



1-Subject-Indian Constitutional Law – II के LL.M. द्वितीय सेमेस्टर: पेपर कोड 201

- a) Subject Constitutional law of India II (Law and basic needs) के स्थान पर Indian Constitutional Law –II किया गया ।

UNIT I

1. Rights based Theories-Merits and Demerits,
2. Role of Directive Principles of State Policy in Governance
3. Basic Needs and Indian Constitution

यूनिट 1 के उपरोक्त पाठ्यक्रम को संशोधित किया गया और संशोधित पाठ्यक्रम निम्नवत है।

UNIT I Constitutionality of basic human needs

1. Directive Principles of State Policy- Its Role, Nature and Justifiability
2. Relationship between Fundamental Rights and Directive Principles

UNIT II

1. Legal Framework for Poverty Alleviation
2. A Brief Introduction
3. Guaranteed Employment to poor
4. Land Acquisition, Resettlement and Rehabilitation Law

यूनिट 2 के उपरोक्त पाठ्यक्रम को संशोधित किया गया और संशोधित पाठ्यक्रम निम्नवत है।

UNIT II Law and basic human needs

1. Free and Compulsory Education: Constitutional and Judicial Protection.
2. Legal Framework for Equal Opportunities and Assistance in Disablement.
3. Legal Services and Aid to Poor and Deserving People.



4. Recent trends related to basic human need.

UNIT III

1. Food Security Law and Policy
2. Legal and Administrative Issues Involved in Raising the Level of Nutrition and Improving Public Health

यूनिट 3 के उपरोक्त पाठ्यक्रम को संशोधित किया गया और संशोधित पाठ्यक्रम निम्नवत है।

UNIT III Class protection and legislation

1. Legal Protection of Women at workplace.
2. Legal Protection to Vulnerable classes.
3. Social protection to economically marginalized groups.

UNIT IV

1. Provisions for Free and Compulsory Education
2. Legal Framework for Equal Opportunities and Assistance in Disablement
3. Legal Services and Aid to Poor and Deserving People
4. Legal Protection of Women Workers
5. Legal Protection to Vulnerable Peoples

यूनिट 4 के उपरोक्त पाठ्यक्रम को संशोधित किया गया और संशोधित पाठ्यक्रम निम्नवत है।

UNIT IV Scope of Constitutional Amendment

1. Concept and meaning of Constitutional Amendment
2. Amendments: types, procedure and restrictions
3. Important amendments related to fundamental rights and judicial trends thereto.



छत्रपति शाहू जी महाराज विश्वविद्यालय, कानपुर
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2-Subject- Law And Social Transformation In India के LL.M. द्वितीय सेमेस्टर पेपर कोड 203

- a) **Unit I** में दो उप विषय में Stability and Social Change को हटाया गया।
Historical and Sociological Study on the role of law in bringing about Social change को कन्टेन्ट सहित हटाया गया।
- b) **Unit II** में उप विषय में Constitution's Orientation and Social Transformation में से 6. The role of Governmental organs for social transformation हटाया गया।
- II) 8. Constitutional interpretation as an effective tool for social transformation. को रखा गया एवं Application of international law in the process of constitutional Interpretation-Constitutionalism and social transformation को हटाया गया।
- c) III) Legal Concepts in new Social order के उप विषय Rise of Dalits and Changing equations in Social order in twenty first century. को हटाया गया।
- d) **Unit III** में द्वितीय उप विषय में Language and the Law के उप विषय से Language policy and the Constitution को हटाया गया।
- II) Unit III में चार उप विषय में Regionalism and the law को सब कन्टेन्ट सहित हटाया गया।
- d) **Unit IV** में उप विषय में Modernization of social institutions through law को हटाया गया।



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FIRST YEAR
FIRST SEMESTER
Compulsory Paper

S.NO.	PAPER CODE	PAPER NAME	TOTAL MARKS
1.	LLM101	Constitutional Law of India I – New Challenges	75+25=100
2.	LLM102	Jurisprudence – I	75+25=100
3.	LLM103	Legal thought, Interpretation and Judicial Process	75+25=100
4.	LLM104	Legal Education and Research Methodology	75+25=100

SECOND SEMESTER
Compulsory Paper

S.NO.	PAPER CODE	PAPER NAME	TOTAL MARKS
1.	LLM201	Constitutional law of India II (Law and basic needs)	75+25=100
2.	LLM202	Jurisprudence – II	75+25=100
3.	LLM203	Law and Social Transformation	75+25=100
4.	LLM204	Human Rights	75+25=100

SECOND YEAR
THIRD SEMESTER

Optional Papers

Group A: Constitutional and Administrative Law Group

S.NO.	PAPER CODE	PAPER NAME	TOTAL MARKS
1.	LLM301	Constitutionalism: Pluralism and Federalism	75+25=100
2.	LLM302	Centre and State Relationship	75+25=100
3.	LLM303	National Security, Public Order and Rule of Law	75+25=100
4.	LLM304	Mass Media Law	75+25=100

Group B: Business Law Group

S.NO.	PAPER CODE	PAPER NAME	TOTAL MARKS
1.	LLM305	Intellectual Property Law	75+25=100
2.	LLM306	Legal Regulation of Economic Enterprises	75+25=100
3.	LLM307	Company Law	75+25=100
4.	LLM308	Banking and Insurance Law	75+25=100

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LL.M. Ist SEMESTER
(COMPULSORY PAPERS)

*** The Student has to appear in FOUR Theory Papers in LL.M. Ist Semester. Each Theory Paper will carry 100 Marks.**

LL.M Ist Semester
Paper I
Indian Constitutional Law I –NEW CHALLENGES
Paper Code : LL.M.101

UNIT I

Federalism:

1. Creation of new states
2. Allocation and share of resources-distribution of grants-in-aid
3. The inter -state disputes on resources
4. Rehabilitation of internally displaced persons
5. Centre's responsibility and internal disturbance within states
6. Direction of the Centre to the State under Article 356 and 365
7. Federal Comity-Relationship of trust and faith between Centre and State
8. Special status of certain States, Tribal Areas, Scheduled Areas
9. Boundary disputes, Deployment of security forces etc.

Separation of Power:

1. Doctrine of Separation of Powers and checks and balances
2. Constitutional framework-Judicial interpretation and practice
3. Judicial activism and judicial restraining, PIL
4. Implementation, Judicial autonomy and independence
5. Accountability of Executive, Legislature and Judiciary.

Democratic Process:

1. Election and Electoral reforms, Election Commission.

The rule of law:

1. The independence of judiciary as an aspect of separation of powers/Division of functions.

UNIT II

The Executive:

1. Constitutional status, Powers and functions of the President vis-a vis form of Government.

The Legislature:

1. Parliamentary/Legislative Privilege
2. Nature, Extent, Scope and Limitation on privileges.

The Judiciary:

1. Status, Power, functions and contemporary developments
2. Power of judicial review.

Good Governance:

1. Principle of Good Governance-Administrative responsibility and accountability-
2. Liability of the state in Torts-Constitutional torts and compensatory Jurisprudence.

UNIT III

1. 'State'-Need for widening the definition in the wake of liberalization.
2. Right to equality: Privatization and its impact on affirmative action.
3. Empowerment of Women.
4. Freedom of Press and Challenges of new scientific development.

UNIT IV

1. Emerging regime of new rights and remedies.
2. Reading Directive Principles and Fundamental Duties into Fundamental Rights.

Secularism:

1. Religious freedom and right of minorities to establish and administer educational institutions of their choice.

Implementation of International Obligation:

1. Human Rights
2. Environmental protection and International trade.

LL.M Ist Semester
Paper II
JURISPRUDENCE –I (Theories of Law)
Paper Code: LLM-102

UNIT I

Introduction:

1. Definition, Nature, Scope, and Importance of the Study of legal theory.

Analytical School:

1. John Austin, Hans Kelsen, And H.L.A. Hart.

UNIT II

Historical School:

1. Friedrich Savigny, Sir Henry Maine.

Natural Law School :

1. Classical Natural Law,
2. Revival of Natural Law
3. Rudolf Stammler and Kohler

UNIT III

Sociological School:

1. Background and Characteristics
2. Dean Roscoe Pound, and Leon Dugit.
3. Modern American Realism.

UNIT IV

Relationship between Law and Morality:

1. Hart and Fuller Controversy.

Economic Approach of Law:

1. Marxist Theory of Law.

BOOKS RECOMMENDED

1. Bodenheimer : *Jurisprudence*.
2. Dias, *Jurisprudence*.
3. Friedman, *Law in Changing Society*.
4. Llyoyd, *Introduction of Jurisprudence*.
5. Mahajan V.D., *Jurisprudence*.
6. Paton : *Jurisprudence*.
7. Salmond : *Jurisprudence*.

LL.M Ist Semester
Paper III
Legal Thought, Interpretation and Judicial Process
Paper Code: LL.M- 103

UNIT I

Principles' of Legislation:

1. Bentham's Theory of Utility and its Relevance,
2. Relationship of Law and Public Opinion.

Interpretation:

1. Meaning, Purpose, Main Rules of Interpretation
2. Subsidiary Rules of Interpretation
3. External and Internal Aids of Interpretation
4. Interpretation of the Constitution and Penal statutes.

UNIT II

Nature of judicial process:

1. Judicial process as an instrument of social ordering,
2. Judicial process and creativity in law-common law Model-Legal Reasoning and growth of law-change and stability
3. The tools and techniques of judicial creativity and precedent
4. Legal development and creativity through legal reasoning under statutory and codified systems.

Special Dimensions of Judicial Process in Constitutional Adjudications:

1. Notions of judicial review
2. Role in Constitutional adjudication-various theories of judicial role
3. Tools and techniques in policy-making and creativity in constitutional adjudication
4. Varieties of judicial and juristic activism
5. Problems of accountability and judicial law-making.

UNIT III

Judicial Process in India:

1. Indian debate on the role of judges and on the notion of judicial review
2. The independence of judiciary and the political nature of judicial process
3. Judicial activism and creativity of the Supreme Court-The tools and techniques of creativity
4. Judicial process in pursuit of constitutional goals and values
5. New dimensions of judicial activism and structural challenges
6. Institutional liability of courts and judicial Activism-Scope and limits.

UNIT IV

The Concepts of Justice:

1. The concept of justice or Dharma in Indian thought
2. Dharma as the foundation of legal ordering in Indian thought
3. The concept and various theories of justice in the western thought
4. Various theoretical bases of justice-the liberal contractual tradition
5. The liberal utilitarian tradition and the liberal moral tradition.

Relation between Law and Justice:

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

Select Bibliography

1. Julius Stone, The Province and Function of Law, 2000 Universal, New Delhi
2. Cardozo, The Nature of Judicial Process, 1995 Universal, New Delhi
3. Henry J. Abraham, The Judicial Process, 1998, Oxford.
4. J. Stone, Precedent and the Law-Dynamics of Common Law Growth, 1985
5. W. Friedmann, Legal Theory, 1960
6. Bodenheimer-Jurisprudence-the Philosophy and Method of the Law, 1997, Universal, New Delhi
7. J. Stone, Legal System and Lawyers', Reasoning's, 1999 Universal, New Delhi

LL.M Ist Semester
Paper-IV
LEGAL EDUCATION AND RESEARCH METHODOLOGY
Paper Code: LLM-104

UNIT I

Objectives of Legal Education:

1. Lecture methods of teaching -Problem method
2. Discussion method and Seminar method of teaching.
3. Clinical legal education.

UNIT II

Research:

1. Meaning, Objectives
2. Motivations, Types and Significance
3. Method and Methodology
4. Scientific Methodology, Research Process

Legal Research:

1. Evolution
2. Changing Emphasis and Contemporary Trend in general and specific to India

Research Methodology-

1. Doctrinal, Empirical/Socio-Legal, Inter/Multidisciplinary
2. Historical, Descriptive, Diagnostic etc.

UNIT III

1. Selection and Formulation of Legal Research Problem
2. Utility of Literature Review
3. Sources of Legal Research / Data collection methods (Tool of legal research)
4. Primary and secondary sources, Use of Library and Computer in Legal Research.
4. Hypothesis
5. Research Design - Modes of data collection in empirical research
6. Observation, Interview, Questionnaire, Schedules, Case Study.

UNIT IV

Sampling and Interpretation of Data:

1. Report Writing - Synopsis,
2. Report Writing (Research Proposal, reports, research article, writing of thesis, writing References Bibliography, writing of an Abstract, Presenting the subject (by foot notes, Table, graphs, index Appendices)

BOOKS RECOMMENDED

1. AggarwalShipra, *Legal Research Methodology*.
2. Black Thomas, *Understanding Social Science Research*.
3. Bruce L. Berg, *Qualitative Research Methods For The Social Sciences*.
4. C.R. Kothari, *Research Methodology: Methods and Techniques*.
5. Engalhart Max D*Methods of Educational Research*.
6. Fern Edward F, *Advanced Focus Group Research*.
7. Galtung Johan, *Theory and Methods of Social Research*.
8. Kothari C.R., *Research Methodology- Methods and Techniques*.
9. Purohit Mona, *Legal Education and Research Methodology*.

LL.M. IIInd SEMESTER
(COMPULSORY PAPERS)

- ❖ The Student has to appear in FOUR Theory Papers in LL.M.IInd Semester. Each Theory Paper will carry 100 Marks.

LL.M. IIInd SEMESTER
Paper-I
CONSTITUTIONAL LAW OF INDIA –II
Law and Basic Needs
Paper Code: LLM-201

UNIT I

Constitutionality of basic human needs

1. Directive Principles of State Policy- Its Role, Nature and Justifiability
2. Relationship between Fundamental Rights and Directive Principles

UNIT II

Law and basic human needs

1. Free and Compulsory Education: Constitutional and Judicial Protection.
2. Legal Framework for Equal Opportunities and Assistance in Disablement.
3. Legal Services and Aid to Poor and Deserving People.
4. Recent trends related to basic human need.

UNIT III

Class protection and legislation

1. Legal Protection of Women at workplace.
2. Legal Protection to Vulnerable classes.
3. Social protection to economically marginalized groups.

UNIT IV

Scope of Constitutional Amendment

1. Concept and meaning of Constitutional Amendment
2. Amendments: types, procedure and restrictions
3. Important amendments related to fundamental rights and judicial trends thereto.

BOOKS RECOMMENDED

1. Hidayatullah M., Constitutional Law of India.
2. Jain M.P., Constitutional Law.
3. Pandey J.N., Constitutional Law of India.
4. Seervai H.M., Constitutional Law of India.
5. Shukla V.N., Constitutional Law of India.
6. Tope T.R., Constitutional Law of India.

LL.M. IIInd SEMESTER
Paper-II
JURISPRUDENCE – II (Legal Concepts)
Paper Code: LLM-202

UNIT I

Legal Person:

1. Nature and Concept
2. Theories of Legal Personality.

Legal Rights and Duties:

1. Definition, Basis and Characteristics
2. Kinds of Legal Rights
3. Relationship between Rights and Duties
4. Wider sense of Right.

UNIT II

Possession:

1. Theories of Possession
2. Possession in fact and Possession in Law
3. Kinds of Possession.

Ownership:

1. Definition, Kinds of Ownership
2. Relation between Possession and Ownership.

UNIT III

Liability:

1. Remedial Liability and Penal Liability
2. Strict and Vicarious Liability,
3. *Mensrea* and Negligence.

Law and Justice:

1. Administration of Justice
2. Theories of Punishment.

UNIT IV

Concept of State and Sovereignty.

Sources of Law:

1. Custom, Precedent, and Legislation.

BOOKS RECOMMENDED

1. Bodenheilmer : *Jurisprudence*.
2. Dias, *Jurisprudence*.
3. Friedman, *Law in Changing Society*.
4. Llyoyd, *Introduction of Jurisprudence*.
5. Mahajan V.D., *Jurisprudence*.
6. Paton : *Jurisprudence*.
7. Salmond -.*Jurisprudence*.

LL.M. IIInd SEMESTER
Paper-III
LAW AND SOCIAL TRANSFORMATION IN INDIA
Paper Code: LLM-203

UNIT I

Law and Social Change:

1. Meaning and concept of Law
2. Law as a purposive device
3. Change or transformation-Social change
4. Value orientation in social change
5. Theoretic Models on Social change and their application
6. Inter play between law and social change
7. Relationship between law and morality-culture
8. Social change and law
9. Law and development
10. Social change in the context of democracy.

UNIT II

Constitution's Orientation and Social Transformation:

1. Impact of sociological school in India
2. Constitutional evolution and the Constitutional Assembly's role
3. Constitutional text as a mechanism for social change
4. The Constitutional amendments and social transformation
5. Basic structure theory as balancing continuity and change
6. Working of the Constitution for Social transformation
7. Constitutional interpretation as an effective tool for social transformation.

Legal concepts in new social order:

1. Jurisprudence of Sarvodaya-Gandhiji, Vinoba Bhava, Jaya Prakash Narain
2. Concept of grama nyayalayas.
3. Socialist thought on law and justice-An enquiry through constitutional debates on the right to property.
4. Indian Marxist critique of law and justice, Naxalists Movement-Causes and cure

UNIT III

Religion and Law

1. Religion as a divisive factor
2. Secularism-Reform of the law on secular lines
3. Freedom of religion and non-discrimination on the basis of religion
4. Religious minorities and the law.

Language and the Law:

1. Language as a divisive factor-formation of linguistic states
2. Constitutional protection to linguistic minorities
3. Non-discrimination on the ground of language
4. Official Language, State Language, Court Language

Community and the Law:

1. Caste as a divisive factor
2. Non-discrimination on the ground of caste
3. Acceptance of caste as a factor to undo past injustices
4. Protective Discrimination-Scheduled castes
5. Tribes and Backward classes, Reservation
6. Statutory Commission, Statutory provisions.

UNIT IV

Modernization and Law:

1. Modernization as value- Constitutional perspectives reflected in the fundamental duties
2. Reform of family law, Agrarian reform-Industrialization of agriculture
3. Industrial reform-Free enterprise v. state regulation-Industrialization and environmental protection
4. Reform of court process-Criminal law-plea bargaining, compounding and payment of compensation to victim
5. Civil laws-(ADR) Confrontation v. Consensus, mediation and conciliation
6. Lok Adalats
7. Prison reforms,
8. Democratic decentralization and local self-government

Select Bibliography:

1. Marc Galanter (ed.) Law and Society in Modern India, 1977 Oxford.

2. Robert Lingat, The Classical Law of India, 1998
3. U. Baxi, The Crisis of the Indian Legal System, 1982
4. Duncan Derret, The State, Religion and Law in India, 1999
5. H.M.Seervai, Constitutional Law of India, 1996

LL.M. IIInd SEMESTER
Paper-IV
HUMAN RIGHTS
Paper Code: LLM-204

UNIT I

Human Rights and the United Nations Charter:

1. Normative and Institutional Framework of the UN
2. Role of the permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights
3. Universal Declaration on Human Rights:
4. History of the Declaration
5. Structure of the Declaration
6. Legal Significance

UNIT II

International Covenants:

1. ICCPR and ICESCR
2. Nature and Characteristic
3. Optional Protocols

Regional Instruments:

1. European Convention on Human Rights
2. American Convention on Human Rights
3. African Charter on Human and People's Right
4. Asia and Human Rights

UNIT III

Right to Life and Personal Liberty:

1. Evolution of New Dimension of Human Rights
2. Through Judicial Interpretation.
3. Implementation and Enforcement Mechanism of Human Rights in India
4. Remedies provided by the Judiciary and National Human Rights Commission.

UNIT IV

Fundamental Duties:

1. Article 51-A of the Constitution concept and need of Fundamental Duties.
2. Enforcement and Effectuation of Fundamental Duties.
3. Emerging regime of new Human Rights in India.
4. Taking guidance from Directive
5. Principles of State Policy and Fundamental Duties. New Approach.

BOOKS RECOMMENDED

1. Agrawal H.O., *Human Rights*.
2. Basu D.D., *Human Rights in Constitutional Law*.
3. Khera S.C., *Human Rights and United Nation*

New Syllabus

Constitutionalism: Pluralism and Federalism

LLM 301

Unit 1

Constitutionalism

1. Constitution and Constitutionalism
2. Dharma and Indian Constitution
3. Different types of Government Systems – Authoritarianism, Dictatorship, Democracy, Communism, Monopoly, Republic, Parliamentary, Presidential
4. Limited Government-concept, limitations on governmental power
5. Marxist concept of constitutionalism, Dictatorship of the proletariat

Unit 2

Federalism

1. Concept, History and Origin of Federalism
2. Comparative study of federal governments in USA, Australia, Canada and India
3. New trends in federalism: Co-operative federalism, Asymmetric Federalism, Coalition Politics
4. Federalism as basic structure – scope and argument

Unit 3

Pluralism

1. What is a pluralistic society?
2. Pluralistic Society – Representation in Judiciary
3. Ethnic, linguistic, cultural, political pluralism,
4. Freedom of speech and expression, Individual right to dissent, Freedom of the Press (US Model v. Indian Model),
5. Freedom of association, in physical and digital world
6. Rights of the religious and linguistic minorities,
7. Protection of backward classes, Scheduled Castes and Scheduled Tribes,

8. Distinct identity-protection against exploitation,
9. Uniform Civil Code - Uttarakhand model

Unit 4

Pluralism: Judicial approach and International Concern

1. Judicial approach towards pluralistic society,
2. Pluralism and International Concerns: Universal Declaration of Human Rights, Conventions against genocide, Protection of religious, ethnic and linguistic minorities, State intervention for protection of human rights.

Suggested Readings:

- Jain, Kashyap and Srinivasan (Ed.) - The Cases and materials on the Union and State Relations.
- M.P. Jain - Indian Constitutional Law.
- D.D. Basu - Comparative Constitutional Law.
- D.D. Basu - Legal Control of limited Government (Tagore Lectures).
- H.M. Seervai - Constitutional Law of India (1993)
- K.C. Wheare - Federal Government (1963)
- Granville Austin - the Indian Constitution; Cornerstone of a Nation (Oxford University 1972)
- Justice E.S. Venkataramaiah and P.N. Bakshi - Indian Federalism - A Comparative Study (1992)
- Subash C. Jain - The Constituion of India, Select Issues and Perceptions (Taxmann-2000).
- D. J. De, - The Constitution of India, Vol I & II, Asia Law House (Hyderabad), (2003).

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New Syllabus
Centre and State Relationship
LLM 302

Unit 1

Nature of Indian Polity

1. Different forms of Governments-Unitary, Federal and Confederation, their features, merits, de-merits and distinction between them
2. Nature of Indian Federalism –Dominant features of the Union over the States
3. Judicial Perspective over the Indian federalism

Unit 2

Legislative relations between the Union and the States

1. Scheme of distribution of legislative powers between Union and States
2. Delegated Legislation-permissible limits of delegation
3. Inconsistency between laws passed by Parliament and State legislature - Doctrine of Territorial Nexus, Doctrine of Pith and Substance, Doctrine of Colorable Legislation, Doctrine of harmonious construction
4. Ancillary legislation
5. Residuary Powers
6. Parliamentary power to legislate on the State List

Unit 3

Administrative relations between the Union and the States

1. Distribution of executive powers
2. Checks on administrative power
3. Inter-governmental delegation of powers
4. Centre's directive to State
5. All India services
6. Provincial Civil Services

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Unit 4

Financial relations between the Union and the States and Emergency

Provisions

1. Introduction to Allocation of taxing powers-Central taxes, State Taxes, Concurrent Taxes
2. Tax and Fees
3. Restrictions on taxing powers
4. Inter-Government Tax immunities
5. Tax-sharing
6. Funds-Consolidated and Contingency funds
7. Borrowing power of the State
8. Finance Commission
9. GST and GST Council
10. National Emergency, State Emergency and Financial Emergency

Suggested Readings –

- A.G. Noorani, (ed.), Centre State Relations in India, Bombay: Lesley Sawhney Programme for Training, 1972.
- De Jatindra Ranjan, Development of Federalism in India, Gauhati: Bani Prakashani, 1974
- Desai, Justice D.A. Prasad Anirudh, Centre and State Powers under Indian Federalism
- Dr. Subhash C. Kashyap, The Framing of India's Constitution- A study & Constitution making since 1950- An Overview
- Dr. Subhash C. Kashyap, Indian Constitution-Conflicts and Controversies
- Dr. Subhash C. Kashyap, Commentary on Constitution of India
- Dr. Subhash C. Kashyap, Our Constitution-An Introduction to India's
- Constitution and Constitutional Law, 5th edition reprint 2014.
- G.C.V Subbarao, Legislative powers in Indian Constitutional Law.
- Glanville Austin, Indian Constitution: Cornerstone of a nation, Delhi; Oxford University Press.

New Syllabus
National Security, Public Order and Rule of Law
LLM 303

Unit 1

National Security, Public Order and Rule of Law

1. Conceptual understanding of 'national security' and 'public order'
2. Concept and horizon of Rule of Law
3. Constitutional provisions regarding national security
4. Article 22 of the Constitution
5. Preventive Detention and Safeguards
6. Declaration of Emergencies –
 - a) 1962, 1965 and 1970 Emergencies
 - b) 1975 Emergency
7. Martial Laws – Provisions in English Law, Provisions in Indian Constitution

Unit 2

Exceptional Legislation

1. Desirability of exceptional legislation
2. National Security Act, 1980
3. Armed Forces (Special Powers) Act, 1958
4. COFEPOSA and other legislations to curtail economic offenders.
5. UAPA – Whether it is successful in achieving the objectives.
6. Problem of terrorism, Provisions relating to 'terrorism' under Bhartiya Nyaya Sanhita, 2023 and United Nations efforts to combat terrorism

Unit 3

Civil Liberties and Emergency

1. Article 19 and 21 – conceptual understanding
2. Suspension of Article 19 rights on declaration of emergency
3. Non-suspendability of Art.20 and Art.21 during emergency

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Unit 4

Access to Courts and Emergency

1. Article 359: President's Right to suspend right to move to any court during emergency
2. Emergency provisions as discussed in Constitution (Forty-fourth) Amendment Act, 1978 and Constitution (Fifty-ninth) Amendment Act, 1988

Suggested Readings

- M.P. Jain - Indian Constitutional Law.
- D.D. Basu - Comparative Constitutional Law.
- H.M. Seervai, The Emergence, Future Safeguards and the Habeas Corpus :A Criticism(1978)
- N.C. Chatterji and Parameshwar Rao, Emergency and the Law (1966).
- Dr. M.C. Mehanathan , Law of Control on Narcotic Drugs and Psychotropic Substances inIndia
- R.K. Agrawal and Alka Agrawal, The National Security Act, 1983.

The bottom of the page contains several handwritten signatures and marks. On the left, there is a signature that appears to be 'P. K. Jain'. In the center, there is a signature that looks like 'S. K. Jain'. To the right of this, there are several other signatures and marks, including a large 'X' and a signature that looks like 'R. K. Agrawal'. There are also some scribbles and lines at the bottom.

New Syllabus
Mass Media Law
LLM 304

Unit 1

Introduction: Media and its Different Forms

1. Concept of Media: Meaning, evolution and forms of Media
2. Types of media: (i) Print (ii) Electronic
3. Media ownership – Public and Private
4. Media and Political Control
5. E-Media – Free flow of information beyond boundaries and barriers
6. Difference between Visual and Non- Visual Media - impact on people
7. Legislations and enactments dealing with media – Cinematograph Act, 1952; Cable Television Network (Regulation) Act, 1995; TRAI Act, 1997

Unit 2

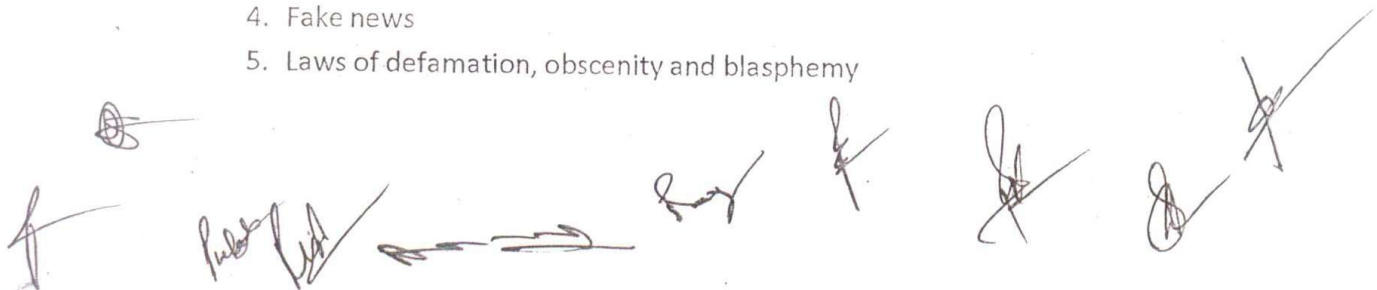
Freedom of Press: Constitutional perspectives

1. Article 19 (1) (a) Includes Freedom of the Press,
2. Evolution of freedom of press
3. Restrictions on freedom of expression – Art. 19(2)
4. Press Council of India
5. Media Self-regulation
6. Advertisement: its inclusion within freedom of speech and expression
7. False and Misleading advertisements

Unit 3

Media, Paid news and Privacy

1. Investigative journalism and Sting operation
2. Media trial
3. Paid news
4. Fake news
5. Laws of defamation, obscenity and blasphemy

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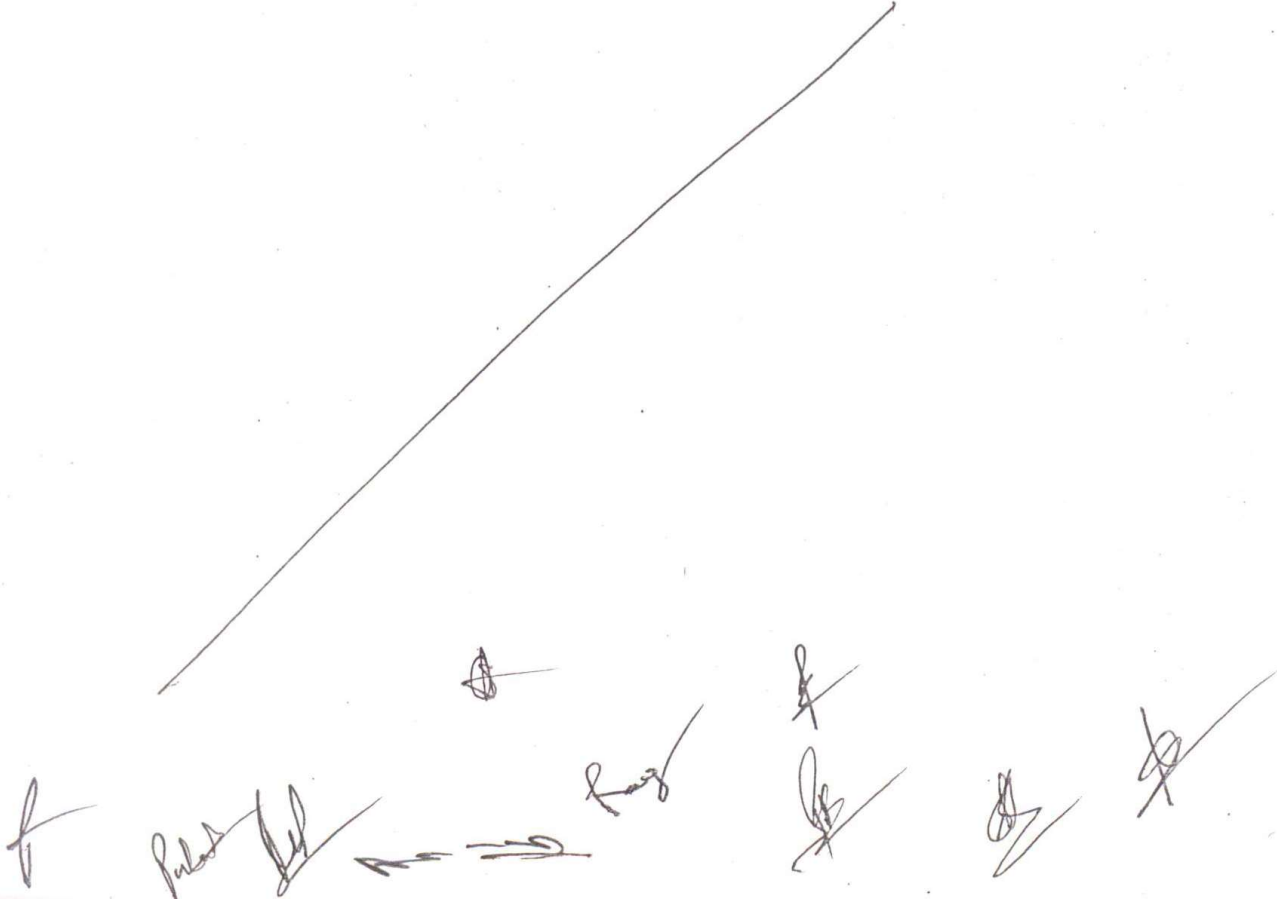
Unit 4

Contemporary Issues

1. Surrogate advertising
2. Right to Internet
3. Emergence of social media, Problems linked with OTT platforms and Dating apps
4. Social Media and criminal offences – Regulatory legislations

Suggested Readings –

- H.M.Seervai, Constitutional Law of India, 1991
- M.P.Jain, Constitutional Law of India, 1994
- John B.Howard, The Social Accountability of Public Enterprises, 1980
- Rajeev Dhavan, On the Law of the Press in India, 26 JILI 288 (1984)
- Soli Sorabjee, Law of Press Censorship in India, 1976
- Justice E.S.Venkaramiah, Freedom of Press : Some Recent Trends, 1984
- D.D.Basu, The Law of Press of India, 1980
- Rajeeve Dhavan, Legitimizing Government Rhetoric: Reflections on Some Aspects of the Second Press Commission, 26 JILI 391, 1984



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New Syllabus

Intellectual Property Law

LLM 305

UNIT 1

GENERAL PRINCIPLES OF IP LAW & POLICY

1. Concept and nature of Intellectual Property
2. Theoretical and Economic justifications for IP Protection
3. basic international conventions for IP protection
4. TRIPS Agreement and its implications upon Indian IP Regime
5. Laws related to Trade Secret
6. Protection of Biodiversity and Traditional Knowledge

UNIT 2

PATENT LAW

1. Introduction to Patent System & Patentability, Justification for the Monopoly,
2. Patentable Subject Matter
 - a. Computer Implemented Processes, Business Methods and Exclusions from Patentability
 - b. Disclosure Requirements; Enablement and Best Mode Requirement
 - c. Anticipation, Rule of Priority
 - d. Non-obviousness
 - e. Secondary Considerations
3. Utility Requirement
4. Working of patent-compulsory licensing
5. Patent Grant
6. Infringement of Patents and Defences
7. Interrelation between Industrial Design and Patent

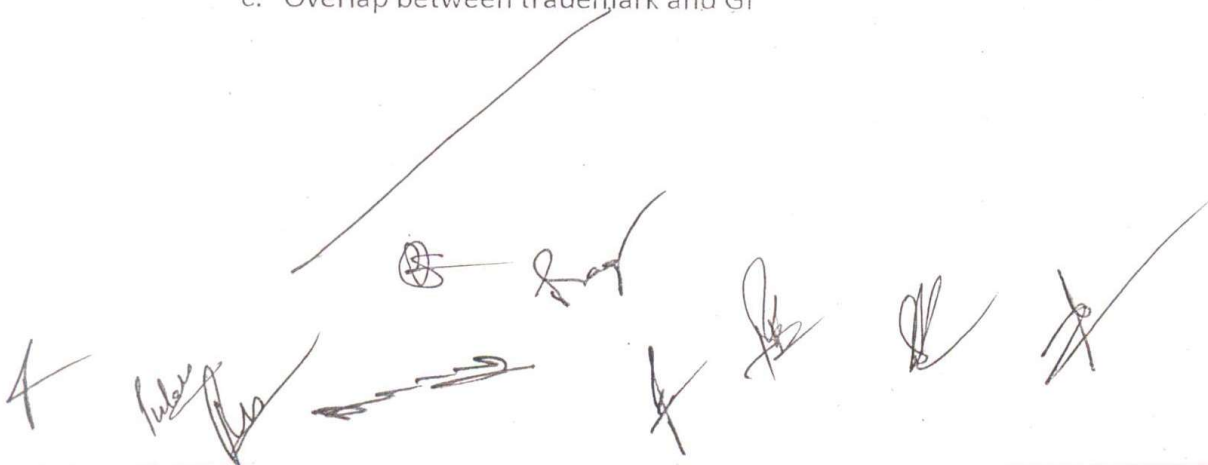
UNIT 3

LAW OF COPYRIGHT

1. Types of Subject Matters of Copyright
2. Basic Principles of Copyright: Idea versus Expression, Doctrine of Sweat of the Brow, Doctrine of Scene-a-Faire and Merger, Concept of Originality
3. Authorship and Ownership: licensing and Assignment
4. Tracing Authorship in Works of Artificial Intelligence
5. Performers Rights- Economic and Moral Rights
6. Infringement and defences: Fair Use, Fair Dealing and Permitted Acts
7. Performer's Rights- Assignment and waiver of performer's rights

LAW OF TRADEMARKS AND GEOGRAPHICAL INDICATION

1. Principles of Trademarks
 - a. Justification, Historical Evolution, Spectrum of Distinctiveness
 - b. Arbitrary, fanciful and Suggestive Marks, Descriptive Marks, Generic Marks, Well-known Trademarks
 - c. Absolute and Relative grounds of Refusal of Registration
 - d. Trade Dress, Unconventional Trademark
2. Procedure for obtaining registration of Trademark, Rights of the owners of Trademark
3. Infringement of Trademark and Action for Passing-off
4. Domain Name Protection
5. Protection of Geographical Indication
 - a. Relations between trademarks, designations of origin and geographical indications
 - b. Geographical indication protection in India
 - c. Overlap between trademark and GI



Suggested Readings

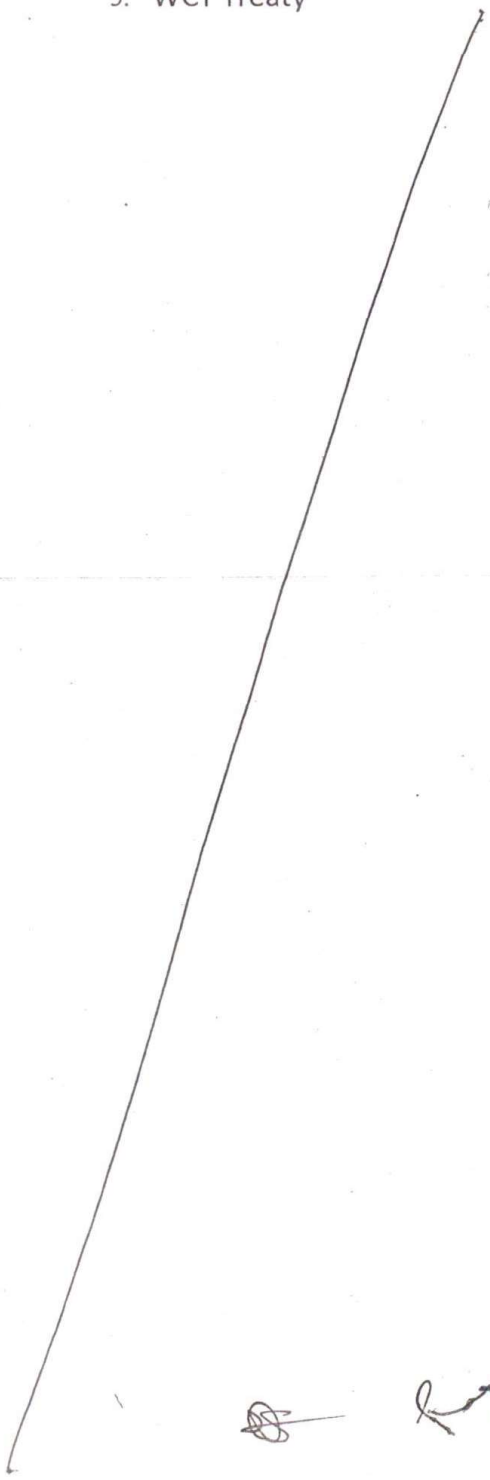
1. Bainbridge, D Intellectual Property (6th Edition) Longman.
2. Bently, L. & Sherman, B. (2004) Intellectual Property Law (2nd Edition) Oxford University Press
3. Correa, C. M. Intellectual Propertyrights, the WTO and developing countries: the TRIPS agreement and policy options, Zed Book
4. Geographical Indications: An Introduction (WIPO Publication) https://www.wipo.int/edocs/pubdocs/en/geographical/952/wipo_pub_952.pdf
5. Ina Dimireva (2010) Protection of Geographical Indications and Designations of origin, available online at: <http://www.eubusiness.com/topics/food/origin-protection/>
6. Geographical Indication at the Crossroads of Trade, Development and Culture Focus on Asia – Pacific by Irene Calboli and Ng-Loy Wee Loon
7. Elizabeth Verkey, Law of Plant Variety Protection, Eastern Book Company
8. R S. Bhalla, The Institution of Property: Legally, Historically and Philosophically Regarded, Eastern Book Publication, New Delhi (1984) 2. Peter Drahos, A Philosophy of Intellectual Property, Aldershot ; Brookfield, USA, Dartmouth, (1996)
9. P. Narayanan, Copyright and Industrial Design, Third Edition, Eastern Law House, New Delhi
10. A Damadoran, Traditional Knowledge, Intellectual Property Rights and Biodiversity Conservation: Critical Issues and Key Challenges, Journal of IPR, Vol. 13, September 2008, pp 509-513
11. Dr. Gargi Chakrabarti, Vulnerable position of traditional knowledge under IPR: Concern for sustainable development, OIDA International Journal of Sustainable Development, (2014) Vol 7, pp. 67-94

Statutes and Agreements

1. The Patent Act, 1970
2. The Design Act, 2000
3. The Trade Marks Act, 1999
4. The Copy Right Act 1957

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5. TRIPS Agreement
6. GATT
7. WIPO
8. WPP Treaty
9. WCT Treaty



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New Syllabus
Legal Regulation of Economic Enterprises
LLM 306

UNIT 1

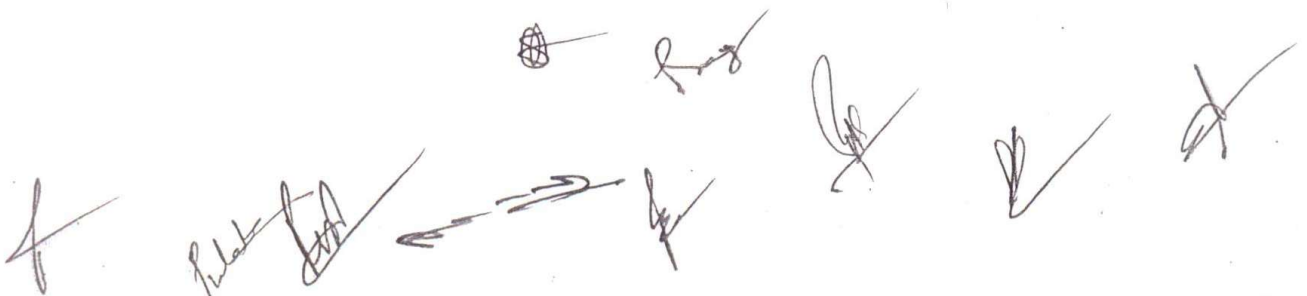
THE RATIONALE OF GOVERNMENT REGULATION

1. Constitutional perspectives
2. Laissez faire model to welfare state model and again back to Laissez faire
3. The new economic policy - Industrial policy resolutions, declarations and statement
4. Regulation of economic activities
 - a) Disclosure of information
 - b) Emphasis on consumerism
5. Fairness in Competition

UNIT 2

TRADE REGULATORY REGIME

1. Industrial Trade Development and Regulation Act, 1991:
 - a) Take-Over Of Management and Control of Industrial Units
 - b) Licensing Policy and Legal Process - Growing Trends of Liberalisation
 - c) Regulation of Scheduled Industries
 - d) Liquidation or Reconstruction of Industries
2. Regulating Foreign trade:
 - a. Foreign Trade Development and Regulation Act, 1992
 - b. Foreign Exchange Management Act 2002, including FDI and FII regulations.

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UNIT 3

ECONOMIC ENTERPRISE REGULATIONS

1. Promotion and development of Micro, Small and Medium Enterprises under the Micro, Small and Medium Enterprises Act, 2006
2. Orderly Development of Economic Enterprises through checks and balances
 - a. Prevention of Money Laundering Act, 2002
 - b. COFEPOSA, 1974
 - c. Essential commodities Act, 1955
3. Environmental Regulation of Hazardous Activity
 - a. Public Liability Insurance: adequacy
 - b. Atomic Disaster: Issues and challenges regarding fastening Criminal and Tortious responsibilities
 - c. The Hazardous Waste (Management, Handling and Transboundary Management) Rules, 2008

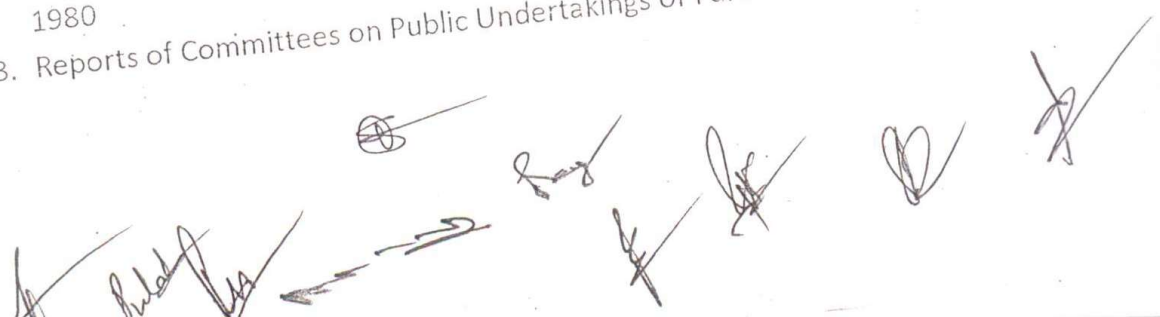
UNIT 4

E – Commerce and e contracts

1. E – Commerce: Meaning, Scope, Advantages and related legislations
2. Artificial Intelligence and E – Commerce and legal issues thereof,
3. Tortious and contractual liabilities with special reference to E-Commerce
4. Consumer protection and e commerce
5. E-Commerce Contracts: Block chain enabled smart contracts
6. Penal Provisions for cyber crimes in E Commerce contracts, On line trading, Bank Transactions etc.

Suggested readings +

1. Indian Law Institute, Law of international Trade Transactions, (1973) Industrial Policy Resolutions of 1948, 1956, 1991
2. Industrial Licensing Policy 1970, 1975 Industrial Policy Statements 1973, 1977, 1980
3. Reports of Committees on Public Undertakings of Parliament.

The bottom of the page features several handwritten signatures and marks. From left to right, there is a signature that appears to be 'Rishi', followed by a signature that looks like 'Raj', then a signature that is partially obscured, followed by a signature that looks like 'D', and finally a signature that looks like 'A'. There are also some scribbles and a small circle with a cross inside.

4. Industries (Development and Regulation) Act, 1951
5. U. Baxi (ed.), Inconvenient Forum and Convenient Catastrophe The Bhopal Case, (1986)
6. U. Baxi & T. Paul (eds.), Mass Disasters and Multinational Liability (1986)
- Competition Act, 2002 U. Baxi & A. Dhandba,
7. Valiant Victims and Lethal Litigation: The Bhopal Case (1989) Indian Law Institute, Law of international Trade Transactions, (1973)
8. The Micro, small and Medium Enterprises Act, 2006 The Prevention of Money Laundering Act, 2002 The Prohibition of Benami Property Transactions Act, 1988

Statutory Material:

1. Competition Act, 2002.
2. Industries Development and Regulation Act, 1951.
3. Foreign Exchange Management Act, 1999.
4. Money Laundering Act, 2005.
5. Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974.
6. Foreign Trade Development and Regulation Act, 1992.
7. The Micro, small and Medium Enterprises Act, 2006
8. The Prevention of Money Laundering Act, 2002
9. The Prohibition of Benami Property Transactions Act, 1988
10. The Hazardous Waste (Management, Handling and Transboundary Managwement) Rules, 2008
11. Foreign Trade Development and Regulation Act, 1992.



New Syllabus
Company Law
LLM 307

UNIT 1

Incorporation and formation of company

1. Company: Meaning, Kinds, Characteristics and companies distinguished from other forms of business organizations.
2. Corporate personality and lifting the veil of corporate personality
3. Promoter: Meaning, legal position and liability of promoter and company for pre-incorporation contracts.
4. Memorandum of Association and Articles of Association:
 - a. Meaning nature, contents and relationship between Memorandum of Association and Articles of Association.
 - b. Alteration of MOA AND AOA
 - c. Objects clause and doctrine of ultra-vires
 - d. Doctrine of Constructive Notice and Indoor Management

UNIT 2

Financial Instruments

1. Prospectus: Meaning, Kinds and liability for untrue statement in the prospectus.
2. Share and share capital: Meaning, Kinds of share and distinction between equity share and preference share.
3. Issue of Shares, Allotment, Transmission, Surrender & Forfeiture of Shares
4. Issue of Share at Premium-Issue of Shares at Discount-Redemption of Shares
5. Share certificate and it's evidentiary value
6. Kinds, alteration and reduction of share capital, Buy-back of Shares
7. Debentures: Concept, Nature and Kinds-Differences and Similarities between Shares and Debentures, Conversion of Debentures into Shares

A series of handwritten signatures and marks are located at the bottom of the page, spanning across the width of the document. These appear to be signatures of individuals, possibly students or faculty, and some marks resembling checkmarks or initials.

UNIT 3

Corporate Management, Abuse and Remedies

1. Board of Directors
2. Directors : Appointment and legal status
3. Company Meeting: Meaning and kinds with special emphasis on members meetings.
4. Compromise, Arrangement and Amalgamation of Companies under Companies Act, 2013
5. Rule Of Majority Powers and Minority Rights
 - i. Rule in Foss v. Harbottle and exceptions
 - ii. Prevention and Relief in case of Oppression and Mismanagement-Class Action

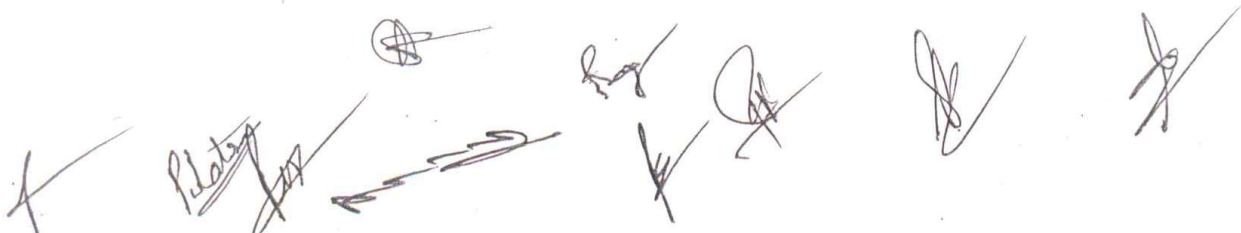
UNIT 4

WindingUp

1. Concept of Winding Up
2. Kinds, Consequences and reasons of Winding Up
3. Adjudicatory Bodies
4. Corporate Social Responsibility, CSR policy Rules, 2014 and Schedule VII of Companies Act, 2013

Suggested Readings:

1. Taxman's Corporate Laws.
2. Ramaih, A Guide to Companies Act, Wadhwa Publications
3. Avatar Singh: Indian Company Law, Eastern Book Company, Lucknow
4. Shah - Lectures on Company Law.
5. Taxman's Company Law.
6. Anantha Raman, Lectures on company Law, Wadhwa and Company
7. Majumdar, Company Law, Taxman Publications
8. B.K Sen Gupta , Company Law, Eastern Law House, Kolkata

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New Syllabus
Banking and Insurance Law
LLM 308

UNIT 1

Introduction to banking system

1. Origin and Development of Banking System,
2. Multinational banks -growth and legal issues
3. Classification of Banks
4. Relationship between Bank and Customer
5. Control by Government and its Agencies, Management of Banking companies, On account and audit, Reconstruction and reorganization of banking companies, Social control over banking
6. Suspension and winding up of Business of Banking Companies
7. Recent Trends in Banking:
 - a. E-Banking - Internet banking, mobile banking, ATM banking, computerized banking –E- banking services – retail services – wholesale services – E-Cheque- authentication-
 - b. Smart Credit Cards, Travelers' cheque
 - c. Banking Frauds

UNIT 2

Banking regulations

1. Reserve Bank of India Act, 1934: Central Banking function of Reserve Bank of India,
2. Banking Regulation Act, 1949: Concept of Bank and Banker, Functions of Banks, Incorporation, Capital, Management and Business of Banking Company
3. Banking ombudsman
4. Letters Of Credit, Bank Guarantee Etc, Laws Governing And UCP Guidelines
5. Negotiable Instruments:
 - a. Meaning and kinds
 - b. Transfer and negotiations
 - c. Holder and holder in due course and his rights
 - d. Liabilities of parties in case of dishonor of Negotiable Instruments under the Negotiable Instruments Act, 1881

UNIT 3

Introduction To Law of Insurance

1. Nature and Classification of contract of Insurance
2. History of Insurance in India
3. Fundamental Principles of Law of insurance- Indemnity, Subrogation, Causa Proxima, Mitigation of Loss, Attachment of Risk, Contribution
4. Insurance Regulatory & Development Authority Act, 1999: Its role and functions
5. Insurable Interest, Premium: Definition, method of payment, days of grace, forfeiture, return of premium.

UNIT 4

Law of Insurance: Life Insurance, motor ,Marine Insurance

1. The policy and formation of a life insurance contract, Event insured against Life Insurance contract, Circumstance affecting the risk, Amount recoverable under the Life Policy, Persons entitles to payment, Settlement of claim and payment of money, Life Insurance Act, 1956
2. Insurance against third party rights, , The Motor Vehicles Act, 1988 –Nature and scope- Absolute or no-fault liabilities, third party or compulsory insurance of motors vehicles, Claims Tribunal, , Legal aspects of Motor Insurance, Claims Own Damages Claims, Third Party Liability Claims.
3. Marine Insurance-Marine Insurance Act 1963-Nature And Scope, Classification Of Marine Policies, Insurable Interest , Insurable Values, Marine Insurance And Policy, Conditions And Express Warranties, Voyage Deviation-, Perils Of Sea, Marine Insurance Act 1963

Suggested Readings:

1. Bani A - Review of current Banking theory and practice
2. Pagets - Law of Banking
3. M.L.Tannan - Tannan's Banking Law and Practice in India
4. L.C.Goyle - The-Law of Banking and Bankers.
5. K.C.Shekar - Banking Theory and Practice in India.
6. Amalesh Banerjee & S.K.Singh (eds.) - Banking and Financial Sector Reforms in India,
7. V. Conti and Hamaui (eds.), Financial Markets' Liberalization and the Role of



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Banks', Cambridge University Press, Cambridge, (1993)

8. Good Hart - The Central Bank and the Financial System
9. K.Subramanyan - Banking Reforms in India.
10. Janaki Raman Committee Report on securities operation of Banks and Financial institutions
11. Narasimham Committee report on the Financial System 1991), Second Report (1999).
12. John Hanson and Christopals, Henby - All risks property Insurance
13. Peter Mac Donald - Eggers and Patric Poss, Good Faith and Insurance Contracts.
14. Banerjee - Law of Insurance
15. Mitra B.C. - Law Relating to Marine insurance.
16. Birds - Modern Insurance Law;
17. Edwen. W.Patterson - Cases and Materials on Law of Insurance
18. Arnold - The Law of Marine Insurance and Average, Vol. I & II



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New Syllabus

Comparative Criminal Procedure

LLM 309

UNIT -1

CRIMINAL JUDICIAL PROCESS

1. Introduction and significance of Comparative Criminal Procedure
2. Models of Criminal Justice Delivery System-
 - i. Packer's Models: Crime Control Model & Due Process Model
 - ii. King's Models: Medical Model, Bureaucratic Model, Status Passage Model, Power Model
 - iii. Conflict Model
 - iv. Consensus Model
3. Common Law System v. Civil Law System; Adversarial system of trial, Inquisitorial system of trial

UNIT - 2

FUNCTIONARIES UNDER CRIMINAL JUSTICE ADMINISTRATION

1. Police – duties and functions under Criminal Justice Administration in India; Police powers in UK – power to stop, search, entry, arrest and detention; Police powers in USA – power to stop, frisk, search, seizure and arrest (with reference to relevant US Constitutional provisions and amendments)
2. Prosecuting Agencies, Defence Counsels, Prison Authorities – India, UK and USA
3. Challenges faced by prosecuting agencies and police

UNIT -3

TRIAL PROCEEDINGS

1. Criminal trial system in India under Bhartiya Nagarik Suraksha Sanhita, 2023; Criminal trial system in UK – Jury System; Criminal trial system in USA – arraignment, preliminary hearing and grand jury hearing

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2. Concept of Fair Trial: India, US and U.K.
3. Concept of speedy trial
4. Media Trial in contemporary era: India, USA, UK
5. Use of technology; A.I. (Artificial Intelligence) and its impact upon criminal justice administration: comparative study of USA, India and U.K.

UNIT -4

SENTENCING AND CORRECTIONAL ADMINISTRATION

1. Objectives, Philosophy behind Probation, origin and development of Probation, Parole, Furlough
2. Capital Punishment
3. Plea Bargaining: a comparative study
4. Rehabilitation / Correctional Reforms in Indian Prisons - Community Service; Rehabilitation Schemes in USA and UK

Suggested Readings:

- Celia Hamptom: -Criminal Procedure
- Wilkins and Cross -Outline of the Law of Evidence
- Archbold, Pleading, Evidence and Practice in Criminal Cases Sarkar, Law of Evidence
- K.N. Chandrasekharan Pillai(ed.), R.V. Kelkar's Outlines of Criminal Procedure (2000), Eastern, Lucknow.
- Patric Devlin, The Criminal Prosecution in England
- American Series of Foreign Penal Codes Criminal Procedure Code of People's Republic of China.
- John N. Ferdico, Criminal Procedure (1996), West
- Sanders & Young, Criminal Justice (1994)

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New Syllabus

Treatment of Offenders and Victimology LLM 310

UNIT -1

Concept of Victimology

1. Conceptual understanding of victim, victimology and victimization,
2. Nature and Scope of Victimology
3. Theories of victimology, Historical development of victimology
4. Concept of victimology in ancient 'Indian Knowledge System'
5. Victim typologies and patterns of victimization
6. Rights of victims in India
7. Legislative framework for victim protection in India (e.g., Victims of Crime Compensation Act, 2008, Bhartiya Nagarik Suraksha Sanhita, 2023, etc.)
8. Compensation to the Victims of Crime including NALSA Scheme of Compensation to Victims, 2018
9. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985

UNIT - 2

Contemporary issues in victimology

1. Victims of sexual violence, domestic violence, human trafficking etc.
2. Victimization of vulnerable groups like women, children, old age persons, LGBTQI, people with disabilities.
3. Neo victimology, rights of tourist victim, victim psychology
4. Impact of technology on victims in contemporary era
5. Secondary Victimization

UNIT -3

Treatment of Offenders

1. Theories of punishment
2. Constitutional principles and rights of offenders in India
3. Legal framework relating to treatment of offenders (Prisons Act, 1894;



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Probation of Offenders Act, 1958)

4. Gender Perspective and Treatment of Offenders
5. Treatment Of Juvenile offenders, Habitual Offenders
6. Correctional institutions in India (e.g., prisons, borstal schools, open prisons, etc.)
7. Prison administration and prisoners' rights

UNIT -4

Approaches to Sentencing and Imprisonment

1. Alternatives To Imprisonment; Corrective Labour, Fines, Collective Fines, house arrest and detention, community service, fines and restitution
2. Constitutionality of Capital Punishment and Judicial Approach towards capital punishment
3. Law Commission reports, recommendations on sentencing policies and sentencing reforms

Suggested Readings

- Walker, N. Crime and criminology: A Critical introduction (1987) 2.S. Rao, Crime in Our Society. (1983)
- A. Siddique, Criminology: Problem and perspectives (1997)
- E. Sutherland, White Collar Crime (1949)
- Mulla Committee Report (1983)
- J.P.S. Sirohi, Criminology and Penology (2004)
- H.L.A. Hart, Punishment and Responsibility (1968).
- Alf Ross, On Guilt, Responsibility and punishment (1975),
- A. Siddique, Criminology (1984) Eastern, Lucknow.
- Law Commission of India, Forty-Second Report Ch. 3(1971), 11. K.S. Shukla, "Sociology of Deviant Behaviour" in 3 ICSSR Survey, of
- Sociology and Social Anthropology 1969-179 (1986)
- Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R. Campray & Co., Calcutta.

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New Syllabus

Critical Criminal Law

LLM 311

UNIT 1

Basic Principles of Criminal Law

1. Interface between Criminal Law and Constitutional Law: Individual Liberty and Social Control.
2. Principles and Theories of Criminalization
3. Omissions and Causations
4. Negative Fault Requirements
5. Criminal liability and degree of culpability
6. Salient Features and Significant Changes in New Criminal Laws

UNIT 2

General Exceptions

1. Mistake – Mistake of Fact, Mistake of Law
2. Concept of 'Necessity' as a defence
3. Unsoundness of mind
4. Intoxication – Impact of voluntary intoxication on culpability and Impact of involuntary intoxication on culpability
5. Concept of 'Private Defence' – issues under Bhartiya Nyaya Sanhita, 2023

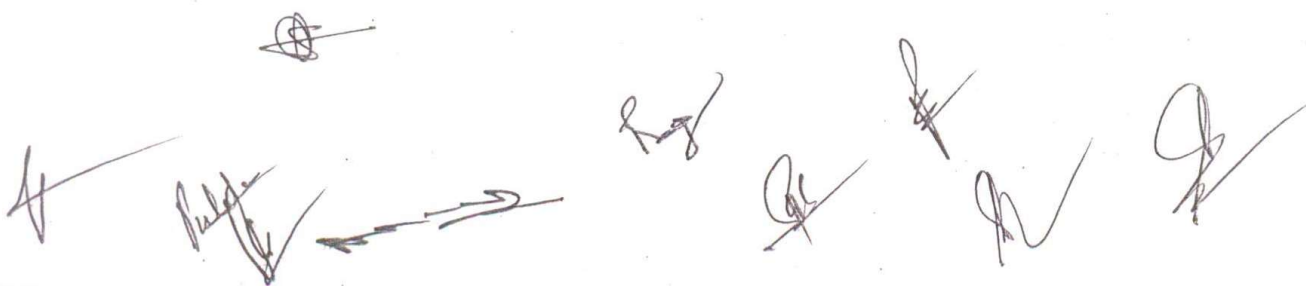
UNIT 3

Specific offences under Bhartiya Nyaya Sanhita, 2023

1. Offences against women and children
2. Offences against human body
3. Offences against state and terrorism
4. Offences of 'Drug trafficking' and 'Counterfeiting'
5. Offences against public tranquillity
6. Offences against property

UNIT 4

Critical and new avenues in criminal law

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1. Corporate Crimes: Meaning, Nature and Scope; Causes of Corporate Crimes
2. Major Issues in Prosecution of Corporations;
3. New Emerging Crimes- Misuse of Technology and AI
4. Concept of Decriminalisation

Suggested Readings

- Ratan Lal & Dhiraj Law, Indian Penal Code, Wadhwa Publication
- K. D. Gaur - A Text Book on the Indian Penal Code, Universal Publication
- Prof. S.N. Mishra, Indian Penal code, Central Law Publications
- Dr. O.P. Srivastava, Principle of Criminal Law, Eastern Book Company
- Dr. Kumar Askand Pandey, Principles of Criminal Law in India - Cases & Material by Central Law Publications, 1st Edition, August 2014
- Pillai, PSA, Criminal Law, LexisNexis Butterworths India, 2008.
- Hall, Jerome. General Principles of Criminal Law. Second Edition. Originally published: Indianapolis: The Bobbs Merrill Company, [1960]. xii, 642 pp. Reprinted 2005, 2010 by The Lawbook Exchange, Ltd
- R.C. Nigam, Criminal Law, Asia Publishing House.
- K.D. Gaur, Criminal Law cases and materials, Lexis Nexis.

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New Syllabus
Privileged class deviance

LLM 312

UNIT 1

Introduction to Privileged Class Deviance

1. Notion of Privileged Class Deviance
2. Relation between privileged class deviance and white-collar crime
3. Concept of White-Collar Crime- Definition, Scope, Evolution, and Consequences, Distinction among White Collar Crimes, Socio-Economic Offences, Traditional Crimes, Organised Crimes, and Occupational Crimes.
4. Reports: The Santhanam Committee Report, 1964, and the 47th Report of the Law Commission of India, 1972
5. White Collar Criminality and Related Theories
 - a. Edwin H. Sutherland's Concept of "White Collar Criminality"
 - b. The Theory of Differential Association by Edwin H. Sutherland
 - c. Rationalization of White-Collar Crimes- Fraud Triangle by Donald Cressey

UNIT 2

Official deviance and its control

1. Concept of Official deviance- permissible limit of discretionary powers
2. Forms of Official Deviance
3. The Chambal Valley dacoit: Vinobha Mission and Jai Prakash Narain Mission- in 1959 and 1971, The Chagla Commission Report on LIC-Mundhra Affair, The Das Commission Report on Pratap Singh Kairon, The Grover Commission Report on Dev Raj and others, The Maruti Commission Report, The Ibakkar-Natarajan Commission Report on Fairfax.
4. Police Deviance - Structures of legal restraint on police powers in India, Police atrocities: Unconstitutionality of "third-degree" methods and use of fatal force by police., "Encounter killings", The plea of superior orders,
5. Reform suggestions by the National Police Commission

The bottom of the page features several handwritten signatures and marks. On the left, there is a large, stylized signature that appears to be 'M. Lalit'. To its right, there are several smaller, more fluid signatures, some of which are accompanied by checkmarks. These marks are likely signatures of the students or the instructor, indicating completion or approval.

UNIT 3

Professional Deviance

1. Unethical practices in the legal profession
2. Medical malpractice, Tax Evasion, Corporate Fraud, Sports Fraud, Health Care Fraud, Misbranding and Adulteration, Education Fraud.
3. The Lentin Commission Report
4. The Press Council on Unprofessional and Unethical journalism

Unit 4

Response of Indian Legal Order to the Deviance of Privileged Classes

1. Vigilance Commission
2. Public Accounts Committee
3. Ombudsman, Lokpal and Lokayukta
4. Commissions of Enquiry
5. Prevention of Corruption Act, 1988
6. The Prevention of Money-Laundering Act, 2002
7. Sexual Harassment at the Workplace (Prevention, Prohibition and Redressal Act, 2013)

Suggested Readings

- Upendra Baxi -The Crisis of the Indian Legal System (1982) Vikas Publishing House, New Delhi.
- Surendranath Dwivedi and G.S. Bhargava -Political Corruption in India(1967)
- A.R. Desai (ed.) -Violation of democratic Rights in India(1986)
- A.G. Noorani -Minister's Misconduct (1974)
- B.B. Pande -The Nature and Dimensions of Privileged Class Deviance" in The Other Side of Development 136 (1987; K.S.Shukla ed.).
- B. B. Pande, "The Nature and Dimensions of Privileged Class Deviance" in the other side of development 136 (1987, K.S.Shukla ed.)

A collection of handwritten signatures and marks at the bottom of the page. There are several distinct signatures, some with long horizontal strokes, and some with circular or scribbled patterns. The ink is dark and the handwriting is cursive.

New Syllabus
Administrative Law
LLM 401

Unit 1

Fundamentals of Administrative law

1. Evolution and significance of Administrative Law in various systems of governance-from ancient to modern.
 - a) England
 - b) USA
 - c) France
 - d) Other systems
2. Doctrine of Separation of Powers: Comparative Survey- England, USA, France and India.
3. Rule of Law: Changing dimensions, Regulation of administrative process.

Unit 2

Delegated Legislation

1. Conceptual understanding of 'Delegated Legislation'
2. Delegated Legislation: Problems, Process and Control
3. Judicial Review of delegated legislation

Unit 3

Procedural Fairness:

1. Evolution and Significance of Natural Justice
2. Judicial Process: Common Law and Civil Law

Doctrine of fairness and doctrine of legitimate expectation.:

1. U.S. - Due process and judicial decision
2. India: Through Judicial Decision-Doctrine of Fairness (Art.14, 19, 21)-
Doctrin of Legitimate Expectation

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3. Privilege against disclosure
4. Official secrecy
5. Access to information and Right to Information Act

Unit 4

Control on Maladministration

1. Ombudsman, Commissions of Inquiry
2. Vigilance Commissions
3. Investigative Agencies
4. Inquiries by Legislative Committee
5. Legislative control, Judicial Inquiries

Suggested Readings –

- Pater H. Schunk, Foundation of Administrative Law, 1994
- De Smith, Judicial Review of Administrative Action, 1998
- D.D.Basu, Comparative Administrative Law, 1998
- K.S.Shukla and S.S.Singh, Lok Ayukta : A Socio-Legal Study, 1988
- Friedman, The State and Rule of law in a mixed Economy.
- Ivor Jennings, Law & the Constitution
- Schwartz and Wade, Legal Control of Government
- Jain & Jain, Principles of Administrative Law

A large, thin, diagonal line is drawn across the bottom half of the page, starting from the left margin and extending towards the right. Below this line, there are several handwritten signatures and scribbles in dark ink, scattered across the bottom margin.

New Syllabus
Comparative Constitutional Law
LLM 402

Unit 1

Need and scope for study of Comparative Constitutional Law

1. Conceptual understanding of the Comparative Constitutional Law
2. Origin and development of Comparative Constitutional Law
3. Need for Comparative Study of Constitutional Law in Constitution Making
4. Comparison of modern constitutional law with ancient Indian knowledge system
5. The Constitution and its relationship with Statehood, Territoriality and Citizenship
6. Constitutional Drafting and External Influence

Unit 2

Comparative study of the Concepts

1. Rule of Law – 'Formal' and 'Substantive' versions - India, US and UK
2. Independence of Judiciary – India, UK and USA
3. Separation of Powers - India, UK, USA and France
4. Judicial Review - India, UK and USA

Unit 3

Civil liberties and writs

1. Civil Liberties: Meaning and Concept
2. Concept of Right and Duty Jurisprudence
3. Fundamental Rights: Protection of fundamental rights in the US Constitution (Bill of Rights) and the UK Constitution (Human Rights Act)
4. Origin of the Writ System

Unit 4

Amending Powers and Procedures

1. Need and Justification for Constitutional Changes

A collection of handwritten signatures and marks in black ink, located at the bottom of the page. There are approximately seven distinct signatures or initials, some of which are crossed out with a diagonal line. The marks are scattered across the bottom third of the page, below the Unit 4 content.

2. Various Methods of Amendment
3. Comparative analysis of 'Amendment of the Constitution' – India, USA and South Africa
4. Limitations on Amending Power: Comparative Perspective
5. Theory of Basic Structure

Suggested Readings –

- D.D.Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur, 2008).
- D.D.Basu, Comparative Federalism (Lexis Nexis, 2007).
- DD Basu, Introduction to the Constitution of India (Lexis-Nexis-ButterworthWadhwa, 1.2008).
- Erwin Chemerinsky, Constitutional Law, Principles and Policies (3rd ed., Aspen, 2006).
- Granville Austin, The Indian Constitution: Cornerstone of a Nation (OUP, 2008).
- M.P. Singh, Comparative Constitutional Law (Eastern Book Company, 2011).
- Khilani, Raghvan, Thiruvengadan, Comparative Constitutionalism in South Asia, (Oxford Publishers 2013)
- H. M. Seervai, A Critical Commentary on Constitutional Law of India, (Universal Law Publishing, Delhi, 1997)
- V. Dicey, Law of the Constitution, (Universal Law Publishing, Delhi, 2001)
- Durga Das Basu, Human Rights in Constitutional Law, (Wadhwa & Wadhwa, Nagpur, 2003).
- V Ramaraj, 'Four Modules of Due Process', 2 Int 7 J. Const. L. 492
- Allen, T.R.S (2001) 'Constitutional Justice: A liberal theory of Rule of Law' (Oxford University Press: Oxford)
- Peele, G (2002), The US Supreme Court, Politicians in Disguise? Politics Review, April 8, 2002.
- Mark Tushnet, Why the Constitution Matters (Yale University Press, 2010)

The bottom of the page features several handwritten signatures and marks. On the left, there is a large, stylized signature. To its right, there are several smaller, more compact signatures and some scribbled lines, possibly indicating initials or a date.

New Syllabus
Competition Law

LLM 403

UNIT 1

Introduction To Competition Law

1. Evolution of Competition Law,
2. Competition Act, 2002, Objectives and Overview, Monopoly & Restrictive Trade Practices Act, 1969, Raghavan Committee Recommendations
3. Appreciable Adverse Effect on the Competition,
4. Unfair Trade Practices

UNIT 2

Anti-Competitive Agreements

1. Horizontal Agreements: Price Fixing, Output Limitation, Market Sharing, Bid Rigging, Collusive Bidding, Cartel
2. Vertical Agreements: Tie In Agreement, Exclusive Supply, Exclusive Distribution, Refusal to Deal & Resale Price Maintenance.
3. Rule of Reason & Rule Per Se
4. Competition & Intellectual property Rights; Inter-linkage

UNIT 3

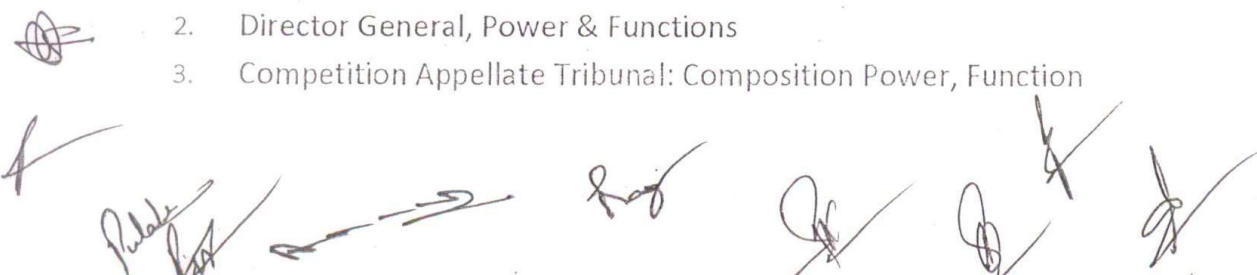
Abuse of Dominant Position & Regulation of Combination

1. Abuse of Dominant Position: Dominant Position and Its Abuse, Predatory Pricing, Trade Barriers & Denial of Market Access.
2. Regulation of Combination: Threshold Limits, Procedure and Role of Commission

UNIT 4

Competition Authorities & Investigation, Enforcement

1. Competition Commission of India: Composition, Appointment, Power, Function and Duties
2. Director General, Power & Functions
3. Competition Appellate Tribunal: Composition Power, Function

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4. Investigation: General Procedure and Remedies,
5. Extra-territorial Operation of Commission.
6. Penalties for offences under Competition Act, 2002
7. Competition Advocacy,
8. Leniency Programme, Contemporary Issues in Competition

Suggested readings

1. T, Ramappa, Competition Law in India, Oxford University Press, 2013
2. Vinod Dhall, Competition Law Today: Concept, Issues and Law in Practice, Oxford University Press, 2007
3. Richard Whish and David Bailey, Competition Law, 8th ed. Oxford University Press, 2015.
4. Mark Furse, Competition Law of the EC and UK, 6th ed., Oxford University Press, 2008.
5. S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law, 4th ed., Wadhwa Nagpur, 2006.
6. Abir Roy & Jayant Kumar, Competition Law in India, Kluwer Law International B. V., 2016.
7. Philips E. Areeda & H. Hovenkoup, Fundamentals of Anti-Trust Law, ASPEAN Publications, 2006.
8. Srinivasan Parthasara, Competition Law in India, 4th ed., Kluwer Law International B.V., 2017.
9. Dhall Vinod, Competition Law Today: Concept Issues and Law in Practice, Oxford University Press, 2007

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New Syllabus
International Trade Law
LLM 404

UNIT 1

Introduction To International Trade And World Trade Agreement

1. Concept And Importance of International Trade
2. Theories of trade; Absolute Advantage, Comparative Advantage and Hecksher-Ohlin theory
3. Origin of GATT and Evolution of World Trade Organization – 1947 to 1995
4. Agencies for promoting unification to trade laws-UNCITRAL- UNIDROIT- UNCTAD, ICC & IMO
5. Principles of treatment of International Trade Relations: National Treatment and Most Favoured Nation, Reciprocity Relations, less favourable treatment”, “like product”; assessment.
6. Ministerial conferences, ongoing negotiations
7. Salient features of WTO Agreement
8. Institutional Framework of WTO

UNIT 2

International Law of Carriage and Contract of Sales

1. The Law Relating to Carriages:
 - a. Carriage by Land(international and national conventions)
 - b. Carriage by Sea(international and national conventions)
 - c. Carriage by Air(international and national conventions)
 - d. Multimodal Transportation (international and national conventions),
2. FOB And CIF Contract: duties of seller and rights of buyer
3. UNIDROIT Principles of International Commercial Contracts, 2004
4. Hague Convention relating to Uniform Law on the International Sale of Goods, 1964
5. Vienna Convention on International Sales

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- a) Formation of the Contract: Meaning and Formation of Contracts for International Sale of Goods
- b) Performance of the Contract
- c) Delivery of Possession
- d) Passing of property
- e) Passing of Risk
- f) Frustration of Contracts

UNIT 3

International Instruments

1. International Payments: Letters of Credit-Meaning- Principles-Autonomy of LOC-Strict-Compliance-Uniform Customs and Practices Documentary Credit-Financing Procedure--Indian Position
2. International Negotiable Instruments: Electronic Fund Transfers-Bank Guarantee-Collection Arrangements

UNIT 4

Dispute settlement of international trade disputes

1. Jurisdiction clause
2. Choice of Law
3. World Trade Organization (WTO)-dispute settlement understanding
4. International Court of Commercial Arbitration
5. International Convention on Settlement of Investment Disputes
6. International Arbitral Conventions: Enforcement of Foreign Arbitral Awards in India-Indian Law of Arbitration-Procedure-Enforcement of Arbitral award

Suggested Readings

1. Clive M Schmitthoff International Trade, Law
2. Charles D. Sale of Goods carried by Sea
3. AdemuniOdeke Law of International Trade
4. Bichawat R.S Law of Arbitration and Conciliation
5. Charley, Janetle International Trade Law
6. Ivamy, E.R. Hardy Carriage of goods by sea
7. David.M.Sarron CIF- and FOB contract

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New Syllabus

Forensic Science and its Evidentiary Value

LLM 405

UNIT 1

Crucial Role of Evidence in Criminal Trials

1. The role of Forensic Sciences in Criminal Cases
2. Kinds of Forensic Evidence
3. Constitutionality of forensic evidence
4. Admissibility of forensic evidence
5. The basic question in investigation-Who Bono; The scene of crime;
6. Discovery of traces of physical evidence
7. Systematization and classification of physical evidence and comparison with suspected material
8. Probative Value of Forensic Evidence
9. Mandatory forensic investigation under Bhartiya Nagarik Suraksha Sanhita, 2023

UNIT 2

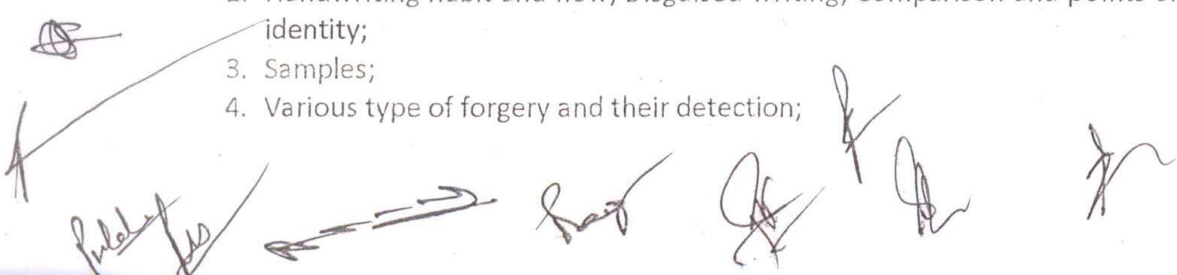
The Establishment of Identity

1. The Establishment of Identity of Individuals: Footprints, hair, skin, blood grouping; physical peculiarities.
2. The Establishment of the Identity of Physical Objects by shape and size: Identifying marks and impressions made by physical objects; shoe prints: type and tread marks; die and tool marks; rupture of fracture marks.
3. The Identification of Fire-Arms and Cartridges and Related Problems: Type of fire-arms and their use; time and range of firing

UNIT 3

Questioned Documents and the Identification of Handwriting:

1. Paper: its types and identification; Inks: pencils and writing tools; Seals, rubberstamps, Typewriting; printing blocks.
2. Handwriting habit and flow; Disguised writing; Comparison and points of identity;
3. Samples;
4. Various type of forgery and their detection;



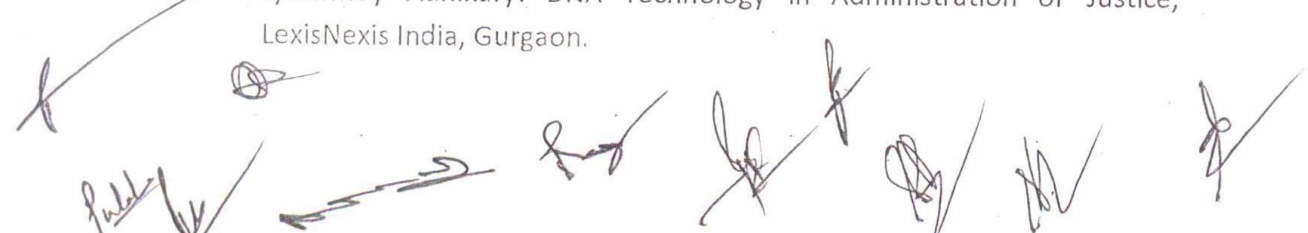
5. Additions, Erasures alterations

UNIT 4

Injuries to Persons

1. Evidentiary value of details of injuries;
2. Traces left by the weapon used: its range and direction;
3. The flow of blood from injuries;
4. The shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects;
5. Accidental deaths and suicides.
6. Modern scientific Techniques - Narco-Analysis Test, Polygraph test, Brain Mapping Test, hypnotism, Lie Detector Test & other
7. Selvi Case

Suggested Readings:

- B. S. Nabar: Forensic Science in Crime Investigation, Asia Law House, Hyderabad.
 - B. L. Saxena [A. K. Singla (ed.)]: Saxena's Law & Techniques Relating to Finger Prints, Foot Prints & Detection of Forgery, Central Law Agency, Allahabad.
 - B. R. Sharma: Forensic Science in Criminal Investigation & Trials, Universal Law Publishing-An Imprint of LexisNexis, New Delhi.
 - B. R. Sharma: Handwriting Forensics, Universal Law Publishing-An Imprint of LexisNexis, New Delhi.
 - B. R. Sharma: Scientific Criminal Investigation, Universal Law Publishing-An imprint of LexisNexis, New Delhi.
 - H. J. Walls: Forensic Science-An Introduction to Scientific Crime Detection, Universal Law Publishing Co. Pvt. Ltd, New Delhi.
 - James Morton: Forensics-The History of Modern Criminal Investigation, Overlook Press, New York.
 - Joytsna William Shana: Medical Jurisprudence -The Principles of Medicine as Applied in Law, PAL Publishing House, Delhi.
 - Jyotirmoy Adhikary: DNA Technology in Administration of Justice, LexisNexis India, Gurgaon.
- 

New Syllabus

Cyber Crime and Laws

LLM 406

UNIT 1

Introduction to Cyber Crimes

1. Introduction to Cyber Laws, Cyber Crimes.
2. Meaning, Definition, Nature of Cyber-crimes
3. Historical Genesis and Evolution of Cyber Crimes
4. Admissibility of Cyber evidence

UNIT 2

CYBER CRIMES

1. Malicious Code - Computer Viruses, Computer Worms,
2. Web Hacking, Foot printing, Port Scanning, E-Shoplifting Web Defacement, Denial of Service Attacks, Manipulating Cookies
3. Email Hacking: Email Hacking using Packet Sniffers, Phishing, Email Frauds & Phishing, Email Bombing
4. Email Hijacking - Social Engineering
5. Cyber Stalking, Cyber Terrorism, Pornography, Cyber Bullying, Piracy

UNIT 3

Statutory Laws pertaining to Cyber Crimes in India

1. Penalties & Offences under the Information Technology Act, 2000,
2. Offences under the Bhartiya Nyaya Sanhita, 2023
3. Provisions governing cyber-crime in Digital Personal Data Protection Act, 2023
4. Issues relating to investigation and adjudication of cyber-crimes in India

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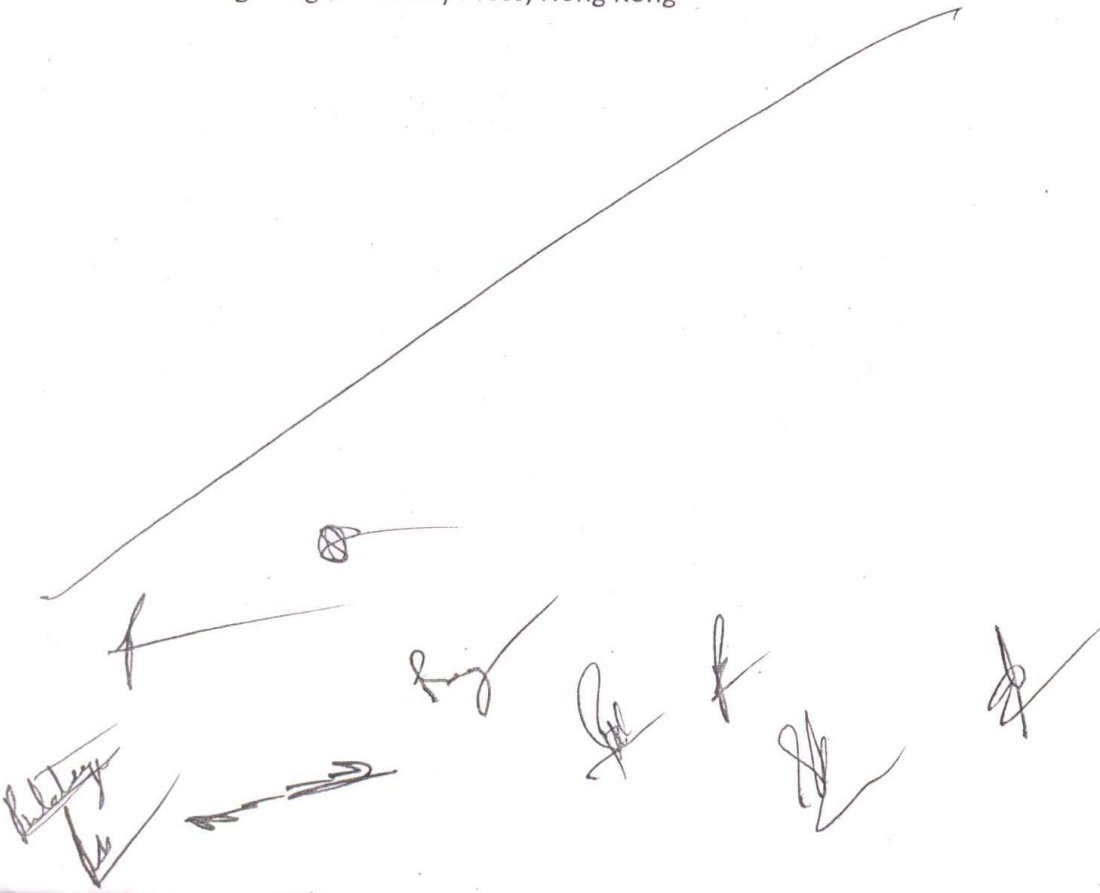
UNIT 4

Cyber Crime Investigation

1. Basic Investigation Techniques
2. First Information Report Initialising a Search and Seizure Operation
Tracking & Tracing Emails,
3. Final Form/ Report
4. Computer evidence assessment checklist, Computer evidence analysis
checklist, Computer evidence analysis report, Cyber forensics analysis
report,
5. Computer Emergency Response Team
6. Cyber Law Prevention measures - Data Safety and Future Challenge

Suggested Readings

- Barkha Bhasin & Rama Mohan Ukkalam: Cyber Law & Crimes, Asia Law House, Hyderabad
- Cyber Security: Understanding Cyber Crimes, Computer Forensics and Legal Perspectives By Nina Godbole, Sunit Belapur, Wiley
- Understanding Cybercrime: Phenomena, and Legal Challenges Response, ITU 2012
- Prashant Mali: Cyber Law and Cyber Crimes (Information Technology Act, 2000 with IT Rules, 2011), Snow White Publications Pvt. Ltd., Maharashtra
- Rod Broadhurst, Peter Grabosky: Cyber-Crime: The Challenge in Asia, Hong Kong University Press, Hong Kong



DISSERTATION
Code LLM 407
Maximum Marks -100

Dissertation will be submitted by the students latest by one and half month (45 days) from the date of last theory paper of LLM IVth Semester Examination

VIVA VOCE
Code LLM 408
Maximum Marks -100