

**UNIVERSITY COLLEGE OF LAW
KAKATIYA UNIVERSITY, WARANGAL, TELANGANA**

BRANCH: IV – HUMAN RIGHTS LAW (Self-Finance Course) (Evening)

SYLLABUS (WITH EFFECT FROM 2020-2021)

LL.M (HRL-SFC) II Year: Semester – IV

Paper – I

HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM IN INDIA

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit –I: Definition and Concept of Crime – Classification - Criminal Liability – Definition and Principles - International Norms on Administration of Criminal Justice - UN General Assembly Resolution - Extradition and Mutual Assistance in Criminal Justice.

Unit –II: Administration of Criminal Justice and Human Rights - Role of Criminal Justice System - Administration of Criminal Justice in India - Ordinary Courts - Special Courts – Human Rights Courts - Naya Panchayats - Lok Adalats - Fast-Track Courts.

Unit –III: Human Rights Problems - Police Atrocities and Custodial Torture - Detention without Communication and Forced Disappearances – Preventive Detention Arrest – Constitutional and Statutory safeguards – Terrorism and Insurgency – Armed Forces (Special Powers) Act, 1958.

Unit -IV: Rights of the Accused – Constitutional Safe Guards and relevant provisions under Cr.P.C. - Double Jeopardy – Protection against Self- Incrimination – Production Before Magistrate - Legal Aid - Fair Trail - Speedy Trail – Parole and Probation - Access to Justice and Speedy Justice.

Select Bibliography:

1. Bava, Noorjahan, (ed), (2000), Human rights and Criminal Justice Administration in India, Uppal Publishing House, New Delhi.
2. Vibhute Baxi, Upendra, (1988), Clemency, Extradition and Death: The Judicial Discourse in
3. Keher Singh, Journal of Indian Law, Vol. 30, and No. 4.
4. Bhagwati, P.N.,(1985,) Human Rights in the Criminal Justice System, Journal of Indian Law Institute, Vol. 27, No. 1.
5. Arora, Nirman, (1999), Custodial Torture in Police Stations in India: A Radical Assessment, Journal of Indian Law Institute, Vol. 41, Nos 3 and 4.
6. Vibhute, K.I, (1990), Compensating Victims of Crimes in Indian Society, Delhi Shubhi
7. Ghosh, S.K., (1993), Torture and Rape in Police Custody, New Delhi: Asish Publishing House.
8. Guttal, G.H, (1986), Human Right: The Indian Law, Indian Journal of International Law, vol. 26.
9. Vada Kumchery, James, (1991), The Police and Delinquency in India, New Delhi: APH Publishing Corporation.

PAPER – II
INTERNATIONAL HUMANITARIAN LAW AND REFUGEE LAW

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit I: Origin and Development of Humanitarian Law – Nature, Basic Principles - Historical Development since 1899 – Related Concepts – Armed Conflicts - Protection of Victim of War-Wounded – Sick – Shipwrecked -Prisoners of War – Other Vulnerable Groups - Non-International Conflicts and International Humanitarian Law – Concept, Nature and Kinds of Non-International Conflicts.

Unit II: Humanitarian Laws and Human Rights Treaties - The Geneva Conventions and Protocols – Human Rights and IHL - Implementation of International Humanitarian Law (IHL) - Role of the International Committee of the Red Cross in Implementation of International Humanitarian Law - Role of UNHCR.

Unit III: Definition and Concept of Refugees – Human Rights and Refugees - Displaced Persons – Statelessness – Asylum – Legal Status of Refugees – Causes and Consequences of Refugee Flow – National and International Response - Determination of Refugee Status under the Refugee Convention of 1951 and Protocol of 1967 - Human Rights of the Refugees.

Unit IV: Solution to Refugee Problem - UN Relief and rehabilitation - International refugee organization - Resettlement in Third Country - Local Integration - Voluntary or Forced Repatriation - Comprehensive Responses - Contemporary Developments in Refugee Law - International Burden Sharing - International Safe Countries Burden - Temporary Protection - Internally Displaced Persons - UN Guiding Principles on Internal Displacement 1998.

Select Bibliography:

1. B. S. Chimni, International Refugee (2000).
2. M. K. Balchandran, Rose Varghese, Introduction to International Humanitarian Law (1997).
3. John Colombos, International Law of the Sea.
4. P. Chandrashekhara Rao, The New Law of Maritime Zones (1983).
6. Oppenheim, International Law, Vol. I.
8. Kaye Holloway, Modern Trends in Treaty Law.
9. Nagendra Singh, India and International Law.
10. Burns H. Weston, Toward Nuclear Disarmament and Global Security : A Search for Alternative.
11. J. N. Singh, Use of Force under International Law.

PAPER – III
ENVIRONMENT AND HUMAN RIGHTS

Theory

5 Hours/Per Week

Marks: 100 (External – 80; Internal – 20)

Unit –I: Environmental Pollution – Major areas of concern - Industrial Pollution – Chemical and Nuclear Technologies – Human Rights Dimension - Waste Disposal - Hazardous Waste - Forest Depletion - Trans-Boundary Pollution Hazards – Green House Effect – Depletion of Ozone Layer – Space Pollution.

Unit –II: Environment and Development – Human Rights Dimensions – United Nations and Human Environment – Stockhome Conference of 1972 on Human Environment – Nairobi Declaration 1982 – Environment and Charter of Economic Rights and Duties 1974 – Earth Summit 1992 – Johannes burg Declaration on Sustainable Development 2002.

Unit –III: International Concerns regarding Environment -Remedial Measures - International Legal Regime - International Conference on Environment – Treaties relating to Protection of Environment - Rio Declaration - Kyoto Protocol 1997 – Biodiversity Convention 1992 - Pollution Control Mechanisms.

Unit –IV: Human rights and Environment - Measures taken in India – Art. 48A and Art. 51A(g) of Constitution of India - Environmental Protection Act, 1986 – Salient Features – Pollution Control Boards – Powers and Functions - Water Pollution and Right to Life – Role of Higher Judiciary – Strict Liability and Absolute Liability - Doctrine of Polluter Pays- Disaster management – Green Tribunal Act, 2010.

Select Bibliography:

1. Therese Murphy (ed.), New Technologies and Human Rights, OUP, Clarendon, 2009.
2. Roger Brownsword, Rights, Regulation and the Technological Revolution, OUP, Clarendon, 2009.
3. Ruth Deech and Anna Smajdor, Form IVF to Immortality: Controversy in the Era of Reproductive Technology, OUP, Clarendon, 2009.
4. R J Cook and C G Ngwena (eds.), Health and Human Rights, OUP, Clarendon, 2007.
5. G. Hodge et al (eds.), New Global Frontiers of Regulation: The Age of Nanotechnology, OUP, Clarendon, 2007.
6. H Somsen (ed.), The Regulatory Challenge of Biotechnology: Human Genetics, Food and Patents, OUP, Clarendon, 2007.
7. UNESCO, Ethics of Science and Technology: Explorations of the Frontiers of Science and Ethics, OUP, Clarendon, 2006.
8. Roger Brownsword (ed.), Human Rights, OUP, Clarendon, 2004.

PAPER-IV
DISSERTATION

Marks: 150 (Internal – 130; Viva-Voce – 20)

Allotment and Nature of Topics of Dissertation

1. **Students shall submit their three (3) research topics, along with two to three pages synopsis, in order of preference to the Principal of the college in the first week of the beginning of the IV semester.** Principal shall, in consultation with the Departmental Committee, allot the topic and guide to the students by the III week of the IV semester.

2. (a) The topic shall relate to student's specialization and a specific area of enquiry. (b) The topic would be so delimited that the student is required to go beyond the standard text-books and to consult the reference material or conduct field study for preparing his/her Dissertation. As far possible the contents of the Dissertation shall be the following, depending upon the nature of the topic assigned: (i) Collection of relevant material-Judicial, Legislative, Juristic, comparative and international and/or otherwise. (ii) Critical analysis and appreciation of this material. (iii) Proper citation of necessary reference consulted and relied upon. (iv) Empirical data when the Dissertation is non-doctrinal (field visit).

3. (a) The students shall prepare three typed copies of Dissertation and submit to the Principal of the college. (b) No candidate shall be allowed to publish the Dissertation, submitted to the University without prior written sanction of University.

4. The Dissertation shall run into minimum of 150 pages.

5. **Students shall have to submit their Dissertation/Thesis on or before the last working day of the IV Semester. Dissertation submitted afterward will not be evaluated for/during that academic year and they have to submit the thesis along with the next batch. A Record shall be maintained by the students in which the summary of study and the progress made by them shall be entered once in every 15 days and it is to be signed by the guide in approval of the same and the thesis shall correspond with the such notes/record.**