

Syllabus LL.M. One Year Degree Course

First Semester

Course-I Legal Research and Methodology

Course-II Judicial Process

Optional Groups-I: (Paper-III)

- I) International Law and Organizations
- II) Constitutional Law
- III) Criminal Law
- IV) Business Law
- V) Human Rights Law
- VI) Environmental Law

Group (I) International Law

- (3) International Law
- (4) International Organization
- (5) International Human Rights

Group (II) Constitutional Law

- (3) Fundamental Rights and Directive Principles of State Policy
- (4) Local Self Government and Direct Democracy
- (5) Mass Media Laws

Group (III) Criminal Law

- (3) Crime and Administration of Criminal Justice
- (4) Comparative Crime Procedure/Crime and Social Legislations
- (5) Penology and Treatment of Offenders

Group (IV) Business Law

- (3) Company Law
- (4) Competition Law
- (5) Economic Law

Group (V) Human Rights Law

- (3) International Human Rights Standards
- (4) International Humanitarian & Refugee Law
- (5) Protection and Enforcement of Human Rights in India

Second Semester

Course-VI Jurisprudence

Course-VII Law and Social Transformation

Optional Groups-II:

- I) International Law
- II) Constitutional Law
- III) Criminal Law
- IV) Business Law
- V) Human Rights Law

Group (I) International Law

- (8) International Criminal Law
- (9) International Humanitarian Law
- (10) Law of Sea

Group (II) Constitutional Law

- (8) Federal Relation under Indian Constitution
- (9) Natural Secrecy, Public Order and Role of Law
- (10) Health Laws

Group (III) Criminal Law

- (8) Juvenile Delinquency
- (9) Law and Organizational Crime
- (10) Victimology

Group (IV) Business Law

- (8) Banking Law
- (9) IPRs
- (10) Insurance Law

Group (V) Human Rights Law

- (8) Human Rights of Disadvantaged Groups, Woman, Child, Backward Classes, Aged and Disabled.
- (9) Human Rights and Crime Justice System
- (10) Interrelationship of Science, Technology and human Rights, Emerging Issues

Course-VII Dissertation

LL.M 1st Semester

Theory=60 Marks
InternalAssessment=40 Marks

Compulsory Paper

Paper 1

Legal Education and Research Methodology

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

Objectives of legal education, teaching methods – The problem method, lecture method, discussion method and the seminar method of teaching, Evaluation of teaching methods. Examination system of legal education – problems in evaluation, external and internal assessment system and suggested approaches for reformation of the system.

Unit – II

Clinical Legal Education : Concepts and Dimensions – Legal aid, legal literacy, legal survey and law reforms. Students' participation in Law School Programmes: Organizing seminars, publication and editing of Law Journal and assessment of teachers.

Unit – III

Research methods – Socio-legal research, Inter-disciplinary approaches, doctrinal and non-doctrinal research, field surveys, relevance of empirical research and induction and deduction.

Unit – IV

Identification of the research problem – What is a research problem and how it s to be selected? Definition and statement of the problem, evaluation of the problem, the hypotheses, the research proposal or synopsis, survey of available literature and bibliographical research, legislative materials, notification and policy statements, decisional material pertaining to research problem juristic writings and compilation of list of reports or special studies conducted, research design, devising tools and techniques for collection of data – methodology, use of observation studies, questionnaires and schedules, interview techniques, use of case studies, sampling procedures and use of scaling techniques, procedure for collecting data and its treatment, analysis and interpretation of data and role of computers in legal research.

Theory=60 Marks
Internal Assessment=40 Marks

Compulsory Paper

Paper II

Judicial Process

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 – 1

Nature of Judicial Process – Judicial Process as an instrument of social ordering, Judicial Process and creativity in law – Tool and Techniques. Legal development and creativity through legal reasoning under statutory and codified systems. Multiple Dimensions of Judicial Process – (a) Kinds : Adversary, Inquisitorial, Arbitration, Public Interest Litigation (b) Stages in Judicial process: Advisory, pre-trial, Trial, Appellate, Appeal, Revision (c) Elements of Judicial Process : Practice and judicial technique, Reporting, Attendance and Management, (d) Judicial Process Distinguished from other processes : Legislative Process, Administrative Process, Conciliation, Mediation (e) Drawback of Judicial Process: Costs, Delay, Inadequate Representation, Class Structure, Technically.

Unit – II

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, Judicial process in pursuit of Constitutional goals and values, Accountability of the Courts and judicial activism, Impact of public opinion on judicial process, Public confidence in the Judiciary.

Unit – III

The Concepts and basis of Justice – The concept of justice or dharma in India thought, The nature and varieties of justice – views of Karl Marx, John Austin, Hans Kelson, C.K. Allen, Carl Renner, Gemy Benthem, Upendera Baxi, Rajiv Dhawan, Justice as a social norm, The objectivity of justice, Justice and justification, Justice as absolute moral principles, The modern approach to justice. Theoretical basis of justice – The liberal conceptual tradition, The liberal utilitarian tradition, The liberal utilitarian tradition, The liberal moral tradition.

Unit –IV

Relationship between Law and Justice – The dependence of the realization of justice on law, Can law be independent of justice? The conformity of law to justice, the dependence of justice on social action and not law. The criteria of law (just law). Equivalence theories:

Justice is nothing other than the positive law of the stronger classes; Dependency theories – For its realization justice depends of law justice, however, is not the same as law. The independence of justice theories – the relationship in the context of Indian constitutional setting; Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theory of justice.

LL.M 1st Semester

Theory=60 Marks

InternalAssessment=40 Marks

(Optional Group)

GROUP I International Law and Organisations

PAPER 3 International 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 Functions, Theories and Basis of International Law

Third World Approaches to International Law: Asian African Contribution to the Development of International Law

State in International Law: Legal Personality; Recognition; State Responsibility and Sovereign Immunity

Status of Individual and Corporations under International Law: Legal Personality of Individual; Nationality, Statelessness and Refugees; Corporate Nationality.

Unit-II

Extraterritorial Jurisdiction: Principles of Jurisdiction; Criminal Jurisdiction, Hijacking Extradition; Immunity from Jurisdiction; State Jurisdiction and the Internet

International Law Commission: Origin, Organization, Programme and method of work

Unit-III

Law of Treaties: Definition, Vienna Convention on the Law of Treaties, State Practice — India, Interpretation of Treaties by Indian Courts

The Legality of War and Use of Force: Outlawry of War — Historical Evolution; Position within the UN Charter; Definition of Aggression; and the Legality of Use of Nuclear Weapons

Use of Force in International Law: States, Individual and United Nations

Unit-IV

The Law of Sea: Territorial Sea, High Seas, Exclusive Economic Zone, Continental Shelf, Continental Zone, Deep Sea Bed

Air Law: Sovereignty in Air Space, Freedoms and Liability Outer Space Law

Suggested Readings

1. Akehurst, Michael, Modern Introduction to International Law, 5th ed (George Allen and Unwin, London, 1984).
2. Alexandrowicz, C. H., An Introduction to the History of the Law of Nations in the East Indies in 16th, 17th and 18th Centuries.
3. Alvarez, Jose E., International Organizations as Law-Makers (Oxford University Press, Oxford, UK, 2005).
4. Anand, R. P., Compulsory Jurisdiction of the ICJ (Asia Publishing House, New Delhi, 1986).
5. Anand, R. P., Development of Modern International Law and India (Nomos, Germany, 2005).
6. Anand, R. P., International Law and the Developing Countries (Banyan Publications, New Delhi, 1986).
7. Anand, R. P., New States and International Law (Vikas Publications, New Delhi, 1994).
8. Anand, R. P., Origin and Development of the Law of the Sea (Martinus Nijhoff, The Hague, 1983).
9. Anand, R. P., Salient Documents of International Law (Banyan Publication, New Delhi, 1994).

10. Anand, R. P., *Studies in international Law and History: an Asian Perspective* (Martinus Nijhoff Publishers, 2004).
11. Anghie, Antony, *Imperialism, Sovereignty, and the Making of International Law* (Cambridge University Press, Cambridge, UK, 2004).
12. Arend, Anthony Clark and Robert J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (Routledge, New York, 1993).
13. Arend, Antony, Clark and Robert J. Beck, *International Law and the Use of Force: Beyond the UN Charter Paradigm* (Routledge, New York, 1993).
14. Balkrishna, Rajgopal, *International Law from Below: Development, Social Movements and Third World Resistance* (Cambridge University Press, UK, 2004).
15. Bassiouni, M. Cherif, *Introduction to International Criminal Law* (Transnational, Ardsley, NY, 2003).
16. Brierly, J. L., *Law of Nations: An Introduction to the Law of Peace*, 6th ed (Oxford University Press, London, 1998).
17. Brownlie, Ian, *Principles of International Law*, 5th ed (Oxford University Press, London, 1998).
18. Cherhine, North and Fawcett, James, *Private International Law* (Carruther Jawrr, Oxford, 2008).
19. Chesterman, Simon, *Just War or Just Peace? Humanitarian Intervention & International Law* (Oxford university press, 2001).
20. Chimni, B. S., *International Law and World Order: A Critique of Contemporary Approaches* (Safe, New Delhi, 1993).
21. Churchill, R. R. and Lome, A. V., *The Law of the Sea* (Manchester University Press, Manchester, 1983).
22. Conforti, Benedetto, *The Law and Practice of the United Nations* (Martinus Nijhoff Publishings, 2005).
23. Diederiks, Versehoor, *Introduction to Air Law* (Kluwer Law and Taxation, Dordrecht, 1983).
24. Dixit, R.K. & Jayaraj, C, *Dynamics of International Law in the New Millennium* (Manak Publications, New Delhi).

25. Dixit, R.K. , Shankardass, R.K.P., Jayaraj, C & Sinha, Manoj K., International Law: Issues and Challenges(ISIL & Hope India Publications, New Delhi, 2009).
26. Gal, Gyula, Space Law (Academiai Kiado, Budapest, 1969).
27. Govindraj, V. C., Conflict of Laws in India-Interterritorial and Interpersonal Conflicts (Oxford University Press, New Delhi, 2011). 28. Green, L. C., International Law through the Cases, 3rd ed (Stevens and Sons, London, 1970).
29. Harris, D. J., Cases and Materials on International Law, 6th ed (Thomson and Sweet and Maxwell, London, 2004).
30. Jambholkar, Lakshmi, Select Essays on Private International Law (Universal, New Delhi, 2011).
31. Jasentuliyana, N. and Roy, S. K. Lee, (eds), Manual on Space Law (Dobbs Ferry, New York, Oceania Publications, 1969).
32. Jenks, C. W., Space Law (Praeger, New York, 1969).
33. Johnson, D. H. N., Rights in the Air (Manchester University Press, Manchester, 1965).
34. Lachs, Manfred, Law of Outer Space: An Experience in Contemporary Law Making (Sijthoff, Leiden, 1972).
35. Lawrence Collins, Dicey and Morris on Conflict of Laws (Sweet Maxwell, London, 2000).
36. Mani, Bhatt and Reddy, Air Law and Policy in India (Lancers Books, New Delhi, 1994).
37. Mani, V. S., Basic Principles of Modern International Law (Lancers Book, New Delhi, 1993).
38. Mani, V. S., et al., Recent Developments in International Space Law and Policy (Lancers Books, New Delhi, 1997).
39. Nawaz, M. K., Changing Law of Nations (Eastern Law House, New Delhi, 2000).
40. O'Connell, D. P., The International Law of the Sea (Clarendon Press, Oxford, 1982).
41. Oppenheim's, International Law of Peace, vol. 1, 9th ed. (London, 1992).
42. Patel, Bimal (ed.), India and International Law (Martinus Nijhoff Publishings, Leiden, 2008).

43. Shaw, M. N., International Law (Cambridge University Press, New York, 2005).
44. Starke, J. G., Introduction to International Law, 10th ed Butterworths, London, 1992).
45. Verma, S. K., 50 Years of Supreme Court of India: Its Grasp and Reach (Oxford, 2008).
46. Verma, S. K., An Introduction to Public International Law (Satyam, New Delhi, 2012).
47. Weeramantry, C. G., The World Court: Its Conceptions, Constitutions and Contributions (A Sarvodaya Vishava Lekha Publications, Sri Lanka, 2002).

Theory=60 Marks
InternalAssessment=40 Marks

Paper 4: International Organizations : Law, Practice and Future.

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

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. Law creating processes including Resolutions and Declarations of the General Assembly and Specialized Agencies. Secretary General of the United Nations.

UNIT-II

The political process of the international organization stocks and alliances; Non aligned movement and its impact various organis of United Nations. African and Latin, India and the United Nations, U.N. peace making function keeping force – came studies. Problems of peace enforcement.

UNIT-III

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-IV

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

Suggested Readings

CDC Report, Report 2001, p 210

Theory=60 Marks
InternalAssessment=40 Marks

Paper 5– Human Rights and International Order

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

Evolution of the Concept of Human Rights : Western, Socilaist and Third World approaches. Philosophical and legal foundation of Human Rights. Emerging trends of human rights. Human Rights in 21st century.

UNIT-II

International Human Rights Standards : (a) General norms under (i) UN Charter, (ii) Universal Declaration of Human Rights 1948, (iii) UN Covenants of Human Rights 1966, (iv) ILO and other Conventions and Protocols dealing with human rights, (b) Specific norms relating to (i) Genocides, (ii) rational discrimination, (iii) prisoners and victims, (iv) women and children, (v) refugees.

UNIT-III

Measures for the protection and enforcement of Human Rights: (a) at the international level: (i) relevant provisions under the UN Charter, (ii) Human Rights and domestic jurisdiction clause, (iii) Role of UNO Agencies, (iv) Human Rights and International Court of Justice, (v) Role of International Commission of Human Rights and Amnesty International (b) At the regional level (i) European Convention on Human Rights (ii) European Commission on Human Rights/Courts of Human Rights (iii) American Convention on Human Rights, (iv) Inter-American Courts on Human Rights, (v) African Convention on Human Rights, (vi) Arab Regional Convention on Human Rights, (vii) Asian Convention on Human Rights.

UNIT-IV

Human rights situation in neighboring countries of India (a) Human Rights situation in Pakistan, (b) Human rights situation in Afghanistan (c) Human Rights situation in Sri Lanka (d) Human Rights situation in Burma (Myanmar), (e) Human Rights situation in Bangladesh and Nepal; Emerging trends in Human Rights jurisprudence.

Suggested Readings

See CDC Report, Report 2001, p.386

Theory=60 Marks
InternalAssessment=40 Marks

Group II

Constitutional Law

Paper 3

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.

Fundamental Rights and Directive Principles of State Policy

Unit-1 Concept and Evolution of Fundamental Rights

1. Concept of Fundamental Rights and Relation with Natural Rights
2. Justiciability of Fundamental Rights
3. Definition of “State” - Need to enlarge the definition of State
4. Waiver of Fundamental Rights
5. Doctrine of Eclipse, Doctrine of Severability
6. Military Law and Fundamental Rights

Unit-II Forms of Fundamental Rights

1. Rights to Equality: Reasonable Classification, Wednesbury’s Principle, Legitimate expectation, Doctrine of proportionality and Administrative discretion, Equality under personal laws
2. Equality of Opportunity in public employment: Mandal Commission Case, Protective discrimination
3. Right to Freedom and Reasonable restrictions
4. Right to Life and Personal Liberty: Changing dimensions of Right to Privacy, Pre and post Maneka Gandhi case

6. Freedom of Religion and Secularism

Unit-III Directive Principles of State Policy and their Unenforceability

1. Development and Importance of Directive Principles of State Policy and their Unenforceability
2. Inter-relationship between Fundamental Rights and Directive Principles
3. Emerging Regime of New Rights and Remedies under the Garb of Fundamental Rights – Use of DPSP and International Instruments in Interpreting FRs.
4. Significance of Fundamental Duties

Unit-IV Judicial Review OF Fundamental Rights and Directive Principles

1. Right to Property: Present Position
2. Exceptions to Fundamental Rights (Arts.31-A, 31-B and Ninth Schedule)
3. Right to Constitutional Remedies (Writs) and Public Interest Litigation
4. Judicial Review of FRs and DPSP: Concept of Socio-Economic Justice
5. Amendment to FRs and DPSP (Shankari Prasad to I.R.Coelho'sCase)

Suggested Readings

1. H.M. Seervai, Constitutional Law of India – Vol. I &II
2. V.N.Shukla , Constitution of India
3. Subhash C Jain, The Constitution of India
4. D.D. Basu, Commentaries on Constitutional Law of India, Vol. A to E
5. M. Hidayatullah (Ed.), Constitution of India.
6. M.P.Jain, Indian Constitutional Law.
7. SubbaRao G C, V Indian constitutional law
8. Pande G S, Constitutional law of India

9. Saharay H K, Constitution of India
10. Pylee M.V, Our constitution government & politics
11. Tope T K, Constitutional law of India
12. Ramachandran, V.G., Law of Writs

Theory=60 Marks
InternalAssessment=40 Marks

Paper 4

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.

LOCAL SELF - GOVERNMENT & DIRECT DEMOCRACY

Unit-I Concept of Local Self-Government

1. Evolution of Local Self Government in India
2. Gram Swaraj : the Gandhian Concept
3. The Balwantraji Mehta committee report, 1957
4. GVK Rao committee report, 1985
5. Community development programme, National Extension Service

Unit -II Constitutional Provisions and Constitutional Amendment

1. Direct democracy and grass root planning
2. The Panchayats: Art. 243, 243- A to 243-O
3. The Municipalities: Art. 243-P to 243-ZG
4. The Co-operative Societies: Art. 243-ZH to 243-ZT
5. 73rd and 74th Constitutional amendments

6. Subject matters of 11th and 12th Schedule of the Constitution of India

Unit-III Rural local self government

1. Gram Nyayalayas Act, 2008
2. Himachal Pradesh Panchayati Raj Act, 1994
3. Himachal Pradesh Panchayati Raj (General) Rules, 1997

Unit-IV Urban local self government

1. Himachal Pradesh Municipal Corporation Act, 1994
2. Himachal Pradesh Municipal Act, 1994

Suggested Readings

1. S.P. Aiyar and U. Mehta (eds.), Essays on Indian Federalism, Bombay, Allied Publishers, 1965.
2. D.D. Basu, An Introduction to the Constitution of India, New Delhi, Prentice Hall, 1994
3. K.R. Bombwall, The Foundations of Indian Federalism, Bombay, Asia Publishing House, 1967.
4. R. Khan, Rethinking Indian Federalism, Shimla, Indian Institute of Advanced Studies, 1997
5. R. Kothari, Party System and Election Studies, Bombay, Asia Publishing House, 1967.
6. J.A. Kousar, Federalism and Good Governance : Issues across Cultures, New Delhi, South Asian, 1998.
7. P. Kumar, Studies in Indian Federalism, New Delhi, Deep and Deep 1988.
8. Z. Hasan (ed.), Parties and Party Politics in India, New Delhi, OxfordUniversity press, 2001.
9. J. Manor, "Parties and the Party System", in A. Kohli (ed.) India's Democracy : An Analysis of Changing State-Society Relations, PrincetonNJ, PrincetonUniversity Press, 1988.
10. S. Pai, State Politics : New Dimensions : Party System, Liberalisation and Politics of Identity, Delhi, Shipra, 2000.

11. M. Weiner, Party Building in a New Nation : The Indian Congress, Chicago, University of Chicago Press, 1967.

12. C.E. Zirakzadeh, Social Movements in Politics : A Comparative Study, New York, Addison Wesley, Longman 1997

Theory=60 Marks
Internal Assessment=40 Marks

Paper 5

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.

MASS MEDIA LAWS

Unit-I Mass Media

1. Types of –Press, Films, Radio and Television
2. Ownership patterns-Press-Private-Public
3. Ownership patterns-Films-Private
4. Ownership patterns-Radio and Television, Public
5. Difference between visual and non visual Media- impact on People’s minds. 6. Role of Internet as Mass media

Unit-II Freedom of Speech and Expression

1. Article 19 (1) (a)
2. Constitutional Restrictions, Parliamentary Privileges
3. Power to legislate - Article 246 read with the Seventh Schedule.
4. Media and Contempt of Courts Act, 1971
5. Issues relating to privacy and Official Secrecy Act, 1923

Unit-III Press and Films

1. Social Media and Information Technology Act, 2000
2. The Abbas Case
3. Cinematograph Act, 1952
4. Press Councils Act, 1978

Unit-IV Radio and Television

1. Prasar Bharti Act, 1990
2. Cable Television Network Regulation Act, 1995
3. Monopolies and Restrictive Trade Practices Act, 1964
4. Telecom Regulatory Authority of India Act, 1997

Select bibliography

1. M.P. Jain, Constitutional Law of India; Wadhwa, Nagpur;(1994)
2. H.M. Seervai, Constitutional Law of India 2002 Vol. 1; Universal Law Publishing Co Ltd
3. John B. Howard, "The Social Accountability of Public Enterprises" in Law and Community Controls in New Development Strategies (International Center for law in Development 1980)
4. Rodney D. Ryder, Brands, trademarks, and advertising, Lexis Nexis Butterworths, (2003).

5. Soli Sorabjee, Law of Press Censorship in India (1976).
6. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).
7. D.D. Basu, The Law of Press of India (1980)
8. Venkat Iyerass, Media Laws And Regulations In India; Bahri Sons (India Research Press) (2000).
9. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a global perspective, Oxford University Press, (2000).
10. Kiran Prasad, Media Law in India, Kluwer Law International ;(2011).
11. Daxton Stewart (ed.) Social Media and the Law: A Guidebook for Communication Students and Professionals, Routledge, (2013).
12. B. Manna, Mass Media and Related Laws in India, Academic Publishers, (2006).
13. Monroe Edwin Price, Stefaan G. Verhulst, Broadcasting reform in India: media law from a global perspective, Oxford University Press, (2001). M.P. Jain, Constitutional Law of India (1994) Wadhwa.
14. Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression ". 14 J.I.L.I. 501 (1 972).
15. Rajeev Dhavan "On the Law of the Press in India" 26 J.I.L.I. 288 (1984).
16. Press Commission" 26 J.I.L.I. 391 (1984).
17. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984).

Theory=60 Marks
InternalAssessment=40 Marks

Group III

Criminal Law

Paper 3

Crime and administration of criminal justice

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. Crime, causes of crime, concept of criminal jurisprudence.
2. Administration of criminal justice.
3. Organisational hierarchy of criminal court and their jurisdiction.
4. Organisation of prosecuting agencies for prosecuting criminals; prosecution, police and withdrawal of prosecution.

Unit II Pre- trial Procedure

1. Arrest and questioning of accused
2. The rights of the accused: right to counsel, right to bail, constitutional rights.
3. Roles of the prosecutor and judicial officer in investigation.
4. The Evidentiary value of the Statement/ the articles seized/ collected by the police.

Unit III Trial procedures

1. The accusatory and the inquisitorial system of trial.
2. Role of the judges.
3. Plea bargaining.
4. Preventive detention laws.
5. Protection of public peace and order.

Unit IV Correction and after care services

1. Correctional institutions, correctional programmes.
2. Role of the court in Correctional Programmes in India.
3. Public interest litigation,
4. Preventive and reformative measures in India: provisions under different legislations.

Select bibliography

1. Celia Hamptom, Criminal Procedure
2. Wilkins and Cross, Outline of the Law of Evidence
3. Archbold, Pleading, Evidence and Practice in Criminal Cases
4. Sarkar, Law of Evidence
5. K.N.Chandrasekharan Pillai(ed.), R.V. Kelkar's Outlines of Criminal Procedure (2000)
6. Patric Devlin, The Criminal Prosecution in England
7. American Series of Foreign Penal Codes Criminal Procedure Code of People's Republic of China.
8. John N. Ferdico, Criminal Procedure (1996), West
9. Sanders & Young, Criminal Justice (1994)
10. Christina Van Den Wyngart, Criminal Procedure Systems in European Community Joel Samaha,
11. Criminal Procedure (1997), West
12. Criminal Procedure Code,1973
13. The French Code of Criminal Procedure,
14. 14th and 41st Reports of Indian Law Commission.
15. The Paper will be taught with reference, wherever necessary, to the procedures in India, England, US France, Russia and China.

Theory=60 Marks
InternalAssessment=40 Marks

Paper 4

Crime and Social Legislations

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, Concept, Needs and Objectives of Social Legislation.
- 2 Judicial Interpretation of Social Justice in India.
- 3 Impact of Social Legislations on Criminal law in India.
- 4 Need for reform in Social Legislations in Indian Context.

UNIT II Legislations on Crime against women

- 1 Dowry Prohibition Act, 1961.
- 2 Prevention of Immoral Trafficking Act, 1956.
- 3 Medical Termination of Pregnancy Act, 1971.
- 4 Sexual Offences Act, 2003.

UNIT III Legislations on Crime against Society

- 1 Corruption: Prevention of corruption Act, 1988.
- 2 White collar Crimes.
- 3 Food Safety and Standards Act, 2006.
- 4 Prevention of Money Laundering Act, 2002.

UNIT IV Implementation and Enforcement of Social Legislation

- 1 Response of the society at large towards the Law and Social Legislations.
- 2 Role of Parliament in Implementation and Enforcement of Social Legislation.
- 3 Role of Judiciary on Implementation of Social Legislations.
- 4 Loopholes in Implementation and Enforcement of Social Legislations.

Suggested Readings

1. Is Corporate Crime Serious Crime? Criminal Justice and Corporate Crime Control, by Ronald C. Kramer, Journal of Contemporary Criminal Justice 1984; 2; 7 (Online version available at: <http://ccj.sagepub.com>)
2. Crime and Business, by Edwin H. Sutherland, Annals of the American Academy of Political and Social Science Vol. 217, Crime in the United States (Sep., 1941), pp.

112-118 Published by : Sage Publications, Inc. Article Stable URL:
<http://www.jstor.org/stable/1023421>

3. Occupational Crime, Occupational Deviance, and Workplace Crime: Sorting Out the Differences, by David O. Friedrichs, 2002, Criminal Justice 2:243-56, 'Trusted Criminals: White Collar Crime in Contemporary Society. Belmont, CA: Thomson Wadsworth.
4. White-Collar Crime : The Essentials by Brian K. Payne, 2013.
5. Corporate and White Collar Crimes, Cases and Materials, 5th edition, by Kathleen F. Brickey, 2011.
6. Understanding White Collar Crimes by J. Kelly Strader, 2011.

Theory=60 Marks
InternalAssessment=40 Marks

Paper 5

Penology and treatment of offender

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 Penology

- 1 Definition, nature and scope.
- 2 Historical and contemporary approach to penology
- 3 Theories of punishment: retribution, deterrence, reformatory, preventive, expiatory.

Unit II Approaches to sentencing

- 1 Probation, parole, corrective labour, bail, bond, fines.
- 2 **Capital punishment:** Constitutionality of Capital punishment; Judicial attitudes towards capital punishment in India. Law reform proposal: retention or abolition of capital punishment.

UNIT III Sentencing of offenders

- 1 Types of sentences in the Penal Code and special laws.
- 2 Sentencing in White collar Crimes;
- 3 Sentencing for habitual offenders;
- 4 Judicial discretion in sentencing offenders;
- 5 Pre-sentence hearing.

UNIT IV Prison System: the state of Indian jails today

- 1 Hierarchy of prisons; classification of prisoners;
- 2 Rights of the prisoners and duties of the custodial staff.
- 3 Open prisons.
- 4 Position of the under trial prisoners.

Select bibliography

1. S. Chhabra, The Quantum of Punishment in Criminal Law (1970),
2. H.L.A. Hart, Punishment and Responsibility (1968)
3. Herbert L. Packer, The Limits of Criminal Sanction (1968)
4. Alf Ross, On Guilt, Responsibility and Punishment (1975)
5. A. Siddique, Criminology (1984) Eastern, Lucknow.

6. Law Commission of India, Forty-Second Report Ch. 3 (1971)
7. K.S. Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey of Sociology and Social
8. Anthropology 1969-179 (1986)
9. Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R. Campray & Co., Calcutta.

Theory=60 Marks
InternalAssessment=40 Marks

Paper 3

COMPANY 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 1

Corporate Incorporation and Management

- Concept of Corporate Law in India
- The Companies Act, 1956 –Bhaba Committee Recommendations
- Evolution of Companies Act, 2013 - Dr. J J Irani Committee Report
- Exceptions provided under Companies Act 2013 to specific sectors
- Classification of Companies
- Concept of One Person Company
- Legal Position of a Promoters - Rights ,Duties, Liabilities and Termination
- Incorporation of Companies – Its Procedural Aspects
- Rule 3, 6, 28, 30, 31,32 of Companies (Incorporation) Rules, 2014
- Statutory Recognition of Piercing the Corporate Veil
- Doctrine of Constructive Notice , Indoor Management and Doctrine of ultra vires

UNIT 2

Capital Formation and Financing of Companies

- Issuance of Prospectus of company
- Prescriptions and Rule 5 and 7 under Companies (Prospectus and Allotment of Securities) Rules, 2014
- The Golden Rule or Golden Legacy
- Difference between Share and Stock
- Procedure for Issue of Shares and Reduction of Share Capital General Principles Regarding Allotment
- Legal Effect of Share Certificate and Split certificate
- Forfeiture of shares, Re-issue of Forfeited Shares Surrender of Shares
- Transfer and Transmission of shares
- Prescriptions under Companies (Share Capital and Debentures) Rules, 2014
- Buy Back of Securities
- Provisions for Issue of Debentures under Companies Act, 2013
- Registration of Charges, Condonation of Delay in filing of Charge
- Rule 12 of Companies (Registration of Charges) Rules, 2014

UNIT 3

Company Management and Administration

- Directors- Appointment, Disqualification, Duties, Resignation and Removal
- Code for Independent Directors
- Prescriptions under Companies (Appointment and Qualifications of Directors) Rules, 2014
- A Comparative study of Provisions under Clause 49 and Companies Act, 2013
- Company Meetings- Board Meetings, Annual General Meetings and Extra Ordinary General Meetings

- Rule 3 and 15 of the Companies (Meeting of Board and its Powers) Rules, 2014
- Inspection and Investigation
- Prevention of Oppression and Mismanagement
- Company Secretary- Appointments and his Legal position.
- National Company Law Tribunal and Appellate Tribunal
- Concept of Merger and Amalgamation under Companies Act, 2013
- Winding up

UNIT 4

Corporate Governance and Social Responsibility

- Corporate Governance under SEBI Regulations
- Corporate Social Responsibility: Theories and Justification
- Regulation of Multinational Corporations in India
- Incorporation of Limited Liability Partnership - Advantages and Disadvantages
- General structure of an e-form and e-filing process under MCA 21

BOOKS RECOMMENDED

Text books:

1. Avtar Singh, Company Law, 17ed, eastern Book Company, 2016
2. Guide to Companies Act, 2013 by Corporate Law Advisor, 5th ed, Jain Book Agency, 2017
3. S.M. Shah, Lectures on Company Law (1988)
4. Smith and Keenon's, Company Law, Pearson Education Ltd., 2009
5. G.K Kapoor & Sanjay Dhamija, Company Act, 2013, 19th, Taxmann, 2016
6. T.P Gosh, Companies Act, 2013

Further Readings

1. Palmer, Palmer's Company Law, 2nd ed), Sweet and Maxwell, London, 2017
2. A. Ramaiya, Guide to the Companies Act, 18th ed, Lexis Nexis, 2014
3. Taxmann, Company Law Manual, 7th ed, Taxmann, 2017
4. L.C.B. Gower, Principles of Modern Company Law, 10th ed, Sweet and Maxwell, London, 2016
5. A.K Majumdar & Dr.G.K.Kapoor, Company Law, 16th Taxmann, 2011

Statutory Readings

1. Companies Act, 2013

Theory=60 Marks
Internal Assessment=40 Marks

Paper 4

Competition 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

Need for a Competition Policy; Object of Competition Law; Pre-requisites for its policy, Anti-Competition Practices; WTO Regime and Agreements; Relevance of MRTP Act in Competition Milieu;

Unit II

Competition Act 2002; Prohibition of Anti-Competitive Agreements/ Per se illegal Practices; Presumption of adverse effect; Prohibition: Agreement under English Competition Law; Prohibition and Abuse of Dominant Position; Combination and its regulations; Competition Advocacy; finance, Account and Audit; Intellectual Property and Competition Law

Unit III

Competition Commission of India; its establishment; composition; selection Committee; Term in Office; Registration; Removal and suspension of Chairman; Power and function of Competition Commission of India; Appointment; Qualification and Disqualification of its members; Meetings etc.

Unit IV

Foreign Agency- Agreement, Competition Commission; Inquiry of certain agreements, Reference and Meeting by Commission, Director General, Duties of Director General; Competition Appellate Tribunal: its composition; Qualification for appointment of Chairperson and Members of Selection Committee- Term; Power and function of CAT

Theory=60 Marks
Internal Assessment=40 Marks

Paper 5

Economic 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.

Development and Regulation of International Trade

- World Trade Organisation : Genesis, History, Structural Dimension and Dispute Settlement Mechanism
- World Trade Organisation : Agreement on Agriculture Textile and Clothing, Agreement on Sanitary and Phyto sanitary Measures , Agreement on Technical Barriers to Trade and Agreement on Trade in Agreement on Import-Licensing Proceeding , Agreement on Pre-shipment Inspection Service
- World Trade Organisation and Competition Policy
- World Trade Organisation and Labour Standards
- World Trade Organisation and Environment Issues
- World Trade Organisation and Trade and Investment
- Legal Frame Work of GATT 1994

Legal Regulation of Economic Enterprises.

- Constitutional Perspectives
- The New Economic Policy- Industrial Policy Resolutions, Declarations and Statements, Disclosure of information ,Fairness in competition ,Emphasis on Consumerism
- Development and Regulation of Industries
- Take-over of Management and Control of Industrial Units
- Sick Undertakings: Nationalisation or Winding Up
- Growing Trends of Liberalization :Licensing Policy and Legal Process
- Financial Services: Changing Techniques of Regulation.
- Critical Issues Regarding the Capital Issues

- Equity and Debt Finance
- Global Depositories
- Regulation of Multinationals: Collaboration Agreements for Technology Transfer, Development and Regulation of Foreign Investments
- Special Aspects of Legal Regulation of Select Public Enterprises : Telecom Regulatory Authority ,Insurance Regulatory Authority, Broadcasting Regulatory Authority

Law of Export and Import Regulation

- General Law on Control of Imports and Exports: Legislative Control, Central government and RBI power to control
- Foreign Trade Development and Regulation Act 1992
- Customs Act,1962: Restrictions under Customs law, Prohibition and Penalties
- Control of Exports : Quality Control,
- Regulations on goods
- Foreign Exchange management Act,
- Changing Dimensions of Exim Policy
- Investment policy : NRIs, FIIs (Foreign Institutional Investors), FDIs (Foreign Direct Investment)
- Prohibition on importation and exportation of goods
- Control of smuggling activities in export-import trade
- Levy of and exemption from customs duties
- Clearance of Imported Goods and Export Goods
- Conveyance and Warehousing of Goods

Laws Regulating Securities and Debts

- Law of Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) : Concept, Historical Background and Working, Rights of Borrowers ,Pre Conditions for Enforcing the Rights by the Creditors, Different Methods of Recovery and Power of Debt Recovery Tribunal, Role of High Court and District Magistrate or Chief Metropolitan Magistrate
- Security Exchange Board of India Act,1992 (SEBI) : Genesis , Organisation ,Structure and Functions Performed by the Board, Powers of the Board, Penalties and adjudication, Composition, Salary, Tenure, Qualification and Powers of Securities Appellate Tribunal
- Recovery of Debts Due to Banks & Financial Institutions Act, 1993 (RDDBFIA): Debt recovery tribunal and appellate tribunal: Establishment and Composition, Appointment of Presiding Officer, Qualification, Tenure of Service, Removal and Resignation and Method of Filling up of Vacancy, Jurisdiction , Powers and

Authority of Tribunal, Procedure and Power of Tribunal and Appellate Tribunal,
Various Modes of Recovery of Debts by the Tribunal

RECOMENDED BOOKS

Text Books

- Bandari Surendra, World Trade Organization and Developing Countries (1995), Universal, Delhi
- Myneni Srinivasa Rao, International Economic Law (1996), Pioneer Books, New Delhi.
- Arun Goyal(ed.), WTO in the new Millennium (2000), Academy of Business Studies, New Delhi-110002. Schwarzenberger, Economic World Order (1970) Manchester University Press.
- Jayanta Bagchi, World Trade Organization : An Indian Perspective (2000), Eastern Law House, Calcutta.
- S.Aswani Kumar, The Law of Indian Trade Mark (2001), Commercial Law House, Delhi.
- Final Treaty of GATT, 1994.
- 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.
- 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

Further Readings

- Industrial Policy Resolutions of 1948,1956, 1991
- Industrial Licensing Policy 1970,1975
- Industrial Policy Statements 1973,1977, 1980
- Industries (Development and Regulation) Act, 1951
- Indian Law Institute, Law of international Trade Transactions, (1973)
- Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)
- Government of India Export and Import Rules ,2017
- Government of India Import and Export Policy (1997 -2002)
- The Students should consult the relevant volumes of the Annual Survey of Indian Law, Published by the Indian law Institute, New Delhi.
- Customs Manual (Latest edition) Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)
- Government of India Import and Export Policy (1997 -2002)

- 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

Statutory Reference

- Foreign Trade Development and Regulation Act 1992 Foreign Exchange Management Act 1999
- Customs Act,1962
- Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI)
- Security Exchange Board of India Act,1992 (SEBI)
- Recovery of Debts Due to Banks & Financial Institutions Act, 1993 (RDDBFIA)

Theory=60 Marks

Internal Assessment=40 Marks

Group 5 Human Rights Group

Paper 3

International Human Rights Standards

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

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

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-III

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-IV

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., 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.

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).

Theory=60 Marks
Internal Assessment=40 Marks

Paper 4

International Humanitarian and Refugee 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 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, 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).

Theory=60 Marks

Internal Assessment=40 Marks

Paper 5

Protection and Enforcement of Human Rights in India

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 , Nature and Concept of Human Rights, Legal and Philosophical Conceptions of Human Rights and Duties,Development of Human Rights Movement and Law in Indian Tradition: Ancient, Medieval and Modern.

Unit-II

Constitutional Guarantees and Legislative Measures for the Promotion and Protection of Human Rights in India. Emergence of the Basic need oriented Human Rights Jurisprudence in India.

Unit-III

Constitutional and Statutory Safeguards against Violation of Human Rights, Contribution of Judiciary to Human Rights Law. Survey of Judicial Pronouncements Protecting Human Rights in India.

Unit-IV

Enforcement of Human Rights : Formal Enforcement Mechanism, Role of Supreme Court ,Role of High Court ,Role of Civil and Criminal Courts ,Statutory Tribunals ,Special Courts , Armed Forces Act and Violation of Human Rights. Displacements and Human Rights Protection. Role of N.G.O.s and Media.

Suggested Readings:

1. Praveen Vadkar ,Concepts, Theories and Practice of Human Rights (2000).
2. Baxi, Upendra, Inhuman Wrongs and Human Rights (Delhi: Har Anand Publications, 1994).
3. J. S. Verma ,The New Universe of Human Rights (2011).
4. Upendra Baxi ,The Future of Human Rights (2002).
5. Prakash Mishra ,Law Enforcement and Human Rights (2012).
6. Basu, D.D., Human Rights in Constitutional Law (New Delhi: Prentice Hall, 1994).
7. Iyer, V.R. Krishna, Dialectics and Dynamics of Human Rights in India (1999).
8. Anthony M.J.,Social Action through Courts (Landmark Judgements in PIL) New Delhi, ISI Publications 1993.
9. Justice Palok Basu ,Law Relating to Protection of Human Rights under the Indian Constitution and Allied Laws (2002).

10. Arun Ray Mohapatra National Human Rights Commission of India: Formation, Functioning and Future Prospects (2001).

LL.M 2nd Semester

Theory=60 Marks
InternalAssessment=40 Marks

Compulsory Paper

Paper 6

Jurisprudence (Schools)

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 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 positivistic 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 – Rescoe 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.

Theory=60 Marks
InternalAssessment=40 Marks

Compulsory Paper

Paper 7

Law and Social Transformation in India

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.

Theory=60 Marks
InternalAssessment=40 Marks

Group I: International Law and Organisation

Paper 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
InternalAssessment=40 Marks

Group I: International Law and Organisation

Paper 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
InternalAssessment=40 Marks

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

Theory=60 Marks
InternalAssessment=40 Marks

Group II

Constitutional Law

Paper 8

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

Theory=60 Marks
InternalAssessment=40 Marks

Paper 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. National Security Act, 1980
2. The Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (COFEPOSA)
3. 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

Select bibliography

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).

Theory=60 Marks
InternalAssessment=40 Marks

Paper 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. Medical Termination of Pregnancy Act, 1971: Reproductive Rights
2. 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. Maternity Benefit Act, 1961 and Rules
5. Insecticide Act, 1968 and Rules

6. 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).

Theory=60 Marks
InternalAssessment=40 Marks

Group III Criminal Law

Paper 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 Act, 2016

- 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.

Select bibliography

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.

Theory=60 Marks
InternalAssessment=40 Marks

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

UNIT- IV Cyber-crime and criminal justice system

- 1 Classification of Cybercrime.
- 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.

Select bibliography

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, *DrugAbuse andpersonality 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 Critque 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. Desal, (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)

Theory=60 Marks
InternalAssessment=40 Marks

Paper 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

Theory=60 Marks
Internal Assessment=40 Marks

Paper 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 bankers 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.

Theory=60 Marks
Internal Assessment=40 Marks

Paper 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.

Paper 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 warranties, 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

Theory=60 Marks
Internal Assessment=40 Marks

Paper 8

Human Rights of Disadvantaged Groups: SCs, STs/OBCs, Women, Children, Aged and Disabled

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).

Theory=60 Marks
Internal Assessment=40 Marks

Paper 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).

Theory=60 Marks
InternalAssessment=40 Marks

Paper 10

Interrelationship 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 Beginneers, (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-VII

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 |

Master of Laws (LL.M.)

Number of Seats= 35

Subsidized seats = 16

Non-Subsidized seats = 19

Eligibility:

Admission will be open to the Law graduates of Himachal Pradesh University, Shimla who have obtained LL.B./ B.A LL.B (Professional) Degree as well as Law graduates of other Universities in India whose Law Degree is recognized as equivalent to the LL.B./BA.LL.B. Degree of Himachal Pradesh University, Shimla on the reciprocal basis. Provided he/she has consistent good academic record with first or high second class in LL.B. (Professional) Degree with at least 55% Marks in aggregate (50% in case of SC/ST candidates) or B Plus in the grade system marks or an equivalent degree of a foreign University.

Note: The consistent good academic record means average of 55% in any two examination prior to LL.B. Degree (i.e. Matric, 10+2 and Graduation) or 50% marks in each of the examinations separately.

Basis of Admission:

Admission will be made strictly on merit on the basis of marks obtained in the Entrance Test.

Note:

1. The Entrance Test will consist of one paper of 100 multiple choice questions. The questions will be set from the courses taught in LL.B. with emphasis on the following areas:
 - (i) Constitutional Law
 - (ii) Intellectual Property
 - (iii) Business Law
 - (iv) Environmental Law
 - (v) Criminal Law
 - (vi) Human Rights Law
 - (vii) International Law
 - (viii) Jurisprudence etc.
2. The minimum qualifying marks in the Entrance Test will be 50% (45% in case of SC/ST candidates.)
3. Admission to subsidized seats will be made as per the provisions under clause 9 and admission to Non-subsidized seats will be made as per provisions under clause 10 of the Hand Book of Information.

Application Form & Fee (Subsidized and Non-Subsidized Seats):

There will be separate Application Forms, for subsidized and Non-subsidized seats. Each duly filled in online application form with fee of Rs. 1000/- (Rs. 500/- for SC/ST/Antodaya/IRDP candidates). The fee for Non-Subsidized Seats is Rs. 1000/-. The fee once deposited shall not be refundable under any circumstances.

Fee Structures :

Fee for Non-subsidized seats shall be Rs. 50,000/- (Rupees Fifty Thousand only) per year plus other charges as mentioned in clauses 3.1, 3.2 & 3.3 of the Hand Book of Information. **The fee once deposited will not be refundable under any circumstances.**

Duration of the course and examination rules:

1. LL.M. shall be a full time regular course of study pursued by regular attendance in the classes and seminars.
2. The duration of the course shall be one academic year spread over two semesters. There shall be an examination at the end of each semester.
3. In order to be eligible to sit in the examination, a candidate shall be required to attend 75% of the total number of lectures delivered. The Dean Faculty of Law may, however, condone shortage up to 9% if the candidate has attended at least 60% of the lectures delivered in each course.
4. The LL.M. Course for Two Semesters shall be called LL.M. First Semester and LL.M. Second Semester. A candidate shall take two compulsory papers and three optional papers (from the area of specialization) in each semester. Moreover a candidate shall have to write a dissertation and appear for viva-voce examination at the end of Second Semester. With the approval of the Chairperson of the Department of Laws, each candidate shall select the topic for a dissertation at the beginning of Second Semester.

The topic of the dissertation shall be from the area of specialization opted for by the candidate in the First Semester.

5. A candidate in order to qualify in LL.M. examinations of First and Second semester shall be required to secure 45% marks in each paper and 50% marks in aggregate, dissertation writing + viva-voce separately.
6. Each candidate shall write a dissertation under a Teacher (Supervisor) appointed by the Chairperson of the Department. At the time of preparation of the dissertation for the purpose of attendance a candidate shall meet the Teacher (Supervisor) at least thrice a week.
7. A candidate shall submit three typed copies of the dissertation accompanied by a certificate of the supervisor to the effect that the dissertation has been written by the candidate himself under his guidance and supervision and the same is fit for being submitted through the Chairperson of the Department of Laws to the Controller of Examinations by the end of the Second Semester with the permission of the Dean Faculty of Law. Extension in time for submission of the dissertation may be given for a period up to six months by the Dean & Chairman. Further, extension for a period of additional six months shall be granted in the exceptional cases with late fees by the Hon'ble Vice-Chancellor as per the University Rules.
8. A candidate who appears in the examination in the First Semester may be permitted to proceed to the second semester only if he qualifies One Compulsory Paper along with two optional papers from any Group of the specialization of first Semester.
9. A candidate who fails to obtain pass marks in papers of First Semester may re-appear in those papers when the next semester examinations will held.
10. A candidate who fails to obtain Master of Laws Degree in one year shall cease to be a student unless specially permitted by the Vice-Chancellor to do so in two years. Such candidate may, however, be permitted to appear in the examination or submit the dissertation as late college student provided he/she clears LL.M. first semester and second semester examination taken together within a period of two years.
11. Promotion of a student from first semester to the second semester will be allowed as per provision of the ordinance, as amended from time to time. The above scheme is, however subject to change without prior notice.