

## **LL.M 1<sup>st</sup> Semester**

Theory=60 Marks  
Internal Assessment=40 Marks

### **Course-1 (Compulsory Paper)**

#### **Legal Education and Research Methodology**

**Note:** Eight Questions shall be set with two questions from each Unit. The candidates should be required to attempt four Questions in all, selecting one Question from each Unit. Each question carry 15 Marks.

**Unit-I** Objectives of Legal Education, Teaching Methods – The Problem Method, Lecture Method, Discussion Method and the Seminar Method of teaching, Evaluation of Teaching Methods. Examination System of Legal Education – Problems in Evaluation, External and Internal Assessment System and Suggested approaches for Reformation of the system.

**Unit -II** Clinical Legal Education: Concepts and Dimensions – Legal Aid, Legal Literacy, Legal Survey and Law Reforms. Students' Participation in Law School Programmes: Organizing Seminars, Publication and Editing of Law Journal and Assessment of Teachers.

**Unit-III** Research Methods – Socio-legal Research, Inter-disciplinary Approaches, Doctrinal and Non-doctrinal research, Field Surveys, Relevance of Empirical Research and Induction and Deduction.

**Unit -IV** Identification of the Research Problem – What is a Research Problem and how it is to be selected? Definition and Statement of the Problem, Evaluation of the Problem, the Hypotheses, the Research Proposal or Synopsis, Survey of available Literature and Bibliographical Research, Legislative Materials, Notification and Policy Statements, Decisional material pertaining to Research Problem Juristic Writings and Compilation of List of Reports or Special Studies conducted, Research Design, Devising Tools and Techniques for Collection of Data – Methodology, Use of Observation Studies, Questionnaires and Schedules, Interview Techniques, Use of Case Studies, Sampling Procedures and Use of Scaling Techniques, Procedure for Collecting Data and its Treatment, Analysis and Interpretation of Data and Role of Computers in legal research.

**Course-2 (Compulsory Paper)**

**Judicial Process**

**Note:** Eight Questions shall be set with two questions from each Unit. The candidates should be required to attempt four Questions in all, selecting one Question from each Unit. Each question carry 15 Marks.

**Unit-1** Nature of Judicial Process – Judicial Process as an Instrument of Social Ordering, Judicial Process and Creativity in Law – Tools and Techniques. Legal Development and Creativity through Legal Reasoning under Statutory and Codified Systems. Multiple Dimensions of Judicial Process – (a) Kinds : Adversary, Inquisitorial, Arbitration, Public Interest Litigation (b) Stages in Judicial Process: Advisory, Pre-trial, Trial, Appellate, Appeal, Revision (c) Elements of Judicial Process : Practice and Judicial Technique, Reporting, Attendance and Management, (d) Judicial Process Distinguished from other processes : Legislative Process, Administrative Process, Conciliation, Mediation (e) Drawback of Judicial Process: Costs, Delay, Inadequate Representation, Class Structure.

**Unit-II** Judicial Process in India – Indian Debate on the Role of Judges and on the Notion of Judicial Review, The independence of Judiciary and the political nature of Judicial Process, Judicial Activism and Creativity of the Supreme Court, Judicial Process in pursuit of Constitutional Goals and Values, Accountability of the Courts and Judicial Activism, Impact of Public Opinion on Judicial Process, Public Confidence in the Judiciary.

**Unit- III** The Concepts and Basis of Justice – The Concept of Justice or Dharma in India Thought, The Nature and Varieties of Justice – Views of Karl Marx, John Austin, Hans Kelson, C.K. Allen, Carl Renner, Germy Bentham, Upendera Baxi, Rajiv Dhawan, Justice as a Social Norm, The objectivity of Justice, Justice and justification, Justice as absolute moral principles, The Modern Approach to Justice. Theoretical basis of Justice – The Liberal Conceptual Tradition, The liberal Utilitarian Tradition, The Liberal Utilitarian Tradition, The Liberal Moral Tradition.

**Unit –IV** Relationship between Law and Justice – The Dependence of the Realization of Justice on Law, Can law be Independent of Justice? The Conformity of Law to Justice, the Dependence of Justice on Social Action and not Law. The Criteria of Law. Equivalence Theories: Justice is nothing other than the Positive Law of the Stronger classes; Dependency Theories – For its Realization Justice Depends on Law Justice, However, is not the same as law. The Independence of Justice Theories – the Relationship in the Context of Indian Constitutional Setting; Analysis of selected cases of the Supreme Court where the Judicial Process can be seen as influenced by Theory of Justice.

## LL.M 1<sup>st</sup> Semester

Theory=60 Marks  
Internal Assessment=40 Marks

### (Optional Group)

#### GROUP I International Law

##### Course 3 International Law

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

##### **Unit-I** Nature and Functions, Theories and Basis of International Law

Third World Approaches to International Law: Asian African Contribution to the Development of International Law

State in International Law: Legal Personality; Recognition; State Responsibility and Sovereign Immunity

Status of Individual and Corporations under International Law: Legal Personality of Individual; Nationality, Statelessness and Refugees; Corporate Nationality.

**Unit-II** Extraterritorial Jurisdiction: Principles of Jurisdiction; Criminal Jurisdiction, Hijacking Extradition; Immunity from Jurisdiction; State Jurisdiction and the Internet

International Law Commission: Origin, Organization, Programme and Method of Work

**Unit-III** Law of Treaties: Definition, Vienna Convention on the Law of Treaties, State Practice — India, Interpretation of Treaties by Indian Courts

The Legality of War and Use of Force: Outlawry of War — Historical Evolution; Position within the UN Charter; Definition of Aggression; and the Legality of Use of Nuclear Weapons

Use of Force in International Law: States, Individual and United Nations

**Unit-IV** The Law of Sea: Territorial Sea, High Seas, Exclusive Economic Zone, Continental Shelf, Continental Zone, Deep Sea Bed

Air Law: Sovereignty in Air Space, Freedoms and Liability Outer Space Law

### Suggested Readings

1. Akehurst, Michael, Modern Introduction to International Law, 5th ed (George Allen and Unwin, London, 1984).
2. Alexandrowicz, C. H., An Introduction to the History of the Law of Nations in the East Indies in 16th, 17th and 18th Centuries.

3. Alvarez, Jose E., *International Organizations as Law-Makers* (Oxford University Press, Oxford, UK, 2005).
4. Anand, R. P., *Compulsory Jurisdiction of the ICJ* (Asia Publishing House, New Delhi, 1986).
5. Anand, R. P., *Development of Modern International Law and India* (Nomos, Germany, 2005).
6. Anand, R. P., *International Law and the Developing Countries* (Banyan Publications, New Delhi, 1986).
7. Anand, R. P., *New States and International Law* (Vikas Publications, New Delhi, 1994).
8. Anand, R. P., *Origin and Development of the Law of the Sea* (Martinus Nijhoff, The Hague, 1983).
9. Anand, R. P., *Salient Documents of International Law* (Banyan Publication, New Delhi, 1994).
10. Anand, R. P., *Studies in international Law and History: an Asian Perspective* (Martinus Nijhoff Publishers, 2004).
11. Anghie, Antony, *Imperialism, Sovereignty, and the Making of International Law* (Cambridge University Press, Cambridge, UK, 2004).
12. Arend, Anthony Clark and Robert J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (Routledge, New York, 1993).
13. Arend, Antony, Clark and Robert J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (Routledge, New York, 1993).
14. Balkrishna, Rajgopal, *International Law from Below: Development, Social Movements and Third World Resistance* (Cambridge University Press, UK, 2004).
15. Bassiouni, M. Cherif, *Introduction to International Criminal Law* (Transnational, Ardsley, NY, 2003).
16. Brierly, J. L., *Law of Nations: An Introduction to the Law of Peace*, 6th ed (Oxford University Press, London, 1998).
17. Brownlie, Ian, *Principles of International Law*, 5th ed (Oxford University Press, London, 1998).
18. Cherhine, North and Fawcett, James, *Private International Law* (Carruther Jawrr, Oxford, 2008).
19. Chesterman, Simon, *Just War or Just Peace? Humanitarian Intervention & International Law* (Oxford university press, 2001).

20. Chimni, B. S., *International Law and World Order: A Critique of Contemporary Approaches* (Safe, New Delhi, 1993).
21. Churchill, R. R. and Lome, A. V., *The Law of the Sea* (Manchester University Press, Manchester, 1983).
22. Conforti, Benedetto, *The Law and Practice of the United Nations* (Martinus Nijhoff Publishings, 2005).
23. Diederiks, Versehoor, *Introduction to Air Law* (Kluwer Law and Taxation, Dordrecht, 1983).
24. Dixit, R.K. & Jayaraj, C, *Dynamics of International Law in the New Millennium* (Manak Publications, New Delhi).
25. Dixit, R.K. , Shankardass, R.K.P., Jayaraj, C & Sinha, Manoj K., *International Law: Issues and Challenges*( ISIL & Hope India Publications, New Delhi, 2009).
26. Gal, Gyula, *Space Law* (Academiai Kiado, Budapest, 1969).
27. Govindraj, V. C., *Conflict of Laws in India-Interterritorial and Interpersonal Conflicts* (Oxford University Press, New Delhi, 2011).
28. Green, L. C., *International Law through the Cases*, 3rd ed (Stevens and Sons, London, 1970).
29. Harris, D. J., *Cases and Materials on International Law*, 6th ed (Thomson and Sweet and Maxwell, London, 2004).
30. Jambholkar, Lakshmi, *Select Essays on Private International Law* (Universal, New Delhi, 2011).
31. Jasentuliyana, N. and Roy, S. K. Lee, (eds), *Manual on Space Law* (Dobbs Ferry, New York, Oceania Publications, 1969).
32. Jenks, C. W., *Space Law* (Praeger, New York, 1969).
33. Johnson, D. H. N., *Rights in the Air* (Manchester University Press, Manchester, 1965).
34. Lachs, Manfred, *Law of Outer Space: An Experience in Contemporary Law Making* (Sijthoff, Leiden, 1972).
35. Lawrence Collins, *Dicey and Morris on Conflict of Laws* (Sweet Maxwell, London, 2000).
36. Mani, Bhatt and Reddy, *Air Law and Policy in India* (Lancers Books, New Delhi, 1994).
37. Mani, V. S., *Basic Principles of Modern International Law* (Lancers Book, New Delhi, 1993).

38. Mani, V. S., et al., *Recent Developments in International Space Law and Policy* (Lancers Books, New Delhi, 1997).
39. Nawaz, M. K., *Changing Law of Nations* (Eastern Law House, New Delhi, 2000).
40. O'Connell, D. P., *The International Law of the Sea* (Clarendon Press, Oxford, 1982).
41. Oppenheim's, *International Law of Peace*, vol. 1, 9th ed. (London, 1992).
42. Patel, Bimal (ed.), *India and International Law* (Martinus Nijhoff Publishings, Leiden, 2008).
43. Shaw, M. N., *International Law* (Cambridge University Press, New York, 2005).
44. Starke, J. G., *Introduction to International Law*, 10th ed Butterworths, London, 1992).
45. Verma, S. K., *50 Years of Supreme Court of India: Its Grasp and Reach* (Oxford, 2008).
46. Verma, S. K., *An Introduction to Public International Law* (Satyam, New Delhi, 2012).
47. Weeramantry, C. G., *The World Court: Its Conceptions, Constitutions and Contributions* (A Sarvodaya Vishava Lekha Publications, Sri Lanka, 2002).

**Paper 4 International Organizations : Law, Practice and Future**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

**Unit-I** Evolution of International Organizations: The concept of Europe, the League of Nations and the United Nations. United Nation as a Constitutional and Political System: Organs and their Functions. Law Creating Processes including Resolutions and Declarations of the General Assembly and Specialized Agencies. Secretary General of the United Nations.

**Unit-II** The Political Process of the International Organization Stocks and Alliances; Non Aligned Movement and its Impact Various Organs of United Nations. African and Latin, India and the United Nations, U.N. Peace Making Function Keeping Force – Case Studies. Problems of Peace Enforcement.

**Unit-III** Special Agencies and Non-Governmental Organizations: Constitution and Functions of Specialized Agencies. Case Studies at some Agencies such as FAO and UNDP as illustrative organizations within the U.N. System Select Study of NGOs surveying as Consultants. Amnesty international. International Commission of Jurist.

**Unit-IV** Peaceful Change through United Nation Settlement Mechanism of the United Nations. The role of ECOSOC in Bringing about Peaceful Change. UN Operational Programmes in the Social and Economic Field. Disarmament and Human Rights.

**Suggested Readings**

1. Akehurst, Michael, Modern Introduction to International Law, 5th ed (George Allen and Unwin, London, 1984).
2. Alexandrowicz, C. H., An Introduction to the History of the Law of Nations in the East Indies in 16th, 17th and 18th Centuries.
3. Alvarez, Jose E., International Organizations as Law-Makers (Oxford University Press, Oxford, UK, 2005).
4. Anand, R. P., Compulsory Jurisdiction of the ICJ (Asia Publishing House, New Delhi, 1986).
5. Anand, R. P., Development of Modern International Law and India (Nomos, Germany, 2005).
6. Anand, R. P., International Law and the Developing Countries (Banyan Publications, New Delhi, 1986).
7. Anand, R. P., New States and International Law (Vikas Publications, New Delhi, 1994).

8. Anand, R. P., *Origin and Development of the Law of the Sea* (Martinus Nijhoff, The Hague, 1983).
9. Anand, R. P., *Salient Documents of International Law* (Banyan Publication, New Delhi, 1994).
10. Anand, R. P., *Studies in international Law and History: an Asian Perspective* (Martinus Nijhoff Publishers, 2004).
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15. Bassiouni, M. Cherif, *Introduction to International Criminal Law* (Transnational, Ardsley, NY, 2003).
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17. Brownlie, Ian, *Principles of International Law*, 5th ed (Oxford University Press, London, 1998).
18. Cherhine, North and Fawcett, James, *Private International Law* (Carruther Jawrr, Oxford, 2008).
19. Chesterman, Simon, *Just War or Just Peace? Humanitarian Intervention & International Law* (Oxford university press, 2001).
20. Chimni, B. S., *International Law and World Order: A Critique of Contemporary Approaches* (Safe, New Delhi, 1993).
21. Churchill, R. R. and Lome, A. V., *The Law of the Sea* (Manchester University Press, Manchester, 1983).
22. Conforti, Benedetto, *The Law and Practice of the United Nations* (Martinus Nijhoff Publishings, 2005).
23. Diederiks, Versehoor, *Introduction to Air Law* (Kluwer Law and Taxation, Dordrecht, 1983).
24. Dixit, R.K. & Jayaraj, C, *Dynamics of International Law in the New Millennium* (Manak Publications, New Delhi).



25. Dixit, R.K. , Shankardass, R.K.P., Jayaraj, C & Sinha, Manoj K., International Law: Issues and Challenges( ISIL & Hope India Publications, New Delhi, 2009).
26. Gal, Gyula, Space Law (Academiai Kiado, Budapest, 1969).
27. Govindraj, V. C., Conflict of Laws in India-Interterritorial and Interpersonal Conflicts (Oxford University Press, New Delhi, 2011). 28. Green, L. C., International Law through the Cases, 3rd ed (Stevens and Sons, London, 1970).
29. Harris, D. J., Cases and Materials on International Law, 6th ed (Thomson and Sweet and Maxwell, London, 2004).
30. Jambholkar, Lakshmi, Select Essays on Private International Law (Universal, New Delhi, 2011).
31. Jasentuliyana, N. and Roy, S. K. Lee, (eds), Manual on Space Law (Dobbs Ferry, New York, Oceania Publications, 1969).
32. Jenks, C. W., Space Law (Praeger, New York, 1969).
33. Johnson, D. H. N., Rights in the Air (Manchester University Press, Manchester, 1965).
34. Lachs, Manfred, Law of Outer Space: An Experience in Contemporary Law Making (Sijthoff, Leiden, 1972).
35. Lawrence Collins, Dicey and Morris on Conflict of Laws (Sweet Maxwell, London, 2000).
36. Mani, Bhatt and Reddy, Air Law and Policy in India (Lancers Books, New Delhi, 1994).
37. Mani, V. S., Basic Principles of Modern International Law (Lancers Book, New Delhi, 1993).
38. Mani, V. S., et al., Recent Developments in International Space Law and Policy (Lancers Books, New Delhi, 1997).
39. Nawaz, M. K., Changing Law of Nations (Eastern Law House, New Delhi, 2000).
40. O'Connell, D. P., The International Law of the Sea (Clarendon Press, Oxford, 1982).
41. Oppenheim's, International Law of Peace, vol. 1, 9th ed. (London, 1992).
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43. Shaw, M. N., International Law (Cambridge University Press, New York, 2005).
44. Starke, J. G., Introduction to International Law, 10th ed Butterworths, London, 1992).

45. Verma, S. K., 50 Years of Supreme Court of India: Its Grasp and Reach (Oxford, 2008).
46. Verma, S. K., An Introduction to Public International Law (Satyam, New Delhi, 2012).
47. Weeramantry, C. G., The World Court: Its Conceptions, Constitutions and Contributions (A Sarvodaya Vishava Lekha Publications, Sri Lanka, 2002).

**Course -5 Human Rights and International Order**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I** Evolution of the Concept of Human Rights : Western, Socialist and Third World Approaches. Philosophical and Legal Foundation of Human Rights. Emerging Trends of Human Rights. Human Rights in 21<sup>st</sup> century.

**Unit-II** International Human Rights Standards : (a) General Norms under (i) UN Charter, (ii) Universal Declaration of Human Rights 1948, (iii) UN Covenants of Human Rights 1966, (iv) ILO and other Conventions and Protocols dealing with Human Rights, (b) Specific Norms relating to (i) Genocides, (ii) Racial Discrimination, (iii) Prisoners and Victims, (iv) Women and Children, (v) Refugees.

**Unit-III** Measures for the Protection and Enforcement of Human Rights: (a) at the International Level: (i) Relevant Provisions under the UN Charter, (ii) Human Rights and Domestic Jurisdiction Clause, (iii) Role of UNO Agencies, (iv) Human Rights and International Court of Justice, (v) Role of International Commission of Human Rights and Amnesty International (b) At the Regional Level (i) European Convention on Human Rights (ii) European Commission on Human Rights/Courts of Human Rights (iii) American Convention on Human Rights, (iv) Inter-American Courts on Human Rights, (v) African Convention on Human Rights, (vi) Arab Regional Convention on Human Rights, (vii) Asian Convention on Human Rights.

**Unit-IV** Human Rights situation in Neighboring Countries of India (a) Human Rights situation in Pakistan, (b) Human Rights situation in Afghanistan (c) Human Rights situation in Sri Lanka (d) Human Rights situation in Burma (Myanmar), (e) Human Rights situation in Bangladesh and Nepal; Emerging Trends in Human Rights Jurisprudence.

**Suggested Readings**

See CDC Report, Report 2001, p.386

**Group II      Constitutional Law**

**Course- 3      Fundamental Rights and Directive Principles of State Policy**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-1 Concept and Evolution of Fundamental Rights**

1. Concept of Fundamental Rights and Relation with Natural Rights
2. Justiciability of Fundamental Rights
3. Definition of “State” - Need to Enlarge the definition of State
4. Waiver of Fundamental Rights
5. Doctrine of Eclipse, Doctrine of Severability
6. Military Law and Fundamental Rights

**Unit-II Forms of Fundamental Rights**

1. Right to Equality: Reasonable Classification, Wednesbury’s Principle, Legitimate Expectation, Doctrine of Proportionality and Administrative Discretion, Equality under Personal Laws
2. Equality of Opportunity in Public Employment: Mandal Commission Case, Protective Discrimination
3. Right to Freedom and Reasonable Restrictions
4. Right to Life and Personal Liberty: Changing Dimensions of Right to Privacy, Pre and Post Maneka Gandhi case
6. Freedom of Religion and Secularism

**Unit-III Directive Principles of State Policy and their Unenforceability**

1. Development and Importance of Directive Principles of State Policy and their Unenforceability
2. Inter-relationship between Fundamental Rights and Directive Principles
3. Emerging Regime of New Rights and Remedies under the Garb of Fundamental Rights – Use of DPSP and International Instruments in Interpreting FR’s.

4. Significance of Fundamental Duties

**Unit-IV Judicial Review OF Fundamental Rights and Directive Principles**

1. Right to Property: Present Position
2. Exceptions to Fundamental Rights (Arts.31-A, 31-B and Ninth Schedule)
3. Right to Constitutional Remedies (Writs) and Public Interest Litigation
4. Judicial Review of FRs and DPSP: Concept of Socio-Economic Justice
5. Amendments to FR's and DPSP (Shankari Prasad to I.R.Coelho's Case)

**Suggested Readings**

1. H.M. Seervai, Constitutional Law of India – Vol. I &II
2. V.N.Shukla , Constitution of India
3. Subhash C Jain, The Constitution of India
4. D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
5. M. Hidayatullah (Ed.), Constitution of India.
6. M.P.Jain, Indian Constitutional Law.
7. SubbaRao G C, V Indian constitutional law
8. Pande G S, Constitutional law of India
9. Saharay H K, Constitution of India
10. Pylee M.V, Our constitution government & politics
11. Tope T K, Constitutional law of India
12. Ramachandran, V.G., Law of Writs

**Course- 4      Local Self-Government and Direct Democracy**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I Concept of Local Self-Government**

1. Evolution of Local Self Government in India
2. Gram Swaraj : The Gandhian Concept
3. The Balwantrai Mehta Committee Report, 1957
4. GVK Rao Committee Report, 1985
5. Community Development Programme, National Extension Service

**Unit -II Constitutional Provisions and Constitutional Amendment**

1. Direct Democracy and Grass root Planning
2. The Panchayats: Art. 243, 243- A to 243-O
3. The Municipalities: Art. 243-P to 243-ZG
4. The Co-Operative Societies: Art. 243-ZH to 243-ZT
5. 73rd and 74th Constitutional Amendments
6. Subject Matters of 11<sup>th</sup> and 12<sup>th</sup> Schedule of the Constitution of India

**Unit-III Rural local self government**

1. The Gram Nyayalayas Act, 2008
2. The Himachal Pradesh Panchayati Raj Act, 1994
3. The Himachal Pradesh Panchayati Raj (General) Rules, 1997

**Unit-IV Urban local self government**

1. The Himachal Pradesh Municipal Corporation Act, 1994
2. The Himachal Pradesh Municipal Act, 1994

## **Suggested Readings**

1. S.P. Aiyar and U. Mehta (eds.), *Essays on Indian Federalism*, Bombay, Allied Publishers, 1965.
2. D.D. Basu, *An Introduction to the Constitution of India*, New Delhi, Prentice Hall, 1994
3. K.R. Bombwall, *The Foundations of Indian Federalism*, Bombay, Asia Publishing House, 1967.
4. R. Khan, *Rethinking Indian Federalism*, Shimla, Indian Institute of Advanced Studies, 1997
5. R. Kothari, *Party System and Election Studies*, Bombay, Asia Publishing House, 1967.
6. J.A. Kousar, *Federalism and Good Governance : Issues across Cultures*, New Delhi, South Asian, 1998.
7. P. Kumar, *Studies in Indian Federalism*, New Delhi, Deep and Deep 1988.
8. Z. Hasan (ed.), *Parties and Party Politics in India*, New Delhi, OxfordUniversity press, 2001.
9. J. Manor, "Parties and the Party System", in A. Kohli (ed.) *India's Democracy : An Analysis of Changing State-Society Relations*, PrincetonNJ, PrincetonUniversity Press, 1988.
10. S. Pai, *State Politics : New Dimensions : Party System, Liberalisation and Politics of Identity*, Delhi, Shipra, 2000.
11. M. Weiner, *PartyBuilding in a New Nation : The Indian Congress*, Chicago, University of Chicago Press, 1967.
12. C.E. Zirakzadeh, *Social Movements in Politics : A Comparative Study*, New York, Addison Wesley, Longman 1997

**Course- 5     Mass Media Laws**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I Mass Media**

1. Types of –Press, Films, Radio and Television
2. Ownership Patterns-Press-Private Public
3. Ownership Patterns-Films-Private, Public
4. Ownership Patterns-Radio and Television-Public, Private
5. Difference Between visual and Non Visual Media- Impact on People’s Minds.
6. Role of Internet as Mass Media

**Unit-II Freedom of Speech and Expression**

1. Article 19 (1) (a)
2. Constitutional Restrictions, Parliamentary Privileges
3. Power to Legislate - Article 246 read with the Seventh Schedule.
4. The Media and Contempt of Courts Act, 1971
5. Issues relating to The Privacy and Official Secrecy Act, 1923

**Unit-III Press and Films**

1. The Social Media and Information Technology Act, 2000
2. The K.A. Abbas Case (1970)
3. The Cinematograph Act, 1952
4. The Press Councils Act, 1978

**Unit-IV Radio and Television**

1. The Prasar Bharti Act, 1990
2. The Cable Television Network Regulation Act, 1995



3. The Monopolies and Restrictive Trade Practices Act, 1964
4. The Telecom Regulatory Authority of India Act, 1997

### **Suggested Readings**

1. M.P. Jain, Constitutional Law of India; Wadhwa, Nagpur;(1994)
2. H.M. Seervai, Constitutional Law of India 2002 Vol. 1; Universal Law Publishing Co Ltd
3. 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)
4. Rodney D. Ryder, Brands, trademarks, and advertising, Lexis Nexis Butterworths, (2003).
5. Soli Sorabjee, Law of Press Censorship in India (1976).
6. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
7. D.D. Basu, The Law of Press of India (1980)
8. Venkat Iyerass, Media Laws And Regulations In India; Bahri Sons (India Research Press) ( 2000).
9. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a global perspective, Oxford University Press, (2000).
10. Kiran Prasad, Media Law in India, Kluwer Law International ;( 2011).
11. Daxton Stewart (ed.) Social Media and the Law: A Guidebook for Communication Students and Professionals, Routledge, (2013).
12. B. Manna, Mass Media and Related Laws in India, Academic Publishers, (2006).
13. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a global perspective, Oxford University Press, (2001). M.P. Jain, Constitutional Law of India (1994) Wadhwa.
14. Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression ". 14 J.I.L.I. 501 (1 972).
15. Rajeev Dhavan "On the Law of the Press in India" 26 J.I.L.I. 288 (1984).

16. Press Commission" 26 J.I.L.I. 391 (1984).

17. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).

**Group III Criminal Law**

**Course- 3 Crime and Administration of Criminal Justice**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I Introduction**

1. Crime, Causes of Crime, Concept of Criminal Jurisprudence.
2. Administration of Criminal Justice.
3. Organisational Hierarchy of Criminal Court and their Jurisdiction.
4. Organisation of Prosecuting Agencies for Prosecuting Criminals; Prosecution, Police and Withdrawal of Prosecution.

**Unit-II Pre- Trial Procedure**

1. Arrest and Questioning of Accused
2. The Rights of the Accused: Right to Counsel, Right to Bail, Constitutional Rights.
3. Roles of the Prosecutor and Judicial Officer in Investigation.
4. The Evidentiary Value of the Statement/ the Articles Seized/ Collected by the Police.

**Unit- III Trial Procedures**

1. The Accusatory and the Inquisitorial System of Trial.
2. Role of the Judges.
3. Plea Bargaining.
4. Preventive Detention Laws.
5. Protection of Public Peace and Order.

**Unit-IV Correction and After Care Services**

1. Correctional Institutions, Correctional Programmes.
2. Role of the Court in Correctional Programmes in India.
3. Public Interest Litigation,
4. Preventive and Reformative Measures in India: Provisions under Different Legislations.

## **Suggested Readings**

1. Celia Hamptom, Criminal Procedure
2. Wilkins and Cross, Outline of the Law of Evidence
3. Archbold, Pleading, Evidence and Practice in Criminal Cases
4. Sarkar, Law of Evidence
5. K.N.Chandrasekharan Pillai(ed.), R.V. Kelkar's Outlines of Criminal Procedure (2000)
6. Patric Devlin, The Criminal Prosecution in England
7. American Series of Foreign Penal Codes Criminal Procedure Code of People's Republic of China.
8. John N. Ferdico, Criminal Procedure (1996), West
9. Sanders & Young, Criminal Justice (1994)
10. Christina Van Den Wyngart, Criminal Procedure Systems in European Community Joel Samaha,
11. Criminal Procedure (1997), West
12. Criminal Procedure Code,1973
13. The French Code of Criminal Procedure,
14. 14th and 41st Reports of Indian Law Commission.
15. The Paper will be taught with reference, wherever necessary, to the procedures in India, England, US France, Russia and China.

**Course- 4 Crime and Social Legislations**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit- I Introduction**

- 1 Meaning, Concept, Needs and Objectives of Social Legislation.
- 2 Judicial Interpretation of Social Justice in India.
- 3 Impact of Social Legislations on Criminal law in India.
- 4 Need for Reform in Social Legislations in Indian Context.

**Unit- II Legislations on Crime against Women**

- 1 The Dowry Prohibition Act, 1961.
- 2 The Prevention of Immoral Trafficking Act, 1956.
- 3 The Medical Termination of Pregnancy Act, 1971.
- 4 The Sexual Offences Act, 2003.

**Unit-III Legislations on Crime against Society**

- 1 The Corruption: Prevention of Corruption Act, 1988.
- 2 The White Collar Crimes.
- 3 The Food Safety and Standards Act, 2006.
- 4 The Prevention of Money Laundering Act, 2002.

**Unit- IV Implementation and Enforcement of Social Legislation**

- 1 Response of the Society at large towards the Law and Social Legislations.
- 2 Role of Parliament in Implementation and Enforcement of Social Legislation.
- 3 Role of Judiciary on Implementation of Social Legislations.
- 4 Loopholes in Implementation and Enforcement of Social Legislations.

## Suggested Readings

1. Is Corporate Crime Serious Crime? Criminal Justice and Corporate Crime Control, by Ronald C. Kramer, *Journal of Contemporary Criminal Justice* 1984; 2; 7 (Online version available at: <http://ccj.sagepub.com>)
2. Crime and Business, by Edwin H. Sutherland, *Annals of the American Academy of Political and Social Science* Vol. 217, Crime in the United States (Sep., 1941), pp. 112-118 Published by : Sage Publications, Inc. Article Stable URL: <http://www.jstor.org/stable/1023421>
3. Occupational Crime, Occupational Deviance, and Workplace Crime: Sorting Out the Differences, by David O. Friedrichs, 2002, *Criminal Justice* 2:243-56, 'Trusted Criminals: White Collar Crime in Contemporary Society. Belmont, CA: Thomson Wadsworth.
4. White-Collar Crime : The Essentials by Brian K. Payne, 2013. 5. Corporate and White Collar Crimes, Cases and Materials, 5th edition, by Kathleen F. Brickey, 2011. 6. Understanding White Collar Crimes by J. Kelly Strader, 2011.

**Course- 5 Penology and Treatment of Offender**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit- I Penology**

- 1 Definition, Nature and Scope.
- 2 Historical and Contemporary Approach to Penology
- 3 Theories of Punishment: Retribution, Deterrence, Reformative, Preventive, Expiatory.

**Unit- II Approaches to Sentencing**

- 1 Probation, Parole, Corrective Labour, Bail, Bond, Fines.
- 2 **Capital Punishment:** Constitutionality of Capital Punishment; Judicial Attitudes towards Capital Punishment in India. Law Reform Proposal: Retention or Abolition of Capital Punishment.

**Unit- III Sentencing of Offenders**

- 1 Types of Sentences in the Penal Code and Special Laws.
- 2 Sentencing in White Collar Crimes;
- 3 Sentencing for Habitual Offenders;
- 4 Judicial Discretion in Sentencing Offenders;
- 5 Pre-Sentence Hearing.

**Unit- IV Prison System: The State of Indian Jails Today**

- 1 Hierarchy of Prisons; Classification of Prisoners;
- 2 Rights of the Prisoners and Duties of the Custodial Staff.
- 3 Open Prisons.
- 4 Position of the under Trial Prisoners.

## **Suggested Readings**

1. S. Chhabbra, *The Quantum of Punishment in Criminal Law* (1970),
2. H.L.A. Hart, *Punishment and Responsibility* (1968)
3. Herbert L. Packer, *The Limits of Criminal Sanction* (1968)
4. Alf Ross, *On Guilt, Responsibility and Punishment* (1975)
5. A. Siddique, *Criminology* (1984) Eastern, Lucknow.
6. Law Commission of India, *Forty-Second Report Ch. 3* (1971)
7. K.S. Shukla, "Sociology of Deviant Behaviour" in *3 ICSSR Survey of Sociology and Social*
8. *Anthropology* 1969-179 (1986)
9. Tapas Kumar Banerjee, *Background to Indian Criminal Law* (1990), R. Campray & Co., Calcutta.



**Course- 3      Company Law**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I Corporate Incorporation and Management**

- Concept of Corporate Law in India
- The Companies Act, 1956 –Bhaba Committee Recommendations
- Evolution of Companies Act, 2013 - Dr. J J Irani Committee Report
- Exceptions provided under Companies Act 2013 to Specific Sectors
- Classification of Companies
- Concept of One Person Company
- Legal Position of a Promoters - Rights ,Duties, Liabilities and Termination
- Incorporation of Companies – Its Procedural Aspects
- Rule 3, 6, 28, 30, 31,32 of Companies (Incorporation) Rules, 2014
- Statutory Recognition of Piercing the Corporate Veil
- Doctrine of Constructive Notice , Indoor Management and Doctrine of Ultra Vires

**Unit-II Capital Formation and Financing of Companies**

- Issuance of Prospectus of Company
- Prescriptions and Rule 5 and 7 under Companies (Prospectus and Allotment of Securities) Rules, 2014
- The Golden Rule or Golden Legacy
- Difference between Share and Stock
- Procedure for Issue of Shares and Reduction of Share Capital General Principles Regarding Allotment
- Legal Effect of Share Certificate and Split Certificate
- Forfeiture of Shares, Re-issue of Forfeited Shares Surrender of Shares
- Transfer and Transmission of Shares
- Prescriptions under Companies (Share Capital and Debentures) Rules, 2014
- Buy Back of Securities
- Provisions for Issue of Debentures under The Companies Act, 2013
- Registration of Charges, Condonation of Delay in filing of Charge
- Rule 12 of Companies (Registration of Charges) Rules, 2014

**Unit-III Company Management and Administration**

- Directors- Appointment, Disqualification, Duties, Resignation and Removal
- Code for Independent Directors
- Prescriptions under The Companies (Appointment and Qualifications of Directors) Rules, 2014
- A Comparative Study of Provisions under Clause 49 and Companies Act, 2013
- Company Meetings- Board Meetings, Annual General Meetings and Extra Ordinary General Meetings
- Rule 3 and 15 of the Companies (Meeting of Board and its Powers) Rules, 2014.
- Inspection and Investigation

- Prevention of Oppression and Mismanagement
- Company Secretary- Appointments and his Legal Position.
- National Company Law Tribunal and Appellate Tribunal
- Concept of Merger and Amalgamation under The Companies Act, 2013
- Winding up

#### **Unit-IV Corporate Governance and Social Responsibility**

- Corporate Governance under SEBI Regulations
- Corporate Social Responsibility: Theories and Justification
- Regulation of Multinational Corporations in India
- Incorporation of Limited Liability Partnership - Advantages and Disadvantages
- General structure of an e-Form and e-Filing Process under MCA 21

#### **Suggested Readings**

1. Avtar Singh, Company Law, 17ed, eastern Book Company, 2016
2. Guide to Companies Act, 2013 by Corporate Law Advisor, 5<sup>th</sup> ed, Jain Book Agency, 2017
3. S.M. Shah, Lectures on Company Law (1988)
4. Smith and Keenon's , Company Law, Pearson Education Ltd., 2009
5. G.K Kapoor & Sanjay Dhamija, Company Act, 2013, 19<sup>th</sup> , Taxmann, 2016
6. T.P Gosh, Companies Act, 2013
7. Palmer, Palmer's Company Law, 2<sup>nd</sup> ed), Sweet and Maxwell, London, 2017
8. A. Ramaiya, Guide to the Companies Act, 18<sup>th</sup> ed, Lexis Nexis, 2014
9. Taxmann, Company Law Manual, 7<sup>th</sup> ed , Taxmann, 2017
10. L.C.B. Gower, Principles of Modern Company Law , 10<sup>th</sup> ed , Sweet and Maxwell, London , 2016
11. A.K Majumdar & Dr.G.K.Kapoor, Company Law , 16<sup>th</sup> Taxmann, 2011
12. Companies Act, 2013

Theory=60 Marks  
Internal Assessment=40 Marks

#### **Course- 4      Competition Law**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit- I** Need for a Competition Policy; Object of Competition Law; Pre-Requisites for its Policy, Anti-Competition Practices; WTO Regime and Agreements; Relevance of MRTP Act in Competition Milieu;

**Unit-II** Competition Act 2002; Prohibition of Anti-Competitive Agreements/ Per Se illegal Practices; Presumption of Adverse Effect; Prohibition: Agreement under English Competition Law; Prohibition and Abuse of Dominant Position; Combination and its regulations; Competition Advocacy; finance, Account and Audit; Intellectual Property and Competition Law

**Unit-III** Competition Commission of India; its Establishment; Composition; Selection Committee; Term in Office; Registration; Removal and Suspension of Chairman; Power and function of Competition Commission of India; Appointment; Qualification and Disqualification of its members; Meetings etc.

**Unit- IV** Foreign Agency- Agreement, Competition Commission; Inquiry of certain Agreements, Reference and Meeting by Commission, Director General, Duties of Director General; Competition Appellate Tribunal: its Composition; Qualification for Appointment of Chairperson and Members of Selection Committee- Term; Power and function of CAT

#### **Suggested Readings**

**Course- 5 Economic Laws**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I Development and Regulation of International Trade**

- World Trade Organisation : Genesis, History, Structural Dimension and Dispute Settlement Mechanism
- World Trade Organisation : Agreement on Agriculture Textile and Clothing, Agreement on Sanitary and Phyto Sanitary Measures , Agreement on Technical Barriers to Trade and Agreement on Trade in Agreement on Import-Licensing Proceeding , Agreement on Pre-shipment Inspection Service
- World Trade Organisation and Competition Policy
- World Trade Organisation and Labour Standards
- World Trade Organisation and Environment Issues
- World Trade Organisation and Trade and Investment
- Legal Frame Work of GATT 1994

**Unit-II Legal Regulation of Economic Enterprises.**

- Constitutional Perspectives
- The New Economic Policy- Industrial Policy Resolutions, Declarations and Statements, Disclosure of information ,Fairness in competition ,Emphasis on Consumerism
- Development and Regulation of Industries
- Take-over of Management and Control of Industrial Units
- Sick Undertakings: Nationalisation or Winding Up
- Growing Trends of Liberalization :Licensing Policy and Legal Process
- Financial Services: Changing Techniques of Regulation.
- Critical Issues Regarding the Capital Issues
- Equity and Debt Finance
- Global Depositories
- Regulation of Multinationals: Collaboration Agreements for Technology Transfer, Development and Regulation of Foreign Investments
- Special Aspects of Legal Regulation of Select Public Enterprises : Telecom Regulatory Authority ,Insurance Regulatory Authority, Broadcasting Regulatory Authority

**Unit-III Law of Export and Import Regulation**

- General Law on Control of Imports and Exports: Legislative Control, Central government and RBI power to control

- Foreign Trade Development and Regulation Act 1992
- Customs Act,1962: Restrictions under Customs law, Prohibition and Penalties
- Control of Exports : Quality Control,
- Regulations on goods
- Foreign Exchange management Act,
- Changing Dimensions of Exim Policy
- Investment policy : NRIs, FIIs (Foreign Institutional Investors), FDIs (Foreign Direct Investment)
- Prohibition on importation and exportation of goods
- Control of smuggling activities in export-import trade
- Levy of and exemption from customs duties
- Clearance of Imported Goods and Export Goods
- Conveyance and Warehousing of Goods

#### **Unit-IV Laws Regulating Securities and Debts**

- Law of Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) : Concept, Historical Background and Working, Rights of Borrowers ,Pre Conditions for Enforcing the Rights by the Creditors, Different Methods of Recovery and Power of Debt Recovery Tribunal, Role of High Court and District Magistrate or Chief Metropolitan Magistrate
- Security Exchange Board of India Act,1992 (SEBI) : Genesis , Organisation ,Structure and Functions Performed by the Board, Powers of the Board, Penalties and adjudication, Composition, Salary, Tenure, Qualification and Powers of Securities Appellate Tribunal
- Recovery of Debts Due to Banks & Financial Institutions Act, 1993 (RDDBFIA): Debt recovery tribunal and appellate tribunal: Establishment and Composition, Appointment of Presiding Officer, Qualification, Tenure of Service, Removal and Resignation and Method of Filling up of Vacancy, Jurisdiction , Powers and Authority of Tribunal, Procedure and Power of Tribunal and Appellate Tribunal, Various Modes of Recovery of Debts by the Tribunal

#### **Suggested Readings**

- Bandari Surendra, World Trade Organization and Developing Countries (1995), Universal, Delhi
- Myneni Srinivasa Rao, International Economic Law (1996), Pioneer Books, New Delhi.
- Arun Goyal(ed.), WTO in the new Millennium (2000), Academy of Business Studies, New Delhi-110002. Schwarzenberger, Economic World Order (1970) Manchester University Press.
- Jayanta Bagchi, World Trade Organization : An Indian Perspective (2000), Eastern Law House,Calcutta.
- S.Aswani Kumar, The Law of Indian Trade Mark (2001), Commercial Law House, Delhi.
- Final Treaty of GATT, 1994.
- Ramaiya A, Guide to the Companies Act (1998), Vol. I, II and III.

- H.A.J. Ford and A.P. Austen, Fords' principle of Corporations Law (1999) Butterworths.
- Journal of Indian Law Institute
- Journal of Business Law
- Chartered Secretary Company
- Law Journal, Law and Contemporary Problems.
- Statutory Materials - Companies Act and laws relating SEBI, depositories, industrial financing
- Foreign Trade Development and Regulation Act 1992 Foreign Exchange Management Act 1999
  
- Customs Act,1962
- Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI)
- Security Exchange Board of India Act,1992 (SEBI)
- Recovery of Debts Due to Banks & Financial Institutions Act, 1993 (RDDBFIA)

**Group 5      Human Rights**

**Course- 3      International Human Rights Standards**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I** Evolution of the Concept of Human Rights: Western, Socialist and Third World Approaches. Philosophical and Legal Foundation of Human Rights. Position of Human Rights before World War II and Post World War III. Emerging Trends of Human Rights.

**Unit-II** U.N. Charter, Universal Declaration of Human Rights ,1948. International Covenant on Civil and Political Rights,1966. International Covenant on Economic Social and Cultural Rights, 1966. Enforcement of International Obligations through Domestic Laws: Article 51, 253 read with 246 of the Constitution of India.

**Unit-III** Convention on Elimination of All Forms of Racial Discrimination, 1965. Convention on Elimination of All Forms of Discrimination against Women 1979. Convention on the Rights of the Child 1989. Convention on the Protection of All Persons from Being Subjected to Torture and other Cruel and Inhuman or Degrading Treatment or Punishment, 1984

**Unit-IV** U.N. Bodies involved in Promotion and Protection of Human Rights - Economic and Social Council, U.N. Commission on Human Rights and its Sub-Commissions on Women, Minorities, etc., General Assembly, Human Rights Committee and other Committees under the various Conventions, I.L.O., U.N.E.S.C.O., W.H.O., F.A.O.

**Suggested Readings:**

1. Louis B. Sohn & Thomas Buergenthal , International Protection of Human Rights (1973).
2. Julius Stone, Human Law and Human Justice, (2000), Universal, New Delhi.
3. Alston, Phillip, The United Nations and Human Rights (London: Clarendon Press, 1995).
4. Brownlie, Ian, Principles of Public International Law (Oxford: Clarendon Press, 1990).
5. Francisco Forrest Martin, International Human Rights Law and Practice, (1997)
6. P. C. Sinha ,Global Sourcebook on Human Rights (2000).
7. Benedetto Conforti and Francesco Francioni, Enforcing International Human Rights in Domestic Courts, (1997)

8. Agarwal, H.O., Implementation of Human Rights Covenants with Special Reference to India(Allahabad: Kitab Mahal, 1983).
9. Nagendra Singh, Enforcement of Human Rights (Calcutta : E L House, 1986).
10. Amnesty International, Human Rights in India (New Delhi: Sage Publications, 1994).



#### **Course- 4 International Humanitarian and Refugee Law**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I** Origin and Development of IHL. Doctrine of Military Necessity versus the Principles of Humanity. Role of IHL in Non-International Armed Conflicts. National Perspectives on IHL. Role of International Red Cross and NGOs

**Unit-II** 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, International Convention on Genocide

**Unit-III** Implementation and Enforcement of IHL: Concept of Protecting Power, United Nations, International Criminal Courts and Tribunals, Unilateralism: 'Humanitarian' Intervention versus State Sovereignty, Humanitarian Assistance, Control of Weapons: Conventional, Chemical, Biological, Nuclear.

**Unit-IV** The Concept of Refugees: Definition of Refugees and Displaced Persons –their Problems ,The UN Relief and Rehabilitation Administration and other International Refugee Organizations. Protection under National Laws, Strategies to Combat Refugee Problem, Repatriation, Resettlement in other Countries, Local Integration and Rehabilitation , Role of U.N.H.C.R. , U.N.H.C.R., and India.

#### **Suggested Readings:**

1. K. Balachandran, Rose Varghese, Introduction to International Humanitarian Law, (1997).
2. Hingorani, R.C., ed., Humanitarian Law (New Delhi: Oxford and IBH Publishing Co., 1991).
3. Kelly Dawn Askin, War Crimes Against Women, (1997)
4. Anti-personnel Landmines Friend or Foe?, International Committee of Red Cross, (1996)
5. B.S. Chimni, International Refugee Law (2000)
6. Chakrabarty, Manik, Human Rights and Refugees: Problems, Law and Practices (New Delhi: Deep and Deep Publications, 1998).
7. Veral Gowlland-Debbas, The Problem of Refugees in the Light of Contemporary International Law Issues, (1996)

8. Loescher, Gil and L. Mohan, eds., *Refugees and International Relations* (Oxford: Oxford University Press, 1989).
9. Jean Yves Calier, *Who is a Refugee :A Comparative Case Law Study*, (1997)
10. MGuy S. Goodwin-Gill, *The Refugee in International Law*, (1996).

## **Course- 5      Protection and Enforcement of Human Rights in India**

**Note:** Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

**Unit-I** Meaning , Nature and Concept of Human Rights, Legal and Philosophical Conceptions of Human Rights and Duties,Development of Human Rights Movement and Law in Indian Tradition: Ancient, Medieval and Modern.

**Unit-II** Constitutional Guarantees and Legislative Measures for the Promotion and Protection of Human Rights in India. Emergence of the Basic need oriented Human Rights Jurisprudence in India.

**Unit-III** Constitutional and Statutory Safeguards against Violation of Human Rights, Contribution of Judiciary to Human Rights Law. Survey of Judicial Pronouncements Protecting Human Rights in India.

**Unit-IV** Enforcement of Human Rights : Formal Enforcement Mechanism, Role of Supreme Court ,Role of High Court ,Role of Civil and Criminal Courts ,Statutory Tribunals ,Special Courts , Armed Forces Act and Violation of Human Rights. Displacements and Human Rights Protection. Role of N.G.O.s and Media.

### **Suggested Readings:**

1. Praveen Vadkar ,Concepts, Theories and Practice of Human Rights (2000).
2. Baxi, Upendra, Inhuman Wrongs and Human Rights (Delhi: Har Anand Publications, 1994).
3. J. S. Verma ,The New Universe of Human Rights (2011).
4. Upendra Baxi ,The Future of Human Rights (2002).
5. Prakash Mishra ,Law Enforcement and Human Rights (2012).
6. Basu, D.D., Human Rights in Constitutional Law (New Delhi: Prentice Hall, 1994).
7. Iyer, V.R. Krishna, Dialectics and Dynamics of Human Rights in India (1999).
8. Anthony M.J.,Social Action through Courts (LandmarkJudgements in PIL ) New Delhi, ISI Publications 1993.
9. Justice Palok Basu ,Law Relating to Protection of Human Rights under the Indian Constitution and Allied Laws (2002).
10. Arun Ray Mohapatra National Human Rights Commission of India: Formation, Functioning and Future Prospects (2001).