+	7	28	
Elective I	04	A	8	32	
Elective II	04	B	6	24	
Value Added	04	B+	7	28	
Internship	04	B+	7	28	
Total	24				158/24=6.58
<b>Semester IV</b>					
Core I	04	B+	7	56	
Core- II	04	A	8	32	
Elective I	04	B	6	24	
Elective II	04	B+	7	28	
(Dissertation)	04				
Viva-voce	04				140/24=5.8
Total	24				

Thus:

Semester I	Credits	SGPA
Semester I	24	7.00
Semester II	24	6.70
Semester III	24	6.58
Semester IV	24	7.00

Total 96

CGPA=(24x7+24x6.58+24x6.58+24x7)/96= 6.84

  
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## 18. CONDITION FOR A PASS AND PROMOTION TO NEXT SEMESTER YEAR

For each course, each student has to appear in internal assessment and semester examination otherwise, the student will be awarded an "Ab" grade. The total marks obtained in the end semester examination, and internal assessment the continuous evaluation will be considered to decide the grade in that course. In addition, a student also has to get valid credits for value added Skill development modules' courses and grades as per university rules. The grading will be made on a 10-point scale as follows:

Letter Grade	Grade Point	Description	Range of marks(%)
O	10	Outstanding	95% or above
A+	9	Excellent	85-94%
A	8	Very Good	75-84%
B+	7	Good	65-74%
B	6	Above Average	55-64%
C	5	Average	45-54%
P	4	Pass	36-44%
F	0	Fail	Below 36%
Ab	0	Absent	Absent

For passing the examination in each semester, a candidate must have secured a minimum of 36% marks ("P" Grade: 4 Grade Points) in the course. If the marks obtained by the student in a course are less than the minimum cut-off percentage of marks, then an "F" grade will be awarded. If a student obtains an "F" or "Ab" Grade in any course, he/she will be treated to have failed in the course.

The decision of the teacher regarding the evaluation and the grade shall be final. However, a student submits in writing for a review of his Marks/Grade to the Head/Director who will place the case before the board of comprehensive viva voce. The decision of the board will be final. The result of the review will be declared by the concerned Head/Director. Review is effective only when the grade improves. The review will be allowed only if-

- The prescribed fee is paid.
- The candidate applies within 7 days of the declaration of the grade in that course.
- **In matters not covered under this ordinance, general rules of the University shall be applicable.**
- In case of any dispute/ambiguity, the decision of the Vice-Chancellor shall be final and binding.

## 19. RULES OF PROMOTION

A student can not to be promoted to next academic year if he/she fails in up to the maximum **four courses (papers)** including both semesters. The paper/papers in which a student fail shall be considered as back paper. In **no case** a student having back in **more than four papers** can be promoted to next year and will be treated to have **year back**. In case of year back, he/she have to take readmission by paying approved tuition fee in same year after the recommendation of HOD/Dean. After readmission students have following options;

1. He/ She can choose to pass all the papers of the academic year.
2. He/ She can opt to pass the papers in which he/she has failed.
3. Students will have to submit their choices/options at the time of readmission.
4. No repeat attempt is allowed to pass for internal assessment only.
5. He/ She has to repeat complete course i.e. theory and internal assessment both.

## 20. GENERAL RULES:

These will be the same as applicable for the other LL.M. courses of the University.

## 21. DEFINITION:

- I. Course (paper) - A segment of the Master of Laws (LL.M.) programme i.e. a paper
- II. Core Course-A course (a paper) which cannot be substituted by any other course (paper)
- III. Elective Course- An optional course to be selected by a student out of such courses by student out of such courses offered by the department.
- IV. Value added course - An optional course to be selected offered by other university teaching department.

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**22. CONVERSION OF MARKS INTO GRADES:**

- Grade Points: Grade point table as per University examination rule.
- SGPA (Semester Grade Point Average): Calculation as per University Examination rule.
- YGPA (Year Grade Point Average): Calculation as per University Examination rule.
- CGPA (Cumulative Grade Point Average): Calculation as per University Examination rule.
- Grade Point conversion into Marks: Calculation as per University rule.

**23. UPGRADATION AND MODIFICATION OF SYLLABUS**

- Up-gradation and Modification of the syllabus shall be proposed by the BOS and shall be approved by the Academic Council through Faculty Board time-to-time, as and when required.

**24. DETAILS OF SYLLABUS****• APPENDIX-I****Core Papers:****(i) Semester I**

- i. Indian Constitutional Law : The New Challenges
- ii. Law And Social Transformation in India
- iii. Mass Media Law
- iv. Jurisprudence and Legal Theory –I
- v. Human Rights
- vi. Value Added Course (Credited) (Right to Information & Good Governance)

**(ii) Semester II**

- i. Jurisprudence and Legal Theory -II
- ii. Law and Justice in Globalized World
- iii. Research Methodology
- iv. Criminal Justice System & H.R.
- v. Comparative Constitutional law
- vi. Value Added Course (Credited) ) (Environmental Awareness)

**(iii) Semester III**

- i. State, Civil Society & Human Rights in India
- ii. Environment And Human Rights
- iii. Elective-I (United Nations And Human Rights)
- iv. Elective-II (Human Rights Of Vulnerable Groups)
- v. Internship Practical
- vi. Value Added Course Credited (Clinical Legal Aid)

  
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**(iv) Semester IV**

- i. Judicial Process
- ii. Elective-I (Law and Basic Needs)
- iii. Elective-II (Media Law, Social Media and Human Rights)
- iv. Dissertation
- v. Viva Voce
- vi. Value Added Course Credited (Computer Applications & Computer Fundamental)

**Elective Papers- I: Semester III**

- i. United Nations And Human Rights
- ii. International Human Rights
- iii. Consumer Rights Protection in India

**Elective Papers- II: Semester III**

- i. Human Rights Of Vulnerable Groups
- ii. International Humanitarian Law
- iii. L.G.B.T.Q. and Human Rights

**Elective Papers- I: Semester IV**

- i. Law and Basic Needs
- ii. Health and Human Rights
- iii. Human Rights Movement and Ideology in India

**Elective Papers- II: Semester IV**

- i. Media Law, Social Media and Human Rights
- ii. Internally Displaced Persons & Refugee Law
- iii. Human Rights & Sports Law
- iv. Election Law

**• APPENDIX-II****Value Added Courses**

**Skill Based in Each Semester a candidate shall take one paper.**

1. Practice of Yoga (Department of Sports)
2. Introduction to Linguistics and Phonetics (Department of Multilingual studies)
3. Labour Welfare, Social Security Law, (Department of Business of Administrative)
4. Legal Framework governing human relations, (Department of Business of Administrative)

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7. Computer Applications/ Computer fundamental, (Department of CSIT)
8. Right to Information & Good Governance
9. Security Law, (Department of CSIT)
10. Labour Jurisprudence, MSW (Department of SocialWork)
11. Clinical Legal Aid, (Department of Law)
12. Environment Awareness, (Department of Education)

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**LL.M. I SEMESTER  
CORE PAPER- I  
INDIAN CONSTITUTIONAL LAW-THE NEW CHALLENGES**

1. **Introduction:** Indian Constitutional Law has been an outcome of labour of constitutional framers. Constitutional Governance always faces new challenges and ameliorating aspirations of such a plural democracy based on rule of law and judicial review is very challenging itself.
2. **Course Outcome:**  
C.O. 1: The objective of this paper is to study the nature of constitutional governance.  
C.O. 2: It is intended to highlight the role of constitution to face new challenges of society.  
C.O. 3: This paper further intends to expose the intricacies of challenges of constitutional governance.  
C.O. 4: To Understand the concept of Constitutional Morality.
3. **Programme Outcome:**  
P.O. 1: To understand and distinguish the role of Constitution to tackle the problems of society  
P.O.2 : To understand the impact of Constitution in making public opinion.  
P.O.3: To Inculcate the value of legal research
4. **Assessment Plan**  
Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**Unit I: Indian Federal Structure****(8 Lectures)**

- 1.1 Federalism : Creation of New States, Special status of certain States & Article 370,
- 1.2 Federal Comity-Relationship of trust and faith between Centre and State,
- 1.3 Tribal Areas, Scheduled Areas, Boundary disputes, Deployment of security forces etc.
- 1.4 Separation of Power : Doctrine of Separation of Powers and checks and balances,

**Unit II: Judicial Framework & Constitutional Governance****(8 Lectures)**

- 2.1 Constitutional framework-Judicial interpretation and practice, Judicial activism and judicial restraining, PIL : Implementation, Judicial autonomy and independence,
- 2.2 Accountability of Executive, Legislature and Judiciary.
- 2.3 Democratic Process : Election and Electoral reforms, Election Commission.
- 2.4 The Rule Of Law : The independence of judiciary as an aspect of separation of powers/Division of functions.
- 2.5 Constitutional Morality, Right to Dissent, Doctrine of Legitimate Expectation, Inclusive and Egalitarian Governance.

  
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**Unit III :State & Constitutional Governance****(8 Lectures)**

- 3.1 The Executive : Constitutional status, Powers and functions of the President vis-a vis form of Government.
- 3.2 The Legislature : Parliamentary/Legislative Privilege : Nature, Extent, Scope and Limitation OnPrivileges.
- 3.3 The Judiciary : Status, Power, functions and contemporary developments, Power of JudicialReview.
- 3.4 Constitutional torts and compensatory Jurisprudence, Contractual Liability of State Fundamental Duties & Citizenship

**Unit IV: Equality, Liberty & Constitutional Governance****(8 Lectures)**

- 4.1 Liberalization & Social Justice
- 4.2 Right to Equality: Privatization and its Impact On Affirmative Action.
- 4.3 Empowerment of Women.
- 4.4 Freedom of Press and Challenges of New Scientific Development,
- 4.5 Data Protection & Privacy

**Unit V: Constitutional Governance & Emerging Trends****(8 Lectures)**

- 5.1 Emerging regime of new rights and remedies.
- 5.2 Reading Directive Principles and Fundamental Duties into Fundamental Rights.
- 5.3 Secularism: Religious freedom and right of minorities to establish and administer educational institutions of their choice.
- 5.4 Implementation of International Obligation : Human Rights, Environmental protection and International trade.

**Books:**

1. D.D. Basu, Shorter Constitution of India
2. M.P. Jain, Constitution of India
3. M.P. Singh, Comparative Constitutional Law
4. T.K. Tope, Constitution of India
5. Dr. Amit Singh, Indian Constitutional law: The New Challenges (Vol. 1, 2, University Publication New Delhi)

  
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**LL.M. I SEMESTER  
CORE PAPER II  
LAW AND SOCIAL TRANSFORMATION IN INDIA**

**1. Introduction:**

Law is considered a social phenomenon. It removes the hindrances that hinder human growth. The legal phenomenon in spite of having a unique, objective identity is inherently tied to the social realities. The modern anthropocentric world considers individual as the center of the universe and law along with society must serve this individual. A tectonic shift in the society is bound to change the legal culture of a country. A Kelsenian/normative approach necessitates that Constitution changes the society whereas the sociological approach is of the view that it is the society that transforms the legal structure. Indian has adopted the latter approach. The purpose of the course is to familiarize the students with the changing dynamics of the Indian Legal system from post-independence to the current era of globalization.

**2 . Course Outcomes:**

- C.O. 1 :** To assess the concept of social transformation and its impact on the legal culture.
- C.O. 2 :** To evaluate the social problems affecting the Indian nation state and its legal solutions.
- C.O. 3 :** To critically evaluate the existing legal structure and its efficacy in solving the current social evils of the nation state .
- C.O. 4 :** To assess the legal culture of India in a post globalized era

**3 . Program Outcomes**

- P.O.1:** To foster an inter disciplinary approach in order to assess the social reality of law in India
- P.O.2:** To assess the changing nature of law in India in the era of „Right Based jurisprudence“.
- P.O.3:** To encourage a Critical method of thinking among the students to assess the legal situation
- P.O.4:** To assess the social impact and outcome of law.

**4 .Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**UNIT I : Law and Social Change****(8 Lectures)**

- 1.1 Meaning of Social Change and Social Transformation .
- 1.2 Relation between Law and Society : The Consensus and Conflict model
- 1.3 Social, Economic and Educational Corollary
- 1.4 Law and Morality.

**UNIT II: Constitution and Social Change**

- 2.1 The normative method and sociological mode of change .
- 2.2 Constitutional Amendments and Social change
- 2.3 Basic Structure theory as a balancing factor

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- 2.4 Women Empowerment and Social Dichotomy
- 2.5 Liberty and Social Acceptance

**UNIT III: Globalization and Constitution of India****(8 Lectures)**

- 3.1 Impact of Globalization on the vision of Article 38 and Article 39 (b), (c) of the Constitution.
- 3.2 Impact of Globalization on the legal aspects of Industries and Agriculture in India .
- 3.3 Impact of Human Rights on Indian Legal Culture.
- 3.4 Status of Welfare state in a Globalized Economy.

**UNIT IV: Social Transformation & Modern India****(8 Lectures)**

- 4.1 Regionalism and Law : Right to Movement, Residence and Business
- 4.2 Language Policy and Indian Constitution : Official, State and Court Language
- 4.3 Freedom of Religion and Religious Minorities
- 4.4 Reservation Policy in India : Schedule Caste, Schedule Tribe and Backward Class

**UNIT V: Contemporary Issues in Indian Legal Culture****(8 Lectures)**

- 5.1 Citizenship Law of India and Identification Documents in India.
- 5.2 Right to Privacy and Supreme Court of India.
- 5.3 Alternate Dispute Resolution Mechanism and Social Upliftment
- 5.4 Good governance and RTI

**Resources:**

1. Marc Galanter (ed.) Law and Society in Modern India, Oxford.
2. Robert Lingat, The Classical Law of India,
3. U. Baxi, The Crisis of the Indian Legal System,
4. Duncan Derret, The State, Religion and Law in India,
5. H.M. Seervai, Constitutional Law of India.
6. Tarngini Sriraman, *In Pursuit of Proof: A History of identification Documents in India* ,Oxford publications
7. Chris Thornhill, *A Sociology of Constitutions: Constitution and State legitimacy in Historical – Sociological Perspective* ,Cambridge Publications .
8. Anupama Roy, *Mapping Citizenship in India*, Oxford Publication.
9. Gautam Bhatia, *The Transformative Constitution : A Radical Biography in Nine Acts* , Harper Collins India
10. Dr. Amit Singh, Law And Social Transformation In India (Vol. 1, 2, University Publication New Delhi)

  
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**LL.M. I SEMESTER  
CORE PAPER III  
MASS MEDIA LAW****1. Introduction**

To introduce the media and constitutional governance.

**2 .Course Outcomes:**

- C.O. 1: To develop media awareness.
- C.O. 2: to apprise the students about media.
- C.O. 3: to apprise the incumbents about digital rights.

**3 .Program Outcomes**

To make students understand the role of media in constitutional governance.

**4 .Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**Unit I****Media, Ethics and the Constitution**

(8 Lectures)

- 1.1 Disseminating facets of media, Understanding the Concept of Media, History of Media, Theories of Media, Evolution of Media in India and
- 1.2 Media Legislation (including Media Laws in US, Scrips Newspapers Chain, Foreign Direct Investments in Media
- 1.3 **Media & Copyright issues Right to Information Act 3005: New tool for Press Freedom Media and Journalists: Working Journalists Act and Press Council & Human Rights Trial by Media: Influence on Adjudicators**
- 1.4 Press-Freedom of Speech and Expression-Article 19 (1) (a)Includes Freedom of the Press, Laws of defamation, obscenity, blasphemy and sedition.
- 1.5 Media and social Media Laws

**Unit II****Advertisement and the Law**

(8 Lectures)

- 2.1 **Basis of Advertisement:** Constitutional Freedom of Commercial Speech, **Drug and Magic Remedies** (Objectionable Advertisements) Act and other Laws regulating Advertisements
- 2.2 Content of Advertisements: **Civil and Criminal liability**
- 2.3 Unfair Practices through Advertisements and **Consumers Rights, Advertising Standards Council of India: A Private Regulatory, Misleading Advertisements: Need for New Law**



- 2.4 Advertisement-is it included within freedom of speech and expression?
- 2.5 Press and the Monopolies and Restrictive Trade Practices Act.

### **Unit III : Electronic Media and Regulatory Law**

**(8 Lectures)**

- 3.1 **Convergence of New Media in the Internet: Cinema, Social Media, Expansion of Electronic Media:**  
Broadcast sector – TV and Radio
- 3.2 **Autonomy of Public Sector Broadcaster:** Prasar Bharti Law
- 3.4 **Freedom of Private Broadcasting:** Broadcasting Regulation Bill and Cable TV Network Regulation Act
- 3.5 **Cinematography Act, Pre-censorship, Indecent Representation of Women (Prohibition) Act and Young Persons (Harmful Publications) Act Information Technology Act 3000**

### **Unit IV: Media & Self Regulation**

**(8 Lectures)**

- 4.1 History of Media Law in India
- 4.2 Constitutional Rights of Media & Limitations on Freedom of Speech and Expression
- 4.3 Media & Other Constitutional Aspect

### **Unit V : Constitutional Restrictions**

**(8 Lectures)**

- 5.1 Radio and Television subject to law of defamation and obscenity,
- 5.2 Power to legislate-Article 246 read with the Seventh Schedule.
- 5.3 Power to impose tax-licensing and licensing fee.

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2. M.P.Jain, Constitutional Law of India,
3. John B.Howard, The Social Accountability of Public Enterprises,
4. Rajeev Dhavan, On the Law of the Press in India, 26 JILI 288 (1984)
5. Soli Sorabjee, Law of Press Censorship in India,
6. Justice E.S.Venkaramiah, Freedom of Press : Some Recent Trends, 1984
7. D.D.Basu, The Law of Press of India,
8. Rajeev Dhavan, Legitimizing Government Rhetoric : Reflections on Some Aspects of the Second Press Commission, 26 JILI 391, 1984
13. tionalism” 62 (6) *Stanford Law Review* 1583-1628(June 3010).

  
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**LL.M. I SEMESTER  
CORE PAPER-IV  
JURISPRUDENCE AND LEGAL THEORY- 1**

**1. Introduction:**

Legal philosophy is backbone of legal discourse. Philosophical investigation of different ideas and theories is core of the legal study. This paper aims to introduce to the students the different schools and theories of legal philosophy so as to develop their analytical, critical and comparative approach to legal study. Scientific investigation of an idea is fulfilling and enriching experience and this paper inculcates the value of inquisitiveness, inquiry and inclusivity of ideas.

**2. Course Outcomes :**

- C.O. 1:** Grasp the fundamentals of different schools and their dominant ideas.
- C.O.2:** Understand the concept of law and legal order in the backdrop of the theories of different schools.
- C.O.3:** Apply their understanding of law in different legal systems;
- C.O.4:** Identify and analyze problems of legal order and their analysis with multiple perspectives.
- C.O.5:** To appreciate establishment of an egalitarian legal order.

**3. Program Outcomes**

- P.O.1:** Demonstrate the ability to extract rules and policy from cases, statutes, and administrative regulations and analyzing, interpreting and arguing differing interpretations of rules and statutes;
- P.O.2:** Demonstrate the ability scientific, critical and comparative inquiry of the theory and ideas;
- P.O.3:** Identify legal issues and application of legal ideas thereto;
- P.O.4:** Inculcating the value of research;
- P.O.5:** Demonstrate the ability to solve problems with an holistic approach;

**4. Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**UNIT I Legal Philosophy & Natural Law School****(8 Lectures)**

- 1.1 Legal Philosophy & Jurisprudence
- 1.2 Jurisprudence: Distinct Study & Synthetic Jurisprudence
- 1.3 Jurisprudence: A Priori & A Posteriori, Deductive & Inductive Method
- 1.4 Natural Law School: Roman & Greek School, Thomist & Sophist, Social Contract, Dark Ages, Stammler & Kohler

**UNIT II: Historical School & Analytical School**

- 2.1 Maine & Status to Contract, Anthropology & Law
- 2.2 Kelsen: Pure Theory of Law: Normative Character of Law
- 2.3 Hart: Minimum Content of Morality, Morality & Law Discourse in Contemporary World

  
**(8 Lectures)**  
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**UNIT III: Philosophical School & Sociological School (8 Lectures)**

- 3.1 Kant & Hegel: Idealism, Metaphysical and Materialism, Dialectical Materialism
- 3.2 Sociology of Law and Sociological Jurisprudence
- 3.3 Inhering: Interest Theory
- 3.4 Roscoe Pound: Theory of Interests & Social Engineering

**UNIT IV: Realist, Critical Studies & Feminism (8 Lectures)**

- 4.1 Badman Theory, Jurimetrics & Skepticism & Scandinavian School
- 4.2 Critical Legal Studies
- 4.3 Feminism: Liberal & Radical Approach

**UNIT V: Modernism and Post-Feminism and Post Modernism School (8 Lectures)**

- 5.1 Modernism & Deconstructionism
- 5.2 Post-feminism and Post Modernism Discourse
- 5.3 Contemporary Discourse

**Books:**

1. Bodenehimer, Jurisprudence-The Philosophy & Method of Law, Universal, Delhi
2. R.W.M. Dias, Jurisprudence, Indian Reprint-Adithya Books, Delhi
3. Fitzgerald, Salmond on Jurisprudence, Tripathi, Bombay
4. Dhyani S N, Jurisprudence-A Study of Indian Legal Theory.
5. Wayne Morrison, Jurisprudence, Cavendish Publication.
6. Llyod, Introduction to Jurisprudence, Sweet and Maxwell.
7. N.E. Simmonds, Central Issues in Jurisprudence, Justice, Law and Rights, Second Edition (Sweet & Maxwell).
8. Brian Bix, Jurisprudence: Theory and Context, Carolina Academic Press, 1999.
9. Roger Cotterrell, Politics of Jurisprudence.

  
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**LL.M. I SEMESTER  
CORE PAPER-V  
HUMAN RIGHTS****1. Introduction**

The paper aims to introduce human rights in national and international Legal Order.

**2 .Course Outcomes:**

- C.O. 1 :** Human Rights
- C.O. 2 :** human rights protection scheme
- C.O. 3 :** Human Rights Protection in International Order

**3 .Program Outcomes**

To inculcate the value of protection of Human Rights.

**4 .Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**Unit I : Panoramic View of Human Rights  
Lectures)****(8**

- 1.1 Human Rights in Non-Western Thought, Awareness of Human Rights during the nationalist movement, Universal Declaration of Human Rights, Constituent Assembly and Part III, drafting process,
- 1.2 Subsequent developments in International Law and the Position in India (e.g., Convention of Social Discrimination, Torture, Gender discrimination, Environment and the Two human right covenants.)
- 1.3 Fundamental Rights Jurisprudence as Incorporating Directive Principles The dichotomy of Fundamental Rights and Directive Principles, The interaction between Fundamental Right and Directive Principles, Resultant expansion of basic needs oriented human rights in India.

**Unit II : Right not be Subject to Torture, Inhuman or Cruel Treatment  
Lectures)****(8**

- 2.1 Conceptions of torture, third-degree methods, 'Justification' for it, Outlay of torture at international and constitutional law level, Incidence of torture in India, Judicial attitudes, Law Reform- proposed and pending. Minority Rights : Conception of minorities, Scope of protection, The position of minority 'Woman' and their basic rights, Communal Riots as involving violation of

  
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rights.

**Unit III****(8 Lectures)**

Rights to Development of Individuals and Nations : The U.N.Declaration on right to Development, 1987, The need for constitutional and legal changes in India from human rights standpoint. People's Participation in Protection and Promotion of Human Rights : Role of International NGOS, Amnesty International, Minority Rights Groups, International Bars Association, Law Asia, Contribution of these groups to protection and promotion of human rights in India.

**Unit I****(8 Lectures)**

- 4.1 Development Agencies and Human Rights : Major International funding agencies and their operations in India,
- 4.2 World Bank lending and resultant violation/promotion of human rights,
- 4.3 Should development assistance be tied to observance of human rights (as embodied in various UN declarations)
- 4.4 Comparative Sources of Learning : EEC Jurisprudence,
- 4.5 The Green Movement in Germany,
- 4.6 The International Peace Movement,
- 4.7 Models of Protection of the rights of indigenous peoples : New Zealand (Maoris), Australia, Aborigines and Canada (Indians).
- 4.8 Freedom : Free Press-its role in protecting human rights,
- 4.9 Right of association, Right to due process of law,
- 4.10 Access and Distributive justice.

**Unit V****(8 Lectures)**

- 4.1 Independence of Judiciary : Role of the Legal Profession,
- 4.2 Judicial appointments-tenure of judges,
- 4.3 Qualifications of judges,
- 4.4 Separation of judiciary from executive.
- 4.5 European Convention of Human Rights : European Commission/Court of Human Rights,
- 4.6 Amnesty International, PUCL, PUDR,
- 4.7 Citizens for Democracy,
- 4.8 Minorities Commission, Human Rights Commission,
- 4.9 Remedies Against Violation of Human Rights.

  
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- 1.M.J. Akbar, Riots after Riots, 1988
- 2.U. Baxi (ed.) The right to be Human, 1986
- 3.U.Baxi, The Crisis of the Indian Legal System, 1982
- 4.F. Kazmi, Human Rights, 1987
- 5.L. Levin, Human Rights, 1982
- 6.H. Beddard, Human Rights and Europe, 1970
- 7.Nagendra Singh, Human Rights and International Co-operation, 1969
- 8.S.C.Kashyap, Human Rights and Parliament, 1978
- 9.Moskowitz, Human Rights and World Order, 1958
- J.A. Andrews, Human Rights in International Law, 1986

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**LL.M. I SEMESTER**  
**VALUE ADDED COURSE**  
**RIGHT TO INFORMATION & GOOD GOVERNANCE**

**Course Objective**

- The course is designed to equip students, how the right to information infuses transparency and Accountability in governance and preventing abuse of power.
- The aim of the course is to highlight the basic guidelines of RTI Act, the relationship between
- Right to information act and good governance and the issues relating to RTI act to adopt the best practices in governance.
- To make them learn as to how the concept of human development is directly linked to human rights. A rights-based approach demands participation in governance and development, which guaranteed access to information can provide.
- The right to information is a basic right that underpins good governance, democracy, poverty eradication and the practical realization of human rights.

## Course Contents

## Unit I:

Origin and Concept of Right to Information, Good Governance and Right to Information, Origin and Concept of Good Governance.

## Unit II:

Right to Information under International Conventions and Declarations, Right to Information under regional instruments

## Unit III:

Right to Information under Indian Constitution- Fundamental rights and right to information; Judiciary and right to information;

## Unit IV:

Right to Information Act 2005 in India-Public authorities and their obligation Implementation of Right to Information Act in private sector, Judicial review and Right to Information Act, Information related to the third party and protection of right, Appeals under right to information law.

## Unit V:

Right to Information in different Statutes in India. The Official Secrets Act, 1923; The Public Records Act, 1993; The Public Records Rules, 1997; The Freedom of Information Act, 2002; The Commission of Inquiry Act, 1952; The Commission of Inquiry (Central) Rules, 1972, Indian Evidence Act, 1972 etc. Right to information and Empowerment of the people, Voters right to know.

## Reference of Book:

- Faizan Mustafa : Constitutional Issues in Freedom of Information: International and National Perspectives
- De Smith : Judicial Review of Administrative Action
- M.P.Jain : Cases and Materials on Administrative Law
- M.P.Jain : Constitution of India
- D.D.Basu : Comparative Administrative Law
- Datar, Arvind P. : Constitution of India
- Brownlie I : Basic Documents on Human Rights
- Rajkumar. C.: Corruption and Good Governance

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**LL.M. II SEMESTER  
CORE PAPER I  
JURISPRUDENCE AND LEGAL THEORY- II**

**1. Introduction:**

The nature of law has changed drastically in the 21<sup>st</sup> century. We are living in the age of post modernism where Skepticism is in vogue. The contemporary era does not ask as to „what is the law?“ or what is the nature of legal enterprise? What is required now is a moment of reflexivity. One must question whether law is truly an independent, objective phenomenon or a range of different phenomena which are loosely grouped under the heading of law? In addition to the Liberal – Positivist approach to law, various other Schools have made their inroads into the ontology of law. The paper is an attempt to incorporate these new approaches and to develop a sense of reflection among the students. International social movements are affecting legal cultures all across the world and academics have opened new epicenters of knowledge. Third World Scholars have challenged the hegemony of Western intelligentsia and the Bretton Woods system has been challenged by the South Block ever since the outbreak of the sub-prime mortgage crisis. The issue of justice and human rights has gained momentum. The paper tends to investigate the new wave in the understanding of law in a Gridlock world.

**2. Course Outcome**

- C .O. 1:** To analyze the changing nature of Law in the 21<sup>st</sup> century.
- C.O. 2 :** To analyze and interpret the impact of international social movements on law .
- C.O. 3 :** To understand and interpret the new approaches to law.
- C.O. 4 :** To analyze the concepts of justice and rights as applicable in the 21<sup>st</sup> century.

**3 . Program Outcomes**

- To inculcate an inter disciplinary approach in order to understand the nature of law .
- To assess the changing nature of law.
- To assess the changing nature of Law, State , Sovereignty and Justice.

**4 . Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**UNIT I : Law in a Post Modern World .****(8 Lectures)**

- 1.1 Law and Post modernism: Critical Legal School , Ideas of Roberto Unger , Duncan Kennedy , Michel Foucault, Jacques Derrida .
- 1.2 Queer Jurisprudence.
- 1.3 Feminist Jurisprudence.
- 1.4 Law and Ideology.

  
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**UNIT II : Law , State and Sovereignty in a Contemporary world . (8 Lectures)**

- 2.1 Challenges to Sovereignty in the 21<sup>st</sup> century :Subsidiarity, Sovereignty as Responsibility ,
- 2.2 Chunk theory of Sovereignty, Globalization, The concept of Fail / Weak State.
- 2.3 Post 9/11 world and State: Philosophy of Carl Schmitt , Giorgio Agamben, The concept of Bio Politics .
- 2.4 Cosmopolitanism and Globalization as an alternate to the State system.
- 2.5 The concept of Demosprudence.

**UNIT III : Changing notion of Justice in a contemporary world (8 Lectures)**

- 3.1 Rawlsian Difference Principle and the ideas of Nozick and Sen
- 3.2 Global Distributive Justice : Views of Peter Singer , Thomas Pogge , KokChor Tan, Martha Nussbaum, Refugee justice ,
- 3.3 Anti Globalization Movement : Meaning , Nature and Scope.

**UNIT IV : Minorities & Governance (8 Lectures)**

- 4.1 Right of Self-determination and the Minorities.
- 4.2 Ethnic Minorities and Governance
- 4.3 Sustainable Development, Inclusive Governance

**UNIT V: Recent Global Trends (8 Lectures)**

- 5.1 TWAIL scholarship.
- 5.2 Importance of Legal monism in establishing international peace.
- 5.3 Global Administrative Law : Meaning , Nature and Scope .
- 5.4 Global Governance, Post Secularism and Public Reason
- 5.5 Linguistic Philosophy, Wittgenstein, Interpretation of Law,

**Bibliography**

1. Encyclopedia of Global Justice ,Deen Chatterjee (ed) , Springer.
2. Global Governance by Thomas Weiss , Polity .
3. Global justice : The basics by Huw . L. Williams and Carl Death ,Routledge .
4. Jurisprudence : from the Greeks to Post Modernism by Wayne morrsion , Lawman (India) , Private Limited .
5. Globalization and After by Dasgupta and Kelly ,Routledge.
6. Legality and legitimacy by David Dyzenhaus , Cambridge publication.
7. Sovereignty as Responsibility by Luke Glanville , Chicago university press.
8. International Law from Below by BalakrishnaRajagopal , Cambridge .

  
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**LL.M. II SEMESTER  
CORE PAPER II  
LAW AND JUSTICE IN GLOBALISED WORLD**

**1 . Introduction:**

Global world is known for its pervasiveness. Justice governed by rule of law has been epicenter of modern global world. Rights and duties and its interplay with people and corresponding role of state has been very changing in the modern world. The business and its interplay with rule of law and democratic constitutional governance is very important dynamics of modern world.

**2 .Course Outcomes :**

- C.O. 1:** Grasp the fundamentals of philosophical and analytical skills including close reading, logical analysis and exemplary modes of problem solving;
- C.O.2:** Understand the concept of justice as a political and legal ideal and appreciate the different motivations and assumptions behind key conceptions of justice;
- C.O.3:** Apply their understanding of justice in adopting a critical perspective on the nature of the law and legal systems;
- C.O.4:** Identify and analyze problems of justice within and beyond national communities with a special emphasis on the distinction between national, international, global and cosmopolitan justice; and
- C.O.5:** To appreciate the institutional and practical dimensions of securing a just and equitable society.

**3 . Program Outcomes**

- P.O.1:** Demonstrate the ability to extract rules and policy from cases, statutes, and administrative regulations and analyzing, interpreting and arguing differing interpretations of rules and statutes;
- P.O.2:** Demonstrate the ability to conduct investigation of facts and to construct a coherent narrative based on that investigation;
- P.O.3:** Identify legal issues in facts and applying rules and policy to facts;
- P.O.4:** Perform comprehensive legal research;
- P.O.5:** Demonstrate the ability to solve problems in light of a client's objectives: anticipating consequences and assessing risks;

**4 .Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**Unit I : Legal Philosophy & Utilitarianism**

- 1.1 Legal and Philosophical Analysis
- 1.2 Utilitarian Justice

  
(8 Lectures)

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**Unit II: Law & Justice****(8 Lectures)**

- 2.1 Law and Justice
- 2.2 Rawls & Nozick, Sen and Justice
- 2.3 The Separation of Law and Morals
- 2.4 The Unity of Law and Morals

**Unit III: Economic Justice & Rights & Governance****(8 Lectures)**

- 3.1 Rights Based Theory of Justice
- 3.2 Economic Analysis of Law and Justice
- 3.3 Justice in Critical Legal Studies

**Unit IV: Socialism & Communism****(8 Lectures)**

- 4.1 Marx, Law and Justice
- 4.2 Communitarian Justice
- 4.3 Economic State & Laissez
- 4.4 Faire State

**Unit V: Feminism & Global Justice****(8 Lectures)**

- 5.1 Feminist Theories of Justice
- 5.2 Cosmopolitan Justice
- 5.3 Global Justice

**Resources:**

1. Aristotle. Nicomachean Ethics, OUP Oxford, 3009. (Excerpts)
2. Simmonds, N.E. Central Issues in Jurisprudence, Justice, Law and Rights, Second Edition(Sweet & Maxwell) pp. 1-15.
3. Bix, Brian. Jurisprudence: Theory and Context, Carolina Academic Press, 1999, Chapter 1.
4. Williams, Bernard. Philosophy as a Humanistic Discipline, Princeton University Press, 3006.
5. Mill, JS. Utilitarianism, Chapters 1 & 2
6. Smart, J.J.C and Williams, Bernard. Utilitarianism: For and Against, Cambridge University Press, 1973.
7. Kymlicka, Will. Contemporary Political Philosophy: An Introduction, Oxford University Press, 3002, pp. 23-52.
8. Sandel, Michael. Liberalism and the Limits of Justice, Cambridge: Cambridge University Press, 1982, Chapter 1.
9. Rawls, John. A Theory of Justice, Harvard University Press, 3009, Chapter 1.
10. Kymlicka, Will. Contemporary Political Philosophy: An Introduction, Oxford University Press, 3002, Chapter 3.
11. Sen, Amartya. The idea of justice. Harvard University Press, 3011. Chapter 1, 2, 10
12. Cohen, G.A. Rescuing Justice and Equality, Harvard University Press, 3008.
13. Hart, Herbert Lionel Adolphus. The Concept of Law. OUP Oxford, 3012, Chapter 6
14. Coleman, Jules. „Beyond Inclusive Legal Positivism“, Ratio Juris, 22(3) 3009.
15. Hart, Herbert Lionel Adolphus. The Concept of Law, OUP Oxford, 3012, Chapters 1, 5, 8 & 9.
16. Fuller, Lon. “Positivism and Fidelity to Law”, Harvard Law Review, 71(4), 1958.
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33. Rawls, John. The Law of Peoples, Harvard University Press, 2001.
34. Pogge, Thomas W. "An egalitarian law of peoples", Philosophy & Public Affairs 23(3), 1994.
35. Pogge, Thomas, "What is global justice?" (2003).
36. Nagel, Thomas, "The problem of global justice", Philosophy & Public Affairs 33 (2), 2005.
37. Miller, David. National Responsibility and Global Justice, Oxford University Press, 2007.



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**LL.M. II SEMESTER  
CORE PAPER III  
RESEARCH METHODOLOGY**

**1 . Introduction:**

Research is the most important aspect of higher learning. This paper aims to introduce the research foundation, types, tools, techniques and methods for doctrinal and non-doctrinal method. It also makes the students aware about the research universe, research design, research tools and method. Research plan and its execution is the most important aspect of this paper.

**2 .Course Outcomes :**

- C.O. 1 :** To understand the dimensions of legal research.
- C.O. 2 :** To be able to find out research problem and hypothesize the research universe and tool techniques for the same .
- C.O. 3 :** To apply various tools and techniques in doctrinaire and non-doctrinaire researches.
- C.O. 4 :** To be able to understand the use of ICT in researches.

**3.Program Outcomes**

- To inculcate the value of inter disciplinary research attitude.
- To assess the importance of investigation and exploration of facts in law & policy making and in its enforcement.
- To encourage to find out legal issues in a comparative way of social problems and its solutions via legal researches.
- To train in comprehensive comparative legal

research.4 .**Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**Unit I : Research Methods  
Lectures)**

**(8**

- 1.1 Research, Meaning & Significance
- 1.2 Legal Research, Socio-Legal Research
- 1.3 Doctrinal and Non-Doctrinal
- 1.4 Relevance of Empirical Research

  
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- 1.5 Induction and Deduction
- Unit II: Identification of Problem of Research (8 Lectures)**
- 2.1 Research Problem
- 2.2 Formation of Research Problem
- 2.3 Sampling Technique, Meaning, Type & Scaling
- 2.3 Questionnaire / Interview, Observation
- 2.4 Compilation of List of Reports or Special Studies Conducted Relevant To The Problem
- Unit III Research Design & Tools (8 Lectures)**
- 3.1 Steps in Preparation of Research
- 3.2 Devising tools and techniques for collection of Data : Methodology
- 3.3 Methods for the collection of statutory and case materials and juristic literature, Use of casestudies,
- 3.4 Literature Review, Jurimetrics, Case Study & Case Law Analysis
- 3.5 Hypothesis, Nature, Type, Formulation, Testing & Variables
- Unit IV Classification and Tabulation of Data (8 Lectures)**
- 4.1 Rules for Tabulation
- 4.2 Explanation of tabulated data
- 4.3 Analysis of Data, Report Writing & Interpretation
- 4.4 Plagiarism & Research Ethics, Copyright Violations, Fair Use, Citation & Bibliography
- Unit V Computerized Research (8 Lectures)**
- 5.1 Legal Research & Computer
- 5.2 Use of software for legal research SPSS
- 5.3 Use of Computer, Mobiles and Camera in Data Collection
- 5.4 Use of Power Point Presentation and Explanation, Audio Visual
- References:**
1. M. O. Price, H. Bitner and Bysiewicz, Effective Legal Research
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  3. William J. Grade and Paul K. Hatt, Methods in Social Research, McGraw - Hill Book Company, London.
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4. Johari J.C. (ed), “*Introduction to the Method of Social Sciences*”, New Delhi, Sterling Publishers Pvt.Ltd. 1988.
5. Kothari C.K., “*Research Methodology: Method and Techniques*”, New Delhi, Wiley Eastern Ltd., 1970.
6. Stone, Julius, “*Legal System and Lawyer’s Reasoning*”, Sydney, Maitland Publications, 1968.



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**LL.M. II SEMESTER  
CORE PAPER-IV  
CRIMINAL JUSTICE SYSTEM & H.R.**

**Introduction:**

Criminal justice is one of the critical areas of human rights where the legal system is tested on a continuous basis for preservation of peace and security in society on the one hand and the prevention of human dignity of both the victims of crime and accused of crime.

**Objectives:**

1. To give a detailed understanding of the concept, history and development of human rights.
2. To understand various theories of rights.
3. To understand international treaties and documents on human rights.
4. To understand the various dimensions of Article 21 of the Constitution of India.

**Outcomes:**

- 1 Students will get a better understanding of the concept of human rights.
- 2 Students will be able to understand the various international instruments and agencies forensuring human rights.
- 3 Students will develop interest in becoming peace ambassadors.

**UNIT-I: The Concept, History and Development of human Rights****(8 Lectures)**

- i. History of human rights civilization ii. Magna Cart, iii. British Bill of Rights iv. Declaration of Rights of Man and Citizen vi. International Bill of Rights
- ii. Are Human Rights a universal concept?
- iii. Treaty Law as the main source of Human Rights
- iv. Legal nature of human rights obligations
- v. Scope of application

**Theories of Rights**

- i. Natural Rights Theory ii. Legal/Positivist Theory iii. Marxist Theory iv. Cultural Theory v. Sociological theory

**UNIT-II: International Bills and Criminal Justice System****(8 Lectures)**

- i. Universal Declaration on Human Rights: a. History of the Declaration b. Structure of the Declaration c. Legal Significance
- ii. Rights under Criminal Justice System and International Covenants: ICCPR and ICESCR a. Nature and Characteristic b. Optional Protocols
- ii. Rights under Criminal Justice System and Regional Instruments a. European Convention on Human Rights b. American Convention on Human Rights

  
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**UNIT-III****(8 Lectures)**

In India a. History and Development of Human Rights in Indian Constitution. b. Constitutional Philosophy. c. Preamble d. Human Rights Problems requiring the need of criminal justice - namely police atrocities, e. Protection of Human Rights in Criminal Justice Administration i. Compensation jurisprudence ii. Art. 30 Protection against Ex-Post Facto Laws, Protection against Double Jeopardy and Protection against Self Incrimination

**UNIT-IV****(8 Lectures)**

Art. 21 Impact of expansive interpretation on criminal jurisprudence, Meaning of terms: Life and Personal liberty Fair Procedure Due Process of Law iv. Right of Accused Arrest, Hand Cuffing Bail, Speedy Trial Torture Custodial v. Violence Compensation Public Interest Litigation: Direct access to Courts in case of violation of Fundamental Right and other implicit rights vi. Death Penalty in Light of Art. 21 vii. Art. 22 Protection to Accused in case of punitive detention Protection against Preventive Detention

**UNIT-V****(8 Lectures)**

Role of various Agencies in Protection of Human Rights under CJS i. At International Level i. Human Rights and the United Nations Charter: ii. Normative and Institutional Framework of the UN iii. Role of the permanent organs of the UN, Human Rights iv. Commissions, UN High Commissioner for Human Rights iii. At National Level i. The Protection of Human Rights Act, 1993 and amendments. ii. National Human Rights Commission iii. State Human Rights Commissions. iv. Human Rights Courts v. Other Commissions. vi. Emerging regime of new human rights under CJS in India.

**BIBLIOGRAPHY**

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. Batra, Manjula, Protection of Human Rights in Criminal Justice Administration : A study of the right of Accused in Indian and Soviet Legal System (New Delhi: Deep and Deep, 1989).
3. Walter Kalin and Jorg Kunzti, Law of International Human Rights Protection (Oxford, 3009),
4. Agarwal, H.O., Implementation of Human Rights Covenants with special reference to India (New Delhi: D.K. Publishers, 1993),
5. Upadhyay, C.M, Human rights in pre-trial detention (1999),
6. Bawa, Noorjahan, Human Rights and Criminal Justice Administration in India (New Delhi, Uppal Publishing House, 3000),
7. Bhagwati, P.N., Human Rights in the Criminal Justice System, Journal of Indian Law Institute, vol. 27no.1, 1985, pp. 1-22.

  
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**LL.M. II SEMESTER  
CORE PAPER- V  
COMPARATIVE CONSTITUTIONAL LAW**

**1. Introduction**

The paper introduces the comparative constitutional study and approach.

**2 .Course Outcomes:**

**C.O. 1 :** Comparative study of constitutions

**C.O. 2 :** Constitutional Borrowings.

**C.O. 3 :** Constitutional Interlinkage.

**3 .Program Outcomes** The paper introduces the understanding about Comparative**Constitutions.4 .Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**UNIT I: Constitutional Governance****(8 Lectures)**

1.1 Federal & Unitary Governance

1.2 Constitution, Constitutionalism & Governance

1.3 Features of Constitutionalism

1.4 Comparison of Federal Governance in Indian, UK & USA

**UNIT II: Rule of Law****(8 Lectures)**

2.1 Rule of Law & Constitutional Governance

2.2 Equality & Rule of Law

2.3 Equality & Affirmative Action

2.4 Discrimination & Equality

**UNIT III: Judicial Review****(8 Lectures)**

3.1 Judicial Review & Constitutional Governance

3.2 Judicial Review & Interpretation of Constitution

3.3 Writs & Remedies

3.4 Judicial Accountability

**UNIT IV: Separation of Power & Division of Power****(8 Lectures)**

4.1 Separation of powers

4.2 The Doctrine of Checks and Balances



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4.4 Division of Powers & Judiciary

**UNIT V: Contemporary Constitutional Governance**

**(8 Lectures)**

5.1 Privacy & Digital Rights

5.2 LGTBQ Rights

5.3 Indigenous People & Minority Rights

5.4 Displaced Persons & Refugee, Vulnerables & Migrant

**BOOKS :**

1. H.M.Seervai, Constitutional Law of India
2. M.P.Jain, Constitutional Law of India,
3. John B.Howard, The Social Accountability of Public Enterprises,
4. Rajeev Dhavan, On the Law of the Press in India, 26 JILI 288 (1984)
5. Soli Sorabjee, Law of Press Censorship in India
6. Justice E.S.Venkaramiah, Freedom of Press : Some Recent Trends,
7. D.D.Basu, The Law of Press of India RajeevDhavan, Legitimizing Government Rhetoric : Reflections on Some Aspects of the Second PressCommission, 26 JILI 391, 1984



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**LL.M. II SEMESTER  
VALUE ADDED COURSE  
ENVIRONMENTAL AWARENESS**

**Course description** Law and policy plays a major role in the conservation and management of natural resources as well as pollution control. This course intends to introduce the students to the vast field of Environmental Law and Policy. The course would be divided into three broad areas. The first part would cover the basic concepts and principles of Environmental Law. This would include judicial precedents, which now forms an essential part of environmental jurisprudence. The second part would be divided into specific introductory modules on forests and wild life including bio-diversity related laws; Air and Water related laws including mega projects and marine laws; and laws relating to hazardous substances. The third part would discuss the developments at the international level in the field of environmental law. At the end of the course it is expected that the students would be familiar with the overall Environmental Law and Policy regime of the country as well as its international obligations. It is expected that the case studies would equip them with basic knowledge and skills to understand environmental law issues.

**UNIT-I**

**Basic Concepts in Environmental Law.**

An introduction to the legal system; Constitution, Acts, Rules, Regulations; Indian Judiciary, Doctrine of precedents, judicial review, Writ petitions, PIL–liberalization of the rule of locus standi, Judicial activism. Introduction to environmental laws in India; Constitutional provisions, Stockholm conference; Bhopal gas tragedy; Rio conference.

General principles in Environmental law: Precautionary principle; Polluter pays principle; Sustainable development; Public trust doctrine. Overview of legislations and basic concepts.

**UNIT-II**

**Forest, Wildlife and Biodiversity related laws**

Evolution and Jurisprudence of Forest and Wildlife laws; Colonial forest policies; Forest policies after independence Statutory framework on Forests, Wildlife and Biodiversity: IFA, 1927; WLPA, 1972; FCA, 1980; Biological Diversity Act, 2002; Forest Rights Act, 2006. Strategies for conservation–Project Tiger, Elephant, Rhino, Modulew leopard.

**UNIT-III**

**Air, Water and Marine Laws**

National Water Policy and some state policies Laws relating to prevention of pollution, access and management of water and institutional mechanism: Water Act, 1974; Water Cess Act, 1977, EPA, 1986. Pollution Control Boards Ground water and law Judicial remedies and procedures Marine laws of India; Coastal zone regulations. Legal framework on Air pollution: Air Act, 1981; EPA, 1986

**UNIT-IV**

**Environment protection laws and large Projects**

Legal framework on environment protection-Environment Protection Act as the framework legislation–strength and weaknesses; EIA; National Green tribunal The courts infrastructure projects.

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**UNIT-V**

**Hazardous Substances and Activities**

**International Environmental law**

An introduction to International law; sources of international law; law of treaties; signature, ratification Evolution of international environmental law: Customary principles; Common but differentiated responsibility, Polluter pays.



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## CORE PAPER - I

## STATE, CIVIL SOCIETY &amp; HUMAN RIGHTS IN INDIA

**1. General Course Information**

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for all students of the Department**. This course will be dealt in III Semester of the program and focus on State, Civil society and human rights. This course will be taught for the Degree of Master of Laws in the III Semester of the Program.

**2. Course Objective:** The aim of the course paper is to provide knowledge about practice and enforcement of human rights norms in public and private sphere in India to the student in following ways:

- To explain theoretical perspectives and conception of State, Civil Society and their role in the context of human rights violation and protection.
- To identify and explain the nature of human rights violation of vulnerable groups with the understanding of available legal remedies at national level.
- To identify contemporary emerging issue of human rights such as Health and Sanitation, Right to Water, Climate Change in India.
- To acquaint the student about the contemporary issues and problems of human rights prevailing in the country such as environment, economic development, displacement and marginalisation of vulnerable communities in the context of globalisation.

**3. Course Contents**

<b>Unit I</b>	Concepts of State and Civil society, Human Rights Violation by the State agencies; Police and Para-military forces	<b>(9 Lectures)</b>
<b>Unit II</b>	Women, Dalit and Tribal, Child Labour, Bonded Labour, LGBT communities	<b>(9 Lectures)</b>
<b>Unit III</b>	Persons with disabilities, Rights of Minorities, Rights of Internally displaced persons	<b>(9 Lectures)</b>
<b>Unit IV</b>	Environmental Protection: Right to Water; Health and Sanitation; Public Policy and Human Rights	<b>(9 Lectures)</b>
<b>Unit V</b>	Impact of Globalization on Human Rights; Democracy, Development and Human Rights; Economic Development, Displacement and Marginalization.	<b>(9 Lectures)</b>

**4. Book List:**

1. Batra T.S. : Human Rights – A Critique (1992)
2. Brass, Paul : Politics of India Since Independence (1995)
3. Chandoke, N. : State & Civil Society (1993)
4. Desai, A.R. : Violation of Democratic Rights in India (1986)
5. Haragopal, G. : Political Economy of Human Rights (1996)
6. Kothari, R. : State Against Democracy (1986)
7. Kohli, Atul : Democracy & Discontent (1988)
8. Kohli, Atul : India's Democracy (1990)
9. Leftwich I : Democracy & Development (1995)
10. Mahajan G. (ed.) : Democracy & Social Justice (1998)
11. Menon Nivedita : Women's Rights (1995)
12. Mohanty, M & others : People's Rights (1997)

  
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**Note: All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

**5. Outcome of the Course:** This course would make the student acquaint with the knowledge to-

- Understand the role of state and social actors in protection of human rights of people.
  - Discuss undemocratic social structure of Indian Society and agencies of Indian State that violate human rights of vulnerable groups in our country such as women, dalits, tribal, LGBT, disabled people, minorities, and internally displaced persons.
  - causal factors of human rights violations, human rights norms, and legal remedies available to these vulnerable groups in national and International legal framework.
  - comprehend with current challenges and issues of human rights such as Environmental crisis, Health and Sanitation, Public Policy.

Assignment & Presentation: 10 %

Mid Semester Exam: 20%

End Semester Exam: 70%

## **6. Evaluation Pattern of the Course**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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**LL.M. III SEMESTER  
CORE PAPER - II  
ENVIRONMENT AND HUMAN RIGHTS**

### 1. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course will provide the knowledge about International, National, Constitutional perspectives of Environment and human rights to the student in a comprehensive manner. This course is to be taught as an **Core Paper** for the Degree of Masters of Law in Ist Semester of the program. .

### 2. Course Objective

- Describe right to clean environment under constitutional roots as a human right
- Distinguish between polluter pays principle, precautionary principle and public trust doctrine.
- Explain the meaning and concept of sustainable development
- Analyze the prospect of inter-generational rights
- Identify environmental protection measures under Environment (Protection) Act
- Describe the message of Stockholm Conference, Rio de Janeiro Conference, and Johannesburg Conference etc.

### 3. Course Contents

#### Unit I:

**(10 Lectures)**

Principles of Environment Protection: International Perspective: Stockholm Conference, Rio de Janeiro Conference, Rio + Summits & Declaration, Johannesburg Conference, UNFCCC, Kyoto Protocol, Paris Agreement, Industrial Disaster with special reference to the rights of victims of such disasters, Mega Projects with special reference to displacement and rehabilitation of the affected persons, Climate refugees

#### Unit II:

**(09 Lectures)**

Constitutional Perspective: Fundamental Rights: Right to Clean Environment, Education and Compensation, Directive Principle of State Policy and Fundamental duties, Legislative Powers.

#### Unit III:

**(09 Lectures)**

Environment Pollution and Legal Order:

- i. The Water Act, 1974 and the Air Act 1981
  - a) Regulatory Authorities and their Powers & Functions
  - b) Pollution Control Measures
  - c) Remedies
- ii. Noise Pollution Rules

#### Unit IV:

**(08 Lectures)**

Environment Protection and Legal Order

- i. Environment (Protection) Act, 1986
  - a) Regulatory authorities and their powers and functions
  - b) Environment Protection Measures
  - c) Remedies
- ii. Environment Impact Assessment Notification, 1994 and Public Hearing Notification, 1997
- iii. National Green Tribunal

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**Unit V:****(08 Lectures)**

Environment: Emerging concepts and challenges: National Perspective

(a) Polluter Pays Principles: Absolute Liability of Hazardous Industries

(b) Precautionary Principle

(c) Public Trust Doctrines

(d) Sustainable Development

**4. Book List**

- Boyle, A. E., and Anderson M.R. (Eds.) : Human Rights Approaches to Environmental Protection (Oxford: Clarendon Press 1996)
- Woods, K. : Human Rights and Environmental Sustainability (Cheltenham:Edward Elgar 2010)
- Gear, Anna, (Edward Elgar 2015) 92 : Research handbook on human rights and the environment
- Hiskes, R.P. : The Human Rights to a Green Future (Cambridge: CambridgeUniversity Press 2009)
- Kravchenko, Svitlana and John e. Bonine, : Human Rights And The Environment: Cases Law, and Policy (Carolina Academic Press 2008)
- Hayward, Tim (ed.), : Human Rights and the Environment (Routledge 2017)
- Knox, John H. : The Human Rights to a Healthy Environment (Cambridge University Press 2018)
- Shelton, Dinah and Donald K. Anton, : Environment Protection and Human Rights (CambridgeUniversity Press 2011)
- Leib, Linda Hajjar, : Human Rights and The Environment – Philosophical, Theoretical and Legal Perspectives (Brill, 2010)
- Kailash Thakur, : Environmental Protection: Law and Policy in India (1997), Deep & Deep Publications New Delhi.
- Richard L. Riversz, et. al. (eds.), : Environmental Law, the Economy and Sustainable Development (2000), Cambridge.
- Indian Journal of Public Administration, : Special Number on Environment and Administration, July-September 1988, Vol. XXXV, No.3, pp.353-801
- Leelakrishnan, P et. al. (eds.) : Law and Environment (1990),
- Leelakrishnan, P, : Environmental Law in India (2019), Lexis Nexus
- Winfield : Torts Law
- Ratanlal & Dheerajlal : Torts Law
- Kashyap, S.C. : Constitutional law
- Singhvi L.M. : Constitutional Law
- Tope, T.K. : Constitutional Law of India
- Manohar, Sujata : Constitutional Law of India
- Datar, Arvind P. : Constitution of India

Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one. Further the course materials obviously depends upon the latest developments in the areas specified in the course that can be gathered from the recent materials such as case law, Acts and laws amendments, critical comments, studies and reports, articles and research papers.

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**5. Outcome of the Course:** The student will understand the following-

- Right to clean environment as a human right,
- Concept of sustainable development and statutory position on environment law.
- Student will be able to analyse the international position on environment and will be able to translate the same in National perspective.

Assignment & Presentation: 20%

Mid Semester Exam: 10%

End Semester Exam: 70%

**6. Evaluation Pattern of the Course -**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving current issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.



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**ELECTIVE PAPER - I**  
**UNITED NATIONS AND HUMAN RIGHTS**

**General Course Information**

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is elective **course for all students of the Department**. This course will deal to acquaint the students about United Nations and human rights. This course will be taught for the Degree of Masters of Law in I<sup>st</sup> Semester of the program.

The main objective of this course is to provide an insight into the meaning and significance of various human rights in the contemporary era and the mechanisms developed at the international level for protection and promotion of such rights and the role of United Nations.

**1. Course Contents**

**Unit I**

**(9 Lectures)**

International Concern for Human Rights Protection: Anti-Slave Trade treaties, ILO and Labour welfare, Nazi and Fascist atrocities and totalitarianism, International Military Tribunals for trial of major war criminals

**Unit II**

**(9 Lectures)**

United Nations Concern for Human Rights Protection: State Obligation under UN Charter, Development of Normative order

**Unit III**

**(9 Lectures)**

Issues of International Accountability: State Sovereignty (Domestic Jurisdiction), Principle of Non-Intervention, Rule of Exhaustion of local remedies, Problems of cooperation between states: Extradition, Asylum

**Unit IV**

**(10 Lectures)**

United Nations Commission on Human Rights (Human Rights Council) Universal Periodic Rules, Sub commission on, Prevention of Discrimination and Protection of Minorities, Commission on Status of Women, UN Centre for Human Rights, UN Commissioner for Human Rights

**Unit V**

**(9 Lectures)**

Role of UN in Protection and Promotion of Human Rights, UN High Commissioner for Refugees , Office of UN High Commissioner for Human Rights

**2. Book List**

- Alston, Phillip, The United Nations and Human Rights, Clarendon Press, London
- Alston, Phillip, The United Nations and Human Rights A Critical Appraisal,
- Alston, Philip and Crawford James (eds.), The Future of U.N. Human Rights Treaty Monitoring
- Bajwa, G.S. and D.K. Bajwa, Human Rights in India: Implementation and Violations, D.K. Publishers, New Delhi (1996). Basu, D.D., Human Rights in Constitutional Law, Prentice Hall, New Delhi
- Sehgal, B.P. Singh, ed., Human Rights in India: Problems and Perspectives, Deep and Deep Publications, New Delhi
- S.K. Avesti and R.P. Kataria, Law Relating to Human Rights, Orient Publications, New Delhi
- SK Kapoor, Human Rights under International and Indian Law, Central Law Agency, Allahabad, Sinha Manoj, Implementation of Basic Human Rights
- Justice Palok Basu, Law Relating to Protection of Human Rights, Modern Law Publications, Allahabad
- Sircar, V.K., Protection of Human Right in India, Asia Law House, Hyderabad
- Symmonides, J., Human Right: International Protection, Monitoring and Enforcement, Rawat publications,

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Mamata Rao, Law Relating to Woman and Children, Eastern Book Co., Lucknow  
G B Reddy, Woman and the Law, Gogia Law Agency, Hyderabad  
SC Tripathi, Law Relating to Woman and Children, Central Law Publishers, Allahabad,  
Paramjit S. Jaswal, Nishtha Jaswal, Human Rights and the Law, APH Publishing, New Delhi  
Vijapur, Abdulrahim, The United Nations at Fifty: Studies in Human Rights  
Bayefsky, A., The UN Treaty System: Universality at the Crossroads  
Ramcharan, B.G., The UN Human Rights Council  
Mertus, Julie, The United Nations and Human Rights  
The UDHR in the 21st century: A Living Document in a Changing world A Report by the Global Citizenship Commission, (2016)

**3. Outcome of the Course:** After completion of this course, the student will learn to-

- Explain the idea of human rights as Jus Cogens
- Define the United Nations concern for human rights protection
- Describe normative order of human rights in the United Nations Charter
- Distinguish between Charter-based human rights and treaty-based human rights
- Analyze the role of the United Nations High Commissioner for Human Rights
- Identify state obligation to the promotion and protection of human rights under the United Nations Charter
- Explain the significance of Periodic Review Report before the UN Human Rights Council

Assignment & Presentation: 20%

Mid Semester Exam: 10%

End Semester Exam: 70%

#### **6. Evaluation Pattern of the Course -**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus on United Nations and Human Rights. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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**ELECTIVE PAPER - II**  
**HUMAN RIGHTS OF VULNERABLE GROUPS**

### 1. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for the students of the Department**. This course will be dealt in II<sup>nd</sup> Semester of the program and focus on the human rights of vulnerable groups.

### Course Objective

- Identify issues and challenges regarding venerable groups in human rights perspective
- Describe the international norms for the protection of the elderly and disabled persons
- Explain and discuss the international provisions and enforcement of human rights of women and children
- Discuss the issues and international protection of minority and indigenous people
- Analyze the national status of human rights protection of vulnerable groups

### 2. Course Contents

**Unit I** **(09 Lectures)**

Introduction: Philosophical and social perspectives on human rights protection of the vulnerable groups; exclusion of SC, ST, Disabled persons, Elderly persons, minorities, indigenous, children and women.

**Unit II** **(09 Lectures)**

International norms and instruments for the protection and enforcement of rights of minorities and indigenous persons

**Unit III** **(09 Lectures)**

International norms and instruments for the protection and enforcement of rights of women and Children

**Unit IV** **(09 Lectures)**

International norms and instruments for the protection and enforcement of rights of disabled and elderly persons

**Unit V** **(09 Lectures)**

Protection of marginalized groups in India; international obligations, legal protection and institutional mechanism

### 4. Book List

- |                                |   |
|--------------------------------|---|
| Javaid Rehman                  | The Weaknesses in the International Protection of Minority Rights, (The Hague : Kluwer Law International) |
| Baxi, Upendra                  | Inhuman Wrongs and Human Rights: Unconventional Essays (Har AnandPub                                      |
| Chopra, Geeta                  | Child Rights in India: Challenges and Social Action (Springer, India)                                     |
| Venter, Christine M., Carolina | International Women's Rights, Equality and Justice (Durham: Academic Press)                               |

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Convention in Context (London: Palgrave)

Vijapur, Abdulrahim P. (ed.) Implementing Human Rights in the Third World – Essays on Human Rights, Dalits and Minorities, (New Delhi: Manak Publications.)

Bajpai, Asha Child Rights in India: Law, Policy, and Practice (New Delhi: OUP)  
Buck, Trevor International Child Law, (Routledge)

Goonsekere, Savitri Children, Law and Justice: A South Asian Perspective (New Delhi:

Sage) Ingrid Nifosi Sutton The Protection of Vulnerable Groups under International Human Rights Law (Routledge)

5. **Note:- All latest editions of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

### 6. Outcome of the Course

Students who complete the course successfully will acquire:

- An understanding of concept of exclusion and marginalization of vulnerable groups
- An ability to apply critical reasoning to issues and challenges related to vulnerable groups
- An understanding of the international principles and institutions for the protection of SC, ST, Disabled persons, Elderly persons minorities, indigenous, children and women
- An ability to assess the practical effectiveness of different mechanisms for implementing or enforcing human rights of vulnerable groups

Assignment & Presentation: 20%

Mid Semester Exam: 10%

End Semester Exam: 70%

### 5. Evaluation Pattern of the Course

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving any issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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## CORE PAPER - V

**Paper: Internship Practical**

In third semester of LL.M. Every student have to complete a 30 days internship in any law firm, company legal cell or in any government legal office like Bank, state government office etc.

**Evaluation of Internship**

Every student shall complete minimum 30 days of internship. Duration of Internship should not be more than a period of four weeks at any given point during their course of award the final degree. All such internships undertaken by the students throughout their course shall be evaluated year wise as a four credit (4) paper of 100 marks.

The intern shall submit emails the weekly reports at the end of every week explaining their weekly progress and experiential learning on their internship to the Academic Supervisor. The intern shall submit to HOD/Principal the Work diary, Internship Report and the Internship Supervisor's Feedback from within a period of two weeks from the date of completion of the internship program.

Evaluation of 100 marks shall be done by a panel of two teachers among them one to the teacher will be External Examiner of Professor/ Associate Professor Rank of the subject. During the Viva Voce exam, the expert panel shall evaluate the work diary, weekly reports, internship supervisor's feedback form to assess the effective participation and learning of the intern during their internship program, and award marks and grades accordingly as a semester-end result in the specified semester.

**Criteria of passing internship**

1. 50 marks for Work diary, Internship Report and the Internship Supervisor's Feedback from 50 marks for viva-voce of internship conducted by the panel of two teachers among them one to the teacher will be External Examiner of Professor/ Associate Professor Rank of the subject

  
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**Value added course credited****Paper: Clinical legal Aid****Course Objective**

Legal aid mainly means providing free legal aid services for free to the needy or the poor section of the society. These are those people who are not capable to afford a legal representative for them who can fight a case for them. So the government has brought out the service of free legal aid to the needy people. There are certain objectives of the government to establish a system of the free legal system. And the **Right to Free Legal Aid** is also mentioned under Article 39A of the Constitution of India.

**Unit- I : Public Interest Litigation** Public interest litigation in judicial activism and public welfare, Merits and demerits of public interest litigation, Locus standi and public interest litigation, Human right and public interest litigation, Prison and Prisoners and public interest litigation, Police and public interest litigation, Environmental protection and public interest litigation, Labour and public interest litigation, legal system and public interest litigation, Education and public interest litigation, Politics and public interest litigation, Poverty and public interest litigation.

**Unit- II :** legal aid under Criminal Procedure. Code and rights of accused, Constitution, functions and powers of National Legal Service Authority and State Legal Service Authority,

**Unit- III : Lok-adalat.** Lok-adalat system means justice of the door steps of people, Organization of lok-adalat, its power and nature of its award, Objects and necessity of Legal aid camps and legal literacy.

**Unit- IV : Para Legal Training.** Object and importance of para legal training, Writing of case comment, Law office management, Use of computer in legal work and legal research in support of P.I.L.

**Unit- V :** Introduction to ICT and Cyberspace. Evolution and Growth of ICT, Computer Hardware, Software and Packages, Networking Concepts, Introduction to Cyberspace and Its Architecture, Evolution and Basic Concepts of Internet, Social Issue in the Regulation of Cyberspace, The Regulability of Cyberspace, E-Governance, Issues Concerning Democracy, National Sovereignty, Personal Freedom, Emerging Social Issues from, Digital Divide, Promotions of Global Commons, Open Source Movement.

**References:**

1. Law, Poverty, and Legal Aid: Access to Criminal Justice, S. Muralidhar,
2. Legal Aid: Catalyst for Social Change, Raman Mittal
3. Comparative Legal Aid Systems and India, Jeet Singh Mann Histories of Legal Aid: A Comparative and International Perspective, Felice Batlan, Marianne Vasara-Aaltonen.

  
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**1. Introduction:**

Judicial Process is the most important phenomenon of social order. Legal and judicial process contributes in the evolution, interpretation and enforcement of law. Judicial process through courts and judiciary has shaped the society and law ever.

**2. Course Outcome:**

C.O. 1: The objective of this paper is to study the nature of judicial process as an instrument of social ordering.

C.O. 2: It is intended to highlight the role of court as policy maker participant in the power process and as an instrument of social change.

C.O. 3: This paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques.

C.O. 4: Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of the concept of justice and its various theoretical foundations is required.

C.O.5: This paper, therefore, intends to familiarise the students with various theories different aspects and alternative ways of attaining justice.

**3. Programme Outcome:**

P.O. 1: To understand and distinguish the law making process.

P.O.2 : To understand the impact of judiciary in law making.

P.O.3: To understand the role of judicial process in social order.

**4. Assessment Plan**

Assessment as per university policy relating to implementation of choice based credit system (CBCS) to all the programs offered at M.J.P. Rohilkhand University.

**Unit I: Nature of Judicial Process (8 Lectures)**

- 1.1 Judicial process as an instrument of social change.
- 1.2 Judicial process and creativity in law-common law model,
- 1.3 Legal Reasoning and growth of law change and stability.
- 1.4 The tools and techniques of judicial creativity precedent.

**Unit II: Legal Development And Creativity Through Legal Reasoning (8 Lectures)**

- 2.1 Legal development and creativity through statutory and codified systems.
- 2.2 Role of judiciary in constitutional adjudication-various theories of judicial role.
- 2.3 Judicial Behaviour and constitutional adjudication.

**Unit III: Judicial Process in India : (8 Lectures)**

- 3.1 Judicial accountability-Problems and Prospects.
- 3.2 Indian debate on the role of judges and on the notion of judicial review.
- 3.3 The “Independence” of Judiciary “Political” nature of judicial process.

**Unit IV: Judicial Activism And Creativity Of the Supreme Court: (8 Lectures)**

- 4.1 The tools and techniques of creativity.
- 4.2 Judicial process in pursuit of constitutional goals and values.
- 4.3 Judicial Delay, Docket Explosion, Court Management& Litigation Management, and Performance of the Judges.

**Unit V: Development of Human Rights Jurisprudence By Judiciary: (8 Lectures)**

- 5.1 New dimensions of judicial activism and structural challenges.
- 5.2 Institutional liability of courts scope and limits.
- 5.3 The expansion of Human Rights jurisprudence by Interpretational tools.

  
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**Resources :**

1. Julius Stone, The Province and Function of Law, Part II, Chs. 1-8-16 ,Universal, New Delhi.
2. Cardozo : The Nature of Judicial Process, Universal, New Delhi 21.
3. Henry J. Abraham : The Judicial Process , Oxford.
4. J.Stone : Precedent and the Law : Dynamics of Common Law Growth .
5. Butterworths W. Friedmann : Legal Theory , Stevens, London.
6. Bodenheimer : Jurisprudence - The Philosophy and Method of the Law , Universal.
7. Delhi J. Stone : Legal System and Lawyer's Reasoning (1999), Universal, Delhi.
8. U. Baxi : The Indian Supreme Court and Politics (1970), Eastern, Lucknow.
9. Rajeev Dhavan : The Supreme Court of India - A Socio-Legal Critique of its Juristic Techniques .
10. Tripathi, Bombay John Rawls : A Theory of Justice , Universal, Delhi Edward.
11. H. Levi : An Introduction to Legal Reasoning , University of Chicago.
12. Dr. Amit Singh, Judicial Process.



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### 1. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for the students of the Department**. This course will be dealt in II<sup>nd</sup> Semester of the program and focus on the law and basic needs of the human being. This course is to be taught as an **Elective Paper** for the Degree of Masters of Law.

### 2. Course Objective

The main objective of this paper is to acquaint the students regarding rights based theories their Merits and Demerits. The focus in the Indian Constitution on basic needs of the common man and how can one get their basic needs fulfilled in democracy under bureaucratic system. Various laws and their implementation schemes are to be discussed in this paper.

### 3. Course Contents

**Unit –I (8 Lectures)**

Rights based Theories-Merits & Demerits, Role of Directive Principles of State Policy in Governance, Basic Needs & Indian Constitution.

**Unit –II (8 Lectures)**

Legal Framework for Poverty Alleviation -A Brief Introduction, Guaranteed Employment to Poor, Land acquisition, Resettlement and Rehabilitation Law

**Unit –III (10 Lectures)**

Food Security Law & Policy, Legal and Administrative issues involved in raising the Level of Nutrition and improving Public Health.

**Unit –IV (7 Lectures)**

Provisions for Free & Compulsory Education, Legal Framework for Equal Opportunities and Assistance in Disablement

**Unit –V (9 Lectures)**

Legal Services & Aid to Poor & Deserving People, Legal Protection of Women Workers Legal Protection of Vulnerable Peoples.

### 4. Book List

M.P. Jain	:	Constitutional Law of India
H.M. Seervai	:	Constitutional Law of India
John. B. Howard	:	“The Social Accountability of Public Enterprises” in Law and Community Controls in New Development Strategies (International Center for law in Development 1980)
Soli Sorabjee	:	Law of Press Censorship in India (1976)
D.D. Basu	:	The Law of Press of India (1980)
Alston (Ed.)	:	The U.N. and Human Rights (1989)
Brownlie I	:	Basic Documents on Human Rights (1986)
Cassese	:	International Law in a divided world (1989)

  
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Crawson	:	Encyclopaedia of Human Rights (1988)	Page   53
Greenberg J	:	Human Rights: Their implementation and Supervision	
Khare S.C.	:	Human Rights & the U.N	
Lauterpacht H.	:	International Law of Human Rights	
Martin F. (ed.)	:	International Human Rights Law and Practise	
Meron	:	Human Rights Law-making in the U.N.	
Sieghart Paul	:	The Lawful rights of mankind	

**Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

- 5. Outcome of the Course-** After completion of the course the student will be able to-
- Describe the merits and demerits of the rights-based theories
  - Distinguish between value-based human rights and need-based human rights
  - Explain the legal and administrative issues involved in raising the level of nutrition and improving public health
  - Analyse the legal framework for poverty alleviation
  - Identify the actions taken for free and compulsory education.

Assignment & Presentation: 20%  
 Mid Semester Exam : 10%  
 End Semester Exam : 70%

**6. Evaluation Pattern of the Course**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving the law on basic needs. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

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### 1. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for the students of the Department**. The course will focus on media and social media and its impact on human rights. This course will be dealt in IIIrd Semester for the Degree of Master of Laws program.

### 2. Course Objectives:

- To upgrade human resource with specialized knowledge and skills on communication for socialchange.
- To expand the knowledge base of theories around development, and its interrelation to culture, behaviour change, social transformation and; human rights principles.

### 3. Course Contents:

#### Unit I

(14 Lectures)

Writing on Human Rights: Promotion, Protection and Violation, Types of Reports, Sources of News, Trends in Indian Press, Problem of writing about Human Rights Issues, Media in Promotion and Protection of Human Rights, Investigative Journalism, Media Activism, Advocacy Journalism, The Use of General Laws to Target Journalists and Media: Libel, Insult, and Privacy Laws National Security, Anti-Terror, and Public Order Laws, The Use of Laws Specifically Aimed at the Media: Print Media Laws, Broadcasting Laws, Laws That Promote Media Freedom

#### Unit II Lectures)

(14

Media and Social Issues: Problems of girl child and women, LGBT Movement, Casteism, Violence against women, Rights of Children and Adolescents, UNCRC, Child Labour, Exploitation of children and Reform Process, Protection of Children against Sexual offences, Reflection of such issues in Media, Role of Media in the promotion and protection of human rights, Social Media: Debate on freedom of expression and violation of human rights

#### Unit III Lectures)

(14

Constitutional Foundations, Morality, Obscenity and Censorship, Privileges of Parliament and the State Assemblies, Contempt of Court, Defamation, Reporting Judicial Proceedings, Freedom of Speech and Expression, constitutional restrictions and Freedom of Media- Types of Mass Media, Press, Press Films, Radio Television.

#### Unit IV Lectures)

(14

Radio and Television – Effect of television on people, Report of the Chanda Committee, Government Policy, Commercial advertisement, Internal Scrutiny of serials, etc., Judicial Review of Doordarshan decisions: Freedom to telecast

#### Unit V Lectures)

(14

Statutes that regulate and control the various media such as Broadband, Cable TV, Networks, Cinemas, Newspapers, DTH, Radio, Television, Video-Cassettes etc., The various Acts and Rules relating to the regulatory bodies (their constitution, functions, procedures, powers etc.) like the Prasarat Bharati Press Council, the Registrar of Newspapers, TDSAT, TRAI, etc.

**4. Book List:**

M.P. Jain	:	Constitutional Law of India
H.M. Seervai	:	Constitutional Law of India Vol.I
Soli Sorabjee	:	Law of Press Censorship in India
Justice E.S. Venkaramiah	:	Freedom of Press: Some Recent Trends
D.D. Basu	:	The Law of Press of India
EBC	:	Media, Press and Telecommunications Laws
Madhavi Goradia	:	Facets of Media Law
Bruce Michael Boyd	:	“Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression” 14. J.I.L.I. (1972) Rajeev Dhawan
(1984) Rajeev Dhawan	:	“On the Law of the Press in India” 26 J.I.L.I. 288
Some	:	“Legitimizing Government Rhetoric: Reflections on Aspects of the Second Press Commission” 26 J.I.L.I. 391(1984)
Oyelade Olutunji & andManoj Kumar Sinha	:	Right to Health in the Context of HIV / AIDS in India Africa Hardcover – 2008
Mike Wicks	:	An Introduction to Social Media for Small Business(Publisher: Blue Beetle Books Inc.)

**Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

**5. Outcome of the Course:** The students will learn to-

- Explain relationship between freedom of expression and freedom of press
- Describe the role of media in promotion and protection of human rights
- Critically analyse the use of media in violation of human rights
- Distinguish between media trial and media reporting
- Conceptualize the impact of social media on the mind of people
- Role of social media and media on human rights.

Assignment & Presentation: 20 %

Mid Semester Exam: 10%

End Semester Exam: 70%

**6. Evaluation Pattern of the Course**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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**PAPER - IV**  
**Dissertation**

**ALLOTMENT OF THE DISSERTATION**

- Allotment of the dissertation will be done by a committee comprising of the Head of the Department, one Professor and one Associate Professor of the Department by rotation according to seniority. The Proposal for dissertation shall be submitted by candidate through head of department.
- Candidate shall be required to submit the Dissertation at least two weeks before the commencement of Fourth Semester Examination. Prior to submission of dissertation the students shall make a pre submission seminar in department of law, MJPRU. Seminar shall be opened to all faculty members, research scholar and other LL.M. students of the faculty.
- The candidate shall be required to secure at least 50% marks in the Dissertation to pass the Examination.
- The maximum number of students enrolled for dissertation under one teacher will be as follows-  
Assistant Professor – 05  
Associate Professor – 08  
Professor – 10
- Full time teacher of the department is authorized for dissertation guidance. If there is non availability of full time teachers in the department concern, rest of all student will be supervised by HOD/ principal and Dean accordingly.



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**LL.M. IV SEMESTER**  
**PAPER - V**  
**Viva voce**

**VIVA-VOCE EXAMINATION:**

- The Viva Voce Examination shall be conducted by a Board of Examiners.
- The Board shall consist of three members; One member shall be a Professor/Associate Professor as external member of any other university or college. The head of the department (H.O.D.) shall be a member of the board and one Professor/Associate professor of the department as internal examiner. The internal examiner shall be appointed for every year by rotation.
- The Viva-Voce Examination shall carry 100 marks. The external examiner shall evaluate the candidate out of 70 maximum marks and two examiners shall evaluate out of 15 maximum marks each.
- Candidate shall be required to secure at least 50% marks in the Viva-voce to pass the Examination.



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**LL.M. IV SEMESTER**  
**Value added course credited**  
**Computer Applications & Computer fundamental**

**UNIT-1:**

**Introduction to Computers:** Definition of Computers, History and Generations of Computers, Characteristics of computer, Classification of Computers. Fundamental Block diagram of Computer: CPU, Input & Output Unit. Input devices, Output devices, Types of printer's, Memory, CD-ROM, Hard disk, Floppy disk.

**Software:** Definition of Software, Types of Software-System software, Application software and Utility software. Computer Languages: Definition, types of Programming languages, Language Processors: Assemblers, Interpreters, Compiler and Editors. Introduction to Operating Systems: Types of Operating System, Functions of Operating System examples. MS-DOS Internal and External Commands.

**UNIT-2:**

**Windows:** Introduction to Windows, Starting Windows, Desk Top, Task Bar, Start Up Menu Working with programs and icons-Adding, removing, starting and quitting programs and icon. Working with files and folders-creating, deleting, opening, finding, copying, moving and renaming files and folders. Control Panel, setting, My Computer, Recycle bin, My documents, drives. Windows notepad, Accessories and windows Explorer.

**MS-Word:** Overview of Word Processing, Parts of word window, Types of Menus . Opening, creating saving, cut, copy and paste. print and print preview. Find and Replace, Header & Footer, save & save as, Borders and shading, Bullets & Numbering, spelling and Grammar, Word count, Mail Merge, Table handling and important shortcut keys, Macros.

**UNIT-3:**

**MS-PowerPoint:** Overview of MS-PowerPoint, Slides, PowerPoint views, Auto content wizard, Custom Animation, Transition and build effects, Printing slides and important shortcut keys.

**Internet, World Wide Web:** Introduction to Internet, Internet Access, Internet Basics, Protocols-TCP/IP,HTTP,FTP, Addressing, World Wide Web(WWW), Web Pages & HTML, Web browsers, Searching for information-search engines. Internet chat. Applications of Internet. Advantages and Disadvantages of Internet.

**UNIT-4:**

**E-mail:** Introduction to e-mail, Mailing basics, e-mail ethics, creating an e-mail id, spanning, composing a mail, receiving and replying the mail, Advantages and Disadvantages of e-mail services, Mailing lists, News groups.

**Networking & web Designing:** The need and use of Computer Networks. Concepts of Networking-LAN, WAN, MAN. ISP's in India and their responsibilities. Video Conference, downloading and uploading files. Introduction to HTML, Basic tags, Formatting tags, Style sheets, Table handling, Lists, Hyperlinks in HTML.

**UNIT-5:**

**MS-EXCEL:** Overview of Spreadsheet, Opening, creating, saving work sheet and work book. Copy & paste, insert rows/columns, formatting, formula, print & print preview,. Functions: Types of functions, sort, filter and basic operations. Advanced features such as charts/graphs. Different formulae for calculations.

**MS-ACCESS:** Overview of MS-Access, Main elements of Access, Table, Queries, creating Forms, entering and updating data using Forms, finding, editing and deleting data in a Form, Reports, Relationships.

**REFERENCES:**

1. Microsoft Office 2007 Training Guide, BPB Publications-2010
2. Fundamentals of Computers, V Rajaraman 6<sup>th</sup> edition PHI Learning Private Limited 2014
3. Sanjay Saxena: A First Course in Computers. Vikas Publishing House.
4. Peter Norton: Computing Fundamentals. 6<sup>th</sup> Edition, McGraw Hill-Osborne, 2007
5. Alexis Leon and Marthews Leon: Introduction to Computers, Leon Vikas, 1999.
6. Microsoft Office 2007 Training Guide, BPB Publications-2010

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**LL.M. III SEMESTER  
ELECTIVE-I PAPER - I  
UNITED NATIONS AND HUMAN RIGHTS**

**General Course Information**

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is elective **course for all students of the Department**. This course will deal to acquaint the students about United Nations and human rights. This course will be taught for the Degree of Masters of Law in I<sup>st</sup> Semester of the program.

The main objective of this course is to provide an insight into the meaning and significance of various human rights in the contemporary era and the mechanisms developed at the international level for protection and promotion of such rights and the role of United Nations.

**4. Course Contents**

**Unit I**

**(9 Lectures)**

International Concern for Human Rights Protection: Anti-Slave Trade treaties, ILO and Labour welfare, Nazi and Fascist atrocities and totalitarianism, International Military Tribunals for trial of major war criminals

**Unit II**

**(9 Lectures)**

United Nations Concern for Human Rights Protection: State Obligation under UN Charter, Development of Normative order

**Unit III**

**(9 Lectures)**

Issues of International Accountability: State Sovereignty (Domestic Jurisdiction), Principle of Non-Intervention, Rule of Exhaustion of local remedies, Problems of cooperation between states: Extradition, Asylum

**Unit IV**

**(10 Lectures)**

United Nations Commission on Human Rights (Human Rights Council) Universal Periodic Rules, Sub commission on, Prevention of Discrimination and Protection of Minorities, Commission on Status of Women, UN Centre for Human Rights, UN Commissioner for Human Rights

**Unit V**

**(9 Lectures)**

Role of UN in Protection and Promotion of Human Rights, UN High Commissioner for Refugees , Office of UN High Commissioner for Human Rights

**5. Book List**

Alston, Phillip, The United Nations and Human Rights, Clarendon Press, London  
Alston, Phillip, The United Nations and Human Rights A Critical Appraisal,

Alston, Philip and Crawford James (eds.), The Future of U.N. Human Rights Treaty Monitoring  
Bajwa, G.S. and D.K. Bajwa, Human Rights in India: Implementation and Violations, D.K. Publishers, New Delhi (1996). Basu, D.D., Human Rights in Constitutional Law, Prentice Hall, New Delhi

Sehgal, B.P.Singh, ed., Human Rights in India: Problems and Perspectives, Deep and Deep Publications, New Delhi

S.K.Avesti and R.P.Kataria, Law Relating to Human Rights, Orient Publications, New Delhi

SK Kapoor, Human Rights under International and Indian Law, Central Law Agency, Allahabad, Sinha Manoj , Implementation of Basic Human Rights

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Sircar, V.K., Protection of Human Right in India, Asia Law House, Hyderabad

Symmonides, J., Human Right: International Protection, Monitoring and Enforcement, Rawat publications, NewDelhi

Mamata Rao, Law Relating to Woman and Children, Eastern Book Co.,

Lucknow G B Reddy, Woman and the Law, Gogia Law Agency, Hyderabad

SC Tripathi, Law Relating to Woman and Children, Central Law Publishers, Allahabad,

Paramjit S. Jaswal, Nishtha Jaswal, Human Rights and the Law, APH Publishing, New Delhi

Vijapur, Abdulrahim, The United Nations at Fifty: Studies in Human Rights

Bayefsky, A., The UN Treaty System: Universality at the

Crossroads Ramcharan, B.G., The UN Human Rights Council

Mertus, Julie, The United Nations and Human Rights

The UDHR in the 21st century: A Living Document in a Changing world A Report by the Global Citizenship Commission, (2016)

**6. Outcome of the Course:** After completion of this course, the student will learn to-

- Explain the idea of human rights as Jus Cogens
- Define the United Nations concern for human rights protection
- Describe normative order of human rights in the United Nations Charter
- Distinguish between Charter-based human rights and treaty-based human rights
- Analyze the role of the United Nations High Commissioner for Human Rights
- Identify state obligation to the promotion and protection of human rights under the United Nations Charter
- Explain the significance of Periodic Review Report before the UN Human Rights Council

Assignment & Presentation: 20%

Mid Semester Exam: 10%

End Semester Exam: 70%

#### **Evaluation Pattern of the Course -**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus on United Nations and Human Rights. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.



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**ELECTIVE- I PAPER - II**  
**International Human Rights Law**

**1. General Course Information**

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. The structure, provisions and significance of Universal Declaration of Human Rights and the conceptual development, emerging issues of International human rights etc. will be dealt in this program. This course is to be taught as an **Elective Paper** for the Degree of Masters of Law in 1st Semester of the program.

**2. Course Objective**

- Trace the historical and conceptual development of international human rights
- Explain structure, provisions and significance of Universal Declaration of Human Rights
- Identify the power and functions of Human Rights Committee
- Conceptualize implementation of International Covenant on Economic, Social and Cultural Rights
- Analyze the functioning of regional system on Human Rights.
- Discuss the dyslectics and emerging issues of International human rights

**3. Course Contents**

- Unit I** **(08 Lectures)**  
Concept and historical development of Human Rights Jurisprudence; development of natural rights, League of Nations, International Labour Organisation, Protection of Individual in International Law
- Unit II** **(10 Lectures)**  
UN Determinants of Human Rights; UN Charter, Universal Declaration of Human Rights, International Covenants (ICCPR and ICESCR) and their monitoring mechanisms.
- Unit III** **(10 Lectures)**  
Enforcement of human rights norms; United Nations system-Human Rights Council, Comparison of universal and regional systems. European Convention system, Inter-American system and the African system
- Unit IV** **(08 Lectures)**  
Dyslectics of Human Rights; Universal nature of human rights and their relation to duties, challenges from advocates of cultural relativists and western and non western origin
- Unit V** **(09 Lectures)**  
Emerging Dimensions of international human rights; Global Terrorism, Right to development, International economy and politics, IPR and Human Rights

  
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- Julius Stone, : Human Law and Human Justice ( Universal, New Delhi)
- Donnelly : Universal Human Rights in Theory and Practice: (Ithaca)
- Bergenthal, Thomas, : International human rights in a nutshell, (St. Paul, MN: West Shelton, D. and Stewart D. Group)
- Brownlie, Ian and : Basic documents on human rights, (Oxford University Press)
- Goodwin-Gill, Guy S. (eds.) : Research handbook on international human rights law (Edward Elger)
- Sarah, Joseph (ed.) : International human rights law: Cases, materials, commentary, (Cambridge University Press)
- Schutter, Oliver De : The routledge handbook of international human rights law (London: Routledge)
- Sheeran, Scott and : The oxford handbook of international human rights law (Oxford University Press)
- Rodley Sir Nigel (eds.) : Advanced Introduction to International Human Rights (US, Edward Elgar)
- Dinah L. Shelton : Textbook on international human rights, (Oxford: Oxford University Press)
- Smith, Rhona K.M. : Copyright Law in the Digital World: Challenges and Opportunities Hardcover– Import,
- Manoj Kumar Sinha : Enforcement of Economic, Social and Cultural Rights– National and International Perspectives Paperback
- Manoj Kumar Sinha, : Tax as a human rights issue
- Philip Alston :

**5. Note:- All latest editions of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

**6. Outcome of the Course:** Students who complete the course successfully will acquire:

- An understanding of the principles and institutions of international human rights law, including their origins, assumptions, contents, limits and potential;
- An improved ability to think analytically about the implementation and development of international human rights law and to apply this body of law in your own professional and national setting;
- An improved ability to conduct research on international human rights law; and;
- An institutional framework for cross-national professional collaboration and the exchange of information.

Assignment & Presentation: 20%

Mid Semester Exam : 10 %

End Semester Exam : 70 %

#### 7. Evaluation Pattern of the Course

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving any current issue regarding International Human Rights law. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

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**ELECTIVE-I PAPER – III**  
**Consumer Rights Protection in India**

**1. General Course Information**

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for the students of the Department**. The course will focus on consumer rights and their protection mechanism. This course will be dealt in IIIrd Semester for the Degree of Master of Laws program.

**1. Course Objectives:** The main emphasis in this paper will be on -

- **Basic rights of consumer and consumerism in India.**
- **to know the remedies if the goods are defective quality wise and quantity wise**
- **the protection regime under Consumer Protection Act**

**2. Course Contents**

	<b>(13 Lectures)</b>
<b>Unit I</b>	Basics of Consumers, Origin and Growth of Consumer Movement in India, Consumer Movement in Select Countries
<b>Unit II</b>	<b>(12 Lectures)</b>
	Meaning and Definition of Consumer, Defects in Goods, Deficiency in Services, Consumer Rights, Consumer Responsibilities
<b>Unit III</b>	<b>(13 Lectures)</b>
	Impact of Mass Media and Advertisement on Consumers, Ecology, Environment and the Consumer, Consumer Organisations
<b>Unit IV</b>	<b>(14 Lectures)</b>
	<b>Consumer Protection Laws, Consumer Protection Act- Object and Essential features, Redressal Mechanism for Consumer Grievances</b>
<b>Unit V</b>	<b>(12 Lectures)</b>
	Alternative Forums for Consumer Grievance Redressal, Role of NGOs, PIL, Current Issues & Debates

**2. Book List**

**Books, Bare Acts and Journals**

The Consumer Protection Act, 2019, Indian Contract Act, 1872, The Sale of Goods Act, 1930, Food Safety Standards Act, Acts on Insurance, Banking and Financial Services, Consumer Protection Journal, AIR, SCC

- Saraf D.N., Law of Consumer Protection in India
- R.K. Bangia, Consumer Protection Act
- P.K. Majumdar, The Law of Consumer Protection in India, 1998 Orient Publishing Co. Delhi
- Eradi, Consumer protection jurisprudence
- J.K. Yadav, Law regarding sale of defective goods – a journey from caveat emptor to caveat venditor
- Gurjit Singh, Consumer Protection Laws
- Avtar Singh, Consumer Protection

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- S.S. Srivastava, Consumer Protection
- PD Mathew, Public Interest Litigation
- SK Agrawal, Public Interest Litigation in India
- National Consumer Policy
- United Nations Guidelines for Consumer Protection.
- Consumer Protection Act and the Supreme Court
- Mamta Rao, Public Utility Services under the Consumer Protection Act
- R.K. Nayak, N.M. Tripathi, Consumer Protection Law in India : An Eco-Legal Treatise on Consumer Justice
- Justice Rickell & Telfer, International Perspective on Consumers Access to
- Dennis Cambell International Consumer Protection
- Wilhelm & son et. al. Consumer Law in the information society
- William T. Vukowich, Consumer Protection in the 21st Century: A Global Perspective,
- Khanna, Sri Ram, Savita Hanspal, Sheetal Kapoor, and H.K. Awasthi. *Consumer Affairs*, Universities Press.
- Choudhary, Ram Naresh Prasad, *Consumer Protection Law Provisions and Procedure*
- G. Ganesan and M. Sumathy, *Globalisation and Consumerism: Issues and Challenges*
- Suresh Misra and Sapna Chadah, Consumer Protection in India: Issues and Concerns
- Rajyalaxmi Rao, *Consumer is King*
- Girimaji, Pushpa, *Consumer Right for Everyone*
- E-books :- [www.consumereducation.in](http://www.consumereducation.in)
- Empowering Consumers e-book, [www.consumeraffairs.nic.in](http://www.consumeraffairs.nic.in)
- ebook, [www.bis.org](http://www.bis.org)

**Note: All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

- 3. Outcome of the Course:** This course would make the student acquaint with the knowledge to-
- Understand the rights of consumers.
  - Understand various redressal forums and mechanism for consumer grievances
  - Alternative Forums for Consumer Grievance Redressal,
  - Role of NGOs, PIL,

Assignment & Presentation: 20 %

Mid Semester Exam: 10%

End Semester Exam: 70%

#### 4. Evaluation Pattern of the Course

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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**ELECTIVE-II PAPER - I  
HUMAN RIGHTS OF VULNERABLE GROUPS**

## 2. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for the students of the Department**. This course will be dealt in II<sup>nd</sup> Semester of the program and focus on the human rights of vulnerable groups.

## Course Objective

- Identify issues and challenges regarding venerable groups in human rights perspective
- Describe the international norms for the protection of the elderly and disabled persons
- Explain and discuss the international provisions and enforcement of human rights of women and children
- Discuss the issues and international protection of minority and indigenous people
- Analyze the national status of human rights protection of vulnerable groups

## 2. Course Contents

### Unit I (09 Lectures)

Introduction: Philosophical and social perspectives on human rights protection of the vulnerable groups; exclusion of SC, ST, Disabled persons, Elderly persons, minorities, indigenous, children and women.

### Unit II (09 Lectures)

International norms and instruments for the protection and enforcement of rights of minorities and indigenous persons

### Unit III (09 Lectures)

International norms and instruments for the protection and enforcement of rights of women and Children

### Unit IV (09 Lectures)

International norms and instruments for the protection and enforcement of rights of disabled and elderly persons

### Unit V (09 Lectures)

Protection of marginalized groups in India; international obligations, legal protection and institutional mechanism

## 7. Book List

- |                                |   |
|--------------------------------|---|
| Javaid Rehman                  | The Weaknesses in the International Protection of Minority Rights, (The Hague : Kluwer Law International) |
| Baxi, Upendra                  | Inhuman Wrongs and Human Rights: Unconventional Essays (Har AnandPub                                      |
| Chopra, Geeta                  | Child Rights in India: Challenges and Social Action (Springer, India)                                     |
| Venter, Christine M., Carolina | International Women's Rights, Equality and Justice (Durham: Academic Press)                               |

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Vijapur, Abdulrahim P. (ed.) Implementing Human Rights in the Third World – Essays on Human Rights, Dalits and Minorities, (New Delhi: Manak Publications.)

Bajpai, Asha Child Rights in India: Law, Policy, and Practice (New Delhi: OUP)  
Buck, Trevor International Child Law, (Routledge)

Goonesekere, Savitri Children, Law and Justice: A South Asian Perspective (New Delhi:

Sage) Ingrid Nifosi Sutton The Protection of Vulnerable Groups under International Human Rights Law (Routledge)

- 8. Note:- All latest editions of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

### **9. Outcome of the Course**

Students who complete the course successfully will acquire:

- An understanding of concept of exclusion and marginalization of vulnerable groups
- An ability to apply critical reasoning to issues and challenges related to vulnerable groups
- An understanding of the international principles and institutions for the protection of SC, ST, Disabled persons, Elderly persons minorities, indigenous, children and women
- An ability to assess the practical effectiveness of different mechanisms for implementing or enforcing human rights of vulnerable groups

Assignment & Presentation: 20%

Mid Semester Exam: 10%

End Semester Exam: 70%

### **5. Evaluation Pattern of the Course**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving any issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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**ELECTIVE-II, PAPER - II**  
**International Humanitarian Law**

### 1. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for the students of the Department**. The course will focus on International Humanitarian Law. This course will be dealt in IIIrd Semester for the Degree of Master of Laws program.

### 2. Course Objectives

- Trace the historical development of International Humanitarian law
- Define nature and basic principles and sources of International Humanitarian Law of international humanitarian law
- Analyze the problems and challenges of implementation of international humanitarian law
- Explain the role of the International Committee of the Red Cross and International Criminal Court
- Discuss and analyse the implementation of international humanitarian law in non-international armed conflict

### 3. Course Contents

#### Unit I

(14 Lectures)

Historical & Philosophical Background of IHL: the Concept of 'Just Wars'; Origin and development of modern humanitarian law, Customary Law and the Regulation of war

#### Unit II

(14 Lectures)

Conduct of hostilities and protection of victims: limiting the choice of weapons, war and women, war and children war and environment

#### Unit III

(14 Lectures)

Geneva Conventions- Humanization of warfare: Amelioration of wounded and sick in Armed forces in the field, Amelioration of wounded and sick and the shipwrecked in Armed forces at sea

#### Unit IV

(14 Lectures)

Geneva Conventions- Humanization of warfare: protection and treatment to prisoners of war and civilian in times of war

#### Unit V

(14 Lectures)

Institutions of International criminal Justice and Implementation of IHL – State Obligation in Times of Peace and Armed Conflict, Role of ICRC and ICC

### 4. Book List

- |  |   |  |
|--|---|--|
| Dieter Fleck                               | : | The Handbook of Humanitarian Law in Armed Conflicts (Oxford, OUP)                        |
| Marco Sassoli and ICRC, Antoine A. Bouvier | : | How Does Law Protect in War? (Geneva: L.C. Green   |
| L.C. Green                                 | : | The Contemporary Law of Armed Conflict (Manchester: Manchester University Press)         |
| Yoram Dinstein                             | : | The Conduct of Hostilities Under the Law of International Armed Conflict, Cambridge CUP) |
| A.P.V. Rogers                              | : | Law on the Battlefield (Manchester: MUP)   |
| Ingrid Detter                              | : | The Law of War (Cambridge: CUP)  |
| Jean-Marie Henckaerts                      | : | Customary International Humanitarian Law (Cambridge: CUP)                                |
| and Louise Doswald-Beck                    |   |  |

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Hilaire McCoubrey	:	International Humanitarian Law (Aldershot: Dartmouth)	69
Edward K. Kwaka	:	The International Law of Armed Conflict (Dordrecht :	
Kluwur)UK Ministry of Defence	:	Manual of the Law of Armed Conflict (Oxford : OUP)	
Kalshoven and Zegveld	:	Constraints on the Waging of War (Geneva: ICRC)	

**5. Note:- All latest editions of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

- 6. Outcome of the Course** Students who complete the course successfully will acquire:
- An understanding of the principles and institutions of International Humanitarian law including its origins, fundamental rules and sources
  - An improved ability to think analytically about the implementation and development of Humanitarian law and to apply this knowledge in their professional and national settings
  - An improved ability to conduct research on Humanitarian law
  - Institutionalise framework for cross-national professional collaboration and the exchange of information

Assignment & Presentation: 20%

Mid Semester Exam : 10%

End Semester Exam : 70 %

**Evaluation Pattern of the Course:** The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving any current issue on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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**ELECTIVE-II PAPER –III**  
**L.G.B.T.Q. and Human Rights**

### General Course Information

This course is an **Elective course as Elective Paper**. This course will be taught in III Semester of the program for the Degree of Master of Laws. This course is to acquaint the students about human rights of genders who don't fall either masculine or feminine directly.

#### 1. Course Objective:

- Contribution of Indian National Congress in developing concept of Fundamental rights in Indian Constitution
- To provide the knowledge about different social reform movements, peasants and Naxalite movements and about Civil liberty movement against the Indian state during the Emergency period 1975-77 that had uprooted social evils from the society, develops human rights consciousness among people and contributed in the growth of human rights movement in the country.
- To identify the problems of human rights violation in secessionist and terrorist affected regions like North East, Kashmir and Naxalite regions
- To acquaint the student about the role, ideology and functioning of some HROs that protect human rights of the people in our country. To briefly understand the ideological perspective and politics of Dalit and Tribal Rights movements.

#### 2. Course Contents:

##### Unit I

(15 Lectures)

Sexual minorities: Theoretical Explanation; sexual orientation and gender identity; List of common LGBTQ concept; Sexuality and Cultural Studies; Persecution to Affirmation: Sexual Minorities and Human Rights; human rights based approach: principles of Openness, transparency, Accountability, Participation and Non-discrimination; LGBTQ empowerment and workplace; prejudice against LGBTQ people, LGBTQ inclusion policy.

##### Unit II

(14 Lectures)

Developments at the United Nations for LGBT rights human rights; The EU "Toolkit to Promote and Protect the Enjoyment of All Human Rights by LGBT People; International Bill of Human Rights and LGBTQ; Human Rights Campaign and LGBTQ; Human Rights Watch and LGBTQ;

##### Unit III

(14 Lectures)

Social networks and family; Legal Instruments, Frameworks And Recommendations Marriage, Family Life, Reproductive Rights, Parenting And Gender Reassignment; HIV and other health issues;

##### Unit IV

(12 Lectures)

Homosexuality and the laws in India: Constitution of India, Criminal law; Judicial interpretation of LGBTQ rights; LGBTQ movements in India;

##### Unit V

(14 Lectures)

Human Rights Responses; Gender, Sexuality, and Immigrant Rights, Human Rights Responses; Gender, Sexuality, and Immigrant Rights, Honor related violence; Right to privacy; Religious Liberty, morality and ethical issues on gender expression.

#### 3. Book List

<p>Waites : Critique of Sexual Orientation and Gender Identity in Human Rights</p> <p>Michael O'Flaherty : Sexual Orientation, Gender Identity and International Human Rights</p> <p>Law: &amp; John Fisher : Contextualizing the Yogyakarta Principles</p> <p>Inderpal Grewal &amp; : Global Identities: Theorizing Transnational Studies of</p> <p>Sexuality. Caren Kaplan</p> <p>Michel Foucault : We Other Victorians', History of Sexuality, Vol. 1: An</p>	 <small>Dean Faculty of Legal Studies MJPVU, Bhubaneswar</small>
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- Eskridge and Hunter : Sexuality, Gender and the Law  
Walter Frank : Law and the Gay Rights Story the Long Search for Equal Justice in a Divided Democracy Same Sex Different Politics Success and Failure in the Struggles over Gay rights The University Of Chicago Press Chicago & London
- Upendra Baxi : Dignity In and With Naz, Law Like Love,  
Robert Wintemute : Same-Sex Love and Indian Penal Code Sec 377 - An Important HumanRights Issue for India (Skim over repetition from Kirby article)
- Carl Stychin : 'Same-Sex Sexualities and the Globalization of Human Rights Discourse', Wallace Swan : Handbook of Gay, Lesbian, Bisexual And Transgender Administration  
And Policy
- Arvind Narrain : Queer Despised Sexuality, Law, and Social Change  
Amara Das Wilhelm : Tritity Prakriti: People of the Third Sex: Understanding Homosexuality, Transgender Identity and Intersex Conditions Through Hinduism
- Ruth Vanita : Queering India: Same-Sex Love and Eroticism in Indian Culture and Society

#### 4. UN Material on website

United Nations.(1945). *Charter of the United Nations*. New York, NY: UN.org/News/Press/docs/2010/s  
gsm13309.doc.htm

Clinton, H. *Remarks in recognition of Human Rights Day*. Washington, DC: United States Department of State. [www.state.gov/secretary/](http://www.state.gov/secretary/)

United Nations. (2011). *Secretary-General SG/SM/14008 HR/5080*. [www.un.org/News/Press/docs/2011/sgsm14008.doc.htm](http://www.un.org/News/Press/docs/2011/sgsm14008.doc.htm) United Nations. (2011).

*The United Nations Speaks Out: Tackling Discrimination on Grounds of Sexual Orientation and Gender Identity*. [Brochure].

[www.ohchr.org/EN/Issues/Discrimination/Pages/LGBTBrochure.aspx](http://www.ohchr.org/EN/Issues/Discrimination/Pages/LGBTBrochure.aspx) United Nations Office for the High Commissioner for Human Rights (OHCHR). *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation*. Geneva, Switzerland: United

Nations. [www2.ohchr.org/english/bodies/hrcouncil/docs/19session/A.HRC.19.41\\_English.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/19session/A.HRC.19.41_English.pdf)

United Nations. *Secretary-General SG/SM/14145 HRC/13*.

[www.un.org/News/Press/docs/2012/sgsm14145.doc.htm](http://www.un.org/News/Press/docs/2012/sgsm14145.doc.htm)

#### 5. Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

#### 6. Outcome of the Course: By the end of this course, the student should be able to:

- Explain the history of human rights as a concept
- Apply a gendered lens to the social world that integrates sexual minorities
- Read, write, and speak comfortably about theoretical writings
- Understand key topics in LGBTQ and human rights in a multifaceted way
- Explore how human rights are used as a discourse in policy and campaigning
- Conduct careful, rigorous research on human rights and LGBTQ issues

Assignment & Presentation: 20 %

Mid Semester Exam: 10%

End Semester Exam: 70%

#### 7. Evaluation Pattern of the Course

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus and current issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

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**LL.M. IV SEMESTER  
ELECTIVE-I PAPER - I  
LAW AND BASIC NEEDS**

### 1. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for the students of the Department**. This course will be dealt in II<sup>nd</sup> Semester of the program and focus on the law and basic needs of the human being. This course is to be taught as an **Elective Paper** for the Degree of Masters of Law.

### 2. Course Objective

The main objective of this paper is to acquaint the students regarding rights based theories their Merits and Demerits. The focus in the Indian Constitution on basic needs of the common man and how can one get their basic needs fulfilled in democracy under bureaucratic system. Various laws and their implementation schemes are to be discussed in this paper.

### 3. Course Contents

**Unit –I** (8 Lectures)  
Rights based Theories-Merits & Demerits, Role of Directive Principles of State Policy in Governance, Basic Needs & Indian Constitution.

**Unit –II** (8 Lectures)  
Legal Framework for Poverty Alleviation -A Brief Introduction, Guaranteed Employment to Poor, Land acquisition, Resettlement and Rehabilitation Law

**Unit –III** (10 Lectures)  
Food Security Law & Policy, Legal and Administrative issues involved in raising the Level of Nutrition and improving Public Health.

**Unit –IV** (7 Lectures)  
Provisions for Free & Compulsory Education, Legal Framework for Equal Opportunities and Assistance in Disablement

**Unit –V** (9 Lectures)  
Legal Services & Aid to Poor & Deserving People, Legal Protection of Women Workers Legal Protection of Vulnerable Peoples.

### 4. Book List

M.P. Jain	:	Constitutional Law of India
H.M. Seervai	:	Constitutional Law of India
John. B. Howard	:	“The Social Accountability of Public Enterprises” in Law and Community Controls in New Development Strategies (International Center for law in Development 1980)
Soli Sorabjee	:	Law of Press Censorship in India (1976)
D.D. Basu	:	The Law of Press of India (1980)
Alston (Ed.)	:	The U.N. and Human Rights (1989)
Brownlie I	:	Basic Documents on Human Rights (1986)
Cassese	:	International Law in a divided world (1989)

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Crawson	:	Encyclopaedia of Human Rights (1988)	Page   73
Greenberg J	:	Human Rights: Their implementation and Supervision	
Khare S.C.	:	Human Rights & the U.N	
Lauterpacht H.	:	International Law of Human Rights	
Martin F. (ed.)	:	International Human Rights Law and Practise	
Meron	:	Human Rights Law-making in the U.N.	
Sieghart Paul	:	The Lawful rights of mankind	

**Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

- 5. Outcome of the Course-** After completion of the course the student will be able to-
- a. Describe the merits and demerits of the rights-based theories
  - b. Distinguish between value-based human rights and need-based human rights
  - c. Explain the legal and administrative issues involved in raising the level of nutrition and importing public health
  - d. Analyse the legal framework for poverty alleviation
  - e. Identify the actions taken for free and compulsory education.

Assignment & Presentation: 20%

Mid Semester Exam : 10%

End Semester Exam : 70%

#### **6. Evaluation Pattern of the Course**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving the law on basic needs. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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**ELECTIVE-I PAPER –II****Health and Human Rights****1. General Course Information**

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for all students of the Department**. This course will be dealt in III Semester of the program and focus on health related human rights. This course will be taught for the Degree of Master of Laws in the III Semester of the Program.

**2. Course Objective** The objective of present compulsory paper is to-

- Identify human rights issues subject to research for policy change (evidence based policy)
- Recognize analytical framework and a methodological, interdisciplinary approach to gender and health dimensions in human rights.
- Identify major data sources for global health cross-country comparisons Describe health in international perspective and UN Millennium Development Goals, focusing on maternal and infant health
- Explain awareness about birth control and its consequences for reproductive health
- Analyze reproductive rights and consequences of sexually transmitted infections including HIV

**3. Course Contents****Unit I****(14 Lectures)**

Concept of Right to Health- Key aspects of the right to health, Common misconceptions about the right to health, The link between the right to health and other human rights, the principle of non-discrimination apply to the right to health

**Unit II****(15 Lectures)**

The right to health in international human rights law- Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of the Child, Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination Against Women, American Declaration on Rights and Duties of Man, Convention on the Rights of Persons with Disabilities, International measures for the protection of persons with mental illness and for the improvement of mental health care,

**Unit III****(12 Lectures)**

Constitutional Perspective on health as fundamental right; the right to health of specific groups. Women, Children and adolescents, Persons with disabilities, Migrants, Persons living with HIV/AIDS; Non-discrimination in the field of health, health rights of patient as consumer of services

**Unit IV****(14 Lectures)**

National Health policy of India, Duties of doctor and hospitals, Impact of health policies, programmes and practices on human rights,

**Unit V****(14 Lectures)**

Human Right to Health and Health Care, Human rights and clinical practice, Human rights and torture, Right to autonomy and decision-making, Health and Human Rights Advocacy

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- Dupuy, R.-J. (ed) (1979) The right to health and human rights. Alphen aan den Rijn, The Netherlands: Sijthoff & Noordhoff.
- Grodin, Michael et al. (ed.), (2013) Health and human rights in a changing world, Third Edition Routledge.
- Montgomery, J. (1992) "Rights to health and health care", in: Coote, A (ed.) The Welfare of Citizens, Developing New Social Rights. Institute for Public Policy Research/ Rivers Oram Press, London.
- United Nations (1993). Indicators to Measure the Realization of the right to health. A/Conf. 157/PC/73. Report of the Seminar on Appropriate Indicators to Measure Achievements in the Progressive Realization of Economic, Cultural and Social Rights.
- UN Commission on Human Rights (1991). Report of the working group on the principles for the protection of persons with mental illness and for the improvement of mental health care. E/CN.4/1991/39.
- UN Commission on Human Rights (1989). Non-discrimination in the field of health. Resolution 1989/11.
- Wolff, Jonathan, (2012) The human right to health New York: W.W. Norton & Company  
Amnesty International, (1991). Health personnel: Victims of human rights violations (London)
- British Medical Association, (1992). Medicine betrayed: The participation of doctors in human rights abuses. London: Zed Books.
- Carl, Pia et.al. (1991), AIDS and human rights in the european communities. Utrecht:Netherlands Institute of Human Rights.
- Cohen, Roberta and Wiseberg, Laurie S. (1990) Double jeopardy. : Threat to life and human rights: Discrimination against persons with AIDS. Cambridge, MA: Human Rights Internet.
- Sieghart, P. (1989), AIDS & human rights-A UK perspective. (British Medical Association Foundation for AIDS: London).
- Swiss Institute of Comparative Law (1993). Comparative study on discrimination against persons with HIV or AIDS. Council of Europe:Strasbourg.
- UN Centre for Human Rights (1991), Report of an international consultation on AIDS and human rights.
- UN Commission on Human Rights (1993), Decision on the protection of human rights in the context of HIV or AIDS.
- World Health Organization. Stillbirths. In: Maternal, newborn, child and adolescent health Available at: [www.who.int/maternal\\_child\\_adolescent/epidemiology/stillbirth/en/](http://www.who.int/maternal_child_adolescent/epidemiology/stillbirth/en/)

5. **Note: The students are required to study the legislations as amended up-to-date and consult the latest editions of books.**

6. **Outcome of the Course:** after completion of this course the student will be able to-

- Explain the right to health as human right
- Indicate the measures for the realization of the right to health

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- Describe the principles for the protection of persons with mental illness and for the improvement of mental health care
- Identify the impact of health policies, programmes and practices on human rights
- Analyse the national health policy of India
- Explain the constitutional perspective on right to health as fundamental right
- Identify the rights of patient and duties of doctor and hospital.

Assignment & Presentation 20%

Mid Semester Exam :10%

End Semester Exam : 70%

**Evaluation Pattern of the Course:** The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving any current issue or debate. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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**ELECTIVE -I PAPER –III**  
**Human Rights Movement And Ideology**  
**In India**

### 1. General Course Information

This course is an **Elective course as Elective Paper**. This course will be taught in IV Semester of the program for the Degree of Master of Laws. This course is to acquaint the students about human rights movements and ideology in India.

**2. Course Objective:** The aim of the course paper is to provide knowledge about the human rights movements and ideological spectrum of Human Rights existing in India to the student in following ways:

- To explore historical genesis of ideological and political consciousness of civil liberties against the British Colonial rule during the National freedom Movement. Contribution of Indian National Congress in developing concept of Fundamental rights in Indian Constitution
- To provide the knowledge about different social reform movements, peasants and Naxalite movements and about Civil liberty movement against the Indian state during the Emergency period 1975-77 that had uprooted social evils from the society, develops human rights consciousness among people and contributed in the growth of human rights movement in the country.
- To identify the problems of human rights violation in secessionist and terrorist affected regions like North East, Kashmir and Naxalite regions
- To acquaint the student about the role, ideology and functioning of some HROs that protect human rights of the people in our country. To briefly understand the ideological perspective and politics of Dalit and Tribal Rights movements.

### 3. Course Contents:

- Unit I** **(14 Lectures)**  
 Ideology and Politics of Civil Rights Consciousness in British Period; Indian Freedom Movement and Civil Liberties; Indian National Congress and Concept of Fundamental Rights
- Unit II** **(14 Lectures)**  
 Social Reform Movement in British Period; Peasant and Naxalite Movements; Indian Civil Liberty Movement in Emergency 1975-77
- Unit III** **(14 Lectures)**  
 Post Emergency Period-Human Rights Violation; Secessionist Movement & Human Rights North-East, Kashmir, and Naxalite regions
- Unit IV** **(14 Lectures)**  
 Indian Democracy & Crisis of Human Rights: Ethnicity, Castism, Communalism, Regionalism
- Unit V** **(14 Lectures)**  
 Human Rights Organization, Ideology and Movement, A study of Major HROs; Ideology & Politics of Dalit Rights and Tribal Rights Movements in India

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#### 4. Book List

- Baxi, Upendra : Inhuman Wrongs and Human Rights: Unconventional Essays (Har Anand Pub. 1994)
- Chandoke, N & UniversityGrassroots : Movements and Social Change (Delhi Gh , A (eds.) Press, 1995)
- Desai, A.R. : Violation of Democratic Rights in India (Popular Prakashan, 1986)
- Desai, A.R. : Social Background of India Nationalism (Popular Prakashan, 1976)
- Kohli, Atul : Democracy and Discontent (Cambridge University Press, 1999)
- Kothari, Rajni : State against Democracy (Aspect, 1999)
- Mohanti, M (eds) : People's Rights (Sage, 1998)
- Omvedt, G. : Dalits and the Democratic Revolution: Dr. Ambedkar and the Dalit Movement Colonial India (Sage, 1993)
- Sehgal, B.P.S. : Human Rights in India (Deep & Deep, 1994)
- Shah, G. : Social Movement in India (Sage, 1990)
- Vanaik, A. : The Painful Transition: Bourgeois Democracy in India (Verso, London 1990)

#### 5. Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.

6. **Outcome of the Course:** This course would make the student acquaint with-
- knowledge about the growth of human rights movement India since the British Colonial era when civil liberties consciousness was nurtured through various social reform and political movements against British undemocratic rules and social evils of Indian society.
  - The role of INC in conceptualising notion of fundamental rights under Indian Constitution.
  - Human rights violation during Emergency period in 1975, human rights violation in terroristinflicted regions in North-Eastern States, Kashmir and Naxilte areas.
  - The undemocratic social structure and institutions such as caste, ethnicity, religion threateningethos of Indian Democracy.
  - The growth of human rights movement through HROs in India and learn about its role, functioning and critical appraisal.
  - Dalit and tribal movements.
  - The growth of human rights movement in the country that will open vast area of human rightsresearch to the students.

Assignment & Presentation: 20 %,  
 Mid Semester Exam: 10%,  
 End Semester Exam: 70%

#### 7. Evaluation Pattern of the Course

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus and current issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

**ELECTIVE-II PAPER – I**  
**MEDIA LAW, SOCIAL MEDIA AND HUMAN RIGHTS**

### 1. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course for the students of the Department**. The course will focus on media and social media and its impact on human rights. This course will be dealt in IIIrd Semester for the Degree of Master of Laws program.

### 2. Course Objectives:

- To upgrade human resource with specialized knowledge and skills on communication for social change.
- To expand the knowledge base of theories around development, and its interrelation to culture, behaviour change, social transformation and; human rights principles.

### 3. Course Contents:

#### Unit I

(14 Lectures)

Writing on Human Rights: Promotion, Protection and Violation, Types of Reports, Sources of News, Trends in Indian Press, Problem of writing about Human Rights Issues, Media in Promotion and Protection of Human Rights, Investigative Journalism, Media Activism, Advocacy Journalism, The Use of General Laws to Target Journalists and Media: Libel, Insult, and Privacy Laws National Security, Anti-Terror, and Public Order Laws, The Use of Laws Specifically Aimed at the Media: Print Media Laws, Broadcasting Laws, Laws That Promote Media Freedom

#### Unit II Lectures)

(14

Media and Social Issues: Problems of girl child and women, LGBT Movement, Casteism, Violence against women, Rights of Children and Adolescents, UNCRC, Child Labour, Exploitation of children and Reform Process, Protection of Children against Sexual offences, Reflection of such issues in Media, Role of Media in the promotion and protection of human rights, Social Media: Debate on freedom of expression and violation of human rights

#### Unit III Lectures)

(14

Constitutional Foundations, Morality, Obscenity and Censorship, Privileges of Parliament and the State Assemblies, Contempt of Court, Defamation, Reporting Judicial Proceedings, Freedom of Speech and Expression, constitutional restrictions and Freedom of Media- Types of Mass Media, Press, Press Films, Radio Television.

#### Unit IV Lectures)

(14

Radio and Television – Effect of television on people, Report of the Chanda Committee, Government Policy, Commercial advertisement, Internal Scrutiny of serials, etc., Judicial Review of Doordarshan decisions: Freedom to telecast

#### Unit V Lectures)

(14

Statutes that regulate and control the various media such as Broadband, Cable TV, Networks, Cinemas, Newspapers, DTH, Radio, Television, Video-Cassettes etc., The various Acts and Rules relating to the regulatory bodies (their constitution, functions, procedures, powers etc.) like the Prasarat Bharati Press Council, the Registrar of Newspapers, TDSAT, TRAI, etc.

**4. Book List:**

M.P. Jain	:	Constitutional Law of India
H.M. Seervai	:	Constitutional Law of India Vol.I
Soli Sorabjee	:	Law of Press Censorship in India
Justice E.S. Venkaramiah	:	Freedom of Press: Some Recent Trends
D.D. Basu	:	The Law of Press of India
EBC	:	Media, Press and Telecommunications Laws
Madhavi Goradia	:	Facets of Media Law
Bruce Michael Boyd	:	“Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression” 14. J.I.L.I. (1972) Rajeev Dhawan
	:	“On the Law of the Press in India” 26 J.I.L.I. 288 (1984)
Rajeev Dhawan	:	“Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission” 26 J.I.L.I. 391 (1984)
Oyelade Olutunji & Manoj Kumar Sinha	:	Right to Health in the Context of HIV / AIDS in India and Africa Hardcover – 2008
Mike Wicks	:	An Introduction to Social Media for Small Business(Publisher: Blue Beetle Books Inc.)

**Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

**5. Outcome of the Course:** The students will learn to-

- Explain relationship between freedom of expression and freedom of press
- Describe the role of media in promotion and protection of human rights
- Critically analyse the use of media in violation of human rights
- Distinguish between media trial and media reporting
- Conceptualize the impact of social media on the mind of people
- Role of social media and media on human rights.

Assignment & Presentation: 20 %

Mid Semester Exam: 10%

End Semester Exam: 70%

**6. Evaluation Pattern of the Course**

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

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## 1. General Course Information

The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is an **Elective course as Elective Paper for all students**. This course will be taught in IV Semester for the Degree of Master of Laws in the program. This course is to acquaint the students about intricacies of Internally Displaced Persons & Refugee Law.

## 2. Course Objectives

- Trace the history of population Movements including IDPs, Refugees and stateless Persons
- Explain the principles involved in determining refugee status under the Refugee Convention of 1951.
- Identify various solutions to refugee problems under international refugee law
- Describe various human rights of refugees and IDPs
- Define the importance of United Nations Guiding Principles on Internal Displacement

## 3. Course Contents

### Unit I

**(14 Lectures)**

Historical and conceptual perspectives of international refugee law: History of Population Movements; Stateless, Internally Displaced Persons, and Refugees, the Evolution of the International Refugee Regime, Principles and concepts

### Unit II

**(14 Lectures)**

International Framework for Refugee Protection: The 1951 Refugee Convention, 1967 Protocol to Refugee Convention, International Human Rights Law and international Geneva laws

### Unit III

**(14 Lectures)**

Understanding refugee definition and its paradigms: Traditional Definition of Refugee, Expanded Definition, Non-Refoulement Theory Durable Solution to refugee: Repatriation, resettlement local integration and rehabilitation

### Unit IV

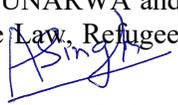
**(14 Lectures)**

Regional framework for refugee protection : African Framework for Refugee Protection, Asian Framework for Refugee Protection, European Framework for Refugee Protection, Latin American Framework for Refugee Protection

### Unit V

**(12 Lectures)**

Relief and Rehabilitation Administration for refugees and IDPs : Role of UNARWA and UNHCR in Refugee Protection, Contemporary Developments in Refugee Law, Refugee Law and Policy in India

  
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#### 4. Book List

B.S. Chimni	:	International Refugee Law
Guy S. Goodwin-Gill	:	The Refugee in International Law (Oxford : Clarendon Press)
James C. Hathaway	:	The Rights of Refugees under International Law (Cambridge: CUP)
B.S. Chinni	:	International Refugee Law (New Delhi : Sage,
Erika Feller et.al.	:	Refugee Protection in International Law (Cambridge : CUP)
Edward Newman and	:	Refugees and Forced Displacement (New Delhi: UN University
Joanne van Selm	:	Press)
Manik Chakraborty	:	Human Rights and Refugees (New Delhi : Deep & Deep,
Ranbir Samaddar	:	Refugees and the State – Practices of Asylum & Care in India (New Delhi: Sage)
M. Barutciski	:	“A Critical View on UNHCR’s Mandate Dilemmas”, (International Journal of Refugee Law)
UNHCR	:	Handbook on Procedurer and Criteria for Determining Refugee Status (Geneva : UNHCR)
Edward Arboleda	:	“Refugee Definition in Africa and Latin America”, International Journal of Refugee Law
David Kennedy	:	“International Refugee Protection Vol.8, No.1, Human Rights Quarterly
UNHCR	:	Guidelines on the Protection of Refugee Women (Geneva : UNHCR)

**5. Note:- All latest editions of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

**6. Outcome of the Course:** Students who complete the course successfully will acquire:

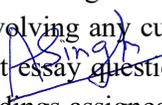
- An understanding of the principles and institutions of International Refugee law including its origins, fundamental rules and sources.
- An improved ability to think analytically about the development and implementation of Refugee Protection and to apply this knowledge in their professional and national settings.
- An improved ability to conduct research on refugee and problem of Internal Displacement.
- An ability to analyse the national and international framework for IDPs and stateless persons.
- Institutionalise framework for cross-national professional collaboration and the exchange of information.

Assignment & Presentation: 20% Mid Semester Exam

: 10%

End Semester Exam : 70 %

**7. Evaluation Pattern of the Course:** The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus or involving any current issue on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

  
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## Human Rights & Sports Law

### 1. General Course Information

This course is an **Elective course as Elective Paper**. This course will be taught in IV Semester of the program for the Degree of Master of Laws. This course is to acquaint the students about human rights of sportsman and various national and international laws on the sports.

### 2. Course Objective: To acquaint the student about the-

- History and Growth of Sports Law
- Structure and liabilities of International sports Bodies and agencies
- Role of autonomous governing bodies and common international standards of human rights;
- Constitutional rights and Indian sports policy
- Principles of law that underpin judicial oversight of sports

### 3. Course Contents:

#### Unit I

(15 Lectures)

History and Growth of Sports Law; Types of sports organizations; Structure and liabilities of International sports Bodies and agencies: World Anti-Doping Agency (WADA), The Fédération Internationale de Football Association (FIFA), The International Cricket Council (ICC), International Olympic Committee (IOC), The International Netball Federation (INF), International Federation of Sports Medicine, Commonwealth Games Federation, Asian Games Federation;

#### Unit II

(12 Lectures)

Human Rights violation in sports; Centre for Sports and Human Rights; Role of autonomous governing bodies and common international standards of human rights; International Convention against Doping in Sport 2005; Convention on the Manipulation of Sports Competitions.

#### Unit III

(14 Lectures)

Sports and Indian Constitution; Organisation and Functions of Ministry of Youth Affairs and Sports; National Sports Federation; Indian sports policy: Code of conduct, policy for discipline, selection, conflict of interest, recruitment and awards, Sports injuries and issues of liability: potential liability, claim and compensation, risk assessment and insurance provisions; Freedom of transfer of players and respect of Human Rights; Harassment in sports and Human rights: Harassment of Woman and girl child in sports; Child Trafficking, physical abuse peer violence and Abuse in youth sports; Internal enquiries and investigations in sports; humanitarian and constitutional laws for prevention of gender harassment,

#### Unit IV

(12 Lectures)

Media Rights: Branding and sponsorship rights, Broadcasting rights; Labour issues: working hours, wages, working conditions; Integrity in sports: Fighting against corruption, violence, doping, Illegal Drugs and Performance-Enhancing Substances, drug testing, banned drugs, privacy issues, racism and other dangers threatening the future of sports institutional corruption, match fixing and betting.

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## Unit V Lectures)

Principles of law that underpin judicial oversight of sports; Dispute Resolutions: ADR and Court of Arbitration for Sport; Violence in sports: Intentional torts and criminal acts of assault and battery, vicarious liability, negligence, defenses, Spectator Injuries, reputation and defamation; Competition Act 2002 Contract and Trademark issues; Sports Persons: Right to publicity, Advertisements, Endorsements, and Marketing: Legal and Human Rights issues.

### 4. Books List:

- David Thorpe et al : Sports Law (Oxford University Press, 3rd ed, 2017).
- Mudgal MuKul: Law and Sports in India – Developmental Issues and Challenges LexisNexis –Butterworth Wadhwa Nagpur,
- Anderson Jack, Modern Sports Law: Hart Publishing Oxford and Portland-Oregon.
- Mohammad Naseem Sports Law in India Paperback – Import,
- Robert C. Berry; Glenn M. Wong: Law and Business of the Sports Industries: CommonIssues in Amateur and Professional Sports
- Raymond L. Yasser: Torts and Sports: Legal Liability in Professional and Amateur Athletics
- Robert C. Berry; William B. Gould IV; Paul D. Staudohar: Labor Relations in ProfessionalSports
- Douglas T. Putnam: Controversies of the Sports World
- Ratanlal and Dhirajlal's: The Law of Torts
- Winfield and Jolowicz: Tort Law
- Salmond and Heuston: Law of Torts
- Pollock & Mulla: Indian Contract Act
- P. S. Atiya-: Introduction to the Law of Contract
- G. C. Cheshire: Law of Contract
- William Anson-: Law of Contract
- Seervai H.M. : Constitutional Law of India (3 Volumes).
- Shukla V.N. -: Constitution of India.
- Basu D.D. : Constitution of India
- Jain M.P. : Indian Constitutional Law.
- E. R.Hardy Ivamy : General Principles of Insurance Law, relevant Chapters.
- Sridhar Madabhushi-: Alternative Dispute Resolution.
- Rajan R.D. : A Primer on Alternative Dispute Resolution.
- Adi P.Talati & Nahar S.Mahala: Competition Act, 2002: Law, Practice and Procedure.
- Convention on Elimination of All forms of Discrimination against Women, 1979.
- Convention on the Rights of the Child, 1989.
- International Convention against Doping in Sport 2005
- Convention on the Manipulation of Sports Competitions

### 5. Outcome of the course:

- Sports Law and Human Rights affords valuable opportunities to study a diverse range of challenging theoretical and practical legal and human rights issues within an interesting and highly topical setting
- Analyze sports as a business from human rights angle, not as a fan.

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- Learn the basic principles of human rights of labour.
  - Understand importance of media rights and new technologies.
  - The course would assist in developing legal and human rights knowledge and understanding of wide application.

Assignment & Presentation: 20 %

Mid Semester Exam: 10%

End Semester Exam: 70%

## 6. Evaluation Pattern of the Course

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus and current issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.



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**LL.M. IV SEMESTER**  
**ELECTIVE-II PAPER – IV**  
**Election Law**

**1. General Course Information**

This course is an **Elective course as Elective Paper**. This course will be taught in IV Semester of the program for the Degree of Master of Laws. This course is to acquaint the students about Election laws.

**2. Course Objective:** The aim of the course paper is to provide knowledge about the election laws in India and a comparison with other states to the student in following ways:

- To explore historical genesis of ideological and political consciousness for election during the British Colonial rule and National freedom Movement.
- Contribution of Indian National Congress in developing concept of election.
- To develop a critical thinking about the development of this branch of law. The same will be based within the premise of the right to better democratic order, the focus being the election process
- To acquaint the student about the role, and functioning of election commission in our country
- To acquaint the students about various legislative measures regarding elections and judicial approach of free fair elections as the fundamental point of democracy
- To describe the students with the existing legal framework of elections to various democratic bodies/ posts
- The critical analysis of **one nation one election** theory and its workability in Indian democracy

**3. Course Contents:**

**Unit I (13 Lectures)**

State and Democracy-Theories of State; Theories of Democracy; Democracy and Power, contribution of Civil Society, Communal harmony in the context of election, Indian National Congress and Concept of Election,

**Unit II (13 Lectures)**

Constitutional Provisions relating to Election, Rights to free and fair election, Process of Election- Election to the Parliament, The Presidential and the Vice Presidential Elections, The Voting System, Law Commission Report on Reform of Electoral Laws

**Unit III (15 Lectures)**

Judicial Interpretation of the Constitutional Provisions relating to election- Post Emergency Period and judicial interpretation; Legislative Framework on election- Representation of Peoples Act. 1950, Representation of People Act 1952, The Presidential and Vice- Presidential Elections Act, 1952, The President and Vice-President Election Rules, 1974

**Unit IV (14 Lectures)**

Development in Election Laws, Composition, Role and functions - Election Commission, Democratic Bodies, Reservation in Legislative Bodies, Defection. Recommendations and Efforts by Election Commission, Recommendations and Efforts by Election Commission, One Nation one Election

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Election Disputes and Issues- Jurisdiction, Registration of Political Parties, Allotment of Symbols, Criminalization of Politics, Right to Information vis-à-vis Election, Election Expenditure, Electoral Offences, Exit Polls and Opinion Polls, role of media in elections.

#### 4. Book List

- Seervai, H.M. : Constitutional Law of India
- Basu, D.D. : Commentary on  
Constitution of India Kashyap, Subhash :  
Constitutional Law of India
- Singhvi, Dr. L.M. : Constitution of India  
Govt. of India : Constituent  
Assembly Debates Hidayatullah, M (ed.) :  
Constitutional Law  
of India Jain, M.P. :  
Constitutional Law  
of India
- Shukla, V.N. : Constitution of India
- Tope, T.K. :  
Constitutional  
Law of India Manohar Sujata :  
Constitutional  
Law of India
- E Sridharan, : The Origins of Electoral System: Rules,  
Representation  
and Power Sharing, in India's Living Constitution:  
Ideas controversies, Hasan ed., et al., (Permanent  
Black: 2002)
- Jeffrey C. O'Neill, : Everything That Can Be Counted Does Not  
Necessarily  
Count: The Right To Vote And The  
Choice of A Voting System, 2006  
Mich. St. L. Rev. 327
- A.K Roy, : Role of Election Commission in Ensuring Fair Polls,  
EPW  
Commentary, Sept. 11, 1999
- Katju Manjari, : Election Commission and Functioning Democracy,  
EPW  
Vol. 41 No 17 2006
- Sriram Panchu, : Free and Fair Election Commissioners, EPW Vol. 44  
No.  
17 p. 93 (2009)
- Manjari Katju, : Election Commission and Changing Contours of  
Politics,  
EPW Vol. 44 No. 14 p. 8 (2009)
- Herman Finer, : Theory and Practice of Modern Government
- Thomas Feliner and : Constitutional Democracy in a  
Multicultural Globalised World,  
Lidija R. Basta
- B.C. Chowdhury, : Political Theory Traditional

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- and Modern Theory, David Held, : Political Theory and the Modern State,  
Austin Ranney, : Governing: An Introduction to Political Science, 5th edn., (Prentice Hall)  
Rajni Kothari, : Rethinking Democracy (Orient Longman: 2005)  
Manoranjan Mohanty, : Theorizing India's Democracy, in Indian Democracy: Meanings and Practices, Rajendra Vohra, ed. et al.,  
Atul Kohli, : The Success of India's Democracy, (Foundation Books : 2005)  
Sunil Khilnani, : India's Democratic Career in Democracy, The Unfinished Journey 508 BC to AD 1993, John Dunn, ed., (OUP: 1992)  
Niraja Gopal Jayal, : Democracy and the State, Welfare, Secularism and Development in Contemporary India  
Suhas Palshikar, : Whose Democracy Are We Talking About, in Indian Democracy: Meanings and Practices, Rajendra Vohra, ed. et al.  
Ramesh Thakur, : Government and Politics of India,

**5. Note: - All latest volumes of above mentioned books must be preferred. The above list of books is not an exhaustive one.**

**6. Outcome of the Course:** This course would make the student acquaint with-

- The Origins of Electoral System: Rules, Representation and Power Sharing, in India's Constitution
- Legislative framework on election
- The role and functions of Election Commission in India under Indian Constitution and Functioning Democracy
- Judicial trend on ethos of Indian Democracy during Emergency and post emergency
- Role of Election Commission in Ensuring Fair Polls
- Development of election laws in India
- Election issues like open polls, one nation one election, media etc.

Assignment & Presentation: 20 %

Mid Semester Exam: 10%

End Semester Exam: 70%

### 7. Evaluation Pattern of the Course

The progress of the students will be continuously assessed throughout the semester by their attendance, participation in discussions during class lectures, presentation, writing of assignment on given topic from the syllabus and current issues on the subject. Mid and End Semester Exams may consist of long and short essay questions, which will come from the text, classroom lectures and discussions, and any other readings assigned.

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**Right to Information & Good Governance****Course Objective**

- The course is designed to equip students, how the right to information infuses transparency and Accountability in governance and preventing abuse of power.
- The aim of the course is to highlight the basic guidelines of RTI Act, the relationship between
- Right to information act and good governance and the issues relating to RTI act to adopt the best practices in governance.
- To make them learn as to how the concept of human development is directly linked to human rights. A rights-based approach demands participation in governance and development, which guaranteed access to information can provide.
- The right to information is a basic right that underpins good governance, democracy, poverty eradication and the practical realization of human rights.

**Course Contents****Unit I:**

Origin and Concept of Right to Information, Good Governance and Right to Information, Origin and Concept of Good Governance.

**Unit II:**

Right to Information under International Conventions and Declarations, Right to Information under regional instruments

**Unit III:**

Right to Information under Indian Constitution- Fundamental rights and right to information; Judiciary and right to information;

**Unit IV:**

Right to Information Act 2005 in India-Public authorities and their obligation Implementation of Right to Information Act in private sector, Judicial review and Right to Information Act, Information related to the third party and protection of right, Appeals under right to information law.

**Unit V:**

Right to Information in different Statutes in India. The Official Secrets Act, 1923; the Public Records Act, 1993; The Public Records Rules, 1997; The Freedom of Information Act, 2002; The Commission of Inquiry Act, 1952; The Commission of Inquiry (Central) Rules, 1972, Indian Evidence Act, 1972 etc. Right to information and Empowerment of the people, Voters right to know.

**Reference of Book:**

- Faizan Mustafa : Constitutional Issues in Freedom of Information: International and National Perspectives
- De Smith : Judicial Review of Administrative Action
- M.P.Jain : Cases and Materials on Administrative Law
- M.P.Jain : Constitution of India
- D.D.Basu : Comparative Administrative Law
- Datar, Arvind P. : Constitution of India
- Brownlie I : Basic Documents on Human Rights
- Rajkumar. C. : Corruption and Good Governance

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**Value added course (any one for each semester)**  
**SECURITY LAW**

8. Objective: To provide knowledge in the field of law and practices related to securities and financial markets and to train students to deal with legal and economic aspects of them.

**iii.** Unit-1;

**iv.** Overview of Capital and Financial Markets  
Capital Market: Introduction, meaning and significance, Investors and companies, Securities laws and regulatory framework governing Indian capital market, Financial Market: Introduction, meaning and significance, Financial reforms and present scenario, Regulatory authorities governing financial market.

**v.** Unit-2;

**vi.** Sebi Act, 1992 & Security Contract (Regulation) Act, 1956

**vii.** Objective, Powers and Functions of SEBI Securities Appellate Tribunal, Appeals, Appearance before SAT

**viii.** Unit-3;

**ix.** Depositories Act, 1996 Definitions, setting up depositories, its type, role, functions, Admission of securities, Dematerialization rematerialisation, Depository process, Inspection and penalties, Internal audit, concurrent audit of depository participants.

**x.** Unit-4;

**xi.** Other Related Laws Limited Liability Partnership, Venture capital, Mutual Fund, Foreign Direct Investment, Foreign Trade

**xii.** (Development & Regulation) Act, 1992, The Foreign Exchange Management Act, 1999.

**xiii.** Acts and Statutes (As Amended)

The Companies Act, 2013

**xiv.** 2. The Securities Contracts (Regulation) Act, 1956

**xv.** 3. The Securities Exchange Board of India Act, 1992

**xvi.** 4. The Depositories Act, 1996

**xvii.** 5. The Limited Liability Partnership Act, 2008

**xviii.** 6. The Foreign Exchange Management Act, 1999

**xix.**

**xx.**

**xxi.** References:

**xxii.** 1. Singh, Avtar; Company Law; Eastern Book Company

**xxiii.** 2. Kuchhal, M.C. and Vivek; Modern Indian Company Law; Shree Mahavir Book Depot

**xxiv.** 3. V.L.Iyer; SEBI practical manual.

**xxv.** 4. TAXMAN; SEBI manual.

  
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**Value added course credited**
**Paper: Clinical legal Aid****Course Objective**

Legal aid mainly means providing free legal aid services for free to the needy or the poor section of the society. These are those people who are not capable to afford a legal representative for them who can fight a case for them. So the government has brought out the service of free legal aid to the needy people. There are certain objectives of the government to establish a system of the free legal system. And the **Right to Free Legal Aid** is also mentioned under Article 39A of the Constitution of India.

**Unit- I : Public Interest Litigation** Public interest litigation in judicial activism and public welfare, Merits and demerits of public interest litigation, Locus standi and public interest litigation, Human right and public interest litigation, Prison and Prisoners and public interest litigation, Police and public interest litigation, Environmental protection and public interest litigation, Labour and public interest litigation, legal system and public interest litigation, Education and public interest litigation, Politics and public interest litigation, Poverty and public interest litigation.

**Unit- II :** legal aid under Criminal Procedure. Code and rights of accused, Constitution, functions and powers of National Legal Service Authority and State Legal Service Authority,

**Unit- III : Lok-adalat.** Lok-adalat system means justice of the door steps of people, Organization of lok-adalat, its power and nature of its award, Objects and necessity of Legal aid camps and legal literacy.

**Unit- IV : Para Legal Training.** Object and importance of para legal training, Writing of case comment, Law office management, Use of computer in legal work and legal research in support of P.I.L.

**Unit- V :** Introduction to ICT and Cyberspace. Evolution and Growth of ICT, Computer Hardware, Software and Packages, Networking Concepts, Introduction to Cyberspace and Its Architecture, Evolution and Basic Concepts of Internet, Social Issue in the Regulation of Cyberspace, The Regulability of Cyberspace, E-Governance, Issues Concerning Democracy, National Sovereignty, Personal Freedom, Emerging Social Issues from, Digital Divide, Promotions of Global Commons, Open Source Movement.

**References:**

4. Law, Poverty, and Legal Aid: Access to Criminal Justice, S. Muralidhar,
5. Legal Aid: Catalyst for Social Change, Raman Mittal
6. Comparative Legal Aid Systems and India, Jeet Singh Mann Histories of Legal Aid: A Comparative and International Perspective, Felice Batlan, Marianne Vasara-Aaltonen.

  
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**Value added course  
credited**

**Computer Applications/ Computer fundamental**

**UNIT-1:**

**Introduction to Computers:** Definition of Computers, History and Generations of Computers, Characteristics of computer, Classification of Computers. Fundamental Block diagram of Computer: CPU, Input & Output Unit. Input devices, Output devices, Types of printer's, Memory, CD-ROM, Hard disk, Floppy disk.

**Software:** Definition of Software, Types of Software-System software, Application software and Utility software. Computer Languages: Definition, types of Programming languages, Language Processors: Assemblers, Interpreters, Compiler and Editors. Introduction to Operating Systems: Types of Operating System, Functions of Operating System examples. MS-DOS Internal and External Commands.

**UNIT-2:**

**Windows:** Introduction to Windows, Starting Windows, Desk Top, Task Bar, Start Up Menu Working with programs and icons-Adding, removing, starting and quitting programs and icon. Working with files and folders-creating, deleting, opening, finding, copying, moving and renaming files and folders. Control Panel, setting, My Computer, Recycle bin, My documents, drives. Windows notepad, Accessories and windows Explorer.

**MS-Word:** Overview of Word Processing, Parts of word window, Types of Menus . Opening, creating saving, cut, copy and paste. print and print preview. Find and Replace, Header& Footer, save & save as, Borders and shading, Bullets & Numbering, spelling and Grammar, Word count, Mail Merge, Table handling and important shortcut keys, Macros.

**UNIT-3:**

**MS-PowerPoint:** Overview of MS-PowerPoint, Slides, PowerPoint views, Auto content wizard, Custom Animation, Transition and build effects, Printing slides and important shortcut keys.

**Internet, World Wide Web:** Introduction to Internet, Internet Access, Internet Basics, Protocols-TCP/IP,HTTP,FTP, Addressing, World Wide Web(WWW), Web Pages & HTML, Web browsers, Searching for information-search engines. Internet chat. Applications of Internet. Advantages and Disadvantages of Internet.

**UNIT-4:**

**E-mail:** Introduction to e-mail, Mailing basics, e-mail ethics, creating an e-mail id, spanning, composing a mail, receiving and replying the mail, Advantages and Disadvantages of e-mail services, Mailing lists, News groups.

**Networking& web Designing:** The need and use of Computer Networks. Concepts of Networking-LAN, WAN, MAN. ISP's in India and their responsibilities. Video Conference, downloading and uploading files. Introduction to HTML, Basic tags, Formatting tags, Style sheets, Table handling, Lists, Hyperlinks in HTML.

**UNIT-5:**

**MS-EXCEL:** Overview of Spreadsheet, Opening, creating, saving work sheet and work book. Copy & paste, insert rows/columns, formatting, formula, print& print preview,. Functions: Types of functions, sort, filter and basic operations. Advanced features such as charts/graphs. Different formulae for calculations.

**MS-ACCESS:** Overview of MS-Access, Main elements of Access, Table, Queries, Forms, entering and updating data using Forms, finding, editing and deleting data in a Form, Reports, Relationships.

**REFERENCES:**

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12. Sanjay Saxena: A First Course in Computers. Vikas Publishing House.
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14. Alexis Leon and Marthews Leon: Introduction to Computers, Leon Vikas, 1999.
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16. Fundamentals of Internet & WWW, Greenlaw & Hepp, Tata McGraw Hill 2002
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18. Sanjay Saxena: A First Course in Computers. Vikas Publishing House.  
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## Value Added Course

### Environmental Awareness

**Course description** Law and policy plays a major role in the conservation and management of natural resources as well as pollution control. This course intends to introduce the students to the vast field of Environmental Law and Policy. The course would be divided into three broad areas. The first part would cover the basic concepts and principles of Environmental Law. This would include judicial precedents, which now forms an essential part of environmental jurisprudence. The second part would be divided into specific introductory modules on forests and wild life including bio-diversity related laws; Air and Water related laws including mega projects and marine laws; and laws relating to hazardous substances. The third part would discuss the developments at the international level in the field of environmental law. At the end of the course it is expected that the students would be familiar with the overall Environmental Law and Policy regime of the country as well as its international obligations. It is expected that the case studies would equip them with basic knowledge and skills to understand environmental law issues.

#### UNIT-I

##### **Basic Concepts in Environmental Law.**

An introduction to the legal system; Constitution, Acts, Rules, Regulations; Indian Judiciary, Doctrine of precedents, judicial review, Writ petitions, PIL–liberalization of the rule of locus standi, Judicial activism. Introduction to environmental laws in India; Constitutional provisions, Stockholm conference; Bhopal gas tragedy; Rio conference.

General principles in Environmental law: Precautionary principle; Polluter pays principle; Sustainable development; Public trust doctrine. Overview of legislations and basic concepts.

#### UNIT-II

##### **Forest, Wildlife and Biodiversity related laws**

Evolution and Jurisprudence of Forest and Wildlife laws; Colonial forest policies; Forest policies after independence Statutory framework on Forests, Wildlife and Biodiversity: IFA, 1927; WLPA, 1972; FCA, 1980; Biological Diversity Act, 2002; Forest Rights Act, 2006. Strategies for conservation–Project Tiger, Elephant, Rhino, Modulew leopard.

#### UNIT-III

##### **Air, Water and Marine Laws**

National Water Policy and some state policies Laws relating to prevention of pollution, access and management of water and institutional mechanism: Water Act, 1974; Water Cess Act, 1977, EPA, 1986. Pollution Control Boards Ground water and law Judicial remedies and procedures Marine laws of India; Coastal zone regulations. Legal framework on Air pollution: Air Act,1981; EPA, 1986

#### UNIT-IV

##### **Environment protection laws and large Projects**

Legal framework on environment protection-Environment Protection Act as the framework legislation–strength and weaknesses; EIA; National Green tribunal The courts infrastructure projects.

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**UNIT-V**

**Hazardous Substances and Activities**

Legal framework: EPA and rules made thereunder; PLI Act, 199 Principles of strict and absolute liability

**International Environmental law**

An introduction to International law; sources of international law; law of treaties; signature, ratification Evolution of international environmental law: Customary principles; Common but differentiated responsibility, Polluter pays.



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