

DETAILED SYLLABUS
for
LL.M. Two Year Course



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LL.M. Program Learning Outcomes (PLOs)

The Post Graduates will be able to:

PLO No	PLO Statement
PLO 1	Possess specialized and in-depth knowledge on the law subjects like Constitutional and Administrative Law, Criminal Law and Business and Commercial Laws.
PLO 2	Develop the skills of good analytical, comparative legal research; legal research paper writing; analysis of the present law and its implication in a globalized world. Use the library and modern tools, resources/software in writing legal research paper and dissertation.
PLO 3	Study the specialized subjects with a globalized perspective and do a comparative study of the Indian law with other countries. Study the application of the legal principles and doctrines in a globalized world and compare it among various countries.
PLO 4	Study and acquire knowledge about appropriate justice delivery system and application of law in specialized areas like Criminal Law; Business and Commercial Law; Constitutional and Administrative Law.
PLO 5	Know the updates on various legal fields like Criminal Law; Corporate and Commercial Law; Constitutional Law. Remember and understand the changing dimensions of various legal field and apply it in the present situations.
PLO 6	Understand the working of the lower courts, constitutional courts, arbitration courts, commercial courts, international courts and tribunals. Find out how the courts interpret and apply the law in a matter before it. Read the case law and find the lacunae of the law, the error in the judgment and do critical appraisal of decided cases. Know the legal mechanism for the protection and preservation of rights and means to get relief/remedy.
PLO 7	Develop critical and contextual approaches across a wide variety of legal subject matter like Criminal and Security Law; Corporate and

	Commercial Law; Constitutional and Administrative Law and International Comparative Law.
PLO 8	Form their own opinion and observation on legal aspects related to their specialized areas viz. Criminal and Security Law; Corporate and Commercial Law; Constitutional and Administrative Law and International Comparative Law.
PLO 9	Communicate effectively in both verbal and written forms. Develop disciplinary approach to legal study and will be encouraged to reflect on the complexity of legal practice.
PLO 10	Exhibit professional ethics and norms of good teachers and legal expert in special laws and acquire expertise in their specialized area.
PLO 11	Develop the skill of writing good dissertation and research paper in national and international journals.
PLO 12	Practice the use of lifelong learning.

Program Specific Learning Outcomes (PSOs)
LL.M. (Constitutional and Administrative Law)

The Post Graduates will be able to:

PSO No	PSO Statement
PSO 1	Possess the complete knowledge of legal research methodology, its application and process. Learn to write research papers and dissertation. Analyse the legal research papers and law of their specialized area. Learn the use of research tools and techniques and use of physical and online library.
PSO 2	Do analytical, critical and comparative study of the laws, principles, doctrine, rules and regulation related to their specialized subject. Study the law in a globalized world and its implication in India and the world at large.
PSO 3	Gain in depth knowledge of subjects like Jurisprudence, Research Methods and Legal Writing, Constitutional Law, Federalism and Union State Relations, Administrative Law, National Security, Public Order and Rule of Law, Mass Media Law, Public Authorities and Liability: Control on Maladministration. Know the history, development and recent updates on the above subjects. Know and learn the law from a comparative, critical and analytical approach and develop their own thought process to observe the law and find out its drawbacks and recommend suggestions thereby contributing to the knowledge of law and legal studies
PSO 4	To develop special knowledge on subjects of their choice from a given set of optional subjects like, Constitutional Law, Federalism and Union State Relations, Administrative Law, National Security, Public Order and Rule of Law, Mass Media Law, Public Authorities and Liability. Learn the law from a different approach and be in a position to speak, write and discuss these laws and issues related to these subjects from different perspective.

Program Specific Learning Outcomes (PSOs)
LL.M. (Constitutional and Administrative Law)

The Post Graduates will be able to:

PSO No	PSO Statement
PSO 1	Possess the complete knowledge of legal research methodology, its application and process. Learn to write research papers and dissertation. Analyse the legal research papers and law of their specialized area. Learn the use of research tools and techniques and use of physical and online library.
PSO 2	Do analytical, critical and comparative study of the laws, principles, doctrine, rules and regulation related to their specialized subject. Study the law in a globalized world and its implication in India and the world at large.
PSO 3	Gain in-depth knowledge of subjects like Constitutional Law, Jurisprudence, Legal Research Methodology, Intellectual Property Law, Legal Regulation of Economic Enterprises, Company Law, Banking and Insurance Law, Economic Laws and International Trade Law. Know the history, development and recent updates on the above subjects. Learn the law from a comparative, critical and analytical approach and develop their own thought process to observe the law and find out its drawbacks and recommend suggestions by contributing to the knowledge of law and legal studies
PSO 4	To develop special knowledge on subjects of their choice from a given set of optional subjects like, Intellectual Property Law, Legal Regulation of Economic Enterprises, Company Law, Banking and Insurance Law, Economic Laws and International Trade Law. Learn law from a different approach and be in a position to speak, write and discuss these laws and issues related to these subjects in a different perspective.

Program Specific Learning Outcomes (PSOs)
LL.M. (Criminal Law)

The Post Graduates will be able to:

PSO No	PSO Statement
PSO 1	Possess the complete knowledge of legal research methodology, its application and process. Learn to write research papers and dissertation. Analyse the legal research papers and law of their specialized area. Learn the use of research tools and techniques and use of physical and online library.
PSO 2	Do analytical, critical and comparative study of the laws, principles, doctrine, rules and regulation related to their specialized subject. Study the law in a globalized world and its implication in India and the world at large.
PSO 3	Gain in-depth knowledge of subjects like Constitutional Law, Jurisprudence, Research Methods and Legal Writing, Criminal Justice and Human Rights, Privileged Class Deviance, Juvenile Delinquency, Comparative Criminal Procedure, Treatment of Offender & Victimology. Know the history, development and recent updates on the above subjects. Know and learn the law from a comparative, critical and analytical approach and develop their own thought process to observe the law and find out its drawbacks and recommend suggestions thereby contributing to the knowledge of law and legal studies
PSO 4	To develop special knowledge on subjects of their choice from a given set of optional subjects like, Criminal Law, Juvenile Delinquency, Comparative Criminal Procedure and Treatment of Offender & Victimology. Learn the law from a different approach and be in a position to speak, write and discuss these laws and issues related to these subjects from different perspective.

LL.M. Syllabus
Compulsory Paper LL.M.1st Semester

Paper I: Constitutional Law of India I –New Challenges	Code LLM 101
Paper II: Jurisprudence I	Code LLM 102
Paper III: Legal thought, Interpretation and Judicial Process	Code LLM 103
Paper IV: Legal Education and Research Methodology	Code LLM 104

Compulsory Paper LLM 2nd Semester

Paper I: Constitutional law of India II (Law and basic needs)	Code LLM 201
Paper II: Jurisprudence II	Code LLM 202
Paper III: Law and Social Transformation	Code LLM 203
Paper IV: Human Rights	Code LLM 204

Optional Papers

Group A : Constitutional and Administrative Law Group

Paper-I: Constitutionalism: Pluralism	Code LLM 301
Paper-II: Federalism and Union State Relations	Code LLM 302
Paper-III: National Security, Public Order and Rule of Law	Code LLM 303
Paper-IV: Mass Media Law	Code LLM 304
Paper-V: Administrative Law in India	Code LLM 401
Paper-VI: Public Authorities and Liability: Control on Maladministration	Code LLM 402

Group B : Business Law Group

Paper-I: Intellectual Property Law	Code LLM 305
Paper-II: Legal Regulation of Economic Enterprises	Code LLM 306
Paper-III: Company Law	Code LLM 307
Paper-IV: Banking and Insurance Law	Code LLM 308
Paper-V : Economic Laws	Code LLM 403
Paper-VI : International Trade Law	Code LLM 404

Group C : Criminal Law Group

Paper-I : Comparative Criminal Procedure	Code LLM 309
Paper-II : Treatment of Offender & Victimology	Code LLM 310

Paper-III : Drugs Addiction, Criminal Justice & Human Rights

Code LLM 311

Paper-IV : Privileged Class Deviance

Code LLM 312

Paper-V : Juvenile Delinquency

Code LLM 405

Paper-VI : Collective Violence & Criminal Justice System

Code LLM 406

Dissertation and Viva-Voce

Note : Other groups may be added in future depending on availability of Faculty and other infrastructure.

Course Outcomes

Paper I: Constitutional Law of India I –New Challenges

Code LLM 101

Course Outcomes:

As a result of taking this course, the student will be able to:

- Comprehend the provisions in the Constitution regarding the institutional framework, the jurisdictional ambit and the limitations in its working.
- Analyze and interpret the constitutional document and testing the jurisdictional competencies of the different institutions – legislative, executive and the judiciary.
- Infer and assess that the principles of constitutionalism such as Rule of Law, Separation of Powers and Independence of the judiciary are unavoidable objectives to be advanced while interpreting the constitutional scheme.

Paper II: Jurisprudence I 102

Code LLM

Course Outcomes:

As a result of taking this course, the student will be able to:

- Analyse critically the important ideas of selected jurists from various schools of thoughts.
- Understand the theoretical foundations and central focus of the leading theories of law and evaluate their applicability in India.
- Comprehend the jurisprudential basis of certain legal concepts which appear in law in all its manifestations.
- Assess the continuing tussle between law and morality.
- Understand the correlation between rights and duties.
- Appreciate the theories behind formation of State and those related to sovereignty

Paper III: Legal thought, Interpretation and Judicial Process

Code LLM 103

Course Outcomes:

- Comprehend the key approaches, rules, principles, definitions to construe a Statute.
- Demonstrate an understanding of tools for analysing a statute

Paper IV: Legal Education and Research Methodology

Code LLM 104

Course Outcomes:

- Understand the way in which systematic research can be conducted to describe, explain, and predict phenomena of interest;
- Gather practical knowledge and skills to understand and carry out research projects;
- Understanding of the basic techniques and tools for conducting research;
- Develop contents and organization of both the written report and oral presentation for which the research study was done.

Compulsory Paper LLM IIInd Semester

Paper I: Constitutional law of India II (Law and basic needs)

Code LLM 201

Course Outcomes:

- As a result of taking this course, the student will be able to:
- Comprehend the provisions in the Constitution regarding the institutional framework, the jurisdictional ambit and the limitations in its working.
- Analyze and interpret the constitutional document and testing the jurisdictional competencies of the different institutions – legislative, executive and the judiciary.
- Infer and assess that the principles of constitutionalism such as Rule of Law, Separation of Powers and Independence of the judiciary are unavoidable objectives to be advanced while interpreting the constitutional scheme.

Paper II: Jurisprudence II

Code LLM 202

Course Outcomes:

As a result of taking this course, the student will be able to:

- Analyse critically the important ideas of selected jurists from various schools of thoughts.
- Understand the theoretical foundations and central focus of the leading theories of law and evaluate their applicability in India.
- Comprehend the jurisprudential basis of certain legal concepts which appear in law in all its manifestations.
- Assess the continuing tussle between law and morality.
- Understand the correlation between rights and duties.
- Appreciate the theories behind formation of State and those related to sovereignty

Paper III: Law and Social Transformation

Code LLM 203

Course Outcomes:

- As a result of taking this course, the student will be able to:
- Comprehend the provisions in the Constitution regarding Law and Social Transformation.
- Assess the continuing tussle between law and morality.
- Infer and assess that the principles of Law and Social Transformation.

Paper IV: Human Rights

Code LLM 204

Course Outcomes:

As a result of taking this course, the student will be able to:

- Demonstrate knowledge of a substantial range of Human Rights Law concept.
- Distinguish and evaluate key problems in the area of human rights.
- Knowledge of how UNO has contributed to the development and growth of Human Rights Law.

Optional Papers**Group A: Constitutional and Administrative Law Group****Paper-I: Constitutionalism: Pluralism**

Code LLM 301

Course Outcomes:

As a result of taking this course, the student will be able to:

- Comprehend the provisions in the Constitution regarding Pluralism, the jurisdictional ambit and the limitations in its working.
- Analyze and interpret the constitutional document and testing the jurisdictional competencies of the Pluralism.
- Infer and assess that the principles of constitutionalism and Pluralism.

Paper-II: Federalism and Union State Relations

Code LLM 302

Course Outcomes:

- The students will be able to critically evaluate constitutional process and mechanism of use of powers by states and the union in federal system.
- Students will be aware of the working of Indian federal system in various aspects.
- in an enrobed analytical understanding of contemporary problems and uses in the discipline.

Paper-III: National Security, Public Order and Rule of Law

Code LLM 303

Course Outcomes:

- An understanding of the emerging issues in national security and probable threats to it.
- Knowledge of the problems faced in execution of security laws including arm forces special powers act

- In depth knowledge of issues related with the act of security forces in terrorism affected areas.
- Develop an ability to show an attitude objectively, critically and ethically in judging the legal developments related to security laws and evaluate the impact it has on a national level as well as on the global arena.

Paper-IV: Mass Media Law

Code LLM 304

Course Outcomes:

- An understanding of the emerging issues in Media law.
- Understanding of Electronic, Print and Internet media.
- Knowledge and in-depth understanding of rules of Press council
- An ability to critically and systematically integrate knowledge and to analyze, judge and manage complex issues.
- An ability to critically, independently and creatively identify and formulate legal issues in Media Law

Paper-V: Administrative Law in India

Code LLM 401

Course Outcomes:

- Identify range of current issues currently influencing developments in the Indian Administrative Law.
- Demonstrate the ability to contribute to the scholarly discussion surrounding current developments in administrative law.
- Extend their knowledge of administrative law principles and develop their ability to apply them in a variety of practical and theoretical contexts.
- Discuss the substantive case law in a manner that incorporates the principles and theory of administrative law.

Paper-VI: Public Authorities and Liability: Control on Maladministration

Code LLM 4021

Course Outcomes:

- An understanding of the emerging issues in Public Authorities and Liability.
- Knowledge and in-depth understanding of rules on Maladministration
- An ability to critically and systematically integrate knowledge and to analyze, judge and manage complex issues.
- An ability to critically, independently and creatively identify and formulate legal issues in Public Authorities and Liability.

Group B : Business Law Group

Paper-I: Intellectual Property Law

Code LLM 305

Course Outcomes:

As a result of taking this course, the student will be able to:

- Compare & contrast law on intellectual property law and other branches of law.
- Examine the evolution of Law of intellectual property from case to case.
- Analyze court decisions that set forth and changed the law of intellectual property.
- Evaluate the relevancy of Indian laws in this behalf.

Paper-II: Legal Regulation of Economic Enterprises

Code LLM 306

Course Outcomes:

- Understanding of the investigation and procedural intricacies of Economic Enterprises.
- Comprehension of compliance with regard to the regulatory laws on the Economic Enterprises related issues.
- Development of capability for the correct interpretation & application of the Economic laws in the light of case laws.

Paper-III: Company Law

Code LLM 307

Course Outcomes:

As a result of taking this course, the student will be able to:

- Examine the evolution of company law
- Analyze court decisions that set forth and changed the company law.
- Distinguish between company Act, 1956 and Company Act,2013

Paper-IV : Banking and Insurance Law

Code LLM 308

Course Outcomes:

- This course acquaints students with the banking system in India and acquaints them about the various aspects of banking and the rights of their customers.
- After undergoing the course, the student will be having sufficient knowledge of law related to banking and banking practices concerning deposits, advances etc.
- Understand the applicability of Law in Banking systems
- Students will be able to analyse the loop holes in the Banking system

Paper-V: Economic Laws

Code LLM 403

Course Outcomes:

Understanding of the investigation and procedural intricacies of Economic laws.

Comprehension of compliance with regard to the regulatory laws on the economic related issues.

Development of capability for the correct interpretation & application of the economic laws in the light of case laws.

Paper-VI: International Trade Law

Code LLM 404

Course Outcomes:

- Understanding of the investigation and procedural intricacies of trade in international arena.
- Comprehension of compliance with regard to the regulatory laws on the international trade related issues.
- Development of capability for the correct interpretation & application of the international trade laws.

Group C : Criminal Law Group

Paper-I: Comparative Criminal Procedure

Code LLM 309

Course Outcome:

- Knowledge and in-depth understanding of Criminal Law and Criminal Procedure of various jurisdictions
- An understanding of the emerging issues in Criminal Law and the challenges to its implementation.
- Knowledge of the problems faced by victims and the protections available to them, specifically in the context of India.
- An ability to critically and systematically integrate knowledge and to analyse, judge and manage complex issues.
- An ability to critically, independently and creatively identify and formulate legal issues

Paper-II: Treatment of Offender & Victimology

Code LLM 310

Course Outcome

As a result of taking this course, the student will be able to:

- Understand the issues related with the sentencing.

- Well versed with the concerns of the victims of a particular mater.

**Paper-III: Drugs Addiction, Criminal Justice & Human Rights
311**

Code LLM

Course Outcome:

- Understanding of the investigation and procedural intricacies of Drugs Addiction, Criminal Justice & Human Rights.
- Comprehension of compliance with regard to the regulatory laws on the Drugs Addiction related issues. Development of capability for the correct interpretation & application of the Drugs Addiction laws in the light of case laws.

**Paper-IV: Privileged Class Deviance
312**

Code LLM

Course Outcome:

- Knowledge and in-depth understanding of rules of sentencing in reference to aggravating and mitigating circumstances.
- An understanding of the emerging issues in treatment with diversified classes of offenders, trend in international law, laws enacted in this reference and their implementation.
- Knowledge of the problems faced execution of criminal law with various classes of offenders and the protections available to them, specifically in the context of India.
- An ability to critically, independently and creatively identify and formulate legal issues in treatment with diversified classes of offenders.

**Paper-V: Juvenile Delinquency
405**

Code LLM

Course Outcome:

- Understanding of the investigation and procedural intricacies Juvenile Delinquency.
- Comprehension of compliance with regard to the regulatory laws on the Juvenile Delinquency related issues.
- Development of capability for the correct interpretation & application of Juvenile Delinquency laws in the light of case laws.

**Paper-VI: Collective Violence & Criminal Justice System
406**

Code LLM

Course Outcome.

The student shall be able to show with regard to:

- Understand Notion of 'force', 'coercion', violence
- Examine Violence related principles
- Examine Violence against the Schedule Caste
- Understand the concept of Communal violence and role of police and paramilitary systems in dealing with communal violence
- To analyze reports of Inquiry commissions

LL.M.1st SEMESTER (COMPULSORY PAPERS)

* The Student has to appear in FOUR Theory Papers in LL.M.1st Semester. Each Theory Paper will carry 100 Marks.

LL.M 1st 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.

**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 HLL.A. Hart.

UNIT II

Historical School:

1. Fedrick Savigny, Sir Henery 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. 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*.

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.M1st 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.
5. Hypothesis
6. Research Design - Modes of data collection in empirical research
7. 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. Aggarwal Shipra, *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. 2nd SEMESTER (COMPULSORY PAPERS)

❖ The Student must appear in FOUR Theory Papers in LL.M. II Semester. Each Theory Paper will carry 100 Marks.

LL.M. 2nd SEMESTER Paper-I CONSTITUTIONAL LAW OF INDIA –II Law and Basic Needs Paper Code: LLM-201

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.

UNIT II

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

UNIT III

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

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

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.*

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. 2nd 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. stability and social change
8. Relationship between law and morality-culture
9. Social change and law
10. Law and development
11. Social change in the context of democracy.

Historical and Sociological Study on the role of law in bringing about social change :

1. Law and social change in ancient India
2. Social dimensions of law and social concern for justice
3. Role of family
4. Associations and charitable institution in ancient India
5. The Interpretation of Shruti, Smriti and other commentaries to harmonize social
1. change-Interaction between law and custom
6. Social control during the Muslim conquest
7. Social reform during the medieval period
8. Law and Social Transformation in Modern India
9. Colonial law and economic exploitation
10. Application of the Indian Law by the British
11. Social reforms and Women, Children and others-Codification of Laws
12. Freedom of Movement and Social reform ideas
13. Sociological perspective and social change.

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. The role of Governmental organs for social transformation
7. Working of the Constitution for Social transformation
8. Constitutional interpretation as an effective tool for social transformation.
Application of international law in the process of constitutional Interpretation
Constitutionalism and 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
5. Rise of Dalits and changing equations in social order in twenty first century.

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. Language policy and the Constitution
5. 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.

Regionalism and the law:

1. Regionalism as a divisive factor
2. Concept of India as one unit
3. Right of Movement, residence and business
4. Impermissibility of state or regional barriers
5. Equality in matters of employment-the slogan "sons of the soil" and its practice
6. Admission to educational institutions, preference to residents of a state.

UNIT IV

Modernization and Law:

1. Modernization as a value-Constitutional perspectives reflected in the fundamental duties
2. Modernization of social institutions through law
3. Reform of family law, Agrarian reform-Industrialization of agriculture
4. Industrial reform-Free enterprise v. state regulation-Industrialization and environmental protection
5. Reform of court process-Criminal law-plea bargaining, compounding and payment of compensation to victim
6. Civil laws-(ADR) Confrontation v. Consensus, mediation and conciliation
7. Lok Adalats
8. Prison reforms,
9. 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. 2nd 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*

LLM 3rd Semester
CONSTITUTIONAL AND ADMINISTRATIVE LAW GROUP
CONSTITUTIONALISM PLURALISM
Paper Code: LL.M.-301
Paper I

UNIT-I

1. Meaning and nature of the concept of Constitutionalism
2. Historical Background of the concept- Liberal View, and Constitutionalism in Developing Societies.
3. What is Constitution? Meaning, Nature and Importance of Constitution Sources of strain in the Modern Constitutional Practice.
4. Locus of sovereignty and global concept of justice
5. Emergence of supra national institutions for the protection and enforcement of rights
b. concept of global justice debate
6. Definition of 'State' with Reference to Public Undertakings and Control Mechanism

Parliamentary Form of Government:

1. Choice of West Minister Model - Presidential Vs. Parliamentary form of Government.
2. President of India and his constitutional status.
3. The Cabinet and the Doctrine of collective responsibility.
4. Governor and his role in Indian Federalism.
5. Party system and Anti-Defection Law.
6. Parliamentary Privileges.

UNIT-II

Judicial Review:

1. Meaning, Basis and Constitutional significance.
2. American Supreme Court on Judicial Review-Marbury V. Madison.
3. Limits of Judicial review - Justifiability, Doctrine of Ripeness and Mootness.

UNIT-III:

Pluralism:

1. Meaning, Nature and Characteristics of pluralistic society and right to Self –Determination
2. Religious, Ethnic, linguistic, cultural and political pluralism.
3. Right to dissent in plural society.
4. Role of Law in Pluralistic society.

UNIT-IV

Amendment:

1. Amendment of the Constitution and Basic Structure Doctrine.
2. Effects of unconstitutionality and Doctrine of Prospective Overruling.
3. 44th Amendment and Art.300- A of the Constitution of India.

Election Commission:

1. Superintendence, direction and control of elections (Art. 324)
2. Electoral roll - Adult suffrage.
3. Power of the Parliament /Power of the legislature of a state to make provision with respect to election.
4. Bar to interference by Court in Electoral matters.

Books Suggested for Reading:

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

LLM 3rd Semester
Paper II
FEDERALISM AND UNION - STATE RELATIONS
Paper Code: LL.M.-302

UNIT-I

Indian Federalism:

1. Essential features and requisites of Federal Government-Differences between Confederation and federation.
2. Pattern of Federal Government - USA, Australia, Canada, India.
3. Historical background of the federal structure of Government in India.
4. Why Federal government was chosen by the Constituent Assembly?
5. Recent trend from competitive to Co-operative Federalism - from two - to three-tier government, from National to World Federalism.
6. Decentralization of power and federal structure.
7. Role of Supreme Court as an Impartial Umpire
8. Jurisdiction of the Supreme Court to adjudicate the disputes between Centre and States and States inter se (Art.131).

UNIT-II

Scheme of Distribution of Legislative and Administrative Powers:

1. General Scheme of Distribution of Legislative Powers and Art. 245 to 254.
2. Factors responsible for according paramourcy to the Centre.
3. Administrative Relations Art. 256-263.

Distribution of Fiscal Powers:

1. Scheme of allocation of Taxing Powers.
2. Extent of Union Power of Taxation.
3. Residuary Power.

Restrictions on Fiscal Powers:

1. Fundamental Rights.
2. Restrictions on the State's Power.
3. Inter- Governmental Tax Immunities - Doctrine- its origin and application in USA, Canada, Australia and India.

Distribution of Tax, Revenue and Financial Equilibrium:

1. Tax- Sharing under the Constitution.
2. Grants - in - aid. (Art. 275) and Specific Purpose Grants (282).
3. Borrowing power of the Government of India and the States.
4. Financial Emergency and its impact on the Federal Structure.

UNIT-III

Planning Commission/Niti aayoga and Finance Commission:

1. Finance Commission - Constitution, Function, Role and Work of the Commission.
2. Planning Commission/ Niti aayoga and its Role.
3. Formulation and Implementation of the Plan- the Role of Centre and the States - coordination between Planning Commission and Finance Commission.

Freedom of Trade and Commerce : Art. 301-307 :

1. Freedom of Trade and Commerce.
2. Limitations on the Powers of the Union and States with respect to freedom of Trade and Commerce.

UNIT-IV

Co-operative Federalism:

1. Development from Competitive to Co-operative Federalism -Emerging Trends
2. Full Faith and Credit Clause.
3. Inter-State Council.
4. Zonal Councils.
5. Inter-State Water Disputes.
6. National Integration Council.

Suggested for Reading:

1. K.C. Wheare - Federal Government (4th Ed. 1963)
2. D.T. Lakadawala _ Union State Financial Relations (1967).
3. M.P. Jain - Indian Constitutional Law (1987)
4. H.M. Seervai - Constitutional law of India Vol.2
5. Daniel J. Elazer- American Federalism Chap. 3&4. (1984)
6. Chandrapal, Centre - State Relations and Co-operative Federalism, Chap.5 & 8 (1983)

LLM 3rd Semester
Paper III
NATIONAL SECURITY PUBLIC ORDER AND RULE OF LAW
Paper Code: LL.M.-303

UNIT-I:

National Security, Public Order and Rule of Law:

1. Concept and horizon of Rule of Law.
2. National Emergency and its impact on federal structure of India.
3. Failure of Constitutional Machinery under Art. 356.
4. Scope of Art. 355.

UNIT -II:

Preventive detention:

1. Article 22 of Constitution
2. Preventive detention and Safeguards
3. Declaration of Emergency
4. 1962, 1965 and 1970 Emergencies
5. 1975 Emergency

UNIT-III

Exceptional Legislation.

1. Unlawful activities prevention act 1967
2. Salient feature, compositions, powers and functions of authorities
3. Offences and penalties and appeals.
4. Concept of terrorism and problems of definitions.
5. UN efforts to combat terrorism
6. Marshal law, provisions in UK and Indian Constitution

UNIT -IV:

Civil Liberties and Emergency:

1. Preventive Detention and Safeguards
2. Suspension of fundamental Article 19 on declaration of emergency
3. President's Right to suspend right to move any court
4. Article 21- special importance - its non-suspendability.

Access to courts and Emergency

1. Article 359- ups and downs of judicial review
2. Constitution (44th) Amendment Act
3. 1978 , Constitution (59th) Amendment Act , 1988

Books Suggested for Reading:

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

3RD SEMESTER
Paper IV
MASS MEDIA LAW
Paper Code: LL.M.-304

UNIT I

Mass Media-Types of-Press Films, Radio and Television:

1. Ownership Pattern-Press-Private-Public
2. Ownership Pattern-Films-Private
3. Ownership Patterns-Radio & Television,
4. Public, Difference between Visual and non-Visual Media-impact on People's minds.

Press-Freedom of Speech and Expression-Article 19 (1) (a)

1. Includes Freedom of the Press,
2. Laws of defamation, obscenity, blasphemy and sedition.
3. The law relating to employees' wages and service conditions
4. Price and Page Schedule Regulation
5. Newsprint Control Order,
6. Advertisement-is it included within freedom of speech and expression?
7. Press and the Monopolies and Restrictive Trade Practices Act.

UNIT II

Films-How far included in freedom of speech and expression?

1. Censorship of Films-Constitutionality,
2. The Abbas Case
3. Difference between films and Press-why pre-censorship valid for films but not for the press?
4. Censorship under the Cinematograph Act.

UNIT III

Radio and Television-Government Monopoly

1. Why Government department?
2. Should there be an autonomous corporation?
3. Effect of television on people, Report of the Chanda Committee
4. Government policy, Commercial advertisement
5. Internal Scrutiny of serials etc.
6. Judicial Review of Doordarshan decisions: Freedom to telecast.

UNIT IV

Constitutional Restrictions

1. Radio and Television subject to law of defamation and obscenity
2. Power to Legislate-Article 246 read with the Seventh Schedule.
3. Power to impose tax-licensing and licensing fee

Select Bibliography

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

LLM 4th Semester
Paper I
ADMINISTRATIVE LAW
Paper Code : LL.M.-401

UNIT I

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

UNIT II

Delegated Legislation:

1. Problems, Process and Control
2. Judicial Review of delegated legislation.

UNIT III

Procedural Fairness:

1. Evolution and Significance of Natural Justice
2. England: Judicial Process

Doctrine of fairness and doctrine of legitimate expectation. U.S.:

1. Due process and judicial decision,
2. India: Through Judicial Decision-Doctrine of Fairness (Art.14, 19, 21)-Doctrine of Legitimate Expectation,
3. Privilege against disclosure,
4. Official secrecy,
5. Access to information and Right to Information Act.

UNIT IV

Control on Maladministration:

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

Select Bibliography

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

LLM 4th Semester
Paper II
PUBLIC AUTHORITIES AND LIABILITY: CONTROLS ON MALADMINISTRATION
Paper Code: LL.M.-402

UNIT I:

Liability of Government:

1. Liability of Government and Public Authorities in Torts and Contract
2. Promissory Estoppel
3. Government Privileges in Legal Proceedings

UNIT II

Right to Know and Information:

1. Jurisprudential and Constitutional Perspectives.
2. American Freedom of Information Act, 1966 and English Official Secrets Act and Right to Know
3. Indian Official Secrets Act, 1923, Right to Information Act, 2002 and Right to know.
4. Judicial Decisions.

UNIT III

Ombudsman:

1. The concept.
2. Comparative perspectives
3. Evolving Indian models - Lokpal, Lokayukta Institutions.

Fact Finding Commission and Inquiry:

1. Commission of Inquiry
2. Vigilance Commission
3. Investigation Agencies: the CBI
4. Inquiries by Legislative Committees.
5. Legislative Control
6. Financial Control - Comptroller and Auditor General
7. Judicial Inquiries.

UNIT IV

Administrative adjudication:

1. Need for devolution of Adjudicatory power on Administration.
2. Administrative Tribunals and other Adjudicatory Authorities - Growth, Evolution and present Status.
3. Nature and Character of Tribunals - CAT and SAT

Public Undertaking and Corporation:

1. Reasons for Autonomous Bodies.
2. Government Control, Parliamentary Control, Judicial Control.

Books Suggested for Reading:

1. M.P. Jain and S.N. Jain - Principles of Administrative Law (1987)
2. D.D.Basu - Comparative Administrative Law (1969)
3. H.W.R. Wade - Administrative Law.
4. De'Smith - Judicial Review of Administrative Action.
5. D.D. Basu _ Administrative Law (1996)
6. M.P. Jain - Treatises in Administrative Law Vol. I (1996).

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 4th Semester Examination

VIVA VOCE
Code LLM 408
Maximum Marks -100

BUSINESS LAW GROUP
LLM 3rd Semester
Paper I
Intellectual Property Law
Paper Code: LLM 305

UNIT I

Concept of Intellectual Property:

1. Kinds of Intellectual Property
2. Importance of Intellectual Property
3. Rights and the need for their Legal Protection
4. International Regime of Intellectual Property Rights
5. Pre and Post WTO régime.

UNIT II

Introduction to Patents:

1. Indian Patent Act, 1970
2. Patentable subject matters
3. Patentability criteria
4. Patent granting procedure
5. Rights conferred
6. Infringement and remedies
7. International Regime relating to Patent
8. Convention and Treaties

UNIT III

Introduction to Copyright:

1. The Copyright Act, 1957
2. Subject matter of Copyrights
3. Fair use, Infringement and remedies
4. Copyright vis-a-vis Digital Technology
5. Software Copyright, Implication of International Conventions in India

UNIT IV

Trade Mark Act, 1999:

1. Rights conferred Infringement and remedies.
2. The Designs Act, 2000
3. Definition of Designs concept of novelty or originality items not protected under Design
4. Functional Designs, Industrial Design: Need for Protection of Industrial Designs.

Recommended Readings:

1. Cornish W.R. - Intellectual Property; Patents, Copyright, Trade Marks and allied Rights.
2. P.M.Bakshi - Intellectual property, Indian Trends
3. P.Narayanan - Intellectual Property Law
4. P.Narayanan - Law of Trade Marks and Passing off

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
5. TRIPS Agreement
6. GATT

LLM 3rd Semester
Paper II
LEGAL REGULATION OF ECONOMIC ENTERPRISES.
Paper Code: LLM 306

UNIT I

Rationale of Government Regulation of Economic Activities by Government:

1. Constitutional Perspective.
2. Historical Background and Contemporary Issues.
3. Judicial Review of Economic Regulation.

UNIT II

Economic Policy Resolutions:

1. Industrial Policies -old and new.
2. Its legal framework.
3. Public Sector, Private Sector, Joint Sector
4. Globalisation, Liberalisation: Meaning, dimensions, implications and impact of globalization.
5. Price Policy Resolutions,
6. Foreign Trade Policy Resolutions. Disinvestment and Legal Issues.

UNIT -III

Development, Regulation and Control of Industrial and Trading Activities:

1. Industries (Development and Regulation) Act.
2. Competition and Fairness in Competition; Competition Act. And its Philosophical basis.
3. Foreign Trade Development and Regulation Act.

Control and Regulation of Capital and Finance:

1. Foreign Exchange Management Act including FDI and FII regulations.
2. Money Laundering Act, 2005.
3. COFEPOSA.

UNIT IV

Selected Regulatory Authorities and their Composition Role, Power, Functions, etc.

1. Telecom Regulatory Authority,
2. Broadcasting Regulatory Authority,
3. Electricity Regulatory Authority.
4. Insurance Regulatory Authority.

Books Suggested for Reading:

1. Industrial Policy Resolutions of 1948, 1956, 1991.
2. Industrial Licensing Policy of 1970, 1975.
3. Industrial Policy Statement 1973, 1977, 1980.
4. Report of Commission on Competition, 2001.
5. Taxmann's FEMA Manual.
6. Taxmann's Corporate Laws, 2003 Edition.
7. K. K. Ramani's Exchange Control Manual 1998, Snowwhite.46
8. Bharat's FEMA Rules, Regulations, RBI Circular with allied Acts and Rules, 2000.
9. V. S. Datey – Economic Laws and Practices (2005), Taxmann Publication.
10. K. K. Dewette on Economics, S. Chand Publication.
11. Rudra Dutt, Himalaya Publication.

Journals:

1. Annual Survey of Indian Law, Published by Indian Law Institute New Delhi.
2. Corporate Law Cases.
3. Company Law Journal.
4. Political and Economic Weekly.

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.

LLM 3rd Semester
Paper III Company Law
Paper Code: LLM 307

UNIT I

Company:

1. Meaning, Nature, functions, Advantages and Disadvantages of a company
2. Kinds of company
3. Registration and incorporation
4. Memorandum of Association-doctrine of *ultravires*,
5. Articles of Association-doctrine of constructive notice and indoor management exceptions

UNIT II

Shares:

1. General principles
2. Restrictions on the allotment of shares,
3. Share certificate: its objects and effect transfer of shares
4. Restrictions on transfer
5. Procedure for transfer refusal of transfer
6. Issue of shares at premium and discount

Share Capital:

1. Kinds, alteration and reduction of share capital
2. Further issue of capital conversion of loans into capital
3. Duties of court to protect the interests of creditors and shareholders

Shareholders and members:

1. Meaning, eligibility, calls on shares
2. Forfeiture and surrender of shares
3. Lien on shares
4. Liabilities of shareholder,

Meetings:

1. Kinds, procedure for meeting, voting.

UNIT III

Directors :

1. Meaning
2. Appointment
3. Qualifications and disqualification
4. Kinds
5. Vacation of office removal

6. Resignation
7. Powers and duties of directors
8. Meeting, registers, loans and remuneration of directors
9. Compensation for loss of office managing directors and other managerial personnel

National Company Law tribunal and Appellate Tribunal

Majority Powers and Minority Rights :

1. Rule in Foss v. Harbottle and exceptions

UNIT IV

Winding up of Companies:

1. Kinds, Consequences and reasons of winding up
2. Role of the Court
3. Liability of past members
4. Payment of liabilities

Analysis of the provisions of The Companies Act, 2013

Recommended 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

LLM 3RD SEMESTER
Paper IV
Banking and Insurance Law
Paper Code: LLM 308

UNIT I

1. Different kinds of banks and their functions
2. Multifunctional banks-Growth and Legal issues.
3. Law relating to Banking Companies in India
4. Controls by Govt. and its agencies;
5. The RBI as the Central Bank - suspension and winding up

UNIT II

1. Contract between banker and customer –their rights and duties.
2. Relationship of Banker and customer
3. Legal character-Contract between banker and customer
4. Banking duty to customers-consumer protection and banking as service
5. Recent Trends of Banking system in India- /automatic teller machine and use of internet-Travelers' cheque- smart cards-credit cards.

UNIT III

1. Introduction- Nature; of insurance contract
2. Various kinds of insurance
3. Proposal, policy, parties, consideration, need for Utmost good faith, insurable interest, indemnity.
4. General Principles of Law of insurance-The Risk-Commencement
5. Attachment and duration
6. Settlement of claim and subrogation-
7. Effect of war upon policies.
8. Indian Insurance Law - General Insurance Act 1938 and Insurance Regulatory Authority Act, 2000

UNIT IV

Marine insurance:

1. Term of insurance contract- express and implied conditions in the marine
2. insurance policy-Risk covered by the policy and expected perils-proximate cause of loss Avoidance of policy.
3. Concept of average, in Insurance contract
4. Settlement of-insurance claims.

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

LLM 4th Semester
Paper I
ECONOMIC LEGISLATION
Paper Code : LLM 403

UNIT I

Foreign Exchange Management:

1. Foreign Direct Investment in India
2. Current and Capital Account Transactions Remittance and Repatriation Prohibition of Investment in India
3. Direct Investment Outside India
4. Acquisition and Transfer

Competition Laws (of Immovable Property in and outside India)

1. Economic Reforms and Competition
2. Anti Competitive Agreement Dominant Position
3. Competition Commission of India
4. MRTP(Amendment Act) 1991

UNIT II

Consumer Protection Act

1. Definitions
2. Basic rights of Consumers
3. Redressal Machinery under the Act
4. Complaints before the District Forum and State Commission
5. Power of Redressal Agencies
6. Nature and Scope of remedies under the Act

Law Relating to Essential Commodities

1. Definition
2. Power of the Central Government to Control Production, Supply and Distribution of Essential Commodities
3. Nature of Order passed under the act
4. Seizure and Confiscation of Essential Commodities, Sale of Commodity *Mens rea*

UNIT III

Law relating to weights and measures (The Legal Metrology Act)

1. Definitions
2. Standard Weights and Measures
3. Powers of Inspection, Seizure , Forfeiture
4. Declaration on pre-packaged Commodities
5. Prohibition, Manufacture , Repair or Sale of Weight or Measures Without License

Public Liability Insurance Act:

1. Definitions
2. Compulsory Insurance
3. Application for Claim for Relief
4. Establishment of Environmental Relief Fund

UNIT IV

The National Green Tribunal Act

1. Establishment of Tribunal
2. Composition of Tribunal
3. Jurisdiction
4. Power of Proceedings of Tribunal
5. Procedure and Power of Tribunal
6. Cases dealt by NGT

Books Recommended

1. Chandratre, KK (Dr) Handbook of Consumer Protection Act
2. Dhali Vinod Competition Law Today - Policies , Issues and Developments
3. Jain Rajiv, Guide to New Industrial Policy with Procedure
4. Lai's Commentaries on Water and Pollution Laws
5. Ramappa T. Competition Law in India- Policies, Issues and Developments
6. White Snow, Foreign Exchange Management Manual
7. Recent Statutes and Acts

LLM 4th Semester
Paper II International Trade Law
Paper Code: LLM 404

UNIT I

Public international law relating to trade

1. GATT, WTO, WTO-Dispute Settlement Mechanism,
2. GATS
3. Ministerial conference –Ongoing Negotiation

UNIT II

Contract for international sale

1. CIF and FOB contracts,
2. Convention on international Contract for Carriage of goods by Air, Sea Road and Rail
3. Convention on International Sale of Goods

UNIT III

Private Law relating to international trade

1. Agencies for promoting unification to trade laws-UNCITRAL- UNIDROIT- UNCTAD, ICC & IMO
2. Financing International Trade
3. International commercial Arbitration
4. Dispute Settlement-Mediation in Conciliation and Arbitration

UNIT IV

1. FT (D&R) Act 1996
2. FEMA 2000,
3. Foreign Direct Investment and Transfer of Technology
4. International Taxation

Recommended 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 contra

DISSERTATION
Code LLM 407
Maximum Marks -100

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VIVA VOCE
Code LLM 408
Maximum Marks -100

CRIMINAL LAW GROUP
LLM 3rd Semester
Paper I
Comparative Criminal Procedure
Paper Code: LLM -309

UNIT I

Organization of Courts and Prosecuting Agencies

1. Hierarchy of criminal courts and their jurisdiction
2. Nayaya Panchayats in India
3. Panchayats in tribal areas
4. Organization of prosecuting agencies for prosecuting criminals
5. Prosecutors and the Police, Withdrawal of Prosecution

UNIT II

Pre-Trial Procedure

1. Arrest and questioning of the accused
2. The rights of the accused
3. The evidentiary value of statements/articles seized/collected by the police
4. Right to counsel
5. Roles of the prosecutor and the judicial officer in investigation

UNIT III

Trial Procedure:

1. The accusatory system of trial and the inquisitorial system
2. Role of the judge, the prosecutor and defence attorney in the trial
3. Admissibility and inadmissibility of evidence
4. Expert evidence
5. Plea bargaining.

UNIT IV

Correction and Aftercare service:

1. The role of the court in correctional programmes in India

Preventive Measures in India:

1. Provisions in the Criminal Procedure Code
2. Special enactments

Public Interest Litigation:

1. Directions for criminal prosecution.

LLM 3rd Semester
Paper II
Treatment of offenders and Victimology
Paper Code: LLM -310

UNIT I

Introductory: Definition of Penology

3. Theories of Punishment: Retribution,
4. Utilitarian prevention: Deterrence;
5. Utilitarian Intimidation
6. Behavioral prevention: Incapacitation,
7. Behavioral prevention: Rehabilitation-Expiation
8. Classical Hindu and Islamic approaches to punishment

UNIT II

Approaches to Sentencing

1. Alternatives to Imprisonment
2. Probation, Corrective labour
3. Fines, Collective Fines
4. Reparation by the offender/by the court
5. Constitutionality of Capital Punishment
6. Judicial Attitudes towards Capital Punishment in India-An inquiry through the status law and case law,
7. Law Reform Proposal.

UNIT III

Imprisonment

1. The State of India's jails today
2. The disciplinary regime of Indian prisons
3. Classification of prisoners
4. Right of prisoner and duties of custodial staff
5. Deviance by custodial staff
6. Open prisons,
7. Judicial Surveillance-basis- development reforms

UNIT IV

Victimology

1. Status of victim in Criminal Justice System
2. Rights of Victim
3. Compensation to victims of crime
4. UN Declaration on Rights of victim of crime and abuse of power,
5. Recommendations of Malimath Committee and Law Commission of India.

LLM 3rd Semester
Paper III
Drug Addiction, Criminal Justice and Human Rights
Paper Code: LLM -311

UNIT I

Introduction

1. Problem of drug addiction
2. Analysis of the background and different convention related to control of drug trafficking Causes of drug addiction.

UNIT II

India Regulatory System

1. Penal provisions under the IPC and Custom Act
2. Penal provisions under the Narcotics
3. Drugs and Psychotropic Substances Act 1985
4. Procedure and punishment under NDPS Act.

UNIT III

Analysis of the development made in NDPS Act for making in it more human right friendly

1. Amendments of the NDPS Act, 1985 and their effects
2. Human right protection
3. Judicial approaches to sentencing in Drug trafficking and Abuse
4. Analysis of the background
5. Text and operation of the single convention on Narcotic Drugs, 1961,
6. U.N. Convention against illicit trafficking in NDPS, 1998

UNIT IV

Role of community in combating Drug Abuse

1. Role of educational system
2. Role of medical profession
3. Law reform initiatives.

LLM 3rd Semester
Paper IV
Privileged Class Deviance
Paper Code: LLM -312

UNIT I

Introduction

1. Conception of white color crimes
2. Indian approaches to Socio-economic offences
3. Notions of privileged class deviance as providing a wider categorization of understand Indian development.

UNIT II

Police Deviance

1. Police Atrocities: Encounter killing and the plea of superior's orders
2. Structure of legal restraint on police power in India
3. Unconstitutionality of 'Third Degree' method and use of fatal force by Police.

UNIT III

Professional Deviance

1. Unethical practices by the Lawyers
2. Unethical practices by the Doctors
3. Unethical practices by the Media Persons.

UNIT IV

Response of Indian Legal order to the Deviance of Privileged Classes

1. Prevention of Corruption Act, 1947
2. Vigilance Commission
3. Commission of Enquiry

LLM 4th Semester
Paper I
Juvenile Delinquency
Paper Code: LLM -405

UNIT I

1. The conception of 'child' in Indian Constitution and Penal Code
2. Delinquent Juvenile
3. 'Neglected Juvenile'
4. The Overall situation of children/young persons in India
5. Also with reference to crime statistics (of crime by and against children)
6. Differential Association, Anomie, Gang-sub-culture.

UNIT II

Legislative Approaches

1. Legislative approaches during the late colonial era
2. Juvenile Justice Act, 2000
3. Constitutional Aspects
4. Competent Authorities
5. Powers given to government
6. Community Participation as envisaged
7. United Nation Conventions on the Right of Child, 1989

UNIT III

Indian Context of Juvenile Delinquency

1. The child population percentage to total sex ratio
2. Urban/rural/rural-urban, Labourers,
3. In organized industries like Zari, Cappel, Bidi, Glass
4. Un organized section like domestic servant
5. Shops and establishments,
6. Durg Addicts
7. Victims of violence-sexual abuses, battered, killed by parents.

UNIT IV

Judicial Contribution and Preventive Strategies

1. Social Action Litigation concerning Juvenile Justice
2. Judicial decisions
3. Role of legal profession in Juvenile Justice System
4. State Welfare Programme health, Nutrition
5. Role of community, family, voluntary, bodies, industrials, individual.

LLM 4th Semester
Paper II
Collective Violence and Criminal Justice System
Paper Code: LLM -406

UNIT I

1. Notion of 'force', 'coercion', 'violence'
2. Distinctions: Symbolic violence, Institutionalized violence structural violence,
3. Speech as an incitement to violence
4. 'Collective political violence' and legal order.

UNIT II

1. Religiously sanctioned structural violence caste and gender based,
2. Ahimsa in Hindu, Jain, Buddhist and Islamic traditions in India
3. Gandhiji's approach to non-violence
4. Nature and scope of agrarian violence in the 18th, 19th century in India

UNIT III

Violence against the Schedule Caste

1. Notion of Atrocities
2. Incident of Atrocities
3. Uses of Criminal Law to combat atrocities as certain aftermath of atrocities
4. Violence against women.

UNIT IV

1. Incidence and courses of communal violence,
2. Findings of various commissions of inquiry
3. The Role of police and paramilitary systems in dealing with communal violence
4. Operation of criminal justice system firing and in relation to, communal violence.

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VIVA VOCE
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