



UTKAL UNIVERSITY

**COURSES OF STUDIES
FOR**

MASTER OF LAWS (LL.M) EXAMINATION

**CHOICED BASED CREDIT SYSTEM
(SEMESTER SYSTEM)**

*Approved by the Academic Council Meeting held on 20.02.2013 &
Communicated vide Letter No. Ac-Meet/120-12-13/8644/2013 dated 25.05.2013*

(EFFECTIVE FROM ACADEMIC SESSION 2013-2014 AND ONWARDS)

THE POST GRADUATE DEPARTMENT OF LAW

UTKAL UNIVERSITY

VANI VIHAR- BHUBANESWAR-751004

UTKAL UNIVERSITY
COURSES OF STUDIES FOR THE MASTER OF LAWS (LL.M) EXAMINATION
(Semester Course)
CHOICE BASED CREDIT SYSTEM

(Effective from the 1st Semester, LL.M Admission during the Academic Session 2013-14)

This syllabus has been designed on Choice Based Credit System as per the guidelines provided by University Grant Commission and the Curriculum Development Centre of U.G.C. This LL.M Programme is projected to train future researchers and the students to enquire and also to explore about the legal frame work of the contemporary society. **This syllabus is only applicable to the P.G. Department of Law under the Chairman, P.G. Council, Utkal University, Vani Vihar, Bhubaneswar-4** and shall come into effect from the Academic Session 2013-2014.

This regular syllabus (on Choice Based Credit System) for Master of Laws (LL.M) examination consists of four semesters. The 1st Semester shall cover the period from June to December & 2nd Semester from January to May during the first academic session. The 3rd Semester shall commence from June to December and 4th Semester from January to May of the second academic session.

The credits specified for LL.M programme describe the weightages of various courses of the programme. The number of credits along with grade points that the student has satisfactorily completed, measures the performance of the student. Satisfactory progress of a student is subject to his/ her maintaining a minimum Cumulative Grade Point Average (CGPA), as well as minimum grades in different subjects of the programme. Description of credit distribution for the course has been given below.

- TOTAL NO OF SEMESTER- **04**
- TOTAL PAPERS OF ALL SEMESTERS= **22** (Except Audit Papers)
- EACH PAPER CONSISTS OF **04** CREDITS
- TOTAL NO CREDIT= 22 x 04= **88** CREDITS
- NO OF CORE PAPERS = 1ST SEM **05** + 2ND SEM **05**= **10** Papers
- NO OF CORE ELECTIVE PAPERS = 3RD SEM **04** + 4TH SEM **04**=**08** Papers(Semester III & IV are meant for Specialization and Students are to choose any one of the Specialization Subject mentioned in the syllabus as Core Elective Papers.)
- NO OF FREE ELECTIVE PAPERS: 3RD SEM **01** + 4TH SEM **01**= **02** Papers(Choice based Elective Paper Across others Specialization mentioned in the syllabus)
- NO OF ALLIED ELECTIVE PAPERS: 3RD SEM **01** + 4TH SEM **01**= **02** Papers(The students are to take any one of the papers mentioned in the syllabus as Allied Elective Paper)
- NO OF AUDIT PAPERS = 3RD SEM **01** + 4TH SEM **01**= **02** Papers (No Credit would be awarded and Students are to take any one of the Audit Paper as mentioned in the syllabus over and above the minimum required Courses. This is purely Optional in nature.)

The following shall be the subjects and the Courses of Study for Master of Laws (LL.M.) Examination. 1st Semester & 2nd Semester are Core Subjects which are compulsory for Students.

Core Subjects (CS) for 1st Semester

CS-01	LLM-CS-01-P-I	Law & Social Transformation in India
CS-02	LLM-CS-02-P-II	New Dimensions in Indian Constitutional Law
CS-03	LLM-CS-03-P-III	Judicial Process
CS-04	LLM-CS-04-P-IV	Legal Education System in India
CS-05	LLM-CS-05-P-V	Presentation (PPT) (Internal)

Core Subjects (CS) for 2nd Semester

CS-06	LLM-CS-06-P-VI	Law and Social Engineering in India
CS-07	LLM-CS-07-P-VII	Indian Constitutional Law: The New Challenges.
CS-08	LLM-CS-08-P-VIII	Administration of Justice and Judicial Process
CS-09	LLM-CS-09-P-IX	Research Methodology
CS-010	LLM-CS-10-P-X	Dissertation

3rd and 4th Semester prescribes Specialization subjects. Currently, the Department Offers Four CORE ELECTIVES as specialization Subjects such as

1.	LL.M- CE-G01	Constitution and Legal Order (Group-1)
2.	LL.M- CE-G02	Business Law (Group-2)
3.	LL.M- CE-G03	Criminal Law (Group-3)
4.	LL.M- CE-G04	Feminist Critique of Legal Order (Group-4)

Students are to choose any one of the Specialization Subject. However, the DTC reserves the right to offer Specializations, subject to availability of teaching and other logistic facilities. The HOD will notify the availability of specializations before the commencement of the 3rd Semester. Each student shall apply in writing to the HOD expressing his/her options for specialization subjects within the first week of the 3rd Semester of that academic session. The HOD shall notify the names of the students and their respective specializations in the Notice board

Core Elective Subjects (CE) for 3rd Semester

LL.M-CE-01 CONSTITUTION AND LEGAL ORDER (GROUP-1)

LLM-CE-01-CL-P-XI	Mass Media law
LLM-CE-01-CL-P-XII	Public Utilities law
LLM-CE-01-CL-P-XIII	Constitutionalism: Pluralism and Federalism
LLM-CE-01-CL-P-XIV	Dissertation

LL.M-CE-02- BUSINESS LAW (GROUP-2)

LLM-CE-02-BL- P-XI	Law of Industrial and Intellectual Property-I
LLM-CE-02-BL- P-XII	Banking Law
LLM-CE-02-BL- P-XIII	Corporate Finance
LLM-CE-02-BL- P-XIV	Dissertation

LL.M-CE-03 CRIMINAL LAW (GROUP-3)

LLM-CE-03-CRL- P-XI	Comparative Criminal Procedure
LLM-CE-03-CRL- P-XII	Penology: Treatment of Offenders
LLM-CE-03-CRL- P-XIII	Privileged Class Deviance
LLM-CE-03-CRL- P-XIV	Dissertation

LLM-CE-04 FEMINIST CRITIQUE OF LEGAL ORDER (GROUP-4)

LLM-CE-04-FCL- P-XI	Feminist Theorizing and Legal Order
LLM-CE-04-FCL- P-XII	Patriarchal Elements in Indian Law
LLM-CE-04-FCL- P-XIII	Gender Justice Standards at International Law
LLM-CE-04-FCL- P-XIV	Dissertation

FREE ELECTIVE (FE) SUBJECT

During 3rd Semester each student shall opt one paper as Free Elective Papers across any Core Elective subjects (specialisation) indicated above.

LLM-FE-01-P-XV	Choice based Elective Paper Across others Specialization
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ALLIED ELECTIVE (AE) SUBJECTS

The Department offers Four Allied Elective Subjects of Inter-Disciplinary nature. A student is required to select any One for 3rd Semester of the following Allied Elective subjects and apply to the HOD in writing expressing his/her interest. Considering majority of choice of the students and teaching Facilities, the HOD

in consultation with the Teaching Council shall notify the Allied Elective Subject to be taught for that academic session. In this regard, the decision of the HOD is final and binding.

LLM-AE-01-P-XVI	Monopolies and Competition Law
LLM-AE-02-P-XVI	Information Technology and Law
LLM-AE-03-P-XVI	Rights of Child and Juvenile Justice
LLM-AE-04-P-XVI	Women: Sexual Offences and Legal Remedies

AUDIT COURSE (AC)

No Credit Awarded and Students are to take any one of the Followings over and above the minimum required Courses. This is purely Optional in nature.

LLM-AC-01	Tribal Rights and Law
LLM-AC-02	Local Self Government and Law

Core Elective Subjects (CE) for 4TH Semester

LL.M-CE-01 CONSTITUTION AND LEGAL ORDER (GROUP-1)

LLM-CE-01-CL- P-XVII	Union-state Financial Relations
LLM-CE-01-CL- P-XVIII	National Security, Public Order and Rule of Law
LLM-CE-01-CL- P-XIX	Constitution and Judicial Mechanism
LLM-CE-01-CL- P-XX	Presentation and Viva (Practical)

LL.M-CE-02- BUSINESS LAW (GROUP-2)

LLM-CE-02-BL- P-XVII	Law of Industrial and Intellectual Property-II
LLM-CE-02-BL- P-XVIII	Law of Export - Import Regulation
LLM-CE-02-BL- P-XIX	Insurance Law
LLM-CE-02-BL- P-XX	Presentation and Viva (Practical)

LL.M-CE-03 CRIMINAL LAW (GROUP-3)

LLM-CE-03-CRL- P-XVII	Drug Addiction, Criminal Justice and Human Rights
LLM-CE-03-CRL- P-XVIII	Collective Violence
LLM-CE-03-CRL- P-XIX	Victims of Crime and Compensatory Jurisprudence
LLM-CE-03-CRL- P-XX	Presentation and Viva (Practical)

LLM-CE-04 FEMINIST CRITIQUE OF LEGAL ORDER (GROUP-4)

LLM-CE-04-FCL- P-XVII	Labour, Gender and the Law
LLM-CE-04-FCL- P-XVIII	Population Planning and Gender Justice
LLM-CE-04-FCL- P-XIX	Law Relating to Matrimony
LLM-CE-04-FCL- P-XX	Presentation and Viva (Practical)

FREE ELECTIVE (FE) SUBJECT

During 4TH Semester each student shall opt one paper as Free Elective Papers across any Core Elective subjects (specialization) indicated above.

LLM-FE-01-P-XXI	Choice based Elective Paper Across others Specialization
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ALLIED ELECTIVE (AE) SUBJECTS

The Department offers Four Allied Elective Subjects of Inter-Disciplinary nature. A student is required to select any One for 4th Semester of the following Allied Elective subjects and apply to the HOD in writing expressing his/her interest. Considering majority of choice of the students and teaching Facilities, the HOD in consultation with the Teaching Council shall notify the Allied Elective Subject to be taught for that academic session. In this regard, the decision of the HOD is final and binding.

LLM-AE-05-P-XXII	Liability of Public Authority and Law
LLM-AE-06-P-XXII	Human Rights and Law
LLM-AE-07-P-XXII	Right to Information and Law
LLM-AE-08-P-XXII	Family Dispute Resolution system

AUDIT COURSE (AC)

No Credit Awarded and Students are to take any one of the Followings over and above the minimum required Courses. This is purely Optional in nature.

LLM-AC-03 Alternative Dispute Resolution System and Para Legal Training
LLM-AC-04 Disaster Management and Law

Full Mark: Each paper consists of **100** marks. Out of which **30%** mark is allotted for Mid Semester Examination and **70%** is allotted for End Semester Examination.

Duration of Examination: The Duration of Semester Examination for each Paper shall be of **Three** hours.

Pedagogy Guidelines: Teaching should be interactive and to ensure this, the students are required to prepare their topic to be taught. After presentation by the student, the subject teacher shall present his/her critical analysis followed by an interactive session.

FIRST SEMESTER					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CS:001	LLM-CS-01-P -I	Law & Social Transformation in India	100	40 %	4
CS:002	LLM-CS-02-P -II	New Dimensions in Indian Constitutional Law	100	40 %	4
CS:003	LLM-CS-03-P -III	Judicial Process	100	40 %	4
CS:004	LLM-CS-04-P-IV	Legal Education System in India	100	40 %	4
CS:005	LLM-CS-05-P -V	Project Presentation (PPT) Internal	100	40 %	4

LLM-CS-01-P -I LAW AND SOCIAL TRANSFORMATION IN INDIA

UNIT- I Law and Social Change

- 1.1 Concept and Theories of Social Change and the Role of law
- 1.2. Law as the product of traditions and culture. Criticism and evaluation in the light of colonization and the introduction of common law system and institutions in India and its impact on further development of law and legal institutions in India.
- 1.3. Socio-Legal dynamics of India and Law as an instrument of social change and Development
- 1.4. Counter Forces and Social Transformation

UNIT-II Religion and the Law

- 2.1. Religion as a divisive factor.
- 2.2. Secularism as a solution to the problem.
- 2.3. Reform of the law on secular lines: Problems.
- 2.4. Freedom of religion and Rights of Religious minorities

UNIT-III Language and the Law

- 3.1. Language as a divisive factor: formation of linguistic states.
- 3.2. Constitutional guarantees to linguistic minorities.
- 3.3. Language policy and the Constitution: Official language; multi-language system.
- 3.4. Non-discrimination on the ground of language

UNIT-IV Community and the Law

- 4.1. Caste as a divisive factor
- 4.2. Non-discrimination on the ground of caste.
- 4.3. Protective discrimination: Scheduled castes, tribes and backward classes.

4.4. Reservation; Statutory Commissions., Statutory provisions.

Suggested Readings

1. Basu, D.D. (2012) *Shorter Constitution of India*, Prentice - Hall of India (P) Ltd., New Delhi.
2. Baxi U., (1982). *The Crisis of the Indian Legal System*, Vikas, New Delhi.
3. Chowdhuri. J.P. (2012) *Caste System, Social Inequalities and Reservation Policy in India: Class, Caste, Social Policy and Governance through Social Justice*, LAP LAMBERT Academic Publishing
4. Derret, Duncan, *The State, Religion and Law in India*, Oxford University Press, New Delhi.
5. Flavia, Agnes, (1999), *Law and Gender Inequality: The Politics of Women's Rights in India*, Oxford University Press, New Delhi,
6. Friedmann W.(2010), *Law and Social Change*, EBC
7. Galanter, Marc (1997). *Law and Society in Modern India*, Oxford,
8. Gary Jeffrey Jacobsohn, (2005) *The Wheel of Law India's Secularism in Comparative Constitutional Context*. Princeton University.
9. ILLI, (1988), *Law and Social Change : Indo-American Reflections*, Tripathi
10. Jain, M.P. (1993), *Outlines of Indian Legal History*, Tripathi, Bombay.
11. Judith A. Baer Page (2006) *The Constitutional and Legal Rights of Women: Cases in Law and Social Change* , Oxford University Press,
12. Kripalani, J.B. (1970), *Gandhi: His Life and Thought*, Ministry of Information and Broadcasting,
13. Lingat, Robert(1998), *The Classical Law of India*, Oxford
14. M.S. Gore,(2002) *Unity in Diversity: The Indian Experience in Nation-Building*, Rawat Publications
15. P. Ishwara Bhat (2012), *Law and Social Transformation*, EBC
16. Ronojoy Sen (2010), *Articles of Faith: Religion, Secularism, and the Indian Supreme Court* (Law in India), Oxford University Press,
17. Seervai, H.M. (1999). *Constitutional Law of India* ,Tripathi.
18. Trevor Noble,(2009), *Social Theory and Social Change*, Palgrave Macmillan
19. William Gould (2011), *Religion and Conflict in Modern South Asia*, Cambridge University Press

LLM-CS-02-P -II NEW DIMENSIONS IN INDIAN CONSTITUTIONAL LAW

UNIT-I Federalism

- 1.1. "State": Need for widening the definition in the wake of liberalisation.
- 1.2. Concept of Federal Comity and Constitutional frame work of Centre –State Relationship
- 1.3. Allocation and share of resources - distribution of grants in aid
- 1.4. The inter-state disputes on resources

UNIT-II Democratic process

- 2.1. Nexus of politics with criminals and the business.
- 2.2. Election and constitutional Provisions
- 2.3. Election Commission: status.
- 2.4. Electoral Reforms

UNIT-III Separation of powers: stresses and strain

- 3.1. Judicial activism and judicial restraint.
- 3.2. Judicial independence.
- 3.3. Accountability: executive and judiciary.
- 3.4. Tribunals

UNIT-IV Emerging regime of new rights and remedies

- 4.1. Emergence of new Rights under Directive Principles and Fundamental Duties and Fundamental Rights
- 4.2. Doctrine of eminent domain and rights of the displaced
- 4.3. Constitutional tort and State Liability
- 4.4. Right to Education and Commercialization of education and its impact.

Suggested Readings

1. Basu, D. D. (2008), *Comparative Constitutional Law*, LexisNexis Butterworths
2. Basu. D. D. (2008), *Introduction to the Constitution of India*

3. M.P. Singh ,(2011) *Comparative Constitutional Law* (Festschrift in honour of Professor P.K. Tripathi), EBC
4. Mona Shukla (2010) *Indian Judiciary and Good Governance* , Regal Publications
5. Mool Chand Sharma, Raju Ramachandran, (2008) *Constitutionalism Human Rights & the Rule of Law - Essays in Honour of Soli J Sorabjee*, Universal Law Publishing Co Pvt Ltd.
6. P. Chakraborty (2012), *Indian Judiciary in Transition*, Global Publishing House
7. P. Ishwara Bhat,(2004) *Fundamental Rights*, EBC
8. Satyaranjan Purushottam Sathe(2002) *Judicial Activism in India*, Oxford University Press,
9. Seervai , H.M. (2012) *Constitutional Law of India* (3 Vols) ,Universal Law Publishing Co Pvt Ltd.
10. Shailja Chander, V. R. Krishna Iyer, (1992) *Justice V R Krishna Iyer on Fundamental Rights and Directive Principle*, Deep and Deep Publications, New Delhi
11. V.S Rama Devi and SK Mendiratta (2008) *How India Votes Election Laws, Practice And Procedure*, LexisNexis India
12. Subhash C. Kashyap, *Anti-Defection Law and Parliamentary Privileges*, Universal Law Publishing Co Pvt Ltd.
13. Sunil Deshta and Kiran Deshta. (2000). *Law and Menace of Child Labour*. Anmol Publications, New Delhi.
14. Savitri Gunasekhare (1997). *Children, Law and Justice*Sage Publications.
15. Ved Kumari, (2008) *Offences Against Women in Kamala Sankaran and Ujjwal Kumar Singh(ed) Towards Legal Literacy An Introduction to Law in India PP.78-94* Oxford, New Delhi.
16. Virendra Kumar(2007).: *Dynamics of Reservation Policy: Towards a More Inclusive Social Order 50*, Journal of the Indian Law Institute PP 478-517

LLM-CS-03-P- III JUDICIAL PROCESS

UNIT-I The Concepts of Justice

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

UNIT-II Relation between Law and Justice

- 2.1. Equivalence Theories - Justice as nothing more than the positive law of the stronger class
- 2.2. Dependency theories - For its realization justice depends on law, but justice is not the same as law.
- 2.3. The independence of justice theories - means to end relationship of law and justice - The relationship in the context of the Indian constitutional ordering.
- 2.4. Analysis of selected cases of the Supreme Court where the judicial process can be seen as influenced by theories of justice.

UNIT-III Nature of Judicial Process

- 3.1. Judicial process as an instrument of social ordering
- 3.2. Judicial process and creativity in law - common law model - Legal Reasoning and growth of law - change and stability.
- 3.3. The tools and techniques of judicial creativity and precedent.
- 3.4. Legal development and creativity through legal reasoning under statutory and codified systems.

UNIT-IV Judicial Process in India

- 4.1. Judicial Review: Approach of Indian Judiciary
- 4.2. Judicial Activism and Creativity of the Supreme Court - the tools and techniques of creativity.
- 4.3. Judicial process in pursuit of constitutional goals and values - new dimensions of judicial activism and structural challenges
- 4.4. Judicial Accountability

Suggested Readings

1. Anand, A. S (2000).. Judicial Review – Judicial Activism–Need for Caution, 42 *Journal of Indian Law Institute* P. 149

2. Bodenheimer, (1997), *Jurisprudence - the Philosophy and Method of the Law*, Universal, Delhi
3. Cardozo, (1995) *The Nature of Judicial Process* Universal, New Delhi
4. Henry J. Abraham, (1998), *The Judicial Process*, Oxford.
5. J. Stone. (1999), *Legal System and Lawyer's Reasoning*. Universal Law Publishing Co., New Delhi
6. J.Stone, (1985) *Precedent and the Law: Dynamics of Common Law Growth* .Butterworth
7. John Rawls, (2000), *A Theory of Justice* Universal, Delhi
8. Rajeev Dhavan, (1977), *The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques*, Tripathi, Bombay.
9. S.P.Sathe, (2002).*Judicial Activism in India: Transgressing borders and Enforcing Limits*, Oxford New Delhi.
10. U.Baxi, (1980) *The Indian Supreme Court and Politics*, Eastern,Lucknow.
11. Upendra Baxi, "On how not to Judge the Judges" 25 *Journal of the Indian Law Institute*, P. 211 (1983).
12. Upendra Baxi, (1980), *The Indian Supreme Court and Politics*. Eastern Book Co., Lucknow.
13. Virendra Kumar, Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance, 49 *Journal of the Indian Law Institute*, PP 365-395, (2007).
14. W.Friedmann, (1960), *Legal Theory* Stevens, London

LLM-CS-04-P-IV LEGAL EDUCATION SYSTEM IN INDIA

UNIT-I Scope and Extent of Legal Education

- 1.1 Professional Education and Status of legal Education in India
- 1.2 Growth and Objectives of Legal education in India
- 1.3 Continuing Legal Education
- 1.4 Globalization and Future of legal education

UNIT-II Law Curriculum

- 2.1. Curriculum model for Law Studies
- 2.2 Curriculum contents
- 2.3 Evaluation of BCI and UGC Curricular Model
- 2.4 Defects of present Curriculum Model

UNIT-III Teaching Method

- 3.1 Lecture Method
- 3.2 Case study method
- 3.3 Seminar method
- 3.4 Clinical Legal Education:

UNIT-IV Evaluation Process

- 4.1 Objectives of Examinations
- 4.2 Internal and external Assessments
- 4.3 Practical / Oral Examination
- 4.4 Problems in law examination and solution

Suggested Readings

1. 184TH REPORT ON LEGAL EDUCATION & PROFESSIONAL TRAINING AND PROPOSALS FOR AMENDMENTS TO THE ADVOCATES ACT, 1961 AND THE UNIVERSITY GRANTS COMMISSION ACT, 1956. Part - I. Part - II. Law Commission of India, New Delhi.
2. Agrawal.S.K. (Ed.) (1973), *Legal Education in India* Tripathi, Bombay.
3. Baxi, U,(1979) *Towards a socially relevant legal education: a consolidated report of the University Grants Commission's workshop[s] on modernization of legal education, India*. University Grants Commission
4. David M. Moss and Debra Moss Curtis (2012) *Reforming Legal Education: Law Schools at the Crossroads*, Information Age Publishing
5. Education Rules 2008, The Bar Council of India, www.barcouncilofindia.org ,
6. Gang Fan, Chung-Ying Xin, Jeffrey Sachs,(1998)*The Role of Law and Legal Institutions in Asian Economic Development*:
7. Hemlata Talesra,(2005) *Scope & Trends of Research on Teaching*, p.17, Authors press

8. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1728451
9. P. Massey, forward to Sushma Gupta,(2006) *History of Legal Education*, Deep & Deep Publications (p) Ltd.
10. John Varghese , *Global Legal Education and India - A Blueprint for Raising Indian Legal Education to Global Standards*
11. Margaret M. Barry, Teaching Social Justice Lawyering: Systematically Including Community Legal Education in Law School Clinics, 18 *Clinical L. Rev.* 401 (2012).
12. MSV Jayakumar, National Knowledge Commission and Legal Education, www.vpmthane.org/.../National_Knowledge_Commission_an_Legal...
13. N.R. Madhava Menon, ed., (1998). *A Handbook on Clinical Legal Education*
14. N.R. Madhava Menon,(2012) *The Transformation of Indian Legal Education: A Blue Paper*, Harvard Law School Program on the Legal Profession, Harvard Law School
15. NATIONAL KNOWLEDGE COMMISSION REPORTS. REPORT (2006-2009), INDIAN KNOWLEDGE COMMISSION,
16. Piarey Lal Mehta, Susma Gupta(2002), *Legal education and profession in India*, Deep & Deep Publications,

LLM-C05-P-V PROJECT PRESENTATION (PRACTICAL)

Instruction: The Head of the Department will notify the Project Title for each Examinee and the concerned Examinee shall present the allotted subject through power point presentation before the External Examiner. The Examinee shall submit their soft and hard copies on the date of examination before the external examiner. In the absence of External Examiner, the HOD may contact substitute External examiner with intimation to the Controller of Examinations.

SECOND SEMESTER					
CODE NO	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
LLM- CS-06	LLM-CS-06-P- VI	Law and Social Engineering in India	100	40	4
LLM-CS-07	LLM-CS-07-P-VII	Indian Constitutional Law: The New Challenges.	100	40	4
LLM-CS-08	LLM-CS-08-P-VIII	Administration Of Justice And Judicial Process	100	40	4
LLM-CS-09	LLM-CS-09-P -IX	Research Methodology	100	40	4
LLM-CS-10	LLM-CS-10-P-X	Dissertation	100	40	4

LLM-CS-06-P-VI SOCIAL TRANSFORMATION AND SOCIAL ENGINEERING IN INDIA

UNIT-I Jurisprudential Perspective of Social Engineering

- 1.1 Concept and jurisprudential theories of Social Engineering
- 1.2. Fundamental Rights and new Social ordering.
- 1.3 Directive Principles of State Policies and Social Transformation
- 1.4 Judiciary and Social Engineering

UNIT-II Gender Mainstreaming and Law

- 2.1. Gender injustice and feminist jurisprudence
- 2.2. Broader Concept of Gender Equality
- 2.3. Inclusion and Participation of Women in Governance and Decision Making process
- 2.4. Women's Commission: Determination of Status of women, redressing unfair practices affecting women

UNIT-III Children and Restorative Justice

- 3.1. Restorative Justice and Child Rights
- 3.2. Child labour.Sexual exploitation.
- 3.3. Adoption and related problems.
- 3.4. Children and Education (ECCE) Policy

UNIT-IV Modernizations and the law

- 4.1 Democratic decentralization and local self-government.
- 4.2 State Liability and Compensatory Jurisprudence
- 4.3. Agrarian Reforms
- 4.4 Alternative Dispute Resolution System

Suggested Readings:

1. Agnes, Flavia, (1999), *Law and Gender Inequality: The Politics of Women's Rights in India*, Oxford University Press, New Delhi,
2. D.D. Basu, (2012) *Shorter Constitution of India*, Prentice - Hall of India (P) Ltd., New Delhi.
3. Duncan Derret, (1999). *The State, Religion and Law in India*, Oxford University Press, New Delhi.
4. H.M. Seervai, (1996), *Constitutional Law of India* Tripathi.
5. Indian Law Institute, (1988) *Law and Social Change : Indo-American Reflections*, Tripathi
6. J.B. Kripalani, (1970) *Gandhi: His Life and Thought*, Ministry of Information and Broadcasting,
7. M.P.Jain, (1993), *Outlines of Indian Legal History*, Tripathi, Bombay.
8. Manushi, *A Journal About Women and Society*.
9. Marc Galanter (ed.), (1997) *Law and Society in Modern India* . Oxford,
10. Robert Lingat, *The Classical Law of India* (1998), Oxford
11. Savitri Gunasekhare, (1997), *Children, Law and Justice* ,Sage
12. Sunil Deshta and Kiran Deshta, (2000) *Law and Menace of Child Labour* .Arnol Publications,
13. U. Baxi (ed.), (1988). *Law and Poverty Critical Essays* Tripathi, Bombay.
14. U. Baxi, (1982). *The Crisis of the Indian Legal System* Vikas, New Delhi.

LLM-CS-07-P- VII INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

UNIT- I Legal Dimensions of State

- 1.1. Concept of State
- 1.2. Welfare State and Government
- 1.3. State as instrumentality or agency of government
- 1.4. Implications of Other Authorities

UNIT- II Right to Freedom and Law

- 2.1. Freedom of speech under constitution of India
- 2.2. Right to strikes, hartal and bandh.
- 2.3. Right to privacy and media
- 2.4. Media trial

UNIT- III Secularism and Religious Fanaticism

- 3.1. Secularism in the Caste System
- 3.2 Religious Fanaticism, Religious Conversion
- 3.3. Concept of Secularism under constitution of India
- 3.4. Uniform Civil Code a step towards Secularism

UNIT- IV Right to Equality: Legal Implications

- 4.1. Right to Equality - Article 14 & 'Reasonable Classification': Supreme Court
- 4.2. Right to Equality *vis a vis* Reservation Policy in India
- 4.3. The Concept of Equal Pay for Equal Work
- 4.4. Privatization and its impact on affirmative action.

Suggested Readings

1. H.M. Seerval (1996) *Constitutional Law of India*, Tripathy Publication,

2. M.P.Singh (2012) *Constitutional Law*,
3. M.K.C.J. Kagzi- *The Constitutional Law of India*
4. D.D.Basu- (Reprint 2011) *The Constitution*,
5. *Constitutional Development since Independence*- ILI Publication
6. A.V. Dicey- *Constitutional Law*
7. Wade & Phillips- *Constitutional Law. An Outline of the Law and Practice of the Constitution Including Central and Local Government*
8. AIR Publication- *Constitutional Law of India Vol-I &II*
9. V.N. Sukla (2012) *Constitutional Law of India*
10. Mahendra P. Singh, *Constitutional Law of India* Reprint with supplement,
11. R. Pathak- *Legislative and Ordinance Making Power of the President and Governor*

LLM-CS-08-P-VIII ADMINISTRATION OF JUSTICE AND JUDICIAL PROCESS

UNIT- I Administration of Justice

- 1.1 Administration of Justice and Judicial Process.
- 1.2 Superior Courts in India and Judicial Process.
- 1.3 Subordinate judiciary in India and Judicial Process.
- 1.4 Role of Natural Justice in Judicial Process.

UNIT- II Judicial Techniques and judicial process

- 2.1 Inductive and Deductive method
- 2.2 Judicial Precedent
- 2.3 Interpretations of Statute
- 2.4 Writ Jurisdiction

UNIT- III Judicial Creativity and Supreme Court

- 3.1 Doctrine of Locus standi and Public Interest Litigation
- 3.2 Judicial creativity and protection human Rights
- 3.3 Due Process and procedure established by law
- 3.4 Green Jurisprudence

UNIT- IV Criminal Justice and Judicial Process

- 4.1 Judicial Approach towards Death Sentence
- 4.2 Speedy trial
- 4.3. Detention in state Custody and Personal liberty
- 4.4 Judicial Approach towards Violence against Women

Suggested Readings:

1. Bodenheimer, (1997), *Jurisprudence - the Philosophy and Method of the Law* Universal, Delhi
2. Cardozo, (1995) *The Nature of Judicial Process* Universal, New Delhi
3. Henry J.Abraham , (1998), *The Judicial Process* Oxford.
4. J.Stone, (1985) *Precedent and the Law: Dynamics of Common Law Growth* .Butterworths
5. J.Stone, (1999), *Legal System and Lawyers' Reasoning*. Universal, Delhi
6. J.Stone, (2000), *The Province and Function of Law*, Part II, Chs. 1. 8-16 Universal, New Delhi.
7. John Rawls, (2000), *A Theory of Justice* Universal, Delhi
8. Rajeev Dhavan, (1977), *The Supreme Court of India - A Socio -Legal Critique of its Juristic Techniques*, Tripathi, Bombay.
9. U.Baxi, (1980), *The Indian Supreme Court and Politics* Eastern, Lucknow.
10. W.Friedmann, (1960), *Legal Theory* Stevens, London

LLM-CS-09-P-IX RESEARCH METHODOLOGY

UNIT-I Legal Research: Introduction

- 1.1. Nature and Scope of Research
- 1.2. Objectives Legal Research
- 1.3. Progress of Legal Research in India
- 1.4. Scope and Application of legal Research

UNIT-II Research Method

- 2.1. Socio Legal Research, Qualitative and Quantitative Research
- 2.2. Use of observation studies, questionnaire, Interview, and Sampling
- 2.3. Induction and deduction through Case Study Analysis
- 2.4. Empirical research and Non Empirical research

UNIT-III Content of Research

- 3.1. Review of Literature and Setting of Questions and Issues of research
- 3.2. Formulation Problem and Research Hypothesis
- 3.3. Research Design and Tools of research
- 3.4. Data: Sources, methods, Collection and Processing

UNIT- IV Interpretation of Research

- 4.1. Data Interpretation and inference
- 4.2. Implications of Judicial decisions
- 4.3. Interpretations of Legal Instruments
- 4.4. Content and Meta Analysis

Suggested Readings:

1. C.R. Kothari , *Research Methodology (Methods and Techniques)*, Vishwa Prakashan
2. Craig Simonsen, Christian Anderson. (2005) *Computer-Aided Legal Research on the Internet*, Prentice Hall,
3. Erwin C. Surrency, B. Field and J. Crea, (1959) *A Guide to Legal Research*.
4. H.M. Hyman, *Interviewing in Social Research* (1965)
5. H.N. Tawari *Legal Research Methodology* — Allahabad Law Agency.
6. High Brayal, Nigel Duncan and Richard, (1998) *Crimes, Clinical Legal Education: Active Learning in your School*, Blackstone P. Press Limited,London.
7. J. Myron Jacobstein and Roy M. Mersky, (2002) *Fundamentals of Legal Research*, 8th ed. Foundation Press,
8. *Legal Research and Methodology*, Indian Law Institute, New Delhi
9. M.O. Price, H. Bitner and Bysiewicz, (1978)*Effective Legal Research*
10. M. Tanulingam, *Research Methodology*, Himalaya Publishing
11. Monis L. Cohan, (1996), *Legal Research in Nutshell*, West Publishing Co.
12. P.Saravanel, *Research Methodology*, Kitab Mahal
13. Pauline V.Young, (1962) *Scientific Social Survey and Research*
14. Stephanie Delaney, (2008)*Electronic Legal Research: An Integrated Approach*, Cengage Learning,
15. *Uniform System of Citations*. Harvard Law Review Association,
16. William I Grade and Paul K Hatt, *Methods in Social Research*, Mc Graw-Hill Book Company, London.
17. Stephen Elias,(2009) *Legal research: How to find & understand the law*, Nolo, 2009

LLM-CS-10-P-X DISSERTATION

Instruction: The Head of the Department will notify the Dissertation Title for each student. A candidate shall prepare the dissertation (Minimum 50 Pages, and Maximum 100 Pages in A4 Size Paper) and submit his/her soft and 02 hard copies of the Dissertation on the date of examination for evaluation. The student should follow proper Legal citation system and Dissertation Guideline while preparing the Dissertation.

THIRD SEMESTER					
LL.M-CE-01 CONSTITUTION AND LEGAL ORDER (GROUP-1)					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CE:01	LLM-CE-01-CL-P -XI	Mass Media law	100	40 %	4

CE:01	LLM-CE-01-CL-P -XII	Public Utilities law	100	40 %	4
CE:01	LLM-CE-01-CL-P -XIII	Constitutionalism: Pluralism and Federalism	100	40 %	4
CE:01	LLM-CE-01-CL-P-XIV	Dissertation	100	40 %	4

LLM-CE– 01-CL–P-XI Laws on Mass Media

UNIT-I Classification of Mass Media

- 1.1. Role of Mass Media in Social Transformation
- 1.2. Mass Media and Its Types: Press Films, Radio Television
- 1.3. Ownership Patterns: Print, Electronic, Film and Television
- 1.4. Difference between visual and non- Visual Media- impact on Peoples minds.

UNIT-II Print Media and Law

- 2.1. Freedom of Press and the Constitution of India
- 2.2. Laws of defamation, obscenity, blasphemy and sedition.
- 2.3. State and Control of Freedom of Press
- 2.4. Conditions of Employment: Journalist and other Employees

UNIT-III Film and Electronic Media and Law

- 3.1. Censorship of films - constitutionality
- 3.2. Censorship, Pre-Censorship under the Cinematograph Act.
- 3.3. Government policy on Electronic media
- 3.4. State and Control of Electronic Media

UNIT- IV Mass Media Regulating Authorities

- 4.1. Role of Press Council under the Press Council Act, 1978
- 4.2. Role of Board of Film Censors, under the Cinematograph Act, 1952
- 4.3. Role of Prasar Bharati Board under the Prasar Bharati (Broadcasting Corporation of India) Act, 1990
- 4.4. Regulation under the Cable Television Networks (Regulation) Act, 1995

Suggested Reading:

1. Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on Freedom of Speech and Expression ". 14 *J.I.L.I.* 501 (1 972).
2. D D. Basu, (1980). *The Law of Press of India*
3. H.M. Seervai, (1991) *Constitutional Law of India* Vol.I Tripathi, Bombay
4. John B. Howard, (1980). "*The Social Accountability of Public Enterprises*" in *Law and Community Controls in New Development Strategies* (International Center for law in Development
5. Justice E.S. Venkaramiah, (1984). *Freedom of Press: Some Recent Trends*
6. M.P. Jain, (1994), *Constitutional Law of India*. Wadhwa.
7. Rajeev Dhavan "On the Law of the Press in India" 26 *J.I.L.I.* 288 (1984).
8. Rajeev Dhavan, "Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission" 26 *J.I.L.I.* 391 (1984).
9. Soli Sorabjee, (1976). *Law of Press Censorship in India*

LLM-CE-01-CL-P -XII Public Utility Services and Law

UNIT-I Nature of Public Utility Services

- 1.1. Necessity and Rationality of Public Utility Services in India
- 1.2. Classification of Public Utilities
- 1.3. Public Utility Services: Railways, Road Transport Electricity, Gas, Telephone, Post and Telegraph service,
- 1.4. Public Utility Services: Police, Fire Brigade, Banking service, etc

UNIT-II Constitutional Scheme on Public Utilities

- 2.1. Legislative Control on Public Utilities
- 2.2. Parliamentary Control on Public Utilities
- 2.3. Governmental Control on Public Utilities
- 2.4. Sub-ordinate Legislation on Public Utilities

UNIT-III Public Utilities and Fundamental Rights

- 3.1. Are Public utilities "State" for the purpose of article 12 of the Constitution?
- 3.2. Extension of the concept of State
- 3.3. The right to equality: the Airhostess case.
- 3.4. The Essential Services Maintenance Act, 1968

UNIT-IV Public Utilities and Consumer Protection

- 4.1. Exclusion from M.R.T.P. Act
- 4.2. Rights of consumers protected by the Consumer Protection Act
- 4.3. Rights Arising from law of Contract and law of Torts.
- 4.4. Liabilities and special privileges of public utilities under Contract, Tort and Criminal Law

Suggested Readings

1. Arvind K. Sharma "Semi-Autonomous Enterprise: Conceptual Portrait - Further Evidence on the Theory of Autonomy" 33 *I.J.P.A.* p. 99-113.
2. Bhaumik, *The Indian Railways Act*, (1981)
3. G. Ramesh, "Characteristic of Large Service Organization in a Developing Country Like India" 32 *I.J.P.A.* 77 (1986)
4. Jagdish UI, (1978) *Handbook of Electricity Laws*,
5. Jain & Jain, (1986) *Principles of Administrative Law*,
6. Law Commission of India, (1968) 38th Report : Indian Post Office Act, 1898,
7. Nalini Paranjpe, "Planning for Welfare in the Indian Railways" 31 *I.J.P.A.* 171-180 (1985)
8. P.M. Bakshi, (1986) *Television and the Law*,
9. S.P. Sathe, (1998) *Administrative Law*
10. Students should consult relevant volumes of Annual Survey of Indian Law published by the Indian Law Institute (Constitutional Law 1 & 11, Administrative Law, Consumers Protection Law and Labour law).
11. Vasant Kelkar, "Business of Postal Service" 33 *I.J.P.A.* pp. 133-141 (1987)

LLM-CE-01-CL-P –XIII Constitutionalism: Pluralism and Federalism

UNIT-I Concept of Constitutionalism

- 1.1. Nature and Scope of constitutionalism
- 1.2. Development of a democratic government in England – Rule of Law
- 1.3. Marxist concept of constitutionalism
- 1.4. Due Process of law and Constitutionalism under US Constitution

UNIT-II Concept of Federalism

- 2.1. Conditions requisite for federalism.
- 2.2. Patterns of federal government - U.S.A., Australia, Canada, India.
- 2.3. India - Central Control v. State Autonomy
- 2.4. Dynamics and Trend of federalism in India

UNIT-III Concept of Pluralism and Law

- 3.1. Nature of Pluralistic Society
- 3.2. Religious, Ethnic, linguistic, cultural, political pluralism
- 3.3. Equality in Plural Society.

3.4. Individual rights - right to dissent or Determine

UNIT- IV Pluralism and International Concerns

- 4.1. Conventions against genocide, Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005
- 4.2. Protection of religious, ethnic and linguistic minorities
- 4.3. State Intervention for protection of human rights
- 4.4. Right of self-determination

Suggested Readings

1. H.M. Seervai, (1993), Constitutional Law of India Tripathi, Bombay.
2. Jagat Narain "Judicial Law Making and the Place of the Directive Principles in the Indian Constitution," *J.I.L.I.* 198 (1985).
3. M.A. Fazal "Drafting A British Bill of Rights" 27 *J.I.L.I.* 423 (1985)
4. M.P. Jain (1994), Indian Constitutional Law Wadhwa.
5. Rajeev Dhavan, "The Press and the Constitutional Guarantee of Free Speech and Expression" 28 *J.I.L.I.* 299 (1986)
6. Rhet Ludwikowski, "Judicial Review in the socialist Legal Systems: Current Development" 37 *I.C.L.D.* 89-108 (1988)
7. S.P. Sathe, (1968) Fundamental Rights and Amendment of the Indian Constitution,
8. Upendra Baxi, "Law, Democracy and Human Rights"- 5 *Lokayan Bulletin* 4 (1987)
9. V.M. Dandekar "Unitary Elements in a Federal Constitution" 22 *E.P.W.* 1865 (1988)
10. Students should consult relevant volumes of the Annual Survey of Indian Law published by the Indian Law Institute.

LLM-CE-01-CL-P -XII Dissertation

Instruction: The Head of the Department will notify the Dissertation Title for each student. A candidate shall prepare the dissertation (Minimum 50 Pages, and Maximum 100 Pages in A4 Size Paper) and submit his/her soft and 02 hard copies of the Dissertation on the date of examination for evaluation. The student should follow proper Legal citation system and Dissertation Guideline while preparing the Dissertation

THIRD SEMESTER					
LL.M-CE-02- BUSINESS LAW (GROUP-2)					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CE:02	LLM-CE-02-BL- P-XI	Law of Industrial and Intellectual Property-I	100	40 %	4
CE:02	LLM-CE-02-BL- P-XII	Banking Law	100	40 %	4
CE:02	LLM-CE-02-BL- P-XIII	Corporate Finance	100	40 %	4
CE:02	LLM-CE-02-BL- P-XIV	Dissertation	100	40 %	4

LLM-CE-02-BL- P-XI Law of Industrial and Intellectual Property-I

UNIT-I Fundamentals of Industrial & Intellectual Property

- 1.1 Historical development of Intellectual Property Rights
- 1.2. Legal Rationality behind Intellectual Property Rights
- 1.3 Nature, Legal Characteristics and Classifications of Intellectual Property Rights
- 1.4 Major Multi-Lateral Intellectual Property Treaties

UNIT-II IPR and International Perspectives

- 2.1. Protection of Intellectual Property Rights in USA
- 2.2. Protection of Intellectual Property Rights in EEC

- 2.3. Protection of Intellectual Property Rights in China
- 2.4. Protection of Intellectual Property (Study of UNCTAD, UNICITRAL on the subject)

UNIT-III Protections of Intellectual Property Rights: Legal Regime in India

- 3.1 Copy Right: Classification, Essential elements, Limitations, Registration, Infringement, and Legal Remedy
- 3.2 Patent: Classification, Essential elements, Patent Search, Examination, Infringement, and Legal Remedy
- 3.3 Trademark: Classification, Essential elements, Limitations, Registration, Infringement, and Legal Remedy
- 3.4 Latest Selective Case analysis

UNIT-IV Special problems of the status of Computer software in Copyright and Patent Law

- 4.1 Protection of Computer Software under International Regime-WCT, WPPT
- 4.2 Software Patents under TRIPs Agreement
- 4.3 Patenting Software- Trade Secret Protection, Copyright Protection, Patent Protection, Trademark Protection under National Law
- 4.4 Proposed directives on the patentability of computer-implemented inventions

Suggested Readings

1. Philippe Cullet, (2010), *Intellectual Property Protection And Sustainable Development* ,
2. Iver P. Cooper(1998), *Biotechnology and Law*
3. Latha R Nair & Rajendra Kumar, (2005) *Geographical Indications: A Search For Identity*,
4. Rama Sarma : (2009) *Commentary on Intellectual Property Laws*, Volume 2,
5. V.K. Ahuja, (2007)*Law Of Copyright And Neighbouring Rights: National And International Perspectives*, 2007
6. David Brainbridge(2009), *Software Copyright Law* Butterworth
7. Sookman, (1998) *Computer Law* , Carswell
8. Carlos M. Correa(ed), (1998), *Intellectual Property and International Trade*. Kluwer
9. *Patent Co-Operation Treaty Hand Book* (1998), Sweet and Maxwell
10. Chistorpher Wadlow, (1998), *Law of Passing-Off* Sweet and Maxwell
11. W.R. Cornish, (1999), *Intellectual Property Law* Sweet and Maxwell
12. Alan, L. Durham (2009), *Patent Law and Essentials*. Preager, Westport, London
13. Paul Goldstein and R. Anthony Reese, (2010) *Copyright, Patent, Trademark and Related State Doctrines, Cases and Materials on the Law of Intellectual Property*, Revised 6th (University Casebook)
14. Gilbert Guide, (2004) *Entrepreneur's Guide To Patents, Copyrights, Trademarks, Trade Secrets*
15. Henri J. A. Charmasson and John Buchaca (2008) *Patents, Copyrights & Trademarks For Dummies*
16. Richard Stim Attorney, (2012) *Patent, Copyright & Trademark: An Intellectual Property Desk Reference*
17. Gregory A. , Esq Stobbs,(2000) *Software Patents*
18. Duncan Matthews, (2011) *Intellectual Property, Human Rights and Development*, Edward Elgar Publishing,
19. Latha R Nair & Rajendra Kumar, (2005)*Geographical Indications: A Search For Identity*,
20. Indian Journal of Traditional Knowledge - niscair
21. International Treaties, Conventions relating to Intellectual Property

LLM-CE-02-BL- P-XII Banking Law

UNIT- I Law Relating Banking Companies in India

- 1.1 History of banking in India and elsewhere evolution
- 1.2. Multi-functional banks - growth and legal issues.
- 1.3. Controls by government and its agencies .a) On management b) On accounts and audit c) Lending d) Credit policy e) Reconstruction and reorganization f) Suspension and winding up

- 1.4 Banker and Customer Relationship-Contract between banker and customer: their rights and duties; Banker's Lien; Special classes of Customers-Lunatic, Minor, Partnership, Corporation, Local authorities; Consumer Protection: Banking as service.

UNIT- II Social Control/ RBI/Recent Trends in Banking System in India

- 2.1. Social Control over Banks in India
- 2.2. RBI as Central Bank: Organizational structure, Functions of the RBI, Credit control Exchange control, Monopoly of currency issue, Bank rate policy formulation, Control of RBI over non-banking companies, Financial Companies, Non-financial companies
- 2.3. Recent Trends of Banking System in India: New technology, Information technology, Automation and legal aspects of Automatic Teller Machine and use of internet, Smart card, Use of expert system, Credit cards
- 2.4. Recommendations of Committees for Reforms in Indian Banking Law- A Review

UNIT-III Deposit Insurance, Lending by Banks and SRFAESIA

- 3.1 The Deposit Insurance Corporation Act, 1961- Objects and reasons, Establishment of Capital of DIC
- 3.2 Liability of DIC to Depositor, Relation between Insured Banks, DIC and Reserve Bank of India
- 3.3 Lending by Banks- Default and Recovery; Debt Recovery Tribunal-Constitution, Powers and Functions
- 3.4 The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002- Regulation of securitisation and reconstruction of financial assets of banks and financial institutions; Enforcement of security interest; Offences and penalties

UNIT-IV Negotiable Instruments

- 4.1 Introduction, Meaning of Negotiable Instruments, Characteristics of a negotiable instrument, Types of negotiable Instrument, Holder and Holder in Due Course, Parties to negotiable instruments,
- 4.2 Liability of drawer and drawee, Liability of Endorser, Presumptions as to negotiable instrument, Transfer and Negotiation, Modes of negotiation, Assignment; Importance of delivery in negotiation, Instruments without Consideration,
- 4.3 Presentment, Liability of parties- Dishonour of a Negotiable instrument, Notice of Dishonour, Discharge from liability,
- 4.4 Noting and protest, Rule of Evidence, Estoppel, Crossed Cheque, Ingredients of Offence under Sec. 138 of the Act, defense which may not be allowed in any prosecution under section 138, Offences by companies, Cognizance of offences

Select bibliography

1. Basu, A. (1998) *Review of Current Banking Theory and Practice*, Mac millan
2. M. Hapgood (ed.), (1989) *Pagets' Law of Banking* Butterworths, London
3. R. Goode, (1995) *Commercial Law*, Penguin, London.
4. Ross Cranston, (1997) *Principles of Banking Law*. Oxford.
5. L.C. Goyle, (1995) *The Law of Banking and Bankers*, EBC
6. M.L. Tannan, (1997) *Tannan's Banking Law and Practice in India*. India Law House, New Delhi, volumes
7. K.C. Shekhar, (1998) *Banking Theory and Practice*. UBS Publisher Distributors Ltd. New Delhi.
8. M. Dassel, S. Isaacs and G. Pen, E.C. (1994) *Banking Law*, Lloyds of London Press, London

9. V. Conti and Hamau (eds.) (1993), *Financial Markets' Liberalization and the Role of Banks'*, Cambridge University Press, Cambridge,
10. J. Dermine (ed.), (1993) *European Banking in the 1990s'* Blackwell, Oxford.
11. C. Goodhart, (1995), *The Central Bank and the Financial System* .Macmillan, London
12. S. Chapman, (1984) *The Rise of Merchant Banking*, Allen Unwin, London
13. K. Subrahmanyam(1997), *Banking Reforms in India*. Tata Maigraw Hill, New Delhi.
14. Subodh Markandeya and Chitra Markandeye, *Law Relating to Foreign Trade in India*
15. Commentary on the Foreign Trade, (Development and Regulation) Act 1992, Universal Law Publishing Co. Pvt. Ltd. Delhi.
16. R.S. Narayana, The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993), Asia Law House, Hyderabad.
17. M.A. Mir, (1992), *The Law Relating to Bank Guarantee in India*, Metropolitan Book, New Delhi.
18. Anthony Pierce, (1993) *Demand Guarantees in International Trade* Sweet & Maxwell,
19. Ross Cranston (ed.) (1999) *European Banking Law: The Banker-Customer Relationship* LLP, London
20. Mitra, *The Law Relating to Bankers' Letters of Credit and Allied Laws*, University Book Agency, Allahabad.
21. R.K. Talwar, (1998) Report of Working Group on Customer Service in Banks
22. Janakiraman Committee Report on Securities Operation of Banks and Financial Institution (1993)
23. Narasimham Committee report on the Financial System (1991)- Second Report (1999)
24. Vinod Kothari, (2010) *Securitisation ASSET reconstruction and Enforcement of Security Interests*, Lexis Nexis
25. M.R. Umarji, (2010) *Law & Practice Relating To Securitisation & Reconstruction Of Financial Assets & Enforcement Of Security Interest*, , Taxmann

LLM-CE-02-BL- P-XIII Corporate Finance

UNIT- I Introduction

- 1.1. Meaning, importance and scope of corporation finance
- 1.2. Capital needs - Capitalisation - working capital - securities-borrowings-deposits
Debentures
- 1.3 Objectives of corporation finance - Profit Maximisation and Wealth Maximisation
- 1.4. Constitutional perspectives - the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85, and 86 of List 1 - Union List; entry 24 of List 11 - State List.

UNIT- II Equity Finance

- 2.1. Share capital- Meaning, Nature and Types
- 2.2. Prospectus - information disclosure
- 2.3. Issue and allotment, Rights of the Share Holder, Transfer and Transmission of Securities
- 2.4. Shares without monetary consideration, Sweet Equity Share, Non-opting equity shares

UNIT- III Debt Finance

- 3.1 Debentures, Nature, issue and class
- 3.2 Deposits and acceptance
- 3.3. Creation of charges, Fixed and floating charges, Mortgages, Convertible debentures
- 3.4 Creditors' Protection- Preference in payments, Rights in making company decisions affecting creditor interest, creditors' self Protection

UNIT- IV Conservation of Corporate Finance and its Regulation

- 4.1. Control on payment of dividends
- 4.2. Managerial remuneration, Payment of commissions and brokerage, Pay-back of shares
- 4.3. Regulation by SEBI, Central Government, Registrar of Companies
- 4.4. RBI Control

Select Bibliography

1. Alastair Hudson, (1998), *The Law on Financial Derivatives*. Sweet& Maxwell
2. Eli's Ferran, (1999), *Company Law and Corporate Finance* Oxford
3. Raimaiya A, *Guide to the Companies Act* (2011)
4. H.A.L. Ford and A.P. Austen, (1999) *Fords' Principle of Corporate Law* Butterworths
5. J.H.Farrar and B.M. Hanniyan, (1998) *Farrar's Company Law*
6. Austen R.P, (1986) *The Law of the Public Finance* LBC
7. Gilbert Harold, (1956)*Corporate Finance*,
8. R.C. Osbern, (1959)*Corporate Finance*,
9. Maryian M.Kristein, (1975)*Corporate Finance*,
10. S.C. Kutchal, (2011) *Corporate Finance: Principles and Problem*, 11th Edition,
11. V.G. Kulkarni, (1996) *Corporate Finance*
12. M.C. Bhandari,(2009) *Guide to Company Law Procedures* (Set of 4 Vols.),
13. Avtar Singh,(2011) *Company Law*,
14. Statutory Materials- Companies Act and Laws relating to SEBI, Depositories, Industrial Financing and Information Technology

LLM-CE-02-BL- P-XIV Dissertation

Instruction: The Head of the Department will notify the Dissertation Title for each student. A candidate shall prepare the dissertation (Minimum 50 Pages, and Maximum 100 Pages in A4 Size Paper) and submit his/her soft and 02 hard copies of the Dissertation on the date of examination for evaluation. The student should follow proper Legal citation system and Dissertation Guideline while preparing the Dissertation.

THIRD SEMESTER LL.M-CE-03 CRIMINAL LAW (GROUP-3)					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CE:03	LLM-CE-03-CRL- P-XI	Comparative Criminal Procedure	100	40 %	4
CE:03	LLM-CE-03-CRL- P-XII	Penology: Treatment of Offenders	100	40 %	4
CE:03	LLM-CE-03-CRL- P-XIII	Privileged Class Deviance	100	40 %	4
CE:03	LLM-CE-03-CRL- P-XIV	Dissertation	100	40 %	4

LLM-CE-03-CRL- P-XI Comparative Criminal Procedure

UNIT-I Organization of Courts and Prosecuting Agencies

- 1.1. Hierarchy of criminal courts and their jurisdiction
- 1.2. Nyaya Panchayats in India and Grama Nyayalaya Act 2008
- 1.3. Organization of prosecuting agencies for prosecuting criminals
- 1.4. Prosecutors and the police Withdrawal of prosecution.

UNIT-II Pre-trial Procedures

- 2.1. Arrest and questioning of the accused
- 2.2. The rights of the accused
- 2.3. The evidentiary value of statements / articles seized / collected by the police
- 2.4. Right to counsel, Roles of the prosecutor and the judicial officer in investigation

UNIT-III Trial Procedures

- 3.1. The accusatory system of trial and the inquisitorial system
- 3.2. Role of the judge, the prosecutor and defence attorney in the trial
- 3.3. Admissibility and inadmissibility of evidence, Expert evidence
- 3.4. Appeal of the court in awarding appropriate punishment, Plea bargaining

UNIT-IV Prevention, Correction and Aftercare services

- 4.1 Preventive Measures under the provisions of Criminal Procedure Code and Special enactments
- 4.2. Institutional correction of the offenders
- 4.3. General comparison - After - care services in India and France
- 4.4. The role of the court in correctional programmes in India.

Suggested Readings

1. American Series of Foreign Penal Codes Criminal Procedure Code of People's Republic of China.
2. Archbold, Pleading, Evidence and Practice in Criminal Cases
3. Celia Hamptom, Criminal Procedure
4. Christina Van Den Wyngart, Criminal Procedure Systems in European Community Joel Samaha,
5. Criminal Procedure (1997), West
6. Criminal Procedure Code, 1973
7. Glanville Williams, *The Proof of Guilt* (1963).
8. Government of India, *Committee on Reforms of Criminal Justice System* (Ministry of Home Affairs, New Delhi, 2003)
9. H.M. Seervai, *Constitutional Law of India* (4th ed., Vol 1 (1991), Vol. 2 (1993), Vol. 3 (1996)
10. Inbau, Thompson and Sowle, *Criminal Justice* Vol. II, Foundation Press (1968).
11. John N. Ferdico, Criminal Procedure (1996), West
12. K.I. Vibhute (Ed.), *Criminal Justice* (1st ed., 2004)
13. K.N. Chandrasekharan Pillai (Rev.), R.V. Kelkar's *Lectures on Criminal Procedure* (5th ed., 2008)
14. K.N. Chandrasekharan Pillai (ed.), R.V. Kelkar's *Outlines of Criminal Procedure* (2000), Eastern Lucknow.
15. Law Commission of India, *Eightieth Report: Article 20(3) of the Constitution and the Right to Silence*
16. Law Commission of India, *Forty Eighth Report: Some Questions under the Code of Criminal Procedure Rules, 1970* (Government of India, New Delhi, 1972)
17. Law Commission of India, *Forty First Report: Code of Criminal Procedure, 1898* (Government of India, New Delhi, 1969)
18. Law Commission of India, *Fourteenth Report: Reform of Judicial Administration* Vol. 2 (Government of India, New Delhi, 1958)
19. Law Commission of India, *One Hundred Eighty Fifth Report: Report on Review of the Indian Evidence Act, 1872* (Government of India, New Delhi, 2003)
20. Law Commission of India, *Seventy Seventh Report on Delay and Arrears in Trial Courts* (Government of India, New Delhi, 1978)
21. Law Commission of India, *Sixty Ninth Report: Indian Evidence Act, 1872* (Government of India, New Delhi, 1977)
22. Law Commission of India, *Thirty Seventh Report: The Criminal Procedure Code, 1898 (Sections 1-176)* (Government of India, New Delhi, 1967)
23. Law Commission of India, *Thirty Sixth Report: Sections 497-499 of the Cr.P.C., 1898 – Grant of bail with conditions* (Government of India, New Delhi, 1967)
24. Law Commission of India, *Two Hundredth Report: Freedom of Speech v. Fair Trial* (Government of India, New Delhi, 2006)
25. M. Monir, *Law of Evidence* (14th ed., 2006)
26. M.P. Jain, *Indian Constitutional Law* (5th ed., 2003)
27. Mahendra P. Singh, V.N. Shukla's *Constitution of India* (11th ed., 2008)
28. Malimath Committee Report on Criminal Justice System (2003)
29. Patric Devlin, *The Criminal Prosecution in England*
30. Report of the Expert Committee on Legal Aid (Government of India, New Delhi, 1973)
31. Robert L. Packer, *The Limits of Criminal Sanction* (1968)

32. Sanders & Young, Criminal Justice (1994)
33. Sarkar, Law of Evidence
34. The French Code of Criminal Procedure,
35. Vepa P. Sarathi, *Law of Evidence* (6th ed., 2006)
36. Wilkins and Cross, Outline of the Law of Evidence
37. The Paper will be taught with reference, wherever necessary, to the procedures in India, England,
38. US France, Russia and China

LLM-CE-03-CRL- P-XII Penology: Treatment of Offenders

UNIT-I Concept of Penology and Theories of Punishment

- 1.1. Concept of Penology
- 1.2. Theories of Punishment: Retribution, Utilitarian prevention: Deterrence, Utilitarian: Intimidation
- 1.3. Behavioural prevention: Incapacitation; Behavioural prevention: Rehabilitation - Expiation
- 1.4. Classical Hindu and Islamic approaches to punishment

UNIT-II The Problematic of Capital Punishment

- 2.1 Constitutionality of Capital Punishment
- 2.2. Judicial Attitudes towards Capital Punishment in India - An inquiry through the statute law and case law.
- 2.3. 35th Report of the Law Commission of India
- 2.4 International Covenant on Civil and Political Rights, 1966; Second Optional Protocol to the International Covenant on Civil and Political Rights, 1989; Conventions & Covenants Prohibiting Capital Punishment for Offenses Committed by Persons Under the Age of 18,

UNIT-III Approaches to Sentencing

- 3.1. Alternatives to Imprisonment, Reparation by the offender/by the court
- 3.2. Probation
- 3.3. Corrective labour
- 3.4. Fines, Collective fines

UNIT-IV Sentencing under Penal Code and special laws

- 4.1 Principal types of sentences in the Penal Code and special laws
- 4.2. Sentencing in white collar crime
- 4.3. Pre-sentence hearing
- 4.4. Summary punishment: Plea bargaining

Suggested Readings

1. Siddique, Criminology (1984) Eastern, Lucknow.
2. Alf Ross, On Guilt, Responsibility and Punishment (1975)
3. Anthropology 1969-179 (1986)
4. H.L.A. Hart, Punishment and Responsibility (1968)
5. Herbert L. Packer, The Limits of Criminal Sanction (1968)
6. K.S. Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey of Sociology and Social
7. Law Commission of India, Forty-Second Report Ch. 3 (1971)
8. S. Chhabra, The Quantum of Punishment in Criminal Law (1970),
9. Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R.Campray & Co., Calcutta

LLM-CE-03-CRL- P-XIII Privileged Class Deviance

UNIT-I Concept of Privileged Class Deviance

- 1.1. Concept and classification of white collar crimes
- 1.2. Indian approaches to socio-economic offences
- 1.3. Classification of Privileged Class Deviance
- 1.4. Indian approaches to Privileged Class Deviance

UNIT-II Privileged Class Deviance

- 2.1 Professional deviance: journalists, teachers, doctors, lawyers, engineers, architects and publishers
- 2.2 Trade union deviance (including teachers, lawyers/urban property owners)
- 2.3 Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)
- 2.4 Gender-based aggression by socially, economically and politically powerful

UNIT-III Official Deviance

- 3.1. Conception of official deviance - permissible limit of discretionary powers.
- 3.2 Deviance by Civil Servants and Police
- 3.3 Deviance by Legislators,
- 4.4 Deviance by Judges,

UNIT-IV Response of Indian Legal Order to the Deviance of Privileged Classes

- 4.1. Central Vigilance Commission, Central Bureau of Investigation (CBI); Prevention of Corruption Act, 1947.
- 4.2. Public Accounts Committee; Commissions of Enquiry
- 4.3. Ombudsman/ Lokpal;
- 4.4. Whistleblower Protection Law

Suggested Readings

1. A.G. Noorani, Minister's Misconduct (1974)
2. A.R. Desai (ed.) Violation of democratic Rights in India (1986)
3. B.B. Pande, 'The Nature and Dimensions of Privileged Class Deviance' in The Other Side of Development 136 (1987; K.S. Shukla ed.).
4. Indira Rothermund, "Patterns of Trade Union Leadership in Dhanbad Coal fields" 23 J.I.L.I 522 (1981)
5. Surendranath Dwevedi and G.S. Bbargava, Political Corruption in India (1967)
6. Upendra Baxi (ed.), Law and Poverty: Essays (1988)
7. Upendra Baxi, Liberty and Corruption: The Antulay Case and Beyond (1989)
8. Upendra Baxi, The Crisis of the Indian Legal System (1982) Vikas Publishing House, New Delhi.

LLM-CE-03-CRL- P-XIV Dissertation

Instruction: The Head of the Department will notify the Dissertation Title for each student. A candidate shall prepare the dissertation (Minimum 50 Pages, and Maximum 100 Pages in A4 Size Paper) and submit his/her soft and 02 hard copies of the Dissertation on the date of examination for evaluation. The student should follow proper Legal citation system and Dissertation Guideline while preparing the Dissertation

THIRD SEMESTER LLM-CE-04 FEMINIST CRITIQUE OF LEGAL ORDER (GROUP-4)					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CE:04	LLM-CE-04-FCL- P-XI	Feminist Theorizing and Legal Order	100	40 %	4
CE:04	LLM-CE-04-FCL- P-XII	Patriarchal Elements in Indian Law	100	40 %	4
CE:04	LLM-CE-04-FCL- P-XIII	Gender Justice Standards at International Law	100	40 %	4
CE:04	LLM-CE-04-FCL- P-XIV	Dissertation	100	40 %	4

LLM-CE-04-FCL- P-XI Feminist Theorizing and Legal Order

UNIT-I Notion on Feminine Gender

- 1.1 Distinction between "sex" (nature) and "gender" (culture)
- 1.2. The notion of patriarchy, Male Dominance
- 1.3. Notion of Discrimination, Paternalism, Division of labour
- 1.4 Androgyny (transcendence from traditional masculine/feminine stereotypes)

UNIT-II Feminism: Liberal, Radical, Marxist and Social

- 2.1 Gender Equality: Employment, Work Environment Property Right, Religious and Customary practices
- 2.2 Radical Feminism: Control over female body, Sexuality and matrimony
- 2.3 Marxian Feminism: Control of Private property and Women enslavement
- 2.4 Social Feminism: Economic Independence and Women Empowerment and Equality

UNIT-III Legal Theory and Practice: Feminist Critiques

- 3.1 Law is the product of Dominant gender
- 3.2 Unequal treatment by law
- 3.3 Critique of natural law ideologies
- 3.4 Law reform and patriarchy

UNIT-IV Feminist Jurisprudence in India

- 4.1 Equal Political Participation
- 4.2 Protective Discrimination/Distributive Justice
- 4.3 Socio-Economic Equality in employment and occupation
- 4.4 Protection from Violence and Exploitation

Suggested Readings

1. Alison M. Jaggard, *Feminist Thought and Human Nature* (1983), Harvester Press Sussex.
2. Boyle, James. 1992. *Critical Legal Studies*. New York: New York Univ. Press.
3. Carol Smart, *The Ties that Bind: Law, Marriage and the Reproduction of Patriarchal Relations* (1984)
4. Catherine A. Mackinnon, *Feminism Unmodified: Discourse on Life and Law* (1987)
5. Catherine A. Mackinnon, *Toward a Feminist Theory of the State* (1989)

6. Delgado, Richard. 1993. "Critical Race Theory: An Annotated Bibliography." *Virginia Law Review* 79.
7. E.Diane Pask, Kathleen E.Mahency and Catherene A. Brown (ed.), *Women, the Law and Economy* (1985)
8. Hutchinson, Allan C., ed. 1989. *Critical Legal Studies*. Totowa, N.J.: Rowman & Littlefield. 1987. *Critical Legal Studies*. Lanham, Md.: Rowman & Littlefield.
9. Julia Brophy & Carol Smart (ed.), *Women in Law: Explorations in Law, Family and Sexuality* (1985)
10. K.N. Venkatarayappa, *Feminine Roles* (1980).
11. Katherine O' Donovan, *Sexual Divisions in Law* (1985)
12. Lawrence A. Babbm *Redemptive Encounters: Three Modern Styles in the Hindu Tradition* 93-158, (1987).
13. Maria Mies, *Patriarchy and Accumulation on a World Scale: Women in the International Division of Labour* (1986), Zed Books, London.
14. Michael D.A. Freeman (ed.), *The State, the Law and the Family* (1984)
15. Susan Atkins & Brend Hogett, *Women and the Law* (1984)
16. Susan Edwards (ed.), *Gender, Sex and Law* (1985)
17. (These readings should be contextualized by reference to: Manushi Special Numbers of EPW on Women's studies and publications of Kali).

LLM-CE-04-FCL- P-XII Patriarchal Elements in Indian Law

UNIT-I Dimensions of Patriarchy

- 1.1 Right of feminists against Patriarchy
- 1.2 Patriarchy and Colonial Law.
- 1.3 Continuation of separate discriminatory personal laws even after Independence.
- 1.4 The Patriarchal Character of Public/Private Law Dichotomy.

UNIT-II Constitution and Patriarchy

- 2.1 Reservation of Women
- 2.2 Family planning, population control not in constitutional agenda
- 2.3. Fundamental Right Against Exploitation - non inclusion of exploitation of women -domestic labour no recognition or value given
- 2.4 Equal pay for equal work for men and women in Directive Principles.

UNIT-III Patriarchal Character of Criminal Law

- 3.1 Notions of adultery.
- 3.2 Problems of proof in Rape and Bigamous marriage.
- 3.3. Legislation on Sati, The law relating to prostitution and immoral traffic
- 3.4 How patriarchal was the Dowry Act (and still is in J & K Dowry Restraint Act, 1969).

UNIT-IV Judiciary and Patriarchy

- 4.1 Women's property Right and Right to Employment
- 4.2 Matrimonial Cruelty, Domestic Violence
- 4.3 Sexual Harassment, Custodial Sexual Assaults
- 4.4 Sex Selection and Termination of Pregnancy

Suggested reading

1. Bina Agarwal (ed.), *Structures of patriarchy* (1988).
2. Claire Duchon, *Feminism in France* (1986).
3. Govind Kelkar, *Women in Post-Liberation Societies: A Comparative Analysis of Indian & Chinese Experiences*.
4. Kamia Bhasin and Nighat Said Khan, *Some Questions of Feminism and its Relevance in South Asia* (1986).
5. Kay Macpherson, "International Aspects of Feminism" in *Status on Women News* Vol. 6 NO. 302 (1980).
6. Kumari Jayawardene, *Feminism and Rationalism in the Third World* (1986).

7. Madhu Kishwar and Ruth Vanita, In Search of Answers Chap. 1 (Women's Lives), chap.3 (Violence against Women). (1986).
8. P. Andiappan, "Public Policy and Sex Discrimination in Employment in India" - 14 IJIR. 395 (1978-79).
9. R. Aininova, The October Revolution and Women's Liberation Movement (1977). Constituent Assembly Debates Vol. 7(3.12.48).
10. Rhoda Reddock, "Women's Liberation & National Liberation" in Maria Mies & Rhoda Reddock(eds.),National Liberation & Women's Liberation (1982).
11. Varda Bunslyn, "Masculine Dominance and the State" 46 in Socialist Register (1983).

LLM-CE-04-FCL- P-XIII Gender Justice Standards at International Law

UNIT-I Political Rights of Women

- 1.1 Universal declaration of Human Rights, 1948
- 1.2 Convention on the Political Rights of Women (20 Dec. 1952)
- 1.3 International Covenant on Civil and Political Rights (New York, 16 December 1966)
- 1.4 International Covenant on Economic, Social and Cultural Rights (New York, 16 December 1966), Political Declaration [advancement of women] (10 June 2000)

UNIT-II Rights of Women against Discrimination

- 2.1. Convention on the Elimination of All Forms of Discrimination against Women (New York, 18 December 1979)
- 2.2 Declaration on the Elimination of Violence against Women
- 2.3 Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (New York, 6 October 1999)
- 2.4 Inter-American Convention for the Prevention, Punishment and Elimination of Violence against Women (Belém do Pará Convention) (1995); United Nations Convention against Transnational

UNIT-III Sexual Exploitation of Women

- 3.1 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (2 Dec. 1949)
- 3.2 Convention on the Rights of the Child (New York, 20 November 1989)
- 3.3 Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (New York, 25 May 2000); United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (29 Nov. 1985); Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (29 Nov. 1985);Declaration on the Protection of All Persons from Enforced Disappearance (18 Dec. 1992)
- 3.4 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (7 Nov. 1962) and Recommendation (1 Nov. 1965); Organized Crime : Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (15 Nov. 2000)

UNIT-IV The International Labour Organization and Rights of Women

- 4.1. Equal pay for equal work.
- 4.2. Women and part-time work.
- 4.3. Protective for women.
- 4.4. Maternity protection.

LLM-CE-04-FCL- P-XIV Dissertation

Instruction: The Head of the Department will notify the Dissertation Title for each student. A candidate shall prepare the dissertation (Minimum 50 Pages, and Maximum 100 Pages in A4 Size Paper) and submit his/her

soft and 02 hard copies of the Dissertation on the date of examination for evaluation. The student should follow proper Legal citation system and Dissertation Guideline while preparing the Dissertation

FREE ELECTIVE SUBJECT

CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
FE-1	LLM-FE-01-P-XV	Choice based one Elective Paper across other specialization	100	40%	4

ALLIED ELECTIVE SUBJECTS

CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
AE-1	LLM-AE-01-XVI	Monopolies and Competition Law	100	40%	4
AE-2	LLM-AE-01-XVI	Information Technology and Law	100	40%	4
AE-3	LLM-AE-01-XVI	Rights of Child and Juvenile Justice	100	40%	4
AE-4	LLM-AE-01-XVI	Women: Sexual Offences and Legal Remedies	100	40%	4

LLM-AE-01-P-XVI Monopolies and Competition Law

UNIT-I Policy and Practices

- 1.1 Competition Law policies
- 1.2 The evolution of Competition Law in India
- 1.3 Monopolistic Trade Practices
- 1.4 Restrictive Trade Practices and Unfair Practices

UNIT-II Regulatory Mechanism

- 2.1 Competition Commission of India
- 2.2 Duties, Powers and Functions of Commission and Duties of Director General
- 2.3 Competition Advocacy and Penalties
- 2.4 Competition Appellate Tribunal

UNIT-III Control & Abuse

- 3.1 Control of cartels and other anti-competitive agreements
- 3.2 Abuse of dominant position--enforcement issues and approaches
- 3.3 Competition Law and intellectual property rights
- 3.4 The efficient and effective competition authority

UNIT-IV International Regimes

- 4.1 World Competition Law--conflicts, convergence, cooperation
- 4.2 Competition Law in the United States of America
- 4.3 The Competition Regime in the UK
- 4.4 Competition Law in Australia

Suggested Readings

1. Abir Roy & Jayant Kumar ,Competition Law in India ,2008
2. Divya Verma & Kishan Keshav, Competition and Investment Laws in India ,2012
3. Guide to Competition Law in India (Competition Act, 2002) Universal Law Publishing Co. 200
4. Jai S.Singh ,Competition Law of India ,2010
5. Ramappa,Competition Law in India – Policy, Issues and Developments, Oxford University Press, Delhi (2006)

6. Siddharth Bawa ,Law of Competition in India ,2005
7. Srinivasan Parthasarathy.Competition Law in India, Publisher Kluwer Law International, 2011 PP 214

LLM-AE-02-P-XVI Information Technology and Law

UNIT-I Introduction and Scope of Cyber Law

- 1.1. Introduction on Cyber World, Cyber Law, and the internet and online resources
- 1.2. Scope of Cyber laws – e-commerce - online contracts - IPRs (copyright, trademarks and software patenting) - e-taxation - e-governance and cyber crimes
- 1.3. Security of information, Digital signature, Domain name, Data protection
- 1.4. Cyber Law and Cyber Crimes, Harmful content in Internet and Regulation of Internet

UNIT-II Regulation of Cyber Space

- 2.1. History and growth of Information Technology Act-2000/ 2008
- 2.2. Legal Recognition of Electronic Documents, Legal Recognition of Digital Signatures E-Governance
- 2.3. Regulation of Certifying Authorities, Duties of Subscribers
- 2.4. Offenses and Contraventions- Penalties and Adjudications, Justice Dispensation System for Cyber-crimes. The Evidence Aspect in Cyber Law

UNIT-III The Intellectual Property Aspect in Cyber Law

- 3.1. The WIPO initiative- rectification- GII initiative
- 3.2. Electronic Copy Right Management System (ECMS)
- 3.3. Copyrights Act on Soft Propriety Works
- 3.4. Patents Act on Soft Propriety Works

UNIT-IV The global trends in Cyber Law Prescribed Legislations and cases

- 4.1. Cyber Regulations Appellate Tribunal Rules, 2000
- 4.2. The Indian Penal Code, 1860, The Indian Evidence Act, 1872,
- 4.3. Bankers Book Evidence Act.1891 Reserve Bank of India Act, 1934
- 4.4. Yahoo v. LICRA, (United States Court of Appeals, Ninth Circuit. - 433 F.3d 1199); Zippo Manufacturing v. Zippo .Com (952 F. Supp. 1119 (W.D. Pa. 1997); Banyan Tree Holding Pvt. Ltd v. A. Murali Krishna Reddy and Ant.(indiankanoon.org/doc/1355583/); Pro CD v. Zeidenberg (86 F.3d 1447.); US v. Morris(928 F.2d 504 (2d Cir. 1991); US v. Thomas 74 F.3d 701 (6th Cir. 1996); Viacom v. Google (No. 07 Civ. 2103); Syed Asifuddin v. State of Andhra Pradesh (2005 Cri L J 431)

Suggested Readings

1. Arun Baweja, Information Technology and Development, Kalpar Publication, Delhi
2. Vakul Sharma, Information Technology Law and Practice, Universal, Delhi :
3. P.S. Yivek Shane, Banerjee, Science and Society, Himalaya Publishing House,Bombay
4. Ashok Korde, A. Sawant, Science and Scientific Method, Himalaya Pub. House, Bombay
5. B.B.Batra, Information Technology,Kalpar Publications, Delhi
6. Nandan Kamamth, Guide to Information Technology Act, University Law Pub.Co. Delhi-33
7. Suresh T. Viswanathan, The Indian Cyber Laws, Bharat Law House, New Delhi-83.
8. Ankit Fadia and Jaya Bhattacharjee, Encryption-Protecting your Data
9. P. Narayan, Intellectual Property Law, Eastern Law House, New Delhi
10. Farooq Ahmed, Cyber Law in India, Pioneer Books, New Delhi-110009

LLM-AE-03-P-XVI Rights of Child and Juvenile Justice

UNIT-I Constitutional and International Legal Status of Child

- 1.1. National policy on Rights of Child and Constitutional concern – Art. 15(3), 24, 39(e) & (f) and 45
- 1.2. International concern and endeavour for the welfare of the children
- 1.3. UN and Child Rights Conventions
- 1.4. Conventions on Rights of Child, 1989, and Protocols

UNIT-II Legal Control of Child Labour

- 2.1. International conventions and recommendations of the ILO.
- 2.2. National Policy on Child Labour.
- 2.3. Legislation relating to factories, plantation labour, mines, merchant shipping, motor transport workers, apprentices, shop & establishments and child labour
- 2.4. Child Labour (Prohibition and Regulation) Act, 1986: Legal Framework

UNIT-III Child and Criminal Liability

- 3.1. Crimes committed by child; crimes committed by others in relation to children;
- 3.2. Variation of procedure in case of child offender
- 3.3. Judicial proceedings in criminal cases relating to children
- 3.4. Statutory provisions –Sections 82, 83, 299 Exp.3, 363A, 372 and 376 of IPC; Sec 27 of the Cr. PC; The Protection of Children from Sexual. Offences Act, 2012; Suppression of Immoral Traffic Act 1956 (SITA); The Prohibition of Child Marriage Act, 2006; Young Persons Harmful Publications Act 1956; Reformatory Schools Act 1897

UNIT-IV Juvenile Justice

- 4.1. Concept of Juvenile Justice
- 4.2. Legal status of Juveniles in India
- 4.3. International Legal Instruments on Juvenile Justice
- 4.4. The Juvenile Justice (Care and Protection of Children) Act, 2000/ 2006

Suggested Readings

1. Anjani Kant, Law Relating to Women and Children. 2012 Jain Books, New Delhi
2. Aparna Bhat, Aatreyee Sen, Uma Pradhan, Child Marriages And The Law In India 2005
3. Child Laws (Containing Acts, Rules, Charters, Conventions & Policies for Children & Juvenile Justice) private publication, Jain Books, New Delhi
4. Children and Governance International Colloquium Report 2011, HAQ: Centre for Child Rights New Delhi
5. Combat Child Trafficking, HAQ: Centre for Child Rights New Delhi
6. John Winterdyk, Juvenile Justice Systems : International Perspectives, Canadian Scholars' Press, 2002, pp 556
7. Mahanirban Calcutta Research Group, Kolkata
8. Mookherjee, Commentaries on Juvenile Justice Act 2006
9. National Social Audit 2010, HAQ: Centre for Child Rights New Delhi
10. P. Rath, and P.K.Pattnaik, et al Juvenile Justice, Open Learning System, Bhubaneswar, Orissa, 2010
11. R. N. Choudhary : Law Relating to Juvenile Justice in India, Delhi Law house
12. Ranabir Samaddar(Ed), State Of Justice In India : Issues of Social Justice
13. S.C.Tripathi & Vibha Arora, Law Relating to Women and Children, Jain Books, New Delhi, 2012,
14. S.N. Jain ed, Child and the Law (1979) Indian Law Institute, New Delhi
15. Status of Children in India Inc. HAQ: Centre for Child Rights New Delhi

LLM-AE-04-P-XVI Women: Sexual Offences and Legal Remedies

UNIT-I Legal Status

- 1.1. Status of Women in India

- 1.2 Status of Women – International Legal Instruments
- 1.3 Constitution of India & Women
- 1.4 Directive principles of State Policy

UNIT-II Forms of Sexual Assault

- 2.1 Typology of Sexual Assault
- 2.2 Sexual Offences under Indian Penal Code,
- 2.3 Protection of Children from Sexual Offences Act, 2012
- 2.4 Domestic Violence, Sexual Harassment at work Place

UNIT-III Sexual Assault under other Legislations

- 3.1 Related Legal provisions under Cr.P.C and Evidence Act
- 3.2 Pre-natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994
- 3.3 Indecent Representation of Women (Prohibition) Act, 1986, "The Commission of Sati (Prevention) Act, 1987".
- 3.4 Immoral Traffic (Prevention) Act, 1987 and Pornography, Information Technology Act

UNIT-IV Legal Process and Remedies

- 4.1 Reporting of Sexual Assaults
- 4.2 Medical Examinations
- 4.3 Recording of Statements
- 4.4 Trial and Compensation

Suggested Readings

1. Surinder Khanna Violence Against Women And Human Rights, Swastik Publishers and Distributors Year: 2010
2. Mukta Mittal Violence Against Women In The World With Protection Of Women From Domestic Violence Act, 2005 And Rules, 2006 Arise Publishers & Distributors Year: 2012
3. M. S. Bist, Crime And Violence Against Women Sumit Enterprises Year: 2012
4. Revasia & Revasia, Women Social Justice & Human Right (1998), P.H. Publishing, New Delhi
5. Ajnes, Flavia, Law as Gender Inequality, (Sec IV: Gen. Conl & Recomm) OUP, Delhi (1999)
6. Sayed Maqsood, Law relating to Women
7. Dr. S.C. Tripathi, Law relating to Women
8. 42nd Report of Law Commission [Dissenting note of Justice Anna Chandy on Adultery, P.366]
9. Towards Equality- Report of the Committee on the Status of Women (Govt. of India), Ch. IV
10. Balram - Women workers labour legislation in India 1984 (2) I.L.J. 1527.
11. Lotika Sarkar, The Law Commission of India (1988).
12. U.Baxi, Law and Poverty: Critical Essays (1988), Eastern, Luknow
13. S.N. Jain ed, Child and the Law (1979) Indian Law Institute, New Delhi
14. Nomita Aggarwal, Women and Law
15. Manjula Batra, Women and Law

AUDIT COURSE

CODE	PAPER	AUDIT SUBJECT	CREDIT/MARKS
AC-1	LLM-AC-01	Tribal Rights and Law	No Credit shall be awarded. This is purely optional in nature.
AC-2	LLM-AC-02	Local Self Government and Law	

LLM-AC-01 Tribal Rights and Law

UNIT-I Demography

- 1.1 Definition of Scheduled Tribes" Article 366 (25) and Article 342, Distribution of Tribal Population in India
- 1.2 Attributes of Scheduled Tribes
- 1.3 Definition of indigenous peoples and International Legal Instruments on Tribal/Indigenous People
- 1.4 Problems of Tribals: Poverty, Malnutrition, health, Mortality, Illiteracy and Unemployment; Displacement, Compensation, Rehabilitation, Sexual abuse and Human Trafficking

UNIT-II Tribal Rights Constitution of India

- 2.1 Fundamental Rights: Tribal Rights
- 2.2 Directive Principles of State Policy: Tribal Rights
- 2.3 Reservation Policy: Employment and Election
- 2.4 Schedules V and VI of the Constitution of India

UNIT-III Remedial Forums

- 3.1 National Human Rights Commission, State Human Rights Commission,
- 3.2 Scheduled Caste and Scheduled Tribes Commission,
- 3.3 National Commission for Women
- 3.4 Minorities Commissions,

UNIT-IV Related Legislations

- 4.1 Forest Rights Act 2006 and The Provisions of the Panchayats (Extension to the Scheduled Areas) Act 1996 (No 40 of 1996)
- 4.2 Protection of Civil Rights Act, 1955/1977 Rules
- 4.3 SC/ST (Prevention of Atrocities) Act, 1989/1995 Rules
- 4.4 The constitution (89th Amendment) Act, 2003

Suggested Readings

1. Andre Betteille, "The idea of Indigenous People", Current Anthropology, Vol.39, Number 2, April 1998, pp. 187-191.
2. Basu, Durga Das Introduction to the Constitution of India . South Asia Books(2010).
3. Devi, K. Uma & Bharihoke, Neera, Tribal Rights in India, EBC (2006) pp 262
4. Mononita Kundu Das, Forestry and Tribal Rights in India: Symbiotic relationship between Forests and Tribals, Vdm Verlag (2010)
5. Devendra Thakur and D.N. Thakur (Ed) Tribal Life in India, Vol. 7. Tribal Law and Administration : by, Deep and Deep, 2009, Reprint. First published 1994, viii, 258 p
6. UN (2005) Economic and Social Council, E/CN.4/2005/89, 28 February 2005 Report of the Working Group established in accordance with Commission on Human Rights Resolution 1995/32 of 3 March 1995 at its eleventh session. The text is available at <http://daccessdds.un.org/doc/UNDOC/GEN/G05/113/65/PDF/G0511365.pdf?OpenElement>
7. UN (2006) Economic and Social Council, E/CN.4/2006/79, 22 March 2006, Commission on Human Rights: Human Rights and Indigenous Issues: Report of the Working Group established in accordance with Commission on Human Rights Resolution 1995/32 of 3 March 1995 at its eleventh session. The text is available at <http://daccessdds.un.org/doc/UNDOC/GEN/G06/119/46/PDF/G0611946.pdf?OpenElement>
8. Virginius Xaxa, "Tribes as Indigenous People of India", Economic and Political Weekly, December 18, 1999 pp.3589-3596.

LLM-AC-02 Local Self Government and Law

UNIT-I Historical Perspective

- 1.1. History and Growth of Panchayat System in India
- 1.2. Gram Swaraj: the Gandhian concept
- 1.3. Types of Local Self Government
- 1.4. Balwant Rai Mehta Committee Report

UNIT-II Constitutional Scheme

- 2.1. 73rd Amendment
- 2.2. Directive Principles
- 2.3. Direct democracy and grass root planning
- 2.4. Constitution and Local Self Government

UNIT-III Quasi-Legislative Powers

- 3.1. Rule making power of the State Government
- 3.2. Regulations and Bye-laws
- 3.3. Financial Powers: Levying taxes, Licensing power, Financial resources and powers
- 3.4. Judicial and Quasi-judicial powers of the Local Bodies

UNIT-IV Functioning of Panchayati Raj System

- 4.1. Constitution and Functions of Gram Sabha and Municipalities and corporation
- 4.2. Conduct of Meetings: Corporation, Municipal Council, Panchayat Committee and Gram Sabha
- 4.3. Election to Local Bodies
- 4.4. Gramanyalaya Act

Suggested Readings

1. Anirban Kashyap : Panchaytiraj , Views of founding fathers and recommendation of different committees , New Delhi, Lancer Books, 1989 P 109
2. Anirban Kashyap : Panchaytiraj , Views of founding fathers and recommendation of different committees , New Delhi, Lancer Books, 1989 P 112
3. Ashok Mehta Committee : Government of India, Report of the Committee on Panchayati Raj Institutions, Ministry of Agriculture and Irrigation, Department of Rural Development, (New Delhi, 1978),
4. Bajpai and Verma, (1995), Panchayati Raj in India.
5. Davis, Discretionary Justice
6. De Smith, Judicial Review of Administrative Action (1995)
7. Decentralisation in India : Challenges and opportunities, UNDP,2000 p 4
8. Dicey, Introduction to the Law of the Constitution,
9. Friedman, The State and the Rule of Law in a Mixed Economy
10. Government of India, Report of the Team for the Study of Community Projects and National Extension Service, (Chairperson: Balvantray Mehta), Committee on Plan Projects, National Development Council, (New Delhi, November 1957), Vol. I,
11. Indian Law Institute, Government Regulation of Private
12. Ivor Jennings, Law and the Constitution
13. Jain & Jain, Principles of Administrative Law (1986), Tripathi, Bombay
14. M. Venketarangiya & M. Pattabhiram, Local Government in India (1969) Allied, New Delhi
15. Mahoj Rai et al. :The state of Panchayats – A participatory perspective, New Delhi, Smscriti, 2001 P 9
16. Milestones in the Evolution of Local Government since Independence Neville L. Brown and J.F. Garner, French Administrative Law
17. Panchayat.nic.inRadhakumud Mookerji, Local Government in Ancient India (1985), Daya Publishing Delhi.
18. Schwartz & Wade, Legal Control of Government

19. Subrata K. Mitra. Making local government work: Local elites, panchayati raj and governance in India, in: Atul Kohli (Ed.). The Success of India's Democracy. Cambridge: Cambridge University Press. 2001.
20. T M Thomas Issac with Richard Franke : Local democracy and development – Peoples Campaign for decentralized planning in Kerala, New Delhi, Leftword Books, 2000 P 1
21. The Constitution (Seventy Third Amendment) Act, 1992, The Gazette of India, Ministry of Law, Justice and Company Affairs, New Delhi, 1993.
22. Venkatarangaiah, M. and M. Pattabhiram (1969), 'Local Government in India:Select Readings', Allied Publishers, New Delhi
23. W. Thornhill (ed.), The Growth and Reform of English Local Self-government (1971), Weidenfeldand Nierlson, London
24. World Bank, (2000), Overview of Rural Decentralisation in India, Volume III,

FOURTH SEMESTER					
LL.M-CE-01 CONSTITUTION AND LEGAL ORDER (GROUP-1)					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CE:01	LLM-CE-01-CL-P -XVII	Union-State Financial Relation	100	40 %	4
CE:01	LLM-CE-01-CL-P -XVIII	National security, Public Order and Rule of Law	100	40 %	4
CE:01	LLM-CE-01-CL-P -XIX	Constitution and Judicial Mechanism	100	40 %	4
CE:01	LLM-CE-01-CL-P-XX	Presentation and Viva(Practical)	100	40 %	4

LLM-CE-01-CL-P -XVII Union-State Financial Relations

UNIT-I Distribution of Fiscal Powers under Federalism

- 1.1. Indian Constitution and Distribution of Legislative Power/Administrative Power
- 1.2. Scope of Centre-State relations
- 1.3. Distribution of Legislative Power and Fiscal Power:
- 1.4. Scheme of Allocation of taxing power, Extent of Union power of taxation, Residuary power - inclusion of fiscal power

UNIT-II Restrictions of Fiscal Power

- 2.1. Fundamental Rights, Inter-Government Tax immunities
- 2.2. Tax-Sharing under the Constitution.
- 2.3. Finance Commission - Specific purpose grants (Article 282)
- 2.4. Borrowing by the Government of India, Borrowing by the States

UNIT-III Inter-State Trade and Commerce

- 3.1. Freedom of trade, Commerce and Intercourse:
- 3.2. Direc and Immediate Restrictions
- 3.3. Restrictions of trade, Commerce and Parliamentary Law commerce
- 3.4. Restrictions of trade, Commerce under state Law commerce

UNIT- IV Planning and Financial Relations

- 4.1. Planning Commission
- 4.2. National Development Council
- 4.3. Zonal Councils,

4.4. Sarkaria Commission Report, What Reforms are Necessary

Suggested Readings

1. Administrative Reforms Commission, Report of the Study Team on Central-State Relationship (1967) Vol. 1, Sections land 11, pp. IS- 168
2. Ashok Chandra, Federalism in India, (1965)
3. Chandrapal, Centre-State Relations and Cooperative Federalism, Chs. 5 and 8 (1983)
4. Constituent Assembly Debates Vol. 9, 203, 240 and 302-349; Vol. 10, 325-342.
5. D.T. Lakadwala, Union-State Financial Relations (1967)
6. Daniel J. Elazar, American Federalism, Chs. 3 and 4 (1984)
7. G.C.V. Subba Rao, Legislative Powers in Indian Constitution Law, Chs. 37, 38, 39 (1982)
8. Government of Tamilnadu, Report of the Centre-State Relations Inquiry Committee Ch.5 (1971)
9. H.M. Seervai, Constitutional Law of India (1991), Tripathi, Bombay.
10. K. Subba Rao, The Indian Federation (1969)
11. K.C. Wheare, Federal Government (1963)
12. K.P. Krishna Shetty, The Law of Union-State Relations and the Indian Federalism Ch.9 (1981)
13. L.M. Singhvi (ed.), Union-State Relations in India 124-154 (1969)
14. M.P. Jain, Indian constitutional Law (1994), Wadhwa.
15. Report of the Eighth Finance Commission. Administrative Reforms Commission on Centre-State Relationship Ch. 3 (1969)
16. Richard M. Pious, The American Presidency, 293-331, Ch. 9 (1979)
17. Sudha Bhatnagar, Union-State Financial Relations and Finance Commissions, (1979)
18. V.D. Sebastian, Indian Federalism: The Legislative Conflicts Chs. 6-7 and 8 (1980).
19. Students should consult relevant volumes of the Annual Survey of Indian Law published by the Indian Law Institute (Constitutional Law II)

LLM-CE-01-CL-P -XVIII National Security, Public Order and Rule of Law

UNIT-I National Security, Public Orders and Rule of Law

- 1.1. Concept of Civil Liberties, Meaning of "Security of State "and "Public Order"
- 1.2. Emergency Detention in England - Civil Liberties
- 1.3. Protection of Civil Liberties in USA
- 1.4. International Conventions for Protection of Civil Rights

UNIT-II Preventive Detention and Indian Constitution

- 2.1. Legality of Preventive Detention
- 2.2. Protection against Preventive Detention: Article 22 of the Constitution.
- 2.3. Declaration of Emergencies
- 2.4. 1962, 1965, 1970 and 1975 Emergencies

UNIT-III Exceptional Legislation

- 3.1. COFEPOSA /NSA and other legislation to curb economic offenders
- 3.2. TADA: "the draconian law"-comments of NHRC
- 3.3. Special courts and tribunals
- 3.4. Due process and special legislation

UNIT-IV Access to Courts under Emergency and Martial Law

- 4.1. Article 359: ups and downs of judicial review
- 4.2. Constitution (Forty-fourth), Amendment Act, 1978.
- 4.3. Constitution (Fifty-ninth) Amendment Act,. 1988.
- 4.4. Martial Law: Provisions in English Law, Provisions in the Constitution

Suggested Reading

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).

LLM-CE-01-CL-P -XIX Constitution and Judicial Mechanism

UNIT-I Constitution and Separation of Power

- 1.1. Separation of powers under the Constitution
- 1.2. Constituent Power: judicial Review, Affirmative use of Judicial power
- 1.3. Rule-making power - Article 145, Superintendence power - Article 227, Doing complete justice - Article 142, Contempt Power
- 1.4. Appellate, Original and Inherent powers and power to constitute Benches

UNIT-II Judicial Structures

- 2.1. Hierarchy of Courts
- 2.2. Civil Courts and Criminal Courts.
- 2.3. Special Courts
- 2.4. Administrative and other Tribunals

UNIT-III Appointment of Judges and Accountability

- 3.1. Legal Status of Judges and Subordinate Judiciary
- 3.2. Method of appointment of judges: Supreme Court, High Courts, Subordinate Judiciary
- 3.3. Removal and transfer of Judges
- 3.4. Judicial Accountability

UNIT- IV Judicial Mechanism

- 4.1. Kinds of Judicial process: Adversary, Inquisitorial, Arbitration, Public Interest Litigation
- 4.2. Judicial Process distinguished from other process: Legislative Process, Administrative Process, Conciliation, Mediation
- 4.3. Drawbacks of Judicial Process: Delay, Cost, Technicalities, Lack of Representation
- 4.4. Judicial Techniques: Doctrine of Precedent, Interpretation, Construction, Stare decisis, Ratio decidendi.

Suggested Readings

1. UNESCO, Commission on Human Rights: The Administration of justice and the Human Rights of detainees: Study of the Independence and Impartiality of the Judiciary, Jurors and assessors and the Independence of Lawyers, 1985, 1987, 1988, 1991, 1992, 1993, 1995.
2. Upendra Baxi, Towards a Sociology of India Law 108-117 (1986)
3. Upendra Baxi, Liberty and Corruption: Antulay Case and Beyond (1990)
4. Rajeev Dhavan and Alice Jacob, Selection and Appointment of Supreme Court Judge, A case study (1978), Tripathi
5. K.L.Bhatia, et.al., Delay - a riddle wrapped in mystery inside an enigma, JILI (1995)

LLM-CE-01-CL-P-XX Presentation and Viva(Practical)

Instruction: Presentation/ Viva Voce Examination shall be conducted by a Board of Examiners. The Board shall consist of members of the Teaching Staff of the Department and External Examiner. External Examiner may be from any other Institution imparting LL.M. Course with LL.M. teaching fixed by the BOS/Authority.

FOURTH SEMESTER LL.M-CE-02- BUSINESS LAW (GROUP-2)					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CE:02	LLM-CE-02-BL-P -XVII	Law of Industrial and Intellectual Property-II	100	40 %	4
CE:02	LLM-CE-02-BL-P -XVIII	Law of Export - Import Regulation	100	40 %	4
CE:02	LLM-CE-02-BL-P -XIX	Insurance Law	100	40 %	4
CE:02	LLM-CE-02-BL-P-XX	Presentation and Viva(Practical)	100	40 %	4

LLM-CE-02-BL-P –XVII Law of Industrial and Intellectual Property-II

UNIT-I Biotechnology Patent-I

- 1.1 Nature and Types of Biotechnology Patent
- 1.2 Patent over new form Life of Life-TRIPS Obligation
- 1.3 Indian Patent in Biotechnology
- 1.4 Plant Patenting

UNIT-II Biotechnology Patent-II

- 2.1 Plant Variety Protection- UPOV Convention and TRIPS Obligation
- 2.2 Plant Variety and Farmers' Rights- Indian Policy and Position
- 2.3 Sui generis protection for Plant Varieties
- 2.4 Regulation of environment and Health Hazards in Biotechnology Patents

UNIT-III Special Problems of Proof of Infringement

- 3.1 Status of Intellectual Property in Transit-TRIPS Obligation and Indian Position
- 3.2 Action of Passing off - Evidentiary problems
- 3.3 The Proof of non-anticipation, Novelty of Inventions protected by Patent Law
- 3.4 Evidentiary Problems in Piracy-Reversal of Burden of Proof in Process Patent

UNIT-IV Intellectual Property and Human Rights

- 4.1 Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore
- 4.2 Geographical Indications and Appellation of Origin
- 4.3 Rights of the Indigenous People and Protection of Traditional Knowledge
- 4.4 Human Rights of the improvised masses, Intellectual Property Protection of new products for health care and Food security

Suggested Readings

1. Philippe Cullet, Intellectual Property Protection And Sustainable Development , 2007, (Reprint, 2010)
2. Iver P. Cooper, Biotechnology and Law(1998)
3. Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, (2005)
4. Rama Sarma : Commentary on Intellectual Property Laws Volume 2, 2009
5. V.K. Ahuja, Law Of Copyright And Neighbouring Rights: National And International Perspectives, 2007
6. David Brainbridge, Software Copyright Law (2009) Butterworth
7. Sookman, Computer Law (1998), Carswell
8. Carlos M. Correa(ed), Intellectual Property and International Trade (1998), Kluwer
9. Patent Co-Operation Treaty Hand Book (1998), Sweet and Maxwell
10. Chistorpher Wadlow, Law of Passing-Off (1998), Sweet and Maxwell
11. W.R. Cornish, Intellectual Property Law (1999), Sweet and Maxwell
12. Alan, L. Durham., Patent Law and Essentials(2009), Preager, Westport, London
13. Paul Goldstein and R. Anthony Reese, Copyright, Patent, Trademark and Related State Doctrines, Cases and Materials on the Law of Intellectual Property, Revised 6th (University Casebook) [Hardcover], 2010
14. Gilbert Guide, Entrepreneur's Guide To Patents, Copyrights, Trademarks, Trade Secrets [Paperback], 2004
15. Henri J. A. Charmasson and John Buchaca Patents, Copyrights & Trademarks For Dummies by (2008)
16. Richard Stim Attorney, Patent, Copyright & Trademark: An Intellectual Property Desk Reference [Paperback], 2012
17. Gregory A. , Esq Stobbs, Software Patents [Hardcover], 2000
18. Duncan Matthews, Intellectual Property, Human Rights and Development, Edward Elgar Publishing, 2011
19. Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, (2005)
20. Indian Journal of Traditional Knowledge - niscair
21. International Treaties, Conventions relating to Intellectual Property

LLM-CE-02-BL-P –XVIII Law of Export - Import Regulation

UNIT- I Introduction on Export-Import Legal Environment

- 1.1. Concept of Export and Import
- 1.2. State control over import and export of goods - from rigidity to liberalization.
- 1.3. Impact of regulation on economy.
- 1.4. The Basic Needs of Export and Import Trade, (a)Goods, (b) Services, (c) Transportation

UNIT-II Export-Import International Regime

- 2.1. WTO agreement, WTO and tariff restrictions, WTO and non-tariff restrictions
- 2.2. Investment and transfer of technology
- 2.3. Quota restriction and anti-dumping, Dumping of discarded technology and goods in international market
- 2.4. Permissible regulations, Quarantine regulation

UNIT-III Export-Import: Indian Trade Law

- 3.1. Exim Policy: Changing Dimensions
- 3.2. Prohibition on importation and exportation of goods, Restrictive terms in technology transfer agreements
- 3.3. Control of smuggling activities in export-import trade
- 3.4. Levy of, and exemption from, customs duties, Clearance of imported goods and export goods

UNIT-IV Control of Export-Import: Indian Legal Framework

- 4.1. Foreign Trade Development and Regulation Act 1992
- 4.2. Control under Foreign Exchange Management Act, 1999 (FEMA)
- 4.3. Power of control: Central government and RBI, Export Inspection Council (EIC), Export Promotion Councils
- 4.4. Restrictions under Customs Law

Suggested Readings

1. Government of India, Handbook of Import Export Procedures, (Refer to the latest edition)
2. Government of India Import and Export Policy (Latest Policy)
3. The Students should consult the relevant volumes of the Annual Survey of Indian Law, Published by the Indian law Institute, New Delhi.
5. Foreign Trade Development and Regulation Act 1992 and Rules
6. Foreign Exchange Management Act 1999
7. Marine Products Export Development Authority Act 1972
8. Customs Manual (Latest edition)
9. Final Treaty of GATT, 1994. ,WTO

LLM-CE-02-BL-P -XIX Insurance Law

UNIT- I Introduction on Insurance Law and General Principles

- 1.1 History and Development Insurance Law in India, Kinds of Insurance
- 1.2 Constitutional perspectives- the Entries 24,25,29,30,47 of List 1 Union List; 23, 24, of List III
- 1.3 The Insurance Act, 1938 and the Insurance Regulatory Authority Act, 2000
- 1.4 General Principles of Law of Insurance: Good Faith, Misrepresentation, Warranties Conditions, Indemnity and Subrogation, Proximate Cause, Insurance and Consumer Protection, Insurable Interest, Commencement of Insurance Policy, Double Insurance and Re-insurance.

UNIT- II Laws Relating to Life Insurance and Marine

- 2.1 Nature and scope and Typology of Life Insurance
- 2.2 Event insured against life insurance contract, Circumstances affecting the risk, Persons entitled to payment and Settlement of claim and payment of money under Life Insurance Laws
- 2.3 Nature and scope of Marine Insurance, Classification of marine Insurance, Insurable Interest, Marine Insurance Policy- conditions
- 2.4 Voyage deviation, perils of the Sea, Assignment of policy, Partial laws of Ship and of freight, salvage, general average and particular charges

UNIT- III Laws Relating to Accidental Insurance and Property Insurance

- 3.1 The Fatal Accidents Act, 1855-Object and reasons; Assessment of compensation; Contributory Negligence.
- 3.2 The Personal Injuries (Compensation Insurance) Act 1963, Compensation payable under the Act; Compensation insurance scheme under the Act- Compulsory Insurance.
- 3.3 Fire Insurance; Emergency Risks (Factories) Insurance; Emergency Risks (Goods) Insurance; Policies Covering Risk of Explosion, accidental Loss, Damage to Property

- 3.4 Policies Covering Risk of storm and tempest; Glass-plate Policies; Burglary and theft Policies; Goods in Transit Insurance; Agricultural Insurance

UNIT-IV Insurance against Third Party

- 4.1 The Motor Vehicles Act, 1988-Nature and Scope, Effect of Insolvency or death on claims of insolvency and death of parties, certificate of Insurance
- 4.2 Claim Tribunal- Constitution, Function, and Application for compensation, procedure, Powers and award
- 4.3 Liability Insurance- Nature and Kinds of such Insurance; Public liability insurance Act, 1991; Professional Negligence Insurance
- 4.4 Insurance Scheme- New Dimensions; Group Life Insurance; Mediclaim and Sickness Insurance

Suggested Readings

1. Banerjee, Law of Insurance(1994), Asia Law House, Hyderabad
2. Birds, Modern Insurance Law(1997) Sweet & Maxwell
3. Colinvaux's Law of Insurance(1997) Sweet & Maxwell
4. O'Mary on Marine Insurance, Sweet & Maxwell
5. E.R.Hardy Ivamy, General Principle of Insurance Law(1993)
6. Edwin W. Patterson, Cases and Materials on Law of Insurance
7. M.N. Sreenivasan, Law and the Life Insurance Contract
8. Kenneth S. Abraham, Insurance Law and Regulation, 5th (University Casebooks),2010
9. Tom Baker, Insurance Law and Policy: Cases and Materials, 2nd Edition, 2008
10. KSN Murthy & Dr KVS Sarma, Modern Law Of Insurance, Reprint 2010
11. Robert H. Jerry II, Understanding Insurance Law, Fifth Edition (2012)

LLM-CE –02-BL-08- P20 Presentation and Viva

Instruction: Presentation/ Viva Voce Examination shall be conducted by a Board of Examiners. The Board shall consist of members of the Teaching Staff of the Department and External Examiner. External Examiner may be from any other Institution imparting LL.M. Course with LL.M. teaching fixed by the BOS/Authority.

FOURTH SEMESTER					
LL.M-CE-03 CRIMINAL LAW (GROUP-3)					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CE:03	LLM-CE-03-CRL-P -XVII	Drug Addiction, Criminal Justice and Human Rights	100	40 %	4
CE:03	LLM-CE-03-CRL-P -XVIII	Collective Violence	100	40 %	4
CE:03	LLM-CE-03-CRL-P -XIX	Victims of Crime and Compensatory Jurisprudence	100	40 %	4
CE:03	LLM-CE-03-CRL-P-XX	Presentation and Viva(Practical)	100	40 %	4

LLM-CE-03-CRL-P -XVII Drug Addiction, Criminal Justice and Human Rights

UNIT-I Drug Addiction: Anagraphic and Social Characteristics of Drug Users

- 1.1 Drugs: "narcotics" "psychotropic substances"; "Dependence," "addiction", "Drug Trafficking", "Primary drug abuse".
- 1.2 Anagraphic and Social Characteristics of Drug Users: Gender, Age, Sexual status, Socio economic status, educational level, Religion,

- 1.3 Type of drug use: First User, Addict, and Pattern of use, Quantity consumption and Cost
- 1.4 Consequences on addict's health (physical/psychic)

UNIT-II Narcotic Drug Trafficking: The International Legal Regime

- 2.1. Analysis of the background, text and operation of the Single Convention on Narcotic Drugs, 1961, 1972
- 2.2. Analysis of the Convention on Psychotropic Substances, 1972; United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988
- 2.3. International collaboration in combating drug addiction
- 2.4. The SARC, and South-South Cooperation to counter Drug Trafficking.

UNIT-III The Indian Regulatory System

- 3.1 Approaches of Law towards narcotic trafficking during colonial India
- 3.2 India's role in the evolution of the two international conventions
- 3.3 The Narcotic Drugs and Psychotropic Substances Act, 1985; IPC and the Customs Act
- 3.4 Judicial approaches to sentencing in drug trafficking and abuse

UNIT-IV Human Rights Aspects and the Role of Community in Combating Drug Addiction

- 4.1 Narcotic drugs nexus with Juvenile, Marginalized people, Investigating agencies
- 4.2 Role of Legal Support Agencies: Investigating Agency, Therapeutic treatment, Counselor, Prosecuting Lawyer
- 4.3 NGO; Awareness, Treatment, Rehabilitation, and Reintegration.
- 4.4 Role of Print and Electronic Media.

Suggestive Readings

1. . Edwards Busch, (ed.) Drug Problems in Britain : A Review of Ten Years (1981)
2. H.S. Becker, Outsiders : The Studies in Sociology of Deviance (1966)
3. J.A. Incard, C.D. Chambers, (eds.), Drugs and the Criminal Justice System (1974)
4. Lok Sabha and Rajya Sabha Debates on 1986 Bill on Psychotropic Substances.
5. P. Kondanram and Y.N. Murthy, "Drug Abuse and Crime : A Preliminary Study" 7 Indian Journal of Criminology, 65-68 (1979) P.R. Rajgopat Violence and Response: A Critque of the Indian Criminal System (1988)
6. R. Cocken, Drug Abuse and personality in Young Offenders (1971)
7. Social Defence, Research Institute (UNSDRI) Combating Drug Abuse and Related Crimes (Rome, July 1984, Publication No. 21).
8. United Nations, Economic and Social Reports of the Commission on Narcotic Drugs, United Nations

LLM-CE-03-CRL-P -XVIII Collective Violence

UNIT-I Dimensions of Collective Violence

- 1.1 Concept of collective Violence
- 1.2 Changing dimensions of collective Violence
- 1.3 Collective political violence" and legal order
- 1.4 Distinctions: "symbolic" violence, "institutionalised" violence, "structural violence"

UNIT-II Approaches to Violence in India

- 2.1 Gandhiji's approach to non-violence; Ahimsa in Hindu, Jain, Buddhist, Christian, and Islamic traditions in India
- 2.2 Religiously sanctioned structural violence: Caste and gender based

- 2.3 Discourse on political violence and terrorism during colonial struggle
- 2.4 Attitudes towards legal order as possessed of legitimate monopoly over violence during the colonial period

UNIT-III Agrarian Violence and Repression

- 3.1. The nature and scope of agrarian violence in the 18-19 centuries India
- 3.2. Colonial legal order as a causative factor of collective political (agrarian) violence
- 3.3. The Telangana struggle and the legal order
- 3.4. The Report of the Indian Human Rights Commission on Arwal Massacre

UNIT-IV Violence against Minorities

- 4.1 Violence and Atrocities against the ST, SC , Woman and Minorities
- 4.2. Violence against Minorities: Causative Factors:
- 4.3. The role of police and para-military systems in dealing with communal violence
- 4.4 Legal mechanism, Judicial approach to combat Violence against Minorities

Suggested Readings

1. A.R. Desai, *Agrarian Struggles in India: After Independence* (1986)
2. A.R. Desai, *Violation of democratic Rights in India* (1986)
3. A.R. Desai, (ed.) *Peasant Struggles in India*, (1979)
4. D.A. Dhangare, *Peasant Movement in India: 1920-1950* (1983)
5. G. Shah, *Ethnic Minorities and Nation Building: Indian Experience* (1984)
6. K.S. Shukla, "Sociology of Deviant Behaviour," in 3 ICSSR Survey of Sociology and Social Anthropology 1969-1979 (1986)
7. Mark Juergensmeyer, "The Logic of Religious Violence: The Case of Punjab" 22 Contributions to Indian Sociology 65 (1988)
8. Rajni Kothari, *State Against Democracy* (1987)
9. Ranjit Guha, *Element any Aspects of Peasant Insurgency in Colonial India* (1983) Ranjit Guba, (ed,) *Subaltern Studies* Vol. 1-6 (1983-1988)
10. T. Honderich, *Violence for Equality* (1980)
11. U. Baxi (ed.), *Law and Poverty: Critical Essays*, (1988)
12. U. Baxi, "Dissent, Development and Violence" in R. Meagher (ed.) *Law and Social Change: Indo-American Reflections* 92 (1988)

LLM-CE-03-CRL-P -XIX Victims of Crime and Compensatory Jurisprudence

UNIT-I Conceptual Frame Work

- 1.1 Crime in changing perspective
- 1.2 Classifications of crime
- 1.3 Victims of Crime, Victimology :Definition
- 1.4 Consequences if Crime and Access to Justice and Fair Treatment

UNIT-II International Legal Instruments on Victims of Crime

- 2.1 Universal Declaration of Human Rights, 1948,
- 2.2 International Covenant on Civil and Political Rights, 1966; International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966
- 2.3 UN Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985
- 2.4 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984

UNIT-III Rights of Victim

- 3.1 Rights of Victim under the Constitution of India
- 3.2 Rights of Victim under the Criminal Law
- 3.3 Rights of Victim under the Domestic Violence Act, 2005
- 3.4 Sexual Assault and Sexual Harassment: Victims Right

UNIT-IV Compensatory Jurisprudence

- 4.1 Concept and development of Compensatory Jurisprudence
- 4.2 Compensation provisions under Constitution and other Laws
- 4.3 Procedure for Compensation Quantum of compensation
- 4.4 Judicial Trend on Compensatory Jurisprudence

Suggested Readings

1. G.Kameshwari, 'Child as a Victim of Rape' (2001) 2 SCC J 27
2. 151st, 152nd and 154th Law Commission of India,
3. Barkas, J.L. Victims, 6 The Peel Press, London, 1979
4. Basu DD, Constitutional Law of India (2010)
5. Growing concern for victims interest in Criminological Theory, Criminal law
6. <http://legalserviceindia.com>
7. http://www.unhchr.ch/html/menu3/b/h_comp49.htm
8. Human Rights Act
9. Human Rights of Victims' Justice D.M.Dharmadhikari (2007) 6 SCC J-11
10. Indian Evidence Act, 1872
11. International Covenant of Civil and Political Rights.
12. International Debates of Victimology, WSV Publishing (1994),
13. Journal of Indian law Institute "victim and abuse of power „2002VOL -1
14. Justice for Victims of Crime' Dr. Subhash Singh , Cr.L.J.-
15. Malimath Committee on Reforms of Criminal Justice System. Volumes 1 India (March 2003)
16. K.D Gour Textbook on Indian Penal Code, 3rd Edition 2011 Universal Law Publishing Company Private Limited
17. K.I Vibhute "Criminal Justice Eastern Book Company, Lucknow
18. Kirchoff, "Victimology – History and Basic Concepts" in Kirchoff et al (eds.)
19. Law Commission of India, 152nd Report on Custodial Crimes, 1994
20. Miere D. The Responsibilities and the Rights of Victims of Crime' 483, MLR,
21. Mohammad Farajih Ghazvini . "Police Protection to Victims of Crime", Deep and Deep publication Private limited, 2000
22. N.V Paranjape. Criminology and Penology - 12th edition, 2005 Central Law Publishing
23. Norms and Field Level Practices: Implications for future Action' - a paper
24. Oct-2008-Journal Section, 294-301
25. Prakash Talwar "Victimology" ISHA publishing house , New Dehli , 2006
26. Princep's : Commentary on the Code of Criminal Procedure, 1973 Delhi Law House, (2012)
27. R.Barry Ruback, Thomson Social and Psychological consequences of violent Victimization', Sage Publications , (2001)
28. UN Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power.'
29. Universal Declaration of Human Rights
30. V.N.Rajan, Victimology in India' Ashish Publications, 1995
31. www.siu.edu.in/Research/pdf/Santosh_Aghav.pdf

LLM-CE-03-CRL-P-XX Presentation and Viva(Practical)

Instruction: Presentation/ Viva Voce Examination shall be conducted by a Board of Examiners. The Board shall consist of members of the Teaching Staff of the Department and External Examiner.

External Examiner may be from any other Institution imparting LL.M. Course with LL.M. teaching fixed by the BOS/Authority.

FOURTH SEMESTER					
LLM-CE-04 FEMINIST CRITIQUE OF LEGAL ORDER (GROUP-4)					
CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
CE:04	LLM-CE-04-FCL-P -XVII	Labour, Gender and the Law	100	40 %	4
CE:04	LLM-CE-04-FCL-P -XVIII	Population Planning and Gender Justice	100	40 %	4
CE:04	LLM-CE-04-FCL-P -XIX	Law Relating to Matrimony	100	40 %	4
CE:04	LLM-CE-04-FCL-P-XX	Presentation and Viva(Practical)	100	40 %	4

LLM-CE-04-FCL-P -XVII Labour, Gender and the Law

UNIT-I Women Labour: Introductory

- 1.1. Sex ratio in employment in modern sectors.
- 1.2. Female labour in unorganized subsistence sector.
- 1.3. Self-employed women.
- 1.4. "Housewification" process: Quantification of domestic and family work and services.

UNIT-II Paternalistic Legislation and Employment of women

- 2.1. Hours of work legislation and exclusion of women from the labour force.
- 2.2. Hazardous operations and women labour exclusion.
- 2.3. Unorganized Sector exploitation of women's labour, with special reference to Beedi and Cigar Workers' Act.
- 2.4. Agricultural Women workers: Terms of employment

UNIT-III Legal and Jurisprudential Questions Arising from the Case Studies

- 3.1. The anti-women model of development and planning - Consonance with Constitutional obligations with the state.
- 3.2. The enforcement of equalitarian laws.
- 3.3. Associational rights of working women, legal repression and fundamental rights.
- 3.4. Law reform and social action for amelioration of the situation

UNIT-IV Self -Employed Women

- 4.1. Conceptions of self-employment.
- 4.2. SHG A success story?
- 4.3. Position of self-employed women at laws.
- 4.4. Need for law reform

Suggested Readings

1. U. Baxi, Law and Poverty: Critical Essays (1988).
2. Government of India, National Commission on Self - Employed Women (1988).
3. Government of India, Towards Equality : Report of the Committee on the Status of Women (1975) Ministry of Social welfare.
4. Manisha Gupta & Anita Borkar, Women's Work Fertility and Access to Health Care (1988) , the
5. Foundation for Research in Community Health, Bombay.
6. Mitra, L. Pathok, S. Mukedi, The Status of Women: Shift in Occupational Participation (1980).

7. Maria Mies, The Lace-makers of Narsapur: Indian Housewives Prepare for the World Market,
8. (1982).
9. Maria Mies, Indian Women in Subsistence and Agricultural Labour (1987)

LLM-CE-04-FCL-P -XVIII Population Planning and Gender Justice

UNIT-I Population Policy

- 1.1 World Population Policy
- 1.2 India: Population Policy Perspectives
- 1.3 Constitutional Aspects of Population Policy
- 1.4 Women's Right: Reproductive Choice.

UNIT-II Demographic of Indian Population

- 2.1. Growth of Population in India
- 2.2 Gender perspectives of population
- 2.3. Problems of population
- 2.4. Mortality: Law

UNIT-III Causative Factors of Population

- 3.1 Conditions of Marriage: Population
- 3.2 Issue of Inheritance and Population
- 3.3 Birth Control: Law
- 3.4 Poverty and Polpulation

UNIT-IV Issue of Fertility and Law

- 4.1. Legal Notions of fertility and Maternity
- 4.2 Gender selection. Sex ration, In vitro fertilisation (IVF): Legal Status
- 4.3 Contraception, Sterilization, Termination of Pregnancy, Surrogacy and Law
- 4.4. Uniform Civil Code and population planning

Suggested Readings

1. Ashoka Mishra, The India's Population: Aspects of Quality Control, (1978).
2. S. Chandrasekhar, Population and Law in India, (1976).
3. Govt. of India, Towards Equality Report of the National Committee on the Status of Women (1975).
4. Govt. of India, The Shah Commission Report on Emergency Excesses (1978). Relevant Articles from The Economic and Political Weekly.
5. John F. May World Population Policies: Their Origin, Evolution, and Impact, Springer, 2012 - Social Science - 339 pages
6. Anju Malhotra, Realizing Reproductive Choice and Rights: Abortion and Contraception in India, International Center for Research on Women, 2003 pp35
7. Aparna Bhat, Aatreyee Sen, Uma Pradhan Child Marriages And The Law In India Socio Legal Information Cent, 2005 pp 259
8. Lily Srivastava, Law & Medicine, Universal Law Publishing, 2012

LLM-CE-04-FCL-P -XIX Law Relating to Matrimony

UNIT-I Personal Law and Gender Justice

- 1.1 Gender Justice under Hindu Personal laws
- 1.2 Gender Justice under Mohammedan Personal laws

- 1.3 Gender Justice under Christian Personal laws
- 1.4 Gender Justice under Parsi Personal laws

UNIT-II Hindu Personal Law and Woman

- 2.1 Hindu marriage and Divorce : Rights of Woman
- 2.2 Adoption: Rights of Woman
- 2.3 Hindu Woman Rights to Property
- 2.4 Maintenance of Wife and children

UNIT-III Muslim Personal Law and Woman

- 3.1 Mohammedan marriage and Divorce: Rights of Woman
- 3.2 Mohammedan Divorce laws: Rights of Muslim Women
- 3.3 Muslim Women Rights to Property
- 3.4 Maintenance of Wife and children under

UNIT-IV Matrimony and Legal Issues

- 4.1 Dowry, Domestic Violence
- 4.2 Inter Caste/ community/ Religion Marriages
- 4.3 Foreign Marriages
- 4.4 Inter Country Adoption

Suggested Readings

1. Jerald James Larson, Religion and personal law in secular India: a call to judgment Indiana University Press, 2001, PP362
2. Flavia, Law and gender inequality: the politics of women's rights in India Law in India series, Oxford University Press, 1999, pp 250
3. Qutab, Nandini Chavan, Personal Law Reforms and Gender Empowerment: A Debate on Uniform Civil Code, Hope India Publications
4. Srinivasan: Comm on Hindu Succession Act., Covering property right of women & daughter, Delhi Law House
5. Paras Diwan, Law of Adoption Minority Guardianship & Custody, 2012 Universal
6. Kohli Hari Dev, Supreme Court on Hindu Law, 2012, universal
7. Vijay Malik, Muslim Law of Marriage, Divorce and Maintenance
8. Paras Diwan, Modern Hindu Law (2013)
9. Vijender Kumar, Hindu Law of Adoption Principles and Precedents (2004)
10. S R Myneni, Hindu Law Family Law (2009)
11. M L Bhargava, Matrimonial Laws 56 Statutes Pertaining to Marriage (2012)
12. Preeti Misra, Domestic Violence against Women (2006)
13. S R Myneni, Muslim Law Other Personal Laws Family Law II (2012)

LLM-CE-04-FCL-P-XX Presentation and Viva (Practical)

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FREE ELECTIVE SUBJECT

CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
FE-2	LLM-FE-02-P-XXI	Choice based one Elective Paper across other specialisation	100	40%	4

ALLIED ELECTIVE SUBJECTS

CODE	PAPER	CORE SUBJECT	TOTAL MARKS	MINIMUM PASS MARKS	CREDIT POINTS
AE-5	LLM-AE-05-XXII	Liability of Public Authority and Law	100	40%	4
AE-6	LLM-AE-06-XXII	Human Rights and Law	100	40%	4
AE-7	LLM-AE-07-XXII	Rights Information and Law	100	40%	4
AE-8	LLM-AE-08-XXII	Family Dispute Resolution System	100	40%	4

LLM-AE-05-P-XXII Liability of Public Authority and Law

UNIT-I Civil and Public Servants: Constitutional Dimensions

- 1.1 Civil Servants and Public Servant System: Pre and Post-Independence Period
- 1.2 Terms of Employment: Doctrine of Pleasure
- 1.3 Constitutional protection and Civil Servants
- 1.4 Code of Conduct

UNIT-II Liability of Public Authority

- 2.1. Sovereign immunity, Civil and Criminal Immunities
- 2.2. Commercial and non-commercial function
- 2.3 Contractual liability
- 2.4 Compensatory jurisprudence and right to life

UNIT-III Good Governance and Accountability

- 3.1 Concept of Good Governance and Accountability
- 3.2 Corruption and Accountability
- 3.3 Central Vigilance Commission
- 3.4 Prevention of Corruption Act

UNIT-IV Privilege against Disclosure

- 4.1. Right to information
- 4.2. Official secrecy
- 4.3. Executive privilege
- 4.4. Security of state and control on information

Suggested Readings

1. Jain & Jain, Principles of Administrative Law (1986), Tripathi
2. De Smith, Judicial Review of Administrative Action (1995).
3. B.Schwartz, An Introduction to American Administrative Law
4. ILI (by Justice M. Rama Jois), Services Under the State (1987)
5. N. Narayanan Nair, The Civil Servant under the Law and the Constitution (1973)
6. K. K. Goyal, Administrative Tribunals Act (1985)
7. Seervai, Constitutional Law of India
8. Arjun P. Aggarwal Freedom of Association in Public Employment", 14 JILI (1972)
9. C.K. Kochukoshy, "All India Services-Their Role and Future", 1972 I.J.P.A. 67
10. Douglas Vass, "The Public Service in modern Society", 1983 I.J.P.A. 970
11. Z.M.S. Siddiqi, "Sanctions for the breach of contracts of service," 25 J.1.L.I. 359 (1983)
12. O.P. Motilal, "Compulsory Retirement", 1975 I.J.P.A. 247

13. D.S. Chopra, "Doctrine of Pleasure-its scope implication and limitations", 1975 I.J.P.A.92
14. G. C. V. Subba Rao, "The O.N.G.C. Case and New Horizons in Public Services Law", 1975
15. S.C.J. 29

LLM-AE-06-P-XXII Human Rights and Law

UNIT-I Theoretical Foundations and growth of Human Rights and International Law

- 1.1 Concept and Theories of Human Rights
- 1.2. Growth of Human Rights (National & Western)
- 1.3 Constitution of India and Human Rights
- 1.4 Generations of Human Rights

UNIT-II UN and Human Rights: Implementation of Human Rights at International Level

- 2.1 Universal Declaration on Human Rights, 1948- individual and group rights
- 2.2 International Covenant on Civil and Political Rights, 1966 ;. International Covenant on Economic, Social and Cultural Rights, 1966; Optional Protocol of International Covenant of Civil and Political Rights,
- 2.3 European Convention on Human Rights, 1950,, Protocol 9 of 1990 and Protocol 11 of 1994; Vienna Declaration and Programme of Action, 1993; The Protection of Human Rights Act, 1993 (India) I LO and other Conventions and Protocols –I and II dealing with human right
- 2.4 Role of Regional Organizations: European, American, African Convention on Human Rights, SAARC

UNIT-III Protection agencies and mechanisms

- 3.3 International Commission of Human Rights
- 3.2 European Commission on Human Rights/Court of Human Rights
- 3.3 International Labour Organization
- 3.4 UNESCO, UNICEF, UNIFEM, Amnesty International

UNIT-IV Impact and implementation of international human rights norms in India

- 4.1 The Protection of Human Rights Act, 1993
- 4.2. Human rights norms reflected in fundamental rights and Directive Principles of State Policy
- 4.3 Role of courts: the Supreme Court, High Courts and other courts
- 4.4 National Human Rights Commission (NHRC), State Human Rights Commission (SHRC), Statutory commissions- human rights, women's, minority and backward class

Leading Cases

1. Vishaka v. State of Rajasthan, AIR 1997 SC 3011
2. CIT v. P.V.A.L. Kulandagan Chettiar (2004) 6 SCC 235
3. Chairman, Rly. Board v. Chandrima Das (2000) 2 SCC 465
4. Naga Peoples Movement for Human Rights Vs. Union of India, 1997(III) GLT(SC)50
5. Nilabati Behera Vs State of Orissa, AIR 1993 SC 1960
6. D.K. Basu,Vs West Bengal,AIR 1997 SC,610
7. Potsangbam Ningom Thokchom Vs GOC, 1997(7) SCC 7250
8. Sebastain Hongray Vs Assam, 1995(3) SCC 743.

Suggested Readings

1. Nirmal.C.J. (ed.), Human Rights in India (2000), Oxford
2. E.S. Venkataramiah, Human Rights in the Changing World
3. P.R.Gandhi, International Human Rights Documents (1999) Universal, Delhi.
4. S.K.Varma, Public International Law (1998), Prentice-Hall, New Delhi
5. N. Sanajaoba , Human Rights,1994
6. Peter J. Van Krieken (ed.), The Exclusion on Clause (1999), Kluwer
7. Human Rights Watch Women's Rights Project, The Human Rights Watch Global Report on Women's
8. Human Rights (2000), Oxford
9. Ermacora, Nowak and Tretter, International Human Rights (1993), Sweet & Maxwell.
10. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell
11. Muntarhorn, The Status of Refugees in Asia (1992), Oxford.
12. Human Rights and Global Diversity (2001), Frank Cass, London
13. Nirmal.B.C., The Right to Self determination in International Law (1995), Deep & Deep.
14. J. G. Starke, Introduction to International Law
15. Hari Om Agarwal, International Law
16. Harris, Cases and Materiaqls on International Law
17. Lauterpacht, International Law (2 Vols)
18. International Committee of Red Cross, Geneva,Conventions,1949 and Additional Protocols, 1977.
19. S. K. Avesti and R.P.Kataria, Law Relating to Human Rights, Ch. IV, V, VIII, XIV, XXIX
20. and XXXIX , (2000) Orient, New Delhi

LLM-AE-07-P-XXII Right to Information and Law

UNIT-I Conceptual Framework

- 1.1 Meaning of Information and Classification of Information
- 1.2 Right to Information in Global Perspectives- UN, Right to Information UDHR, 1948, ICCPR, 1966
- 1.3 Growth of Right to Information in India, Necessity and Importance of Right to Information
- 1.4 Good Governance and Right to Information

UNIT-II Legal & Constitutional Perspective

- 2.1 Constitutionality of Right to Information, Freedom of Press & Freedom of Information
- 2.2 Whistle blowing, Official Secret Act, 1923
- 2.3 Voter and Consumer's Right to Know; Hazards of noise pollution - S.C. Guidelines
- 2.4 Government Functioning: Right to Know; Right to Information of the arrested person

UNIT-III Right to Information Legal Framework-I

- 3.3 The Right of Information Act, 2005- Scope. Reasons and Objectives
- 3.2 Right to Information and Obligation of Public Authorities, Request for Obtaining Information
- 3.3 Role of the P.I.O., Disposal of Request, Exemption from disclosure of Information, Judicial Interpretations
- 3.4 Grounds of Rejection to access in Certain Cases, severability, Third party Information

UNIT-IV Right to Information Legal Framework-II

- 4.1 First Appellate Authority-Powers and Functions, Second Appellate Authority- Constitution, Powers and Functions
- 4.2 Central Information Commission- Constitution, Powers and Functions, Appeal and Penalty,
- 4.3 Protection of action taken in good faith, overriding effect, Bar of Jurisdiction of Court, Monitoring and Reporting

- 4.4 Role of the Government to prepare Plans and create awareness, Power to Make Rules by the Appropriate Government and Competent Authorities, Power to Removal of difficulties; Orissa Right to Information Rules

Suggested Readings

1. Anuradha Parasar, Right to Information In India: The Theoretical Modal and Practical Scenario. Lambert Academic Publishing, (2011) PP 60 pages
2. D.N. Barowalia, Commentary on the Right to Information, Universal, Delhi (2007)
3. J. K. Singh, Right to Information and Freedom of Press, APH Publishing Corporation (2011)
4. K. M. Shrivastava, The Right to Information: A Global Perspective, Lancer Publishers, (2009) PP 175
5. P. K. Saini, Rakesh Kumar Gupta, Right to Information Act, 2005:Implementation and Challenges, Deep and Deep Publications, (2009) PP 477 pages
6. P.S. Narayan, G.B. Reddy, Right to Information and Law
7. Pankaj K.P. Shreyaskar, Transparency and Right to Information: Strategies to Combat Corruption in India, LAP LAMBERT Academic Publishing (2012)PP 152
8. R.K. Verma, Right to Information Law and Practice
9. Ravishankar Mor, Right to information in India: A Fundamental Right, LAP LAMBERT Academic Publishing(2012) PP84
10. S.L. Goel, Right to Information and Good Governance, Deep and Deep Publications, 01-Jan-(2007) PP 327 pages
11. Sudhir Naib, The Right to Information Act 2005:A Handbook, Oxford University Press, (2011) PP329 pages

LLM-AE-08-P-XXII Family Dispute Resolution system

UNIT-I Basic Concept of Family Dispute

- 1.1 Concept of family, Family relationship of Heterosexual and sexual minorities
- 1.2 Legal Nature of Family Dispute
- 1.3 Types of Family Disputes across Personal Law
- 1.4 What is dispute resolution System?

UNIT-II Matrimonial Disputes

- 2.1 Disputes Relating to Legitimacy of Marriage and Live in relationship
- 2.2 Dispute Relating to Consideration of Marriage
- 2.3 Disputes Relating Judicial Separation, Divorce, Maintenance and Custody of Children
- 2.4 Domestic Violence and Dowry Harassment

UNIT-III Property Disputes

- 3.1 Stree Dhana
- 3.2 Property rights of women
- 3.3 Widow Property Right
- 3.4 Foreign marriages: Property Right

UNIT-IV Counseling and Remedies

- 4.1 Counseling
- 4.2 Mediation
- 4.3 Legal Aid
- 4.4 Family court

Suggested Readings

1. Flavia Agnes, Family Law II: Marriage, Divorce, and Matrimonial Litigation, Oxford University Press, USA (2012)
2. Gokulesh Sharma, Feminine Jurisprudence in India - Women Right. R. Cambray (2008)
3. Gooroodass Banerjee, The Hindu Law of Marriage and Stridhan, BiblioLife, (2009)
4. Paras Diwan, Hindu Law, Alhabad Law Agency, (2011)
5. S. Jaffer Hussain, Marriage Breakdown and Divorce Law Reform in Contemporary Society: A Comparative Study of USA, UK and India, Concept Publishing,
6. Selwyn Stanley, Social Problems in India, Allied Publishers, (2004)
7. Shobha Saxena, Crimes against Women and Protective Laws, R. Cambray (2008)
8. Sunil Kr. Sarkar & Arnidam Mitra,) Marriage and Divorce Laws - A Matrimonial Jurisprudence (Allied Acts amp Rules), Sodhi Publications (T.A.C. Publications) (2013)
9. Tauqir Mohammad Khan (Ed), Law of Marriage and Divorce in Islam , Pentagon Press (2007) Goran Lind, Common Law Marriage: A Legal Institution for Cohabitation , Oxford University Press, USA (2008)
10. Urusa Mohsin, Women's Property Rights in India (with Latest Amendments and Cases), Jain Books, (2012)

AUDIT COURSE

CODE	PAPER	AUDIT SUBJECT	CREDIT/MARKS
AC-3	LLM-AC-03	Alteranative Dispute Resolution System and Para Legal Training	No Credit shall be awarded. This is purely optional in nature.
AC-4	LLM-AC-04	Disaster Management and Law	

LLM-AC-03 Alternative Dispute Resolution System and Para Legal Training

UNIT-I Concept of Alternative Dispute Resolution System

- 1.1 Concept of ADR
- 1.2 Growth ADR in India
- 1.3 Necessity and Utility of ADR
- 1.4 Types of ADR

UNIT-II Arbitration and Conciliation

- 2.1 Difference between Arbitration and Conciliation
- 2.2 Appointment, removal and Functions of Arbitrator and Conciliator
- 2.3 Legal validity award and conciliation, Grounds of challenge
- 2.4 Foreign Award

UNIT-III Arbitration Tribunal

- 2.1 Jurisdiction of arbitral tribunal,
- 2.2 Power
- 2.3 Procedure
- 2.4 Appeal and Revision; Rule making Power

UNIT-IV Para legal Training

- 4.1 What is a paralegal?
- 4.2 Legal Aid, Legal Services Authorities Act : Scope
- 4.3 Functions of paralegal
- 4.4 Training of paralegal

Suggested Readings

1. <http://www.paralegals.org/default.asp?page=66>
2. <http://theempoweredparalegal.com/?tag=india>
3. http://supremecourtofindia.nic.in/speeches/speeches_2010/programme_on_para_legal_training_-tn_25-4-10.pdf

4. B.P.Saraf and M.Jhunjhunwala, Law of Arbitration and Conciliation (2000), Snow white, Mumbai
5. Gerald R.Williams (ed.), The New Arbitration and Conciliation Law of India, Indian Council of
6. Arbitration (1998), New Delhi
7. A.K.Bansal, Law of International Commercial Arbitration (1999) , Universal, Delhi
8. P.C.Rao & William Sheffield, Alternative Disputes Resolution- What it is and How it works? (1997) Universal, Delhi
9. G.K.Kwatra, The Arbitration and Conciliation Law of India (2000), Universal, Delhi
10. Basu.N.D, Law of Arbitration and Conciliation (9th edition reprint 2000), Universal, Delhi
11. Johari, Commentary on Arbitration and Conciliation Act 1996 (1999) Universal, Delhi
12. Markanda.P.C, Law relation to Arbitration and Conciliation (1998) Universal, Delhi
13. Lynch, J. "ADR and Beyond: A Systems Approach to Conflict Management", Negotiation Journal, Volume 17, Number 3, July 2001, Volume, p. 213.
14. Sustac, Zeno, Ignat, Claudiu. "Alternative ways of solving conflicts (ADR)", Publisher: University, p. 242.
15. Gary Born. "International Commercial Arbitration" (2009 Kluwer).
16. Jitendra N. Bhatt, "A Round Table Justice Through Lok-Adalat (Peoples' Court) – A Vibrant ADR in India" 2001 (3) Gujarat Law Herald(Journal) 13

LM-AC-04 Disaster Management and Law

UNIT-I Introduction to Disaster Management

- 1.1 Definition and Classification of Disaster: Legal implications
- 1.2 Man-made Disaster: Back ground legal Issues
- 1.3 Introduction to International Disaster Management
- 1.4 National Disaster Management Policy

UNIT-II Typology of Disaster: Legal Issues

- 2.1 Natural Disaster
- 2.2 Nuclear Disaster
- 2.3 Hazardous substances and Chemical Disaster
- 2.4 Fire, Explosion, and Accident

UNIT-III Disaster Management Act 2005

- 3.1 The National Disaster Management Authority
- 3.2 State and District Disaster Management Authorities
- 3.3 Measures by the Government for Disaster Management and Local Authorities
- 3.4 National Disaster Response Force Penalties

UNIT-IV Liability for Mass Disaster

- 4.1 Statutory liability, Absolute Liability, Public liability insurance
- 4.2. Contractual liability, Tortious liability, Criminal liability
- 4.3 Measure of damages
- 4.5. Court process: Relief, compensation, Cost of damage, Rehabilitation

Suggested Readings

1. Asian Regional Exchange for Prof.Baxi., Nothing to Lose But our Lives: Empowerment to Oppose industrial Hazards in a Transnational world (1989)
2. Chaturvedi and Chaturvedi, The Law on Protection of Environment and Prevention of Pollution(1996)
3. D. Fisher, Law and Legal Issues in International Disaster Response: A Desk Study (International Federation of Red Cross and Red Crescent Societies, Geneva, 2007).

4. Damon P. Coppola, Introduction to International Disaster Management (Google e Book) Elsevier, 31-Dec-2010 - Nature - 696 pages
5. Government of India, Department of Environment, Management of Hazardous Substances Control Act and Structure and Functions of Authority Created thereunder.
6. Gurudip Singh, Environmental Law: International and National Perspectives (1995), Lawman (India) Pvt. Ltd.
7. Indian Chemical Manufacturers' Association & Loss Prevention Society of India, Proceedings of
8. Indian Law Institute, Upendra Baxi (ed.), Environment Protection Act: An Agenda for Implementation (1987)
9. Industries Commissionerate Ahemadabad, Task Force Report: 9J.J.MeHTA), To Oversee Safety Measures in variuouys Industries dealing with Hazardous and Toxic Materials (1986)
10. International Federation of Red Cross and Red Crescent Societies, "International disaster response laws (IDRL): project report 2002-2003" (03/IC/11), p. 15 (available at www.icrc.org/Web/eng/siteeng0.nsf/html/5XRDP7).
11. Leelakrishnan, P, The Environmental Law in India, Chapters VIII, IX and X (1999), Butterworths, New Delhi.
12. Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996, p. 226, at paras. 74-87.
13. M. H. Hoffman, "What is the scope of international disaster response law?", in International Disaster Response Laws, Principles and Practice: Reflections, Prospects and Challenges, (International Federation of Red Cross and Red Crescent Societies, Geneva, 2003), pp. 13-20.
14. Organization for Economic Co-operation & Developoment, (Paries), Safety of Consumer Products: Policy & Legislation if OEOE Countries.Indian law Institute (Upendra Baxi and Thomas Paul (ed.), Mass Disasters and Multinational Liability: The Bhopal Case (1986)
15. R. Provost, International Human Rights and Humanitarian Law (Cambridge, Cambridge University Press, 2002),
16. Report of the Empowered Committee to Process Recommendations of the Task Force: To oversee safety Measures in various industries dealing with Hazardous and Toxic Materials (1986)
17. The National Seminar on Safety in Road Transpoortation of Hazardous Materials: (1986).
18. Vishnu Konoorayar, V. S. Jaya ,Disaster Management and Law, Indian Law Institute - 2005



