



Shri Vaishnav Vidyapeeth Vishwavidyalaya

Master of Laws (Human Rights)

SEMESTER II

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY		PRACTICAL		
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMHR203	DC	PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS IN INDIA	3	0	0	3	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit;

***Teacher Assessment** shall be based following components: Quiz/Assignment/Project/Participation in Class, given that no component shall exceed more than 10 marks.

Course Objectives: After studying this paper the students will know:

1. History and Development of Human Rights in Indian Constitution.
2. Directive Principles of State Policy.
3. Human right enforcement agencies in India.
4. Role of India in implementing international norms and standards.

Course Outcomes: The students should be able to:

1. Understand the historical perspective and judicial trends with regard to Human Rights in India and across the world.
2. Demonstrate the Social, Economic and Political Rights of Vulnerable Groups and Application of International Human Rights Law in India.


Syllabus:


UNIT I: History and Development of Human Rights in India

History and Development of Human Rights in Indian Constitution; Rights under Indian Constitution, Constitutional Philosophy – Preamble, Fundamental Rights, Directive Principles of State Policy, Fundamental Duties.

UNIT II: Judicial Trend

Judicial Activism, Role of Parliament, Supreme Court and Subordinate Courts on Judicial Activism, Development of Human Rights Jurisprudence.


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Master of Laws (Human Rights)

SEMESTER II

UNIT III: Human Rights of Vulnerable Groups

Generations of Human Rights - Civil and Political Rights -Economic, Social and Cultural Rights- Solidarity Rights, Vulnerable Groups; Women, Children, Minorities, Disabled person.

UNIT IV: Enforcement of Human Rights

Enforcement of Human Rights, Formal Enforcement Mechanisms, Role of Supreme Court, Role of High Courts, Role of Civil and Criminal Courts, Statutory Tribunals, Special Courts.

UNIT V: Application of Human Rights Law in India

Application of International Human Rights Law in India, The Protection of Human Rights Act, 1993, Establishment, Powers and Functions of NHRC - Role of NHRC.

References:

1. Durga Das Basu, Human Rights in Indian Constitutional Law along with International Human Rights Document (2019), Lexis Nexis, Butterworths Wadhwa.
2. Vijay Chitnis (et.al.). Human Rights and the Law: National and Global Perspectives, (1997), Snow White Publication.
3. B.P.Singh, Seghal (Ed.), Law, Judiciary and Justice in India, (1993), Deep and Depp Publication.
4. James Vadak kunchery, Human Rights and the Police in India, (1996), APH Publishing Corporation.
5. D.R.Saxena, Tribals and the Law, (1997), Deep and Deep Publication.
6. Poornima Advani, Indian Judiciary: A Tribute, (1997), Harper Collins Publishers.
7. Justice Venkataramiah, Human Rights in the Changing World (1998).
8. Paramjit S. Jaswal and Neshtha Jaswal, Human Rights and the Law (1996), APH Publishing Corporation.


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Master of Laws (Human Rights)
SEMESTER II

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							THEORY		PRACTICAL		
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMHR204	DC	HUMAN RIGHTS OF DISADVANTAGED GROUPS	3	0	0	3	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit;
***Teacher Assessment** shall be based following components: Quiz/Assignment/Project/Participation in Class, given that no component shall exceed more than 10 marks.

Course Objectives: After studying this paper the students will know:

1. Emerging Human Rights Jurisprudence and the Role of the Judiciary.
2. Protection Laws of the Disadvantaged Groups.
3. Problem and issues of disadvantages groups.
4. Future Perspectives of the Human Rights of the Disadvantaged

Course Outcomes: The students should be able to:

1. Understand the Socio-Economic and Cultural Problems of Vulnerable and Disadvantaged Groups.
2. Demonstrate the role of Professional Bodies in protection of human right and Future Perspectives of the Human Rights in India.

Syllabus:

UNIT I: Concept of Human Rights of Disadvantaged Groups

Meaning and Concept of Vulnerable and Disadvantaged Groups, Customary, Socio-Economic and Cultural Problems of Vulnerable and Disadvantaged Groups, Emerging Human Rights Jurisprudence and the Role of the Judiciary, Human Rights Violations and Indian Polity, Inequalities in Society – Population, Illiteracy, Poverty, Caste - Inaccessibility of Legal Redress, Abuse of Executive Power-Corruption-Nepotism and Favoritism, Human Rights and Good Governance.

UNIT II: Rights of Various Disadvantaged Groups

Problems and Issues of Disadvantaged Groups, Rights of Prisoners, Rights of Dalits, The tribal and other Indigenous People, The Mentally Ill, The Stateless Persons, The Unorganized Labour,

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Master of Laws (Human Rights)

SEMESTER II

Aids Victims, Rights of Minorities, Role of Professional Bodies in Human Right Protection of Vulnerable and Disadvantaged Groups, Role of Press, Media, Lawyers, Pro-bono Services, Educational Institutions, Role of Corporate Sector, NGOs.

UNIT III: Women and Law

Rights of Women, Women as Vulnerable Group, Status of Women in Indian and in International Arena, Sexual Harassment at Workplace (Prevention, Probation and Redressal) Act, 2013, The Muslim Women (Protection of Rights on Marriage) Act, 2019, Special Laws Relating to Women, Protection and Enforcement Agencies.

UNIT IV: Child and Law

Rights of Child, Status of Child, Historical, Philosophical and Social Perspective, International and National legal Dimensions for Protection of Child, Special Laws and Policies for Protection of Child, Institutional Mechanism for Protection of the Child.

UNIT V: Status of Disadvantaged Groups

Status of Vulnerable and Disadvantaged people; Status of Indigenous People and the Role of the UN, Status of SC/ST and Other Indigenous People in the Indian Scenario, Status of Aged and Disabled, Future Perspectives of the Human Rights of the Disadvantaged.

References:

1. G.S Bhargava and R.M.Pal, Human Rights of Dalits: Societal Violation (2018), Gyan Publishing House.
2. Geraldine Van Bueren, The International Law on the Rights of the Child (1998), Martinus Nijhoff Publishers.
3. Prabhat Chandra Tripathi, Crime Against Working Women, (2018), APH Publishing Corporation.
4. Paras Diwan and Peeyushi Diwan, Women and Legal Protection (2018), South Asia Books.
5. Philip Alston (et.al.), Children, Rights and the Law (1992), Oxford University Press.
6. Kelly Dawn Askin and Doreen M. Koenig, Women and International Human Rights Law (2000), Transnational Publishers.
7. N.K.Chakrabarti and Justice V.R. Krishna Iyer, Institutional Corrections in the Administration of Criminal Justice (1999), Deep and Deep Publications.
8. Rebecca Wallace, International Human Rights, Text and Materials (1997), Sweet & Maxwell.
9. Janaki Nair, Women and Law in Colonial India (1996), Kali for Women in collaboration with National Law School of India University, Bengaluru.
10. Simon Creighton, Vicky King, Prisoners and the Law (1996), Tottel Publishing.

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Master of Laws (Human Rights)

SEMESTER II

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LLMHR205	DC	INTERNATIONAL HUMANITARIAN LAW AND REFUGEE LAW	3	0	0	3	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit;
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Course Objectives: After studying this paper the students will know:

1. Humanization of Warfare.
2. Control of Conventional, Chemical, Biological, Nuclear weapons
3. Humanitarian law and their implementation
4. Strategies to combat refugee problem

Course Outcomes: The students should be able to:

1. Understand the Humanization of Warfare and International Humanitarian Law.
2. Demonstrate UN Relief and Rehabilitation Administration and role of UNHCR in Indian and International Perspective.

Syllabus:

UNIT I: Introduction to Humanization of Warfare

Humanization of Warfare, Amelioration of the Wounded and Sick, Armed Forces in the Field, Armed forces at Sea, the Shipwrecked, Protection and Facilities, Prisoners of War, Civilians in times of War, Cultural Properties.

UNIT II: Legal Effects of Nuclear, Chemical and Biological Warfare

Weapons of War and their Destructive Effect on Humanity, Control of Conventional, Chemical, Biological, Nuclear weapons.

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Master of Laws (Human Rights)

SEMESTER II

UNIT III: Concepts of International Humanitarian Law

International Humanitarian Law, Enforcement of International Humanitarian Law, Responsibility and Reparation, Individual Responsibility, War Crimes, Role of Red Cross, National legislation.

UNIT IV: Refugee Law

Definition of Refugees and Displaced Persons - their Problems, The UN Relief and Rehabilitation Administration and other International Refugee, Organizations: International Protection, Protection under National Laws.

UNIT V: Role of UNHCR in Indian Context


Strategies to Combat Refugee Problem, Repatriation, Resettlement local Integration and Rehabilitation, UNHCR – role, UNHCR and India

References:

1. B.S.Chimni, International Refugee Law (2000), Sage India.
2. Jean Yves Calier, Who is a Refugee A Comparative Case Law Study (1997), Kluwer Law International.
3. Kelly Dawn Askin, War Crimes Against Women (1997), Kluwer Law International.
4. M.K.Balachandran, Rose Varghese, Introduction to International Humanitarian Law (1997), Indian Centre for Humanitarian Law and Research, International Committee for Red Cross.
5. Guy S. Goodwin-Gill and Lane Mc Adam, The Refugee in International Law (1996), Oxford University Press.
6. Veral Gowlland- Debbas, The Problem of Refugees in the Light of Contemporary International Law Issues (1996), Springer.
7. Anti-personnel Landmines Friend or Foe? (1996), International Committee of Red Cross.
8. Resettlement Handbook, The United Nations High Commissioner for Refugees (2011).
9. James C. Hathaway, Hohn A. Dent, Refugee Rights: Report on a Comparative Survey (1995), York Lanes Press.


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Master of Laws (Human Rights)

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LLMHR206	DC	SCIENCE, TECHNOLOGY AND HUMAN RIGHTS	3	0	0	3	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit;

***Teacher Assessment** shall be based following components: Quiz/Assignment/Project/Participation in Class, given that no component shall exceed more than 10 marks.

Course Objectives: After studying this paper the students will know:

1. Interrelationship of Science, Technology and Human Rights.
2. Issue of Human Rights Ethics in Scientific and Technological Development.
3. Development in Information Technology and Human Rights.
4. Impact of Scientific and Technological Progress on Human Rights.

Course Outcomes: The students should be able to:

1. Understand Interrelationship of Science, Technology and Human Rights and Medicine and the Law.
2. Demonstrate the Legal perspective of Human Rights Ethics in Scientific and Technological Development.

Syllabus:

UNIT I: Introduction to Legal Aspects of Science and Technology

Interrelationship of Science, Technology and Human Rights, Implication of Development of Science and Technology on Human Rights.

UNIT II: Legal Aspects of Impact of Health in Science and Technology

Right to Environment in the Development of Science and Technology, Right to Development in the Advancement of Science and Technology, Right to Human Health and Impact of Developments in Medical Sciences.

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Master of Laws (Human Rights)

SEMESTER II

UNIT III: Legal Aspects of Medicine in transplantation of Human organs etc.

Medicine and the Law; Organ Transplantation, Experimentation on Human Beings, Euthanasia (mercy killing), Gene Therapy.

UNIT IV: Legal Aspects of Human Rights Ethics in Science and Technology

Issue of Human Rights Ethics in Scientific and Technological Development, Sex Determination Test, Induced Abortion, Reproductive Technology, Cloning, Invitro Fertilization, Artificial Insemination, Surrogate Motherhood.

UNIT V: Legal Aspects of Information Technology

Development in Information Technology and Human Rights, Impact of Scientific and Technological Progress on Human Rights: Normative Response of the International Community; Right to Life, Right to Privacy, Right to Physical Integrity, Right to Information, Right to Benefit from Scientific and Technological Progress, Right to Adequate Standard of Living.

References:

1. Diane Rowland, Elizabeth and Macdonald, Information Technology Law, Text, cases and Material (1997), Routledge Cavendish.
2. Suresh T. Viswanathan, The Indian Cyber Law (2000), Bharat Law House Pvt Ltd.
3. The International Dimensions of Cyberspace Law (2000), UNESCO Publication.
4. D.P.Mittal, Taxmann's Law of Information Technology (Cyber Law) with Information Technology (Certifying Authority) Rules, 2000 (2000), Taxmann Allied Services.
5. Michael Chissick, Allstair Kelman, Electronic Commerce, Law and Practice (2000), Sweet & Maxwell.
6. Adwin W. Patterson, Law in a Scientific Age (1963), Columbia University Press.
7. Steve Jones, Borin Van Leon, Genetics for Beginners, (1993).
8. C.G. Weeramantry, Human Rights and Scientific and Technology Development (1990), United Nations University Press.
9. Kamenka, E., Ideas and Ideologies Human Rights (1978), London: Edward Arnold.
10. Galtung, Human Rights in Another Key (1994), Polity Publishers.
11. M.J. Akbar, Riots After Riots (2003), Lotus Publishers.
12. Baxi U. (ed.), From Human Right to the Rights to be Human: Some Heresies (1986).
13. F. Kazmi, Human Rights (1987), Intellectual Publishing House.
14. Leah Levin, Human Rights: Question and Answers (1982), UNESCO Publishing.
15. W.P. Gromley, Human Rights and Environment: The need for International Cooperation (1976), Luitingh Sijthoff Publishing.
16. Madhavtirtha, Human Rights, (1953).

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18. Jagdish Swarup, Human Rights and Fundamental Freedoms (1975), M. N. Tripathi publication.
19. Nagendra Singh, Human Rights and International Cooperation (1969), Dordrecht Nijhoff Publishers.
20. Kashyap, S.C., Human Rights and Parliament (1978), Metropolitan Book Co.
21. Khare S.C., Human Rights and United Nations (1977), Metropolitan Book Co.
22. Moses Moskowitz, Human Rights and World Order (1958), Ocean Publications.
23. Drost, Human Rights as Legal Rights, (1965).
24. M. Garling Compiler, Human Rights Handbook: A guide to British and American International Human Rights Organizations (1979), Macmillan for Writer and Scholars Education Trust.
25. J.A. Andrews. (Ed.), Human Rights in Criminal Procedure: A comparative Study (1982), Martinus Nijhoff Publishers.
26. A.B. Kailaiah, Human Rights in International Law (1986), Deep and Deep Publications.
27. Menon, I. (ed.), Human Rights in International Law, (1985).
28. Robertson, A.B. (ed.), Human Rights in National and International Law, (1970).
29. Hersch Lauterpacht, International Law and Human Rights (1968), Archon Books.
30. A. H. Robertson, Human Rights in the World (1972), Manchester University Press.
31. Louis Sohn and Lonis Burgenthal, International Protection of Human Rights (1973) Indiana Polis Publication.
32. Upendra Baxi, Human Rights, Accountability and Development (1978), Indian Journal of International Law.
33. Durga Das Basu, Human Rights in Constitutional Law (2008), Lexis Nexis Butterworth Wadhwa.
34. L.J Macfarlane, The Theory and Practice of Human Rights (1985), Dartmouth Publishing Co. Ltd.
35. Justice V.R. Krishna Iyer, Human Rights - A Judge's Miscellany (1995), B.R. Publishing Corporation.
36. Justice Dr. M. Rama Jois, Human Rights: Bharatiya Values (2016), Bhartiya Vidya Bhavan.


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