

LL.M 2nd Semester

Theory=60 Marks
Internal Assessment=40 Marks

Course-6 (Compulsory Paper)

Jurisprudence

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Historical Introduction to the Philosophy of Law, Philosophical Idealism and the Search for absolute Values: Greek Theories of Natural Law: Roman Theories of Justice: Philosophical Idealism in Middle Ages: Philosophy of Social Contract Theories; German Transcendental Idealism; Indian Transcendentalism; Aurbindo, Philosophy of The Bhagvad Gita; Neo Kantian Philosophy; Theories of relationship between Law and Morality; Modern Value Philosophies and Revival of Natural Law Theories.

Unit- II Historical and Evolutionary Theories of Law : The Doctrine of Historical School; Savigny and Historical School in Germany; Historical School in England and United States; Biological-Cultural Theory of Evolution of Law: the Herbert Spencer; Theory of Living Law: Ehrlic. Utilitarian Approach to Law: General significance of Bentham's Work; Pleasure and Pain Principle in Legislation, Bentham on Codification and Law Reforms; Utilitarian Theory of law: Stuart Mill; Ihering's Social Utilitarianism: the Jurisprudence of Interests.

Unit-III Analytical Legal Postivism: Doctrine of Analytical Positivism; Austin's Theory of law; German Positivist Theories of law; Analytical Positivism in France; Kelsen's Pure Theory of Law; Contemporary Modification of Analytical Positivism. Sociological Jurisprudence; Characteristics of Sociological Jurisprudence; Developmental aspects of Sociological Schools: (a) Mechanical Stage (b) the Biological Stage; (c) the Psychological Stage; and (d) the stage of Unification; Sociological Theories of law : Theory of Social Interests – Roscoe Pound; Law and Social Control Mechanism

Unit-IV Pragmatism in Legal Philosophy : Pragmatism and a Philosophy of Law Origin of Pragmatism; Basic ideas of Pragmatism in American Legal Philosophy; Philosophy of the Radical Pragmatist: John Dewey, William James and O.H. Holmes; Pragmatic approach to law – the Indian Experience; Study in Scandinavian Realism: Some implication of Juristic Pragmatism Economic Philosophy of Law : meaning and definition of economic jurisprudence Economic theories of Legal Evolution, (a) Communist Theories of Law, (b)Marxist Theory of law, (c) Renner's Analysis of Law, and (d) Legal Theory of Social Democracy.

Suggested Readings

Course-7 (Compulsory Paper)

Law and Social Transformation

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks.

Unit-I Law and Social Change – Law as an Instrument of Social Change, Law and Public Opinion, Relation between Law and Public Opinion, Characteristics of Law Making Public Opinion, Public Opinion and Democracy. Law and Public Opinion in England and India during 19th and 20th Centuries.

Unit-II Religion and the Law – Religion as a Divisive Factor, Secularism as a Solution to the Problem, Freedom of Religion and Non-discrimination on the basis of Religion, Religious Fundamentalism and issues like Ayodhya and Babri Masjid Constitutional Perspective.

Unit--III Community and the Law – Caste as a Divisive Factor, Non-discrimination on the basis of the Caste, Reservation – Action for Social Equality, Reservation Policy, Statutory Commissions/provisions and the Role of Supreme Court of India. Children and the Law – Menace of Child Labour – the Legal Perspective Constitutional Philosophy of Child Education in India, Child Welfare and the Judicial Role.

Unit-IV Women and the Law – Crimes against Women Empowerment of Women – Constitutional and Legal Perspective, Women Commissions in India, Women Welfare and Judicial role. Modernization and the Law Modernization as a Value – Constitutional Perspective ret cited in the fundamental Duties. Changing dimensions of Right to Property, Reform of Court Processes, Widening Dimensions of Compensatory Jurisprudence in Criminal Law, Lok Adalats : Alternative Dispute Resolution device in Civil Law, Prison Jurisprudence and Prison Reforms, Emerging Trends of Democratic Decentralization and the Philosophy of Local Self Government.

Suggested Readings

Theory=60 Marks
Internal Assessment=40 Marks

Group I International Law and Organisation

Course- 8 International Criminal Law

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

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

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 Wilmshurst, *An Introduction to International Criminal Law and Procedure*, 2nd Edition (Cambridge University Press, First Asian Edition, 2011).

Theory=60 Marks
Internal Assessment=40 Marks

Group I International Law

Course- 9 International Humanitarian Law

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I International Movement for Humanization of Warfare: Contributions of Classical Writers; History of the Red-Cross; Geneva Conventions of 1864 for amelioration of the condition of wounded soldiers in land Army; St. Peter's Burg Declaration 1868; The Hague Convention of 1899 and 1907; Geneva Convention of 1929 and 1949 on Treatment of Prisoners of War, Wounded and Sick Persons and Civilian Persons.

Unit-II International efforts to Outlaw Slavery, Slave Trade and Practices similar to Slavery. Forced Labour and Trafficking in Human beings. United Nations and the Humanitarian Law: The Role of ECOSOC and ILO; Crusade against Discrimination in respect of Employment and Occupation; Racial Discrimination.

Unit-III International Refugees: The UN relief and Rehabilitation Administration and other International Refugee Organizations; Conventions relating to Status of Refugees and Stateless Persons; Genocide Convention.

Unit-IV Implementation of the Right to Self-Determination: Declaration on the Grant of Independence to Colonial Countries and People, Humanitarian Treatment of people living under Colonial Rule and Trusteeships, Eliminating Discrimination against Women through International Cooperation.

Suggested Readings:

Theory=60 Marks
Internal Assessment=40 Marks

Course-10 Law of Sea

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Historical introduction to the law of the Sea: Contribution of Seldom Group Bynkershock and others to the development of the early and the Anglo Norwegian Fishers case and its a ferments solution and utilization of the new resources of the Sea; Population Explosion and its impact on the Law; The UN Conferences on the Law of the Sea: Developing Nations and the Uses of sea.

Unit-II Changing concepts of Maritime Frontiers: Rights of States over Territorial waters and Contiguous Zones; Continental Shelf. Exclusive Econic 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 personnel of the Authority; Problems and perspectives.

Unit-IV Conservation of Living Resources of the High Sea: Problems of Maritime Pollution; Land Locked States and the Law of the Sea. Sea as Common heritage of Mankind: The Future of the Law of the Sea. International Sea Tribunal to Settle Sea Disputes.

Suggested Readings

Group II

Course- 8 Constitutional Law

Federal Relations Under Indian Constitution

Unit-I Federalism

1. Federalism and Unitary Forms of Constitution
2. Models of Federal Government – U.S.A, Australia, Canada
3. Difference between Federalism and Confederation
4. Evolution of Federal Government in India

Unit-II Distribution of Legislative and Administrative Powers

1. Legislative Relations between Centre and States
2. Administrative Relations and Cooperative Federalism
3. Common Civil Service and Impact on Autonomy of States
4. Principles of Interpretation in Distribution of Powers
5. Inter-State Council

Unit-III Distribution of Fiscal Power

1. Constitutional Scheme of Allocation of Taxing Powers
2. Grant in Aid
3. Difference between Tax, Fee and Surcharge
4. Finance Commission, Niti Ayog
5. National Development Council

Unit-1V Inter-State Trade and Commerce/ Borrowing by the Governments

1. Freedom of Inter-State Trade and Commerce
2. Restrictions on Legislative Power of the Union and States with regard to Trade and Commerce
3. Borrowing by the Government of India

4. Borrowing by the States
5. Sarkaria Commission Report

Suggested Readings:

1. H.M. Seervai, Constitutional Law of India (1991), Tripathi, Bombay
2. SudhaBhatnagar, Union-State Financial Relations and Finance Commissions, (1979)
3. Ashok Chandra, Federalism in India, (1965)
4. V.D. Sebastian, Indian Federalism : The Legislative Conflicts (1980)
5. Chandrapal, Centre-State Relation and Co-operative Federalism, (1983)
6. K.C.Wheare, Federal Government.
7. Jain M.P Outlines of Indian Legal History.
8. M.V Pylee, Constitutional History of India
9. Rama Jois M, Legal and Constitutional History of India.
10. Stetalvad M.C , Constitutional History of India
11. Keith A.B. , Constitutional History of India
12. H.M. Seervai, Constitutional Law of India – Vol.I&II
13. G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
14. V.D. Sebastian, Indian Federalism: the Legislative Conflict.
15. L.M Singhvi, Union-State Relations in India
16. K.SubbaRao, The Indian Federation.
17. K.P. Krishna Shetty, The Law of Union-state Relations and Indian Federalism.
18. Ashok Chandra, Federalism in India.
19. SubbaRao G C V Indian constitutional law
20. Pande G S Constitutional law of India
21. Saharay H K Constitution of India
22. Pylee M.V Our constitution government & politics

23. Tope T K Constitutional law of India
24. G.C.V.SubbaRao, Legislative Powers in Indian Constitutional Law, Chs. 37,38,39 (1982)
25. Richard M.Pious, The American Presidency, (1979)
26. Daniel J. Elazar, American Federalism, (1984)
27. K.P.KrishnaShetty, The Law of Union-State Relations and Indian Federalism, (1981)
28. Report of the Eighth Finance Commission
29. Administrative Reforms Commission on Centre-State Relationship (1969)
30. Constituent Assembly Debates Vol.9, Vol. 10

Course- 9 National Security, Public Order, And Rule of Law

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Origin of concept

1. Emergency Detention in England - Civil Liberties
2. Pre-Independence Law – Defence of India Act, 1858, Government of India Act, 1935
3. Meaning and Concept of Security of State, Public Order, Rule of Law
4. Concept of Subjective Satisfaction or Objective Assessment of Detaining Authorities

Unit-II Rule of Law, Preventive Detention under Indian Constitution

1. Article 14 - Special Courts and Tribunals
2. Article 21 - Due Process and Special Legislation
3. Article 22 - Preventive Detention and Safeguards
4. Article 34 - Martial Law
5. Article 359 – Suspension of Enforcement of Fundamental Rights and Judicial Review
6. Constitution (Forty-fourth), Amendment Act, 1978.
7. Constitution (Fifty-ninth) Amendment Act, 1988

Unit-III Special Legislations

1. The National Security Act, 1980
2. The Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (COFEPOSA)
3. The Armed Forces (Special Powers) Act

Unit-IV Civil Liberties and Emergency

1. Emergency Provisions: Article 352, 356, 360
2. Declaration of Emergencies: 1962, 1965, 1970 and 1975 Emergencies
3. Suspension of Article 19 rights on Declaration of Emergency
4. President's Right to Suspend Right to Move any Court
5. Article 21 - Special Importance - its Non-suspend ability
6. Access to Courts and Emergency

Suggested Readings

1. G.O. Koppell "The Emergency, The Courts and Indian Democracy" 8 J.I.L.I. 287 (1966)
2. H.M. Seervai, The Emergency, Future Safeguards and the habeas Corpus: A Criticism (1978)
3. International Commission of Jurists, Status of Emergency and Human Rights (1984)
4. N.C. Chatterji and Parameshwar Rao, Emergency and the Law (1966).

Course-10 Health Laws

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Concept of Health: International Perspective

1. Definition of Health, Lifestyles and health Care, Environment and Health
2. WHO: Concept of Health
3. Universal Declaration of Human Rights, 1948
4. UN Declaration on the Rights of Mentally Retarded Persons, 1971
5. Declaration on Rights of Disabled Persons, 1975

Unit-II Constitutional and Legal Provisions Related to Health

1. Related Fundamental Rights: Articles 21 (Convention on Elimination of

All Forms of Discrimination Against Women, 1979), Article 23, 24(UN Convention on Rights of Child, 1989)

2. Directive Principles: Articles 38, 39, 41, 42, 48A, 51A
3. Indian Penal Code: Sections 52, 84, 87, 88, 89, 92, 176, 243-G and
11th Schedule 270, 271, 272, 273, 274, 275, 276, 277, 278, 284, 290,
304A, 312, 313, 319, 320, 375, 376

Unit-III Health Laws and Technological Challenges

1. The Medical Termination of Pregnancy Act, 1971: Reproductive Rights
2. The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994: Issues and Challenges
3. The Transplantation of Human Organs and Tissues Act, 1994: Framework for Regulating Technological Advancement (Surrogacy) and Rules of 2014 there under.

Unit-IV Public Health Safety: Laws and Standards

1. Food Safety and Standards, 2006: Food Safety and Standards Regulations, 2011, 2016 (Food product standards, Food Additives, Prohibition and Restriction on Sales)
2. Bio-Medical Waste (Management and Handling) Rules, 1998
3. Narcotic Drugs and Psychotropic Substance Act, 1985 and Rules
4. The Maternity Benefit Act, 1961 and Rules
5. The Insecticide Act, 1968 and Rules
6. The Pharmacy Practice Regulations, 2015: Role of Pharmacist in Patient Care
7. MCI's Code of Medical Ethics

Suggested Readings

1. BasuDurga Das, Commentary on the Constitution of India, (Lexis Nexis ButterworthsWadhwa Nagpur, New Delhi, 2008).
2. Davar V. Bhargavi, Mental Health from a Gender Perspective, (Sage Publications India Pvt. Ltd., New Delhi 2001).
3. Dhanda Amita, Legal Order And Mental Disorder, (Sage Publication, New Delhi, 2000).
4. Doyal Lesley, What makes women Sick-Gender and the Political Economy of Health, (Macmillan Press Ltd., London, 1995).
5. Gupta M. C., Health And Law, (Kanishka Publishers, Distributors, New Delhi, 2002).
6. Jain K Ashok, Socio legal off shoots, The Sana of Female Foeticide in India', (Ascent Publication, Delhi, 2006).
7. Kishore J., National Health Programs of India, (Century Publications, New Delhi, 2006).
8. Kishwar Madhu, Off the beaten track rethinking gender justice for Indian women, (Oxford University Press, New Delhi, 1999).
9. Kumar Avanish, Human Right to Health, (Satyam Law International, New Delhi, 2007).
10. Kumar Narinder, Constitutional Law of India, (Pioneer Books, Delhi, 2005).
11. Maan Jonathan, Health and Human Rights: A Reader, (New York, Routledge, 1999).

12. Parmanand Desai's, Law of Disability-medical & nonmedical(Dwivedi& Company Law Publishers & Book sellers, Adersh Nagar, Bhawapur, Allahabad, 2004).
13. Patel Tulsi, Sex-Selective Abortion in India, Gender, Society and New Reproductive Technologies, (Saga Publications India Pvt. Ltd., New Delhi, 2007).
14. Rao B. Shiva, The Framing of India's Constitution, (Universal Law Publishing Co. Pvt. Ltd., Vol. 2, Delhi, 1967).
15. Singh Jagdish, BhushanVishwa, Medical Negligence & Compensation, (Bharat Law Publication, Jaipur 2004).
16. Srivastava S. C., Verma S. K., Legal Framework for Health Care in India,(Lexis Nexis Butterworth's, The Indian Law Institute, New Delhi, 2002).
17. Swarup Jagdish, Constitution of India, (Modern Law Publication, Allahabad Vol. I, 2006).

Group III Criminal Law

Course-8 Juvenile Delinquency

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Basic Concepts

- 1 The concept Child in Indian Constitution and Penal Codes.
- 2 Juvenile Delinquency: Meaning, Neglected Juvenile.
- 3 Factors responsible for Juvenile Delinquency.
- 4 National and International Concern for Juvenile Justice.

Unit-II Juvenile Justice (Carer and Protection of Children) Act, 2015

- 1 General Principles of Care and Protection of Children, Juvenile Justice Board.
- 2 Child in Conflict with Law: Procedure in relation to that and Child Welfare Committee.
- 3 Procedure in relation to Children in Need of Care and Protection: Rehabilitation and Social Reintegration and Adoption
- 4 Other Offences against Children.

Unit- III The Protection of Children from Sexual Offences Act, 2012.

- 1 Sexual Offences against Children
- 2 Using Child for Pornographic purposes and punishment thereof.
- 3 Abetment and Attempt to commit an Offence.
- 4 Procedure for Recording statement of the Child.
- 5 Special Courts: Procedure, Powers and Recording of Statements.

Unit-IV Judicial Contribution

- 1 Social Action Litigation/Public Interest Litigation.
- 2 Salient Judicial Decisions.

- 3 Role of Legal Profession in Juvenile Justice System.
- 4 Accountability: Annual Reports and Accessibility of Public to Juvenile Justice Institutions.
- 5 Role of State Welfare Programmes, Voluntary Bodies and individuals.

Suggested Readings

1. National institute of Social Defence, Model Rules under the Juvenile Justice Act, 1986, (1986)
2. K.S. Shukla, Adolescent Offender (1985)
3. United Nations, Beijing Rules on Treatment of Young Offenders (1985)
4. Myron Weiner, The Child and State in India (1990)
5. The United Nations Declaration on the Rights of Children
UNICEF periodic materials
6. The Juvenile Justice Act, 2016.
7. The Protection of Children from Sexual Offences Act, 2012.

Course- 9 Law and Organised Crime

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit- I Introduction

- 1 Definition, Concept and Nature of Organised Crime.
- 2 Causes of Organised Crime
- 3 Types and Characteristics of Organised Crime.
- 4 Comparison between White- Collar Crime, Corporate Crime and Organised Crime.

Unit- II Drug Addiction, Prostitution and Collective Violence.

- 1 **Narcotics and Drugs and Psychotropic Substances Act, 1985:** Causes, National and International Perspective.
- 2 Approaches to Drug Abuse.
- 3 Causes and Concern for Prostitution, Child Prostitution and Flesh Trade.
- 4 Communal Violence- godhra etc.
- 5 Naxal Problems- Causes and Concerns, Telangana Struggle.

Unit- III Organised Crime and National Security Laws

- 1 The Armed Forces (Special Powers) Act, 1958.
- 2 The Maharashtra Control of Organised Crime Act, 1999.
- 3 The National Security Act, 1980.

Unit- IV Cyber-Crime and Criminal Justice System

- 1 Classification of Cyber Crime.
- 2 Legislative and Judicial response to Cyber-Crime.
- 3 Challenges in Investigation of Cyber Crime.
- 4 Applicability of Criminal Procedure Code, Evidentiary Regime and Forensic Computing.

Suggested Readings

1. H.S. Becker, *Outsiders : The Studies in Sociology of Deviance* (1966)
2. J.A. Incard, C.D. Chambers, (eds.), *Drugs and the Criminal Justice System* (1974)
3. R. Cocken, *Drug Abuse and Personality in Young Offenders* (1971)
4. G. Edwards Busch, (ed.) *Drug Problems in Britain : A Review of Ten Years* (1981)
5. P. Kondanram and Y.N. Murthy, "Drug Abuse and Crime : A Preliminary Study" 7 *Indian Journal of Criminology*, 65-68 (1979)
6. P.R. Rajgopat *Violence and Response: A Critique of the Indian Criminal System* (1988)
7. United Nations, *Economic and Social Reports of the Commission on Narcotic Drugs*, United Nations
8. Social Defence, Research Institute (UNSDRI) *Combating Drug Abuse and Related Crimes* (Rome, July 1984, Publication No. 21).
9. Lok Sabha and Rajya Sabha Debates on 1986 Bill on Psychotropic Substances. Useful Journals in this area are:
 - (i) *The Law and Society Review* (USA)
 - (ii) *Journal of Drug Issues* (Tallahassee Florida)
 - (iii) *International Journal of Addictions* (New York)
 - (iv) *British Journal of Criminology*
 - (v) *Journal of Criminal Law, Criminology and Police Science* (Baltimore , Md.)
 - (vi) *Journal of Criminal Law and Criminology* (Chicago, III)
 - (vii) *International Journal of Offender Therapy and Comparative Criminology* (London)
 - (viii) *Bulletin on Narcotics* (United Nations)
10. U. Baxi, "Dissent, Development and Violence" in R. Meagher (ed.) *Law and Social Change: Indo-American Reflections* 92 (1988)
11. U. Baxi (ed.), *Law and Poverty: Critical Essays*, (1988)
12. A.R. Desai, (ed.) *Peasant Struggles in India*, (1979)
13. A.R. Desai, *Agrarian Struggles in India: After Independence* (1986) A.R. Desai, *Violation of democratic Rights in India* (1986)
14. D.A. Dhangare, *Peasant Movement in India: 1920-1950* (1983)
15. Ranjit Guha, *Element any Aspects of Peasant Insurgency in Colonial India* (1983)
16. Ranjit Guba, (ed,) *Subaltern Studies Vol. 1-6* (1983-1988)

17. T. Honderich, *Violence for Equality* (1980)
18. Mark Juergensmeyer, "The Logic of Religious Violence: The Case of Punjab" 22 *Contributions to Indian Sociology* 65 (1988)
19. Rajni Kothari, *State Against Democracy* (1987)
20. G. Shah, *Ethnic Minorities and Nation Building: Indian Experience* (1984)
21. K.S. Shukla, "Sociology of Deviant Behaviour," in 3 *ICSSR Survey of Sociology and Social Anthropology 1969-1979* (1986)

Course- 10 Victimology

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Introduction

- 1 Meaning, Nature and Concept of Victimology.
- 2 Historical Development of Victimology.
- 3 Rights of Victims, Protection of Victims under Criminal Law.
- 4 National and International Thinking.

Unit-II Patterns of Criminal Victimization

- 1 Victim- Offender Relationship.
- 2 Victim and Abuse of Power.
- 3 Victimization of Women.
- 4 Victimization of Children.

Unit-III Impact of Victimization

- 1 Physical and Financial Impact of Victimization.
- 2 Impact of Victimization on Family.
- 3 Psychology and Social Impact.
- 4 Victimization, Sense of Security and Socio- Economic Development.

Unit-IV Victims and Criminal Justice System

- 1 Victim and Police.
- 2 Role of NGOs.
- 3 Compensation under various Laws.
- 4 Principle of Compensatory Jurisprudence: Latest Trends in India.

Suggested Readings

1. Dutta K.K., Some Aspects of Criminal Law, Law Research Institute, Edition 1997, APH, Publishing House, Darya Ganj, New Delhi -02.
2. Dr. Mrinmaya Chaudhari, Languishing for Justice, A Critical Survey of the Criminal Justice System, DATTSONS, J. Nehru Marg, Sadar, Nagpur.
3. Malik P.L., Criminal Court Hand Book, 18th Edition, Eastern Book Company, 32, Lalbagh, Lucknow -01.
4. Manjula Batra, Protection of Human Rights in Criminal Justice Administration, Deep and Deep Publication, New Delhi.
5. Parvesh K Atri, Readings in Criminal and Criminology, 1st edition 1998, Anmol Publication Pvt. Limited, New Delhi -2
6. Ahmed Siddiqui, Criminology, Problems and Perspectives, 4th edition 1997, Eastern Book Company, Lucknow -01
7. Clive Coleman and Clive Norris , Introducing Criminology, Edition 2000, Lawman (India) Pvt Limited, Lajpat Nagar, New Delhi-24
8. Bharat B Das, Victims in the Criminal Justice System, 1st Edition 1997, APH Publication Corporation, New Delhi 2

Course- 8 Banking Law

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Nature and Development of Banking System in India : Different kinds of Banks and their functions, Multi-functional Banks – Growth and Legal issues. Nationalization of Banks in India – The Policy Issue. Relationship of Banker and Customer : Definition of Banker and Customer, Salient features of Inter-relationship between Banker and Customer. Special Classes of Customers and Nature and Type of Accounts: Special Classes of Customers, Nature and Type of Accounts, Banking Business and Banker’s lien.

Unit-II Social Control of Banking Institutions. Banking Regulation Act, 1949. Definitions, Business of Banking Companies, Control by Government and its Agencies- Control over Management, Accounts and Audit, Inspection, Credit Control, Power of Reserve Bank to give directions, Suspension of Business, Winding Up of Business Companies. Lending by banks and Banking securities: Principles of Sound Lending, Lending to Poor Masses – Reasons for Neglect, Repayment of Loans, Default and Recovery and Enforcing Legal Action vis-à-vis Banking Securities.

Unit-III Reserve Bank of India Act, 1934 – Purpose and Scope, Organizational Structure of Reserve Bank of India, Powers and functions of Reserve Bank of India- Regulation of Monitoring Mechanism of the Economy, Monopoly of Currency Issue, Currency Chests, Exchange Controls, Credit Control, Bank Rate Policy Formulation, Collection and Furnishing of Credit Information, Non-banking Institutions Receiving Deposits. Bank Frauds – Definition. Classification of Frauds and Actions required by Banks, Fraud Prone Areas in different Accounts and Preventive Measures thereof. Recent Trends of Banking System in India. The Birth of New Technology, Information Technology and its effect, Automation and Legal aspects, Automatic Teller Machine and Use of internet, Smart Cards, Credit Card and Use of Expert System. Reforms in Indian Banking Law.

UNIT-IV Negotiable Instruments Act – Definition, kind of Negotiable Instruments, Holder and Holder in Due Course, Bank Drafts, Endorsement, kinds of Endorsement and its effect, Presentment of Negotiable instrument and Payment, Consequences of Non-presentment, Payment and Crossing of Cheque, Dishonour of Cheque by the Bank of Insufficiency of Funds and Criminal Liability of drawer. Consumer Protection vis-à-vis banking as Service.

Suggested Readings

Course-9 Intellectual Property Rights

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I IPR and International Perspectives : Meaning and Content of Intellectual Property; National and International Protection of Intellectual Property – An Overview of TRIPS Agreement, WTO and WIPO. Paris Convention for Protection of Industrial Property, The Trademark Act, 1999 – Object and Scope, Concepts of Mark, Trademark, Registered Trademark, Certification Trademark – Conditions for Registration Procedure for Registration and Duration of Registration. Assignment and Transmission of Registered Trademark and Unregistered Trademark, Infringement of Trademark and Remedies.

Unit-II Copyright Law – Object and Purpose. International Conventions on Copyright, Bern Convention, WIPO Copyright Convention and Phonogram Treaty. The Copyright Act, 1957 as amended till date and its objectives. The concept of Author, Work, Literary Work, Artistic work, Musical work, Cinematograph Film, Work of Sculpture, Reprography, Computer Programmer Copyright and Adaptation and the Role of IT Act, 2000, Copyright Office and Copyright Board, International copyright term of Copyright Registration of Copyright, Infringement of Copyright and Remedies.

Unit-III Patent Law – Object and Purpose, Value of Patent System, International Character of Patents, Advantages of Patent to Inventor, Rights and Obligations of Patenter. The Patents Act, 1970 with Latest amendments – Objects and Scope, Concept of Patent, Invention, Patented Article and Patented Process, Registration of Patents, inventions nor Patentable, Infringement of patents and Remedies.

Unit-IV Industrial Design and Geographical Indications – Scope and Purpose Subject matter of Protection, The Design Act 2000 – Objects and Scope Concept of Design, Proprietor of a New or Original Design, Registration of Design, Copyright in Registered Design, Piracy of Designs and Remedies. Geographical Indications in Registered Design, Piracy of Designs and Remedies. Geographical Indications of Goods Act 2002 – Object and Scope, Concept of Geographical indications, Conditions for Registration, Procedure and Duration of Registration, Effect of registration.

Suggested Readings

Course-10 Insurance Law

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Nature of Insurance Contract, Various kinds of Insurance, Proposal, Policy, Parties, Consideration, Need for Utmost good faith, Insurable Interest, Indemnity. Insurance Policy, Law of Contract and Law of Torts – Future of Insurance, Need, Importance and Place of Insurance. Constitutional Perspectives – the Entries, 24, 25, 29, 30 and 47 of List 1 Union list : 23, 24 of list 3 Concurrent list, General Principles of Law of Insurance – Primary or Fundamental Principles, Legal Principles, the Principle of Utmost Good Faith, the Principle of Warranties, the Principle of indemnity, the Principle of Subrogation, the Principle of Contribution, the Principle of Proximate Cause, and the Principle of Mitigation of Losses. Effect of War on Policies, Indian Insurance Law: History and Development, the Insurance Act, 1938 and Insurance Regulatory Act, 2000. Mutual Insurance Companies and Cooperative Life Insurance Societies.

Unit-II Life Insurance: Nature and Scope, Event Insured against life insurance Contract, Circumstances affecting the Risk, Amounts Recoverable under life Policy, Persons Entitled to Payment, Settlement of Claim and Payment of Money, Miscellaneous Insurance Scheme – New Dimensions – Group Life Insurance, Mediclaim, Sickness Insurance.

Unit-III Insurance against Accidents: The Fatal Accidents Act, 1885, Objects 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 Scheme under the Act – Compulsory Insurance. Insurance against Third Party Risks : The Motor Vehicles Act, 1988, Nature and Scope, Process and Conditions of the Policy, Effect of Insolvency or Death on Claims of Insolvency and Death of Party, Certificate of insurance, Claims Tribunal, Constitution, Functions, Application for Compensation, Procedure Powers and Award. Liability Insurance – The Public Liability Insurance Act, 1991, Nature and kind of such Insurance, Public Liability Insurance, Professional Negligence Insurance.

Unit-IV Marine Insurance: Nature and Scope, Definition classification of Marine Insurance, The Marine Insurance Act, 1963, Marine Insurance – Insurable Interest Insurable Value, Marine Insurance Policy – Condition, Expressed Warrantees, Construction of Terms of Policy. Voyage – Deviation, Perils of the Sea, Assignment of Policy, Partial laws of Ship and of Freight, Salvage, General Average, Particular Charges. Return of Premium. Property Insurance : Fire Insurance, the Emergency Risks (Factories) Insurance, the Emergency Risks (Goods) Insurance, Policies Covering Risks of Explosion, Policies covering Accidental Loss, Damage to Property, Policies Covering Storms and Tempest, Glass-Plate Policies, Burglary and Theft Policies, live-Stock Policies, Goods in Transit Insurance, Agricultural Insurance.

Suggested Reading

See CDC Report 2001, p 259

Group V

Course-8 Human Rights of Disadvantaged Groups

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Women and the Law : International Norms, Constitution and Special Laws in India for the Protection of Women. Crimes against Women, Gender Injustice and its Various Forms, Women's Commission, Empowerment of Women : Role of Judiciary and NGO's.

Unit-II Children and the Law : International Norms, Constitution and Special Laws in India for the Protection of Child, Child labour , Sexual Exploitation, Adoption and related problems, Children and education. Role of Judiciary and NGO's.

Unit-III SCs,STs ,OBCs and Law: Indian Constitution and Protection for SCs/STs and OBCs, Protection of Civil Rights Act 1955, Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act 1989, The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act ,2013,National Commissions, State Commissions. Role of Judiciary and NGO's.

Unit-IV Aged , Disabled and Law: International Norms, Constitution and Special Laws in India for the Protection of Aged and Disabled .Special Protection through Reservations, Major Issues of Barrier-Free Access to Public Places, and Development of Special and Appropriate Technologies. Institutional Mechanisms for Protection of the Aged and the Disabled,. Role of Judiciary, Role of NGO's

Suggested Readings:

1. Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford
2. Saxena, Shobha, Crimes against Women and Protective Laws (New Delhi: Deep and Deep, 1999).
3. The Human Rights Watch Global Report on Women's Human Rights (1995).
4. Geraldine Van Bueren, The International Law on the Rights of the Child, (1998)
5. Bhargava, G.S. and R.M.Pal, ed., Human Rights of Dalits: Societal Violation (New Delhi: Gyan Publishing House, 2000).

6. Bhatia, K.L. and others, Social Justice of Dr. B.R. Ambedkar (New Delhi: Deep and Deep, 1995).
7. G.S. Bhargava and R.M. Pal, Human Rights of Dalit Societal Violation, (1999)
8. B. S. Aswal ,Tribal and Human Rights – An Analytical Study (2012).
9. S. K. Verma & S. C. Srivastava , Rights of Persons with Disabilities (2002).
10. Alam, Aftab, ed., Human Rights in India: Issues and Challenges (New Delhi: Raj Publications,1999).

Course-9 Human Rights and Criminal Justice System

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Concept of Crime and Criminal Liability, Offences involving Human Rights, Human Dignity of both Victims of Crime and Persons Accused of it. Role of Criminal Justice System: Ordinary Courts, Special Courts, District Human Rights Courts, Nyaya Panchyats, Human Rights Sensitization. Code of Conduct for Law Enforcement Officials.

Unit-II Rights of Accused and Inmates: Ex-post Fact Laws, Double Jeopardy, Against Self-Incrimination, Production before Magistrate, Medical Examination, Fair Trial, Speedy Trial, Legal Aid, Compensation, Appeal, Protection Home, Reformative and other Institutions, Prisons.

Unit-III Human Rights Problem : Police Atrocities and Accountability, Encounter Killings, The Plea of Superior Orders , Violence against Women and Children, Communal Violence, Caste and Class Conflicts. Maintenance of Law and Order, Terrorism and Insurgency.

Unit-IV The Problem of International Crime, International Cooperation in Combating of Transnational Organized Crimes and International Terrorism - Palermo Convention on Transnational Organized Crime 2000, Convention Against Illicit Trafficking in Narcotic and Psychotropic Substances 1988-90, Extradition and Mutual Assistance in Criminal Proceedings, International Criminal Court - Rome Statute 1998, International Criminal Police Organization (Interpol).

Suggested Readings:

1. Andrews J.A., Human Rights in Criminal Procedure, (1982)
2. Walsh, Cecil, Crime and Punishment in Indian Society (Delhi: Shubhi Publications, 1999).
3. Fitz Gerald : Criminal Law and punishment
4. Moberly : Ethics of Punishment
5. Nirmal, C.J., Human Rights in India (New Delhi: Oxford, 1999).
6. Misra, Shailendra, Police Brutality: An Analysis of Police Behaviour (New Delhi: Vikas, 1986).
7. Ramesh Thakur ,Human Rights of Prisoners and Prison Justice (2013).

8. V.V. Devasia & Leelamma Devasia , Human Rights and Victimology (1998).
9. Duncan Derret, The State, Religion and Law in India (1999), Oxford University Press, New Delhi.
10. Mathur, K.M., Crime, Human Rights and National Security (New Delhi: Gyan Publishing House, 1999).

Course- 10 Inter-relationship of Science, Technology and Human Rights: Emerging Issues

Note: Eight questions shall be set with two questions from each unit. The candidates should be required to attempt four questions in all, selecting one question from each unit. Each question carry 15 Marks

Unit-I Concept of Science & Technology as a Tool for Furtherance of Human and Social Welfare. Scientific Temper. Positive Role of Science & Technology: Material Comforts, Food, Education, Health and Personal Well-Being. Negative Role of Science & Technology: Neutral Character of Science and Technology, Concept of 'Dual Use' Technologies, Impact of Unbridled use of Natural Resources, Development of Means and Methods of Violence and War, New Torture Methods.

Unit-II Medicine and the Law : Organ Transplantation , Experimentation on Human Beings , Medical Negligence and Human Rights, Right to Die in Dignity and Peace: Euthanasia (Mercy Killing) ,Gene therapy.

Unit-III Issue of Human Rights Ethics in Scientific and Technological Development : Sex Determination Test , Induced Abortion, Reproductive Technology , Right of Foetus, Cloning, Invitro Fertilization, Artificial Insemination , Surrogate Motherhood, Sex Reassignment Surgery.

Unit-IV Impact of Scientific and Technological Progress on Human Rights: Right to life, Right to Privacy, Right to Physical Integrity , Right to Information, Right to Benefit from Scientific and Technological Progress, Right to Adequate Standard of Living, Life Sustaining Technologies: Artificial Organs, Kidney Dialysis, Life Sustaining Drugs, Computer Crimes, Pornography Online.

Suggested Readings:

1. Weeramantry, C.G., Human Rights and Scientific and Technology Development, 1990.
2. Adwin W. Patterson, Law in a Scientific Age, (1963)
3. Suresh T. Viswanathan, The Indian Cyber Law (2000)
4. The International Dimensions of Cyberspace Law (2000), UNESCO Publication.
5. D.P. Mittal, Law of Information Technology (Cyber Law), (2000)
6. Diane Rowland, Elezabeth Macdonald, Information Technology Law, (1997)

7. Michael Chissick, Alistair Kelman, Electronic Commerce, Law and Practice, (1999)
8. Steve Jones, Borin Van Leon, Genetics for Begineers, (1993)
9. Bankowski, I., ed., International Ethical Guidelines for Bromedial Research Involving Human Subjects (Geneva: WHO, 1993).
10. Prakash Mishra ,Human Rights in India (2012).

Course-11

External Evaluation=75 Marks

Viva-voce =25 Marks

Dissertation

The Dissertation shall be evaluated by the External Examiners preferably Teacher of Law. The panel of Examiners shall be submitted by the Chairman in consultation with Supervisor of the candidate. The viva-voce shall be conducted by Board consisting of following members:

- | | |
|--------------------------------|-------------------|
| 1. Dean, Faculty of Law | Chairman of Board |
| 2. Chairman of the Department | Member |
| 3. Supervisor of the candidate | Member |
| 4. External Examiner | Member |