

MASTER OF HUMAN RIGHTS AND DUTIES EDUCATION
(MHRDE)

OBJECTIVES FOR MASTER'S DEGREE IN HUMAN RIGHTS & DUTIES EDUCATION

1. Human Rights Laws are gaining ground and it has become an important branch of knowledge having interdisciplinary thrust.
2. The problem of violation of human rights has enlarged and has also become common throughout the world, which creates law and order situation and affects the socio-economic condition of the state. Therefore, the subject requires an in depth study at higher level.
3. The UGC has decided to promote human rights education. and Nagpur University has been granted permission to start Post Graduate Diploma in Human Rights from the Session 1996-97.
4. The Diploma course helps in creating awareness and public opinion for promotion and protection of human rights, whereas, the Masters Degree will help in creating experts having special knowledge and expertise in the field of human rights.

This is a two year Post Graduate Degree Course in Human Rights and Duties Education, started in the Department of Law from the academic session 2001-02. A graduate from any discipline can take admission in this course. This course is as per the UGC guidelines given in its CDS report. This is a new course and therefore a new Ordinance is required to be made.

Masters Degree in Human Rights and Duties Education
Previous Year.

Sr.No	Name of Subject	Mix. Marks	Min.Marks
1.	Historical and Philosophical Perspectives of Human Rights & Duties	100	50
2.	Human Rights and Duties in International Perspectives	100	50
3.	Protection System and implementation of Human Rights and Duties	100	50
4.	Human Rights and Duties in India : Indian Legal System .	100	50
5.	Dissertation / Project Work and Viva - Voce.	200	100

Masters Degree in Human Rights and Duties Education
Final Year.

Sr.No	Name of Subject	Mix. Marks	Min.Marks
1	Human Rights and Criminal Justice System	100	50
2	Women and Human Rights.	100	50
3	International Humanitarian Law and Refugee Law	100	50
4.	Disadvantaged Groups and Human Rights and Duties.	100	50
5.	Extension Activities - Role Playing and Group Discussion	100	50

Syllabus

(PREVIOUS YEAR)

Paper - 1

HISTORICAL AND PHILOSOPHICAL PERSPECTIVES OF HUMAN RIGHTS AND DUTIES

1. Concept of Human Rights :
 - a) Meaning and nature of human rights.
 - b) Criteria to determine a particular right as human rights - what are human rights?
 - c) Sources of human rights.
 - d) Categories of substantive human rights.
2. Legal and Philosophical Conceptions of Human Rights and Duties.
 - a) Natural law and natural rights, concept of legal rights - constitutional and fundamental rights.
 - b) Theories of rights and duties.
 - c) Co -relationship of rights and duties- Relationship between rights and duties. Relationship between obligations and responsibilities in relation to the state and society.
 - d) Concept of Human Duties and Responsibilities :
 - 1) Moral, Ethical, Social, Economic, Political and Cultural.
 - 2) Universal
 - 3) Traditional / Modern
 - e) Classification of Human Duties and Responsibilities:
 - 1) Sound Body and Mind.
 - 2) Family.
 - 3) Community and society.
 - 4) Nation-State.
 - 5) Humankind and other living beings.
 - 6) Mother Earth.
3. Human Rights Ideas and Traditions in Religious context (Intercultural Background):
 - a) Hindu traditions and ideas : concept of rights and duties and caste system.
 - b) Islamic traditions and ideas: concept of rights and duties.
 - c) Christian traditions and ideas: rights and duties.
 - d) Buddhist traditions and ideas.
4. Rule of Law:
 - a) Concept, Origin and Importance
 - b) Patterns of rule of law in societies.
 - c) Relation to human rights and good governance.
5. National Freedom Struggle and Constitutional Development:
 - A. In other countries:

- a) French Revolution and Declaration of Rights of Man and Citizen, 1789.
 - b) American Declaration of Independence and Bill of Rights.
 - c) Magna Carta: Debate on the Bill of Rights in U.K.
 - B. In Pre- Independent India: (brief sketch):
 - i) Constitution of India Bill 1895 (Swaraj Bill).
 - ii) Congress Resolution at Bombay 1918 on Declaration of Rights of People of India.
 - iii) Annie Beasant's Commonwealth of India Bill – 1925.
 - iv) Congress Resolution at Madras (1927).
 - v) Motilal Nehru Report (1928).
 - vi) Congress Resolution at Karachi (1931).
 - vii) Sapru Committee Report (1944-45).
 - viii) Objective Resolution in Constituent Assembly by Nehru on 13/12/1946 and 22/1/1947.
6. Global and Regional Development of Human Rights and Duties.
- A. Global :
- 1) Human Rights prior to 1945.
 - 2) UN Charter and Human Rights.
 - 3) International Bill of Rights.
- B. Regional:
- 1) European Convention on Human Rights.
 - 2) American Convention on Human Rights.
 - 3) African Charter on Human and Peoples' Rights.
 - 4) Arab Charter on Human Rights.

Total Marks 100

PAPER - II

HUMAN RIGHTS AND DUTIES IN INTERNATIONAL PERSPECTIVES.

1. Classification and Inter-relationship between different Human Rights:
International Covenant on Economic, Social and Cultural Rights, 1966
International Covenant on Civil and Political Rights, 1966.
2. Civil and Political Rights - I
 - a) Right to life.
 - b) Right to liberty and security of individual, arrest and detention.
 - c) Due Process of law.
 - d) Right to privacy, right to respect, interception of mail and telephone tapping, dignity, personality and name.
 - e) Right to die- Debate on Euthanasia.

- f) Death Penalty.
 - g) Freedom of movement and residence- Freedom to leave country, right to seek asylum, right to Nationality.
 - h) Right of the peoples and nations to self- determination - scope and its limitations.
3. Civil and Political Rights- II
- a) Freedom of thought and expression.
 - b) Right to equality and freedom from discrimination- Convention on Elimination of All Forms of Racial Discrimination , 1965.
 - c) Rights of minorities.
 - d) Freedom of conscience and religion : UN Declaration on Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief, 1987.
 - e) Right against inhuman and degrading treatment : Convention on the Protection of All Persons From Being Subjected to Torture and other Cruel, Inhuman or Degrading Treatment of Punishment 1984.
 - f) Rights of accused persons, treatment of prisoners.
 - g) Freedom from Torture : Convention on Prevention and Punishment of the Crime of Genocide, 1948.
 - h) Right to property, right to own property, deprivation of property.
 - i) Terrorism and Human Rights.
 - j) Civil and Political Rights during emergency
 - k) Derogation of Human Rights.
4. Social and Economic Rights - I
- a) Right to work and favorable conditions of employment.
 - b) Forced labour and compulsory labour, bonded labour, slavery and traffic in human beings, child labour- ILO Convention on Child Labour 1999.
 - c) Right to strike and to form trade Unions.
 - d) Right to social security, assistance and social welfare.
 - e) Right to health and adequate standard of living (Housing), adequate food.
 - f) Right to education and training.
5. Social and Economic Rights - II
- a) Protection of families and children - Right to marry and found a family. (Marriage, Adoption and Custody of Children), families right to protection, equal rights in marriage.
 - b) Right to development and right to future - UN Declaration on the Right to Development.
6. Cultural Rights:
- a) Right to take part in cultural life.
 - b) Cultural rights of indigenous population.
7. Third Generation Solidarity Rights (Group Rights).
- a) Rights of Tribal population.
 - b) Rights of Migrant workers.
 - c) Rights of Physically Disabled.
 - d) Rights of Prostitutes/ Gays.

- e) Rights of Women .
- f) Rights of the Child.

Total Marks 100

PAPER - III

PROTECTION SYSTEM AND IMPLEMENTATION OF HUMAN RIGHTS AND DUTIES

1. Domestic Application and Enforcement of Human Rights Norms :
 - a) Relationship between International Law and Municipal Law in context of Global Human Rights Standard.
 - b) Theory of Monism and Dualism and Practices of States.
2. Human Rights Protection System of the United Nations (Under Covenants of Civil and Political Rights):
 - a) The UN Commission on Human Rights . (CHR)
 - b) The UN High Commissioner for Human Rights (UNHCHR).
 - c) The UN Human Rights Committee (HRC) -
Composition and Organization, Powers and Procedures,
State Communications, Individual Communication, and
Supervision.
3. European System of Protection of Human Rights:
 - a) European Commission of Human Rights .
Composition, Structure, Competence and Procedure.
 - b) European, Court of Human Rights:
Composition, Organization, Jurisdiction and Procedure.
4. American System of Protection of Human Rights:
 - a) Inter- American Commission of Human Rights -
Functions, Powers and Procedure.
 - b) Inter - American Court of Human Rights -
Jurisdiction and Procedure.

5. African System of Protection of Human Rights :
 - a) OAU Charter 1963.
 - b) The African Charter of Human and Peoples' Rights.
 - c) Mechanism of implementation , African Commission and Court of Human and Peoples' Rights.
6. UN Educational Scientific and Cultural Organisation (UNESCO) and Human Rights.
7. ILO and Human Rights.
8. Role of Non- Governmental Organizations:
 - a) Role of voluntary agencies, educational institutions and NGO's in the promotion and protection of human rights.
 - b) Role of social activists, public opinion and the press in promotion and protection of human rights.

Total Marks 100

PAPER - IV

HUMAN RIGHTS AND DUTIES IN INDIA : INDIAN LEGAL SYSTEM.

1. A. The Constitution and Human Rights and Duties :
 - a) Evolution of composite culture of India, contribution of diverse religions.
 - b) Impact of Universal Declaration of Human Rights on the drafting of Part - III and Part - IV of the Constitution.
 - c) Human Rights Norms and Constitutional perspective, Preamble, Fundamental Duties, Directive Principles of State Policy, problems of implementing duties.
 - d) Indian Declaration to the International Covenant (1979)
 B. Human Rights Philosophy and Inter-Relationship between Part- III and Part- IV of the Constitution:
 - a) Inter- relationship between Fundamental Rights and Directive Principles of State Policy.
 - b) Expansion of basic needs- Judicial interpretation on widening of the Directive Principles.
2. Legislative Incorporation of Human Rights Norms in Indian Legislation:
 - a) Protection of Civil Rights Act, 1955.
 - b) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
 - c) Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.
3. National Commission of Human Rights in India:
 - a) Background of the Protection of Human Rights Act, 1993.
 - b) National Human Rights Commission- Powers, Functions, Structure and Composition.

- c) Human Rights Courts
 - d) Evaluation of the working of the Commission.
4. Other Commissions:
- a) National Commission for Women.
 - b) National Commission for Minorities.
 - c) National Commission for S C/ ST.
5. Judicial Activism and Human Rights Jurisprudence:
- a) Poverty and inaccessibility of legal redress.
 - b) Role of judiciary in protecting human rights in India, Legal Aid
 - c) Judicial activism in the field of protection of : women in private and public domain, children, bonded labour and prisoners, in the light of leading cases.
6. Contemporary Indian Problem and Human Rights.
- a) Reservations and Right to Equality
 - b) Uniform Civil Code and Personal Laws.
 - c) Protection of Minorities.
 - d) Health and violation of human rights: problems of health and environmental protection, population control, family planning, HIV/ AIDS.
7. Importance of Internalizing Human Rights and Duties:
- Urgent need for not only sensitizing others about human rights and duties, but of practicing oneself those values one self - inculcation, endeavour to live up to those ideals, duty to respect others' rights and respect each others human dignity .

Total Marks 100

PAPER - V

Dissertation / Field Based Project Report. Guidelines for the Students

Candidates are required to submit a dissertation / field based project work of about 100 to 150 pages on a topic of Human Rights. The work is expected to be an indepth and critical analysis of a problem of contemporary significance in the field of Human Rights. It must be an original work and not just copied and it must indicate some degree of research and reflection of already available material. The candidates will be examined at an oral examination (Viva-Voce) on the strength of dissertation work.

The work will carry 150 marks out of which 100 marks will be for the written work and 50 marks for viva. The work must be submitted to the Director of the Academy before 15th March every year. The supervisor for the dissertation shall be the teaching members of the faculty. The students will be assigned the topic for project by their respective supervisors and the topics must be approved by the Director before 15th of September every year. After the dissertation report is submitted they shall be evaluated by the external examiner.

The examiner will evaluate the dissertation taking into account the following points.

- 1) The coverage of subject matter.
- 2) Arrangement and presentation.
- 3) Nature of reference and materials used.
- 4) Critical appreciation and the original contribution of the candidate.

For Written work	100 marks
For Viva-voce	50 marks
For role playing / extension services. /	50 marks

Total Marks. : 200

MASTERS DEGREE IN HUMAN RIGHTS AND DUTIES EDUCATION

FINAL YEAR

PAPER - I

Human Rights and Criminal Justice System.

1. Conceptual Perspective:
 - a) Concept of crime and criminal liability.
 - b) Offences involving Human Rights.
 - c) Role of Criminal Justice System.
2. Criminal Justice and Relevant Constitutional Provisions:
Art. 20,21, & 22 - Rights of the Accused persons, Detention, Arrest, Search And Seizure, Bail, Legal Aid, Speedy Trial, Fair Procedure, Due Process of Law, Torture, Compensation, Custodial Violence, Investigations.
3. Monumental Acts:
I.P.C., Cr.P.C., Indian Evidence Act (relevant provisions).
Offences: bailable and non-bailable.
4. A. Human Rights and Role of Police as Law Enforcement Officials,
Abuse of police power: third degree methods, police firing, encounter deaths.

B. Different Categories of Custodial Crimes:
Causes, reasons for custodial crimes, instances of custodial crimes and their impact, compensatory justice, remedies for curbing incidents of custodial crimes.
5. Human Rights and International Norms:
 - 1) Standard Minimum Rules for the Treatment of Prisoners.
 - 2) Basic Principles for the Treatment of Prisoners.
 - 3) Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment.
 - 4) Code of Conduct for Law Enforcement Officials.
 - 5) Convention Against Torture and other Cruel, Inhuman or Degrading Treatments or Punishment.
 - 6) Code of Conduct for Police in India.
6. Investigation of Crime: Technology and Forensic Sciences:
Searches and Seizures, Telephone Tapping, Surveillance, Lie detection test, DNA Test, other physical tests under Identification of Prisoners Act, 1920.
7. International Perspectives:
International Crimes:
International co-operation in combating of transnational organized crimes and International terrorism - Palermo Convention on Transnational

Organized Crimes 2000, International norms on administration of Criminal
Justice - UN General Assembly Resolutions.
International Criminal Court - Rome Statute 1998.

Total Marks 100

Paper - II

WOMEN AND HUMAN RIGHTS AND DUTIES

1. Historical, Philosophical and Social Perspectives:
 - a) Status of Women in India through history:
The evolution of the status of Indian women since ancient Indian Civilization.
 - b) Changes in the values and perspectives of Indian society -
the gap between the dogma and the ground reality social and cultural prejudices, undesirable customary practices such as dowry and sati, and other practices perpetrating inequality.
 - c) Role of religion and economic conditions in society From the status of chattel to that of human being.
2. Status of women in contemporary Indian society:
 - a) Poverty, illiteracy, lack of independence, oppressive social customs and gender bias.
 - b) Violence against and abuse of women: rape, sexual exploitation, trafficking in women, sexual harassment at workplace, dowry, widowhood, violence in homes.
 - c) Forced pregnancy and population growth.
 - d) Female health and family welfare issues.
 - e) Women and custodial crimes.
3. Development of International Norms for Protection of Women:
 - a) ILO conventions for protection of female labour - on Underground Work in Mines of all kinds (1935), Night Work (1948 & Protocol 1990), Right to Work (1949), Equal Remuneration (1951), Maternity Protection (1951), Discrimination in Employment (1958), Workers with Family Responsibilities (1981).
 - b) UNESCO Convention against Discrimination in Education 1960.
 - c) UN Convention on Political Rights of Women 1952, Convention on Elimination of All Forms of Discrimination against Women 1979, Convention on Nationality of Married Women 1957, Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages 1962, Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others 1949, Declaration on the Elimination of Violence against Women 1993,
 - d) Resolution on Women's Rights adopted by the Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, Vienna, 1993.
 - e) Documents of the Four World Conferences on Women: Mexico 1975, Copenhagen 1980, Nairobi 1985, Beijing 1995.

5. The Constitution of India and the Status of Women:
 - a) Fundamental Rights and Directive Principles under the Constitution.
 - b) Special provisions for the protection of Women - Article 15(3), Article 39 (d) & (e), Articles 42, 243-D & 243-T.
6.
 - a) Special Laws: Suppression of Immoral Traffic Act 1956, Indecent Representation of Women (Prohibition) Act 1986, Commission of Sati (Prevention) Act 1982, Medical Termination of Pregnancy Act 1971, Maternity Benefit Act 1961, Equal Remuneration Act 1976, Dowry Prohibition Act 1961,
 - b) Gaps between international norms and Indian law, if any
 - c) Women and public policy:
 - i.) Female health and family welfare, literacy programmes female labour welfare.
 - ii) Issue of current public debate: political rights of women (reservations and protection of women).
 - iii) Personal laws and status of women:
7. Institutional Mechanisms for Protection of Women:
 - a) Statutory mechanism:
 - i) National Commission for Women
 - ii) National Human Rights Commission.
 - b) The Non-Governmental Organizations.
 - c) The Information media.
 - d) Role of education.

Total Marks 100

Paper - III

International Humanitarian Law & Refugee Law

1. International Humanitarian Law:
 - a) Definition of International Humanitarian Law, the origin and development throughout the ages.
 - b) Growth and Development of ICRC and its role.
 - c) The four Geneva Conventions and its Additional Protocols.
 - d) International Humanitarian Law and the Human Rights Law.
 - e) National Measures for the implementation of International Humanitarian Law. (The Geneva Convention Act, 1960).
2. International Refugee Law:
 - a) Definition of Refugee, Historical development of Refugee Law, principle of non-refoulement, rights & responsibilities of refugee, refugees "surplace".
 - b) Role of UNHCR in protection of the Human Rights of Refugees and the link between Human Rights Instruments and Refugee Rights.
 - c) International Instruments - The 1951 Convention Relating to Status of Refugees and its 1967 Protocol.
 - d) Regional Mechanisms on Refugee Protection including the OAU Convention, Cartagena Declaration, etc.
 - e) International Strategies for Refugees Protection, early warning, burden sharing, safety zones, right to remain, right to return, temporary asylum, internally displaced persons.
 - g) Protection in India: Indian critique of UNHCR and the Convention, protection without legislation, status of refugees in India under UNHCR, Model National Law for Refugees.

Total Marks 100

Paper - IV

Disadvantaged Groups and Human Rights and Duties

1. Conceptual Perspective:
 - a. Poverty, illiteracy, breakdown of old social and family institutions: Impact of improvements in health care and mortality.
 - b. Social taboos regarding the disabled.
 - c. Responsibility of the Society and the State.
2. Protection of the Aged and the Disabled under the Indian Constitution:
 - a. Fundamental Rights and Directive Principles under the Indian Constitution.
 - b. Special Laws for Protection of the Aged and the Disabled:
 - i. Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
 - ii. Mental Health Act, 1993.
 - iii. Policy on the Aged and the Disabled:
 - i. Special protection through reservations, quotas.
 - ii. Major issues of barrier-free access to public places, and development of special, appropriate technologies.
3. Protection of the Aged and the Disabled:
 - a. Vulnerability of the aged and the disabled:
 - i. Indian society and the aged and the disabled.
4. Institutional Mechanisms for Protection of the Aged and the Disabled:
 - a. Constitutional mechanisms: Legislative, Executive, and Judiciary.
 - b. Non-Governmental Organisations.
 - c. The Information Media.
 - d. Role of Education.
5. International norms for the Protection of the Aged and the Disabled:
 - a. UN General Assembly Declaration on the Rights of the Disabled Persons 1975.
 - b. Declaration on the Mentally Retarded Persons 1971.
 - c. Resolution on the Rights of the Disabled Persons adopted by the Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights 1993.
 - d. World Assembly on the Ageing 1982.

6. Protection of Scheduled Castes, Scheduled Tribes and Other Backward Classes:
- a. Status of Scheduled Castes, Scheduled Tribes and OBC in Indian Society:
 - i. The four castes: theory and practice, Feudalism and the socio-economic system, Social and economic deprivations of the lower rungs of society through history.
 - ii. Issues of social and economic inequality in Indian society, role of social reformers - Gandhi & Ambedkar, social and economic equality versus freedom from foreign rule.
 - b. Indian Constitution and Protection of SCs/STs and OBCs:
 - i. Fundamental Rights and Directive Principles under the Constitution
 - ii. Special protection under Article 15(4), Article 16(4) & 16 (4-A), Article 17, Article 29(1), Article 46, Articles 334, 335, 338, 339, 340, 341 & 342, Fifth and Sixth Schedules.
 - c. Contemporary status:
 - i. Economic and social inequalities.
 - ii. Caste wars, Politics of caste and class.
 - iii. Status of SCs and STs in the present society.

Total Marks 100

Paper - V

Extension Activities - Role Playing and Group Discussion

For role playing, group discussion and extension activities the candidates will be assessed internally and it will carry 50 marks. 25 marks will be for role-playing and group discussion and 25 marks for extension activities.

For extension activities the student's participation will be assessed for all extension activities throughout the year. Role- playing & group discussion will be organised before the final examination. The topics for group discussion and role-playing will be given on spot and it will relate to problem of Human Rights.

The internal assessment will be done as follows:

For Role-playing /	
Group discussion	50Marks
For Extension activities	50 Marks

Total - 100 Marks