Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester
Paper – Ist
Criminology & Privileged class Deviance

Max.M. 100  Pass M. 40
Aggregate – 50%

Objectives of the course

This course focuses on the "Criminality of the "Privileged classes". The definition of "privileged classes" in a society like India should not pose major problem at all; the expression nearly includes wielders of all forms of state and social (including religious) power. Accordingly, the course focuses on the relation between privilege power and deviant behaviour. The traditional approaches which highlight "white-collar offences", "socio-economic offences" or "crimes of the powerful" deal mainly with the deviance of the economically resourceful. The dimension of deviance associated with bureaucracy, the new rich (nouveau riche), religious leaders and organizations, professional classes and the higher bourgeoisie are not fully captured here. In designing teaching materials for this course, current developments in deviance, as reflected in newspapers/journals, law reports, and legislative proceedings should be highlighted. It should be stressed that the objectives of the course include:

(a) Dispelling of the commonly held belief that deviance crime is usually associated with the impoverished or improvident;
(b) Construction of model so understanding the reality of middle and upper; middle class deviance criminality in India;
(c) Critical analyses of legal system responses and
(d) Issues and dilemmas in penal and sentencing policies.

The following syllabus prepared with the above objectives will be spread over a period of one semester.

Syllabus

1. Introduction
   1.1. Conceptions of white collar crimes
   1.2. Indian approaches to socio-economic offences
   1.3. Notions of privileged class deviance as providing a wider categorization of understanding Indian development
   1.4. Typical forms of such deviance
      1.4.1. Official deviance (deviance by legislators, judges, bureaucrats)
      1.4.2. Professional deviance, journalists, teachers, doctors, lawyers, engineers, architects and publishers
1.4.3. Trade union deviance (including teachers, lawyers/urban property owners)
1.4.4. Landlord deviance (class/caste based deviance)
1.4.5. Police deviance
1.4.6. Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)
1.4.7. Gender-based aggression by socially, economically and politically powerful

2. Official Deviance
   2.1. Conception of official deviance - permissible limit of discretionary powers.
   2.3. The Chagla Commission Report on LIC-Mundhra Affair
   2.4. The Das Commission Report on Pratap Singh Kairon
   2.5. The Grover Commission Report on Dev Raj Urs
   2.6. The Maruti Commission Report

3. Police Deviance
   3.1. Structures of legal restraint on police powers in India
   3.2. Unconstitutionality of "third-degree" methods and use of fatal force by police
   3.3. "Encounter" killings
   3.4. Police atrocities
   3.5. The plea of superior orders
   3.6. Rape and related forms of gender-based aggression by police and para-military forces
   3.7. Reform suggestions especially by the National Police Commissions

4. Professional Deviance
   4.1. Unethical practices at the Indian bar
   4.2. The Lentin Commission Report
   4.3. The Press Council on unprofessional and unethical journalism
   4.4. Medical malpractice

5. Response of Indian Legal Order to the Deviance of Privileged Classes
   5.1. Vigilance Commission
   5.2. Public Accounts Committee
   5.3. Ombudsman
   5.4. Commissions of Enquiry
   5.5. Prevention of Corruption Act, 1947
   5.6. The Antulay Case
Select bibliography

Upendra Baxi, Liberty and Corruption: The Antulay Case and Beyond (1989)
Surendranath Dwevedi and G.S. Bbargava, Political Corruption in India (1967)
A.R. Desai (ed.) Violation of democratic Rights in India (1986)
A.G. Noorani, Minister’s Misconduct (1974)
Indira Rotherm und, "Patterns of Trade Union Leadership in Dhanbad Coal fields" 23 J.I.L.I 522 (1981)
Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – II
Juvenile Delinquency

Max.M. 100
Pass M. 40
Aggregate – 50%

Note:- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions.

Syllabus

1. The Basic Concepts
   1.1. The conception of 'child' in Indian Constitution and Penal Code.
   1.2. Delinquent juvenile
   1.3. "Neglected" juvenile
   1.4. The overall situation of children/young persons in India, also with reference to crime statistics (of crimes by and against children)

2. Determining Factors of Juvenile Delinquency
   2.1. Differential association
   2.2. Anomie
   2.3. Economic pressure
   2.4. Peer group influence
   2.5. Gang sub-culture
   2.6. Class differentials

3. Legislative Approaches
   3.1. Legislative approaches during the late colonial era.
   3.2. Children's Act
   3.3. Legislative position in various States
   3.4. The Juvenile Justice Act
   3.4.1. Constitutional aspects.
   3.4.2. Distinction between "Neglected" and "delinquent" juveniles.
   3.4.3. Competent authorities
   3.4.4. Processual safeguards for juveniles
   3.4.5. Powers given to government
   3.4.6. Community participation as envisaged under the Act

4. Indian Context of Juvenile Delinquency
   4.1. The child population percentage to total sex-ratio, urban/rural/rural-urban
   4.2. Neglected - below poverty line, physically and mentally disabled, orphans, destituates, vagrants.
4.3. Labourers
4.3.1. In organised industries like zari, carpet, bidi, glass
4.3.2. In unorganised sector like domestic servant, shops and establishments, rag-pickers family trade.
4.4. Delinquent - number, sex-ratio, ratio to adult crime, types of offences committed, recidivism, rate of increase background
4.5. Drug addicts
4.6. Victims
4.6.1. Of violence - sexual abuse, battered, killed by parents
4.6.2. Of criminal activities like bootlegging, drug pollution as a response of protective approach

5. Judicial Contribution
5.1. Social action litigation concerning juvenile justice
5.2. Salient judicial decisions
5.3. Role of legal profession in juvenile justice system.

6. Implementation
6.1. Institutions, bodies, personnel
6.2. Recruiting and funding agencies
6.3. Recruitment qualifications and salaries or fund
6.4. Other responsibilities of each agency/person
6.5. Coordination among related agencies
6.6. Accountability-annual reports and accessibility of public to juvenile justice institution.

7. Preventive Strategies
7.1. State Welfare programmes health, nutrition, ICWS, grants-in-aid
7.2. Compulsory education
7.3. Role of community, family, voluntary, bodies, individuals.

Select bibliography

K.S. Shukla, Adolescent Offender (1985)
United Nations, Beijing Rules on Treatment of Young Offenders (1985)
The United Nations Declaration on the Rights of Children
UNICEF periodic materials
Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – IIIrd
Collective violence and Criminal Justice System

Max. M. 100
Pass M. 40
Aggregate – 50%

Note:- This paper shall be of 100 marks, Candidates are required to attempt five questions out of ten questions.

Syllabus

1. Introductory

1.1. Notions of "force", "coercion", "violence"
1.2. Distinctions: "symbolic" violence, "institutionalised" violence, "structural violence"
1.3. "Constitutional" and "criminal" speech: Speech as incitement to violence
1.4. Collective political violence" and legal order
1.5. Notion of legal and extra-legal "repression"

2. Approaches to Violence in India

2.1. Religiously sanctioned structural violence: Caste and gender based
2.2. Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India
2.3. Gandhiji's approach to non-violence
2.4. Discourse on political violence and terrorism during colonial struggle
2.5. Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period

3. Violence against the Scheduled Castes

3.1. Notion of Atrocities
3.2. Incidence of Atrocities
3.3. Uses of Criminal Law to combat Atrocities or contain aftermath of Atrocities
3.4. Violence Against Women

4. Communal Violence

4.1. Incidence and courses of "communal" violence
4.2. Findings of various commissions of enquiry
4.3. The role of police and para-military systems in dealing with communal violence
4.4. Operation of criminal justice system tiring, and in relation to, communal violence
5. Criminal Liability
   1. Group Liability
   2. Vicarious Liability
   3. Strict Liability
   4. Absolute Liability
   5. Liability in social economic and Socio-welfare offences.

Select bibliography

Ranjit Guha, Element any Aspects of Peasant Insurgency in Colonial India (1983)
Rajni Kothari, State Against Democracy (1987)
Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – 1st
Insurance Law
(Business Law Group)

Syllabus

1. Introduction
   1.1. Nature of insurance contract, various kinds of insurance, proposal, policy, parties, consideration, need for utmost good faith, insurable interest, indemnity
   1.2. Insurance policy, law of contract and law of torts-future of insurance: need, importance and place of insurance
   1.3. Constitutional perspectives- the Entries 24,25,29,30,47 of List I Union List; 23, 24, of List III

2. General Principles of Law of Insurance
   2.1. Definition, nature and history
   2.2. The risk - commencement, attachment and duration
   2.3. Assignment and alteration
   2.4. Settlement of claim and subrogation
   2.5. Effect of war upon policies

3. Indian Insurance Law: General
   3.1. History and development
   3.2. The Insurance Act 1938 and the Insurance Regulatory Authority Act 2000
   3.3. Mutual insurance companies and cooperative life insurance societies
   3.4. Double Insurance and re-insurance

4. Life Insurance
   4.1. Nature and scope
   4.2. Event insured against life insurance contract
   4.3. Circumstances affecting the risk
4.4. Amounts recoverable under life policy
4.5. Persons entitled to payment
4.6. Settlement of claim and payment of money

5. Marine Insurance
   5.1. Nature and Scope
   5.2. Classification of marine policies
   5.2.1. The Marine Insurance Act, 1963
   5.2.2. Marine insurance
   5.2.3. Insurable interest, insurable value
   5.2.4. Marine insurance policy - condition. - express warranties
   construction of terms of policy
   5.2.5. Voyage-deviation
   5.2.6. Perils of the sea
   5.2.7. Assignment of policy
   5.2.8. Partial laws of ship and of freight, salvage, general average,
   particular charges
   5.2.9. Return of premium

6. Insurance Against Accidents
   6.1. The Fatal Accidents Act, 1855
   6.1.1. Objects and reasons
   6.1.2. Assessment of compensation
   6.1.3. Contributory negligence,
   6.1.4 Apportionment of compensation and liability
   6.2. The Personal Injuries (Compensation insurance) Act 1963
   6.2.1. Compensation payable under the Act
   6.2.2. Compensation insurance scheme under the Act-Compulsory
   insurance

7. Property Insurance
   7.1. Fire insurance
   7.2. The Emergency Risks (Factories) Insurance
   7.3. The Emergency Risks (Goods) Insurance
   7.4. Policies covering risk of explosion
   7.5. Policies covering accidental loss, damage to property
7.6. Policies covering risk of storm and tempest
7.7. Glass-plate policies
7.8. Burglary and theft policies
7.9. Live stock policies
7.10. Goods in transit insurance
7.11. Agricultural insurance

8. Insurance Against Third Party Risks
8.1 The Motor Vehicles Act, 1988
8.1.1 Nature and scope
8.1.2 Effect of insolvency or death on claims of insolvency and death of parties, certificate of insurance
8.1.3 Claims tribunal: constitution, functions, application for compensation, procedure, powers and award
8.2 Liability Insurance
8.2.1 Nature and kinds of such insurance
8.2.2 Public liability insurance
8.2.3 Professional negligence insurance

9.1 Group life insurance
9.2 Mediclaim, sickness insurance

Select bibliography

John Hanson and Christopals Henly, All Risks Property Insurance (1999), LLP Asia, Hongkong.
Peter Mac Donald Eggers and Patric Foss, Good Faith and Insurance Contracts (1998) LLP Asia, Hongkong
Birds, Modern Insurance Law (1997) Sweet & Maxwell
Colinvaux's Law of Insurance (1997), Sweet & Maxwell
O'Mary on Marine Insurance (1993), Sweet & Maxwell.
International Labour Office, Administration Practice of social Insurance (1985)
E.R. Hardy Ivámy, General Principles of insurance Law (1979)
Edwin W. Patterson, Cases and Materials on Law of insurance (1955)
M. N. Sreenivasan Law and the Life Insurance Contract (1914)
Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – IIIrd
Law of Export Import Regulation

Max. M. 100
Pass M. 40
Aggregate – 50%

Note:- This paper shall be of 100 marks Candidates are required to attempt five question out of ten questions.

Syllabus

1. Introduction

1.1. State control over import and export of goods - from rigidity to liberalisation.
1.2. Impact of regulation on economy.

2. The Basic Needs of Export and Import Trade

2.1. Goods
2.2. Services
2.3. Transportation

3. International Regime

3.1. WTO agreement
3.2. WTO and tariff restrictions
3.3. WTO and non-tariff restrictions
3.4. Investment and transfer of technology
3.5. Quota restriction and anti-dumping
3.6. Permissible regulations
3.7. Quarantine regulation
3.8. Dumping of discarded technology and goods in international market
3.9. Reduction of subsidies and counter measures.

4. General Law on Control of Imports and Exports

4.1. General scheme
4.2. Legislative control
4.2.1. Power of control : Central government and RBI
4.2.2. Foreign Trade Development and Regulation Act 1992
4.2.3. Restrictions under customs law
4.2.3.1. Prohibition and penalties
4.3. Export-Import formulation: guiding features
4.3.1. Control under FEMA
4.3.2. Foreign exchange and currency
4.3.2.1. Import of goods
4.3.2.2. Export promotion councils
4.3.2.3. Export oriented units and export processing zones

5. Control of Exports
5.1. Quality control
5.2. Regulation on goods
5.3. Conservation of foreign exchange
5.3.1. Foreign exchange management
5.3.2. Currency transfer
5.3.3. Investment in foreign countries

6.1. Investment policy: NRIs, FIIIs (foreign institutional investors), FDIs
6.2. Joint venture
6.3. Promotion of foreign trade
6.4. Agricultural products
6.5. Textile and cloths
6.6. Jewellery
6.7. Service sector

7. Law Relating to Customs
7.1. Prohibition on importation and exportation of goods
7.2. Control of smuggling activities in export-import trade
7.3. Levy of, and exemption from, customs duties
7.4. Clearance of imported goods and export goods
7.5. Conveyance and warehousing of goods

8. Regulation on Investment
8.1. Borrowing and lending of money and foreign currency
8.2. Securities abroad - issue of
8.3. Immovable property - purchase abroad
8.4. Establishment of business outside
8.5. Issue of derivatives and foreign securities - GDR (global depositories receipts), ADR (American depository receipts) and Uro
8.6. Investment in Indian banks
8.7. Repatriation and surrender of foreign securities

9. Technology transfer
9.1. Restrictive terms in technology transfer agreements
9.2. Automatic approval schemes
Select Bibliography

Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)

The Students should consult the relevant volumes of the Annual Survey of Indian Law, Published by the Indian law Institute, New Delhi.

Foreign Trade Development and Regulation Act 1992 and Rules

Foreign Exchange Management Act 1999

Marine Products Export Development Authority Act 1972

Customs Manual (Latest edition)

Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – IVth
Banking Law

Max.M. 100
Pass M. 40
Aggregate – 50%

Note:- This paper shall be of 100 marks Candidates are required to attempt five question out of ten questions.

Syllabus

1. Introduction
   1.1. Nature and development of banking
   1.2. History of banking in India and elsewhere -indigenous banking-evolution of banking in India - different kinds of banks and their functions.

2. Law Relating to Banking Companies in India
   2.1. Controls by government and its agencies.
       2.1.1. On management
       2.1.2. On accounts and audit
       2.1.3. Lending
       2.1.4. Credit policy
       2.1.5. Reconstruction and reorganisation
       2.1.6. Suspension and winding up
   2.2. Contract between banker and customer: their rights and duties

3. Social Control over Banking
   3.1. Nationalization
   3.2. Evaluation: private ownership, nationalisation and disinvestment
   3.3. Protection of depositors
   3.4. Priority lending
   3.5. Promotion of under privileged classes

4. Deposit Insurance
   4.1 The Deposit Insurance Corporation Act 1961: objects and reasons
   4.1.2 Establishment of Capital of DIC
   4.1.3 Registration of banking companies insured banks, liability of DIC to depositors
   4.1.4 Relations between insured banks, DIC and Reserve Bank of India
5. The Central Bank
   5.1. Evolution of Central Bank
   5.2. Characteristics and functions
   5.3. Economic and social objectives
   5.4. The Central Bank and the State - as bankers' bank
   5.5. The Reserve Bank of India as the Central Bank
   5.5.1. Organisational structure
   5.6. Functions of the RBI
   5.6.1. Regulation of monetary mechanism of the economy
   5.6.1.1. Credit control
   5.6.1.2. Exchange control
   5.6.1.3. Monopoly of currency issue
   5.6.1.4. Bank rate policy formulation
   5.7. Control of RBI over non-banking companies
   5.7.1. Financial companies
   5.7.2. Non-financial companies

6. Relationship of Banker and Customer
   6.1. Legal character
   6.2. Contract between banker and customer
   6.3. Banker's lien
   6.4. Protection of bankers
   6.5. Customers
   6.5.1. Nature and type of accounts
   6.5.2. Special classes of customers - lunatics, minor, partnership, corporations, local authorities
   6.6. Banking duty to customers
   6.7. Consumer protection: banking as service

7. Negotiable Instruments
   7.1. Meaning and kinds
   7.2. Transfer and negotiations
   7.3. Holder and holder in due course
   7.4. Presentment and payment
   7.5. Liabilities of parties

8. Lending by Banks
   8.1. Good lending principles
   8.1.1. Lending to poor masses
   8.2. Securities for advances
   8.2.1. Kinds and their merits and demerits
   8.3. Repayment of loans: rate of interest, protection against penalty
   8.4. Default and recovery
   8.4.1. Debt recovery tribunal
9. Recent Trends of Banking System in India
   9.1. New technology
   9.2. Information technology
   9.3. Automation and legal aspects
   9.4. Automatic teller machine and use of internet
   9.5. Smart card
   9.6. Use of expert system
   9.7. Credit cards

10. Reforms in Indian Banking Law
   10.1. Recommendations of committees: a review

Select bibliography

Law 258
M.L. Tannan, Tannan’s Banking Law and Practice in India (1997) India Law House, New Delhi, 2 volumes
Anthony Pierce, Demand Guarantees in International Trade (1993) Sweet & Maxwell,
Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – IVth
Public Authorities Liability

Max. M. 100
Agggregate – 50%

Objectives of the course

Judicial decisions in the common law world have formulated several duties and liabilities on the administrative hierarchy towards the citizens. Is the state in exercise of sovereign functions liable to compensate the affected persons? To what extent is the state in exercise of sovereign functions immune from liability? The state enters into contracts in more ways than one. Should there be standards of conduct laid down on the state when it does so? How can accountability be determined in all these areas? Open government is one of the significant attributes of good government in democracy. In what way these norms can be meticulously followed by the state in meting out administrative justice. There are problems a country like India does confront in her march towards good governance.

This course with the above mentioned perspectives in view comprises about 42 units of one hour duration to be spread out to one semester.

Syllabus

1. Tortious Liability
   1.1. Sovereign immunity
   1.2. Commercial and non-commercial function

2. Contractual liability
   2.1. Processual justice: Privilege - right dichotomy
   2.2. Blacklisting of contractors
   2.3. Terms in government contract as instruments of social justice

3. Emerging Liability
   3.1. Personal accountability
   3.2. Compensatory jurisprudence and right to life
   3.3. Accountability under consumer law

4. Privilege Against Disclosure
   4.1. Right to information
   4.2. Official secrecy
   4.3. Executive privilege
4.4. Security of state and control on information
4.5. Judicial review

5. Promissory Estoppel
   5.1. Legitimate expectation
   5.2. Constitutional dimensions

Select bibliography

Jain & Jain, Principles of Administrative Law (1986), Tripathi
B.Schwartz, An Introduction to American Administrative Law.
Objectives of the course

The maladministration is a disturbing phenomenon witnessed in a developing democracy like India. People holding public offices and authority are accused of misuse of their office and misappropriation of public funds for private gain. Privatization of public property for their private aggrandisement is an evil to be curbed early. Institutions like Lokpal and Lokayukt, agencies like commissions of enquiry and vigilence commission and legislative committees inquiring into particular problem or general questions are in the process of experimentation in the country with the object of getting out of vicious triangle. These are opinions to strengthen the CBI. The reports of Comptroller and Auditor General are also followed up. This course shall concentrate on all these areas and make an evaluation of the existing machinery in the light of the judicial dicta on certain cases.

The paper comprises of about 42 units of one-hour duration to be spread out to a period of one semester.

Syllabus

1. **Ombudsman**
   1.1. The concept
   1.2. Comparative perspectives
   1.3. Evolving Indian models -Lokpal, Lokayukt institutions

2. Commission of Inquiry
3. Vigilance Commissions
4. Investigation Agencies: the CBI
5. Inquiries by Legislative Committees
6. Legislative Control
7. Financial Control - Comptroller and Auditor General
8. Judicial Inquiries

Select bibliography

Jain & Jain, Principles of Administrative Law (1966) Tripathi
Donald C. Rowat, The Ombudsman (1966), George Allan and Unwin Ltd.
Objectives of the course

With the introduction of the Constitution seventy third and seventy fourth amendments, India is moving towards the ideal of direct democracy endowing the local bodies with powers of administration in matters of regional and local importance. This change has added new vistas of Indian democracy and it offers an opportunity to translate the Gandhian concept of Gram Swaraj into practice. Necessarily, a person specializing in administrative law has to be equipped with the knowledge on the working of early systems, the present constitutional scheme, the legislative powers of the State transferring responsibility to local bodies and on the increasing regulatory and financial powers of the local bodies. The nature of the democratic functioning of these elected bodies and the scope of administrative control as well of the judicial control over them are challenging areas for students of administrative law to evaluate and help formulation of new and pragmatic working methods.

The course shall comprise about 42 units of one-hour duration to be spread out to a period of one semester.

Syllabus

1. Historical Perspectives
   1.1. Early period
   1.2. Gram Swaraj: the Gandhian concept

2. Constitutional Scheme
   2.1. Directive Principles
   2.2. Structure and powers of local bodies

3. Legislative Powers
   3.1. Direct democracy and grass root planning
   3.2. Municipalities and corporation
   3.3. Gram Sabha
4. Quasi-legislative Powers
   4.1. Rule making power of the State Government
   4.2. Regulations and Bye-laws

5. Financial Powers
   5.1. Levying taxes
   5.2. Licensing power
   5.3. Financial resources and powers

6. Judicial and Quasi-judicial powers of the Local Bodies

7. Election to Local Bodies

8. Conduct of Meetings: Corporation, Municipal Council, Panchayat Committee and Gram Sabha
9. Institutional and Judicial Control

Select bibliography

Friedman, The State and the Rule of Law in a Mixed Economy
Neville L. Brown and J.F. Garner, French Administrative Law
Dicey, Introduction to the Law of the Constitution,
Iwors Jennings, Law and the Constitution
Schwartz & Wade, Legal Control of Government
Davis, Discretionary Justice
Jain & Jain, Principles of Administrative Law (1986), Tripathi, Bombay
Indian Law Institute, Government Regulation of Private
W. Thornhill (ed.), The Growth and Reform of English Local Self-government (1971),
Weidenfeld and Nierlson, London
Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – IVth
Protection and Enforcement of Human Rights in India

Max.M. 100
Pass M. 40
Aggregate – 50%

Note: This paper shall be of 100 marks Candidates are required to attempt five question out of ten questions.

Syllabus

1. History and Development of Human Rights in Indian Constitution
   1.1. Constitutional Philosophy - Preamble
   1.2. Fundamental Rights
   1.3. Directive Principles of State Policy
   1.4. Fundamental Duties

2. Judicial Activism and Development of Human Rights Jurisprudence

3. Enforcement of Human Rights
   3.1. Formal enforcement mechanisms
   3.1.1. Role of Supreme Court
   3.1.2. Role of High Courts
   3.1.3. Role of Civil and Criminal Courts
   3.1.4. Statutory Tribunals
   3.1.5. Special Courts

4. Role of India in implementing international norms and standards

Select bibliography

Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – IVth
Human Rights of Disadvantaged Groups : Problems and issues in the Protection and Enforcement

Max.M. 100
Pass M. 40
Aggregate – 50%

Note:- This paper shall be of 100 marks Candidates are required to attempt five question out of ten questions.

Syllabus

1. Concept of Disadvantaged Groups

2. Emerging Human Rights Jurisprudence and the Role of the Judiciary
   2.1. Rights of women
   2.2. Rights of the child
   2.3. Rights of prisoners
   2.4. Rights of dalits
   2.5. The tribal and other indigenous people
   2.6. The mentally ill
   2.7. The stateless persons
   2.8. The unorganised labour
   2.9. 'Aids' victims
   2.10. Rights of minorities

3. Enforcement of Human Rights
   3.1. Protection Laws of the Disadvantaged Groups: Problems and Issues

4. Future Perspectives of the Human Rights of the Disadvantaged

Select bibliography

Paras Diwan and Piyush Diwan, Women and Legal Protection
Janaki Nair, Women and Law in Colonial India, (1996).
Jiwaji University, Gwalior (M.P.)
LL.M. IIIrd Semester

Paper – IVth
International Humanitarian Law and Refugee law

Max.M. 100
Pass M. 40
Aggregate – 50%

Note:– This paper shall be of 100 marks Candidates are required to attempt five question out of ten questions.

Syllabus

1. Humanization of Warfare.
   1.1. Amelioration of the wounded and sick
   1.1.1. Armed forces in the field
   1.1.2. Armed forces at sea
   1.1.2.1. The shiprecked
   1.2. Protection and facilities
   1.2.1. Prisoners of war
   1.2.2. Civilians in times of War
   1.2.3. Cultural properties

2. Control of weapons
   2.1. Conventional
   2.2. Chemical
   2.3. Biological
   2.4. Nuclear

3. Humanitarian law: Implementation
   3.1. Red Cross - role
   3.2. National legislation

4. The Concept of refugees
   4.1. Definition of refugees and displaced persons - their problems
   4.2. The UN Relief and Rehabilitation Administration and other International Refugee organizations : international protection.
   4.3. Protection under national laws

5. Strategies to combat refugee problem
   5.1. Repatriation, resettlement local integration and rehabilitation.
   5.2. UNHCR - role
   5.3. UNHCR and India
Select bibliography

Jean Yves Calier, Who is a Refugee A Comparative Case Law Study, (1997)
Anti-personnel Landmines Friend or Foe?, International Committee of Red Cross, (1996).