

Paper code : HR 102

Paper-2

Human Rights and Duties in India

Unit-I

Concepts of Human welfare, Rights and Duties, Social Movements of the 19th and 20th centuries; Independence Movement, Gandhi, Nehru and Ambedkar etc.

Unit-II

Constituent Assembly debates on the Fundamental Rights; Fundamental Rights, Directive Principles and Fundamental Duties, Problem of defining reasonable restrictions on Fundamental Rights
Fundamental Duties of State and Citizen: Problem of implementing Duties. Directive Principles versus Fundamental Rights

Unit-III

Enforcement of Human Rights: Judiciary: Article 32(Supreme Court), Article 226(High Court), Public Interest Litigation; National Specialized Agencies: Law Commission, Women's Commission, Human Rights Commission;

Unit- IV

Problems of enforcement: Abuse of executive power: Police and human rights; Special Laws violative of human Rights: TADA, Emergency, Armed Forces (Special Powers) Act etc.
Lack of accountability and transparency in government functioning and the right to information

Unit- V

Human Rights violations: Indian State; Indian Society: social inequality, caste hierarchy; Human Rights violations in private domain: within the family, by dominant castes, religious groups;
Basis of social, cultural, political and economic discrimination; Unequal Access to natural Resources; Impact of development Policies on Human Rights;
Media and human rights;

Suggested Readings:

Primary Sources:

1. UN Centre for Human Rights, Civil and Political Rights: The Human Rights Committee (Geneva: World Campaign for Human Rights, 1997)

2. UN Centre for Human Rights, Freedom of the individual under Law: An Analysis of Article 29 of the Universal Declaration of Human Rights (New York: UN Publication Division)
3. UNESCO, Human Rights Aspects of Population Programmes with special reference to Human Rights Laws (Paris: UNESCO, 1984)
4. UNESCO, Violations of Human Rights: Possible Rights of Recourse and Forms of Resistance (Paris: UNESCO, 1984)

Secondary Sources

1. Aggarwal Om Prakash , Fundamental Rights and Constitutional Remedies (Delhi: Metropolitan Book, 1954)
2. Aiyar, S.P. and S.V. Raju, ed., Fundamental Rights and the Citizen (New Delhi: Academic Books Limited, 1972)
3. Basu, D.D., Constitutional Law of India (New Delhi: Prentice Hall, 1994)
4. Basu, D.D., Human Rights in Constitutional Law (New Delhi: Prentice Hall, 1994)
5. Baxi, Upendra, "Violence, Dissent and Development: Law and Social Change