

SANT GADGE BABA AMRAVATI UNIVERSITY

(FACULTY OF LAW)

PROSPECTUS

**Prescribed for
LL.M. Ist to IVth Semester
Session 2022-2023**

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SYLLABUS
Prescribed for LL.M.(Semester Pattern)
SEMESTER-I
FOUNDATION COURSE
PAPER – F-I
LAW AND SOCIAL TRANSFORMATION IN INDIA
(Implemented from 2022-2023 Session)

Theory : 80 Marks
Int. Ass. : 20 Marks

Objectives of the Course:

- (a) Awareness of Indian approaches to Social and Economic problems in the context of Law as a means of Social Control and Change;
- (b) A spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law;
- (c) The endeavour is to make the students aware of the role of the law has played and has to play in the contemporary Indian society; and
- (d) To explore the institutional nature of law, from socio-economic and political aspects, as different than individualistic perspective.

Course Outcomes:

At the end it is expected that the student will be able to :

- (a) Critically analyse the Law as an instrument of social change and product of tradition and culture
- (b) Explore the nature and function of Law as an institution and process interlinked with the social and economical philosophy of education.
- (c) Examine development of law from historical processes and how for the a touch of modernisation and value can be added to legal system
- (d) To analyse the different approaches of Law and Justice

Syllabus of the Course

Unit-I Law and Social Change:

1. Meaning and concept of Law- Law as a purposive device, Change or transformation-Social change-Value orientation in social change-Theoretic Models on Social change and their application
2. Law as an instrument of social change
3. Law as the product of Tradition and Culture
4. Law and development, Social change in the context of democracy

Unit-II Reception of English Law in India:

1. Development of Judicial institutions in British India.
2. Role of Justice equity and god conscience
3. Role of Privy Council in India

Unit-III Community and the Law:

1. Interaction between law and custom, social control during the Muslim conquest Social reform during the medieval period, Law and Social Transformation in Modern India.
2. Colonial law and economic exploitation, Application of the Indian Law by the British-Social reforms and Women, Children and others.
3. Codification of Laws-Freedom of Movement and Social reform ideas, Sociological perspective and social change.

Unit-IV Constitutional Provisions and Social Transformation:

1. Fundamental rights, Directive Principle of State policies.
2. Reservation policies and statutory provisions.
3. Protective discrimination to Schedule Caste and Schedule Tribe.
4. Constitutional amendments and social transformation

Unit-V Religion and Law:

1. Religion as a divisive factor, secularism-Reform of the law on secular lines, Freedom of religion and non-discrimination on the basis of religion, Religious minorities and the law.
2. **Language and the Law:**
Language as a divisive factor, formation of linguistic states, Constitutional protection to linguistic minorities, Non-discrimination on the ground of language. Language policy and the Constitution- Official Language, State Language, Court Language
3. **Community and the Law:**
Caste as a divisive factor, Non-discrimination on the ground of caste, Acceptance of caste as a factor to undo past injustices, Protective discrimination-Scheduled castes, Tribes and Backward classes, Reservation Statutory Commission, Statutory provision
4. **Regionalism and the law:**
Regionalism as a divisive factor, concept of India as one unit, Right of Movement, residence and business.

Unit-VI Modernisation and Law:

1. Modernization as value-Constitutional perspectives reflected in the fundamental duties.
2. Modernization of social institutions through law, Reform of family law, Agrarian reform-Industrialization of agriculture, Industrial reform-Free enterprise Vs. state regulation.
3. Industrialization and environmental protection.

Unit-VII Approaches to Law and Justice during the Nationalist Struggle:

1. Gandhi's Theory of State, Political and Legal Obligation.
2. Sources of Liberalism – The ideas of Phule, Ambedkar and Tilak.
3. Political and Legal thoughts of Nehru.

Books Suggested for Reading:

- 1) A. V. Dicey – Law and Public Opinion in England, (1996) Universal Book Traders
- 2) Upendra Baxi – Towards a Sociology of Indian Law (Delhi, 1966).
- 3) M. C. Setalwad – The Common Law in India.
- 4) Vasudha Dhagamwar - Law, Power and Justice (1992).
- 5) M. P. Jain - Outlines of Indian Legal History, 5th Edn. 1999, Wadhwa & Co.
- 6) Legal & Constitutional History of India - Rama Jois, Vol -I & II, 1990, N.M.Tripathi Pvt. Ltd. Bombay.
- 7) Rajeev Bhargava, Edited: Secularism & Its Critics, Oxford India, 1999.
- 8) S.P. Shaw- Laws of the Child, (2000) Alia Law Agency, Allahabad.
- 9) B.R. Ghatak -. Ambedkar Thought (1997) APH Publishing Corporation , N. Delhi.
- 10) Verinder Gorver- Jawaharlal Nehru (1995) Deep and Deep Publication, N. Delhi.
- 11) S.R. Bakshi - Bal Gangadhar Tilak (1994) Annot Publications, N. Delhi.
- 12) Shyam S. Agarwalla - Religion and Caste Politics, (1998) Rawat Publications Jaipur and New Delhi.
- 13) Dr. Bhagyashree Deshpande, P.D. Law College, Amravati - Law and Social Transformation in India 1stEdn-2018, Pp 1-532 - (Text Book), Central Law Publication, Allahabad-ISBN-978-93-86456-92-2.

PAPER – F-II INDIAN CONSTITUTIONAL LAW: THE NEW CHALLENGES

Theory : 80 Marks
Int. Ass. : 20 Marks.

Objectives of the Course:

- (a) A spirit of inquiry to explore Constitution as living and composite document to address the emerging issues and challenges to meet inter-generational divergence;
- (b) To analyse judicial process of Constitutional interpretation involves a technique of adopting the law to meet changing social dimensions;
- (c) Constitution being the fundamental law as insight into the new trends is essential for meaningful understanding of the legal system and processes; and
- (d) To develop the enquiry of understanding the latent aspects of Constitutionalism imbibe in a Constitution and its inculcation in the socio-economical and political transformation.

Expected Course Outcomes:

- (a) Understand and interpret Constitution to address the emerging complex issues;
- (b) Explore the various functional theories, doctrine and Constitutional principles working in the backdrop and its interplay with the emerging issues; and
- (c) Examine the boundaries, limitations, of Constitution from different perspectives and explore the possible approaches of interpretation and understanding from the perspective of Law and Justice.

Syllabus of the Course

Unit-I Nature of Constitution of India and Concept of Rights:

1. Salient features of the Constitution of India
2. Citizenship Act and recent trends.
3. Nature and scope of Human Rights
4. Role of National Human Right Commission of Human Rights and Human Rights Courts.
5. Nature and Scope of Article 12 of the Constitution of India.
6. Article 13 Doctrines.

Unit-II Preamble of the Constitution of India :

1. Nature and importance of Preamble.
2. Preamble and Judicial Interpretations

Unit-III Fundamental Rights:

1. Right to equality,
2. Right to freedom,
3. Right against exploitation,
4. Right to freedom of religion,
5. Cultural and educational rights,
6. Right to constitutional remedies.

Unit-IV Directive Principle of State Policy :

1. Nature and importance of Directive Principle of State Policy.
2. Interrelation between Fundamental rights and Directive Principle of State Policy.

Unit-V Fundamental Duties :

Unit-VI Fundamental Rights and Emergency :

1. National Emergency
2. State Emergency
3. Financial emergency

Books Suggested for Reading:

- 1) H. M. Seervai – Constitutional Law of India. (1996) Tripathi.
- 2) M. Galanter – Competing Equalities: Law and the Backward Classes in India (1984).
- 3) Dr. Thrity Patel – Personal Liberty under The Constitution of India (B. Jain Publishers Delhi, 1993).
- 4) D. D. Basu – Constitution of India. (1996).
- 5) M. P. Jain – Constitutional Law of India.
- 6) V. N. Shukla – Constitution of India 9th Ed. 1994.
- 7) Ravi Prakash - Constitution, Fundamental Rights & Judicial Activism in India, 1997.
- 8) Justice Palok Basu - Law Relating to Protection of Human Rights Under the Indian Constitution and Allied Laws, (2002).
- 9) Dr. Bhagyashree Deshpande, P.D. Law College, Amravati – Indian Constitutional Law : The New Challenges Pp1.532, 1st Edn., 2021, Central Law Publications, Allahabad-02, ISBN – 978-81-948080-6-0.

**PAPER F-III
JUDICIAL PROCESS**

Theory : 80 Marks
Int. Ass. : 20 Marks.

Objectives of the Course:

- (a) To study the nature of judicial process and the role of the judges as policy makers and as the participants in evolving political principles of governance.
- (b) To study the intricacies of judicial creativity and judicial law making and techniques employed in the judicial process.

Course Outcome:

- (a) To understand the Judicial Process.
- (b) To understand the dimensions of judicial in Constitutional Adjudication.
- (c) To understand the concept of justice and judicial process in India.
- (d) To understand the relation between law justice.

Unit-I 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. Analysis of the doctrine of Stare Dicisis in India
5. Legal development and creativity through legal reasoning under statutory and codified systems.

Unit-II Special Dimensions of Judicial Process in Constitutional Adjudications:

1. Notion 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, Problems of accountability in 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-new dimensions
4. 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.

Unit-V 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.

Books Suggested for Reading:

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 Bodenheimer-Jurisprudence-the Philosophy and Method of the Law, 1997, Universal, New Delhi
6. J. Stone, Legal System and Lawyers', Reasoning, 1999 Universal, New Delhi

7. Upendra Baxi, the Indian Supreme Court and Politics, (1980), Eastern Book Co., Lucknow.
8. Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.
9. A. S. Anand, Judicial Review – Judicial Activism–Need for Caution, 42 Journal of Indian Law Institute P. 149 (2000).
10. S.P.Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2002).

**Semester-II
PAPER-F-IV
JURISPRUDENCE AND LEGAL THEORY**

Theory : 80 Marks
Int. Ass. : 20 Marks

Objectives of the Course:

- (a) To acquaint with the various schools of thoughts, theories, approaches about the enquires of law and legal concepts including RBS model;
- (b) To explore the various theories, doctrine, and approaches of understanding legal concepts;
- (c) To analyse the judicial process and theories of adjudications;
- (d) To develop the spirit of enquiry about the law and justice; and
- (e) To explore the emerging trends and influencing factors on shaping and developing the jurisprudential aspects about the law and legal regime and Critical Legal Studies.

Expected Course Outcomes:

At the end it is expected that the student will be able to :

- (a) Critically analyse the legal regime, various thought pattern, schools, theories by legal thinkers about the law and legal concepts including concepts of Rights and RBS model;
- (b) To examine the judicial process and theories of adjudications.
- (c) To explore the understanding of changing dimension of law as a legal system and justice as goal to be achieve in contemporary civilisation; and
- (d) To examine the legal concepts, its functional aspects, and emerging and dominating trends in legal regime, Critical Legal Studies

Syllabus of the Course

Unit-I Concept of Law:

1. Definition of Jurisprudence
2. Nature and Scope of Jurisprudence
3. Historical Development of Jurisprudence in Ancient, Medieval and Modern Period
4. Law and Morals: Mill, Hart Devlin Debate

Unit-II Natural Law Theories:

1. Hart on Natural Law
2. Fuller and Morality of Law
3. Finnis and Restatement of Natural Law
4. Natural Law and Social Contract theories.

Unit-III Positivism and Analytical Theories of Law:

1. Jermy Bentham's Utilitarianism and Analytical Positivism
2. Austin's theory of Law
3. Kelson's Theory -pure science of Law
4. Positivism- meaning by Hart and Dwarkin

Unit IV Sociological Jurisprudence:

1. Roscoe Pound's Theory of Social Engineering
2. Ihering, Max Weber, Durkheim and Enrich
3. Unger and Development of Modern Law.

Unit-V Historical and Anthropological Theories:

1. The German Historical School -Savigny
2. The English Historical School – Henry Maine

Unit VI- Judicial Process and Theories of Adjudication:

1. Nature of Judicial Process and institution of adjudication
2. Doctrine of Precedent: Stare Decisis, Ratio Decidendi and Obiter Dicta
3. Nature of Contemporary Judicial Process- Rule of Law, Doctrine of Independence of Judiciary as an aspect of separation of powers.

Unit VII Legal Concepts:

1. Theories of Liability
2. Strict liability, Absolute liability
3. Concept of Property- Ownership and Possession
4. Corporate personality

Unit VIII-Feminist Jurisprudence:

1. Origin- main enquiries equality and difference, feminist legal method.
2. The critical legal studies movement, Post modernist Jurisprudence.

Book Suggested for Reading:

- 1) Friedman W. , Legal Theory. (Fifth Edition), Universal Law Publishing Co-Pvt. Ltd.
- 2) Wayne Morrison - Jurisprudence from the Greek to Post - Modernism (1997).
- 3) Thomas Erskine Holland The Elements of Jurisprudence 2001, Universal law Publishing Co Pvt. Ltd.
- 4) Freeman M.D.A. Lloyd's, Introduction to Sweet and Maxwell Jurisprudence (7th Edition).
- 5) Dias, Jurisprudence (Fifth Edition), Aditya Books, Butterworths.
- 6) P.J. Fitzgerald, Salmond on Jurisprudence (12th Edition) Universal Law Publishers
- 7) Rajeev Dhawan and Alice Jacob, Selection and Appointment of Supreme Court Judges – a Case Study (1978
- 8) Bodenheimer, Edgar Jurisprudence The Philosophy and Method of the Law, (Revised Edition) 1996 Universal Book Traders, New Delhi.

PAPER – F-V
LEGAL EDUCATION AND RESEARCH METHODOLOGY

Theory : 80 Marks

Int. Ass. : 20 Marks

Objectives of the Course:

- a) The student are expected to be understand with social science researchand technique and the basic research skills;
- b) To make aware about the various teaching techniques and teachingmethods;
- c) To evaluate the teaching-learning mechanism and evaluate the variousstrength and weakness of the legal education system; and
- d) To illustrate the computer as tool for legal education and legal research.

Course Outcomes:

- a) Critically analyse the various research skill, especially in the field of law;
- b) To develop the skill of application of teaching methods in legal education
- c) To understand and analyse the various strength and weakness of teachinglearning and research process for the field of law; and
- d) To develop the skill of utilising computer technology for Legal educationand Legal research.
- e)

Syllabus of the Course

Unit-I Basic Concepts:

1. Meaning and characteristics of research.
2. Meaning and characteristic of legal research.
3. Concepts and meaning of social science research.
4. Law and social science.
5. Characteristics of the scientific methods.

Unit-II Legal Research :

1. Indian background of legal research.
2. Legal Impact Analysis.
3. Methods/tools of legal research for practicing lawyers.
4. Doctrinal and Non-doctrinal research.

Unit-III Developing Research Design:

1. The nature and type of legal research:
 - i) Exploratory/ Formulative
 - ii) Explanatory
 - iii) Descriptive
 - iv) Historical
 - v) Experimental
 - vi) Diagnostic
 - vii) Analytical
2. Deriving objectives of legal research.
3. Major concepts and variables of the study.
4. Developing hypotheses and research questions.

Unit-IVThe Nature of Data in Legal Research:

1. The universe of the study.
2. The sampling design.
 - i) The adequacy of the sample size.
 - ii) Representatives of the sample.
3. Source of data, primary and secondary.

Unit-V Data Collection and Data Processing in Legal Research:

1. The Research Tools:
 - i) Interview schedule
 - ii) Questionnaire
 - iii) Observational schedule

2. The methods of data collection
 - i) Interviewing
 - ii) Entering the data on the questionnaire
 - iii) Observation
3. Editing, coding, preparation of master chart and tabulation.

Unit-VI Report writing in Legal Research:

1. The form, the content and style of the report.
2. Reliability of the report in the context of objectivity.
3. Analysis of the report.
4. Interpretation of data.
5. Correct usage of citation, references and bibliography.
6. Chapterization.

Unit VII Legal Education :

1. Objectives of Legal Education
2. Method of Teaching
 - (i) Lecture method -merits and demerits.
 - (ii) The Problem method
 - (iii) Discussion method and its suitability at postgraduate level teaching
3. The Seminar Method of teaching
4. Examination system and problems in evaluation - external and internal assessment.
5. Clinical Legal Education, legal aid & legal literacy.
6. Finding the Law:
 - (i) Citation : what is a citation, case citation
 - (ii) Law Report
 - (iii) Computer information system : Software Packages, practical exercises

Note: Internal 20 Marks will be for 'Recent Trends and Judicial decisions' in the specialization area' of the student. Student has to submit the compendium/report/assignment/projects of 20-30 pages on selected area or topic or any other activities on the broad line of subject as assigned by Head/Principal.

Books Suggested for Reading :

1. Anderson, J. Durstan, B. H. Pooli, M.(1977) Thesis and Assignment Writing, Eastern Books Limited. New Delhi.
2. Bhandarkar and Wilkinson (1990) Methodology and Techniques of Social Research, Himalaya Publishing House, Bombay.
3. Goode, W. J. & Hatt, P. K. (1962) Methods of Social Research, McGraw Hill, New York.
4. Kothari C.R. , Research Methodology, Methods & Techniques, New age International Pvt. Ltd. Publisher, New Delhi
5. Young, P.V. (1975) Scientific Social Surveys and Research Prentice Hall, New Delhi.
6. Jain S. N. Legal Research & Methodology I.LI.(1983) Publication, Ed:, Tripathi Pvt. Ltd., Bombay.
7. Agrawal (S.K. edn), Legal Education in India (1973). Tripathi, Bombay.
8. Madhava Menon N.R., (Edn) A Handbook of Clinical Legal Education, 1998 Eastern Book Co. Lucknow.
9. Brayne H., Duncan N. & Grimes R., Clinical Legal Education Active Learning in your Law School, Oxford. 1998.

**PAPER F-VI
LAW RELATING TO CYBER CRIME**

Theory : 80 Marks
Int. Ass. : 20 Marks

Objective of this Course:

- a) To prepare the students to understand this new dimension of crimes in the light of international and domestic legal developments.
- b) To critically examine the existing Indian law on the subject as the technology is constantly evolving which creates new opportunities for committing cybercrimes.

Course Outcomes:

- a) Demonstrate the key concepts and basic law on cyber crime.
- b) Illustrate the various aspects of internet.
- c) Co-relate cybercrime within cyberspace.
- d) Critically analyse the implementation of the Information Technology Act.
- e) Analysis of specific cyber crimes in the light of statutory provisions and judicial interpretations
- f) Awareness about technological, legal and scientific aspects of cyber crime prevention

Syllabus of the Course

Unit-I INTRODUCTION :

1. Cyberspace
 - (i) Origin, Definition and Concept, UNCITRAL Model law
 - (ii) Legal issues in Cyberspace,
 - (iii) Dimensions
 - (iv) Regulation, the issue to transnational regulation

2. **Authentication, rectification, verification – Legal issues**
3. **Jurisdictional Dilemma in cyber space**
4. **Enforcement issues in Cybercrime**

Unit-II CYBER CRIME AND IT ACT :

1. Genesis, Object and Scope of the IT Act
2. Cyber Crimes
 - a. Definitions
 - b. Classification
3. Service Providers Liability
4. Misuse of Social Media
5. Cybercrime: Against Organisation, against individual, against government
6. Adjudication of Offences
7. Cyber Forensic

Unit-III SPECIFIC CYBER CRIMES :

1. Tampering with computer source documents
 - a. Damage to computer and Computer System
 - b. Computer contaminant and Computer virus
2. Hacking and Phishing
 - a. Denial of Service
 - b. Internet Frauds
3. Obscenity, Pornography, Child Pornography
4. Defamation in Cyberspace, Privacy and Public Nuisance

UNIT-IV INFORMATION TECHNOLOGY AND EMERGING ISSUES :

1. Tax Laws, E- Banking
2. Data Privacy, Big Data, Consumer
3. Ease of doing business
4. Cloud Computing
5. Artificial Intelligence and Law
6. Internet of related legal issue
7. Privacy issue in digital medium
8. Cyber terrorism

Unit-V INTELLECTUAL PROPERTY RIGHTS AND INFORMATION TECHNOLOGY

1. Domain Name and Trademark Disputes, Online Dispute Resolution
2. Cyber Squatting
3. Uniform Domain Name Dispute Resolution Policy
4. Copyright in Digital Medium and Computer Programmes
5. Application on Patents to Computer Technology, Software Patents

Books Suggested for Reading:

1. Pavan Duggal, e-book Cyber Frauds, Cyber Crime and Law in India, 2013
2. S.K.Verma and Raman Mittal, Legal Dimensions of Cyberspace, Indian Law Institute Publication, 2004
3. Thomas K. Clancy, Cyber Crime and Digital Evidence: Materials and Cases, Lexis Nexis, 2011
4. Annual Survey of Indian Law, Published annually by the Indian Law Institute, Bhagwan Das Road, New Delhi
5. Apar Gupta, Commentary on Information Technology Act, 2nd Edition, , Lexis Nexis Publication, 2011
6. Aparna Viswanathan, Cyber Law: Indian and International Perspectives, 1st Edition, Lexis Nexis Publication, 2012
7. Debrati Halder & H Jaishanker, Cyber Crimes Against Women, Sage Publications, 1st Ed., 2017
8. David Whiteley E - Commerce: Strategy, Technologies and Applications Paperback (2017)
9. Farooq Ahmed Mir, Cyber Law in India, Allahabad Law Agency, 16/2 Mathura Road, Plot No.33, Faridabad (Haryana), 2011
10. James R. Beniger, The Control Revolution: technological and Economic Origins of the Information Society, Harvard University Press, 1997
11. M. Dasgupta, Cyber Crime in India: A Comparative Study, 1 st Edition , Eastern Law House, 2009
12. Nandan Kamath, Law relating to Computers, Internet and E-Commerce-A guide to cyber laws and & the Information Technology Act, Rules, Regulations and Notifications along with Latest Case Laws , Universal Publication, 2012
13. Pavan Duggal, e-book Judicial and Practical Approaches to Electronic Evidences Law in India, 2015
14. S.V.Joga Rao, Law of Cybercrimes and Information Technology Law (Policy law, and practice along with Regulation), Wadhwa &Wadhwa Nagpur. Ed.2004)

**Semester-III
Paper F-VII
Socio-legal Research (Project Work)
(To be implemented from 2023-2024 Session)**

Objective of the Subject:

- (a) To acquire the basic knowledge/information regarding Socio-legal Research.
- (b) To study the socio-legal research project work.
- (c) To understand the tools and techniques of socio-legal research

- (d) To collect, analyse and interpret the data collected by the research scholars.
- (e) To draw major findings, conclusions and of proved recommendations on the basis of research work.

Course Outcome:

- (a) To understand the concept of socio-legal research
- (b) To understand the different methods of research.
- (c) To apply the different tools and techniques while doing socio-legal research
- (d) To understand the methods of data collection, analyse and interpretation.
- (e) To find out lacunas on the basis of research work.

The paper on Legal Education and Research Methodology will carry 100 marks. The paper will be divided into two parts:

- A. Socio-legal Research (Project Work) and
- B. Law Teaching

Part 'A' is relating to Socio-legal research (Project work). The Students are expected to be familiar with Socio-legal research methods and techniques and the basic research skills for conducting empirical research and preparation of research designs. The students will be required to process and interpret the research data based upon such empirical research surveys in select areas of law as might be assigned to them by the Supervisor in consultation with the Head of the Department. The projects/research work will be assigned to the students in the Second Semester. Students are expected to write a project report incorporating the data gathered on the basis of field studies and interviews and submit in the III Semester.

Students will be examined at viva-voce on the basis of written material or project report by external examiner in consultation with the Head of the Department and/or Internal Examiner. The Socio-legal project work and viva-voce will carry 80 marks. A guideline for Socio-Legal Research is enclosed with the Syllabus. Minimum pages criteria of the Socio-legal Project work will be of 100 pages. **Plagiarism report will be mandatory at the time of final submission of Project work and it should be less than 10% as per the UGC guidelines. The plagiarism report duly received from the KRC of SGBAU, Amravati shall be enclosed along with the final copy of thesis/project.**

Part 'B' relating to Law Teaching will carry 20 marks. For Law Teaching, topics will be assigned to students in advance and they will be required to take a Lecture (class) for 30 minutes for LL.B or LL.M. Courses. They can select any one of the methods of teaching and examination will be held in the Third Semester. They have to submit one copy of law teaching in the Department or College.

A student will be required to submit **four** copies (including student copy) of the research project to the Head of the Department one month before the examination of Third Semester. Viva examination will be held before or after Third Semester Examination.

B. Third Semester Marks:

- | | | |
|--|---|----------|
| 1. Project Work / Viva (External Examiner) | - | 80 Marks |
| 2. Law Teaching (External Examiner) | - | 20 Marks |

Total = 100 Marks

Work Load: The workload of the Project work may be calculated as follows –

1. **Project shall be assigned as a workload of one foundation subject.**
2. **Each supervisor who has been assigned on the Project work shall be allotted maximum of Eight research scholars and work-load of one subject shall be counted for such supervisor. In case of reminders of less than 8 research scholars allotted to supervisor, the workload of one subject shall be considered.**

Illustration : Presuming that there are 42 students admitted for Sem III. Every research scholar has project work. Thus every supervisor must have maximum of 8 (Eight) research scholar. Thus there shall be 6 supervisor shall be allotted, first five supervisor would have 8 research scholars each, and last supervisor have fraction of 02 research scholars (Total 42). Every supervisor shall be considered as engaged for workload of Project as a subject i.e. 8 period each.

Basic Guidelines of Socio-legal Research

Guidelines for Socio-Legal Research:

- A. Research scholars are required to follow the steps given below for preparation of Socio-Legal Research **Research Methodology**
 1. Title of the Study
 2. Problem of the study
 3. Rationale of the study
 4. Objectives of the study
 5. Hypothesis
 6. Review of Literature
 7. Operational concepts & Variables of the study
 8. Research Design
 - i) Nature/ Type of the study
 - ii) Universe

- Population
 - Sample and Sample size.
 - Sampling Method
- iii) Method of Data Collection
 iv) Sources of Data Collection
 v) Tools of Data collection
9. Limitations of Study
 10. Time Schedule
 11. Possible contribution of the study
 12. Tentative Chapterisation

B. Socio-Legal Research shall have the following structure:

- Cover
- Cover page
- Certificate of
 - Head / Principal of the institution
 - Guide
 - Declaration of Researcher
- Acknowledgement
- List of Case Laws.
- Abbreviations
- Table of Contents

Chapter I - Introduction

Chapter II - As per the research area

Chapter III - As per the research area

Chapter IV Analysis and Interpretation of Data

Chapter IV Major Findings, Conclusions and Suggestion.

Bibliography :

- A. Books
- B. Journals (Articles)
- C. Websites
- D. Research Reports
- E. Magazines
- F. News papers etc.

Annexure:

- a. Interview Schedules / Questionnaires
- b. Bare Acts
- c. Photos
- d. Maps, etc.

C. Step by step procedure to be followed for Socio-Legal Research:

- 1) Approval of the title
- 2) Collection of material
- 3) Review of literature
- 4) Problem
- 5) Rationale
- 6) Objectives
- 7) Hypothesis
- 8) Chapterization
- 9) Detuning the Universe of the study
- 10) Sampling Design
- 11) Research Questions/Interview Schedule
- 12) Collection of Data
- 13) Data Processing
- 14) Analysis and Interpretation of data
- 15) Report Writing
- 16) Preparation of Bibliography
- 17) Preparation of List of cases
- 18) Abbreviation

**Paper F-VIII
 COMPUTER AND INFORMATION TECHNOLOGY LAW
 (THEORY)**

Theory : 80 Marks
 Int. Ass. : 20 Marks

Course Objectives:

- (a) To acquaint with the various tools and technique of computer and its utility to law field;
- (b) To explore the cyber law, various concepts and cyber forensic;
- (c) To understand the various threat and benefits of computer technology, e- commerce, and cyber evidence; and
- (d) To examine the Cyber crime investigation and various stages.

Course Outcomes:

- (a) Critically analyse various tools and technique of computer, and its utility in law field including legal research and teaching;
- (b) Application and functional aspects of cyber laws and its use
- (c) To explore the understanding of Cyber space, cyber evidence, cyber forensic and cyber crime investigation; and
- (d) To examine the cyber crime its menace and its regulation

Syllabus of the Course**Unit-I-BASIC CONCEPTS IN COMPUTERS:**

1. Hardware and Software:-
 - (i) Meaning of Hardware and Software
 - (ii) Computer and its assembly.
 - (iii) Meaning and types of computer programmes.
2. Memory and Storage:-
 - (i) Types of memory and speed (RAM, ROM etc).
 - (ii) Kinds, advantages and disadvantages of computer storage devices.
3. Fundamentals of Internet:-
 - (i) History of the Internet.
 - (ii) Meaning and concept of WWW and Internet.
 - (iii) Working and managing of internet.
 - (iv) Types of network.
 - (v) Protocols and their use.
 - (vi) Cyberspace.
4. Meaning and working of Viruses, Trojans and Worms etc.
5. Internet security: Firewalls, Biometrics.

Unit-II-ELECTRONIC DATA INTERCHANGE (EDI) :-

1. Meaning and benefits of EDI.
2. Formation of contract by EDI.
3. Admissibility in evidence of EDI messages.
4. Security of EDI messages.
5. Confidentiality and protection of data.
6. E-commerce:
 - (i) Meaning, Types and Benefits.
 - (ii) E-commerce and Indian Economy, barriers to adoption.(Infrastructure, legal and jurisdictional issue).
 - (iii) Electronic payments (Digital Cash).

Unit-III INFORMATION TECHNOLOGY ACT:

1. Digital Signatures:-
 - (i) Technical issue: symmetric and asymmetric cryptography, keys and man-in-the-middle attack.
 - (ii) Legal issue: Definition, Recognition and Authentication of digital signature under IT Act.
 - (iii) Benefits.
2. Damage to computers and penalties under section 43.
3. Cyber Crimes:
 - (i) Tampering with the computer source documents (section 65).
 - (ii) Hacking ((section 66).
 - (iii) Publishing obscene information in electronic form (section 67 and section 79).
 - (iv) Cyber Frauds and Cyber Thefts.
 - (v) Cyber Stalking and Cyber Terrorism.
4. Cyber Crime Investigation:
 - (i) Technical Aspect: Information in the computer, confiscation, protection and packing, computer examination.
 - (ii) Legal Aspect: power to investigate and procedure for investigation.

**Paper F-IX
COMPUTER PRACTICAL****Course Objectives:**

- (a) To acquaint with the various tools and technique of computer and its utility in the legal field;
- (b) To examine the various tools that will be helpful for the law teaching, research; and
- (c) To develop the spirit of enquiry about the computer as useful tools for legal field

Course Outcomes:

- (a) To understand the computer as an instrument and tool for law field;
- (b) To examine the utility of computer to the legal field, research, teaching and functional mechanism of law practice; and
- (c) Adopt the technique of inculcation of technology in the legal field and practice

Unit-I-INTRODUCTION TO WINDOWS:

- a) What is Windows?
- b) Start button and Task bar, hiding and showing task bars.
- c) Windows appearance.
- d) Basic mouse and key board techniques, keyboard shortcuts.
- e) Starting programmes, finding documents, opening recently used files in Windows.
- f) Customizing menus.
- g) Customizing mouse.
- h) Opening and closing Windows.

Unit-II INTRODUCTION TO MS-WORD:

- a) Start a new document.
- b) Page view and page setup.
- c) Undoing problems.
- d) Saving work.
- e) Previewing and printing work.
- f) Printing an envelope for work.
- g) Closing / cleaning work from the screen.
- h) Switching between multiple open documents.
- i) Paragraph based formatting.
- j) Tabs-Styles-Tables.
- k) Borders and shading.
- l) Inserting objects.
- m) Headers and footers.
- n) Drawing tools.
- o) Spell check.
- p) Mail merge.

Unit-III INTRODUCTION TO MS-EXCEL:

- a) Excel basics.
- b) Workbooks.
- c) Worksheets.
- d) Cell manipulation.
- e) Data entry and manipulation.
- f) Undo and repeat option.
- g) Protect and unprotect cells.
- h) Formulas.
- i) Auto format.
- j) Page setup.
- k) Function and wizard.
- l) Charts.
- m) Macros.
- n) Printing.

Unit-IV INTRODUCTION TO POWER POINT:

- a) Presentation.
- b) Slides.
- c) Handouts.
- d) Notes and outlines.
- e) Slide layouts.
- f) Slide sorter.
- g) Wizards.
- h) Slide master.
- i) Organization charts.
- j) Templates.

Unit-V NETWORK CONCEPTS:

- a) Information superhighway.
- b) Network and internet.
- c) Internet addressing.
- d) E-mail sending and receiving.
- e) Sending attachments.
- f) IP address, domain names.
- g) Internet surfing and searching techniques.
- h) Taking or saving the net material on CDs or Floppy Disks.

Internal Evaluation by the Department or College :

Practical on Computer	:	50	Marks (Submission)
Viva-voce	:	25	Marks
Group discussion	:	25	Marks
Total	:	100	Marks

**Semester-IV
Paper - F-X
Dissertation**

Course Objectives:

- (a) To have the practical exposure to the legal research writing;
- (b) To apply the various stages of legal research, formulation of problem, literature review, data collection, tabulations, statistical analysis and report writing;
- (c) To have the ability to defend the research undertaken; and
- (d) To have the insight development of research writing, spotting out the problem and its exploration.

Course Outcomes:

- (a) Critically apply the understanding and application of legal research principles to legal research writing;
- (b) To explore the various stages and its application for the dissertations work;
- (c) To have the development of idea, and its application;
- (d) To have the ability to provide the original and non-plagiarised work to the existing field of knowledge

*** (Internal Assessment: Participation in viva-voce, defending the work undertaken of research and ability to apply the knowledge to actual functional aspects of legal research)**

Candidates are required to submit a dissertation of about 150-200 pages on a topic from the optional group offered by them. The dissertation is expected to be an in-depth and critical analysis of a legal problem of contemporary significance in the field chosen by the candidate and must incorporate copious reference to judicial decisions, law review articles, books, monographs relevant to the topic in the form of footnotes and bibliographical references. **Plagiarism report will be mandatory at the time of final submission of Project work and it should be less than 10% as per the UGC guidelines. The plagiarism report duly received from the KRC of SGBAU, Amravati shall be enclosed along with the final copy of thesis/project.**

The candidates will be examined at an oral examination (viva) on the strength of the dissertation (written work.) The dissertation will carry 200 marks and it should be submitted (Four copies) to Head of the Department one month before the Semester ends i.e. the Fourth Semester. The viva exam will be held in the month of May - June every year. The supervisor for dissertation shall be the teaching member of the Department of Law and affiliated colleges where LL.M. courses are taught. The students will be assigned the topic for dissertation by their supervisor in consultation with the Head of the Department within a month after the III Semester is over.

After the dissertations have been submitted they shall be evaluated by the external examiner along with the Head of the Department and/or internal examiner. The examiner will evaluate the dissertation taking into account the following points:

- a. Plagiarism report for any research work is must.
- b. The final marks allotted of "Dissertation" shall not 30% over the average marks obtained by student in all passed subjects up to III Semester.
- c. The marking criteria of the Dissertation shall be or following parameter (except Viva-voce). Following of research norms such as (10% marks for each)
 - Review of Literature
 - Citation Method
 - Objectives and Hypothesis
 - Conclusion and recommendations
 - Language and presentation..

Written Work	-	125 Marks
Viva Voce	-	75 Marks
<hr style="width: 10%; margin: 0 auto;"/>		
Total	-	200 Marks

Work Load: The workload of the Dissertation may be calculated as follows –

1. Dissertation shall be assigned as a workload of one foundation subject.
2. Each supervisor who has been assigned on the Project work shall be allotted maximum of Eight research scholars and work-load of one subject shall be counted for such supervisor.

Illustration : Presuming that there are 42 students admitted for Semester-IV. Every research scholar has Dissertation. Thus every supervisor must have maximum of 8 (Eight) research scholar. Thus there shall be 6 supervisor shall be allotted, first five supervisor would have 8 research scholars each, and last supervisor have fraction of 02 research scholars (Total 42). Every supervisor shall be considered as engaged for workload of Dissertation as a subject i.e. 8 periods each.

- The students have to write their dissertations as per the guidelines of Research Methodology given below.

GUIDELINES FOR DOCTRINAL RESEARCH

- A. Research scholars are required to follow the steps given below for preparation of Doctrinal Research

Research Methodology:

1. Title of the Study
2. Problem of the study
3. Rationale of the study
4. Objectives of the study
5. Hypothesis
6. Review of Literature
7. Operational Concepts & Variables of the study

8. Research Design
 - i) Nature/ Type of the study
 - ii) Method of Data Collection
 - iii) Sources of Data Collection
9. Limitations of Study
10. Time Schedule
11. Possible contribution of the study
12. Chapterisation

B. Doctrinal Research shall have the following Structure:

Cover

Cover page

Certificate

Acknowledgement

List of Case Laws.

List of Tables

Abbreviations

Contents

Chapter-I Introduction :

A. Theoretical Background (if applicable)

B. Research Methodology (As given in A.)

Chapter II

Chapter II

Chapter III

Chapter IV

Chapter V-Major Findings, Conclusions and Suggestion.

Bibliography :

A. Books

B. Journals (Articles)

C. Websites

D. Research Reports

E. Magazines

F. News papers etc.

Annexure:

Interview Schedules / Questionnaires

Bare Acts

Photos

Maps, etc.

C. Step by Step Procedure to be followed for Doctrinal Research :

- 1) Approval of the title
- 2) Collection of material
- 3) Review of literature
- 4) Problem
- 5) Objectives
- 6) Rationale
- 7) Hypothesis
- 8) Chapterization
- 9) Collection of Data
- 10) Analysis and Interpretation of data
- 11) Report Writing
- 12) Preparation of Bibliography
- 13) Preparation of List of cases
- 14) Abbreviation

Paper F-XI

Introduction to Alternative Dispute Resolution

Theory : 80 Marks

Int. Ass. : 20 Marks

Course Objectives:

- (a) Understand the backdrop, meaning, advantages and disadvantages of Alternative Dispute Resolution (ADR) mechanisms.
- (b) Understand the key differences between Alternative Dispute Resolution mechanisms and Judicial Adjudication.
- (c) Understand the skills and elements involved in Negotiation, Mediation and Conciliation.
- (d) Understand the conceptual framework related to the Arbitration and Conciliation Act, 1996 and The Legal Services Authorities Act, 1987.
- (e) Understand the process of dispute resolution through ADR mechanisms, in particular, under the Arbitration and Conciliation Act, 1996 and the Legal Services Authorities Act, 1987.
- (f) Understand the provisions related to reference of disputes to alternative dispute mechanisms under the Code of Civil Procedure (CPC), 1908. [Section 89].
- (g) Recognize the role played by the Judiciary in interpreting the Arbitration and Conciliation Act, 1996 and the Legal Services Authorities Act, 1987

Course Outcomes:

At the end of this course the following outcomes

- (a) Appreciate the advantages of resolving disputes through alternative dispute resolution mechanisms.
- (b) Appreciate the conceptual framework related to various ADR processes.
- (c) Appreciate the skills required for successfully conducting the ADR proceedings.
- (d) Identify various styles of drafting the arbitration clause in an agreement.
- (e) Identify and analyze the key provisions of the Arbitration and Conciliation Act, 1996 and the Legal Services Authorities Act, 1987.
- (f) Critically analyze the leading case-law pertaining to the Civil Procedure Code, 1908 [Section 89], Arbitration and Conciliation Act, 1996 and the Legal Services Authorities Act, 1987.

Syllabus of the Course**Unit-I Introduction :**

1. Background & meaning – Alternative Dispute Resolution (ADR)
2. Alternative dispute resolution (ADR) mechanisms – an overview
3. Advantages & disadvantages – ADR mechanisms
4. Comparison – ADR Vs. Judicial adjudication (adversarial system)

Unit-II Negotiation:

1. Meaning of negotiation
2. Characteristics of negotiation
3. Theories of negotiation
4. Elements of negotiation
5. Skills involved in negotiation

Unit-III Mediation And Conciliation :

1. Meaning of mediation and conciliation
2. Distinction of mediation and conciliation
3. Advantages of mediation
4. Sources of contemporary mediation and conciliation
5. Role of mediator / conciliator

Unit-IV Procedural Law :

1. Law of Civil Procedure ;Basic Principles: Audi Alteram Partem; Right to Fair Hearing; Nemo Judex in Causa Sua; Cause of Action;
2. Objectives of court annexed ADR
3. Section 89 - Code Of Civil Procedure, 1908
4. Role of court – referral of dispute to ADR

Unit-V Arbitration :

1. Introduction
2. Important terminologies in arbitration
3. Types of arbitration
4. Legal framework governing arbitration
5. The Arbitration and Conciliation Act, 1996
 - (i) Legislative backdrop, scope and definitions
 - (ii) Arbitration agreement
 - (iii) Courts power of supervision
 - (iv) Arbitrators
 - (v) Arbitral process and challenges to arbitration
 - (vi) Arbitral award
 - (vii) Recourse against arbitral award
 - (viii) Recognition
 - (ix) Enforcement of foreign arbitral awards

Unit-VI Lok Adalats :

1. Genesis & meaning – Lok Adalats
2. Legal recognition for Lok Adalats in India
3. Constitution and jurisdiction of Lok Adalats
4. Powers of Lok Adalats

Unit-VII ADR and Its Application In India:

1. ADR in ancient India-Nyaya Panchayats etc
2. ADR and its modern applications: Application of ADR in Different Fields: Family, Industrial and Employment: Motor Vehicle Accidents, Medical Negligence, And Commercial.
3. Cyber space Disputes: Online Dispute Resolution (ODR):
4. LokPal and LokAyukta: Legal Aid

Books for reading:

1. P.C. Rao and William Sheffield, Alternative Dispute Resolution, Universal Law Publication, 2004.
2. Sarfaraz Ahmed Khan, Lok Adalat: An Effective Alternative Dispute Resolution, New APCON Publication, Daryaganj, 2006.
3. Madabhushi Sridhar - Alternative Dispute Resolution, Butterworth Lexis Nexis, (Reprint 2010) 1st edition.

4. Avtar Singh, Law of Arbitration and Conciliation, Eastern Book Company, 2013 (10th Edition)
5. Bansal, A. K. Law of international commercial arbitration, Universal, Delhi, (2010)
6. David St. John, Judith Gill, Mathew Gearing, Russell on Arbitration, Sweet & Maxwell, 23rd ed. 2013.
7. O. P. Malhotra & Indu Malhotra, The Law and Practice of Arbitration and Conciliation, 3rd ed. (2014).
8. Justice P.S. Narayan, The Arbitration and Conciliation Act, 4th ed. (2007).
9. Chawla, S.L. Law Of Arbitration and Conciliation, Eastern Law House (2004)
10. Markanda P.C., Law Relating to Arbitration and Conciliation, Wadhwa Nagpur

**Semester-I
Group-A
CRIMINAL LAW**

**PAPER-I
CRIMINAL JUSTICE SYSTEM**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To enhance Knowledge and understanding of the Indian criminal Justice system with systematic approach.
- (b) To study various components of the criminal justice system in India.
- (c) To understand the law and how its interfaces with crime, criminal justice Professionals and Public expectations.
- (d) To elaborate the history evolution and present structure of the criminal justice System.

Course Outcomes :

At the end it is expected that the student will be able to :

- (a) To explore the crime as a phenomenon and influencing factors in determination of crime as such and criminal liabilities;
- (b) To examine the different facets of the victimology and remedial aspects under the Criminal justice system;
- (c) To analyse the criminal liabilities, crime statistics, criminal justice system etc and its interplay.

Syllabus of the Course

Unit-I Crime :

1. Concept, Nature, Definition and characteristics of Crime.
2. Development of Criminal Law and Criminal justice system during British period and Post independence period.
3. Kinds of Punishment Elements of Criminal Liability of the Crime, Intention, Preparation, attempt and Commission.
4. Mens rea- Intention, recklessness, negligence, Malice, inchoate offences.
5. Mens rea under the Indian Penal Code-1860
6. Exemptions from Criminal Liability.

Unit-II Procedural Mechanism in the Criminal System :

1. Cognizable and Non-cognizable offences.
2. Bailable and non-Bailable offences.
3. Compoundable and Non-Compoundable offences.
4. Investigation prosecution and Trial.
5. Warrant cases and summons cases.
6. The right to counsel and Legal aid with special reference to Indian Constitution and Cr. P.C.

Unit-III Role of Evidence in Criminal Justice System :

1. Relevancy and admissibility of facts.
2. Relevancy of confessions and dying declarations.
3. Appreciating expert evidence in court.
4. Admissibility of evidence in cyber crime.
5. Protection of witness.
6. Hostile witness.

Unit-IV Police System in India :

1. History of Police and Policing.
2. Role of Police in modern Societies
3. Police organization in India.
4. police community and Crime.
5. Police Reforms and modernization
6. Elective Judicial Control on Criminal Justice System.

Unit-V Protection of Victims :

1. The concept of victimology
2. Rights of Victims.
3. Protection to Victims under Criminal Law
4. Withdrawal of Prosecution Role of Victim

Unit-VI Compensation under Various Laws:

1. Section 357. CRPC
2. Motor Vehicles Act
3. Sexual harassment and assaults.
4. Medical negligence
5. State liability to pay compensation for police Atrocities

Books Suggested for Reading :

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

PAPER – II
CRIME AND SOCIAL LEGISLATIONS

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives :

- (a) To explore the meaning and purpose of crime and social legislations;
- (b) To examine the different social menace and legal mechanism, remedial measures and functional aspects;
- (c) To understand the SWOT analysis of Criminal justice system to deal with the social issues
- (d) To illustrate the criminal justice system and its response to various social issues and its redressal; and
- (e) To examine the various dimensions of criminal justice system and achieving the social goals through the social legislations on important issues.

Course Outcomes:

At the end it is expected that the student will be able to :

- (a) Explore the capability of criminal justice system to redress the social menace and redressal of social issues by way of social legislations;
- (b) To analyse the strength, weakness and challenges for the Criminal Justice to deal with the social issues;
- (c) Examine and spot out the issues of social importance and its redressal mechanism by criminal justice system, its effectiveness and limitations.

Syllabus of the Course

Unit-I Introduction:

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

Unit-II- Legislations on Crime against Women and Children (With Amendments) :

1. Dowry Prohibition Act, 1961.
2. Prevention of Immoral Trafficking Act, 1956.
3. Medical Termination of Pregnancy Act, 1971.
4. Protection of Children from Sexual Offences Act, 2012.

Unit-III Legislations on Crime against Society(With Amendments):

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

Unit-IV Implementation and Enforcement of Social Legislation:

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

Unit-V Prevention of Atrocities Act 1989(with Amendments)

1. Meaning, Nature and Scope of the Act
2. Relevance of the Act in the present day scenario
3. Merits and Demerits

Books Suggested for Reading:

- 1) Krishnamurthy S. 1987, Impact of Social Legislations, on the Criminal Law in India, R.R. Publishers, Bangalore
- 2) Bare Acts
 - * I.T. Act, 2003
 - * Evidence Act, 2003 and 2005
 - * CR.P.C. 1999, 2003 & 2004
 - * I.P.C. 1999, 2003 & 2004
 - * Dowry Prohibition Act (1961), Dowry Prohibition (Amendment) Act (1961)
 - * The Immoral Traffic (Prevention) Act, 1956
 - * Prevention of Corruption Act, 1988.
- 3) Roger Glenn Lamphear, Freedom from Crime. Ed, 1979, Nellen Publishing Company, New York, 100016.
- 4) P.S. Narayana, The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act 1989 and Protection of Civil Rights Act 1955.,)Gogra Law Agency, Hyderabad, AP-2.
- 5) Chakrabharti N.K. Social Defense, in the administration of Criminal justice Ed 1999, Deep and Deep Publications Pvt. Ltd, New Delhi-27.
- 6) Dewan V K, Law Relating to Offences against Women, 1st Edition 1996, Oriental Law House, New Delhi-24.

**Semester-II
PAPER-III
CRIMINAL JUSTICE: CONCEPTS AND PROCEDURE**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To understand the nature, scope and extent of criminal administration of justice
- (b) To demonstrate in-depth understanding of criminal justice systems prevails in the World.
- (c) To set the law in motion relating to burning trained of criminality in the World.
- (d) To enable and equip the student to analyze the contemporary criminal justice system and to know about the lacuna in criminal justice system.

Course Outcome

After successful completion of this course the student will be able to –

- (a) Understand the nature, scope and extent of criminal justice system
- (b) Analyze the kinds of crimes, criminal behaviors and behavioral patterns to adhere proper procedure for it.
- (c) Keep the law in motion relating to burning trained of criminal administration of justice.
- (d) Determined in-depth understanding of criminal justice systems prevails in the World

Syllabus of the Course

Unit-I Classification of Offences :

- 1) Concept of Criminal Justice
- 2) Cognizable and Non-cognizable offences.
- 3) Bailable and Non-Bailable offences.
- 4) Compoundable and Non-Compoundable offences
- 5) Concepts related to crime and criminals, Contemporary thoughts of criminology.
- 6) Schools of Criminology-Neo classical, Biological, Sociological, Psychological theories

Unit-II Constitutional Provisions :

1. Art. 20 Protections against Ex-Post Facto Laws, Protection against Double Jeopardy and Protection against Self Incrimination
2. Art. 21 Impact of expansive interpretation on criminal jurisprudence Meaning of terms: Life and Personal liberty.
3. Fair Procedure Due Process of Law
4. Right of Accused Arrest, Hand Cuffing Bail, Speedy Trial Torture Custodial Violence Compensation Public Interest Litigation: Direct access to Courts in case of violation of Fundamental Right and other implicit rights
5. Death Penalty in Light of Art. 21
6. Art. 22 Protection to Accused in case of punitive detention Protection against Preventive Detention.

Unit-III Procedural Criminal Law – Initiation of Proceeding :

1. First Information Report
2. Duties of Police Officers under Sec 154
3. Delay in lodging FIR.
4. Complaint Proceedings
5. Jurisdiction of criminal Courts.
6. Quashing of Proceedings Sec. 482 CrPC & Article 227 of Constitution
7. Extent and Nature of interference by Superior Courts

Unit-IV Trial Procedure :

1. Arrest and questioning of accused (Sec. 41, 42, 46, 65, 57 . CRPC)
2. Guidelines of Supreme Court in
 - (i) D.K Basu v Union of India
 - (ii) Joginder's case
3. Rights of the Accused and Rights of Victims
 - (i) Pre arrest and Post arrest Bail, Remand
 - (ii) Right to Legal Aid
 - (iii) Search and Seizure, Surveillance (Sec- 91,94, 97, 103, 165. CRPC)
4. Charge Sheet- powers and duties of Police at the time of investigation
5. Investigation, Prosecution and Trial
6. Summons cases and Warrant
7. Summary Trials

Unit-V Law of Evidence and Criminal Procedure :

- 1) Relevancy and admissibility, of facts
- 2) Relevancy of confessions and dying declarations
- 3) Appreciating expert evidence in court
- 4) Relevancy and Admissibility of evidence collected through Forensic and other modern tools and techniques
- 5) Admissibility of evidence in Cyber Crime
- 6) Role of the Court in drawing inference from evidence
- 7) Protection of Witnesses
- 8) Hostile witnesses.

Books Suggested for Reading :

1. Dutta K.K., Some Aspects of Criminal Law, Law Research Institute, Edition 1997, APH, Publishing House, Darya Ganj, New Delhi -02.
2. Malik P.L., Criminal Court Hand Book, 18th Edition, Eastern Book Company, 32, Lalbagh, Lucknow -01.
3. Justice Chandrachud Y V and Manohar V R, Ratanlal and Dhirajlal's The Indian Penal Code. 28th Edition 199, Wadhwa and Company New Delhi.
3. Manjari Rajendra, First Information Report, Edition 2001, Asia Law House, Hyderabad-2
4. Mahendra Kumar Sharma, minimum Sentencing for Offences in India, Law and Policy, Edition 1996, Deep and Deep publications, Rajori Garden, New Delhi-64
5. Handbook of Criminal Procedure Code
6. Jadhav N.K. Is Capital Punishment Necessary, 1st Edition 1973, Anmol Publications, Bombay-52
7. Aroras, Nirman, "Custodial torture in Police Stations in India: A Radical Assessment", Journal of Indian Law Institute, vol.41,

PAPER - IV
PENOLOGY – TREATMENT OF OFFENDER

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To comprehend the nature and scope of Penology
- (b) To reveal the various ways of treatment of offenders
- (c) To identify with the jurisprudence behind the kinds of punishment
- (d) To make out the punitive mechanism for offenders in different age groups

Course Outcome:

After successful completion of this course the student will be able to :

- (a) Understand the comprehensive nature of penology
- (b) Know about different types of punitive mechanism to treat the offenders
- (c) Identify the jurisprudence behind penology
- (d) Classify the way of treatment required to offer to the offenders considering their age groups

Syllabus of the Course

Unit-I Nature of Punishment :

- 1) Meaning, nature and definition of Penology
- 2) Theories of Punishments
- 3) Classical Hindu and Islamic approaches to punishment.
- 4) Nature, meaning, Concept of Punishment
- 5) Forms of Punishment- in ancient, medieval and modern times
- 6) Alternative punishments

Unit-II Capital Punishment

- 1) Issues and prospective
- 2) Constitutional validity of capital punishment
- 3) Statutory Provisions
- 4) Judicial response to capital punishment
- 5) Legal Reforms regarding the capital punishment
- 6) Pro & Cons of Capital Punishment in today's parlance

Unit-III Approaches in Sentencing :**A) Process and Policy of Sentencing**

- 1) White Collar Crime
- 2) Organized crime
- 3) Sexual Offenses, Rape and Abortion
- 4) Alcoholism and Drug Abuse
- 5) Violence

B) Principal Types of Sentencing :

- 1) Pre Sentence Hearing
- 2) Sentencing of Habitual Offender
- 3) Summary Punishment
- 4) Plea bargaining

C) Alternative to Imprisonment :

- 1) Probation
- 2) Corrective labour
- 3) Fines, collective fines
- 4) Compounding of offences
- 5) Parole philosophy and practice
- 6) Furlough

Unit-IV Prison System :

- 1) Prison System in the Post Independent Period
- 2) Prison Administration Achievements and policies
- 3) Judicial Control over prison Administration
- 4) Prison reforms
- 5) Status of Jails in India today
- 6) Disciplinary Regimes in Jail administration

Unit-V Juvenile Justice :

- Juvenile Justice (Care and Protection of Children) Act, 2015
- Definition Nature and Form of Juvenile Delinquency
- Causes of Juvenile in conflict with Law
- Juvenile Justice Act and problem of implementation
- Critical appraisal of Institutional services for Juveniles.
- Prevention and Control of Delinquency
- Role of Public, Police and NGOS
- Role of Judiciary in protection of Juveniles.

Books Suggested for Reading :

1. Saxena R.N. The Immoral Traffic (Prevention) Act, 1956, 5th Edition 1996, The Law Book Pvt. Ltd, Allahabad-01
2. Dr. Mehanathan M C, Law of Control on NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES in India, Edition 2002, Capital Law House, Delhi-32
3. Ramchandran S. Commentaries on The prevention of Food Adulteration Act 1954, 6th Edition 1997, S. Gogia and Company, Hyderabad
4. Peter Barrie, Compensation for Personal Injuries, Edition 2000, Oxford University Press, New Delhi. Internal
5. Prof. N. V. Paranjape - Criminology, Penology, Victimology. (Central Law Publications)
6. H.L.A. Hart- Punishment and Responsibility (1968).
7. S. Chhabbra –The Quantum of Punishment in Criminal Law (1970),

**Semester-III
PAPER – V
VICTIMOLOGY**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To study the concept, meaning and types of victim
- (b) To understand the pattern of Criminal Victimization
- (c) To study the impact of victimization with reference to physical and financial.
- (d) To study the policies under criminal justice system in India.
- (e) To study the compensatory Jurisprudence in the field of Victimology.

Course Outcome:

- (a) To understand and gain knowledge regarding pattern of Criminal Victimization.
- (b) To understand the impact of victimization with reference to physical and financial
- (c) To understand the criminal justice system with reference to victim in India.
- (d) To analyse the provisions of compensatory jurisprudence with reference to victim.

Syllabus of the Course

Unit-I Victims:

1. Concept and Importance.
2. Meaning nature and types of victims of crime.
3. Historical development of Victimology.
4. Scope and objectives of Victimology
5. National and International policies: United Nation, Amnesty International, National Human Right Commission etc.

Unit-II Patterns of Criminal Victimizations :

1. Role of victims in Criminal Occurrence
2. Victim – Offender relationship
3. Victim typologies.
4. Victim of abuse of power.
5. Women and crime victimization.
6. Children and crime victimization.

Unit-III Impact of Victimization - Physical and Financial :

1. Physical and financial impact of victimization.
2. Victimization: Impact on family.
3. Psychological stress and trauma.
4. Criminal, victimization, sense of security and socio economic development.

Unit-IV Criminal Justice System & Victim :

1. Criminal Justice System and victim relationship: Collaborator or evidence.
2. Victim & Police: Lodging of FIR & recording of statement.
3. Deposition & cross-examination in courts.
4. NGO intervention: Victim-Witness Association, Victim Association
5. Concept, meaning & importance for society & criminal justice system.
6. Restitution, ex-gratia payment & insurance.
7. Victim Compensation in India: Provisions under Cr. P.C.

Unit-V-Compensatory Jurisprudence in the Field of Victimology:

1. Compensatory Relief under General/Procedural Laws
2. Compensation under Special Laws
 - i. Compensation under the Probation of Offender Act, 1958
 - ii. Compensation under the Motor Vehicles Act, 1988
3. Compensatory Reliefs under the Constitution of India
4. Compensation by Human Rights Commissions
 - (i) National Human Rights Commissions
 - (ii) State Human Rights Commissions
 - (iii) Human Rights Court

Books Suggested for Reading :

1. Bharat B Das, Victims in the Criminal Justice System, 1st Edition 1997, APH Publication Corporation, New Delhi 2.
2. Clive Coleman and Clive Norris, Introducing Criminology, Edition 2000, Lawman (India) Pvt. Limited, Lajpat Nagar, New Delhi-24
3. Ahmed Siddiqui, Criminology, Problems and Perspectives, 4th edition 1997, Eastern Book Company, Lucknow -01
4. Chokalingam, K1985, Readings in Victimology : Towards a Victim Perspective in Criminology, Ravi Raj Publications, Madras
5. Devasia, V.V 1992, Criminology, Victimology and Corrections. Ashish Publishing House, New Delhi
6. Dr. Mrinmaya Chaudhari, Languishing for Justice, A Critical Survey of the Criminal Justice System, DATSONS, J. Nehru Marg, Sadar, Nagpur.
7. Dutta K.K., Some Aspects of Criminal Law, Law Research Institute, Edition 1997, APH, Publishing House, Darya Ganj, New Delhi -02.
8. Malik P.L., Criminal Court Hand Book, 18th Edition, Eastern Book Company, 32, Lalbagh, Lucknow - 01.
9. Manjula Batra, Protection of Human Rights in Criminal Justice Administration, Deep and Deep Publication, New Delhi.
10. Parvesh K Atri, Readings in Criminal and Criminology, 1st edition 1998, Anmol Publication Pvt. Limited, New Delhi -2
11. Rajan, V.N., 1981, Victimology in India : An Introductory Study, Allied Publishers, New Delhi
12. Singh Makkar, S.P.1993, Global perspectives in Victimology, ABC Publications, Jalandhar

**PAPER –VI
WHITE COLLAR CRIME**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objective :

- (a) To study the concept of white collar in India and Other countries
- (b) To study the impact of white collar crime from Indian perspective.
- (c) To study their impact of white collar crime on Indian Economy and its affect on Development activities.

Course Outcome:

- (a) To acquire the knowledge regarding nature of While collar crime and offences and penalties under different statute in India
- (b) To understand the Liabilities of white collar crime.

Syllabus of the Course

Unit-I Nature and Definition Genesis of White Collar Crime :

1. Nature and Scope of White Collar Crime.
2. Classification of white Collar Crime
3. Sutherland's view on White Collar Crime
4. Criticisms on Sutherland's view on White Collar Crime

Unit-II Growth of White Collar Crime in India and Western Countries :

1. Growth of White Collar Crime in India
2. Growth of White Collar crime in Western Countries

Unit-III Liabilities under White Collar Crime :

1. Mensrea and White Collar Crime.
2. Vicarious liability in White Collar Crime
3. Strict liability in White Collar Crime.

Unit-IV Statues dealing with White Collar Offence :

1. The Essential Commodities (Amendment)Act, 2020 (with recent Amendments)
2. The Food Safety and Standards Act, 2006
3. The prevention of Money Laundering Act, 2002: Salient features of the Act, definition and scope, powers to arrest under the Act, adjudication, authorities and special court, obligation of banking companies, financial institutions and inter-mediaries
4. Breach of Foreign Exchange Management Act (FEMA)
5. Prevention of corruption Act, 1988: Salient features of the Act, offences committed by public servant and bribe giver, prosecution and penalties

Unit-V Indian Scenario White Collar Crimes in Indian Scenario :

1. Corruption in government and politics
2. Black Money.
3. Judicial response to white collar crimes in India.
4. Cyber Crimes

Unit-VI White Collar Crimes in India :

1. Holding , black-marketing
2. Tax evasion, business
3. White Collar crime in Different Professions: medial, engineering, legal, educational institutions.
4. fake employment and placement rackets

Books Suggested for Reading :

1. Gandhirajan, C K 2004, Organised crime, A P H Publishing Corporation
2. Nair, P M 2002, Combating Organized crime, Konark Publishers
3. Karan Raj, 2002, Dictionary of Terrorism and Bioterrorism, IVY Publishing House, Delhi.
4. V Grover, 2002, Encyclopaedia of International Terrorism, Vol. 1,2 &3, Deep & Deep Publications, New Delhi.
5. Shah, Giriraj, 2002, Encyclopedia of International Terrorism, Anmol Publications, New Delhi.
6. Holmes, Ronald M, 2001, Murder in America, Sage Publications, New Delhi.
7. Cambridge University Press, 2001, White Collar Crime Explosion: How to protect yourself and your company from prosecution
8. Kelly, Robert J, 2000, Encyclopaedia of Organized Crime in the United States from Capone's Chicago to the New Urban Underworld, Greenwood Press, Westport. London.
9. Viano, Emilio C 2000 Global Organized Crime and International Security, Ashgate Publishing Limited
10. Situ, Yingyi, 2000, Environmental Crime: The Criminal Justice System,s Role in Protecting the Environment, Sage Publications, New Delh

Semester-I
Group - B
CONSTITUTIONAL LAW AND ADMINISTRATIVE LAW

PAPER - I
CONSTITUTIONALISM : PLURALISM AND FEDERALISM.

Theory : 80 Marks
Int. Ass. : 20 Marks

N.B. Students are expected to be familiar with relevant provisions of other constitutions of the World - USA, UK, Canada and Australia.

This Course is designed to offer the students with following objectives–

- (a) To be familiar with the relevant provision of other constitutions of World – USA, UK, Canada and Australia so as to develop the spirit of comparative analysis of various legal systems of divergence, pluralistic approach;
- (b) To analyse the different models of federalism, principles and departure to suit the domestic need under the Indian legal system
- (c) Examine various theories, views, modern Constitutional practices, globalisation and its impact on Constitutionalism;
- (d) Constitutional as fabric and its utility of social transformation;
- (e) India as a pluralistic society and Constitutionalism and its relevance.

Expected Course Outcomes:

At the end it is expected that the student will be able to :

- (a) To explore the basic principles of Constitutionalism, different model of federalism and its interplay in the Indian legal system;
- (b) To examine the adoption of, utility and justification of Constitutional model in India; and
- (c) To analyse India as pluralist society and suitability of various model, approaches in India in functional aspects of comparison with other legal system.

Syllabus of the Course

Unit-I Constitutionalism:

1. Authoritarianism- Dictatorship
2. Democracy, Communism.
3. Meaning, Nature of the concept of Constitutionalism.
4. Historical Background of the Concept of Constitutionalism
5. Liberal view and Constitutionalism in Developing Societies.
6. Conventions of Constitutionalism - Law and Conventions.
7. What is Constitution? Meaning, Nature and Importance of Constitution.
8. Written Constitutions: USA, Canada, Australia, Switzerland and India.
9. Sources of Strain in the Modern Constitutional Practice.
10. Globalization and its impact on Constitutionalism.
11. Definition of State with Reference to Public Undertakings and Control Mechanism.

Unit-II Indian Federalism:

1. Meaning and Concept of federal government.
2. Essential features and requisites of federal government.
3. Pattern of Federal government- USA, Australia, Canada and India.
4. Historical Background of the federal structure of Government in India.
5. Why federal government was chosen by the Constituent Assembly.
6. Judicial review - for federal umpiring.
7. New trends in federalism - Co-operative and Competitive federalism.
8. Panchayati Raj , Decentralization of Power and federal structure.

Unit-III Pluralism :

1. Meaning, Nature and characteristics of pluralistic Society.
2. Right to Self- determination
3. Ethnic, Linguistic, Cultural and Political Pluralism
4. Right to dissent in Plural Society
5. Freedom of Religion
6. Rights of the religious and Linguistic minorities.
7. Role of law in Pluralistic Society.

Unit-IV Parliamentary form of Government:

1. President and his constitutional status in India
2. Doctrine of Collective Responsibility
3. Role of the Governor in Indian Federalism
4. Parliamentary Privilege
5. Party system and Anti Defection Law

Books Suggested for Reading :

1. P Ishwara Bhat, Constitutionalism and Constitutional Pluralism.
2. D. D Basu - Comparative Constitutional Law
3. M.P. Jain - Indian Constitutional law

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

PAPER-II
UNION – STATE RELATIONS

Theory : 80 Marks
Int. Ass. : 20 Marks

N.B. : Students are expected to be familiar with relevant provisions of the Constitution of the world - USA, Australia and Canada.

Course Objective:

- (a) To be familiar with the relevant provision of other constitutions of World – USA, UK, Canada and Australia so as to develop the spirit of comparative analysis of various legal systems of divergence, pluralistic approach with reference to Union-State relations;
- (b) To explore the scheme of distribution of power, fiscal power, revenue and financial equilibrium between Union and States;
- (c) The institutional mechanism of achieving balance and equilibrium between Union and State. Planning and Financial Commission,(Now NITI Ayog);,
- (d) To examine the common area of interplay like trade and commerce, subjects of concurrent list. To study of various functional aspects of check and balance; and
- (e) Departure from classical federalism to Co-operative federalism in India.

Course Outcome :

At the end it is expected that the student will be able to :

- (a) To understand India as development of complex federal structure (Quasi) federal and its strength and weaknesses;
- (b) Explore the various functional theories, doctrine and Constitutional principles of federalism and its interplay under Indian Constitution; and
- (c) To examine the area of conflicting interest between Union and State and primacy of Union over the State.

Syllabus of the Course

Unit-I Legislative Relations between Centre and State :

1. Distribution of Legislative powers.
2. The Three Lists. Principles of interpretation of the Three Lists.
3. Repugnancy between Centre and State Laws.
4. Situation when Parliament can legislate on matters reserved to the States?
5. President & Veto power and Governor, role in State Legislation.

Unit-II Administrative Relations between Centre and State :

1. Distribution of Administrative Relations.
2. Uni-party control Emergency powers, All India Services, Centre's directives to the State -
3. Consultation and co-operation, Inter-State Council, National Development Council, Zonal Council,
4. Full faith and Credit Clause, Inter-State Water Disputes, Minister Conferences, Commission under the Commission of Inquiry Act, Other Instrumentalities.

Unit-III Distribution of Fiscal Powers between Centre and State :

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

Unit-IV Restrictions on Fiscal Powers :

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

Unit-V Distribution of Tax, Revenue and Financial Equilibrium :

1. Tax Sharing under the Constitution.
2. Grants-in-aid (Article 275) and Specific Purpose Grants (Article 282).

3. Borrowing Power of the Government of India and the States.
4. Financial Emergency and its impact on the Federal Structure.

Unit-VI NITI Aayog and Finance Commission :

1. Finance Commission, Constitution, Function, Role and Work of the Commission.
2. NITI Aayog and its Role
3. Formulation and implementation of the plan - The Role of the Centre and States co-ordination between NITI Aayog and Finance Commission.

Unit-VII Relationship in Trade and Commerce :

1. Central Power to regulate Trade and Commerce.
2. State Power to Regulate Trade and Commerce.
3. Limitation on the Powers of the Union and States with respect to freedom of Trade and Commerce.

Books 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, chap.-22.
5. Daniel J. Elazer- American Federalism Chap. 3&4. (1984)
6. Chandrapal, Centre - State Relations and Co-operative Federalism, Chap. 5 & 8 (1983)

**Semester-II
PAPER - III
NATIONAL SECURITY, PUBLIC ORDER AND RULE OF LAW**

Theory : 80 Marks
Int. Ass. : 20 Marks

N.B. : Students are expected to be familiar with relevant provisions of the Constitution of the world - USA, Australia and Canada.

Course Objective:

- (a) A spirit of inquiry to familiar with relevant provision of the Constitution of the World-USA, Australia and Canada;
- (b) To explore the importance of national security and various legislation and its functional aspects, maintenance of public order;
- (c) To examine the limits and justification of civil liberties, power of state, emergency and other safeguard to protect the nation, and importance of Rule of Law.; and
- (d) To explore the mechanism of election commission, and democratic set up and national importance

Course Outcome:

- (a) Understand and interpret various provision and safeguards to protection national security;
- (b) To explore the various approach of public order, importance of rule of law and different legislations;
- (c) Balancing the civil liberties and power of state; and
- (d) Explore the various functional institutions like election commission, parliament and check and balance on the national importance.

Syllabus of the Course

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 Exceptional Legislation :

1. COFEPOSA, FEMA and Customs Act (relevant provisions)
2. Unlawful Activities Prevention Act, 1967.
3. Special courts and tribunals - Due process and special legislation - Protection of Human Rights Act, 1993, the National Security Act , 1980 Narcotic Drugs and Psychotropic Substances Act , 1985

Unit-III 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.

Unit-IV Martial Law :

1. Provision in English Law
2. Provision in India Constitutions

Unit-V 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.

Unit VI Election Commission.

1. Superintendence, direction and control of elections (Art. 324)
2. Electoral roll - Adult suffrage.
3. 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) 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.

PAPER - IV
ADMINISTRATIVE PROCESS

Theory : 80 Marks
Int. Ass. : 20 Marks

N.B. Students are expected to be familiar with relevant principles of Administrative Law of - UK, USA and France.

Course Objectives:

- (a) A spirit of inquiry to explore administrative law and principles of natural justice;
- (b) To understand the nature scope and approaches to the administrative law;
- (c) To examine Rule of law and its importance in administrative law; and
- (d) To explore the importance of separation of power, balance of power, legislative power of administrative authorises, delegation and sub delegation and limitations thereof.
- (e) The control and check on the administrative actions.

Course Outcomes:

At the end it is expected that the student will be able to :

- (a) Understand and interpret administrative process, Rule of Law, principle of Natural justice;
- (b) Explore the various functional aspects of administrative process, separation of power and impotence of check and balance theory; and
- (c) To examine the delegation of power, sub delegation, power to make direction and limitation on the administrative actions.

Syllabus of the Course

Unit-INature, Scope and Necessity of Administrative Law :

- 1) Nature, scope and approaches to the Administrative Law.
- 2) Power, Accountability and Law.
- 3) Emerging Trends - Positive Duties of Administration under the Modern Social Welfare Legislation and Compulsion of planning.

Unit-IIRule of Law :

- 1) Rule of law in England as propounded by Dicey.
- 2) Rule of law in Modern Context.
- 3) Notion of Rule of law under the Indian Constitution.

Unit-IIISeparation of Powers :

- 1) Doctrine of Separation of Powers as propounded by Montesque .
- 2) Separation of Powers under the US Constitution.
- 3) Spirit and basic purpose of Separation of Powers-Modern Context- Separation of powers under the Indian Constitution.

Unit-IVClassification of Powers and Functions of Administration :

- 1) Administrative, Executive, Legislative, Quasi - Judicial Powers.
- 2) Distinction between Administrative and Judicial and Quasi-Judicial Powers.
- 3) Kraipak's Decision and obliteration of distinction.
- 4) Administrative Instructions.

Unit-VLegislative Powers of Administration:

- 1) Meaning of Legislative Powers and Function.
- 2) Essential Legislative Function.
- 3) Necessity of Delegation of Legislative Powers.

- 4) Constitutionality of Delegated Legislation.
- 5) Excessive Delegation of Legislative Power.
- 6) Legislative Control of Delegated Legislation.
- 7) Judicial Control of Delegated Legislation- Doctrine of Ultra Vires
Substantive and procedural aspects.
- 8) Sub- delegation.

Unit-VI Administrative Directions:

- 1) Meaning, nature and Identification of Directions.
- 2) Distinction between Direction and Rules.
- 3) Need for Directions.
- 4) Enforceability of Directions.
- 5) Directions to Quasi- Judicial and Statutory Bodies.

Unit-VII Administrative Discretion:

- 1) Nature of Executive power under the Constitution.
- 2) Formulation and Execution of Policy without law.
- 3) Discretionary Power-Nature and Necessity.
- 4) Conferment of Administrative Powers by Law.

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) De'Smith - Judicial Review of Administrative Action.
- 4) H.W.R. Wade- Administrative Law.
- 5) D.D. Basu - Administrative Law (1996)
- 6) M.P. Jain - Treaties in Administrative Law Vol. I (1996).
- 7) D.J. De - The Constitution of India, Vol. I & II (2002)
- 8) M.C. Jain Kagzi - The Indian Administrative Law, Sixth Edition, (2002)
- 9) P.P. Craig - Administrative Law, Third Edition, (1994)

**SEMESTER-III
PAPER - V
JUDICIAL CONTROL OF ADMINISTRATIVE POWERS**

Theory : 80 Marks
Int. Ass. : 20 Marks

N.B.: Students are expected to be familiar with relevant principles of Administrative Law of - UK, USA and France.

Course Objectives :

- (a) A spirit of inquiry to explore Judicial control of the administrative laws, various principles governing the judicial control over the administrative power;
- (b) Judicial and quasi-judicial processes, various doctrine, and approaches
- (c) The new emerging trades in the administrative process and its judicial regulations; and
- (d) To develop the enquiry of understanding the latent aspects of administrative process that imbibe in a powers, liabilities, and its inculcation in the judicial review of the administration action.

Expected Course Outcomes:

- (a) At the end it is expected that the student will be able to :
- (b) Understand and interpret judicial review of the administrative actions;
- (c) Public policy, principles of natural justice and its role;
- (d) Remedies including ordinary remedies and constitutional remedies against the misuse of administrative power; and
- (e) Understand and analyse the judicial control of dictionary powers.

Syllabus of the Course

Unit-I Judicial Control of Administrative Powers through Writs :

1. Court as the Primary instrument of control of administrative action.
2. Writ Jurisdiction of the High Courts and the Supreme Court.
3. Conditions necessary for the exercise of writ jurisdiction - writ of Habeas Corpus, Mandamus, Certiorari, Quo-warranto and Prohibition.
4. Public policy restraints on the exercise of power of judicial review under Arts 32 and 226-, exhaustion of remedies, Laches.
5. Public Interest Litigation , Doctrine of Locus Standi and Compensatory Justice.
6. Special Leave to Appeal to the Supreme Court and High Court's Power of Superintendence.

Unit-II Procedural Impropriety as a ground of Judicial Review of Administrative Action :

1. Historical Development of the Concept of Natural Justice.
2. Principles of Natural Justice.
3. Essentials of Fair Hearing
4. Bias and Personal Interest
5. Failure of Natural Justice.

6. Exceptions to the Rule of Natural Justice .
7. Legitimate Expectation - Good Faith doctrine etc.

Unit-III Ordinary Remedies :

1. Distinction between ordinary remedies and remedies under Arts 226 and 32.
3. Declaratory Judgements and Injunctions.
4. Specific Performance and Civil Suits for Compensation against government and public authorities.

Unit-IV Exclusion of Judicial Review and Ouster Clause :

1. Formula of Exclusion clause or ouster clause.
2. Scope of outer clause.
3. Non-compliance with statutory provisions.

Unit-V Judicial Control of Discretionary Powers :

1. Scope and Extent of Judicial Review in Discretionary Powers.
2. Duty to give reasons.
3. Surrender or abdication of discretionary power.
4. Non-compliance with Procedural Requirements.
5. Administrative Discrimination.
6. Limiting and Structuring Discretion.

Books Suggested for Reading :

- 1) M.P. Jain and S.M. Jain - Principles of Administrative Law (1987)
- 2) M.P. Jain - Cases and Material on Administrative Law in India (Wadhwa,1994).
- 3) H.W.R. Wade - Administrative Law.
- 4) S.P. Sathe - Administrative Law in India. (5th Edn.)
- 5) I.P. Massey - Administrative Law (2001).
- 6) B.L. Hansaria - Writ Jurisdiction under the Constitution.
- 7) S.P. Sathe - Right to Know (1991) Tripathi.
- 8) Basu D.D. - Administrative Law (1996)
- 9) Harra- Public Interest Litigation (1996)
- 10) M.P. Jain - Treatise on Administrative law (1996).

**PAPER - VI
PUBLIC AUTHORITIES AND LIABILITY : CONTROLS ON
MALADMINISTRATION**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) A spirit of inquiry to explore liabilities of Government and public authorities in torts and contract, promissory estoppels;
- (b) To analyse the various check and balance over the public authorities like ombudsman, right to know, RTI;
- (c) To explore the enquiries about the fact finding commission and inquiry; and
- (d) To examine the judicial power of the administration.

Course Outcomes:

At the end it is expected that the student will be able to :

- (a) Understand and interpret the public authorities, its power, and liabilities;
- (b) To analyse various check and balance on the public authorities; Constitution to address the emerging complex issues;
- (c) Explore the various functional theories, doctrine and principles working in the backdrop and its interplay with the emerging issues; and

Syllabus of the Course.

Unit-I Liability of Government :

- 1) Liability of Government and Public Authorities in Torts and Contract; Promissory Estoppel.
- 2) 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.

Unit-IV 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-V Judicial Powers of Administration :

- 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

Unit-VI 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 - Treaties in Administrative Law Vol. I (1996).

SEMESTER-I**Group - C****Business Law****PAPER - I****LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY- I**

Theory : 80 Marks

Int. Ass. : 20 Marks

Course objectives:

- (a) To Explore the various theories, approaches, view and functional mechanism of IPR across the world and legal response to the same;
- (b) To analyse the jurisprudential analysis of IPR regime and its enforcement
- (c) To examine the protection mechanism of Intellectual Property Rights;
- (d) To analyse the National and International perspectives of legal regime of IPR protection; and
- (e) To focus upon the Monopolistic approaches to Patents under Indian Legal system.

Course Outcomes:

At the end it is expected that the student will be able to :

- (a) To understand the philosophical justification for IPR and protective mechanism;
- (b) National and international approaches on IPR and its enforcement and regulatory mechanism; and
- (c) To explore the protection of monopolistic rights under Patents system within and outside the domestic environment

Syllabus of the Course**Unit-I Introduction :**

- 1) Historical evolution of the concept of intellectual property.
- 2) Meaning and main forms of Intellectual property.
- 3) Competing rationale of the legal regimes for the protection of intellectual property.
- 4) Intellectual property Rights and Criminal Law : Emerging trends

Unit-II Law of Patent (The Patents Act, 1970) :

- 1) Basic concepts of patent, meaning, nature and kinds of patent.
- 2) Procedure for registration of patents, patent agents, patent of addition, international patents.
- 3) Rights and obligations of a patentee, assignment and surrender, notion of abuse of patent rights.
- 4) Enforcement of patent, government use of invention, compulsory licences, licences of right and revocation for non-working, grounds of revocation of a patent.
- 5) Infringement of patent, remedies for infringement, threat of infringement
- 6) Patents Amendments in 1999 and 2002
- 7) Patent and Computer Programmes, Patent and Micro - Organism

Unit-III International Protection of Patents :

- 1) International conventions and agreements for the protection of patents.
- 2) WTO/TRIPS obligation.
- 3) Biopiracy, Biotechnology patents
- 4) Sui generis Protection of plant varieties and farmers rights
- 5) Convention on Biological Diversity, Protection of traditional knowledge, rights of Indigenous People, transfer of technology, Multinational Ownership
- 6) Salient features of the Geographical Indications of Goods Act, 1999.

Books Suggested for Reading :

- 1) Cornish, W.R.- Intellectual Property (1981) , Second Indian Reprint, 1993, Universal Book Traders, Delhi.
- 2) Vashishtha - Law and Practice of Intellectual Property in India, 1999.
- 3) P. Narayanan- Intellectual Property (2nd Edn.) 1999.
- 4) Sangal P.S. and Kishore Singh - Indian Patent System and Paris Convention : Legal Perspectives (1987).
- 5) Pearson and Miller- Commercial Exploitation of Intellectual Property 1st Edition, 1990.
- 6) Gopalkrishnan, N.S.- Intellectual Property and Criminal Law , 1st Edn, 1994, National Law School of India University, Bangalore.
- 7) T.A. Blanco white - Patents for Inventions, 5th Edn, 1983. Stevens and Sons.
- 8) P. Ganguli - Clearing up for Patents - Indian Scenario, Universal Press.

PAPER- II
LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY-II

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To Explore the various theories, approaches, view and functional mechanism of IPR across the world and legal response to the same;
- (b) To analyse the jurisprudential analysis of IPR regime and its enforcement
- (c) To examine the protection mechanism of Intellectual Property Rights;
- (d) To analyse the National and International perspectives of legal regime of IPR protection; and
- (e) To focus upon the Trademarks, Copyright and GI, Design, TK, and other IPR under various legislations

Course Outcomes:

At the end it is expected that the student will be able to:

- (a) To understand the philosophical justification for IPR and protective mechanism;
- (b) National and international approaches on IPR and its enforcement and regulatory mechanism; and
- (c) To explore the protection of Trademarks, Copyrights, Design, PBR, Design, TK and other related aspects within and outside the domestic environment.

Syllabus of the Course

Unit-I Law of Copyright (Copyright Act, 1957)

1. Meaning, nature and items of copyright.
2. Subject matter of copyright.
3. Ownership, assignment, registration and licensing of copyright.
4. Rights of copyright owner and licensee.
5. Infringement of copyright and remedies.

Unit-II International Conventions and Agreements for the Protection of Copyright:

1. WTO/TRIPS Agreement,
2. Berne Convention,
3. Universal Copyright Convention,
4. The Rome Convention,
5. WIPO's Copyright Convention and Phonogram Treaty, 1996.
6. Neighbouring Rights :
7. Right of performing artists, broadcasting organisations, broadcasting rights including satellite and cable distribution.

Unit-III Law of Trade and Merchandise Marks (Trade Marks Act, 2000) :

1. Meaning and nature of trade mark.
2. Registration of Trade Marks: procedure and effect of registration, limitation, prohibition against registration. Certification of trademarks, foreign trade mark
3. Licensing and Assignment.
4. Passing of and infringement, rights of owner, rights of licensee, remedies of infringement of trade mark

Unit-IV International Conventions and Agreements for Protection of Trademark :

1. Paris Convention,
2. Madrid Agreement,
3. Nise Agreement and
4. TRIPS Agreement.

Unit-V Law Of Trade Designs (The Designs Act, 2000) :

1. Definitions, basic concepts, functional designs, inventor of designs and the rights.
2. Registration: procedure and benefits, registration authorities, their powers and functions.
3. Design Copyright, term of design, compulsory license, license of right, assignment.
4. Protection of Design: infringement of design, remedies against infringement.
5. International Conventions and Agreements for Protection of Trade Design.

Books Suggested for Reading:

- 1) Melville B. Nimmer - Copyright and other Aspects of literary , musical and Artistic Works, 2nd Edn.
- 2) Baxi, U.The Law of Intellectual Property : Copyright law in India (1989)
- 3) P. Narayanan - Copyright and Industrial Design, 2nd Edn. 1995.

- 2) P. Narayanan - Trademark, Trade name and Passing off Cases 2nd Edn. Vol. I & II, 1997.
- 5) Thairani, K- Copyright : The Indian Experience (1987).
- 6) Lal's Copyright Act, 3rd Edn. 1995 Law Publications .

**SEMESTER-II
Paper-III
CONSUMER PROTECTION - LAW AND PRACTICE**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To study the Historical Perspectives of Consumer Protection in India, United Nations guidelines on Consumer Protection, development of consumer protection at International level
- (b) To understand various preventive practice harming to the interest of the consumes.
- (c) To study the provisions which protect against the marketing of product hazardous to life and property of consumers.
- (d) To study the consumer protection Act with reference to complainant, consumer dispute, defect, service, unfair trade practices and restrictive trade practices

Course Outcomes:

- (a) To acquire knowledge regarding consumer rights and consumer justice under various laws in India.
- (b) To understand the concept of consumer and protection provided under the Consumer Protection Act in the Modern era.
- (c) To understand Guidelines of United Nations for consumer protection.

Syllabus of the Course

Unit-I Introduction :

1. Historical perspective of consumer protection in India, post-independence scenario
2. United Nations and the Guidelines for Consumer Protection
3. Laws dealing with consumer complaints
4. Caveat Emptor

Unit-II Constitutional Perspective of Consumer Justice:

1. Rights of producers and traders versus rights of consumers.
2. Right of legal services.
3. Public Interest Litigation.
4. Speedy justice.

Unit-III Consumer Protection Act, 2019 :

1. Aims & Objects of the Act, 2019
2. Who is Consumer?
3. Consumer of goods and services
4. Definitions: complainant, consumer dispute, defect, service, unfair trade practices, restrictive trade practices

A. Deficiency in Services under consumer Protection Act, 2019

1. Meaning & Instances
2. Negligence
3. Deficiency in service in various professions: Insurance services, Banking and Financial services, Housing etc.

Unit-IV Procedural Provisions :

1. Structure, composition, power and functions of-
 - i. District Forum,
 - ii. State Commission
 - iii. National Commission.
2. Law of compensation, approach of Consumer Forum while awarding compensation
3. Landmark Judgments of Supreme Court and NCDRC.

Unit-V Consumer Protection Councils :

A. Central Consumer Protection Council.

1. Composition
2. Procedure.
3. Objectives of Centre Consumer Protection Council.
4. State Consumer Protection Council

B. Consumer disputes redressal agencies

Unit-VI E-Commerce and Consumer Protection in India : The Emerging Trend

1. protection of consumers in the online market
2. Role of media in consumer protection, social effect of advertisement, remedies for false and deceptive advertisement, code for commercial advertisements.

Books Suggested for reading :

1. Saraf, D.N., Law of Consumer Protection in India.
2. Avtar Singh, The Law of Consumer Protection: Principles and Practice.
3. J.N.Barowalia, Commentary on Consumer Protection Act 1986.

4. P.K.Majundar, The Law of Consumer Protection In India
5. D.P.Wadhwa & W.L.Rajah, The Law of Consumer Protection
6. R.N.P.Choudhary, Consumer Protection Law
7. V.Balakrishna Eradi, Consumer Protection Jurisprudence
8. Gupta S.N., Banks & Consumer Protection Law
9. Kaushal Anoop, Medical Negligence & Legal remedies
10. S.K.Verma & M.Afzal Wani, A Treatise on Consumer Protection Law
11. Landmark Judgement on Insurance & Consumer Protection t, NCDRC
12. Landmark Judgement on Consumer Protection, NCDRC

Paper -IV
LAW OF CONTRACTS-GENERAL PRINCIPLES

Theory : 80 Marks

Int. Ass. : 20 Marks

Course Objectives:

- (a) To study the general principles of Law of Contracts in India in context judicial development and interpretation.
- (b) To give an appreciation of the emerging trends necessitated by modern trade and Commerce.
- (c) To develop the capacity to evaluate the law and judicial decisions in the light of changing needs in the welfare society.

Course Outcome:

- (a) To understand the meaning, nature , necessity and importance of the Indian Contract Act in the Present scenario

Syllabus of the Course

Unit-I Introduction :

1. Proposal
2. Acceptance
3. Agreement & Contract
4. Tenders
5. Standard form contracts
6. E-contracts

Unit-II Consideration :

1. Definition, essentials , significance
2. Privity of contract and of consideration
3. Exceptions to consideration
4. Free Consent and its effects
 - (i) Coercion
 - (ii) Undue influence
 - (iii) Misrepresentation
 - (iv) Fraud
 - (v) Mistake

Unit-III Capacity to Contract:

1. Minor's Agreements and its effects
2. Persons of unsound mind
3. Persons disqualified by Law.

Unit-IV Agreements expressly declared to be void

Unit-V Performance & Discharge of Contract

1. Modes of discharge
2. Discharge by performance
3. Discharge by agreement
4. Discharge by frustration, theories of frustration
5. Discharge by breach

Unit-VI Quasi Contracts:

1. Meaning, nature and scope
2. Quasi contracts recognised by Indian Contract Act

Unit VI Contingent Contract and wagering agreement :

1. Meaning
2. Essential elements of contingent contract and wagering agreement
3. Distinction between contingent contract and wagering agreement
4. Exceptions to wagering agreement.

Unit-VII Remedies for Breach of Contract :

1. Damages
2. Specific performance & Injunction
3. Limitation of actions
4. Restitution

Unit-VIII Government Contract:

1. Government as a contracting party:
2. Constitutional provisions
3. Government powers to contract
4. Procedural requirements
5. Kinds of Government Contracts, their usual clauses, performance of such contract, settlement of disputes and remedies

Books suggested for reading :

- 1) Chitty : Chitty on Contracts, Vol. I General Principles Vol. 2 Specific Contracts.
- 2) Pollock and Mulla on the Indian Contract and Specific Relief Acts.
- 3) Cheshire and Fifoot, The Law of Contract.
- 4) Bowstead on Agency.
- 5) Lindley on Partnership.
- 6) Mull on Partnership Act and Sale of Goods Act.
- 7) K. Poonuswami & K. K. Puri, Cases and Materials on Contract. G.M. Treitel : Law of Contract.
- 8) S. Venkataraman and K. Ramanamurthy, T. S. Venkatesa Iyer's Law of Contract.
- 9) R. S. Sim and S. V. Powell : Case book on Contract.

**SEMESTER-III
Paper - V
BANKING LAW**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) A spirit of inquiry to the evolution of banking and its history in India, purpose and utility;
- (a) To explore the banking regulations and control;
- (b) To examine the role of RBI as central bank, recovery of loans, and current trends; and
- (c) To explore the various regulations to regulate banking sector including NI Act, 1881

Course Outcomes:

At the end it is expected that the student will be able to :

- (a) Understand the banking structure in India and its functional mechanism;
- (b) RBI as central bank and its control over the banking sector;
- (c) To apply the various rules and regulations for banking sector in India including recovery of loans, NI Act, 1881 etc at all.

Syllabus of the Course

Unit-I Introduction :

- 1) Evolution of banking and its history in India. Role of banking institutions in the socio-economic development of the country.
- 2) Structure and functions of different banking institutions- viz. Central Bank, Commercial Banks, Merchant Banks, Co-operative Bank, Specialised Banks, Financial Institutions.
- 3) Banker and Customer- nature and relationship, rights and duties, banker's lien, banking instruments, consumer protection: banking as service.

Unit-II Law of Banking Regulations - Banking Regulation Act, 1949 :

- 1) Social control over banking institutions, National Credit Council, loan meals.
- 2) Control by RBI and central government over business activities of banking institutions.
- 3) Control over accounts and audit.
- 4) Reconstruction and reorganisation
- 5) Suspension and winding up.
- 6) Control over non-banking financial institutions.
- 7) Nationalisation of banks, critical analysis of banks before and after nationalisation. Liberalisation policy and its impact on banking sector, disinvestment.

Unit-III Reserve Bank of India Act, 1934 :

- 1) Evolution of Central Bank- constitutional background.
- 2) Characteristics and functions of RBI.
- 3) Legal status and organisational structure of RBI.
- 4) Regulating mechanism of RBI over other Banks

Unit-IV Recovery of Loans :

- 1) Default in Repayment of Loans
- 2) Recovery of Debts Due to Banks and Financial Institution Act, 1993
- 3) The Securitisation Act 2002
- 4) Legal and Non Legal measures of Recovery of Loans
- 5) Banking Ombudsman and Internal Ombudsman

Unit-V Current Trends and use of latest Technology in Banking :

- 1) Internet Banking
- 2) ATM
- 3) Credit Cards, Debit Cards and Smart -Cards

Unit-VI Negotiable Instruments :

- 1) Negotiable Instruments- meaning, characteristics and kinds, promissory notes, bills of exchange, Hundis and Cheques.
- 2) Discharge of parties from liability, discharge of instruments and consequences.
- 3) Dishonour of cheques and forgery of cheques.

Books Suggested for Reading:

- 1) Tannan's Banking Law and Practice in India 19th Edn. Vol. I & II (1999).
- 2) S.N. Gupta - The Banking Law in Theory and Practice 3rd Edn. Vol I & II (1999).
- 3) J. Milnes Holdens- The Law and Practice of Banking Vol. I & II 8th Edn. Universal Law Publishing Co.Prt.Ltd.
- 4) L.C. Goyle - Law of Banking and Bankers, 1995, Eastern Law House, New Delhi.
- 5) B.R. Sharma - Bank Frauds - Prevention and Detection 2nd Edn. Universal.
- 6) P.S. Narayana's Law of Negotiable Instruments and Dishonour of Cheques , 1997, Asia Law House.
- 7) Richardson - A Guide to Negotiable Instruments 7th Edn. 1983 Butterworth
- 8) Tripathi ,Digest of Dishonour of Cheques 2000 Edn, Singh and Co, Allah.
- 9) Dr. R.G. Chaturvedi , Madhusudan Chaturvedi - Law of State Financial Corporations , 1998, Bharat Law Publications.

**PAPER - VI
INSURANCE LAW**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To explore the concept of insurance. The evolution of Insurance, marine, fire, housing and life insurance
- (b) To study General philosophy of insurance, its utility and approaches;
- (c) To understand the Various concepts, like third party insurance, key man insurance; and
- (d) To develop the enquiry of understanding the latent aspects of Insurance law and its functional mechanism.

Expected Course Outcomes:

At the end it is expected that the student will be able to :

- (a) Understand and interpret Insurance as concept, approach and philosophy;
- (b) Understand Various types of insurance and principles governing the same; and
- (c) Explore the various functional theories, doctrine and principles working in insurance sectors.

Unit-I Nature of Insurance:

1. History and essential elements,
2. proposal,
3. policy,
4. parties,
5. consideration,
6. need for utmost good faith,
7. insurable interest,
8. indemnity, Law of contract.

Unit-II General Principles of Law of Insurance:

1. The risk: commencement, attachment and duration, assignment and alteration, settlement of claim and subrogation,
2. Insurance Act 1938
3. Insurance Regulatory Development Authority Act, 2000,
4. Double Insurance and Reinsurance.
5. Role of Private Life Insurance Companies and Insurance Regulatory and their control on Foreign Insurance Companies.

Unit-III Life Insurance:

1. Nature and scope,
2. Insurable interest,
3. accident and disability,
4. benefit,
5. event insured against,
6. life insurance contract, circumstances affecting the risk,
7. persons entitled to payment, assignment and nomination,
8. Life Insurance Act 1956, Assessments, Adverse Selection against Insurer.

Unit-IV General Insurance :

Marine Insurance:

1. Nature and scope,
2. classification of Marine Policies,
3. Marine Insurance Act 1963,
4. Insurable Interest,
5. Insurable Value, conditions,
6. express warranties,
7. interpretation of terms of policies,
8. voyage- Deviation, perils of sea, assignment of policy, partial loss of ship, freight, salvage particular Charges.

A. Property Insurance:

1. Fire insurance,
2. burglary and theft policies,
3. goods in transit,
4. livestock and agriculture insurance.

B.Third Party Risk Insurance:

1. Motor Vehicles Act 1988, nature and scope,
2. contributory negligence,
3. effect of Insolvency or death
4. Claims Tribunal,
5. constitution, functions, procedure, powers and award, public liability insurance.

Unit-V Miscellaneous Insurance Schemes : New Dimensions :

1. Group Life insurance,
2. medical claim and Sickness Insurance,
3. crop and cattle insurance and GovtSchemes,
4. Group Life Insurance – Methods of underwriting,
5. new disinvestment Policy in InsuranceSector.

Books Suggested for Reading :

- 1) ER Hardy Ivamy - General Principles of Insurance law , 5th Edn. 1986, Butterworths, London.
- 2) Bharat's Manual of Insurance Laws - 2000.
- 3) Brijnandan Singh - Insurance Law, 4th Edn. 2000 , The University Book Agency, Allahabad.
- 4) Yodhishtira and Shrivastava - Banerjee's Law of Insurance, Vol. I & II 4th Edn. 1994, The Law Book Co.(P) Ltd., Allahabad.
- 5) Murthy and Sarma - Modern Law of Insurance in India, 2nd Edn., 1991, N.M.Tripathi (P) Ltd., Bombay.
- 6) Ivamy - Case Book on Insurance Law, 4th Edn., 1984, Butterworths.
- 7) Srinivasa - Cases on Insurance, Vol. I and II.
- 8) Taxmann's Regulations Framed under Insurance Regulatory and Development Authority Act., 2000.
- 9) B.N. Banerjee - Law of Insurance, 4th Edn., 1994, Vol I & II, Law Book Co (P) Ltd.
- 10) E.R.H. Ivamy, Marine Insurance 2nd Edn. 1974, Butterworths.
- 11) B.C. Mitra - The Law Relating to Marine Insurance, 2nd Edn., 1993, The University Book Agency, Allahabad..

Books By Insurance Institute Of India :

- | | | |
|------------|---|--|
| 1. IC – 01 | - | Principles of Insurance |
| 2. IC – 02 | - | Practice of Life Insurance |
| 3. IC-14 | - | Regulations of Life Insurance Business |

**SEMESTER-I
GROUP-D(CORPORATE LAW)
PAPER - I
CORPORATE LAW**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To explore the structure, management, administration and conduct of affairs of companies.
- (b) To understand the concept of Capital and Financing of Companies.

Course Outcomes:

- (a) To understand the nature , purpose and types of business enterprises
- (b) To understand the nature of formation of companies
- (c) To understand the sources of capital and financing of companies

Syllabus of the Course**Unit-I Introduction :**

1. Nature, purposes and types of business enterprises.
2. Economic themes in the development of modern company law.
3. Classification of companies.

4. Concept and theories of corporate personality.
5. Doctrine of Lifting the Corporate Veil
6. Administration of Company Law- Authorities, their composition, powers and jurisdiction.

Unit-II Formation of Company :

- 1) Promotion and pre-incorporation contracts.
 - a) Concept of Promotion
 - b) Rights and Duties of Promoters
 - c) Pre-incorporation contracts.
- 2) The Mechanics of Company Formation.
 - a) Formation formalities.
 - b) Memorandum of Association:
 - i) Meaning, nature and content (Requirements under company and other legislations)
 - ii) Doctrine of ultra vires - Scope, Effect, Remedies and Reform of the doctrine.
 - iii) Amendment of MOA.
 - c) Articles of Association:
 - i) Meaning and nature.
 - ii) Doctrine of indoor management - Scope, Effect and Exceptions.
 - iii) Amendment of AOA.

Unit-III Concept of Capital and Financing of Companies:

1. Economic and legal concept of capital
2. Sources of Financial Institutions, Mutual Funds, FDI and NRI investments.
3. Kinds of Capital, Alteration, Reduction and Issue capital Depositories, Public of Capital
4. Share - Definition, Kinds, Classes of Shares, Allotment, Transfer, Transmission of Shares and Buy back of Shares.
5. Debenture - Definition, Kinds and Rights of Debenture Holders, Charges, New Developments in Corporate Debt Financing.
6. Inter- corporate Loans and Investments .

Books Suggested for Reading :

1. Gover's Principles of Company Law, 5th Edn. 1992, Sweet and Maxwell.
2. Iyengar, T.R. Srinivasa : Company Promotion, Management & Incorporation , 2nd Edn. The Law Book co (P) Ltd.
3. Dr.K.R. Chandratre : Transfer and Transimission of Shares and Debentures 3rd Edn. 1996 - Bharat Law House Publication.
4. Badjatya : Model object Clause of Memorandum of Asociation of a company, 1995 Edn. Orient Publishing co.
5. Ramaiya : Guide to the companies Act- (1998)
6. Boyle and Birds - Company Law 3rd Edn. 1997 Universal Law Publishing Co.Pvt. Ltd.
7. J.H. Farrar and B.M. Hanniyan, Farrar's Company Law (1998) Butterworths
8. Altman and subrahmanyam - Recent Advances in corporate Finance(1985) LBC.
9. Y.D. Kulshreshta, Government Regulation of Financial Management of private Corporate sector in india (1986)
10. Journals - Journal of Indian Law Institute , Corporate Law Cases, Chartered Secretary, Law and Contemporary Problems.
11. Statutory Materials - Companies Act

PAPER-II COMPANY AND SECURITIES LAWS

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To explore the concept of corporate governance
- (b) To study the regulations of companies by disclosure information, procedure of amalgamation, take over, merger, winding up of companies
- (c) To study international dimensions of company law and securities laws in India

Course Outcome:

- (a) To understand the concept of management and structure and procedure of formation ,amalgamation mergers, take over and winding up of companies.
- (b) To understand the growth of international and multinational companies

Syllabus of the Course

Unit-I Management of Company :

1. Concept of corporate Governance
2. Directors and other Managerial Personnel - Qualification, Disqualification, Appointment and Removal, Powers, Position, Duties, Liabilities and Remuneration of Directors.
3. Managing Director
4. Manager and sole selling agents .
5. Meetings of company

6. Supremacy of majority and protection of minority : exceptions to Rule in Foss V. Harbottle.
7. Oppression and Mismanagement: Meaning of and Relief against Oppression and Mismanagement.

Unit-II Regulation of Companies by Disclosure of information:

1. Themes underlying disclosure of information.
2. Auditors - Appointment , Qualification, Disqualification and Removal of .
3. Audit committee.
4. Investigation of affairs of companies - inspectors and their powers, inspectors' report .

Unit-III Amalgamation, Take over and Mergers.

Unit-IV. Corporate collapse - Winding up of company

1. Meaning and kinds of
2. Grounds for compulsory winding up
3. Appointment , Powers and Duties of Liquidator.
4. Contributory.

Unit-V International Dimensions of company law :

1. Multinational and Transnational companies - Meaning , Growth and Regulation of
2. Cross- frontier mergers international competition and international co-operation.

Unit-VI Securities Laws in India :

1. Securities Contract (Regulation) Act . Control of capital market - listing of Securities etc.
2. National Stock Exchange /Recognised stock Exchange / OTC .Exchange
3. Contracts and options in securities, Derives, listing of securities
4. SEBI ACT and guidelines.
5. Depositories Act - Demitting of Shares etc.

Books Suggested for Reading :

- a) Prof. I.C.B. Gover's Modern Principles of company law 5th Edn 1992, Sweet and Maxwell .
- b) Boyle and Birds- Company Law
- c) V.H. Farrar and B. M. Hanniyan, Farrar's Company Law (1998) Butter worth
- d) Ramaiya : Guide to the companies Act, (1998)
- e) Thayil Philip and Iyengar, T.R. Srinivasa - companies Director (their Rights, Duties, Power, obligations, Appoint ments, Classifications, Removal, Resignation etc.) 2nd Edn - Law Book Co:(p) ltd.
- f) Iyengar, T.R. Srinivasa : Company Promotion, Management and incorporation, 2nd edn. The law Book co (p) Ltd.
- g) Dr. K.R. Chandratre, Bipin S. Acharya, Dr. S.D. Israni , K. Sethuraman: compendium on SEBI- Capital Issues and listing - 3rd Edn. 1996 Bharat law House publication.
- h) Bharats Manual of SEBI, 2000, Bharat Law Journals :- Same as under Paper IV.

**SEMESTER-II
PAPER III
ECONOMIC LEGISLATION**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives :

- (a) To understand the general principles of law of contract
- (b) To study the consumer protection act in the present scenario

Course Outcome:

- (a) To acquire the knowledge regarding theories of contract, government contracts
- (b) To understand the concept of consumerism, rights of consumer, unfair trade practices, and new development in the present era

Syllabus of the Course

Unit-I Competition Act, 2002 :

1. Historical background
2. Definitions
3. Competition regime in India
4. Economic Reforms and competition
5. Anti competition Agreement
6. Abuse of dominant position
7. Overview of combination & regulation of combinations
8. Competition advocacy
9. Competition Commission of India
10. Appellate Tribunal

Unit-II Consumer Protection:

1. Consumer Protection Act, 2019.
 - i) Concept of Consumer Service, Deficiency in Service, Unfair Trade Practice and Restrictive Trade Practice
 - iii) Rights of Consumer, Mechanism for promotion and protection of rights.
 - iv) Remedies against Violation of their rights - Consumer Disputes Redressal Agencies - Composition, Jurisdiction, Powers, Procedure and Performance.

Unit-III Introduction to E-commerce:

1. Concept and nature and scope of E-Commerce
2. E-Commerce Business Models
3. Importance of E-Commerce and E-Commerce Security, Cryptography, Authentication
4. E- Commerce Provisions under IT Act.

Unit-IV E-Commerce Dispute Resolution :

1. Form of dispute resolution
2. Online dispute Resolution and other legal issues
3. Jurisdiction: Internet Jurisdiction

Unit-V Goods and Services Tax(GST)Laws :

1. Need for GST in India
2. introduction to Goods and Services Tax Act,2017
3. basic concepts in Goods and Service Tax
4. Types of GST-CGST/SGST/IGST
5. Meaning and scope of supply, levy and collection of Tax
6. Basic concept of time and value of supply
7. Registration procedure under CGST and SGST
8. Computation of GST liability
9. Payment of tax including reverse charge
10. Refund under GST Act
11. Composition scheme
12. Various exemptions under the GST Act
13. Special provisions under GST-Taxability of E-Commerce, Ant profiteering, avoidance of dual control, E-way bills

Books Suggested for Reading:

1. Anson- Law of contract (25th Edn.) 1979 .
2. R.K. Abhichandani (Edn.) Pollock and Mulla on Contracts and specific Relief Acts (1999) Tripathi Publication.
3. P.S. Atiya, Introduction to the Law of Contract, 1992 Reprint (Claredon Law series)
4. Dutt on contract (2000) Universal Publishers.
5. Saraf D.N. Law of Consumer Protection in India (1995) Tripathi Publishers, Bombay.
6. J.N. Barowalia Commentary on Consumer Protection Act, 1986 (2000) Universal Publishers, Delhi.
7. P.K. Majumdar, The law of Consumer Protection in India (1998). Orient Publishing co, New Delhi.
8. B.P. Saraf and M. Jhunhunwala, law of Arbitration and
9. Conciliation (2000), Snow White, Mumbai.
10. G.K. Kwatra , The Arbitration and conciliation Law of India (2000) Universal, Delhi.
11. A.K. Bansal Law of International Commercial Arbitration (1999), Universal, Delhi.
12. Indirect Taxes H C Mehrotra Sahitya Bhan Publication Agra Bane Act CGST, SGST,IGSTH C Mehrotra Sahitya BhanPublication Agra.

**PAPER – IV
LEGAL REGULATION OF ECONOMIC ENTERPRISES**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- a. To understand the rationale of Government Regulation of Economic activities by Government
- b. To understand the policy of Economic policy Resolutions.
- c. To study the development, regulations and control of Industrial and trading activities, Control of Industrial Trading activities.
- d. To understand the powers of Regulatory authorities and their powers.

Course Outcomes:

- (a) To understand the basic principles of WTO, judicial review of economic regulation ,economic policy regulations
- (b) To understand the development, regulation of control of industrial and trading activities, capital and finance , and regulatory authorities.

Syllabus of the Course

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.
4. Basic principles of World Trade Organization.

Unit-II Economic Policy Resolutions :

1. Industrial Policy Resolutions,
2. Price Policy Resolutions,
3. Foreign Trade Policy Resolutions,
4. 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.

Unit-IV 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-V 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.
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.

**SEMESTER-III
PAPER - V
INTERNATIONAL ECONOMIC LAW**

Theory : 80 Marks

Int. Ass. : 20 Marks

Course Objectives:

- (a) To study the meaning ,nature ,sources, development of international economic law
- (b) To understand international economic agencies and international economic institutions
- (c) To understand the structure, functions and jurisdiction of WTO

Course Outcome:

- (a) To acquire the knowledge regarding international economic law, international economic agencies, international economic institutions
- (b) To understand the objectives, principles and problem areas of WTO

Syllabus of the Course

Unit-I Introduction:

1. Meaning and Nature of International Economic Law.
2. Sources of International Economic Law.
3. Development and evolution of IEL in pre and post World war periods.
4. Changing Dimensions of International Economic Law.
5. Doctrine of sovereignty over wealth and natural resources.

Unit-II International Economic Agencies :

1. International Monetary fund (IMF):
 - a) Role and objectives.
 - b) Structure.
 - c) Resources.
 - d) Special Drawing Rights.
 - e) Conditionality Clause.
2. International Bank for Reconstruction and Development (IBRD):
 - a) Role and objectives.
 - b) Structure.
 - c) Resources.
 - d) Appraisal of Performance.

Unit-III International Economic Institutions:

1. United Nations and its specialised agencies - Functions and role played in development of International Economic Law.
2. United Nations conference on trade and Development (UNCTAD) :
 - a) Institutional framework
 - b) Objectives and functions
 - c) Role and achievements
3. United Nations Commission for International Trade Law (UNCITRAL):
 - a) Structure and functions
 - b) Role and Achievements

Unit-IV World Trade Organisation:

1. Historical background
2. Objectives.
3. Structure, function and jurisdiction.
4. Principles
5. Dispute Settlement
6. Select agreements of WTO on following topics
 - i. Rules of origin
 - ii. Subsidiary on agriculture
 - iii. Anti Dumping
 - iv. E - commerce
 - v. Transfer of technology
 - vi. General Agreement on Trade in Service
7. Problem areas of WTO
 - i. Social clause
 - ii. Protection of environment

Bibliography :

1. Bandar Surendra, World Trade Organization and Developing Countries (1995) , Universal, Delhi.
2. Arun Goyal (ed.) WTO in the New Millenium (2000) , Academy of Business Studies, New Delhi
3. Jayanta Bagchi, World Trade Organization: An Indian Perspective (2000) Eastern Law House, Calcutta.
4. A. K. Kaul, - UNCED, Our Common Feature (1986) Oxford.
5. Legal Framework of UNCTAD in World Trade 1977, N.M. Tripathi, Bombay.
6. Report of Peoples Commission on GATT, 1996, Centre for Study of Global Trade System and Development, New Delhi.
7. GATT Accord and India - Edited by K.R. Gupta , Atlantic Publishers and Distributors.

**PAPER - VI
INTERNATIONAL TRADE LAW**

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To study the international sale of goods, financing and payment in international Trade, transportation of exports
- (b) To understand the concepts of insurance of exports, and dispute settlement

Course Outcome:

- (a) To acquire the knowledge relating to international sale of goods, financing and payment in international trade.
- (b) To understand the provisions of marine and aviation insurance, non judicial dispute settlement

Syllabus of the Course

Unit-I International Sale of Goods:

1. Special trade terms in export sales - Definitions, kinds, Differences between Rights and duties of buyers and sellers.

2. Standardisation of terms in International Sales: Uniform Conditions of Export Sales - Role of UNCITRAL, International Chamber of Commerce Publications, Standard contract forms applied to specified international transactions.
3. Offer and acceptance.
4. Performance of contract.
5. Rights of unpaid seller
6. Countertrade.
7. Frustration of contract
8. Conflict of laws
9. Unification of the Law of International Sales.

Unit-II Financing and Payment in International Trade :

1. Meaning, types and control of foreign investment
2. Bill of Exchange - Meaning
3. Letters of Credit - Characteristics and kinds.
4. Bank guarantees and other contract guarantees.

Unit-III. Transportation of Exports :

1. Carriage of Goods by Sea- Unimodal and Multimodal Transport, Contract of Carriage by Sea, Bills of Lading, Charter party Liability of ship owner for loss or damage to goods.
2. Container transport - Course of business in container Transport, Legal problems of container transport.
3. Carriage of Goods by Air
4. Carriage of Goods by Land.

Unit-IV Insurance of Exports - Marine and Aviation Insurance.

Unit-V Dispute Settlement Non -judicial dispute settlement: Arbitration and Conciliation.

Books Suggested for Reading :

1. Carr and Kidner - Statutes and Conventions on International Trade Law, 1993.
2. Jason Chuah - International Trade Law, Cavendish Publishing Ltd, London, 1995.
3. Motiwal and Awasthi International Trade, 1st edn, 1995. Bhowmik and co; New Delhi.
4. Clive M. Schmitthoff, Schmitthoff's, Export Trade, 8th Edn, 1986, Stevens and Sons, London.
5. Law of International Trade Transactions - ed. Rahmatullah Khan, Tripathi Pvt, Ltd, Bombay, 1973.
6. UNCITRAL Year Book, 1970-1995, United Nations, New York .
7. Dicey, Conflict of Laws.
8. Justice Kochu Thomen.- Bill of Lading.
9. Payne and Ivamy - Carriage of goods , 12th Edn., Butterworth.
10. M.C. Vaish, Sudama Singh : International Economic Law , 4th Edn., Oxford and IBH Publishing Co.
11. New Directions in International Trade Law , Vol I & II, Oceana Publications Inc.
12. B.C. Mitra - Law Relating to Bills of Lading and Charter party (Air , Land and Sea) 1998.
13. Avtar Singh Law of Carriage (Road , Rail , Air and Sea) 3rd Edn., Eastern Book Co.

**SEMESTER-I
GROUP-E
Human Rights
Paper-I**

HISTORICAL AND PHILOSOPHICAL PERSPECTIVES OF HUMAN RIGHTS AND DUTIES

Theory : 80 Marks

Int. Ass. : 20 Marks

Course Objectives:

- (a) To provide knowledge regarding concept of human rights, legal and philosophical conceptions of human rights and duties with reference to theories of rights duties and responsibilities.
- (b) To explain the human rights, ideas in religious context with reference to Hindu, Muslim, Christian and Buddhist.
- (c) To elaborate concept of Rule of Law and its importance and pattern of rule of law in societies.
- (d) To study the National freedom struggle and constitutional development in French, America, England and India.
- (e) The endeavour is to make the students aware of Global and regional development of human rights and Duties.

Expected Course Outcomes:

At the end it is expected that the student will be able to:

- (a) Understand the development human rights and duties from philosophical and historical point of view in detailed manner.
- (b) Acknowledge the human rights, ideas in religious context and its development in different religion in India.
- (c) Explore the ideas about rule of law and its application in various societies.
- (d) Develop the ideas about National freedom struggle in national and international perspectives.
- (e) Examine the Global and Regional development of Human rights in various countries including Europe, America, Africa and Arab.

Syllabus of the Course

Unit-I Concept of Human Rights :

1. Meaning and nature of Human Rights.
2. Criteria to determine a particular right as human rights - what are human rights?
3. Sources of human rights.
4. Categories of substantive human rights.

Unit-II Legal and Philosophical Conceptions of Human Rights and Duties :

1. Natural law and natural rights, concept of legal rights - constitutional and fundamental rights.
2. Theories of rights and duties.
3. Co -relationship of rights and duties- Relationship between rights and duties. Relationship between obligations and responsibilities in relation to the state and society.
4. Concept of Human Duties and Responsibilities:
 - i. Moral, Ethical, Social, Economic, Political and Cultural.
 - ii. Universal
 - iii. Traditional / Modern

Unit-III Human Rights Ideas and Traditions in Religious context(Intercultural Background):

1. Hindu traditions and ideas: concept of rights and duties and caste system.
2. Islamic traditions and ideas: concept of rights and duties.
3. Christian traditions and ideas: rights and duties.
4. Buddhist traditions and ideas.

Unit-IV Rule of Law:

1. Concept, Origin and Importance
2. Patterns of rule of law in societies.
3. Relation to human rights and good governance.

Unit-V National Freedom Struggle and Constitutional Development:

1. In other countries:
 - a) French Revolution and Declaration of Rights of Man and Citizen, 1789.
 - b) American Declaration of Independence and Bill of Rights.
 - c) Magna Carta: Debate on the Bill of Rights in U.K.
2. In Pre- Independent India: (brief sketch):
 - i) Constitution of India Bill 1895 (Swaraj Bill).
 - ii) Congress Resolution at Bombay 1918 on Declaration of Rights of People of India.
 - iii) Annie Beasant's Commonwealth of India Bill – 1925.
 - iv) Congress Resolution at Madras (1927).
 - v) Motilal Nehru Report (1928).
 - vi) Congress Resolution at Karachi (1931).
 - vii) Sapru Committee Report (1944-45).
 - viii) Objective Resolution in Constituent Assembly by Nehru on 13/12/1946 and 22/1/1947.

Unit-VI Global and Regional Development of Human Rights and Duties :

1. Global :
 - i. Bill Human Rights prior to 1945.
 - ii. UN Charter and Human Rights.
 - iii. International of Rights.
2. Regional:
 - i. European Convention on Human Rights.
 - ii. American Convention on Human Rights.
 - iii. African Charter on Human and Peoples' Rights.
 - iv. Arab Charter on Human Rights.

PAPER - II

HUMAN RIGHTS AND DUTIES: INTERNATIONAL PERSPECTIVES

Theory : 80 Marks

Int. Ass. : 20 Marks

Course Objectives:

- a. To explain the classification and inter relationship between different human rights in the light of International covenants on economic, social and cultural rights and covenant on civil and political rights.
- b. To explain social and economic rights with reference to right to work in favourable condition, forced labour bonded labour, slavery, child labour and protection of families and children etc.
- c. To explain the cultural rights of indigenous population.
- d. To study the third-generation solidarity rights including tribal population, migrant workers, disabled persons, prostitutes, women and children.

Expected Course Outcomes:

At the end it is expected that the student will be able to:

- (a) Understand the classification and interrelation of human right in the light of various International covenants.
- (b) Acknowledge the social and economic rights of workers, forced labour, child labour, bonded labour, slavery, trade union, social security, right to health, standard of living, protection of families etc.

- (c) To gain and acquire the knowledge about cultural rights of indigenous population.
- (d) Understand the third-generation solidarity right of various populations.

Unit-I Classification and Inter-relationship between different Human Rights: International Covenant on Economic, Social and Cultural Rights, 1966 International Covenant on Civil and Political Rights, 1966.

Unit-II Civil and Political Rights - I :

1. Right to life.
2. Right to liberty and security of individual, arrest and detention.
3. Due Process of law.
4. Right to privacy, right to respect, interception of mail and telephone tapping, dignity, personality and name.
5. Right to die- Debate on Euthanasia.
6. Death Penalty.
7. Freedom of movement and residence- Freedom to leave country, right to seek asylum, right to Nationality.
8. Right of the peoples and nations to self- determination - scope and its limitations.

Unit-III Civil and Political Rights- II :

1. Freedom of thought and expression.
2. Right to equality and freedom from discrimination- Convention on Elimination of All Forms of Racial Discrimination, 1965.
3. Rights of minorities.
4. Freedom of conscience and religion: UN Declaration on Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief, 1987.
5. Right against inhuman and degrading treatment: Convention on the Protection of All Persons from Being Subjected to Torture and other Cruel, Inhuman or Degrading Treatment or Punishment 1984.
6. Rights of accused persons, treatment of prisoners.
7. Freedom from Torture : Convention on Prevention and Punishment of the Crime of Genocide, 1948.
8. Right to property, right to own property, deprivation of property.
9. Terrorism and Human Rights.

Unit-IV Social and Economic Rights – I :

1. Right to work and favourable conditions of employment.
2. Forced labour and compulsory labour, bonded labour, slavery and traffic in human beings, child labour- ILO Convention on Child Labour 1999.
3. Right to strike and to form trade Unions.
4. Right to social security, assistance and social welfare.
5. Right to health and adequate standard of living (Housing), adequate food.
6. Right to education and training.

Unit-V Social and Economic Rights – II :

1. Protection of families and children - Right to marry and found a family. (Marriage, Adoption and Custody of Children), families right to protection, equal rights in marriage.
2. Right to development and right to future - UN Declaration on the Right to Development.

Unit-VI Cultural Rights:

1. Right to take part in cultural life.
2. Cultural rights of indigenous population.

Unit-VII Third Generation Solidarity Rights (Group Rights) :

1. Rights of Tribal population.
2. Rights of Migrant workers.
3. Rights of Physically Disabled.
4. Rights of LGBT

**SEMESTER-II
PAPER - III**

PROTECTION SYSTEM AND IMPLEMENTATION OF HUMAN RIGHTS AND DUTIES

Theory : 80 Marks
Int. Ass. : 20 Marks

Course Objectives:

- (a) To explain domestic application and enforcement of human right and norms.
- (b) To study the human rights protection system of united Nation under civil and political rights.
- (c) To explain European system of protection of Human Rights through commission and courts.
- (d) To understand the American and African system for protection of Human rights.
- (e) To examine the role of UNESCO, ILO and NGO in promotion and protection of Human Rights.

Expected Course Outcomes:

At the end it is expected that the student will be able to:

- (a) Understand the relationship between International law and Municipal Law in context of global human rights standard.

- (b) Acknowledge the ideas and knowledge about Human right Protection system of United Nations in the light of Covenant of Civil and Political rights.
- (c) To acquire the knowledge about Human rights protection system in Europe, America and Africa through various commissions courts and charters.
- (d) To expand the knowledge about role of UNESCO, ILO and NGO for promotion and protection of human rights.

Syllabus of the Course

Unit-I Domestic Application and Enforcement of Human Rights Norms :

1. Relationship between International Law and Municipal Law in context of Global Human Rights Standard.
2. Theory of Monism and Dualism and Practices of States.

Unit-II Human Rights Protection System of the United Nations (Under Covenants of Civil and Political Rights):

1. The UN Commission on Human Rights . (CHR)
2. The UN High Commissioner for Human Rights (UNHCHR).
3. The UN Human Rights Committee (HRC) - Composition and Organization, Powers and Procedures, State Communications, Individual Communication, and Supervision.

Unit-III European System of Protection of Human Rights:

1. European Commission of Human Rights. Composition, Structure, Competence and Procedure.
2. European, Court of Human Rights: Composition, Organization, Jurisdiction and Procedure.

Unit-IV American System of Protection of Human Rights:

1. Inter- American Commission of Human Rights - Functions, Powers and Procedure.
2. Inter - American Court of Human Rights - Jurisdiction and Procedure.

Unit-V African System of Protection of Human Rights :

1. OAU Charter 1963.
2. The African Charter of Human and Peoples' Rights.
3. Mechanism of implementation, African Commission and Court of Human and Peoples' Rights.

Unit-VI UN Educational Scientific and Cultural Organisation (UNESCO) and Human Rights.

Unit-VII ILO and Human Rights.

Unit-VIII Role of Non- Governmental Organizations:

1. Role of voluntary agencies, educational institutions and NGO's in the promotion and protection of human rights.
2. Role of social activists, public opinion and the press in promotion and protection of human rights.

PAPER-IV

HUMAN RIGHTS AND DUTIES IN INDIA: INDIAN LEGAL SYSTEM

Theory : 80 Marks

Int. Ass. : 20 Marks

Course Objectives :

- (a) To study the human rights and duties under the Constitution of India, impact of Universal Declaration of Human rights on part III and Part IV of the Constitution.
- (b) To examine legislative protection of human rights in India.
- (c) To find out the role of National Commission of Human rights in India.
- (d) To understand the protection provided by the National Commission for women, minorities and SCs/STs
- (e) To explain the concept of judicial activism and human rights jurisprudence.
- (f) To elaborate the contemporary Indian Problems and Human Rights.

Course Outcomes:

At the end it is expected that the student will be able to:

- (a) Understand the evolution of composite culture of India, contribution of diverse religion, human rights in constitutional perspective and impact of Universal Declaration of Human Rights on part III and IV of the Constitution.
- (b) Acquire knowledge about the legislative measure for protection of human rights in India.
- (c) Acquainted with the role of National human commission and other Commission for protection of human rights of women, minorities and SCs and STs in India.
- (d) To analyse the role of judiciary in protection rights of public domain.
- (e) Understand the policies of reservation, uniform civil code, health and human rights and importance of human rights and duties.

Syllabus of the Course

Unit-I The Constitution and Human Rights and Duties :

1. Evolution of composite culture of India, contribution of diverse religions.
2. Impact of Universal Declaration of Human Rights on the drafting of Part - III and Part - IV of the Constitution.
3. Human Rights Norms and Constitutional perspective, Preamble,
4. Fundamental Duties, Directive Principles of State Policy, problems of implementing duties.
5. Indian Declaration to the International Covenant (1979)

6. Human Rights Philosophy and Inter-Relationship between Part- III and Part- IV of the Constitution:

- (i) Inter- relationship between Fundamental Rights and Directive Principles of State Policy.
- (ii) Expansion of basic needs- Judicial interpretation on widening of the Directive Principles.

Unit-II Legislative Incorporation of Human Rights Norms in Indian Legislation:

1. Protection of Civil Rights Act, 1955.
2. Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.

Unit-III National Commission of Human Rights in India:

1. Background of the Protection of Human Rights Act, 1993.
2. National Human Rights Commission- Powers, Functions, Structure and Composition.
3. Human Rights Courts
4. Evaluation of the working of the Commission.

Unit-IV Other Commissions:

1. National Commission for Women.
2. National Commission for Minorities.
3. National Commission for S C/ ST.

Unit-V Judicial Activism and Human Rights Jurisprudence:

1. Poverty and inaccessibility of legal redress.
2. Role of judiciary in protecting human rights in India, Legal Aid
3. Judicial activism in the field of protection of: women in private and public domain, children, bonded labour and prisoners, in the light of leading cases.

Unit-VI Contemporary Indian Problem and Human Rights :

1. Reservations and Right to Equality
2. Uniform Civil Code and Personal Laws.
3. Protection of Minorities.
4. Health and violation of human rights: problems of health and environmental protection, population control, family planning, HIV/ AIDS.

Unit-VIII Importance of Internalizing Human Rights and Duties:

**SEMESTER-III
PAPER-V
HUMAN RIGHTS AND CRIMINAL JUSTICE SYSTEM**

Theory : 80 Marks

Int. Ass. : 20 Marks

Course Objectives:

- A) To Study the concept of crime and criminal liability, relevant provisions under the constitution of India
- B) To understand the human rights and international norms of the treatment for prisoners, Investigation of crime and international crimes

Course Outcome:

- A) To understand the role of criminal justice system, protection under various legislations, role of police in investigation of crimes
- B) To acquire knowledge regarding basic principles and minimum rules for the treatment of prisoners and international treaties and conventions.

Syllabus of the Course

Unit-I Conceptual Perspective:

1. Concept of crime and criminal liability.
2. Offences involving Human Rights.
3. Role of Criminal Justice System.

Unit-II Criminal Justice and Relevant Constitutional Provisions:

Art. 20,21, & 22 - Rights of the Accused persons, Detention, Arrest, Search And Seizure, Bail, Legal Aid, Speedy Trial, Fair Procedure, Due Process of Law, Torture, Compensation, Custodial Violence, Investigations.

Unit-III Monumental Acts: I.P.C., Cr.P.C., Indian Evidence Act (relevant provisions). Offences: bailable and non-bailable.

Unit-IV A. Human Rights and Role of Police as Law Enforcement Officials, Abuse of police power: third degree methods, police firing, encounter deaths.

- B. Different Categories of Custodial Crimes: Causes, reasons for custodial crimes, instances of custodial crimes and their impact, compensatory justice, remedies for curbing incidents of custodial crimes.

Unit-V Human Rights and International Norms:

1. Standard Minimum Rules for the Treatment of Prisoners.
2. Basic Principles for the Treatment of Prisoners.
3. Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment.
4. Code of Conduct for Law Enforcement Officials.
5. Convention against Torture and other Cruel, Inhuman or Degrading Treatments or Punishment.
6. Code of Conduct for Police in India.

Unit-VII Investigation of Crime: Technology and Forensic Sciences: Searches and Seizures, Telephone Tapping, Surveillance, Lie detection test, DNA Test, other physical tests under Identification of Prisoners Act, 1920.

Unit-VIII International Perspectives: International Crimes: International co-operation in combating of transnational organized crimes and International terrorism - Palermo Convention on Transnational Organized Crimes 2000, International norms on administration of Criminal Justice - UN General Assembly Resolutions. International Criminal Court - Rome Statute 1998.

**PAPER-VI
INTERNATIONAL HUMANITARIAN LAW & REFUGEE LAW**

Theory : 80 Marks

Int. Ass. : 20 Marks

Course Objectives:

- A) To study the international humanitarian law and refugee law

Course Outcome:

- A. to acquire the knowledge regarding international humanitarian law and refugee law**

Syllabus of the Course

Unit-I International Humanitarian Law:

1. Definition of International Humanitarian Law, the origin and development throughout the ages.
2. Growth and Development of ICRC and its role.
3. The four Geneva Conventions and its Additional Protocols.
4. International Humanitarian Law and the Human Rights Law.
5. National Measures for the implementation of International Humanitarian Law. (The Geneva Convention Act, 1960).

Unit-II International Refugee Law:

2. Definition of Refugee, Historical development of Refugee Law, principle of non-refoulement, rights & responsibilities of refugee, refugees “sur+place”.

Unit-III Role of UNHCR in Protection of the Human Rights of Refugees:

1. Human Rights Instruments and Refugee Rights.
2. Statute of the office of the United NATIONS High Commissioner for Refugees (UNHCR) 1950
3. International Instruments - The 1951 Convention Relating to Status of Refugees and its 1967 Protocol.
4. International Strategies for Refugees Protection, early warning, safety zones, right to remain, right to return, temporary asylum, internally displaced persons.
5. Protection in India: Indian critique of UNHCR and the Convention, protection without legislation, status of refugees in India under UNHCR, Model National Law for Refugees.

Unit-IV Solutions to Refugees Problem:

1. Burden sharing, extradition of Refugee, voluntary Repatriation, naturalisation, resettlement in third country
2. Regional Mechanisms on Refugee Protection including the OAU Convention, Cartagena Declaration, etc.

Unit-V Refugee Protection in India :

1. Constitution of India
2. Registration of Foreigner Act, 1939, Foreigner Act 1946 and foreigners order 1948
3. Role of National Human Right Commission
4. Judicial Decisions on interpreting rights of Refugee in India.
5. India’s position regarding 1951 Conventions on Refugees

**SANT GADGE BABA AMRAVATI UNIVERSITY
ORDINANCE NO. 7 OF 2004**

Examinations leading to the Degree of विधी पारंगत(Master of Laws) (LL.M.) (Semester Pattern), Ordinance, 2004.

Whereas, it is expedient to make an Ordinance in respect of Examinations leading to the Degree of विधीपारंगत(Master of Laws) (LL.M.) (Semester Pattern), Ordinance, 2004 for the purposes hereinafter appearing; the Management Council is hereby pleased to approve the following Ordinance.

1. This Ordinance may be called, " Examinations leading to the Degree of विधी पारंगत(Master of Laws) (LL.M.) (Semester Pattern) Ordinance, 2004".
2. This Ordinance shall come into force with effect from the date of its approval by the Management Council.
3. The course for the Degree of Master of Laws under this Ordinance shall extend over a period of four semesters. At the end of each semester there shall be university examination known respectively as LL.M. First Semester Examination, LL.M. Second Semester Examination, LL.M. Third Semester Examination, and LL.M. Fourth Semester Examination.
4. The examinations will be held, as per schedule of University examination, and shall be held at such places and on such dates as may be appointed by the Board of Examinations.
5. Subject to the compliance with the provisions of this Ordinance, and of any other ordinances in force from time to time, an applicant for admission to examination shall have passed three years Bachelor of Laws degree or five years Bachelor of Laws degree Examination of the Amravati University or of any other statutory university recognised as equivalent thereto with a minimum of 50 percent marks.
6. A candidate applying for admission to an examination under this Ordinance shall prosecute regular/ full time course of study in respect of concerned examination during the relevant semester in the Post Graduate Department of Law, Amravati University, Amravati or in a college affiliated to Amravati University for conduct of LL.M.course.
7. The First Semester and Third Semester will commence from the date of opening of the college.
8.
 - i) The candidate for LL.M. First Semester shall be examined in the subjects mentioned in Appendix "A" appended with this Ordinance.
 - ii) The candidate for LL.M. Second Semester shall be examined in the subjects mentioned in Appendix "B" appended with this Ordinance.
 - iii) The candidate for LL.M. Third Semester shall be examined in the subjects mentioned in Appendix "C" appended with this Ordinance, and
 - iv) The candidate for LL.M. Fourth Semester shall be examined in the subjects mentioned in Appendix "D" appended with this Ordinance..
9. The medium of instruction and examinations shall be in English. Question papers for the examination shall be set in English.
10. The fee for the examination shall be as prescribed by the university, from time to time.
11. The scope of the topics in various papers will be as mentioned in the syllabi.
12. In order to be successful at the examinations and to be eligible for the Degree of Master of Laws under this Ordinance, an examinee shall obtain.
 - i) A minimum of 50% marks in each paper, and 50% marks in aggregate to be declared successful. Provided that an examinee securing 50% or more marks but less than 60% marks in the aggregate in all the four semester examinations, taken together, shall be placed in second division. Provided that an examinee securing 60% and above marks in aggregate, in all the semester examinations, taken together, shall be placed in First Division. Provided that an examinee securing 75% or more marks in a paper shall be declared to have passed in that paper with distinction.
 - ii) There shall be no classification of examinees successful at the LL.M. First Semester, Second Semester, and Third Semester Examinations.
13.
 - i) An examinee who is unsuccessful at the examination shall be eligible for admission to next written examination on payment of fresh fees as prescribed by the university, and in compliance with the conditions of the ordinances in force from time to time.
 - ii) For being eligible for exemption in a paper, a candidate must have obtained minimum 50% marks in that paper.
 - iii)
 - a) A candidate who does not pass LL.M. First Semester Examination will be allowed to take admission in Second Semester course.
 - b) For admission in the Third Semester a candidate should have passed in at least 50% of papers in First Semester and second Semester Examinations i.e. out of Eight papers, the candidate should

have passed in Four papers. Each paper will comprise of theory paper and internal assessment taken together. The candidate should pass the examination under both the heads separately with 50% Marks.

- c) For admission in the Forth Semester, a candidate should have cleared at least 50% of papers in the Third Semester.
 - d) However, a candidate shall not be allowed to appear for Fourth Semester. Examination unless the candidate is declared pass in First and Second Semester Examination in full i.e. in all the Eight papers”.
14. Without prejudice to other provisions of Ordinance No. 6 relating to examinations in general, the provisions of paragraphs 5, 8, 10, and 31 of the said Ordinance shall apply to every examinee appearing for the examination.
 15. Provisions of Ordinance No.18 of 2001 relating to an Ordinance to provide grace marks for passing in a Head of passing and improvement of division (Higher Class) and getting distinction in the subject and condonation of deficiency of marks in a subject in all the faculty prescribed by the statute No.18, Ordinance 2001 shall apply to the examinations under this Ordinance.
 16. Notwithstanding anything contrary in this direction, no person shall be admitted to this examination if the candidate has passed the same examination or an equivalent examination of any other statutory university.
 17. A candidate who has qualified for the Master of Laws Degree may apply for admission to the examination in additional group of subjects seeking fresh admission as provided in paragraph six in the Post-Graduate Teaching Department of Law or in a college affiliated to the university for LL.M. course. The candidate will appear for examination in optional group papers and also write dissertation.

Provided further that an examinee successful under these provisions shall not be entitled for the award of a division or a place in the merit list or for any other award, but shall, however, receive a certificate in the prescribed form signed by the Controller of Examinations.

(PUBLISHED VIDE DIRECTION NO. 89/2022)

Appendix - A

LL. M. FIRST SEMESTER EXAMINATION
Foundation Courses

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
1.	F-I	Law and Social Transformation in India	IA - 20 Th - 80	10 40
			Total	100 50
2.	F-II	Indian Constitutional Law: The New Challenges	IA - 20 Th - 80	10 40
			Total	100 50
3.	F-III	Judicial Process	IA - 20 Th - 80	10 40
			Total	100 50
Note :	1. IA	Stands for Internal Assessment.		
	2. TH	Stands for Theory		

Optional Courses
Group A
CRIMINAL LAW

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	I	Criminal Justice System	IA - 20 Th - 80	10 40
			Total	100 50
4.	II	Crime and Social Legislation	IA - 20 Th - 80	10 40
			Total	100 50

Group B
CONSTITUTIONAL LAW and ADMINISTRATIVE LAW

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	I	Constitutionalism : Pluralism and Federalism	IA - 20 Th - 80	10 40
			Total	100 50
4.	II	Union - State Relations	IA - 20 Th - 80	10 40
			Total	100 50

Appendix - B

LL. M. SECOND SEMESTER EXAMINATION
Foundation Courses

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
1.	F-IV	Jurisprudence and Legal Theory	IA - 20 Th - 80	10 40
			Total	100 50
2.	F-V	Legal Education and Research Methodology:	IA - 20 Th - 80	10 40
			Total	100 50
3.	F-VI	Law Relating to Cyber Crime	IA - 20 Th - 80	10 40
			Total	100 50

**Optional Courses
Group A
CRIMINAL LAW**

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	III	Criminal Justice : Concepts and Procedure	IA - 20	10
			Th - 80	40
			Total 100	50
4.	IV	Penology - Treatment of Offenders	IA - 20	10
			Th - 80	40
			Total 100	50

**Group B
CONSTITUTIONAL LAW and ADMINISTRATIVE LAW**

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	III	National Security, Public Order and Rule of Law	IA - 20	10
			Th - 80	40
			Total 100	50
4.	IV	Administrative Process	IA 20	10
			Th 80	40
			Total 100	50

Appendix - C

**LL. M. THIRD SEMESTER EXAMINATION
Foundation Courses**

Sr. No.	Paper	Subject	Max. Marks	Min. Marks	
1.	F-VII	Socio-legal Research (Submission of Project Work and Viva-Voce and Law Teaching)	IA - 20	10	
			Th - 80	40	
			Total 100	50	
2.	F-VIII	Computer and Information Technology Law: Theory	IA - 20	10	
			Th - 80	40	
			Total 100	50	
Practical : F-IX					
		Practical on Computer	Ext. Exam.	50	25
		Viva-voce	Ext. Exam.	25	13
		Group Discussion	Ext. Exam.	25	13
		Total	100	51	

**Optional Courses
Group A
CRIMINAL LAW**

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	V	Victimology	IA - 20	10
			Th - 80	40
			Total 100	50
4.	VI	White Collar Crime	IA - 20	10
			Th - 80	40
			Total 100	50

Group B
CONSTITUTIONAL LAW and ADMINISTRATIVE LAW

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	V	Judicial control of Administrative powers	IA - 20	10
			Th - 80	40
			Total 100	50
4.	VI	Public Authorities and Liability: Controls on Maladministration	IA - 20	10
			Th - 80	40
			Total 100	50

Appendix - D

LL. M. FOURTH SEMESTER EXAMINATION
Foundation Courses

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
1.	F-X	Dissertation (External Examiner)	Written Work 125	
			Viva-voce 75	100
			Total 200	100
2.	F-XI	Introduction to Alternative Dispute Resolution	IA - 20	10
			Th - 80	40
			Total 100	50

Appendix A
LL.M. FIRST SEMESTER EXAMINATION
Group C
Business Law

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	I	Law of Industrial and Intellectual Property – I	IA 20	10
			Th 80	40
			Total 100	50
4.	II	Law of Industrial and Intellectual Property – II	IA 20	10
			Th 80	40
			Total 100	50

Group D
Corporate Law

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	I	Corporate Law	IA 20	10
			Th 80	40
			Total 100	50
4.	II	Company and Securities Law	IA 20	10
			Th 80	40
			Total 100	50

Group E
Human Rights

Sr. No.	Paper	Subject	Max. Marks	Min. Marks
3.	I	Historical and Philosophical Perspectives of Human Rights and Duties	IA 20	10
			Th 80	40
			Total 100	50
4.	II	Human Rights and Duties : International Perspective	IA 20	10
			Th 80	40
			Total 100	50

Appendix B
LL.M SECOND SEMESTER EXAMINATION

Group C
Business Law

Sr. No.	Paper	Subject		Max. Marks	Min. Marks
3.	III	Consumer Protection – Law and Practice	IA	20	10
			Th	80	40
			Total	100	50
4.	IV	Law of Contract-General Principles	IA	20	10
			Th	80	40
			Total	100	50

Group D
Corporate Law

Sr. No.	Paper	Subject		Max. Marks	Min. Marks
3.	III	Economic Legislation	IA	20	10
			Th	80	40
			Total	100	50
4.	IV	Legal Regulation of Economic Enterprises	IA	20	10
			Th	80	40
			Total	100	50

Group E
Human Rights

Sr. No.	Paper	Subject		Max. Marks	Min. Marks
3.	III	Protection System and Implementation of Human Rights and Duties	IA	20	10
			Th	80	40
			Total	100	50
4.	IV	Human Rights and Duties in India: Indian Legal System	IA	20	10
			Th	80	40
			Total	100	50

Appendix C
LL.M. THIRD SEMESTER EXAMINATION

Group C
Business Law

Sr. No.	Paper	Subject		Max. Marks	Min. Marks
3.	V	Banking Law	IA	20	10
			Th	80	40
			Total	100	50
4.	VI	Insurance Law	IA	20	10
			Th	80	40
			Total	100	50

Group D
Corporate Law

Sr. No.	Paper	Subject		Max. Marks	Min. Marks
3.	V	International Economic Law	IA	20	10
			Th	80	40
			Total	100	50
4.	VI	International Trade Law	IA	20	10
			Th	80	40
			Total	100	50

Group E
Human Rights

Sr. No.	Paper	Subject		Max. Marks	Min. Marks
3.	V	Human Rights and Criminal Justice System	IA	20	10
			Th	80	40
			Total	100	50
4.	VI	International Humanitarian Law and Refugee Law	IA	20	10
			Th	80	40
			Total	100	50

Notes : 1. In LL.M. Semesterised Course, there are *Eleven* papers on foundation courses, which are compulsory for all. There are two optional subjects in following specialization groups :

- i) Group - A - Criminal Law
- ii) Group - B - Constitutional Law and Administrative Law
- iii) Group - C - Business Law
- iv) Group - D - Corporate Law
- v) Group - E - Human Rights

2. Candidates have to select any one Group of above Specialization, which has **Six** Papers. The candidates will have to prosecute regular full time course of study. For every Paper, the Total Marks will be 100 out of which 20 Marks are for Internal Assessment and 80 Marks for Theory.

3. **Distribution of Marks :**

Semester – I	-	500 Marks,
Semester – II	-	500 Marks,
Semester – III	-	500 Marks &
Semester – IV	-	300 Marks

Total Course of LL.M		1800 Marks.
