

M.G.S. UNIVERSITY, BIKANER

MASTERS OF LAW

LL.M. Semester System

DRAFT FOR NEP- 2020 Based CBCS - LOCF Curriculum

PROGRAM OUTCOMES

PROGRAM SPECIFIC OUTCOMES

COURSE OUTCOMES

SCHEME OF EXAMINATION

AND

SYLLABUS

Semester - I and II (Session: 2024-25)

Semester - III and IV (Session 2025-26)

International Law and Organization (GROUP- A)

Criminal Law (GROUP-B)

Business Law (GROUP-C)

Human Rights Law (GROUP -D)

School of Laws

M.G.S. University, Bikaner

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Background

Considering the curricular reforms as instrumental for desired learning outcomes, Maharaja Ganga Singh University made a rigorous attempt to revise the curriculum of postgraduate programmes in alignment with National Education Policy-2020 and UGC Quality Mandate for Higher Education Institutions. The process of revising the curriculum could be prompted with the adoption of 'Comprehensive Roadmap for Implementation of NEP. The roadmap identified the key features of the Policy and elucidated the Action Plan with well-defined responsibilities and indicative timeline for major academic reforms. The University Grants Commission (UGC) has devised a series of regulations and directives over time with the intention of enhancing the higher education system's quality and enforcing minimum standards in Higher Educational Institutions (HEIs) throughout India. The recent academic reforms suggested by the UGC have contributed to an overarching enhancement of the higher education system.

With NEP-2020 in background, the revised curricula articulate the spirit of the Policy by emphasizing upon- integrated approach to learning; innovative pedagogies and assessment strategies; multidisciplinary and cross-disciplinary education; creative and critical thinking; ethical and constitutional values through value-based courses; 21st century capabilities across the range of disciplines through life skills, entrepreneurial and professional skills; community and constructive public engagement; social, moral and environmental awareness; exposure to Indian economic knowledge system, cultural traditions and classical literature through relevant courses offering 'Knowledge of India'; fine blend of modern pedagogies with indigenous and traditional ways of learning; flexibility in course choices; student-centric participatory learning; imaginative and flexible curricular structures to enable creative combination of disciplines for study; offering multiple entry and exit points, integration of extracurricular and curricular aspects; exploring internships with local industry, businesses; closer collaborations between industry and higher education institutions for technical and economic programmes; and formative assessment tools to be aligned with the learning outcomes, capabilities, and dispositions as specified for each course. The University has also developed consensus on adoption of Blended Learning with component of online teaching and face to face classes for each programme.

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MASTERS OF LAW

LL.M.

Vision :

To build responsive, responsible, sensitive, creative and thoughtful citizens with a comprehensive understanding of regional, national and international perspectives.

Mission :

To strive towards the educational, cultural, economic, environmental and social advancement of the region and the national at large by providing multidisciplinary liberal education involving arts, sciences, social sciences, education, law and commerce & Management and quality programmes which inculcate and enhance students creative and innovative insights, equipping them with both professional and vocational skills, leading to Bachelors, Masters', Professional, Vocational and Doctorate Programme.

PROGRAMME OUTCOMES (POs) of P.G. Course LL.M.

On completing Masters in the Faculty of Law, the students shall be able to realise the following outcomes :

POs	Description
PO-1	At the national level the programme outcomes are identified by the Bar Council of India.
PO-2	Explore and explain the substantial & procedural laws in which they are made/drafted and how students think and understand the legislative setup.
PO-3	Interpret and Analyze the legal and social problems towards finding solutions to the problems by application of laws and regulations in the existing society.
PO-4	Students are equipped with the knowledge of teaching learning methods through the specific subject on Teaching Pedagogy thereby enabling themselves to enter the academic field.
PO-5	Apply ethical principles and commit to legal professional ethics, responsibilities and norms of the established legal Profession.
PO-6	Recognize the need and to have the knowledge as to prepare and ability to engage in independent and life-long learning in the broader context of law and social transformation.
PO-7	To develop legal research skills and enhance legal reasoning and apply it in the field of legal Profession.

PROGRAMME SPECIFIC OUTCOMES (PSOs) of P.G. Course LL.M.

The students should possess the specific knowledge, skills to succeed in their career/ professional development and to pursue flexible career paths such as Law Teacher, Judicial Services, and Legal Officers during the end of the LL.M. course.

PSOs	Description
PSO-1	Acquire advance knowledge in the specific field of law chosen for the specialization. (e.g. International, Business, Criminal and Human Rights)
PSO-2	To create the ability of the students as to explore and analyze the legal problems from scholarly and objective point of view and efforts towards finding solutions to the problems by application of laws and regulations.
PSO-3	Learn the art of doing doctrinal and empirical research which covers knowledge and implementation of various tools and techniques of research in the field of law.
PSO-4	Should possess the skills to communicate in both oral and written forms.
PSO-5	To develop organizational skills necessary for successful functioning of law office including art of categorizing and organizing documents including prioritizing work, and managing time.
PSO-6	Should be able to Gather and interpret relevant facts and conduct legal research.
PSO-7	Should analyse social problems and understanding social dynamics.

POST GRADUATE ATTRIBUTES

On completion of the course students are expected to have acquired the skills of critical thinking, rational enquiry, effective communication and advanced understanding of the changing knowledge to deepen their legal expertise and to enhance their career prospects in the specific areas of law.

The attributes expected from the post-graduates of Master of Laws (LL.M.) Programme are:

PGA1. An LLM study will help to manage time on research work and to make sure that writing is structured well.

PGA2. Some modules may require to attend client-counselling sessions, while others may look at professional development skills through case examples..

PGA3. Acute sense of picking up on critical information will prove very useful in the long run when skimming through client files.

PGA4. One of the key skills that you one develops whilst doing an LLM degree is to manage large amounts of complex material.

PGA5. Availability of huge variety of areas, including many high-demand areas, providing the opportunity to become highly specialized in a short space of time.

PGA6. This can develop Legal and communication skills and give wider exposure in the Law field.

PGA7. The Master of Laws degree is recognised all over the world, will increase competitive standing.

SCHEME OF EXAMINATION

A Candidate for a pass at each of the Semester Examination shall be required to obtain at least **50%** marks in the aggregate of all the papers prescribed for the examination and at least 40% marks in each individual paper. Division shall be awarded at the end of the IV Semester Examination based on the combined marks obtained in all Semester Examinations taken together, as given below:

First Division	60%	of the aggregate marks taken together of all the four semesters.
Second Division	50%	
A candidate who has obtained at least 40% marks in two papers or at least 50% marks in one paper at the LL.M. Semester I may be provisionally admitted to the LL.M. Semester II. However, for passing the LL. M. Semester I/II/III/IV, a candidate will be required to fulfill the condition of obtaining a minimum of 40% marks in each paper and 50% marks in aggregate of all the papers at the LL. M. Semester I/II/III/IV.		

Examination Paper Pattern at Postgraduate level (Semester System).

Section	Word Limit	Total Questions	Allocation of marks (question wise)	Maximum Marks (75)
A	50	10	02	20
B	200	05 (Internal Choice from each unit)	05	25
C	500	05 (Any three)	10	30
	--	--	-	75

Note :

Section A shall contain 10 questions, Two questions from each unit. The candidate is required to answer all the questions.

Section B shall contain 5 questions, one from each unit with internal choice. The candidate is required to answer all the questions.

Section C shall contain 5 questions, one from each unit. The candidate is required to answer any three questions.

Academic Flexibility

To enable the students opt subjects/paper across the disciplines, the University has incorporated Academic Flexibility along with credit System at the Postgraduate Level

- **Credit :** A Unit by which the Course Work is measured. One credit is equivalent to one hour of teaching (lecture or tutorial) or two hours of Practical/Moot Court/Case Study/Survey Report/Court Visit/Legal- Aid Camp per week.

Credit and Teaching Hours

- 1 Credit = 1 hour teaching per day per session
1 Credit = 2 hours of Practical/Moot Court/Case Study/Survey Report/Court Visit/Legal -Aid Camp per week per session

➤ **Different Categories of Courses**

- **Core Course** – A course, which should compulsorily be studied by a candidate as a core requirement is termed as a Core course.
- **Elective Course** – It is a course which can be chosen from a pool of Papers/Courses.
 - (a) **Core Elective Course** adds generic proficiency to the post graduate law students.
 - (b) **Open Elective** Courses are from the Pool of Courses that are Interdisciplinary/Multidisciplinary and can be opted by students from across the discipline.

➤ **Unit and Course**

- A Unit means a part of the course having independent part in a course.
- A course shall have 5 units

➤ **Credit and Marks**

1 Credit = 20 Marks

➤ **Comprehensive Continuous Evaluation**

Component	Unit Covered in a Course	Weightage	Period of CCA
Sessionals	upto unit 3-4	25%	To be consolidated by 12 th week
Semester and Examination	1-5 (complete course)	75%	At the end of the Semester

Sessionals shall include one Periodical Test of 10 marks, Three Assignments (of 2 marks each) Two Class room seminars (2 marks each), One quiz competition of 02 marks and Class room Participation and Presence (03 marks).

The details are as given below -

(a) **One Periodical Test** - 10 marks

(b) **Three Assignments** - 06 marks (02 marks each)

Assignment :1. Case study ; 2.Field Work /Survey 3. Moot Court etc.

(c) **Two Classroom Seminars** 04 marks (02 marks each). The topics for the Seminar shall be decided in the Departmental Meetings. From among these topics, each student shall choose one topic and prepare Seminar Presentation under the guidance of his/her mentor.

(d) **One Quiz Competition 02 Marks** . The quiz competition subject shall be decided by the faculty member.

(e) **Participation and Presence** -03 marks (Those who have above 90% attendance may be awarded full marks; those whose attendance falls between 75%-89% may be awarded 02 marks. Below 75% attendance shall be awarded zero.)

Distribution

Sessionals :	25 marks
End Semester Exam:	75 marks
Total Marks :	100 Marks

➤ **STRUCTURE OF MASTER'S COURSE (LL.M.) (Semester wise)**

1. Broadly, every course shall have three components - Lecture (L), Tutorial (T) and Practical (P) For each course one credit equals to 15 hours of study.
2. There will be Nine Papers (Four in Semester I, Five in Semester II)
3. In Semester III and IV, the students shall be required to take up 2 core compulsory papers, 2 core elective and 1 elective open course.
4. Each paper will be of 3 hours duration and shall carry 100 marks (75% External Evaluation and 25% Internal Evaluation).
5. If a student opts for taking up case study in fourth semester, in such case he/she will not be required to appear for internal examination in that paper.
6. *For Semester IV, a candidate may offer Dissertation/Project/Case Study/Field Work regarding Core Elective (CE). The Dissertation/Project/Case Study/Field Work shall be hand written and shall not be more than 100 pages. [Dissertation/Project/ Case Study/Field Work : 75 Marks and Viva voce :25 Marks]*

Learning Outcome Index

1. Programme Outcomes (PO) and Programme Specific Outcomes (PSO)

PO	PSO-1	PSO-2	PSO-3	PSO-4	PSO-5	PSO-6	PSO-7
PO-1	☐	☐		✓	✓	☐	☐
PO-2	✓	☐	✓		✓	✓	✓
PO-3	✓	✓	✓	✓	✓	✓	✓
PO-4	☐	✓	✓	✓		☐	☐
PO-5	✓				✓	✓	✓
PO-6	✓	✓	✓	✓	✓	✓	✓
PO-7	✓	✓	✓	✓	✓	✓	✓

II. Core Courses (CC):

PSO	CC-1	CC-2	CC-3	CC-4	CC-5	CC-6	CC-7	CC-8
PSO-1	✓	✓	✓	✓	✓	✓	✓	✓
PSO-2	✓	✓	✓	✓	✓	✓	✓	✓
PSO-3	✓	✓	✓		✓	✓	✓	✓
PSO-4	☐	✓	☐		☐		✓	✓
PSO-5	☐	✓	✓	☐	☐	☐	✓	✓
PSO-6	✓	✓	✓	✓	✓	✓	✓	✓
PSO-7	✓	✓		✓	✓	✓	✓	✓

LL.M. Semester-I

Semester-I						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Jurisprudence	FL-LAW-CC- 101	4	1	0	5 Credits
2	Indian Constitutional Law and The New Challenges	FL- LAW-CC- 102	4	1	0	5
3	Interpretation of Statues	FL-LAW-CC- 103	4	1	0	5
4	Legal and Constitutional History of India	FL-LAW-CC- 104	4	1	0	5
			16	4	0	20

LL.M. Semester-II

Semester-II						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Judicial Process	FL-LAW-CC- 201	4	1	0	5 Credits
2	Comparative study of Hindu Law and Muslim Law	FL-LAW-CC- 202	4	1	0	5
3	Law and Social Transformation in India	FL-LAW-CC- 203	4	1	0	5
4	Legal Education and Research Methodology	FL-LAW-CC- 204	4	1	0	5
Core Foundation Course						
1	Human and National Values	FL-LAW-CF-205	3	1	0	
			16	4	0	20

LL.M. Semester-III
(Specialization: International Law and Organization)
(GROUP- A)

Semester-III (GROUP- A)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Basic Concepts of International Law	FL-LAW-CC- 301	4	1	0	5 Credits
2	International Humanitarian Law	FL-LAW-CC- 302	4	1	0	5
Core Elective Courses						
1	Disarmament and Peace Strategies OR International Law: Diplomacy and Contemporary Issues	FL-LAW-CE- 303 A OR FL-LAW-CE- 303 B	4	1	0	5
2	Settlement of International Disputes OR Legal Control of International Conflicts	FL-LAW-CE- 304 A OR FL-LAW-CE- 304 B	4	1	0	5
Open Elective Course						
1	Concept and Development of Human Rights OR Human Rights : Enforcement Mechanism	FL-LAW-OE- 305 A OR FL-LAW-OE- 305 B	4	1	0	5
			20	5	0	25

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Semester-III (GROUP- B)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Comparative Criminal Procedure	FL-LAW-CC- 306	4	1	0	5 Credits
2	Drug Addiction and Juvenile Delinquency	FL-LAW-CC- 307	4	1	0	5
Core Elective Courses						
3	Collective Violence and Criminal Justice System OR Medical Jurisprudence and Forensic Science	FL-LAW-CE- 308 A OR FL-LAW-CE- 308 B	4	1	0	5
4	History and Principles of Criminal Law OR Criminal Jurisprudence and Evidence Law	FL-LAW-CE- 309 A OR FL-LAW-CE- 309 B	4	1	0	5
Open Elective Course						
5	Criminology OR The Role of Forensic Science in Criminal and Civil Cases	FL-LAW-OE- 310 A OR FL-LAW-OE- 310 B	4	1	0	5
			20	5	0	25

LL.M. Semester-III
(Specialization: Business Law)
 (GROUP- C)

Semester-III (GROUP- C)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Law of Industrial and Intellectual Property	FL-LAW-CC- 311	4	1	0	5 Credits
2	Legal Regulation of Economic Enterprises including Export and Import Regulation	FL-LAW-CC- 312	4	1	0	5
Core Elective Courses						
3	Banking Law OR Policy Reforms and Innovations in Indian Banking system	FL-LAW-CE- 313 A OR FL-LAW-CE- 313 B	4	1	0	5
4	General Principles of Contract OR Special Contracts	FL-LAW-CE- 314 A OR FL-LAW-CE- 314 B	4	1	0	5
Open Elective Course						
5	Corporate Laws OR Law Relating to Negotiable instrument and Bankruptcy	FL-LAW-OE- 315 A OR FL-LAW-OE- 315 B	4	1	0	5
			20	5	0	25

LL.M. Semester-III
(Specialization: Human Rights Law)
(GROUP -D)

Semester-III (GROUP- D)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Concept and Development of Human Rights	FL-LAW-CC- 316	4	1	0	5 Credits
2	Human Rights in International and Regional Perspective	FL-LAW-CC- 317	4	1	0	5
Core Elective Courses						
3	Constitutional Governance of Human Rights in India OR Environment and Human Rights	FL-LAW-CE- 318 A OR FL-LAW-CE- 318 B	4	1	0	5
4	Human Rights of Disadvantaged Groups : Children, Elderly Persons and Refugee OR Criminal Justice System in India and Human Rights	FL-LAW-CE- 319 A OR FL-LAW-CE- 319 B	4	1	0	5
Open Elective Course						
5	Science, Technology and Human Rights OR Torture and Human Rights	FL-LAW-OE- 320 A OR FL-LAW-OE- 320 B	4	1	0	5
			20	5	0	25

LL.M. Semester-IV
(Specialization: International Law and Organization)
(GROUP-A)

Semester-IV (GROUP- A)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	International Organizations	FL-LAW-CC- 401	4	1	0	5 Credits
2	Law of Neutrality	FL-LAW-CC- 402	4	1	0	5
Core Elective Courses						
3	International Environmental Law and Sustainable Development OR Dissertation/Project/Case Study/ *	FL-LAW-CE- 403 A	4	1	0	5
		OR FL-LAW-CE- 403 B	3*	1	1	5
4	Law of The Sea OR Refugee Law	FL-LAW-CE- 404 A OR FL-LAW-CE- 404 B	4	1	0	5
Open Elective Course						
5	International Human Rights Standards OR International Criminal Law	FL-LAW-OE- 405 A OR FL-LAW-OE- 405 B	4	1	0	5
			19*	5	1	25

LL.M. Semester-IV
(Specialization: Criminal Law)
(GROUP- B)

Semester-IV (GROUP- B)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Cyber Crime and Investigation Procedures	FL-LAW-CC- 406	4	1	0	5 Credits
2	Privileged Class Deviance	FL-LAW-CC- 407	4	1	0	5
Core Elective Courses						
3	Penology and Victimology OR Dissertation /Project/Case Study*	FL-LAW-CE- 408 A	4	1	0	5
		OR FL-LAW-CE- 408 B	3*	1	1	5
4	ELEMENTS OF CRIMNIAL PROCEDURE AND PROOF IN CRIMINAL TRIALS OR FORENSIC MEDICINE AND TOXICOLOGY	FL-LAW-CE- 409 A OR FL-LAW-CE- 409 B	4	1	0	5
Open Elective Course						
5	Law and Organized Crime OR Crime and Information Technology Law	FL-LAW-OE- 410 A OR FL-LAW-OE- 410 B	4	1	0	5
			19*	5	1	25

LL.M. Semester-IV
(Specialization: Business Law)
 (GROUP- C)

Semester-III (GROUP- C)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Corporate Finance	FL-LAW-CC- 411	4	1	0	5 Credits
2	Insurance Law	FL-LAW-CC- 412	4	1	0	5
Core Elective Courses						
3	Competition Law OR Dissertation/Project/Case Study*	FL-LAW-CE- 413 A OR	4	1	0	5
		FL-LAW-CE- 413 B	3*	1	1	5
4	Law Relating to Consumer Protection OR Law Relating to Multi-National Corporations	FL-LAW-CE- 414 A OR	4	1	0	5
		FL-LAW-CE- 414 B				
Open Elective Course						
5	Corporate Governance OR E-commerce	FL-LAW-CE- 415 A OR	4	1	0	5
		FL-LAW-CE- 415 B				
			19*	5	1	25

LL.M. Semester-IV
(Specialization: Human Rights Law)
(GROUP -D)

Semester-III (GROUP- D)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Human Rights and Duties in India : Norms and Administration	FL-LAW-CC- 416	4	1	0	5 Credits
2	Jurisprudence and Human Rights : Legal and Philosophical Perspective	FL-LAW-CC- 417	4	1	0	5
Core Elective Courses						
3	United Nations and Human Rights OR Dissertations/Projects/Case/Study/*	FL-LAW-CE- 418 A OR FL-LAW-CE- 418 B	4	1	0	5
4	Human Rights : Enforcement Mechanism OR Women and Human Rights : Legal Protection and Dispensation of Justice	FL-LAW-CE- 419 A OR FL-LAW-CE- 419 B	4	1	0	5
Open Elective Course						
5	Media Law, Social Media and Human Rights OR Health and Human Rights	FL-LAW-OE- 420 A OR FL-LAW-OE- 420 B	4	1	0	5
			20	5	0	25

➤ COURSE CONTENTS

Outlines of the Course Contents

LL.M. Semester-I

Semester-I						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Jurisprudence	FL-LAW-CC- 101	4	1	0	5
2	Indian Constitutional Law and The New Challenges	FL- LAW -CC- 102	4	1	0	5
3	Interpretation of Statues	FL- LAW -CC- 103	4	1	0	5
4	Legal and Constitutional History of India	FL- LAW -CC- 104	4	1	0	5
			16	4	0	20

LL.M. Semester-I
Course Title : Jurisprudence
Course Code : FL-LAW-CC- 101
Core Courses

COURSE OBJECTIVES:

1. Jurisprudence is a window that gives into the making, mechanics and meaning of law.
2. It also throws light on all intricate factors that go on to make up what is known as law.
3. This paper intends to take the students to journey into law and legal concepts

Course Level Learning Outcomes :

On successful completion of this course, the students will be able to:

1. Demonstrate an advanced and integrated understanding of the political, social, historical, philosophical, and economic context of law.
2. Engage in identification, articulation and critical evaluation of legal theory and the implications for policy.
3. Critically analyze and research complex problems relating to law and legal theory and make reasoned and appropriate choices amongst alternatives.

UNIT - I

- **Introduction:**
 - Definition, Nature, Scope and Importance: Salmond, Austin, Holland and Julius Stone
 - Sources of Law: Legal and Historical Sources: Legislation:
 - Definition, Classification and Principles of Statutory Interpretation,
 - Codification: Advantages and Disadvantages of Codification;
 - Precedent: Definition, Theories and Kinds of Precedent: Stare Decisis; Ratio Decidendi and Obiter Dicta;
 - Custom: Definition and Kinds of Custom, Requisites of a Valid Custom, Custom and Prescription: Relative Merits and Demerits of Legislation, Judicial Precedent and Custom as a Source of Law;

UNIT - II

- **Schools of Jurisprudence:**
 - Analytical Positivism: John Austin, Hans Kelsen and H.L.A. Hart;
 - Historical: Von Savigny and Henry Maine;
 - Sociological: Ihering, Ehrlich, Roscoe Pound;
 - Natural Law School: Relation between Law and Morality;
 - American Realism: Justice Holmes and Oliver Crona;
 - Feminism: Radical Feminism; Desire Dominance Theory; Cultural Feminism;

UNIT - III

- **Rights and Duties:**

- Nature & Characteristics: Theories of Rights: Kinds of Legal Rights: Wesley Newcomb Hohfeld's
- Analysis of Legal Rights: Cognate Concepts like Liberty, Power, Immunity, Privilege etc.
- Duties, Nature & Characteristics; Classification of Duties: Correlation of Rights and Duties;
- Concept of Property; Definition and Kinds;
- Negligence; Civil and Criminal Liability;

UNIT - IV

- **Ownership and Possession:**

- Meaning of Ownership; Kinds, Definition of Ownership by Austin and Salmond, Relation between Ownership and Possession; Importance of Possession;
- Elements of Corporeal Possession and Problems;
- Acquisition and Theories of Possession: Possession in Law & Possession in Fact; Salmond and Savigny;

UNIT - V

- **Concept of Person:**

- Person: Definition and Nature of Personality: Legal Status of Unborn Children, Minor, Lunatic, Drunken and Dead Persons.
- Legal Status of Animals
- Legal Persons: State and Corporate Personality; Theories of Corporate Personality;
- Obligation and Liability: Definition and Nature of Obligation and Liability: Sources of Obligation and Liability; Kinds and Theories of Liability: General Conditions of Liability;
- Theories of Punishment: Retributive, Deterrent, Expiatory, Reformatory, Rehabilitative Theory; Constitutionality of Capital Punishment;

Assessment Methods:

INTERNAL Assessment	EXTERNAL ASSESSMENT	Total
25 marks Periodical Test : 10 marks Three Assignment : 06 Marks Two Classroom Seminar : 04 Marks One Quiz Competition : 02 Marks Participation & Attendance : 03 Marks	75 Marks	100 Marks

Examination Paper Pattern :

There shall be three Sections: **Section A** shall comprise - 10 Questions (All Compulsory) selecting at least 2 questions from each Unit. Each question shall carry equal marks(20 Marks). **Section B** shall comprise - 5 Questions selecting at least 2 questions from each unit with internal choice. The student is required to attempt 5 questions, 1 Question from each unit is compulsory. Each question shall carry equal marks (25 Marks). **Section C** shall comprise – 5 questions from each Unit. The student shall have to attempt at least 3 questions. . Each question shall carry equal marks (30 Marks). Questions of section A, B and C are to be answered in 50, 200 and 500 words respectively. The duration of each course examination shall be 3 hours. On the basis of the marks obtained the student shall be awarded SGPA and CGPA on the basis of the formula specified in the CBCS rules.

Required Readings :

- V.D. Mahajan's - Jurisprudence And Legal Theory (English, Paperback, V.D. Mahajan) (2015)
- Anirudha Prasad Vidhi Shastra Ke Mool Siddhant: Principles of Jurisprudence (Hindi) Eastern Book Company, 2019

SUGGESTED READINGS:

- B.N. Mani Tripathi, Jurisprudence (Hindi) 15th Ed., Central Law Publication, 2015
- Bodenheimer Jurisprudence; The Philosophy and Method of Law, Harward University Press, 2020
- Dias, Jurisprudence, 5th ed., Lexis Nexis Publication, 2013
- H.L.A. Hart, The Concepts of Law, Oxford, Clarendon Press, 1970.
- Inderjeet Singh Jurisprudence An Introduction(Hindi) 3rd Ed., Central Law Publication, 2017

Semester - I
Course Title : Indian Constitutional Law and The New Challenges
Course Code : FL-LAW-CC- 102

Core Courses

Course Objective

1. The Constitution, a living document, is said to be always in the making. The judicial process of constitutional interpretation involves a technique of adapting the law to meet changing social mores.
2. Constitution being the fundamental law, an insight into its new trends is essential for a meaningful understanding of the legal system and processes. The post graduate students in law who had the basic knowledge of Indian Constitutional Law at LL.B. level, should be exposed to the new challenges and perspectives of constitutional development while they are allowed to choose an area of law for specialization.
3. Obviously, rubrics under this paper require modification and updating from time to time.

Course Level Learning Outcomes :

On successful completion of this course, the students will be able to:

1. Understand the system of government and the fundamental principles governing its organization stipulated under the Constitution of India;
2. Understanding the intent of the framers of the Constitution and its interpretation in the context of balancing Justice, Rights and Governance;
3. Realise the status and importance of fundamental rights, fundamental duties and directive principles of state policy and relation among them by understanding the articulation of its basic values under the Constitution of India;
- 4.

UNIT -I

• **Federalism**

- Creation of new states
- Allocation and share of resources – distribution of grants in aid
- The inter-state disputes on resources
- Rehabilitation of internally displaced persons.
- Centre's responsibility and internal disturbance within States.
- Directions of the Centre to the State under Article 356 and 365.
- Federal Comity: Relationship of trust and faith between Centre and State.
- Special status of certain States.
- Tribal Areas, Scheduled Areas

UNIT-II

- “State”: Need for widening the definition in the wake of liberalization.
 - Right to equality: privatization and its impact on affirmative action.
 - Empowerment of women.
 - Freedom of press and challenges of new scientific development Freedom of speech and right to broadcast and telecast
 - Right to strike, Hartal and Bandh

UNIT-III

- **Emerging regime of new rights and remedies**
 - Reading Directive Principles and Fundamental Duties into Fundamental Rights
 - Compensation jurisprudence
 - Right to education
 - Commercialization of education and its impact
 - Brain drain by foreign education market.

UNIT-IV

- Right of minorities to establish and administer educational institutions and state control.
- Secularism and religious fanaticism.
- **Democratic Process**
 - Nexus of politics with criminals and the business.
 - Election
 - Election commission: status.
 - Electoral Reforms
 - Coalition government, 'stability, durability, corrupt practice'
Grass root democracy.

UNIT-V

- **Separation of powers: Stresses and strain**
 - Judicial activism and judicial restraint.
 - PIL: implementation.
 - Judicial independence.
 - Appointment, transfer and removal of judges.
 - Accountability: executive and judiciary.
 - Tribunals

Assessment Methods:

INTERNAL Assessment	EXTERNAL ASSESSMENT	Total
25 marks Periodical Test : 10 marks Three Assignment : 06 Marks Two Classroom Seminar : 04 Marks One Quiz Competition : 02 Marks Participation & Attendance : 03 Marks	75 Marks	100 Marks

Examination Paper Pattern :

There shall be three Sections: **Section A** shall comprise - 10 Questions (All Compulsory) selecting at least 2 questions from each Unit. Each question shall carry equal marks(20 Marks). **Section B** shall comprise - 5 Questions selecting at least 2 questions from each unit with internal choice. The student is required to attempt

5 questions, 1 Question from each unit is compulsory. Each question shall carry equal marks (25 Marks). **Section C** shall comprise – 5 questions from each Unit. The student shall have to attempt at least 3 questions. . Each question shall carry equal marks (30 Marks). Questions of section A, B and C are to be answered in 50, 200 and 500 words respectively. The duration of each course examination shall be 3 hours. On the basis of the marks obtained the student shall be awarded SGPA and CGPA on the basis of the formula specified in the CBCS rules.

Required Readings :

The Constitution of India (Bare Act with Latest Amendments)

Suggested Readings :

- A.G. Noorani, (ed.), Centre State Relations in India, Bombay: Lesley Saehney Programme for Training,1972.
- M.P Jain, Outlines of Indian Legal History.
- M.P.Jain, Indian Constitutional Law
- M.V Pylee, Constitutional History of India
- Pande G S, Constitutional law of India
- Prasad, Anirudh Centre-State Relations in India, New Delhi: Deep & DeepPublications,1985.
- Ashok Chandra, Federalism in India.
- D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
- De JatindraRanjan, Development of Federalism in India, Gauhati :Bani Prakashani,1974
- Desai, Justice D.A. Prasad Anirudh, Centre And State Powers Under Indian Federalism
- Dr.Subhash C. Kashyap, Commentary on Constitution of India

Semester - I
Course Title : Interpretation of Statutes
Course Code : FL-LAW-CC- 103

Core Courses

Course Objective

1. This course is largely confined to Common Law system of statutory interpretation. This course aims to acquaint the students with basic principles of interpretation of statutes.
2. It focuses on general and specific rules of interpretation of statutes. It also prescribes the guidelines on interpretation of remedial, penal and taxing statutes.
3. It provides for internal and external aids for interpretation of statutes. It also contains the rules regulating commencement, operation and repeal of statutes. It prescribes the principles for interpretation of Constitutional document also.

Course Level Learning Outcomes :

Students graduating with 'Interpretation of Statute & Principles of Legislation' will be able to:

1. Know what are the techniques adopted by courts in construing statutes? And the importance of the law making process in the present context
2. What are the matters to be reckoned with by legislature while enacting laws?
3. Understand and analyze the judicial interpretation, construction of words, phrases and expressions

UNIT - I

- **Different Parts of Statutes;**
- Classification of Statutes;
- Interpretation and Construction;
- Literal Interpretation; Mischief Rule; The Golden Rule;
- Harmonious Construction;
- Statute Should be Read as a Whole;
- *Construction Ut Res Magis Valeat Quam Pereat;*
- Identical Expressions To Have Same Meaning;
- *Construction Noscitur-a-Sociis; Construction Ejusdem Generis;*

UNIT - II

- Beneficial Construction; Strict Construction of Penal Statutes;
- Strict Construction of Fiscal (Taxing) Statutes;
- Interpretation of Statutes in *Pari Materia*;
- Interpretation of Amending Statutes;
- Interpretation of Codifying Statutes;
- Mandatory and Directory Enactments;
- Conjunctive and Disjunctive Enactments;

UNIT - III

- Internal Aids to Interpretation;
- External Aids to Interpretation; Presumptions Regarding Jurisdiction;
- Commencement of Legislation;
- Repeal of Legislation;
- Revival of Legislation; Retrospective Operation of Statutes;

UNIT - IV

- Principle of Implied Powers; Principle of Incidental and Ancillary Powers;
- Principle of Implied Prohibition;
- Principle of Occupied Field;
- Principle of Pith and Substance;
- Principle of Colourable Legislation; Principle of Territorial Nexus;
- Principle of Severability; Principle of Prospective Over-Ruling; Principle of Eclipse;

UNIT - V

- Bentham's Theory of Legislation;
- Principle of Utility; The Ascetic Principle;
- The Arbitrary Principle (or the Principle of Sympathy and Antipathy);
- Different Kinds of Pleasures and Pains Principles of Civil Code: Objects of the Civil Law;
- Rights and Obligations;
- Ends of Civil Law Principle of the Penal Code:
- Classification of Offences:
- Subdivision of Offences and Some Other Divisions; Punishments Which Ought Not To Be Inflicted;
- Proportion between Offences and Punishments;
- Kinds of Punishments;

Assessment Methods:

INTERNAL Assessment	EXTERNAL ASSESSMENT	Total
25 marks Periodical Test : 10 marks Three Assignment : 06 Marks Two Classroom Seminar : 04 Marks One Quiz Competition : 02 Marks Participation & Attendance : 03 Marks	75 Marks	100 Marks

Examination Paper Pattern :

There shall be three Sections: **Section A** shall comprise - 10 Questions (All Compulsory) selecting at least 2 questions from each Unit. Each question shall carry equal marks(20 Marks). **Section B** shall comprise - 5 Questions selecting at least 2 questions from each unit with internal choice. The student is required to attempt 5 questions, 1 Question from each unit is compulsory. Each question shall carry equal marks (25 Marks). **Section C** shall comprise – 5 questions from each Unit. The student shall have to attempt at least 3 questions. . Each question shall carry equal marks (30 Marks). Questions of section A, B and C are to be answered in 50, 200 and 500 words respectively. The duration of each course examination shall be 3 hours. On the basis of the marks obtained the student shall be awarded SGPA and CGPA on the basis of the formula specified in the CBCS rules.

Required Readings :**Some Important Judgements of Supreme Court**

- 1) Alamgir v. State of Bihar AIR1959 SC436
- 2) Bengal Immunity Company v. State of Bihar AIR1955 SC 661
- 3) Heydon's Case(1584) 76 ER 637
- 4) K. M. Nanavati v. State of Bombay AIR1961 SC 112
- 5) Lily Thomas v. Union of India AIR 2000 SC 1650
- 6) Mangoo Singh v. Election Tribunal AIR1957 SC 871
- 7) Motipur Zamindari Co. Pvt. Ltd. v. State of Bihar AIR1962 SC
- 8) Ramavatar v. Assistant Sales Tax Officer AIR 1961 SC1325
- 9) Ranjit Udeshi v. State of Maharashtra AIR 1965 SC 881
- 10) Smith v. Hughes (1871) LR 6 QB 597

Suggested Readings :

- Anirudh Prasad, Samvidhik Nirvachan Ke Siddhant, Ed.8th, C.L.P., 2019 (Hindi)
- Avtar Singh, Introduction to Interpretation of Statutes, LexisNexis, Butterworths Wadhwa, 2014
- Bhattacharya T., Interpretation of Statutes (Central Law Agency), 2017
- Bindra N.S., Interpretation of Statutes (LexisNexis, Butterworth Wadhwa), 2016
- Brandon J. Murrill, Modes of Constitutional Interpretation, Congressional Research Service, March 2018, at <https://fas.org/sgp/crs/misc/R45129.pdf>
- Chopra, D.S., Interpretation of Statutes, 1st ed. New Delhi: Thomson Reuters, 2014.
- Dhanda, Amita (Ed)., N. S. Bindra's Interpretation of Statutes, 12thEd., New Delhi: Lexis Nexis,2017.
- Jeremy Bentham, Theory of Legislation, Lexis Nexis, 2010

- Jone, Oliver (Ed),Bennion on Statutory Interpretation 5th ed. London: Lexis Nexis, 2013
- Katju, Markandey, (Ed)., K.L. Sarkar's Mimansa Rules of Interpretation. 4th ed. New Delhi, Thomson Reuters, 2013.
- Langan, P. St. J.(Ed.),Maxwell on the Interpretation of Statutes. 12thed. New Delhi: Lexis Nexis,1969
- Maxwell, Interpretation of Statutes (Sweet and Maxwell), 1969
- Rupert Cross, Statutory Interpretation (Butterworth), 1976
- Sarathi, Vepa P., Interpretation of Statutes. 5th ed. New Delhi: Eastern Book Company, 2010.

Semester - I
Course Title : Legal and Constitutional History of India
Course Code : FL-LL.M.-CC- 104

COURSE OBJECTIVE:

1. This Paper intends to introduce the students to the evolution of Indian Legal System.
2. The story of the evolution of the legal system in modern India begins with the Charter of 1600 and continues till this day.
3. Law is such a vast subject that it is difficult to know the whole of law but it is possible to know the method to find the law.

Course Level Learning Outcomes :

1. To understand a comprehensive account of the Evolution and Development of Legal History of India ever since advent of the British India East India Company 1600 AD
2. To trace the development of the law and courts before the 1950.
3. To Critically analyze and compare the various reforms before 1950.

UNIT - I

- **Judicial Systems in Ancient India**

Judicial system in ancient India : Hindu period, Ancient Hindu social order and religions philosophy, Administration of justice, Judicial system in medieval India : Muslim period, The Mughal period : judicial system

- Administration of Justice in Bombay, Madras and Calcutta Emergence of the East India Company : development of authority under charters, Trading body to a territorial power : subsequent charters, Administration of justice in Madras from 1639 to 1726, Administration of justice in Bombay 1668-1726, Administration of justice in Calcutta 1619-1726.

UNIT - II

- **The Mayors Court**

Genesis of the Charter of 1726, Provisions of the charter, Working in judicial system, Charter of 1753, Defects of judicial systems.

- **Adalat System**

Grant of Diwani, Execution of Diwani Functions, Judicial plan of 1772, Defects of the plan, New Plan of 1774, Reorganization of adalats in 1780, Reforms of 1781, The first civil code, Reforms in the administrations of criminal justice.

- **The Regulating Act 1773**

Charter of 1774 and the Supreme Court of Calcutta, Some land mark cases: Issue of Raja Nandkumar (1775) : whether a judicial murder?, The Patna cases (1777-79), The Cossijurah case (1779- 80), Act of settlement 1781, Major defects, Supreme Courts at Calcutta, Madras and Bombay, Law and administration in the Supreme Court.

UNIT - III

- **Judicial Reforms**

Judicial reforms of Cornwallis, Problems of judicial reforms 1793 1833, Impact of reforms by Cornwallis 1793, Reforms of Sir John Shore (1793) Reforms of Lord Wellesley (1798), Reforms of Lord Cornwallis (1805), Reforms of Lord Minto (1807), Lord Hastings' administration of justice (1813), Judicial reforms of Lord Bentick (1828), Defects of the systems.

UNIT - IV

- **Establishment of the High Courts**

- The Indian High Courts Act 1861, Charter of Calcutta High Court, Allahabad High Court, The Indian High Courts Act 1911, The Government of India Act 1915: other High Courts, Jurisdiction of high courts, Posts constitutional developments.
- Privy Council.
- The Supreme Court of India.

UNIT - V

Constitutional History of India

- The Indian Councils Act 1909,
- The Government of India Act 1919,
- The Simon Commission and developments up to 1935,
- The Government of India Act 1935,
- The Cripps Mission,
- The Cabinet Mission,
- The Indian Independence Act 1947.

Assessment Methods:

INTERNAL Assessment	EXTERNAL ASSESSMENT	Total
25 marks Periodical Test : 10 marks Three Assignment : 06 Marks Two Classroom Seminar : 04 Marks One Quiz Competition : 02 Marks Participation & Attendance : 03 Marks	75 Marks	100 Marks

Examination Paper Pattern :

There shall be three Sections: **Section A** shall comprise - 10 Questions (All Compulsory) selecting at least 2 questions from each Unit. Each question shall carry equal marks(20 Marks). **Section B** shall comprise - 5 Questions selecting at least 2 questions from each unit with internal choice. The student is required to attempt 5 questions, 1 Question from each unit is compulsory. Each question shall carry equal marks (25 Marks). **Section C** shall comprise – 5 questions from each Unit. The student shall have to attempt at least 3 questions. . Each question shall carry equal marks (30 Marks). Questions of section A, B and C are to be answered in 50, 200 and 500 words respectively. The duration of each course examination shall be 3 hours. On the basis of the marks obtained the student shall be awarded SGPA and CGPA on the basis of the formula specified in the CBCS rules.

Required Readings :

- M.P. Jain, Outlines of Legal History (1998), Tripathi
- V.D. Mahajan - Constitutional History of India.

SUGGESTED READINGS:

- Courtney Ilbert, Government of India(1962)
- Courtney Ilbert, The mechanics of Law Making (1914)
- M.P. Jain, Constitutional Law of India (1987) Tripathi, Bombay
- M.P. Jain, Outlines of Legal History (1998), Tripathi
- M. Rama Jois, Legal and constitutional History of India (1984)(Two volumes)
- A.B. Keith, Constitutional History of India 1600-1936 (1936)
- A.C.Banerjee - The making of Indian Constitution.
- Rankin, G.C. Background to Indian Law (1946)
- V.D. Kulshreshtha, Landmarks in Indian Legal History (1992), Eastern Lukhnow.
- B.S. Sinha - Legal and Constitutional History.
- Eric Stakes, The English Utilitarian's and India (1992), Oxford, Delhi.

LL.M. Semester-II

Semester-II						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Judicial Process	FL-LAW-CC- 201	4	1	0	5 Credits
2	Comparative study of Hindu Law and Muslim Law	FL-LAW-CC- 202	4	1	0	5
3	Law and Social Transformation in India	FL-LAW-CC- 203	4	1	0	5
4	Legal Education and Research Methodology	FL-LAW-CC- 204	4	1	0	5
			16	4	0	20

LL.M. Semester - II
Course Title : Judicial Process
Course Code : FL-LAW-CC- 201

Core Course

COURSE OBJECTIVE

1. A Lawyer, whether academic or professional, is expected to be competent to analyze and evaluate the legal process from a broader juristic perspective. Hence a compulsory paper on judicial process is essential in the LL.M. curriculum.
2. The objective of this paper is to study the nature of judicial process as an instrument of social ordering. It is intended to highlight the role of court as policy maker participant in the power process and as an instrument of social change. This paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques. Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of the concept of justice and its various theoretical foundations is required.
3. This paper, therefore, intends to familiarize the students with various theories different aspects and alternative ways of attaining justice.

Course Level Learning Outcomes :

1. Understand and interpret Constitution to address the emerging complex issues;
2. Explore the various functional theories, doctrine and Constitutional principles working in the backdrop and its interplay with the emerging issues;
3. Examine the boundaries, limitations, of Constitution from different perspectives and explore the possible approaches of interpretation and understanding from the perspective of Law and Justice.

UNIT - I

- **Nature of Judicial Process**
 - Judicial process as an instrument of social ordering
 - Judicial process and creativity in Law : Common law model, legal Reasoning and growth of law, change and stability
 - The tools and techniques of judicial creativity and precedent
 - Legal development and creativity through legal reasoning under statutory and codified system.

UNIT - II

- **Special dimensions of judicial process in Constitutional adjudication.**
 - Notion of Judicial Review
 - Role in constitutional adjudication : various theories of judicial role
 - Tools and techniques in policy making and creativity in constitutional adjudication.
 - Varieties of judicial and juristic activism.
 - Problems of accountability & Judicial Law making.

UNIT - III

- **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 : the tools and techniques of creativity
 - Judicial process in pursuit of constitutional goals and values : New dimensions of judicial activism and structural challenges.
 - Institutional liability of courts its scope and limits

UNIT - IV

- **The Concept of Justice**
 - The concept of justice and Dharma in Indian thought
 - Dharma as the foundation of legal ordering in Indian thought
 - The concept and various theories of justice in the western thought
 - Various theoretical bases of justice : The liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

UNIT - V

- **Relation between law and Justice**
 - Equivalence Theories – Justice as nothing more than the positive law of the stronger class
 - Dependence theories : for its realization, Justice depends on law, but justice is not the same as law.
 - The independence theories of justice as a means to an end, the relationship in the context of the Indian Constitutional ordering
 - Analysis of selected cases of Supreme Court where the Judicial Process can be seen as influenced by theories of Justice.

Assessment Methods:

INTERNAL Assessment	EXTERNAL ASSESSMENT	Total
25 marks Periodical Test : 10 marks Three Assignment : 06 Marks Two Classroom Seminar : 04 Marks One Quiz Competition : 02 Marks Participation & Attendance : 03 Marks	75 Marks	100 Marks

Examination Paper Pattern :

There shall be three Sections: **Section A** shall comprise - 10 Questions (All Compulsory) selecting at least 2 questions from each Unit. Each question shall carry equal marks(20 Marks). **Section B** shall comprise - 5 Questions selecting at least 2 questions from each unit with internal choice. The student is required to attempt 5 questions, 1 Question from each unit is compulsory. Each question shall carry equal marks (25 Marks). **Section C** shall comprise – 5 questions from each Unit. The student shall have to attempt at least 3 questions. . Each question shall carry equal marks (30 Marks). Questions of section A, B and C are to be answered in 50, 200 and 500 words respectively. The duration of each course examination shall be 3 hours. On the basis of the marks obtained the student shall be awarded SGPA and CGPA on the basis of the formula specified in the CBCS rules.

Required Readings :

- Julius Stone: The Province and Function of Law, Universal Law Publishing Co., New Delhi.
- Upendra Baxi: The Indian Supreme Court and Politics, Eastern Book Co., Lucknow.

SUGGESTED READINGS:

- A. S. Anand: 'Judicial Review: Judicial Activism-Need for Caution', 42 Journal of Indian Law Institute 149 (2000).
- Benjamin Cardozo: The Nature of Judicial Process, Yale University Press, USA.
- Julius Stone: Precedent and the Law-Dynamics of Common Law, Butterworth, Sydney.
- Rajeev Dhavan: The Supreme Court of India-A Socio-Legal Critique of its Juristic Techniques, N. M Tripathi, Bombay.
- S. P. Sathe: Judicial Activism in India: Transgressing Borders and Enforcing Limits, Oxford University Press, New Delhi.
- Upendra Baxi: The Indian Supreme Court and Politics, Eastern Book Co., Lucknow.
- Virendra Kumar: 'Basic Structure of the Indian Constitution: Doctrine of Constitutionally Controlled Governance', 49 Journal of the Indian Law Institute, 365-395, (2007).
- W. Friedmann: Legal Theory, Stevens & Sons, Ltd., London.

LL.M. Semester - II
Course Title : Comparative Study of Hindu Law and Muslim Law
Course Code : FL-LAW-CC- 202

COURSE OBJECTIVES:

1. The subject of family law is important to understand those rights and obligations, to regulate the family matters through the law and thus to minimize conflicts within the family this subject is also important to understand the various reliefs in family disputes
2. This course involves the student with the introduction of Hindu law as it

affects property relations. It primarily covers the concept of Undivided Family of the Hindu law, the provisions relating to intestate and testamentary succession applicable to persons of all denominations and other provisions relating to marriage, succession etc. in Hindu law. The study of the course will attempt to view Hindu law not merely as a separate system of personal laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfil the constitutional directive of uniform civil code.

3. Further this course also involves student with the introduction of Muslim law as it affects property relations. It primarily covers the concept of Marriage, Divorce etc., the with latest amendments.

Course Level Learning Outcomes :

1. Understand the meaning of personal law along with the sources of the Hindu and Muslim Laws;
2. Explain the concepts of marriage and divorce amongst Hindus & Muslims;
3. Illustrate the rules relating to succession and devolution of property amongst the Hindus; and Understand the rules relating to inheritance and devolution of property amongst Muslims.

UNIT - I

- **Hindu Law:**
 - Sources, School and Application,
- **Mohammedan Law:.,**
 - Sources, Schools, Application,
- A Comparative Study of Hindu Law and Muslim Law Relating to Sources and Schools.

UNIT - II

- **The Hindu Marriage Act, 1955:**
 - Conditions of a valid Hindu Marriage; Its ceremonies and registration,
 - Void and Voidable Marriage :
 - Restitution of Conjugal Rights;
 - Judicial Separation, Legitimacy of Children of Void and Voidable Marriage; Divorce and its grounds; Alternative relief in divorce proceedings, Divorce by Mutual Consent,
- **Muslim Law**
 - Marriage: Definitions, Nature of Marriage, Essentials of Marriage;
 - Kinds of Marriage and Effects of Marriage.
 - Dissolution of Marriage: By Death of either party, By Act of either parties, By Mutual Consent, By Court – Section 2 of the dissolution of Muslim Marriage Act, 1939 (including amendments if any); Legal effects of divorce, Iddat, Hiba-e-Muddat, Legal Status of Triple Talaq, Concept of Halala;
 - Judicial Responses. Muslim Women (Protection of Rights on Marriage) Act, 2019: Need, Importance, Objectives; Definition, Concept, Key features of the Act;

Judicial Responses;

- A Comparative Study of Hindu Law and Muslim Law Relating to Marriage and Divorce

UNIT - III

- **The Hindu Adoptions and Maintenance Act, 1956:**
 - Requisites of a valid adoption; Capacity to take in adoption; Capacity to give in Adoption, Effects of Adoption;
 - Miscellaneous provisions of adoptions; Maintenance of wife, children and parents;
 - Maintenance of widowed daughter-in-law; Dependants and their maintenance; Amount of Maintenance;
 - Judicial Responses;
- **Muslim Law**
 - Maintenance: Persons entitled to Maintenance, Principles of Maintenance;
- A Comparative Study of Hindu Law and Muslim Law Relating to Adoptions and Maintenance

UNIT - IV

- **The Hindu Minority and Guardianship Act, 1956:**
 - Natural Guardians and their powers;
 - Testamentary guardian and their powers, De Facto Guardian, General Provisions of Guardianship;
 - Judicial Responses.
- **Muslim law**
 - Law relating to Minority and Guardianship under Muslim law
- A Comparative Study of Hindu Law and Muslim Law Relating to Minority and Guardianship.

UNIT - V

- **The Hindu Succession Act, 1956:**
 - Succession to the property of a Hindu male; Succession to interest in Coparcenary property, Property of a Female Hindu to be her absolute Property;
 - Succession to the property of a Hindu female; General rules and disqualifications of succession,
- **Muslim Law**
 - Inheritance: General Principles, Doctrines of Aul and Radd under Hanafi and Shia Law;
- A Comparative Study of Hindu Law and Muslim Law Relating to Succession.

Assessment Methods:

INTERNAL Assessment	EXTERNAL ASSESSMENT	Total
25 marks	75 Marks	100 Marks
Periodical Test : 10 marks		

Three Assignment :	06 Marks		
Two Classroom Seminar :	04 Marks		
One Quiz Competition :	02 Marks		
Participation & Attendance :	03 Marks		

Examination Paper Pattern :

There shall be three Sections: **Section A** shall comprise - 10 Questions (All Compulsory) selecting at least 2 questions from each Unit. Each question shall carry equal marks(20 Marks). **Section B** shall comprise - 5 Questions selecting at least 2 questions from each unit with internal choice. The student is required to attempt 5 questions, 1 Question from each unit is compulsory. Each question shall carry equal marks (25 Marks). **Section C** shall comprise – 5 questions from each Unit. The student shall have to attempt at least 3 questions. . Each question shall carry equal marks (30 Marks). Questions of section A, B and C are to be answered in 50, 200 and 500 words respectively. The duration of each course examination shall be 3 hours. On the basis of the marks obtained the student shall be awarded SGPA and CGPA on the basis of the formula specified in the CBCS rules.

Required Readings :

- Mulla : Principles of Hindu Law
- Paras Diwan : Modern Hindu Law

Suggested Readings :

- Kusum, Family Law Lectures : Family Law I, LexisNexis, New Delhi.
- Paras Diwan, Law of Marriage and Divorce (5th Edn. 2008)
- Professor Kusum, Family Law Lectures- Family Law-I, Lexis Nexis Publications, (3rd Ed. 2011)
- Raghavachariar : Hindu Law – Principles and Precedents
- Ranganath Misra (Rev.), Mayne's Treatise on Hindu Law & Usage (16th Ed.2008)
- Satyajeet A Desai, Mulla's, Hindu Law, LexisNexis, New Delhi
- Tahir Mahmood, Principles of Hindu Law, Universal Law Publishing, New Delhi
- Amer Ali, Mohammedan Law, Vol. I and II, Eastern Book Company, Luknow.
- Aqil Ahmed : Mohammedan Law
- Asaf A A Fyzee, Outline of Muhammadon Law, Oxford University Press, New Delhi.
- Fyzee : Mohammedan Law © Dr. Bhimrao Ambedkar Law University, Jaipur, 2021
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- Mulla, Principles of Mohammedan Law, LexisNexis, Nagpur Muslim Women (Protection of Rights on Marriage) Act, 2019
- Poonam Pradhan Saxena, Family Law Lectures: Family Law II, LexisNexis, New Delhi.
- Tahir Mahmood, Principles of Hindu Law, Universal Law Publishing, New Delhi.
- The MussalmanWakf Validating Act, 1913
- The Wakf Act, 1955 The Wakf (Amendment) Act, 2013.

LL.M. Semester - II
Course Title : Law and Social Transformation
Course Code : FL-LAW-CC- 203

Core Courses

Course Objectives :

1. This course is designed to offer the teacher and the taught with (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and (b) a spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law.
2. The endeavor is to make the students aware of the role the law has played and has to play in the contemporary Indian Society.

Course Level Learning Outcomes :

1. understand the Law play role in transformation of the society
2. Explain that Law is the product of traditions and culture.
3. Critically analyze the introductions of common Law system during colonization.

UNIT-I

- **Law as a means of Social change: A Theoretical Perspective**
 - Relationship of Law with social change
 - Law as an instrument of social change
 - Law as the product of traditions & culture : Evaluation in the light of colonization & common law system.
 - Impact of Social movements on social change.
- Religion and the Law
 - Religion : Meaning, relationship with law
 - Religion as an integrative or divisive factor
 - Secularism : meaning and its contribution in Indian society.
 - Freedom of religion and non-discrimination on the basis of religion
 - Religious minorities and the law
-

UNIT-II

- **Languages and the Law**
 - Formation of linguistic States and its impact on policy in governance.
 - Constitutional guarantees to linguistic minorities
 - Language policy and the Constitution : Official languages, multi language system.
 - Non discrimination on the ground of language

UNIT-III

- **Community and the Law**
 - Caste System in Indian Society

Caste : Socio-Cultural reality as a divisive and integrative factor
Non-discrimination on the ground of caste
Acceptance of caste as a factor to undo past injustices : An Analysis.
Protective discrimination : Scheduled Castes, Tribes and Backward Classes.
Reservation Policy : Statutory Commission Statutory Provision

UNIT-IV

- **Regionalism and the Law**

Regionalism : A Divisive or an integrative factor

Concept of India as one Unit

Freedom of movement, residence and business, impermissibility of state or regional barriers.

Equality in matters of employment : the slogan 'son of the soil' and its practice.

Admission to educational institutions : preference to residents of a State.

- **Women and the Law**

Status of Women in Indian Society

Crimes against Women

Gender injustice : forms, causes and remedies.

Women's Commission

Empowerment of Women : Constitutional and other legal provisions.

Children and the law

UNIT-V

- **Child Labour**

Sexual Exploitation

Adoption, maintenance and related problems

Child and Education

Modernization and the Law

Modernization as a value : Constitutional perspective reflected in Fundamental Duties

Modernization of Social Institution through Law

Reform of Family Law

Agrarian Reform

Industrial Reforms : Free Enterprise v. State Regulation, industrialization v environmental protection.

Reform of Court Processes

Criminal Law : Plea Bargaining, Compounding & Payment of Compensation to Victim

Civil Law : (ADR) Confrontation v. Consensus, mediation & conciliation, Lok Adalats.

- **Alternative approaches to Law**

Jurisprudence of Sarvodaya, Gandhiji, Vinoba Bhave, Jai Prakash Narain

Socialist thought on Law & Justice : An enquiry through Constitutional debates on the right to property.

Indian Marxist Critique of Law & Justice

Naxalite movement : Causes & Cure

Assessment Methods:

INTERNAL Assessment	EXTERNAL ASSESSMENT	Total
25 marks Periodical Test : 10 marks Three Assignment : 06 Marks Two Classroom Seminar : 04 Marks One Quiz Competition : 02 Marks Participation & Attendance : 03 Marks	75 Marks	100 Marks

Examination Paper Pattern :

There shall be three Sections: **Section A** shall comprise - 10 Questions (All Compulsory) selecting at least 2 questions from each Unit. Each question shall carry equal marks(20 Marks). **Section B** shall comprise - 5 Questions selecting at least 2 questions from each unit with internal choice. The student is required to attempt 5 questions, 1 Question from each unit is compulsory. Each question shall carry equal marks (25 Marks). **Section C** shall comprise – 5 questions from each Unit. The student shall have to attempt at least 3 questions. . Each question shall carry equal marks (30 Marks). Questions of section A, B and C are to be answered in 50, 200 and 500 words respectively. The duration of each course examination shall be 3 hours. On the basis of the marks obtained the student shall be awarded SGPA and CGPA on the basis of the formula specified in the CBCS rules.

Required Readings :

- Malik and Rawat, Law and Social transformation

Suggested Readings :

- Malik and Rayal, Law and Social Transformation in India Allahabad law Agency. Delhi2007.
- P. Ishwar Bhat, Law and Social Transformation in India. Eastern Book Co. Lucknow, 2004.
- Indian Law Institute, Law and Social Change: Indo-American Reflections. Tripathi,(1988).
- Krishna Pal Malik; Kaushik C Raval Publisher: Faridabad, Haryana : Allahabad Law Agency, 2009.

LL.M. Semester - II
Course Title : Legal Education and Research Methodology

Course Code : FL-LAW-CC- 204

Core Courses

Course Objective:

1. A Post-graduate student of Law should get an insight into the objectives of legal education. He should have an exposure to programmes like organizations of seminars, publication of Law Journals and holding of legal aid clinics. Law is taught in different ways in different countries.
2. The LL.M. course, being intended also to produce lawyers with better competence and expertise, it is imperative that the student should familiarize himself along with the different systems of legal education. The lecture method both at LL.B. level and LL.M. level has many demerits.
3. The existing lacunae can be eliminated by following other methods of learning such as case methods, discussion method, problem seminar method and combination of all methods. The student has to be exposed to those methods so as to develop his skills. Growth of legal science in India depends on the nature and career of legal research. The syllabus is also designed to develop skills in research and writing in a systematic manner.

Course Level Learning Outcomes :

1. Students should know why educational research is undertaken, and the audiences that profit from research studies.
2. Students should be able to identify the overall process of designing a research study from its inception to its report.
3. Students should be familiar with ethical issues in educational research, including those issues that arise in using quantitative and qualitative research.

UNIT-I

1. Legal Education : Methods & Objective

Lecture Method of Teaching : merits and Demerits

The problem method

Discussion method and its suitability at postgraduate level teaching

The seminar method of teaching

Examination system and problems in evaluation external and internal assessment

Student participation in law school programmes, organizations of seminars, publication of

journal and assessment of teachers

Clinical legal education – legal aid, legal literacy, legal survey and law reform

UNIT-II

2. Research Method

Socio-Legal Research
 Doctrinal and non doctrinal research
 Relevance of empirical research
 Induction and deduction
 Identification problem of research – what is a research problem.
 Survey of available literature and preparation of bibliography
 Legislative materials including subordinate legislation, notification and policy statements.

UNIT-III

3. Research Materials

Decisional materials including foreign decisions; methods of discovering the “rule of the case”

Juristic writings : A Survey of juristic literature, its relevance in selection of problems in India and foreign periodicals.

Compilation of list of reports or special studies conducted relevant to the problems.

Formulation of the Research Problem, hypothesis

Devising tools and techniques for collection of data

Methods for the collection of statutory and case material and juristic literature

Use of historical and comparative research material

Use of observation studies

Use of the Case Studies

Use of questionnaires/interview

Sampling procedures, design of sample, types of sampling to be adopted

Use of scaling techniques Jurimetrics

UNIT-IV

Data Collection

Computerized Research : A study of legal research programmes such as lexis and West law coding

Classification and Tabulation of Data : use of cards for data collection,

Rules for tabulation, Explanation of tabulated data

Analysis of Data – Qualitative and Quantitative

UNIT-V

Report writing

Assessment Methods:

INTERNAL Assessment	EXTERNAL ASSESSMENT	Total
25 marks	75 Marks	100 Marks
Periodical Test : 10 marks		
Three Assignment : 06 Marks		
Two Classroom Seminar : 04 Marks		

One Quiz Competition : 02 Marks		
Participation & Attendance : 03 Marks		

Examination Paper Pattern :

There shall be three Sections: **Section A** shall comprise - 10 Questions (All Compulsory) selecting at least 2 questions from each Unit. Each question shall carry equal marks(20 Marks). **Section B** shall comprise - 5 Questions selecting at least 2 questions from each unit with internal choice. The student is required to attempt 5 questions, 1 Question from each unit is compulsory. Each question shall carry equal marks (25 Marks). **Section C** shall comprise – 5 questions from each Unit. The student shall have to attempt at least 3 questions. . Each question shall carry equal marks (30 Marks). Questions of section A, B and C are to be answered in 50, 200 and 500 words respectively. The duration of each course examination shall be 3 hours. On the basis of the marks obtained the student shall be awarded SGPA and CGPA on the basis of the formula specified in the CBCS rules.

Required Readings :

- C R Kothari, Research Methodology: Methods and Techniques (New Age International Publishers, New Delhi, 2nd edn, 2004, Reprint 2012),

Suggested Readings :

- T S Wilkinson & P L Bhandarkar, Methodology and Techniques of Social Research (Himalaya Publishing House, Mumbai, 16th edn, Reprint 2005),
- J T Doby (ed), An Introduction to Social Research (Stackpole, 1967) 16 et.seq.
- Morris R Cohen & Ernest Nigal, An Introduction to Logic and Scientific Method (HarCourt, Brace, New York, 1934)
- William J Goode & Paul K Hatt, Methods in Social Research (McGraw-Hill, 1952)
- B A Wortley, Some Reflections on Legal Research After Thirty Years, 7 Jr of the Society of Public Teachers of Law (New Series) 249-250 (1964-1965)
- P M Bakshi, Legal Research and Law Reform, in S K Verma & M Afzal Wani (eds), Legal Research and Methodology (Indian Law Institute, New Delhi, 2nd edn, 2001)

LL.M. Semester - II
Course Title National and Human Values

Course Code : FL-LAW-CF- 205

Core Foundation Course

Course Objectives:

1. To inculcate national and human values in the Students.
2. To enable the students imbibe the Indian cultural ethos.
3. To inculcate the spirit of Patriotism so that the Students develop a sense of strong bond with the nation.
4. To enable the Students grow into a citizen possessing civic sense.

Course Level Learning Outcomes:

On the completion of the course the students shall be able to

- (i) Attain the civic skills enabling him/her to become a well-behaved citizen of the country.
- (ii) Imbibe and spread the feelings of devotion and dedication.

Course Description:

Unit-I

1. NCC – Introduction, Aims, NCC Flag, NCC Song, NCC Administration, Raising of NCC in Schools/Colleges, NCC: Rank, Honours and Awards, NCC Training, NCC Camps, NCC Examinations, Incentive and Scholarship for Cadets.
2. Importance of Discipline in life, Aims and Merits of Discipline, Problems related to Indiscipline and Solutions.
3. Drill – Definition, Principles of Drill, Bad habits in drill, Words of Command, Drill Movements, Arms Drill, Squad Drill, Guard of Honour, Ceremonial Drill, Guard Mounting.
4. Contribution of NCC in Nation Building.

Unit-II

1. Armed Forces – Control Command, Organization of Armed Forces, Weapons of Army, Navy and Air Force, Training institutes, Honours and Awards, Recipients of Param Veer Chakra, Badges of Ranks.
2. Commission in Armed Forces – Recruitment in Armed Forces, Commission in Technical, Non-Technical and Territorial Forces.
3. Weapon Training – 0.22 Rifle, 7.62 Rifle, 7.62 SLR (Self Loading Rifle), 5.56 MM I.N.S.A.S. Rifle, L.M.G. (Light Machine Gun), Stan Machine Carbine, 2” Mortar, Grenade, Pistol, Various types of Firing, Range Procedure and Range Drill.
4. Military History and Geography, Field Craft, Field Engineering, Battle Craft.

Unit-III

1. Obstacle Training. Adventure Training, Self Defence, Physical Posture Training.
2. Social Service, Disaster Management, Health and Hygiene, First Aid.
3. Leadership, Personality Development, Decision Making, Motivation, Duty and Discipline, Morale.

Unit-IV

1. Value system – The role of culture and civilization-Holistic living
2. Balancing the outer and inner – Body, Mind and Intellectual level- Duties and responsibilities
3. Salient values for life- Truth, commitment, honesty and integrity, forgiveness and love, empathy and ability to sacrifice, care, unity , and inclusiveness
4. Self-esteem and self confidence
5. punctuality – Time, task and resource management ,Team work
6. Positive and creative thinking.

Unit-V

1. Universal Declaration of Human Rights
2. Human Rights violations
3. National Integration – Peace and non-violence (in context of Gandhi, Vivekanad)
4. Social Values and Welfare of the citizen
5. The role of media in value building
6. Fundamental Duties
7. Environment and Ecological balance – interdependence of all beings – living and non-living.

Assessment and Evaluation:

The Students shall be assessed and evaluated as per the schedule given below –

1. Project Report / Case Study (in 5000-7000 words handwritten) – 75%
2. Viva-voce - 25%

The topics for the Project Report / Case Study shall be allotted by the Nodal Department (decided jointly with NSS wing under the supervision or IQAC) in consultation with the Department concerned. The Candidate shall submit the Report by the date fixed for the said purpose. It shall then be followed by a Viva-voce Examination. The whole evaluation shall be done by the Departmental Internal Faculty in consultation with the Nodal Department. It is a non-creditable Paper. The Student will have to score simply a qualifying score/grade as specified in the CBCS rules.

The candidate will have to qualify the paper by the time He / She qualifies for the Programme. He/She can avail maximum 3 chances along with the Semester Examinations.

Suggested Readings:

- Hand Book of NCC : Major R C Mishra & Sanjay Kumar Mishra
- National Security: K. Subramanyam
- ASEAN Security: Air Comdr. Jasjit Singh
- Indian Political System, Dr . Pukhraj Jain & Dr. Kuldeep Fadiya
- हैंड बुक ऑफ एनसीसी , मेजर आर. सी. मिश्र एवं संजय कुमार मिश्र
- अन्तर्राष्ट्रीय राजनीति: वी. एल. फाड़िया
- भारतीय राजव्यवस्था , डॉ. पुखराज जैन , डॉ. कुलदीप फड़िया
- राष्ट्रीय प्रतिरक्षा: डॉ. हरवीर शर्मा , जयप्रकाश नाथ कंपनी , मेरठ
- राष्ट्रीय सुरक्षा: डॉ. लल्लन सिंह , प्रकाश बुक डिपो , बरेली
- राष्ट्रीय सुरक्षा: डॉ. नरेन्द्र सिंह , प्रकाश बुक डिपो , बरेली
- राष्ट्रीय सुरक्षा: डॉ. पाण्डेय व पाण्डेय , प्रकाश बुक डिपो , बरेली

- राष्ट्रीय रक्षा व सुरक्षा: डॉ. एस. के. मिश्र , माईन पब्लिशर्स , जालंधर
- NCERT, Education in Values, New Delhi, 1992.
- M.G.Chitakra: Education and Human Values, A.P.H. Publishing Corporation, New Delhi,2003.
- Chakravarthy, S.K.: Values and ethics for Organizations: Theory and Practice, Oxford University Press, New Delhi, 1999.
- Satchidananda, M.K.: Ethics, Education, Indian Unity and Culture, Ajantha Publications,Delhi, 1991.
- Das, M.S. & Gupta, V.K.: Social Values among Young adults: A changing Scenario, M.D.Publications, New Delhi, 1995.
- Bandiste, D.D.: Humanist Values: A Source Book, B.R. Publishing Corporation, Delhi,1999.
- Ruhela, S.P. : Human Values and education, Sterling Publications, New Delhi, 1986.
- Kaul, G.N.: Values and Education in Independent Indian, Associated Publishers, Mumbai,1975.
- Swami Budhananda (1983) How to Build Character A Primer : Ramakrishna Mission, NewDelhi.
- A Cultural Heritage of India (4 Vols.), Bharatiya Vidya Bhavan, Bombay. (SelectedChapters only) For Life, For the future : Reserves and Remains –UNESCO Publication.
- Values, A Vedanta Kesari Presentation, Sri Ramakrishna Math, Chennai, 1996.
- Swami Vivekananda, Youth and Modern India, Ramakrishna Mission, Chennai.
- Swami Vivekananda, Call to the Youth for Nation Building, Advaita Ashrama, Calcutta.
- Awakening Indians to India, Chinmayananda Mission, 2003.

Teaching Learning Process

- Lectures
- Group Discussions
- Case Study
- Moot Court
- Participative Learning
- Interactive Sessions
- Seminars
- Research-based Learning/Dissertation or Project Work
- Technology-embedded Learning

Blended Learning

Blended Learning is a pedagogical approach that combines face-to-face classroom methods with computer-mediated activities in the process of teaching and learning. It has been decided that blended learning be taken recourse to only if such need arises (unfortunately). To face such a situation, the teacher be kept in a ready to use mode. Hence, only 10% teaching be done through blended learning after deliberations of the departmental level.

Assessment and Evaluation

- Continuous Comprehensive Evaluation at regular basis after achievement of each Course-level learning outcome
- Formative Assessment on the basis of activities of a learner throughout the programme instead of one-time assessment
- Oral Examinations to test presentation and communication skills
- Group Examinations on Case Study and Field Work
- Seminar Presentations
- Review of Literature
- Collaborative Assignments

Keywords

- ❖ LOCF
- ❖ NEP-2020
- ❖ Blended Learning
- ❖ Face to face (F to F) Learning
- ❖ Programme Outcomes
- ❖ Programme Specific Outcomes
- ❖ Course-level Learning Outcomes
- ❖ Postgraduate Attributes
- ❖ Learning Outcome Index
- ❖ Formative Assessment and Evaluation
- ❖ Comprehensive and Continuous Evaluation

LL.M. Semester-III
(Specialization: International Law and Organization)
(GROUP- A)

Semester-III (GROUP- A)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Basic Concepts of International Law	FL-LAW-CC- 301	4	1	0	5 Credits
2	International Humanitarian Law	FL-LAW-CC- 302	4	1	0	5
Core Elective Courses						
1	Disarmament and Peace Strategies OR International Law: Diplomacy and Contemporary Issues	FL-LAW-CE- 303 A OR FL-LAW-CE- 303 B	4	1	0	5
2	Settlement of International Disputes OR Legal Control of International Conflicts	FL-LAW-CE- 304 A OR FL-LAW-CE- 304 B	4	1	0	5
Open Elective Course						
1	Concept and Development of Human Rights OR Human Rights : Enforcement Mechanism	FL-LAW-OE- 305 A OR FL-LAW-OE- 305 B	4	1	0	5
			20	5	0	25

LL.M. Semester-III
(Specialization: International Law and Organization)
(GROUP- A)
Course Title : Basic Concepts of International Law
Course Code : FL-LAW-CC- 301
Core Courses

Course Objectives:

This course provides an introduction to the field of international law. Students will be able to learn about the legal principles and institutions that regulate the conduct of international actors.

Course Level Learning Outcomes:

On the completion of the course the students shall be able to

- (i) To understand and apply the various dimensions of international conventions and principles.
- (ii) To analyze the Judicial Discourse on Relationship Between International Law and Municipal Law

Unit-I

Introduction

- Definition and concept of International Law
- Branches of International Law
 - Jus Gentium
 - Jus Inter Gentes
- Scope of International Law
 - Interstate relations and their regulation
 - International organizations
 - Issues of non-state entities and individuals
 - Role of the Individual in International Law
- Juristic views on International Law
 - Is International Law really a law?
 - Austin's View – International law is not a true law; positive morality
 - Oppenheim's View on International law
 - Views of Other Prominent Jurists
- Sources of International Law
 - Formal and material sources
 - International Conventions
 - International Custom
 - General Principles of Law
 - Juristic works

Unit-II

Relationship between International Law and Municipal Law

- Theories on the relationship between International law and Municipal law
 - Monistic theory
 - Dualist theory
 - Specific Adoption Theory
 - Transformation Theory
 - Delegation Theory
- Methods of Implementing Treaties
- Judicial Discourse on Relationship Between International Law and Municipal Law

Unit-III
Recognition of States

- Concept of Recognition of a State
- Process of Recognition
- Forms of Recognition
- Theories of Recognition
- Modes of Recognition
- Israel-Palestine Dispute
- China-Taiwan Dispute
- Political Recognition of State
- Montevideo Convention
- Recent world trends on Recognition

Unit-IV

State succession

- Circumstances of State Succession
- Kinds of State Succession
 - Universal Succession
 - Partial Succession
- Theories of State Succession
 - Effect of State Succession on Treaties
 - Effect of State Succession on UN Membership

Unit-V

- Law of Treaties
 - Classification of Treaties
 - Role of Signature , Ratification and approval

LL.M. Semester-III
(Specialization: International Law and Organization)

(GROUP- A)

Course Title : International Humanitarian Law

Course Code : FL-LAW-CC- 302

Core Courses

Course Objectives:

International Law has traditionally been a law which regulates relations among states. Individuals have been objects and not subjects of International Law. A logical extension of these principles led to the theory that international law could not confer rights nor impose duties on individuals. What it could do was to appeal to conscience of the nations that unnecessary suffering of human being should be avoided. In view of territorial and personal character of sovereignty of a state, treatment of its own nationals and stateless persons, subject to limited exceptions remained under the exclusive jurisdiction of a state. Although this unsatisfactory state of law was hardly adequate to prevent ill-treatment of individuals, particularly during war, it became the starting point for a new branch of international law towards the end of the last century.

The total character of modern war and threat of annihilation due to use of nuclear weapons have been responsible for a new concern for survival of humanity. To meet this challenge the United Nations and other voluntary international agencies have been actively involved in prescribing standards of treatment based upon dictates of humanity and overseeing their implementation in difficult situations.

Course Level Learning Outcomes:

The student shall be able to evaluate and ensure a human treatment of all individuals, a minimum standard of treatment for Slave Trade and Similar Practices.

Unit-I

International Movement :
History and various conventions :
history of the Red Cross;
Geneva conventions of 1864
St. Petersburg Declaration, 1868.
The Hague Conventions of 1899 and 1907,
Geneva Conventions of 1929 and 1949

Unit-II

International Efforts :
Slave Trade and Similar Practices;
Efforts against Forced Labour
Efforts against Human Trafficking.

Unit-III

United Nations and Humanitarian Law :
Role of ECOSOC
Role of ILO
Role of Genocide Convention.
International Court of Justice

Unit-IV

Meaning and Definition of Asylum
Right to Asylum

Unit - V

Right of Self-determination : Implementation
and declaration after independence to colonial countries.
Discrimination Against Women : International co-operation.

Suggestive readings :

- C.Hosoya, N.Ando, Y.Onuma, R.Minear, The Tokyo War Crimes Trial (1986). G.Tunkin, Theory of International Law (1974)
- G.Schwarzenberger, The Law of Armed Conflicts (Vol.11) J.Stone, Legal Controls of International Conflicts (1959) R.Falk, "The Shimoda Case' 69 International Law (1965)
- T.Taylor, Nuremberg and Vietnam : An American Tragedy (1971)

LL.M. Semester-III
(Specialization: International Law and Organization)
(GROUP- A)
Course Title : Disarmament and Peace Strategies
Course Code : FL-LAW-CE- 303 A
Core Elective Courses

Objectives of the course

Disarmament has been a major issue in international relations for creating conditions of peace. The mad race for conventional and nuclear arms among the super powers has been going on unabated. Even the newly emergent poor nations have found it essential to divert their resources for the acquisition of sophisticated arms and upkeep of military hardware.

Developed nations with nuclear capabilities are spending billions of dollars for creating balance of terror. These nations are the most important source for the supply of arms to developing nations. The implications of transfer of technology are grave and need a thorough understanding of the issues involved. The ownership patterns for mass production of armaments need a close scrutiny and the methods used by giant manufacturers of sophisticated armaments to push sales have recently come under severe attack. These have a direct bearing on national policies for production and sale of armaments.

Nations individually and collectively have been involved in devising methods for disarmament and non-proliferation of nuclear weapons. The UN has been fully absorbed for the last several decades in initiating dialogues on disarmament. In the course of years the impediments which stand in the way of arriving at an international understanding have been laid bare.

Course Level Learning Outcomes:

The student shall be able to explore the alternative strategies for creating conditions of peace, which would involve a critical examination of dispute resolution and crisis management techniques, equitable allocation of world's resources and economic development of less developed countries.

Unit - I

Concept of Disarmament

- Meaning and changing concept
- Disarmament and world security, military alliances arms trade
- League of Nations and disarmament

Unit - II

Arms Race : Reasons, Consequences specially in terms of resource economic development and its International implications.

Unit- III

United Nations Disarmament :

- History, its achievements and limitations,
- Negotiations leading to the signing of SALT I and SALT II

Nuclear Disarmament : Problems and Perspectives

- Nuclear Non- Proliferation treaty & Intermediate range missile Treaty,
- International Regulation of nuclear weapons.

Unit- IV

International Regulations : Biological and chemical or weapons of Mass Destruction ;
Control of Militarization of Outer Space and the Ocean Bed.
Comprehensive Test Ban Treaty (CTBT)

Unit- V

Conserving the world's resources
Protection of Human Rights and Disarmament
Peaceful settlement of International Disputes.
Indian proposals to ban nuclear arms

Suggestive Readings :

Burns H. Weston, Toward Nuclear Disarmament and Global Security: a Search for Alternatives (1980)
J. Schell, The Fate of the Earth (1982)
J.N. Singh, Use of Force Under International Law (1984) Julius Stone, Legal Controls of International Law (1954)
M. Waizer, Just and Unjust Wars (1979)
R. Kothari, Transformation and survival: In Search of Human World Order (1988)
R. Falk, et.al., International Law: A Contemporary Perspective pp.473-519 (1985)
R. Falk, The End of World Order pp.1 55-276 (1983).
Report of the Secretary General: Chemical and Bacteriological (Biological weapons and the effects of their Possible Use, (UN Doc.A-7575 Rev.1 S/ 9292 Rev. 1(1969)

LL.M. Semester-III
(Specialization: International Law and Organization)

(GROUP- A)

Course Title : International Law: Diplomacy and Contemporary Issues

Course Code : FL-LAW-CE- 303 B

Core Elective Courses

Objectives of the course

The importance of diplomacy in international relations cannot be underestimated. Even before and after the emergence of the modern state system and the generally agreed rules of international law, diplomacy has been the most outstanding means for influencing decisions relating to maintenance of international law.

The course will dwell on structural inequalities and geopolitical realities which shape national policies. The role of diplomacy from ancient to modern times will be assessed and salient features of the 'new diplomacy highlighted. Momentous developments in technology giving rise to arms race and military alliances have in no small measure been responsible for utilizing new strategies by powerful states to control foreign policies of nations. In this connection it will be necessary to understand the conduct of diplomacy in the various forums of the United Nations. In as much as delegations of all the members remain more or less present throughout the year at the United Nations Headquarters, it becomes relatively easy to handle some difficult situations.

Course Level Learning Outcomes:

The student shall be able to evaluate an insight of the subject, the use of diplomacy in crisis management in contemporary international society.

Unit -I

Historical perspective

Contemporary International system

International stratifications and geopolitical considerations .

Diplomatic Agents : Classification and Functions

Unit -II

Immunity and Privileges

Immunity from Civil and Criminal Jurisdiction

Immunity from being presented as witness

Immunity from taxes and dues

Consuls : Classification and Functions

Unit -III

Impact of the first world war and the Russian Revolution : Transition from "Old" to "New" diplomacy;

Technology on conduct of diplomacy;

Nuclear weapons; Military Alliance;

Secret v. Open Diplomacy,

Democratic control of Foreign Policy.

Unit -IV

Diplomacy in contemporary World :

Cold War and its impact; summit; U.N.; Mass Media and propaganda.

Unit -V

Crisis Management : Diplomacy new human rights conceptions; diplomacy and right to development.

Suggestive Readings :

A.Ball, Modern Intentional Negotiations (1969)

I.Clark, Reform and Resistance in International Order (1980)

Clark, The Satisfied and the Dissatisfied States Negotiate International Law: A Case Study, 18 World Politics 20-41 (1965)

H.Nicolson, Diplomacy (1969) J.Stone, Law and Nations (1974)

L.Hanken, How Nations Behave (1968)

R.L.Friedheim, Parliamentary Diplomacy - A Survey (1976) R.P.Anand, International Courts and Contemporary Conflict (1979)

LL.M. Semester-III
(Specialization: International Law and Organization)

(GROUP- A)

Course Title : Settlement of International Disputes

Course Code : FL-LAW-CE- 304 A

Core Elective Courses

Objectives of the course

This Course explains the origins and history of the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the ICSID Convention). It also explains why the mechanism created by the ICSID Convention works to the advantage of the investor as well as of the host State.

Course Level Learning Outcomes:

The student shall be able to describe the significance of foreign investment for development

- (i) Appreciate the influence of dispute settlement on a country's investment climate.
- (ii) Compare dispute settlement under the ICSID Convention with other methods of dispute settlement.
- (iii) Recount the history of the ICSID Convention.

Unit - I

Pacific means of settlement
Arbitration
Permanent Court of Arbitration
Advantages and Disadvantages of Arbitration
Legal and Political Disputes

Unit- II

Extra-Judicial Peaceful Means

Judicial Settlement
Negotiation
Good Offices
Mediation
differences between good offices and mediation

Unit- III

Conciliation
Enquiry
Settlement under UNO
International Centre for settlement of Investment Disputes (ICSID)

Unit- IV

General Assembly

Manila Declaration
Declaration on Prevention and Removal of dispute
Fact-finding Activities
Hand-book on the peaceful settlement of disputes
Security Council

Unit -V

The Laws of War
Definition
Non War Arm conflicts
Role of Treaties in dispute settlement

Suggestive Readings :

Schreuer, C., The ICSID Convention: A Commentary (2001).

Amerasinghe, C. F., The International Centre for Settlement of Investment Disputes and Development through the Multinational

Corporation, 9 Vanderbilt Journal of Transnational Law 793 (1976).

- Broches A., Settlement of Disputes Arising out of Investment in Developing Countries, 11 International Business Lawyer 206 (1983).

- Broches, A., The Experience of the International Centre for Settlement of Investment Disputes, in: International Investment Disputes: Avoidance and Settlement (Rubin, S./Nelson, R. eds.) 75 (1985).

- Broches, A., The Convention on the Settlement of Investment Disputes between States and Nationals of Other States, 136 Recueil des Cours 331, 351-364 (1972-II).

- Broches, A., Convention on the Settlement of Investment Disputes between States and Nationals of Other States of 1965, Explanatory Notes and Survey of its Application, 18 Yearbook Commercial Arbitration 627, 641-647 (1993).

Convention on the Settlement of Investment Disputes between States and Nationals of Other States:

<http://www.worldbank.org/icsid/basicdoc/9.htm>

- List of Contracting States and other Signatories of the Convention:

<http://www.worldbank.org/icsid/constate/c-states-en.htm>

- ICSID Cases:

<http://www.worldbank.org/icsid/cases/cases.htm>

LL.M. Semester-III
(Specialization: International Law and Organization)

(GROUP- A)

Course Title : International Court of Justice and International Jurisdiction

Course Code : FL-LAW-CE- 304 B

Core Elective Courses

Course Objectives :

This course focuses on the content and structure of international law by examining its foundation, its status and its application. Students will be exposed to the fundamental principles governing international relations, the foundations of creating and implementing international law. The course will also examine the practice and procedure before international courts that emphasize international civil dispute resolution by primarily focusing on the International Court of Justice ("ICJ").

Course Level Learning Outcomes:

The student shall be able to

- (i) examine the ICJ's history, organization, competence and role as a permanent international institution and mechanism for the pacific settlement of disputes between States.
- (ii) to learn how a case is brought before the ICJ and how various procedural and preliminary matters such as jurisdiction, standing and admissibility are addressed before the Court.

Unit- I

- International Court of Justice
 - History
 - Composition
 - Ad Hoc Judges
 - President and Vice President
 - Duties
 - Contentious Cases
 - Procedure
 - Advisory Proceedings
 - Current Cases
 - The Rohingya Genocide
 - Criticisms
 - United States occupation of Nicaragua- The Contra Rebellion

Unit- II

Violation of International Law

- State responsibility
- Individual responsibility
- Corporate accountability
- Jurisdictional role and violation of International Law
- International bodies
- When does a country violate international law
- Exceptions
 - Consent
 - Self-defence
- Countermeasures in respect of an internationally wrongful act
 - Force majeure

- Necessity

Unit- III

Jurisdiction in International Law

- Territorial Jurisdiction of the States
 - Case law
 - Liechtenstein v. Guatemala
 - UK vs. Norway (North Atlantic Fisheries Case)
- Criminal Jurisdiction
 - Case Law
 - SS Lotus Case (France vs. Turkey)
- Types of Criminal Jurisdiction

Unit- IV

- Territorial Jurisdiction
 - Mubarak Ali Ahmad vs. the State of Bombay
 - Director of Public Prosecution vs. DOOT
- Nationality Jurisdiction
 - Active Nationality
 - Passive Nationality
- Universality Jurisdiction

Unit- V

- Protective Principle
 - Article 51 of the UN Charter
 - Nicaragua vs. USA
 - Abdul Kader Mahomed Jhaveri vs. Union of India
- Cross Frontier Jurisdiction
- Achille Lauro Incident
 - 1994 Israel-Jordan Peace Treaty
- Principles of this Treaty
 - Tokyo Convention, 1963
- Jurisdictional Issues

Suggestive Readings :

Akami, Tomoko: Divide and then preside : the dilemma of the first Asian president of the Permanent Court of International Justice in the age of empires : a review essay on Yanagihara Masaharu and Shinohara Hatsue eds., Adachi Mineichiro (2017). (In : Journal of the History of International Law, 2019, vol. 21, no. 3, 421-442.)

Beaulac, Stéphane : The Lotus case in context : sovereignty, Westphalia, Vattel, and positivism. (In : The Oxford handbook of jurisdiction in international law, ed. by Allen, Stephen ; Costelloe, Daniel ; Fitzmaurice, Malgosia ; Grag, Paul ; Guntrip, Edward. Oxford : Oxford University Press, 2019, 40-58.)

Brown, Chester: Factory at Chorzów (Germany v Poland) (1927-28). (In : Landmark cases in public international law, ed. by Bjorge, Eirik ; Miles, Cameron. Oxford ; Portland : Hart, 2017, 61-88.)

Cançado Trindade, A. A.: Some reflections on the forthcoming centenary of the Statute of the Hague Court (PCIJ and ICJ). (In : Global Community : Yearbook of International Law and Jurisprudence, 2019, vol. 19, no. 1, 3- 12.)

Chinkin, Christine and Heathcote, Gina and Jones, Emily and Jones, Henry : Bozkurt case, aka the Lotus case (France v Turkey): ships that go bump in the night. (In : Feminist judgments in

international law, ed. by Hodson, Loveday ; Lavers, Troy. Oxford : Hart, 2019, 27-51.) [P.C.I.J., passim ; I.C.J., p. 27-28.]

Cohen, Jeffrey A. and Grgeta, Edi and Temerlin, Frederico: In all probability : an economic reading of damages under Factory of Chorzów. (In : ICSID Review, 2019, vol. 34, no. 3, 577-584.) [P.C.I.J., p. 577, 583- 584.]

Cohen, Miriam : Latin America and the Permanent Court of International Justice. (In : Latin America and the International Court of Justice : contributions to international law, ed. by Wojcikiewicz Almeida, Paula ; Sorel, Jean-Marc. London ; New York : Routledge, 2017, 50-60.)

LL.M. Semester-III
(Specialization: International Law and Organization)
(GROUP- A)
Course Title : Concept and Development of Human Rights
Course Code : FL-LAW-OE- 305 A
Open Elective Course

Objectives of the course

This Course explains the advanced Human Rights knowledge, perspectives and skills to wide cross sections of the learners. The aim of this programme is not only theoretically oriented to the students alone, but also able to analyze the social reality by using scientific, logical methods and theoretical perspectives over the contemporary issues.

Course Level Learning Outcomes:

The student shall be able to

- (i) To introduce students to the meaning and nature of Human Rights.
- (ii) To trace the historical Perspective of the Human Rights.
- (iii) To understand Human Right Protection Agencies.

Unit-I

Human Rights : Concept
Human Rights Meaning and Nature
Human rights in Indian tradition : ancient, medieval and modern
Human rights in western tradition
Development of natural rights
Human Rights in international law and national law
CEDAW, ICCPR

Unit - II

Classification of Human Rights – First, Second and Third Generations

Unit- III

Historical Development

Human Rights : Politics and Society
Colonisation, imperialism and human rights
Power, practices, accountability and transparency
Globalization and Human Rights Perspective
Human duties : responsibilities and obligations

Unit- IV

Human Rights and Judicial Process
Judicial Activism

Unit- - V

Human Rights Protection Agencies.
Lokaukta or Lokpal

Suggestive bibliography

Angela Hegarty, Siobhan Leonard, Human Rights an Agenda for the 21st Century (1999)
Lalit Parmer, Human Rights, (1998).
Rama Jois, Human Rights: Bharatiya Values, (1998).
David P. Forsythe, Human Rights in International Relations. Lon L. Fuller, The
Morality of Law
John Finnis, Natural Law and Natural Rights, (1980).
Julius Stone, Human Law and Human Justice, (2000), Universal, New Delhi. M.G.Chitkara, Human
Rights:

LL.M. Semester-III
(Specialization: International Law and Organization)

(GROUP- A)

Course Title : Human Rights : Enforcement Mechanism

Course Code : FL-LAW-OE- 305 B

Open Elective Course

Objectives of the course

A reading of fundamental rights and duties in the Constitution of India reveals that they constitute the human rights charter in India. The judiciary, the major protective and enforcement machinery is very active in protecting human rights. Judicial activism in this field has added new dimensions to human rights jurisprudence. There are a number of cases where courts apply the provisions of the international conventions to fill the gaps in legislation. The apex court has also ventured to apply international convention even where there was no legislation in the area. Thus the judiciary has been directly implementing international conventions at the national level.

Course Level Learning Outcomes:

The student shall be able to

- (i) familiarize with the judicial activism in protecting human rights and enables them
- (ii) to evaluate the adequacy of the methods of enforcement and Role of Lokpal.

Unit-I

History and development of Human Rights
Constitutional Philosophy – Preamble
Fundamental Rights : History of inclusion of fundamental rights in the constitution of India and their development after words
Directive Principles of State Policy : History of inclusion of directive principles of state policy and their development afterwards
Fundamental Duties

Unit - II

Judicial activism and Development of Human Rights Jurisprudence

Unit- III

Enforcement of Human Rights
Formal enforcement mechanisms
Role of Supreme Court
Role of High Courts

Unit- IV

Role of Civil and Criminal Courts
Role of NHRC and State Human Rights Commissions
Role of Lokpal and Lokayukta

Unit-V

Statutory Tribunals
Special Courts
Implementation of International Human Rights norms and standards in Indian domestic law.

Suggestive Readings :

D.D.Basu, Human Rights in Indian Constitutional Law, (1994).
Vijay Chitnis,(et.al.). Human Rights and the Law. National and Global Perspectives, (1997).
B.P.Singh Seghal, Law, Judiciary and Justice in India, (1993).
James Vadakkumchery, Human Rights and the Politics in India, (1996). D.R.Saxena, Tribals and the Law, (1997).
Poornima Advani, Indian Judiciary: A Tribute, (1997).

Justice Venkataramiah, Human Rights in the Changing World, (1998) Paramjit S.Jaiswal and Neshtha Jaiswal, Human Rights and the Law, (1996).
Angela Hegarty, Siobhan Leonard, Human Rights an Agenda for the 21st Century (1999)
Lalit Parmer, Human Rights, (1998).
Rama Jois, Human Rights: Bharatiya Values, (1998).
David P. Forsythe, Human Rights in International Relations. Lon L. Fuller, The Morality of Law
John Finnis, Natural Law and Natural Rights, (1980).
Julius Stone, Human Law and Human Justice, (2000), Universal, New Delhi. M.G.Chitkara, Human Rights:

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Semester-III (GROUP- B)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Comparative Criminal Procedure	FL-LAW-CC- 306	4	1	0	5 Credits
2	Drug Addiction and Juvenile Delinquency	FL-LAW-CC- 307	4	1	0	5
Core Elective Courses						
3	Collective Violence and Criminal Justice System OR Medical Jurisprudence and Forensic Science	FL-LAW-CE- 308 A OR FL-LAW-CE- 308 B	4	1	0	5
4	History and Principles of Criminal Law OR Criminal Jurisprudence and Evidence Law	FL-LAW-CE- 309 A OR FL-LAW-CE- 309 B	4	1	0	5
Open Elective Course						
5	Criminology OR The Role of Forensic Science in Criminal and Civil Cases	FL-LAW-OE- 310 A OR FL-LAW-OE- 310 B	4	1	0	5
			20	5	0	25

LL.M. Semester-III
(Specialization: Criminal Law)

(GROUP-B)

Course Title : Comparative Criminal Procedure

Course Code : FL-LAW-CC- 306

Core Course

Course Objectives:

Criminal Procedure is being taught as a compulsory paper at the level of LL.B. today. However, a jurisprudential thrust has to be given to this subject at the post-graduate level as this is a subject which has constitutional undertones and jurisprudential importance.

Course Level Learning Outcomes:

At the end of the course, students would be A study of comparative criminal procedure helps students to develop an ecumenical approach and broadens their vision. It inspires them renew and revise their laws to be in tune with developed systems. The paper is taught with reference to India England, France and China

Unit-I

Organization of Courts and Prosecuting Agencies

Criminal Courts – Hierarchy and their Jurisdiction

Nyaya Panchayats in India including Panchayats in Tribal areas.

Organization of prosecuting agencies for prosecuting Criminals : Prosecutors and the Police.

Withdrawal of Prosecution.

Unit- II

Pre Trial Procedures

Rights of the accused

Arrest and questioning of the accused ; Evidentiary value of statements/articles seized/collected by the Police.

Right to counsel

Role of Prosecutor and judicial officer in investigation.

Unit- III

Trial Procedures

Trial : Accusatory and inquisitorial systems.

Role of the Prosecutor, Defense attorney and the Judge in the trial.

Evidence : Admissibility, Inadmissibility; Expert Evidence.

Appropriate punishment; plea Bargaining

Unit- IV

Correction and After care services

Institutional correction of offenders

After-care services in India and France General Comparison

Role of court in correctional programmes in India.

Unit- V

Preventive measures in India

Provisions in the Bharatiya Nagarik Suraksha Sanhita, 2023;

Special enactments.

Public Interest Litigation

Directions for Criminal Prosecution

Preferably the Paper should be taught with reference to India, England, US, France, China and Russia wherever necessary.

The Malimath Committee Commission Report is to be referred for teaching this paper.

Suggestive Readings :

Patric Devlin, The Criminal Prosecution in England

American Series of Foreign Penal Codes, Criminal Procedure Code of People s Republic of China.

John N. Ferdico, Criminal Procedure (1996),

West Sanders & Young, Criminal Justice (1994)

Christina Van Den Wyngart, Criminal Procedure Systems in European Community

Joel Samaha, Criminal Procedure (1997), West

The Bharatiya Nagarik Suraksha Sanhita, 2023, The French Code of Criminal Procedure, 14th and 41st Reports of Indian Law Commission.

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Course Title Drug Addiction and Juvenile Delinquency

Course Code FL-LAW-CC- 307

Core Course

Course Objectives:

Criminal Procedure is being taught as a compulsory paper at the level of LLB. today. However, a jurisprudential thrust has to be given to this subject at the post-graduate level as this is a subject which has constitutional undertones and jurisprudential importance. A study of comparative criminal procedure helps students to develop an ecumenical approach and broadens their vision. It inspires them renew and revise their laws to be in tune with developed systems. The paper is taught with reference to India England, France and China.

Course Level Learning Outcomes :

Upon completion of this course, students will acquire these competencies :

- (i) Comparison and analysis of the theoretical explanations of the causes, dynamics, and consequences of juvenile delinquency
- (ii) Examination of the environmental influences on delinquency, as well as prevention of juvenile delinquency
- (iii) Have an increased understanding of the issues of law enforcement related to juvenile delinquency
- (iv) Examine the juvenile court system and its handling of cases, as well as other methods of treatment of children and adolescents
- (v) Evaluate the issues of juvenile delinquency in the context of a Christian worldview in order to become more effective servant leaders

Unit- I

Basic Concepts and social characteristics of drug users

Basic Concepts : Drugs, Narcotics, Psychotropic Substances; Dependence, Addiction, Crimes without Victims, Trafficking in Drugs, Primary Drug abuse.

Anagraphic and social characteristics of Users : Gender, Age, Age at First Use, Religiousness, single individuals/cohabitation.

Socio-economic level of family, Residence Patterns urban/rural, occupation, education levels.

Reasons given as cause of first use; Type of Drug Use , Method of Intake, Pattern of the use, Average quantity and cost, consequence on addicts health (physical Psychic)

Unit- II

Legal Regime : International and Indian

Single convention on narcotic Drugs, 1961, Convention on Psychotropic Substances, 1972

International Collaboration in combating Drug Addiction, SAARC and South South co-operation ; Profile of International Market for psychotropic substances.

Indian Regulatory System : Approaches to Narcotic trafficking during colonial India : Nationalist thought towards regulation of drug trafficking and usage.

Penal Provisions – The Bharatiya Nyaya Sanhita, 2023 and the Customs Act; India's role in the evolution of the two International conventions

The Narcotic Drugs and Psychotropic substances Act, 1985; Judicial approaches to

sentencing in Drug Trafficking and Abuse

Patterns of resource investment in India : Policing adjudication, Treatment, After care and Rehabilitation.

Unit- III

Juvenile Delinquency : Concepts and Determining Factors

Child in Indian Constitution and the Bharatiya Nyaya Sanhita, 2023

Delinquent Juvenile; Neglected Juvenile; Overall situation of children/ young persons in India including crime statistics- of crimes by and against children.

Differential Association; Anomie; Economic Pressure; peer group influence; Gang Sub culture; class differentials

Indian Context of Juvenile delinquency : child population (percentage to total sex ratio, urban/rural/ rural-urban); neglected below poverty line, physically and Mentally disabled orphans, Destitute, Vagrants

Labourers – In organized industries (e.g. zari, Carpet, bidi, glass) and unorganized sectors (e.g. domestic servant, shops and establishment, rag pickers, family trade etc.)

Delinquent -number, sex ratio, ratio to adult crime types of offences committed recidivism,

Drug Addicts, victims of violence : sexual abuse battered, killed by parents; of criminal activities like bootlegging, drug pollution as a response of protective approach.

Unit- IV

Legislative Approaches and Judicial contribution

Legislative approaches : Late colonial era, children Act, Position in various states; Juvenile Justice Act; Constitutional aspects; Distinction : Neglected and Delinquent.

Competent authorities; Procedural safeguards; Powers given to government; community participation under the Juvenile Justice Act.

Unit-V

Social action litigation concerning Juvenile Justice : Salient Judicial decisions ; Role of Legal profession in Juvenile Justice systems.

Implementation – Institutions, bodies, personnel; recruiting and Funding agencies; Recruitment qualifications and salaries or fund ; other responsibilities of agency/ person.

Coordination among related agencies; Accountability-annual Reports and accessibility of public to juvenile justice institution.

Preventive strategies; State welfare programme health, nutrition, ICWS, grants in aid; compulsory education; role of community family, voluntary bodies, individuals

Suggestive Readings :

H.S. Becker, Outsiders: The Studies in Sociology of Deviance (1966)

J.A. Incard, C.D. Chambers, (eds.), Drugs and the Criminal Justice System (1974)

A. Cocken, Drug Abuse and personality in Young Offenders (1971)

G. Edwards Busch, (ed.) Drug Problems in Britain : A Review of Ten Years (1981)

P. Kondanram and Y.N. Murthy, Drug Abuse and Crime : A Preliminary Study 7 Indian Journal of Criminology, 65-68 (1979)

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Course Title : Collective Violence and Criminal Justice System

Course Code : FL-LAW-CE- 308 A

Core Elective Courses

Course Objectives:

This is a crucial area of Indian development with which traditional, western, criminology is not overly preoccupied. Collective political violence (CPV) is the order of the day, whether it is agrarian (feudal) violence, or it is atrocities against untouchables, communal riots, electoral violence, police violence (encounters), political violence by militant and extremist groups, gender-based violence or violence involved in mercenary terrorism and its containment.

It is not very helpful in such contexts, to mouth the generalities such as criminalization' or lumpenization' of Indian politics. Closer scientific investigation of these phenomena is crucial, which should help us understand both the aetiology and the prognosis of CPV. Instead of political analysis the course should focus on a broader social understanding of the political economy of law in India. Each specific form of violence will be examined with a view to identifying the course of its evolution, the state-law response policies of management of sanctions, compensation and rehabilitation of victims of violence, social and political costs.

Course Level Learning Outcomes:

The student shall be able

- (i) to understand the growth of police and paramilitary forces.
- (ii) fashioning overall democratic understanding and responses to meet this problem.

Unit- I

1. Notions and their understanding
Notions of force, coercion, violence
Distinctions between “ symbolic, institutionalized and structural violence
Legal order as a coercive normative order; Force-monopoly of modern Law
Constitutional and Criminal speech; speech as incitement to violence
Collective political violence and legal order; Notion of legal and extra legal repression

Unit- II

2. Approaches to violence in India
Religious by sanctioned structural violence : caste and gender based
Ahimsa in Hindu, Jain, Buddhist, Christian and Islamic traditions in India; Gandhiji's approach to non-violence
Discourse on political violence and terrorism during colonial struggle
Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period.

Unit- III

3. Agrarian violence and Repression
The nature and scope of agrarian violence
Colonial Legal order as a causative factor of collective political (agrarian) violence
The Telangana struggle and the legal order
The Report of the Indian Human Rights Commission on Arwal Massacre

Unit- IV

4. Communal violence and violence against the scheduled castes
Communal violence : Incidence and courses
Role of police and para military systems in dealing with communal violence;
operation of criminal justice system in relation to communal violence

Unit- V

Violence against the scheduled castes, Notion of Atrocities, Incidence of Atrocities; uses of criminal law to combat atrocities or contain aftermath of Atrocities; violence against women.

Suggestive Readings :

U. Baxi, "Dissent, Development and Violence in R. Meagher (ed.) Law and Social Change: mdc-American Reflections 92 (1988)

U. Baxi (ed), Law and Poverty: Critical Essays, (1988) AR. Desai, (ed.) Peasant Struggles in India, (1979)

A.R. Desai, Agrarian Struggles in India: After Independence (1986) A.R. Desai, Violation of democratic Rights in india (1986)

D.A. Dhangare, Peasant Movement in India: 1920-1950 (1983)

Ranjit Guha, Element any Aspects of Peasant Insurgency in Colonial India (1983) Ranjit Guba. (ed,) Subaltern Studies Vol. 1-6 (1983-1 988)

T. Honde rich, Violence for Equality (1980)

Mark Juergensmeyer, The Logic of Religious Violence: The Case of Punjab 22 Contributions to Indian Sociology 65 (1988)

Rajni Kothari, State Against Democracy (1987)

G. Shah, Ethnic Minorities and Nation Building: Indian Experience (1984)

K.S. Shukia, 'Sociology of Deviant Behaviour, in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986)

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Course Title : Medical Jurisprudence and Forensic Science
Course Code : FL-LAW-CE- 308 B

Core Elective Courses

Course Objectives:

This Course explains the Identify, examine and prepare report or certificate in medico legal cases/situations in accordance with the law of the land, with particular emphasis on maintenance of medico legal registers such as accident register, issuance of wound certificate, drunkenness certificate, death certificate, sickness and fitness certificate, etc., estimation of age by physical, dental and radiological examination and issuance of certificate, examination of victim/accused and issuance of certificate in sex-related offences. Understand and observe medical ethics, etiquette, duties, rights, and medico social and legal responsibilities of the physicians towards patients, profession, State and society at large.

Course Level Learning Outcomes:

The student shall be able to

- (i) Be aware of relevant legal/court procedures applicable to medico legal/medical practice.
- (ii) Deal with basic aspects of diagnosis and management of poisoning (acute & chronic), and develop competence to deal with medico social and medico legal issues arising there-from.

Unit I

Post mortem examination of mutilated bodies.
Examination of bones, and Exhumation.

Unit II

Death - Definition, Modes Signs of death - Changes in eye Changes in skin
Cooling of body
Post-Mortem staining Changes in muscles Purification Adepicare, and Mummification

Unit III

Death from Asphyxia and other types :

- a. i. Hanging ii. strangulation
- iii. Suffocation iv. Drowning
- b. i. Starvation

Unit IV

Injuries : Medico-legal Aspects of injuries, burns. Lightening, electricity and mechanical violence, Suicidal, Homicidal and Accidental injuries.

Unit V

Virginity Pregnancy Legitimacy
Sexual offences, examination of victim and accused. Sodomy - Examination of the active and passive agent. Miscarriage and Infanticide
Child born alive and still born causes of infanticide, Law in relation to medical men, and Duties of physician, professional negligence and responsibility.

Suggestive Readings :

- 1. Modi, N.J. : Modi's Medical Jurisprudence
- 2. Taylor : Principles and practice of Medical Jurisprudence, Vol 1 & II
- 3. Lyons : Medical Jurisprudence for India

4. Jhala, R.M. and Raju, V.B. : Medical Jurisprudence.
5. Singhal, L.J. : Forensic Medicines
6. Dougals, J.A. Ken : Forensic Medicines
7. Teigumouth E, Shore : Crime and its Detection, Vols, I and II Gradwel: Legal Medicine
8. Millik, C.C. : Hand Book of Medical Jurisprudence.
Prakh, C.K. : A Simplified Text Book f Medical Jurisprudence and Toxicology.

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Course Title : History and Principles of Criminal Law

Course Code : FL-LAW-CE- 309 A

Core Elective Courses

Course Objectives:

The study of criminal law is concerned with the attribution of criminal responsibility by legal institutions. The processes are governed by various factors. These factors construct a kind of 'normative skeleton' able to define and classify crimes and apply and give meaning to general legal principles via a particular fact situation. Criminal law has a large scope, drawing on a variety of legal and sociological sources and adjudicating important human conduct.

Course Level Learning Outcomes:

The student shall be able

- (i) To understand criminal law, exclusively on crime and What is Crime.
- (ii) general theories of law applied to the particular case of criminal law relating to various Acts.

Unit-I

The Bharatiya Nyaya Sanhita, 2023 - Need, Importance, Objectives, Comparison with the Indian Penal Code; Definition, Concept, Key features of the Sanhita and Judicial Responses.

Unit-II

Prevention of Food Adulteration Act, 1954 - Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses;

Unit-III

Arms Act, 1959 {The Arms (Amendment) Act, 2019} - Need, Importance, Objectives; Definition, Concept, Key features of the Act/Amendment and Judicial Responses;

Unit-IV

Suppression of Immoral Traffic in Women and Girls Act, 1956 -Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses;

Unit-V

Prevention of Corruption Act, 1988{The Prevention of Corruption (Amendment) Act, 2018} - Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses.

Related Bare Acts :

- Arms Act, 1959 {The Arms (Amendment) Act, 2019}
- The Bharatiya Nyaya Sanhita, 2023
- Indian Penal Code, 1860
- Prevention of Corruption Act, 1988{The Prevention of Corruption (Amendment) Act, 2018}
- Prevention of Food Adulteration Act, 1954
- Suppression of Immoral Traffic in Women and Girls Act, 1956

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Course Title : Criminal Jurisprudence and Evidence Law

Course Code : FL-LAW-CE- 309 B

Core Elective Courses

Course Objectives:

This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles on contemporary basis.

Course Level Learning Outcomes:

The student shall be able

- (i) to understand Evidence and its Relationship with the Substantive and Procedural Laws
- (ii) to understand General Procedure in an Investigation and Tactical and Practical application of Criminal Law techniques

Unit- I

The nature of crime, principles of criminal jurisprudence with special reference to Article 21 Current Causal Theories Relating to Criminal Behaviour

Unit -II

Legal Professional and behavioural Scientists : Effectiveness of various alternative, Social and legal devices in controlling deviant behaviour in handling of delinquents, including Juvenile, Approaches and Methods of Crime Detection, Social Role and Police Behaviour.

Unit- III

Tactical and Practical application of Criminal Law techniques of trying criminal case investigation discovery and trial preparation F.I.R. its legal value investigation into cognizable and non- cognizable offences, inspection of the scene of occurrence and collection of material from the place of occurrence. Police Diaries and Registers.

Unit- IV

Qualification of an expert, Admissibility of Expert evidence, Examination of Expert, Admissibility of non-Expert Evidence, Comparison of Admitted writings with the Disputed writings its Evidentiary value, Legality of Conviction based on Expert Evidence, Value and Credibility of Expert opinion Duty of Court to examine expert, onus of proof Expert as a witness. Fundamental Principles of Investigation, Powers Duties and Functions of Investigators, Police Personnel, Prevention of Crime, Preconceived Theories, Essential qualities of an investigator interrogation of witness and accused.

Unit- V

General Procedure in an Investigation, Investigation in Death cases. Investigation in sex offences. Apprehension of the Fugitive; Surveillance Interrogation, Techniques, Professional and Habitual offenders, racket investigations, International Crime - Interpol, Search and Seizure.

Suggestive Readings :

Law of Evidence (Set of 04 Volumes) Author: Woodroff & Amir Ali (Revised by B M Prasad & Manish Mohan) 20th Edition 2017 Lexis Nexis
The Bharatiya Sakshya Adhiniyam, 2023

S S Wagh – Basic Law of Evidence: The Bhartiya Sakshya Adhiniyam, 2023
 Universal's, New Criminal Major Laws (BSA, BNSS, BNS, 2023 Bare Act), Universal's
 LexisNexis, 1st Edition (2024)
 Indian Evidence Act Author: Dr V Nageswara Rao Edition: 2nd Edition, 2015
 Lexis Nexis Textbook on The Law of Evidence, Chief Justice M Monir, Edition: 11th, 2018,
 Universal Law Publishing
 V. P. Sarathi Law of Evidence, By Abhinandan Malik 07th Edition, 2017, Reprinted 2018
 Eastern Book Company
 Avtar Singh, Principles of the Law of Evidence, 23rd Ed. 2018 Central Law Publishers
 Ded, R L Criminology, Criminal Law And Investigation
 Gupta, R.L. : Law Relating To Identification And Expert Opinion.
 Hall : Studies in Jurisprudence and Criminals
 Hans Gross, John Adam and J. Collyer Adam : Criminal Investigation.
 Hardless and Shrivastava : Case Law on Expert Evidence Col. Maurice Fitzgerald : Hand
 Book of Criminal Investigation. Harry Soderman : Modern Criminal Investigation
 Keller, R.V. : Outlines Of Criminal Procedure (1984 ed.)
 Ratan Lal : Criminal Procedure Code, 1973
 Ratan Lal : Indian Evidence Act. 1872 Richard L Jackson : Criminal Investigation ↔

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Course Title : Criminology
Course Code : FL-LAW-OE- 310 A
Open Elective Course

Course Objectives:

To state the general principles of crime To develop the understanding of the theories of punishment and various types of punishment. To analyze the different types of offence against human body.

Course Level Learning Outcomes:

The student shall be able

- (i) to understand the Meaning and Scope of Criminology.
- (ii) to examine Recent Trends in Crime

Unit-I

Concept of Crime and Criminals. Classification of Crime and Criminals. Meaning, Nature and Scope of Criminology

Unit- II

Schools of Criminology: Classical, Neo-classical, Positive, Neo-positive, Sociological, Typological School

White Collar Crime: Classification, Sutherland's View on White Collar Crime, White Collar Crime in India: Judicial Response and Remedial Measures

Unit-III

Juvenile delinquency: Meaning, Theories, Juvenile Delinquency in India

Childhood disorders, Casual factors in Juvenile Delinquency

Recidivism

Unit- IV

Causes of Crime

Social Forces and Crime

Recent Trends in Crime including the problems of organized crime, black-marketing corporate crimes, hidden-crimes and effects of crime.

Unit- V

Organized Crimes: Definition and Characteristics

Theories of Collective Violence, Communal Violence, Terrorism and related Organised International Crimes.

Suggestive Readings :

Helfgott, J. (2008). Criminal behaviour: Theories, typologies and criminal justice. Thousand Oaks, California: Sage Publications.

Jones, D. (2012). Understanding criminal behaviour. London: Routledge.

Jones, S. (2013). Criminology (5thed.). Oxford University Press.

Schmallegger, F. (2015). Criminology (3rded.). Pearson.

Siegel, L. (2011). Criminology: The core. Australia: Wadsworth/Cengage Learning.

Unnithan, N. (2013). Crime and justice in India. Los Angeles: SAGE.

Vold, G., Bernard, T., & Snipes, J. (2002). Theoretical criminology. New York: Oxford University Press.

Walklate, S. (2005). Understanding criminology. Maidenhead, Berks: Open University Press.

LL.M. Semester-III
(Specialization: Criminal Law)
(GROUP-B)

Course Title : The Role of Forensic Science in Criminal and Civil Cases

Course Code : FL-LAW-OE- 310 B

Open Elective Course

Objectives of the course

This Course explains the basic question in investigation- Qui Bono; the science of Crime: discovery of traces of physical evidence, classification and reference to classified record; comparison with suspected material; the principles of exchange; the principles of heredity.

Course Level Learning Outcomes:

The student shall be able

- (i) to Identity of Physical objects by Physical and Chemical Analysis Prints.
- (ii) to Identity Fire-Arms and Cartridges and Related Problems
- (ii) to understand Miscellaneous Forensic Science Methods

Unit- I

The Establishment of Identity of Individuals. Branding, tattooing, Mutiating, Scars and Moles, Bantillon system: photography : fingerprints : ridge characteristics: Proscopy.

The Establishment of Partial Identity of Individuals; Footprints: Hair skin: blood grouping : physical peculiarities.

Unit- II

The Establishment of the Identity of Physical Objects by Shape and Size Identifying marks and impressions made by the physical objects :shoe prints tyre and trade markers: die and tool marks rupture of fracture marks.

Unit - III

The Establishment of the Identity of Physical objects by Physical and Chemical Analysis Prints: Coloured objects: Metals Alloys: Chain & the Earthen Wares: Cements: Plaster Bricks Dust: Soil: Minerals: Plastics.

Questioned Documents and the Identification of Handwritings: Paper, Its types and identification: links: pencils and writings tools, handwriting habit & flow, disguised writing comparison and Points of identity: samples: various type of forgery and their detection: Additions, Erasures: Alterations: Scales; Rubber Stamps: Type Writing: Printings Blocks.

Unit- IV

The Identification of Fire-Arms and Cartridges and Related Problems Types of Fire-arms and their use; time and range of firing; identification of a fire-arm with a cartridges case and bullet; miscellaneous fire-arm, problems like origin or direction of fire.

Injuries to Persons: Evidentiary value of details of injuries, traces left by the weapon used; its range and direction; danger to clothing worn by the victim and related problems; the flow of blood from injuries; the shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects; accidental deaths and suicides.

Unit- V

Miscellaneous Forensic Science Methods: Restoration of numbers: examination of the walking picture of footprints; clothing; copper wire, piece of wood etc.

Evidentiary value of Physical Evidences by a Forensic Science Laboratory viz. Evidence: Fallibility of eye witnesses. The probative value of such evidence. Findings of scientific methods of investigation; their probative value. Assessment of value from actual cases. Value to be assigned to the different types of exhibits.

Suggested Readings

B.B. Nanda and R.K. Tiwari, Forensic Science in India: A Vision for the Twenty First Century, Select Publishers, New Delhi (2001).

M.K. Bhasin and S. Nath, Role of Forensic Science in the New Millennium, University of Delhi, Delhi (2002).

S.H. James and J.J. Nordby, Forensic Science: An Introduction to Scientific and Investigative Techniques, 2nd Edition, CRC Press, Boca Raton (2005).

W.G. Eckert and R.K. Wright in Introduction to Forensic Sciences, 2nd Edition, W.G. Eckert (ED.), CRC Press, Boca Raton (1997).

R. Saferstein, Criminalistics, 8th Edition, Prentice Hall, New Jersey (2004).

W.J. Tilstone, M.L. Hastrup and C. Hald, Fisher's Techniques of Crime Scene Investigation, CRC Press, Boca Raton (2013)

LL.M. Semester-III
(Specialization: Business Law)
 (GROUP- C)

Semester-III (GROUP- C)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Law of Industrial and Intellectual Property	FL-LAW-CC- 311	4	1	0	5 Credits
2	Legal Regulation of Economic Enterprises including Export and Import Regulation	FL-LAW-CC- 312	4	1	0	5
Core Elective Courses						
3	Banking Law OR Policy Reforms and Innovations in Indian Banking system	FL-LAW-CE- 313 A OR FL-LAW-CE- 313 B	4	1	0	5
4	General Principles of Contract OR Special Contracts	FL-LAW-CE- 314 A OR FL-LAW-CE- 314 B	4	1	0	5
Open Elective Course						
5	Corporate Laws OR Law Relating to Negotiable instrument and Bankruptcy	FL-LAW-OE- 315 A OR FL-LAW-OE- 315 B	4	1	0	5
			20	5	0	25

LL.M. Semester-III
(Specialization: Business Law)

(GROUP-C)

Course Title : Law of Industrial and Intellectual Property

Course Code : FL-LAW-CC- 311

Core Courses

Course Objectives:

The concept of intellectual property rights as developed in India cannot be divorced from the developments in the international arena as well as in the nation to nation relations. The impact of IPR regime on the economic front is emphasized in this paper. In particular, greater attention would be given here to the law relating to unfair and restrictive trade practices as affecting the regime of intellectual property rights.

Course Level Learning Outcomes:

The student shall be able to

- (i) understand the evidentiary aspects of infringement and human right dimensions of the regime of intellectual property law.
- (ii) to examine the New areas of development, especially plant patenting and patenting of new forms of life.

Unit-I

IPR and International Perspective

Trademarks and Consumer Protection (Study of UNCTAD report on the subject)

The Legal Regime of Unfair Trade Practices and of Intellectual Industrial Property

United Nations approaches (UNCTAD, UNCITRAL)

EEC approaches

Position in U.S.

The Indian Situation

Unit- II

Special Problems of the Status of Computer Software in Copyright and Patent Law : A Comparative Study.

Biotechnology Patents

Nature and type of biotechnology patents

Patent over new forms of life : TRIPS obligations

Plant patenting

Sui generis protection for plant varieties

Multinational ownership

Regulation of environment and health hazards in biotechnology patents

Indian policy and position.

Unit- III

Patent Search, Examination and Records :

International and global patent information retrieval systems (European Patent Treaty)

Patent Co-operation Treaty (PCT)

Differences in resources for patent examination between developed and developing societies

The Indian situation

Unit- IV

Special Problems of Proof of Infringement

Status of intellectual property in transit – TRIPS obligation- Indian Position

The evidentiary problems in action of passing off.

The proof of non anticipation, novelty in inventions protected by patent law

Evidentiary problems in piracy : TRIPS obligation – reversal of burden of proof in process patent.

Need and Scope of Law Reforms.

Unit- V

Intellectual Property and Human Rights

Freedom of speech and expression as the basis of the regime of intellectual property right copyright protection on internet – WCT (WIPO copyright Treaty, 1996)

Legal status of hazardous research protected by the regime of intellectual property law.

Human right of the impoverished masses intellectual property protection of new products for healthcare and food security

Traditional knowledge – protection-biodiversity convention- right of indigenous people.

Suggestive Readings :

Special attention should be given to literature of the UN system, WIPO and the UNESCO

Terence P. Stewart (ed.) The GATT Uruguay Round : A Negotiating History (1986-1994) the End game (Part –I) (1999)

Kluwer Iver P. Cooper Biotechnology and Law, (1998) Clerk Boardman Callaghan, NEW York

David Bainbridge, Software Copyright Law (1999) Butterworth Sookman, Computer Law (1998)

Carswell W.R. Cornish, Intellectual property Law (1999) Sweet and Maxwell

LL.M. Semester-III
(Specialization: Business Law)
(GROUP-C)

Course Title : Legal Regulation of Economic Enterprises including Export and Import Regulation

Course Code : FL-LAW-CC- 312

Core Courses

Course Objectives:

After independence we have placed greater emphasis on the growth of our economy. The focus is on growth, both in public and private sectors, so as to cope up with the problems of population explosion. We have found that there is now almost a circle from laissez faire to welfare state and again back to laissez faire. Adoption of the concept of global economy in the presence of the socialistic perspectives in the Constitution presents a dilemma. The trends of liberalization starting in the early nineties and continuing to this day bring a shift in focus of regulation in diverse fields of economic activities.

The need for accelerating the export trade of India's developing economy can hardly be over emphasised. Export earnings enable a developing country to finance its massive requirements of growth, to maintain its essential imports and thereby stimulate the process of its economic developments. In the words of Prof. V.K. R.V. Rao: "In fact, expansion of exports may well be described as an integral part of the development process, neglect of which can only be at the peril of development itself".

Increasing exports have been necessitated to meet the growing needs of defence. India is a country rich in natural resources. One of the approaches to combat its economic backwardness could be in large-scale production and in maximization of its exports.

Import and export of goods and raw materials is a complex, complicated and intricate activity, It involves elaborate economic, fiscal, budgetary and monetary policy considerations. Export and Import control policy is also closely connected with country's balance of payment position.

Course Level Learning Outcomes:

The student shall be able

- (i) to know the detailed procedures for imports and exports as provided in the Hand Book.
- (ii) to be aware of the controls on exports and imports which are closely connected with the Foreign Trade Regulation Act 1992.

Unit- I

The Rationale of Government Regulation:

Constitutional Perspectives, The New economic policy – Industrial policy resolutions, declarations and statements, the place of public, small scale, co operative, corporate, private and joint sectors in the changing context, Regulation of economic activities, Disclosure of information, Fairness in competition, Emphasis on consumerism

Unit- II

Development and Regulation of Industries

Takeover of Management and Control of industrial Units, Sick Undertakings : Nationalisation or Winding up, Licensing Policy and Legal Process – Growing Trends of Liberalization , Deregulation of essential commodities : developmental sign or a social mishap, Financial Services : Changing Techniques of Regulation

Unit- III

Critical Issues Regarding the Capital Issues : Equity and debt finance; global, depositories and dematerialised securities.

Problems of Control and Accountability : Regulation of Hazardous Activity : Mass disaster and environmental degradation : legal liability and legal remedies; Public Liability Insurance : adequacy; Issues in zoning and location of industrial units.

Legal Regulation of Multi Nationals

Collaboration agreements for technology transfer

Development and regulation of foreign investments

Investment in India : FDIs and NRIs

Investment abroad

State Control over import and Export of goods from rigidity to liberalization.; impact of regulation of economy.

Unit- IV

The Basic Needs of Export and Import Trade

Goods

Services

Transportation

International Regime

WTO agreement

WTO and tariff restrictions

WTO and non-tariff restrictions

Investment and transfer of technology

Quota restriction and anti dumping

Permissible regulations

Quarantine regulation

Dumping of discarded technology and goods in international market

Reduction of subsidies and counter measures.

Unit-V

General Law on Control of Imports and Exports

General Scheme

Legislative Control

Power of Control : Central Government and RBI

Foreign Trade Development and Regulation Act 1992,

Restriction under Custom Law

Prohibition and penalties

Export – Import formulation : guiding features

Control under FEMA

Foreign Exchange and currency

Import of goods

Export promotion councils

Export oriented Units and Export processing zones.

Suggestive Readings :

Government of India, Handbook of Import Export Procedures, (Refer to the latest edition) Government of India Import and Export Policy (Refer to the latest policy)
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)
Final Treaty of GATT, 1994.

LL.M. Semester-III
(Specialization: Business Law)
(GROUP-C)

Course Title : Banking Law
Course Code : FL-LAW-CE- 313 A
Core Elective Courses

Course Objectives:

A vitally important economic institution, the banking system is deeply influenced by socio-political and economic changes. The emerging changes in India, particularly after the initiation of the planning process as an instrument of rapid economic development had moulded and affected the banking structure, policies, patterns and practices. A significant development in the banking system is diversification in banks financing. The commercial banks entered into the field of wide ranging financial assistance to industry, both large and small scale, requiring the need for social control of the banking system eventually leading to the nationalisation of banks. The conventional banking system, found to be deficient for planned developmental purposes, paved the way for developmental banking. The fag end of the last millennium witnesses influx of foreign banking companies into India and a shift in the banking policy as part of the global phenomenon of liberalisation. The legal system is adopting itself into the new mores.

Course Level Learning Outcomes:

The student shall be able

(i) to be acquainted with the conceptual and operational parameters of banking law the judicial interpretation and the new and emerging dimensions of the banking system.

Unit- I

Introduction

Nature and development of banking

History of banking in India and elsewhere – indigenous banking- evolution of banking in India – different kinds of banks and their functions.

Multi-functional banks – growth and legal issues

Law Relating to banking Companies in India and Recent Trends

Controls by government and its agencies : On management, On accounts and audit, Lending, Credit Policy, Reconstruction and reorganization, Suspension and winding up, Contract between banker and customer : their rights and duties

Unit- II

Recent Trends of Banking System in India

New technology

Information technology

Automation and legal aspects

Automatic teller machine and use of internet

Smart Card

Use of expert system

Credit Cards

Social Control over banking

Nationalization

Evaluation : private ownership, nationalization and disinvestment

Protection of depositors

Priority lending

Promotion under privileged classes

Unit- III

The Central Bank

Evolution of Central Bank

Characteristics and functions

Economic and social objectives

The Central Bank and the State – as bankers bank

The Reserve Bank of India as the Central Bank : Organizational structure, Function of the RBI

Regulation of monetary mechanism of the economy, Credit Control, Exchange control, Monopoly of currency issue, Bank rate policy formulation, Control of RBI over non banking companies, Financial companies, Non financial companies

Relationship of Banker and Customer

Legal character

Contract between banker and customer

Banker's lien

Protection of bankers

Customers : Nature and type of account, Special classes of customers

– lunatics, minor, partnership, corporations, local authorities, Banking duty to customers, Consumer protection : banking as service

Unit- IV

Negotiable Instruments

Meaning and kinds

Transfer and negotiations

Holder and holder in due course

Presentment and payment

Liabilities of parties

Unit- V

Lending by Bank

Good lending principles

Lending to poor masses

Securities for advances

Kinds and their merits and demerits

Repayment of loans : rate of interest, protection against penalty

Default and recovery

Debt recovery tribunal

Reforms in Indian Banking Law

Suggestive Readings :.

Ross Cranston, Principles of Banking Law (1997) Oxford.

L.C. Goyle, The Law of Banking and Bankers (1995) Eastern

M.L. Tannan, Tannan's Banking Law and Practice in India (1997) India Law House, New Delhi, 2 volumes

K.C. Shekhar, Banking Theory and Practice (1998) UBS Publisher Distributors Ltd. New Delhi. M. Dasse, S. Saacs and G. Pen, E.C. Banking Law, (1994) Lloyds of London Press, London

V. Conti and Hamaul (eds.), Financial Markets Liberalization and the Role of Banks', Cambridge University Press, Cambridge, (1993).

J. Dermine (ed.), European Banking in the 1990s'(1993) Blackwell, Oxford.

C. Goodhart, The Central Bank and the Financial System (1995) Macmillan, London

S. Chapman, The Rise of Merchant Banking (1984) Allen Unwin, London

K. Subrahmanyam, Banking Reforms in India (1997) Tata McGraw Hill, New Delhi.

Subodh Markandeya and Chitra Markandeya, Law Relating to Foreign Trade in India; Being a Commentary on the Foreign Trade, (Development and Regulation) Act 1992, Universal Law Publishing Co. Pvt. Ltd. Delhi.

R.S. Narayana, The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993), Asia Law House, Hyderabad.

M.A. Mir, The Law Relating to Bank Guarantee in India (1992), Metropolitan Book, New Delhi.

Anthony Pierce, Demand Guarantees in International Trade (1993) Sweet & Maxwell,

Ross Cranston (ed.) European Banking Law; The Banker-Customer Relationship (1999) LLP, London

Mitra, The Law Relating to Bankers' Letters of Credit and Allied Laws, (1998) University Book Agency, Allahabad.

R.K. Talwar, Report of Working Group on Customer Service in Banks Janakiraman Committee Report on Securities Operation of Banks and Financial Institution (1993)

Narasimhan Committee report on the Financial System (1991)- Second Report (1999)

LL.M. Semester-III
(Specialization: Business Law)
(GROUP-C)

Course Title : Reforms in Indian Banking law

Course Code : FL-LAW-CE- 313 B

Core Elective Courses

Objectives of the course

This Course explains the important banking system which is deeply influenced by socio-political and economic changes and the emerging changes in India, particularly after the initiation of the planning process as an instrument of rapid economic development had moulded and affected the banking structure, policies, patterns and practices.

Course Level Learning Outcomes:

The student shall be able to

- (i) to acquire specialized knowledge of law and practice relating to Banking.
- (ii) to establish the significant development in the banking system.

Unit- I

Central Banking and Monetary Policy

Regulatory measures: Bank rate, Repo and Reverse Repo 1 2 27 CRR, SLR,
OMO, Liquidity Adjustment Facility(LAF), MSS, Marginal Standing Facility (MSF)

Unit-II

Policy Reforms and Innovations in Indian Banking

Banking sector reforms: Narasimhan Committee Report I and II – Prudential norms: Capital Adequacy norms

Classification of Assets and Provisioning, – NPA – Causes and Remedial Measures

Banking Ombudsmen Scheme

Unit-III

CORE banking- EFT: NEFT, RTGS

SWIFT, Green Channel- Cheque Truncation System

Payment Banks and Small Finance Banks

CIBIL, KYC, BASEL Norms

Unit-IV

SARFAESI Act

Social Banking Initiatives in Indian Banking

Nationalisation of Banks and its Objectives

Unit - V

Social Banking: Lead bank scheme, Service Area Approach, Village Adoption Scheme

Rural banking: Institutional arrangement for Rural Financing and their functions: NABARD

Micro- Finance, RRBs , LDBs, Co-operative banks

Suggestive Readings :

L.C. Goyle, The Law of Banking and Bankers (1995) Eastern.

M.L. Tannan, Tannan"s Banking Law and Practice in India (1997)

India Law House, New Delhi,2. Volumes.

LL.M. Semester-III
(Specialization: Business Law)
(GROUP-C)

Course Title : General Principles of Contract

Course Code : FL-LAW-CE- 314 A

Core Elective Courses

Course Objectives:

This course is designed to acquaint the students with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the law of contract. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study. A practical overview of Specific Relief Act which gives a judicial remedy to enforce performance of contract is also included in the study.

Course Level Learning Outcomes:

The student shall be able to

- (i) To apply the basic principles in contractual relations.
- (ii) To understand the basic sources of law of contract, the principles of English common law, the evolution of law of contract and the similarities and dissimilarities with the English law of contract.

UNIT - I

Meaning, elements and characteristics of Contract; Formation and Classification of Contract, including the Standard form of Contract; Proposal: Meaning, Elements Characteristics and Kinds of Proposal; Distinction between Proposal and Invitation to Proposal; Acceptance: Meaning, Modes and Characteristics of Acceptance; Communication, Revocation and Termination of Proposal and Acceptance

UNIT - II

Consideration:

Meaning, Definition and Elements of Consideration; Significance and adequacy of consideration; Privity to Contract; Unlawful Consideration and Object Exception to the consideration.

UNIT - III

Valid Contract Capacity to Contract :Free Consent :E-Contracts: Definition, Silent Features, Formation and types, Differences between E- Contract and Traditional Contract, Advantages and Disadvantages of E –Contracts;

Voidable and Void Agreements:

Doctrine of severability; Agreements in restraint of marriage; in restraint of trade; Uncertain agreements; in restraint of legal proceedings; Agreement by way of wager; Contingent Contract

UNIT - IV

Performance of Contract:

Parties to perform the contract, Joint rights and joint liability and performance of reciprocal promises; Time, Place and Manner of Performance; Discharge from liability to perform the contract, doctrine of Impossibility. Certain relations resembling to those created by Contract (Quasi Contract)

UNIT - V

Breach of Contract :

Meaning and Kinds; Remedies for Breach of Contract: (i) Damages—Measure of

damages and remoteness of damage;

(ii) Specific Performance of contract and injunctions under Specific Relief Act, 1963 and Amendments; Contracts which are specifically enforceable; Contracts which are not specifically enforceable; Injunction; Rescission and Cancellation of Contract; Discretion of Court.

Suggestive Readings :

Adams JN and Brownsword R, Understanding Contract Law (5th ed, Sweet & Maxwell 2007)

Adams, J. N. and Brownsword, Roger, Understanding Contract Law (5th ed, Sweet & Maxwell 2007)

McKendrick E, Contract Law: Text, Cases, and Materials (6th ed, Oxford University Press 2014)

Peel E and Treitel GH, Treitel on the Law of Contract (13th ed, Sweet & Maxwell 2011)

Poole J, Casebook on Contract Law (12th ed, Oxford University Press 2014)

Stone R and Devenney J, Text, Cases, and Materials on Contract Law (Third edition, Routledge 2014)

The Modern Law of Contract (Eleventh edition, Routledge 2015)

Stone, Richard, The Modern Law of Contract (8th ed, Routledge-Cavendish 2009)

'Student Law Review' <<http://lcn.eu/aef7>>

Taylor RD and Taylor D, Contract Law, vol Directions (4th ed, Oxford University Press 2013)

LL.M. Semester-III
(Specialization: Business Law)
(GROUP-C)

Course Title : Special Contracts
Course Code : FL-LAW-CE- 314 B
Core Elective Courses

Course Objectives:

The primary goal of this course is to acquaint the students with the basics of Special Contracts and make them able to grasp the nuances of the contractual transactions involving these forms of contracts. After studying this course students will be able to analyse the implications of a contractual arrangement falling under any of the discussed head of special contracts. This course is to be taught after the students have been made familiar with the general principles of contract in which the emphases is on understanding and appreciating the basic essentials of a valid contract and on the existence of contractual relationship in various instances. This course should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

Course Level Learning Outcomes:

The student shall be able

- (i) to determine the legality of the transactions and also the rights and duties of the parties thereto.
- (ii) purposefully deal with the disputes arising out of such contractual arrangements.

Unit- I

Indemnity

Meaning of Contract of Indemnity

Rights of Indemnity holder

Time of commencement of Indemnifier's Liability

Are Insurance Contracts the Contracts of Indemnity?

Guarantee

Meaning & Features of Contract of Guarantee

Difference between a Contract of Indemnity & Contract of Guarantee

Nature & Extent of Surety's Liability

Meaning & Revocation of Continuing Guarantee

Rights of Surety against Principal Debtor, Creditor & Co-Surety

Bailment

Definition & Essentials of Contract of Bailment

Duties of Bailor

Duties of Bailee's

Rights of the Bailee & General & Particular Lien

Duties & Rights of Finder of Goods

Unit- II

Pledge

Definition of Pledge & Distinction between Bailment & Pledge

Rights of Pledgee

Pledging of goods by Non-Owners

Agency

Different kinds of Agents- Auctioneers, Brokers & Del Credere Agents

Extent of Agent's Authority – Actual, Apparent, Authority in Emergency

Duties of Agent

Termination of Agency

Unit- III

Indian Sale of Goods Act 1930

Concept of sale as a contract, Illustrative instances of sale of goods and the nature of such contracts, Essentials of contract of sale, Essential conditions in every contract of sale, Implied terms in contract of sale, The rule of caveat emptor and the exceptions thereto under the Sale of Goods Act, Changing concept of caveat emptor, Effect and meaning of implied warranties in a sale, Transfer of title and passing of risk, Delivery of goods: various rules regarding delivery of goods, Unpaid seller and his rights, Remedies for breach of contract, Concept of nemo dat quad non habet with exceptions.

Unit- IV

The Indian Partnership Act, 1932

Nature of partnership: definition, Distinct advantages and disadvantages vis-a-vis partnership and private limited company, Mutual relationship between partners, Authority of partners, Admission of partners, Outgoing of partners, Registration of Partnership, Dissolution of Partnership.

The Limited Liability Partnership, 2008

Unit- V

Specific relief under Specific Relief Act, 1963

Specific performance of contract, Contract that can be specifically enforced, Persons against whom specific enforcement can be ordered. Rescission and cancellation, Injunction, Temporary, Perpetual Declaratory orders

Suggestive Reading:

1. R.K.Abhichandani (ed.), Pollock and Mulla on Contracts and Specific Relief Acts (1999) Tripathi, Bombay
2. Avtar Singh, Contract Act (20), Eastern, Lucknow.
3. Krishnan Nair, Law of Contract, (1999) Orient
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase (1998), Eastern, Lucknow
5. A. G. Guest (ed.), Benjamin's Sale of Goods (1992), Sweet & Maxwell.
6. Beatson (ed.), Anson's Law of Contract, (1998), Oxford, London
7. Saharay, H.K., Indian Partnership and Sale of Goods Act (2000), Universal
8. R.K.Bangia Law of Contract II

LL.M. Semester-III
(Specialization: Business Law)
(GROUP-C)

Course Title : Corporate Laws
Course Code : FL-LAW-OE- 315 A
Open Elective Course

Course Objectives:

Corporate Law is a specialisation that encompasses rules, regulations, and practices that govern the operation segment of the corporate firm. The course programme educates students on corporate managing, operating, forming, and owning of an organisation.

Course Level Learning Outcomes:

The student shall be able to

- (i) to deeply analyze the Corporate social responsibilities
- (ii) to understand the role and liabilities of directors.

Unit - I

Introduction

Need of Company for development, Kinds of company, formation, Registration and Incorporation of the Company
Memorandum and Articles of Association
Doctrine of Ultra Vires
Doctrine of Indoor Management

Unit- II

Directors: Appointment, Removal, Position, Powers and Duties of Directors.
Audit Committee: Its Role.
Company Secretary: Qualification, Appointment and Duties
Officer who is in default: Definition of Officer who is in default
Liability of independent directors.

Types of Meetings

Procedure of calling meeting

Company's resolutions and its kinds

Unit -III

Oppression & Mismanagement and Investigation

Rule in Foss v. Harbottle
Prevention of Oppression
Prevention of Mismanagement
Role & Powers of the Company Law Board
Role & Powers of Central Government

Company Investigation

Unit – IV

Corporate Liquidation

Winding up of Companies
Mode of winding up of the companies
Compulsory Winding up under the Order of the Tribunal
Voluntary winding up
Payment of liabilities

Unit -V

Corporate Governance and Social Responsibility

Importance of Corporate Governance

Different system of Corporate Governance

Impact of Legal Traditions and the Rule of Law on Corporate Governance

Legal Reforms of Corporate Governance in India

Reports of the various Committees on Corporate Governance

Corporate Social and Environmental Responsibility

Suggestive Readings :

1. Saleem Sheikh & William Rees, Corporate Governance & Corporate Control, Cavendish Publishing Ltd., 1995

2. Taxmann, Companies Act 2013

3. Taxmann, A Comparative Study of Companies Act 2013 and Companies Act 1956

1. Charles Wild & Stuart Weinstein Smith and Keenan, Company Law, Pearson Longman, 2009

2. Institute of Company Secretaries of India, Companies Act 2013, CCH Wolter Kluwer Business, 2013

3. Lexis Nexis, Corporate Laws 2013 (Palmtop Edition)

4. C.A. Kamal Garg, Bharat's Corporate and Allied Laws, 2013,

LL.M. Semester-III
(Specialization: Business Law)
(GROUP-C)

Course Title : Law Relating to Negotiable instrument and Bankruptcy

Course Code : FL-LAW-OE- 315 B

Open Elective Course

Objectives of the course

This Course explains that the negotiable instrument is basically a piece of paper that can be transferred multiple times from one person/entity to another without the use of actual cash.

Course Level Learning Outcomes:

The student shall be able

- (i) to understand that a negotiable instrument is a written document, signed by the maker or drawer, containing an unconditional promise to pay, or order to pay, a certain sum of money on delivery or at a definite time to the bearer, or to the order of. It can be transferred from party to party and accepted as a substitute for money.
- (ii) to know whether an instrument is negotiable or not.

Unit- I

Meaning and Definition of Negotiable Instruments
Characteristics of Negotiable Instruments
Kinds of Negotiable Instruments
presumptions as to Negotiable Instrument (Sec. 118 & 119)

Unit- II

Promissory Note, Bills of Exchange & Cheque
Its meaning, characteristics and points of difference between them.

Unit- III

Parties to a Negotiable Instrument
Holder and Holder in due course

Unit- IV

Dishonor of a Negotiable Instrument
Notice of dishonor
Noting and Protesting
Penalties in case of dishonor of certain cheque (New Chapter XVII - Secs.138 & 142)

Unit- V

Banker and Customer
Definition of Banker and Customer
Rights and obligations of Banker
When may a Banker dishonor a customers' Cheque?
When must a Banker dishonor a customers' Cheque?
Protection of Paying Banker
Protection of Collecting Banker

Suggestive Readings :

1. Banking Law and Practice, Universal, 1999 - T.K. Mukherjee
2. Tannan's Banking Law and Practice in India, Law house, 2000 - M.L. Tannen
3. Banking Law and Practice, Sultan Chand & Sons - P.N. Varshney

4. The Banking Law in Theory and Practice, Universal, 1999 - S.N. Gupta
5. Banks & The Consumer Protection Law, Universal, New Delhi - S.N. Gupta
6. Negotiable Instruments Act, 1881 - Avtar Singh
7. The Negotiable Instruments Act, Bharath Law House, 1997 - Bhashyam and Adiga
8. Kherganvala on The Negotiable Instruments Act, Butterworth, 1998 - M.S. Parthasarathy
9. Sethi's Commentaries on Banking Regulation Act And allied Banking Laws Law Publishers,
Allahabad, 2000 - G.S.N. Tripathi
10. Recovery of Debt due to Bankers and Financial Institutions Act, 1993 Asia Law House

LL.M. Semester-III
(Specialization: Human Rights Law)
(GROUP -D)

Semester-III (GROUP- D)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Concept and Development of Human Rights	FL-LAW-CC- 316	4	1	0	5 Credits
2	Human Rights in International and Regional Perspective	FL-LAW-CC- 317	4	1	0	5
Core Elective Courses						
3	Constitutional Governance of Human Rights in India OR Environment and Human Rights	FL-LAW-CE- 318 A OR FL-LAW-CE- 318 B	4	1	0	5
4	Human Rights of Disadvantaged Groups : Children, Elderly Persons and Refugee OR Criminal Justice System in India and Human Rights	FL-LAW-CE- 319 A OR FL-LAW-CE- 319 B	4	1	0	5
Open Elective Course						
5	Science, Technology and Human Rights OR Torture and Human Rights	FL-LAW-OE- 320 A OR FL-LAW-OE- 320 B	4	1	0	5
			20	5	0	25

LL.M. Semester-III
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-CC- 316
Concept and Development of Human Rights
Core Courses

Objectives of the course

The course provides an introduction to basic human rights philosophy, principles, instruments and institutions, and also an overview of current issues and debates in the field with focus on the problems specific to Bulgaria. This course aims to explore some aspects of the diverse and increasingly complex body of international law of human rights that has both national and international application. The course also seeks to analyze the ways in which allegations of human rights violations are dealt with in the Bulgarian courts and the impact of human rights discourse on international politics and relations.

Course Level Learning Outcomes:

The student shall be able

- (i) to learn Human Rights and Protection Agencies.
- (ii) to analyze the development of human rights.

Unit- I

Human Rights: Meaning and Concept, Nature and Development, Concept Natural Rights & Human Rights

Unit- II

Historical Development of Human Rights, International Bill of Rights: UDHR, International Covenant on Civil and Political Rights, Optional Protocols, International Covenant on Economic, Social and Cultural Rights and optional protocol.

Unit- III

Human Rights : Politics and Society

- Colonisation, imperialism and human rights
- Power, practices, accountability and transparency
- Globalization and Human Rights Perspective
- Human duties : responsibilities and obligations

Unit- IV

Constitutional provisions relating to protection of Human Rights in India
Human Rights and Judicial Process
Judicial Activism

Unit- V

Human Rights Protection Agencies. Protection of Human Rights Act, 1993, Composition and Functioning of NHRC, SHRCs and Human Right Courts

Suggestive Readings :

Angela Hegarty, Siobhan Leonard, Human Rights an Agenda for the 21st Century (1999)
Lalit Parmer, Human Rights, (1998).
Rama Jois, Human Rights: Bharatiya Values, (1998).
David P. Forsythe, Human Rights in International Relations. Lon L. Fuller, The Morality of Law
John Finnis, Natural Law and Natural Rights, (1980).

Julius Stone, Human Law and Human Justice, (2000), Universal, New Delhi. M.G.Chitkara, Human Rights: Commitment and Betrayal, (1996).

V.D. Kulshreshtra, Landmarks in the Indian Legal and Constitutional History, (1995)

Robert Lewngat, The Classical Law of India (1998), Oxford.

LL.M. Semester-III
(Specialization: Human Rights Law)

(GROUP - D)

Course Title : Human Rights in International and Regional Perspective

Course Code : FL-LAW-CC- 317

Core Courses

Course Objective

This Course explains the historical and conceptual development of international human rights, Explain structure, provisions and significance of Universal Declaration of Human Rights, Identify the power and functions of Human Rights Committee Conceptualize implementation of International Covenant on Economic, Social and Cultural Rights

Course Level Learning Outcomes:

The student shall be able

- (i) Analyze the functioning of regional system on Human Rights.
- (ii) Discuss the dyslectics and emerging issues of International human rights

Unit I

Concept and historical development of Human Rights Jurisprudence; development of natural rights, League of Nations, International Labour Organisation, Protection of Individual in International Law

Unit II

UN Determinants of Human Rights; UN Charter, Universal Declaration of Human Rights, International Covenants (ICCPR and ICESCR) and their monitoring mechanisms.

Unit III

Enforcement of human rights norms; United Nations system-Human Rights Council, Comparison of universal and regional systems. European Convention system, Inter-American system and the African system

Unit IV

Dyslectics of Human Rights; Universal nature of human rights and their relation to duties, challenges from advocates of cultural relativists and western and non western origin

Unit V

Emerging Dimensions of international human rights; Global Terrorism, Right to development, International economy and politics, IPR and Human Rights

Suggestive Readings :

- | | | |
|---------------------|---|--|
| Julius Stone, | : | Human Law and Human Justice (Universal, New Delhi) |
| Donnelly | : | Universal Human Rights in Theory and Practice: (Ithaca) |
| Bergenthal, Thomas, | : | International human rights in a nutshell, (St. Paul, MN: |
| | | West Shelton, D. and Stewart D. Group) |
| Brownlie, Ian and: | : | Basic documents on human rights, (Oxford University |
| | | Goodwin-Gill, Guy S. (eds.) Press) |

- Sarah, Joseph (ed.): Research handbook on international human rights law
(Edward Elger)
- Schutter, Oliver De: International human rights law: Cases, materials,
commentary, (Cambridge University Press)
- Sheeran, Scott and: The routledge handbook of international human rights law Rodley
Sir Nigel (eds.) (London: Routledge)
- The oxford handbook of international human rights law (Oxford University Press)
- Dinah L. Shelton: Advanced Introduction to International Human Rights (US,
Edward Elgar)
- Smith, Rhona K.M.: Textbook on international human rights, (Oxford: Oxford
University Press)
- Philip Alston : Tax as a human rights issue

LL.M. Semester-III
(Specialization: Human Rights Law)

(GROUP -D)

FL-LAW-CE- 318 A

Constitutional Governance of Human Rights in India

Core Elective Courses

Course Objective

This Course explains to impart knowledge in the specific areas of law in order to gain advanced insight into the subjects. To foster an understanding of the latest legal developments in the area of Constitutional Governance and Human Rights.

Course Level Learning Outcomes:

The student shall be able

- (i) Analyze the to demonstrate an understanding of the basic concepts, principles, doctrines and theories in their respective specialisations.
- (ii) To enhance their researching skills in the field of Human Rights

Unit- I

Constitution and Human Rights

Fundamental Rights

Directive Principles

Fundamental Duties

International Human Rights and Indian Constitution

Liberty, Equality and Fraternity in Human Rights Perspective

Unit- II

Special Laws for Protection of Specific Categories/Vulnerable Section of People

Reservations and the Right to Equality

Protection of Minorities - Cultural and Educational Rights

Contract and Unorganized workers, Bonded Labour

Tribal People

Unit-III

Enforcement of Human Rights

Judiciary Article 32, Article 226, Public Interest Litigation.

National Specialized Agencies : Law Commission, SC/ST Commission, Minorities

Commission, Women Commission

Human Rights Commission

International Redressal Mechanism.

Unit-IV

Problems of Enforcement of Human Rights in India

Poverty and inaccessibility of Legal redress

Abuse of Executive Power : Death in Police Custody etc.

Lack of accountability and transparency in Government functioning and the right to Information.

Role of Civil society and social prejudice against caste, Women etc.

Unit- V

The State and Civil Society in India and Human Rights Violation

Human Rights violation in Private Domain : within the family, by dominant castes religious groups

Human Rights violation in public domain: State, employers etc. Riots and violence in connection with inter community tensions.

Impact development policies on Human Rights.

LL.M. Semester-III
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-CE- 318 B
Environment and Human Rights
Core Elective Courses

Course Objective

This Course explains to Describe right to clean environment under constitutional roots as a human right and Analyze the prospect of inter-generational rights and Describe the message of Stockholm Conference, Rio de Janeiro Conference, and Johannesburg Conference etc.

Course Level Learning Outcomes:

The student shall be able

- (i) to Explain the meaning and concept of sustainable development
- (ii) to Identify environmental protection measures under Environment (Protection) Act)

Unit I:

Principles of Environment Protection: International Perspective: Stockholm Conference, Rio de Janeiro Conference, Rio + Summits & Declaration, Johannesburg Conference, UNFCCC, Kyoto Protocol, Paris Agreement, Industrial Disaster with special reference to the rights of victims of such disasters, Mega Projects with special reference to displacement and rehabilitation of the affected persons, Climate refugees

Unit II

Constitutional Perspective: Fundamental Rights: Right to Clean Environment, Education and Compensation, Directive Principle of State Policy and Fundamental duties, Legislative Powers.

Unit III

Environment Pollution and Legal Order:

- i. The Water Act, 1974 and the Air Act 1981
 - a) Regulatory Authorities and their Powers & Functions
 - b) Pollution Control Measures
 - c) Remedies
- ii. Noise Pollution Rules

Unit IV

Environment Protection and Legal Order

- i. Environment (Protection) Act, 1986
 - a) Regulatory authorities and their powers and functions
 - b) Environment Protection Measures
 - c) Remedies
- ii. Environment Impact Assessment Notification, 1994 and Public Hearing Notification, 1997
- iii. National Green Tribunal

Unit V

Environment: Emerging concepts and challenges: National Perspective

- (a) Polluter Pays Principles: Absolute Liability of Hazardous Industries
- (b) Precautionary Principle
- (c) Public Trust Doctrines
- (d) Sustainable Development

Suggestive Readings :

- | | |
|---|--|
| Boyle, A. E., and Anderson M.R. (Eds.)
Environmental Protection (Oxford: | : Human Rights Approaches to
Clarendon Press 1996) |
| Woods, K. | : Human Rights and Environmental
Sustainability (Cheltenham:
Edward Elgar 2010) |
| Gear, Anna,
and the environment (Edward
Hiskes, R.P. | : Research handbook on human rights
Elgar 2015) 92
The Human Rights to a Green Future
(Cambridge: Cambridge
University Press 2009) |
| Kravchenko, Svitlana and John e. Bonine,
Cases Law, and Policy | Human Rights And The Environment:
(Carolina Academic Press 2008) |
| Hayward, Tim (ed.),
(Routledge 2017) | Human Rights and the Environment |
| Knox, John H. | The Human Rights to a Healthy
Environment (Cambridge
University Press 2018) |
| Shelton, Dinah and Donald K. Anton, | Environment Protection and Human
Rights (Cambridge University
Press 2011) |
| Leib, Linda Hajjar, | Human Rights and The
Environment – Philosophical, Theoretical |
| Kailash Thakur,
Policy in India (1997), Deep
Delhi. | Environmental Protection: Law and
& Deep Publications New |
| Richard L. Riversz, et. al. (eds.), | Environmental Law, the Economy
and Sustainable Development
(2000), Cambridge. |
| Indian Journal of Public Administration,
Administration, July- | September 1988, Vol. XXXV, No.3, pp.353-
801 |
| Leelakrishnan, P et. al. (eds.) | Law and Environment (1990), |
| Leelakrishnan, P,
Nexus | Environmental Law in India (2019), Lexis |
| Winfield | Torts Law |
| Ratanlal & Dheerajlal | Torts Law |
| Kashyap, S.C. | Constitutional law |

and Le

Singhvi L.M.
Tope, T.K.
Manohar, Sujata
Datar, Arvind P.

Constitutional Law
Constitutional Law of India
Constitutional Law of India
Constitution of India

LL.M. Semester-III
(Specialization: Human Rights Law)

(GROUP -D)

FL-LAW-CE- 319 A

Human Rights of Disadvantaged Groups : Children, Elderly Persons and Refugee

Course Objective

Human rights are the rights of all human beings. Violation of these rights is human rights violations. Due to frequent violations to particular groups in disadvantageous positions, new categories of human rights have emerged. These groups are of people such as women, children, prisoners and dalits. Violation of human rights of these groups is of great concern of every nation today. The officials of the state like the police force commit such violations. This is only an illustration. There are several other categories of violations. The two world wars had had enough of lessons to teach. But the present scenario shows that the nations have not learnt any lesson wars continue to be there. The International Humanitarian Law aims at humanising war though war itself is inhuman. Human rights do have value only in peace time. War is the negation of all human rights. Though the United Nations Charter does not permit war, it has shown the wisdom to regulate the war if one occurs.

War is one of the factors which creates the problem of refugees. There have been some endeavours on the part of the international community to protect the interests of refugees. But due to political interference, the formulation of the definition of the term 'refugee' in the 'Convention relating to the status of refugees' has been such that it helps the developed countries to shirk the responsibility towards the refugees leaving the burden to the developing countries.

Course Level Learning Outcomes:

The student shall be able

- (i) to equip the students with the awareness of the various problems of refugees
- (ii) to inspire them to critically evaluate the international conventions and national

legislation on refugees.

Unit - I

Concept of Disadvantaged Groups

Unit -II

Emerging Human Rights Jurisprudence and the Role of the Judiciary

Rights of the Child

Rights of Elderly Persons

Rights of Prisoners

Rights of dalits

The tribal and other indigenous people

The mentally ill

The stateless persons

The unorganized labour

Aids victims

Rights of minorities

Unit - III

Enforcement of Human Rights

Protection Laws of the Disadvantaged Groups : Problems and Issues

Future Perspectives of the Human Rights of the Disadvantaged.

Unit - IV

The Concept of refugee

Definition of refugee and displaced persons – their problems
The UN Relief and Rehabilitation Administration and other International Refugee organizations : international protection.
Protection under national laws.

Unit-V

Strategies to combat refugee problem
Repatriation, resettlement local integration and rehabilitation.
UNHCR- Role
UNHCR and India Select bibliography

Suggestive Readings :

G.S Bhargava and R.M.Pal, Human Rights of Dalit Societal Violation, (1999). Geraldine Van Bueren, The International Law on the Rights of the Child, (1998). Prabhat Chandra Tripathi, Crime Against Working Women, (1998).
Paras Diwan and Piyush Diwan, Women and Legal Protection Philip Aiston (et.al.), Children, Rights and the Law.
Kelly D. Askin, Doreen M. Koenig, Women and International Human Rights Law, (1999).
N.K.Chadrabarti, Juvenile Justice in the Administration of Criminal Justice, (1999).
Rebecca Wallace, International Human Rights, Text and Materials, (1997). Janaki Nair, Women and Law in Colonial India, (1996).
Simon Creighton, Vicky King, Prisons and the Law, (1996). Select bibliography
B.S.Chimni, International Refugee Law, (2000).
Jean Yves Calier, Who is a Refugee A Comparative Case Law Study, (1997) Kelly Dawn Askin, War Crimes Against Women, (1997).
M.K.Balachandran, Rose Varghese, Introduction to International Humanitarian Law, (1997).
Guy S. Goodwin-Gill, The Refugee in International Law, (1996).

LL.M. Semester-III
(Specialization: Business Law)
(GROUP-C)

Course Title : Criminal Justice System in India and Human Rights
Course Code : FL-LAW-CE- 319 B

Core Elective Courses

Course Objective:

The objective of this optional course is – To provide students an insight into the intricacies of human rights issues which are involved in the overall administration of criminal justice system in India. To make them understand various aspects of criminology, penology and victimology with reference to various vulnerable groups of society-children, women, aged persons SC/ST To acquaint the students with functionaries involved in administration of criminal justice-police, prosecution, judiciary and correctional agencies. To highlight current issues and debates regarding criminal justice administration and human rights

Course Level Learning Outcomes:

The student shall be able

- (i) understand relation between criminal justice administration and Human Rights
- (ii) to examine the reformatory aspects of prison in India

Unit I

Criminal Justice Administration and Human Rights, Protection of Human Rights Act, 1993, National Human Rights Commission-Constitution, Functions and Powers

Unit II

Objectives and Theories of Punishment, Capital Punishment, Sentencing Process and Policies

Unit III

Atrocities against vulnerable Groups, Terrorism and Human Rights, Custodial Violence and Reforms in Police System

Unit IV

Prison-Objectives and Problems and Prison Reforms, Rights of Prisoners -Women Prisoners, Problem of Under trials, Legal Aid

Unit V

Growth and Development of Victimology, Rights of Victims, Plea Bargaining

Suggestive Readings :

- Vibhute, K.I. : Criminal Justice-Perspectives of the Criminal Justice Process in India
Rao, Mamta : Law Relating to Women & Children (2005)
Srivastava, S.S. : Criminology & Criminal Administration (2007)
Srivastava, S.S. : Criminology, Penology & Victimology (2012)
Baxi, Uday : Law and Poverty: Critical Essays (1988)
Baxi, Uday : Taking, Suffering, Seriously: Social Action Litigation in India, ILI Journal (1993)
Chowdhury, Subrata Roy: Rule of Law in a State of Emergency (1989) Desai, A.R. (ed.)
Expanding Governmental Lawlessness and Organized
Struggles (1991)
Gaur, K.D. : Criminal Law: Cases & Materials (1999)
Kumar, Naresh : Constitutional Rights of Prisoners (1986)
Meagher, R. : Law and Social Change (1988)

- Phillipson, M. : Sociological Aspects of Crime & Deviance (1971)
- Rajgopal, P.R. : Violence and Response: A Critique of India Criminal Justice System (1988)
- Rajan, V.N. : Whither Criminal Justice Policy (1983)
- Roger Hood & others: Key issues in Criminology (1975)
- Rao, S. : Dynamics of Crime (1981)
- Siddique, A : Criminology (2009)
- Sen, Sankar : Human Rights in the Developing World (1995)
- Goswami, B.K. : A Critical Study of Criminology and Penology, Allahabad Law Agency, n.d.
- Sutherland, E.H. : Principles of Criminology, I.B. Lippincott Co., New York, 1939
- Sutherland & Cressey: Principles of Criminology, 6th ed., Philadelphia: Lippencott, 1960
- Ruth and Jorden Cavan : Delinquency and Crime, Cross Cultural Perspectives, Philadelphia: Lippencott, 1968
- Taft and England : Criminology, New York, 1964
- Wilson, J.Q. & Herrnstein, R. : Crime and Human Nature. New York: Simon and Schuster, 1985
- Barnes and Teeters : New Horizons of Criminology, 3rd Edition,
- N.d. Singh, Ujwal : Prisoners as Citizens (1996)
- Rao. S. Venu Gopal : Criminal Justice: Problems and Perspectives in India", Delhi, Konark Pub., 1991
- Ashutosh : Rights of Accused, Universal Law Publishing Co. Pvt. Ltd., New Delhi (2009)
- Crime in India : Annual Reports of National Crime Records Bureau, MHA, Govt. of India

LL.M. Semester-III
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-OE- 320 A
Science, Technology and Human Rights
Open Elective Course

Objectives of the course

We live in an era of scientific development. The alarming rate of development in biotechnology calls for drastic change in the law. Many concepts and terms have to be re-defined. The development in information technology poses serious problems and challenges. The rapid changes made by science and technology will have to be reflected in law to make it meaningful and realistic in the modern era. This course is intended to make students conscious of various legal problems arising due to developments in such areas as biotechnology and information technology and to identify the changes needed in the law.

Unit- I

Interrelationship of Science, Technology and Human Rights

Unit- II

Implication of Development of Science and Technology on Human Rights

Rights to environment in the development of science and technology

Right to development in the advancement of science and technology

Right to human health and impact of developments in medical sciences.

Unit- III

Medicine and the Law

Organ transplantation

Experimentation on human beings

Euthanasia (mercy killing)

Gene therapy

Unit- IV

Issues of Human Rights Ethics in Scientific and Technological Development

Sex determination test

Induced abortion

Reproductive technology

Cloning

Invitro fertilization

Artificial insemination

Surrogate motherhood

Unit- V

Development in information Technology and Human Rights

Impact of Scientific and Technological Progress on Human Rights :

Normative Response of the International Community

Right to life

Right to privacy

Right to physical integrity

Right to information

Right to benefit from scientific and technological progress

Suggestive Readings :

Right to adequate standard of living Levin L., Human Rights, (1982)

Gromley W.P., Human Rights and Environment, (1976) Madhavtirtha, Human Rights, (1953)

Beddard H., Human Rights and Europe, (1980)
 Swarup J., Human Rights and Fundamental Freedoms, (1975) Nagendra Singh, Human Rights and International Cooperation. (1969) Kashyap, S.C., Human Rights and Parliament, (1978)
 Khare S.C., Human Rights and United Nations, (1977) Moskowitz. Human Rights and World Order, (1958) Drost, Human Rights as Legal Rights, (1965)
 Garling M., Human Rights Handbook, (1979)
 Andrews J.A., Human Rights/n Criminal Procedure, (1982) Kalaiah A.B., Human Rights in International Law, (1986) Menon, I. (ed.), Human Rights in International Law, (1985)
 Robertson, A.B. (ed.), Human Rights in National and International Law, (1970)
 Lauterpacht, E., International Law and Human Rights, (1968)
 Robertson, E., Human Rights/n the World, (1972)
 Sohn, Lonis & Burgenthal, International Protection of Human Rights, (1973)
 Baxi, U., "Human Rights, Accountability and Development", Indian Journal of International Law, 279, (1978)
 Basu, D.D., Human Rights in Constitutional Law, (1994)
 Macfarlane, L.J., The Theory and Practice of Human Rights, (1985)
 Krishna Iyer, V.R., Human Rights - A Judge's Miscellany, (1995)
 Rama Jois, M., Human Rights: Bharatiya Values, (1998)

LL.M. Semester-III
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-OE- 320 B
Torture and Human Rights
Open Elective

Course Objectives :

The course will cover the historical development of torture, its absolute prohibition in various areas of international law, including international refugee law, international humanitarian law and international criminal law, prevention, prosecution of its perpetrators and reparation for its victims. The course provides an anatomy of torture as a human rights violation and the prohibition of torture in international and national law.

Course Level Learning Outcomes:

The student shall be able

- (i) to understand relationship between Torture and the violence, power
- (ii) to examine the functionary approach towards the history, contexts, methods, impacts of torture laws.

Unit- I

Concept of Torture and Kinds of Torture
Position of Torture in India
Judicial trends to protect Human Rights
Custodial Torture

Unit- II

UN Convention against Torture, 1984
UN Standard and Minimum Rules for Treatment of Prisoners

Unit-III

Role of Human Rights Institutions in Prevention of Torture

Unit- IV

Role of NGOs and other agencies in Prevention of Torture

Unit- V

Compensation and Social Rehabilitation of Victims of Torture.

LL.M. Semester-IV
(Specialization: International Law and Organization)
(GROUP-A)

Semester-IV (GROUP- A)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	International Organizations	FL-LAW-CC- 401	4	1	0	5 Credits
2	Law of Neutrality	FL-LAW-CC- 402	4	1	0	5
Core Elective Courses						
3	International Environmental Law and Sustainable Development OR Dissertation/Project/Case Study/ *	FL-LAW-CE- 403 A	4	1	0	5
		OR FL-LAW-CE- 403 B	3*	1	1	5
4	Law of The Sea OR Refugee Law	FL-LAW-CE- 404 A	4	1	0	5
		OR FL-LAW-CE- 404 B				
Open Elective Course						
5	International Human Rights Standards OR International Criminal Law	FL-LAW-OE- 405 A	4	1	0	5
		OR FL-LAW-OE- 405 B				
			19*	5	1	25

LL.M. Semester-IV
(Specialization: International Law and Organization)

(GROUP-A)

FL-LAW-CC- 401

International Organization

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.

UNIT-II

Law creating processes including Resolutions and Declarations of the General Assembly and Specialized Agencies. Secretary General of the United Nations. U.N. peacemaking function keeping force – case studies. Problems of peace enforcement.

UNIT-III

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.

UNIT-IV

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-V

Peaceful change through United Nations settlement mechanism of the United Nations. The role of ECOSOC in bringing about peaceful change. UN operational programmes in the social and economic field.

Suggested Readings

CDC Report, Report 2001, p 210.

LL.M. Semester-IV
(Specialization: International Law and Organization)

(GROUP-A)

Law of Neutrality

FL-LAW-CC- 402

Unit-I

Neutrality : Meaning, Development, Neutrality under U.N. Charter, Kinds of Neutrality,
Distinction between Neutrality and Neutralization

Unit- II

Right to Angary

Development of Law Relating Right to Angary

Essential Elements and Limitations of Right to Angary

Unit-III

Contraband and Doctrine of Continuous Voyage

Kinds of Contraband

Doctrine of Continuous Voyage

Consequences of carriage of contraband of war

Unit- III

Blockade Meaning and definition

Essential elements of blockade

Violation of Blockade

Consequences of violation of blockade

Strategic and commercial blockade

Unit-IV

Unneutral Service and Right of Visit and Search

Distinction between unneutral service and contraband

Right to visit and search

Unit- V

Prize Court

Nature, Jurisdiction, Law applied by Prize Court, Ransom of Prize, Loss of Prize

Suggestive Readings :

LL.M. Semester-IV
(Specialization: International Law and Organization)

(GROUP-A)

International Environmental Law
and Sustainable Development

FL-LAW-CE- 403 A

Unit-I

International Concern for Environment Protection

World environment movement

Natural and cultural heritage

Role of international and regional organizations

International Law and Policy of Environment

State sovereignty versus environmental obligations.

International Conference on Environment

Customary International Environmental Law

Treaties relating to protection of environment

Unit-II

Marine Environment

Marine resources: conservation and exploitation

Scientific research and exploration

Antarctic environment

International Seabed Authority

Pollution from ships

Dumping of oil and other wastes into the sea

Unit- III

Trans-boundary Pollution Hazards

Oil pollution

Nuclear fall outs and accidents

Acid rain

Chemical pollution

Green house effect

Depletion of ozone layer

Space pollution

Unit- IV

State responsibility for environmental pollution.

Control of Multinational Corporations and Containment of Environmental
Hazards

Problems of liability and control mechanisms

Disaster management at international level

Monopoly of biotechnology by MNCs

Disposal and Dumping of Hazardous Wastes: Transnational Problem and Control

Suggestive Readings :

Priya Kanjan Trivedi, International Environmental Laws (1996), A.P.H. Publishing Corporation, New Delhi

Sir Elworthy and Jane Holder, Environmental Protection: Text and Materials (1997), Butterworths

Nathali L.T.J. Horbach, Contemporary Developments in Nuclear Energy Law (1999), Kluwer.

Henric Ringborn (ed.), Competing Norms in the Law of Marine Environmental Protection (1997), Kluwer.

Claus Bossehmman and Benjamin J. Richardson, Environmental Justice and Market Mechanism (1999)

Jean-Pierre Beurier, New Technologies and Law of Marine Environment (2000),

Kluwer. Richard L. Reversz et.al. (eds.) Environmental Law, the Economy and Sustainable Development (2000), Cambridge.

Davor Vidas, Protecting the Polar Marine Environment (2000) Cambridge.

Aynsley Kellor, International Toxic Risk Management (1999), Cambridge.

Zhiguo Gao, Environmental Regulation of Oil and Gas (1998), Kluwer.

Indian Law Institute, Legal Control of Environmental Pollution (1980)

Varshney, C.K. (ed.), Water Pollution and Management (1983), Wiley Eastern, New Delhi

World Commission on Environment and development, Our Common Future (1987), Oxford

British Institute of International and Comparative Law, Selected Documents on

International Environmental Law (1975), London Standing Committee on Environmental Law American Bar Association, Common

Boundary/Common Problems: The Environmental Consequences of Energy Production (1982)

J.M. Spector, "Elephants, Donkeys and other Creatures? Presidential Election Cycles and International Law of the Global Commons" 15 AM. U. INT'L L. Rev. 5, pp 976-1038 (1999)

LL.M. Semester-IV
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-CE- 403 B
Dissertation/Project/Case Study*
Core Elective Courses

1. **General Course Information:** The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is a **Core course Paper** for **all students**. This course will be taught in IV Semester for the Degree of Master of Laws in the program.

2. **Objectives of the Course:**

This course is to develop the research and writing skills the students.

3. **Outcome of the Course:** The student will-

- ☐ Critically read, understand and evaluate current literature in the discipline
- ☐ Integrate and synthesize ideas within the field
- ☐ Demonstrate comprehensive knowledge of the literature in the field
- ☐ Critically evaluate empirical evidence
- ☐ Demonstrate a comprehensive understanding of techniques critical to scholarship in the field
- ☐ Communicate clearly and effectively to specialist and non-specialist research.

Project Writing: 30%

Dissertation (End Semester Exam): 70%

4. **Evaluation Pattern of the Course**

The progress of the students will be assessed throughout the semester by their attendance, writing of project on given topic from the syllabus/current issues on any legal and human rights issues. Dissertation to be submitted by students will be evaluated by external examiners.

LL.M. Semester-IV
(Specialization: International Law and Organization)

(GROUP-A)
Law of The Sea
FL-LAW-CE- 404 A

Unit-I

Historical Introduction : Contributions of Seldon, Grotius, Bynkershoek and others; to development of the early law; the Anglo Norwegian Fishers Case and its aftermath; the technological revolution and the utilization of the new resources of the sea; population explosion and its impact on the law, the U.N. conference on the law of the sea; Developing nations and the uses of the sea. New resources of the sea and its impact on the Law.

Unit-II

Changing Concepts of Maritime Frontiers : territorial waters and contiguous zone, continental shelf; Rights of States over, exclusive economic zone. Principles for determination of maritime frontiers and maritime boundaries under the customary and Conventional law.

Unit- III

Exploitation of Deep Sea – Bed Resources : International Sea Bed authority, its functions and powers; Decision making; settlement of disputes, principles governing joint ventures; transfer of data and training of personnel of the authority problems and perspectives.

Unit- IV

Conservation of living Resources: Problems of Maritime Pollution.

Land Locked states and sea as common heritage of mankind : the future of the Law of the Sea

Unit-V

International Sea tribunal to settle Disputes.

Select bibliography

Orrego Vicuna, The Changing International Law of the High seas Fisheries (1999), Cambridge

Ian Brownlie, Principles of Public International Law (1998), Clarendon press, Oxford.

P. Chandrasekhara Rao, The New law of Maritime Zones(1983) Miling Publications, New Delhi

Samir Mankababy, The International Shipping Rules (1986), Croom Helm, London Nagendra Singh, International Maritime law Conventions, Vol.1 Navigation (1983) Stevens & Maxwell, London.

Myron H. Nordquist and John Norton Moor (eds.), Ocean Policy - New Institutions, Challenges and Opportunities (1999), Kluwer

R.P. Anand, Law of the Sea,. Caracas and beyond (1978)

D.W. Bowett, Law of the Sea

D.W. Bowett, Legal Regime of Islands in International Law

John Colombos, International Law of The Sea (1962)

J.H. Hargrove, Who Protects the Ocean: Environment and the Development of the Law of the Sea

Devendra Kaushik, Indian Ocean Towards a Peace Zone (1983)

Myres S. McDougal and W. Burke, The Public Order of the Oceans (1962)

D.P. PConnel, International Law of the Sea, Vols. 1 & 11 (1982)

LL.M. Semester-IV
(Specialization: International Law and Organization)

(GROUP-A)
FL-LAW-CE- 404 B
Refugee Law

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,

Unit-V

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).

LL.M. Semester-IV
(Specialization: International Law and Organization)
(GROUP-A)
FL-LAW-OE- 405 A
International Human Rights Standards

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

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.

Unit-III

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-IV

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-V

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.,

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).

LL.M. Semester-IV
(Specialization: International Law and Organization)
(GROUP-A)
FL-LAW-OE- 405 B
International Criminal Law

Unit-I

Meaning, Concept, Objectives and Sources of International Criminal Law
The Principle of *Nullum Crimen, Nulla Poena Sine Lege* in International Criminal Law
Genocide Convention

Unit-II

History of International Criminal Prosecutions: Nuremberg and Tyyko Trials
Ad hoc International Criminal Tribunals: Yugoslavia and Rwanda
Other Courts with International Elements
Issues relating to Jurisdiction including National Prosecutions of International Crimes

Unit-III

Rome Statute of the International Criminal Court:
Establishment of the Court Composition and Administration of Court

Unit-IV

General Principles of Criminal Law Jurisdiction,
Admissibility and Applicable Law Investigation and Prosecution, Trial Penalties and Appeal
and Revision
International Cooperation and Judicial Assistance
Enforcement

Unit-IV

Transitional Crimes, Aggression, Torture
Relationship between National and International
Systems International Terrorism
The future of International Criminal Law

Suggested Readings

1. Antonio Cassese, Paolo Gaeta and John R.W.D. Jones (Eds.), The Rome Statute of the International Criminal Court: A Commentary (Oxford, 2002): Cassese, Commentary.

2. Jose Doria, Hans-Peter Gasser and M. Cherif Bassiouni (Eds), *The Legal Regime of the International Criminal Court: Essays in Honour of Professor Igor Blishchenko* (Leiden, 2009): Doria, Legal Regime.
3. Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law* (Cambridge, 2000), Vol. I: Henckaerts and Doswald-Beck, ICRC Customary Law.
4. Roy Lee (ed.), *The International Criminal court – The Making of the Rome Statute: Issues, Negotiations, Results* (The Hague, 1999): Lee, *The Making of the Rome Statute*.
5. Roy Lee et al. (eds.), *The International Criminal Court – Elements of Crimes and Rules of Procedure and Evidence* (New York, 2001): Lee, *Elements and Rules*.
6. Goran Sluiter and Sergey Vasiliev (Eds.), *International Criminal Procedure: Towards a Coherent Body of Law* (London, 2009): Sluiter and Vasiliev, *International Criminal Procedure*.
7. Carsten Stahn and Goran Sluiter (Eds.), *The Emerging Practice of the International Criminal Court* (Leiden, 2009): Stahn and Sluiter, *Emerging Practice*.
8. Otto Triffterer (Ed.), *Commentary on the Rome Statute of the International Criminal Court: Observers' Notes*, 2nd Edn., (Munich/Oxford/Baden-Baden, 2008): Triffterer, *Observers' Notes*.
9. Robert Cryer, Hakan Friman, Darryl Robinson, Elizabeth Wilmschurst, *An Introduction to International Criminal Law and Procedure*, 2nd Edition (Cambridge University Press, First Asian Edition, 2011).

LL.M. Semester-IV
(Specialization: Criminal Law)
 (GROUP- B)

Semester-IV (GROUP- B)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Cyber Crime and Investigation Procedures	FL-LAW-CC- 406	4	1	0	5 Credits
2	Privileged Class Deviance	FL-LAW-CC- 407	4	1	0	5
Core Elective Courses						
3	Penology and Victimology OR Dissertation /Project/Case Study*	FL-LAW-CE- 408 A	4	1	0	5
		OR				
		FL-LAW-CE- 408 B	3*	1	1	5
4	ELEMENTS OF CRIMNIAL PROCEDURE AND PROOF IN CRIMINAL TRIALS OR FORENSIC MEDICINE AND TOXICOLOGY	FL-LAW-CE- 409 A OR FL-LAW-CE- 409 B	4	1	0	5
Open Elective Course						
5	Law and Organized Crime OR Crime and Information Technology Law	FL-LAW-OE- 410 A OR FL-LAW-OE- 410 B	4	1	0	5
			19*	5	1	25

LL.M. Semester-IV
(Specialization: Criminal Law)
(GROUP- B)
FL-LAW-CC- 406
Cyber crime and investigation procedures

Unit- I

Cyber Forensic and Computer Crimes and types. Crimes targeting Computers: Definition of Cyber Crime & Computer related Crimes, Classification & Differentiation between traditional crime and cyber crimes.

Unit- II

Reasons for Cyber Crimes.

Cyber Criminal Mode and Manner of Committing Cyber Crime

Prevention of Cyber Crimes & Frauds Critical analysis & loop holes of The IT Act, 2000

Cyber Crimes: Freedom of speech in cyber space & human right issues

Unit- III

Investigation of Cyber Crimes

Investigation of malicious applications

Agencies for investigation in India, their powers and their constitution as per Indian Laws

Procedures followed by First Responders;

Unit- IV

Search and Seizure Procedures of Digital Evidence

Securing the Scene , Documenting the Scene, Evidence Collection and Transportation

Digital Forensics

Electronic / Digital Evidence laws & cases Laws

Unit- V

International Organizations and Their Roles

(a) ICANN

(b) URDP

(c) WTO and TRIPS

(d) Interpol & Europol

(e) Impact of Cyber warfare on Privacy Identity

(f) Net Neutrality and EU Electronic communication Regulatory framework

(g) WCAG

(h) Social Networking sites Vis – a – Vis Human Right

Case Laws : Indian & International Cases

LL.M. Semester-IV
(Specialization: Criminal Law)
(GROUP- B)
FL-LAW-CC- 407
Privileged Class Deviance

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 focusses 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. Syllabus
 - 1. Conceptions of whitecollar crimes and class deviance
 - a. Indian approaches to socio economic offences.
 - b. Conception of white collar crime; notions of privileged class deviance as providing a wider categorization of understanding Indian development.
 - c. Typical forms of deviance : Official deviance (by legislators, judges/ bureaucrats); Professional deviance (journalists, doctors, teachers, lawyers, engineers, architects, publishers); Trade Union deviance (including lawyers, urban property owners); Landlord deviance (class/caste based deviance); Police deviance; Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices).
 - d. Gender-based aggression by socially, economically and politically powerful
 - 2. Official Deviance
 - a. Concept of Official deviance : permissible limit of discretionary power.
 - b. The chambal valley dacoit, Vinoba Mission and Jai Prakash Narain Mission – in 1959 and 1971
 - c. The Chagla Commission Report on LIC- Mundhra Affair; The Das Commission Report on Pratap Singh Kairon
 - d. The Grover Commission Report on Dev Raj Urs; The Maruti Commission Report; the Ibakkar Natarajan Commission Report on Fair fax.
 - 3. Police Deviance and professional Deviance

- a. Structures of legal restraint on police powers in India; unconstitutionality of third degree methods and use of fatal force by police.
 - b. Police atrocities; encounter killings; plea of superior order; Rape and related forms of gender based aggression by police and para military forces.
 - c. Reform suggestions especially by National Police Commission.
 - d. Unethical practices at the Indian Bar; Medical malpractice.
 - e. The Lentin Commission Report; the press council on unprofessional and unethical journalism.
4. Response of Indian legal Order to the Deviance of Privileged Classes
 - a. Vigilance Commission;
 - b. Public Accounts Committee
 - c. Ombudsman; Commissions of Enquiry
 - d. Prevention of corruption Act, 1947
 - e. The Antulay Case Select bibliography
- Upendra Baxi, The Crisis of the Indian Legal System (1982) Vikas Publishing House, New Delhi,
- Upendra Baxi (ed.), Law and Poverty: Essays (1988)
- Upendra Baxi, Liberty and Corruption: The Antulay Case and Beyond (1989) Surendranath Dwivedi and G.S. Bhargava, Political Corruption in India (1967) AR. Desai (ed.) Violation of democratic Rights in India (1986)
- A. G. Noorani, Minister's Misconduct (1974)
- B.B. Pande, 'The Nature and Dimensions of Privileged Class Deviance' in The Other Side of Development 136 (1987; KS. Shukla ed.).
- Indira Rothmann, "Patterns of Trade Union Leadership in Dhanbad Coal fields 23 J.I.L.I (1981)

LL.M. Semester-IV
(Specialization: Criminal Law)
(GROUP- B)

FL-LAW-CE- 408 A

Penology & Victimology

This course offers a specialist understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications and the problematic of discretion in the sentencing experience of the developing societies, a focus normally absent in law curricula so far. The expert work of the U.N. Committee on Crime Prevention and Treatment of Offenders will be availed of in this course. Especially, at each stage, the three D's will be explored as offering a range of alternatives: decriminalisation, dependization, deinstitutionalization. Broadly, the course will concern itself with:

- (a) Theories of Punishment
- (b) Approaches to Sentencing
- (c) Alternatives to Imprisonment
- (d) The State of Institutional Incarceration in India: Jails and other custodial institutions
- (e) The problematic of Capital Punishment
- (f) Penology in relation to privileged class deviance
- (g) Penology in relation to marginalized deviance or criminality
- (h) The distinctive Indian (historical and contemporary) approaches to penology

Penology and Victimology

- 1. Penology and Theories of Punishment
 - a. Definition of Penology
 - b. Theories of Punishment : Retribution, Utilitarian Prevention- Deference, Utilitarian : Intimidation, Behavioural Prevention : Incapacitation, Rehabilitation, Expiation
 - c. Classical Hindu and Islamic approaches to Punishment
 - d. Capital Punishment – Its Constitutionality, Problems related to capital punishment, Judicial attitude in India towards Capital punishment- An inquiry through the statute Law and case law.
 - e. Law Reforms Proposals
- 2. Approaches to sentencing
 - a. Alternatives to Imprisonment, Probation
 - b. Corrective labour
 - c. Fine ; Collective fines
 - d. Reparation by the offender/by the court
- 3. Sentencing
 - a. Types of sentences – Indian Penal code and Special Laws
 - b. Sentencing in white collar crimes
 - c. Pre-sentence hearing ; Summary punishment
 - d. Sentencing for habitual offender
 - e. Plea Bargaining
- 4. Imprisonment

- a. Rights of prisoners and duties of custodial staff, deviance by custodial staff
 - b. State of Jails in India today; Disciplinary regime of Indian Prisons
 - c. Classification of Prisoners
 - d. Open Prisons
 - e. Judicial Surveillance, basis, development, reforms
 - 5. Victimology
 - a. Victims of Crime
 - b. Compensation to victims under Cr.P.C. and other statutes
 - c. Compensation under Public Law Remedy Select bibliography
- S. Chhabbra, The Quantum of Punishment in Criminal Law (1970),
 H. L.A. Hart, Punishment and Responsibility (1968) Herbert L. Packer, The Limits of Criminal Sanction (1968) Alt Ross, On Guilt, Responsibility and Punishment (1975)
 A. Siddique, Criminology(1984) Eastern, Lucknow.
 Law Commission of India, Forty-Second Report Ch. 3 (1971)
 K.S. Shukia, "Sociology of Deviant Behaviour" in 3 ICSSR Survey of Sociology and Social Anthropology 1969-179 (1986)
 Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R.Campray & Co., Calcutta.

LL.M. Semester-IV
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-CE- 408 B
Dissertation/Project/Case Study*
Core Elective Courses

5. **General Course Information:** The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is a **Core course Paper** for **all students**. This course will be taught in IV Semester for the Degree of Master of Laws in the program.

6. **Objectives of the Course:**

This course is to develop the research and writing skills the students.

7. **Outcome of the Course:** The student will-

- ☐ Critically read, understand and evaluate current literature in the discipline
- ☐ Integrate and synthesize ideas within the field
- ☐ Demonstrate comprehensive knowledge of the literature in the field
- ☐ Critically evaluate empirical evidence
- ☐ Demonstrate a comprehensive understanding of techniques critical to scholarship in the field
- ☐ Communicate clearly and effectively to specialist and non-specialist research.

Project Writing: 30%

Dissertation (End Semester Exam): 70%

8. **Evaluation Pattern of the Course**

The progress of the students will be assessed throughout the semester by their attendance, writing of project on given topic from the syllabus/current issues on any legal and human rights issues. Dissertation to be submitted by students will be evaluated by external examiners.

LL.M. Semester-IV
(Specialization: Criminal Law)

(GROUP- B)
FL-LAW-CE- 409 A
**ELEMENTS OF CRIMINAL PROCEDURE AND PROOF IN CRIMINAL
TRIALS**

Unit - I

The Criminal Procedure Code:

General including classification of Criminal cases- Summary-
Warrant-bailable-Non Bailable, Cognisable, Non-Cognisable,

Unit- II

Constitution and Jurisdiction of Courts : Complaint & F. I. R.
case :

Unit- III

Investigation Procedure : Framing of Charges

Unit- IV

Trial Procedure; Security for Keeping Peace.

Unit- V

The Indian Evidence Act : Sections

- | | | | |
|-------|---|---|------------------|
| i. | Burden of Proof | - | 101-106 |
| ii. | Confession | - | 24-30 |
| iii. | Presumption | - | 114 |
| iv. | Accomplice | - | 133 |
| v. | Relevancy | - | 5, 11, 14,
15 |
| vi. | Character Evidence | - | 52-55 |
| vii. | Expert Witnesses | - | 45, 46, 51 |
| viii. | Examination in Chief
& Cross Examination | - | 145, 153 |

BOOKS RECOMMENDED FOR PAPER VI

1. Ratan Lal : Criminal Procedure Code
2. Ganguly, A.C. : A Guide to Criminal Code Practice
3. Tiwari Y.K. - Cr.P.C. (Hindi)
4. Jain P.C. - Cr.P.C. (Hindi)
5. M.D. Chaturvedi - Cr.P.C. (Hindi)
6. Ratan Lal - The Law of Evidence
7. Batuk Lal - Law of Evidence
8. Vepa P. Sarathi - Law of Evidence
9. Raja Ram Yadav - Law of Evidence (Hindi)
10. Shyam Sunder Sharma - Law of Evidence (Hindi)

LL.M. Semester-IV
(Specialization: Criminal Law)
(GROUP- B)

FL-LAW-CE- 409 B

FORENSIC MEDICINE AND TOXICOLOGY.

Unit- I

1. INJURIES : (HURT)-
 - a. Definition in law : Simple and hurt grievous hurt (SS. 319 and 320 IPC)
 - b. Classification.
 - c. Cardinal fractures of different types of injuries.
 - d. Age of injuries.
2. BURNS & SCARS.
 - a. Classification of burns (Depurants).
 - b. Causes of death after burns.
 - c. Simple and grievous burns.
 - d. Area of the body surface in burns and its relationships.
 - e. Ante-mortem and post-mortem burns.
3. ASHPYXIA AND DROWING
 - a. Cause of asphyxia, post-mortem appearances.
 - b. Various types of violent asphyxia deaths like hanging. Strangulation, throttling and traumatic asphyxia, and the post mortem appearances commonly seen in these conditions.
 - c. Drowning- Cardinal post-mortem signs.
 - i. Cadaveric apasm of hands.
 - ii. Signs in the air passages.
 - iii. Stomach contents.
 - iv. Signs in the lungs.
 - v. Demonstration of diatoms in the viscera.

Unit- II

SEXUAL OFFENCE:

- a. Rape :
 - i. Definition (See 375 I. P. C.)
 - ii. Examination of victim- Anatomy of hymen.
 - iii. Positive signs of rape.
 - iv. Examination of the accused.
 - v. Medico-legal aspects.
- b. Sodomy:
 - i. Examination of the victim.
 - ii. Signs in the habitual passive agent.
 - iii. Examination of the accused.

Unit- III

AUTOPSY:

- a. Procedure- Aims & Objects- Difficulties.
- b. Problems:

- i. Time since death- Description of post-mortem changes. Estimation of time since death from rigor post-mortem staining, putrefaction, adipocere formation nummification changes in the eyes, skin, primary and secondary relaxation. In drowning cases from floatation of the body. In dead bodies after burial. From the degree of digestion of stomach contents. From the change in the cerebro spinal fluid and the marrow cells of the sternum.
 - ii. Cause and manner of a death.
 - iii. Ante mortem or post-mortem injuries.
 - iv. Examination of human remains skeletal and mutilated remains.
- Establishment of age, Sex and Stature for the purpose of identity.
- c. Infanticide : Definition dead born, still-born viable foetus, criteria for separate existence.
 - d. Exhumation : Rules and Procedure.
6. EXAMINATION OF BLOOD STAINS
- Physical, Chemical & Serological. Blood grouping and its basic principles.

Unit- IV

INSANITY:

Definition (See 84 IPC)

Concept - classification- Legal test of insanity. Observation of an alleged lunatic- Restraint of the insane. Civil and criminal responsibility of a lunatic. Testamentary capacity, Reception order on petition.

Unit- V

POISONS :

Classification of poisons. Diagnosis of poisoning. Examination of poisoning case. Brief Toxicology of the following common poisons- Opium. Dhatura barbivariates. Cannabis India. Arsenic Copper Sulphate, Lead. Strychnine, Cocaine, Alcohol. Organo Phosphorus Compounds. Carbonmonoxide, Hydrocyanic Acid, Pot, Cyanide, Phosphorus, Snake bite.

INTOXICATION:

Definition (See 85 & I.P.C.) regarding alcoholic intoxication. Alcohol, ganja, bhang, dhatura, opium, morphine.

BOOKS RECOMMENDED FOR PAPER IV AND V

1. Modern Criminal Investigation: Harry Soderman and John J. O'Connell (Published by Funk & Wagnalls Co. Inc. New York).
2. Criminal Investigation : Paul L. Kirk, Ph. D. (Published by Inter Science Publishers, Inc. New York)
3. Criminal Investigation : Cr. A and cross. (Published by Sweet & Maxwell. Limited London).
4. Police Act (Act V of 1861).
5. Rajasthan habitual Offender Act.
6. Rajasthan Police Regulation (for Reference Purpose only).
7. Downen, T. A. : Text Book of Forensic Pharmacy:
8. Gour, A. N. Fire Arms, Forensic Ballistics. Forensic Chemistry and Criminal Jurisprudence.

9. Lucas A: Forensic Chemistry and Scientific Criminal Investigation.
10. Lundquist F: Methods of Forensic Science (Vol I).
11. Moreland N: Science in Crime detection illustrated.
12. Swipson F. Forensic Medicine.
13. Modi, J. P: Medical Jurisprudence and toxicology.\

LL.M. Semester-IV
(Specialization: Criminal Law)
(GROUP- B)
FL-LAW-OE- 410 A
LAW AND ORGANIZED CRIME

Unit- I

Conception - reasons for Organized Crimes - State sponsored Crimes - International Crime syndicate

Drug Addiction - trafficking - narcotics substances - National and International Approaches to Drug Abuse - IPC provisions - Narcotic Substances Act 1985

Unit- II

Prostitution - Causes and concerns - International responses Prevention of Immoral Activities Act - IPC - Cyber prostitution - Internationalization of flesh trade

Collective Violence - Naxal problems - causes and concerns- tribal rebellion - Dalit struggle - Atrocities - Telangana struggle

Unit - III

Violence against Women - Domestic violence - Workplace violence - male dominated atrocities

Unit- IV

Communal violence in India, background, reasons, solutions, problems in the Legal system-role of police and operation of criminal justice system - Godhra - finding of various commission reports

Unit- V

Politically Organized Crimes - During the Cold War Period - LTTE raise to political outfit - Terrorism - challenges

Suggested Readings:

- | | |
|------------------|---|
| 1. U Baxi | Dissent, Development and Violence' in R Meagher [ed.] Law and Social Change: Indo American Reflection 92 [1988] |
| 2. U. Baxi [ed.] | Law and Poverty: Critical Essays [1988] |
| 3. R Desai [ed.] | Peasant Struggles in India, [1979] |
| 4. R Desai | Agrarian Struggles in India : After Independence [1986] |
| 5. R Desai | Violation of Democratic Rights in India [1986] |

LL.M. Semester-IV
(Specialization: Criminal Law)
(GROUP- B)
FL-LAW-OE- 410 B
Crime and Information Technology Law

Unit- I

Evolution of the IT Act, Genesis and Necessity

Salient features of the IT Act, , various authorities under IT Act and their powers. ; Penalties & Offences, amendments.

Unit- II

Impact on other related Acts (Amendments) :

- (a) Amendments to Indian Penal Code.
- (b) Amendments to Indian Evidence Act.
- (c) Amendments to Bankers Book Evidence Act.
- (d) Amendments to Reserve Bank of India Act.

Cyber Space Jurisdiction

- (e) Jurisdiction issues under IT Act,.
- (f) Traditional principals of Jurisdiction
- (g) Extra terrestrial Jurisdiction
- (h) Case Laws on Cyber Space Jurisdiction

Unit-III

E – commerce and Laws in India

- (i) Digital / Electronic Signature in Indian Laws
- (j) E – Commerce; Issues and provisions in Indian Law
- (k) E – Governance; concept and practicality in India
- (l) E – Taxation issues in Cyberspace
- (m) E – Contracts and its validity in India
- (n) Cyber Tribunal & Appellate Tribunal
- (o) Cyber Regulations

Unit- V

Intellectual Property Rights, Domain Names and Trademark Disputes

Concept of Trademarks / in Internet Era

Cyber Squatting

Reverse Hijacking

Jurisdiction in Trademark Disputes

Copyright in the Digital Medium

Copyright in Computer Programmes

Copyright and WIPO Treaties

Concept of Patent Right

Relevant Provisions of Patent Act 1970

Sensitive Personal Data or Information (SPDI) in Cyber Law

SPDI Definition and Reasonable Security Practices in India

Reasonable Security Practices – International perspective

Cloud Computing & Law

Unit-V

Cyber Law : International Perspective

EDI: Concept and legal Issues.

UNCITRAL Model Law.

Electronic Signature Law's of Major Countries

Cryptography Laws

Cyber Law's of Major Countries

EU Convention on Cyber Crime

LL.M. Semester-IV
(Specialization: Business Law)
 (GROUP- C)

Semester-III (GROUP- C)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Corporate Finance	FL-LAW-CC- 411	4	1	0	5 Credits
2	Insurance Law	FL-LAW-CC- 412	4	1	0	5
Core Elective Courses						
3	Competition Law OR Dissertation/Project/Case Study*	FL-LAW-CE- 413 A OR	4	1	0	5
		FL-LAW-CE- 413 B	3*	1	1	5
4	Law Relating to Consumer Protection OR Law Relating to Multi-National Corporations	FL-LAW-CE- 414 A OR FL-LAW-CE- 414 B	4	1	0	5
Open Elective Course						
5	Corporate Governance OR E-commerce	FL-LAW-CE- 415 A OR FL-LAW-CE- 415 B	4	1	0	5
			19*	5	1	25

LL.M. Semester-IV
(Specialization: Business Law)
(GROUP- C)
FL-LAW-CC- 411
Corporate Finance

Industrialisation has played, and has to play, a very vital role in the economic development of India. In the post independent era, industrial development is regarded, and hence employed, as principal means in the strategy for achieving the goal of economic and social justice envisioned in the Constitution. Corporations, both public and private, are viewed as a powerful instrument for development. In a developing society like India enormous varieties of consumer goods are manufactured or produced. Obviously, the situation raises the issues of procuring, utilising and managing the finances. For this purpose a science of financial management techniques has been evolved. The faculties of commerce, business and management studies have since last decades started to impart instruction so as to turn out sufficiently well equipped and adequately trained financial personnel. However, the legal and juristic aspects of corporate finance have been more or less not effectively taken care of.

In view of the above perspectives the broad objectives of this cause may be formulated as follows :

- (i) To understand the economic and legal dimensions of corporate finance in the process of industrial development in establishing social order in the context of constitutional values
- (ii) To acquaint the students with the normative, philosophical and economic contours of various statutory rules relating to corporate finance
- (iii) To acquaint the students with the organisation, functions, lending, and recovery procedures, conditions of lending and accountability of international, national and state financing institutions and also of commercial banks; and
- (iv) To acquaint the students with the process of the flow and outflow of corporate finance.

- 1. Introduction
 - a. Meaning, importance and scope of corporate finance
 - b. Capital needs-capitalization working capital-securities borrowings- deposits debentures
 - c. Objectives of corporation finance-profit maximization and wealth maximization
 - d. Constitutional perspectives- the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85 and 86 of List 1 Union List entry 24 of List 11- State List
- 2. Equity Finance
 - a. Share Capital
 - b. Prospectus information disclosure
 - c. Issues and allotment
 - d. Shares without monetary consideration

- e. Non-opting equity share
- 3. Debt Finance
 - a. Debentures
 - b. Nature, issue and class
 - c. Deposits and acceptance
 - d. Creation or charges
 - e. Fixed and floating charges
 - f. Mortgages
 - g. Convertible debentures
- 4. Conservation of Corporate Finance
 - a. Regulation by disclosure
 - b. Control on payment of dividends
 - c. Managerial remuneration
 - d. Payment of commissions and brokerage
 - e. Inter corporate loans and investments
 - f. pay back of share
 - g. other corporate spending
- 5. Protection of creditors
 - a. Need for creditor protection
 - b. Preference in payment
 - c. Rights in making company decisions affecting creditors interests
 - d. Creditors self protection
 - e. Incorporation of favourable terms in lending contracts
- f. Right to nominate directors
- g. Control over corporate spending
- 6. Protection of Investors
 - a. Individual share holder right
 - b. Corporate membership right
 - c. Derivative actions
 - d. Qualified membership right
 - e. Conversion, consolidation and re organizations of shares
 - f. Transfer, and transmission of securities
 - g. Dematerialization of securities
- 7. Administrative Regulation on Corporate Finance
 - a. Inspection of accounts
 - b. SEBI
 - c. Central government control
 - d. Control of registrar of companies
 - e. RBI control

Alastair Hundson, *The Law on Financial Derivatives* (1998), Sweet & Maxwell
 Ell's Ferran, *Company Law and Corporate Finance* (1999), Oxford.

Jonathan Charkham, *Fair shares: the Future of Shareholder Power and Responsibility* (1999), Oxford.

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.
 J.H. Farrar and B.M. Han niyan, Farrar's company Law (1998) Butterworths Austen R.P., The
 Law of Public Company Finance (1986) LBC
 R.M. Goode, Legal Problems of Credit and Security (1988) Sweet and Maxwell Altman and
 Subrahmanyam, Recent Advances in Corporate Finance (1985) LBC
 Gilbert Harold, Corporation Finance (1956) Henry E. Hoagland, Corporation Finance (1947)
 Maryin M. Kristein, Corporate Finance (1975)
 R.C. Osborn, Corporation Finance (1959)
 S.C. Kuchhal Corporation finance: Principles and Problems (6th ed. 1966)
 V.G. Kulkarni, Corporate Finance (1961)
 Y.D. Kulshreshta, Government Regulation of Financial management of Private Corporate
 Sector in India (1986)
 Journals - 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 and information technology.

LL.M. Semester-IV
(Specialization: Business Law)
(GROUP- C)

FL-LAW-CC- 412

Insurance Law

As early as in 1601 one finds an excellent exposition of the insurance idea expressed in these words of an Act of British Parliament the loss lighteth rather easily, upon many than heavily upon few. The insured person transfers from his own shoulders to the insurers, who, in return for agreeing to assume a potential risk of loss receive a payment known as premium. The insurers rely on the probability that only some of the losses, they insure against will in fact occur within any given period. They calculate, therefore, that they will be left with a profit. The insurer, on the other hand, is better able to risk his capital in trade since he knows that certain events which he cannot control, such as fire, shipwreck, will not cause him to lose his investment.

The insurance idea is an old-institution of transactional trade. The age old form of insurance was the marine insurance. There is nothing like disaster to set men's minds to work. Consequently, in due course of time fire and life insurance, made their appearance. Within the last hundred years the insurance principle is being extended wider. Today one finds insurance cover for accidents, motor vehicles, glass, live stock, crop, burglary and various other disasters.

Insurance is a device not to avert risks, calamities and disasters; but to mitigate their rigours and. financial losses. The function of insurance is to spread such loss arising from risks of life over a large number of persons

The Operational framework of insurance idea is provided by the general principles of contract. The insurance policy, being a contract, is subject to all the judicial interpretative techniques. Besides, the insurance idea has a compensatory justice component. This brings it in the arena of the law of tort as well. It is even suggested that a fully grown and developed law of insurance may, if not totally displace, decrease the significance of the law of tort.

This course is designed to acquaint the students with the conceptual and operational parameters of insurance law in the context of the development of the general principles of law and judicial interpretation to inform the students about the use of law for the establishment of just order in insurance and to develop the appreciative and evaluative faculties of the students.

Unit-I

1. Introduction

a. Nature of insurance contract, various kinds of insurance, proposal, policy, parties, consideration, need for utmost goodfaith, insurable interest and indemnity

b. Insurance policy, law of contract and law of torts-future of insurance: need, importance and place of insurance

c. Constitutional perspective – The entries 24, 25, 29, 30, 47 of List 1 Union List; 23, 24 of List III

Unit-II

General Principles of Law of Insurance

- a. Definition, nature and history
- b. The rise – commencement, attachment and duration
- c. Assignment and alteration
- d. Settlement of claim and subrogation
- e. Effect of war upon policies.
3. Indian Insurance Law : General
 - a. History and development
 - b. The Insurance Act 1938 and the Insurance Regulatory Authority Act 2000
 - c. Mutual insurance companies and cooperative life insurance societies
 - d. Double Insurance and re insurance
4. Life Insurance
 - a. Nature and scope
 - b. Event insured against life insurance contract
 - c. Circumstances affecting the risk
 - d. Amounts recoverable under life policy
 - e. Persons entitled to payment
 - f. Settlement of claim and payment of money
5. Marine Insurance
 - a. Nature and Scope
 - b. Classification of Marine policies

Unit-III

The Marine Insurance Act, 1963

- I. Marine Insurance
- II. Insurable interest, insurable value
- III. Marine insurance policy – condition-express warranties construction of terms of policy
- IV. Voyage-deviation
- V. Perils of the sea
- VI. Assignment of policy
- VII. Partial laws of ship and of freight, salvage, general average, particular charges
- VIII. Return of premium

Unit-IV

Insurance Against Accidents

The Fatal Accident Act, 1855 Object and reasons

Assessment of compensation Contributory negligence

Apportionment of compensation and liability

The personal Injuries (compensation Insurance) Act 1963 Compensation payable under the Act Compensation insurance scheme under the Act-Compulsory insurance

Insurance Against Third Party Risks

Unit-V

The Motor Vehicles Act, 1988

- I. Nature and Scope

- II. Effect of insolvency or death on claims of insolvency and death of parties, certificate of insurance
- III. Claims tribunal : constitution, function, application for compensation, procedure, powers and award
 - b. Liability Insurance
 - I. Nature and kinds of such insurance
 - II. Public liability insurance
 - III. Professional negligence insurance
- Miscellaneous Insurance Schemes : New Dimensions
 - a. Group life insurance
 - b. Mediclaim, sickness insurance

Suggestive Readings :

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

Banerjee, Law of Insurance (1994), Asia Law House, Hyderabad.

Mitra B.C, Law Relating to Marine Insurance (1997) Asia Law House, Hyderabad

JOB Gilmar and Mustifl, Arnold on the Law of Marine Insurance, (1981), Sweet & Maxwell

Birds, Modern Insurance Law (1997) Sweet & Maxwell

Colinvaux's Law of Insurance (1997), Sweet & Maxwell

OMary on Marine Insurance (1993), Sweet & Maxwell.

International Labour Office, Administration Practice of social Insurance (1985) ER. Hardy

Ivamy, 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)

Specialization: Business Law)

(GROUP- C)

FL-LAW-CE- 413 A

COMPETITION LAW

In the era of liberalized markets there has been a considerable awareness towards establishing the competitive process in developing economies such as India. Until recently most of the developing countries operated without a structured competition policy, and have justified the intervention by the state over economic activities. India owing to its WTO obligations enacted Competition Act, 2002. The course seeks provide fundamentals of market economy and extensive knowledge of application of competition policy in India. The course aims to study the developments of the policy of free and fair competition in India and analyze the legal developments, from MRTP to the Competition Act.

Unit I- History and Development of Competition Law

History and Development of Competition Law, Constitutional vision of Social Justice/ Socialism – Liberalization and Globalization; Raghavan Committee Report, Competition Act 2002; an Overview of Competition Law in India, Important Definitions under the Competition Act, 2002.

Unit II- Anti Competitive Agreements

Anti- Competitive Agreements under the Competition Act, 2002. Appreciable Adverse Effect on competition in the Market. Determination of Relevant Market – Rule of Reason and Per Se. Illegal rule – Horizontal and Vertical restraints, Exemption, Penalties, Prohibition of Anti- Competitive Agreements. Cartel- Predatory Pricing, bid rigging.

Unit III- Regulation of Abuse of Dominant Position and Regulation of Combinations

Introduction – Dominance in the Market – Relevant Market – Abusive Conducts under the Competition Act. 2002 – Penalties – Prevention of Abuse of Dominance. Combinations: Merger, Acquisition, Amalgamation and Takeover- Horizontal, Vertical and Conglomerate Mergers- Combinations covered under the Competition Act. 2002 – Regulations, Penalties.

Unit IV- Enforcement Mechanisms

Enforcement Mechanisms under the Competition Act. 2002 – Competition

Commission of India – Constitution of the CCI – Powers and Functions – Jurisdiction of the CCI adjudication and appeals- Director General of Investigation (DGI) – Competition Appellate Tribunal (CAT) – Enforcement Mechanisms.

Unit V- Competition Advocacy and Emerging Trends in Competition Law (National and International)

Competition Advocacy in India and other foreign jurisdictions, Intellectual Property Rights and Competition Law, International Trade Law and Competition Law.

Prescribed Readings:

1. Mittal D.P., Taxmann's Competition Law (2007) Universal Guide to Competition Law in India-2003, Universal Law Publishing Company, New Delhi.
2. Ramappa. T., Competition Law in India- Policy, Issues and Development *3rd ed.- 2013*, Oxford University Press, New Delhi
3. Ad iP.Talati and Nahar S. Mhala, Competition Act, 2002- Law, Practice And Procedure, Commercial Law Publishers (India) Pvt.Ltd. (2006)
4. Dr. V.K. Agarwal Competition Act, 2002 – Principles and Practices
5. Barry J Rodger and Angus MacCulloch, Competition Law And Policy In The EU And UK ,293-295, Cavendish Publishing Limited, 3rd ed. (2004)
6. Cedric Ryngert, Ec Competition Law Giorgio Monti, Cambridge University Press(2007)
7. M. Dugar, Commentary on MRTP Law, *Competition Law & consumer Protection Law*, *4th ed.* – 2006, Wadhwa Nagpur
8. Richard Whish, *Competition Law*, Oxford University press, 2008

Books prescribed for Reading

1. Majumdar A.K. 'Company Law and Practice (2010) 15th Edition, Taxmann's Publication (P)Ltd. New Delhi
2. Avtar Singh 'Company Law' (2017) 17th Edition; Eastern Book Company, Lucknow
3. Ramaiah A 'Guide to the Companies Act (1992) 12th Edition
4. Bhandari M.C. 'Guide to the Company Law (1994) 12th Edition
5. Gower L.G.B. "Principles of Modern Company Law", (London), Sweet and Maxwell, 2002
6. Palmer "Company Law" (London), Stevens.
7. Shah S.M. "Lectures on Company Law", 19th Edition (Bombay) N.M. Tripathi, 1990.
8. Larry Cata Backer, "Comparative Corporate Law in United States, European Union, China and Japan – Cases and Materials" (North Carolina) Carolina Academic Press(2006)
9. Ramaiya A., Guide to Companies Act, 17th edition, Lexis Nexis Butterworths Wadhwa, Nagpur (2010).
10. Agarwal & Baby, SEBI Act: A Legal Commentary on Securities & Exchange Board of India, Taxmann (2011).
11. Bhandari, M.C., Guide to Company Law Procedures, 20th Edition, Wadhwa (2007)
12. Dutta C. R., The Company Law, Lexis Nexis Butterworth's, 6th Edition, (2008)

LL.M. Semester-IV
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-CE- 413 B
Dissertation/Project/Case Study*
Core Elective Courses

9. **General Course Information:** The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is a **Core course Paper** for **all students**. This course will be taught in IV Semester for the Degree of Master of Laws in the program.

10. Objectives of the Course:

This course is to develop the research and writing skills the students.

11. Outcome of the Course: The student will-

- ☐ Critically read, understand and evaluate current literature in the discipline
- ☐ Integrate and synthesize ideas within the field
- ☐ Demonstrate comprehensive knowledge of the literature in the field
- ☐ Critically evaluate empirical evidence
- ☐ Demonstrate a comprehensive understanding of techniques critical to scholarship in the field
- ☐ Communicate clearly and effectively to specialist and non-specialist research.

Project Writing: 30%

Dissertation (End Semester Exam): 70%

Evaluation Pattern of the Course

The progress of the students will be assessed throughout the semester by their attendance, writing of project on given topic from the syllabus/current issues on any legal and human rights issues. Dissertation to be submitted by students will be evaluated by external examiners.

LL.M. Semester-IV
(Specialization: Business Law)
(GROUP- C)
FL-LAW-CE- 414 A
Law Relating to Consumer Protection

Unit -I

Consumer and Markets: Concept of Consumer, Nature of markets: Liberalization and Globalization of markets with special reference to Indian Consumer Markets, E-Commerce with reference to Indian Market, Concept of Price in Retail and Wholesale, Maximum Retail Price (MRP), Fair Price, GST, labeling and packaging along with relevant laws, Legal Metrology.

Experiencing and Voicing Dissatisfaction: Consumer buying process, Consumer Satisfaction/dissatisfaction- Grievances-complaint, Consumer Complaining Behaviour: Alternatives available to Dissatisfied Consumers; Complaint Handling Process: ISO 10000 suite

Unit - II

The Consumer Protection Law in India

Objectives and Basic Concepts: Consumer rights and UN Guidelines on consumer protection, Consumer goods, defect in goods, spurious goods and services, service, deficiency in service, unfair trade practice, restrictive trade practice.

Organizational set-up under the Consumer Protection Act: Advisory Bodies: Consumer Protection Councils at the Central, State and District Levels; Adjudicatory Bodies: District Forums, State Commissions, National Commission: Their Composition, Powers, and Jurisdiction (Pecuniary and Territorial), Role of Supreme Court under the CPA with important case law.

Unit- III

Grievance Redressal Mechanism under the Indian Consumer Protection Law

Who can file a complaint? Grounds of filing a complaint; Limitation period; Procedure for filing and hearing of a complaint; Disposal of cases, Relief/Remedy available; Temporary Injunction, Enforcement of order, Appeal, frivolous and vexatious complaints; Offences and penalties.

Leading Cases decided under Consumer Protection law by Supreme Court/National Commission: Medical Negligence; Banking; Insurance; Housing & Real Estate; Electricity and Telecom Services; Education; Defective Products; Unfair Trade Practices.

Unit- IV

Role of Industry Regulators in Consumer Protection

- i. Banking: RBI and Banking Ombudsman
- ii. Insurance: IRDA and Insurance Ombudsman

- iii. Telecommunication: TRAI
- iv. Food Products: FSSAI
- v. Electricity Supply: Electricity Regulatory Commission
- vi. Real Estate Regulatory Authority

Unit- V

Contemporary Issues in Consumer Affairs Consumer Movement in India: Evolution of Consumer Movement in India, Formation of consumer organizations and their role in consumer protection, Misleading Advertisements and sustainable consumption, National Consumer Helpline, Comparative Product testing, Sustainable consumption and energy ratings.

Quality and Standardization: Voluntary and Mandatory standards; Role of BIS, Indian Standards Mark (ISI), Ag-mark, Hallmarking, Licensing and Surveillance; Role of International Standards: ISO an Overview

Suggested Readings:

1. Khanna, Sri Ram, Savita Hanspal, Sheetal Kapoor, and H.K. Awasthi. (2007) Consumer Affairs, Universities Press.
2. Choudhary, Ram Naresh Prasad (2005). Consumer Protection Law Provisions and Procedure, Deep and Deep Publications Pvt Ltd.
3. G. Ganesan and M. Sumathy. (2012). Globalisation and Consumerism: Issues and Challenges, Regal Publications
4. Suresh Misra and Sapna Chadah (2012). Consumer Protection in India: Issues and Concerns, IIPA, New Delhi
5. Rajyalaxmi Rao (2012), Consumer is King, Universal Law Publishing Company
6. Girimaji, Pushpa (2002). Consumer Right for Everyone Penguin Books.
7. E-books :- www.consumereducation.in
8. Empowering Consumers e-book, www.consumeraffairs.nic.in
9. ebook, www.bis.org
10. The Consumer Protection Act, 1986 and its later versions.

LL.M. Semester-IV
(Specialization: Business Law)

(GROUP- C)
FL-LAW-CE- 414 B

LAW RELATING TO MULTI-NATIONAL CORPORATIONS

Unit-I

The Problems of Definition and various Legal Forms a MNC, The Regulation of MNEs through Company Law

Unit-II

Taxation Problems Associated with MNEs, International double Taxation, The Transfer Pricing Problem, The Indian Tax Law and the Incomes of Non-Resident Indians.

Unit-III

Domestic Laws on Foreign Shareholdings in National Companies: The Relevant Provisions of the FEMA, Corporate Governance and MNCs

Unit-IV

The Environmental Issues and MNEs, Exporting Environmental Hazards through MNEs, Industrial Accidents and the Problem of Corporate Veil

Unit-V

International Standards and the Foreign Investors: The Draft UN Code of Conduct on Transnational Corporation and the OECD Guidelines

Books Prescribed:

1. Peter T Muchlinski *Multinational Enterprise and the Law* –Oxford University Press(2007)
2. Olufemi Amao *Corporate Social Responsibility and Human Rights and Law- Routledge publisher(2011)*
3. Taxman's *Foreign Exchange Management* (July)2019)
4. SK Sarvaria *Commentary on the Foreign Exchange Management Act* Universal Law Publisher (2018)
5. Jessie Russell, Ronald Cohin *Organisation for Economic Co-Operation and Development* Bookvika publishing

LL.M. Semester-IV
(Specialization: Business Law)
(GROUP- C)
FL-LAW-CE- 415 A
CORPORATE GOVERNANCE

Unit I

Introduction: History: History of Company Legislation. Legal formalities for Incorporation of Companies under the Indian Companies Act, 2013. Various kinds of Companies. Corporate personality. The binding force of Articles of Association and Memorandum of Association of the Company. Share Holders and Outsiders

Unit II

Issue of Shares Types of Shares. Various types of Share Holders and their Privileges
Forfeiture of Shares. Kinds of Share Capital. Debentures Charges and Dividends. Majority Powers and Minority Rights

Unit III

The Running of the Affairs of the Company - the Prevailing norms. The manner in which the Agents of the Company are appointed – their Duties, Powers and Accountability. Prevention of Oppression and Mismanagement. Winding up of the Companies under the Indian Legal Regime.

Unit IV

Reduction of Share Capital. Buyback of Shares. Re-Organization through Arrangement. Mergers and Acquisitions and its Regulation (Domestic and International) . Competition Law in Regulating Mergers and Acquisitions

Unit V

Litigation and ADR in Corporate Disputes. Company Law Board & National Company Law Tribunal

LL.M. Semester-IV
(Specialization: Business Law)
(GROUP- C)
FL-LAW-CE- 415 B
E-COMMERCE

SYLLABUS

E-commerce and its Technological Aspects

Overview of developments in Information Technology and Defining E-Commerce: The scope of E commerce, Electronic Market, Electronic Data Interchange, Internet Commerce, Benefits and limitations of E-Commerce, Produce a generic framework for E-Commerce, Architectural framework of Electronic Commerce, Web based E Commerce Architecture.

Consumer Oriented E Commerce

E-Retailing: Traditional retailing and e retailing, Benefits of e retailing, Key success factors, Models of e retailing, Features of e retailing. E services: Categories of e-services, Web-enabled services, matchmaking services, Information-selling on the web, e entertainment, Auctions and other specialized services. Business to Business Electronic Commerce

Electronic Data Interchange: Benefits of EDI, EDI technology, EDI standards, EDI communications, EDI Implementation, EDI Agreements, EDI Security. Electronic Payment Systems, Need of Electronic Payment System: Study and examine the use of Electronic Payment system and the protocols used, Study Electronic Fund Transfer and secure electronic transaction protocol for credit card payment. Digital economy: Identify the methods of payments on the net – Electronic Cash, cheques and credit cards on the Internet.

Security in E Commerce

Threats in Computer Systems: Virus, Cyber Crime Network Security: Encryption, Protecting Web server with a Firewall, Firewall and the Security Policy, Network Firewalls and Application Firewalls, Proxy Server.

Issues in E Commerce

Understanding Ethical, Social and Political issues in E-Commerce: A model for Organizing the issues, Basic Ethical Concepts, Analyzing Ethical Dilemmas, Candidate Ethical principles Privacy and Information Rights: Information collected at E-Commerce Websites, The Concept of Privacy, Legal protections Intellectual Property Rights: Types of Intellectual Property protection, Governance.

Suggested Reading:

1. Elias. M. Awad, " Electronic Commerce", Prentice-Hall of India Pvt Ltd.
2. Ravi Kalakota, Andrew B. Whinston, "Electronic Commerce-A Manager's guide", Addison-Wesley.
3. Efraim Turban, Jae Lee, David King, H. Michael Chung, "Electronic Commerce—A Managerial Perspective", Addison-Wesley.
4. Elias M Award, "Electronic Commerce from Vision to Fulfilment", 3rd Edition, PHI, Judy Strauss, Adel El-Ansary, Raymond Frost, "E-Marketing", 3rd Edition, Pearson Education.

LL.M. Semester-IV
(Specialization: Human Rights Law)
 (GROUP -D)

Semester-III (GROUP- D)						
Sr.	Course Title	Course Code	L	T	P	Credits
Core Courses						
1	Human Rights and Duties in India : Norms and Administration	FL-LAW-CC- 416	4	1	0	5 Credits
2	Jurisprudence and Human Rights : Legal and Philosophical Perspective	FL-LAW-CC- 417	4	1	0	5
Core Elective Courses						
3	United Nations and Human Rights OR Dissertations/Projects/Case/Study/*	FL-LAW-CE- 418 A OR FL-LAW-CE- 418 B	4	1	0	5
4	Human Rights : Enforcement Mechanism OR Women and Human Rights : Legal Protection and Dispensation of Justice	FL-LAW-CE- 419 A OR FL-LAW-CE- 419 B	4	1	0	5
Open Elective Course						
5	Media Law, Social Media and Human Rights OR Health and Human Rights	FL-LAW-OE- 420 A OR FL-LAW-OE- 420 B	4	1	0	5
			20	5	0	25

LL.M. Semester-IV
(Specialization: Human Rights Law)
(GROUP -D)

FL-LAW-CC- 416

Human Rights and Duties in India : Norms and Administration

Core Courses

Course Objectives :

The course will cover the Human Rights Duties in India. The course provides an Constraints on Human Rights Implementation in Indian Perspective. The course will cover the core issues regarding the Human Rights and impact of poverty, over population, illiteracy in the implementation of Human rights

Course Level Learning Outcomes:

The student shall be able

(i) to introduce Human Rights and Duties

(ii) To trace Redressal Mechanisms

(iii) To understand Governance System.

Unit-I

Human Rights and Duties in India

The Preamble of the Indian Constitution, Human Rights and Duties in the Constitution : NBorms

Unit - II

Deprivation of Human Rights : the Core Issues

Poverty, overpopulation, illiteracy, Problems of development

Unit-III

Role of Non Government Organization on Protection of Human Rights.

Unit-IV

Implementing Mechanism

Judiciary Activism

Law enforcement Agencies Police, Anti-Corruption Bureau and other Investing Agencies.

Unit- V

Constraints on Human Rights Implementation in India

Abuse and misuse of power by police, bureaucrats, legislators etc.

Flaws in laws

Inter castes, inter religion inter community tension etc.

violence in politics

Lack of Human Rights Course in School college and University education.

Suggestive Readings :

Manfred Nowak, Moritz Birk, and Giuliana Monina, The United Nations Convention Against Torture and its Optional Protocol: A Commentary (Oxford University Press, 2019)

Steffen Jensen & Morten Koch Andersen (eds.), Corruption and Torture: Violent Exchange and the Policing of the Urban Poor (Aalborg University Press, 2017)

Jeremy Waldron, Torture, Terror, and Trade Offs: Philosophy for the White House (Oxford University Press, 2010)

Marnia Lazreg, Torture and the Twilight of Empire: from Algiers to Baghdad (Princeton University Press, 2008)

LL.M. Semester-IV
(Specialization: Human Rights Law)
(GROUP -D)

FL-LAW-CC- 417

Jurisprudence and Human Rights Philosophical perspectives
Core Courses

Course Objective :

The 50th anniversary of the Universal Declaration of Human Rights has marked the human rights discourse with a plethora of publications both of the western and non-western scholars. Many of these publications highlight the nature and extent of “progress” made in championing and protecting human rights throughout the world. It is important to note that such ‘a progress’ as claimed has not been uniform all over the world. There are cases where human rights have been either neglected or denied to the common man by the ruling power. In many cases, one may notice that such rights are denied because of the vested interests of the dominating groups. Naturally, it is necessary to understand the notion of human rights both from theoretical perspective and operational methods.

Students will be able to understand

- (i) The meaning and evolution of the concept of Rights;
- (ii) The theoretical and philosophical foundations of Human Rights;
- (iii) Different perspectives of Natural Law and Natural Rights
- iv) the Contribution of Modern Theories of Human Rights in Shaping the Concept.

Unit- I

Concept of Rights

Nature and Definition of Concept of Rights

Classification of Rights and Jural Relationship

Co Relationship between rights and duties in relation to State and Society

Unit- II

Jurisprudence of Human Rights

Meaning derived from Scope : Yardsticks to determine General or Universal

Values

Function

Unit - III

Justificatory Theories

Theology

Natural Law and Natural Rights

Sociological Process

Marxist Theory

Utilitarian Theory

Unit- IV

Contribution of Modern Theories of Human Rights in Shaping the Concept

Modern Approach :

Theories based on Autonomy

Gewirth theory of liberal approach

Nozicks theory of libertarianism.

Collective Rights

Unit- V

Human Rights : Indian Legislation

The Protection of Human Rights Act 1993

Suggestive Readings :

Green, T.H., Lectures on the Principles of Political Obligation, Longmans, London, 1941.

Gupta, Vijay K., "Judicial Activism and State Accountability in Human Rights Violations" in Gupta, Vijay K., (ed.), Perspectives on Human Rights, Vikas Publishing House, New Delhi, 1996.

Gupta, Vijay K., Perspectives on Human Rights, Vikas Publishing House, New Delhi, 1996.

Lukes, Steven., "Five Fables About Human Rights" in Stephen Shute and Susan Hurley (eds.), On Human Rights, Basic Books, Oxford, 1993.

MacCormick, N., Legal Rights and Social Democracy, Oxford University Press, Oxford, 1982.

Macpherson, C.B., The Political Theory of Possessive Individualism, Hobbes to Locke, Oxford University Press, Oxford, 1964.

Macpherson, C.B., "Natural Rights in Hobbes and Locke" in D.D. Raphael (ed.), Political Theory and the Rights of Man, Macmillan, London, 1967.

McCloskey, H.J., "Respect for Human Moral Rights Versus Maximising Good", in R.G. Frey (ed.), Utility and Rights, Blackwell, Oxford, 1985.

McDougal, Mires S., Lasswell, H.D. and Chen, L.C., Human Rights and World Public Order, Yale University Press, West Haven, 1980.

Mill, John Stuart., On Liberty, Oxford, London, 1963.

Nickel, J.W., *Making Sense of Human Rights*, University of California Press, Berkeley, 1987.

Nozick, Robert., *Anarchy, State and Utopia*, Basil Blackwell, Oxford, 1974.

Oakeshott, Michael., *Rationalism in Politics*, Methuen, London, 1962.

Paine, Thomas., *Rights of Man*, Penguin, Harmondsworth, 1969.

Pollis, A, and P. Schwab., "Human Rights: A Western Construct with Limited Applicability" in A. Pollis and P. Schwab., (eds.), *Human Rights: Cultural and Ideological*

Perspectives, Praeger, New York, 1979.

Rawls, John., *A Theory of Justice*, The Belknap Press of Harvard University Press, Cambridge, 1971.

LL.M. Semester-IV
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-CE- 418 A
Dissertation/Project/Case Study*
Core Elective Courses

General Course Information: The Department of Human Rights, School for Legal Studies, runs LL.M. in the specialization of human rights. This course is a **Core course Paper** for **all students**. This course will be taught in IV Semester for the Degree of Master of Laws in the program.

Course Objective :

This course is to develop the research and writing skills the students.

Course Level Learning Outcome : The student will-

- ☐ Critically read, understand and evaluate current literature in the discipline
- ☐ Integrate and synthesize ideas within the field
- ☐ Demonstrate comprehensive knowledge of the literature in the field
- ☐ Critically evaluate empirical evidence
- ☐ Demonstrate a comprehensive understanding of techniques critical to scholarship in the field
- ☐ Communicate clearly and effectively to specialist and non-specialist research.

Project Writing: 30%

Dissertation (End Semester Exam): 70%

12. Evaluation Pattern of the Course

The progress of the students will be assessed throughout the semester by their attendance, writing of project on given topic from the syllabus/current issues on any legal and human rights issues. Dissertation to be submitted by students will be evaluated by external examiners.

LL.M. Semester-IV
(Specialization: Human Rights Law)
(GROUP -D)
FL-LAW-CE- 418 B
United Nations and Human Rights
Core Elective Courses

Course Objective

The main objective of this course is to provide an insight into the meaning and significance of various human rights in the contemporary era and the mechanisms developed at the international level for protection and promotion of such rights and the role of United Nations.

2. Course Contents

Unit I

International Concern for Human Rights Protection: Anti-Slave Trade treaties, ILO and Labour welfare, Nazi and Fascist atrocities and totalitarianism, International Military Tribunals for trial of major war criminals

Unit II

United Nations Concern for Human Rights Protection: State Obligation under UN Charter, Development of Normative order

Unit III

Issues of International Accountability: State Sovereignty (Domestic Jurisdiction), Principle of Non- Intervention, Rule of Exhaustion of local remedies, Problems of cooperation between states: Extradition, Asylum

Unit IV

United Nations Commission on Human Rights (Human Rights Council) Universal Periodic Rules, Sub commission on, Prevention of Discrimination and Protection of Minorities, Commission on Status of Women, UN Centre for Human Rights, UN Commissioner for Human Rights

Unit V

Role of UN in Protection and Promotion of Human Rights, UN High Commissioner for Refugees , Office of UN High Commissioner for Human Rights

Suggestive Readings :

Alston, Phillip, The United Nations and Human Rights, Clarendon Press, London
Alston, Phillip, The United Nations and Human Rights A Critical Appraisal,

Alston, Philip and Crawford James (eds.), The Future of U.N. Human Rights Treaty Monitoring

Bajwa, G.S. and D.K. Bajwa, Human Rights in India: Implementation and Violations, D.K. Publishers, New Delhi (1996). Basu, D.D., Human Rights in Constitutional Law, Prentice Hall, New Delhi

Sehgal, B.P.Singh, ed., Human Rights in India: Problems and Perspectives, Deep and Deep Publications, New Delhi

S.K.Avesti and R.P.Kataria, Law Relating to Human Rights, Orient Publications, New Delhi

SK Kapoor, Human Rights under International and Indian Law, Central Law Agency, Allahabad, Sinha Manoj , Implementation of Basic Human Rights

Justice Palok Basu, Law Relating to Protection of Human Rights, Modern Law Publications, Allahabad Sircar, V.K., Protection of Human Right in India, Asia Law House, Hyderabad

Symmonides, J., Human Right: International Protection, Monitoring and Enforcement, Rawat publications, New Delhi

Mamata Rao, Law Relating to Woman and Children, Eastern Book Co., Lucknow G B Reddy, Woman and the Law, Gogia Law Agency, Hyderabad

SC Tripathi, Law Relating to Woman and Children, Central Law Publishers, Allahabad, Paramjit S. Jaswal, Nishtha Jaswal, Human Rights and the Law, APH Publishing, New Delhi Vijapur, Abdulrahim, The United Nations at Fifty: Studies in Human Rights

Bayefsky, A., The UN Treaty System: Universality at the Crossroads Ramcharan, B.G., The UN Human Rights Council

Mertus, Julie, The United Nations and Human Rights

The UDHR in the 21st century: A Living Document in a Changing world A Report by the Global Citizenship

LL.M. Semester-IV
(Specialization: Human Rights Law)

(GROUP -D)

FL-LAW-CE- 419 A

Human Rights : Enforcement Mechanism
Core Elective Courses

Objectives of the course

A reading of fundamental rights and duties in the Constitution of India reveals that they constitute the human rights charter in India. The judiciary, the major protective and enforcement machinery, is very active in protecting human rights. Judicial activism in this field has added new dimensions to human rights jurisprudence. There are a number of cases where courts apply the provisions of the international conventions to fill the gaps in legislation. The apex court has also ventured to apply international convention even where there was no legislation in the area. Thus the judiciary has been directly implementing international conventions at the national level. This course aims at familiarising students with the judicial activism in protecting human rights and enables them to evaluate the adequacy of the methods of enforcement.

Unit- I

1. History and development of Human Rights in Indian Constitution
 - i. Constitutional Philosophy – Preamble
 - ii. Fundamental Rights : History of inclusion of fundamental rights in the constitution of India and their development after words
 - iii. Directive Principles of State Policy : History of inclusion of directive principles of state policy and their development afterwards
 - iv. Fundamental Duties

Unit- II

Judicial activism and Development of Human Rights Jurisprudence

Unit- III

Enforcement of Human Rights
Formal enforcement mechanisms
Role of Supreme Court
Role of High Courts

Unit- IV

Role of Civil and Criminal Courts
Role of NHRC and State Human Rights Commissions

Unit -V

Statutory Tribunals
Special Courts
Implementation of International Human Rights norms and standards in Indian domestic law.

Suggestive Readings :

D.D.Basu, Human Rights in Indian Constitutional Law, (1994).
Vijay Chitnis,(et.al.). Human Rights and the Law. National and Global Perspectives, (1997).
B.P.Singh Seghal, Law, Judiciary and Justice in India, (1993).
James Vadakkumchery, Human Rights and the Politics in India, (1996). D.R.Saxena, Tribals and the Law, (1997).
Poornima Advani, Indian Judiciary: A Tribute, (1997).
Justice Venkataramiah, Human Rights in the Changing World, (1998) Paramjit S.Jaiswal and Neshtha Jaiswal, Human Rights and the Law, (1996).

LL.M. Semester-IV
(Specialization: Human Rights Law)

(GROUP -D)

FL-LAW-CE- 419 B

Women & Human Rights -Legal Protection and Dispensation of Justice
Core Elective Courses

1. Course Objective: The objective of this optional course under elective Paper is –

- ☐ To Assess social and legal status of women in Indian Society
- ☐ To inquire into issues of human rights of women and enormity of violence against women in private and public sphere
- ☐ To examine the socio-legal and cultural issues concerning violation of human rights of women
- ☐ To identify the national and international provisions for the protection of human rights of women
- ☐ To understand and analyse how society & courts have responded to violence against women
- ☐ To analyse the working of different institutions in providing justice to women
- To identify lacunas of legal provisions relating to human right of women and suggest measures for reforms

Course Contents

Unit I

Status of Women in Historical and Social Perspective; Status of Women in Contemporary Society; Human Rights of Women and Dispensation of Justice

Unit II

Constitutional Rights of Women; Matrimonial Remedies in Personal Laws; Violence against Women & Remedies under Criminal Law

Unit III

Legal Protection against Violence in private spaces; Legal Protection against Harassment of Women at Workplace and in public places

Unit IV

Protection of Women under International Conventions, Women and National Policies;

Unit V

Institutional Mechanism for the enforcement of Human Rights of Women-Role of National Commission of Women, National Human Rights Commission, NGOs

Suggestive Readings :

Menon, Nevidita	Gender and Politics in India
Bhatnagar's	Law Relating to Women and their Rights
Paras Diwan	Hindu Law (Latest Ed.)
Dewan, V.K.	Law Relating to Offences against Women
Syed Khalid Rashid's	Muslim Law

Anjani Kant	Women and the Law
Reddy, G.B.	Women and the Law
Siddique, K.A.	Matrimonial Law Digest, the Matrimonial Law
Reporter	
Aggarwal, S.K.	The Hindu Marriage Act
Rao, Mamta	Law Relating to Women & Children
Das, P.K.	Handbook on Protection of Women from Domestic Violence Act & Rules (2007)
Rai, O.P.	Protection of Women from Domestic Violence
Agarwal, Bina	Structures of Patriarchy
Bhasin, Kamla	Understanding Gender
Crawson, E.	Encyclopaedia of Human Rights
Chakravarty, Uma	Essays on Gender
Julia B. & Carol Smart	Women in Law
Kapur, R. & B. Crossman	Subversive Sites
(Feminist Engagements in Law)	Kishwar, Madhu
	In search of Answers
Saxena, Shobha	Crimes against Women
Misra, Preeti	Domestic Violence against Women
Gail Omvedt	Violence against Women: New Movements and
New Theories in India	
Ram Ahuja	Violence against Women
K.Shanthi	Empowerment of women
Crime in India	Annual Reports of National Crime
Records Bureau, MHA, Govt. of India	

LL.M. Semester-IV
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(GROUP -D)
FL-LAW-OE- 420 A
Media Law, Social Media and Human Rights
Open Elective Course

Course Objectives:

- ❑ To upgrade human resource with specialized knowledge and skills on communication for social change.
- ❑ To expand the knowledge base of theories around development, and its interrelation to culture, behaviour change, social transformation and; human rights principles.

Course Contents:

Unit I

Writing on Human Rights: Promotion, Protection and Violation, Types of Reports, Sources of News, Trends in Indian Press, Problem of writing about Human Rights Issues, Media in Promotion and Protection of Human Rights, Investigative Journalism, Media Activism, Advocacy Journalism, The Use of General Laws to Target Journalists and Media: Libel, Insult, and Privacy Laws National Security, Anti-Terror, and Public Order Laws, The Use of Laws Specifically Aimed at the Media: Print Media Laws, Broadcasting Laws, Laws That Promote Media Freedom

Unit II

Media and Social Issues: Problems of girl child and women, LGBT Movement, Casteism, Violence against women, Rights of Children and Adolescents, UNCRC, Child Labour, Exploitation of children and Reform Process, Protection of Children against Sexual offences, Reflection of such issues in Media, Role of Media in the promotion and protection of human rights, Social Media: Debate on freedom of expression and violation of human rights

Unit III

Constitutional Foundations, Morality, Obscenity and Censorship, Privileges of Parliament and the State Assemblies, Contempt of Court, Defamation, Reporting Judicial Proceedings, Freedom of Speech and Expression, constitutional restrictions and Freedom of Media- Types of Mass Media, Press, Press Films, Radio Television.

Unit IV

Radio and Television – Effect of television on people, Report of the Chanda Committee, Government Policy, Commercial advertisement, Internal Scrutiny of serials, etc., Judicial Review of Doordarshan decisions: Freedom to telecast

Unit V

Statutes that regulate and control the various media such as Broadband, Cable TV, Networks, Cinemas, Newspapers, DTH, Radio, Television, Video-Cassettes etc., The various Acts and Rules relating to the regulatory bodies (their constitution, functions, procedures, powers etc.) like the Prasar Bharati, Press Council, the Registrar of Newspapers, TDSAT, TRAI, etc.

Suggestive Readings

- | | | |
|--|---|---|
| M.P. Jain | : | Constitutional Law of India |
| H.M. Seervai | : | Constitutional Law of India Vol.I |
| Soli Sorabjee | : | Law of Press |
| Censorship in India Justice E.S. Venkaramiah | : | Freedom of Press: Some Recent Trends |
| D.D. Basu | : | The Law of Press of India |
| EBC | : | Media, Press and Telecommunications Laws |
| Madhavi Goradia | : | Facets of Media Law |
| Bruce Michael Boyd | : | "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression" 14. J.I.L.I. |
| (1972) Rajeev Dhawan | : | "On the Law of the Press in India" 26 J.I.L.I. 288 (1984) Rajeev Dhawan |
| Reflections on Some | : | "Legitimizing Government Rhetoric: Aspects of the Second Press Commission" 26 J.I.L.I. 391 (1984) |
| Oyelade Olutunji & | : | Right to Health in the Context of HIV |
| / AIDS in India and Manoj Kumar Sinha | : | Africa Hardcover – 2008 |
| Mike Wicks | : | An Introduction to Social Media for Small Business(Publisher: Blue Beetle Books Inc.) |

LL.M. Semester-IV
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(GROUP -D)

FL-LAW-OE- 420 B

Health and Human Rights

Open Elective Course

Course Objective The objective of present compulsory paper is to-

- Identify human rights issues subject to research for policy change (evidence based policy)
- Recognize analytical framework and a methodological, interdisciplinary approach to gender and health dimensions in human rights.
- Identify major data sources for global health cross-country comparisons Describe health in international perspective and UN Millennium Development Goals, focusing on maternal and infant health
- Explain awareness about birth control and its consequences for reproductive health
- Analyze reproductive rights and consequences of sexually transmitted infections including HIV

Course Contents

Unit I

Concept of Right to Health- Key aspects of the right to health, Common misconceptions about the right to health, The link between the right to health and other human rights, the principle of non-discrimination apply to the right to health

Unit II

The right to health in international human rights law- Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of the Child, Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination Against Women, American Declaration on Rights and Duties of Man, Convention on the Rights of Persons with Disabilities, International measures for the protection of persons with mental illness and for the improvement of mental health care,

Unit III

Constitutional Perspective on health as fundamental right; the right to health of specific groups. Women, Children and adolescents, Persons with disabilities, Migrants, Persons living with HIV/AIDS; Non-discrimination in the field of health, health rights of patient as

consumer of services

Unit IV

National Health policy of India, Duties of doctor and hospitals, Impact of health policies, programmes and practices on human rights,

Unit V

Human Right to Health and Health Care, Human rights and clinical practice, Human rights and torture, Right to autonomy and decision-making, Health and Human Rights Advocacy

Suggestive Readings :

- ☐ Dupuy, R.-J. (ed) (1979) The right to health and human rights. Alphen aan den Rijn, The Netherlands: Sijthoff & Noordhoff.
- ☐ Grodin, Michael et al. (ed.), (2013) Health and human rights in a changing world, Third Edition Routledge.
- ☐ Montgomery, J. (1992) "Rights to health and health care", in: Coote, A (ed.) The Welfare of Citizens, Developing New Social Rights. Institute for Public Policy Research/ Rivers Oram Press, London.
- ☐ United Nations (1993). Indicators to Measure the Realization of the right to health. A/Conf. 157/PC/73. Report of the Seminar on Appropriate Indicators to Measure Achievements in the Progressive Realization of Economic, Cultural and Social Rights.
- ☐ UN Commission on Human Rights (1991). Report of the working group on the principles for the protection of persons with mental illness and for the improvement of mental health care. E/CN.4/1991/39.
- ☐ UN Commission on Human Rights (1989). Non-discrimination in the field of health. Resolution 1989/11.
- ☐ Wolff, Jonathan, (2012) The human right to health New York: W.W. Norton & Company Amnesty International, (1991). Health personnel: Victims of human rights violations (London)
- ☐ British Medical Association, (1992). Medicine betrayed: The participation of doctors in human rights abuses. London: Zed Books.
- ☐ Carl, Pia et.al. (1991), AIDS and human rights in the european communities.

Utrecht: Netherlands Institute of Human Rights.

- ☐ Cohen, Roberta and Wiseberg, Laurie S. (1990) Double jeopardy. : Threat to life and human rights: Discrimination against persons with AIDS. Cambridge, MA: Human Rights Internet.
- ☐ Sieghart, P. (1989), AIDS & human rights-A UK perspective. (British Medical Association Foundation for AIDS: London).

- Swiss Institute of Comparative Law (1993). Comparative study on discrimination against persons with HIV or AIDS. Council of Europe: Strasbourg.
- UN Centre for Human Rights (1991), Report of an international consultation on AIDS and human rights.
- UN Commission on Human Rights (1993), Decision on the protection of human rights in the context of HIV or AIDS.
- World Health Organization. Stillbirths. In: Maternal, newborn, child and adolescent health Available at: www.who.int/maternal_child_adolescent/epidemiology/stillbirth/en/

NAME AND SIGNATURE:-

DEAN FACULTY OF LAW

CONVENER

MEMBER

*However, It is advisable to all the students that the syllabus should be referred according to the latest amendments from time to time.